

FEBRUARY 2020

Staking Out the Middle Ground

Policy Design for Autonomous Schools

Profiles of Autonomous School Policies in Colorado, Georgia, Indiana, and Massachusetts



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Introduction

As more and more states adopt policies aimed at giving schools greater autonomy, it's critical that policymakers have a clear understanding of the options available to them when designing these policies. Our report, "[Staking Out the Middle Ground: Policy Design for Autonomous Schools](#)" provides both a framework identifying key dimensions of autonomous school policies and a discussion of findings and recommendations that surfaced from our in-depth analysis of the autonomous school policies in four states: Colorado, Georgia, Indiana, and Massachusetts.

This document provides detailed profiles of the policies in place in each of these four states. We selected these states based on four main criteria:

- 1. The state needed at least one autonomous school policy in place**, so that we could analyze the design decisions that policymakers made when they crafted the policy;
- 2. The state needed to have meaningful adoption of the policy across multiple communities**, so that we could understand how different districts approached implementation and challenges and successes along the way;
- 3. The state needed to have a meaningful charter school market share**, so that we could compare the contours of the state's autonomous school policy to that of the district and charter sectors; and
- 4. The state needed to have a charter law that provides for local school district authorizers**, so that we could understand how district leaders approach charter school authorizing compared to implementing an autonomous school policy.

On the first criterion, we aimed to include a set of states that would represent a number of the dimensions of autonomous school policies we see across the country and that are summarized in the framework we provide in Table 1 on page 22 of the [full-length report](#). We wanted to understand how the challenges and opportunities were similar and different across policy goals, school eligibility, governance structure, and autonomy and accountability structures.

We should note that there's one exception to our last criterion — in Massachusetts, the state board of education is the only charter school authorizer. However, there are two types of charter schools in Massachusetts, one of which calls for school district and, in some instances, union approval to open. Given that unique policy approach and addition of yet another type of autonomous school model, we opted to include Massachusetts despite its single-authorizer charter law.

The state profiles that follow provide an in-depth look at the history, contours, implementation, and outcomes of each state's autonomous school policies. This information forms the basis of the analysis, findings, and recommendations we present in the full-length report. In addition to the state profiles and full-length report, readers can access a stand-alone executive summary and briefs for state and local leaders on our [website](#).

Colorado

As of the 2018–19 school year, 911,536 students in preschool through grade 12 were enrolled in public schools in Colorado. These students attended one of the more than 1,900 traditional district, district-run innovation, and charter schools operating statewide.¹ While the vast majority of schools are traditional district schools, approximately one in five has some degree of autonomy and flexibility.² These schools operate either as charter schools or as “innovation schools” — Colorado’s flavor of autonomous public schools.

Charter Schools

The Colorado legislature passed the state’s charter school law in 1993.³ Currently, 260 charter schools operate in the state, educating more than 120,000 students — 13% of Colorado’s total public school enrollment.⁴ Either local school districts or the statewide Charter School Institute (CSI) authorize all charters in the state. However, due to the “exclusive chartering authority” provision in Colorado law, local school boards authorize the vast majority — 85% — of the state’s charter schools.

Exclusive chartering authority (ECA) grants school districts the sole authority to authorize charter schools within their geographic boundaries. The state board of education automatically grants ECA to school districts with fewer than 3,000 students. The state board will also grant ECA to districts with more than 3,000 students if those districts can

demonstrate “a recent pattern of providing fair and equitable treatment to its charter schools.”⁵ All but six of Colorado’s school districts retain ECA;⁶ these districts authorize 221 of Colorado’s 260 charter schools.⁷

CSI can accept charter school applications from charter schools under two circumstances. First, charter schools seeking to open in one of the six districts without ECA can apply directly to CSI. In districts that retain ECA, the local school board may grant permission to schools on a case-by-case basis to apply to CSI.⁸ CSI currently authorizes 39 schools, or 15% of Colorado’s charter schools.⁹

The approach to authorizing taken by CSI is quite different from that of local school boards. As Dr. Terry Croy Lewis, executive director of CSI, explains: “We’re really just starting from different places. A district starts with the long list of requirements it has for its traditionally run schools, and decides which of those policies it will consider waiving for charter schools. It’s different for every district in terms of what’s non-negotiable. It could be risk management, school safety policies, business services, or special education services. From our perspective, we’re starting from essentially a blank slate, within the contours of state law. And we build from there. We provide model language for certain policies schools are required to have, for example, but we don’t require that they adopt our language. So, it’s really the starting points of CSI compared to district schools that result in our different authorizing philosophies or practices.”¹⁰

The requirements that various school districts place on the charter schools they authorize can limit the degree of autonomy those schools have from the district, which, in some instances, can cause tension. In Denver, for example, the school board requires that its charter schools participate in the district’s centralized enrollment system.

In terms of charter school accountability, all of Colorado’s charter schools operate with a performance contract between the charter school’s board and its authorizer. These contracts outline the expectations for the school’s performance; if the school fails to meet those expectations, the authorizer has the authority to intervene — up to and including closing the school. The Colorado Department of Education developed a school performance framework (SPF) that consists of four indicators: academic achievement, academic growth, academic growth gaps, and postsecondary readiness (for high schools only).¹¹ This SPF represents the basis of the accountability structures outlined in a charter school’s contract. Authorizers may use the state’s SPF for school accountability, or they may build upon it by including additional measures of school performance. What school districts choose to do varies, though the vast majority use the state’s SPF.¹² District 49 in Peyton, Colorado, for example, currently uses the state’s SPF to hold its charter schools accountable, although district leaders are in the process of developing a more localized version. Denver Public

Schools, on the other hand, developed its own SPF several years ago. Denver’s SPF includes data and information on a variety of measures such as student performance, growth, gaps among student groups, postsecondary readiness, and family and student satisfaction.¹³ All of the district’s charter schools (as well as its traditionally run and innovation schools) are held accountable to this framework.

CSI also has performance contracts in place with its charter schools and conducts an annual review of all of its schools. Like the state’s SPF, CSI’s performance review includes academic achievement, growth, and postsecondary readiness. In addition, however, it includes a review of financial and organizational components, such as near-term and long-term financial sustainability, governance and financial management, and diversity, equity of access, and inclusion, among others.¹⁴

Innovation Schools

In addition to charter schools, Colorado law provides for autonomous schools, called innovation schools. The legislature passed the Innovation Schools Act in 2008, and the first three innovation schools opened in Denver in 2009.¹⁵ As of the 2018–19 school year, 102 innovation schools operated across 16 districts in the state. These schools educated approximately 47,500 students, or 13% of the public school students in Colorado.¹⁶

Obtaining innovation status gives school leaders greater autonomy over their budget, resources, schedule, staffing, school operations, and more in an effort to improve student outcomes. Table 1 summarizes the main features of the Innovation Schools Act’s design.

Because the Innovation Schools Act gives local school districts the authority to approve or deny an innovation school’s plan, there’s variation in how the law plays out on the ground. Some districts have just one or two innovation schools operating with a few waivers. Others have more schools and have created different structures for supporting them. District 49, for example, has 11 innovation schools. The district itself is divided into four zones based on feeder patterns. One of these zones, the Power Zone, is composed entirely of innovation schools. All of the schools in the Power Zone operate with the same waivers. Individual innovation schools also operate in the district’s other three zones. The waivers those schools have vary from one school to the next.¹⁷

Denver, which is home to fully half of the state’s innovation schools, also has individual innovation schools and innovation zones. Like in District 49, individual innovation schools operate throughout the district under the district’s traditional governance structure but with whatever flexibilities are included in their plans.¹⁸ Denver has approached the innovation zone structure differently from District 49, however. In Denver, two types of innovation zones are possible: those within the district network structure and those with governance innovations. Innovation zones operating within the district network structure would be similar to District 49’s Power Zone — a group of district-operated schools that

Table 1 > Summary of Colorado’s Innovation Schools Act

Dimension	Details of Colorado’s Innovation Schools Act
Policy goals	<p>Colorado state law outlines several goals, including to:</p> <ul style="list-style-type: none"> • Grant schools greater ability to meet the educational needs of students • Encourage diverse approaches to learning • Improve educational performance • Encourage districts to create and manage a portfolio of schools • Encourage innovation in education • Encourage districts to find new ways to allocate resources • Hold public schools with greater autonomy accountable for student academic achievement¹⁹
School eligibility	<p>Any public school may apply to its local school board to become an innovation school.²⁰</p>
Governance structure	<p>Schools typically remain part of the traditional school district’s governance structure. However, schools can apply for governance innovations and subsequently operate under a different governance model. In Denver, for example, there are three innovation zones. Each zone comprises multiple schools and is overseen by an external, independent nonprofit board.²¹</p>
The type of policy flexibility available to schools	<p>Most of the policies that Colorado’s charter school law waives for charter schools are eligible to be waived for innovation schools.²²</p>
How schools access autonomy	<p>Schools seeking innovation status must develop an innovation plan that includes the list of policies they wish to have waived. This plan must be approved by the majority of the school’s administrators, staff, and school accountability committee members. The school then submits this plan to the local school district board, which can approve it, deny it, or request changes. Once approved by the local school board, the plan is submitted to the state, which must either approve or deny the plan within 60 days.</p> <p>Once obtaining approval from the district and the state, if collective bargaining waivers are included in the school’s plan, the school must then gain approval of 60% of the members of the collective bargaining unit who are employed at the school. If there are no collective bargaining waivers included in the plan, the school may begin to implement its plan following district and state approval.²³</p>
Accountability structure	<p>The local school board must review the innovation school’s performance every three years to determine whether adequate progress is being made. The local school board has the authority to revoke a school’s innovation status or require revisions to the plan if adequate progress is not made.²⁴</p>

have the same waivers and collaborate closely. However, currently no innovation zones of this type operate in Denver. There are three innovation zones with governance innovations. These zones, composing a total of 12 innovation schools, operate under the oversight of independent nonprofits and boards. These boards are the fiscal agents for the schools they oversee, and support the schools to implement their autonomies. Ultimate legal responsibility for the schools in these zones remains with the district.²⁵

Colorado’s innovation schools apply for the specific waivers they want; however, there are some clear trends in the autonomies that innovation schools seek. The majority of innovation schools apply for waivers related to calendar, staffing, and curriculum. Table 2 shows the 10 most-requested waivers statewide.

These trends are broadly consistent within districts, as well. In Denver, for example, curriculum flexibility, professional development, budgeting, and school calendar tend to be the most commonly requested waivers.²⁶ There’s also a robust set of waivers related to teacher hiring, evaluation, retention, and dismissal that schools often seek in order to have broad flexibility over human resource decisions.²⁷

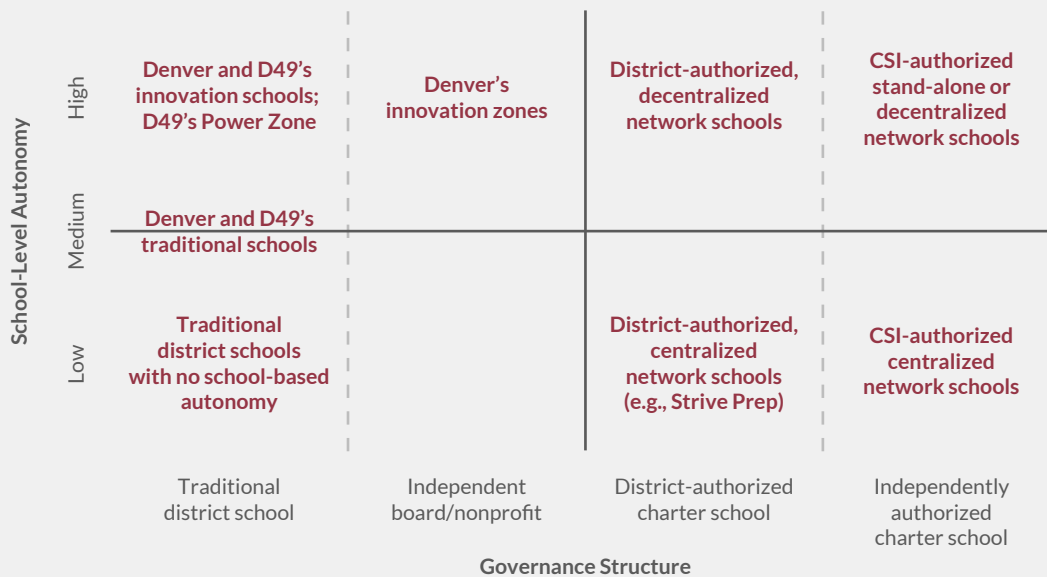
Table 2 > Top 10 Most-Requested Waivers²⁸

Rank	Description of Waiver	# of Schools	% of Schools
1	Related to adoption of district calendar	87	85%
2	Related to determination of school calendar	85	83%
3	Related to determination of teacher-pupil contact hours	83	81%
4	Related to teacher licensure	80	78%
5	Related to selection of staff and pay	74	73%
6	Related to performance evaluation of licensed personnel	74	73%
7	Related to transfer of teachers	73	72%
8	Related to paying licensed teachers	73	72%
9	Related to determination of educational program and prescription of textbooks	72	71%
10	Related to probationary teacher status and to renewal and nonrenewal of employment contracts	72	71%

Like in Denver, the types of waivers that District 49’s innovation schools have varies from school to school. Some schools have applied for multiple waivers, including those available to charter schools, while other schools have sought just a single waiver. All of the schools in the Power Zone have the same waivers. When the zone applied for innovation status in 2013, its plan included both calendar and curriculum waivers. However, it later relinquished its calendar waiver. According to the zone’s superintendent, Michael Pickering, “We found some logistics such as transportation and even some communication to be very difficult, and we had some dynamically different needs across schools. Due to some of these concerns, we chose to lay down that particular waiver.”²⁹

As both Denver and District 49 have embraced innovation schools over the years, they’ve simultaneously rolled out greater school-level autonomy to all of their schools. In Denver, for example, all school leaders have control over approximately 75% of their per-student funding.³⁰ They also have broad curriculum flexibility. District 49’s school leaders also have a greater degree of autonomy over operational elements such as budget and staffing than do many traditional district schools.³¹ This has resulted in a shift in the kind of waivers that innovation schools seek. Budget flexibility waivers are less necessary when school leaders are automatically given substantial budgetary control, as are curriculum waivers in Denver, where leaders have a great deal of freedom. Figure 1 plots different types of schools in Colorado according to their governance structures and degree of school-level autonomy.

Figure 1 Colorado School Types by Governance Structure and Degree of School-Level Autonomy



Because both Denver and District 49 provide all of their schools with a greater degree of autonomy than do many districts, both sit at a “medium” degree of school-based autonomy. Innovation schools in both districts, including those in District 49’s Power Zone, all occupy the upper-left-hand side of the graphic; operating under a traditional district governance structure, but with a high degree of school-level autonomy. Denver’s innovation zones, which are all overseen by independent nonprofits, have high school-level autonomy and are shifted one place to the right in terms of governance structure, further from centralized district control. All of the state’s charter schools fall on the right half of the visual in terms of governance structure, with district-authorized schools being to the left of CSI-authorized schools. The level of school-based autonomy varies for Colorado’s charter schools, as well. Denver’s Strive Prep is a network of charter schools that are quite centralized at the network level. Stand-alone schools, or schools that are part of decentralized CMOs, would have a higher degree of school-level autonomy.

In terms of accountability, District 49 currently uses the state’s SPF to hold its innovation schools accountable. However, as noted above, district leaders are in the process of developing a more localized SPF. In Denver, the district uses the same local SPF for its innovation schools as it does for its charter schools. Innovation schools also have the opportunity to set additional innovation-specific goals beyond what’s measured in the SPF. State law mandates that local school boards review their innovation schools’ plans every three years. If the board determines that an innovation school is not making adequate progress toward its goals, the board may require revisions to the innovation plan or revoke the school’s innovation status altogether.³²

Performance

While there’s currently no comprehensive analysis that compares the performance of district, innovation, and charter schools statewide, the research that does exist suggests that the state’s charter schools generally outperform traditional district schools. The performance of innovation schools is more uneven.

The most recent charter school analysis conducted by the Colorado Department of Education was in 2016. This report identifies several key findings about average charter school performance compared to non-charter school performance:³³

Reading

- In grades 3–9, a higher percentage of charter school students met or exceeded proficiency standards than non-charter students. In grade 10, a higher percentage of non-charter students did so compared to charter students.³⁴

- Charter school students of all races who were eligible for free or reduced-price lunch had higher rates of proficiency in grades 3–10 than their peers in non-charter schools, with the exception of 10th-grade white students attending charter schools. This subgroup slightly underperformed their non-charter peers.³⁵
- In grades 6–10, charter schools had higher mean growth percentiles than non-charter schools. In grades 4 and 5, non-charter schools had higher mean growth percentiles than charter schools.³⁶

Math

- Like in reading, in grades 3–9, a higher percentage of charter school students met or exceeded proficiency standards than non-charter students. In grade 10, a higher percentage of non-charter students did so compared to charter students.³⁷
- Charter school students of all races who were eligible for free or reduced-price lunch had higher rates of proficiency in grades 3–10 than their peers in non-charter schools, with the exception of fifth-grade black students and 10th-grade white students attending charter schools. These two subgroups slightly underperformed their non-charter peers.³⁸
- In grades 6–10, charter schools had higher mean growth percentiles than non-charter schools. In grade 3, non-charter schools had higher mean growth percentiles than charter schools, and in grade 4, the mean growth percentiles were the same for charter and non-charter schools.³⁹

For the state’s innovation schools, the data are mixed on the question of whether innovation status helps individual schools improve. Some schools demonstrate gains and improve their accountability ratings after obtaining innovation status, while performance remains flat or even decreases in others.⁴⁰

While there’s no comprehensive statewide assessment that analyzes performance by school type, the Center for Research on Education Outcomes (CREDO) at Stanford recently conducted this analysis in Denver. The analysis compares the academic growth of the city’s district, innovation, and charter schools to statewide averages over school years 2014–15, 2015–16, and 2016–17. Key findings from CREDO’s analysis include:⁴¹

- Overall across the three years of data, students in Denver had stronger academic growth compared to statewide averages.
- In reading and math across all three years, students in Denver’s charter schools and traditional schools demonstrated larger gains than statewide averages. Innovation schools outperformed statewide averages in 2015–16 and 2016–17 only.

- Comparing across school types within the city, charter schools demonstrated stronger reading growth in 2014–15 and 2015–16 and in math in 2014–15 compared to district and traditional schools. No differences in growth were found between district and innovation schools in either subject in any year.
- In 2016–17, Denver’s black students outperformed growth averages for black students statewide in reading and math. Black students attending Denver’s charter schools had larger learning gains in reading than their peers statewide, while black students attending Denver’s district and innovation schools posted similar gains.
- In 2016–17, Denver’s Hispanic students outperformed growth averages for Hispanic students statewide in reading and math. Hispanic students attending Denver’s charter and district schools had larger learning gains in reading and math compared to state averages, while the growth of Hispanic students attending innovation schools was similar to that of statewide averages.
- Students in poverty attending school in Denver made greater learning gains in reading and math compared to statewide averages, especially for those students attending charter and district schools.

Unlike many other states, Colorado collects key data about all of its district, innovation, and charter schools. Even so, there are still open questions about the performance of these schools relative to one another. Innovation status seems to make a difference in some cases but not in others; understanding the factors that facilitate and hinder success will be a critical next step for Colorado’s leaders as they continue to pursue policies that provide greater freedom to school leaders.

Georgia

As of the 2018–19 school year, 1,717,887 students were enrolled in public schools in Georgia.⁴² These students attend one of approximately 2,300 district and charter schools operating statewide.⁴³ In 2007, the Georgia legislature adopted legislation that provides additional autonomy to school districts. Forty-six “charter systems” operated under this model during the 2018–19 school year.⁴⁴

Charter Schools

The Georgia legislature passed the state’s charter school law in 1994.⁴⁵ Currently, 107 charter schools operate in the state,⁴⁶ educating approximately 75,000 students⁴⁷ — just over 4% of Georgia’s total public school enrollment. Under Georgia law, both local school districts and the State Charter Schools Commission (SCSC) can authorize charter schools.⁴⁸ The SCSC authorizes 29 schools, or 27%, of the state’s charter schools. Local school boards authorize the remaining 78 schools.⁴⁹

While the SCSC currently authorizes less than one-third of Georgia’s charter schools, it is largely responsible for the sector’s recent growth. In the past five years, the SCSC authorized three-quarters of Georgia’s new charter schools.⁵⁰ This trend is likely the result of two key factors. First, 2018 legislation increased funding for state-authorized charter schools,⁵¹ making the SCSC a more attractive option for prospective charter schools seeking an authorizer. Second, research suggests that independent entities are more likely to have the qualities that correlate with strong portfolios⁵² and have fewer policies that restrict charters’ autonomy.⁵³ Since the creation of the SCSC in 2012, charter schools now have an option other than the local school district.

In addition to this shift in the authorizing landscape in the state, recent changes to Georgia's charter school law related to special education responsibilities, equitable funding, and full-time virtual charter school provisions have strengthened it. In 2019, the National Alliance for Public Charter Schools ranked Georgia's law 16th out of 44 states — a substantial improvement from the year prior, when it was ranked 27th out of 45 states.⁵⁴

Charter, Strategic Waiver, and Status Quo School Districts

In 2007, the Georgia legislature adopted the Charter Systems Act.⁵⁵ Unlike the autonomous school policies enacted in Colorado, Indiana, and Massachusetts, which provide greater autonomy from district and state policies to individual schools, Georgia's law focused on school districts in their entirety. The 2007 legislation established a new model for school districts, called "charter districts." Charter districts operate under a contract with the State Board of Education (SBOE) that exempts them from many state education laws and SBOE rules in exchange for increased accountability.⁵⁶ Four school districts immediately took advantage of this new model. By 2011 there were 15 charter systems operating statewide.⁵⁷ That same year, the Georgia legislature passed additional legislation requiring all of Georgia's districts to adopt one of three models by June 30, 2015: charter system, strategic waiver school system (SWSS, sometimes also referred to as investing in excellence in education or IE2 districts), or status quo system.⁵⁸ The details of each system are summarized in Table 3.

Charter system status provides districts with autonomy from the majority of laws and regulations. In exchange, these districts are held to a higher level of accountability. They are required to use this flexibility for two core functions: 1) to implement innovations aimed at improving student outcomes, and 2) to implement school-level governance.⁵⁹ School-level governance is to be implemented through school-level governance teams consisting of school personnel and community members. These teams are to have input into and authority over key decisions related to personnel, budget, curriculum and instruction, and resource allocation.⁶⁰

The SWSS model enables school districts to enter into a multiyear contract with the SBOE that grants the district freedom from specified provisions in Georgia's education code, SBOE rules, and Georgia Department of Education (GaDOE) guidelines.⁶¹ SWSS districts must continue to comply with the laws, rules, and regulations not specifically waived by their contracts. Unlike charter systems, SWSS are not required to implement innovations or school-level governance.

The final model, status quo, is just that — these districts have not opted for additional autonomy or flexibility. They must continue to comply with all state laws, rules, and regulations.⁶²

Table 3 Summary of Georgia's Charter System Act

Dimension	Details of Georgia's Charter Systems Act
Policy goals	<p>Georgia legislation outlines the following goals of the Charter Systems Act:</p> <ul style="list-style-type: none"> • To give school districts flexibility to tailor their educational programs to meet the unique needs of their communities • To encourage school districts to use innovative educational programs • To hold school districts accountable for student achievement⁶³
School eligibility	<p>Districts, rather than schools, access autonomy under Georgia's policy. The GaDOE required all districts to select a model by June 30, 2015. All districts were eligible for all models.⁶⁴</p>
Governance structure	<p>Charter systems are required to implement school-level governance, meaning that the district grants decision-making authority over personnel, finances, curriculum and instruction, and resource allocation to school governance teams.⁶⁵ The local board of education, however, controls the type of local governance and management that it implements, and the local board retains ultimate management and accountability responsibilities for its schools.⁶⁶</p> <p>SWSS districts have the option to implement school-level governance; however, they are not required to do so.</p> <p>There are no governance changes for status quo systems.</p>
The type of policy flexibility available to schools	<p>Upon execution of a contract with the SBOE, charter districts are granted broad flexibility from the state laws, policies, and regulations governing public schools in Georgia.⁶⁷</p> <p>SWSS school systems can apply for waivers from any of the laws, policies, and regulations that are automatically waived for charter systems. SWSS systems must apply for at least one of the following waivers: class size, expenditure control, certification, or salary schedule.⁶⁸</p> <p>Status quo districts are not eligible for additional waivers.</p>
How schools access autonomy	<p>Districts, rather than schools, apply for a flexibility model and enter into a contract with the SBOE. The schools within charter districts must operate under school-level governance; however, the local school board controls the type and degree of local school governance that schools in the district will have.⁶⁹</p>
Accountability structure	<p>Accountability structures differ by model:⁷⁰</p> <p>For charter systems:</p> <ul style="list-style-type: none"> • In addition to meeting all federal and state accountability measures, a charter district's student performance goals must meet the goals outlined in their charter contracts and must exceed statewide averages and previous district performance • The GaDOE retains the right to revoke charter system status if districts do not meet the goals outlined in their contracts <p>For SWSS systems:</p> <ul style="list-style-type: none"> • In addition to meeting all federal and state accountability measures, a SWSS district's student performance must meet college and career ready performance index (CCRPI) goals⁷¹ • SWSS districts stand to lose governance control over schools that fail to meet the performance goals outlined in their contracts. Failing schools may be converted to charter schools or be turned over to another school system or a private or nonprofit entity. <p>For status quo systems:</p> <ul style="list-style-type: none"> • Student performance must meet all federal and state accountability measures • There are no additional consequences put in place for status quo systems

The GaDOE required all school districts statewide to choose an operating model by June 30, 2015.⁷² As of the 2018–19 school year, there were 46 charter systems, 133 SWSS systems, and two status quo systems.⁷³

Implementation of the charter system model has been staggered. Just a handful of districts have opted for charter status in each of the 13 years since the Charter Systems Act was passed. Given the relatively slow adoption of the model, some systems are much farther into implementation than others. According to Tiffany Taylor, the deputy superintendent for policy, flexibility, and external affairs at the GaDOE, “It really takes about five years to learn what it means to be a charter system, to communicate it to community and staff members, set up governance teams, etc. We know that education is a heavily mandated field, so it can be hard for system leaders to unpack decades, or even centuries, of compliance mandates and really be able to understand the impact of autonomy and use lots of autonomy. Our charter contracts are for five years, and it usually takes the first full contract term just to figure it out. Toward the end of that term, and then into the second term, systems and schools start getting more creative.”⁷⁴ Given the time it takes to understand the new system and figure out the possibilities it provides, she explained, “We’re still on the fringes of what the possibilities are. Districts aren’t running wild with new autonomy at this point. They are using their autonomy, when necessary, to address the needs of their students.”

One of the biggest implementation challenges for charter systems has been the school-level governance requirement. According to Dan Weber, former Senate education chair and current executive director of the Charter System Foundation, “The challenge has been, what does it mean to have a school governance team that has decision-making authority on a broad range of topics? It takes a lot of time to figure that out and do it well.”⁷⁵

Georgia College and State University recently surveyed school governance team members and found that a majority indicated that the work their teams do informs school-level instructional practice and assists the principal with school-level operational decisions. Nearly four out of five respondents believe that school-level governance has helped to improve their school’s academic achievement and created greater teacher and community buy-in and support for the school.⁷⁶

But the lines of authority can also be confusing. As Kara Stimpson, principal at Jean Childs Young Middle School in Atlanta, explained, “It’s complicated because, in writing, the district has made clear that the principal has final decision-making authority for the school. But it can be tense in situations where the [governance team] may assert its voice pretty strongly and may disagree with the principal’s perspective. The people who joined those teams did so because they wanted to give input and have decision-making authority, but since it’s an advisory role, this can create a tension.”⁷⁷

In addition to navigating the role of school governance teams, implementing greater autonomy at the school level continues to be an evolving process for school principals. In Atlanta Public Schools, for example, school principals describe a noticeable shift toward greater independence over several key areas, such as budget, scheduling, and staffing. As Stimpson described, “We have a decent amount of autonomy on budget and staffing, resources, technology, anything that has to do with what we buy and use, including staff. And that’s increased a lot over the last six years. We used to get allotted a certain number of staff, for example, and the only dollars you could make choices about were non-staffing dollars. But now we just get one pot of money and have flexibility for how we want to use that money, from staff to materials to everything in between.”⁷⁸

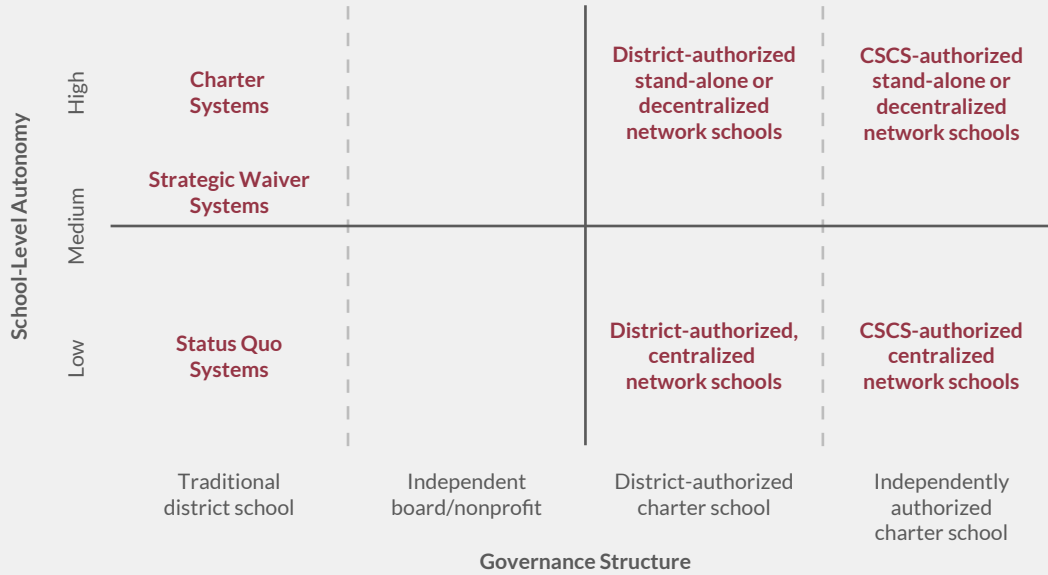
Though the delegation of decision-making authority to schools has been noticeable in Atlanta, there are still hiccups in the process. As Stimpson said, “Clarity over who really gets to decide certain things is the biggest challenge. You don’t always anticipate issues until they come up, but a lack of clarity about what you can touch, what you should leave alone, etc., can lead to confusion. There is a lot of autonomy, but there is also a checks-and-balances process. For example, I have autonomy to create a master schedule that fits our needs, but within district parameters and guardrails. Those are usually related to district consistency, but the lines get blurred because it’s hard to categorize every decision a principal makes. I might have general autonomy over something, but there is typically district-level feedback on the decisions, so it is not full autonomy. The decisions still have to fit within the district’s parameters and guardrails.”⁷⁹

Adoption of the SWSS model began in 2011, but districts weren’t required to choose until summer 2015. Here, too, implementation progress has been staggered, and the set of waivers included in a given district’s contract varies from district to district. As the legislation requires districts to include a waiver of at least one of class size, expenditure control, certification, or salary schedule, those four are the most frequently requested.⁸⁰ Other common waivers include those related to calendar and scheduling and the promotion and retention of teachers.⁸¹ As Tiffany Taylor said, “There are pretty common things districts want waived.”

Figure 2 plots Georgia’s various charter and district models based on their governance structures and degree of school-level autonomy.

Figure 2

Georgia School Types by Governance Structure and Degree of School-Level Autonomy



Performance

To date there have been no rigorous studies of the effect of the charter, SWSS, and status quo models on student performance in Georgia. However, a review of Georgia’s school performance index scores (the college and career readiness performance index, or CCRPI) demonstrates that the percent of charter system schools meeting the CCRPI targets outlined in their contracts has steadily increased in the past several years. In 2014, 35% of charter system schools met CCRPI targets; in 2017, 65% did so.⁸² Also in 2017, 68% of schools in SWSS districts met their CCRPI targets.⁸³ Charter systems’ CCRPI scores tend to be very similar to statewide averages. In 2011–12, for example, the statewide CCRPI was 70.0, compared to 70.6 for charter systems. In 2017–18, the statewide average CCRPI had risen to 76.7, while charter systems’ average had risen to 76.2.⁸⁴

Analysis of charter school performance in Georgia tends to find that the state's charter schools perform about the same as the state's district schools. A 2016 analysis of charter school performance finds:⁸⁵

- Charter elementary schools perform at or below the level of district elementary schools statewide
- Charter middle schools perform as well as or better than district middle schools statewide, especially in language arts
- The performance of charter high schools is uneven when compared to that of district high schools

Review of 2017–18 school year data of charter schools authorized by the SCSC found that the majority of those charter schools outperformed schools in their respective districts.⁸⁶

There are, however, open questions about the performance of charter schools compared to the schools in charter and SWSS districts. One report compares the performance of charter system schools to start-up charter schools and finds no statistically significant difference between charter system schools and start-up charter schools in terms of proficiency, growth, or achievement gap closure.⁸⁷ There is much more research to be done on the effect that Georgia's charter school and charter system policies have on student performance.

Indiana

As of the 2018–19 school year, 1,135,194 students in preschool through grade 12 were enrolled in public schools in Indiana. These students attended one of the more than 1,867 district, charter, innovation network, and transformation zone schools operating statewide. While the vast majority of schools are traditional district schools, approximately 1 in 13 has a greater degree of autonomy and flexibility.⁸⁸ These schools operate as charter schools, innovation network schools, or transformation zone schools, with the latter two composing Indiana’s approaches to autonomous school policies.

Charter Schools

Indiana enacted its charter school law in 2001. Currently, 103 charter schools in Indiana enroll more than 47,000 students, or 4% of the state’s public school students.⁸⁹ Local school boards, the mayor of Indianapolis, four-year colleges and universities, and the Indiana Charter School Board may all authorize charters. While there is not an appeals process for rejected charter applications, the applicant may amend their application and reapply to the same authorizer, or submit a charter school application to a different authorizer.⁹⁰

The largest authorizer in the state is the Indianapolis mayor’s office, which authorizes 40% of charter schools in the state. The next largest authorizers are Ball State University, which authorizes 25% of schools, followed by the state charter school board, authorizing 19% of schools.⁹¹

Charter schools operate separately from the district and function as their own local education agencies, and have a high degree of school-based autonomy as a result. They must comply with laws pertaining to things like nondiscrimination, open enrollment, special education, student health and safety, and standardized testing, but otherwise have full autonomy over their budget, staffing, curricula, and professional development.⁹²

However, authorizer requirements around things like enrollment can create tensions with school leaders. For example, the Indianapolis mayor's office requires that all of its charter schools participate in Enroll Indy, the city's unified enrollment system. Christel House Schools, a network of charter schools in Indianapolis, changed authorizers — from the mayor's office to the state charter school board — in 2018.⁹³ Christel House made this decision in part to reduce its authorizing fees, but also to avoid participating in Enroll Indy.⁹⁴

According to Carey Dahncke, the head of schools for Christel House, "Roughly 90% of our funding comes from enrollment, so we had great reservations about turning over that much authority to an entity that was controlled by the district. We also weren't having enrollment issues. Maybe we would have looked at it differently if we had been having enrollment challenges."⁹⁵

Authorizers hold charter schools accountable under performance contracts ranging from three to seven years. An authorizer may revoke the charter before its expiration if, after the authorizer has notified the school and given reasonable time to correct the issue, the school fails to comply with the terms of its charter or other applicable laws. Under state law, a charter school that remains in the lowest designation of school improvement for four years must be closed. However, an authorizer may still petition the state board for permission to renew the charter.⁹⁶

Innovation Network Schools

In addition to charter schools, Indiana law provides for the establishment of innovation network schools. These schools were initially created through state legislation in 2014 to help address the unique challenges faced by Indianapolis Public Schools (IPS), including declining enrollment, competition with a large number of charter schools, and a high percentage of chronically low-performing schools. In 2015, the law was expanded to allow innovation network schools statewide.⁹⁷ Twenty of the state's 21 innovation network schools are located in Indianapolis. The remaining school is in Gary.⁹⁸

Innovation network schools are provided with greater autonomy over their budget, staffing, curriculum, school calendar, and professional development. Table 4 summarizes the main features of innovation network schools.

Table 4

Summary of Indiana's Innovation Network Schools Act

Dimension	Details of Indiana's Innovation Network Schools Act
Policy goals	<p>In statute, Indiana's legislature finds that "to further the goals of high-quality public education throughout Indiana, each school corporation and public school should have the freedom to create the optimal learning environment," and that this can be accomplished by "allowing for greater flexibility, innovation, and efficiency."⁹⁹</p> <p>The legislature also "recognizes the importance of retaining and attracting the nation's best teachers by allocating significantly more resources into the classroom and giving teachers freedom from burdensome regulations."¹⁰⁰</p>
School eligibility	Any district school may apply to its local school board to become an innovation network school. ¹⁰¹
Governance structure	Innovation network schools without a charter are operated by innovation network teams, which may include teachers, principals, superintendents, or any combination of these individuals who were employed at the eligible school. ¹⁰² Innovation network schools with a charter are operated by their own nonprofit boards. ¹⁰³ Both school types remain part of the local school district.
The type of policy flexibility available to schools	<p>Under state statute, the following do not apply to an innovation network school:</p> <ul style="list-style-type: none"> • An Indiana statute applicable to a governing body or school corporation • A rule or guideline adopted by the state board, except for those rules that assist a teacher in gaining or renewing a standard or advanced license • A local regulation or policy adopted by a school district unless specifically incorporated into the innovation network agreement between the school and district¹⁰⁴ <p>However, innovation network schools must abide by statutes that are applicable to charter schools, as well as statutes related to staff performance evaluations.¹⁰⁵</p>
How schools access autonomy	An innovation network school may be established three different ways. Two or more teachers, as well as a principal or a superintendent, may submit a plan for board approval. Alternatively, a school board may establish a new innovation network school, or convert an existing school to innovation network status. Finally, a school board may enter into an agreement with a charter organization to establish an innovation network school. ¹⁰⁶ Contractually, the schools and the district agree to performance goals that are set either in collaboration with that particular school's board, or with the authorizer (in the case of innovation network schools with charters). ¹⁰⁷
Accountability structure	All innovation network schools are overseen based on their agreements with the district, and innovation network status can be revoked if schools fail to meet the terms of those agreements. Innovation network schools with charters are also overseen by their authorizer and can have their charter revoked if they fail to meet its terms. ¹⁰⁸ In addition, for the purposes of state accountability, an innovation network school can request that the state department of education place it in a "null" or "no letter grade" category for the first three years of the school's operation. ¹⁰⁹

As noted above, all but one of Indiana’s innovation network schools are located in Indianapolis. While IPS does not collect aggregated information on the autonomies provided to innovation network schools,¹¹⁰ all innovation network schools are provided complete and total autonomy over the curriculum they choose, instructional method, staffing structure, compensation model, teacher evaluation system, and professional development. Being an innovation network school may carry certain restrictions that a stand-alone charter wouldn’t experience, particularly regarding facilities, transportation, and enrollment policies, since those elements are still provided by or shared with the district in some cases.

Indianapolis’ innovation network schools do vary in the services they receive from the district. Under state statute, districts may provide services to innovation network schools, but it is not required.¹¹¹ However, IPS requires that innovation network schools without charters participate in certain district services, like facilities maintenance, school transportation, and food service. Those with charters may opt to utilize such services from IPS, but the district does not require them to do so.¹¹²

Indianapolis’ innovation network schools are also required to participate in Enroll Indy, the city’s unified enrollment system. While this helps provide families with equal access to the city’s innovation network schools, it can also hamper some elements of those schools’ autonomy. For example, according to Earl Martin Phalen, founder and CEO of Phalen Leadership Academies, “Enroll Indy impinges on some of our autonomy and how we build relationships with families. Enrollment is the lifeblood of our schools. We see enrollment as a relationship-building opportunity with our families.”¹¹³

IPS also holds its different types of innovation network schools accountable in different ways. For innovation network schools without a charter, the district holds them accountable using the same school performance framework that applies to traditional district schools. But for those with charters, IPS instead works closely with their authorizers and oversees these schools using the same data and reporting submitted to the authorizer.¹¹⁴

Transformation Zones

Beyond charter schools and innovation network schools, Indiana law also allows for the establishment of transformation zones, created by state statute in 2015. There are currently four transformation zones operating in Indiana – in Evansville, Indianapolis, Kokomo, and South Bend – comprising a total of 25 schools. Designation as a transformation zone gives the district more autonomy and flexibility to implement policies the district believes will improve schools. Table 5 summarizes the main features of transformation zones.

Table 5

Summary of Indiana's Transformation Zones Policy

Dimension	Details of Indiana's Transformation Zones
Policy goals	Transformation zones provide districts with a new way to support chronically underperforming schools, as well as an option for state intervention other than being taken over by the state and run by an external partner.
School eligibility	If a school district has at least one school that has been rated a D or F under the state's accountability system, it may submit a plan to the state board to create a transformation zone within the district. ¹¹⁵ However, schools do not have to be considered low-performing to be included in a transformation zone. ¹¹⁶
Governance structure	Schools within a transformation zone remain part of the district, and are typically governed by the district's central office. However, South Bend's transformation zone is governed by a separate nonprofit with its own board.
The type of policy flexibility available to schools	When approving a proposed transformation zone, the state board of education may waive regulatory requirements as needed to accommodate planned innovations in areas like staffing and compensation, curriculum, calendar and class schedule, and the use of financial or other resources. ¹¹⁷ In addition, statute stipulates that any school that has received an F rating from the state for three or more consecutive years immediately prior to being assigned to the transformation zone is not subject to any existing collective bargaining agreement, unless the school district voluntarily recognizes a bargaining unit at the school. ¹¹⁸
How schools access autonomy	Districts' proposed plans for transformation zones must include a description of the innovations the district will implement, any regulatory or district policy requirements that would need to be waived to do so, and the annual student performance and growth gains that the district expects to achieve over the next five years. These plans are subject to approval by the state board of education, but the board must grant the designation as a transformation zone unless it concludes that the submitted plan does not substantially meet the criteria set forth in statute. ¹¹⁹
Accountability structure	State law authorizes the state board to intervene in chronically underperforming schools after four consecutive F ratings. These schools are labeled as "turnaround academies," and state law outlines an explicit list of interventions the state board may consider, including allowing the school's district to establish a transformation zone. ¹²⁰ While transformation zones can be created without state intervention, Indiana's transformation zones have all been the result of such interventions. As a result, like all turnaround academies, the state board requires schools in transformation zones to create two- and five-year benchmarks for performance and summative ratings. ¹²¹

Indiana's transformation zones vary in their structure and implementation. For example, Evansville Schools created the state's first transformation zone in 2012, comprising five schools, which eventually inspired the 2015 legislation that established these zones in state law.¹²²

Evansville's Transformation Zone was launched with the creation of an office of transformational support. This internal lead partner unit was created as an extension of the central office and intentionally embedded within the schools it served.¹²³ The new office was able to hire and train its own full-time substitute teachers, and leverage them in the transformation zone schools that needed them most. Teachers in zone and other priority-designated schools were also given the opportunity to accrue additional base pay while remaining part of the district's collective bargaining agreement. In addition, the zone could access the district's professional development offerings with the option to opt out of certain trainings depending on the needs of the zone's individual schools. The district still provided the zone with centralized services, like transportation, facilities, and food service.¹²⁴

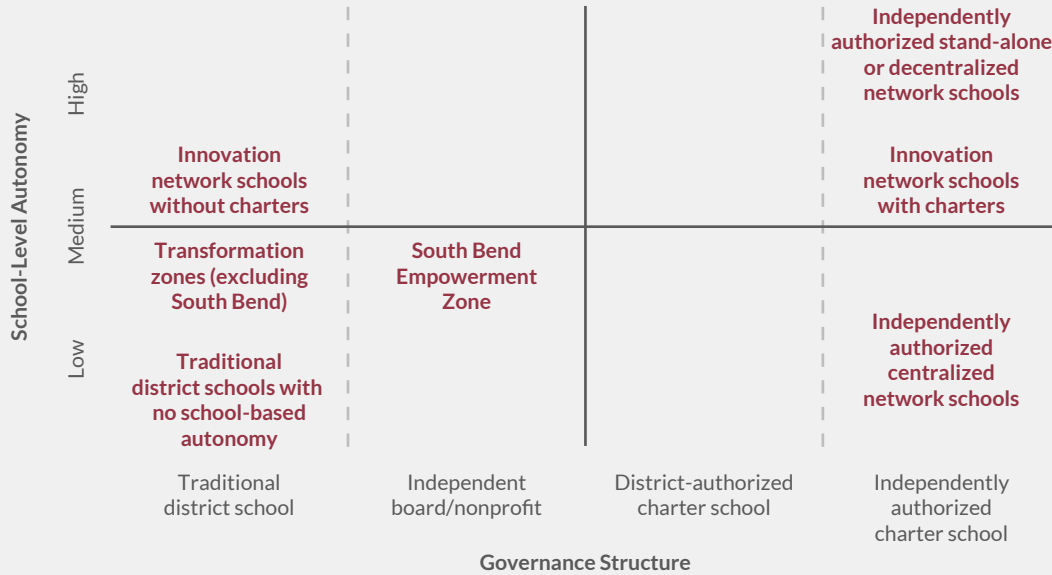
In 2019, South Bend launched its own transformation zone, also comprising five schools, but it functions much differently than the Evansville zone. Known as the South Bend Empowerment Zone (SBEZ), it was inspired by Springfield Empowerment Zone in Massachusetts.¹²⁵ Rather than remaining under district control, the SBEZ is operated by an external nonprofit organization and overseen by an independent board.¹²⁶

Like Evansville, teachers in the SBEZ remain employees of the district and part of the local collective bargaining agreement. The SBEZ also currently receives centralized services from the district, including food service and transportation, as well as staffing support. According to South Bend Superintendent Todd Cummings, "Right now the district provides human resources and insurance and handles employee relations issues. The district also posts jobs and does all background screening."¹²⁷ But starting next year, the SBEZ will be able to opt into or out of the services it wants, as well as control its own staffing. "Staffing within the schools will be up to them and their shared services," said Cummings.¹²⁸

Figure 3 plots different types of schools in Indiana according to their governance structures and degree of school-level autonomy.

Figure 3

Indiana School Types by Governance Structure and Degree of School-Level Autonomy



To date, most of Indiana’s transformation zones have only been provided with some additional autonomy, and remain under the purview of their district. As a result, they fit on the framework as having low-to-medium autonomy and having the governance structure of a traditional district school. However, because the South Bend Empowerment Zone is operated by its own nonprofit and board, it sits further to the right on the spectrum of governance structures.

Innovation network schools both with and without charters have been plotted as having medium autonomy, as these schools are able to make operational decisions across a number of areas. Innovation network schools with charters are independently authorized, but operate in partnership with the local school district; as a result, they have been plotted on the far-right side of Figure 3.

The vast majority of Indiana’s charter schools, meanwhile, operate independently of school districts and have full operational control; thus, they are plotted in the top-right corner of Figure 3.

Performance

While there's currently no comprehensive analysis that compares the performance of all of Indiana's school types statewide, the research that does exist suggests that the state's charter schools and innovation network schools generally outperform traditional district schools, though not in every instance.

A recent evaluation of the state's charter sector, conducted by the Indiana State Board of Education, found that, in 2017, compared to similar traditional public schools, students enrolled in brick-and-mortar charter schools demonstrated slightly greater student growth in grades 4-8 and substantially greater academic growth in high school. Students enrolled in virtual and hybrid charter schools, however, lagged behind their peers in more traditional classroom settings.¹²⁹

Despite stronger growth in the charter sector, students enrolled in similar traditional public schools outperformed their peers in charter schools on the state's standardized assessment for ELA and math in grades 3 through 8. But when student proficiency is disaggregated by racial subgroups, only white students in traditional public schools outperformed their peers in brick-and-mortar charter schools. In both ELA and math, students of color in brick-and-mortar charter schools outperformed their peers in traditional public schools. Again, students in virtual and hybrid charter schools lagged behind the others.¹³⁰

At the high school level, students in brick-and-mortar charter schools outperformed their peers in similar traditional public schools on the state's ELA and math assessments. These trends were consistent across racial subgroups, with students enrolled in brick-and-mortar charter schools outperforming their peers in similar traditional schools in ELA and math across all races. As with the elementary level, high school students in virtual charter schools did not perform as well as students in the brick-and-mortar charter schools.¹³¹

Charter schools also outperformed similar traditional public schools in 2016 and 2017 based on Indiana's A-F accountability model, with a greater percentage of charter schools earning an A rating, and fewer earning D's or F's. Of the three largest authorizers in the state, the Indianapolis Mayor's Office has the greatest percentage of A and B schools within its portfolio, and the lowest percentage of D and F schools in 2017.¹³²

Other studies have analyzed the performance of students attending charter and innovation network schools in Indianapolis. For example, a 2019 report on Indianapolis from Stanford University's Center for Research on Education Outcomes (CREDO) found that the reading and math growth of the city's students was weaker than the state average in 2015-16 and 2016-17. But students in Indianapolis' innovation network schools performed similarly to the state average in reading in both 2015-16 and 2016-17. They posted significantly weaker growth in 2015-16, but caught up to the state average in 2016-17. Overall, students in these schools grew similarly in both subjects compared to the city's traditional public school students.¹³³

Similarly, Indianapolis' charter school students posted gains comparable to the state average in both reading and math. They also experienced stronger growth than the city's traditional public school students in both subjects, including for black and Hispanic students, students living in poverty, and English language learners.¹³⁴

A 2019 study from the School of Education at Indiana University-Purdue University Indianapolis (IUPUI) found that academic achievement on state assessments for elementary students in mayor-sponsored charter schools was better than that of their peers in Indianapolis-area traditional public schools. For both school types, the sample of students only included those who were continuously enrolled in their schools from kindergarten. The study also found that the city's mayor-authorized charter schools performed as well and often better when compared to both their urban and suburban school counterparts.¹³⁵

In addition, a 2019 report from Public Impact examined data from four innovation network schools operating with charters between 2015–16 and 2017–18, finding mixed results. For example, student enrollment increased at all four schools, and the rate of reenrollment increased at three of the four. Phalen Leadership Academy @ 103 – the city's first innovation network school – saw its schoolwide mean student growth percentiles¹³⁶ increase by double digits in both ELA and math during the study period. However, other schools made gains in only one subject, or showed less growth than in the three years prior to the restart.¹³⁷

These results demonstrate generally positive trends for Indiana's autonomous schools. But there are still questions about the relative performance of these schools, especially schools in transformation zones, as well as whether and how the additional autonomy enjoyed by these schools is driving improved performance. Continued research and evaluation of Indiana's school types will be important for state leaders as they continue to pursue and implement autonomous school policies.

Massachusetts

As of the 2018–19 school year, 951,631 students in preschool through grade 12 were enrolled in public schools in Massachusetts. These students attended one of the more than 1,800 schools operating statewide.¹³⁸ While the vast majority of schools are traditional district schools, approximately one in 11 operates as one of several models of autonomous schools,¹³⁹ which include Commonwealth charter schools, Horace Mann charter schools, pilot schools, innovation schools, and Springfield Empowerment Zone schools.

Charter Schools

The Commonwealth of Massachusetts' Education Reform Act of 1993 established the state's charter school program.¹⁴⁰ The charter schools operating under this legislative framework are called Commonwealth charter schools. In 1997, the law was expanded to create a second type of charter schools, called Horace Mann charter schools.¹⁴¹ Commonwealth and Horace Mann charter schools currently enroll nearly 47,000 students,¹⁴² or roughly 5% of the state's public school students.¹⁴³ Of the state's 81 charter schools, 74 are Commonwealth charter schools, and seven are Horace Mann charter schools.¹⁴⁴ Six of the state's Horace Mann charter schools are located in Boston,¹⁴⁵ and the seventh is located in Salem, though it will be operating as an innovation school (see Table 7) beginning in the 2020–2021 school year.¹⁴⁶

State law caps the total number of charter schools allowed in the state at 120. Up to 48 of the 120 charters can be Horace Mann charters, and up to 72 can be Commonwealth charters.¹⁴⁷ Any individual, group of individuals, or entity can apply to operate a charter school, with the

exception of for-profit entities. In addition, private and parochial schools are not eligible to convert to a charter school.¹⁴⁸ The Massachusetts Board of Elementary and Secondary Education (BESE) is the only entity in the state that can authorize a charter school.¹⁴⁹

Both types of charters provide schools with a path to greater autonomy and greater independence — and in the case of Commonwealth charter schools, complete independence — from the local district. Unlike Commonwealth charter schools, Horace Mann charter schools also require buy-in from the school district and, in some instances, the local collective bargaining unit or faculty. Table 6 summarizes the main features of Horace Mann charter schools.

The state's charter law exempts Commonwealth charter schools from laws related to teacher tenure, professional teacher status, teacher dismissal and demotion, and arbitration, but they must abide by other provisions of law regulating public schools.¹⁵⁰ Commonwealth charter schools may operate without collective bargaining agreements.¹⁵¹ And while the vast majority do, there are a small number of Commonwealth charter schools that are currently unionized.¹⁵²

Horace Mann charter schools, meanwhile, may be exempt from certain provisions of collective bargaining agreements depending on the terms of their charter and an MOU with the union, if one exists.¹⁵³ And, in some cases, collective bargaining units or school faculty have a say in the applications to establish Horace Mann charter schools and the MOUs under which they operate. As mentioned in Table 6, there are three paths for establishing Horace Mann charter schools:

- Horace Mann I: This path establishes new schools, and the application requires approval of the school committee of the district where the proposed school will be located, as well as the local collective bargaining unit, before being submitted to the state.
- Horace Mann II: This path is for existing schools seeking to convert to a Horace Mann charter school. The application must be approved by the school committee of the district where the proposed school will be located, but approval by the local collective bargaining unit is not required.¹⁵⁴
- Horace Mann III: This path is also for new schools. Like Horace Mann II's, the application must be approved by the school committee of the district where the proposed school will be located, but approval by the local collective bargaining unit is not required.

All Horace Mann charter schools must operate under an MOU with their local school committee.¹⁵⁵ For a Horace Mann I school, any MOU modifying provisions of a collective bargaining agreement must be approved by both the local school committee and collective bargaining unit. Meanwhile, for Horace Mann II schools, any MOU modifying provisions of a collective bargaining agreement must be approved by a majority of faculty at the school. And Horace Mann III schools must attempt to negotiate “in good faith” with the local

Table 6

Summary of Massachusetts' Horace Mann Charter Schools

Dimension	Details of Massachusetts' Horace Mann Charter Schools
Policy goals	<p>Massachusetts law outlines seven specific purposes for establishing charter schools:</p> <ol style="list-style-type: none"> 1. Stimulate the development of innovative programs within public education; 2. Provide opportunities for innovative learning and assessments; 3. Provide parents and students with greater options in choosing schools within and outside their school districts; 4. Provide teachers with a vehicle for establishing schools with alternative, innovative methods of educational instruction and school structure and management; 5. Encourage performance-based educational programs; 6. Hold teachers and school administrators accountable for students' educational outcomes; and 7. Provide models for replication in other public schools.¹⁵⁶ <p>Horace Mann charter schools, in particular, provide a chartering option that enables districts and, in some instances, unions or faculty to have a say in the approval process.</p>
School eligibility	<p>Nonprofit organizations, two or more certified teachers, or 10 or more parents are eligible to establish charter schools, if authorized by BESE. This includes Horace Mann charter schools, but these schools also require approval from the local school committee and, in some instances, the local collective bargaining unit or faculty.¹⁵⁷</p>
Governance structure	<p>Like Commonwealth charter schools, Horace Mann charter schools operate as their own LEAs, but they also remain under the purview of the school district in which they are located.¹⁵⁸ They must operate under a memorandum of understanding (MOU) with their local district and, in some instances, with the local collective bargaining unit.¹⁵⁹</p>
The type of policy flexibility available to schools	<p>Charter schools in Massachusetts must follow the same state educational standards, administer the same state tests, and abide by almost all the same state and federal laws and regulations as other public schools. Horace Mann charter schools may be exempt from some local school district rules and some provisions of local collective bargaining agreements and regulations, depending on the terms of their charters. Like all public schools in the state, charter schools may also request waivers from state regulations.¹⁶⁰ State law places additional limitations on Horace Mann charter schools' autonomy over staffing and budget. Specifically, all teachers in Horace Mann charter schools remain employees of the local school district, and are therefore subject to the same licensure requirements as other district teachers,¹⁶¹ and remain members of their local union.¹⁶² These schools must have their budgets approved by the local school committee, rather than receiving funding directly from the state.¹⁶³</p>
How schools access autonomy	<p>There are three paths to establishing Horace Mann charter schools: Horace Mann I, II, or III. All three paths require authorization from BESE and approval by the local school committee. The three paths vary by the additional authorizations required prior to charter award. Horace Mann I schools also require approval from the local collective bargaining unit. Horace Mann II schools require approval from a majority of faculty if modifications to the collective bargaining agreement are proposed. Horace Mann III schools must negotiate with the local collective bargaining unit, but its approval is not required prior to receiving a charter.¹⁶⁴</p>
Accountability structure	<p>BESE holds all charter schools accountable under five-year charters.¹⁶⁵ A charter may be revoked for a number of reasons, including but not limited to a lack of evidence of academic success, failure to comply substantially with the terms of the charter or any other applicable law or regulation, or failure to fulfill any conditions imposed by BESE in connection with the grant or renewal of a charter.¹⁶⁶ In addition, for all Horace Mann charters, renewal applications must include certification of a majority vote of the local school committee and collective bargaining unit.¹⁶⁷</p>

collective bargaining unit; however, if an agreement is not reached at least 30 days before the scheduled opening of the school, the charter school operates under the terms within the approved charter application.¹⁶⁸

These MOUs must define the services and facilities to be provided by the district to the school.¹⁶⁹ Boston Public Schools, for example, often requires its Horace Mann charter schools to participate in certain non-discretionary services, including transportation, employee benefits, facilities maintenance, payroll, safety, food service, and other central office services.¹⁷⁰

BESE holds both Commonwealth and Horace Mann charter schools accountable under five-year charters.¹⁷¹ The board may revoke a charter for a number of reasons, including but not limited to a lack of evidence of academic success, failure to comply substantially with the terms of the charter or any other applicable law or regulation, or failure to fulfill any conditions imposed by the board in connection with the grant or renewal of a charter.¹⁷² Charter schools create “accountability plans” by the end of their first year of operation, which establish five-year performance objectives to help measure their progress and success in fulfilling the terms of their charters.¹⁷³ While the exact metrics used to hold charter schools accountable may vary based on these plans, BESE’s decisions for charter renewal must be based on evidence of the school’s faithfulness to the terms of its charter, the success of the school’s academic program, and the viability of the school as an organization.¹⁷⁴

Because there is so much variation in the way Horace Mann charter schools are established, these schools vary in their experiences attaining and maintaining their charters, despite their small numbers. For example, Boston Green Academy (BGA) is a Horace Mann III, meaning it must negotiate with local collective bargaining units, but can operate without their approval. The school intersects with six unions — primarily the Boston Teachers Union — and had to propose new contracts with each. According to BGA headmaster Matt Holzer, “When the unions did not agree, we agreed to continue bargaining, but our charter approval was in effect. We’ve been in a state of continuous bargaining for nine years now.” However, Boston Green Academy still maintains positive relationships with its unions, as they approved the school’s renewal application despite the ongoing bargaining.¹⁷⁵

But other Horace Mann charter schools have struggled to secure the votes needed from local school committees or collective bargaining units to renew their charters. For example, a Horace Mann charter school in Barnstable recently opted to convert to an innovation school after the local school committee voted against approving its renewal application.¹⁷⁶ Similarly, in 2017, a Horace Mann charter school in Haverhill lost its charter after the local collective bargaining unit voted to reject its renewal application.¹⁷⁷

Innovation Schools

In 2010, Massachusetts enacted An Act Relative to the Achievement Gap, which, among other things, provided for the establishment of innovation schools. These schools are in-district, autonomous schools that can implement creative and inventive strategies to increase student achievement and reduce achievement gaps while keeping school funding within districts. While innovation schools are established locally, in the past the Massachusetts Department of Elementary and Secondary Education (DESE) provided small amounts of funding – ranging from \$10,000 to \$30,000 each in the most recent iteration of grants¹⁷⁸ – to support planning and implementation.¹⁷⁹

These schools operate with increased autonomy and flexibility with the goal of establishing the school conditions that lead to improved teaching and learning.¹⁸⁰ There are currently 46 innovation schools in Massachusetts, operating across many districts.¹⁸¹

Innovation schools provide an option for district schools to have greater autonomy over their budget, staffing, curriculum, and schedule. Table 7 summarizes the main features of Massachusetts' innovation schools.

Massachusetts does not currently track which types of autonomy are provided to each innovation school, making it difficult to understand which autonomies most commonly are sought out by these schools, and whether or not these autonomies are affecting student outcomes.

According to Alyssa Hopkins, the school development manager for DESE's Office of Charter Schools and School Redesign, "By the nature of the innovation school model, these schools use the autonomies to their benefit in unique circumstances. But because these schools are authorized locally, it has been a challenge for the state to accurately track change over time in terms of the specific autonomies exercised by each innovation school under their innovation plan, and whether innovation status is being maintained or renewed."¹⁸²

The spread of these schools has also slowed over the past couple of years, perhaps in part because there is no longer funding available from the state to support planning and implementation. Such funding was available in the years before FY2020, and its absence may have limited schools' efforts to secure innovation status.¹⁸³

Table 7

Summary of Massachusetts' Innovation Schools

Dimension	Details of Massachusetts' Innovation Schools
Policy goals	Massachusetts law states that innovation schools are “established for the purpose of improving school performance and student achievement through increased autonomy and flexibility.” ¹⁸⁴
School eligibility	Pending school board approval, innovation schools can be established by parents; teachers; parent-teacher organizations; principals; superintendents; school boards; teachers’ unions; colleges and universities; nonprofit organizations, including charter school operators and education management organizations; educational collaboratives; or consortia of these groups. ¹⁸⁵
Governance structure	Innovation schools remain part of the local district and operate according to innovation plans, which describe the areas of autonomy and flexibility and specific strategies that will be implemented in the school. ¹⁸⁶ Applicants can propose a leadership structure for the school in their innovation plan, but it is subject to approval by the local school committee. ¹⁸⁷
The type of policy flexibility available to schools	State law outlines six areas in which innovation schools can seek additional autonomy in their innovation plans: <ol style="list-style-type: none"> 1. Curriculum 2. Budget 3. School schedule and calendar 4. Staffing policies and procedures, including waivers from or modifications to contracts or collective bargaining agreements 5. School district policies and procedures 6. Professional development¹⁸⁸
How schools access autonomy	<p>Eligible applicants proposing to establish an innovation school must prepare a prospectus that describes the proposed vision and operations of the school and explains what autonomy and flexibility the school will seek.¹⁸⁹ A screening committee consisting of the superintendent or a designee, a school committee member or a designee, and a representative from the leadership of the local teachers’ union must review and accept the prospectus.¹⁹⁰</p> <p>If the prospectus is accepted by the screening committee, the applicant forms an innovation plan committee that develops the school’s innovation plan and ensures engagement of appropriate stakeholders.¹⁹¹ The innovation plan comprehensively articulates the areas of autonomy and flexibility that the proposed school will use. A majority of the innovation plan committee must approve of the innovation plan.¹⁹²</p> <p>Upon completion of the innovation plan, for schools converting to innovation status, a two-thirds vote of the teachers is required to approve the plan. For new schools, the applicant, a local union, and the superintendent shall negotiate waivers or modifications to the applicable collective bargaining agreement necessary to implement the innovation plan.¹⁹³ Finally, a majority vote of the school committee must vote to authorize the innovation school, for a period of up to five years.¹⁹⁴</p>
Accountability structure	Innovation schools are required to be evaluated annually by the superintendent to determine whether the school has met the annual goals in its innovation plan and assess its implementation. If the school committee determines, on the advice of the superintendent, that the school has not met one or more of its goals, the school committee may amend the innovation plan as necessary. If the school is determined to have substantially failed at meeting multiple goals in the innovation plan, the school committee may limit or suspend components of the innovation plan, or terminate the authorization of the school. However, state law states that a limitation or suspension of an innovation plan shall not take place before the completion of the second full year of the school’s operation, and termination shall not take place before the completion of the school’s third full year of operation. ¹⁹⁵

Pilot Schools

Pilot schools were first established in Boston in 1994 through a unique partnership among the mayor, school board, superintendent, and teachers' union. The goal of these schools was to promote increased choice options within the city, largely in response to state legislation that created charter schools — and the subsequent loss of Boston students to such schools.¹⁹⁶ These schools are unique to Boston, though variations of the model have been implemented in both Fitchburg and Springfield.¹⁹⁷ There are currently 21 pilot schools operating within the Boston Public Schools district.¹⁹⁸

Like innovation schools, Boston's pilot schools have greater autonomy over their budget, staffing, curriculum, and schedule. Table 8 summarizes the main features of Boston's pilot schools.

Pilot schools have autonomy over hiring and excessing of staff,¹⁹⁹ though the district may impose certain requirements in some cases.²⁰⁰ Pilot school leaders may be able to remove a given teacher from their school, but those teachers remain employed by the district.²⁰¹ Pilot schools can select their curriculum, and they also have control over their school days and calendar, within certain parameters set forth in the BTU contract.²⁰² Pilot school funding is provided on a per-pupil basis, and school leaders can choose whether or not to purchase certain district services. Teachers in pilot schools remain part of the teachers' union, but the CBA primarily applies to wages and benefits, as teachers in these schools work under an election-to-work agreement.²⁰³

While these schools have autonomy in many areas, the extent to which they take advantage of those autonomies varies. Many of these schools operate on a somewhat different schedule than the district, including extending the school day, as well as providing early release days for teachers' professional development.²⁰⁴

However, these kinds of changes can lead to challenges in accessing district services. According to BTU secretary-treasurer Betsy Drinan, "Early release days are a perfect example — pilot schools have that autonomy, but they also have to work with the district's bus schedule. And they often can't do that unless the school has money to pay for another run of the buses, which is cost-prohibitive. So even though you have autonomy in name, how do you exercise it without the financial resources to do so?"²⁰⁵

Table 8

Summary of Boston's Pilot Schools

Dimension	Details of Boston's Pilot Schools
Policy goals	Pilot schools provide additional choices within Boston Public Schools (BPS) to compete with charter schools. Pilot schools were explicitly created to be models of educational innovation and to serve as research and development sites for effective urban public schools. ²⁰⁶
School eligibility	The Boston Teachers Union (BTU) contract states that there shall be a maximum of six pilot schools in Boston, unless both the union and district agree to establish more. The actual establishment of such schools will be pursuant to the issuing of Requests for Proposals (RFPs), developed and reviewed by the BPS/BTU joint steering committee. ²⁰⁷ For district schools wishing to convert to pilot school status, a two-thirds vote of BTU members working more than 50% of their week at the school is required. ²⁰⁸
Governance structure	Pilot schools remain part of the district as district schools. All pilot schools have a governing board that is established as part of their original proposal. ²⁰⁹ Governing boards vary in size and composition, but must have at least four teacher-members. ²¹⁰ These boards have increased decision-making powers over budget approval, as well as school programs and policies. ²¹¹
The type of policy flexibility available to schools	Pilot schools are exempt from most school committee policies and most working conditions in the local collective bargaining agreement. ²¹² These schools are provided greater autonomy over their budget, staffing, curriculum, and schedule. ²¹³
How schools access autonomy	Following an RFP from the BPS/BTU joint steering committee, schools may submit proposals to become pilot schools. The establishment of these schools requires approval of the joint steering committee and school board, and the BTU president and BPS superintendent have veto power over any particular pilot schools. ²¹⁴
Accountability structure	Like other BPS schools, pilot schools are evaluated using the district's School Quality Framework, ²¹⁵ which is based on metrics across five categories: student performance; teaching and learning; family, community, and culture; leadership and collaboration; and student access and opportunities. ²¹⁶ Pilot school status is subject to renewal every five years by the BPS/BTU joint steering committee. ²¹⁷

Springfield Empowerment Zone

In addition to the school models described above, Massachusetts is also home to the Springfield Empowerment Zone Partnership (SEZP). Launched in 2014, the SEZP is a voluntary partnership among the SEZP board, Springfield Public Schools (SPS), and DESE, in close collaboration with the Springfield Education Association.²¹⁸ The Empowerment Zone currently comprises 11 schools²¹⁹ and is the only zone of its kind in the state.

The SEZP operates through a Memorandum of Understanding (MOU) between the SEZP board, SPS, and DESE. This MOU provides the SEZP board with a large degree of autonomy over the zone’s operations, and the board in turn provides the zone’s schools with substantial autonomy as well. Table 9 summarizes the main features of the SEZP.

Table 9 Summary of the Springfield Empowerment Zone Partnership

Dimension	Details of the Springfield Empowerment Zone Partnership
Policy goals	The goal of the SEZP is to rapidly improve outcomes for Springfield’s middle and high school students by providing greater school-based autonomy and an innovative approach to school management. ²²⁰
School eligibility	Under the SEZP’s MOU, SPS schools can be added or removed from the Empowerment Zone, if that decision is approved by both the SEZP board and SPS school committee. The SPS superintendent can also recommend that schools be added to the SEZP, but that recommendation must be approved by the SEZP board and SPS school committee. ²²¹
Governance structure	Schools in the Empowerment Zone remain SPS schools, but, under the MOU, the SEZP board has full operational and managerial control of the schools.
The type of policy flexibility available to schools	Other than the terms agreed to under the MOU, the SEZP board is exempt from all SPS policies. ²²² The SEZP board also has a separate collective bargaining agreement with the Springfield Education Association. ²²³
How schools access autonomy	<p>Massachusetts law permits a superintendent to select a nonprofit entity to operate a school designated as underperforming under the state’s accountability system.²²⁴ This is the initial pathway by which the Springfield superintendent appointed the SEZP to govern the zone’s schools, and that decision was also ratified by the Springfield school committee.²²⁵ The SEZP currently operates under the terms of its MOU.</p> <p>The SEZP board allows school leaders and educators at each school to make key decisions on resource allocation, staffing, scheduling, curriculum, and professional development.²²⁶ The SEZP’s collective bargaining agreement creates Teacher Leadership Teams, which develop School Operational Plans that must be approved by the SEZP board.²²⁷</p>
Accountability structure	<p>The MOU automatically renews every five years, with the first renewal to take place in 2020.²²⁸ The MOU – and thus the zone itself – may be terminated through a written agreement of all the parties. In addition, the SEZP board may terminate the MOU if SPS fails to provide the level of funding required therein, and SPS may terminate the MOU if the SEZP substantially fails to meet multiple goals set for the zone’s schools, fails to manage the zone’s schools on a financially prudent basis, violates any laws from which it was not specifically exempted, or breaches any of the terms of the MOU. However, either the SEZP board or SPS may bring disputes over the possible termination of the MOU to the state’s Commissioner of Elementary and Secondary Education, who has final say over such disputes.²²⁹</p> <p>In addition, the SEZP board holds zone schools accountable using the “Roadmap to Student Success,” a multi-measure performance framework that evaluates school performance based on observable school practices, multiple stakeholder perspectives, school health indicators, and state test scores.²³⁰</p>

As noted above, the SEZP board has full operational and managerial control of Empowerment Zone schools. It also has direct control of about 85% of all per-student funding.²³¹

The SEZP board also has negotiated a separate collective bargaining agreement with the Springfield Education Association. This agreement – which was ratified by more than 90% of Empowerment Zone educators – allows working conditions to be set at the school level by the principal in collaboration with a teacher-elected Teacher Leadership Team (TLT). It also establishes an extended school day with an additional stipend for teachers and creates a new career ladder that includes teacher leadership positions.²³²

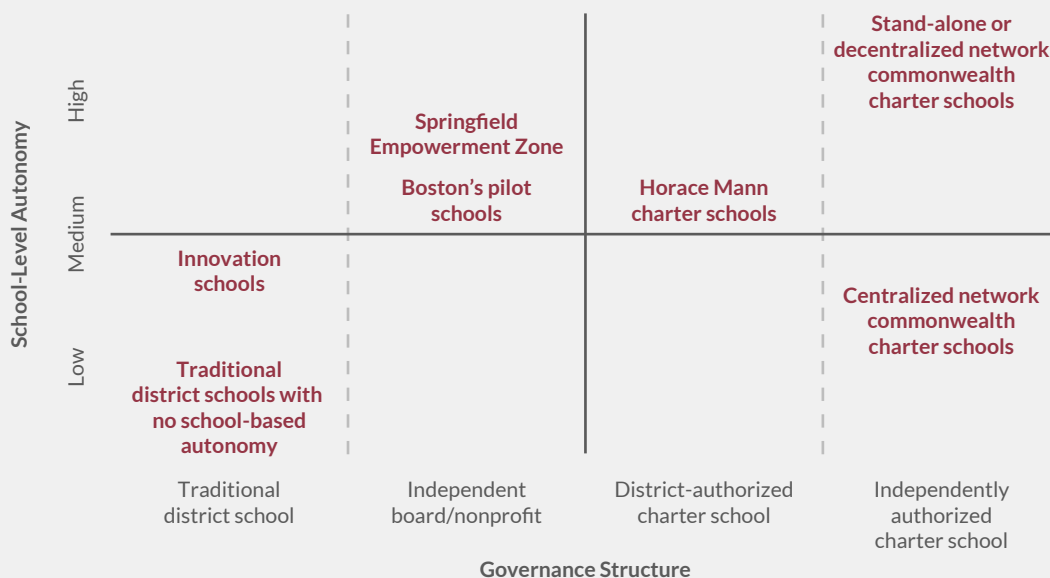
Because the SEZP board allows zone schools to make many decisions, there is variation across schools. For example, zone schools’ TLTs have decision-making power over a number of items within the collective bargaining agreement, including planning time and curriculum, meaning that teachers’ working conditions are unique to each school.²³³

SPS provides facilities and key operational supports for the Empowerment Zone, such as human resources, student enrollment, transportation, and facilities maintenance.²³⁴ Schools vary in the services they receive from the district, as the SEZP board requires participation in some district services, but also provides a menu of services that zone schools can opt into or out of.²³⁵

Figure 4 plots different types of schools in Massachusetts according to their governance structures and degree of school-level autonomy.

Figure 4

Massachusetts School Types by Governance Structure and Degree of School-Level Autonomy



Commonwealth charter schools operate separately from school districts and have substantial authority over their day-to-day operations, but they must abide by most provisions of state law regulating public schools. As a result, they are plotted on the far-right side of the spectrum of governance structures, and as having medium-to-high school-level autonomy. As noted above, there are additional requirements in state law for Horace Mann charter schools related to staffing and budget, so they are plotted as having less school-level autonomy than Commonwealth charter schools; these schools must also be approved by the local school committee, meaning they are plotted as district-authorized charter schools, in terms of governance structure.

Similarly, the Springfield Empowerment Zone has a medium-to-high level of autonomy and is governed by its own independent board. Boston's pilot schools are also governed by independent boards and have a medium level of autonomy, but less than the Empowerment Zone. Innovation schools, meanwhile, remain under district control (though separate governance boards can be part of a school's innovation plan), and must receive approval for individual autonomies under their district agreements, and are thus plotted in the bottom-left quadrant.

Performance

Boston's charter sector is one of the most widely studied in the country. A number of studies have documented that charter schools in Boston and other urban parts of Massachusetts improve students' standardized test scores in both ELA and math.²³⁶ There is also evidence that Boston charter high schools increase longer-term outcomes, including SAT scores, Advanced Placement credit, and enrollment in four-year colleges.²³⁷ However, these studies typically lump Commonwealth and Horace Mann charter schools together, and some exclude Horace Mann charter schools altogether, making it difficult to understand the unique effects of the two school types.

One of the more notable studies of Massachusetts' charter schools was published by Stanford University's Center for Research on Education Outcomes (CREDO) in 2013. This study found that students in a Massachusetts charter school gained more learning in a year than their district school peers, amounting to about one and a half more months of learning per year in reading, and two and a half more months of learning per year in math. The results for Boston's charter schools in particular were even stronger: Boston's charter school students gained more than 12 months of additional learning per year in reading and 13 months' greater progress in math compared to students attending BPS' district schools. Results for charter schools outside of Boston were more mixed. Suburban and rural charter schools saw positive and significant growth compared to their district school counterparts, but charter schools located in towns had significantly lower growth in reading, and similar growth in math, compared to local district schools.²³⁸

Similarly, a 2016 study from the Brookings Institution estimated the effects of attending charter schools in Massachusetts based on the results of schools' admission lotteries. The study found that charter schools in Boston produced very large increases in students' academic performance in both ELA and math, particularly in high school. This research found that Massachusetts charter schools in other urban areas also improved test scores. Score effects were largest for students who entered charter schools with the lowest test scores, and urban charter schools were particularly effective for low-income and nonwhite students. However, the effects of suburban and rural charters were not found to be positive, with estimates indicating that students at these charter schools performed the same or worse than their peers at traditional public schools.²³⁹

Performance among Boston's pilot schools has been less clear. According to a 2009 study from The Boston Foundation, observational results suggest that the estimated impact of attending pilot schools for elementary students was positive in ELA, but not statistically significant in math. For middle school grades, these results suggest that pilot school students may have actually lost ground compared to traditional public school students in ELA and math. But at the high school level, observational results suggest that pilot school students performed better in both ELA and math. The report also tested lottery-based results for pilot schools at the middle and high school level, but those results were not statistically significant for either grade span.²⁴⁰ In addition, a 2011 study from MIT, which also relied on lottery-based estimates, found that the gains for pilot school students were small and mostly insignificant, and in some cases even negative.²⁴¹

Schools in the Springfield Empowerment Zone have demonstrated improved performance over time. For example, the SEZP board initially set a goal for all zone schools to reach a median Student Growth Percentile (SGP)²⁴² of 50 or above in both ELA and math, representing a significant increase compared to prior years. During the 2014–15 school year, according to a progress report released by DESE in 2017, zone schools achieved median SGPs of 37 in ELA and 37 in math. By 2016–17, zone schools' ELA SGP rose by nine points — one of the largest gains by any group of urban middle schools in the state. Eight of the nine schools in the zone at the time improved their median ELA SGPs compared to the previous year, and five of those schools exceeded their two-year goal of a median ELA SGP of 50 or greater. However, across the zone, math SGP performance remained flat. While five schools improved their median math SGPs from the previous year, no schools met the goal of a median SGP of 50.²⁴³

In addition, based on a 2019 report from Education Resource Strategies, three of the original nine schools in the zone made significant gains in the state's accountability system in 2018–19, and the remaining six schools improved to a smaller degree. Three schools' state percentile ranking for student growth in ELA increased 10 or more percentage points, and four schools' rank increased 10 or more percentage points in math.²⁴⁴

Less is known about innovation schools' impact on student outcomes. These schools are authorized locally, and the state does not have a role in the creation or closure of innovation schools within districts,²⁴⁵ making it difficult to understand whether these autonomies are affecting student outcomes. And to date, there have been no rigorous studies of the impact of Massachusetts' innovation schools on student outcomes.

Overall, these results suggest that Massachusetts' urban charter schools are performing very well. However, it is less clear whether the state's autonomous schools policies are improving student performance. While the Springfield Empowerment Zone has improved the performance of its students, the impact of pilot schools is mixed, and more research is needed to understand how innovation schools affect students' outcomes.

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Acknowledgments

We would like to thank the many individuals who gave their time and shared their knowledge with us to inform our work on this project. We are particularly grateful to the dozens of state, district, and school leaders for the time they took to speak with us in interviews and by email.

Thanks also to Bryan Hassel, Matt Matera, our Bellwether colleagues Juliet Squire and Tanya Paperny, and Walton Family Foundation team members Lori Armistead and Carly Bolger for their support and feedback on earlier drafts of this paper.

Additional thanks to the Walton Family Foundation for their financial support of this project, to Super Copy Editors, and to Five Line Creative for graphic design.

The contributions of these individuals significantly enhanced our work; any errors in fact or analysis are the responsibility of the authors alone.

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Bellwether envisions a world in which race, ethnicity, and income no longer predict opportunities for students, and the American education system affords all individuals the ability to determine their own path and lead a productive and fulfilling life.

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