



center on **reinventing** public education

working
papers



2 0 0 8

Closing Troubled Schools

Julie Kowal and Bryan Hassel, Public Impact

ncsrp working paper # 2008-8

center on **reinventing** public education

University of Washington Bothell, 2101 North 34th Street, Suite 195, Seattle, WA 98103

206.685.2214 www.ncsrp.org



BOTHELL

Closing Troubled Schools

Jule Kowal and Bryan Hassel, Public Impact

DRAFT

April 2008

NCSRP Working Paper #2008-8
Working Paper Series on Portfolio Management

Managing School Performance: A Working Paper Series from the National Charter School Research Project and the Doing School Choice Right Project

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.

The views expressed herein are those of the author(s) and do not necessarily represent those of the Center on Reinventing Public Education, the National Charter School Research Project (NCSRP), the University of Washington, or project funders. NCSRP Working Papers have not been subject to the Center's Quality Assurance Process.

center on reinventing public education

University of Washington Bothell, 2101 North 34th Street, Suite 195, Seattle, WA 98103
206.685.2214 www.ncsrp.org

Introduction

Districts and charter school authorizers that oversee schools through performance contracts typically retain the option to intervene if schools do not adhere to the terms of their contract – those schools that do not meet the terms must either improve or face closure. Many of these schools require only “soft” interventions, such as technical assistance, an improved curriculum, or replacement of a few staff members. Others may require more serious intervention, such as reconstitution, replacing a leader or management company or reconfiguring the governing board. But in some cases even these options fail to get needed results, or a school’s problems are so profound that closure is a district or authorizer’s only responsible option.

School closure is a critical part of a performance-based oversight strategy. Closing a low performing school not only reduces harm to current students; it also makes clear that standing performance agreements are meaningful and enforceable.¹ In a performance-based system, closure sends a powerful message that academic performance is paramount, and provides a strong incentive for other struggling schools to improve their performance.² Closure is also a powerful tool for long-term improvement, as districts or authorizers trim off the bottom end of the quality distribution by terminating contracts with school operators that do not meet performance standards.

And yet even when a school repeatedly fails to meet the terms of its contract, research and experience over the past several decades have shown that districts and charter authorizers are extremely reluctant to terminate contracts and close schools.³ Closure is both politically and logistically difficult: in traditional public schools as well as in the charter sector, political opposition and the high emotional costs for current students and their families have often outweighed the benefits of closure. And in part because performance-based closure has been done so rarely, the uncharted legal territory and technical complications of closure have served as further deterrents.

These challenges are real, and the obstacles to a successful school closure should not be underestimated. To engage in the full promise of accountability in a performance-based system, districts and charter authorizers need better tools to help them tackle these problems. Fortunately, some school districts and charter authorizers have carried out several school closures, which offer preliminary “lessons learned” about how it might be done effectively. This paper collects those lessons from their experiences to help other districts and authorizers better manage their own school closures.

¹ National Association of Charter School Authorizers (NACSA) (2003). *Critical Design Issues, Illustrations, and Case Studies*. Alexandria, VA: NACSA.

² Bryan C. Hassel and Meagan Batdorff (2004). *High Stakes: Findings from a National Study of Life-or-Death Decisions by Charter School Authorizers*. Chapel Hill, NC: Public Impact.

³ Hassel & Batdorff (2004); Frederick M. Hess (2001). Whaddya Mean you Want to Close My School?: The Politics of Regulatory Accountability in Charter Schooling. *Education and Urban Society* 33; 141; Katrina Bulkley (2001). Educational Performance and Charter School Authorizers: The Accountability Bind. *Education Policy Analysis Archives* 9(37); Ross Zerchykov (1983). Closing Schools and Managing Conflict: What Works? *Education and Urban Society* 15(2), 175-188; William L. Boyd & Dennis R. Wheaton (1983). Conflict Management in Declining School Districts. *Peabody Journal of Education* 60(2), 25-36; NACSA (2003); Spreng (2005); Center for Education Reform (CER) (2006). Charter School Closures: The Opportunity for Accountability. In *Charter Schools Today: Changing the Face of American Education*. Washington, DC: CER.

Methodology

Most of the activity surrounding school closures to date has taken place in the charter sector because, by design, these schools may be shut down if they fail to meet the performance standards contained in their charter. It is not surprising, then, that many of the lessons about closures come from charter authorizers that have closed several schools. To learn from this experience, researchers conducted semi-structured interviews with officials from the Mayor's Office of Charter Schools in Indianapolis; the Public Charter School Board in Washington, DC (PCSB); the Office of Charter Schools at Central Michigan University (CMU), the Charter Schools Office of Volunteers of America – Minnesota (VOA), Chicago's Office of New Schools, the Charter Schools Office at the Massachusetts Department of Education and the Charter Schools Institute at the State University of New York (SUNY). The research team also reviewed internal documents from these and other authorizers.

There are fewer examples of performance-based closures from traditional public school districts, because to date very few districts have engaged in the same type of contract-based accountability that enables this type of closure. Most of the experience from traditional district settings comes from financially-motivated closures in districts with declining student enrollment. These experiences offer several lessons about communication and political strategies surrounding closure, however, that are relevant to a performance-based closures as well. They also offer insight into the challenges that are specific to the district context. The lessons collected here come from semi-structured interviews with stakeholders from the Seattle and Pittsburgh school districts, both of which have engaged in major closure efforts within the past couple of years.

While there are relevant differences between districts' and charter authorizers' approach to school closure, the relationship between authorizer and charter school in many respects resembles the relationship between district and school in a portfolio-managed district. The examples and lessons provided here will be of use to charter authorizers, districts that are engaged in performance-based oversight, and traditional public school districts as well.

This paper is divided into four major parts. The first section explores the aspects of closure that make it so challenging for authorizers and districts – including social costs, political opposition, practical difficulties, and potential legal challenges. The second section draws from specific situations to show when and why school closure may be necessary. The third section discusses how public agencies, school districts and charter school authorizers have minimized the political and emotional costs of closure and avoided technical pitfalls. Finally, the paper concludes with thoughts about how policymakers can empower local leaders to initiate closure and how leaders of performance-based systems can proactively incorporate these lessons into their overall improvement strategy.

Why is closure so difficult?

Charter authorizers and traditional school districts have historically been very reluctant to close schools, even when they are empowered to by the terms of a charter or contract, or when keeping a school open means financial drain to a district.⁴ This section outlines several factors that make school closures so challenging, including the high emotional costs for current students and their families, community opposition to closure, the practical challenges of winding down the school's operations and dissolving assets, and the potential legal costs that districts and authorizers rightly fear in response to their decision to close or the process of dissolution.

⁴ Hassel & Batdorff (2004); Hess (2001)

Political and emotional costs

School closures are painful. At their core, they force district leaders and charter authorizers to engage in one of the archetypal challenges of public policy: a decision that imposes short-term costs upon a select group of people in order to gain a future long-term good for all. It is a consequence of democratic politics that some public choices inevitably impose greater costs upon some citizens or organizations than others in the interest of the “greater good.”⁵ Whether it is of a school, firehouse, military base, or some other public asset, closure is just one example of a choice that imposes a diffuse “collective” benefit – to a large group or society as a whole – with costs that are “concentrated” among a relative few.

Politically speaking, this is part of what makes closure so difficult. The concentrated costs of closing a school provide a strong incentive for families and other stakeholders who will be negatively affected to voice their opinions – loudly. When costs are concentrated among a relative few, if those who are harmed by the decision do not voice their concerns themselves, no one else is likely to do it for them.⁶ This type of opposition exerts strong pressure upon charter authorizers and district leaders who, as public stewards, have a responsibility to – and a political interest in – responding to their community’s needs.

And in most cases, a school community’s concerns about closure are valid and real. Teachers and other school employees have a professional and financial stake in the continued operation of their school. Even if many staff members are reassigned elsewhere in the district or able to find similar employment in another school, the comparative quality of those new positions is unknown. Many parents and community members also hold a profound symbolic attachment to their local school, which can be closely intertwined with a neighborhood’s identity and vitality. Closing a school can weaken that identity.⁷ And at the very least, school closure disrupts children’s routines. Many parents may rightly fear that closing their child’s school will threaten their academic progress. Even if a district or authorizer is able to ensure that all students are reassigned to higher-performing schools, the closure will still mean new social dynamics, different extracurricular activities, and new relationships for students – aspects of schooling that some families value more highly than academic performance.⁸ School employees and parents will be highly motivated to protect these interests in their current school. And because they are already assembled as a school community – with a name, a meeting place, and existing relationships – it is also relatively easy to assemble a collective voice in opposition to closure.⁹

District leaders and authorizers are unlikely to hear as vocal a response from those who stand to benefit from school closure, however. Parents who are dissatisfied with the school – especially if it is a school of choice like a charter school – may already have left to pursue other options; they have no reason thereafter to fight for closure. If dissatisfied and motivated parents do not choose to leave the

⁵ Zerchykov (1983); Boyd & Wheaton 1983

⁶ Boyd & Wheaton (1983).

⁷ Zerchykov (1983).

⁸ Scott A. Iberman (2007). *Achievement and Behavior in Charter Schools: Drawing a More Complete Picture*. National Center for the Study of Privatization in Education. Retrieved October 3, 2007 from http://www.ncspe.org/publications_files/OP142.pdf.

⁹ The fact that concentrated groups of citizens are likely to be more motivated than diffuse groups to mobilize to defend their interests – and have an easier time doing so – is the subject of a long line of research in political science following the work of Mancur Olson’s landmark book *The Logic of Collective Action: Public Goods and the Theory of Groups* (Cambridge: Harvard University Press, 1971). For a specific application to the charter closure context, see Frederick M. Hess (2001). “Whaddya mean you want to close my school? The politics of regulatory accountability in charter schooling.” *Education and Urban Society*, 33(2), 141-156.

school, it is likely because they regard the alternatives opportunities as even worse, and thus have stayed, many times actively working to improve the school. These parents are unlikely to see closure as the best solution to the school's performance problems.¹⁰ And while closing a school can contribute to the collective good by preventing harm to students, improving academic quality overall, or preserving the financial viability of a district, these benefits are diffuse and long term, and provide little incentive for vocal support. Very few of those who benefit from a school district's greater financial security or charter schools' improved overall quality will stand up to demand such a right.¹¹ Even if they want to, because of their diffusion it is more difficult for them to organize into an effective force.

Further, aside from political concerns, authorizers and district leaders themselves work day-to-day with school leaders, teachers, and families. Their own loyalty and investment in the continued existence of a particular school may outweigh the potential benefits of closing it down. In the minds of many leaders, the turmoil that closure would spark for educators, parents and children can outweigh the "ideal of performance accountability."¹²

Legal and technical difficulties

Beyond the decision to close a school, the technical and legal issues involved in the dissolution are complicated as well. Several study sites reported that the dissolution process is surprisingly time-consuming, requiring significant investment of resources and staff hours to transfer student and personnel records, conduct final audits, liquidate assets, and ensure that the school meets its outstanding liabilities, among other responsibilities. Many of these tasks are not already part of a district or authorizer's normal operations, and require new procedures and additional attention to oversee appropriately. As a former leader of a large authoring office explained, "Closing schools is terribly complicated and difficult. It is a huge burden on the authorizer – one that they may want to avoid. It takes lawyers, accountants, state bureaucrats, and sometimes the courts. Most authorizers don't have the staff capacity to manage this well."¹³

The dissolution process is further complicated in many jurisdictions by a lack of clarity around roles and responsibilities for each step. Because there has been so little experience with performance-based school closure in the United States, many state and local laws and regulations do not clearly lay out a process for the dissolution of the school's assets and legal structure. Charter authorizers and districts alike have often had to learn as they go, risking costly mistakes along the way.

Fierce public opposition to school closure can also expose districts and authorizers to legal challenges, whether merited or not.¹⁴ Some authorizers have expressed trepidation about a closure decision because they fear their agency is unprepared – in terms of staff and financial resources – to defend a closure decision should such a legal challenge arise. And even when a district or authorizer has laid out clear performance standards in the school's contract, the agency's data collection, record keeping and adherence to procedure must be impeccable to withstand a court's close scrutiny.¹⁵ Even districts

¹⁰ See A.O. Hirschman (1970), *Exit, Voice, Loyalty: Responses to Decline in Firms, Organizations and States*. Cambridge, MA: Harvard University Press.

¹¹ A citizens' group in Seattle amidst the 1980s school closings is one notable exception. See Richard Weatherley, Betty Jane Narver & Richard Elmore (1983). Managing the Politics of Decline: School Closures in Seattle. *Peabody Journal of Education* 60(2) 10-24..

¹² Bulkley (2001).

¹³ Chartering 2.0 Summit Proceedings (2006). National Alliance for Public Charter Schools. Retrieved Oct. 10, 2007 from <http://www.publiccharters.org/content/publication/detail/539/>.

¹⁴ Weatherly et al. 1983; Naomi Dillon (2006, December). The Hardest Choice. *American School Board Journal*; Zerchykov (1983); NACSA (2003); Boyd & Wheaton 1983; Bulkley 2001

¹⁵ NACSA (2003); Bulkley (2001).

and authorizers with the utmost faith in their oversight and documentation may shy away from a closure decision under such fierce legal and public pressure.

How do closures occur at all?

Practically speaking, many districts and charter authorizers never reach the point of a lawsuit or protests at their front door. The *prospect* of legal difficulties or political opposition can be an even more powerful deterrent to closure than an actual fight, and may alone discourage leaders from moving forward to close a school. Given this reality, perhaps the most appropriate question is not, “why is it so difficult to close schools?” but instead “how is it that some districts and authorizers are able to close schools at all?”¹⁶

Over the past couple of decades, a handful of public school districts and several charter authorizers have closed low performing schools – in some cases with only minimal opposition from parents, students and the broader community. A recent report on all charter school closures between 1992 and 2006 found a total of 436 closures – approximately eleven percent of the over 4,000 charter schools ever awarded a charter. But very few of these closures in the charter sector were motivated by poor performance; the great majority were in response to the school’s financial mismanagement or organizational deficiencies.¹⁷

The written contracts that authorizers hold with the charter schools they oversee may make closures more common in the charter sector than in traditional public schools – whether for organizational or performance reasons. A charter school’s contract with its authorizer allows a more straightforward definition of failure, and specific consequences for schools that cannot meet standards. The same could be true in public school districts that adopt a performance-based oversight strategy, where written contracts with school operators could make the conditions for closure more concrete. The following sections outline experiences from a handful of district- and authorizer-initiated closures related to the “why” and the “how,” to offer performance-oriented districts and other authorizers a framework and preliminary lessons for improving the process of school closure.

Common Reasons for Closure: When other interventions fail

Tough Calls: Identifying and Addressing School-Level Problems, another paper in this series, helps guide charter authorizers and district leaders through the diagnosing process to determine whether a school has the internal capacity to respond to a particular intervention, and the paper on *Salvaging Assets*¹⁸ examines potential interventions short of closure. This paper examines specific situations in which districts and charter authorizer have concluded that closure is the only responsible option. As other papers in this series make clear, there are no easy routes to arrive at this conclusion. And authorizers’ or district leaders’ views on the *purpose* of closure are also likely to play a role: some may see closure as a solution only when there is serious threat to student welfare or taxpayer interests, while others may consider it a healthy norm to regularly weed out the lowest performers. Nevertheless, interview evidence reveals several common circumstances that have convinced authorizers and district leaders that “softer” interventions will not work. The following sections

¹⁶ Boyd & Wheaton (1983)

¹⁷ CER (2006).

¹⁸ Lucy Steiner and Bryan Hassel (2008), *Salvaging Assets: Considering Alternatives to School Closure*, NCSRP Working Paper Series 2008-9. Center on Reinventing Public Education.

provide specific examples of reasons for closure that recurred among the case study sites, including low student performance, organizational dysfunction, and a lack of capacity or will among the school's leadership.

Chronic Low Student Performance

While the majority of closures – both in the charter sector and historically in traditional public school districts – have been based primarily on organizational, legal or financial concerns, some also involve failure to meet specified performance goals for student learning.

Two public school districts have set explicit performance standards for their schools related to closure. Chicago, which has set a goal of closing down underperforming schools and opening 100 new schools by 2010, considers closing schools if they fail to meet pre-set performance standards. As part of the city's Renaissance 2010 initiative, a school may be closed if the district's CEO determines that it is "chronically underperforming." This term is based on performance standards that include the percentage of students who meet standards on state tests in reading and math and the average student gains on those tests over the previous four years.¹⁹ Pittsburgh based its 2005 closures primarily on the schools' contributions to student learning, as well. Though the closures were designed in part to ensure the district's future financial health, Pittsburgh's superintendent also seized the opportunity to improve the quality of schools in the district overall by determining closures based primarily on schools' contributions to student learning. The guiding principle for the closures was to give all students an opportunity to enroll in a higher-performing school or at least a school with the same level of contribution to learning as the one they had previously attended.²⁰

Basing closure decisions on student performance outcomes can be complex, and sometimes even objectionable – as parents, teachers and local leaders debate the standards for *what* and *how much* students need to learn, and how it should be measured. But experience suggests that performance-based closures can also be the most politically-palatable justification – after all, authorizers and districts are required by state and federal law to monitor their schools' performance, and it is their primary responsibility to ensure that students receive a high-quality education. Closing schools for chronically low performance, rather than merely financial or organizational problems, may in some cases communicate to parents and other community members that local leaders are truly placing students' learning needs first.

Organizational Dysfunction

Generally, a school's contribution to students' learning and well-being is a district's or charter authorizer's primary concern. Interviews by the research team and prior research in the charter sector suggest, however, that authorizers and districts often make decisions about closing a school based on its financial or organizational health, rather than academic.²¹ In the Center for Education Reform's 2006 review of all charter school closures, the most common reasons for closure were financial or management deficiencies.²²

This is not to say that the schools that were closed were not failing academically as well. Experience has shown that when schools are facing operational challenges, there are generally issues regarding academic performance as well. But fiscal and regulatory issues are often easier to document and

¹⁹ Chicago Public Schools (2006).

²⁰ Gill et al (2005).

²¹ Hassel & Batdorff (2004).

²² CER (2006).

justify than concerns about academic performance.²³ As one authorizer explains, in the face of school closure, “[we] look for clear and quantifiable things [because] you can debate school performance until the cows come home.”²⁴

Problems related to a school’s “organizational health” include severe financial distress, health and safety concerns, serious conflicts of interest among the school’s leadership, or significant loss of enrollment. The descriptions below provide examples of schools that leaders in case study sites closed for one or a combination of these reasons.

Financial Distress

When an authorizer or school district believes that a school’s budgetary situation has become so dire that it is unforeseeable that the current leadership – or even different leadership – could turn the school around financially, authorizers and leaders in performance-based districts have reported that they face little choice but to close the school. Oftentimes, organizational mismanagement and financial problems go hand in hand. One authorizer cited a school, for example, that had chronically failed to meet reporting requirements. The final straw came, however, when the school leaders over-counted their student enrollment and thus overestimated the school’s incoming funds. When state officials learned about the over-count, they required the school to repay the excess amount. School leaders had already spent most of the allocation, however, “and they didn’t have any means of returning the funds to the state,” according to the school’s authorizer. The authorizer had tried to give the school time to remedy earlier reporting problems, in hopes that it could improve. But when the school became so financially crippled, the authorizer says, “it was at that point that we realized closure was our only option.”

A similarly irreparable financial situation led another case study site to close one of its charter schools. In some states, charter authorizers have the authority to appoint and replace members of charter school boards, so in cases of severe charter mismanagement they can adjust the board to strengthen a school. But when one of this authorizer’s schools dug itself deep into debt during a facility expansion project, its executive director realized, “even if we replaced the leadership with the best board in the world, the school would not be financially viable.” The school’s board had approved a facility work plan, but changes during the course of construction resulted in significant cost increases. The new facility could also hold only 220 students, but the school’s budget depended upon enrolling 250. Without sufficient enrollment to finance the new building, the school fell deep into the red. The authorizing director says, “we had little choice but to close when we realized the school was so damaged, the best board in the world could not recover.”

Corruption

Several case study sites noted corruption as reason for school closure – in particular, conflicts of interest among the school’s board or staff. In most states, a conflict of interest among charter school board members and employees or contractors is automatic grounds for revoking or non-renewing a charter. And though most charter agreements must include a formal conflict of interest policy, various conflicts do sometimes arise. One case study site has closed two of its charter schools at least in part due to conflicts of interest. One was closed due to a financial conflict of interest between the school and its founding nonprofit parent. According to the authorizer, salaries for some of the non-profit employees were being paid for by the school – which meant that the non-profit organization was essentially skimming money from the school’s own budget. In another case involving a non-profit

²³ Hassel & Batdorff (2004).

²⁴ Andrew Rotherham (2005). *The Pros & Cons of Charter School Closure*. in *Hopes, Fears, Reality: A Balanced Look at American Charter Schools*. Seattle: Center for Reinventing Public Education.

founder, several board members of the non-profit organization also served as board members for the school. When the school got into financial trouble, the “shared” board members began shifting money from the non-profit to the school. These conflicts not only violated the terms of the schools’ charters, but also put them in too unstable a position to remain open. After these two experiences, the authorizer now urges charter schools that are founded by non-profit organizations to avoid having board members who sit on both boards.

Enrollment Decline

Several public school districts and at least one charter authorizer have had to close a school due to lack of student enrollment. In communities with declining overall population, schools are often the place to feel it first – with financial consequences. And in communities where families have a choice among schools, their unwillingness to send their child to a particular charter school may be a sign that the school has failed to fill a meaningful niche in the local education “market.”

Enrollment concerns were the primary basis for the closure of a charter school authorized by one case study site. The school’s founders had designed a school with a very specific academic focus, but there was not enough interest within the local community to generate sufficient enrollment. Because the school was to receive most of its funding through per-pupil allocations, low enrollment made it difficult to meet basic financial obligations. When the director of the authorizing office pointed out the stark numbers to the school’s leadership, the board willingly surrendered its charter.

The Pittsburgh Public School system provides an example of enrollment-based closures from a traditional district standpoint. Like many other public school districts across the country, Pittsburgh had faced declining enrollments and structural budget deficits for years when it finally decided to close 22 schools in 2004. Pittsburgh had a portfolio of school buildings that were constructed a decade ago for a student population much larger than today’s. Several elementary schools in the district enrolled fewer than 200 students, and many middle and high school buildings operated well below capacity.²⁵ Without the tax base to support the maintenance of such excess capacity, the system faced a serious financial crisis. The superintendent partnered with several community groups to close down nearly a quarter of the city’s schools in one year.

Lack of capacity or will among school leadership

A concern related to both of the issues outlined above – organizational as well as academic performance – is the capacity and will of the school’s leadership to effectively implement changes to pull a school out of trouble. Many authorizers or district leaders may decide to permit a school with declining enrollment, financial struggles, or even poor academic performance to stay open for another year or more, if authorizer or district officials have reason to believe that the school had strong leadership. These officials would perhaps rightly want to give the school’s leadership an opportunity to turn the school around. But leaders in several of our case study sites expressed the concern that amidst the types of problems discussed above, if the school also does not have leaders who show the capacity or will to improve, closure has been their best option.

As discussed in other papers in this series, in many cases the capacity of the governing board or site-level administration capacity can make the difference between a school that can overcome its challenges – implementing a new curriculum, establishing better reporting policies, balancing the budget, attracting more high-quality teachers – and a school that must be shut down. For example, one charter school authorized by a case study site was forced to close in large part due to a lack of

²⁵ Brian Gill, John Engberg & Kevin Booker (2005). *Assessing the Performance of Public Schools in Pittsburgh*. Santa Monica, CA: RAND.

knowledge and expertise among the school's leadership. "The school's founding group had experience dealing with troubled youth," says the authorizer, but unfortunately that experience did not adequately prepare them to operate a charter school. "Over time it became clear that they didn't know how to pick a good school leader. [The board relied] primarily on friends who didn't challenge them even in the face of problems." After a series of ineffective principals, student performance at the school began to suffer. The authorizing staff coaxed the school's board to limit their involvement in the school's daily affairs, and to appoint a strong leader who had experience leading a school. "Though we tried many times to get them to step back and let a qualified school leader take over, we could never make it happen." Ultimately the board was unable to salvage the school, and upon recommendation of the charter authorizer, the school was shut down.

Oftentimes, oversight bodies struggle less with school leaders' capacity than with their *will* to make the changes that are necessary to improve. As the executive director of another case study site explained, "the schools that we have had to close are fundamentally those that do not want to play by the rules. It is not that they don't know the rules, it's that they don't want to play." If school leaders are aware and capable of meeting regulatory and compliance requirements but unwilling to do so, there is often very little an authorizer or district can do to help. Ultimately, school principals and governing boards must possess both the capacity and the motivation to turn a failing school around. When they lack either one, authorizers might decide they have little choice but to close the school. In any case, this appears to be an essential consideration for a district or authorizer that faces a school with any of the other indicators of failure discussed above.

Considering other Educational Options

Perhaps the most difficult dilemma for authorizers and leaders of performance-based districts is how to respond to a school that has not lived up to the terms of its charter or contract but is still offers demonstrably better academic quality than the schools that students would attend if their school were closed. School district leaders, who have the same level of responsibility for all students in their jurisdiction, have a strong built-in incentive to consider where students from a closing school might transfer, and what the educational quality there would be.²⁶ Though they do not have the same clearly-defined scope of responsibility, some charter authorizers also consider the availability of better educational options in their closure decisions. While some argue that comparative evaluations of quality fail to hold schools to a high standard of excellence, others recognize that, given local and political realities, a *better* educational opportunity may be students' only feasible option for the short term. Decisions about relative performance ultimately depend a great deal on the district or authorizer's scope of responsibility and local conditions; nonetheless, it remains an important factor in many closure decisions due to the sometimes subjective nature of educational quality.

In Chicago Public Schools, closure decisions are based primarily on the school's contributions to student learning, as described above. But the district also considers whether the school offers a unique educational program and whether students can enroll in higher-performing schools nearby. These factors are not determinative; but in practice, the district will often not close a school if insufficient alternatives exist. To mitigate against this problem, Chicago is engaged a major campaign to open new schools so that in the future,

²⁶ Rotherham (2005).

more options will be available.²⁷ (The *Buying Smart in Thin Markets* paper in this series includes more information about Chicago’s efforts to build supply.)

The Charter Schools Institute at SUNY is keenly aware of how poorly many of the schools are performing in districts where they have closed schools. But it weighs such comparisons less heavily in closure decisions than Chicago. “Some of the districts where [our schools] are located are the worst performing districts in the state,” says one staff member. “If we were to allow one of our schools to stay open just because it performed better than the district, the bar would be too incredibly low.” Instead, SUNY focuses on the timing of its closure decisions to allow families to apply for other choice options in the district that might be performing higher than the district average.

The Closure Process: Lessons from research and practice

Research about school closure to date has been limited. However, both it and our findings suggest that the process of closure – how decisions are made and how schools are closed – is critical to creating the smoothest and least painful transition for students and their families. The following sections outline common lessons for responsible decision-making and important considerations regarding procedure and communication.

These lessons are far from a “what works” prescription, however, and should be carefully considered and adapted based on local conditions. Specific strategies are likely to vary, for example, between traditional district closures – where several schools are often closed *en masse* – and charter school closures – which typically occur one at a time. For district leaders and authorizers committed to the full spectrum of a performance based system, the framework below offers preliminary lessons for the process of closing chronically low-performing schools.

Minimizing the Political and Emotional Impact of Closure

From the very beginning, the method for deciding whether to close a school – or choosing which schools to close – lays the groundwork for a fair, transparent and defensible closing process. Prior research on school closures and interviews for this study both suggest the importance of providing adequate notice of the possibility of closure and publicizing objective criteria by which decisions will be made. During the decision-making phase, several districts and charter authorizers have partnered with external evaluators who can provide an objective or expert second opinion. Finally, experience from our case study sites suggests that giving the community a voice in closure decisions can help minimize opposition, but that there is a balance to be struck between voice and leaders’ ultimate objective: to provide more students with a higher-quality education. Each of these lessons is explored below.

Early notice protects students and decision-makers

Many case study sites emphasize the importance of providing adequate notice when a school faces the prospect of forced closure. Early warnings about trouble not only engage the school community and provide an opportunity to improve; it also prepares members for the consequences of failure.

Based on closure challenges early in the charter movement, many charter authorizers have recently adapted their procedures and policies to better prepare schools for closure. After one highly

²⁷ Stephen Page and Katharine Destler (2008). *Buying Smart in Thin Markets: District Tactics to Improve the Quality and Quantity of Autonomous Schools*. NCSRP Working Paper Series 2008-3. Center on Reinventing Public Education.

controversial school closure, for example, the Charter Schools Institute at SUNY began hosting meetings at individual schools that are nearing review for renewal of their charter. If the school is in trouble, this visit serves as an opportunity to alert the school staff and community. During these meetings, the authorizer meets with leaders, teachers and parents from the school to explain where the school stands in relation to its performance goals, and what that might mean down the line. “This helps alert the school’s parents and members of the community if the school is in trouble, and they can start to think about what that means for them, what that means for their child, and what that means for the school community.” Like SUNY, the Public Charter School Board in Washington DC holds meetings with teachers and parents in every school that is coming up for renewal. If the authorizing staff believes that they may have to close the school, they provide a clear list of the school’s greatest challenges to allow the school to address them before it is too late.

Early notice not only helps the school to prepare for closure – it is also a critical part of laying the legal and political foundation for closure. Along with a warning, many authorizers also document the circumstances that led the school into trouble and gather solid evidence of its lack of performance. Research and experience suggest that without this kind of evidence, it is much more difficult to build a case that will withstand intense public opposition and potential legal challenges. In Massachusetts, for example, such documentation – including site visit reports for three years, renewal inspection reports and test scores data – became particularly critical when the department was asked to defend a closure decision in a lawsuit brought by the school to contest the revocation of its charter

A key tenet of a performance-based oversight system is due process. Experience with school closures suggests that adhering to documenting and reporting procedures – and keeping the school community informed of problems and of potential consequences – is an important first step in closing a school.

Objective criteria engender trust

The use of a careful and transparent planning approach may not only insure a fairer decision-making process; it can also communicate to the public the legitimacy of the decision.²⁸ Many times, school closures disproportionately impact low-income families and minority students, who are often over-represented in a district or authorizer’s lowest-performing schools. In some cases, in an effort to avoid controversy, charter authorizers and district leaders have sought to make decisions behind closed doors and impose a rushed closure solution upon an unsuspecting public.²⁹ Experience suggests that more often than not, this tactic leads to even greater suspicion and opposition from parents and the local community. Some amount of subjectivity in the decision is unavoidable, and community members who will be most affected by school closures are bound to be suspicious of the process. But any hint of political considerations, discrimination or arbitrariness in the determination of closures can only make acceptance of the outcome more difficult.

Several districts and authorizers have helped to instill a sense of fairness in their school closure process by adopting objective and concrete selection criteria for closure and publicizing those criteria in advance of the closure decision.³⁰ In the case of charter authorizers, these criteria are typically

²⁸ Shelley Lapkoff & Jeanne Gobalet (2004). *The School Closure Crisis*. Berkeley, CA: Lapkoff & Gobalet Demographic Research, Inc.

²⁹ Boyd & Wheaton 1983; James G. Cibulka (1983, February). Explaining the Problem: A Comparison of Closings in Ten U.S. Cities. *Education and Urban Society* 15(2) 165-174

³⁰ Education is not the only public policy domain where having objective criteria has helped make tough decisions more politically feasible. The US government has learned about the importance of objective criteria over years of military base closures – a similarly controversial but sometimes necessary choice in the public interest. In 1995, Congress created the Base Closure and Realignment Commission (BRAC) “to provide a fair process” and guide decisions about which military bases to close. Commissioners – who are appointed by the

included in the charter itself, and often in the standards for charter renewal as well. Common criteria include student performance, the condition of the school facility, enrollment trends, the impact that closure would have upon the demographic characteristics of other schools, and the number of students who would be required to transfer to a new school if one were closed.

School performance is arguably the most important of these factors for leaders of performance-based districts. Among case study sites, performance is typically measured by state and national tests, though it may also include other measures such as attendance, safety, and organizational health. Many authorizers and some districts also consider performance over several years. Some take into consideration the school's performance relative to other comparable schools in the district (see box above). In the best scenarios, performance standards specify the amount of growth the school must achieve from year to year, or the percentage of students who must meet performance standards. And perhaps most importantly, these criteria are actively communicated to parents and the school community, so that these stakeholders understand what is expected of them and under what specific circumstances the school might face closure.³¹

For example, to prepare for the wave of school closings in Pittsburgh, the district superintendent established a committee of local citizens, district staff, former principals, and parents to develop the criteria by which schools would be selected for closure. Student achievement was the primary focus (see box below). Ultimately, the committee developed both absolute and relative metrics to guide the closure decisions: first, all schools that met specific performance standards remained open. Second, schools were not closed unless there was sufficient space for their students in a higher-performing school or one with an enhanced educational program. This process not only resulted in clear and objective closure criteria; engaging parents and community members in the development of the criteria reportedly helped communicate the district's commitment to a fair and transparent process.

Measuring School Performance in Pittsburgh

To help measure each school's performance in preparation for closures in Pittsburgh, the district commissioned a new metric – called the School Performance Index (SPI) – to measure the educational value that each school provided to its students. Because of its diverse student population, district leaders realized that state proficiency levels could not adequately measure a school's effectiveness with students who arrived with varying levels of preparation. The district employed SPI to even the playing field by assessing what each school contributed to the students it served, whether those students came from an advantaged or disadvantaged background. Based on its contributions to student learning over several years, every school in Pittsburgh was assigned an SPI rating from one to four. These ratings

president and Congress – are charged with conducting “an open and transparent process” to evaluate the implications of base closures. All of the Commission's meetings, records and hearings are open to the public. In its deliberations about each base to close, the Commission is required to follow specific selection criteria, which are vetted through public comment as well. For more information, see the BRAC website,

<http://www.brac.gov/docs/final/Volume1BRACReport.pdf>.

³¹ Guin, K. & Roza, M. (2007, November). *Lessons from the headlines: What to do when you close a school*. American School Board Journal [online]:

<http://www.asbj.com/HomePageCategory/Online%20Features/ReadingsReports/BonusArticles/LessonsfromtheHeadlines.aspx>. NACSA also offers detailed guidance on incorporating detailed performance standards into school contracts or charters on its website, <http://www.qualitycharters.org>.

were publicized, and every elementary and middle school with a SPI rating of one was then considered for closure.³²

Even when achievement is the primary focus in guiding school closure decisions, many districts and charter authorizers also consider other factors, such as the school's organizational and financial health. Public school districts, unlike many non-district charter authorizers, must also consider the impact of school closures upon various city government activities, housing and desegregation patterns, and the financial stability of the district as a whole.³³ Ultimately, no matter which specific considerations play a role in school closure decisions, experience suggests it is important that they be made clear and transparent to the public.

External evaluators offer legitimacy and independent opinions

Many authorizers and a handful of districts have partnered with independent evaluators during the closure process. Their experience suggests that these outside parties can bring expertise to the evaluation process, lend legitimacy to the decision and streamline responsibility.³⁴

Experience with school closures in Pittsburgh suggests that working with an external partner can bring necessary expertise to the closure decision and lend legitimacy to the process. Very soon after deciding some schools would have to be closed, Pittsburgh's superintendent engaged the RAND Corporation to develop a system to guide closure decisions (see box above) and evaluate schools' performance. The school performance criteria by which schools were chosen involved complex metrics to rank and measure their contribution to students' learning over several years – and RAND brought a critical level of skill and knowledge for developing these metrics in a reliable and scientific manner.

As a nationally-known and well-respected research firm, RAND also reportedly helped lend legitimacy to the closure decisions in the eyes of the public. By many accounts, there was a great deal of tension surrounding the closures in the African-American community. In Pittsburgh, as in a great number of other public school closures across the country, minority students were disproportionately located in the lowest-performing schools, and so had to disproportionately bear the burden of losing their school and switching to another. In the district's communication with community members who were understandably mistrustful, it was critical to have solid performance data on which to base the closure decisions, and the advice of a well-respected external partner to lend additional credibility to the process. The superintendent was also able to use RAND's formal report of its findings to make a compelling case to the school board and help guide their vote on the closures.

Charter authorizers in both Massachusetts and Indianapolis reported that working with external agencies can also help keep the closure process more objective. In Massachusetts, for example, the charter schools office at the state Department of Education works with an independent organization to evaluate schools during the charter school renewal process. As an authorizer, the office has found this partnership to be effective in helping them keep an arms-length relationship with their schools during

³² Gill et al (2005).

³³ Lapkoff & Gobalet (2004); Boyd & Wheaton (1983). See also Gill et al. (2005) for a list of non-academic factors that played a role in closure decisions.

³⁴ External evaluators have served similar roles outside education. The Base Closure and Realignment Commission, noted in fn26, serves a similar role in guiding Congress' decisions about military base closures. The independent commission leads the evaluation process, manages the collection of expert analysis and public opinion, and offers an objective recommendation to guide Congress' decision. The BRAC's opinion is given significant weight: when members of Congress vote on its recommendations, they cannot hand-pick which bases to close, but must approve or deny the proposal in total.

the evaluation process. If it becomes necessary for the Department to recommend a school for closure, the charter schools office is able to rely on reports by the independent partner to build its case for revocation or non-renewal. The Mayor's Office of Charter Schools in Indianapolis also partners with a third party contractor to conduct site visits during charter schools' annual evaluations. And prior to its one school closure, the Mayor's Office sent in a different external team to conduct a special review and provide the authorizer with detailed information on the school's status. The authorizing staff has found that these partners allow them to be more objective in their decision-making about schools.

In addition to credibility and objectivity, external partners may also offer the only feasible form of full-time oversight for the closure process, in districts and authorizing offices that do not have staff or resources dedicated to managing school closures. The Mayor's Office in Indianapolis, for example, engaged the services of a "trustee" to supplement its very small staff and manage the closure of one of its charter schools. The charter staff reflects that, "this really was the type of thing that needed to be managed by somebody who could pay it their full attention," and found that an external consultant offered that opportunity. Pittsburgh Public Schools also relied heavily upon an external partner when it closed nearly a quarter of the district's schools in 2005. RAND's assistance reportedly allowed district staff members to focus on their primary job responsibilities, rather than delving into a new and time-consuming method of school performance evaluation.

Community involvement helps minimize opposition

It seems clear that the school and local community has a role to play in the decision to close schools. Students, parents, teachers and other school staff, and the larger school community certainly have the right as local citizens to protest closures. But they should arguably also have some input into school closing decisions by virtue of their tangible interest in the outcome. Indeed, the available research on school closures – and recent experience both in traditional and charter schools – confirms the importance of involving the community and parents, in some capacity, in closure decisions. At the same time, parents and other stakeholders typically have their own interests in mind, not those of the larger community, and can often be an obstacle to necessary change. So there is a balance to be struck in the *way* the community is involved and the *extent* to which members influence closure decisions.

Research on school closures from the 1980s collectively offers strong advice to district leaders on the question of community voice: do not seek to gain public support. Rather than bringing about a consensus on school closure, these researchers suggest, community involvement blurs or waters down closure criteria and delays decisions.³⁵ Examples of this problem abound in district-initiated school closures from the past several decades. In Seattle, for example, the district's effort in 1974 to close nearly thirteen percent of the city's schools ultimately took seven years to win the school board's majority vote. Coalitions of citizen and community groups – each demanding that closures not impact their own neighborhoods – derailed the district's efforts repeatedly until 1981.³⁶ Even when closures are more timely, involving the community at every stage of the closure process can lead to criteria that are derived from a desired result – to only impact a small number of schools or only those that are not located in a particular neighborhood – or set the performance bar for closure far too low.

More recent research and expert opinion advises authorizers and districts to engage the community actively in discussion.³⁷ Parents and community members can often offer valuable insight about a school and its community that may not be evident from a district or authorizer perspective. These stakeholders also arguably have the largest stake in the outcome of school closure decision – perhaps

³⁵ Zerchykov (1983); Boyd & Wheaton (1983); Weatherly et al. (1983).

³⁶ Weatherly et al. (1983).

³⁷ Lapkoff & Gobalet (2004); Veronica Geyer (2005). *The Authorizer and Charter School Closures: Exercising Adaptive Leadership to Protect the Public Interest. Authorizer Issue Brief* no. 8. Alexandria, VA: NACSA.

losing their “neighborhood school” and moving their child to a new educational setting – and thus should have some say in the discussion.

The challenge for charter authorizers and district leaders is to maximize the benefits of community involvement while reducing the risks. The political and social dynamics of each community is unique, and experience suggests that different approaches to community involvement may be required when several schools are closed at one time – as in most traditional district settings – rather than one at a time, as is more common with charter schools. In both cases, however, experience of districts and charter authorizers offer three general models for involving the community in closure decisions without derailing the process: solicit community input on a purely advisory basis; engage community members in developing criteria for closure; or involve a group of community representatives in the actual closure decisions. Each of these models – particularly the last – has led to varying levels of citizen approval among our case study sites.

The first strategy was employed in Pittsburgh, where district leaders actively engaged community members in discussion – but not necessarily decision-making. Experience suggests there is much to be gained from asking students, parents and community members what they want their schools to achieve, and how authorizers or district leaders can help achieve that vision.³⁸ In Pittsburgh, district officials met often with community groups in neighborhoods that would be affected by the closures. During these meetings, leaders explained the rationale for the closures, why they were necessary, and how individual schools were selected for closure. The public was invited to share their opinions but were offered no guarantee that they would ultimately influence the district’s decision.

In addition to this advisory role, community members in Pittsburgh were also invited to participate in developing the criteria by which schools were selected for closure. The superintendent sought out the input of local citizens, district staff, former principals, and parents through a citizen’s commission, which ultimately developed the final criteria by which school closures decisions were made.

District leaders in Chicago also followed this approach. As part of its Renaissance 2010 initiative, Chicago Public Schools (CPS) developed school closure guidelines through a year-long process of community discussions. The specific considerations for closing a particular school – including even the percentage of students who must be failing in a particular school – came out of these community conversations.³⁹ Starting in 2005, CPS gathered input by meeting with a range of community groups – local unions, religious and community groups, and elected officials – to gather their input on the closure criteria. The district posted a survey on its website to incorporate a broad range of responses. And the district convened neighborhood focus groups where parents, community residents, elected officials and others could voice their opinions. Based on this input, the district released significantly redesigned – and by some accounts much improved – criteria in 2006 to guide the district’s future closure decisions.⁴⁰

The third strategy, used in Seattle when it closed an additional wave of schools in 2006, is to engage community members in the final decision-making for closures. Seattle Public Schools created a 15-member panel of community members, parents, and educators to research, gather public input, and ultimately make recommendations on which schools to close. The panel held town hall meetings before and after the recommendations were publicized to give the broader community an opportunity to comment before the board made a final decision. District leaders also sponsored public hearings in impacted neighborhoods and at district headquarters. One board member reflected that the process

³⁸ Bryan C. Hassel & Emily Ayscue Hassel (2005). *Starting Fresh: Engaging Parents and the Community*. Alexandria, VA: NACSA.

³⁹ Dillon (2006).

⁴⁰ Chicago Public Schools press release (2005), http://clear.cps.k12.il.us/AboutCPS/PressReleases/January_2005/Rebirth_Criteria.htm.

“allowed for a great deal of public discussion.”⁴¹ It should also be noted, however, that the district ultimately backed down from some of its recommendations in 2006 due to community pressure.

Minimizing opposition to school closures: Developing a strategic “frame”

Experience with school closures from charter authorizers as well as public school districts suggests that *how* the community receives information about closures may impact their response just as much as the actual closure decision. Is closure a consequence of previous district leaders’ financial mismanagement? Is it the result of a mass exodus to private schools or other choice options? Does a disproportionate impact upon low-income or minority communities suggest racial or other discrimination is at play? Is a charter closure due to local hostility toward the charter movement as a whole? Or is it a strategic decision to improve the quality of educational options available to students? A district’s or authorizer’s sincere and rational basis for each closure decision is most important; but experience suggests that the way that these leaders communicate their decision can be just as critical to the community’s acceptance. It seems clear that no amount of leadership, no matter how charismatic, can guarantee that the students and families who are affected by a school closure will cooperatively participate in their school’s dissolution. But there is room for authorizers and district leaders to “frame” closure proposals in different ways that can either build support for the closures or diffuse opposition. Many authorizers have learned that communicating proactively with families and other community members who will be affected by school closures can go a long way toward mitigating the negative impact closure may have on their students.

It is possible that the terminology alone that an authorizer or district leader uses to refer to the closure process can lessen stakeholder opposition. “Call the process something like ‘school consolidation,’ ‘enrollment, school closure, boundary realignment study,’ or ‘school facilities realignment,’” advises one firm that consults on school closures.⁴² But research and experience suggest that a careful communications strategy involves much more than an attractive title. Interviews by the research team suggest that a strategic “frame” involves a careful documentation of the circumstances or lack of performance that necessitated closure, as described above. It also requires a proactive campaign to communicate the real costs of *not* closing a school, as well as the tangible future benefits to be gained from the closure.⁴³

Recent efforts by two large urban school districts to close a large portion of schools illustrate the impact that a communications strategy can have upon public perception of the plan – as well as its ultimate success. In the face of declining enrollment and an unstable financial future, both Pittsburgh and Seattle proposed a significant number of school closures in 2005. In Seattle, an early closure plan was framed primarily as the district’s strategy to reduce excess capacity in public school facilities and help stabilize the district’s finances. The proposal failed to communicate any future benefits that students and their families could expect to gain as a result of the closures – aside from the collective future good of a solvent public agency. The proposal was met with strong resistance from school communities and the school board, and was ultimately dropped, to be replaced with a new strategy in 2006.

⁴¹ Dillon (2006).

⁴² Lapkoff & Gobalet (2004).

⁴³ Zerchykov (1983); Geyer (2005); Lapkoff & Gobalet (2004).

To explain the necessary school closings in Pittsburgh, the superintendent recognized the looming deficit and explained how school closures could contribute to the district's overall financial health. But he also focused the public's attention on the opportunity for improving student achievement, and how families could expect to benefit from the process. In the Pittsburgh Public Schools "Right-Sizing Plan," the district explained that the closures were "based on an in-depth analysis of student achievement data as well as each school's performance in helping students grow academically. This analysis, performed by RAND Corporation, a well-respected, independent consulting firm, marks the first time student and school performance data, rather than building size, politics, or other factors, have been the primary means in determining which schools to close and how to reorganize the District's assets."⁴⁴

To enhance this written message, district leaders met with community groups in each of the neighborhoods where schools were to be closed. They publicly apologized and took responsibility for the district's history of uneven educational quality, and promised to provide a new type of school for their children. There was of course opposition to the closures in Pittsburgh. But in large part due to this performance-based frame, the district reportedly met with much resistance than was expected, and the closures were carried out across the district in less than two years.⁴⁵

Avoiding Legal and Procedural Pitfalls during Dissolution

Most prior research on school closure has focused on the decision-making process, explored above. But our study suggests that in many cases, the way that a school is shut down can be just as critical. From the timing of the closure decision and public announcement to the distribution of public assets, authorizers' and districts' experiences offer several lessons to help leaders in performance-based districts facilitate smooth transitions and minimize harm to students.

Timing is critical

No matter when a closure is announced, it will be painful for students and politically challenging for authorizers and district leaders. But the timing of the decision and the public announcement to close a school are critical for allowing students to pursue other schooling options and the school staff to manage the dissolution process before the end of the school year. Specific dates vary significantly by state and district, but several authorizers' experiences offer lessons for determining which timeline is best.

With regard to timing, staff at the Charter Schools Institute at SUNY has learned over time "the first and most important thing is to ensure students have access to other educational options." These staff members have found that families who enroll their students in charter schools are also often interested in other choice options as well. Helping to connect students with these schools is one way to help minimize the disruption in students' education (see section below). But because many "choice" schools offer enrollment by lottery and set a specific time window in which students may apply, timing is critical too. To help ensure that students will be able to apply for these options, SUNY tries to time its closure decisions so they allow parents to participate in magnet and choice lotteries.

The timing of a school closing is also important because it affects the ability of the school and district or authorizer staff to successfully wind down the school's operations – including determining course

⁴⁴ PPS public announcement (2005).

⁴⁵ PPS press release (2007).

credit, transferring student records, and distributing assets. When possible, many of our case study sites make every effort to close schools at the end of a school year, because they can then rely on the school's staff to carry out the majority of the tasks involved in dissolution. When a school closure decision is announced too early, teachers and other school staff may leave mid-year for other jobs, leaving little or no staff to carry out the closure process at the school level. In Indianapolis, the Mayor's charter schools office learned this lesson the hard way. The charter staff announced in October that a failing school would be closed in December, and the school leader, several teachers and many students left before the end of the term. The Indianapolis school could not have waited, in the authorizers' judgment, until the end of the year to close. But because the announcement was made so early in the school year, the Mayor's charter school staff and its designated trustee were left to carry out the majority of the closure process, which lasted long after the school officially closed in December.

Dissolution plans help clarify steps and allocate responsibility

The steps mentioned above – transferring student records, determining students' course credit, distributing assets – and many others are critical parts of the school closure process. And yet interview evidence reveals that they are surprisingly easy to overlook during the chaos of a school's last months and weeks. It is clear that a general framework of procedures and tasks – essentially, a dissolution plan – is an important tool to identify the critical actions to be undertaken by both the school and the district or authorizer for an orderly school closure.⁴⁶

While a few authorizers and districts are fortunate to be able to follow detailed state closure guidelines, many states and districts will find very little guidance in local regulation or state policy. These leaders may glean several lessons from authorizers and districts that have developed their own detailed steps and timelines to settle schools' financial and legal affairs. The Charter Schools Office at CMU, for example, has developed a detailed dissolution process that has been adapted by many other authorizers across the country.⁴⁷ Chicago Public Schools, too, provides a detailed publication with procedures and forms for closing down a school in the district. It includes guidance for details such as conducting an end-of-year inventory, packing up and transferring student and business records, wrapping up outstanding contract and legal matters, and provides contact information for district staff who are available to help with the closure process (see box below).⁴⁸

⁴⁶ NACSA (2003). See also www.qualitycharters.org for NACSA's recent publications and additional guidance about developing dissolution plans.

⁴⁷ The Center for Charter Schools at Central Michigan University (2007). *Wind-Up and Dissolution Process*. Retrieved October 1, 2007 from <http://cmucso.org/default.asp>.

⁴⁸ Chicago Public Schools Office of Instruction and School Management (n.d.). *School Closing Protocol: Procedures and Forms*.

Essential Considerations for School Dissolution

A closure protocol must be based on existing state law and regulations. But performance-based districts may supplement this guidance with steps and procedures for handling essential tasks that recur in almost any school closing. These will likely allocate responsibility and include procedures for:

- ☑ Facilitating student transfers to other schools
- ☑ Transferring student records
- ☑ Administering personnel records
- ☑ Fulfilling contractual obligations
- ☑ Liquidating assets (including the school facility, computers, furniture and other supplies)
- ☑ Assessing and satisfying outstanding liabilities
- ☑ Final reporting requirements
- ☑ Final enrollment count
- ☑ Final audit
- ☑ And in the case of charter schools, dissolving the board.⁴⁹

In most areas, the main responsibility for carrying out the closure process technically lies with the school, in cooperation with the district or authorizer and the state education agency. But several charter authorizers have found that there is often little capacity at the school level to carry out the necessary steps of closure – after all, these schools often failed to adhere to process requirements while they were open. And because there are no remaining consequences for the authorizer or district to impose for failure to cooperate, staff at a closing school have little incentive to carry out the process fully.

For these reasons, it is particularly important that a dissolution plan not only lay out each step of the closure process, but also carefully allocate responsibility for each step.⁵⁰ Because schools have several stakeholders – including the district or authorizer, school-level leadership, board leadership in the case of charter schools, and in some cases the state education agency – the roles and responsibilities are bound to overlap. Experience suggests that this can lead to redundancy of efforts as well as overlooked tasks unless each of the players has a clear understanding of the particular steps for which they are responsible.

To help facilitate this communication with its schools that are slated for closure, the Charter Schools Institute at SUNY sends one of its staff members out to the school immediately after the closure decision to meet with the board. During this meeting, SUNY reviews the closure plan, answers any questions and explains to the school board each step that must be taken to wrap up the school's operations – from safeguarding student records and issuing final paychecks to canceling summer school and terminating contracts with management companies.

Indianapolis has gone a step further. When the Mayor's Office revoked the charter of one of its schools, it assigned a "trustee" to oversee the closure process and ensure that the school's leaders fulfilled their responsibilities. The trustee set up shop in the school so that he could communicate on a daily basis with the school's leadership, staff, and board. "I was appointed really as the 'shepherd' of the process," he says, "to make certain that things were being done, to provide support, and to represent the mayor's office in making certain that the closure was done in an orderly fashion." Today,

⁴⁹ NACSA (2003); Geyer (2005); CMU (2007); Chicago Public Schools (n.d.).

⁵⁰ Geyer (2005).

the Mayor's charter staff credits this full-time trustee with its ability to close the school in a reasonable time frame.

Whether dissolution takes place under the watchful eye of a full-time trustee or with the guidance of a member of the authorizer or district's staff, experience in both the charter and traditional district settings suggests that schools will require assistance with dissolution. One of the earliest ways that authorizers and district leaders can help is to make the steps and responsibilities of dissolution explicit to both parties up front.

Assisting with alternative placements can minimize disruption for students

School closure involves more than managing records and shutting down a building. Districts have a responsibility to help students enroll in a new school – preferably one that is higher performing. Authorizers typically are not required to find placements for students in a charter school that is closed, but many have taken on the responsibility nonetheless. Placements can be challenging, particularly at the high school level and among schools that offer special programs or services. Three of our case study sites help illustrate these challenges and provide preliminary guidance about potential strategies to address them.

The Public Charter School Board in Washington, DC has found that facilitating new placements for students is much more challenging at the high school level than at the middle and elementary levels because of course credit transfers and special requirements in focus or theme schools. This has been true in Indianapolis, too, where the Mayor's charter schools office faced particularly difficult prospects for placing students who were affected by its school closure, because it was a high school that had been designed to serve students who had dropped out or were ineligible for enrollment in traditional district high schools.

To help facilitate placements for these students, both authorizers have played an active role in helping families find other opportunities. In Indianapolis, the authorizer's closure trustee scheduled three ninety-minute meetings for parents and students who were affected by the closure. The meetings were advertised at the school, in local papers, on the Mayor's website and on television and held both during the day and in the evening to allow most parents to attend. Representatives from local adult education programs, other charter high schools and alternative programs were invited to discuss their programs and enroll students who were eligible, and the trustee helped broker relationships to facilitate a smooth transition for as many students as possible. The PCSB staff helps students enroll in summer school or night classes to ready them for requirements in new high schools.

Experience suggests that there may be an important balance to be struck in this area, however, if an authorizer is not ultimately responsible for students' subsequent placement but chooses to assist parents nonetheless. The Charter Schools Institute at SUNY has found, for example, that by attempting to assist families with alternative placements, it is possible to communicate a *guarantee* to find a suitable replacement that the authorizer may be unable to fulfill. During the course of one of its school closures, SUNY hired a placement coordinator to help parents find alternative seats for their students. Because the school that was closed had offered a specialized educational focus, the coordinator was unable to find similar placements that met each family's desires. "It was as if we had made a promise to find suitable replacement options, but we couldn't always follow through," says one SUNY staff member. The staff has found now that the timing of the closure decision is more important than actual assistance in finding other options, and no longer appoints a placement coordinator. "We try to make sure that other options will actually be available, and then parents can handle the choices on their own."

Conclusion

School closures are painful, controversial, and technically challenging. Even absent vocal public opposition or a legal challenge, the prospect of these threats can deter school districts and charter authorizers from closing low-performing schools. But closures can also be critical to accountability in performance-based systems. As leaders develop clearer definitions of educational quality and require all school operators to meet them, they must face the political, legal, and technical challenges and close down schools that are unsuccessful. These closures have great potential to reduce harm to current students by putting incapable school operators “out of business”; they communicate the importance of educational quality in a performance-based system; and they serve as a powerful tool for long-term improvement, as schools at the bottom end are forced to shut down.

When other interventions have not worked in a failing school, leaders of performance-based systems may benefit from several preliminary lessons that arise from districts and charter authorizers who have had experience with school closures. These experiences suggest that clear and objective criteria and a transparent plan that is developed and publicized *before* closure begins, for example, can help minimize public opposition and lead to a smoother process. Experience from both district- and authorizer-initiated closures suggest that a strategic communications plan and a clear role for community input can also help minimize misunderstanding among the school’s staff, parents and students and other stakeholders. And finally, experience and the limited research suggest that the technical procedures that a district or authorizer follows throughout closure – including timing, delegating responsibility and facilitating alternative placement – can ultimately determine the extent to which students can see an immediate benefit from the closure.

Rather than ignoring the necessity of closure or postponing it indefinitely to become the next administration’s problem, local leaders can also learn to approach closure proactively – as leaders have done in Chicago and Pittsburgh. Instead of viewing closures as a dreaded and rare occurrence in public education, they can use them as part of an overall improvement strategy that aligns with and reinforces the district’s quality standards and values for public education. These leaders can also begin to think about how to proactively fill the spots that are left open by school closures, as they become a more regular occurrence in performance-based systems. Applying lessons from authorizers’ and districts’ experiences in building quality supply (for further discussion see *Buying Smart in Thin Markets*, in this series), leaders can ensure that all students have access to a high-quality education even amidst closures by opening new schools strategically.

The lessons collected by the research team from interviews and research both within and outside education are far from a prescription for intervening successfully in schools that have not responded to other improvement strategies. We have a very limited experience base and an even more sparse body of research on school closure from which to draw meaningful lessons for “successful” closures. The lessons from our case study sites ultimately offer leaders who are interested in moving toward a performance-based system a framework and preliminary lessons for improving the process of school closure. To build on these lessons, district and authorizers would benefit from a much broader research base about “what works” when it comes to school closure. In addition, state and local policymakers could assist future districts and authorizers by providing greater clarity about whether closure is possible, under what circumstances, and what procedures must be followed to shut a school down responsibly. More explicit regulation and guidance at the state and local levels could remove one significant barrier – uncertainty – from the plates of authorizers and district leaders.

The views expressed herein are those of the author(s) and do not necessarily represent those of the Center on Reinventing Public Education, the National Charter School Research Project (NCSRP), the University of Washington, or project funders. NCSRP Working Papers have not been subject to the Center's Quality Assurance Process.