

Illinois State Board of Education Independent Charter School Authorizer Task Force

September 24, 2009

At 2:05 p.m. the first meeting of the Independent Charter School Authorizer Task Force was called to order by Darren Reisberg of the Illinois State Board of Education.

After a welcome from Mr. Reisberg, all of the task force members introduced themselves. A list of the task force members appears on p. 6 of this document. All of the task force members were present, by phone or in person, except for Michael Bartlett.

There were four guests at the meeting, but none of them chose to speak during public participation.

The first order of new business was a discussion to select a chairperson. The task force unanimously selected Mr. Reisberg and Senator Heather Steans to serve as co-chairs who could neutrally facilitate the work of the group.

Co-Chair Reisberg mentioned to the task force that Learning Point Associates would be staffing the task force at no cost to the state.

The second order of new business was to develop the timeline for the task force. Co-Chair Reisberg noted that the legislation authorizing the task force reads, “the task force shall submit a final report of its findings and recommendations to the Governor and the General Assembly on or before January 1, 2010. The task force shall be abolished 10 days after this submission.” As a result of the tight timeline, the task force agreed that they would meet at least twice in October—once in Chicago and once in Springfield—and thereafter determine the number of additional meetings necessary to timely issue the report. The members agreed to submit dates to the staff person who will identify the best dates for the group. The Illinois General Assembly veto session dates will be taken into account when scheduling the October meetings.

The third order of new business was to begin work on the first task outlined for the task force by the legislature – to compile a comparative analysis of charter school authorizing practices across the United States. The task force reviewed a draft list that included a brief scan of charter school authorizing practices across the United States and documents that were provided by Carlos Perez of the Illinois Network of Charter Schools and Katie Kelly of the National Association of Charter School Authorizers. Co-Chair Steans opened the discussion with her description of the legislative process that resulted in the creation of the task force. Co-Chair Steans was the sponsor of a bill that changed the way that charter schools in Illinois operate. The stakeholders who were involved in the negotiations related to that legislation decided to keep the potential creation of an independent authorizer separate from other issues related to charter schools. As a result of that decision, the state legislature charged the Illinois State Board of Education with convening “an Independent Charter School Authorizer Task Force for the purpose of studying

the need, if any, for an independent charter school authorizer in this State.” The complete language from the legislation appears on p. 7 of this document.

Collin Hitt suggested that the DC authorizing process should be viewed as a model for how authorizers can increase oversight and quality control of charter schools. He recommended that an independent authorizer should be created in Illinois because many districts in the state do not have the capacity to serve as an authorizer for charter schools in their district.

Katie Kelly noted that she would not point to DC as a model, but instead to Colorado because there are multiple options for authorization available in the state. If districts in Colorado are not willing to authorize charters, the state can act as an authorizer.

Co-Chair Steans observed that a charter school is currently having a difficult time being authorized in East St. Louis because the district does not have the capacity to serve as an authorizer and, therefore, she asked for more information about the Colorado model.

Todd Ziebarth responded that in Colorado both the state and the district can authorize charters. Districts apply to the state for exclusive authority to authorize charters in their district. If the state certifies the district as a high-quality authorizer, the state can grant exclusive authority to the district. However, if districts choose not to apply to the state for exclusive authority or are denied because they have not demonstrated their ability to be a high-quality authorizer, the state can authorize charter schools that will be located in those districts.

Mr. Ziebarth noted that there are three reasons for a state to create an alternative to the district as a charter school authorizer. The first is a capacity issue because districts need to focus on other reform efforts and may not have the staff or resources to devote to a small number of charter schools. Second, the state-level authorizer can serve as a model for districts and help them to build capacity over the long term. Finally, as one of the goals of charter schools is to increase choice, an alternative authorizer would extend that principle of choice, not just to schools, but also to agencies that can serve as authorizers.

Dea Meyer and Jaime Guzman noted that Chicago Public Schools is considered a model charter school authorizer. They were curious about the process in Colorado through which a district, even with a state authorizer, may retain exclusive chartering authority for charter schools within their respective district. Katie Kelly commented that the National Association of Charter School Authorizers is currently piloting a system in Denver and other districts in Colorado to evaluate authorizers.

In response to a question about funding issues from Paul Swanstrom, Todd Ziebarth mentioned that authorizers may receive funding from a state line item or as a percentage of the operating budget for the charter school. In addition, states have different approaches to determine how state and local dollars associated with each student flow to a charter school. In response to a question about line item funding for charter schools from Co-Chair Reisberg, Mr. Ziebarth responded that, in Utah for example, the line item has always been funded, but the state is now asking districts to provide that funding. Paul Swanstrom commented that the fact that the

independent authorizer may take funding away from the district should be considered in the task force's decision making process.

In response to a question from Co-Chair Reisberg about the capacity that was necessary for a state-level authorizer, Katie Kelly noted that it depended on the funding formula and that appropriate funding should be determined based on both the number of applications that the state-level authorizer might expect to receive and the capacity that was needed to monitor schools, hold them accountable, and conduct a high-quality, transparent and objective renewal process. Todd Ziebarth agreed that authorizers needed to be funded at an appropriate level to hold charter schools accountable. Co-Chair Reisberg observed that capacity needed to be an important part of the task force's decision-making process because the one charter school that is currently authorized by the State Board of Education occupies a substantial amount of time for agency staff.

Todd Ziebarth remarked that the start-up of an independent authorizer is also a challenge because state funding will likely be required until the per-pupil funding begins to flow to the authorizer. In response to a question from Sharon Teefey about the start-up cost, Mr. Ziebarth replied that between \$150,000 and \$200,000 would likely be necessary in the first 12 to 18 months. Katie Kelly affirmed that appropriate start-up funding would be critical because the independent authorizer in Georgia, for example, which was established by statute in 2008, already has approximately 60 to 80 applications to review, does not yet have a director, and will have to overcome a number of challenges in order to get up and running quickly.

In response to a question from Dea Meyer about the advantages and disadvantages for a state to have a variety of authorizers, Todd Ziebarth encouraged the task force members to read the language in the model law that was recently released by the National Alliance for Public Charter Schools. He provided an overview of three types of authorizers. First, the university option has worked well in a few states, notably New York. University partners may provide innovative training opportunities for new teachers and high-quality professional development for existing teachers. However, he was not sure if the universities in Illinois would be interested in serving as authorizers. Second, there are examples of non-profits that have served as authorizers, but they do not have a consistently strong track record. Finally, eight states have independent boards that focus exclusively on the authorization process, and can also help districts build capacity. The issues with this option are ensuring that a state-level authorizer will be able to make informed decisions about education in a school that exists in a specific local context and how the authorizer will be held accountable to the public. Katie Kelly commented that the type of authorizer is less important than the principle of having multiple authorizers that can demonstrate the capacity and commitment to hold charter schools accountable.

Co-Chair Steans summarized the discussion by noting that the task force would have to consider the role of the authorizer, the type of authorizer, the structure of the authorizing process, and the funding for an independent authorizer.

Sharon Teefey recommended that the status quo should remain an option on the table. She argued that the local decision has to weigh heavily in the authorization process. She asked that the task force carefully analyze what the problem is, if any, with the current charter school law

before moving forward with creating a new independent authorizer. Todd Ziebarth agreed that it would be helpful for the task force to review the data about the number of charters that have been denied by districts and then approved by the state on appeal. Co-Chair Reisberg responded that since he has been with the agency there have been a number of appeals from charters that were denied by their local district, but that, in accordance with applicable rules, those appeals were denied by the State Superintendent (and did not go to the State Board of Education) because they did not comply with Article 27A of the School Code. Todd Ziebarth further commented that it is important for the task force to keep in mind that in other cases when the state overturned a district denial, the responsibility for monitoring the school was returned to the district, whether or not the district had the capacity to provide the school with appropriate oversight. In addition, in Nevada for example, the two largest districts in that state supported an independent authorizer because they did not have the district capacity to monitor charter schools and preferred that the state handle those responsibilities. Paul Swanstrom added that the oversight of charter schools is critical to their success and that it might be easier, politically, for an independent authorizer to close a low-quality charter school than it would be for a school district or the state education agency.

Finally, Paul Swanstrom raised the question of who should oversee the authorizer. Todd Ziebarth commented that the question had not been effectively addressed by any state and encouraged the task force to look at the language in the model legislation developed by the National Alliance for Public Charter Schools. Katie Kelly replied that developing a system of national standards for authorizers is essential to address this critical issue.

The fourth order of new business was to review the draft survey. Co-Chair Reisberg noted that the legislation required the task force to “conduct an assessment of the capacity of school districts in this State to authorize charter schools” and to “assess the ability and interest of this State's public universities in serving as charter school authorizers.” The purpose of the survey will be to gather information from the public universities in Illinois about their interest in serving as charter school authorizers and to request feedback from districts about their capacity to authorize charters and their willingness to surrender their ability to authorize charters to the state or to an independent agency. Sharon Teefey emphasized that it would be important to request feedback from districts to determine if they would be willing to give up the ability to authorize and to lose funding. Katie Kelly will look for survey instruments that might have been used in Missouri to gather information from potential university partners. Nicole Gales was interested in opening a conversation with higher education to determine what types of supports they might be able to provide to charter schools. Co-chair Steans asserted that it would be important to invite the universities to a meeting as a first step to help them understand the role of the authorizer before they are asked about their interest in serving as an authorizer. Dea Meyer mentioned that it might be appropriate for a task force member to present at an upcoming meeting of the Illinois Board of Higher Education. As a result of the discussion on this agenda item, the draft survey that was prepared for the task force will be retooled to better fit the purposes outlined by the legislature.

The final order of new business was to develop the agenda for second meeting. Jaime Guzman would like to learn more about the authorizing process in Washington, D.C. and the interplay between the district and state-level authorizers in states like New York and Colorado. The task

force would also like Jaime to talk more about the lessons learned in making Chicago Public Schools a model for the nation in charter school authorization and how Chicago might be able to share their experience with other districts. Sharon Teefey would like to see a detailed analysis of the current situation in the state to determine if an independent authorizer is necessary. Todd Ziebarth suggested that the task force members review the model legislation developed by the National Alliance for Public Charter Schools and the independent statewide authorizer bill from the 2009 session (HB 481) and discuss them at the next meeting. Dea Meyer would like to review the history of charter school authorization, lessons learned, and how organizations like the Civic Committee of the Commercial Club of Chicago could develop support systems for charter school authorizers.

The meeting was adjourned by Co-Chair Reisberg at 3:20 p.m.

**Illinois State Board of Education
Independent Charter School Authorizer Task Force**

Name	Organization	9/24
Michael Bartlett	Illinois Association of School Boards	absent
Clarice Berry	Chicago Principals and Administrators Association	present
Representative William Burns	Illinois General Assembly	present
Traci Cobb-Evans	Chicago Teachers Union	present
Sean Denney	Illinois Education Association	present
Nicole Gales	Springfield Ball Charter School	present
Jaime Guzman	Office of New Schools - Chicago Public Schools	present
Collin Hitt	Illinois Policy Institute	present
Dea Meyer	Civic Committee of the Commercial Club of Chicago	present
Laurie Preece	Rockford Charter Schools Initiative	present
<i>Co-Chair</i> Darren Reisberg	Illinois State Board of Education	present
Greg Richmond	National Association of Charter School Authorizers	represented by Katie Kelly
<i>Co-Chair</i> Senator Heather Steans	Illinois General Assembly	present
Paul Swanstrom	Superintendent, Joliet Township High School District 204	present
Sharon Teefey	Illinois Federation of Teachers	present
Todd Ziebarth	National Alliance for Public Charter Schools	present

Sec. 27A-14. Independent Charter School Authorizer Task Force.

(a) The State Board of Education shall convene an Independent Charter School Authorizer Task Force for the purpose of studying the need, if any, for an independent charter school authorizer in this State. The task force shall (i) compile a comparative analysis of charter school authorizing practices across the United States; (ii) conduct an assessment of the capacity of school districts in this State to authorize charter schools; (iii) assess the ability and interest of this State's public universities in serving as charter school authorizers; (iv) analyze the capacity of the State Board as a charter school authorizer; and (v) make recommendations as to the amount of funding necessary to operate an independent authorizer and the system of support, at the State Board or otherwise, necessary for any such independent authorizer to operate successfully.

(b) The task force shall consist of all of the following voting members:

(1) A person appointed by the President of the Senate.

(2) A person appointed by the Minority Leader of the Senate.

(3) A person appointed by the Speaker of the House of Representatives.

(4) A person appointed by the Minority Leader of the House of Representatives.

(5) The State Superintendent of Education or his or her designee.

(6) A representative of a statewide professional teachers' organization, appointed by the head of that organization.

(7) A representative of a different statewide professional teachers' organization, appointed by the head of that organization.

(8) A representative of an organization representing principals in a city having a population exceeding 500,000, appointed by the head of that organization.

(9) A representative of an organization representing professional teachers in a city having a population exceeding 500,000, appointed by the head of that organization.

(10) The chief executive officer of a school district in a city having a population exceeding 500,000 or his or her designee.

(11) The chairperson of the board of the Illinois Network of Charter Schools or his or her designee.

(12) A nationally recognized expert on charter school authorization, appointed by the State Superintendent of Education.

(13) A principal of an established charter school in this State, appointed by the State Superintendent of Education.

(14) A representative of an organization representing the business community in this State, appointed by the head of that organization.

(15) A person appointed by a statewide organization representing school boards in this State.

(16) A person appointed by a statewide organization representing school district superintendents in this State.

(c) Members of the task force shall receive no compensation for their participation, but may be reimbursed by the State Board for expenses in connection with their participation, including travel, but only if funds at the State Board are available.

(d) The task force shall submit a final report of its findings and recommendations to the Governor and the General Assembly on or before January 1, 2010. The task force shall be abolished 10 days after this submission.

(e) This Section is repealed on January 10, 2010.