

## Charter School and Authorizer Accountability

### School of Choice

- Unlike some district public schools, no student is forced to attend a charter school based on their zip code. Parents make the decision to send their child to a charter because they believe it will be the best education environment for their student. Many would argue a satisfied customer, or a parent that continues to choose a charter school, is the ultimate form of accountability.

### Roles and Responsibilities of Charter Authorizers and Charter Organizers

- An organizer's application for a charter school must include detailed plans for the school, including the following: description of the organizational, management and governance structure; educational mission goals, curriculum and instructional methods; budget and financial plans; personnel, transportation and discipline plans; and information about the school calendar and students to be served. (IC 20-24-3-4)
- An organizer must receive approval from an authorizer in order to start a charter school. The organizer is accountable to the authorizer to meet the terms of the agreement. (IC 20-24-9-4)
  - If at any time the charter school does not meet the requirements of the contract, the authorizer can close the school.
  - **Since 2004, at least 30 charter schools have been closed or not renewed by their authorizer.**
- No authorizer can grant a charter to a for-profit organizer. (IC 20-24-3-2)
- Authorizers are required to adopt standards of quality in charter authorizing, as defined by a national recognized organization with expertise in charter authorizing. (IC 20-24-2.2-1.5)

### Assessments & A-F School Letter Grades

- Charter schools are required by law to administer state assessments like ILEARN and IREAD.
- Charter schools are subject to the same A-F letter grade system as other public and non-public voucher participating schools. However, HEA 1514 – 2021 removed state-mandated consequences for charter schools in the lowest two performance categories, which also applies to traditional public and voucher schools.

### SBOE Authority & Intervention

- The SBOE has oversight of charter schools and charter authorizers in several capacities:
  - Authorizer Shopping (HEA 1338 – 2013)
    - If a charter school's charter is revoked or not renewed by the current authorizer, that same school cannot be granted a new charter by another authorizer unless the SBOE approves.
    - If a new authorizer wishes to grant a charter, they must appear before the SBOE and present information indicating the proposal is substantively different in the areas of deficiency identified by the current authorizer. (IC 20-24-4-1.5)
  - New Authorizer Registration (HEA 1636 – 2015)
    - Any entity (public school board, public and private colleges or universities) that was not already authorizing charter schools prior to July 1, 2015 must register with the SBOE before they can begin authorizing charter schools.
    - Required registration documents include: information pertaining to the governing body's budget and capacity to authorize schools; a description of the performance framework that will be used to guide the establishment and oversight of charters; a draft of the board's renewal, revocation and nonrenewal processes; and more.

- Within 60 days of receiving a school board’s request for authorizer registration, the SBOE shall grant authorizing authority to the school board. However, any college or university that submits a registration application may be approved or denied by the SBOE. If approved, the SBOE grants an initial 6 year authorizing contract to the entity. (IC 20-24-2.2-1.2)
- Evaluation of State of Charter Schools (HEA 1636 – 2015)
  - The SBOE is required to conduct a review of charter schools across the state and report on the state of charter schools every 5 years. (IC 20-24-2.2-8)

### Transparency

- Charter schools are required to have a third-party financial audit completed every year, unlike district public schools which are only audited by the State Board of Accounts (much less rigorous) every other year.
  - Charter schools are required to be examined by IC 5-11-1-9. Starting in 2013, they were required to be examined annually to meet federal and state grant guidelines. IC 5-11-1-7(b) provides that the State Examiner has the ability to allow charter schools to engage private examiners to meet the examination requirements. The Guidelines for the Audits of Charter Schools Performed by Private Examiners was created by the SBOA and details the oversight responsibilities and procedures that are required for the Charter School examinations. Those requirements have increased in burden and added cost to charter schools over recent years.
- Authorizers must conduct a public hearing before approving a charter application. (IC 20-24-3-5.5; 13; and 14.1)
- Authorizers must submit annual reports to the DOE. The authorizer, DOE and SBOE are all required to publicly post the annual report on their respective websites. (IC 20-24-9-1)
- Charter school organizers must publish an annual performance report just like all other public school corporations. (IC 20-24-9-6)
- DOE is required to have a charter school page on the department website that includes all authorizers and approved schools, as well as pending applications and other information. (IC 20-24-2.2-1)

### National Rankings

- For the seventh year in a row, the National Alliance for Public Charter Schools (NAPCS) ranked Indiana 1<sup>st</sup> in the nation for the strongest state charter school law. (January 2022)
- According to the NAPCS, “Indiana’s law does not cap charter school growth, includes multiple authorizers, and provides a fair amount of autonomy and accountability. Indiana has also made notable strides in recent years to provide more equitable funding to charter schools, although work remains to be done.”
- The Center for Education Reform rated Indiana as an “A” for our charter school law in their 2018 edition of its National Charter School Law Rankings and Scorecard. Arizona and the District of Columbia were the only others to receive an “A” rating.
  - In their 2021 report, Indiana was rated as a “B” with Arizona and Florida being the only “A” rated states in the nation.
- The National Association of Charter School Authorizers (NACSA) ranked Indiana 1<sup>st</sup> in the country for our laws on authorizer accountability. (December 2015)