Scaling up Success for English Language Learners in Charter Schools: Exploring the Role of Charter School Authorizers

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Abstract

The population of English language learners (ELLs) and the number of charter school students have both increased rapidly over the past two decades, but no existing research has examined the role that charter school authorizers play to ensure that ELLs have equitable access to charter schools and that those schools implement research-based programs for ELLs. To fill this gap, our exploratory qualitative study employed a multiple-case case study approach to examine how ten diverse authorizers considered ELLs in their authorizing practices. Guided by Honig’s (2006) three P’s framework (people, places and practices), we examined how authorizing practices were shaped by external factors, the agency of the actors within the authorizing office, and by the local context in which the authorizer was situated. Overall we found that ELL-related authorizing practices varied widely across the sample, as some authorizers integrated ELLs into their practices, while others paid little explicit attention to ELLs. In terms of place, contextual factors at the state, district, and authorizer levels contributed to the variation. Within the people component of the framework, the commitment of authorizing staff members to improve access and quality for ELLs in charter schools was an important factor, as was the authorizer’s access to ELL-related expertise. We conclude by outlining implications for research, practice, and policy.
The population of English language learners (ELLs) and the number of charter school students have both been increasing rapidly over the past two decades, yet there has been surprisingly little attention paid in the literature to the convergence of these two trends. Between the 2001-02 school year and the 2011-12 school year, the number of students in charter schools more than tripled, growing from 580,000 to well over two million (National Alliance for Public Charter Schools, 2015). During the same time period, the population of English language learners (ELLs) increased by 14.4%, dramatically outpacing the 3.9% growth rate for the total K-12 population (U.S. Department of Education, NCES, 2014).

In 2010 then Secretary of Education Arne Duncan challenged the charter school movement to serve more ELLs and to improve outcomes for ELLs across the charter sector (Duncan, 2010). Some charter schools have capitalized on their autonomies and developed comprehensive models that serve ELLs well (Garcia & Morales, 2016), but for the charter sector to maximize the opportunity afforded by this demographic convergence more broadly, we contend that charter school authorizers have a critical role to play in ensuring that: ELLs have equitable access to charter schools, that ELLs are identified and served in accordance with federal civil rights laws, and that the charter schools in their portfolios implement quality research-based programs for ELLs.

Despite the potential for authorizers to scale up success for ELLs across the charter sector, ELL-related authorizing practices have heretofore been unexamined in the literature. Thus, the purpose of this exploratory descriptive study was to lay the foundation for future research by examining how charter school authorizers in selected urban districts consider ELLs when they develop and implement authorizing practices related to charter school applications, monitoring, and renewal. The following research questions guided our investigation:
• How do authorizing practices related to ELLs vary across a range of different authorizers?
• What factors—related to external influences, internal conditions, or local context—impact authorizing practices related to ELLs?
• What are the implications of existing ELL-related authorizing practices for authorizers, policymakers, and researchers?

Conceptual Framework and Literature Review

There is currently a dearth of peer-reviewed literature focused on ELLs in charter schools. In a related paper (Garcia & Morales, 2016), we explore the literature related to access and achievement for ELLs in charter schools and propose a framework for future research. In that paper, we also report findings from our study about ELLs’ access to charter schools in the ten urban districts that are described in this paper. While some researchers have found that ELLs are underrepresented in charters (Buckley & Sattin-Bajaj, 2011; Winters, 2014), we found that ELLs were overrepresented in the charter schools in three districts, underrepresented in four districts, equitably represented in one district, and that the quality of the data was not sufficient to make a determination in the two remaining districts (Garcia & Morales, 2016).

To begin to fill the gap in the literature related to ELLs in charter schools, this descriptive study examined how ten diverse authorizers considered ELLs in their practices. The conceptual framework for this study drew on Honig’s (2006) three P’s (people, places, and policies) framework from the policy literature. Honig contends that the most appropriate question for educational policy researchers is not simply “what works,” but “what works for whom, where, when, and why?” (p. 2). Thus, an analysis of policy implementation should include the actors involved in the implementation, the conditions under which the actors operated, the local context
in which the policy was implemented, and the tools that policymakers used (Honig, 2006). To facilitate our analysis of this complexity, we utilized Honig’s framework to explore how ELL-related authorizing practices were shaped by the local context in which the authorizer was situated and by the actors within the authorizing office. The literature review that follows will be organized around Honig’s three themes—places, people, and policies—to highlight how our descriptive study builds on existing research.

**Place-related Literature**

Education policy researchers have repeatedly found that federal and state policies are rarely implemented uniformly in the manner that the policymaker intended. In contrast, researchers have described significant variation in implementation across sites, leading them to emphasize the importance of external factors, local context, and conditions that support or impede effective policy implementation (Berman & McLaughlin, 1978; Datnow & Park, 2009; Honig, 2006; McLaughlin, 1991; Spillane, Gomez, & Mesler, 2009; Weible, Sabatier, & McQueen, 2009). To apply these findings to our research design, we strategically sampled authorizers to ensure that they differed in terms of state policy environment and the local context in which the authorizer was situated.

We also chose to select authorizers that varied by type and capacity because there is wide variation across the nation in statewide authorizing environments (NACSA, 2014). Each state charter school law defines which public agencies will hold charter schools accountable. Some states allow only one authorizer to grant charters, while other states have multiple authorizers (U.S. Department of Education, OII, 2007). According to the National Association for Charter School Authorizers (NACSA, 2013), 90% of authorizers are local school districts (LEAs). Other types of authorizers include state education agencies (SEAs), independent chartering boards
(ICBs), institutions of higher education, non-profit organizations, and municipal offices, such as the Mayor’s Office in Indianapolis (NACSA, 2010; U.S. Department of Education, OII, 2007; Vergari, 2000, 2001). Authorizers further differ because of how their role is defined by state law, the political climate related to charter schools in the state, and the capacity of the authorizer, which includes financial resources, human resources, and expertise with authorizing practices (Blitz, 2011; Bulkley, 2001; Vergari, 2000).

Although statewide authorizing environments are quite diverse, all authorizers can influence the quality of the schools in their portfolios at several points during the life cycle of a charter school, including when they: (1) review applications and grant charters; (2) monitor the performance of existing charter schools; and (3) decide to renew or revoke the charter at the end of the term (Bulkley, 2001; Vergari, 2000, 2001). Researchers have speculated that authorizers could serve as a critical policy lever in the charter sector because they have the ability to grant charters only to the most qualified design teams, to set clear and high expectations for performance, and to close charters that do not meet their standards (Bulkley, 2001; Hassel & Vergari, 1999; Mead & Rotherham, 2007).

Despite their importance in the charter sector, there is currently only a small body of research about authorizers generally and no studies related specifically to authorizers and ELLs. Many of the authorizer-related studies in the literature were published in 1999 and 2000 when the charter sector was still quite young. These authorizing studies focused largely on accountability and governance issues. For example, some of these researchers explored the tension for authorizers between the two sides of the charter school bargain—increased autonomy in exchange for increased accountability—with “loose” oversight authorizers emphasizing autonomy and the role of the market, while “tight” oversight authorizers favor accountability and
adopt roles that are similar to those of traditional school districts (Bulkley, 1999; Gau, 2006; Vergari, 2000). Many of the findings from this early research shaped the design of this study, including the importance of the external policy environment and of how authorizers choose to define their role within the constraints imposed by the state charter law and other internal and external factors.

Most of the more recent studies about authorizers explored relationships between authorizer type and student achievement (Carlson, Lavery, & Witte, 2012; Gleason, Clark, Tuttle, & Dwoyer, 2010; Zimmer, Gill, Attridge, & Obenauf, 2014). Overall, these studies did not find a significant relationship between authorizer type and achievement, with the exception of a negative result for non-profit authorizers in one study (Zimmer, Gill, Attridge, & Obenauf, 2014). Given the dramatic growth in charter schools and authorizers over the past twenty years, more research is needed to understand how authorizing practices vary by authorizer, what conditions are associated with the most effective practices, and how authorizers differentiate their practices for ELLs and other groups. Consequently, this study responds to the need to update the authorizing literature generally and specifically to introduce a new angle focused on ELL-related authorizing practices.

**People-related Literature**

Policy researchers have consistently found that policy implementation is rarely a unidirectional top-down process. Instead, it is a dynamic, multi-directional, mutually adaptive process that is negotiated by policymakers and implementers, with a variety of actors exercising significant agency in determining how the policy is implemented within a particular context (Datnow & Park, 2009; Honig, 2006; Jenkins-Smith & Sabatier, 1994; Sabatier, 1988; Sabatier
Jenkins-Smith, 1999). To build on these findings, we designed our study to include a focus on the actors within the authorizing agencies in our sample.

Researchers and advocates for ELLs have contended that state and district level policymakers should consider ELLs explicitly when developing education policy (Hakuta, 2011; O’Day, 2009). For example, Hakuta (2011) asserted that,

In the world of standards-based reform, which seeks to align key components such as curriculum, instruction, teacher capacity, assessment, and system support through explicit and coherent standards, issues of ELLs need to be kept in mind and infused into the systemic changes (167).

In fact, existing research related to ELLs in traditional public schools has suggested that effective schoolwide or district-level models are comprehensive, coherent, and explicitly consider the needs of ELLs (Goldenberg & Coleman, 2010). In these effective schools and districts, leaders valued the linguistic and cultural diversity of ELLs, set high expectations for language development and academic performance, and then aligned programs, resources, and staff to help ELLs meet those standards (Horowitz et al., 2009; Lucas, Henze & Donato, 1990; Parrish et al., 2006; Williams et al., 2007). This explicit focus on ELLs may also be important at the authorizer level.

Although charter schools have more autonomy than do traditional public schools that operate within a school district, authorizers could consider these findings when they evaluate proposals for new charters. Authorizers might assess how design teams integrated research-based practices for ELLs throughout their designs, how they planned to ensure that their teachers had the requisite knowledge and skills to support ELLs, and how they proposed to involve the families of ELLs in the school. As we considered the impact of actors within the authorizing
agency, we intentionally examined the degree to which authorizers explicitly considered ELLs in their authorizing practices as well as how much access the authorizer’s staff had to experts with deep knowledge about language development and the research related to ELLs.

**Policies-related Literature**

Researchers have suggested that authorizers might have an impact on educational reform more broadly through their efforts to develop and test out innovative accountability systems that utilize multiple measures to evaluate different components of school quality (Bulkley, 2001; Hassel & Vergari, 1999; Mead & Rotherham, 2007). This is an area in which authorizers have opportunities to advance the field by designing and piloting ELL-related accountability measures that might inform other authorizers, school districts, and states, particularly as many of those agencies are now redesigning their accountability systems in accordance with the *Every Student Succeeds Act* (ESSA).

Although it is too early to assess accountability systems developed under ESSA, researchers have described how accountability levers used under *No Child Left Behind* (NCLB) were problematic for ELLs (Hopkins, Malsbary, & Morales, 2016). One critical issue is that measures must be valid and meaningful for ELLs; however this is often not the case for standardized statewide assessments administered in English, which are frequently used in accountability systems. These assessments are often not valid measures because ELLs might receive content instruction in their home language or the test might measure their ability to read the items in English more than it actually assesses their knowledge of the content being tested (Abedi, 2004). In addition, results from these assessments are often interpreted in the same way for all ELLs, but these interpretations should take ELLs’ language proficiency level into account because researchers have found that it takes ELLs at least five years, on average, to acquire
proficiency in academic English (Cook et al., 2011; Genesee, Lindholm-Leary, Saunders, & Christian, 2006; Hakuta, Butler, & Witt, 2000). To address these concerns, researchers have recommended that educators use multiple sources of data (NCME, 1995), make decisions based on assessments that are valid and reliable for ELLs, and account for ELLs’ language proficiency level when interpreting the results of assessments administered in English (Echevarria & Hasbrouck, 2009; Hopkins et al., 2013; Working Group on ELL Policy, 2010).

Researchers have also criticized both NCLB and ESSA for failing to value multilingualism for all students (Hopkins, Malsbary, & Morales, 2016; Menken & Solorza, 2014; Working Group on ELL Policy, 2016), despite the strong evidence in the literature that supports bilingual and dual language programs (e.g., August & Shanahan, 2006; August & Shanahan, 2010; Goldenberg & Coleman, 2010). Informed by this research, authorizers might allow charter schools, which are designed to nurture the development of multiple languages, to select mission-specific measures on which they would be assessed, such as the proportion of students who earn the seal of biliteracy. These mission-specific goals could allow the schools to provide evidence of their success, using measures that are valid for ELLs, are consistent with their mission and programs, and that provide more accurate measures of ELLs’ performance than do scores on statewide assessments of academic achievement. To build on this research, in our study we examined how authorizers considered ELLs in their accountability systems and the extent to which they incorporated metrics that were valid and meaningful for ELLs into their performance frameworks.

**Methods**

In this study we explored how ELL-related authorizing practices varied across a range of different authorizers and how factors related to Honig’s (2006) three P’s framework impacted
those practices. Qualitative methods were employed to answer our research questions. Specifically, we used a case study approach, with multiple cases, to capture the complexity of authorizing practices, to generate rich and contextualized descriptions of existing practices related to ELLs, and to consider how these practices functioned within the unique local context that was specific to each authorizer. A multiple-case case study approach facilitated an in-depth exploration of authorizing practices, but also allowed us to compare practices across authorizers more broadly (Creswell, 2013; Miles, Huberman, & Saldana, 2014; Peshkin, 1993; Yin, 2009).

Site Selection and Data Collection

We purposefully sampled authorizers, from varied contexts, who were most likely to consider ELLs in their authorizing practices because they authorized charter schools in urban districts with large concentrations of ELLs (Creswell, 2013; Miles et al., 2014). In addition, we recruited only larger authorizers—which the National Association of Charter School Authorizers (NACSA) defines as those with portfolios of at least 10 schools—because authorizers with a larger portfolio of schools are more likely to implement well-developed authorizing practices if authorizing is their main function. In sum, the following four criteria guided our selection of authorizers: (1) total K-12 student enrollment in the district exceeded 35,000 students (because ELLs are concentrated in large urban districts); (2) ELLs were at least 8% of the total student population in the district\(^1\); (3) a charter school law existed in the state; and (4) the authorizer oversaw at least 10 charter schools in the district (NACSA’s definition of a larger authorizer).

Data to identify authorizers from target districts were gathered from state and district websites, the National Center for Education Statistics Elementary/Secondary Information System, the National Alliance for Public Charter Schools, the National Association for Charter

\(^1\) Our original plan was to target districts with a population of at least 10% ELLs, but that figure was revised to 8% to include more districts in the pool.
School Authorizers, and an ELL-focused report published by the Council of the Great City Schools (Uro & Barrio, 2013). This data collection effort yielded 31 potential authorizers that met our criteria. Then, using a checklist that we developed based on findings from a previous study (Garcia & Morales, 2016), we evaluated the request for proposals (RFP) documents that were posted on the websites of each of these 31 authorizers to determine the extent to which the RFP referenced elements common to high-quality charter schools in which ELLs have been successful including: a coherent schoolwide model; a focus on language development; building the capacity of all educators to serve ELLs; a data-driven focus on continuous improvement; and family and community engagement (Garcia & Morales, 2016). Seven authorizers did not have a RFP posted on their website, five scored at the high end of the scale (11-14 points out of 14 total points), 10 scored on the low end (1-5 points), and nine scored in the middle of the range (6-10 points). The authorizers without RFPs on their website were eliminated from the larger pool because the publicly available evidence was not sufficient to conduct a thorough document review.

To narrow the remaining pool to our target group of 10 diverse authorizers for the sample, we took into account factors related to: state and local policy contexts, authorizer type, authorizer capacity, the scores on the quality checklist, geographic diversity, and the most common languages spoken by ELLs in the district. In the end, we reached out to 16 authorizers, 10 of whom generously agreed to participate in the study. Five of these authorizers were state education agencies, three were local school districts, and two were independent chartering boards (ICBs).

Of the six authorizers who were invited but did not participate, two did not respond to our multiple attempts to contact them, three were understaffed and did not have the capacity to
participate, and one district’s research review board denied our request to interview the
authorizer. All of the authorizers in the larger pool that were institutions of higher education or
non-profits did not participate; thus, these types of authorizers were not included in the final
sample. These two types constitute only 4.4% and 2.0% of all authorizers respectively (NACSA,
2013). However, it is important to note that this aggregate national data masks important
differences among the states because authorizers that are institutions of higher education oversee
large numbers of charter schools in states such as Michigan and New York.

For each of the 10 authorizers in the study, we reviewed state laws related to language
policy and charter schools and newspaper articles about charter schools in the district to better
understand the larger context in which the authorizer operated. We also examined a variety of
publicly available documents on the authorizer’s website (e.g., RFPs, rubrics, reports, etc.) to
learn more about their authorizing practices generally and to ascertain the extent to which they
focused explicitly on ELLs. After learning all that we could from publicly available documents,
we conducted 60-minute, semi-structured phone interviews with 15 staff members from the 10
authorizing offices in the sample. We used an interview protocol that included standard
categories, but each protocol was tailored to reference specific documents or information that we
uncovered during our document review. The interview protocol included categories related to
internal and external contextual factors, the capacity of the authorizer, and to each of the stages
of the authorizing process: setting charter priorities, application, monitoring, and renewal. The
interviews were audiotaped and transcribed. These transcriptions were shared with the
respondents, as were case descriptions of each authorizer’s ELL-related practices that we drafted
to synthesize what we learned from the interviews and the document review.

Data Analysis
To begin the qualitative analysis process, we developed a set of preliminary codes based on themes from the existing literature and our conceptual framework. The first author began with these provisional codes, but then used an inductive and iterative coding process to add new codes as the analysis progressed, while collapsing others into larger categories, allowing themes to develop recursively (Creswell, 2013; Maxwell, 2013; Miles et al., 2014). She also drafted memos throughout the process to explore emerging themes, define codes, make comparisons, describe patterns, and identify gaps in our data collection and analysis (Charmaz, 2006; Emerson, Fretz, & Shaw, 2011; Miles et al., 2014). After the first round of coding was completed, the first author reviewed the preliminary coding structure with the second author to identify incomplete coding categories, gaps in reasoning, or key components that might have been missing from the analysis. After this discussion, the coding structure was finalized and the first author recoded all documents according to the final coding structure.

To increase the robustness of our findings, we used an iterative replication strategy to determine if the findings from the previous set of cases held across the other authorizers or if the preliminary findings needed to be modified or rejected (Miles et al., 2014; Yin, 2009). Finally, to strengthen the validity and trustworthiness of our findings, we triangulated data within and across authorizers, continually searched for confirming and disconfirming evidence, considered rival explanations, and shared case descriptions and preliminary findings with the authorizers we interviewed—through a member checking process—to solicit their feedback and identify possible misinterpretations of the data (Creswell, 2013; Maxwell, 2013; Miles et al., 2014; Yin, 2009).

**Results**
Overall we found that ELL-related authorizing practices, and the contexts in which authorizers were situated, varied widely across the sample. This variation is summarized in Table 1. According to the scores on the quality checklist, authorizers fell into three general categories. With the lowest-scoring group of authorizers, there was little explicit attention paid to ELLs and there were limited references to ELLs within their authorizing documents. With the group that scored in the medium range, there were some explicit references to ELLs, but these references tended to be focused on compliance with civil rights laws and were often included within sections of authorizing documents that focused on “special populations.” The third group of authorizers—those who scored highest on the quality checklist—integrated multiple references to ELLs throughout their authorizing documents and focused more on quality programs for ELLs, rather than limiting their focus solely to compliance. The four authorizers in the latter group will be referred to as the focused four in the following sections because their authorizing practices focused on ELLs more explicitly than did those of the other two groups.

Table 1

*Summary of “Place” Findings for Authorizers in the Sample*

<table>
<thead>
<tr>
<th>Authorizer</th>
<th>Quality checklist</th>
<th>State politics</th>
<th>Proportion of ELLs in the school district</th>
<th>Authorizer type</th>
<th>Authorizer capacity</th>
</tr>
</thead>
<tbody>
<tr>
<td>A</td>
<td>High</td>
<td>Liberal</td>
<td>More than 21%</td>
<td>SEA</td>
<td>Medium: 0.11-0.20</td>
</tr>
<tr>
<td>B</td>
<td>High</td>
<td>Battleground</td>
<td>More than 21%</td>
<td>LEA</td>
<td>High: 0.21+</td>
</tr>
<tr>
<td>C</td>
<td>High</td>
<td>Liberal</td>
<td>11-20%</td>
<td>SEA</td>
<td>Medium: 0.11-0.20</td>
</tr>
<tr>
<td>D</td>
<td>High</td>
<td>Liberal</td>
<td>1-10%</td>
<td>ICB</td>
<td>High: 0.21+</td>
</tr>
<tr>
<td>E</td>
<td>Medium</td>
<td>Liberal</td>
<td>More than 21%</td>
<td>LEA</td>
<td>Medium:</td>
</tr>
</tbody>
</table>
States were classified as liberal, conservative, or battleground states based upon which party held the majority of the state’s Congressional seats (U.S. House of Representatives, 2014; U.S. Senate, 2014) together with data from the Gallup poll related to voters’ party identification preferences in that state (Saad, 2013). States were classified as liberal or conservative if the majority of Congressional seats were held by the same party with which the majority of voters identified, and were classified as battleground states if the party that held the majority of seats differed from the party with which most voters identified.

The ranges of authorizer capacity are summarized here as high, medium, and low according to the range in the sample, but all of the authorizers in our sample fell below the national average. Capacity was calculated by dividing the number of staff in the authorizing office by the number of schools in their portfolio.

**Place: Contextual factors at the state, district, and authorizer levels impacted practices.**

Honig (2006) observed that examining “dimensions of places” can illuminate how and why policy implementation outcomes vary across contexts (p. 18). We found that the contexts in which these authorizers operated were quite diverse, with a variety of internal and external factors interacting to shape the authorizer’s practices. There were three place-based contextual factors that appeared to influence the authorizers in our study: the statewide political environment, the proportion of ELLs in the district’s total student population, and factors related to the authorizer’s specific context. First, the statewide political context was an important influence. Five authorizers were located in liberal states, two in conservative states, and three in battleground states. Authorizers in liberal states were more likely to include ELL-explicit references within their authorizing documents. In addition, three of the four authorizers with the
highest marks on the quality checklist hailed from liberal states, while the fourth was located in a battleground state. No authorizers from conservative states were included in the focused four.

Second, in terms of local context, authorizers in districts with large proportions of ELLs were more likely to mention ELLs explicitly and to integrate them throughout key documents, rather than limiting ELL-related references to a “special populations” section. One respondent from Authorizer E commented,

…given our geographical location, many of us, even in our [authorizing office], are English learners ourselves. Part of that allows for that true empathy and sympathy of what we want the subgroups to do… [and] we have put [ELLs] front and center (E2, September 5, 2014).

Thus, the sheer number of ELLs in the districts in the sample appeared to be an important factor that encouraged some authorizers to be more inclusive of ELLs in their practices than was the case for authorizers that worked in communities with smaller proportions of ELLs.

Third, the authorizer’s specific context also appeared to be an important influence. There were three types of authorizes represented in our sample: LEAs, SEAs, and ICBs. All three types were represented in the focused four, suggesting that the overall quality of an authorizer’s practices might be more important than the authorizer’s type. While differences in type did not explain variation across the sample, there were differences related to the overall capacity of the authorizer. NACSA has found that authorizers average one-third of a full-time equivalent (FTE) staff member for each charter school in their portfolio (NACSA, 2013). All of the authorizers in our sample fell below that threshold, with some much further below that average than others. The authorizers with the lowest capacity ratio were much less likely to explicitly reference ELLs in their authorizing practices than were those with higher ratios. With so many schools per each
staff member at low-capacity authorizers, the information they collected was generally related to each school’s overall performance, rather than focused on specific subgroups.

It is interesting to note that two of the three low-capacity authorizers were located in states with a conservative political orientation. To some extent, the limited capacity of the authorizer might have been a strategic policy choice in these states. As Bulkley (1999) has suggested, conservative policymakers, who often have a preference for limited government and market-based instruments, might have deliberately reduced the scope of the authorizer in the charter school law in order to provide parents, and the market, with more authority to hold charter schools accountable. As none of the four focused authorizers were low-capacity authorizers, this might suggest that a minimum level of capacity—along with support in the state’s statute—is necessary for authorizers to implement more focused ELL-related authorizing practices.

The final contextual factor is that authorizers varied according to whether interactions with their charter schools were characterized more by top-down or bottom-up approaches. Only two of the authorizers in the sample used a top-down approach to set chartering priorities related to ELLs. For example, after Authorizer C reviewed their portfolio and realized that ELLs were underrepresented in many of their charter schools, they decided to use their RFP process to incentivize design teams to explicitly consider ELLs as they developed their models (C1, December 18, 2014). The authorizer used federal grant dollars to offer design teams incentives of up to $250,000 in additional start-up funding if they addressed two types of ELL-related priorities in their proposals: (1) meeting enrollment targets for ELLs, and (2) developing models that were “…specifically designed to meet the learning needs and raise the achievement of students who are English language learners” (C1, December 18, 2014; C15, 2014, p. 55).
In contrast to this type of top-down approach in which the authorizer defines priorities, most of the authorizers in the sample were more interested in receiving a wide variety of proposals and then evaluating those applications based on their merit. This receptivity on the part of the authorizer to consider multiple models could also be beneficial for ELLs. For example, the missions of several charter schools in District G support students’ acquisition of multiple languages or focus on serving communities in which ELLs and their families are concentrated. One respondent from Authorizer G noted that the development of these ELL-focused schools was a result of charter schools’ autonomy to design schools that met the needs of the community, rather than the result of an authorizer-initiated priority (G1, October 23, 2014). He emphasized that charter schools in that district “…have the latitude to create whatever goals, dreams, visions, that are specific to the needs in their community, without any interference or involvement from us” (G1, October 23, 2014). Future research studies might investigate whether ELL-focused models, like those in District G, are more common in the portfolios of top-down or bottom-up authorizers and if so, why there is a difference between the two approaches.

People: Commitment and access to ELL expertise supported ELL-focused practices.

Informed by the people component of Honig’s (2006) framework, we also examined the actors within the authorizing office and their agency in shaping ELL-related authorizing practices. Two important factors related to the people component surfaced from the authorizers in the sample: (1) the authorizer’s access to ELL expertise, and (2) their commitment to provide all students—and ELLs specifically—with high-quality educational options.

Access to ELL expertise. If authorizers are interested in viewing their practices through an ELL lens, collaboration with ELL experts can support that goal. The authorizers in the sample employed two different strategies when they involved ELL experts. The first strategy involved
collaboration between the charter school office and the ELL department at the SEA or LEA. In fact, eight of the 10 authorizers in the sample reported using this strategy. For example, Authorizer B, which is a charter school office within a larger LEA, collaborates with the school district’s ELL department (B1, May 9, 2014; B2, May 15, 2014). One member of Authorizer B’s team is an honorary member of the ELL department, participates in their team meetings, and serves as a liaison between the two departments (B1, May 9, 2014; B2, May 15, 2014). To ensure that ELL experts are involved at key points throughout the authorizing process, ELL department members are invited to work collaboratively with the authorizing team to review charter applications for new schools, interview design teams, and conduct monitoring visits (B1, May 9, 2014; B2, May 15, 2014).

The second strategy to involve ELL experts, utilized by three of the authorizers in the sample, was to hire staff for the authorizing office who had deep ELL-related expertise. The authorizer that used this in-house strategy most effectively was Authorizer B. They recently hired an ELL expert who was dedicated solely to working with charter schools to improve outcomes for ELLs. The impetus to hire the ELL expert was related, in part, to a clear need in the field, in part to civil rights oversight in the district, and in part to the authorizer’s work with an external organization and an internal advisory group who are focused on ensuring that ELLs have access to a range of high-quality educational options in charter schools. One respondent from Authorizer B reflected on the benefits of adding an ELL expert to the authorizing team when she noted,

Dedicating resources…having a full-time person that is only dedicated to [ELLs], that has that deep expertise has been incredibly important, to say we value this, and know
we're going to be able to provide the level of support and oversight that schools need to be successful with someone who really knows their stuff (B2, May 15, 2014).

As the district is under civil rights oversight, one requirement of that external oversight is that all teachers in the district—in both charter schools and traditional public schools—receive specialized training to serve ELLs. To build the capacity of charter school educators, the ELL expert has developed and delivered an extensive training to deepen teachers’ knowledge about second language acquisition and to provide them with research-based strategies that they can implement in their classrooms. In addition, she provided support for trainers and administrators and offered a wide variety of optional professional development opportunities during the course of the year, in which nearly all of the charter schools in the district participated (B1, May 9, 2014). According to one respondent from Authorizer B, this support was greatly appreciated by charter school educators, who were “hungry and anxious” to learn more about how to serve ELLs well (B2, May 15, 2014).

**Authorizer commitment.** A second important people-focused theme that emerged across almost all of the authorizers in the sample was the commitment they demonstrated to improve access and quality for ELLs in their portfolios. In fact, evidence of this commitment was the only characteristic that was consistent across all of the focused four authorizers. This commitment was not related solely to compliance with federal civil rights laws; instead it was connected to the authorizers’ core values, which emphasized the importance of high-quality educational options and equity for all students. One respondent summarized the commitment that was common across the focused four authorizers when she remarked,

> When we think about core values and [Authorizer D]’s mission, it all ties together because at the end of the day, it's all about ensuring that students are receiving adequate,
not just adequate, but really top-notch quality services in a top-notch educational program. If any one of those pieces is missing, in terms of if they're not receiving the ELL services that they require in order to benefit, in order to progress, then we, as an authorizer, haven't done our job (D1, September 12, 2014).

The focused four authorizers also expected the charter schools in their portfolios to reflect this same level of commitment. As an exemplar in this area, Authorizer A expected that design teams would integrate ELLs throughout their applications and not simply “tack on” superficial references to ELLs as an afterthought (A1, May 8, 2014). In fact, when reviewing applications, Authorizer A looked for design teams that not only expressed a commitment to serve all students, but also clearly demonstrated that they had the knowledge and capacity to serve ELLs well (A1, May 8, 2014; A2, May 12, 2014). One respondent from Authorizer A emphasized that the authorizer will only grant charters to applicants who were,

…really clear on the “how” they were going to serve these students. That [ELLs] were fully integrated within the proposal…Our expectation is that they should be able to articulate and understand both serving students who are English language learners and students with special needs. It should be clear in their application whether or not they have the knowledge and capacity to be able to do so. Absolutely under no stretch of the imagination, we wouldn't be interested in chartering a school that didn't know how to serve each and every student that might walk through the door (A1, May 8, 2014).

**Policies: The focused four infused ELLs throughout their authorizing practices.**

The third and final component of Honig’s (2006) framework focuses on practices related to each stage of the authorizing process, which includes setting charter priorities, reviewing
applications from design teams, monitoring existing charter schools, and making renewal decisions.

**Infusing ELLs.** There were two key findings related to authorizing practices in our sample. First, the focused four authorizers integrated references to ELLs throughout their authorizing documents. In the case of Authorizer B, for example, a focus on ELLs is strategically infused throughout the authorizing process and supported by ELL-specific tools. One respondent from Authorizer B described how ELLs have been woven into every stage of the authorizing process,

> We really try to integrate [ELLs] throughout all of the existing systems and structures that we have for authorizing so that it's a strand that runs throughout…[so] there are no surprises…what’s in your contract is articulated in the rubric, then [it’s] something that you see from day one all the way through your renewal (B2, May 15, 2014).

To ensure that the authorizer’s expectations for schools are clear, consistent, and explicit, they have developed an ELL program rubric, which is used throughout the charter school life cycle, from the application phase to renewal. It includes components related to: federal compliance (e.g., identification and placement of ELLs); implementation of a research-based curriculum; professional development; teacher evaluation; and post-exit monitoring of ELLs (B7, 2011). As design teams prepare to open their schools, the authorizer offers ELL-specific workshops to clearly outline the expectations related to ELLs (B4, 2014). After the charter school’s first year, the authorizer visits the school and uses the ELL rubric to provide the school with feedback about the implementation of programs and services for ELLs (B4, 2014).

**Innovative accountability systems.** Our second finding was that some of the authorizers in our sample did develop accountability measures that addressed the ELL-related concerns we
discussed in the literature review. As one example, during their monitoring and renewal processes, Authorizer B gathers qualitative and quantitative data from multiple sources to evaluate the school’s progress overall—and with ELLs specifically—in achieving both authorizer-defined and mission-specific goals. Each charter school receives an annual report from the authorizer that reviews their trends over time in terms of enrollment, attendance, and student performance, with data disaggregated for ELLs (B2, May 15, 2014). For student performance, the authorizer evaluates ELLs’ growth in both academic achievement and language proficiency, with achievement scores interpreted according to ELLs’ language proficiency levels (B2, May 15, 2014). In addition to student outcome data, the authorizer also gathers and analyzes information through document reviews, interviews with school staff, record checks, and rubrics used during classroom observations and site visits. Classroom observation rubrics are ELL-specific and tailored for particular instructional purposes including English language development, literacy for ELLs, sheltered instruction, and use of academic language (B1, May 9, 2014).

After reviewing the qualitative and quantitative data gathered for each school, the authorizer places each school onto one of three tiers: meeting performance expectations, strategic, or intensive. Schools at the strategic and intensive tiers are provided with additional oversight and support. They are required to develop action plans that will help them return to the “meeting expectations” tier. The authorizer’s decisions about tiering schools are based on several pieces of evidence rather than on the basis of strict cut-off scores on single measures. One respondent from Authorizer B pointed out that a charter

…could be a very high-performing school, but if their data for English learners is not what we would like it to be, they will get tiered. We tier all of our charter schools for
extra support and oversight if they’re not getting the outcomes [for ELLs] that we would like (B1, May 9, 2014).

On the other hand, she also noted that even if charter schools were not in full compliance with the ELL-program rubric—because they did not have an English language development block, for example—but they were helping students to develop language, as evidenced by ELLs’ growth in language proficiency outcomes, the school would not be penalized as out of compliance because they were clearly “…doing something to teach kids language” (B1, May 9, 2014). While all authorizers might not have the capacity to implement an accountability system that is as comprehensive as Authorizer B’s, their innovative measures provide an exemplar for other authorizers as well as for state and local education agencies.

**Implications for Research, Policy and Practice**

This exploratory study was a first step toward filling a gap in the literature, but there are multiple opportunities for other researchers to examine ELL-related authorizing practices. As this was a descriptive, qualitative study, no causal explanations should be inferred and the findings should not be generalized beyond the authorizers that are in the sample because other authorizers might be quite different from those that we studied. Although we used a relatively small sample size, other researchers might choose to study either larger or smaller samples of authorizers. By surveying a larger group of authorizers, researchers could learn about ELL-related authorizing practices more broadly. Conversely, qualitative researchers might choose to go deeper and develop a thick description of ELL-related authorizing practices within one authorizing agency. As another limitation of our data was that the authorizing practices we examined were either described in documents written by the authorizer or self-reported by authorizers, other researchers might gather data from additional sources—such as direct
observation—and from different perspectives, by surveying or interviewing charter school applicants, staff from existing schools, or families of ELLs who attend charter schools.

It is important to stress that while we explored whether or not authorizers considered ELLs in their practices, we did not take the next step to examine whether the degree to which authorizers developed ELL-related authorizing practices was associated with improved outcomes for ELLs. This was, in part, because we wanted to begin by identifying variation in how authorizers considered ELLs in their practices, in part because researchers have emphasized that many outcome measures are not valid for ELLs, and in part because there are not measures of academic achievement or language proficiency that are common across the ten states in our sample. In future studies, researchers might analyze outcomes for ELLs across authorizers—using valid and meaningful measures—to determine if more focused ELL-related authorizing practices are associated with stronger outcomes for ELLs.

In addition to the study’s implications for research, there are also implications related to each of the three components of Honig’s (2006) framework for policymakers and authorizers. In terms of the place-based implications, in states with low-capacity authorizers, policymakers might consider expanding the capacity of authorizers because our findings suggest that a minimum level of capacity is necessary for authorizers to focus explicitly on ELLs. For the people-based component, one clear implication of this study is that access to ELL-specific knowledge and expertise can support authorizers who view their practices with an ELL lens. Particularly in small authorizing offices, it is not reasonable to expect that staff will have deep ELL-specific expertise. However, authorizers could enhance their in-house ELL expertise by collaborating with the ELL office at the SEA or LEA or by hiring external consultants with the requisite expertise who can lend an ELL lens when applications are reviewed, when mission-
specific goals are negotiated, when schools are evaluated during the monitoring process, and when renewal decisions are made.

In terms of implications related to the practices component of Honig’s (2006) framework, we found that several authorizers are implementing focused ELL-related authorizing practices—including innovative accountability systems—but these practices do not yet appear to be widespread. Although we deliberately selected the sample to include those authorizers that were most likely to focus on ELLs, only four of the 10 authorizers in the sample have developed focused ELL-related authorizing practices. Based on this finding, we hypothesize that ELL-related authorizing practices might be even less common among authorizers who did not meet the selection criteria, but more research is needed to confirm this supposition.

This exploratory study described how ELL-related authorizing practices varied across the authorizers in our sample according to factors related to the authorizer’s context, the actors within the authorizing agency, and the practices the authorizer implemented. As both the population of ELLs and the number of charter school students continue to expand, we contend that charter school authorizers could learn from the promising practices identified in this study to ensure that the charter schools in their portfolios provide ELLs with a variety of high-quality charter school options that allow them to build on their assets and skills.
References

Note: The citations for the primary sources related to the authorizers in the sample have been partially blinded to protect the confidentiality of the authorizer. Revealing the author, the full titles of the documents, or the websites where these documents are located would reveal the identity of the authorizer.


