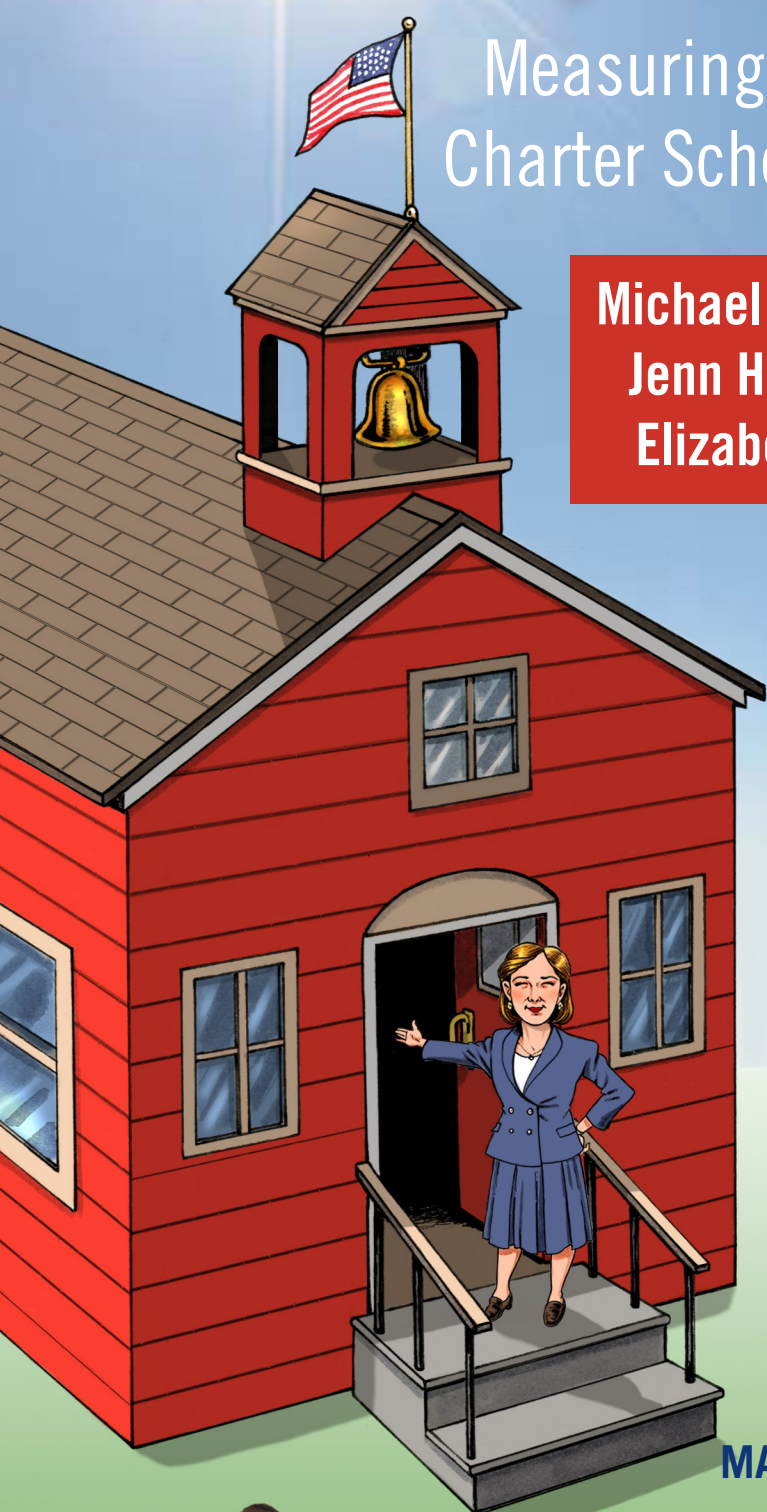


The Paperwork Pile-Up

Measuring the Burden of
Charter School Applications

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A M E R I C A N E N T E R P R I S E I N S T I T U T E



Executive Summary

In 1988, Albert Shanker, head of the United Federation of Teachers, suggested that small groups of teachers could design charter (performance-based) schools as alternatives to local public schools. In theory, charter school teachers would be held in check by a performance contract but would be otherwise free from rules, norms, and regulations that have stifled innovation in America's traditional public school system. Charter school leaders would thus make a bargain, trading autonomy for accountability.

In practice, however, the charter bargain has become fairly one-sided. Charter school authorizers often include hundreds of tasks in the application to open a charter school, creating an onerous and lengthy process that risks freezing out potential school operators. To be sure, many application tasks are well within authorizers' rights to require, but others are unnecessary and unduly burdensome for applicants. This is a real problem for the groups of teachers that Shanker envisioned, who might lack the time or resources to tackle these outsized applications and create new educational options for students.

After coding each of the requirements in applications from 40 charter authorizers, we found that while a plurality (43 percent) of the application requirements were clearly appropriate for authorizers to include, the majority of requirements were either unnecessary (34 percent) or clearly inappropriate (23 percent). This means that authorizers could shorten the average application by at least one-third without sacrificing their ability to ensure quality—a change that could save applicants more than 700 hours of work, based on interviewed school leaders' estimates of the amount of time it takes to complete a charter application. Interviews and application data point to a handful of lessons about charter school authorizing.

Lesson 1: Many authorizers appear to be able to streamline applications without losing quality

control. We discovered that by refocusing applications on the charter bargain, both authorizers and applicants can benefit. Almost one-fourth of the average application contains inappropriate and onerous requirements. Removing those requirements would eliminate busy-work for applicants and allow authorizers to focus on the information that is relevant to schools' chances of future success. It would also help realign authorizing with the original intent of the charter bargain: giving charter operators autonomy in exchange for accountability.

Lesson 2: Authorizers sometimes mistake length for rigor. The applications that we coded ranged from only 4 pages to a whopping 127 pages, with anywhere from 12 to 399 individual tasks for applicants to complete. When asked about 100-plus-page applications, however, authorizers often explained to us that the process has to be difficult in order to weed out those applicants who won't be successful. The problem is that adding 30 pages to an application doesn't necessarily make it a better test of applicants' competence, but it does impair applicants' ability to complete the application in the first place or, once charter schools have opened, can impair their ability to change their plans in response to outcomes, data, or community input.

Lesson 3: There is a lack of clarity on the role of charter schools and authorizers. Authorizers don't know which elements of the application are most useful for predicting success. As a result, charter applications often contain a little bit of everything. In turn, applicants don't understand what authorizers value, and often overshoot the target to ensure their applications cover as much as possible. This cycle is hugely inefficient and tips the balance of the charter bargain heavily toward accountability and away from autonomy.

Lesson 4: Authorizers often prize innovation less than they say they do. Autonomy is a valuable aspect of charter schooling because it promises that operators will have room to innovate. However, an application process that has become increasingly onerous and risk averse severely compromises operators' ability to innovate. As one operator said, "We love to see innovation, but at the end of the day, it has to make educational and business sense." It is impossible to know what quality innovation looks like before it exists. Trying to regulate innovation ultimately precludes applicants from developing and testing truly innovative ideas.

Lesson 5: There is more variability within than between authorizer types. We coded applications from and interviewed individuals representing three different types of authorizers: state education agencies, higher education institutions, and independent charter boards. We found that, for example, the range of application lengths between authorizer types is less than 20 pages, but within a single authorizer type, the range can exceed 120 pages. The takeaway here is that all authorizers are prone to including extraneous and inappropriate requirements and should carefully consider ways to streamline their applications.

The Paperwork Pile-Up: Measuring the Burden of Charter School Applications

For more than 30 years, leaders have called for major improvements to America's education system. In 1983, *A Nation at Risk* declared that "The educational foundations of our society are presently being eroded by a rising tide of mediocrity that threatens our very future as a nation and a people."¹ In 1996, Bill Clinton argued that "We should reward the best schools, and we should shut down or redesign those that fail."² In 2000, George W. Bush decried "the soft bigotry of low expectations" in American education.³ In 2007, presidential candidate Barack Obama said he would "not accept an America where we do nothing about six million students who are reading below their grade level."⁴

Despite all this talk, only 35 percent of US fourth graders and 36 percent of eighth graders were reading at grade level in 2013, when only 42 percent of fourth graders and 35 percent of eighth graders were doing math at grade level.⁵

It is not crazy to think that we need bigger, more comprehensive solutions. It is also not crazy to argue that America's education system, as currently constituted, struggles with making large, bold, and sustained improvements. Hardworking and talented educators who want to do right by kids are often thwarted by an incoherent bureaucracy, a culture that rewards compliance over innovation, inflexible work rules, ossified collective bargaining agreements, and piles of paperwork.

Frustration with this system and the ways it stifles efforts to create rich, rewarding, and rigorous schools was the catalyst for creating charter schools. Charter

schooling seeks to give individuals and organizations room to create schools freed of the bureaucratic rules, regulations, norms, and culture that have stymied their traditional public school counterparts.

Nevertheless, many prospective charter school operators are facing the same types of bureaucratic hoop jumping that plague administrators at traditional public schools. Charter applications have become larded up with inappropriate and onerous requests. In Colorado, a prospective charter school operator must present a document that describes exactly what the school will do if a student forgets his or her lunch. In Louisiana, operators must provide descriptions of a tough decision that each board member has made in the past. In Connecticut, prospective operators must create, and describe for the authorizer, a peer mentoring program for their teachers.

It is easy to imagine that more rules promise more safety. In reality, experience in education and elsewhere teaches that the length of a charter school application does not necessarily make it any more rigorous or offer more assurance of quality. What's more, padding applications with unnecessary requests is not a victimless crime. It wastes the time, energy, and money of prospective school leaders, and it risks crowding out smaller groups that do not have the time, staff, or resources to complete the application.

We are not the only people who try to think about the costs of regulations for startup organizations. For years, the World Bank has released its "ease of doing business" rankings for countries around the world, measuring how many hurdles entrepreneurs face in trying to start or operate businesses, such as getting credit, paying taxes, registering property, and obtaining construction permits. It summarizes these hurdles by listing the number of procedures, overall amount of time, and cost of starting a new business in each country.⁶

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At the top of the list, countries like New Zealand and Canada require only one step, which can take as little as half a day to complete. At the bottom, Cambodia, Equatorial Guinea, and Venezuela have as many as 18 steps, which can take more than 100 days to complete. When the costs are all accounted for, starting a business in one of these nations can cost 2.5 times the national per capita GDP. By comparison, compliance with regulations costs a business in New Zealand around 0.3 percent of national per capita GDP.

The New York City Charter Charter School Center home page lists the amount of time from submitting a request for proposal to obtaining approval from the board of regents at just over six months, not counting the amount of preparation time necessary for the application.⁷ Even if we simply look at the time from the request for proposal to the application due date, it is more than 90 days, or right around the amount of time it takes to start a business in recently post-military-junta Myanmar.

Our analysis finds that excising requirements that are clearly inappropriate could shorten the average charter school application by at least one-third without sacrificing the authorizers' ability to ensure quality. In a process that, according to one charter operator, takes a team of six people two months to complete, this change could recover more than 700 hours of work. The money and effort trimmed from charter applications could be much better used to educate students.

In 2011, the Thomas B. Fordham Institute released *Charter School Autonomy: A Half-Broken Promise*, an analysis of the autonomy of charter school authorizers across the country. Of note, it found that almost 95 percent of charter schools faced certification requirements for their teachers (caused by how states interpreted the No Child Left Behind Act's Highly Qualified Teachers requirements), and more than 50 percent fell under restrictions related to how charter schools must establish their governing board, choose providers for special education services, or participate in the state's retirement system.⁸ The amount and manner of such regulations have costs.

But we want to do more than measure operational autonomy. We wish to offer a principled vision of charter school authorizing and a measurement of how well

authorizers are currently living up to it. In the following sections, we will describe what authorizers should and should not do, discuss how current requirements help or hinder the authorization process, and offer recommendations that will help ensure that charter school applications yield quality schools that are not overburdened by regulations.

The Dos and Don'ts of Charter Authorizing

To be clear, our call to slim down charter applications is not a call to remove necessary safeguards for children and taxpayers in the authorizing process. Charter authorizers play an important role as gatekeepers, and the application process is a meaningful exercise that helps operators think through their plans.

Excising requirements that are clearly inappropriate could shorten the average charter school application by at least one-third without sacrificing the authorizers' ability to ensure quality, and could recover more than 700 hours of work.

Instead, in our effort to provide a principled vision for charter school authorizing, we would differentiate information that authorizers are justified in asking for from information that is irrelevant, inappropriate, or outside the scope of authorizers' expertise.

The Dos of Charter Authorizing. It is important to keep in mind that authorizers do play an important role. Acting in that role, authorizers should

1. Establish clear performance benchmarks and hold schools accountable for meeting them.
2. Review applicants' governance, organizational, financial, and academic proposals to judge whether they are capable of meeting the agreed-upon goals.

3. Ensure that schools comply with all applicable laws and conform to norms of financial management.
4. Strive to be parsimonious in their applications by only asking for necessary information.

These ideas are not new. From the earliest writing on charter schools in the 1980s and 1990s, operating a charter school has been viewed as a “charter bargain,” or a trading of autonomy for accountability. Albert Shanker, the longtime head of the United Federation of Teachers in New York, is credited by many as being the father of charter schooling. In a 1988 speech at the National Press Club decrying much of the standardized testing and bureaucracy that arose after the publication of *A Nation at Risk*, Shanker offered an alternative vision of schooling:

Consider six or seven or twelve teachers in a school who say, “We’ve got an idea. We’ve got a way of doing something very different. We’ve got a way of reaching the kids that are now not being reached by what the school is doing.” That group of teachers could set up a school within that school which ultimately, if the procedure works and it’s accepted, would be a totally autonomous school within that district.⁹

Shanker believed that, when removed from bureaucracy and micromanagement but held in check by a performance contract, small groups of teachers could design schools in ways that would reach students underserved by the traditional public school system.

So what would such oversight look like? Let’s look at each facet in turn.

First, authorizers must clearly articulate and subsequently hold charter school operators accountable for meeting agreed-upon performance goals. That is pretty obvious because it is spelled out in the schools’ charter.

Second, authorizers should act as a front-end screen to weed out schools that have no business educating children. To make this determination, authorizers can reasonably ask for evidence of the curriculum the school is going to use, look into the board or management organization charged with overseeing the school, or review the school’s staffing plan.

Third, authorizers have a responsibility to taxpayers above and beyond ensuring that schools meet academic standards. As the conduit of public funds, authorizers must ensure that taxpayer dollars earmarked for charter schools will be used to educate students. Government is rife with examples of fraud and theft, and careful review of financial plans and budgets can help prevent malfeasance. The same is true for legal compliance: authorizers have an obligation to students, families, and taxpayers to be sure charter schools comply with all applicable laws.

Fourth, however, in the pursuit of these important and reasonable ends, authorizers should also strive to be parsimonious, asking only for the information that is absolutely necessary to decide whether to grant or withhold a charter. Charter applications tend to run off the rails when, in addition to requiring information about academic programs or financial metrics, authorizers seek lengthy narratives to justify particular choices or request granular details on elements of school operation. Such details—for example, a school’s food service plan—are likely to change as the school prepares to open. What’s more, long narratives are prone to puffery and add little to authorizers’ understanding of what schools are actually going to do. Applications should focus on the “what” of operators’ plans and leave the “why” and “how” alone.

The Don’ts of Charter Authorizing. As important as it is to articulate what authorizers should do, it is just as important to enumerate what they should not do. Authorizers should not

1. Fancy themselves venture capitalists;
2. Assume the role of management consultants;
3. Think they are pedagogical or curricular experts;
or
4. Feel entitled to tack pet issues onto applications.

With regard to the first point, charter school authorizers are not venture capitalists for several reasons. First, venture capitalists and charter authorizers assume totally different financial risks. Venture capitalists invest

their own money into nascent ventures with the hope that those ventures will grow and make a large return on seed money. This is why venture capitalists conduct market analyses: to try to predict growth and assess the ability of a product to fit a market niche. In contrast, the motivation of a charter authorizer is one of quality control. Whether parents choose to enroll their children in the schools is up to them.

Venture capitalists are also not gatekeepers; in fact, they generally boost organizations that already exist. They do not have veto power over existing startups. In reality, most startups grow and prosper without venture capital. If the only startups allowed to exist were the ones in which venture capitalists invested, we would see far fewer of them. Although it is understandable that charter authorizers might see themselves as being charged with a public investment, they cannot be as selective as venture capitalists.

Second, charter school authorizers are not management consultants. Just as authorizers should not see themselves as public education's Marc Andreessen or Peter Thiel, they should also avoid taking on the role of a Boston Consulting Group, Bain & Company, or McKinsey & Company. Part of the autonomy provided to schools in the charter bargain is in the operators' ability to manage their schools in the ways they see fit.

The more heavy handed the authorizer is in prescribing the types of models that it will and will not authorize—such as staffing plans, professional development models, faculty meeting schedules, and so forth—the less room charter schools have to create innovative structures that could benefit students. If charter school operators want guidance on these plans, they can and should solicit the expertise of management consultants, not authorizers.

What's more, management consultants are usually brought into old and ossified organizations to give them a breath of fresh air and new and better routines and practices. There is a reason you don't see startups outsourcing their growth and development plans to big consulting firms—firms generally have set ideas that would inhibit the flexibility of a young, mission-driven organization. Too tightly imposing a vision of what a school should look like risks stifling innovation, just like imposing McKinsey's management ideas on a young startup.

Third, charter school authorizers are generally not curricular or pedagogical experts, and they should not pretend to be. If authorizers believe they have great ideas for curricular or instructional approaches, then they are welcome to operate their own schools. It is perfectly reasonable of authorizers to ask for a broad overview of a school's curriculum plan, but requiring detailed narratives and justifications is a step too far. If authorizers think a given reading program is reasonable, is it really important *why* it was chosen? Are authorizers in a position to make determinations about minute details of pedagogy, particularly when many are not educators or education researchers? We don't think so.

Fourth, charter school applications are not an invitation for authorizers to tuck on their pet issues. Many charter applications today seem to be repositories for every charter board member's or state legislator's particular interest. Often, these requirements are included because it is more politically expedient to include everything than to determine the appropriateness of each requirement. However, this decision transfers the burden to applicants, who in turn must invest additional time and energy into fulfilling needless requirements. There is simply no need for schools to elucidate every minor detail of their policies or procedures (such as what they will do if a student forgets his or her lunch). Likewise, authorizers should not try to foist particular methods of professional development, instruction, or administration onto schools that are meant to be autonomous.

Charter Authorizing Activities: Green Light, Go; Red Light, Stop

Now that we have articulated a principled vision of charter authorizing, it is time to see how today's charter applications measure up. To do that, we surveyed a set of charter school applications from across the country, categorized their requirements by appropriateness and difficulty of completion, and tabulated how much of each type of requirement is present in the average application.

Before we dig too far into the method, we should note that any systematic attempt to code charter applications across states and authorizers will be difficult because authorizers use different language to describe

the components of academic, financial, and organizational plans.

Although we were unable to categorize every single application requirement in our coding scheme, we made every effort to standardize the measurement of tasks across the applications we surveyed. We ultimately organized them into a matrix (table 1).

The green, upper-left cell (the “appropriate” and “manageable” cell) of table 1 contains the evidence that charter authorizers should require to determine that applicants can meet the agreed-upon goals and comply with legal and financial regulations. Application requirements in this cell are part of the charter bargain of trading accountability for autonomy.

The red, lower-right cell (the “Inappropriate” and “Onerous” cell) contains requirements that no prospective charter applicant should have to meet. Besides having little to no bearing on whether a school will ultimately be successful (for example, there are plenty of high-achieving schools that were not required to submit a plan to make students arriving midyear feel welcome), creating the necessary documentation for these requirements takes substantial time and effort. The two remaining cells are yellow because although they are not as flagrant violations of the charter bargain as the tasks in the red cell, they still warrant caution.

The yellow, upper-right cell (“inappropriate” but “manageable”) of table 1 describes the tasks that are not horrifically difficult for applicants to complete but have little to do with whether their school will be successful. Although it might not be that difficult to describe a school’s advertising plan or explain how it will provide meals for students, these requirements are beyond the purview of charter authorizers because they infringe on operators’ autonomy without enhancing accountability.

The yellow, lower-left cell (“appropriate” but “onerous”) describes requirements that are reasonable but should be asked in less time-consuming ways. In the green cell are requirements for operators to provide only the “what” of their plans. In the yellow and onerous cell, on the other hand, are requirements for operators to describe—often in great detail—the “why” or “how.”

The lengthy justifications required by these tasks are problematic for two reasons. First, they are prone to puffery. Because it is hard for applicants to know

the exact details of their meal preparation or exactly what number of innovations they are planning to rely on, requiring these details merely rewards applicants for their storytelling abilities. Second, asking for this information restricts the freedom and autonomy that is promised to schools in the charter bargain.

In the next section, we break down how much authorizer activity falls into each of these quadrants.

Our Methodology

There are 1,045 charter authorizers in the United States. Nine hundred and forty-five of those are local education agencies (LEAs). Of the remaining 100, 46 are higher education institutions (HEIs), 18 are state education agencies (SEAs), 18 are not-for-profit organizations (NFPs), 15 are independent charter boards (ICBs), and 3—the Indianapolis mayor’s office, the Milwaukee Common Council, and Cherokee Nation—are noneducational government authorizers (NEGs).¹⁰

Non-LEA authorizers were created specifically to prevent the kind of bureaucratic stifling that we decry in this paper. In fact, the National Association of Charter School Authorizers asserts that states that have only LEAs as authorizers risk having applications that are “too cumbersome” and monitoring systems that are “too bureaucratic.”¹¹

As a result, we decided to sample all available applications from the three non-LEA authorizer types that authorize the most schools: higher education institutions, state education agencies, and independent charter boards. Combined, these three types authorize 79 percent of all non-LEA-authorized charter schools.

To locate and code the applications, we first visited authorizers’ websites. If an application was not available online, we contacted individuals listed on the National Association of Charter School Authorizers’ authorizing home page or emailed directors and administrators directly. Each contact person was emailed at least twice. Of the 46 total HEI authorizers, 30 were either no longer authorizing or failed to respond to our emails. Of the 18 SEA authorizers, 3 were either not authorizing or did not respond to our emails. Of the 15 ICB authorizers, 6 were either not authorizing, were duplicates, or were unavailable.

TABLE 1
A MATRIX OF AUTHORIZER REQUESTS

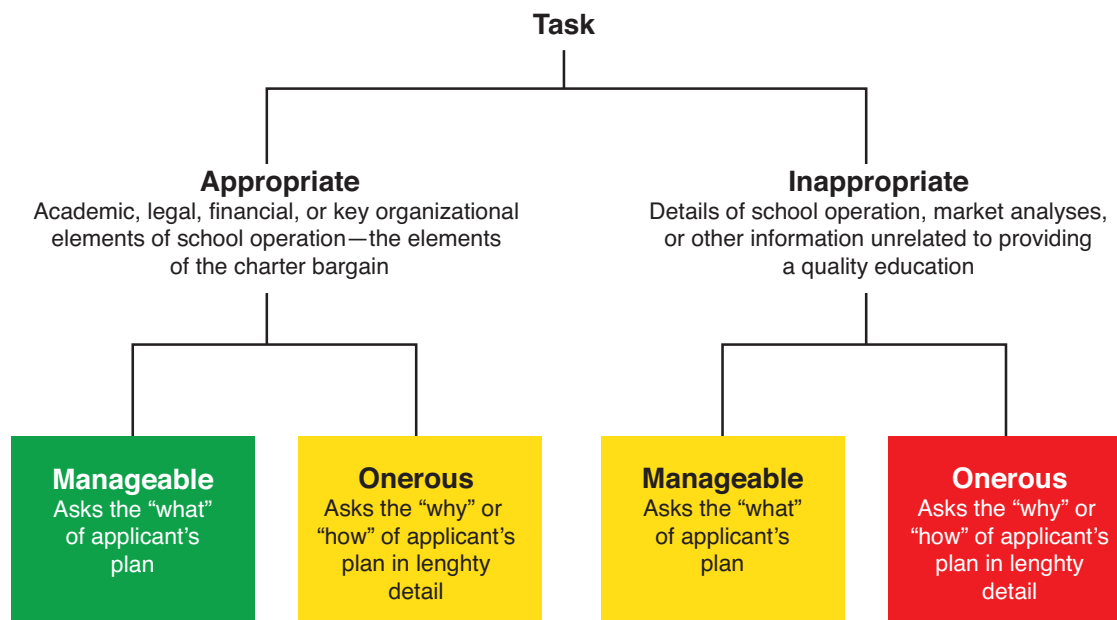
	Appropriate	Inappropriate
Manageable	<p>The Charter Bargain <i>Evidence that charter school authorizers should require</i></p> <p>Examples</p> <ul style="list-style-type: none"> • Describe how the school will measure student performance. • Describe the curriculum to be used. • Demonstrate compliance with laws regarding enrollment procedures. • Present a preoperational budget and/or a budget for the first year of operation. • Describe the governance structure. 	<p>Administrivia <i>Information that has no bearing on the quality of a school but is not necessarily difficult for applicants to provide</i></p> <p>Examples</p> <ul style="list-style-type: none"> • Explain the advertising plan. • Explain the school’s plans to provide meals. • Describe any innovations to be used in the school. • Offer a rationale for choosing the specific location/community. • Commit to meeting all students’ needs.
Onerous	<p>Overexplaining <i>Lengthy narratives on the “how” and “why” of academic, financial, legal, or organizational elements of the school’s application</i></p> <p>Examples</p> <ul style="list-style-type: none"> • Offer a rationale for why goals or performance metrics are used. • Explain how the school will meet all students’ needs. • Present curriculum samples or justify the choice of curriculum. • Explain how the choice of instructional methods will serve students. • Justify the choice of financial strategies/goals. 	<p>Kludge City <i>Lengthy narratives that have little to no bearing on whether a school will ultimately be successful or that authorizers have little ability to evaluate</i></p> <p>Examples</p> <ul style="list-style-type: none"> • Detail the professional development plan. • Provide a demographic analysis of prospective students. • Detail the peer mentoring plan. • Create a plan for making students who arrive midyear feel welcome. • For each board member, provide a description of a tough decision that he or she has made in the past.

Source: The authors

We coded every HEI, SEA, and ICB application that was available to us at the end of this process during Fall 2014. The final coded numbers were 16 HEI applications, 15 SEA applications, and 9 ICB applications. The 40 authorizers that issued these applications oversee more than 2,000 of the 6,000 charter schools in America. To supplement this data, we also interviewed charter school operators and representatives of charter-authorizing boards across all three authorizer types.

Classifying by Task. To code applications, we classified the actions that authorizers require of operators, and the unit of analysis was the “task.” We defined a task as any instance in which the authorizer requires a specific action from the applicant, such as providing a mission statement or attaching a budget. Tasks were almost always issued in the imperative (for example, “Explain the research that supports your choice of curriculum” or “State your anticipated enrollment”) and

FIGURE 1
CODING DECISION TREE



Source: The authors

were counted by searching for and tallying the number of these imperative demands. Instances in which the action was clearly optional were not included.

Of course, not all tasks are created equal. “State whether or not you intend to contract with a CMO [charter management organization] or EMO [education management organization]” and “Justify your choice of reading curriculum with appropriate research” are counted as one task. By definition, the tasks in the red cell will take more time than those in the green cell, but to standardize to the degree that meaningful comparisons could be made, we decided to count all tasks equally.

Coding and Comparing. Once we identified all the tasks, we classified them by quadrant. For all coding decisions, we followed the decision tree depicted in figure 1.

After classifying the tasks according to this decision tree, we counted how many tasks in each cell appeared in multiple applications. We found 11 common red requirements, 25 common yellow requirements, and 16 common green requirements.¹²

Next, we looked only at the 11 most common tasks from each color (to give each category equal weight) and counted the number of times those tasks appeared across all 40 applications. We could then calculate the approximate percentage of tasks that were red, yellow, or green, giving us the relative frequency of each type of task.¹³

Our Results

A look at some basic statistics on authorizers’ requirements for new charter school applications (table 2) can tell us a lot about how much applicants are asked to do.

There is wide variation in the length of applications and in the number of requirements. Application length constitutes the number of pages—apart from the introductory text—of a blank application. While charter applications average just over 40 pages in length, we saw applications as short as 4 pages and as long as 127 pages. The number of tasks, as defined earlier, ranged from 12 to almost 400. We also counted

TABLE 2
DESCRIPTIVE STATISTICS OF APPLICATION REQUIREMENTS

		SEAs	HEIs	ICBs	Overall
Number of Pages	Min	5	7	4	4
	Max	86	115	127	127
	Average	43.4	32.8	51.4	41.2
Number of Tasks	Min	13	12	35	12
	Max	331	266	399	399
	Average	133.6	97.9	162.1	126.6
Number of Attachments	Min	1	1	3	1
	Max	33	25	62	62
	Average	14.9	10.2	23.1	15.1
Number of Legal Documents	Min	0	0	2	0
	Max	12	9	15	15
	Average	4.1	2.4	6.9	4.1

Source: The authors

the number of attachments applicants are required to include in their applications and the number that would require the assistance of legal experts (contracts, deeds, and so forth). We referred to these attachments as “legal documents.” Some applications required only a single nonlegal attachment, whereas other applications required upward of 60 attachments and, in some cases, as many as 15 of those were legal documents.

When we compare applications issued by a single authorizer type, we find quite a bit of variation. SEA applications range from 5 to 86 pages, HEI applications range from 7 to 115 pages, and ICB applications range from 4 to 127 pages. If we compare the number of tasks in these applications, we see a range of 13 to 331 in SEA applications, 12 to 266 in HEI applications, and 35 to 399 in ICB applications. (For an authorizer-by-authorizer breakdown, see appendix 3.)

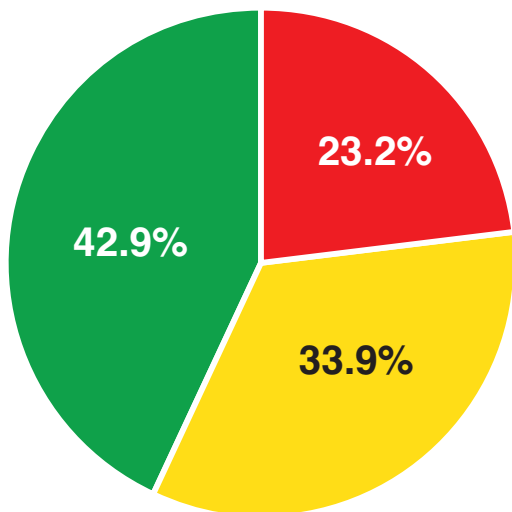
However, there are few major differences between authorizer types. The average length of SEA applications is 43.4 pages. For HEIs it is 32.8 pages; for ICBs it is 51.4 pages. A look at the average number of tasks shows SEAs requiring 134, HEIs requiring 98, and ICBs requiring 162. In all cases, ICBs tend to ask for the most and HEIs the least, but the differences are relatively small in scale.

While charter applications average just over 40 pages in length, we saw applications as short as 4 pages and as long as 127 pages. The number of tasks, as defined earlier, spans from 12 to almost 400.

When it comes to what types of tasks authorizers request across applications, we found 218 red, 318 yellow, and 402 green, for a total of 938 tasks. This gives us the breakdown shown in figure 2: 23.2 percent of tasks fall into the red category, 33.9 percent fall into the yellow category, and 42.9 percent fall into the green category.

Across states and authorizer types, a plurality of the tasks (green) are wholly appropriate for charter school authorizers to require. At the same time, the majority of requirements can be categorized as either extraneous information to what is necessary in a charter application (yellow) or as clearly inappropriate and onerous requirements (red).

FIGURE 2
MOST COMMON TASKS BY CATEGORY



Source: The authors

Making Sense of the Numbers

Altogether, many authorizers require information well beyond the scope of the charter bargain, placing an immense and oftentimes needless burden on prospective operators. When we interviewed authorizers and operators, both groups detailed a human-capital-intensive, months-long application process. Between the data we collected from charter school applications and these interviews, several lessons emerge regarding the current state of charter authorizing.

Lesson 1: Many Authorizers Appear to Be Able to Streamline Applications without Losing Quality Control. It is reassuring to see that a plurality of the requirements common in charter applications are in the green category. In appendix 2, we show that most charter school applications collect the information necessary for academic, financial, organizational, and legal due diligence. The problem is that in addition to these requirements, authorizers layer on requests for information that they do not really need.

The Dirty Dozen

These application requirements are the ones that truly illustrate how varied, and kludgy, some charter applications are. Here are the highlights (or, should we say, the lowlights):

1. Attach a copy of the school's diploma.
2. Create a library plan.
3. For each board member, provide a description of a tough decision that he or she has made in the past.
4. Describe what will happen if a child forgets his or her lunch.
5. Create a teacher peer mentoring program.
6. Specify role models that applicants will look to when running their proposed school.
7. Describe the supplies required for specialty subjects (for example, kilns for the art room).
8. Create "procedures to determine whether a student responds to scientific, research-based interventions for reading and mathematics."¹
9. Provide notarized board member biographical affidavits.
10. Describe what it means to be an educated person in the 21st century.
11. Create a 10-year budget.
12. State a plan for ensuring students who transfer to the school mid year feel welcome.

Note

1. Delaware Department of Education, "New Charter School Application Rubric," August 28, 2014, www.doe.k12.de.us/Page/1219.

On average, almost a quarter of a given charter application is taken up by requirements that clearly fall into the red (inappropriate and onerous) category. The most common of these requirements are listed in appendix 1, and others are highlighted in “The Dirty Dozen” sidebar. These requirements could be excised without detracting from authorizers’ ability to regulate quality. In fact, eliminating these requirements would benefit applicants *and* authorizers by removing information that is busywork and says little about schools’ chance of future success.

While almost a quarter of a given charter application is comprised of red requirements, another third of requirements fall into one of the two yellow categories. Removing some proportion of these, particularly the onerous requirements, would also be beneficial for both applicants and authorizers and would help realign the authorizing process with the fundamental principles of the charter bargain.

In short, by refocusing applications on the charter bargain, everyone wins. Operators could focus more on the core aspects of their plan and use their time more effectively, and authorizers could focus on the information that they are most capable of evaluating.

Lesson 2: There Is a Tendency for Authorizers to Mistake Length for Rigor. When asked about the length and amount of information school leaders are required to present, several authorizers we interviewed were unbowed. As one operator from an independent charter board put it, “We’ve always kind of sided on it being a tough challenge . . . because that’s our first test if you’re going to be able to run a school.”¹⁴

This impulse to equate length with rigor is problematic because it assumes that the same set of skills that leads to a well-written application will lead to a well-run school. Although there is certainly some overlap here (such as meeting deadlines and communicating clearly), there is much more to running a school than completing paperwork. If these cosmetic considerations are used as a proxy for operator ability, the risk of misclassification is immense.

Conflating length and rigor is also problematic because it creates unnecessary hurdles for applicants trying to serve students and communities. These hurdles make it harder for schools to open in the first place

(for reasons unrelated to academic or financial viability) and hamper operators’ ability to, after opening, change their plans in response to outcomes, data, or community requests.

By all means, charter applications should be rigorous and should prompt prospective school leaders to think long and hard about how they are going to operate their schools. But adding 20 to 30 pages to an application does not necessarily make applicants think more deeply about the essential components of a good school, and it does not ensure that the schools that will be authorized will be of good quality.

Lesson 3: There Is a Lack of Clarity on the Role of Charter Schools and Charter Authorizers. Because new operators cannot provide authorizers with data on student outcomes, authorizers must predict, on the basis of their applications, which operators will be successful. The problem is, authorizers do not know exactly which application elements are most useful for predicting student success.

Even within a single authorizing board, there is often debate over what a charter school is supposed to do and what the appropriate role of a charter authorizer is. One authorizer said that deciding what elements go into an application “is a bit of a political process. There are a lot of different groups that work with charters within the department, and . . . they all want to play a role in the application process because they’re going to have to work with the charters throughout [their] life-cycle.” In this environment, applications can turn into Frankensteins—documents that are created by stitching together the desires of every political actor and then begin to take on lives of their own.

Accordingly, several authorizers spoke of their desire to streamline their applications after seeing how cumbersome the process had become or after receiving completed applications that were as long as 850 pages. One officer at a higher education institution said that instituting page limits for certain sections of the application had helped rein in applicants who “believ[ed] they needed to give you more and more for you to understand what they were trying to do.” This impulse by applicants is understandable—how can they know what authorizers are after if the authorizers don’t know?

Amid the charter school sector's identity crisis over what makes a quality application and what metrics should be used to measure one, applicants are continually overshooting the target to ensure that their application contains everything it should or may need to cover. Returning to a principled theory of charter authorizing would help remove the inefficiencies inherent in the process today.

Lesson 4: Authorizers Often Prize Innovation Less than They Say They Do. Although authorizers claim that they want to see innovation in applications, they have become increasingly risk averse, requiring more and more from applicants to approve their proposals. As one authorizer noted, “[Charters] are meant to have certain autonomies so that we can see real innovation and have them push the envelope a little bit, but that’s not currently the case.”

Furthermore, authorizers squelch the potential for continued innovation by narrowly prioritizing school models that may have been innovative yesterday (for example, models that incorporate science, technology, engineering, and math into a school’s curriculum) rather than actually encouraging schools to experiment anew and keep taking risks. As another charter authorizer stated, “We love to see innovation, but at the end of the day, it has to make educational and business sense.”

The autonomy that charter schools receive in trade for accountability should allow them room to experiment and innovate, but it is impossible for them to do this when authorizers regulate away innovation. Charter authorizers cannot be the end-all for determining what is “good” or “bad” innovation, because they cannot know what quality innovation looks like before it exists. Lengthy and restrictive applications make it difficult to create incentives for, and expectations of, true innovation—but innovation is fundamental to what charter schools should be.

Lesson 5: There Is More Variability within (than between) Authorizer Types. We demonstrated in table 2 that ICBs tend to ask slightly more from applicants than SEAs and HEIs but that there appears to be much more variation within groups than between them. For example, when examining the variation in

application lengths between authorizer types, we see that the range is less than 20 pages, but the variation within a single authorizer type can exceed 120 pages. Thus, it does not appear that any one type of authorizer is more prone to kludging up applications than the others. Rather, authorizers of all types often include extraneous requirements and should assess what can be done to streamline their applications.

Charter authorizers cannot be the end-all for determining what is good or bad innovation.

Recommendations

In light of these lessons, we offer four recommendations to improve the charter-authorizing process.

- 1. State legislators and authorizers should undertake a serious regulatory review of the charter school authorization process.** The operator of a high-performing charter school in Washington, DC, told us that there is a natural tendency for authorizing to become more regulated over time. He noted that, like entropy, “Everything is sliding into being regulated,” and “it is very difficult for authorizers to maintain their center, or keep their compass” pointed toward the appropriate degree of regulation.

Given our findings, we think this operator is correct. Charter authorizers should take a long, hard look at their applications and sandpaper off requirements that go beyond what is appropriate and necessary. Similarly, state legislators who propose many of the regulations that appear in charter applications should carefully examine state law and remove requirements that unnecessarily encroach on charter schools’ autonomy.

On streamlining the application process, state legislatures and authorizers should also consider computing cost-benefit analyses for future application requirements. Those seeking to add new

regulations should demonstrate that the additions (1) collect information that falls within the principles of authorizing that charter operators have agreed to and (2) collect such information in the least restrictive way possible.

Finding this balance (or reorienting one's compass) is important not just because it would make charter applications more reasonable but also because it would stick to the charter bargain. Because authorizing has drifted toward regulation, charter schools are essentially being held accountable without being given their rightful autonomy.

- 2. Authorizers should rebrand themselves as guardians of autonomy.** One authorizer at a state board of education told us that she viewed her organization as a “guardian of autonomy.” More authorizers need to understand that protecting schools’ autonomy is an integral part of their mission. They often do not because there is a lack of clarity among operators, authorizers, and legislators on what charter schools are supposed to be and what role authorizers are supposed to play, but authorizers can also do much more to guard charter schools against unnecessary encroachment.

Internally, authorizers should articulate clear boundaries when it comes to their responsibilities. By providing a principled position on only the activities they are in a position to do well (and therefore should be empowered to do), authorizers can then signal these boundaries to both charter operators and legislators. Authorizers ultimately decide what goes into an application and how that application is scored. If they do not fully appreciate the need to push back against legislators, advocacy organizations, or even people in their own ranks calling for greater regulation, regulatory creep will continue unabated.

- 3. Charter school and education reform advocacy organizations should also act as guardians of autonomy.** Like charter authorizers, reform advocacy organizations should be fighting regulatory creep. Unfortunately, these organizations are often

the ones seeking to foist new restrictions on charter schools. For example, a recent white paper from the Thomas B. Fordham Institute and Bellwether Education Partners encouraged a raft of new regulations for charter schools in Ohio.¹⁵ These regulations included requirements that members of charter school boards register as public officials (requiring disclosures of home values, stock portfolios, and a host of other personal details).

Most charter school board members are simply members of the local community who volunteer a small part of their time to try to help guide a school. Should they really have to tell the world where they live, how much their house is worth, or how big their 401(k) is? This would serve to drive possibly eminently qualified individuals from joining charter boards for a regulation with limited upside.

Protecting charter school autonomy should be a central mission of pro-charter school and pro-education reform organizations. If reformers do not take care to guard autonomy, they risk forcing charter schools to become the very institutions they are designed to replace.

- 4. Everyone should excise “smart regulations” from their vocabulary.** An all-too-common rhetorical tool of those looking to add regulations is that they support “smart” regulations. We can hear the objections to our findings already: “You have identified dumb regulations. We should get rid of those. But we’re for smart regulations. Those are the ones we should add.” There are a lot of problems with this mind-set.

First, “smart” and “dumb” are in the eye of the beholder. There is an unfortunate tendency for those not actually given the task of creating something to underestimate how difficult and time-consuming it can be. What looks to be reasonable and limited to an authorizer or advocate might actually mean hundreds of hours of work for a prospective operator.

Second, no raindrop thinks it is responsible for the flood. Individually, each regulation could be sensible and meaningful, but when combined with hundreds of other requirements, the sum

becomes incoherent and onerous. Authorizers need to understand how requirements can fit with each other, contradict each other, and add up to a mountain of kludges that make things more difficult than they ought to be for applicants.

As a result, new regulations need to be held to a higher standard than a subjective judgment of how “smart” they are. In our first recommendation, we suggested using cost-benefit analyses to assess whether a new regulation should be adopted. But we could imagine other objective standards that authorizers could use, such as setting page or task limits—or even estimated time limits—for applications.

Conclusion

Charter schooling isn’t the only endeavor that can get bogged down by overzealous regulators. In 2011, President Obama signed into law the Food Safety Modernization Act, a sweeping overhaul of food regulations in the United States. As detailed by Tom Philpott in *Mother Jones*, a series of embarrassing and dangerous outbreaks of foodborne disease, such as a salmonella outbreak that contaminated more than half a billion eggs, had led a bipartisan group of legislators to tighten up the “dysfunctional” and “porous” regulatory system for food in America.¹⁶

At the time, individuals from across the political spectrum hailed the bill. Michael Pollan, author of *The Omnivore’s Dilemma*, called it “the best opportunity in a generation to improve the safety of the American food supply.” The US Chamber of Commerce said that it would “improve America’s ability to prevent food borne illness and boost consumer confidence in U.S. food supplies while minimally burdening small farms and consumers.”¹⁷

Fast forward through two years of rulemaking by the Food and Drug Administration, and *Mother Jones* reported that “according to decidedly nonparanoid, noncrazy observers, the proposed rules as currently written represent a significant and possibly devastating burden to small and midsize players.” Although the initial legislation exempted farms that make less than \$500,000 per year from the costly compliance requirements that

larger food producers would have to meet, numerous sinkholes were created that sucked small farms into the regulatory swamp. If, for example, a farm worked directly with a school, restaurant, or co-op for more than half of its total business, it would be subject to regulations regardless of its size. As Philpott pointed out, the Food and Drug Administration’s own analysis stated that these regulations could affect 30,000 small farms and risk half or more of their profits.¹⁸

Such is our fear for charter schools. Lengthy applications and onerous requirements are unlikely to slow down large charter management organizations. They have the staff and institutional resources to devote to crafting successful charter applications. Our real concern is for the smaller, community-based operators who do not have the same resources.

As charter authorizing becomes increasingly bureaucratic and muscular, it is almost impossible for small groups of teachers to withstand the long, expensive, and complex process.

Caring about the Little Guy. Writing a clearly articulated and thoughtful charter application is great; applicants should absolutely be held accountable for fulfilling their part of the charter bargain. They should absolutely have to demonstrate that they will provide an excellent education for students and be responsible stewards of public dollars. However, as the chartering process has strayed from the charter bargain, private citizens hoping to open a charter school are—not surprisingly—having a hard time keeping up.

Charter authorizers who operate within the lines of the charter bargain—asking applicants for the “what” and not the “why” or “how” of their plans—give small mom-and-pop groups a fair shot at entering the market. But as charter authorizing becomes increasingly bureaucratic and muscular, it is almost impossible for small groups of teachers to withstand the long, expensive, and complex process to apply for and open a charter school. And as viable applicants are denied a charter,

similar groups may also be deterred from applying in the future.

How does this crowding out of small operators happen? Let's start with the application itself. The blank applications we surveyed ranged from 4 to 127 pages. Completed applications can reach upward of 300 pages, a length that one operator admitted was excessive and often prohibitive for small groups. Moreover, given that authorizers sometimes need only a fraction of the information included in an application, it again begs the question as to why extremely lengthy applications have become the norm.

Adding to the “kludging” of charter applications is the time-intensive process. One independent charter board director noted, “It takes some of our applicants years.” Another operator explained, “By the time it's all said and done, there's really two people that do the bulk of the writing. There's probably six people that participate in a sort of substantial way. . . . So, there's probably . . . six to eight people that actually contribute to the writing of the charter.”

Perhaps more disturbing than the fact that small groups of applicants are being choked out of the charter school authorizing process is the reality that authorizers seem wholly unconcerned about it. Admitting that “we are like venture capitalists—in fact, I call us ‘venture bureaucrats,’” an independent charter board director also noted, “I'm well acquainted with a number of consultants that make a good living” writing and advising charter applications.

Authorizers have come to accept the authorization process as a complex, onerous, and expensive procedure. Today, entire professions are devoted to completing and submitting charter applications. It should come as no surprise that financially formidable applicants seek to outsource their undertaking to consultants who have the know-how to create the Frankensteins that charter applications have become. It is difficult to imagine this was the goal Shanker had in mind for the process by which to create new and vibrant educational opportunities through charter schooling.

Should we care about these smaller organizations in the charter sector? A popular response is “no”—too many of these mom-and-pop shops would be terrible charter school operators anyway, so they should leave it to the professionals. If this sounds familiar, that's

because it is the same thing the traditional education establishment said to every operator when it was just starting out: “Dave and Mike, this KIPP thing sounds interesting, but you're just a couple of teachers. Do you really think you can run a school?”

All the names that charter advocates now exalt were once small operators trying to get a chance to educate kids. By larding up charter applications and branding those who do not want to or cannot jump through those hoops as not serious or qualified enough to run schools, we risk unjustly narrowing the pool of charter operators and shutting out innovation.

Focusing on Deal-Breakers. There is an old consulting adage that if you're trying to hold people accountable for more than three things, you're not holding them accountable for anything. When the outcome of oversight is dichotomous—you get fired or you don't, you get a charter or you don't—certain things become more important than others. Sure, a manager might care a little if a person comes in to work on time, but if he or she makes serious errors that cost the business money, punctuality is a much smaller concern.

Such is the same with schooling. In our interviews with authorizers, they generally admitted that certain elements of a charter application were weighted more heavily than others. Interestingly, the real deal breakers tended to be the types of information that we included in the green (appropriate and manageable) category. One state authorizer remarked, “We want schools to have a very focused idea of what they want to become so they are serving a need,” but “we don't go through each specific section. It's weighted in a sense.” If applicants did not have a coherent vision or could not present a viable financial plan, they had no chance of getting authorized. But if those key elements were in place and the school was still working on, for example, solidifying a facility, authorizers were usually comfortable moving forward with the application.

If this is the case, why lard up the application with tasks that are not deal breakers? In many cases, charter applicants are interviewed *after* they submit their application. This means applicants could provide details on such concerns as facilities or school calendars later in the process, rather than adding yet another task to the application—especially when authorizers are initially

more focused on such elements as the school's mission and financial plan.

Too often, the debate around regulation focuses solely on quantity. Some people reflexively feel that more regulation is better, and others see it as inherently worse. We argue that the type and manner of regulation should be the most important concern. Charter school

authorizers need to refocus their efforts on the regulations that are most likely to ensure quality schooling and do away with extraneous requirements that have piled up over time. Charter school applications can and should be streamlined to help authorizers focus on what they can do well and save applicants hundreds of hours of work. It's a win-win proposition.

APPENDIX 1

HOW REQUIREMENTS WERE CATEGORIZED

To create figure 1, we classified all common requirements into one of three categories: green, yellow, or red. The following lists provide examples of each of these requirement types.

GREEN

1. Explain how the school will accommodate/support the learning needs of special populations.
2. Describe how the school will measure student performance.
3. State the school's academic goals.
4. Present a mission statement, model, or philosophy.
5. Describe the curriculum.
6. Describe the instructional methods.
7. Provide an outline of student enrollment numbers or grades served.
8. Demonstrate compliance with laws regarding tax status.
9. Demonstrate compliance with laws regarding business practices.
10. Demonstrate compliance with laws regarding enrollment procedures.
11. Outline financial management strategies/goals.
12. Present a preoperational budget and/or a budget for the first year of operation.
13. Present the human resources/staffing plan.
14. Describe the governance structure.
15. Describe the facility or anticipated facility.
16. Notify authorizer of decision to contract with a CMO/EMO.

YELLOW

1. Explain the advertising plan.
2. Provide the school calendar.
3. Provide the school's daily or weekly schedule.
4. Explain the school's plan to provide meals.
5. Describe any innovations to be used in the school.
6. Describe any community partnerships/external support.
7. Describe how the school will interact with the community.
8. Explain how the school will recruit students.
9. Offer rationale for choosing a specific location/community.
10. Identify target student population.
11. Detail how school will interact with the public school system.
12. Commit to meeting all students' needs.
13. Describe how the school will develop or evaluate its curriculum.
14. Provide résumés/biographies for board members/applicants.
15. Explain how mission statement, model, or philosophy is best suited to serve student needs.
16. Offer rationale for why goals or performance metrics are used.
17. Explain how the school will meet all students' needs.
18. Explain enrollment beyond basic compliance with lottery requirements.
19. Present curriculum samples or justify choice of curriculum.
20. Explain how choice of instructional methods will serve students.

21. Justify choice of financial strategies/goals.
22. Present a budget of two-plus years of operation.
23. Explain choices of faculty and/or introduce them to authorizer.
24. Explain selection of facility and/or describe it in detail.
25. Justify or explain decision to contract with a CMO/EMO.

RED

1. Detail the professional development plan.
2. Describe the plans for extracurriculars.
3. Outline the faculty recruitment strategy.
4. Provide a demographic analysis of prospective students.
5. Describe applicants' backgrounds and motives for applying.
6. Describe the school's plans for transporting students to and from school.
7. Explain how the school will promote parent involvement.
8. Describe the school's discipline policy.
9. Provide research citations that support the choice of curriculum, instructional methods, and so forth.
10. Describe how the school will handle grievances.
11. Explain the school's plans to provide health services or to ensure student safety.

We then counted how often the top 11 requirements per category appeared in all 40 applications, detailed in the following lists.

GREEN

Describe how the school will measure student performance.	40
Provide an outline of student enrollment numbers or grades served.	39
Describe the governance structure.	39
Describe the curriculum.	37
Present a preoperational budget and/or a budget for the first year of operation.	37
Describe the facility or anticipated facility.	37
Present a mission statement, model, or philosophy.	37
Present the human resources/staffing plan.	36
Demonstrate compliance with laws regarding business practices.	34
State the school's academic goals.	33
Outline financial management strategies/goals.	33
Total	402

YELLOW

Explain enrollment beyond basic compliance with lottery requirements.	33
Explain choices of faculty and/or introduce them to authorizer.	31
Offer rationale for choosing a specific location/community.	31
Present curriculum samples or justify choice of curriculum.	31
Provide the school calendar.	30
Identify target student population.	29

Explain selection of facility and/or describe it in detail.	28
Present a budget of two-plus years of operation.	28
Describe the school's discipline policy.	27
Explain how the school will meet all students' needs.	26
Commit to meeting all students' needs.	24

Total **318**

RED

Describe applicants' backgrounds and motives for applying.	34
Describe the school's plans for transporting students to and from school.	30
Explain how the school will promote parent involvement.	27
Describe any community partnerships/external support.	27
Explain the school's plans to provide health services or to ensure student safety.	17
Detail the professional development plan.	17
Provide research citations that support the choice of curriculum, instructional methods, and so forth.	16
Describe the plans for extracurriculars.	14
Describe how the school will handle grievances.	13
Outline the faculty recruitment strategy.	13
Provide a demographic analysis of prospective students.	10

Total **218**

APPENDIX 2

FREQUENCY COUNTS FOR MAJOR CATEGORIES

Appropriate and Manageable		SEAs (%)	HEIs (%)	ICBs (%)	Total (%)
Academic	Describe how school will measure student performance.	100.0	100.0	100.0	100.0
	State academic goals.	93.3	75.0	77.8	82.5
	Present a mission statement, model, or philosophy.	86.7	93.8	100.0	92.5
	Describe curriculum.	86.7	100.0	88.9	92.5
	Describe instructional methods.	73.3	81.3	55.6	72.5
	Provide an outline of student enrollment numbers or grades served.	93.3	100.0	100.0	97.5
Legal	Demonstrate compliance with laws regarding tax status.	80.0	87.5	77.8	82.5
	Demonstrate compliance with laws regarding business practices.	86.7	75.0	100.0	85.0
	Demonstrate compliance with laws regarding enrollment procedures.	80.0	68.8	77.8	75.0
Financial	Outline financial management strategies/goals.	86.7	75.0	88.9	82.5
	Present a preoperational budget and/or a budget for the first year of operation.	93.3	93.8	88.9	92.5
Organizational	Present human resources/staffing plan.	86.7	87.5	100.0	90.0
	Describe governance structure.	100.0	93.8	100.0	97.5
	Describe facility or anticipated facility.	86.7	93.8	100.0	92.5
	Notify authorizer of decision to contract with CMO/EMO.	66.7	81.3	66.7	72.5
Appropriate and Onerous		SEAs (%)	HEIs (%)	ICBs (%)	Total (%)
Academic	Offer rationale for why goals or performance metrics are used.	53.3	37.5	22.2	40.0
	Commit to meeting all students' needs.	53.3	62.5	66.7	60.0
	Explain how schools will meet all students' needs.	66.7	56.3	77.8	65.0
	Explain enrollment beyond basic compliance with lottery requirements.	86.7	68.8	100.0	82.5
	Present curriculum samples or justify course of curriculum.	80.0	68.8	88.9	77.5
	Explain how choice of instructional methods will serve students.	60.0	56.3	55.6	57.5
	Describe the school's discipline policy.	43.8	80.0	88.9	67.5
Financial	Justify choice of financial strategies/goals.	20.0	0.0	11.1	10.0
	Present a budget of two or more years of operation.	93.3	43.8	77.8	70.0
Organizational	Explain choices of faculty and/or introduce them to authorizer via résumés, biographies, or statements of willingness to serve.	66.7	81.3	88.9	77.5
	Explain selection of facility and/or describe it in detail.	73.3	56.3	88.9	70.0
	Justify or explain decision to contract with CMO/EMO.	66.7	31.3	66.7	52.5

Inappropriate and Manageable	SEAs (%)	HEIs (%)	ICBs (%)	Total (%)
Offer rationale for choosing a specific location/community.	80.0	75.0	77.8	77.5
Provide the school calendar.	53.3	87.5	88.9	75.0
Identify the target student population.	66.7	75.0	77.8	72.5
Provide the school's daily or weekly schedule.	26.7	62.5	77.8	52.5
Explain the advertising plan.	40.0	50.0	66.7	50.0
Explain the school's plans to provide meals.	46.7	18.8	44.4	35.0
Describe any "innovations" to be used in the school.	6.7	37.5	33.3	25.0
Detail how the school will interact with the public school system.	40.0	6.3	11.1	20.0

Inappropriate and Onerous	SEAs (%)	HEIs (%)	ICBs (%)	Total (%)
Identify applicants and their motives for applying.	73.3	93.8	88.9	85.0
Describe the school's plans for transporting students to and from school.	87.5	73.3	55.6	75.0
Explain how the school will promote parent involvement.	68.8	53.3	88.9	67.5
Describe any community partnerships or other external support.	80.0	56.3	66.7	67.5
Describe the professional development plan.	46.7	31.3	50.0	41.5
Provide research citations that support the choice of curriculum, instructional methods, and so forth.	31.3	40.0	55.6	40.0
Outline the plans for any extracurriculars that the school will offer.	26.7	37.5	44.4	35.0
Explain the strategy to be used to recruit faculty and staff.	6.7	68.8	11.1	32.5
Complete a demographic analysis of prospective students.	20.0	12.5	55.6	25.0

APPENDIX 3

INDIVIDUAL AUTHORIZER BREAKDOWN

Authorizer	Type	Number of Tasks	Number of Pages	Number of Attachments	Number of Legal Attachments
Arizona State Board for Charter Schools	SEA	115	61	26	6
Arkansas Department of Education	SEA	35	27	8	4
Connecticut State Board of Education	SEA	145	71	13	4
Delaware Office of Charter Schools	SEA	271	46	26	4
Georgia Department of Education	SEA	55	18	12	6
Louisiana Department of Education	SEA	49	12	5	1
Massachusetts Department of Elementary and Secondary Education	SEA	165	65	21	6
New Hampshire Department of Education	SEA	13	5	1	0
New Jersey Department of Education	SEA	252	86	24	12
New Mexico Public Education Department Charter Schools Division	SEA	113	12	13	1
New York State Education Department	SEA	114	60	10	1
North Carolina Department of Public Instruction	SEA	75	76	17	2
Pennsylvania Department of Education	SEA	65	16	9	3
Rhode Island Department of Education	SEA	206	52	9	3
Texas Education Agency	SEA	331	44	33	12
SEA Average		133.6	43.4	15.1	4.3
Ball State University	HEI	266	35	24	2
Bay Mills Community College	HEI	33	15	16	3
Central Michigan University	HEI	45	21	1	0
Eastern Michigan University	HEI	42	8	1	0
Ferris State University	HEI	36	9	1	0
Grace College	HEI	242	41	25	4
Grand Valley State University	HEI	46	9	3	0
Kellogg Community College	HEI	12	15	7	2
Lindenwood University	HEI	140	44	24	9
Northern Michigan University	HEI	43	8	8	6
Ohio Council of Community Schools	HEI	64	14	4	2
Saginaw Valley State University	HEI	17	7	3	0
Saint Louis University	HEI	162	73	12	6
State University of New York (SUNY) Charter Schools Institute	HEI	228	101	23	2
University of St. Thomas	HEI	97	115	6	0
University of Wisconsin–Milwaukee	HEI	94	9	5	2
HEI Average		97.9	32.8	10.2	2.4

Colorado Department of Education, the Colorado League of Charter Schools, and the Colorado Charter School Institute	ICB	41	56	17	6
District of Columbia Public Charter School Board	ICB	191	62	22	7
Hawaii State Public Charter School Commission	ICB	344	75	37	2
Idaho State Department of Education	ICB	35	4	3	2
Indiana Charter School Board	ICB	177	33	19	3
Nevada Department of Education	ICB	399	127	62	15
South Carolina State Department of Education	ICB	133	58	26	14
Tennessee Department of Education	ICB	155	25	25	11
Utah State Charter School Board	ICB	77	56	8	3
ICB Average		172.4	55.1	24.3	7.0
Overall Average		128.1	41.8	15.2	4.2

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9. Albert Shanker, "National Press Club Speech," March 31, 1988, <http://reuther.wayne.edu/files/64.43.pdf>.
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11. National Association of Charter School Authorizers, *Multiple Charter Authorizing Options* (Author, 2009), www.qualitycharters.org/assets/files/images/stories/Multiple_Authorizers.pdf?q=images/stories/Multiple_Authorizers.pdf.

12. We decided to combine the counts for the two yellow cells for ease of interpretation. Both yellow cells encompass tasks that are not as blatantly inappropriate or onerous as the red cell but do warrant careful scrutiny. The reason why each task deserves scrutiny—because it is inappropriate or because it is onerous—is less important for this particular analysis.

13. Note that, if anything, this approach is likely to underestimate the number of red and yellow requirements relative to green. The green tasks were the most consistent across applications, whereas there could be any number of different, “uncommon” red tasks (see “The Dirty Dozen” sidebar), so the 11 common green tasks are a more comprehensive list of all of the green tasks that we saw in applications than are the 11 common red tasks. The number of yellow tasks is also clearly an underestimate, given that there were 25 common yellow tasks and that only 11 could be included in this analysis. See appendix 1 for more information about which tasks were included in this analysis.

14. Unless otherwise noted, all quotes derive from survey responses.

15. Juliet Squire, Kelly Robson, and Andy Smarick, *The Road to Redemption: Ten Policy Recommendations for Ohio’s Charter School Sector* (Bellwether Education and Thomas B. Fordham Institute, 2014), http://edex.s3-us-west-2.amazonaws.com/publication/pdfs/The%20Road%20to%20Redemption%20Report_FINAL.pdf.

16. Tom Philpott, “Four Foods That Could Disappear If New Food Safety Rules Pass,” *Mother Jones*, November 6, 2013, www.motherjones.com/tom-philpott/2013/11/will-new-food-safety-law-small-farms-organic-FSMA.

17. Both quotes from Lucia Graves, “Senate Passes Sweeping Food-Safety Bill,” *Huffington Post*, November 30, 2010, www.huffingtonpost.com/2010/11/30/senate-passes-sweeping-fo_n_789771.html.

18. Philpott, “Four Foods That Could Disappear.”