



Changing charter school accountability during COVID19

Discussion Draft

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The COVID19 crisis fundamentally changed how schools operate this spring and will likely alter operations in the fall too. For the next few years, the pandemic will also affect charter school authorizing. Using state tests to inform renewal or closure decisions will become more difficult. As schools adapt pedagogy and curriculum to meet new demands, they will also face increasing challenges with finances and enrollment. With all this change, authorizers may need to adjust how they evaluate schools. To protect students during these chaotic times, they may also want to consider new ways to partner with schools to help them address the challenges they face.

Lack of growth data and state ratings of school performance

Authorizers must adjust their practice because traditional measures of school performance will be unavailable for at least two years. During that time, state test data -- and growth data in particular -- will play a smaller role in authorizing decisions. Figure 1 presents a typical timeline for charter school accountability linked to state testing.

Figure 1.

Normal Timeline for Colorado Charter Decisions Informed by State Testing

School Year	17/18	18/19	19/20	20/21	21/22	22/23	23/24	
Test		T ₁₈	T ₁₉	T ₂₀	T _{21?}	T ₂₂	T ₂₃	T ₂₄
Growth Data			G ₁₈₋₁₉	G ₁₉₋₂₀	G ₂₀₋₂₁	G ₂₁₋₂₂	G ₂₂₋₂₃	
SPF			SPF ₁₈₋₁₉	SPF ₁₉₋₂₀	SPF ₂₀₋₂₁	SPF ₂₁₋₂₂	SPF ₂₂₋₂₃	
Renewal Decision			NR ₂₀	NR ₂₁	NR ₂₂	NR ₂₃	NR ₂₄	
Appeal			A ₂₀	A ₂₁	A ₂₂	A ₂₃	A ₂₄	
Closure				C ₂₁	C ₂₂	C ₂₃	C ₂₄	

Without this spring’s test, states will not get next year’s student growth data. Without the growth data, states and authorizers cannot fully update school performance frameworks or state accreditation ratings. After testing resumes in the spring of 2021, states still will not be able to produce growth data until after the second round of post-pandemic testing, likely in the spring of 2022. In the meantime, states could create measures of two-year growth, comparing tests from spring 2019 with spring 2021. This approach, while insightful, is likely to raise as many questions as answers. Either way, authorizers will lack year-over-year growth data and updated state ratings and performance frameworks for the next 28 to 30 months.

Without further interruptions in testing, in the fall of 2022, authorizers should get updated state data on school accreditation and student growth. During the 2022/2023 school year, authorizers could then use data from the 2020/2021 and 2021/2022 school years to inform their non-renewal decisions. Where applicable, they would also use it to argue appeals of closures, which might ultimately lead to a failing school closing at the end of the 2022/2023 school year, more than three years from now (see Figure 2).

Figure 2.

Revised Timeline for Colorado Charter Decisions Informed by State Testing Given Pause In Test

School Year	18/19	19/20	20/21	21/22	22/23
Test			$T_{21?}$	T_{22}	
Growth Data				G_{19-21}	G_{21-22}
SPF				SPF_{19-21}	SPF_{21-22}
Renewal Decision				NR_{22}	NR_{23}
Appeal				A_{22}	A_{23}
Closure				C_{22}	C_{23}

Authorizers should be able to close a school with unacceptable performance during this period. But doing so may be more likely with a comprehensive approach to school evaluation, a historical record of the school’s academic struggles, as well as other school-level problems that undermine the school’s ability to appeal. In this environment, authorizers may end up persuading schools to voluntarily surrendering their charter. Given all the other challenges schools may face, more struggling schools might choose to close.

How much learning loss is reasonable?

Even when we have testing data, authorizers will not be able to apply old standards of how “good is good enough.” Because of the unprecedented interruption in learning, we do not know what academic achievement to expect from any school. Charters will argue mandatory distance learning caused lower scores for all schools and that consequently, authorizers should not punish them for test results. While some schools will do better than others, and there will be a distribution of performance under the social distancing protocols, all those schools with relatively-low scores could argue against using test results to judge school performance in this environment.

This general reluctance to accept summary judgments based on the new data will undermine the perceived legitimacy of authorizers applying the same data to charter schools. It is unclear how long it will take to remedy lost learning, which could be further complicated by additional social distancing.

Mandatory social distancing undermines the “charter bargain”

Mandatory social distancing also undercuts the “charter bargain,” through which schools receive flexibility in exchange for accountability. Charter schools all promised to produce results, but only in return for receiving the autonomy needed to implement their chosen approach to teaching and learning. This spring, all schools were required to implement a new approach. These mandatory changes also prevented them from using the pedagogy outlined in their charter contracts. The mandated

approach, full-time distance learning, has historically led to deficient test scores for most students. Given the unavoidable reduction on the flexibility side of the charter deal, charter operators will question how authorizers can justify holding them accountable to the results they initially promised.

Collectively the challenges with data, uncertain expectations, and the mandatory use of inferior teaching designs mean that schools an authorizer would have closed in earlier years might get the chance to continue operating for a few more years. And, if these schools stay open, they will likely need help to be successful. The difficulty in closing schools and schools' new needs suggest new roles for authorizers.

Heightened scrutiny of enrollment, finances, and operational viability

Charter schools will close in the next few years. Some authorizers with a robust performance management system will be able to make the case to close schools with a record of severe underperformance. Meanwhile, struggling charters will likely close because of additional challenges with operating remotely, reduced state and local funding, and all the other chaos we are experiencing. Many of these schools may voluntarily close because of financial and operational problems. New distance-learning mandates in the fall would exacerbate these risks. Because of all these factors, mid-year closures could also occur.

In this environment, authorizers should more closely scrutinize enrollment and financial data of all charters. They should pay close attention to charter schools that were operating on the margins of viability. Authorizers may need to improve the tools they use to track these issues and adjust their policies to reflect their increased importance.

Authorizers will also want to expand their evaluation of schools to consider student and staff mental health and wellbeing and other aspects of school culture and morale. These topics may require more attention, but they will provide poor material for informing high-stakes decisions. Instead, they are likely to help schools and authorizers identify student needs; and they could inform efforts to improve schools or expand services.

A new approach to authorizing during the crisis

With all these changes, authorizers may want to reconsider their relationships with charter schools, at least for the next few years. During these chaotic times, schools will face threats to their viability from issues like student health and wellbeing, finances, enrollment, student and family engagement, services to special populations, and human resources.

Authorizers may want to reorient their work to better track these threats and to partner with schools to address them. This shift will likely deemphasize high-stakes accountability based on academic performance and emphasize partnership and support that helps schools address the current challenges.

Authorizers making these adjustments could produce a new paradigm in the relationship between charter schools and authorizers. In this new approach, authorizers will adopt a more holistic approach to evaluating school performance while increasing their scrutiny of financial and operational viability. Authorizers may also increase their support to charter schools and enter partnerships that allow them to understand their schools better and help them address the evolving challenges that schools and their students face. This new paradigm may be a temporary adjustment in the way authorizers deal with charter schools, but it could also represent a new approach that has staying power. Like many things today, it is way too early to see how this will play out.