

Delivering on the Promise

How Missouri Can Grow
Excellent, Accountable
Public Charter Schools



February 2011

Foreword

Public charter schools embody an ambitious combination of autonomy and accountability. They are freer than ordinary public schools in matters of personnel, budget and program, but they must attain the objectives in their charter. They must follow applicable federal and state laws, spend the public dollar with integrity, and move students at an acceptable rate toward state academic standards and their own specific achievement goals. Falling short may mean the ultimate sanction, closing the school.

The model does not promise perfection, and it intentionally involves taking some risks that a new idea or new approach will work. Although state laws vary, they all presume that a new charter school will have some time to prove itself. Those that fulfill expectations can be renewed for another charter term; those that do spectacularly well become candidates for expansion and replication; and those that fail to deliver are denied renewal—or in cases of serious lapses, shut down in mid-course.

That is how chartering works. Done well, it produces a set of schools that, in the aggregate, are always moving ahead. As the best expand and the laggards leave, charters-plural provide better and better options for students while creating serious pressure for system-wide reform.

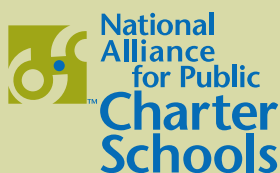
As Missouri's charter movement moves into its second decade, there's reason for concern that this promise is not being fully realized, despite the good intentions of policymakers and the often-heroic efforts of charter educators who serve some of the most needful student populations in the state. Recent legislative sessions have produced a series of important amendments to the state charter law,

aimed at strengthening the chain of accountability that runs from the school to the state capital. The charter movement itself has become an important peer voice for improving quality. This report is intended to document where things stand now, and to suggest further steps—particularly policy improvements—that should be taken to help the charter movement deliver on its promise to the children and families of Missouri.

The report is a product of the National Alliance for Public Charter Schools, and its principal author is the NAPCS' senior advisor and former president and CEO, Nelson Smith, with able assistance from the organization's Vice President for State Policy and Support, Todd Ziebarth. This work reflects the NAPCS' longstanding commitment to grounding its advocacy in candid examination of evidence. As the national voice of the movement, the NAPCS has fought for charter school quality just as strenuously as it has sought equitable resources and growth that can meet parent demand.

Partnering with the NAPCS is the policy research firm Public Impact, whose team includes Co-Director Bryan Hassel and his colleagues Dana Brinson and Lyria Boast. They have contributed the same kind of detailed research and thoughtful analyses that have characterized the work for which Public Impact is so well-regarded among policymakers and opinion leaders across the country.

Finally, this report was made possible by support from the Ewing Marion Kauffman Foundation, which has played an invaluable role in building Missouri's civic and educational institutions.



The National Alliance for Public Charter Schools is the leading national nonprofit organization committed to advancing the charter school movement. Our mission is to lead public education to unprecedented levels of academic achievement for all students by fostering a strong charter sector.

Delivering on the Promise

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Executive Summary

This report examines the development and status of Missouri's public charter school sector using the following indicators:

Performance

- Missouri's experience with charter schools is quite different from that of many other chartering states, particularly with respect to the dominance of universities as charter authorizers and the restriction of charter schools to the boundaries of two urban school districts.
- Although there is ample data about the performance of Missouri's charter schools, most is derived from "snapshots" that show the average performance of students currently in the schools. As the state rolls out its growth model, a much richer picture will emerge of the value actually added by a specific charter or other type of public school.
- Very few Missouri charters currently reach state proficiency standards. However, a substantial number of charter schools perform better on standardized tests than the Kansas City and St. Louis districts where they are located.
- Performance of individual charter schools varies widely. There have been marked gains in recent years among established charter schools, and the early showing of some new charters in St. Louis is particularly encouraging. There are clusters of strong performance, especially in Kansas City, where charters represent six of the top 11 public schools in communications arts and six of the top 12 in math.
- However, charters also cluster at the bottom end of public school performance in both St. Louis and Kansas City. A number of charter schools that have never attained acceptable levels of performance remain open—and some of these have won charter renewal.

Policy Environment

- Missouri's charter law provides a reasonably strong foundation for support of charter schools. But it is weak on critical "quality control" measures.
- There is wide variation in the practices of Missouri's charter authorizers, and little common agreement about the standards and criteria to be used for charter renewal or revocation.
- Authorizers have clear legal authority to close low-performing charter schools, and have done so in some cases. But they may resist more aggressive action due to fear of lawsuits or other considerations.
- The 1.5 percent per-pupil fee Missouri authorizers collect for their oversight of charter schools is well within the usual range for such fees nationally. But there is inadequate transparency about how the funds are actually spent.
- The State Board of Education has statutory authority to hold authorizers accountable for their performance, but it is constrained by unclear criteria and a lack of capacity at the Department of Elementary and Secondary Education.

Finance

- Missouri charter schools are dramatically underfunded compared to other public schools—a per-pupil gap of 26 percent in Kansas City and 35 percent in St. Louis.
- The lack of a dedicated facilities-funding stream not only requires charter schools to spend operating dollars on building needs; it also creates a disincentive for potential lenders to participate in the facilities market.
- The complex set of educator pension plans, and the statutory requirement that charters affiliate with local district pension systems, distort the labor pool for teacher and administrator talent.

Support

- Missouri got a relatively late start in building the kind of charter support systems other states enjoy. While the state charter association has emerged as a voice for quality, and the National Association of Charter School Authorizers has played a constructive role in training its Missouri colleagues, the state's charter movement would benefit from more participation by nationally-known nonprofits that recruit teachers and school leaders as well as those that provide facilities financing.

Recommendations

Close chronically low-performing charter schools by creating standards of performance and taking urgent action on schools that show persistent academic failure.

Improve the authorizing environment by requiring incumbent authorizers to re-apply for their status; creating firm criteria for approving new authorizers; and holding all authorizers accountable for their performance.

Create a new statewide authorizer with a single focus on approving and overseeing high-quality public charter schools.

Prioritize state oversight by clarifying the criteria by which the State Board of Education can hold authorizers accountable for performance, and by providing the Department of Elementary and Secondary Education (DESE) adequate resources to staff its charter school responsibilities properly.

Equalize resources between charter and other public schools by making charters eligible for all state funding streams, and by taking bold new steps to include charters among all other public schools in the provision of school facilities.

Expand chartering statewide so that every child who needs a quality educational option will have access to one.

Recruit top national charter-school operators into the state. Make Missouri a destination for the nation's best, so that excellent educational opportunities, based on proven models, become available to families who want them.

Create an HR pipeline so that a growing charter sector has access to strong new leaders, experienced board members, and the kind of staff talent that powers high student achievement.

Serve all students, including English language learners and students with disabilities. Make explicit efforts to reach out to them as potential students, and ensure that authorizers hold schools accountable for fulfilling their responsibilities to these students under federal and state law.

Fill out the grid of technical support for charter schools, especially by strengthening their capacity for performance management that uses a rich array of data to drive the next phase of improvement.

Introduction

It's been said that there is not one charter school movement but 41, with the growth and development of each state's charter sector shaped by its laws and political culture. Nowhere is that more true than Missouri, where the movement's origins, growth patterns and accomplishments are different from those of most other states.

Missouri was the 27th state to pass a charter law, in May 1998. The other 26 had been written for various reasons such as expanding opportunities for teacher creativity and increasing student achievement. Some were intended to provide public-sector options that could forestall oncoming voucher legislation. Missouri's law was part of a larger design: ushering in an end to three decades of court-ordered desegregation in St. Louis and Kansas City. Language permitting charter schools was just one part of legislation that redrew the state's school-funding formula to compensate its two largest cities for the loss of desegregation funding. The charter school provisions offered hope of new schools that might revitalize the state's two largest cities, whose existing public school systems were sliding into dysfunction. In one op-ed, the charter bill's Senate sponsor wrote of community schools that would offer children living in housing projects a solid education and replace their being bused to "remote schools."

Because such concerns were not paramount in places like Columbia and Jefferson City, charter schools were limited to the school-district boundaries of St. Louis and Kansas City, making Missouri one of only two states that forbid charter schools from opening except in designated geographies.

Missouri's movement is an exception to other national norms, most notably the rules governing who can approve and oversee charter schools. Nationwide, 89 percent of charter authorizers

are local school districts.^{1*} Of the 41 chartering jurisdictions, only 30 allow entities other than local districts to sponsor, and just 13 allow colleges and universities into the mix—although these exceptions have given rise to such peerless practitioners of the authorizer's craft as the State University of New York and Central Michigan University. In Missouri, by contrast, higher-ed institutions are by far the dominant authorizers of charter schools, now sponsoring all but one of the state's charters. As we shall see, this arrangement provides both advantages and disadvantages.

Unlike the relatively steady accretion of charters nationally (350–400 each year) or the consistent upward push in most states, Missouri charter growth has been uneven. By 2002 there were 16 charters but the needle barely budged until 2008, when there was a net gain of six. As of fall 2010 there are 51 campuses operating under 36 charters. That's close to the numbers in the most directly comparable states by population, Tennessee and Maryland—but both of these states have highly restrictive charter laws. By contrast, other nearly-comparable states have much larger charter communities, among them Wisconsin (232 charter schools); Colorado (141); and Arizona (455).

Some researchers assert that slow growth promotes higher quality. That's an errant belief in general, but it is certainly disproven in Missouri. Despite a small number of stellar successes, and many schools that are treasured by their students and parents, there are too few charter schools in Kansas City and St. Louis that outperform the sluggish pace set by the surrounding districts, and far too many that lag behind.

At the outset, let's take notice of the many good things that are happening in Missouri's public charter

* Charter authorizers are known as "sponsors" in Missouri. To avoid confusion we will use the term "authorizer" throughout this report.

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schools sector, starting with its growing determination to grapple with questions of quality and accountability. Despite its posture as an advocate for charter schools and the fact that it collects dues from members, the Missouri Charter Public School Association (MCPSA) has emerged as a strong voice for improving oversight and toughening sanctions on low-performing charter schools. Major philanthropic organizations have contributed resources to the study of charter quality and accountable authorizing in Missouri. The quality of oversight has begun to improve as Missouri authorizers have studied best practices of top-class peers. Policymakers have been willing to take serious measures, including legislation to improve sponsor accountability.

Much remains to be done, however, and this report will offer some suggestions on next steps from the perspective of “critical friends.” It is grounded in available data and more than two dozen interviews with state leaders, authorizers and charter school operators. Those who collaborated on it quite clearly believe in the potential of the charter model to serve students and families, but have also grown impatient with spotty implementation. We want to see Missouri rise to the top: supporting charter schools with appropriate resources, replicating the best performers so they can serve more students, and taking swift and certain action on charter schools that chronically fail in their mission.

Caveats about data. It is seldom a straightforward task to answer the question “How well are charter schools doing?” In recent years there has been a barrage of oversimplification on this point, with advocates and critics trumpeting the results of any single study that suits their beliefs, while discarding the cautions expressed by researchers themselves.

In this case, we have a discrete number of schools, all subject to the same state standards and all taking the same state tests, and located in just two jurisdictions—which should make evaluation easy. But among these schools there is a broad range of purposes and methods, from basic elementary education to dropout recovery, to explicitly academic and college-prep, to experiential and student-centered. Their authorizers have an even wider range of motivations, beliefs and practices, with some providing intense scrutiny and support and others taking a more hands-off approach.

In this brief review we will consider available evidence on performance; look at the oversight environment, focusing particularly on the state education department and charter authorizers; and will then make recommendations for creating a stronger, more high-performing charter sector in Missouri.

Missouri Charter Schools: A Descriptive Snapshot²				
Indicator	Charter Schools	KC District Public Schools	STL District Public Schools	All MO Public Schools
Number of schools (i.e., campuses) operating	51*	35†	87	2,221
Market share: charters as % of all public <i>schools</i>	N/A	29.5%	11.4%	2.2%
Number of students	18,489	16,810	26,708	829,279
Market share: charters as % of all public <i>students</i>	N/A	34.3%	26.5%	2%
Percentage minority students	85%	85.9%	86.3%	23.9%
Percentage of free/reduced price lunch students	76%	79.6%	68.7%	43.7%
Percentage of special education students	8.12% total 6.25% KC 9.84% STL	11.43%	17.4%	11.5%
% of students LEP	6.48%	17.15%	6.78%	2.2%
Number of schools opened last year	6 in 2009–2010 school year/ 5 in the 2010–11 school year			
Percentage of charter schools (campuses) managed by EMOs or CMOs (respectively, for-profit and non-profit charter management companies)	44%			
Average age of charter schools (campuses) by years open	31.7% open 10+ years, 12.2% open 7–9 years, 56.1% open 1–3 years			
Charter school authorizers	13 4-KC/8-STL/1-Statewide (appeals only)			

* The number of charter *schools* operating beginning August 2010. The current number of *charters* is 36.

† The number of Kansas City district public schools operating beginning August 2010. The number of public schools in the 2009–2010 school-year was 61.

Charter Schools in the Spotlight

In looking at Missouri charter schools, it's helpful to have some context about how the performance of charters is being debated nationally.

Charter schools have drawn intense national scrutiny in the past year due to the Obama Administration's Race to the Top competition, and because charters have been featured in different mass media outlets ranging from documentaries such as "The Lottery" and "Waiting for 'Superman'" to the Oprah Winfrey show and multiple stories on network news shows.

Critics such as educational historian Diane Ravitch have responded with several main arguments: one, that charters represent only 4 percent of public school population nationally, and don't deserve such disproportionate attention; two, that only a small band of charter schools outpace their surrounding districts; and three, that even the best charters get their strong results by selecting the ablest learners for their student bodies.

On these three points:

- Charters make up 26.5 percent of the public school population in St. Louis and 34.3 percent in Kansas City. In Missouri's two largest cities, charters are no longer marginal. They are a major part of the public education delivery system. The question before Missouri policymakers is not whether to have charters or not; it's whether chartering will be done in a way that delivers on its promise.
- The argument that few charters outperform traditional public schools is based largely on a single national study (discussed below). But that study actually found that Missouri charter school students gain faster than their peers in other public schools. Moreover, the preponderance of other studies continues to show that charters outperform district

schools in urban areas, and tend to close achievement gaps between minority and white students.

- Finally, there is no reputable evidence—none—that public charter schools are selective in admissions. The strongest rebuttal to this claim is a comprehensive Rand Education study looking at charter schools in eight states. Rand said: "We find no systematic evidence to support the fear that charter schools are skimming off the highest-achieving students. The prior test scores of students transferring into charter schools were near or below local (districtwide or statewide) averages in every geographic location included in the study."³

Nationally, the percentages of students with disabilities and English language learners are roughly comparable in charters and other public schools.⁴ There are some gaps in this respect among Missouri charters, however, with charters enrolling fewer students with disabilities than surrounding districts, and in Kansas City, enrolling a significantly lower share of students who are limited English proficient. Since charters are schools of choice, such disparities may simply be explained by parent preference—but they bear closer examination.

For Missouri policymakers, the single most important thing to remember is that the performance of charter schools is mightily affected by the policy environment around them. The strength of state laws and regulations enabling charters, the rigor with which charters are approved and renewed, and the quality of the services provided by charter support organizations combine to make the difference between a strong portfolio of charter schools and a mediocre one. No national average is an indicator of how well a specific group of charters will perform.

The Performance of Missouri Charter Schools

In recent years the Missouri charter movement has been examined through a number of different lenses, including value-added analyses done for the Joint Legislative Committee on Education, reports by the facilities funder IFF, (formerly the Illinois Facilities Fund), showing how educational options are clustered and perform in St. Louis and Kansas City, and various analyses done by academics and consultants. Here, we add new findings by the policy-research firm Public Impact, conducted for this report. What follows is a brief presentation of some representative highlights, followed by a discussion that synthesizes the results.

The performance of charter schools is mightily affected by the policy environment around them.

Because charter schools are public schools, the main state assessment, known as the Missouri Assessment Program (MAP), provides one essential gauge of performance for students in the tested grades.* It's important to understand four things about MAP data.

- First, most MAP results are reported as “snapshots” that show the performance of a given group of students on a given day of test administration. When school-wide results are presented, what you see is a composite across all grade levels served. Results for a new charter high school may include just grades nine and 10, while an established K–8 will report all six of its tested grades.
- Second, MAP results can be linked longitudinally, enabling us to see how students make progress from one grade to another, and from one kind of school to another; in this way we see the “value added” of the schools themselves. However, this kind of information is not readily available. One value-added analysis, conducted for the Joint Legislative Committee on Education, is included here, but it is aggregate data that does not refer to specific schools. As one of 15 states given permission by the US Department of Education to develop a “growth-to-standards” model, Missouri expects to publish school-level growth data in 2012.
- Third, under the federal No Child Left Behind Act, each state determines a state standard of proficiency that increases periodically, separately for math and communications arts, on a path toward 100 percent proficiency in both subjects by 2014. In Missouri, these benchmarks are accelerating on a sharp upward curve: in 2008 the standard in communications arts was 51 percent proficient; in 2010 it is 67.4 percent proficient. (In other words, for a school to “meet the state standard,” 67.4 percent of its students must now reach at least “proficient” on a four-part scale: below basic/basic/proficient/advanced.) The 2008 standard in math was 45 percent proficient; in 2010 it is 63.3 percent. The “state standard” referred to in this report will reflect the year of analysis for each chart.
- Fourth, and perhaps most important, charter schools are located only in St. Louis and Kansas

* In 2008–2009 the Missouri Assessment Program (MAP) tested students in grades 3 through 8 in math and communication arts, and in grades 5 and 8 in science. Districts had the option to give assessments in social studies in grades 4 and 8 on a voluntary basis. Starting in 2008–2009, Missouri implemented End-of-Course (EOC) Assessments to test high school students in English, algebra, and biology. The term “MAP” covers all these assessments.

City. So, while it's essential to look at how they perform in terms of state norms, they must also be compared to their surrounding districts—since that is the choice a parent faces when deciding where to enroll her child.

We'll look at four types of measures suggested by the federally-funded Building Charter School Quality project: Status, Growth, Readiness and Engagement.*

Status

According to the charts below, few charter schools in either city were able to meet the 2010 state standards. In math, only City Garden Montessori and Confluence Preparatory Academy in St. Louis exceeded the mark. In communications arts, the bar was surmounted by University Academy Upper School and Academie Lafayette in Kansas City.†

When compared against the surrounding districts, the pattern of charter performance becomes clearer.

Certain charters do better, and some by a good bit.

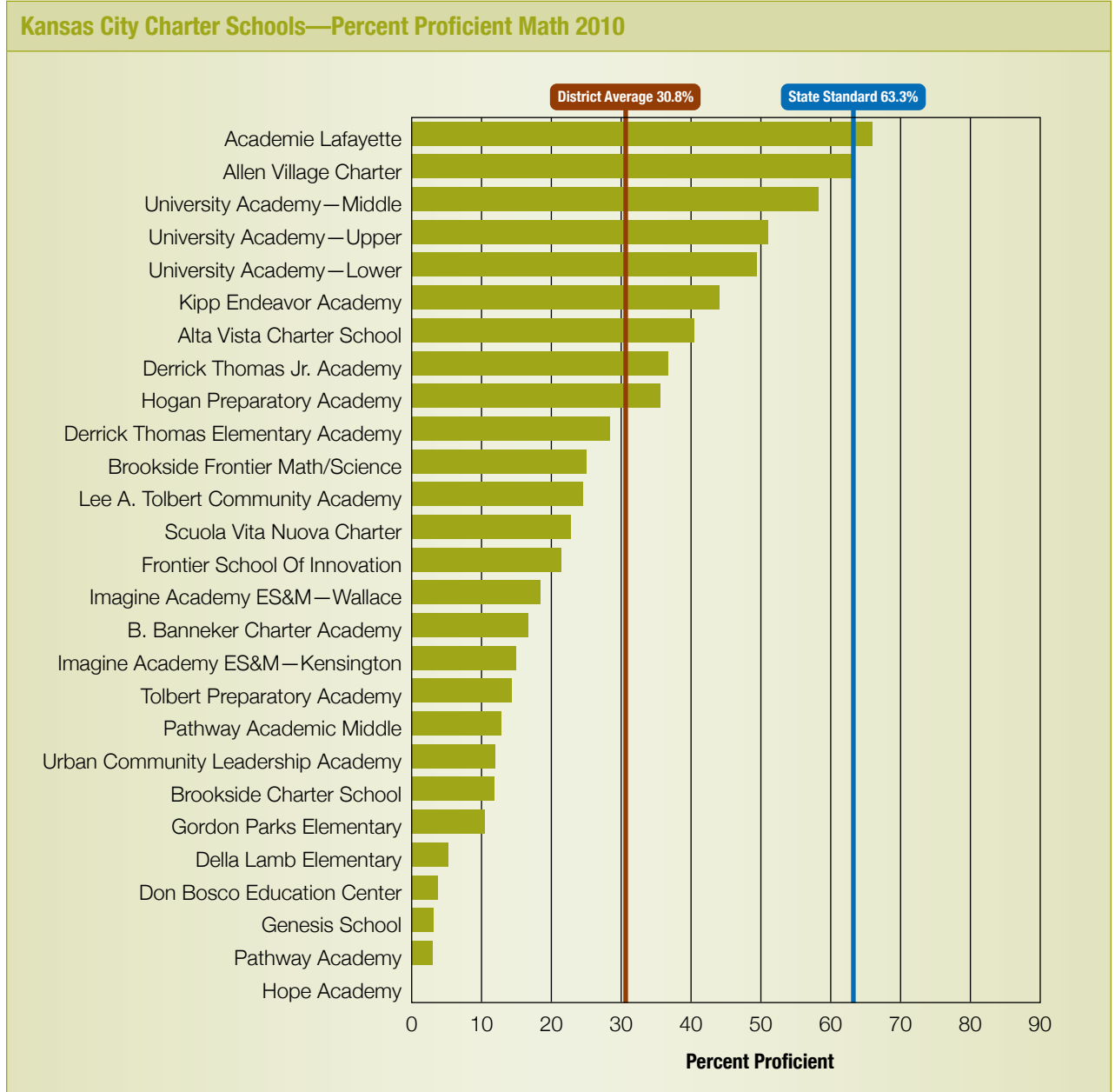
In 2010, the Kansas City district scored 31.3 percent proficient against the state bar of 67.4 in communications arts, and 30.8 percent proficient against the state bar of 63.3 percent proficient in math. Eight of



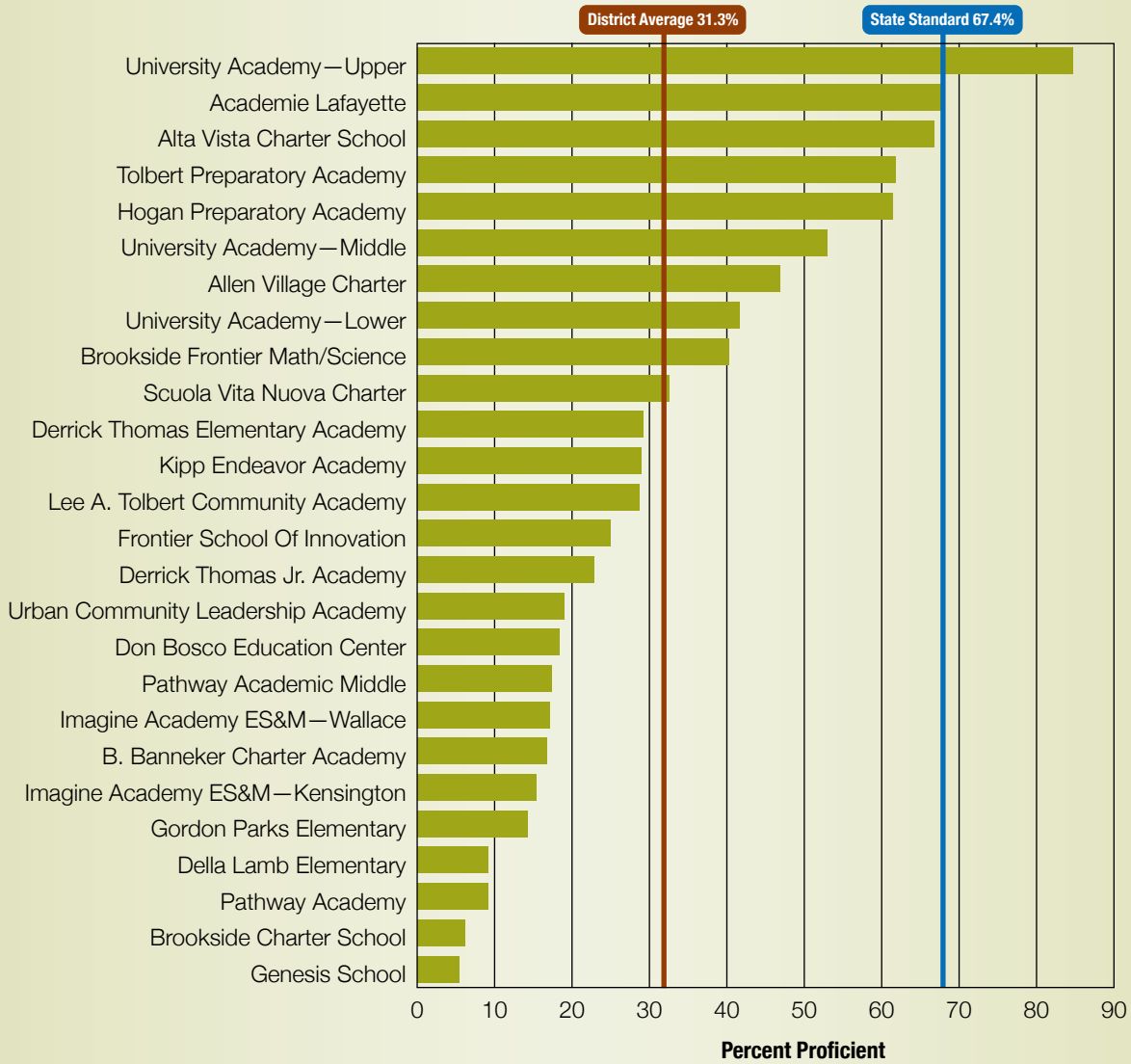
20 Kansas City charters exceeded these averages in math, and 10 scored higher in communications arts. In St. Louis, with a district average of 30.7 percent proficient in communications arts and 26.9 percent proficient in math, eight of 14 charters—more than half—exceeded the district mark in math, and four of 14 outpaced the district in communications arts.

* Building Charter School Quality, funded by a National Leadership Activities grant from the Charter Schools Program of the US Department of Education, is a collaboration among the National Alliance for Public Charter Schools, the National Association of Charter School Authorizers, the Center for Research on Educational Outcomes (CREDO) at Stanford University, and the Colorado League of Charter Schools. It has produced fundamental measures and metrics for evaluating the quality of public charter schools, as well as trainings and tools for data-based performance management. Visit the webpage, <http://www.publiccharters.org/Framework+for+Academic+Quality>, for the academic-performance framework referenced here.

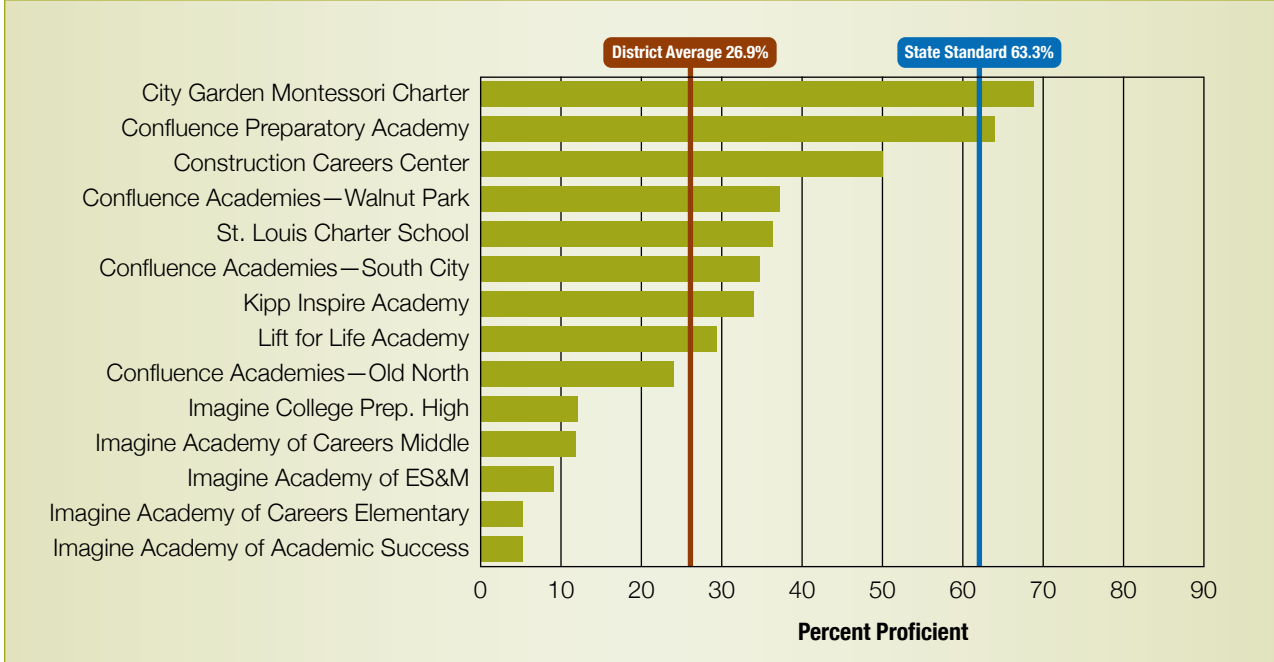
† Note that a certain number of high schools administered only the English 2 exam in 2010; the English 1 exam was not mandatory.



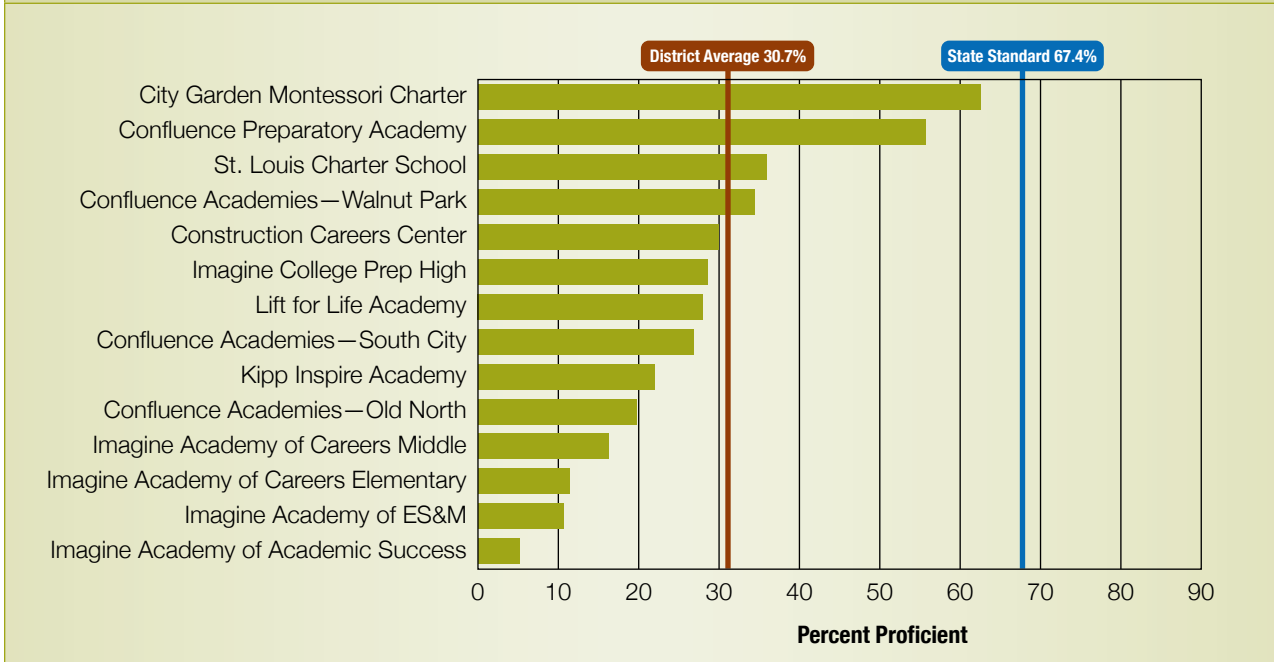
Kansas City Charter Schools—Percent Proficient Communication Arts 2010



St. Louis Charter Schools—Percent Proficient Math 2010



St. Louis Charter Schools—Percent Proficient Communication Arts 2010

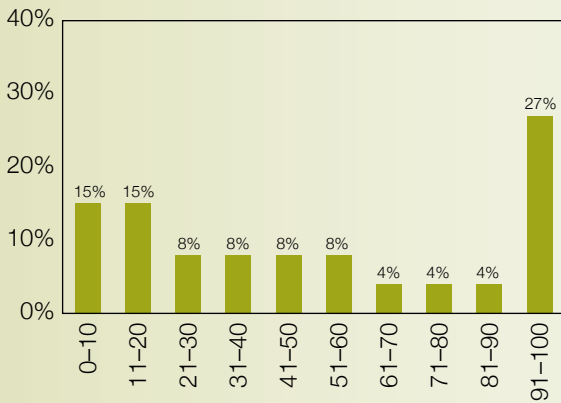


Yet too many lag. Do the math; the remaining charters failed to surmount even the modest bar of district performance. Perhaps the most sobering comment the state itself can make about any public school is to list it among those eligible for federal School Improvement Grants (SIG), since this year the U.S. Department of Education specified that such grants would go to persistently low-performing schools that fall within the bottom 5 percent of all schools in each state.⁵ Five Missouri charter schools made this list, receiving SIG grants ranging from \$250K to \$966K.⁶

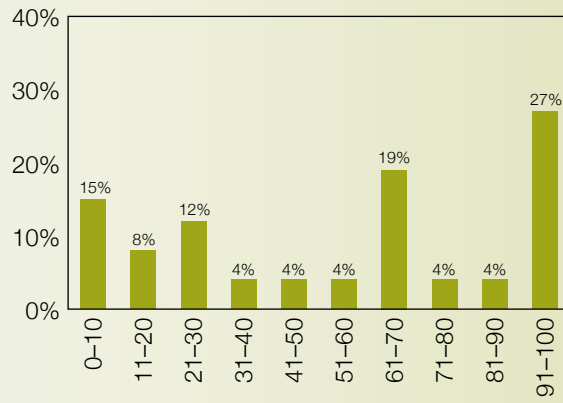
The impression that performance varies between cities and among schools is reinforced by looking at where charters fall among public schools generally in each city. In the charts that follow, district schools are sorted into deciles—that is, simply ranked in order of proficiency on the 2010 assessments and then divided into 10 sections. Then charter schools are interspersed in this list according to their performance.

Charter School Proficiency Rates by District Deciles, St. Louis and Kansas City

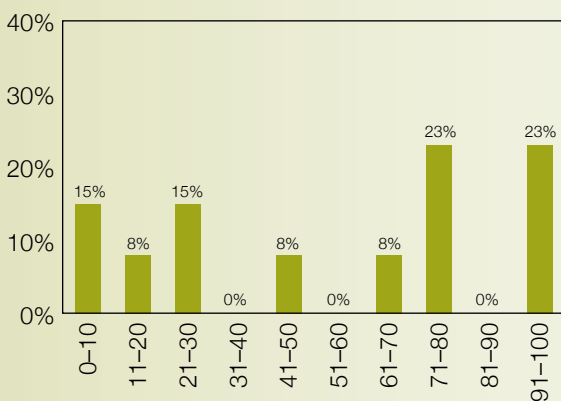
% of Kansas City Charter School 2010 Math Proficiency in each Decile Compared to the District



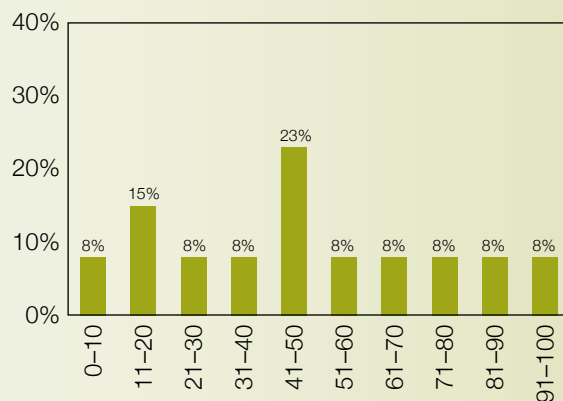
% of Kansas City Charter School 2010 Comm Arts Proficiency in each Decile Compared to the District



% of St. Louis Charter School 2010 Math Proficiency in each Decile Compared to the District



% of St. Louis Charter School 2010 Comm Arts Proficiency in each Decile Compared to the District



It's important to measure *the value schools themselves add*—and not just the skills and habits students bring from home and prior schooling.

The good news here is that there are clusters of strong performance, especially in Kansas City, where charters represent six of the top 11 public schools in communications arts and six of the top 12 in math. In St. Louis, the results are less impressive: Charters are just one of the top nine public schools in communications arts, and three of the top 11 in math.

But again, charters also cluster at the bottom in both cities, and in both subjects. In Kansas City, six of the 15 lowest-performing schools in communications arts are charters, as are eight of the bottom 15 in math. In St. Louis, eight of the schools with lowest proficiency in communications arts are charters, as are three of the bottom 15 in math.

Overall, the most encouraging news to be found among “status” measures is that they have shown a decidedly positive trend in the last two years. In 2009, among schools with two or more years of MAP scores to compare, 19 of 25 Missouri charters showed improvements in communications arts, and 10 of 25 improved in math. In 2010, 18 of 25 charters showed improvement in communications arts, and 19 of 25 improved their performance in math. While some of these improvements were marginal (and some at very low absolute levels), a few schools made extraordinary jumps in one or both subjects, including Alta Vista and Hogan Preparatory, both in Kansas City. The scores of the Kansas City and St. Louis district public schools improved as well during this period, so perhaps there's a competitive tide lifting all boats. But the marked improvement in charter

performance should be noted, and the especially strong gains in certain schools deserve applause.⁷

But these analyses are based on “snapshots” and do not take into account one crucial piece of information needed to evaluate the performance of any school, charter or otherwise: How well were students doing before they entered the school? A high school that serves former dropouts is unlikely to post high MAP scores when its students haven't held a Number 2 pencil for years. A middle school whose entering students are already two or three years behind grade level will be in similar straits. That's why it's important to measure *the value schools themselves add*—and not just the skills and habits students bring from home and prior schooling.

Growth

Missouri is currently piloting a new way of looking at academic performance. By 2012 the public will have school-level analyses taking into account student growth as well as status on proficiency measures. This will be a great leveler, letting us see which schools are really moving students ahead no matter the students' starting point.

Several sources already give us a pretty fair overall picture of charter school academic growth, if not one that identifies individual schools. A report released in early 2010 by the Joint Legislative Committee on Education included several analyses comparing three-year gains (2006 to 2009) among charter school students in grades 3–8 against their peers in traditional public schools in St. Louis and Kansas City.⁸ The report found that:

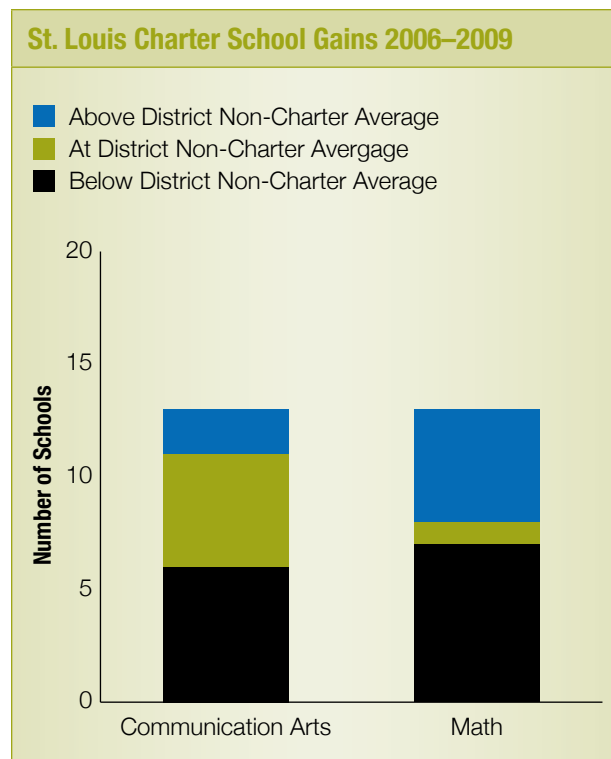
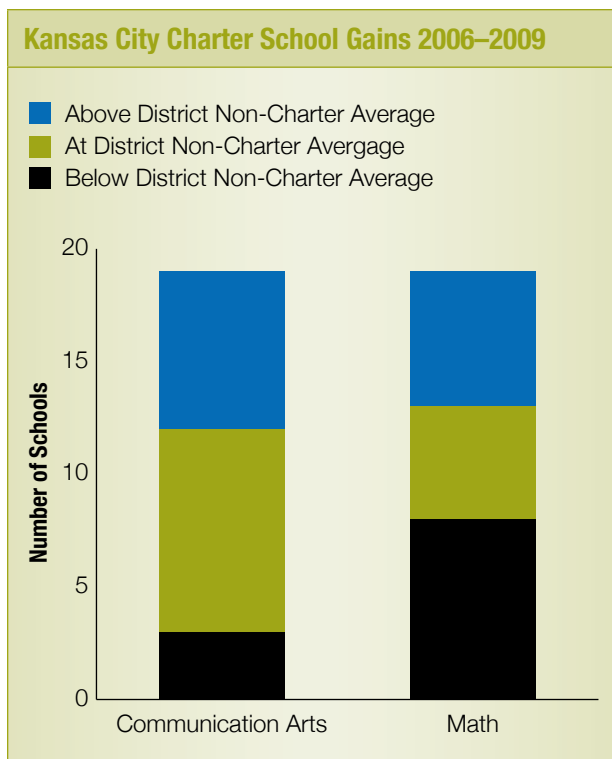
- In Kansas City, charter schools on average had larger learning gains in both math and communication arts than did the non-charter (traditional) schools in the district.

- In St. Louis, charter schools had math achievement gains that were not significantly different from non-charter schools in the district. In communication arts, charter school gains were significantly less than non-charter schools.
- These overall averages mask variation in the charter school sector. In both cities there are some charter schools where student growth is significantly higher than non-charters in the district. There are also some charters in which growth is significantly lower.

These findings generally confirm the impression given by status measures. Bear in mind, however, that the overall picture might look somewhat better with more recent data, given the closure of several low-performing charters and the strong opening of several new ones in St. Louis.

Figures 33 and 34 translate these findings into two straightforward graphics.

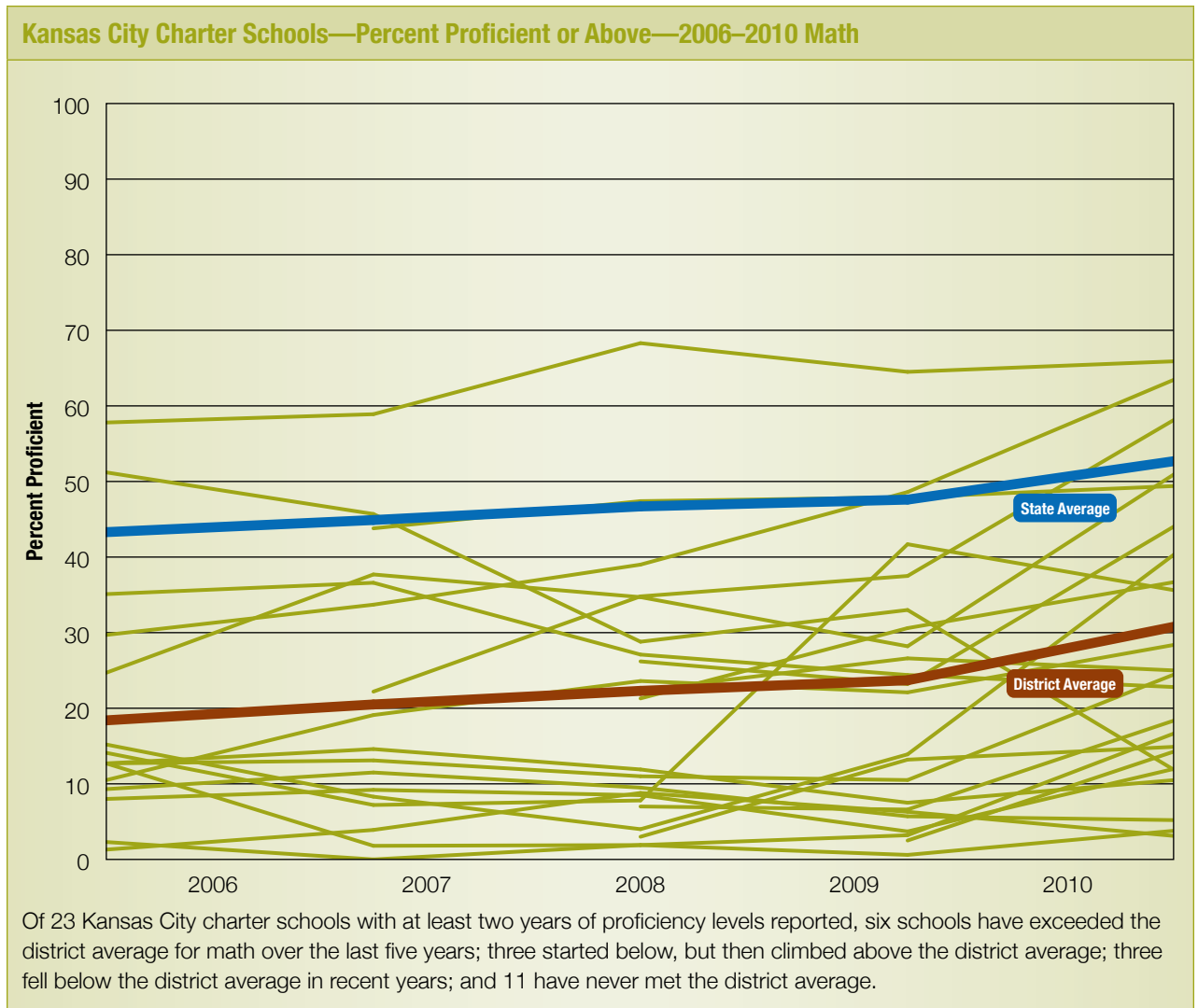
Another type of value-added study was conducted in 2009 by the Center for Research on Educational Outcomes (CREDO) at Stanford University.⁹ It used a radically different methodology and reached relatively positive conclusions. The researchers looked at the performance of Missouri charter school students against that of a “virtual twin” representing a composite of students from the charters’ feeder schools, matched on eight characteristics including race, income, and prior test scores. CREDO found significantly better results for charter students than their district-schooled peers in both reading and math, with particularly strong benefits for black and Hispanic students. Paradoxically, however, it found that students from poverty-stricken communities and



English Language learners did less well in charters than in other public schools.*

Since the CREDO report (and much other research) finds that charter-school results improve *over time*, it's particularly important to ask whether Missouri charters have followed this pattern. We do not have student-level longitudinal data all the way back to the first charters, but we do have a record of schools' average

proficiency on the state tests over the years. This is an imperfect measure, a series of snapshots that does not take into account changes in student population, but it's telling nonetheless. Some of the state's lowest-performing charter schools have been that way for a long time. Consider this graphic, which plots the performance of Kansas City charters over five years of MAP data. Two of the schools whose proficiency levels remain low are identified by their authorizers



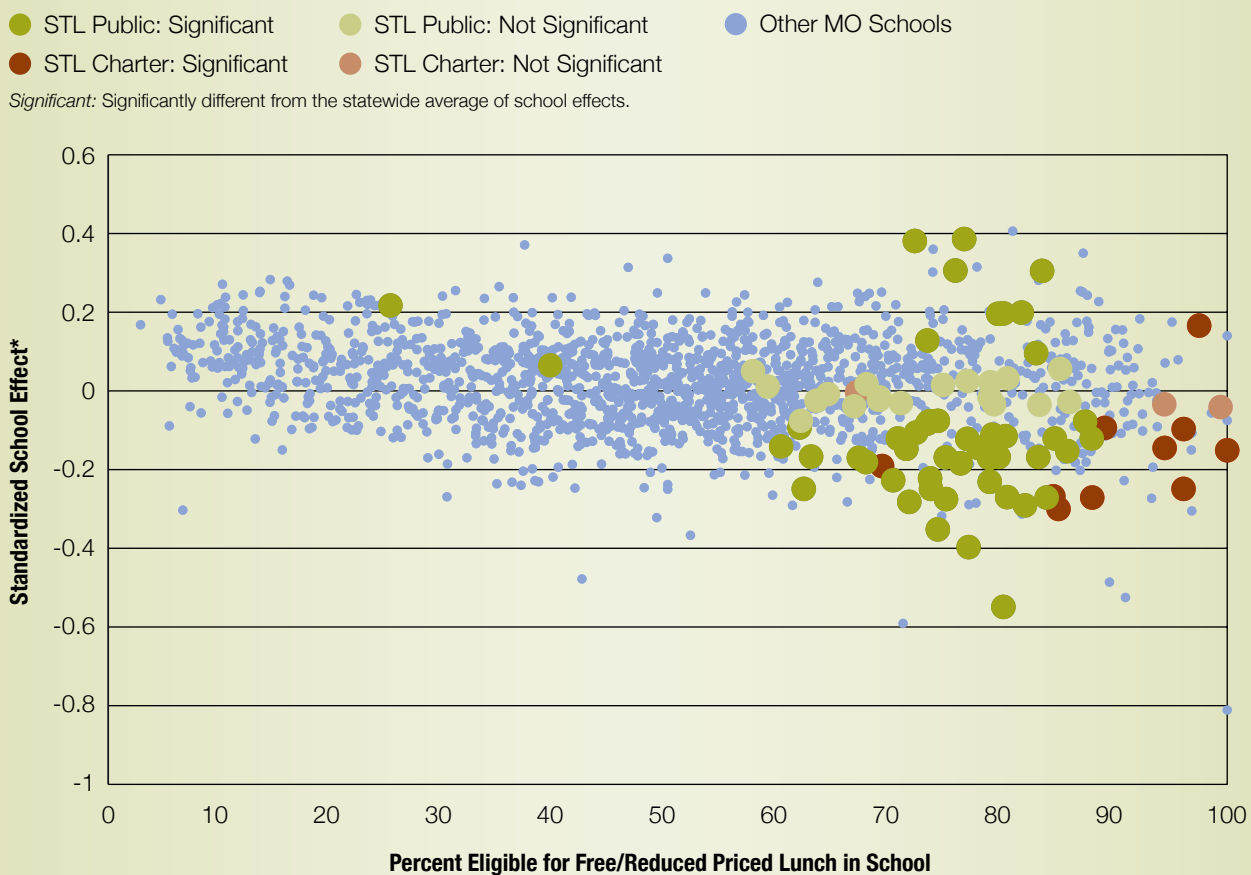
* As the reader may be aware, the NAPCS took exception to CREDO's national study. An account of our position can be found here: <http://www.publiccharters.org/node/964>. Since we believe that CREDO's methodology generally skews charter results to the negative, their Missouri report is included here; if our analysis is correct, it would only strengthen the generally positive findings for Missouri.

as “alternative” programs designed to either prevent or help students recover from dropping out (Genesis and Don Bosco). There are others serving populations reflective of the district itself that are performing poorly over the entire period.

The bottom-line question about growth is whether charter schools are equipping their students to beat the odds—an especially pressing question in

Missouri, given that all the schools are located in two deeply-stressed urban areas. Looking at the graphs below, taken from the Joint Legislative Committee report, the picture is not comforting. As the incidence of poverty rises, the general trend of performance for all public schools, charter and traditional, turns down. Very few schools in either city are in the upper-right area, where you would find a high-poverty school that is educating students to a high level of proficiency.

Figure 4. Standardized School Effects on MAP Com Arts Performance



*Standardized School Effect_i = (School Effect_i - Average of School Effects) / StDev of Scale Scores

(StDev of Scale Scores = WeightedAverage of by-grade StDev of Scale Scores, for grades 3–8)

Note: Number of Schools = 1,762 (with more than 20 valid test scores in both subjects)

This graph from the Joint Committee on Education’s January 2010 report plots the performance of all Missouri public schools against a measure of poverty. Zero represents average statewide gain. Like all St. Louis public schools, charters are clustered toward the right side, since they enroll a much higher-poverty student population than is true of the state in general.

A 10-Year Renewal for a Charter in the Bottom 5 Percent?

Benjamin Banneker Charter Academy in Kansas City is described on the website of its sponsor, the University of Central Missouri (UCM), as “a community-based school that serves high-risk students in grades Pre-K–8, with 92 percent of the student population ethnic minorities.” In 2010, just 16.7 percent of Banneker students (grades 3–8) were proficient in both math and communications arts. For six of the last eight years the school’s math performance has been in single digits; in communications arts, aside from a one-time jump to 36.8 percent proficient in 2005, its communications arts proficiency has never exceeded the teens. After being identified by DESE as a chronically low-performing

Tier I school—meaning that it is among the lowest-performing 5 percent of public schools in the state, Banneker won a \$912,903 School Improvement Grant in September to pursue a school turnaround. It has replaced half its teaching staff and has hired a full-time Principal/Chief Academic Officer to replace the prior academic leaders. The school’s founder and former Principal are still in place despite the other staff changes.

In November, Banneker was granted a 10-year charter renewal by UCM’s Board of Governors, but the renewal application has not yet been presented to the state board of education.¹⁰

Readiness and Engagement

The most common measure of “readiness” is high school graduation—and on that point there are some encouraging findings. According to the Joint Legislative Committee on Education: “Eight secondary charter schools reported graduation rates for the 2008–2009 academic year. Four of five Kansas City charter schools reported graduation rates higher than the district graduation rate for Kansas City 33 School District, and three Kansas City charter schools have graduation rates higher than the state average. Of the three secondary charter schools in St. Louis, all three reported graduation rates higher than both the state average and the average for St. Louis Public Schools.”¹¹ Remember, though, that the 2009 graduation rate for Kansas City was just 63.3 percent, and for St. Louis, 45.3 percent, and these are hardly an acceptable standard. The state rate was 85 percent however—so the six charters exceeding that rate are indeed showing pretty strong performance.¹²

Finally, the prime standardized measure of engagement is whether kids show up for school. Attendance rates at 16 of the 26 charter schools covered in the legislative report exceeded the averages of their surrounding districts, and five matched or exceeded the higher statewide averages.¹³

Do Families Have Enough High-Quality Options?

An additional perspective on the role of charters in Missouri is provided by IFF which has done comprehensive studies of the public-education options in Kansas City and St. Louis (the latter in partnership with NACSA).¹⁴ By charting MAP performance of charter and non-charter public schools in both cities against their enrollment areas, the IFF reports move the discussion beyond citywide averages and toward the most pressing issue for parents: Do students in various neighborhoods have sufficient access to good schools? The answer is a resounding “no” in

both cities, even though IFF's methodology requires only that schools surmount a performance bar that is half of the state standard.

What complicates the analysis is that there is a high incidence of public schools—both charter and district—that enroll many or most students from outside their neighborhood's geographic boundaries. So while the reports make clear that there are not enough good schools to go around, it may be hard to know what actual choices parents face in a given neighborhood, since (at least after the elementary grades), they can look elsewhere.

To Recap...

This brief review of Missouri charter data shows far from optimal performance overall, but some encouraging news:

- A few Missouri charter schools are performing at exceptional levels, exceeding state performance standards. A somewhat larger group is exceeding district performance in certain subjects and grade ranges.
- Improvement is possible. Charters in both St. Louis and Kansas City have seen a decided uptick in achievement results over the past two years. These improvements may be due to new campus leadership, more vigorous oversight, or other factors, but

Charters in both St. Louis and Kansas City have seen a decided uptick in achievement results over the past two years.

the question is whether the gains will keep coming, since many of the schools are starting from a very low base.

- Several new charters have started strong, mostly in St. Louis. City Garden Montessori opened grades K–3 in 2008 and has added two upper grades since; on the 2010 MAP, 62.5 percent of its students were proficient in communications arts and 68.8 percent in math. Confluence Preparatory Academy, a high school that also opened in 2008, posted 55.7 percent proficient in communications arts in 2010 and 64 percent proficient in math. New starts in Kansas City have not yet matched these results.
- Overall, too many charters are lagging behind by multiple measures and over many years. They are pulling down the averages in both cities—and far more important, failing to deliver the education their students deserve. Even some of the higher performing charter schools, while outperforming the surrounding district, are not doing nearly as well as their students need them to do.

Does the Missouri Environment Support High-Quality Chartering?

Good charter schools don't happen by accident. Two decades and 5,000 schools after the first state charter law was passed in 1991, we've learned a lot of lessons about how the policy and support environment can produce a robust set of schools—or a weak set of schools pulled down by chronic laggards. That's why the new Model State Charter Law released by the National Alliance for Public Charter Schools in 2009 dwells so extensively on what are called “quality control” features. In the NAPCS'

view, a “strong” law is not simply one that opens the floodgates and approves all charter applications, but a law that provides rigorous application processes, conscientious oversight, tough accountability and sufficient resources for all parties to do their jobs well.

In a 2011 comparison of state charter laws against the model, Missouri ranked 13 out of 40 states, indicating that there's a good foundation upon which to build. But the state fell short in some critical

How Missouri's Charter Law Measures Up

Missouri scored fairly well overall in the NAPCS' rankings of state charter laws. But it fell short in some particularly critical areas, especially those related to high-quality oversight. Here we highlight how the Missouri law compares to the model in these areas. (A more comprehensive version of this analysis is found in the rankings report released in January 2011, at www.publiccharters.org/charterlawrankings2011.)

Multiple Authorizers Available: Missouri law allows two or more viable authorizing options for applicants in Kansas City and St. Louis, but prohibits charter schools in other parts of the state.

Authorizer and Overall Program Accountability System Required: Missouri law allows the state board of education to sanction authorizers, including the removal of an authorizer's ability to authorize charter schools. However, it doesn't require authorizers to apply for approval to become authorizers, nor does it require authorizers to submit annual reports that summarize the agency's authorizing activities as well as the performance of its school portfolio.

Adequate Authorizer Funding: To defray the expenses associated with authorizing, Missouri law provides authorizers 1.5 percent of the amount of state and local funding allocated to the charter school, unless the authorizer is a school district or the state board. Missouri law doesn't require authorizers to publicly report detailed expenditures, nor does it prohibit authorizers from requiring schools to purchase services from them.

Transparent Charter Application, Review, and Decision-making Processes: Missouri law provides general application elements for all schools. However, it fails to provide additional application elements specific to conversion schools, educational service providers and replications. It also fails to require a thorough evaluation of each application (including an in-person interview and a public meeting) and does not require application approval and denial decisions to be made in a public meeting, with authorizers stating reasons for denials in writing.

Performance-Based Charter Contracts Required: Under Missouri law, the charter application is the “proposed contract,” and if approved, becomes the charter contract. The law requires the

areas—particularly, regarding the role of charter authorizers. And there are gaps between the law on paper and the way it is implemented.

Authorizing Environment

State charter laws should not only say which entities can authorize charter schools but should also provide needed guidance in areas such as authorizer accountability, funding and processes

(e.g., application, contracting, oversight, renewal and non-renewal, and revocation). These comprised seven of 20 critical components in the NAPCS' model law—a positive statement about the critical link between high-quality authorizers and successful charter schools.

contract to define the responsibilities of the charter school and the authorizer. While the law requires the contract to hold charter schools accountable for academic performance (including proficiency and growth), financial performance and compliance with applicable law, its requirements aren't as comprehensive as those in the model law's performance framework.

Comprehensive Charter School Monitoring and Data Collection Processes: Missouri law is relatively strong on this component. It requires that, upon approving an application, the authorizer must create and submit to the state board of education a plan for evaluating the academic performance of students enrolled in each charter school. The law requires charter schools to have a certified public accountant conduct an annual audit, submit an annual financial report, and use practices consistent with the Missouri Financial Accounting Manual.

The law requires an authorizer to take all reasonable steps to confirm that each charter school authorized by it is in material compliance with all of its obligations under its charter and the law, and charter schools must provide enough information for them

to make this analysis. The law allows authorizers to place a school on probation to allow implementation of a remedial plan, which may require a change in methodology or leadership or both. If unsuccessful, the law allows the authorizer to revoke the charter.

While Missouri law requires charter schools to present annual school report cards that include comprehensive measures of student progress to the state department of education, it fails to require authorizers to produce and make public annual school performance reports.

Clear Processes for Renewal, Nonrenewal, and Revocation Decisions: Under Missouri law, an authorizer “shall” revoke a charter at any time if the charter school commits a serious breach of its charter contract. Before revoking a charter, the law requires authorizers to provide appropriate due process protections to the school, including timely written notice of an intent to revoke, and a formal hearing upon request of the school's board. The law requires authorizers to hold administrative hearings upon a recommendation of revocation.

Finance

Whatever Missouri charters achieve, they do it on far less than traditional public schools. A national study by Ball State University, released in May 2010, revealed a gap of nearly 26 percent in funding received by charters and other public schools in Kansas City, and a gap of 35 percent in St. Louis. Charter school children are put at this disadvantage because as the report notes: “State statute guarantees charter schools funding from only two local funds—the incidental and teacher funds. Two primary local funds are removed from the formula calculation, capital and debt service.”¹⁵

Among states with charter laws, Missouri offers some of the most meager concessions to the facilities needs of its schools.

Unfunded Facilities. Nationwide, the biggest impediment to charter school growth is lack of facilities funding and access to existing public school buildings. Accommodating the charter life-cycle is no simple matter, since it may take years for a startup to attain its full complement of grades and students. It’s telling, for example, that between 2004–05 and 2007–08, Missouri’s charter school enrollment increased 43.8% despite the fact that no new charter schools opened during this time. What this suggests is that incubation space is surely needed, but as schools (and kids) grow, the need for fully-outfitted school buildings, with cafeterias and playing fields, becomes obvious.

Among states with charter laws, Missouri offers some of the most meager concessions to the facilities needs of its schools. Not only is there no access to public-school capital funds, no designated funding stream for facilities and no guaranteed access to vacant and underused buildings; there are also some quirks specific to Missouri that exacerbate the inequity. Charter schools in Kansas City must pay \$800 per pupil to defray the district’s school-building debt—despite the fact that charters get no access to those buildings in return.* This is particularly galling in light of the vast excess capacity that has existed in the system; according to IFF, Kansas City school district buildings have literally been half-empty, standing at just 51.3 percent utilization as of 2008–2009.¹⁶ As Superintendent John Covington’s right-sizing plan moves ahead, a more rational and equitable arrangement must be found for successful charter schools to occupy some of that space. Cheri Shannon, executive director, Missouri Charter Public School Association (MCPSA), pointed out that “the right partnerships” could “earn the district revenue, provide quality education and revitalize neighborhoods.”¹⁷

State law provides that districts may take on bond indebtedness to pay for facilities or other capital items for charter schools they sponsor but this is largely irrelevant in the context of Missouri’s university-based authorizing system. And according to one St. Louis charter school leader, it’s a double-whammy: “Legislation doesn’t require the district to give charters access to vacant schools, and it also does not require that bonds passed in St. Louis to provide public-school facilities be made available to charters. Our students’ parents could be paying for school facilities bonds that their children in public charter schools don’t benefit from.”†

* Charter schools won a ruling from the Missouri Board of Fund Commissioners overturning this policy in April 2005, but the Federal District Court ruled for the Kansas City district upon appeal the next year.

† Here and following, the report uses quotes from interviews conducted by the research team. In order to protect confidentiality the comments are identified only by role.

There are at least two other paths to bond financing. Two charters (Academie Lafayette and St. Louis Charter School) received facilities funding in 2002 and 2003 through bonds issued by the Missouri Health and Educational Facilities Authority; and in 2007 the St. Louis Industrial Development Authority issued \$23.7 million in debt for Confluence Academy.¹⁸ As the small number of such deals indicates, the bond option is only viable for a tiny minority of charter schools in Missouri. Without a dedicated funding stream to pay off bonds, most charter schools are not credit-worthy in this market.

While private-sector lending to charter schools is a growing business, with a reliable and well-performing investment portfolio around the country, most national lenders are shying away from Missouri. Among the numerous grantees of the federal Credit Enhancement for Schools School Facilities Program, which helps sweeten the pot for charter facilities investments, only IFF has financed charter schools in the state—as compared to a beehive of activities in jurisdictions that provide dedicated facilities-funding streams. IFF has been a lifeline, supporting at least nine Missouri charters with facilities lending, but more is needed.

What has emerged, then, is a system that provides a small number of charter schools the opportunity to raise facilities funds through extraordinary bond issues, and a few more the ability to finance buildings with the help of charter-specific lenders. Some would argue, not unreasonably, that this creates an added layer of stability since the prospective borrowers must convince underwriters of their likely longevity. But the absence of a dedicated funding stream means that all other charters—the great majority—must spend operating funds on facilities needs. Money that should be used for instructional programs and student services must be spent on bricks and mortar. This is a cost not borne by other

individual public schools, and it puts charter schools at a grave disadvantage.

Facilities difficulties may be shaping the actual school portfolio in unintended ways, perhaps contributing to the disproportionate share of externally-managed charter campuses in the state as compared to independent, self-managed charters. As one operator told us, “Mom and pop capital development is very difficult. That’s why so many charters went with management organizations...” While there’s nothing intrinsically right or wrong about management companies, and real estate support is often an incentive, the match should be made as a partnership, not out of financial desperation.

Facilities support, however, is just one way the financial playing field is tilted against Missouri charter schools:

Federal funds. As of 2007, Kansas City charter schools could declare themselves Local Education Agencies (LEAs), an option St. Louis charters gained the next year. The Ball State study pointed to evidence that charter schools were not accessing all federal funds due them as independent districts for some time after they became eligible to do so.¹⁹

Pensions. Kansas City Municipal School District teachers have their own pension fund, as do teachers in the St. Louis district, and both are also covered by Social Security. More than 90 percent of Missouri teachers are in a statewide plan and are not covered by Social Security. All of these educators face cuts in pension wealth if they “cross plans” during a teaching career—and if they retire, they generally cannot resume full-time work in the same system.²⁰ This patchwork quilt distorts the applicant pool for teachers and administrators and impacts staffing throughout the state’s public schools. It may also cause particular problems for charters.



Despite their status as Local Education Agencies, Missouri law requires charter schools to participate in the local district's pension funds.²¹ In addition to reducing charters' financial flexibility, pension system rules create disincentives for talented staff to move to a charter school. Says one operator: "I was retired from the Kansas City school district, but when I started working at a charter in Kansas City, was told I couldn't draw my retirement. For this reason, it's hard to recruit teachers from Kansas City district that are experienced and retired and don't want to lose their pensions."

Transportation. Commendably, Missouri goes beyond many states in offering at least some transportation aid for its charter schools. However, the payments do not recognize the actual costs of this citywide option. Notes one operator: "The state's system deems our service provision as "inefficient" and gives us less money because we have to drive all over the city to pick up our students. Compared to schools that draw from smaller parts of the city, we appear to be inefficient and there's no way for us to note that we're a charter and draw students from across the city. So we lose money for providing a service we're not even required to provide!"

The Chain of Accountability: Oversight of Missouri Charters

DESE: The Missouri Department of Elementary and Secondary Education.

As part of Missouri's system of public education, charter schools exist within the frame of public education governance led by the State Board of Education and the State Commissioner of Education. The charter school office at the Department of Elementary and Secondary Education (DESE) plays multiple roles: administering federal grants for charter startup, implementation and dissemination; transmitting and interpreting state policy guidance; and acting as liaison to other offices and agencies that affect the operations of charter schools, including transportation, health and immigration. Think what it takes to discharge just this single statutory mandate: "The state board of education shall ensure each sponsor is in compliance with all requirements under [several sections of the law] for each charter school sponsored by any sponsor."

A tall order and one that deserves adequate staffing and support.

Yet for years the charter office has been a stepchild within the department, consisting of roughly 1.5 full-time employees (FTE). We heard plenty of positive comments about the dedicated work of longtime administrator Jocelyn Strand and the new officer, Curt Fuchs. But with DESE undergoing a major downsizing due to state budget woes, the office is now manned, in essence, part-time. The program is one of several state programs the new administrator manages.

It's not surprising that we heard a fair amount of criticism about the state agency's relationship to charter schools. One operator of a high-performing charter characterized her relationship with the state office as follows: "The state passed the legislation, saying 'You can start a charter,' but there's no support to ensure

that it's being done or maintained the way it needs to be." That kind of comment is inevitable if charters are just one more plate to be kept spinning.

One important state responsibility is making sure the federal Charter Schools Program funding flows to the state, so that worthy education entrepreneurs can get their schools up and running. Although this is formally a competitive grant, most states that submit a timely and responsive proposal get funded. Missouri had past grants in 1998, 2001 and 2004. Its 2004 grant ended in September 2007, and the state did not apply for the 2007 competition. It applied but was denied a grant in 2008, and then did not submit again in 2009.²² During this funding hiatus, approved charters had to go straight to the source, applying directly to the U.S. Department of Education for what is usually a state-administered grant. A new three-year grant was finally awarded this August—but that timing meant it arrived very late for schools intending to open in September 2010.

There are broader consequences to an under-resourced state office. The State Board of Education has appeals power in case of charter applications that are rejected by a local sponsor. Wisely, the law stipulates that in the case of an override, the State Board (i.e., DESE) would in effect become the approved school's sponsor which is far preferable to telling the original sponsor that it must now oversee a school it rejected. Similarly, DESE would take over schools overseen by a decertified sponsor. But there is no capacity at the state level for handling such a responsibility, which may explain why DESE has been reluctant to take more assertive steps with respect to charter authorizers.

Some of this is apparently a "legacy" problem. It takes time for a new education commissioner to re-order priorities and turn around the culture of a bureaucracy. In the 17 months she has held that

post, Chris Nicastro has made clear that charter schools are part of the state's public education system and should be treated as such. Yet she's entered office at a time when state finances are under severe strain, and a lot of folks are doing double-duty at DESE—so prospects are dim for an immediate upsurge in state resources for the charter function.

We would make the case that since charter schools are now educating substantial proportions of student populations in the state's two largest cities, the state's capacity for diligent and responsive oversight should be expanded; the commissioner should be given what she needs to create a charter program that is among the nation's best.

Authorizers

There are obvious advantages to Missouri's university-heavy system of charter authorizing, particularly considering the monopoly held by school-district authorizers in many states. As one charter founder put it: "It's nice that authorizers can be someone other than the district, because without that, we wouldn't have any charters!"

Colleges and universities have unique resources to share. For example, to staff the biennial charter school reviews required under Missouri law, higher-ed authorizers can pull together teams of faculty with expertise in curriculum and assessment, business operations, special education and other school functions. St. Louis University's Center for Service and Community Engagement helps connect SLU students, faculty and staff to service opportunities in charter schools the university sponsors. Several sponsoring universities offer internship opportunities in their charter schools for student teachers. And it's clear that authorization by a university with long and visible commitment to its community can help build bridges to funders, city agencies and other supporters.

But there are potential downsides. To begin with the obvious point, overseeing charter schools is not the primary function of any university—so those that run this part of the operation are "square pegs" and must do some internal lobbying for the importance of their function.²³ Until recently, sponsoring charters was an outright financial drain on universities, but even with the 1.5 percent fee received since 2006, sponsoring offices still depend on the largess of the institution and their colleagues.

And then there is the matter of politics—or "institutional interests." Closing any public school is a challenge, but it may be tougher for a college that values smooth relationships with community leaders, or that needs sites to provide training experiences for its student teachers. Neither of these considerations, however, is in the best interests of the students served by the charters.

Motivations. The people currently charged with sponsoring Missouri charters are a thoughtful and well-intentioned group. Yet they candidly admit that their institutions have not always had the purest motivations. In a conversation with authorizers, one joked that their university was "held at metaphorical gunpoint" in the early days when their chancellor received a charter application from a friend. Another said the original decision to charter was "politically driven."

Both comments reflect an odd sequence dictated by the state's charter law. Rather than setting up shop and issuing a request for proposals from prospective operators, many Missouri authorizers got into the act because an ambitious operator came to them and asked them to sponsor his/her school. This immediately puts the university in the position of patron rather than accountability agent.

Even with these shaky beginnings, many longtime authorizers have sought to professionalize their operations, especially since new funding has

enabled them to hire additional personnel. And many authorizers have surely gotten into the business for the right reasons from the outset. For example, the University of Missouri-KC and two new St. Louis authorizers, Washington University and St. Louis University, all see their roles as part of their urban missions, as a way of affirming their longstanding service to their respective cities by helping to educate children put at risk by their current school systems.

Philosophy and Practices. There is clear concern within the charter community itself about the lack of consistency in sponsor practices and decision-making. One school leader tells of how his sponsor's work is carried out: "An assistant professor oversees the every-other-year site visit, but that assistant professor changes every time, and they can change the protocol—so we're held to a different set of expectations each year." Another school leader, noting that for many years the sponsor had a hands-off approach, comments: "Now they are requesting a lot more data and reporting, but those requests are not timed with the same data I have to report to the state."

Their concern was reflected in a 2004 report by the Missouri State Auditor, which documented a wide variance in oversight practices and called for DESE to "Adopt a proactive role in charter school oversight by establishing a common framework of basic oversight activities and sponsor responsibilities to measure charter school performance and hold authorizers and schools accountable."²⁴ This was sound advice, and has since been affirmed by the legislature. But that "common framework" is yet to be fully implemented.

To be sure, there have been some significant improvements in the past several years. The National Association of Charter School Authorizers (NACSA) has had a positive impact through its Missouri Priority State Initiative (MPSI), which operated between 2007 and 2009. Funded by the Ewing Marion Kauffman Foundation, Hall Family Foundation and the Greater

St. Louis Community Foundation, it provided professional development to nearly all the then-current authorizers as well as strategic planning assistance for those that were starting up. Some authorizers have created serious and comprehensive oversight practices, in some cases modeled after the lucid, detailed guidelines created by NACSA and available on the DESE website.²⁵ But that work has ended (in part because DESE was unable to provide its share of funding) and today there is no sustained source of guidance and training for those that perform this important job.

Views of assistance role. There is also a diversity of approaches on the question of when and how much authorizers should help schools under their purview.

Broadly speaking, there are three kinds of assistance authorizers around the nation provide to schools they charter. The first simply clarifies for schools the rules of the road—for example, providing training to boards of trustees about their fiduciary responsibility under state law. The second is part of their accountability role, in which the authorizer gives detailed feedback to schools about their test results and the implementation of their program, while making clear that it's the school's responsibility to fix what's not working. The third is direct assistance on the school's own program—for example, providing training on curriculum development.

All authorizers we interviewed provide the first type of assistance (although in different ways); some provide the second. Only one, the University of Missouri at Kansas City, provides a comprehensive program of support including instructional audits and in-service training for teachers.

Are authorizers fulfilling their most important assignment? It's healthy for different authorizers to try different approaches; charter oversight is an evolving art and it's a good sign that creative, ambitious authorizers are looking for ways to strengthen

Certain charter schools have continued to operate, and in some cases have been renewed, despite exhibiting persistently low academic performance since their founding.

school performance. What's puzzling about the Missouri situation is the seeming absence of agreement about the fundamentals. In its Principles and Standards document, the National Association of Charter School Authorizers says that a quality charter authorizer "assumes responsibility not for the success or failure of individual schools, but for holding schools accountable for their performance."²⁶ That's their central responsibility, and unless it's handled well, no other advantages and amenities matter much.

Most of Missouri's charter authorizers are working hard to do the right thing. But their efforts—and their reputation—are undermined by the laxity of others. One school founder summed up a sentiment we heard from many quarters, saying "the lack of accountability" is the single greatest problem the Missouri movement faces, and adding that "too many charter schools are allowed to operate that shouldn't; authorizers are not tough enough." That's a reasonable conclusion considering the school performance data in the prior section.

In their defense, some authorizers note that eight charter schools have indeed been closed since 2004, by seven different authorizers and, in one case, by the State Board of Education. In two cases the charters were relinquished by the holders, while three cases involved fiscal mismanagement or failure to comply with the state charter law. "Student performance" was the explicit reason for non-renewal in just four cases, according to the state education department.²⁷

The authorizer's argument is duly noted, but as John Adams said, "Facts are stubborn things."²⁸ Certain charter schools have continued to operate, and in some cases have been renewed, despite exhibiting persistently low academic performance since their founding. Why do they stay open?

We heard a number of possible reasons: *Even if academic achievement is weak, the kids are safer than in the neighborhood school. The school "feels good" when you walk in. The district schools are worse. The kids are way behind grade level when they get there. There's a waiting list and parents like the school.*

Any good charter authorizer looks at all these factors when making a high-stakes renewal decision, and they sometimes provide the margin for "reasonable doubt" in a close case. But they should not be used as excuses for keeping open a school that chronically fails to achieve the goals in its charter. At some point, authorizers need to make a cold and clear decision based on whether students are learning at an acceptable pace—particularly when a school has had five or more years to demonstrate its ability to serve the students in its charge.

Clear authority? Some Missourians believe authorizers lack sufficient legal authority to close failing charters. That may have been true at one time, but since the law was amended by SB 291, signed by Governor Nixon in July 2009, the language seems crystal-clear: "A sponsor *shall revoke* a charter or take other appropriate remedial action, which may include placing the charter school on probationary status, *at any time* if the charter school commits a serious breach of one or more provisions of its charter or on any of the following grounds: *failure to meet academic performance standards as set forth in its charter*, failure to meet generally accepted standards of fiscal management, failure to provide information necessary to confirm compliance with all provisions of the charter and sections 160.400 to 160.420 and 167.349 within 45 days following receipt of written

notice requesting such information, or violation of law.” (*emphases added*).²⁹

This is not a suggestion, it is a command. It provides ample grounds for taking needed action.

Some authorizers may be gun-shy because their colleagues have wound up in court when they’ve sought to close low-performing charters. According to Robbyn Wahby, Executive Assistant to St. Louis Mayor Francis Slay, in the case of a protracted shutdown in 2005, “Authorizers learned that shutting down a school can be expensive.”

The 2004 Auditor’s Report reflected that concern: “Four authorizers said they expect litigation if they exercise their authority to hold schools accountable. For example, one sponsor said when it took steps to revoke a charter for violations of law, the school filed suit and obtained an injunction prohibiting closure of the school. Another sponsor said its legal department advised sponsor officials not to attempt revocation of charters because of the time and expense of legal challenges. Instead, the legal department advised officials to let the school’s charter expire without renewal.”³⁰

If the prospect of litigation remains an impediment to closing a failing charter school—and if authorizers are not simply evading their duty—then Missouri lawmakers should give consideration to a hold-harmless provision. Authorizers who make a tough call after sufficient due diligence should not have to fear endless legal fees for doing the right thing.

Resources and Capacity. Until recently, institutions sponsoring Missouri charter schools were doing it for free—an extraordinary situation considering the responsibilities involved. Sponsoring universities were expending considerable resources from their own bank accounts, but the lack of funding often meant that a skeleton crew was doing the work.

That began to change in 2006, when legislation enabled authorizers to receive 1.5 percent of a school’s state per-pupil revenues for their services, up to a maximum of \$125,000 annually for any one school. While an improvement, this policy still places Missouri authorizers well below the national averages for authorizer fees (2.8 percent overall and 3 percent for higher-ed institutions). Among university authorizers nationally, there is an average of one full-time staff for every 2.7 schools overseen. Some universities have significantly larger charter staffs because they operate statewide as one of few alternatives to district authorizers.³¹

While there is some concern among Missouri leaders (and the charter movement nationally) that authorizer fees may create incentives to open too many schools and keep them open no matter what, most authorizers around the country do collect some kind of fee without surrendering their judgment or their conscience. It’s certainly a more reliable funding source than submitting to the vagaries of the appropriations process every year or depending on philanthropy. In Missouri, the 1.5 percent fee underwrites the basic work of monitoring schools, but may not provide what’s needed for the advanced work being carried out by the nation’s best. The State University of New York’s Charter Schools Institute, for example, uses its legislatively-authorized budget of \$2.3 million to conduct rigorous approval and oversight processes for its 84 charter schools.³² Its website features comprehensive reports, running into scores of pages, for every charter facing renewal. Central Michigan University, with a 3 percent fee received from more than 50 charters, has been able to invest not only in enlarged staffing that permits close-up oversight of schools, but also in technical assistance services and assessment programs that are a major benefit to their schools.

For a sponsor that’s doing its job and using the fee to staff appropriately and conduct vigorous oversight, Missouri charter schools can hardly be viewed as

“cash cows.” If anything, the evidence suggests that authorizers are still operating on a shoestring in many cases. Among the seven higher-ed authorizers in St. Louis for example, only Missouri Baptist, UM-SL, and St. Louis University have staff specifically dedicated to monitoring charter schools; the rest have “liaisons” who hold other positions.³³

The real issue is that we don’t know what is actually happening with the money. In its policy guide on funding for charter authorizers, NACSA says: “States should hold authorizers accountable for performing their responsibilities effectively with the public dollars they receive. A well-developed statewide authorizer evaluation system can assess the quality of authorizing practices as well as ensure the appropriate use of funds.³⁴ Missouri has fulfilled part of this recommendation, since legislation passed in 2009 requires that 90 percent of the authorizer fee go directly toward authorizing expenses, with the other 10 percent for overhead. But without an audit requirement there are no teeth behind this directive. When asked about DESE’s oversight on use of these funds, one sponsor remarked “No one from DESE has asked yet.” Not surprisingly, rumors circulate that fees are used for other purposes.

Accountability—for Authorizers Themselves. Most first-generation charter laws focused on schools. When it came to authorizers, these laws designated who could grant and oversee charters, but said little else about how they should build a professional practice. None, including Missouri’s law, provided any direct measure of accountability for the authorizer’s own performance.

Other states are taking steps to reinforce the idea that authorizers are accountable for their work. Perhaps the most emphatic measures remove a good deal of authorizer discretion and replace it with a firm threshold for closing schools. In early November, for example, the California State Board of Education adopted new regulations that will require

closure of any charter more than five years old that is at performance level 1 (out of 10) on the state’s accountability index for two years running, and makes less than a 30 point gain on the 800-point Academic Performance Index.

Other states have started to move away from “by-right” designations that simply allow certain kinds of entities such as school boards or nonprofits to authorize charter schools. They’ve started trying to determine whether authorizers actually want to be in the business—and whether they are capable of doing the job right. In Colorado, for example, where most chartering is done by local school boards, the state board of education can strip an inept or unfriendly school board of its “exclusive chartering authority.” When that happens, the statewide Charter Schools Institute can approve charters in that jurisdiction without any veto by the district.

In its massive 2006 overhaul of state charter law, Ohio put in place a certification and review process for new authorizers. Minnesota enacted more sweeping changes in 2009, requiring charter authorizers to affirm that they wished to begin or continue the practice, and giving the state education department authority to reject their applications. So far it has rejected more than it has approved—but the bigger surprise is that more than a third of the state’s 45 incumbent authorizers are not re-applying because the new law sets strict requirements for sponsor capacity.³⁵ In both the Ohio and Minnesota cases, however, the respective state departments of education have dragged their feet on implementation.

While Missouri has some strong authorizer provisions on the books, it has not taken these sterner steps. More than a decade into its charter school era, Missouri has no provision in law that prevents an inept or ill-motivated authorizer from starting up, and lacks clear criteria for judging whether to withdraw privileges from a negligent authorizer.

The State Plays a Weak Hand

Paideia Charter School was a K–8 that opened in 2002. It was approved for renewal by Missouri University of Science and Technology (MUST) despite chronic underperformance; it was identified by DESE as a Tier I school, among the bottom 5 percent in the state. Unable to deny the petition outright, the State Board of Education asked MUST to produce an explanation of the grounds for renewal. Instead of producing the explanation, the sponsor rescinded the renewal and gave the school two additional years to improve performance. Finally, in early 2010, after the reprieve proved futile, the university dropped its sponsorship of the school, providing the state board legal grounds to step in and reject

the school's application, citing low test scores, poor management, and lack of a sponsor. The school sued, but Cole County Circuit Court Judge Jon Beetem held for the Board, writing that the sponsor problem was adequate reason for the state to reject Paideia's application. ("No sponsor, no charter," Beetem wrote.)³⁶

But the judge also noted that if a sponsor had been in place, the outcome might have been different, despite the school's poor academic performance. And of course, while the legal battle was going on, hundreds of Paideia students spent two additional years falling farther behind state standards.

The state board does have two important kinds of leverage, however. It can hold authorizers directly accountable for their performance by withholding their funding and effectively terminating their right to authorize any more schools. It must also sign off on charters approved by authorizers according to a standard of review laid out in the charter law. Together, these two powers place the emphasis where it should be—holding authorizers accountable rather than intervening at the school level, but also giving the board what it needs in case of serious malfeasance.

Yet the state board has not exercised much of this authority. There is an apparent belief that it cannot outright deny a "compliant" application, one in which all the appropriate parts are submitted, although the law's language suggests that more substantive matters should be in play.

And with respect to its oversight of authorizers, there are two problems. First, the language of the law has not yet been made actionable through adoption of clear criteria. (How many times can a single charter

school be put on probation, for example, rather than facing closure? What besides the required biennial review would constitute a reasonable level of "contract oversight"?) Second, as noted above, DESE has no capacity to take on oversight of charter schools, which is the direct consequence if the state board strips an authorizer of its privileges.

National policy developments of the past few years have heightened the state role in accountability, including that affecting charter schools. Missouri has much of the legal framework in place—but needs to do some additional thinking about how to make it work in practice.

The “Grid” of Support

In several studies over the past six years, the National Alliance for Public Charter Schools has documented that the national “grid” of support for charter schools remains incomplete. Those chartered by school districts and those that are managed by national firms may benefit from economies of scale, while those that function as independent LEAs may possess more autonomy, but lack easy access to needed services.

In a number of chartering states, membership associations formed originally for advocacy have added some level of service delivery to their offerings. A 2009 review found that these services provided useful help on operational matters but had limited impact on school performance, the principal exception being the performance-management and accountability planning work done by the Colorado League of Charter Schools. A few states have charter resource centers, which are not membership based, and may be housed at a nonprofit agency or run independently, and typically offer a wider range of technical-assistance services. New Schools for New Orleans (NSNO), which was created to serve that city’s burgeoning charter sector in the aftermath of Hurricane Katrina, works with The New Teacher Project, New Leaders for New Schools and other groups to recruit high-quality teachers and school leaders. NSNO also incubates new charter schools, giving them the strongest possible start toward high performance. The New York City Charter School Center, formed by former Chancellor Joel Klein but created as a nonprofit independent of the school system, started out doing incubation and facilities work, but has now become a powerful advocacy voice as well. And a new Center for Charter School Excellence, created through the leadership of Nashville mayor Karl Dean, will bring high-performing charter models and a host of support services to Tennessee.

Beyond these state or locally-based nonprofits, there is emerging a new class of regional or national ventures that fulfill a number of other needs for charters. A brokerage called CharterSafe was spun off from the California Charter Schools Association several years ago and now provides workers compensation and other insurance services to 825 charter schools in 37 states. Former NSNO executive Matt Candler is launching a new service called 4.0 Schools that will combine incubation services with CMO-style management support for the first three years; it will operate in the Southeastern United States. And although it is not a charter-specific venture, The Mind Trust, created by former Indianapolis mayor Bart Peterson, aims to reinvigorate the city and its education system by recruiting groups like Teach for America and College Summit to start chapters in the city and by sponsoring fellowships so education entrepreneurs can bring their ideas and energy there.³⁷

The Missouri scene. In the years after passage of Missouri’s charter law, the state developed almost none of the support infrastructure found in leading charter states. Not until 2005 was the Missouri Charter Public School Association (MCPSA) founded. Today, led capably by educator Cheri Shannon, the Association conducts vigorous advocacy, sponsors a well-attended state conference, makes connections to reliable technical service providers, and helps schools understand their myriad obligations about compliance with state and federal law. But it is a modest operation, with an annual budget of about \$800K, and because of the state’s bifurcated approach to chartering, it must stretch to serve two distant cities (although the group plans to open a St. Louis office in 2011).

While the state association has been successful in brokering a bulk-purchasing program and other supports, some of the big national service-providers have not made Missouri a priority. Teach for America does operate in both St. Louis and Kansas City and places teachers at charter schools in both cities. But the New Teacher Project is not working in Missouri, and neither is New Leaders for New Schools. Among facilities funders, only IFF has a significant presence in the state.

Charter schools might find support closer to home were it not for the cold shoulder they get from mainline education groups. Several operators complained that various professional development opportunities offered by statewide groups such as the Missouri School Boards Association specifically exclude charters, an especially grating point when one considers the size of some charter schools: “Our school is larger than a third of the districts in the state,” says one charter school leader, “but our board doesn’t get to participate in the state’s school board association because we’re a charter LEA.” We make no case here for the quality of MSBA’s offerings, but can’t see why a charter operator should be barred at the door when they are willing to pay dues in order to access services to better serve students.

Mayor Slay. Missouri does have one unique asset, and that is the extraordinary role being played by St. Louis Mayor Francis Slay. Repeatedly denied status as an actual authorizer by the legislature, he has created a sort of proto-authorizer office that vets prospective applicants and gives them a seal of approval, while at the same time actively encouraging strong operators to come into his city and apply for charters. Even without legislative sanction for formal

authorizer activities, his office has clearly had a positive impact. He strongly advocated, for example, for the 2006 law allowing private universities in St. Louis to become charter authorizers, bringing some strong new authorizers onto the field. His ideas and approach suggest a path forward for the rest of the state. If the movement is to expand, and to improve performance at the same time, it will need to bring the best minds and most spirited entrepreneurs into action.



Recommendations

In one way or another, all of the recommendations below address the most urgent priority for the state's charter school movement: fostering a radical improvement in performance.

In reality, these recommendations are simply intended to make the charter model work as it is intended: Creating rigorous approval systems that allow new and innovative ideas; providing conscientious oversight and adequate resources to schools as they mature; and periodically culling the portfolio of schools that fail to serve students. If all the parts are working well, the result will be a group of schools that is constantly on an upward trajectory.

Close Chronically Low-Performing Charter Schools

No decision to close a public school should be taken lightly, and no closure should be precipitous. But the clock should start ticking, now, for the remaining charter schools that are unacceptably sub-par.

This report is not the place to demand the closure of any particular charter school. Charter authorizers and the state board of education are the chain of command for that task. The state should develop a timetable for dealing with the worst cases, set the ground rules, provide clear guidance and stringent accountability, and be prepared to step in directly if needed.

First, the state board needs to hammer out agreement among all stakeholders about what constitutes acceptable vs. unacceptable academic and operational performance of charter schools. Existing measures such as the NCLB-driven "adequate yearly progress" are blunt instruments, and do not answer the critical question of how well a school must perform to stay open. At present it is not clear to schools, parents, policymakers, or authorizers themselves what they should make of MAP results, graduation rates and other data in the course of deciding

whether to renew a charter (or indeed, whether to shut one down mid-course). When school-by-school growth data are available in 2012, the state board should adopt clear standards for acceptable levels of growth, including provision for schools that serve special populations such as dropouts.

Second, the state legislature should promptly enact tough accountability provisions based on those proposed last session by Rep. Scott Dieckhaus and supported by the Missouri Charter Public School Association. The original measure would require authorizers to report any renewal candidate's compliance with law and its status relative to two main academic performance standards; a third should be added to reflect the forthcoming growth data.

- A 70 percent graduation rate in three of the past four years for any non dropout-recovery high school; and for all schools,
- Evidence that it is not among the lowest achieving five percent of Title I schools in corrective action or restructuring.
- Evidence that schools have produced an acceptable level of growth (for example, one full year's gain in learning) for three of the last four years.

Authorizers would have the opportunity to make the case for any proposed renewal of schools failing to meet these standards—but the state board would have the final say. In order to provide families and staff an orderly transition, the board would be required to decide by March 31 if a school should be closed at the end of that academic year.

We propose going a step further and applying these standards not just to pending renewals, but to all active charters. Any charter school that meets the closure criteria should be placed in emergency review, with the state board making a decision whether to revoke its charter in time for the end of the first school year in which all three criteria can be evaluated.

Finally, although we believe that the language of the law is quite clear on sponsor authority to close failing schools, the legislature might consider some additional “hold-harmless” language that would provide authorizers with insulation from lawsuits when they make well-grounded closure decisions.

Strengthen the Authorizing Environment

There is some merit to letting a hundred sponsor-flowers bloom, so long as they are all pursuing different paths to the common outcome of high-quality charter schools. But Missouri’s authorizing systems are incoherent—as authorizers themselves say—despite NACSA’s commendable efforts to provide needed professional development.

As noted earlier, Missouri charter authorizers often go into the business when a school needs a sponsor. This is partly because the state law—like almost all others—simply denotes which bodies are allowed to sponsor and sets minimal conditions on their activities or outcomes. This approach should be replaced by one in which charter authorizing is seen as a privilege, not a right; entered into as a true professional commitment; and monitored for performance, with periodic high-stakes reviews.

The state board should promptly finalize rules to implement the authorizer standards called for in SB291 passed in 2009.

The following additional steps should be taken to ensure that Missouri has the best possible authorizing environment:

A New, Single-Focus Authorizer: The state should create a new independent state charter commission whose sole focus would be to create world-class charter schools and to serve as a pacesetter for effective professional practice among all Missouri authorizers. The commission would have authority

to approve charters in all parts of the state, including St. Louis and Kansas City. (See “Expand Chartering” below.) As a statewide entity the commission would also provide a vehicle for authorizing virtual charter schools, now prohibited by Missouri law but emerging in many states as a solution for areas where strong educational options are scarce, particularly rural areas.

The statewide commission would also take over responsibility for schools whose current authorizers are decommissioned. It must have the capacity that DESE now lacks to provide consistent, conscientious oversight to these and the other schools it charters directly.

Approval and Renewal: Current charter authorizers should apply for approval to continue as authorizers (similar to what Minnesota required in 2009). Those that are performing acceptably should be accredited for a period of 10 additional years; those that are not should lose the privilege of authorizing. Any new entity wishing to become a sponsor—whether a university, a state commission, or a school district—should be required to undergo initial certification by the state, which will examine its philosophy and capacity for high-quality charter authorizing.

All charter authorizers should submit annual reports that summarize the agency’s authorizing activities and operating costs and expenses, as well as the performance of its school portfolio. Two excellent examples of such reports are those created by the Mayor of Indianapolis (who is empowered to authorize charters in that city) and the Thomas B. Fordham Institute, which authorizes charter schools in Dayton, Ohio.

Financial Accountability: The state should require periodic audits to ensure that sponsor fees are being used for appropriate purposes and that they are not creating adverse incentive to approve or renew underserving charter schools. The audits should also

certify that authorizers are not requiring their schools to purchase services from them as a condition of authorization.

Transparent Processes: State law should require application elements specific to conversion schools, virtual schools (if approved), educational service providers and replications. In-person interviews and a public meeting should be required before charter approval, and application approval and denial decisions should be made in public with written explanation of reasons for denial.

Performance-Based Contracts: Charter contracts should be created as a separate document from the application and executed by the governing board of the charter school and the authorizer. Contracts should define academic and operational performance expectations by which the school will be judged, including student academic proficiency and growth, operational and financial goals, and the terms of board stewardship including compliance with state law and regulation.

Comprehensive Monitoring and Data Collection Processes: Authorizers must produce and make public annual school performance reports. The charter of each school should be linked on the sponsor's website, along with the specific terms of its accountability plan and conditions that must be met for charter renewal.

Renewal: The state board should adopt consistent guidelines for renewal, nonrenewal, and revocation decisions. These should include an opportunity for schools to present performance data and discuss improvement plans in a public forum. In the case of revocation or nonrenewal, authorizers should state in writing their reasoning, and should have written school closure protocols that ensure timely parent notification, orderly student and record transitions, and property and asset disposition.

Prioritize State Oversight

The current state of oversight—of both authorizers and schools—must be improved.

We concur with the Educated Citizenry 2020 Committee of the Missouri Senate, in its December 2010 report, that the legislature should “authorize the State Board of Education to enforce sanctions against persistently underperforming charter schools.”³⁸ The steps outlined in our first recommendation above would provide what the Committee asks.

Current law gives the state board strong additional leverage by holding charter authorizers accountable for their performance. For this statutory authority to work properly, the state board now needs to adopt clear rules and criteria governing how the law will be enforced.

In addition, DESE's ability to oversee and promote quality in the charter sector is hampered by a lack of resources. The legislature should provide the Commissioner with funding needed to support full-time staff necessary for vigilant oversight and effective technical assistance, as well as sufficient resources to contract for essential services such as sustained training and professional development for Missouri charter authorizers.

The current state of oversight—
of both authorizers and schools—
must be improved.

Equalize Resources

Missouri charter school students begin their race from well behind the starting line. A child whose parents choose a charter school loses a significant portion of public funding the moment she sets foot in school. Cognizant that this is the worst time in recent history to talk about funding increases, and realizing that equity cannot happen overnight, work must begin now to ensure that charter school students receive 100 cents on the dollar that their district peers receive. This involves at least the following specific steps, many related to the inequity caused by denial of facilities support:

Charter schools should be eligible for all local funding streams.

Provision must be made to fund charter school facilities, whether by providing them access to the state's capital fund or by more localized solutions such as a pro-rata share of any district or municipal bond that pays for public school facilities. And charter schools should pay only bills for services actually received. That means either eliminating the payment for the Kansas City School District's debt service, or by virtue of that payment, having a legally-enforceable claim on the district's school facilities.

As a condition of receiving any state capital dollars, districts should be required to make underused buildings and underutilized space available to public charter schools.

Finally, the state should allow charter schools to decide whether to affiliate with local or state pension funds—or to offer their own independent pension benefits through defined-contribution plans.

Break the Facilities Monopoly. Finally, Missouri should seize an opportunity for real leadership in bringing public education facilities into the 21st century. Our current approach to financing,

building and allocating public school buildings was created decades before the existence of public charter schools. Yet, even while charter schools have broken the district monopoly on educational services, districts continue as the sole proprietors of school buildings.

Missouri is uniquely positioned to take action on this front. Overcapacity has been amply documented in both Kansas City and St. Louis; the St. Louis district remains under the control of a state-appointed board; and there are growing charter populations in both cities needing space.

We propose that the state either create a new entity or endow an existing entity with authority to serve as a third-party agent for k-12 public education facilities. The new entity could be a state real estate trust or a single-city nonprofit that would operate a master contract for school space. Alternatively, the state could authorize an existing municipal authority to finance, develop and allocate the portfolio of public-education space. The approach might work especially well in St. Louis, where the mayor—having already demonstrated commitment to high-quality public schools of all kinds—could serve as the arbiter of school facilities deployment.

Expand Chartering Statewide

Current law limits chartering to Kansas City and St. Louis. Other states limit the growth of charters in various ways, including simple numerical caps, but Missouri is nearly alone in prescribing such geographic limits, Oklahoma being the only other state to do so. The Missouri Senate's Educated Citizenry 2020 committee addressed this head-on in December, saying the state should “provide access to high-quality charter schools to all Missouri students. Allow any public school district to sponsor a charter school within the district.”³⁹

The most powerful argument for this course is that there are children in suburban and rural districts whose parents want other public-school options. They frequently contact the state charter association seeking information. The case is bolstered by looking at specific needs in non-chartering sections of the state. We know, for example, that in the past decade there has been a sizeable growth in Hispanic student populations in rural Missouri. According to the state's Race to the Top application: "In some small rural communities in which the economy is largely reliant on corporate agriculture, many families are migrant and 80 percent or more of the students in a small school may be English Language Learners."⁴⁰ High-quality charter schools could provide a vital service for those families.

In discussions for this report, two options have been suggested as steps toward the kind of statewide charter law now found in 39 other states: limiting new growth to unaccredited districts and allowing charters at least in the "ring" districts around St. Louis and Kansas City.

Unaccredited Districts. A bill introduced repeatedly in previous legislative sessions would have expanded charter schools into districts that have been classified as unaccredited by the State Board of Education or in a district that has a Title I school in level 3, 4, or 5 of school improvement, regardless of population. This would have expanded the number of districts in which charter schools could be located to a total of 33, representing urban, rural, and suburban school districts, which would match charter opportunities most directly with need.

Ring Districts. Restricting charters to the St. Louis and Kansas City districts is far more limiting than commonly understood, at least outside the state. The Kansas City, Missouri School District (KCMSD) enrolls about 17,400 students, not including the 8,819

attending charter schools.⁴¹ At this size, KCMSD alone does not rank anywhere near the top 150 American school districts by size.

Yet the so-called "Ring" districts outside KCMSD enroll another 54,810 students, and several of them manifest rates of high-poverty enrollment more typical of urban cores—68 percent Free and Reduced Lunch students in Hickman Hills, 65 percent in Grandview; 67 percent in Center School District. For 2010, none of these districts made Adequate Yearly Progress under NCLB; only Platte and Center met the proficiency bar in math, with the others failing to make the grade in both math and communications arts.

Either approach might make sense as an interim step—but the goal should be to remove all arbitrary limits on chartering throughout the state. Remember that the geographic limitation written into the law was intended to correct a history of denying educational opportunity to the minority populations of St. Louis and Kansas City, and that it reflected the assumptions of the 1990s about housing patterns and, more fundamentally, about the meaning of equal opportunity. In 2011, the most pressing civil rights issue is not how to deliver children to places where good education is available, but to ensure that all children have access to an excellent education. This principle should be extended to Missouri students in any jurisdiction where good educational opportunities are insufficient.

Recruit Top Charter Operators.

Missouri should be a haven for some of the nation's top charter operators. A few well-regarded management groups have recently located here, among them KIPP, Concept and AQS. A number of factors may be keeping others away, including a student pool limited to two cities, serious deficiencies in

public resources, concerns regarding adequate human capital pipelines and a lack of facilities aid. But there has been little high-level focus on luring high-performing charters to the state.

Missouri should follow the example set by former New York City schools chancellor Joel Klein, who decided to make his city the “Silicon Valley for charter schools.”⁴² He aggressively courted high-quality charter management organizations such as Achievement First and Uncommon Schools, offering help with facilities and special education services and—perhaps most important—assuring them that he would have their back in the expected political battles to get new schools established.

One IFF recommendation would seize the opportunity offered by Kansas City’s current downsizing “Use excess public school building stock in Kansas City to attract local and national charter school operators—operators that have proven performance records—to specific zip codes in order to ensure access to performing schools throughout the city.”⁴³

And note the inclusion of “local” in that recommendation. Successful homegrown charters should certainly be encouraged to expand. The state should find what excellent Missouri-based charters need in order to add grades or campuses, and then work with their funders, operators and authorizers to facilitate growth.

Create an HR Pipeline

When University Academy in Kansas City recently sought to hire a new superintendent, the school engaged a national recruiting firm to conduct a search, and found St. Louis native Tiffany Anderson, then superintendent of public schools in Montgomery County, Virginia. Searches of this sort are expensive,

and University Academy is fortunate to have a Board that could raise the resources necessary.

EMOs and CMOs, the for- and non-profit firms that manage many Missouri charters, have their own pathways for recruiting and developing talent. But what of the “mom and pop” schools that account for nearly three-quarters of all charters in the state?⁴⁴ And who will staff a wave of needed new models with extremely high expectations for students and staff? The Missouri charter movement needs to build its human capital, especially that unique blend of academic savvy and business skills that characterize the most effective charter school leaders. Missouri’s philanthropic community can play an important role in recruiting national foundations to support this effort. Several approaches should be considered:

Expand the Existing Pipeline: Teach For America’s (TFA’s) alumni corps has emerged as a significant source of charter school leaders, and TFA’s national office has established programs to equip alumni to assume school leadership roles. TFA is already active in both St. Louis and Kansas City, yielding dozens of new alumni every year who have already demonstrated an interest in the state’s public education system. MCPSA and state leaders should encourage TFA to develop a Missouri-specific pathway to charter school leadership, perhaps borrowing the CharterLeader model developed by the Georgia Charter Schools Association and that state’s TFA chapter.

Make Missouri a Talent Magnet: A charter leadership “summit” should be convened, including New Leaders for New Schools, Building Excellent Schools, New Schools for New Orleans and other groups that have created innovative talent solutions nationwide. Let’s find out from them what kind of resources and political will would be needed to make Missouri a major “Destination” for charter leadership talent.

Get Higher-Ed Into the Act: There is a small but growing number of degree-granting charter leadership programs run by institutions of higher learning, including those at Central Michigan University, Nova Southeastern University and a graduate program in School Development offered by the Harvard Graduate School of Education. These may include collaboration between the education and business schools to develop both academic knowledge and essential management skills. Since Missouri universities already have unusually deep connections to the state's charter movement, it would make sense for them to consider creating a preparation program drawing on the best practices of these innovative models. Given the many sources from which effective charter leaders emerge, the best approach would be modular, providing on-demand training in such matters as accounting and contract law for a candidate who's come up from the ranks of public school teachers, and different coursework to ground the non-traditional candidate in oversight of curriculum, assessment, and teacher evaluation. While designed for charter school leaders, such a program could provide tremendously attractive for school leaders in Missouri's traditional systems as well.

Build Stronger Boards: Another imperative is to increase the stock of talented volunteers to comprise charter governing boards. In the charter sector, independent boards are the primary means of holding school staff accountable for accomplishing the school's mission. When charter schools fail, the board's fingerprints (or lack thereof) can usually be found. But finding a group of skilled and experienced leaders who can sustain a growing charter school sector through service on trustee boards is no mean feat, and may be beyond the reach of individual schools. For this reason, the state's business community should help identify a pool of trusted individuals able to devote their time and energy to shaping great charter schools.

Serve All Students

Since charters are schools of choice, parents make the ultimate decision about whether or not to enroll their child. In the case of English language learners and students with disabilities, the Missouri charter movement itself should make special efforts to ensure that there are no barriers—intentional or perceived—to welcoming these students and serving them well. There should be constructive oversight to make sure that the letter and spirit of the law are being followed.

Authorizing standards being created by the state board should include explicit provisions requiring authorizers to screen applicants for their understanding of applicable laws, their plans for marketing and recruitment, and their capacity to serve all students. Authorizers should include information on outcomes in these areas in school performance reports.

The state should ensure that all parents, and especially those of ELL students and those with disabilities, have accurate information about all their public school options. They must be given clear information about their options by school districts, homeless shelter operators, neighborhood organizations and other routine sources.

MCPSA and DESE should form a stronger partnership to provide guidance and technical assistance to schools on special education and ELL. Since charters now have LEA status, there should also be intentional efforts to create new service capacities that individual campuses may not possess. Perhaps the special-education co-op created by UMKC could be expanded to schools chartered by other authorizers throughout the state, to provide expert assistance and economies of scale to charters in special education delivery.

Fill out the Grid

Strong authorizers, skillful oversight and an influx of new leadership are all needed, but so is access to services that support charter schools directly. As noted above, one way of building needed support is to seek out nationally-recognized providers, and to create the kind of policy environment that will make them welcome.

One promising kind of technical support is already in the works, and home-grown. According to a study commissioned by the NAPCS, training in performance management for charter school leaders, boards and staff can help advance student achievement. It's essential that all parties accountable for operating and overseeing charters know how to evaluate a variety of data and use them to inform the next stage of school performance improvement.

Its current strategic plan calls for the Missouri Charter Public Schools Association to build a comprehensive program in this area, including developing a common language about quality criteria among its members, developing dashboards and other tools for school leaders, and providing training in data use. Drawing on the considerable inventory of tools and materials created by the Building Charter School Quality Project, as well as the experience of peer associations in other states, this initiative can be a powerful catalyst for accelerating improvement. We call on state officials and private funders to provide the needed investments so that every charter school in Missouri can be at the cutting edge in managing data to upgrade its performance.



Endnotes

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The National Alliance for Public Charter Schools (Alliance) is the national nonprofit organization committed to advancing the charter school movement. The Alliance works to increase the number of high-performing charter schools available to all families, particularly low-income families who currently do not have access to quality public schools. The Alliance provides assistance to state charter school associations and resource centers, develops and advocates for improved public policies, and serves as the united voice for this large and diverse movement. More than 1.6 million students attend nearly 5,000 charter schools in 40 states and the District of Columbia.

