

HANDBOOK FOR DISTRICT AUTHORIZERS

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Overview

A growing number of Michigan school districts are expressing interest in becoming authorizers of charter public schools (or public school academies, as they are identified in state law). As district leaders explore the nature of this work, they are beginning to encounter a series of common opportunities, challenges, and concerns.

In response to the questions raised by would-be district authorizers, the Public School Academies (PSA) Program within the Michigan Department of Education (MDE) has undertaken a comprehensive review of literature pertaining to school district authorizing experiences. This handbook builds upon that research to suggest a sound framework for future district-level decision-making and to identify resources that can support new authorizers as they adapt to this additional set of responsibilities.

Statutory Basics

The roles and responsibilities associated with becoming a charter school authorizer are clearly laid out and defined. It is essential for district leaders to understand the duties they will assume.

Michigan law states that a charter school must be organized and administered under the direction of a nonprofit board of directors. That board of directors is not the same school board that governs the public school district. It is a separate legal entity and is governed by an independent group of community leaders who have the capacity needed to lead a public school.

The new nonprofit PSA board of directors may receive a charter contract from the existing school district board. Because the school district board will hold the PSA board accountable for a certain set of academic and operational performance results, it is important to ensure an appropriate arms-length relationship between the two public bodies. There can be no board members in common, and any related staffing and service agreements must be clearly defined to ensure that conflicts of interest are carefully avoided.

It is also important to note that the new PSA is free and open to all students by parent selection, pursuant to Michigan law. If the number of students seeking admission exceeds the number of available seats, the charter school must utilize a random selection process to determine which pupils will be enrolled. Discrimination is prohibited. Thus, the authorizing school district is not able to decide which students will be served by the charter school.

Charter schools in Michigan are subject to essentially the same legal requirements as all other public schools. They must comply with state and federal requirements related to health and safety, staffing, management and accountability, just like any other public school.

In addition, MCL 502(3)(i) states that authorizing contracts issued by school districts must require all charter school employees to be included in the school district's bargaining units. Thus, the charter school's teachers will be subject to existing union contracts.

A Michigan school district that chooses to act as an authorizer may charter an unlimited number of schools within its geographic boundaries. As an authorizer, the school district is responsible for all of the following minimal activities under Michigan law:

- Reviewing applications and awarding charters to qualified applicants,
- Establishing the method of selection and appointment for board members,
- Issuing charter contracts that include clear expectations for performance,
- Acting as a fiscal agent for state school aid funds,
- Gathering and evaluating data related to school compliance and performance, and ultimately,
- Taking action based on a school's performance relative to the expectations set forth in the charter contract.

No formal MDE filing or approval is required for a school district to become an authorizer. Pursuant to MCL 502(3), the school district must notify MDE of its actions and provide copies of the charter application and contract to the Superintendent of Public Instruction within ten (10) days of approval.

State law permits an authorizer to retain up to 3% of the total state school aid received by the public school academy. The authorizer may provide other services to a PSA it operates for a fee, but shall not require such an arrangement as a condition to issuing the charter contract. Pursuant to MCL 502(6), no fee or reimbursement can be charged for considering a charter application, for issuing a contract, or for providing oversight of a contract for a PSA in an amount that exceeds a combined total of 3% of the total state aid received by the PSA in the school year in which the fees or expenses are charged.

? Can I “convert” an existing public school in my district into a charter under Michigan law?

State statute does not provide a process for immediate “conversion” of a traditional district school. However, a school district can certainly close one of its buildings and issue a charter contract to a nonprofit PSA corporation to operate in that location or neighborhood. This has happened on a relatively limited basis in the past and is contemplated as an option for restructuring pursuant to No Child Left Behind.

? If my district wishes to start a charter school, why must we act as the authorizer? Why don't we just run the school and get a contract from a public university or other existing authorizer?

While there is no specific prohibition against this approach, starting a PSA does not make good practical sense unless a separate governance structure is helpful or needed. School districts can open new schools and reallocate resources at any time without a charter.



Can my school district provide management, instructional or support services to the new PSA? Can district teachers work at the PSA?

Michigan law permits district staff to provide fee-based services to a PSA it authorizes as long as conflicts of interest are carefully managed and the service arrangement is not made a condition of receiving a charter. Schools are advised to consult legal counsel to ensure such service agreements are properly structured.



Our school district does not offer Schools of Choice. Would the PSA be able to accept students from outside the district?

Yes. Pursuant to MCL 504(3), a PSA may have statewide geographic boundaries. A PSA must be open to all pupils who reside within the geographic boundaries of the authorizing body. A PSA may not be selective or screen out students based on disability, race, religion, gender, test scores, etc.

As mentioned previously, if the number of students seeking admission exceeds the number of available seats, the charter school must utilize a random selection process to determine which pupils will be enrolled. If a student is enrolled in a PSA during a particular school year, the student is automatically granted enrollment privileges for succeeding school years. Siblings of admitted students are also granted enrollment priority.



What elements are required to be included in the charter application and charter contract?

According to MCL 380.502(3), a charter application shall include at least all of the following:

- (a) Identification of the applicant for the contract.
- (b) Subject to the resolution adopted by the authorizing body under section 503(4), a list of the proposed members of the board of directors of the public school academy and a description of the qualifications and method for appointment or election of members of the board of directors.
- (c) The proposed articles of incorporation, which shall include at least all of the following:
 - (i) The name of the proposed public school academy.
 - (ii) The purposes for the public school academy corporation. This language shall provide that the public school academy is incorporated pursuant to this part and that the public school academy corporation is a governmental entity.
 - (iii) The name of the authorizing body.
 - (iv) The proposed time when the articles of incorporation will be effective.
 - (v) Other matters considered expedient to be in the articles of incorporation.
- (d) A copy of the proposed bylaws of the public school academy.
- (e) Documentation meeting the application requirements of the authorizing body, including at least all of the following:
 - (i) The governance structure of the public school academy.

- (ii) A copy of the educational goals of the public school academy and the curricula to be offered and methods of pupil assessment to be used by the public school academy. To the extent applicable, the progress of the pupils in the public school academy shall be assessed using at least a Michigan Educational Assessment Program (MEAP) test or an assessment instrument developed under section 1279 for a state-endorsed high school diploma.
- (iii) The admission policy and criteria to be maintained by the public school academy. The admission policy and criteria shall comply with section 504. This part of the application also shall include a description of how the applicant will provide to the general public adequate notice that a public school academy is being created and adequate information on the admission policy, criteria, and process.
- (iv) The school calendar and school day schedule.
- (v) The age or grade range of pupils to be enrolled.
- (f) Descriptions of staff responsibilities and of the public school academy's governance structure.
- (g) For an application to the board of a school district, an intermediate school board, or board of a community college, identification of the local and intermediate school districts in which the public school academy will be located.
- (h) An agreement that the public school academy will comply with the provisions of this part and, subject to the provisions of this part, with all other state law applicable to public bodies and with federal law applicable to public bodies or school districts.
- (i) For a public school academy authorized by a school district, an assurance that employees of the public school academy will be covered by the collective bargaining agreements that apply to other employees of the school district employed in similar classifications in schools that are not public school academies.
- (j) A description of and address for the proposed physical plant in which the public school academy will be located.

A charter contract must include all of the elements listed on the MDE contract checklist, available at:

http://www.michigan.gov/documents/ContChklt_49927_7.doc

?

How will the PSA be funded? Does a PSA qualify for federal and state grant funds in the same manner as a local school district?

A PSA receives funding through the per-pupil base foundation allowance as defined through the State School Aid Act (1979 PA 94, as amended). By law, this amount may not exceed the per-pupil base foundation received by the local school district where the PSA is geographically located.

A PSA is treated as an LEA and, as such, may access state and federal grants in the same manner as local school districts.

Important Considerations

The Advantages of Chartering

Traditional K-12 school districts appear to have several objectives in mind when they begin to discuss the idea of chartering a school. It is important for district officials to identify their objectives clearly and objectively in order to ensure the correct strategic approach.

□ Ability to Restructure Low Performing Schools

No Child Left Behind provides school buildings that have failed to make Adequate Yearly Progress over a period of years with an opportunity to close and re-open as charter public schools. This approach offers districts that meet specific requirements an ability to “start fresh” in certain instances, shuttering poorly performing buildings and re-opening them with new leadership, new programs, and a set of concrete performance targets for the future.

As a way to provide options for children in failing schools, chartering offers new opportunities to districts. First, districts can avoid forcing potentially overcrowded existing schools to enroll additional students. Second, district leaders can authorize charters targeted to the needs of a particular neighborhood or student group. Third, districts can encourage high-capacity institutions such as foundations, colleges, museums, and social service providers to run or contribute to the program mix in new schools.

In the past, districts have had few options for turning around chronically low-performing schools other than to reconstitute a school by closing it and opening jobs up to all current members of the district teaching force. This approach left the possibility of re-creating a new school very much like the one that it was supposed to replace. The chartering option opens up a new possibility: creating an entirely new school staffed with new people (including some not previously employed in the district) and organized around a new plan. (Ziebarth and Wohlstetter, 2005).

While this option has not been widely utilized to date, it offers promise for districts that need innovative solutions to resolve individual school performance problems.

□ Greater Autonomy for Neighborhood Schools

One of the appeals charter schools hold for students and families is the ease of access to key decision makers. Smaller schools with site-based management are sometimes more appropriate to the needs and concerns of various constituencies.

District leaders – particularly in large urban areas – who wish to exercise control over the performance outcomes of individual buildings while lightening the load of their internal administrative structures, are beginning to regard charter schools in a new light. By issuing a charter to a neighborhood school, a sense of local school “ownership” and immediacy of access are restored to the community. Meanwhile, the authorizing district monitors and oversees a series of highly accountable operations without dealing with the daily management issues they currently face.

□ Retention of Quality Control Mechanisms

By developing a sound performance contract with specific measures of success, district authorizers retain a measure of control on the quality and outcomes of each school they authorize. Schools that fail to attain appropriate achievement levels can be closed if necessary to ensure the caliber of educational opportunity available within a particular geographic area remains strong.

It is a little recognized paradox that school system authorizers can achieve greater control over public education outcomes by delegating operational control to charter schools. When an authorizer approves a school and develops a performance agreement, it can foster and guide development of any program that it believes will meet the needs of students in the system. Even the state and federal regulations that inevitably constrain this discretion usually give greater flexibility and decision-making authority to the agency as authorizer than to the same agency acting as traditional school district or department of education. The school system authorizer can foster and guide development of a particular program and of a governance structure that makes successful implementation of the program more likely. It can also foster development of a management environment in which decision-making—including employment decision-making—is based, first and foremost, on meeting the terms of the charter. At all times the authorizer retains authority to intervene, as appropriate, based on fulfillment of the charter's terms—including removing the school's right to continue operating, if necessary. Nowhere else in public education is there such decisive authority regarding individual schools. (Tucker & Haft, 2003).

□ New Opportunities for Community Engagement

The effective development of a new charter school requires a significant amount of community dialogue and outreach. The opportunity to rekindle the interest of all or a portion of a school district's population is often one that can be beneficial to a school district if handled well. Town hall meetings, media outreach, and board "listening" sessions provide dynamic opportunities for meaningful engagement with parents, opinion leaders, and others.

Although a discussion of adding new local charter schools often draws opposition, as noted later in this handbook, school districts do have clear opportunities to handle this issue well and drive meaningful local change through careful, decisive community engagement.

In addition, the development of one or more new charter models can draw in other community organizations – government, non-profits, foundations, arts organizations and social service providers all can be brought to the table to carve out innovative models of collaboration that can strengthen the community as a whole.

To engage the community, we have...observed new charter schools partnering with community-based organizations. ...Partnering with well-established and respected organizations, such as the Boys and Girls Clubs of America or the Urban League, can enhance the charter school's legitimacy and credibility within the community. (Ziebarth & Wohlstetter, 2004).

Cautionary Note

Another frequently-cited factor for school districts that are considering chartering was summed up in a recent *Education Next* article:

...under the guise of restructuring, district officials ... take their worst-performing schools and slap a charter label on them. Think about it: You're a superintendent with some pretty good schools and a dozen lousy ones. Invoke NCLB, charter them out, and in one fell swoop you have moved the bottom feeders from the district column to the charter column. Your district scores skyrocket, and all those that failed to make Adequate Yearly Progress (AYP) - Oh... well, you know, they're charter schools. (Smith, 2007)

Districts that have this objective in mind are cautioned that Michigan authorizers are charged with the responsibility of holding their charter schools accountable for performance. An authorizing school district cannot evade responsibility for the achievement of the schools it oversees; in fact, stepping out into the world of chartering may result in greater scrutiny.

Authorizing Challenges

Authorizers across Michigan and the U.S. report common pitfalls and areas of concern when it comes to establishing effective charter school oversight and support operations. New district authorizers must anticipate and plan for these issues well in advance.

□ Ensuring Organizational "Fit"

Not all organizations are well suited to authorize charter schools. According to the Michigan Council of Charter School Authorizers, this work "requires strong administrative, financial and philosophical commitments on the part of the chartering institution to maintain a clear focus on the work at hand and not to be swayed by critics and detractors." (Van Koevering, et al, 2008)

Experienced authorizers suggest that new authorizers carefully evaluate their reasons for entering the practice. They caution against quick decisions, and advise the creation of exploratory or advisory committees to thoroughly examine how well the creation of an authorizing arm will align with the mission, philosophies, and practices of the organization as a whole. The governing board of the would-be authorizer must also be thoughtfully and clearly engaged, given that the act of authorizing will require their involvement and support, and could ultimately be tested in the media, the courts, or the ballot box. (Van Koevering, et al, 2008).

Even if all possible care is taken, would-be authorizers should be aware of changes in leadership and governance that could threaten the stability of the authorizing operation. Constant internal communication is needed to ensure that the organization remains committed to providing quality oversight and support for the schools it oversees.

The promise of “increased accountability” can be realized only if an authorizer is willing to act decisively to end charter contracts that do not succeed in attaining their objectives. Holding firm to that intention is work every bit as unpopular as closing a school, and unless potential authorizers are willing and able to exercise this authority, they may not be a good “fit” for the oversight role.

□ Engaging Constructively with Critics

An important consideration relative to organizational “fit” is political, rather than practical. In many instances, new authorizers face some level of public opposition when they begin to contemplate establishing their operations. Since their inception, charter public schools have been controversial and those who engage in this type of work need to prepare for some degree of resistance.

Unions, school boards, and communities may react negatively to restructuring efforts merely because they are accompanied by the term *charter*. Schools that are most successful at conversion are able to withstand opposition when necessary, but also engage and educate parents and community leaders to help them embrace necessary changes. No matter the political environment in the district, community engagement is a critical component of the charter conversion process. (Arkin & Kowal, 2005).

In many instances, it is this type of political backlash that stops would-be charter authorizers in their tracks. School districts that are serious about pursuing charter school oversight must prepare themselves to respond to challenges from within their community. Indeed, some degree of public opinion sampling may be appropriate to ensure sound decision-making. This type of advance polling and/or focus group testing may even turn the tide of public opinion through innovative community engagement strategies. This type of work was used very effectively in San Diego, where recent charter conversions have proven quite successful.

At the same time that [San Diego School Superintendent Alan] Bersin was looking for outside help with restructuring his troubled schools, he and his staff established “workgroups” of teachers, administrators, parents, union representatives, and community leaders at each of the schools out of a strong belief that reforms would take at the schools only if representatives of each school community were invested in change. Bersin also believed that board members and teacher-union leaders, important powerbrokers in public school systems, would not support such dramatic change unless they were presented with clear evidence of such bottom-up support from parents and others. (Williams & Toch, 2006).

Other superintendents and school leaders have spent time going door to door, working with community members on a one-on-one basis to dispel rumors and promote their efforts to build lasting educational change. (Paulson, 2005).

□ Building Operational Capacity

The development of a quality authorizer operation requires a great deal of an organization. New systems and strategies must be formulated to ensure equity, consistency and performance across the board.

Authorizers build their most important organizational capacity by creating processes that promote coherence and quality while reducing static. Even the small charter authorizer should develop a “policies and procedures” manual that codifies both its organizational routines and its relationship to schools. Application guidelines should be supported by decision rubrics, so that the bases for approval and denial are as clear to subsequent agency staff as they are to current applicants. Accountability policies and renewal protocols should be supported by consistent methods of generating and reviewing evidence. (Smith & Herdman, 2004).

Adequate staffing and resources are needed to ensure this work happens on the front end. This, too, can be challenging given the budget pressures facing many school districts. Careful financial planning is required to ensure that an authorizer’s operations are sufficient to develop effective oversight and support operations.

This work can be intriguing for an innovative school district leader who is interested in advancing new ideas about school leadership and practice.

Charter school authorizers generally have a fair amount of latitude in designing accountability policies. Legislation establishes boundaries and constraints on authorizers’ powers - particularly in the level of funding, if any, allocated to authorizing staff, minimum standards or required assessments - but laws generally do not spell out the specifics of how the agencies are supposed to hold charter schools accountable for results. Therefore, authorizers generally have some flexibility about how to craft their charter school accountability policies. This discretion is both a burden and an opportunity. It poses a burden if authorizers are saddled with authorizing responsibilities but few additional resources; however, it is an opportunity because it provides authorizers a chance to redefine how public schools are held accountable. (Hassel & Herdman, 2000).

New authorizers also have options when it comes to how they will carry out their oversight work. According to Smith and Herdman, “Given limited resources and big demands, authorizers must determine which tasks require office staff, and which can be done through contracts or collaboration. Each approach has its benefits and challenges.”

- **Building** in-house capacity provides the authorizer a chance to have complete control of the work from conception to delivery. For example, given the sensitive political nature of granting charters, an authorizer might want to own the application process from start to finish.
- **Buying** services makes sense when the authorizer does not have the in-house skills to deliver on its responsibilities or when it is beneficial to bring third-party credibility into what can be politically contested decisions.
- **Cross-Agency Collaborations** are another way to stretch the resources of lean offices. A “free,” but important capacity resource for all authorizers is intra-and inter-governmental support.

Depending on its philosophy, resources, and political context, an authorizer will use some combination of these three strategies, falling somewhere along a continuum that leans toward building infrastructure on one extreme and heavily outsourcing on the other. (Smith & Herdman, 2004)

□ Special Concerns for Districts

For district authorizers, a significant shift in thought and practice is also required. Overseeing a school is very different from actually operating a school, in that it is focused on performance outcomes and deliverables rather than direct management issues and program inputs. District leaders often are tempted to involve themselves in the day-to-day management decisions of the schools they authorize and thus defeat the purpose of creating a separate charter. However, a new, independent board of directors is involved with a charter – one that has its own statutory powers and autonomy – and the district authorizer must be prepared to let that board do its job.

This challenge is particularly great if the school district authorizer is closing one of its buildings and reopening it as a charter under NCLB.

...the reopen option under NCLB is not without pitfalls. Because many districts are hesitant to give up their influence over a school's operations, districts might opt to charter a school in name only—that is, although the school becomes a charter school, it maintains the same staff and the same approach to teaching that existed in its previous struggling form. (Ziebarth & Wohlstter, 2005).

Thus, it is even more critical that school district authorizers establish well-defined tools, structures and policies to help clarify their roles and responsibilities on the front end of this process.

□ Finding a Trusted Partner

As mentioned above, the school district authorizer will oversee an independent board of directors that is charged with operating the new charter school program. As the district board and the PSA board embark together on this new venture, it is critical that there be a high degree of mutual support and trust on both sides of the charter contract.

Good authorizers nurture “social capital” – the intangible ties of trust and reliability that facilitate cooperation...Despite the presence of a contract that spells out mutual obligations, relations between schools and authorizers can be friendly or confrontational, cooperative or compliance-driven, and building social capital between authorizer and schools is a good way to prevent a charter school initiative from becoming rule-bound. As historian Francis Fukuyama points out, “[n]o contract can possibly specify every contingency that may arise between the parties; most presuppose a certain amount of goodwill that prevents the parties from taking advantage of unforeseen loopholes.” (Smith & Herdman, 2004)

District authorizers can help maximize opportunities for success by selecting a PSA partner that demonstrates both strong capacity and a school program that meshes well with the authorizer's objectives. Before opening the door to charter applicants, an authorizer should develop a rubric for thinking about the type of school it wishes to charter and communicate that rubric clearly to the public. In addition, some authorizers may wish to go so far as to “seed” new programs within the community by recruiting development partners and offering support for desired approaches.

Through the charter application, states and districts should specify the types of problems that need to be tackled at any school identified for restructuring, as well as the types of knowledge, resources, and skills that the state or district feels are necessary to address these problems. The selected operators must not only be familiar with the challenges within chronically low-performing schools, but also must have a track record of success in meeting such challenges....To increase the odds of success, states and districts should choose charter school petitions that emphasize proven practices, whether it is a community-run school using a successful curriculum or a national management organization replicating an effective school. Although the charter school movement is also an opportunity for innovation, restructuring a clearly floundering school is not the place for experimentation. (Ziebarth & Wohlstetter, 2005).

? Setting up a successful authorizer operation looks like it takes some time, and so does the development of an effective PSA. How long should we allow for these processes?

The amount of time to be allotted varies depending on the needs and capacity of the authorizer and the school. Most authorizers try to allow 12-18 months for the work to be completed, but it can be done in significantly less or significantly greater amounts of time depending on local circumstances.

? Is there any funding available to help my district become an authorizer, or to help a PSA that's just getting started?

At this time, there is no dedicated funding stream for new authorizers. Some private or local dollars may be available to authorizers who choose to pursue them.

There is a federal grant program that can help new PSA founders plan and implement their work. The program is administered by MDE. Application instructions and additional information can be accessed at www.michigan.gov/charters.

? Where can I get help and assistance in developing an authorizer operation?

Please refer to the resource listing in the back of this handbook for technical assistance and support. The PSA Program at MDE also is available to answer specific questions. Visit www.michigan.gov/charters, or call (517) 373-4631 for more information.

Districts should also consult with legal counsel at all steps of the process to develop sound applications and contracts, to help the school district avoid conflicts of interest, and to ensure full compliance with applicable state and federal laws.

?

If our school district charters a PSA, does it become affiliated with the district somehow? What sorts of financial liabilities might our district assume?

PSAs are separate legal entities with operations that are separate and distinct from the legal structure of their authorizers. Many charter school contracts contain provisions stating that there is no contractual or organizational affiliation between the two organizations.

In addition, MCL 380.503b states that:

(1) An agreement, mortgage, loan, or other instrument of indebtedness entered into by a public school academy and a third party does not constitute an obligation, either general, special, or moral, of this state or an authorizing body. The full faith and credit or the taxing power of this state or any agency of this state, or the full faith and credit of an authorizing body, may not be pledged for the payment of any public school academy bond, note, agreement, mortgage, loan, or other instrument of indebtedness.

(2) This part does not impose any liability on this state or on an authorizing body for any debt incurred by a public school academy.

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Our school district already knows what it wants to do and who we want to charter. Do we have to do a competitive application process, or can we just move forward?

MCL 380.503(1) requires that:

Public school academy contracts shall be issued on a competitive basis taking into consideration the resources available for the proposed public school academy, the population to be served by the proposed public school academy, and the educational goals to be achieved by the proposed public school academy. (emphasis ours)

PSA authorizers are encouraged to develop application rubrics that reflect their unique priorities and needs, and to communicate those rubrics publicly in advance of evaluating applications.

?

Our school district has a person on staff who is developing the new PSA we want to establish. Can we keep that person and just make him/her into our authorizing staff person or PSA liaison later on?

School district authorizers should be mindful of the need for a competitive application process, as described above, and the need for conflict-free, arm's-length contracts and agreements. As the PSA authorizer, school district staff will be holding a school accountable for achieving the performance results and outcomes set forth in the charter agreement. It is essential to ensure that the same staff who will be holding the school accountable are not also making leadership and management decisions for the school.

Make prudent use of your school district legal counsel in evaluating the appropriateness of all staff and board relationships between the school district authorizer and the PSA. MDE scrutinizes these relationships carefully and will notify you of identified problems.

Self-Assessment Tools

The following questions are designed to help guide would-be school district authorizers in their thinking about their readiness and ability to charter a Michigan PSA. They are best answered by a working group consisting of stakeholders from across the district as part of the initial exploration and planning process, and can provide an excellent framework for guided discussion.

Chartering Objectives

- Why do we want to authorize a PSA? What will the school district gain from it?
- What unmet local needs will the PSA meet that our school district cannot meet directly?
- Where are the students who will attend the PSA going to school now? If the school district decides not to charter the PSA, where will they go?
- Do we have a school that will be closed down or restructured as part of this process, and are we comfortable that this is the best solution for that particular school?
(Please see Page 15 for additional questions on this topic.)

Practical/Legal Considerations

- Do we have a good understanding of what our responsibilities as an authorizer would be under Michigan law?
- Have we identified a technical resource or mentoring partner to aid us in this work?
- Is our legal counsel confident that we can do this job correctly?
- Can we do this work without entering into relationships that are not arms-length or conflict-free? Are we confident that we have no unclear staff or board relationships?

Financial and Administrative Considerations

- Have we done the math? Can we afford to lose some school district pupils to the PSA in exchange for a 3% oversight fee? Are staffing or service agreements possible?
- Are we prepared to commit other organizational resources to this effort over and above the 3% oversight fee, if necessary?
- Are there community members or private funders that have an interest in financially supporting a portion of this project?
- Who will staff the PSA operation? How will we ensure that they have adequate resources and tools to get the job done right? Can we contract for all or part of this work?
- What is our timeline?

Oversight Considerations

- Are we comfortable relinquishing control over the daily management of a school? Can we play the oversight role in a manner that is true to its underlying design?
- Are there areas where we are unwilling to relinquish control or provide autonomy to the PSA? Can we accommodate these areas in a way that meets the requirements of the law?
- Do we have the institutional will and ability to close this PSA if it fails to meet the terms of its charter? Can we be tough if we need to be?
- Conversely, do we have the institutional will and ability to provide appropriate levels and types of support to the PSA if necessary to allow effective services to students and families? Can we be fair and flexible, and not knee-jerk to closure when problems arise?
- Which performance measures do we feel are most important to include in a charter contract?

Community Engagement and Response

- How will the community respond to news that we are thinking of chartering a PSA?
- Are there "safe" groups with which we can test this idea before we announce it publicly? Can we find a way to test our messages?
- Where are the pockets of strongest support likely to be?
- Where are the pockets of opposition likely to be?
- Do we have any available resources to help us manage our work with the community? What should our action plan look like?
- Do we have any local partners that can strengthen our ideas or help us develop a more compelling program?

Organizational Issues

- How would charter school authorizing fit with and complement our organizational mission, vision, and philosophy?
- Is our board prepared to accept, defend, and promote the school district's decision to charter a PSA?
- How will we manage staff to ensure best organizational "fit"?
- How involved will the superintendent and other school administrative leaders be in this endeavor? Are they prepared to accept, defend, and promote the decision with the public?

Finding a Trusted Partner

- What will our application rubric look like?
- Are we working to recruit qualified local candidates?
- Might we issue more than one charter? How will we recruit and evaluate multiple developers?

Special Restructuring Considerations

- What barriers to performance exist at the struggling school? How will converting the school to a charter address those barriers?
- What kinds of improvement activities have been tried in the past? Why have they failed, and how will restructuring as a charter be different?
- What will happen to the teachers at the closing school? Will the union become involved?
- How will we create a positive working environment for the new charter school?

Resource Directory

Michigan Department of Education

Public School Academies Program
Office of School Improvement
608 West Allegan Street
P.O. Box 30008
Lansing, Michigan 48909
517-373-4631
www.michigan.gov/charters

MI Council of Charter School Authorizers

201 Townsend, Suite 900
Lansing, MI 48933
(517) 487-4848
www.mccsa.us

Michigan's Charter Schools

215 S. Washington Sq.
Suite 135
Lansing, MI 48933
(517) 374-3167
www.charterschools.org

U.S. Department of Education

400 Maryland Avenue, SW
Washington, D.C. 20202
(800) USA-LEARN
www.ed.gov

National Charter Schools Institute

2520 S. University Park
Mt. Pleasant, MI 48858
(989) 774-2999
www.nationalcharterschools.org

The Education Policy Center at Michigan State University

201 Erickson Hall
East Lansing, MI 48824
www.epc.msu.edu

Recommended Reading:

- Michigan's Revised School Code, Part 6A (MCL 380.501 et seq)
- The Michigan State School Aid Act (MCL 388.1601 et seq)
- "The Authorizer Experience," "Balanced Leadership for Lasting Change," and other publications of the Michigan Council of Charter School Authorizers
- "Starting Fresh in Low-Performing Schools: A New Option for School District Leaders Under NCLB" and other publications of the National Association of Charter School Authorizers
- "Reopening as a Charter School," published by The Center for Comprehensive School Reform and Improvement

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