Charter School Autonomy: The Mismatch Between Theory and Practice
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What is This?
Charter School Autonomy
The Mismatch Between Theory and Practice

Kara S. Finnigan
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In theory, the charter school concept is based on a trade-off or exchange: greater autonomy for increased accountability. Although charter schools have been operating for more than 10 years, little is known about charter school autonomy in practice. This mixed-methods study used survey and case study data to examine the degree of autonomy of charter schools across the country and the factors limiting school autonomy. The findings indicate that many charter schools do not have high levels of autonomy, with schools least likely to have control over budgetary decisions. In addition, school autonomy is influenced by state laws, relationships with authorizers, and partnerships with educational management organizations and community-based organizations. Finally, the levels of autonomy in some schools were dynamic, with schools experiencing less autonomy over time.

*Keywords:* charter schools; educational policy; autonomy

Charter schools are part of a broader movement in public education toward results-based accountability, representing a shift from a focus on “inputs” to a focus on “outcomes” (Fuhrman, 1999). According to Kolderie (1992), a key figure involved in the drafting of the first charter school legislation (in Minnesota),

The “charter” idea is to offer change-oriented educators or others the opportunity to go either to the local school district or to some other public body for...
a contract under which they would set up an autonomous (and therefore outcome-based) school that kids could choose to attend without charge. (p. 28)

Charter school policies are based on underlying assumptions about school improvement. A key assumption of the theory of charter schools is that schools will better serve students if they are both autonomous and publicly accountable (Kolderie, 1990, 1992). An additional assumption is that those closest to schools, including parents and teachers, know how to serve students best (Nathan, 1996; Wohlstetter & Chau, 2004). The theory of charter schools assumes that this combination of autonomy and accountability will allow educators to implement innovative ideas and practices. Consequences are a key component of the charter school concept: In theory, if these schools do not meet performance objectives specified in their charters, they will be closed (Kolderie, 1990).

The idea that school improvement is linked to autonomy stems from the school-based decision-making and restructuring reforms of the 1980s (David & Shields, 1991; Elmore, 1990; Newmann, 1991). Previous attempts to devolve authority to individual schools, however, involved some degree of centralized control by districts over fiscal and personnel decisions. Charter school reform, on the other hand, involves greater decentralization in a controlled choice environment (because charter schools remain in public school systems) in an effort to shift school control to teachers, parents, and the community (Nathan, 1996).

The two primary components of charter school theory, autonomy and accountability, are essential and inextricably linked. However, most research has focused exclusively on one component or another because of the complex issues involved in each of these areas. This study built on the work of previous researchers who focused specifically on the autonomy component of this reform (see, e.g., Bulkley, 2003, 2004; Wohlstetter & Chau, 2004; Wohlstetter & Griffin, 1998; Wohlstetter, Wenning, & Briggs, 1995) to explore the actual autonomy allowed by states and experienced by charter schools across the country. The findings discussed in this article are based on nationally representative data from surveys with charter school directors, authorizers, and state charter school coordinators and rich case study data from 12 charter schools across the country.

This article focuses not only on the degree of autonomy of charter schools but also on the factors limiting school autonomy. I begin by discussing the conceptual framework for this analysis, including the theoretical and empirical literature on charter school autonomy. I then discuss the study’s findings regarding the variation in charter school autonomy that
currently exists. The article concludes with a discussion of the implications of these results for policy, practice, and research.

The study’s analysis uncovered a number of important findings. First, many charter schools do not have the autonomy that the theory assumes. In fact, considerable variation exists in the level of autonomy charter schools experience. Second, school autonomy is influenced by state laws, relationships with authorizers, and partnerships with educational management organizations (EMOs) and community-based organizations (CBOs). In addition, more schools have control over curricular and personnel decisions than budgetary decisions. Finally, charter school autonomy is not static but dynamic in nature.

Conceptual Framework

According to theory, charter schools have more autonomy and flexibility than traditional public schools. Hess (2001) argued that “the key thread defining the charter school movement is the desire to free schools from bureaucratic constraints that allow them to operate as close-knit communities dedicated to a shared vision” (p. 143). An underlying premise is that greater autonomy will promote innovation and change (Lubienski, 2003; Wohlstetter et al., 1995). In other words, the usefulness or value of autonomy does not lie in autonomy for its own sake but in the freedom it affords schools to do things that previously were not allowed or available.

In charter school research, autonomy has a variety of meanings (Bulkley & Fisler, 2002). Does autonomy exclusively mean to be freed from certain regulations, does it mean the flexibility to pursue desirable educational goals, or does it mean the empowerment of teachers? The literature provides concrete examples of the diversity of lenses and approaches used by researchers in their efforts to study charter school autonomy. For instance, Crawford (2001) focused on teacher autonomy with respect to the control teachers have over their workplaces. Ascher and Greenberg (2002), on the other hand, examined the application process of charter schools, arguing that this process determines the types of instruction and operation of charter schools. Wells (1998) defined autonomy as linked to district support, district services, nondistrict support and services, and control over staff hiring and firing. Finally, Wohlstetter et al. (1995) viewed autonomy as multidimensional, including three components: (a) autonomy from higher levels of government, (b) local or organizational autonomy, and (c) consumer sovereignty. The first two areas relate to collective autonomy (deregulation and
control, respectively), and third area is associated with individual autonomy. As these studies indicate, a clear definition of charter school autonomy remains elusive in charter school research.

This study views autonomy as multidimensional. The analysis builds on the work of Wohlstetter and her colleagues (see, e.g., Wohlstetter & Chau, 2004; Wohlstetter et al., 1995) and considers charter school autonomy as a combination of deregulation and school-level control over decisions. Sen (1999) provided insights into this area, although he focused on individual freedom (rather than collective freedom, as in the case of schools). Sen argued that freedom is related to both the “processes” that allow freedom of actions and decisions and the actual “opportunities” for making these decisions. In the charter school context, the former relates to the more formalized freedom from state and district policies through waivers and exemptions, and the latter relates to school-level control over decisions. This study focused on the school as the unit of analysis because the underlying theory of charter school reform assumes a bargain (greater autonomy in exchange for greater accountability) at the school level. Charter school autonomy is the result of a combination of what Wohlstetter et al. (1995) referred to as the “absence of constraints” (p. 340) and self-management.

It is important to note that charter school autonomy written into state charter school laws, usually in somewhat ambiguous language, does not necessarily result in autonomous schools because of other restrictions on school autonomy. In other words, the potential for autonomy may be written into state law, but schools may not realize high levels of autonomy. Similarly, schools with high levels of autonomy do not necessarily have teachers with high levels of autonomy. In the case study schools reported in this article, teacher autonomy was often limited by centralized leadership and decision making. A discussion of the varying levels of teacher autonomy evident in the case study schools is beyond the scope of this article.

Past research has identified important, albeit limited, findings relating to charter school autonomy that informed this study. One study found that autonomy varies by state and by type of authorizer, with local education agencies allowing charter schools less flexibility and autonomy than state and university authorizers (U.S. Department of Education, 2000). Vergari (2001) argued that authorizers play a key role in charter school autonomy through the application, monitoring, and renewal processes. Supporting the view that autonomy is limited by authorizers, Ascher and Greenberg (2002) found that rather than being freed to design their own instructional programs, charter schools’ programs were shaped through the application process. In contrast, Wells (1998) argued that charter school autonomy is associated with the
particular needs and demands of individual schools, suggesting that charter schools may be forced to rely on their authorizers because of limited expertise or the need for legitimacy. These findings indicate that authorizers may limit charter school autonomy, or the qualifications of charter school staff members may affect the degree of reliance on authorizers.

Beyond the influence of states and authors, the involvement of EMOs appears to be shifting some decision making away from individual schools (Bulkley, 2003). Similarly, teachers’ unions may restrict school-level autonomy. One study of California charter schools discussed the limiting role of teachers unions in the public school system, in general, arguing that charter schools are “less constrained by union contracts” (Corwin, 1996, p. 25). That study found that high-autonomy charter schools had “less cooperative” relationships with the teachers’ union. The research regarding the limiting role of states, authorizers, EMOs, and unions suggest that the process of (theoretically) granting autonomy to charter schools is indeed a complex and dynamic phenomenon in practice.

Charter school advocates assume that more autonomy is not only necessary but critical. However, Bulkley and Fisler (2002) argued that no study had found that more autonomy is better for charter schools. In fact, trade-offs may exist between autonomy and stability. For example, Wohlstetter and Griffin (1998) found that more autonomous schools were able to respond to problems but were more consumed by management decisions. According to Fuller (2000), charter schools must build interdependencies with other groups or lose necessary resources and support. Even if the schools begin operating independently, they eventually rebuild linkages to “gain resources and legitimacy” (Fuller, 2000, p. 239). Similarly, Wells (1998) argued that the most “savvy” charter schools receive support from their districts but keep the districts at arm’s length, in essence choosing what they want control over and what they want their districts to control. Their research, though limited to case studies of six schools across the country (Fuller, 2000) and 10 districts in California (Wells, 1998), raises an important empirical question: Is connecting back to districts or authorizers necessary for some charter schools to become stable or sustainable? Although this question remains unanswered, it is possible that charter schools may not always desire the extreme levels of autonomy assumed by advocates.

**Data and Methods**

The research for this article was conducted as part of a multiyear, multimethod study, funded by the U.S. Department of Education, of the Public
Charter Schools Program and the implementation of charter schools across the country. The analysis for this article involves both case studies and survey data to understand charter school autonomy. The data sources included the following:

- Site visits to charter schools and charter school authorizers: The study involved site visits during the 2000-2001 and 2001-2002 school years to 12 charter schools and their authorizers in six states: Arizona, California, Massachusetts, Michigan, North Carolina, and Texas. The visits included semistructured interviews with school directors, teachers, parents, representatives from the schools’ authorizing agencies, and representatives of EMOs and CBOs (when applicable). The schools selected for the study represented a wide range of educational approaches, from a school based on entrepreneurism to another linked to a local museum. The case study schools also varied by grade levels served, total student enrollments, student demographics, and students’ socioeconomic status. A few of the schools operated multiple campuses under one charter.

- A telephone survey of charter schools: During the 2001-2002 school year, a simple random sample of 585 charter schools in operation as of September 2001 was surveyed by phone from February to May 2002. A total of 477 schools completed the survey, for a response rate of 82%. The typical respondent was the charter school’s director or an equivalent administrator at the school. The survey lasted approximately 1 hour and included open- and closed-ended items.

- A telephone survey of charter school authorizers: As of the summer of 2001, the universe of charter school authorizers that had awarded charters included 643 agencies. A telephone survey of a stratified random sample of 150 authorizers was drawn from this universe. The sample was stratified into three categories: (a) local school board or district, or county board or office of education; (b) state board of education, state education agency, or chief state school officer; and (c) university, college, or community college. State and university authorizers were oversampled to provide robust comparisons across types. A total of 118 authorizers completed the telephone survey (a response rate of 79%). Data collection was primarily conducted during the 2001-2002 school year but was reopened in November 2002 to obtain a higher response rate from state authorizers; 8 of 15 state authorizers were surveyed at that time. The survey included a combination of open- and closed-ended items and lasted approximately 1 hour.

- A telephone survey of state charter school coordinators: All states with charter school laws were surveyed by phone during the 2001-2002 school year. The state charter school coordinators (or equivalent respondents) from 34 states and the District of Columbia responded to the survey (3 states did not participate). The state survey instrument consisted of open- and closed-ended items on charter school–related areas.
The case study data provided rich information for this analysis. The individual interview data from teachers and administrators were compiled and analyzed at the level of the school unit, using a coding scheme based on the theoretical and empirical literature. I conducted cross-case analysis of the case study schools to uncover patterns in the relationship between charter school autonomy and the characteristics of schools. In addition, national survey data with school directors, authorizing agencies, and state coordinators provided supplementary information to explain variation in autonomy along a number of dimensions. These data are especially important to understanding charter school autonomy from higher levels of government. The data methods included descriptive analyses, including the calculation of frequencies and means, with additional analyses of each data set by specific variables, such as the type of school (newly created or conversion) or the type of authorizer (district, state, or university).

This study is an important contribution to previous charter school research because it involved national data from respondents at several levels of the charter school system. In addition, it used both quantitative and qualitative data to move beyond the language of charter school laws and understand charter school autonomy in practice. Finally, it examined the factors influencing charter school autonomy both across and within schools.

Results

Building on the work of Wohlstetter et al. (1995), the findings are divided into two conceptual areas: (a) autonomy from higher levels of government, such as authorizers or states, and (b) autonomy within schools. Clear distinctions cannot be made between these two areas, however, because the degree of autonomy within a school (or control) is directly affected by the degree of autonomy from higher levels of government (or deregulation). I pay particular attention to the limitations on charter school autonomy by two groups not formally considered higher levels of government, EMOs and CBOs, because these groups, though not governmental agencies, may have a similar type of power relationship with charter schools and because few studies have focused on these entities.

Autonomy From Higher Levels of Government

Autonomy from higher levels of government (whether states or authorizers) is an important component of charter school theory. The underlying bargain assumes that charter schools will be freed from the many laws and
regulations governing public schools. Without this freedom, decision making at a school site would be extremely limited. This study examined the extent to which charter schools received flexibility from state and district educational policies through waivers, the types of state accountability requirements for charter schools, and the levels of control or authority that charter schools had over school-level decisions.

Finding: Half of All Charter Schools Must Negotiate Exemptions From State Laws

Not all charter schools receive blanket waivers from their state education codes and regulations; instead, charter school autonomy varies by state. National surveys with state directors indicated that only 37% of states granted automatic waivers to charter schools in 2001-2002 (automatic waivers do not include health, safety, and due-process provisions). Nine percent did not permit any waivers of state laws, rules, or regulations. The remaining states (54%) allowed some (but not all) regulations to be waived on a case-by-case basis based on negotiations between schools and charter school authorizers or states. These findings indicate that the reality for charter schools and their degrees of autonomy are very different from charter school theory. For example, the charter school concept, as articulated by Nathan (1996), involves an “up-front waiver of virtually all rules and regulations governing public schools” (p. 3).6 In reality, the majority of states do not allow this high degree of autonomy. Instead, a charter school’s degree of flexibility is closely associated with the state policy environment in which it is located. Data from the national survey of charter school directors support this finding: In 2001-2002, only 49% of all charter school respondents reported that their charters enabled them to depart from or waive state laws or local policies that applied to other schools.

Charter school directors reported using waivers in varying degrees depending on the type of waiver. The most frequently reported waivers were related to teacher policies: 61% of charter schools across the country reported that they could waive certain teacher policies, such as teacher contract year or tenure requirements. In addition, more than half of charter schools received waivers from teacher certification requirements, staff hiring and firing policies, policies regarding teacher salaries and pay schedules, and policies regarding the control of finances. On the other hand, many charter schools did not report these and other waivers (see Table 1). Very few charter schools (5%) reported that they could waive state student assessment policies. With the passage of the No Child Left Behind Act of
2001 (NCLB), the percentage of charter schools allowed to waive student assessment policies has likely decreased.

State accountability requirements also have the potential to limit charter school autonomy. On the basis of national survey data, charter schools in few states have flexibility from the statewide accountability system. In most states, both traditional public schools and charter schools have the same accountability requirements, as illustrated in Table 2. In some instances, states have more requirements for charter schools. For example, charter schools in several states are required to report information about their waiting lists (in addition to the other requirements); however, waiting lists would not typically apply to traditional public schools. A lower proportion of states (89%) require charter schools to report on demographics compared with the proportion (100%) that require this of traditional public schools.

Finding: Many Charter Schools Do Not Have Full Authority Over Key Decisions

Beyond the limitations of state laws, charter school autonomy also varies by school characteristics. In fact, the degree of autonomy of a charter school is closely linked to the type of authorizer, whether the school is newly created or a conversion school, and the extent to which the school has a partnership with an EMO or CBO.

Rather than being freed from higher levels of government, many charter schools share authority over key decisions with other entities. Although the
The majority of charter school directors nationally reported full authority over key decision areas, including the daily schedule, purchasing, and staff hiring and dismissal, many charter schools actually share authority over these and other decisions (see Table 3). In fact, approximately one third share control over key decisions, indicating limitations on school-level autonomy. Charter schools were least likely to have full authority over teacher certification policies. When the nationally representative sample of authorizers were asked for the levels of authority of the schools they sponsored, their responses supported these school-level findings.

The schools that share authority with other groups were most likely to report sharing control with their authorizers, except in the case of curriculum and teacher certification, for which authority was shared with states.

**Table 2**

*State Accountability Requirements for Charter Schools and Traditional Public Schools*

<table>
<thead>
<tr>
<th>Accountability Requirement</th>
<th>Percentage of States</th>
</tr>
</thead>
<tbody>
<tr>
<td>Reporting student achievement results on required statewide assessments (n = 35)</td>
<td>100</td>
</tr>
<tr>
<td>Reporting on other student performance indicators, e.g., attendance rates (n = 34)</td>
<td>97</td>
</tr>
<tr>
<td>Reporting on enrollment numbers (n = 32)</td>
<td>100</td>
</tr>
<tr>
<td>Aligning of curriculum to state standards (n = 31)</td>
<td>90</td>
</tr>
<tr>
<td>Reporting on student demographics (n = 31)</td>
<td>94</td>
</tr>
<tr>
<td>Reporting on teacher qualifications (n = 26)</td>
<td>100</td>
</tr>
<tr>
<td>Reporting on teacher demographics (n = 19)</td>
<td>89</td>
</tr>
<tr>
<td>Reporting on school waiting list (n = 11)</td>
<td>91</td>
</tr>
</tbody>
</table>

Note: The number of respondents varies by accountability requirement because some states reported that these were “not applicable” in their states.
More than 40% of charter school directors who shared authority reported sharing this authority with their authorizers for decisions ranging from purchasing and budgetary expenses to curriculum and assessment. (Again, the national authorizer data support these reports from the survey of charter school directors.) Rather than having full authority over decisions, conversion schools and schools with local authorizers frequently shared authority with their authorizers (compared with newly created and schools chartered by other authorizers, respectively).

Bulkley (2004) argued that any autonomy allowed in state law may be restricted by a relationship with an EMO. In 2001-2002, 19% of charter schools had arrangements with EMOs, according to the school survey data. These data indicate that schools associated with EMOs reported sharing authority with these partners regarding all of the decisions listed in Table 3. The limitations on autonomy resulting from partnerships with EMOs are discussed in more detail below.

**Autonomy Within the School**

This section focuses on the extent to which schools have local or site-based control over decisions. Of course, a prerequisite of having autonomy within a school is having autonomy from higher levels of government. Therefore, the previous discussion informs this section. The analysis focuses on three dimensions of autonomy—curriculum, personnel, and budget—because of

<table>
<thead>
<tr>
<th>Type of Authority</th>
<th>Percentage of Schools (n = 477)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Daily schedule</td>
<td>Full Authority: 84, Shared Authority: 16, No Authority: &lt;1</td>
</tr>
<tr>
<td>Purchasing of supplies and equipment</td>
<td>Full Authority: 79, Shared Authority: 21, No Authority: &lt;1</td>
</tr>
<tr>
<td>Staff hiring, discipline, and dismissal</td>
<td>Full Authority: 72, Shared Authority: 26, No Authority: 1</td>
</tr>
<tr>
<td>Other budgetary expenses, not including salaries and benefits</td>
<td>Full Authority: 67, Shared Authority: 31, No Authority: 2</td>
</tr>
<tr>
<td>Student disciplinary policies</td>
<td>Full Authority: 64, Shared Authority: 36, No Authority: &lt;1</td>
</tr>
<tr>
<td>Student assessment policies</td>
<td>Full Authority: 63, Shared Authority: 33, No Authority: 4</td>
</tr>
<tr>
<td>School calendar</td>
<td>Full Authority: 59, Shared Authority: 37, No Authority: 5</td>
</tr>
<tr>
<td>Curriculum</td>
<td>Full Authority: 59, Shared Authority: 39, No Authority: 2</td>
</tr>
<tr>
<td>Teacher certification requirements</td>
<td>Full Authority: 45, Shared Authority: 45, No Authority: 9</td>
</tr>
</tbody>
</table>

Table 3
Charter School Reports of Level of Authority, 2001-2002
the link in past research between these areas and school improvement (Wohlstetter & Chau, 2004; Wohlstetter et al., 1995, 1998). Wohlstetter and Chau (2004) argued that control over these decision areas leads to increased staff commitment and satisfaction, a strong professional culture, and more effective resource allocation. As discussed below, having autonomy over one of these areas did not necessarily result in control over the others.

**Finding: Charter Schools Are Least Likely to Have Control Over Their Budgets**

Charter schools in this study were most likely to have control over decisions related to curriculum and assessment and personnel. However, charter school authority over each of these areas was constrained by state policies (e.g., assessment and certification policies). Charter schools were least likely to have control over their own budgets. School-level control over budgetary decisions was affected by the funding stream (i.e., a school’s funds flowed through another agency) or by the control over funding decisions by the authorizer, EMO, or CBO. The following sections discuss these limitations on charter school autonomy.

**Curriculum and assessment.** Two thirds of the case study schools had high levels of autonomy over their curricula and, as a result, were implementing a variety of approaches (e.g., a combined home school and independent study program, an accelerated program for dropouts, a program focused on educational entrepreneurism). However, school directors in nearly every case study school complained that the statewide standardized tests had the potential to alter their programs, illustrating the relationship between these two levels of autonomy: deregulation and control. In other words, local control was only possible to the extent that a school was waived from the rules and regulations of the state. In the case of curriculum and assessment, the requirement to participate in state tests had the potential to limit school-level autonomy because of the pressures to succeed on this assessment (particularly when these assessments had “high stakes”), and as a result, schools in some cases had to either discontinue other forms of assessment or alter their curricular programs to improve performance.

The remaining case study schools (one third) either had low levels of autonomy over curricula because of “packaged” curricula that were required by EMOs or had mixed or medium levels of autonomy because they were adapting curricula adopted by their authorizers (districts). These case study results are supported by the national survey data. According to
the school survey results, only 59% of charter schools reported having full authority over their curricula, 39% reported shared authority, and 2% reported no authority.

Another factor limiting the autonomy of charter schools was their relationships with EMOs. EMOs are external groups partnered with charter schools. In essence, charter schools do not have autonomy over curricular or assessment decisions if EMOs require that the schools implement particular programs or specific procedures. In some cases, EMOs made decisions for the schools, and in other cases, EMOs and schools shared the authority, as discussed previously. Table 4 provides data from the national survey of charter school directors. As illustrated in this table, 64% of charter schools with EMOs reported that these groups directed the curricula and instruction in their schools. In fact, two case study schools were required to implement particular curricula by their EMOs but found ways to adapt and augment the required curricula and instruction to better suit their needs. This altering of “required” curricula suggests that the decision-making authority may not be as clear-cut as the national data suggest. Although an EMO may have the power to require a particular program, the school is responsible for its implementation, resulting in variation at the school site.

According to the national survey data, CBOs were less likely to affect schools’ curricula and instruction compared with EMOs. The case study data support these findings. None of the CBOs associated with charter schools in the case studies influenced curricular decisions. It is important to

<table>
<thead>
<tr>
<th>Role</th>
<th>Percentage of Schools</th>
<th>Charter Schools With EMOs (n = 83)</th>
<th>Charter Schools With CBOs (n = 74)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Administering personnel and benefits</td>
<td>89</td>
<td>62</td>
<td></td>
</tr>
<tr>
<td>Administering budget</td>
<td>87</td>
<td>70</td>
<td></td>
</tr>
<tr>
<td>Managing the overall operation or</td>
<td>71</td>
<td>59</td>
<td></td>
</tr>
<tr>
<td>administration of this school</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Directing the curriculum and instruction</td>
<td>64</td>
<td>38</td>
<td></td>
</tr>
<tr>
<td>Hiring staff members</td>
<td>60</td>
<td>43</td>
<td></td>
</tr>
</tbody>
</table>
remember the low frequency of these relationships across all charter schools: In 2001-2002, 19% of charter schools across the country had arrangements with EMOs, and 16% had partnerships with CBOs.9

The national survey data also suggest potential limitations on school autonomy as a result of statewide assessment requirements. Ninety percent of charter schools across the country used standardized, norm-referenced tests, and 82% used criterion-referenced tests. Of these, 74% and 65%, respectively, used these tests because of mandates by their states, districts, or authorizers. Charter schools may choose additional assessment strategies, such as surveys and student demonstrations, beyond these testing requirements; however, the case study data suggest that these mandates affect curricular and assessment decisions. The requirements that charter schools participate in state-mandated student assessment programs appear to be overshadowing the flexibility and autonomy originally envisioned for charter schools, which were to develop individualized goals and measurement strategies in their charters (Anderson & Finnegan, 2001).10 Assessment tools can serve solely as measurement tools; however, when consequences are attached to scores (as in the accountability systems of the states involved in this study and in the NCLB at the federal level), these tools can have a powerful effect over curricula and instruction (see, e.g., McNeil, 2000).

**Personnel.** Charter schools also have high levels of control over personnel decisions. Moore and Landman (2000) found that a primary advantage of being a charter school was the ability to hire teachers who have common values. Seven of the 12 case study schools had high levels of autonomy over personnel decisions, but several were restricted by state laws regarding certification. In fact, by law, many case study schools had to have particular proportions of teachers (or all “core” teachers) be certified. The 3 schools with the lowest levels of autonomy over these decisions either had strong union involvement in the schools, limiting flexibility from particular teacher policies, or had teachers that were employed by entities other than the schools, such as CBOs or EMOs. The remaining 2 schools had medium or mixed levels of autonomy over personnel because of evidence of EMO and CBO control over a few (but not all) decisions relating to teachers, including hiring and firing or salary decisions.

These case study findings are similar to the findings from the national survey of charter schools. Seventy-two percent of schools reported full authority over staff hiring, discipline, or dismissal, and 45% reported full authority over teacher certification requirements. When charter schools did not have full authority, these data indicate that they shared authority with
states, authorizers, or EMOs. Table 4 provides data clarifying the roles of EMOs and CBOs. As the table illustrates, 89% of charter schools with EMOs reported that these groups administered personnel and benefits, and 60% reported that EMOs hired their school staff members. CBOs were less likely to have these responsibilities.

Both the case study and the national survey data suggest that many charter schools do not have control over personnel decisions. Furthermore, many of those that do have authority in these areas do not have full authority because of state regulations, such as those regarding the certification of teachers. Finally, charter school authorizers (usually districts) and EMOs frequently exerted authority over these areas, resulting in charter schools’ having limited or no control over important personnel decisions at the school sites.

**Budget.** Charter schools are least likely to have autonomy over their budgets compared with other decision-making areas. In fact, only three case study schools had high levels of autonomy over budgetary decisions. All of these schools were funded directly by their states and were not required to receive approval from other entities for purchasing decisions or other budgetary matters. One of these was facing increased resistance from its authorizer because of concerns over liability if the school were to close.

The remaining three fourths of the 12 case study schools had less flexibility and control over this area compared with their degrees of control over curricular and personnel decisions. Five schools had low autonomy over budgetary decisions because of two factors: (a) another agency, usually an EMO or CBO, had greater authority over this area, or (b) the authorizer, EMO, or CBO handled the finances and accounting. In fact, according to the national school survey data, EMOs frequently administered the budgets and managed the overall operations of their charter schools (see Table 4). The remaining 4 schools had mixed or medium levels of autonomy because the funds flowed through other agencies, thereby limiting school-level control over finances, or decisions were made by other agencies in collaboration with the schools.

*Finding: Only One Quarter of the Case Study Schools Had High Levels of Autonomy*

On analysis of the case study data, the schools fell into three categories: high levels of autonomy overall \((n = 3)\), mixed or medium levels of autonomy \((n = 6)\), and low levels of autonomy \((n = 3)\), as illustrated in Table 5.
### Table 5

**Characteristics of Case Study Schools**

<table>
<thead>
<tr>
<th>Overall Autonomy</th>
<th>School Name</th>
<th>State</th>
<th>Number of Students</th>
<th>Grades</th>
<th>Authorizer</th>
<th>EMO/CBO</th>
</tr>
</thead>
<tbody>
<tr>
<td>High autonomy</td>
<td>School A</td>
<td>Arizona</td>
<td>&lt;200</td>
<td>K-8</td>
<td>State charter schools board</td>
<td>No</td>
</tr>
<tr>
<td></td>
<td>School B</td>
<td>Massachusetts</td>
<td>200 to 500</td>
<td>6-10</td>
<td>State department of education</td>
<td>No</td>
</tr>
<tr>
<td></td>
<td>School C</td>
<td>California</td>
<td>&gt;1,000</td>
<td>K-12 (varies by site)</td>
<td>District</td>
<td>No</td>
</tr>
<tr>
<td>Medium autonomy</td>
<td>School D</td>
<td>North Carolina</td>
<td>&lt;200</td>
<td>6-8</td>
<td>State board of education</td>
<td>Yes: CBO</td>
</tr>
<tr>
<td></td>
<td>School E</td>
<td>North Carolina</td>
<td>&lt;200</td>
<td>6-8</td>
<td>State board of education</td>
<td>Yes: CBO</td>
</tr>
<tr>
<td></td>
<td>School F</td>
<td>Texas</td>
<td>&gt;1,000</td>
<td>PreK-8</td>
<td>District</td>
<td>No</td>
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<tr>
<td></td>
<td>School G</td>
<td>Texas</td>
<td>500 to 1,000</td>
<td>PreK, 9-12</td>
<td>State board of education</td>
<td>Yes: CBO</td>
</tr>
<tr>
<td></td>
<td>School H</td>
<td>Michigan</td>
<td>200 to 500</td>
<td>9-12</td>
<td>District (regional)</td>
<td>Yes: CBO</td>
</tr>
<tr>
<td></td>
<td>School I</td>
<td>California</td>
<td>200 to 500</td>
<td>K-7</td>
<td>District</td>
<td>Yes: EMO</td>
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<td>Low autonomy</td>
<td>School J</td>
<td>Arizona</td>
<td>&lt;200</td>
<td>K-8</td>
<td>State board of education</td>
<td>Yes: CBO</td>
</tr>
<tr>
<td></td>
<td>School K</td>
<td>Massachusetts</td>
<td>&gt;1,000</td>
<td>K-12</td>
<td>State department of education</td>
<td>Yes: EMO</td>
</tr>
<tr>
<td></td>
<td>School L</td>
<td>Michigan</td>
<td>200 to 500</td>
<td>K-8</td>
<td>University</td>
<td>Yes: EMO</td>
</tr>
</tbody>
</table>

Note: CBO = community-based organization; EMO = education management organization.
The three case study schools with high levels of autonomy over curriculum and assessment, personnel, and budgetary decisions varied by grade levels, types of authorizers, states in which they were located, and educational programs. However, they had a number of similarities. First, none of the schools were associated with EMOs or CBOs. Second, all of the schools received their funding directly from their states. Third, all of the schools were new schools (rather than conversion schools). Table 5 provides additional details about the case study schools.

Although these similarities are important, each of these schools had unique circumstances. For example, one of the schools had a rather hostile relationship with its district authorizer, which was trying to exert more control over school decisions, particularly regarding the purchase of the school’s land and facilities. The school remained an autonomous entity and argued that if the authorizer exerted more control, it would sever its ties and switch to another authorizer.

Autonomy was not constant in the case study schools; rather, schools occasionally moved from more autonomy to less. For example, one case study school had linked back to its district for special education services after trying unsuccessfully to provide these at the school site. In doing so, the school staff gave up control over this aspect of its educational program. This could potentially affect other school decisions, including scheduling and curricular and instructional issues for the general educational program.

Discussion

This study focused on the extent to which charter schools experience autonomy at two distinct levels: from higher levels of government and within the schools. The study found that many schools do not have the autonomy that charter school theory assumes. Charter school autonomy in practice is limited by state laws and regulations and statewide accountability requirements. As mentioned previously, the degree of autonomy allowed by higher levels of government affects the degree of local control that charter schools have.

On the basis of case studies of charter schools across the country and national survey data, schools with low levels of autonomy were conversion schools, authorized by local districts, and partnered with EMOs or CBOs. Schools with high levels of autonomy, on the other hand, were newly created schools, did not have partnerships with EMOs or CBOs, and were somewhat independent as a result of receiving direct funding from their states.
Both the case study and the national survey data indicate that EMOs and CBOs played prominent, yet often overlooked, roles in charter school decision making. EMOs administered the budgets or personnel and benefits, hired the staff members, directed the curricula and instruction, and managed the overall operation of charter schools. CBOs frequently played these roles but were less likely to affect schools’ curricula and instruction and make hiring decisions compared with EMOs.

The data from the 12 case study schools suggest that charter school autonomy is not static but dynamic. Wells et al. (1998) found in a study of California charter schools that many schools desire autonomy initially but turn to their districts for assistance when problems arise. This important aspect of charter school autonomy has received little attention. Whether a school taps back into its district for services or whether an authorizer places greater restrictions on autonomy, the dynamic nature identified in the case study schools involved a shift from more autonomy to less. In other words, the shifting in autonomy that had occurred (or was imminent) was evident for schools with medium to mixed or high levels of autonomy.

This study found that the shifting in autonomy is not always the result of a school’s choosing to link back to its district, as Wells et al. (1998) found. Instead, a school may actually lose autonomy when its authorizer, EMO, or CBO exerts more control. These external groups were well positioned in the case study schools to limit school-level autonomy through participation in the schools’ governing bodies. In 8 of the 12 case study schools, the structure of the governing bodies allowed the authorizers, EMOs, or CBOs to influence the schools’ internal decisions because they were required to have representatives from these external groups on their governing bodies in accordance with their charters. Although the governing bodies were in fact parts of the schools, they served as mechanisms through which these external groups were able to exert control or influence. Decisions about governing body structures are usually determined (negotiated) during the charter application and approval process.

Of the schools with medium to high autonomy, three charter schools were governed by the EMOs’ or CBOs’ boards, and another three had representatives from the districts, EMOs, or CBOs in their governing bodies (the remaining two charter schools with governing structures involving external groups were low-autonomy schools). One school had a governing body that included representatives from both the authorizer (district) and the EMO. This school managed to operate with considerable autonomy because both of these organizations were in substantial disarray, and neither had the capacity or time to oversee the charter school. However, if this
situation were to become more stable, these groups could limit the autonomy of the charter school through this positional power.

Another school with high levels of autonomy had a governing body that included a representative of the authorizer (district). This school and its authorizer had an extremely hostile relationship at the time of this study, and the school was experiencing pressure from the district, which was trying to exert control over the school’s budgetary decisions, including the decision to purchase land and expand the facilities. In fact, the original superintendent who sponsored the charter looked favorably on the school, but his replacement did not, and through the governing body representative, he kept a close watch over and tried to influence the school’s decisions.

Authorizers, EMOs, and CBOs may include this type of provision to retain some control over schools because of concerns that the failure (financially or academically) of one of their charter schools would either reflect negatively on them or, at worst, they would be liable. In other words, this governing body arrangement creates a type of safeguard for an authorizer, EMO, or CBO. In most cases, only one member from these external groups participated in the school’s governing body. However, these representatives have the potential to influence decisions through their hierarchical power (Marsh, 2002). The ability to influence decision making is evident when participation in a governing body allows an individual to “preempt, select, modify, block, or otherwise affect decision outcomes” (Malen & Ogawa, 1988, p. 255). This level of influence is evident in the example above of the authorizer’s (district) attempt to block the charter school’s decisions. Malen and Ogawa (1988) studied the influence of the principal on school site councils and found that principals frequently had a “power advantage” because of information and resources, not to mention responsibility for assigning and evaluating staff members. In other words, power may stem from the dependency of some members of the group on another (Scott, 1998). Similarly, representatives of authorizers, EMOs, and CBOs frequently hired and evaluated staff members and directed the school in other ways, in essence giving them additional power over the other governing body members through differences in status.

The mismatch between charter school theory and practice, with lower levels of autonomy in practice, may be related to a number of complex issues. First, the shift for authorizers and states toward decentralization through this educational reform has resulted in a great deal of uncertainty and ambiguity. In this context, retaining some degree of control may stem from past hierarchical relationships between schools, districts, and states. Both the national survey data and the case study data suggest a tendency of
states and authorizers to treat charter schools as they do their traditional public schools. For example, many states require that charter schools negotiate waivers on a case-by-case basis, just as their other public schools do. Furthermore, the case study data suggest that authorizers, EMOs, and CBOs retain some control over schools because of the additional risk to these groups of sponsoring or partnering with charter schools. In essence, theoretical agreement over school-level control may be overshadowed by uncertainty over implementation and concerns about the success of charter schools. This uncertainty combined with the pressures of the centralized, high-stakes accountability systems currently in place may result in the limited autonomy of charter schools.

**Implications**

Autonomy is a key assumption of charter school theory; therefore, it is critical that policy makers understand the ways in which autonomy is restricted and consider the benefits and limitations of the high levels of autonomy envisioned by advocates. In reality, states, authorizers, EMOs, and CBOs have a powerful influence over charter school autonomy. These findings have important implications for policy because the success (or failure) of charter school reform cannot be determined without taking into account the variation in autonomy at the school site.

The findings also have important implications at the charter school level. First, although charter school laws in some states do not allow automatic waivers, school directors in these states should examine whether they are able to apply for waivers on a case-by-case basis. Second, charter school directors and founders must understand that partnering with EMOs or CBOs, receiving their funding through authorizers, and opening as conversion (rather than new) schools may limit the autonomy of their schools. Each decision made, including the composition of the governing body, should consider the costs and benefits regarding not only autonomy but other important factors. For example, partnering with an EMO or CBO may provide a number of benefits, such as financial stability or legitimacy in the community, even though the school may in fact have less autonomy than it would otherwise.

The study’s findings also have important implications for future research on charter schools. This study found that autonomy over different decision-making areas is constantly negotiated. In essence, a continuum of autonomy exists for each area discussed in this article: curriculum, personnel, and budget. Future research must recognize the multidimensional and dynamic nature of autonomy.
An important next step, as Crawford (2001) suggested, is to move beyond perceptions of autonomy to concrete measurements of behaviors. Additional analyses should examine the limitations over charter autonomy in practice to determine whether school-level autonomy is desired (or not) by those schools that exhibit low levels of autonomy. Future research should also study the extent to which charter school directors have difficulty operating as autonomous units, as Wohlstetter and Griffin (1998) argued. All of these pursuits require the development of more nuanced studies of charter school autonomy and better measurement tools.

In addition, future research should examine the benefits and limitations of high levels of autonomy. Questions for future study include the following: Under what conditions is autonomy beneficial? What level of autonomy (over what areas) is necessary for charter schools to succeed? Under what conditions would charter schools benefit from less control (and over what areas)? A critical question is, What is the relationship between autonomy and student performance? These remain unanswered questions in charter school research.

Finally, future studies should examine the impact of state and federal high-stakes accountability requirements on charter school autonomy. With the passage of the NCLB and the response of states to centralize the accountability requirements for all public schools, the underlying charter school theory of autonomy in exchange for accountability—an idea that rested on the development of individualized contracts between schools and their authorizers—may no longer be possible. Furthermore, the NCLB’s corrective actions for schools not making “adequate yearly progress” include reopening schools as charter schools. Future research should examine the extent to which this is occurring and the degree of autonomy of charter schools that open as a result of this legislation.

The charter school concept is based on underlying assumptions regarding autonomy and accountability that must be better understood if these schools are to serve students in the ways that advocates envisioned. First and foremost, policy makers and researchers must have a more nuanced understanding of the degree of autonomy that charter schools experience in practice.

Notes

1. Fiore, Harwell, Blackorby, and Finnigan (2000) argued that innovation, whether organizational or curricular, must be considered within the local context. Thus, although schools in their study of 32 charter schools in 15 states were not always implementing innovative ideas and practices in an absolute sense (i.e., things that had never been attempted previously), they
were frequently implementing approaches that were not available within the local public school systems.

2. In the political science literature, this definition is more closely linked to flexibility (Wohlstetter et al., 1995). This study considers autonomy and flexibility as interchangeable, as does most of the literature on charter schools.

3. For more details regarding limitations on teacher autonomy in charter schools, see Moore and Landman (2000) and Crawford (2001).


5. A small number of “other” authorizers were not sampled.

6. It is important to recognize that Nathan’s point about an “up-front waiver” does not include health, accessibility, and safety regulations. In addition, charter schools must be non-sectarian, be open to all students, be free of charge, and not discriminate.

7. Some traditional public schools do have waiting lists because they fall under a special category of schools (e.g., magnet schools) or because they are filled to capacity.

8. One school was not following the EMO “package” because of misalignment with state standards. The other had been allowed to use a different math program because of its long-standing relationship with the EMO (no other sponsored school of this EMO was allowed this flexibility), although it continued to feel pressure to adopt the EMO’s math program.

9. In fact, some authorizers prohibit these relationships.

10. Although Kolderie (1992) argued that charter schools must not only meet the performance objectives agreed to in their charters but also meet “state outcome requirements if they exist” (p. 30), this study (see U.S. Department of Education, 2004) found that charter schools were not always held to the same accountability policies as other public schools prior to the passage of the NCLB. For example, in New York, charter schools did not fall under the statewide accountability system at the time of the study.

11. The case study schools with low levels of autonomy did not experience changes in autonomy, nor did they express an interest in having more.

12. It is important to note that charter school governing bodies are distinct from school councils or other school-level bodies associated with site-based management reforms because of the wider range of decision-making authority they have in charter schools.

References


Kara S. Finnigan is an assistant professor in the Warner Graduate School of Education and Human Development of the University of Rochester. Her areas of specialization include educational policy, organizational leadership and change, and urban education. Her recent work has focused on charter schools, accountability policies, and low-performing schools.