

Authorizing Matters

Replication Brief 1

NACSA CHARTER SCHOOL REPLICATION GUIDE:

The Spectrum of Replication Options

One of the most important and high-profile issues in public education reform today is the replication of successful public charter school programs. With more than 5,000 failing public schools in the United States,¹ there is a tremendous need for strong alternatives for parents and students.

Replicating successful charter school models is an approach that has gained momentum in recent years. Charter school replication is now leading to significant chartering activity across the country. Through charter school replication, authorizers have a tremendous opportunity to build portfolios of high performing schools; therefore, it is critical that they have an understanding of all the key elements involved in successful charter school replication and how it can be effectively brought about and managed.

To this end, NACSA is issuing a series of briefs to help authorizers master the art of replication. This brief explores the current landscape of replication. Other guides in this series will address such topics as how to authorize replications, when to do so and when to stay away, and how to maximize the chances that replicated programs are as strong as the models they seek to follow.

Defining Replication

What do we really mean when we talk about “replication”? There is actually a growing range of replication options and strategies nationwide. If charter school authorizers view replication as a school reform strategy, then it is incumbent upon them to understand, and have a say in,

Through charter school replication, authorizers have a tremendous opportunity to build portfolios of high performing schools.

how replication is defined. This means authorizers should know what the key aspects of replication are; what replication options are currently being debated or tested; and what range of replication possibilities exist. Replication equals growth; thus charter authorizers intent on growing chartering to scale, and on ensuring that quality is not sacrificed in the process, cannot afford to be unaware of these factors and variations.

Given their relative autonomy, charter schools generally have the freedom to design a program that features an approach to teaching, learning and operations that they believe is likely to be successful. Despite limited funding, many of these schools – including some of those working with disadvantaged or chronically low-achieving student populations – have posted tremendous



results, consistently achieving scores that are significantly above schools serving comparable students and often among the highest in their respective states. In some cases, schools have employed traditional or back-to-basics educational approaches; in others, schools have implemented innovative educational strategies specifically geared to the educational and social needs of targeted student populations.

-
-
-
- **School replication is a package deal that includes all of the elements necessary to allow a freestanding charter school to reproduce its core features in a distinctly separate context.**

Regardless of school type or design, successful schools have attempted to build on their record of achievement and to affect more students by replicating their programs. Often, they have been encouraged to do so by parents, funders, or authorizers. At present, many education authorities, including the United States Department of Education (USDOE), believe that fostering replication of programs with a proven record of achievement is an important way to increase the number of high quality public schools and accelerate their growth. Authorizers, for their part, are beginning to embrace replication as well and are seeking to build a strategy to encourage high-quality replications among the schools they oversee. The rationale is simple: If an authorizer could take the single best school in its portfolio and clone it – once, twice, numerous times – this could result in many more great schools for

students who need better options. It is a way that an authorizer can take the lead in expanding the scope of reform and truly coming to scale by leveraging a model proven to work.

The Scope of Replication

When education reformers speak of charter school replication, they generally mean recreating an entire program, not merely elements of it. If a school were, for example, to develop a unique curriculum or method of training teachers or delivering instruction, such elements could be utilized again and again in numerous programs. While this is a way to share best practices, it is not replication per se. For example, Direct Instruction and Core Knowledge are specialized curricular packages that are key components of some replicated schools designs, but are not, in and of themselves, school replications.

School replication is a package deal that includes all of the elements necessary to allow a freestanding charter school to reproduce its core features in a distinctly separate context. That work may fall to the founders or leaders of a particular school, or to an educational service provider (ESP) – generally a for-profit education management organization (EMO) or a non-profit charter management organization (CMO).

It is not always easy to draw a firm line between borrowing elements from a successful program and replicating the program itself, though. When core elements and, in some respects, the “essence” of a successful charter school model are planted in a new location, it is tempting to see this as a replication, even though there are plenty of aspects that differ from the template. Noble Street, for example, is a CMO that has achieved strong academic results and is consistently adding new schools to its network in Chicago. Although there are similarities in each Noble Street school, each also contains unique programs and/or supports depending on the characteristics and demographics of each particular school community. Principals have substantial discretion in defining their schools, within certain fixed parameters (including a core curriculum). Staffing, class size, and ancillary supports and programs vary school by school. In this case, Noble Street, and other ESPs with similar educational philosophies, defines replication as recreating the underlying culture or “feel” of its existing schools and core elements of their learning environments that have led

Authorizing Matters Replication Briefs are a publication of the National Association of Charter School Authorizers (NACSA), the trusted resource and innovative leader working with public officials and education leaders to increase the number of high-quality charter schools in cities and states across the nation. NACSA provides training, consulting, and policy guidance to authorizers and education leaders interested in increasing the number of high-quality schools and improving student outcomes.

to positive student outcomes. The Noble Street model could be considered an example either of replication, or of a series of similar, complementary, yet distinct programs. Either way, it fits within the goals driving authorizers to support replication – it increases the number of seats for students in schools drawing on proven methods.

Replication may also be viewed in the application of a particular educational program to a different category or categories of students – for example, replicating an all-boys school by creating a new school that serves girls or replicating a school model that has served a middle class student population by creating a new school in an economically-disadvantaged community. In both these cases, the new schools preserve the basic educational program or model of the original schools, but may make appropriate adjustments in order to more successfully address the particular needs of their unique communities. In Phoenix, Great Hearts Academies is an example of a CMO that is engaged in this type of replication. The CMO has successfully replicated their proven school model in schools which serve a different socioeconomic profile of students.

Expansion may also be considered a form of replication. It is not uncommon for successful schools to expand upwards or downwards. For instance, a school that has successfully served a specific grade span may decide to expand to include additional grades with a complementary educational program. KIPP Houston is an example of a charter school that has expanded its middle school both downward into an elementary school and upward into a high school, thus creating a comprehensive K-12 model. Often this form of replication is undertaken to ensure students can matriculate seamlessly and remain in a learning environment in which they have thrived. This strategy is commonly considered by most authorizers and funders as expansion of an existing program. This is an important construct for authorizers to internalize – expansion of single program versus replication of a program into additional schools. Authorizers may well want to consider expansion as akin to replication.

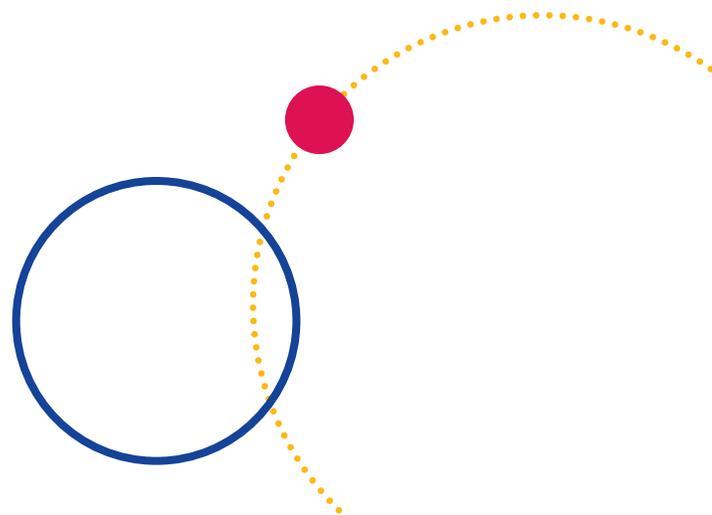
One factor that can be critical to *successful* replication relates to school founders. While the components of a strong charter program may appear to be faithfully re-created elsewhere, in some cases the absence of a charismatic founder whose personality, talents, passion and effectiveness have been a defining factor in the original school's success, may

render the new school a weak carbon copy of the original. There are plenty of examples of school founders who have built strong CMOs by design including Achievement First, Uncommon Schools and Aspire Public Schools. But there are also examples of efforts to faithfully re-create a successful freestanding charter school in the absence of, or without full buy-in from a charismatic founder whose personal characteristics were the defining factor in the original school's success. Successful replication is difficult, if not impossible, on the part of schools that have not institutionalized effective processes and practices, or which do not have strong governance structures and business operations. Therefore, before approving or fostering replication, an authorizer should be reasonably certain it can quantitatively determine what factors made the original school a success in the first place.

The Spectrum of Replication Options for Authorizers

Because replication can take different forms, authorizers have a certain degree of latitude in defining replication and crafting replication strategies based on their educational priorities and within the constraints of prevailing statutory and regulatory factors in their state. Laid out side by side, the options form a spectrum of sorts, with varying levels of autonomy and linkages within networks of charter schools.

Authorizers may well want to consider expansion as akin to replication.



■ Key Factors Impacting Replication

In order to make informed choices about what replication options suit them best, authorizers need to understand several key factors that define a charter school’s relationship to other schools within its network. These include:

Shared Charter Agreement: In a number of states, the law allows school developers to open and operate more than one school under a single charter agreement awarded to a single entity with one corporate structure and a single board of directors. In some instances school replication may be successive – with an initial school leading to another and perhaps more schools over time – or contemporaneous – when more than one school is approved and/or created at the same time. This structure allows an authorizer to impact numerous schools via a single charter contract and has the benefit of administrative ease. For example, a single contract modification will affect all schools within a linked network. Financial statements and audits are consolidated, allowing authorizers to evaluate the financial status of the network as a whole.

This strategy, however, is not without its problems. It risks blurring financial transparency for individual schools – especially if funds are routinely transferred within a network. Moreover, a serious problem with one school could jeopardize all programs linked under the same charter and may make it difficult to close a poor performing or troubled school, or even mandate corrective action, without threatening to revoke the charter for all schools in that chain.

Shared or Overlapping Boards: Some networks of charter schools share a single board of trustees, or overlapping boards of trustees, that are responsible for the performance and operation of each of the schools. Such schools may or may not also share a charter agreement. Generally, where there are separate charters or overlapping boards, state law or start-up funding requirements mandate either separate legal entities or separate charters for each new or replicated site. This can be a simple structure or a tiered one, in which a “regional” board has oversight over several site-based boards in a geographical area. The State University of New York’s Charter Schools Institute (CSI) is an example of an authorizer that has successfully accommodated CMOs and school networks with overlapping boards. Shared or overlapping governance structures are a way to leverage board expertise. But overlapping boards

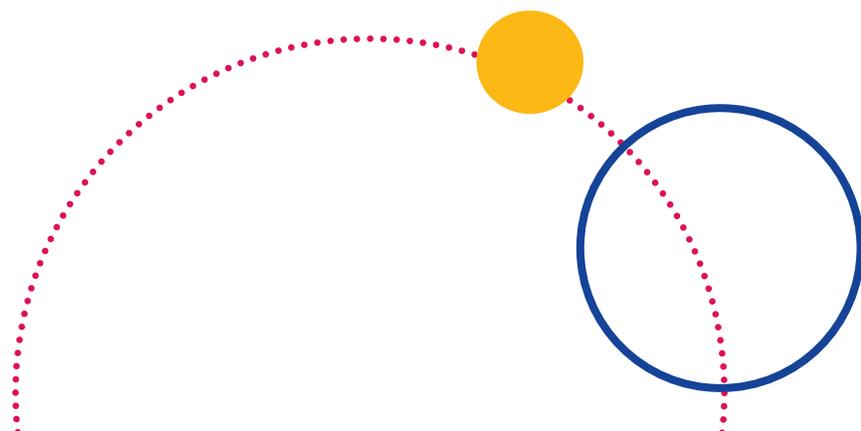
Regulatory factors often determine whether a cluster of programs is a set of related schools or campuses of the same school.

may also complicate governance by creating potential conflicts, transparency challenges, competing agendas, all of which raise concerns about where the primary fiduciary loyalty and responsibility of each board member lies.

Shared Educational Service Provider: Whatever the linkages are at the board and charter agreement levels, replicated charter schools may share the same ESP. Such linked schools share not only a common structure, pedagogy and instructional model, but also often benefit from shared services, and other economies of scale. Authorizers may seek to attract strong ESPs to replicate highly successful schools, but need to be wary about ESPs usurping board authority as they strive to implement their programs. Authorizers should be explicit about the roles and responsibilities of boards contracting with ESPs – specifically the extent to which boards may or may not include voting representation on the part of the ESP, or the extent to which boards can be creations of ESPs.

■ Multiple Schools and Campuses

The most common form of replication occurs when an existing school operator opens a new school with the same program. However, whether or not replicated charter school programs are considered a group of separate schools or a school with multiple campuses depends on both the operator’s organiza-



tional structural and state statutory and regulatory nuances. If a network of related schools shares features including a single charter agreement, board and ESP, it may be that these programs are really campuses of the same charter school. Nevertheless, even where this is technically the case, state law and practice may treat them operationally, legally, and financially as separate schools.² For example, in some states the distinction between whether multiple campuses are separate and distinct schools, or campuses of the same school, has a direct impact on eligibility for Charter School Program start-up funds, and on whether students transferring from one school to another are considered to be moving to a new school or the same school.

At first glance, charter schools that feature their own independent charter agreements or separate legal entities for each site should logically be considered separate schools, and not merely campuses. Arguably, the greater the autonomy of individual schools, the more each new such school is an addition to a cluster of distinct schools. But this is often not the way replication is being carried out, especially in communities where the need and demand for more high quality charter schools is high.

In some locations, programs that are, in fact, distinct may still be defined as multiple campuses of a replicating school or a replication charter because of legal and practical factors. For example, the Chicago International Charter School (CICS) in Illinois is a CMO operating 15 campuses with more than 7,000 students and seven ESPs. CICS is legally a single charter school with a single board and a single charter, even though CICS schools are distinct in terms of educational programs and student populations served. In Washington, DC, Friendship Public Charter School operates six campuses with more than 4,000 students, but does so under a single board with no outside ESP.

In some locations, programs that are, in fact, distinct may still be defined as multiple campuses of a replicating school or a replication charter because of legal and practical factors.

Regulatory factors often determine whether a cluster of programs is a set of related schools or campuses of the same school. In Chicago, until recently, there was a cap on charter school growth that strictly limited the number of new charters that could be awarded. By creating new campuses, rather than schools, CICS was able to side-step the cap.³ In California and Arizona, where there are no caps on growth, a similar structure of networked programs would in all likelihood be considered a set of distinct schools because structurally and legally each school would be operating under its own charter.

■ Franchises

At another point on the replication spectrum is what could be called the franchise model – in which numerous stand-alone programs share a set of program elements. One example of this approach would be a charter school design model that calls for a particular focus – on performing arts, classical education or Russian culture, or has very distinct curriculum and instructional components, like Success For All and Expeditionary Learning, for example – and that has a common school staffing structure (co-directors, team teaching), instructional approach (direct instruction) and school calendar and schedule (similar core subjects and extended school day and year). Even without a formal network, if an initial school with these features were to take root and flourish and lead to numerous intentional clones, a loose “franchise” arrangement would result. This is particularly pronounced when such schools all receive funding, technical assistance, and/or other resources from a central source, such as a local or national funder, interested in fostering this particular model and mission.

The franchise model offers the highest degree of autonomy (the schools are not directly linked by a charter agreement, board or ESP) and, for this reason, generally are characterized by lower levels of network support and synergies between the constituent programs than by ESP operated schools or campuses. Examples of franchise models include Edvisions Schools and, arguably, the Coalition of Essential Schools Small Schools Network.

■ Conversions and Turn-Arounds

While replication is most commonly done by building a school from scratch by mirroring the features of a highly successful charter school, this is

Authorizers should not only pay careful attention to evolving replication strategies, but also compare their own experience with replication against that of other authorizers nationally.

not always the case. In some instances, replication is carried out by an authorizer facilitating the conversion of a regular district school or charter school that had a different configuration into the mold of a template school. This can be done as part of the authorizer's turn-around strategy designed to transform a struggling school into a much stronger one or simply because local leaders believe that replicating a particular charter model will be better than what is currently in place.

YES Prep, a Houston-based CMO, exemplifies the conversion-turnaround strategy. YES Prep is expanding beyond its existing charter programs into several traditional district schools.⁴ In New Orleans, five CMOs have done full campus takeovers of existing schools. Conversions are particularly challenging because they require the replacement of existing school culture often in communities where a school is perceived as a community hub.

For authorizers to successfully engage in school turnaround initiatives – from point of approval to ongoing monitoring – specialized capacity, adequate human and financial resources, and community support are keys to success. Conversions and turn-arounds, by any standard of measurement, are complicated and often volatile.

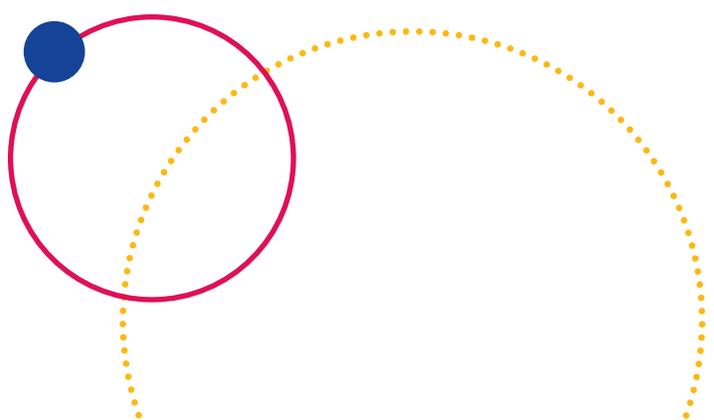
■ Cyber Schools

Another variation of replicating successful charter school programs is technologically-based. Cyber or virtual charter schools that utilize the internet and computerized means for accessing instruction and carrying out school work are becoming increasingly prevalent. Such programs have the capacity to extend a particular program's reach to an exponentially larger population of students who attend school remotely across a given district or state. In some locations, a traditional “bricks and mortar” school may add a cyber program to its offering, effectively creating a virtual campus. This can be a means of enhancing educational opportunities for a vastly higher number of students or a revenue-generating strategy. Authorizers should be particularly attentive to prescribed academic outcomes and previous academic performance when engaging in approval reviews and decisions for replicating on-line schools.

Broader Considerations

Replication strategies and models will continue to develop and change as proven programs continue to generate new schools. Authorizers should not only pay careful attention to evolving replication strategies, but also compare their own experience with replication against that of other authorizers nationally. Over time, there will be ample academic data on what forms of replication work best. In the meantime, authorizers should not rush into replication – particularly if existing authorizer capacity is insufficient. Nor should authorizers assume replication is a quick fix to responding to the need and demand for more seats in high quality charter schools. Not all networks of schools that have replicated, or are replicating, are characterized by high, improving, or even consistent academic performance.

Nevertheless, replication is fast becoming a standard vehicle for taking successful programs to scale. Authorizers are developing best practices to foster replication of high quality school models. At the same time, authorizers must be careful to avoid fueling a return to “the quantity will lead to quality” school reform hypothesis, an approach that has been disproven, but could be an unintentional result of ill-managed replication initiatives.



Resources & Further Analysis

Haft, W. (2009). *The Terms of the Deal: A Quality Charter School Contract Defined*. National Association of Charter School Authorizers.

Hassel, B. C. & Hassel, E. A. (2005). *Starting Fresh in Low-Performing Schools: A New Option for School District Leaders Under NCLB*. National Association of Charter School Authorizers.

Hassel, E. A. & Hassel, B. C. (2009). *Try, Try Again: How to Triple the Number of Fixed Failing Schools Without Getting Any Better at Fixing Schools*. Public Impact.
<http://www.publicimpact.com/try-try-again/>

Higgins, M., & Hess, F. M. (February, 2009). *Learning To Succeed At Scale*. National Association of Charter School Authorizers.

Lake, R. (2007). *Identifying and Replicating the "DNA" Of Successful Charter Schools: Lessons from the Private Sector*. Center on Reinventing Public Education.

National Alliance for Public Charter Schools (Summer 2009). *A New Model Law for Supporting the Growth of High-Quality Public Charter Schools*.

National Governors Association, Center for Best Practices (2009). *Achieving Excellence at Scale: State Support for High-Performing Charter School Expansion*.

NewSchools Venture Fund (2006). *Charter Management Organizations: Toward Scale with Quality*.

National Charter School Research Project (August 2007). *Quantity Counts: The Growth of Charter School Management Organizations*. Center on Reinventing Public Education.

National Resource Center for Charter School Finance & Governance (2009). *Mapping the Landscape of Charter Management Organizations: Issues to Consider in Supporting Replication*.
<http://www.charterresource.org/files/MappingTheLandscape-SupportingReplication.pdf>

O'Neill, P. & Ziebarth, T. (2009) *Charter School Law Deskbook*. Lexis Nexis Publishers.

Rhim, L. M. (2009). *Charter School Replication: Growing a Quality Charter School Sector*. National Association of Charter School Authorizers.

Rotherham, A. J. (September 2007). *Smart Charter School Caps*. Education Sector.

Rubenstein, G. (December/January 2009). *Replication: A Drop or a Bucket?* Edutopia.
<http://www.edutopia.org/yes-prep-school-success-replication>

Wicoff, K., Howard, D., & Huggett, J. (2006). *Replicating High-Performing Public Schools: Lessons from the Field*. The Bridgespan Group.

ENDNOTES

- 1 See Dillon, S. "Obama Proposes Extensive Overhaul of No Child Law," *New York Times*, March 14, 2010.
- 2 It is important to note that some charter school replications cross state lines, and a few programs, such as KIPP, Lighthouse Academies, and Concept Schools, to name three, have replicated schools across the country. The legal identity and formal structure of such schools must track a particular state's requirements and so will vary to that extent.
- 3 CICS also had one of only 13 "original" charters on which there was no cap on enrollment or campuses.
- 4 In a conversion like that being brought about by YES Prep, the converting program may not intend to adopt every element of the program being duplicated, which can raise issues about whether a "true" replication has taken place or whether the new program is more of a hybrid.

ABOUT THE AUTHORS

The primary author of this article was Paul O'Neill, President of Tugboat Education Services. He is an education attorney, author and professor who focuses his practice and scholarship on education reform. Jim Ford, Director of Charter School Programs for Raza Development Fund, served as a contributing author, as did Lauren Morando Rhim, Ph.D. who leads LMR Consultants.



601 MBE

www.qualitycharters.org

National Association of
 Charter School Authorizers
 105 W. Adams Street, Suite 3500
 Chicago, IL 60603-6253



Non-Profit Org.
 U.S. Postage
PAID
 Chicago, IL
 Permit No. 227