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Tough Calls:

Identifying and Addressing School-Level Problems

Robin Lake and Meghan Squires

ncsrp working paper # 2008-7

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This paper is part of a collection of nine working papers that provides research-based practical guidance to authorizers across the whole range of authorizer practices, from building supply and selecting applicants, through oversight and support, to intervening in and closing failing schools. Developed through CRPE's "Providing Public Oversight" research initiative in partnership with Public Impact.

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Introduction

Despite the fact that public schools have many layers of accountability to ensure that schools follow federal and state rules and protect the health and safety of children, few school districts have much experience monitoring schools' organizational viability and performance outcomes. This new skill is most clearly required of school districts that wish to manage a decentralized portfolio of schools and public agencies that oversee charter schools. But arguably, state and federal accountability pressures from No Child Left Behind and state standards make it incumbent on all school districts to shift their ongoing oversight away from a mainly role-enforcing mode to a performance-based model.

Regardless of how oversight agencies choose to address school dysfunctions, one thing is clear: they must be prepared to take monitoring seriously and consider it a core function of their office. As Meghan Squires and Lydia Rainey's (2008) paper from this series shows, the most careful screening and application process can never completely eliminate the possibility that schools will develop troubles. Authorizers need to have systems in place to learn about problems that arise and have effective strategies to respond to those problems.

Charter school literature has documented typical start-up problems (Sullins and Miron 2005; Mead 2006) and there is reason to believe that all public schools encounter predictable organizational development cycles as schools mature and evolve (Frumkin 2003). At any stage, school problems can be minor disturbances or can be significant enough to threaten the school's viability and student welfare.

Ideally, authorizers should identify problems before they affect student welfare and respond in ways that acknowledge the school's role as the primary problem solver. Paul Hill and others (Hill, Pierce, and Guthrie 1997, etc.) present strong arguments that districts must move away from compliance- and directive-oriented monitoring and intervention systems that have been commonplace in school districts and move toward minimalist central office oversight, deference to school-level decision-making, and outcome-based accountability. Those in favor of such approaches argue that schools will be stronger and more sustainable organizations if they are given the opportunity to solve their own problems and if accountability is focused on results. The challenge for performance-based oversight agencies, especially for school districts with decades of experience with compliance-based oversight, is slipping back into old accountability habits and running schools directly.

The goal of this paper is to provide insights about how portfolio managers can anticipate the challenges of performance-based oversight, learn from the experiences of pioneers in school performance management and offer ideas for how a comprehensive performance-based monitoring and intervention system could work in practice. This paper draws from a study of charter school oversight practices and a review of management literature.

Research Design and Methods

To learn about the common challenges and promising strategies for effective school performance monitoring and intervention, we interviewed several of the most experienced charter school

authorizers in the country. Our sample included six charter authorizers: the State University of New York (SUNY); the Massachusetts Department of Education (MADOE); Central Michigan University (CMU); Volunteers of America (VOA), a non-profit authorizer in Minnesota); the District of Columbia Public Charter School Board; and the Mayor of Indianapolis (Indy). We chose sites to reflect a range of authorizer types (for example: statewide, university, and nonprofit agencies). We also limited our sites to those that had been through at least one renewal cycle with the schools they oversee, and those with experience responding to school problems including closing at least one school.

Table 1. Authorizer experience

	Began authorizing schools	Current number of authorized schools	Geographic concentration	Number of schools closed
Central Michigan University	1993	58	Statewide	14
DC Public Charter School Board	1997	104	Washington, DC	4
Indianapolis Mayor's Office	2001	18	Indianapolis	1
Massachusetts Department of Education	1993	61	Statewide	2
State University of New York	1998	58	Statewide	7
Volunteers of America	2000	13	Statewide (Minnesota)	2

Note: Source: CRPE interviews with authorizers, May 2008.

Guided by a common protocol (see Appendix for protocol questions), we asked authorizers how they identify problems, what tools they use in the process, and how they decide whether or not intervention is necessary. We collected documents, when appropriate, to get more information on certain topics. To the extent possible, the study team gathered information about the role that factor such as authorizer type, level of experience, number of schools, and geographic spread of schools played in determining authorizer's actions. The study team also collected and reviewed internal documents and news reports related to school intervention. We also reviewed past studies and analyses on performance monitoring in education and, to gain another perspective, studied organizational management literature on contract performance monitoring and intervention.

The findings presented below represent examples and lessons from a selection of charter authorizers, informed by a review of relevant literature. The findings should not be considered representative of all charter school authorizers. This analysis offers informed guidance and ideas for those interested in moving toward a performance-based system of decentralized schools, but does not provide definitive evidence.

Lessons from Charter Organizers

For charter school authorizers, school oversight is not something that occurs at the end of a contract term with the approval or rejection of a renewed contract. Instead, much like the traditional role of school district administrators, authorizers oversee schools on an active basis,

making attempts to understand and monitor a school's detailed circumstances and overall health on a yearly, monthly, and in some cases, weekly and daily basis. Authorizers are responsible for ensuring that schools are complying with the terms of their charters and delivering the promised educational program. To examine all that performance-based oversight entails, this section discusses the experiences of charter authorizers, specifically:

- the types of problems independent public schools typically exhibit;
- the challenges oversight agencies are likely to face as they try to monitor on the basis of performance;
- the ways oversight agencies can appropriately identify schools that are headed for trouble; and
- the ways oversight agencies can effectively decide on a response for troubled schools.

The Troubles Schools Typically Encounter

Oversight agencies encounter a variety of problems in the schools they oversee. These problems are largely characterized by when they occur in the school's life cycle. Schools can be categorized by three development stages: start-up, expansion, and institutionalization (Frumkin 2003). The problems schools encounter change depending on the school's stage. During the start-up stage, schools are obtaining charters, locating facilities, recruiting staff, and meeting the community. Problems which authorizers report having seen in this phase relate to this work and include poor governance, fiscal mismanagement, and facilities issues. Across the country, most charter schools are in the start-up stage, making these the most common problems and thus the ones that the authorizers have the most experience diagnosing.

In our sample, authorizers reported a range of start-up stage problems. The problems they identified are consistent with other studies that document the most common reasons for new school failure: facilities, governance, and financial problems. “A key start-up issue is finding a facility,” reported one authorizer (VOA). Several authorizers reported how this initial challenge for schools can lead to other problems in the school. One authorizer (DC) stated, “The Board becomes focused on facilities, creating a negative diversion,” while another (VOA) concurred, “Other things fall by the wayside because all the energy is spent on zoning issues and securing a particular site.”

In addition to facility issues, other start-up-stage issues abound. Authorizers report noticing governance problems in new schools, from composing a school board to finding instructional leaders. The transition from submitting an application to making a school fully operational can involve many organizational issues. One authorizer (VOA) reported seeing problems when schools do not spread leadership spread over a well-coordinated team, but instead concentrate on one visionary individual. Another authorizer (Indy) stated that disconnects between different levels of leadership—for example, between the board and the instructional leaders—reflect and lead to problems in new schools. In addition to leadership problems, authorizers report identifying problems with contracts that the schools manage. Specifically, one authorizer (CMU) mentioned real estate transactions and educational service provider agreements as the most problematic issues facing new schools.

Authorizers have less experience in navigating the second two stages of a school's life cycle and equally serious problems arise. Problems in more mature schools are not well documented in charter school literature. In the second stage, expansion, schools are adding new grade levels and students, expanding funding sources and programming, and recruiting additional staff. In the third stage, institutionalization, schools are consolidating gains, regularizing procedures, and confirming relationships with community and political leaders. Problems in these more mature stages include lagging academic performance, missteps in adding new grades, and sustainability issues (Frumkin 2003).

Authorizers in our sample are just beginning to grapple with the problems presented by schools in the expansion and institutionalization stages. At least one authorizer (DC) noticed schools encountering problems when they expanded into different grades: "It's been really difficult with schools who add grades more quickly than they had originally planned." Expansion can be associated with a range of problems involving leadership, governance, academics, and funding. Authorizers reported that more mature schools, some as old as 10 years, face problems which often include flat or nonexistent student performance progress.

Problems often beget problems. Our interviews suggest that there is rarely just one problem to be solved but very often a tangle of interdependent problems. Although there are cases where either the board or the leader is weak, in most cases a problem with one signals that the other is also a problem. One authorizer (CMU) recalled a situation where a school leader presented problems for a school, was replaced, and then the new leader ended up presenting severe problems as well. In this case, the authorizer said, "The sins of the past had damaged the school

so much that the best board in the world could not recover from it.” Other stories reveal “cultures of corruption,” where schools defend their behavior based on past precedent. Authorizers report having to decipher where the problem originates, where it has spread, and how deeply ingrained it has become in the school.

Performance-Based Monitoring Brings Tensions and Challenges

Charter authorizers in our study were forthcoming that monitoring school performance well is a complex endeavor that requires a great deal of creative and thoughtful work. Identifying and deciding how to respond to problems in their schools involves a tension between the tendency toward intense monitoring and the constraints of philosophy and logistics. This section discusses the factors that inform this tension.

Authorizers alluded to a few factors that inspire them to monitor schools more closely:

Schools attempt to conceal problems. A fundamental challenge for authorizers is that while they have an interest in learning about schools’ problems as soon as possible, schools have an interest in hiding those problems, or at least presenting their best face to the agencies that oversee them. Schools have incentives to reveal their successes and disincentives (that is, risk of losing the charter) to reveal their problems (Kettl 1993). These misaligned goals and interests are apparent when the authorizer relies mainly on reports from the school to gauge the success of school operations and only gets sunny reports. For authorizers interested in understanding and helping address a school’s problems, this communication roadblock presents challenges. For

example, if schools conceal their problems, authorizers are unable to identify problems—and help—for schools. Authorizers in our study understand these dynamics and work to find ways to overcome them. In addition to holding a scheduled site visit, one authorizer (MADOE) expressed a desire to drop in on schools “to see what they are doing when everybody is not dressed up,” thereby observing what is really happening behind a school’s closed doors.

Authorizers have an imperative to monitor compliance. As described in the introduction, oversight of charter and decentralized schools that agree to performance outcomes is, at least theoretically, supposed to focus on outcomes, not process. In practice, however, even when public schools are given waivers from laws and regulatory freedoms, schools still must comply with a host of financial, health, safety, and civil rights requirements.

Authorizers have a real interest in the success of the school. In addition to the compliance imperative, another reason why authorizers are pulled in to more monitoring is a genuine concern for the schools they oversee. Authorizers are deeply interested in making schools successful, both because they care about student outcomes and because they know that their work as authorizers will be judged by the achievements of their schools. If they sense that a school is veering off track, philosophical scruples about school autonomy are in tension with a strong urge to get involved in order to avert problems. Even if an issue is not a compliance concern, authorizers in our sample reported the temptation to intervene.

On the other hand, authorizers expressed their reasons for employing a more hands-off approach to monitoring:

Authorizers want to minimize reporting burdens on schools. Some authorizers hoping to detect problems they know schools will attempt to hide try to monitor as many aspects of school operations as possible. If this happens, however, performance or portfolio oversight quickly begins to resemble traditional school district monitoring, with volumes of reporting requirements. While the compliance reports submitted by the schools are an important means by which authorizers understand how schools are functioning, authorizers struggle to define the right level of balance between monitoring schools' compliance with rules and regulations and true performance outcomes.

Authorizers express a philosophical commitment to autonomy. Closely related to authorizers' desire to have their oversight processes be distinct from the traditional district policies is authorizers' commitment to upholding the autonomy of individual schools. In our interviews, authorizers expressed a desire to support independence in the schools they oversee. In their decisionmaking, authorizers sometimes, depending on the problem and surrounding circumstances, opt to give schools space to resolve their own problems.

Logistical constraints dictate the monitoring capacity of authorizers. The expenses related to a catchall approach to monitoring are high. Therefore, many authorizers are financially unable to monitor every detail of a school's contract. Small and overcommitted staffs constrain the monitoring capacity of many authorizing agencies. Some authorizers stated that while reports provide useful information on compliance, having too many reports results in information overload. After talking with a group of school directors and examining the flow of work in his

office, one authorizer (VOA) decided that “after a school’s first year or two, the quarterly reports were a little too much.” Speaking of his office’s experience, he continued, “I’ve got six midyear reports sitting on my desk right now, and they are all 20 to 30 pages long. I want to read them, respond to them. It’s just like a teacher: the more homework you assign, the more work you’re making for yourself.” In some cases, focusing on less, but better, information, may allow authorizers to more accurately and efficiently monitor the schools.

The Ways Oversight Agencies Identify Schools That Are Headed for Trouble

The authorizers we interviewed employ a range of monitoring strategies varying by frequency and intensity: for example, how many site visits a year, how many reports a year, what kind of reports, and when those reports are due. Table 2 shows the types of formal monitoring tools employed by the authorizers in our study. The frequency and intensity of monitoring varies widely by authorizer, depending on capacity, geographic proximity, and philosophy. How much information authorizers require schools to submit for reporting and how often they conduct site visits greatly depends on the authorizers’ capacity to manage and perform such tasks. Similarly, geography creates both constraints and opportunities for monitoring: an authorizer whose offices are in the same town as a school they oversee is more likely to visit the school frequently than an authorizer whose office is in a different city.

Table 2. Monitoring by authorizer

	Main sources of monitoring
Central Michigan University	“Frequent” site visits; attend board meetings; board minutes; quarterly fiscal reports; annual reports.
DC Public Charter School Board	Program development review (PDR) process that involves a site visit in years 1, 3, 5, 6; phone calls from parents; annual reports.
Indianapolis Mayor’s Office	Site visits two times a year for schools in years 1 and 2; one site visit in year 3; in-depth two-and-a-half day site visit in year 4; attend board meetings quarterly; quarterly fiscal reports; annual reports.
Massachusetts Department of Education	Annual site visits (year 1 is informal, year 4 is for renewal); charter school accountability plans; annual reports.
State University of New York	Annual site visits; informal conversations with board; phone calls from school leaders and parents; quarterly fiscal reports; annual accountability reports.
Volunteers of America	Site visits three times a year; attend quarterly board meetings; monthly financial statements, midyear and annual reports.

But geography and capacity do not entirely predict an authorizer’s monitoring approach. The approach to monitoring also depends heavily on how authorizers view their role. Some authorizers view monitoring as a means to prevent problems and their strategies include hands-on and frequent oversight. In contrast, other authorizers view their role as more hands-off, employing the notion that schools must fend for themselves and the strong will survive. How authorizers perceive their oversight role defines how they interact with the schools they charter. Figure 1 categorizes our study sites by the intensity of their overall monitoring, whether they are “hands-on” (using monitoring to catch small problems early) or “hands-off” (giving schools

schools at different frequencies, such as monthly, quarterly, and yearly (usually for schools which have been open for two years) intervals. Using these visits as a means by which to observe the school in action, authorizers—or the staff who make the visit—write up reports describing their experience in the school. Schools are also required to submit written reports, again at varying intervals depending on the authorizer.

One common red flag is a school that is unprepared for site visits or with their written reports.

One authorizer (Indy) connected a school's lack of preparation to signs of larger problems on the horizon:

Sometimes the school won't have what we need, or maybe they'll email it to us later, but if a school has a couple of site visits like that in a row from our office, it can be a small sign of a larger problem. Even if a school is doing a great job with its educational programs, if they're not doing their administrative stuff, they may not get school funding or teachers licensed. These problems will threaten the school's mission.

In this study's sample, there is consensus among authorizers regarding the importance of site visits. Each authorizer named these visits as the most telling evaluation tool in assessing a school's development and cited the value of site visits as two-fold: they allow authorizers to gain a deep understanding of what is happening in the schools they oversee, and allow authorizers, with this knowledge, to provide detailed feedback to schools. In naming site visits as the most informative of all the assessment tools, one authorizer (VOA) commented, "You can walk into a school and in five minutes get a sense of if it's a good school or if it's not. Then you get a clear sense of where you need to start poking around and what additional questions you need to start asking."

Authorizers use and synthesize many sources of information to assess school circumstances.

To supplement information provided in site visits, authorizers also often attend meetings of the school's board of directors to get a sense of the current items on the school's agenda and how the governance is managing them. Additionally, schools are often required to submit financial reports to authorizing agencies; authorizers use fiscal information to determine if the school is making its budget as planned and to monitor enrollment.

Taken together, multiple points of information provide authorizers with a picture of what is going on within a school. "If you read all of those documents," said one authorizer (MADOE), "you can start picking up threads of concern or things that you want to ask questions about. And if, for example, in an annual report, the accountability plan goal is not clearly addressed, it is a clue that there is something going on there." Authorizers cross-reference reports with other sources of information to corroborate problems, for example comparing site visits to parent phone calls. One authorizer (DC) received several phone calls from parents complaining about a serious issue at one school. By talking to the administrator, the authorizer noticed that the stories of the parents did not match those of the administrator. In this situation, the number of calls from parents, as well as the incongruent stories, triggered concern for the authorizer. As one authorizer (DC) said, "The principal will say certain things are taking place. You talk to the teachers, try to hear them say the same thing and they do not say it. You walk around and look—you do not see it. The board doesn't seem to be aware of it so you start to put the pieces together." Indeed, taking the sum of information sources and cross-referencing them often provide the most accurate picture of a school.

Authorizers use a combination of measurement systems and creative sleuthing to uncover academic problems. Academic problems can occur in all stages of a school's development and authorizers have taken different approaches to identifying them. The charter renewal process (occurring usually every three to five years after a school's initial approval) is a common way for authorizers to take stock of a school's academic performance over time, but many authorizers have systems to identify problems well before the renewal deadlines. Some authorizers (for example, SUNY) require each school to submit an annual progress report on the school's long-term accountability agreement, which sets forth the agreed upon standards developed by the school and the authorizer in the charter's first year. This annual report depicts academic performance each year as well as how student scores compare to a school's stated goals. SUNY staff analyze the data provided in this report and flag schools that are having difficulty meeting their goals. Most of the authorizers in our sample ask for annual progress reports on achievement, though many have evolved to become more sophisticated over time. One (DC) admits that its assessment of schools' academic performance used to be more "free-formed." "But," the authorizer reported, "we wanted something we could use consistently to look at curriculum, standards, performance. Now, we look at schools using those categories and employ a rubric that goes from limited to exceptional to exemplary. That tells us if the school is on the right-hand side of the scale in those mission-critical areas."

All the authorizers we studied rely on test scores as a way to monitor academic performance, but authorizers differ on how frequently they assess schools and to what degree test scores are weighted as an indicator of a school's academic effectiveness. Authorizers use a school's internal tests, state tests, or both to determine the school's progress and compliance with the its charter.

Some authorizers, such as CMU, are preventative and diagnostic in their academic monitoring, testing often and deeply analyzing the results: “We can see where the kids are coming in on both the state test and on our computer test. We can see the test scores of the kids that have been in one year, two years, three years. We can see if there is increased performance the longer they’re in and the longer the school’s been there.” CMU tries to act as soon as test scores look like they may be on the decline. Other authorizers expect schools to do their own diagnostic assessments and focus instead on whether schools are on a trajectory to meet agreed-on goals.

Authorizers in our study also rely heavily on school site visits, often conducted by teams of oversight agency personnel and outside reviewers. One authorizer commented on how site visits can corroborate test scores: “When site visit teams report that they see very effective instruction, lo and behold, the test results are consistent with that. And when the team sees poor instruction, then we typically see poor test results as well.” Together, assessment tools and indicators aid in the identification of problems. As mentioned above, site visits provide a valuable view of school circumstances in action, which aids authorizers in understanding the academic health of a school.

Several authorizers mentioned how identifying red flags in other areas of a school, especially governance or leadership problems, can alert them to impending academic problems. One authorizer (DC) recalled why she always reads board meeting minutes, as a backroads way to uncovering academic issues: “We had one school that when we looked at the board meeting minutes of the last five years it was all about facilities and fundraising, never any academic reports. It was a problem. We need to make sure that our schools do not lose sight of the academic piece because of a focus on other school issues.” Another authorizer (MADOE) echoes

the interconnectedness of school problems by saying that “academic performance is the result of leadership, teacher quality, and instructional practice issues.” Of all the authorizers we studied, CMU takes the most system-oriented approach to tracking various measures that might serve as leading indicators to academic issues. (See sidebar)

Although every authorizer in this study had reasonably clear academic monitoring approaches to identify schools in academic decline, most did not have a system in place for dealing with very slow academic improvement or stagnation. This may be because the charter movement is so new and few schools have exhibited long term academic doldrums or it may be because some authorizers are reluctant to be seen as too interventionist by pursuing ongoing data analysis like CMU. One authorizer (MADDOE) described the problem in this way:

You know, our oldest school is now 12. But it was a real question with one school that was renewed with conditions. They’re 10 years old. You know, they’re kind of moseying along, but they’re not really too urgent about the situation. They’re not doing well, but they’re not at the bottom of the barrel. What do you do?

In sum, authorizers in our sample have converged around the use of a variety of tools by which to evaluate schools and identify academic problems. Most use annual interim performance reports and relate them to a long-term accountability plan. Most look for red flags in governance, leadership, or instructional practices, which they believe are leading indicators for poor achievement results later. Some, however are much more formal in their approach than others. And authorizers differ in whether they see it as the school’s role or their role to do diagnostic

analyses of students' performance. The leading authorizers tend to have developed fairly thoughtful to highly sophisticated approaches to identifying severe academic decline, but few have systems in place now to promote continuous improvement in their schools.

Central Michigan University's Individualized Reviews

In 2003, CMU created the Individualized School Performance Reviews (ISPRs) to set clear expectations and assess each school's efforts at achieving its specific vision. Twenty-four core competencies fall under the following categories:

- *Mission-specific goals*
- *Value-added analysis*
- *Relative performance*
- *State accountability*
- *Federal accountability*
- *Fiscal accountability*
- *Site and facilities*
- *Notification and reporting requirements*

Annually, CMU examines each core competency—such as student gains, Adequate Yearly Progress (AYP) achievement and participation, staff reviews, the delivery of special education services, etc.—and assesses whether a school is exceeding, meeting, approaching, or not meeting expectations. The Review notes areas of strength and weakness, and includes recommendations for how to improve areas that need attention.

“What is fundamental about our approach to school issues is that we do not look at them as different slices,” says Jim Goenner, Executive Director of The Center for Charter Schools at CMU. “We put all the slices together to make a whole. We take what we’re seeing in education, what we’ve seen in finance, what we’ve seen in governing and oversight, and we put all those pieces together to figure out what’s really going on here.”

This comprehensive approach involves a rigorous study of the many details that make up a school. CMU authorizers look at everything from test scores to parent complaints, from facilities to enrollment processes. Furthermore, a key feature of the ISPR is clarity; the tool articulates what behavior or data yields what assessment. For example, a core competency under Value-Added Analysis is Student Gains in Math. Where schools fall on the level of their competency is clearly articulated: schools exceed standards if the percentage of students making normal gains is equal to or greater than 60 percent. Schools that meet standards have between 50 and 59 percent of students making normal gains in math. Schools that “approach” standards have had 40 to 49 percent of students making normal gains, and schools that do not meet standards have less than 40 percent of students making normal gains. Each competency is described with this level of precision.

The assessment is customized to evaluate each school based on its unique mission, vision, and goals as well as on state, federal, and CMU standards. CMU calls this process a “two-sided approach to school analysis and measurement” where schools and authorizers, both, provide input on the school's progress (The Center for Charter Schools at Central Michigan University 2006). This structure gives authorizers and schools the opportunity to clearly articulate expectations, problems, and improvement plans.

The Ways Oversight Agencies Decide on a Response for Troubled Schools

Our interviewees report that knowing whether or not there is a problem is less difficult than deciding what to do about it. Authorizers need to make judgments about whether and how to intervene with a troubled school and, in so doing, face several potential tensions. For example, if they intervene too early or forcefully, authorizers may infringe on a school's autonomy or inadvertently encourage schools to rely on authorizer help to improve—or worse, excuse—poor performance. This section discusses the similarities and differences in how authorizers approach the decision of whether and how to intervene.

Differing philosophical approaches inform how authorizers decide on responses to problems. Just as they differ on how to monitor schools, authorizers differ on what circumstances merit intervention and how intervention should take place. Hands-off authorizers believe schools must “own” the solution to their problems and therefore the authorizer role in intervention should be constrained to exposing problems and instituting consequences.

One authorizer (MADDOE) explained her philosophy as not wanting “to cross a line” when it came to a school's autonomy. She said, “For me to say to a school, ‘You have to do something about the leadership in the school’ is for me to start managing that school and I’m not going to do that.” This authorizer reported experiencing pressure from angry parents to intervene in

leadership issues at a school she oversees. “I’m trying to hold my line and not intervene, because then my office owns the school. We will have essentially made the board totally ineffective.”

In contrast, other authorizers have no problem issuing specific directives and even dictating changes in governance. “If it’s a board issue,” one authorizer (CMU) shared, “we sit down and say, ‘Board, we need to counsel you and you need to do some training.’ Or we say to individuals, ‘We love that you volunteer your services for this board, but we need you to step down.’ We even say, ‘Joe, if you’re unwilling to step down, we’re going to remove you.’” This behavior constitutes a hands-on philosophy to authorizing, oversight, and problem solving.

These hands-on authorizers often seek to not only identify problems but to prevent them as well. One authorizer (CMU) trumpets prevention of problems as critical to the authorizing office’s oversight philosophy. “Our fundamental philosophy is that we teach them how to fish, we don’t fish for them. Yes, our legal role is oversight and accountability but we believe that we need to inform and educate so that we don’t have to oversee and enforce. It’s the difference between being proactive and reactive.” By supporting their schools, hands-on authorizers believe they can reduce the likelihood of problems in the future.

Other authorizers (including one in our sample) are somewhere in the middle, attempting to find a balance between school-level autonomy and authorizer intervention. These authorizers tend to use both intervention protocols and effective relationships to respond to school problems.

Referencing these relationships and how they affect intervention, one authorizer (DC) said, “The line is really thin between their autonomy and our authority.” While hands-on authorizers will

intervene when (or before) problems arise and hands-off authorizers wait to intervene until scheduled assessments like renewal of a contract, middle-of-the-road authorizers' intervention strategy depends on the circumstances surrounding the problem. Following neither a constant intervention nor a lack of intervention approach, a middle-of-the-road authorizer considers the unique situation and experience of the school when deciding how best to respond to its problems.

Authorizers aim to give schools a chance to solve own problems. All of the authorizers we interviewed are keenly aware of the need to give schools a fair chance to solve their own problems before starting an intervention process. As one authorizer (DC) summarized, "Our schools have the opportunity to self-correct before we jump in and take action." Aside from the theoretical benefits of encouraging schools to take responsibility for solving their own problems, there are also practical reasons for charter authorizers to defer to school judgment to at least some degree. First, and most importantly, charter schools, are designed to legally have more decisionmaking authority than traditional schools. Second, it is in an authorizer's interest to not have to expend resources on supports and formal consequences if avoidable. Third, authorizer interventions may be more credible with those associated with the school and with outside observers if the school has clearly tried and failed to solve the problems on its own.

Although authorizer philosophies differ on whether and how they should help schools directly, all authorizers play some role in ensuring that schools have access to technical assistance. Most authorizers offer governing board training and other trainings on competent organizational and compliance functions. Some rely heavily on non-profits, which offer organizational capacity building or curriculum design assistance to help schools that are in trouble. The provision of in-

house technical assistance, on the one hand, offers quality control and the ability of authorizers to match identified needs with offered services; on the other hand, with authorizing agency staff already spread thin over responsibilities, many offices do not have the capacity to offer in-depth and thus useful trainings. Katharine Destler's paper in this series, *Working With Private Partners to Manage the Market: Collaborative Approaches to Charter School Oversight* (2008) examines the costs and benefits of third party technical assistance providers.

Authorizers stress the importance of predictable consequences. Most of our interviewees have response protocols built into their monitoring systems so that schools in trouble will not be surprised by consequences. Typical responses to school-level problems include escalating interventions which adhere to a pre-determined schedule. These interventions usually begin with more frequent monitoring, followed by conversations with the board and leadership, and finally written warnings and imposed conditions. After many violations, a school may be put on probation (SUNY), receive charter warning/notices (DC), or receive conditions (MADOE); all of these responses express what needs to be done to avoid charter revocation. Authorizers have learned it is critical that schools have as much information as possible regarding what will happen under different "problem scenarios." One authorizer (VOA) mentioned how his office's response protocol provides "natural points to provide feedback to schools." Schools know when to expect what and understand how the process will work from month to month and year to year. "Our mantra is 'no surprises.' Predictability is important in a relationship where there is a power dynamic. It shows everyone the rules of the game. It lets the school understand 'this is what happens when I step out of bounds or I commit a foul.'"

More authorizers are working to clarify their protocols, so that schools know what to expect from authorizers and how to avoid trouble, at the very least by defining what trouble is. “In the last year and a half we have worked with a consultant to develop common criteria for charter school performance,” said one authorizer (MADDOE). “Now my goal is to get all of our protocols rewritten with those common criteria to lay out for schools what an excellent school would look like, without being prescriptive about how they do it.” Charter renewal processes—and what standards schools must meet—also help to outline goals for a school and express what the authorizer is looking for in the school through the years. In being explicit about their expectations, authorizers create a process of predictability.

Authorizers foster diplomatic communication with schools. Even under the most directive philosophical models, charter authorizers cannot walk into a school and impose their will. In addition to the legal constraints of charter schools’ defined set of freedoms, political dynamics are also at play. For these reasons, authorizers use informal or low-stakes channels to alert schools to potential problems. Many authorizers see diplomacy as an essential tool for effective school improvement. One authorizer (VOA) spoke of his diplomacy learning curve: “I would say that in the beginning I probably leaned a little more towards the heavy-handedness.... And over time realized I could more effectively get what I wanted, so to speak, through a slower, more diplomatic approach of working behind the scenes.” Another authorizer (MADDOE) concurred, mentioning how she invokes diplomacy in her feedback to schools: “Our report would not say something like the leadership in this school is a problem. Our report would be much more nuanced and subtle.” In addition to a well-worded report, such diplomacy efforts may occur by

authorizers offering observations during site visits, in informal phone calls to school board members, or through local technical support organizations.

Responses are tailored to specific schools and problems. Because no problem is exactly the same in one school as it is in another school, authorizers adapt pre-determined intervention protocols to meet the needs of the school. Most authorizers have given a lot of thought to what kind of intervention is appropriate and when. Several factors contribute to authorizer intervention decisions, including how severe and persistent the problem is; the type of problem it is; what political considerations are relevant to the situation; whether the authorizer has the resources to intervene effectively, and whether the school has the capacity to improve.

A problem's *level of severity* often informs how an authorizer will respond. Not surprisingly, authorizers show little reluctance to intervene when a school's problems rise to the level of potentially unsafe conditions or financial mismanagement. The problems most schools encounter, however, often require much more judgment on the part of the authorizer: problems which are serious enough to cause concern, but which don't present an obvious threat to student safety or taxpayer interests. How authorizers define the level of severity also leads to differences in how they respond to problems and intervene in schools.

For most authorizers, it is in assessing the grey area of severity that they consider the *persistence of a problem*, or how long the school has been troubled. The VOA, like most of the authorizers we interviewed, is much more inclined to close schools that have had a steep downward slope academically for several years, compared to a school that had been doing well and then suddenly

had a downturn: “How long has the school had to succeed and what is its trajectory? ... We look at what the history of this school is. It’s more than just where you are in this moment in time.”

The charter authorizers we interviewed designate a length of time for correcting school problems by actively using the renewal process to set “conditions,” or terms for school improvement.

For many of our interviewees the *type of problem* also plays into the decision about how to respond. SUNY responds differently to problems concerning compliance related issues (for example, fiscal or legal) than to those related to core academics. In the case of compliance issues, their response protocol calls for much more formalized actions such as a violation letter, deadlines for actions and resolution, and a corrective action plan. As one authorizer (Indy) put it, “Obviously if the school has got someone stealing money or if there is an unsafe condition, we are going to respond to them more quickly than if it is a problem with filing paperwork on time.” Academic problems result in more hands-on and two-way actions, including planning meetings with input from SUNY staff, and a school improvement plan developed by both authorizers and school leaders. Another example of a problem that receives prompt authorizer intervention is the condition of the school facility’s physical structure. For several authorizers, the rationale is that the school’s physical condition must meet certain standards; if and when it falls below these standards, the education—and in worse scenarios, the lives—of students and staff are placed at risk. One authorizer (Indy) reported, “We have responded to situations like that immediately, right away.”

The type of problem also relates to the timeframe of the problem. “Different problems have different time horizons,” said one authorizer (VOA). This authorizer provided examples: “If

there's a financial problem, it could be a major one that requires an immediate response. There could also be the kind of financial problems that are long term. We see schools that two years from now when their federal grant is gone they are going to be having issues. [In those cases], we encourage them to start thinking about their financial situation in a different way.”

Political considerations come into play when authorizers decide how to respond to a problem. For example, an authorizer may choose not to bring up leadership problems at a board meeting that is open to the public given the potential controversy and tension surrounding the issues. Instead, an authorizer might use more informal routes, such as a phone call to the chairperson, to broach the issue. Many schools fraught with problems are located in communities which lack better education alternatives; given those circumstances, the authorizer may choose to salvage the school's assets and address problems, rather than close the school altogether. Political questions like these are ultimately related to what the authorizers see as their scope of responsibility: to what extent is an authorizer responsible for the students who are in the current school, and to what extent is an authorizer willing to intervene in the circumstances of the school?

Authorizers must also consider their *own resources* when they make school intervention decisions. Authorizing agencies operate with limited staff and funding; when deciding whether to intervene in the problems of a school, authorizers must consider whether they have the money and personnel to support what can become long and expansive processes.

A school's *capacity to improve*, either on its own or with help, greatly informs authorizer response. For an intervention to be successful, a school must have the ability to improve. Authorizers also consider the school's *willingness* to do so. As one authorizer (Indy) said, "I think if the school is not willing, then you stop right there. It does not matter whether they are able: if they are not willing to take the steps towards improvement, then there is no reason to try. On the other hand, if the school is willing, but has some problems with capacity, then there is at least potential for us to sit down, work with everyone involved try to keep the school going."

Of all the factors that inform authorizer responses to problems in schools, none require more judgment on behalf of the authorizer than assessing a school's capacity to improve. The charter authorizers we interviewed have learned a lot over the years about how to know whether a school is worth further time and investment. To assess whether, in the midst of many problems, a school retains a basic competency, authorizers look for two primary qualities: strong governance and a basic willingness of leaders to listen to criticism and accept help. Authorizers in our sample tend to believe a school's problems are "fixable" if the basic foundation of the school—its governing board—is stable. Authorizers also stress that they are generally willing to allow a school to try to solve its own problems without intervention if the school leaders acknowledge their problems, are open to seeking advice from a third party, and commit to sending regular updates about actions they take to resolve issues. On the flip side, when school leaders appear to be in denial that they are in trouble or seem secretive, authorizers are much more likely to move quickly into formal intervention processes.

Summary

Interviews with our sample of leaders in the field of charter school authorizing make it clear that performance-based monitoring is a difficult skill to get right. Despite different philosophical approaches about how to tackle those challenges, there is general consensus from charter authorizers in our sample that 1) Schools exhibit typical problems at various stages that can be anticipated in monitoring systems; 2) To be most effective, formal monitoring must be predictable, diplomatic, and tailored to individual school needs; 3) High-touch monitoring, such as frequent site visits and effective communication with school leaders, yields the most telling information; 4) There is no escaping the need for judgment calls (especially concerning a school's capacity to improve), but as much as possible those judgments should be informed by evidence. To be clear, this study does not present evidence that one approach to monitoring or intervention is best in the sense that it has been shown to lead to better schooling than other forms of monitoring or intervention. Instead, this study offers craft-based viewpoints of authorizer practices developed through oversight experience.

Relevant Lessons from the Private Sector and Education Reform

The previous section showed that the charter authorizers we interviewed have seen similar problems in the schools they oversee and have differing opinions about the proper level of intervention and supports. While we cannot report which interventions and supports yield the best results within charter schools without empirical evidence, we can glean relevant insights from the private sector to aid our analysis.

Lessons from Performance-Based Contracting

Performance-based contracting and monitoring is an area with a rich experience base. Although the context is quite different, the private sector experience is worth considering. Private sector firms often contract with third parties to provide services and supplies rather than producing these themselves; contracts are based on and monitored by focusing on the performance of third parties. These private sector contracts are analogous to the charter school situation, where school districts and authorizers contract with school leaders and governing boards to provide education to students. The experience of private sector performance contracting puts a fine point on the difficulty and importance of getting the measurement details right. Literature suggests that because indicators are the primary tools for driving unit performance, agencies should spend considerable time making sure they are tracking the right ones (Kaplan and Norton 1996; Behn and Kant 1999; Brown, Potoski, Van Slyke 2006). Because it is costly and often impossible to track every aspect of a contractor's work, some researchers have suggested that oversight agencies focus on indicators that provide the most power to inform. Most contractors have come to rely on both leading indicators (those that best predict long-term outcomes) and lagging indicators (those that show how well a unit has performed on key goals). A "balanced scorecard" approach to indicators is commonly used for performance management. A balanced scorecard indicator system might, for instance, put financial sustainability, organizational health, and performance outcomes on equal footing in performance reviews.

The business and non-profit literature also provides a relevant response to the question of whether hands-off approaches to monitoring are effective in performance management.

Generally speaking, in the private sector, contractual relationships function more like partnerships than arms-length relationships. The ability to catch problems early on and work together to resolve them may be one benefit of collaborative and close communication. At least for organizations that produce goods with high stakes and production costs, it appears to be much less costly to fix a problem early on than one that has snowballed into a problem that affects an entire organization (Page and Destler 2008).

While the public and private sectors are not perfectly analogous, the lessons learned in one can serve to improve the practices of the other. At minimum, the lessons highlight the potential costs of excessive monitoring as well as the potential costs of overly distant authorizer-school relationships. School oversight agencies would do well to track these costs to develop an assessment of benefits and costs involved in various approaches to oversight. It would be difficult but not impossible, for example, to place a value on the true costs of closing a school so that those costs could be compared to the costs of short-term technical assistance.

Lessons from Education Reform Efforts

Though managing performance through contracts with outside providers within public education is mainly limited to the charter sector, there are some relevant lessons from the broader education reform efforts as well. Those who have studied statewide or district accountability systems (Tucker 2002, Brooks 2000, Ladd 1997), for example, emphasize the need for an overall system that

- is perceived as clear, reliable, and justifiable;

- uses minimal but powerful indicators;
- recognizes that human judgment will be necessary;
- employs predictable and consistent incentives; and
- takes seriously the need to provide school-level assistance, but emphasizes school-level problem solving.

How These Lessons Impact Charter Authorizing

All of these lessons come together to imply consistent implications for the role of an oversight agency monitoring performance. The charter authorizers in our study recognize that their role is different from traditional school districts (where monitoring relies on collecting whatever information is available, providing assistance centrally and evenly in order to quiet complaints, and leaving enforcement of consequences to the discretion of the current school board or superintendent). The charter authorizers acknowledge the importance of creating a new approach to dealing with public school performance problems by generally deferring to school-level judgment and enforcing a reliable accountability process when that judgment fails. Most of our interviewees assert, however, that an authorizer cannot be effective if the agency relies on a completely impersonal hands-off approach. Just as in the private sector, good relationships go a long way toward effective contracting.

However, most authorizers take a slightly different approach than that which is detailed in business literature on performance contracting. For instance, few of the charter authorizers we interviewed have used a formalized indicator system to identify school problems, instead relying

heavily on observations through site visits, parent complaints, and personal contacts with principals and board members. Authorizers in our sample also tend to collect as much information as they can get their hands on rather than taking a minimalist approach to reporting and monitoring. These are costly ways to monitor schools and may prove ineffective or unreliable at scale. Some of this high-touch, high-cost monitoring is clearly necessary and effective, but authorizers, especially those with large numbers of schools to oversee, may benefit from less time-intensive approaches.

Authorizers tend to rely on informal mechanisms, parent complaints, or site visit discussions to alert them to schools that are headed for trouble. Intuition and professional judgment are also driving much assessment about whether it is possible, and how, to intervene in a troubled school (or to support a school's attempt to turn itself around). Authorizers tend to look for "strong" leadership or governance and they say over time they learn what to look for to guide those assessments. While such judgment calls probably cannot and should not be eliminated from school performance management, evidence should, as much as possible, inform authorizer assessments of a school's organizational health or a failing school's capacity to improve, if only to shorten the learning curve for new authorizers and new staff at existing authorizer's offices.

Recommendations for a Comprehensive Performance-Based Monitoring and Decisionmaking System

Drawing on relevant lessons from the private sector and from experiences of authorizers in the field, this section proposes a comprehensive monitoring and decisionmaking system for effective

school oversight. The components of this system include some strategies that charter authorizers have used effectively to date as well as some that are new to the charter sector but may strengthen current charter and district oversight.

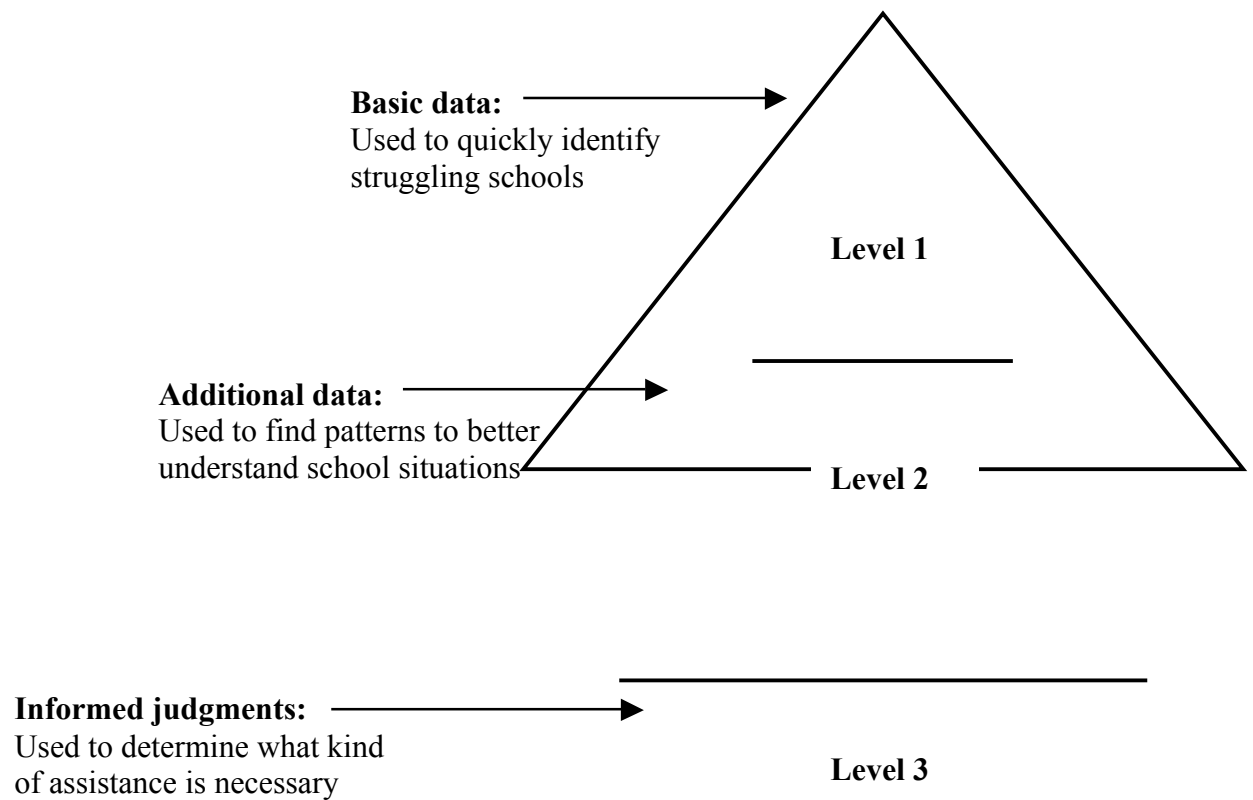
This proposed system has three *goals*:

- identify quickly and accurately schools headed for trouble;
- increase the odds that troubled schools get on a path to improvement; and
- create incentives for schools to continue to adapt and improve their performance.

Two *principles* inform the design of this system. The first is the necessity of human judgment to appropriately identify and assign assistance. In acknowledging the importance of human judgment, the system should account for measures beyond that which can be measured quantitatively and adhere to the ideal that all judgment should be informed by measures. The second is that oversight agencies must assist and intervene with troubled schools, regardless of their beliefs about intensity and form.

Based on these principles, the proposed system involves *tiered indicators*, modeled after the work of Bryk and Hermanson (1993) and Brooks (2000). Tiered indicators use progressively deeper data to reveal leading information about a school's circumstances. Rather than collecting and tracking as much information as possible about each school, authorizers would use a pyramid-like system to prioritize data, quickly identify schools in greatest need of attention, and deliver appropriate and timely help. By using multiple layers of data in succession, authorizers may systematically assess school and student needs.

Figure 2. Tiered-indicators for proposed comprehensive monitoring system



Level 1: Basic but powerful data

Authorizers would analyze all schools based on indicators that had high predictive power to identify potentially serious organizational health or academic performance problems. To assess the school for serious problems, these “dashboard” indicators would measure both leading and lagging indicators. Examples of leading indicators include student scores, improvement rates, teacher turnover rates, and number of parent complaints. Examples of lagging indicators include basic test score growth information, AYP status, and graduation rates. Parsimoniously selected indicators such as these can successfully reveal how a complex system—like a school or a

portfolio of schools—is functioning (Celio and Harvey 2005). Using this frontline set of indicators, authorizers will be able to discern which schools are in or bound for trouble and which schools are performing well above expectations.

Level 2: Additional data about school performance and circumstances

When schools present problematic or exceptional Level 1 data, authorizers would proceed to Level 2 data to gain a deeper understanding of what performance patterns exist for the school. Examples of Level 2 data include breakdowns of student performance, value-added or comparative measures, and teacher surveys of school culture. To help determine what type of assistance is needed for a low-performing school or to learn from the successes of a high-performing school, an authorizer would gather Level 3 data.

Level 3: *Informed* judgments based on site visits and external evaluations

Once authorizers have triaged the needs of schools, they can then apply deeper evaluations to assess a school’s capacity to improve and determine what type of assistance, if any, is necessary. Information and perceptions from school site visits (including teaching and leadership observations as well as interviews with faculty, parents, and students) and external evaluations would constitute Level 3 data. Using this data, authorizers would bolster Level 1 and Level 2 data with informed judgments of a school’s circumstances. The central charge for such evaluations would be to determine whether or not a school has the capacity to improve, either on its own or with outside assistance.

It should be noted that while the data indicators for Levels 1 and 2 are well developed and readily deployed, the data indicators for Level 3 require significant design work to develop predictive capacity assessment instruments. Authorizer site visit protocols and cross-industry research are a good place to start. Research strongly indicates there are specific actions that successful leaders take in the context of a school turnaround, such as an intense focus on achieving a few, high-priority “wins” that create momentum for change. There is also some evidence to suggest actions that a governing board should take to turn around a failing organization, such as providing an improvement strategy, installing strong turnaround leadership, and appointing new board members if necessary (Beer and Nohria 2000; Brenneman 1998; Buchanan 2003; Kim and Mauborgne 2003; Kotter 1995; Walshe, Harvey, Hyde and Pandit 2004; Public Impact 2006). Authorizers might look for these actions in the schools they oversee as Level 3 data indicators of a school’s ability to undertake improvement.

In general, Level 3 data would be used to design an improvement plan for troubled schools. If authorizers determine that a school is capable of improving on its own, authorizers may negotiate an improvement timeline and plan of action. For those schools capable of improving with outside help, hands-off authorizers may choose to provide a menu of assistance options and hands-on authorizers may appoint an assistance/intervention team to work with the school. Both weighing the costs and benefits of intervention and considering authorizing philosophy on school autonomy will inform decisions at this level. It is quite possible that many authorizers would decide to simply ask the school to improve on its own, but it would be wise for those authorizers to also begin developing a contingency plan for the welfare of students if the school does indeed fail.

Complimentary System Capacities

Besides tiered indicators to help identify and prioritize problems, the proposed comprehensive monitoring system would also provide the following features to help ensure that schools understand expectations and receive support when they encounter challenges:

Predictability: Authorizers should make clear to schools and the general public what sorts of behaviors or issues will trigger authorizer responses. A clearly communicated and consistent plan will both help schools avoid trouble and protect the authorizer from political backlash when interventions are undertaken.

Assistance: Regardless of authorizer philosophies on the appropriateness of authorizer assistance to schools in trouble, cultivating a range of support options is a critical feature of an effective monitoring system. Understanding that schools encounter a variety of problems, authorizers stand to improve their portfolio of schools by providing a wide range of problem-solving resources.

It is easy to see that this model is not novel and authorizers across the country are already doing most of what it proposes. Nevertheless, the proposed system organizes these oft-practiced parts into a new and useful summation, where a distilled set of indicators guides a process of identifying, prioritizing, and responding to school problems.

Conclusion

Authorizers identify and respond to problems in the schools they oversee in a myriad of ways. Performance-based monitoring and intervention requires complex and systematic processes and partnership-oriented relations with schools. The lessons presented here span the range of authorizer philosophies and practices and offer insights to any person or group who manages a portfolio of schools. The proposed tiered indicator system synthesizes many authorizer strategies and offers a monitoring system that quickly identifies and prioritizes problems and gives oversight leaders the tools necessary to design meaningful improvement plans.

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Appendix

Center on Reinventing Public Education/ Public Impact

Master Interview Protocol

[Thank you for agreeing to talk to us. As you know, one of the most difficult challenges that authorizers face is what to do about failing or struggling schools. The purpose of this study is to learn more about how these decisions get made so that we can help others with this process, not only in the charter sector but in the wider education field as well. The reason we selected you is because we think you have had experiences that could help others, and we really appreciate your candor and willingness to take the time to talk with us.]

Introductory Question

- » Think back on the three to four worst problems you have had with schools you authorized. In each case, what were the school's major problems and how did you respond?

Diagnosing the Problem

- » What types of problems are most common? (Are there problems that are more common during specific phases of a charter school's development?)
- » In your experience, are there early warning signs that indicate that a school is having trouble? What are these?

- » I assume that your monitoring system (annual reports, site visits, etc.) is designed to pick up on signs that a school is in trouble. Could you discuss which aspects of your system you have found to be most effective and reliable?
- » Have you made changes to your monitoring system over time as a result of your recognition that some types of monitoring yield better data than others? Could you describe these changes?
- » Do you draw on any outside help in diagnosing? Consider both formal help (i.e., consultants or reviewers you hire for this purpose) and informal help (e.g., roles played by a school technical assistance provider).
- » How difficult is it to figure out the causes of a school's failure? Is it usually pretty obvious (leadership?) or is this typically difficult to do?
- » How difficult is it to get shared agreement (between you and the school leadership or board) about the causes of failure? Do you have any strategies for doing this effectively?

[Background for interviewees: When a school is in trouble, there are various choices that you as an authorizer need to make. The next set of questions is designed to dig deeper into this decisionmaking process.]

Deciding On and Then Implementing a Response

- » Would you say that your office responds differently to different types of problems within a school? (For example, do you handle financial problems differently than staff complaints?) If yes, could you elaborate?

- » Do you respond differently in cases where the current school leadership is strong and in cases where it is not? If yes, could you elaborate?
- » How do you assess a leader or leadership team's ability to effectively address a particular problem or set of problems?
- » What role does board capacity play in your decision about what to do in the case of a failing school?
- » How do you assess board capacity to effectively address a particular problem or set of problems?
- » If the current leader or leadership team has the capacity to make the needed changes, what is your role in this process? Has your understanding of how to support the school leader changed over time? What has experience taught you about this?
- » Is one of your roles to get school leaders and other key stakeholders to agree about the remedies for the failure, or do you stay out of this process and these decisions?
- » Do you monitor schools in the midst of these changes more closely? What do you require them to do differently?
- » If the current board has the capacity, but the leader does not, what is your role? What has experience taught you about this? Have you ever / would you ever consider pressing a board to change leaders?
- » Do you have staff members who are specifically assigned to work with struggling schools? What are their qualifications? If not, how do you decide who works with a particular school that is having problems?

- » Do any outside organizations (e.g., school technical assistance providers) play a role in helping struggling schools? How well has that worked? What are the advantages and pitfalls in harnessing this kind of outside help?
- » Stepping back and thinking about other pressures that might affect what you decide to do, can you talk about how the availability of other school options (or lack thereof) affects your response?
- » What about political opposition? How do you assess the likelihood and likely strength of the political opposition to closure? How does this affect your response?

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