



ADVANCING EXCELLENCE

Michigan's Model for
Authorizer Accountability



Advancing Excellence

Welcome

When Michigan's policymakers adopted charter schools legislation in 1993, they put in motion a bold strategy for advancing public education.

By empowering families with choice, freeing educators to try new approaches, and creating authorizing bodies to charter and oversee new public schools, lawmakers created an environment for innovation.

Today, a strong group of authorizers are guiding Michigan's charter strategy. Known for their diversity, these authorizers are at the forefront of fostering change and ensuring quality, while balancing school autonomy with public accountability.

As the Michigan Council of Charter School Authorizers, we strive to educate policymakers and the public about the important roles and responsibilities assigned to authorizers. This is why we created *Advancing Excellence: Michigan's Model for Authorizer Accountability*.

We hope you find this guide helpful. Believers in continuous improvement, we welcome feedback and look forward to working together to promote excellence for all Michigan students.

Vision

We envision Michigan with a diverse and dynamic system of schools that prepares and empowers all students to achieve their dreams.

Mission

Our mission is to advance public education and authorizing practices that foster excellence, choice, innovation, and accountability.

Values

Integrity and Trust

We believe the integrity of our decisions, behaviors, and actions will build trust, confidence, and goodwill.

Innovation and Excellence

We encourage innovation and foster excellence while recognizing the uniqueness of our educational partners.

Accountability and Autonomy

We ensure public accountability and transparency and support schools with the autonomy they need to deliver results.

Inclusive and Equitable

We honor and respect diverse ideas, beliefs, and cultures and strive to ensure fair and equitable treatment for all.

About MCCSA

Chartering public schools in Michigan provides a different opportunity for the delivery of public education. Following the adoption of legislation in 1993, Michigan was a pioneer in creating a chartering system that relied upon multiple authorizers to bring systemic change to the educational landscape. Early in the public charter schools movement, ten authorizers joined together as pioneers and created the Michigan Council of Charter School Authorizers (MCCSA).

MCCSA members believe that every student deserves a school that puts him or her first. MCCSA works each and every day to build strong, innovative, and accountable educational options by authorizing and overseeing high-quality public charter schools in communities across the state. The decisions made by Michigan authorizers help meet the needs of students and families, which means sound, consistent authorizing judgment is essential. Blazing the path to define quality authorizing, MCCSA was one of the first in the country to develop a set of thoughtful, rigorous authorizer accountability standards that help guide its members' work and communicate what matters most.

MCCSA has continued to lead the nation by fostering an authorizer accountability system that not only includes the MCCSA standards, but also includes the first authorizer accreditation system as well as the Michigan Department of Education Assurance and Verification Visits.

"Advancing Excellence: Michigan's Model for Authorizer Accountability" reflects a shared pledge to one another, to parents, teachers, and students that quality authorizing is paramount – because Michigan's children deserve it.



Introduction

Michigan’s public charter school authorizing story officially began when Governor John Engler signed Public Act 362, providing the opportunity for systemic changes in the public education system. This improved system would place the focus on the achievement of children and local school performance by providing families with greater choice while also stimulating innovation in teaching methods and professional development and exploring how to more effectively allocate state funds.

The idea of chartering schools became a reality in Michigan as the law created authorizers, who were given the enormous responsibility of authorizing and overseeing high-quality public charter schools through a performance-based charter contract.

As shown in Figure 1, these authorizers may be: 1) the board of a school district, 2) an intermediate school board, 3) the board of a community college, or 4) the governing board of a state public university. Between 1994 and 1997, representatives from all four of the allowable authorizing bodies had opened more than 100 charter public schools. Today, there are more than 40 active charter public school authorizers providing choices to Michigan’s 1.5 million K-12 students in nearly 300 public charter schools all across the state.

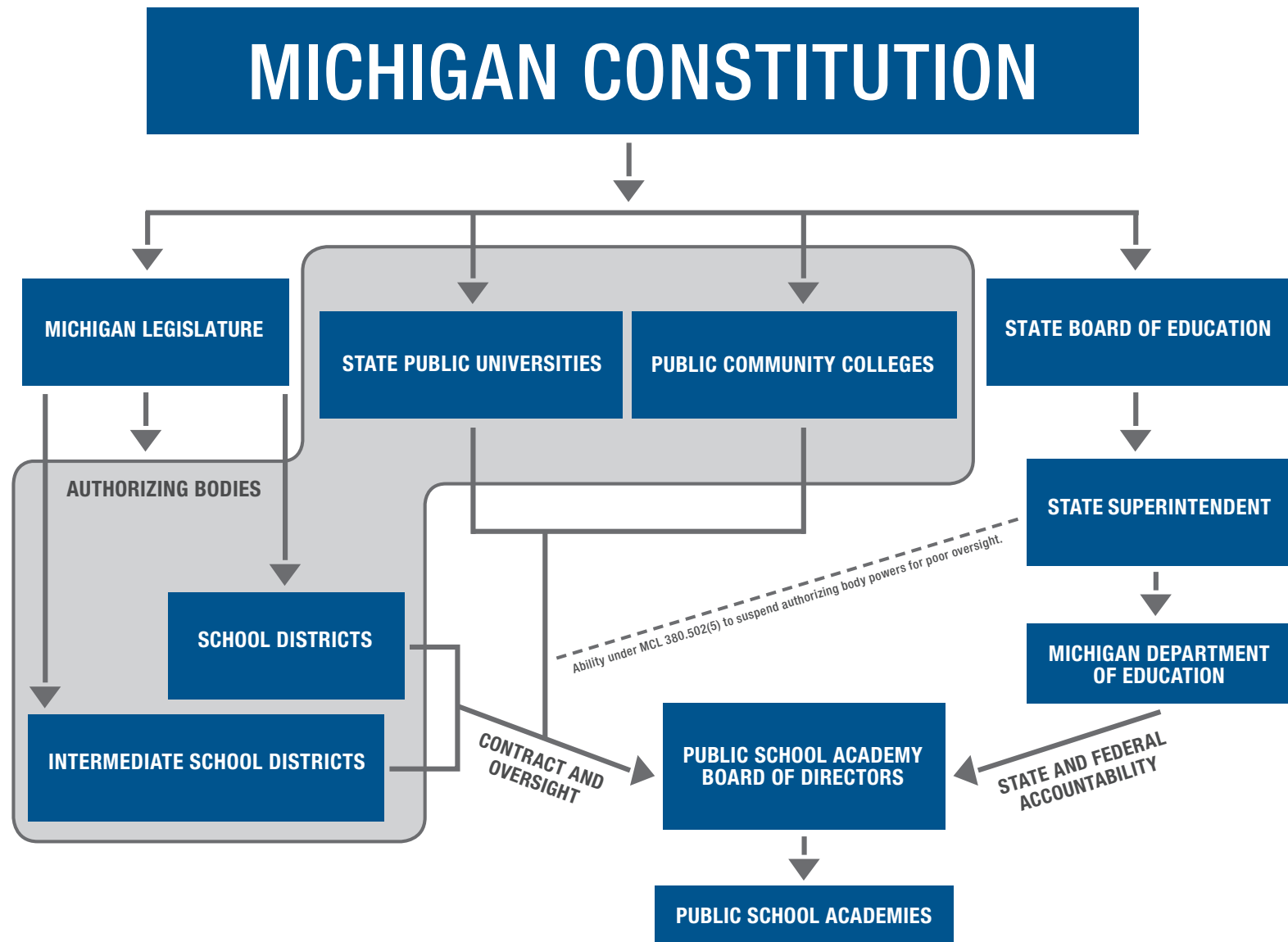


Figure 1: Michigan’s legal and regulatory framework for charter public schools

In 2002, a group of authorizers created MCCSA with a shared vision of working together toward a dynamic and diverse system of public education for all kids. While blazing the path for chartering schools, MCCSA members meet on a regular basis to share best practices and, in 2005, created the first standards for Michigan authorizers in conjunction with the National Association of Charter School Authorizers (NACSA).

The MCCSA's initial Oversight and Accountability Standards have informed and improved authorizer practices across the U.S. They have provided valuable ideas to state-level policymakers interested in expanding public educational choice without sacrificing quality. Many of the MCCSA standards and ideals guided our shared public discourse, and they have improved educational outcomes for students across the state.

Today, the standards continue to reflect the ideals of MCCSA's diverse array of members and have become the foundation of the Michigan Model for Authorizer Accountability. Understanding that standards alone would not ensure quality authorizing, MCCSA has continued to lead the nation by fostering an authorizer accountability system that not only includes the MCCSA standards but also includes MCCSA's guiding principles, authorizer accreditation and assurances, recommended best practices as well as the Michigan Department of Education Assurance and Verification Visits.

MCCSA continues to innovate and advance system change that will benefit all of public education in the State of Michigan. The Michigan Model for Authorizer Accountability provides a solid framework for quality authorizers in Michigan.



Figure 2: Michigan Model for Authorizer Accountability

SECTION 1: Guiding Principles

Principle 1: Focus on Performance & Accountability

Strengthening the performance of public education requires collaboration and alignment between multiple agencies like authorizers, intermediate school districts, and the Michigan Department of Education. Working together, these organizations can share data and insights and use multi-dimensional analyses of performance to measure and evaluate quality.

Principle 2: Ensure Equitable Access & Funding

As part of Michigan's constitutional system of public education, public charter schools and the students they serve deserve a fair and stable operating environment, access to local, state and federal programs and supports, and equitable funding.

Principle 3: Encourage Innovation & Excellence

The ability to explore new approaches is the hallmark of chartering. Fostering a culture of innovation and excellence through a robust system of multiple authorizers is a better way to advance student growth and achievement than prescriptive rules and regulations.

Principle 4: Provide Options for Families, Educators & Communities

One size does not fit all. Parents have the fundamental right and are in the best position to choose their children's school. Educators also deserve options. And communities should no longer be restricted to only one provider of public education.



SECTION 2: The Standards

Michigan's charter public schools require nothing less than high-quality, efficient and effective authorization and oversight. To support these essential aims, MCCSA has adopted the following standards. While the standards are universal and align with MCCSA's guiding principles, individual authorizers have the responsibility to implement their own systems in a manner that is supported by the standards.

Authorizing Commitment & Capacity

Excellence in authorizing means ensuring commitment and capacity by developing practices and organizational structures to conduct authorizing duties effectively and efficiently.

Authorizing a Charter Public School

Excellence in authorizing means understanding the importance of a comprehensive, fair application process, coupled with a strong charter performance contract. Authorizers grant charters only to applicants that demonstrate a strong capacity to establish and operate a quality charter public school.

Application

The application process should:

- Provide for first-time applicants as well as experienced operators.
- Encourage expansion and replication of public charter schools demonstrating success.
- Allow for autonomy while encouraging innovation.
- Be rigorous and transparent, ensuring authorizer expectations are clearly stated and legal requirements are met.

The application review should consider:

1. School performance goals.
2. A compelling and realistic vision.
3. Sound and sustainable business and financial plans.
4. The will and capacity to effectively implement the plans.

Charter Contract

Authorizers should develop charter contracts that are performance-based and emphasize student achievement while ensuring compliance with Michigan law and holding schools accountable for results. It should include, but not be limited to:

- Clear academic performance expectations that: (a) ensure students are prepared for success in college, work and life, and (b) require academic improvement for all groups of students.
- Clear operational performance expectations.
- The rights and responsibilities of the authorizer, the board, and the school.
- All legally required information.

Overseeing & Evaluating a Charter Public School

Excellence in authorizing means understanding the responsibility of establishing a comprehensive system that monitors and evaluates school performance and compliance. This system should provide the necessary information to oversee, evaluate and periodically report the performance of the charter public school. An authorizer's oversight system should preserve and protect the autonomy of the school while minimizing its

compliance burden. A comprehensive oversight system includes, but is not limited to, monitoring and evaluating the following areas:

- Academy board membership and governance
- Student access
- Academic performance
- Special education
- Teacher certification
- Financial performance
- Operational performance
- Educational Service Provider accountability
- Facility and health safety
- Public disclosure and conflicts of interest

If, during the course of the charter contract term, the authorizer determines that a public charter school is not making adequate progress, the authorizer shall give notice to the school and allow reasonable time and opportunity for the school to make necessary changes. However, if after the changes, the school is still not making adequate progress, the authorizer shall send notice to a school regarding their lack of progress and provide intervention support strategies that work to improve student outcomes and operations while maintaining program autonomy and accountability.





Reauthorizing a Charter Public School

Excellence in authorizing means establishing and implementing a consistent and comprehensive charter reauthorization process, guided by the following core questions:

- Is the charter public school achieving its academic goals as stated in the charter contract?
- Is the charter public school organizationally, educationally, and financially viable?
- Is the charter public school demonstrating good faith compliance in following the terms of its charter contract and applicable law?

The authorizer shall base reauthorization decisions on the data and information gathered through the oversight and evaluation system as defined by the charter contract. If a charter public school is not making adequate progress towards meeting its performance goals, as defined in the charter contract, the authorizer may decide not to renew the charter contract.

If a decision to not renew a charter contract is made, the authorizer will communicate the decision in such a manner that will minimize disruption to the students. The authorizer will facilitate the transition and ensure students and their families are adequately supported in seeking quality options and facilitating best practices around student transition.

SECTION 3:

Authorizer Accreditation

In 2015, MCCSA partnered with AdvancED, now Cognia, an internationally recognized accreditation organization, to develop and implement an authorizer accreditation process. Cognia has worked with traditional school organizations including local and intermediate school districts on similar accreditation models. While Cognia's process focuses on continuous improvement, MCCSA believes that it is critical to include a review of compliance with legal requirements and certain best practices. Consequently, MCCSA approved the following assurances and developed a review process that requires an authorizer to demonstrate compliance with the assurances prior to going through the accreditation process. These authorizer assurances actualize the MCCSA standards and demonstrates of the commitment to quality that Michigan authorizers strive to achieve.

Authorizer Assurances

1. The authorizer's application meets the statutory requirements.
2. Charter contracts meet statutory requirements.
3. The authorizer implements documented systems to oversee schools' compliance with the terms of their charter contracts and all applicable law.
4. The authorizer has imposed consequences, up to and including closure, if an authorized school is not making progress as defined in the charter contract.
5. The authorizer requires charter public school boards to obtain legal opinions from an attorney independent of and not representing an educational service provider or educational service provider owner, director, officer or employee.
6. All charter contracts include requirements and procedures for schools to complete a financial audit which shall be conducted at least annually by a certified public accountant in accordance with generally accepted governmental auditing principles.
7. The authorizer requires an independent CPA responsible for completing the school's annual financial audit.
8. The authorizer has a process to ensure that its schools have active website link(s) including at least (1) the current charter contract and (2) the current Educational Service Provider Contract, if applicable.
9. The authorizer requires board members to complete an application, undergo a criminal background check, complete an annual conflict of interest disclosure, undergo an interview and have available opportunities for professional development for board members.
10. The authorizer provides written performance reports to each authorized school based on the academic, financial and operational expectations of the charter contract. The reports are made public and are issued at least annually.
11. Consistent with applicable law, an authorizing body shall receive and review applications for transfer through a competitive application process. Through this process, an authorizer must conduct a review of the academic, financial and operational performance of the school prior to the issuance of a charter contract to determine if the board of directors can meet the terms and conditions of a charter contract. A school that has been determined to be among the lowest achieving schools as defined by the State of Michigan School Index System shall not be deemed able to meet the terms and conditions of a charter contract, and, as such, is not eligible to be transferred. The authorizer shall engage the previous authorizer during any transfer decision-making processes prior to the issuance of a charter contract. Alternative schools, as defined by the federal government, will be exempt from this assurance.
12. The authorizer has contract provisions or Educational Service Provider policies that include roles and responsibilities of the parties, services and resources provided, fee or expense payment structure, financial control, oversight and disclosure, and renewal and termination of the agreement.
13. The authorizer has closed schools that consistently perform among the lowest achieving designation of all public schools as required by the state accountability system unless it is under reconstitution or is making progress toward goals established in a partnership agreement executed by the school, the Michigan Department of Education, and the authorizer. Reconstitution shall include fundamental changes in the educational program and leadership/ management or appointing a new board of directors or a trustee to take over operation of the charter public school.



SECTION 4:

Authorizer Best Practices

Since 1995, Michigan authorizers continue to provide leadership in the public charter school sector seeking to advance public school choice and accountability by supporting high-quality oversight. The following best practices support the Michigan Model of Authorizer Accountability. They further define the role of an authorizer.

Excellence in authorizing means considering the following practices when creating a system to oversee compliance with the terms of the charter contract and all applicable law:

- Commit to a purpose statement that defines expectations for the organization.
- Provide a transparent application process that clearly states the authorizer's expectations.
- Establish a clear policy detailing the selection and appointment process for charter public school board members and ensure that charter public school board member vacancies are filled in a timely manner.
- Ensure charter public school board members govern by board policy.
- Provide charter public school board members with professional development opportunities that cover the following topics: academic results, effective governance and leadership, legal compliance, board and charter public school leadership relationships, finance and budgeting.
- Ensure the charter public school provides access to all students by monitoring the school's application and enrollment procedures.
- Ensure the charter public school coordinates with the Michigan Department of Education, intermediate school districts and other appropriate organizations to ensure its inclusion in applicable local, state, and federal programs.

- Ensure the charter public school uses properly certified teachers that have satisfied necessary criminal history checks and professional disclosure requirements.
- Ensure the charter public school provides special education services.
- Conduct oversight visits to the charter public school.
- Ensure the charter public school develops and implements a financial monitoring system that includes a financial statement audit and leads to a financially stable school.
- Ensure any charter public school that contracts with an educational service provider performs sufficient due diligence and negotiates an arm's-length agreement that includes roles and responsibilities of the parties, services and resources provided, fee or expense payment structure, financial control oversight and disclosure and renewal and termination of the agreement.
- Require charter public school boards to obtain legal opinions from an independent attorney.
- Ensure that all required occupancy and facility approvals have been received and the necessary health and safety inspections have occurred.
- Engage in a continuous improvement process.



SECTION 5:

MDE Assurance & Verification Visits

The Michigan Department of Education (MDE) created and implemented the MDE Assurance and Verification Visit process whereby they assess whether an authorizer is consistently implementing certain authorizing practices. The authorizing practices relate to the following domains:

- Application authorization and contracting;
- Public charter school governance;
- Facilities;
- Quality of learning; and
- Financial accountability

To begin the process, authorizers must rate themselves on each practice as to whether they have implemented the authorizing practices completely, clearly, consistently or improved. They must submit evidence to support the ratings to MDE. MDE completes a review of the evidence then visits the authorizer to discuss the authorizer rating and whether MDE believes it is an appropriate rating based upon the evidence provided. They also discuss and share authorizing best practices, when appropriate. After the review is complete, MDE provides a written report that includes summary comments on the authorizer's implementation of the practices as well as individual MDE ratings and comments for each authorizing practice. Where appropriate, MDE provides recommendations that support quality authorizing. MDE performs this review on all authorizers with a goal to review each authorizer every three years.



Additional Resources

Michigan Council of Charter School Authorizers
(MCCSA)

www.michiganauthorizers.com

MCCSA has multiple resources on this site including “Special Education Services in Charter Schools: What Authorizers and School Leaders Should know.” In addition, each of the 10 members of MCCSA have websites dedicated to authorizing with excellent resources such as templates and videos.

Michigan Department of Education (MDE) Public
School Academies Unit

www.mi.gov/charters

National Association of Charter School Authorizers
(NACSA)

www.qualitycharters.org

NACSA Standards

[www.qualitycharters.org/for-authorizers/
principles-and-standards/](http://www.qualitycharters.org/for-authorizers/principles-and-standards/)

Cognia (formerly AdvancED)

www.cognia.org

Michigan Association of Public School Academies

www.charterschools.org

The National Charter School Institute

www.charterinstitute.org



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