



How State Charter Laws Rank Against The New Model Public Charter School Law

January 2010

How State Charter Laws Rank Against The New Model Public Charter School Law

For more detailed information about each state, visit the State Public Charter School Law interactive data base online at <http://charterlaws.publiccharters.org>

Table of Contents

Acknowledgements	2
Introduction	3
Methodological Overview	4
The Top 10	6
Leaders in “Quality Control” Policies	7
Leaders in Operational and Categorical Funding Equity Policies	7
Leaders in Facilities Support Policies	8
Leaders in Operational Autonomy Policies	8
Laggards in Growth and Choice Policies	9
The Full Rankings 1 to 40	10
40 State Profiles	13
20 Essential Components	93
Appendix A: Weights And Rubric	112
Appendix B: Example of a Detailed State Profile: Minnesota	128

Acknowledgements

This report was written by Todd Ziebarth, Vice President of Policy at the National Alliance for Public Charter Schools. The analyses of the 40 state public charter school laws against the 20 essential components of the Alliance's *A New Model Law For Supporting The Growth of High-Quality Public Charter Schools* were conducted by Ziebarth, Louann Bierlein Palmer, Associate Professor at Western Michigan University (who developed the original list of essential components of a strong public charter school law while she was at the Morrison Institute at Arizona State University during the early 1990s), Paul O'Neill, President and Founder of Tugboat Education Services (also the legal counsel at the State University of New York's Charter Schools Institute and Edison Schools), Margaret Lin, President of Margaret Lin Consulting (also the founding executive director of the National Association of Charter School Authorizers), and Tiffani Tatum, Director of State Policy at the Alliance.

We shared our draft analyses with individuals in each of the 40 states, including individuals working at state departments of education, state charter school associations and resource centers, and other organizations. We want to acknowledge and thank them for their invaluable feedback. Any errors and omissions that remain in the state analyses and rankings are the fault of the Alliance, and not the reviewers from the states.

We also want to thank The Joyce Foundation for their financial support of this effort. Their backing of the creation of *A New Model Law For Supporting The Growth of High-Quality Public Charter Schools* and the supporting analyses and rankings in this report has been critical.

Since the release of the model law, lawmakers and advocates in numerous states are using it to inform their efforts to enact a charter law for the first time or as a roadmap to improve certain aspects of existing charter laws, such as authorizing, accountability, and facilities.

Introduction

In June 2009, the Alliance released *A New Model Law For Supporting The Growth of High-Quality Public Charter Schools*. As we noted in that report, with the number of public charter schools and students steadily growing – and the body of evidence documenting their success mounting – legislative battles over charter laws are intensifying. As charter supporters fight these battles, the time is right for a new model law that supports more and better public charter schools based upon lessons learned from experience, research, and analysis.

Since the release of the model law, lawmakers and advocates in numerous states have picked it up and run with it. In some states, they are using it to inform their efforts to enact a charter law for the first time. In other states, the model law is providing a roadmap to improve certain aspects of existing charter law, such as authorizing, accountability, and facilities.

Soon after the release of the model law, we began receiving questions from lawmakers and advocates about how their existing charter laws stack up against the model law, particularly in light of the role of public charter schools in the U.S. Department of Education's \$4 billion Race to the Top (RTTT) competitive grant program. They also wanted to know who had the strongest laws, especially in the critical areas of authorizing, accountability, funding, and facilities. In addition to referring people to several existing resources from us and others, we enlisted the individuals who helped craft the model law, rolled up our sleeves, and started analyzing and ranking existing laws.

The result is this report, the first to accurately gauge a state's public charter school law with respect to its commitment to the full range of values in the public charter school movement: quality and accountability, funding equity, facilities support, autonomy, and growth and choice. This report looks at each individual state that has a charter school law, assesses the strengths of its law against the 20 essential components of the model law, and ranks them from 1 to 40. It is closely aligned with the original intent of public charter school law, which is to establish independent public schools that are allowed to be more innovative and are held accountable for improved student achievement.

We hope the report is useful to lawmakers and advocates in the 40 jurisdictions with charter laws as they work to improve them as well as to those in the 11 states without laws as they push to enact them. We look forward to supporting them in the months and years ahead in this important work.



Todd Ziebarth
Vice President of Policy
National Alliance for Public Charter Schools

Methodological Overview

The basis of our inaugural rankings is an analysis of each state's charter law and regulations against the 20 essential components of our model law listed in Table 1.

Table 1: The 20 Essential Components of a Strong Public Charter School Law	
1	No Caps
2	A Variety of Public Charter Schools Allowed
3	Multiple Authorizers Available
4	Authorizer and Overall Program Accountability System Required
5	Adequate Authorizer Funding
6	Transparent Charter Application, Review, and Decision-making Processes
7	Performance-Based Charter Contracts Required
8	Comprehensive Charter School Monitoring and Data Collection Processes
9	Clear Processes for Renewal, Nonrenewal, and Revocation Decisions
10	Educational Service Providers Allowed
11	Fiscally and Legally Autonomous Schools with Independent Public Charter School Boards
12	Clear Student Recruitment, Enrollment, and Lottery Procedures
13	Automatic Exemptions from Many State and District Laws and Regulations
14	Automatic Collective Bargaining Exemption
15	Multi-School Charter Contracts and/or Multi-Charter Contract Boards Allowed
16	Extra-Curricular and Interscholastic Activities Eligibility and Access
17	Clear Identification of Special Education Responsibilities
18	Equitable Operational Funding and Equal Access to All State and Federal Categorical Funding
19	Equitable Access to Capital Funding and Facilities
20	Access to Relevant Employee Retirement Systems

For each of these components, we developed sub-components (see Appendix A: Weights and Rubric). We then analyzed each state's laws and regulations to find out if and how they explicitly addressed the components and sub-components. It is important to note that our primary focus was to assess whether and how state laws and regulations addressed the components and sub-components, not whether and how practices in the state addressed them. In some

cases, such as caps, multiple authorizers, and funding, we incorporated what was happening in practice because we felt it was necessary to do so in order to fairly capture the strength of the law. Notwithstanding these instances, the purpose of this effort is to encourage state laws to require best practices and guarantee charter school rights and freedoms, so that state charter sectors will benefit from a legal and policy environment most conducive to success.

After we finished a draft of our analysis, we shared it with individuals in each of the 40 states, including individuals working at state charter school associations and resource centers, state departments of education, and other organizations. We then revised our analyses and began the weighting, ranking, and scoring process.

First, we weighted each of the 20 components with a weight of “1” to “4” (see Appendix A: Weights and Rubric). It is important to note that we gave a weight of “4” to only four of the 20 components, a group of components that we refer to as the “quality control” components of the model law:

- Transparent Charter Application, Review, and Decision-making Processes
- Performance-Based Charter Contracts Required
- Comprehensive Charter School Monitoring and Data Collection Processes
- Clear Processes for Renewal, Nonrenewal, and Revocation Decisions

Not to say that operational autonomy, operational funding equity, and equitable access to capital funding and facilities don’t have a huge impact on charter quality. They clearly do. However, we chose the four components bulleted above because we feel that state charter laws have too often given short shrift to ensuring that authorizers are appropriately exercising their “quality control” responsibilities and want to push states to enact responsible policies in these areas.

Obviously, getting the implementation of such provisions right in practice is just as important as getting them right in policy. And, some authorizers have established serious “quality control” practices in spite of their state law’s silence on these provisions. However, from our perspective, it is critical that state laws accelerate the movement of more authorizers toward the “best-in-class” practices exhibited by the nation’s best ones. Aligning state laws with the model law’s “quality control” provisions will move us in that direction.

It is critical that state laws accelerate the movement of more authorizers toward the “best-in-class” practices exhibited by the nation’s best ones.

Also, it is important to note that these “quality controls” are focused on outputs instead of inputs. When authorizers are exercising their “quality control” responsibilities, they should be primarily focused on outputs, primarily student achievement. This approach is a sharp contrast to the traditional public school system’s mode of operations, which is usually focused on controlling for inputs.

After weighting each of the 20 components, we rated each of the components for a state based upon our analyses from a scale of “0” to “4” (see Appendix A: Weights and Rubric). Within each state, we multiplied the weight and the rank for each component for a score for that component. We then added up the scores for each of the 20 components and came up with a total score for each state. The highest score possible was 208.

The Top 10

The states that are creating the strongest policy environments for public charter schools to succeed are listed in Table 2.

Table 2: The Top 10 State Charter Laws		
1	Minnesota	If we had released these rankings a year ago, Minnesota would probably not have been at the top of the list. Although it has long been recognized as having a good law in several regards, it enacted several changes this year to strengthen school and authorizer accountability – proposed by charter advocates – that vaulted it to #1.
2	District of Columbia	The District of Columbia's law is solid in many regards, but most notably it is a leader in three of the most critical challenges facing public charter schools: operational autonomy, operating funding equity, and facilities support (although challenges remain).
3	California	California has the nation's second oldest charter law, but has continued to refine it to meet new challenges. It is a leader in providing facilities support to public charter schools (although challenges remain), and fares well on our four “quality control” components.
4	Georgia	Georgia's law has long been cap-free and open to a wide variety of public charter schools, including new start-ups, public school conversions, and virtual schools. However, it has made several improvements to its law over the past couple of years, most notably creating a new statewide charter authorizer and boosting facilities support. It also fares well on our four “quality control” components.
5	Colorado	Enacted in 1993, Colorado's charter law continues to be modified to better support high-quality public charter schools. Colorado generally provides an environment that's cap-free, open to new start-ups, public school conversions, and virtual schools, and supportive of autonomy. Most notably, it is a leader in providing facilities support to public charter schools (although challenges remain).
6	Massachusetts	Massachusetts ranks the highest on our four “quality control” components. It is also a leader in providing operational autonomy and funding equity to public charter schools (although challenges remain). The bottom line: It has created many of the conditions for charter success. Now it just has to lift its numerous caps on charter schools to let them flourish.
7	Utah	Utah has made significant strides in improving its charter law and regulations over the past five years. Among other things, it has created a statewide charter authorizer focused on quality growth, improved its requirements for charter school oversight, improved operational funding equity, and boosted facilities support.
8	New York	New York ranks the second highest on our four “quality control” components. It is also a leader in providing multiple authorizers available to charter applicants and in ensuring operational autonomy for public charter schools. New York still needs to provide facilities support to charters. In addition, its restrictive cap is about to crimp the growth of its high-performing charter sector.
9	Louisiana	Since 2003, Louisiana has made several improvements to its charter laws and regulations. It has recently improved operational funding equity, lifted its cap, and strengthened its approach to funding authorizers. It also fares well on our four “quality control” components.
10	Arizona	Arizona has long been known for having an environment relatively supportive of charter growth. It is cap-free, open to new start-ups, public school conversions, and virtual schools, and generally supportive of autonomy. Recently, it has also begun making strides on some aspects of the model law's four “quality control” components, which helped ensure its place in our Top 10.

Leaders in “Quality Control” Policies

Both our model law and our analyses and rankings of state charter laws against it elevate the prominence of “quality control” provisions in state charter laws. While we argue that each of our 20 essential components from the model law contribute to quality charter growth, it is clear that many state laws have paid particularly short attention to the four aspects of the model law’s “quality control” provisions:

- Transparent Charter Application, Review, and Decision-making Processes
- Performance-Based Charter Contracts Required
- Comprehensive Charter School Monitoring and Data Collection Processes
- Clear Processes for Renewal, Nonrenewal, and Revocation Decisions

As we mentioned in the “Methodological Overview” section, we gave these four components of the model law the highest weight of “4” (on a scale of 1 to 4) in the scoring system that we used for ranking state laws against the model law.

Obviously, getting the implementation of such provisions right in practice is just as important as getting them right in policy. And, some authorizers have established serious “quality control” practices in spite of their state law’s silence on these provisions. However, from our perspective, it is critical that state laws accelerate the movement of more authorizers toward the “best-in-class” practices exhibited by the nation’s best ones. Aligning state laws with the model law’s “quality control” provisions will move us in that direction.

As states look to improve these policies, we recommend that they especially look to the state “quality control” policies on the books in the following places: **Massachusetts, Arkansas, New York, and Minnesota.**

Leaders in Operational and Categorical Funding Equity Policies

The model law component focused on “Equitable Operational Funding and Equal Access to All State and Federal Categorical Funding” was the most challenging to analyze for two reasons. First, public school funding laws are some of the most abstruse education policies to get one’s head around. Second, the data to determine whether or not charters are receiving their fair share remains scarce. The best data source for charter funding equity remains The Thomas B. Fordham Foundation’s 2005 report *Charter School Funding: Inequity’s Next Frontier*. Unfortunately, the data in that report is from 2002-03, and only covers 16 states and D.C. The good news is that a team of researchers is updating this data and expanding the number of states covered in the analysis.

For the purposes of our analysis, we examined both what’s on the books regarding operational and categorical funding, what’s actually being practiced by states, and the data about funding equity that’s available. For example, Hawaii’s law has one of the better funding formulas for public charter schools, however state lawmakers choose to ignore it and provide charters with an amount of arbitrarily determined funding via a line item in the state’s budget. The result: serious funding inequity between public charter schools and traditional public schools in Hawaii (and a “0” in our rating system on a scale of 0 to 4).

Improving funding equity for charter schools in state laws is one of the policy goals essential to the long-term growth, quality, and sustainability of public charter schools. It is clear that no states have licked this one yet. However, some have made more progress than others. As lawmakers and advocates look to make headway on this challenge, we recommend that they especially examine the state policies in the **District of Columbia, Minnesota, and Massachusetts**. While these jurisdictions still face their fair share of funding challenges, they’ve come the closest to hitting the mark established in the model law.

Leaders in Facilities Support Policies

Closely related to operational and categorical funding equity is the component of “Equitable Access to Capital Funding and Facilities.” One of the biggest challenges facing public charter schools is finding and financing school facilities. The 40 jurisdictions with public charter school laws vary greatly in how they provide facility support to public charter schools. What is clear from the first 18 years of the public charter school movement is that there is not a “silver bullet” to resolving charters’ facilities challenges. Instead, states will need to implement several “silver bullets” to slay the facility beast.

Similar to state progress on operational and categorical funding, it is clear that no states have licked the facilities challenge yet. However, some have made more progress than others by implementing a menu of approaches for supporting public charter school facility needs. As lawmakers and advocates re-double their efforts on this front, we recommend that they especially review the state policies in the **District of Columbia, California, Colorado, and New Mexico**. Although challenges remain in these places, they’ve laid a strong foundation for solving the facilities problems their schools face.

Leaders in Operational Autonomy Policies

In addition to accountability, school-level flexibility is one of the core principles of public charter schooling. Of the 20 essential components of the model law, the following three components most directly impact public charter school autonomy:

- Fiscally and Legally Autonomous Schools, with Independent Public Charter School Boards
- Automatic Exemptions from Many State and District Laws and Regulations
- Automatic Collective Bargaining Exemption

There is one jurisdiction that stands out above all others in terms of the level of operational autonomy that it provides to its public charter schools: the **District of Columbia**. The law makes it clear that D.C.’s public charter schools are fiscally and legally autonomous entities, with independent governing boards. It also clearly provides automatic exemptions from most state and district laws and regulations, and automatically excludes schools from the existing collective bargaining agreement between D.C. Public Schools and the Washington, D.C. Teachers’ Union.

Laggards in Growth and Choice Policies

The ideal state policy does not contain caps on the growth of public charter schools and the number of public school choices that charters are able to provide to families. Fourteen states are currently in this position. The other 26 jurisdictions with charter laws have put some type of cap in place.

In 13 of these states, such caps are severely constraining growth. And 11 states still don't have a charter law on the books. In the current competition among states for RTTT funds, these 24 states' applications should be disqualified. No matter how strong a state's policies are around "quality control," operational and categorical funding equity, facilities support, and operational autonomy, if the state refuses to lift its caps on charters (or to enact a charter law in the first place) its efforts toward innovation in public education should not be taken seriously.

According to our analysis, the laggard states with charter laws in charter growth and choice policies are: **Arkansas, Connecticut, Hawaii, Idaho, Iowa, Massachusetts, Missouri, New Hampshire, New York, North Carolina, Ohio, Oklahoma, and Rhode Island.** The laggard states without charter laws in charter growth and choice policies are: **Alabama, Kentucky, Maine, Mississippi, Montana, Nebraska, North Dakota, South Dakota, Vermont, Washington and West Virginia**

No matter how strong a state's policies are around "quality control," if the state refuses to lift its caps on charters (or to enact a charter law in the first place) its efforts toward innovation in public education should not be taken seriously.

The Full Rankings 1 to 40

(out of 208 total points)

1	Minnesota (152)
2	District of Columbia (131)
3	California (130)
4	Georgia (130)
5	Colorado (128)
6	Massachusetts (125)
7	Utah (123)
8	New York (121)
9	Louisiana (120)
10	Arizona (120)
11	Florida (117)
12	Pennsylvania (116)
13	Missouri (110)
14	Michigan (110)
15	Arkansas (109)
16	Oregon (109)
17	Delaware (106)
18	New Mexico (106)
19	New Hampshire (105)
20	South Carolina (104)

21	Texas (101)
22	Connecticut (101)
23	Nevada (99)
24	Oklahoma (99)
25	Idaho (98)
26	Ohio (97)
27	New Jersey (96)
28	Illinois (91)
29	Indiana (90)
30	Tennessee (90)
31	Wyoming (79)
32	North Carolina (78)
33	Wisconsin (71)
34	Hawaii (70)
35	Virginia (63)
36	Kansas (62)
37	Rhode Island (58)
38	Iowa (56)
39	Alaska (54)
40	Maryland (41)

NOTE: We had to use two tiebreakers for our rankings. In the case of a tie, we first looked at each state's total weighted score for the four "quality control" components. Whichever state had the highest score was ranked higher. If the states had the same total weighted score for these components, we then looked at the un-weighted score for all 20 components for each state. Whichever state had the highest score was ranked higher.

This report looks at each individual state that has a charter school law, assesses the strengths of its law against the 20 essential components of the model law, and ranks them from 1 to 40. It is closely aligned with the original intent of public charter school law, which is to establish independent public schools that are allowed to be more innovative and are held accountable for improved student achievement.

Alaska

#39 (out of 40)
54 Points (out of 208)

Alaska's charter law was passed in 1995. In 2009-10, there are 25 charter schools serving approximately 5,300 students. Alaska law allows 60 charters, but only provides one authorizing option for charter applications. First, the local school board must approve it. Second, the state board of education must approve it.

While Alaska's law is open to new start-ups, public school conversions, and virtual schools, it needs

improvement across the board. Potential starting points include expanding authorizing options, ensuring authorizer accountability, providing adequate authorizer funding, beefing up the law in relation to the model law's four "quality control" components, increasing operational autonomy, and ensuring equitable operational funding and equitable access to capital funding and facilities.

	Essential Components of Strong Public Charter School Law	Current Component Description	Rating	Weight	Total Score
1	No Caps	The state has a cap with room for some growth.	2	3	6
2	A Variety of Public Charter Schools Allowed	The state allows new start-ups, public school conversions, and virtual schools.	4	1	4
3	Multiple Authorizers Available	The state has only a single viable authorizer option available, and there is some authorizing activity.	1	3	3
4	Authorizer and Overall Program Accountability System Required	The state law includes none of the elements of the model law's authorizer and overall program accountability system.	0	3	0
5	Adequate Authorizer Funding	The state law includes none of the model law's provisions for adequate authorizer funding.	0	2	0
6	Transparent Charter Application, Review, and Decision-making Processes	The state law includes a small number of the model law's provisions for transparent charter application, review, and decision-making processes.	1	4	4
7	Performance-Based Charter Contracts Required	The state law includes some of the model law's provisions for performance-based charter contracts.	2	4	8
8	Comprehensive Charter School Monitoring and Data Collection Processes	The state law includes a small number of the model law's provisions for comprehensive charter school monitoring and data collection processes.	1	4	4
9	Clear Processes for Renewal, Nonrenewal, and Revocation Decisions	The state law includes a small number of the model law's clear processes for renewal, nonrenewal, and revocation decisions.	1	4	4
10	Educational Service Providers Allowed	The state law is silent regarding these arrangements.	1	2	2

How State Charter Laws Rank Against The New Model Public Charter School Law

For more detailed information about each state, visit the State Public Charter School Law interactive data base online at <http://charterlaws.publiccharters.org>

13

	Essential Components of Strong Public Charter School Law	Current Component Description	Rating	Weight	Total Score
11	Fiscally and Legally Autonomous Schools, with Independent Public Charter School Boards	The state law includes none of the model law's provisions for fiscally and legally autonomous schools with independent public charter school boards.	0	3	0
12	Clear Student Recruitment, Enrollment, and Lottery Procedures	The state law includes a small number of the model law's requirements for student recruitment, enrollment, and lottery procedures.	1	1	1
13	Automatic Exemptions from Many State and District Laws and Regulations	The state law provides automatic exemptions from many state and district laws and regulations and requires all of a school's teachers to be certified.	2	3	6
14	Automatic Collective Bargaining Exemption	The state law requires all charter schools to be part of existing collective bargaining agreements, but schools can apply for exemptions.	1	3	3
15	Multi-School Charter Contracts and/or Multi-Charter Contract Boards Allowed	The state law is silent regarding these arrangements.	1	1	1
16	Extra-Curricular and Interscholastic Activities Eligibility and Access	The state law is silent regarding these arrangements.	1	1	1
17	Clear Identification of Special Education Responsibilities	The state law is silent about special education responsibilities and funding.	0	2	0
18	Equitable Operational Funding and Equal Access to All State and Federal Categorical Funding	The state law includes none of the model law's provisions for equitable operational funding and equal access to all state and federal categorical funding.	0	3	0
19	Equitable Access to Capital Funding and Facilities	The state law includes a small number of the model law's provisions for equitable access to capital funding and facilities.	1	3	3
20	Access to Relevant Employee Retirement Systems	The state law requires participation in the relevant employee retirement systems.	2	2	4
Total					54

Arizona

#10 (out of 40)
120 Points (out of 208)

Arizona's charter law was passed in 1994. In 2009-10, there are 502 charter schools operating, including 459 schools (via 356 charters) authorized by the Arizona State Board for Charter Schools (ASBCS); 37 schools (via 23 charters) authorized by the State Board of Education (SBE); and 6 schools (via 6 charters) authorized by local school boards. This year, charter schools are serving an estimated 95,853 students. The SBE has a self-imposed moratorium on charter school authorizing.

Arizona has long been known for having an environment relatively supportive of charter growth.

It is cap-free, open to new start-ups, public school conversions, and virtual schools, and generally supportive of autonomy. Recently enacted policies by the ASBCS, as well as various changes to statute, have propelled the state forward on some aspects of our four "quality control" components, which helped ensure its place in our Top 10.

However, potential areas for improvement remain, including providing adequate authorizer funding, beefing up performance contracting requirements, and providing equitable access to capital funding and facilities.

	Essential Components of Strong Public Charter School Law	Current Component Description	Rating	Weight	Total Score
1	No Caps	The state does not have a cap.	4	3	12
2	A Variety of Public Charter Schools Allowed	The state allows new start-ups, public school conversions, and virtual schools.	4	1	4
3	Multiple Authorizers Available	The state has only a single viable authorizer option available, and there is considerable authorizing activity.	2	3	6
4	Authorizer and Overall Program Accountability System Required	The state law includes a small number of the elements of the model law's authorizer and overall program accountability system.	1	3	3
5	Adequate Authorizer Funding	The state law includes a small number of the model law's provisions for adequate authorizer funding.	1	2	2
6	Transparent Charter Application, Review, and Decision-making Processes	The state law includes some of the model law's provisions for transparent charter application, review, and decision-making processes.	2	4	8
7	Performance-Based Charter Contracts Required	The state law includes a small number of the model law's provisions for performance-based charter contracts.	1	4	4
8	Comprehensive Charter School Monitoring and Data Collection Processes	The state law includes many of the model law's provisions for comprehensive charter school monitoring and data collection processes.	3	4	12
9	Clear Processes for Renewal, Nonrenewal, and Revocation Decisions	The state law includes some of the model law's clear processes for renewal, nonrenewal, and revocation decisions.	2	4	8
10	Educational Service Providers Allowed	The state law is silent regarding these arrangements.	1	2	2

How State Charter Laws Rank Against The New Model Public Charter School Law

For more detailed information about each state, visit the State Public Charter School Law interactive data base online at <http://charterlaws.publiccharters.org>

15

40 State Profiles

Arizona

	Essential Components of Strong Public Charter School Law	Current Component Description	Rating	Weight	Total Score
11	Fiscally and Legally Autonomous Schools, with Independent Public Charter School Boards	The state law includes many of the model law's provisions for fiscally and legally autonomous schools with independent public charter school boards.	3	3	9
12	Clear Student Recruitment, Enrollment, and Lottery Procedures	The state law includes many of the model law's requirements for student recruitment, enrollment, and lottery procedures.	3	1	3
13	Automatic Exemptions from Many State and District Laws and Regulations	The state law provides automatic exemptions from many state and district laws and regulations and does not require any of a school's teachers to be certified.	4	3	12
14	Automatic Collective Bargaining Exemption	The state law does not require any charter schools to be part of existing collective bargaining agreements.	4	3	12
15	Multi-School Charter Contracts and/or Multi-Charter Contract Boards Allowed	The state law allows both of these arrangements but does not require each school to be independently accountable for fiscal and academic performance.	1	1	1
16	Extra-Curricular and Interscholastic Activities Eligibility and Access	The state law is silent about charter eligibility and access.	1	1	1
17	Clear Identification of Special Education Responsibilities	The state law is clear on the responsibility for providing services, but not on funding for low-incident, high-cost services.	2	2	4
18	Equitable Operational Funding and Equal Access to All State and Federal Categorical Funding	The state law includes some of the model law's provisions for equitable operational funding and equal access to all state and federal categorical funding.	2	3	6
19	Equitable Access to Capital Funding and Facilities	The state law includes a small number of the model law's provisions for equitable access to capital funding and facilities.	1	3	3
20	Access to Relevant Employee Retirement Systems	The state law provides access to relevant employee retirement systems, but does not require participation.	4	2	8
Total					120

Arkansas

#15 (out of 40)
109 Points (out of 208)

Arkansas's charter law was passed in 1995. In 2009-10, there were 29 charter schools open serving an estimated 5,237 students. Of these schools, 11 are conversions and 18 are start-up (or open-enrollment) charter schools. All charter schools must be approved by the local board and the state board (although for open enrollment schools, only state board approval is needed upon appeal from a local board denial).

Along with Massachusetts, Arkansas ranks the highest on our four "quality control" components. The law also provides sound parameters for independent public

charter school boards to oversee multiple schools linked under a charter contract with independent fiscal and academic accountability for each school.

However, the law contains a cap of 24 new start-up open-enrollment charter schools (although it also has an exception that allows a high-performing open-enrollment charter school to petition the state board for additional sites). The state also needs to create additional authorizing options, provide adequate authorizer funding, increase operational autonomy, and provide equitable access to capital funding and facilities.

	Essential Components of Strong Public Charter School Law	Current Component Description	Rating	Weight	Total Score
1	No Caps	The state has a cap with room for limited growth.	1	3	3
2	A Variety of Public Charter Schools Allowed	The state allows new start-ups, public school conversions, and virtual schools.	4	1	4
3	Multiple Authorizers Available	The state has only a single viable authorizer option available, and there is some authorizing activity.	1	3	3
4	Authorizer and Overall Program Accountability System Required	The state law includes a small number of the elements of the model law's authorizer and overall program accountability system.	1	3	3
5	Adequate Authorizer Funding	The state law includes none of the model law's provisions for adequate authorizer funding.	0	2	0
6	Transparent Charter Application, Review, and Decision-making Processes	The state law includes many of the model law's provisions for transparent charter application, review, and decision-making processes.	3	4	12
7	Performance-Based Charter Contracts Required	The state law includes some of the model law's provisions for performance-based charter contracts.	2	4	8
8	Comprehensive Charter School Monitoring and Data Collection Processes	The state law includes many of the model law's provisions for comprehensive charter school monitoring and data collection processes.	3	4	12
9	Clear Processes for Renewal, Nonrenewal, and Revocation Decisions	The state law includes all of the model law's clear processes for renewal, nonrenewal, and revocation decisions.	4	4	16
10	Educational Service Providers Allowed	The state law is silent regarding these arrangements.	1	2	2

How State Charter Laws Rank Against The New Model Public Charter School Law

For more detailed information about each state, visit the State Public Charter School Law interactive data base online at <http://charterlaws.publiccharters.org>

17

40 State Profiles

Arkansas

	Essential Components of Strong Public Charter School Law	Current Component Description	Rating	Weight	Total Score
11	Fiscally and Legally Autonomous Schools, with Independent Public Charter School Boards	The state law includes some of the model law's provisions for fiscally and legally autonomous schools with independent public charter school boards.	2	3	6
12	Clear Student Recruitment, Enrollment, and Lottery Procedures	The state law includes some of the model law's requirements for student recruitment, enrollment, and lottery procedures.	2	1	2
13	Automatic Exemptions from Many State and District Laws and Regulations	The state law allows schools to apply for exemptions from state and district laws, including from certification requirements.	2	3	6
14	Automatic Collective Bargaining Exemption	The state law requires some charter schools to be part of existing school district personnel policies.	2	3	6
15	Multi-School Charter Contracts and/or Multi-Charter Contract Boards Allowed	The state law allows an independent public charter school board to oversee multiple schools linked under a single contract with independent fiscal and academic accountability for each school.	4	1	4
16	Extra-Curricular and Interscholastic Activities Eligibility and Access	The state law is silent about charter eligibility and access.	1	1	1
17	Clear Identification of Special Education Responsibilities	The state law clearly addresses responsibility for providing services and ensures state funding for low-incident, high-cost services.	4	2	8
18	Equitable Operational Funding and Equal Access to All State and Federal Categorical Funding	The state law includes some of the model law's provisions for equitable operational funding and equal access to all state and federal categorical funding.	2	3	6
19	Equitable Access to Capital Funding and Facilities	The state law includes a small number of the model law's provisions for equitable access to capital funding and facilities.	1	3	3
20	Access to Relevant Employee Retirement Systems	The state law requires participation in the relevant employee retirement systems.	2	2	4
Total					109

California

#3 (out of 40)

130 Points (out of 208)

California has the nation's second oldest charter law (enacted in 1992), but has continued to refine it to meet new challenges. In 2009-10, the state has 809 charter schools serving an estimated 313,245 students. The law allows local school boards, county boards of education, and the state board of education to authorize charter schools under different circumstances. The vast majority of the state's charter schools are authorized by local school boards.

remain), fares relatively well on our four "quality control" components, and provides clarity on special education responsibilities and funding for charter schools.

Potential areas for improvement include beefing up requirements for performance-based charter contracts and authorizer accountability and requiring the appropriate state agency to conduct an annual report on the performance of the state's public charter schools.

California is a leader in providing facilities support to public charter schools (although challenges

	Essential Components of Strong Public Charter School Law	Current Component Description	Rating	Weight	Total Score
1	No Caps	The state has a cap with room for ample growth.	3	3	9
2	A Variety of Public Charter Schools Allowed	The state allows new start-ups, public school conversions, and virtual schools.	4	1	4
3	Multiple Authorizers Available	The state allows two or more viable authorizing options for applicants in some but not all situations.	2	3	6
4	Authorizer and Overall Program Accountability System Required	The state law includes none of the elements of the model law's authorizer and overall program accountability system.	0	3	0
5	Adequate Authorizer Funding	The state law includes some of the model law's provisions for adequate authorizer funding.	2	2	4
6	Transparent Charter Application, Review, and Decision-making Processes	The state law includes some of the model law's provisions for transparent charter application, review, and decision-making processes.	2	4	8
7	Performance-Based Charter Contracts Required	The state law includes a small number of the model law's provisions for performance-based charter contracts.	1	4	4
8	Comprehensive Charter School Monitoring and Data Collection Processes	The state law includes many of the model law's provisions for comprehensive charter school monitoring and data collection processes.	3	4	12
9	Clear Processes for Renewal, Nonrenewal, and Revocation Decisions	The state law includes many of the model law's clear processes for renewal, nonrenewal, and revocation decisions.	3	4	12
10	Educational Service Providers Allowed	The state law explicitly allows contracting with all types of educational service providers but does not include the model law's provisions regarding performance contracts and conflicts of interest.	2	2	4

How State Charter Laws Rank Against The New Model Public Charter School Law

For more detailed information about each state, visit the State Public Charter School Law interactive data base online at <http://charterlaws.publiccharters.org>

19

40 State Profiles

California

	Essential Components of Strong Public Charter School Law	Current Component Description	Rating	Weight	Total Score
11	Fiscally and Legally Autonomous Schools, with Independent Public Charter School Boards	The state law includes many of the model law's provisions for fiscally and legally autonomous schools with independent public charter school boards.	3	3	9
12	Clear Student Recruitment, Enrollment, and Lottery Procedures	The state law includes some of the model law's requirements for student recruitment, enrollment, and lottery procedures.	2	1	2
13	Automatic Exemptions from Many State and District Laws and Regulations	The state law provides automatic exemptions from many state and district laws and regulations and requires some of a school's teachers to be certified.	3	3	9
14	Automatic Collective Bargaining Exemption	The state law does not require any charter schools to be part of existing collective bargaining agreements.	4	3	12
15	Multi-School Charter Contracts and/or Multi-Charter Contract Boards Allowed	The state law allows either of these arrangements, but only requires schools authorized by some entities to be independently accountable for fiscal and academic performance.	2	1	2
16	Extra-Curricular and Interscholastic Activities Eligibility and Access	The state law does not explicitly address charter eligibility and access, but under the state's statutorily defined "permissive" education code, these practices are permitted since they are not expressly prohibited.	2	1	2
17	Clear Identification of Special Education Responsibilities	The state law clearly addresses responsibility for providing services and ensures state funding for low-incident, high-cost services.	4	2	8
18	Equitable Operational Funding and Equal Access to All State and Federal Categorical Funding	The state law includes some of the model law's provisions for equitable operational funding and equal access to all state and federal categorical funding.	2	3	6
19	Equitable Access to Capital Funding and Facilities	The state law includes many of the model law's provisions for equitable access to capital funding and facilities.	3	3	9
20	Access to Relevant Employee Retirement Systems	The state law provides access to relevant employee retirement systems, but does not require participation.	4	2	8
Total					130

Colorado

#5 (out of 40)
128 Points (out of 208)

Enacted in 1993, Colorado's charter law continues to be modified to better support high-quality public charter schools. In 2009-10, the state has 153 charter schools (on 159 campuses) serving an estimated 66,760 students. The law allows all of the state's local school boards to authorize, while also providing a statewide authorizer (the Colorado Charter School Institute) limited authorizing powers. In 2009-10, the charter institute is overseeing 17 schools.

In general, Colorado law provides an environment that's cap-free, open to new start-ups, public school

conversions, and virtual schools, and supportive of autonomy. Most notably, it is a leader in providing facilities support to public charter schools (although challenges remain).

One potential area for improvement is providing clarity in the law to govern the expansion and replication of high-quality charter schools through multi-school charter contracts and/or multi-charter contract boards. Another potential area is a general fine-tuning of the law in relation to the model law's four "quality control" components.

	Essential Components of Strong Public Charter School Law	Current Component Description	Rating	Weight	Total Score
1	No Caps	The state does not have a cap.	4	3	12
2	A Variety of Public Charter Schools Allowed	The state allows new start-ups, public school conversions, and virtual schools.	4	1	4
3	Multiple Authorizers Available	The state allows two or more viable authorizing options for applicants in some but not all situations.	2	3	6
4	Authorizer and Overall Program Accountability System Required	The state law includes some of the elements of the model law's authorizer and overall program accountability system.	2	3	6
5	Adequate Authorizer Funding	The state law includes many of the model law's provisions for adequate authorizer funding.	3	2	6
6	Transparent Charter Application, Review, and Decision-making Processes	The state law includes some of the model law's provisions for transparent charter application, review, and decision-making processes.	2	4	8
7	Performance-Based Charter Contracts Required	The state law includes some of the model law's provisions for performance-based charter contracts.	2	4	8
8	Comprehensive Charter School Monitoring and Data Collection Processes	The state law includes some of the model law's provisions for comprehensive charter school monitoring and data collection processes.	2	4	8
9	Clear Processes for Renewal, Nonrenewal, and Revocation Decisions	The state law includes some of the model law's clear processes for renewal, nonrenewal, and revocation decisions.	2	4	8
10	Educational Service Providers Allowed	The state law explicitly allows contracting with all types of educational service providers but does not include the model law's provisions regarding performance contracts and conflicts of interest.	2	2	4

How State Charter Laws Rank Against The New Model Public Charter School Law

For more detailed information about each state, visit the State Public Charter School Law interactive data base online at <http://charterlaws.publiccharters.org>

21

	Essential Components of Strong Public Charter School Law	Current Component Description	Rating	Weight	Total Score
11	Fiscally and Legally Autonomous Schools, with Independent Public Charter School Boards	The state law includes many of the model law's provisions for fiscally and legally autonomous schools with independent public charter school boards.	3	3	9
12	Clear Student Recruitment, Enrollment, and Lottery Procedures	The state law includes a small number of the model law's requirements for student recruitment, enrollment, and lottery procedures.	1	1	1
13	Automatic Exemptions from Many State and District Laws and Regulations	The state law provides automatic exemptions from many state and district laws and regulations and requires a school's teachers to be certified unless a waiver is granted in the charter contract.	3	3	9
14	Automatic Collective Bargaining Exemption	The state law doesn't directly address this issue, but has been consistently interpreted to exempt charter schools from district collective bargaining agreements.	3	3	9
15	Multi-School Charter Contracts and/or Multi-Charter Contract Boards Allowed	The state law is silent regarding these arrangements.	1	1	1
16	Extra-Curricular and Interscholastic Activities Eligibility and Access	The state law provides charter student access to extra-curricular activities at non-charter public schools.	2	1	2
17	Clear Identification of Special Education Responsibilities	The state law clearly addresses responsibility for providing services and ensures state funding for low-incident, high-cost services.	4	2	8
18	Equitable Operational Funding and Equal Access to All State and Federal Categorical Funding	The state law includes some of the model law's provisions for equitable operational funding and equal access to all state and federal categorical funding.	2	3	6
19	Equitable Access to Capital Funding and Facilities	The state law includes many of the model law's provisions for equitable access to capital funding and facilities.	3	3	9
20	Access to Relevant Employee Retirement Systems	The state law requires participation in the relevant employee retirement systems.	2	2	4
Total					128

Connecticut

#22 (out of 40)
101 Points (out of 208)

Connecticut's charter law was passed in 1997. In 2009-10, there are 17 charter schools operating, serving an estimated 4,898 students. The law requires new start-up schools to be approved by the state board of education ("state charter schools"). Public conversion schools must be approved by the local school board and state board ("local charter schools"), although none currently exist.

On the plus side, Connecticut's law fares well on its requirements for both charter school oversight and

renewal, non-renewal, and revocation processes. It also provides operational autonomy to state charter schools.

However, much improvement is needed, including lifting some of the most restrictive caps in the nation, providing additional authorizing options, providing adequate authorizer funding, beefing up performance contracting requirements, and ensuring equitable operational funding and equitable access to capital funding and facilities.

	Essential Components of Strong Public Charter School Law	Current Component Description	Rating	Weight	Total Score
1	No Caps	The state has a cap with room for limited growth.	1	3	3
2	A Variety of Public Charter Schools Allowed	The state allows new start-ups, public school conversions, and virtual schools.	4	1	4
3	Multiple Authorizers Available	The state has only a single viable authorizer option available, and there is almost no authorizing activity.	0	3	0
4	Authorizer and Overall Program Accountability System Required	The state law includes a small number of the elements of the model law's authorizer and overall program accountability system.	1	3	3
5	Adequate Authorizer Funding	The state law includes none of the model law's provisions for adequate authorizer funding.	0	2	0
6	Transparent Charter Application, Review, and Decision-making Processes	The state law includes some of the model law's provisions for transparent charter application, review, and decision-making processes.	2	4	8
7	Performance-Based Charter Contracts Required	The state law includes none of the model law's provisions for performance-based charter contracts.	0	4	0
8	Comprehensive Charter School Monitoring and Data Collection Processes	The state law includes many of the model law's provisions for comprehensive charter school monitoring and data collection processes.	3	4	12
9	Clear Processes for Renewal, Nonrenewal, and Revocation Decisions	The state law includes many of the model law's clear processes for renewal, nonrenewal, and revocation decisions.	3	4	12
10	Educational Service Providers Allowed	The state law explicitly allows contracting with all types of educational service providers but does not include the model law's provisions regarding performance contracts and conflicts of interest.	2	2	4

How State Charter Laws Rank Against The New Model Public Charter School Law

For more detailed information about each state, visit the State Public Charter School Law interactive data base online at <http://charterlaws.publiccharters.org>

23

	Essential Components of Strong Public Charter School Law	Current Component Description	Rating	Weight	Total Score
11	Fiscally and Legally Autonomous Schools, with Independent Public Charter School Boards	The state law includes all of the model law's provisions for fiscally and legally autonomous schools with independent public charter school boards.	4	3	12
12	Clear Student Recruitment, Enrollment, and Lottery Procedures	The state law includes some of the model law's requirements for student recruitment, enrollment, and lottery procedures.	2	1	2
13	Automatic Exemptions from Many State and District Laws and Regulations	The state law allows schools to apply for exemptions from state and district laws and requires some of a school's teachers to be certified.	2	3	6
14	Automatic Collective Bargaining Exemption	The state law exempts some schools from existing collective bargaining agreements, but not others (but allows those not exempted to apply for exemptions).	3	3	9
15	Multi-School Charter Contracts and/or Multi-Charter Contract Boards Allowed	The state law prohibits these arrangements.	0	1	0
16	Extra-Curricular and Interscholastic Activities Eligibility and Access	The state law is silent about charter eligibility and access.	1	1	1
17	Clear Identification of Special Education Responsibilities	The state law clearly addresses responsibility for providing services and ensures state funding for low-incident, high-cost services.	4	2	8
18	Equitable Operational Funding and Equal Access to All State and Federal Categorical Funding	The state law includes a small number of the model law's provisions for equitable operational funding and equal access to all state and federal categorical funding.	1	3	3
19	Equitable Access to Capital Funding and Facilities	The state law includes some of the model law's provisions for equitable access to capital funding and facilities.	2	3	6
20	Access to Relevant Employee Retirement Systems	The state law provides access to relevant employee retirement systems, but does not require participation.	4	2	8
Total					101

Delaware

#17 (out of 40)
106 Points (out of 208)

Delaware's charter law was passed in 1995. As of 2009-10, there are 18 charter schools, serving an estimated 9,141 students. The law allows local school boards and the state department of education to serve as authorizers, but the state department of education is the only viable authorizer (as only one local school board is currently an authorizer).

oversight. However, it needs significant improvement in several areas including allowing virtual charter schools, allowing additional authorizing options, providing adequate authorizer funding, beefing up its provisions for performance-based contracts, and ensuring equitable operational funding and equitable access to capital funding and facilities.

The Delaware law's strengths include operational autonomy and its requirements for charter school

	Essential Components of Strong Public Charter School Law	Current Component Description	Rating	Weight	Total Score
1	No Caps	The state does not have a cap, but allows districts to restrict growth.	3	3	9
2	A Variety of Public Charter Schools Allowed	The state allows new start-ups and public school conversions, but not virtual schools.	2	1	2
3	Multiple Authorizers Available	The state has only a single viable authorizer option available, and there is almost no authorizing activity.	0	3	0
4	Authorizer and Overall Program Accountability System Required	The state law includes a small number of the elements of the model law's authorizer and overall program accountability system.	1	3	3
5	Adequate Authorizer Funding	The state law includes none of the model law's provisions for adequate authorizer funding.	0	2	0
6	Transparent Charter Application, Review, and Decision-making Processes	The state law includes some of the model law's provisions for transparent charter application, review, and decision-making processes.	2	4	8
7	Performance-Based Charter Contracts Required	The state law includes a small number of the model law's provisions for performance-based charter contracts.	1	4	4
8	Comprehensive Charter School Monitoring and Data Collection Processes	The state law includes many of the model law's provisions for comprehensive charter school monitoring and data collection processes.	3	4	12
9	Clear Processes for Renewal, Nonrenewal, and Revocation Decisions	The state law includes some of the model law's clear processes for renewal, nonrenewal, and revocation decisions.	2	4	8
10	Educational Service Providers Allowed	The state law explicitly allows contracting with all types of educational service providers but does not include provisions regarding performance contracts and conflicts of interest.	2	2	4

How State Charter Laws Rank Against The New Model Public Charter School Law

For more detailed information about each state, visit the State Public Charter School Law interactive data base online at <http://charterlaws.publiccharters.org>

25

	Essential Components of Strong Public Charter School Law	Current Component Description	Rating	Weight	Total Score
11	Fiscally and Legally Autonomous Schools, with Independent Public Charter School Boards	The state law includes all of the model law's provisions for fiscally and legally autonomous schools with independent public charter school boards.	4	3	12
12	Clear Student Recruitment, Enrollment, and Lottery Procedures	The state law includes many of the model law's requirements for student recruitment, enrollment, and lottery procedures.	3	1	3
13	Automatic Exemptions from Many State and District Laws and Regulations	The state law provides automatic exemptions from many state and district laws and regulations and requires some of a school's teachers to be certified.	3	3	9
14	Automatic Collective Bargaining Exemption	The state law does not require any charter schools to be part of district collective bargaining agreements.	4	3	12
15	Multi-School Charter Contracts and/or Multi-Charter Contract Boards Allowed	The state law is silent regarding these arrangements.	1	1	1
16	Extra-Curricular and Interscholastic Activities Eligibility and Access	The state law is silent about charter eligibility and access.	1	1	1
17	Clear Identification of Special Education Responsibilities	The state law clearly addresses responsibility for ensuring state funding for low-incident, high-cost services, but not for providing services.	2	2	4
18	Equitable Operational Funding and Equal Access to All State and Federal Categorical Funding	The state law includes a small number of the model law's provisions for equitable operational funding and equal access to all state and federal categorical funding.	1	3	3
19	Equitable Access to Capital Funding and Facilities	The state law includes a small number of the model law's provisions for equitable access to capital funding and facilities.	1	3	3
20	Access to Relevant Employee Retirement Systems	The state law provides access to relevant employee retirement systems, but does not require participation.	4	2	8
Total					106

District of Columbia

#2 (out of 40)

131 Points (out of 208)

The District of Columbia's charter law was passed in 1996. In 2009-10, there has 57 charter schools (on 97 campuses) serving an estimated 27,595 students. The 1996 law established two authorizers, the D.C. Board of Education and the D.C. Public Charter School Board (DCPCSB). However, the D.C. Board of Education is now defunct, and in 2007 the DCPCSB assumed oversight of all the charter schools formerly overseen by the D.C. Board of Education.

The D.C. charter law remains solid in many regards. Most notably, it is a leader in three of the most critical

challenges facing public charter schools: operational autonomy, operating funding equity, and facilities support (although challenges remain).

One potential area for improvement is beefing up requirements for performance-based charter contracts. Despite the law's lack of explicitness on performance contracting and some other authorizing and accountability provisions, DCPCSB has been strong in these areas in practice, carrying out many practices specified in the model law, though they are not required by DC's law.

	Essential Components of Strong Public Charter School Law	Current Component Description	Rating	Weight	Total Score
1	No Caps	The state has a cap with room for ample growth.	3	3	9
2	A Variety of Public Charter Schools Allowed	The state allows new start-ups, public school conversions, and virtual schools.	4	1	4
3	Multiple Authorizers Available	The state has only a single viable authorizer option available, and there is considerable authorizing activity.	2	3	6
4	Authorizer and Overall Program Accountability System Required	The state law includes some of the elements of the model law's authorizer and overall program accountability system.	2	3	6
5	Adequate Authorizer Funding	The state law includes some of the model law's provisions for adequate authorizer funding.	2	2	4
6	Transparent Charter Application, Review, and Decision-making Processes	The state law includes some of the model law's provisions for transparent charter application, review, and decision-making processes.	2	4	8
7	Performance-Based Charter Contracts Required	The state law includes a small number of the model law's provisions for performance-based charter contracts.	1	4	4
8	Comprehensive Charter School Monitoring and Data Collection Processes	The state law includes some of the model law's provisions for comprehensive charter school monitoring and data collection processes.	2	4	8
9	Clear Processes for Renewal, Nonrenewal, and Revocation Decisions	The state law includes many of the model law's clear processes for renewal, nonrenewal, and revocation decisions.	3	4	12
10	Educational Service Providers Allowed	The state law explicitly allows contracting with all types of educational service providers but does not include the model law's provisions regarding performance contracts and conflicts of interest.	2	2	4

How State Charter Laws Rank Against The New Model Public Charter School Law

For more detailed information about each state, visit the State Public Charter School Law interactive data base online at <http://charterlaws.publiccharters.org>

27

	Essential Components of Strong Public Charter School Law	Current Component Description	Rating	Weight	Total Score
11	Fiscally and Legally Autonomous Schools, with Independent Public Charter School Boards	The state law includes all of the model law's provisions for fiscally and legally autonomous schools with independent public charter school boards.	4	3	12
12	Clear Student Recruitment, Enrollment, and Lottery Procedures	The state law includes all of the model law's requirements for student recruitment, enrollment, and lottery procedures.	4	1	4
13	Automatic Exemptions from Many State and District Laws and Regulations	The state law provides automatic exemptions from many state and district laws and regulations and does not require any of a school's teachers to be certified.	4	3	12
14	Automatic Collective Bargaining Exemption	The state law does not require any charter schools to be part of district collective bargaining agreements.	4	3	12
15	Multi-School Charter Contracts and/or Multi-Charter Contract Boards Allowed	The state law is silent regarding these arrangements.	1	1	1
16	Extra-Curricular and Interscholastic Activities Eligibility and Access	The state law is silent about charter eligibility and access.	1	1	1
17	Clear Identification of Special Education Responsibilities	The state law is clear on the responsibility for providing services, but not on funding for low-incident, high-cost services.	2	2	4
18	Equitable Operational Funding and Equal Access to All State and Federal Categorical Funding	The state law includes many of the model law's provisions for equitable operational funding and equal access to all state and federal categorical funding.	3	3	9
19	Equitable Access to Capital Funding and Facilities	The state law includes many of the model law's provisions for equitable access to capital funding and facilities.	3	3	9
20	Access to Relevant Employee Retirement Systems	The state law provides that only employees transferring from a local district school to a charter school may elect to stay in the DC retirement system. Otherwise, charter employees do not have access to the system.	1	2	2
Total					131

Florida

#11 (out of 40)
117 Points (out of 208)

Florida's charter law was passed in 1996. In 2009-10, there are 423 charter schools operating, serving an estimated 128,359 students. Florida law allows local school boards, state universities (for lab schools only), and community college district boards of trustees (for charter technical career centers only) to serve as authorizers. In practice, however, almost all of the state's charter schools are authorized by local school boards.

Florida's law is cap-free, provides operational autonomy, and ensures some measure of equitable operational funding and some support for charter school facilities. However, one potential area for improvement is allowing virtual charter schools. Another potential area is a general fine-tuning of the law in relation to the model law's four "quality control" components.

	Essential Components of Strong Public Charter School Law	Current Component Description	Rating	Weight	Total Score
1	No Caps	The state does not have a cap.	4	3	12
2	A Variety of Public Charter Schools Allowed	The state allows new start-ups and public school conversions, but not virtual schools.	2	1	2
3	Multiple Authorizers Available	The state has only a single viable authorizer option available, and there is considerable authorizing activity.	2	3	6
4	Authorizer and Overall Program Accountability System Required	The state law includes a small number of the elements of the model law's authorizer and overall program accountability system.	1	3	3
5	Adequate Authorizer Funding	The state law includes some of the model law's provisions for adequate authorizer funding.	2	2	4
6	Transparent Charter Application, Review, and Decision-making Processes	The state law includes some of the model law's provisions for transparent charter application, review, and decision-making processes.	2	4	8
7	Performance-Based Charter Contracts Required	The state law includes some of the model law's provisions for performance-based charter contracts.	2	4	8
8	Comprehensive Charter School Monitoring and Data Collection Processes	The state law includes some of the model law's provisions for comprehensive charter school monitoring and data collection processes.	2	4	8
9	Clear Processes for Renewal, Nonrenewal, and Revocation Decisions	The state law includes some of the model law's clear processes for renewal, nonrenewal, and revocation decisions.	2	4	8
10	Educational Service Providers Allowed	The state law explicitly allows contracting with all types of educational service providers but does not include provisions regarding performance contracts and conflicts of interest.	2	2	4

How State Charter Laws Rank Against The New Model Public Charter School Law

For more detailed information about each state, visit the State Public Charter School Law interactive data base online at <http://charterlaws.publiccharters.org>

29

	Essential Components of Strong Public Charter School Law	Current Component Description	Rating	Weight	Total Score
11	Fiscally and Legally Autonomous Schools, with Independent Public Charter School Boards	The state law includes many of the model law's provisions for fiscally and legally autonomous schools with independent public charter school boards.	3	3	9
12	Clear Student Recruitment, Enrollment, and Lottery Procedures	The state law includes some of the model law's requirements for student recruitment, enrollment, and lottery procedures.	2	1	2
13	Automatic Exemptions from Many State and District Laws and Regulations	The state law provides automatic exemptions from many state and district laws and regulations and requires all of a school's teachers to be certified.	2	3	6
14	Automatic Collective Bargaining Exemption	The state law does not require any charter schools to be part of district collective bargaining agreements.	4	3	12
15	Multi-School Charter Contracts and/or Multi-Charter Contract Boards Allowed	The state law is silent regarding these arrangements.	1	1	1
16	Extra-Curricular and Interscholastic Activities Eligibility and Access	The state law provides charter student access to extra-curricular activities at non-charter public schools.	2	1	2
17	Clear Identification of Special Education Responsibilities	The state law is clear on the responsibility for providing services, but not on funding for low-incident, high-cost services.	2	2	4
18	Equitable Operational Funding and Equal Access to All State and Federal Categorical Funding	The state law includes some of the model law's provisions for equitable operational funding and equal access to all state and federal categorical funding.	2	3	6
19	Equitable Access to Capital Funding and Facilities	The state law includes some of the model law's provisions for equitable access to capital funding and facilities.	2	3	6
20	Access to Relevant Employee Retirement Systems	The state law provides that charter schools that opt to be organized as a public employer have equal access to the state retirement system.	3	2	6
Total					117

Georgia

#4 (out of 40)
130 Points (out of 208)

Georgia's charter law was passed in 1994. In 2009-10, there were 84 charter schools in operation, serving 45,403 students (there were also 26 schools operating within charter systems which aren't part of this analysis). Georgia law allows local school boards and the state charter school commission to serve as authorizers. It also allows applicants to appeal denials by local school boards to the state board of education, who serves as the authorizer if it overturns the local school board's denial.

Georgia's law has long been cap-free and open to a wide variety of public charter schools, including new

start-ups, public school conversions, and virtual schools. However, it has made several improvements to its law over the past couple of years, most notably creating a new statewide charter authorizer and boosting facilities support. It also fares relatively well on our four "quality control" components.

One potential area for improvement is increasing operational autonomy. Another potential area is providing clarity in the law to govern the expansion and replication of high-quality charter schools through multi-school charter contracts and/or multi-charter contract boards.

	Essential Components of Strong Public Charter School Law	Current Component Description	Rating	Weight	Total Score
1	No Caps	The state does not have a cap.	4	3	12
2	A Variety of Public Charter Schools Allowed	The state allows new start-ups, public school conversions, and virtual schools.	4	1	4
3	Multiple Authorizers Available	The state allows two or more viable authorizing options for each applicant.	4	3	12
4	Authorizer and Overall Program Accountability System Required	The state law includes a small number of the elements of the model law's authorizer and overall program accountability system.	1	3	3
5	Adequate Authorizer Funding	The state law includes many of the model law's provisions for adequate authorizer funding.	3	2	6
6	Transparent Charter Application, Review, and Decision-making Processes	The state law includes some of the model law's provisions for transparent charter application, review, and decision-making processes.	2	4	8
7	Performance-Based Charter Contracts Required	The state law includes some of the model law's provisions for performance-based charter contracts.	2	4	8
8	Comprehensive Charter School Monitoring and Data Collection Processes	The state law includes some of the model law's provisions for comprehensive charter school monitoring and data collection processes.	2	4	8
9	Clear Processes for Renewal, Nonrenewal, and Revocation Decisions	The state law includes many of the model law's clear processes for renewal, nonrenewal, and revocation decisions.	3	4	12
10	Educational Service Providers Allowed	The state law explicitly allows contracting with all types of educational service providers and has provisions regarding performance contracts and conflicts of interest.	4	2	8

How State Charter Laws Rank Against The New Model Public Charter School Law

For more detailed information about each state, visit the State Public Charter School Law interactive data base online at <http://charterlaws.publiccharters.org>

31

	Essential Components of Strong Public Charter School Law	Current Component Description	Rating	Weight	Total Score
11	Fiscally and Legally Autonomous Schools, with Independent Public Charter School Boards	The state law includes some of the model law's provisions for fiscally and legally autonomous schools with independent public charter school boards.	2	3	6
12	Clear Student Recruitment, Enrollment, and Lottery Procedures	The state law includes many of the model law's requirements for student recruitment, enrollment, and lottery procedures.	3	1	3
13	Automatic Exemptions from Many State and District Laws and Regulations	The state law allows schools to apply for exemptions from state and district laws, including from certification requirements.	2	3	6
14	Automatic Collective Bargaining Exemption	The state law does not require any charter schools to be part of district collective bargaining agreements.	4	3	12
15	Multi-School Charter Contracts and/or Multi-Charter Contract Boards Allowed	The state law is silent regarding these arrangements.	1	1	1
16	Extra-Curricular and Interscholastic Activities Eligibility and Access	The state law is silent about charter eligibility and access.	1	1	1
17	Clear Identification of Special Education Responsibilities	The state law is clear on the responsibility for providing services, but not on funding for low-incident, high-cost services.	2	2	4
18	Equitable Operational Funding and Equal Access to All State and Federal Categorical Funding	The state law includes some of the model law's provisions for equitable operational funding and equal access to all state and federal categorical funding.	2	3	6
19	Equitable Access to Capital Funding and Facilities	The state law includes some of the model law's provisions for equitable access to capital funding and facilities.	2	3	6
20	Access to Relevant Employee Retirement Systems	The state law requires participation in the relevant employee retirement systems.	2	2	4
Total					130

Hawaii

#34 (out of 40)
70 Points (out of 208)

Hawaii's charter law was passed in 1994. As of 2009-10, there were 31 charter schools open, serving an estimated 7,741 students. There is a single statewide authorizer, though there is almost no authorizing activity.

Hawaii's law is open to new start-ups, public school conversions, and virtual schools and fares well on its

requirements for charter school oversight. However, it needs significant improvement in several areas, including lifting the cap, beefing up the requirements for both charter application, review, and decision-making processes and renewal, non-renewal, and revocation processes, and ensuring equitable operational funding and equitable access to capital funding and facilities.

	Essential Components of Strong Public Charter School Law	Current Component Description	Rating	Weight	Total Score
1	No Caps	The state has a cap with no room for growth.	0	3	0
2	A Variety of Public Charter Schools Allowed	The state allows new start-ups, public school conversions, and virtual schools.	4	1	4
3	Multiple Authorizers Available	The state has only a single viable authorizer option available, and there is almost no authorizing activity.	0	3	0
4	Authorizer and Overall Program Accountability System Required	The state law includes none of the elements of the model law's authorizer and overall program accountability system.	0	3	0
5	Adequate Authorizer Funding	The state law includes some of the model law's provisions for adequate authorizer funding.	2	2	4
6	Transparent Charter Application, Review, and Decision-making Processes	The state law includes a small number of the model law's provisions for transparent charter application, review, and decision-making processes.	1	4	4
7	Performance-Based Charter Contracts Required	The state law includes some of the model law's provisions for performance-based charter contracts.	2	4	8
8	Comprehensive Charter School Monitoring and Data Collection Processes	The state law includes many of the model law's provisions for comprehensive charter school monitoring and data collection processes.	3	4	12
9	Clear Processes for Renewal, Nonrenewal, and Revocation Decisions	The state law includes a small number of the model law's clear processes for renewal, nonrenewal, and revocation decisions.	1	4	4
10	Educational Service Providers Allowed	The state law is silent regarding these arrangements.	1	2	2

How State Charter Laws Rank Against The New Model Public Charter School Law

For more detailed information about each state, visit the State Public Charter School Law interactive data base online at <http://charterlaws.publiccharters.org>

33

	Essential Components of Strong Public Charter School Law	Current Component Description	Rating	Weight	Total Score
11	Fiscally and Legally Autonomous Schools, with Independent Public Charter School Boards	The state law includes many of the model law's provisions for fiscally and legally autonomous schools with independent public charter school boards.	3	3	9
12	Clear Student Recruitment, Enrollment, and Lottery Procedures	The state law includes some of the model law's requirements for student recruitment, enrollment, and lottery procedures.	2	1	2
13	Automatic Exemptions from Many State and District Laws and Regulations	The state law provides automatic exemptions from many state and district laws and regulations and requires all of a school's teachers to be certified.	2	3	6
14	Automatic Collective Bargaining Exemption	The state law requires all charter schools to be part of existing collective bargaining agreements, but schools can apply for exemptions.	1	3	3
15	Multi-School Charter Contracts and/or Multi-Charter Contract Boards Allowed	The state law is silent regarding these arrangements.	1	1	1
16	Extra-Curricular and Interscholastic Activities Eligibility and Access	The state law provides both eligibility and access to students, but not employees.	3	1	3
17	Clear Identification of Special Education Responsibilities	The state law is clear on the responsibility for providing services, but not on funding for low-incident, high-cost services.	2	2	4
18	Equitable Operational Funding and Equal Access to All State and Federal Categorical Funding	The state law includes none of the model law's provisions for equitable operational funding and equal access to all state and federal categorical funding.	0	3	0
19	Equitable Access to Capital Funding and Facilities	The state law includes none of the model law's provisions for equitable access to capital funding and facilities.	0	3	0
20	Access to Relevant Employee Retirement Systems	The state law requires participation in the relevant employee retirement systems.	2	2	4
Total					70

Idaho

#25 (out of 40)
98 Points (out of 208)

Idaho's charter law was passed in 1998. In 2009-10, the state has 36 charter schools serving an estimated 13,812 students. Local school boards, the Idaho Public Charter School Commission, and the state board of education (upon appeal only) are potential authorizers, though only local school boards are authorizers of first resort (except for virtual charter schools).

Idaho's law is open to new start-ups, public school conversions, and virtual schools, is strong on charter

school autonomy, and fares well on its requirements for charter school oversight.

However, Idaho imposes both a statewide and per-district cap on charter school growth each year (up to six new schools per year statewide, and no more than one new charter school per year in any district). Also, charters in Idaho do not expire or require renewal; they perpetuate indefinitely unless revoked. And, the state law provides limited support for charter facilities.

	Essential Components of Strong Public Charter School Law	Current Component Description	Rating	Weight	Total Score
1	No Caps	The state has a cap with room for limited growth.	1	3	3
2	A Variety of Public Charter Schools Allowed	The state allows new start-ups, public school conversions, and virtual schools.	4	1	4
3	Multiple Authorizers Available	The state allows two or more viable authorizing options for applicants in some but not all situations.	2	3	6
4	Authorizer and Overall Program Accountability System Required	The state law includes none of the elements of the model law's authorizer and overall program accountability system.	0	3	0
5	Adequate Authorizer Funding	The state law includes none of the model law's provisions for adequate authorizer funding.	0	2	0
6	Transparent Charter Application, Review, and Decision-making Processes	The state law includes some of the model law's provisions for transparent charter application, review, and decision-making processes.	2	4	8
7	Performance-Based Charter Contracts Required	The state law includes none of the model law's provisions for performance-based charter contracts.	0	4	0
8	Comprehensive Charter School Monitoring and Data Collection Processes	The state law includes many of the model law's provisions for comprehensive charter school monitoring and data collection processes.	3	4	12
9	Clear Processes for Renewal, Nonrenewal, and Revocation Decisions	The state law includes a small number of the model law's clear processes for renewal, nonrenewal, and revocation decisions.	1	4	4
10	Educational Service Providers Allowed	The state law explicitly allows contracting with all types of educational service providers and has provisions regarding conflicts of interest, but is silent on performance contracts.	3	2	6

How State Charter Laws Rank Against The New Model Public Charter School Law

For more detailed information about each state, visit the State Public Charter School Law interactive data base online at <http://charterlaws.publiccharters.org>

35

	Essential Components of Strong Public Charter School Law	Current Component Description	Rating	Weight	Total Score
11	Fiscally and Legally Autonomous Schools, with Independent Public Charter School Boards	The state law includes all of the model law's provisions for fiscally and legally autonomous schools with independent public charter school boards.	4	3	12
12	Clear Student Recruitment, Enrollment, and Lottery Procedures	The state law includes many of the model law's requirements for student recruitment, enrollment, and lottery procedures.	3	1	3
13	Automatic Exemptions from Many State and District Laws and Regulations	The state law provides automatic exemptions from many state and district laws and regulations and requires a school's teachers to be certified, although teachers may apply for a waiver or any of the limited alternative certification options provided by the state board of education.	3	3	9
14	Automatic Collective Bargaining Exemption	The state law does not require any charter schools to be part of district collective bargaining agreements.	4	3	12
15	Multi-School Charter Contracts and/or Multi-Charter Contract Boards Allowed	The state law is silent regarding these arrangements.	1	1	1
16	Extra-Curricular and Interscholastic Activities Eligibility and Access	The state law is silent about charter eligibility and access.	1	1	1
17	Clear Identification of Special Education Responsibilities	The state law is clear on the responsibility for providing services, but not on funding for low-incident, high-cost services.	2	2	4
18	Equitable Operational Funding and Equal Access to All State and Federal Categorical Funding	The state law includes some of the model law's provisions for equitable operational funding and equal access to all state and federal categorical funding.	2	3	6
19	Equitable Access to Capital Funding and Facilities	The state law includes a small number of the model law's provisions for equitable access to capital funding and facilities.	1	3	3
20	Access to Relevant Employee Retirement Systems	The state law requires participation in the relevant employee retirement systems.	2	2	4
Total					98

Illinois

#28 (out of 40)
91 Points (out of 208)

Illinois's charter law was passed in 1996. As of 2009-10, there were 39 charters spread across 101 campuses, serving an estimated 36,750 students. The law only allows local school boards to serve as authorizers, but allows denied applicants to appeal to the state board of education. If the state board overturns the local school board's decision, the state board becomes the authorizer. Currently, local school boards are the authorizers of all but one charter school in the state.

Illinois recently lifted its cap partially, is open to new start-ups, public school conversions, and virtual schools, and fares well on charter school autonomy. However, it needs significant work in several areas, including expanding authorizer options for applicants, ensuring authorizer accountability, providing adequate authorizer funding, beefing up the law in relation to the model law's four "quality control" components, and ensuring equitable operational funding and equitable access to capital funding and facilities.

	Essential Components of Strong Public Charter School Law	Current Component Description	Rating	Weight	Total Score
1	No Caps	The state has a cap with room for some growth.	2	3	6
2	A Variety of Public Charter Schools Allowed	The state allows new start-ups, public school conversions, and virtual schools.	4	1	4
3	Multiple Authorizers Available	The state has only a single viable authorizer option available, and there is some authorizing activity.	1	3	3
4	Authorizer and Overall Program Accountability System Required	The state law includes a small number of the elements of the model law's authorizer and overall program accountability system.	1	3	3
5	Adequate Authorizer Funding	The state law includes none of the model law's provisions for adequate authorizer funding.	0	2	0
6	Transparent Charter Application, Review, and Decision-making Processes	The state law includes some of the model law's provisions for transparent charter application, review, and decision-making processes.	2	4	8
7	Performance-Based Charter Contracts Required	The state law includes some of the model law's provisions for performance-based charter contracts.	2	4	8
8	Comprehensive Charter School Monitoring and Data Collection Processes	The state law includes a small number of the model law's provisions for comprehensive charter school monitoring and data collection processes.	1	4	4
9	Clear Processes for Renewal, Nonrenewal, and Revocation Decisions	The state law includes some of the model law's clear processes for renewal, nonrenewal, and revocation decisions.	2	4	8
10	Educational Service Providers Allowed	The state law explicitly allows contracting with all types of educational service providers and requires performance contracts, but is silent on conflicts of interest.	3	2	6

How State Charter Laws Rank Against The New Model Public Charter School Law

For more detailed information about each state, visit the State Public Charter School Law interactive data base online at <http://charterlaws.publiccharters.org>

37

	Essential Components of Strong Public Charter School Law	Current Component Description	Rating	Weight	Total Score
11	Fiscally and Legally Autonomous Schools, with Independent Public Charter School Boards	The state law includes many of the model law's provisions for fiscally and legally autonomous schools with independent public charter school boards.	3	3	9
12	Clear Student Recruitment, Enrollment, and Lottery Procedures	The state law includes some of the model law's requirements for student recruitment, enrollment, and lottery procedures.	2	1	2
13	Automatic Exemptions from Many State and District Laws and Regulations	The state law provides automatic exemptions from many state and district laws and regulations and requires all of a school's teachers to be certified for some charters and requires some of a school's teachers to be certified for other charters.	2	3	6
14	Automatic Collective Bargaining Exemption	The state law does not require any charter schools to be part of district collective bargaining agreements.	4	3	12
15	Multi-School Charter Contracts and/or Multi-Charter Contract Boards Allowed	The state law explicitly allows these arrangements for some schools but not others.	1	1	1
16	Extra-Curricular and Interscholastic Activities Eligibility and Access	The state law is silent about charter eligibility and access.	1	1	1
17	Clear Identification of Special Education Responsibilities	The state law addresses special education, but is unclear about responsibility for providing services and funding for low-incident, high-cost services.	1	2	2
18	Equitable Operational Funding and Equal Access to All State and Federal Categorical Funding	The state law includes a small number of the model law's provisions for equitable operational funding and equal access to all state and federal categorical funding.	1	3	3
19	Equitable Access to Capital Funding and Facilities	The state law includes a small number of the model law's provisions for equitable access to capital funding and facilities.	1	3	3
20	Access to Relevant Employee Retirement Systems	The state law requires participation in the relevant employee retirement systems for some schools, but denies access to these systems for other schools.	1	2	2
Total					91

Indiana

#29 (out of 40)
90 Points (out of 208)

Indiana's charter law was passed in 2001. As of 2009-10, there were 54 charter schools open, serving an estimated 19,253 students. Indiana law allows local school boards, public four-year universities or their designated representative, and the Mayor of Indianapolis to authorize charters. Currently, only two local school boards have authorized a total of three charters. Ball State University is the only university authorizer and has authorized 33 charters in 14 communities. The Mayor of Indianapolis has authorized 18 charters in Indianapolis.

Indiana is open to new start-ups, public school conversions, and virtual schools, fares well on its requirements for performance-based contracts, and provides operational autonomy to start-up charter schools. However, potential areas for improvement include expanding authorizer options for applicants, ensuring authorizer accountability, providing adequate authorizer funding, beefing up the requirements for renewal, non-renewal, and revocation processes, and ensuring equitable operational funding and equitable access to capital funding and facilities.

	Essential Components of Strong Public Charter School Law	Current Component Description	Rating	Weight	Total Score
1	No Caps	The state has a cap with room for some growth.	2	3	6
2	A Variety of Public Charter Schools Allowed	The state allows new start-ups, public school conversions, and virtual schools.	4	1	4
3	Multiple Authorizers Available	The state allows two or more viable authorizing options for applicants in some but not all situations.	2	3	6
4	Authorizer and Overall Program Accountability System Required	The state law includes none of the elements of the model law's authorizer and overall program accountability system.	0	3	0
5	Adequate Authorizer Funding	The state law includes a small number of the model law's provisions for adequate authorizer funding.	1	2	2
6	Transparent Charter Application, Review, and Decision-making Processes	The state law includes some of the model law's provisions for transparent charter application, review, and decision-making processes.	2	4	8
7	Performance-Based Charter Contracts Required	The state law includes many of the model law's provisions for performance-based charter contracts.	3	4	12
8	Comprehensive Charter School Monitoring and Data Collection Processes	The state law includes some of the model law's provisions for comprehensive charter school monitoring and data collection processes.	2	4	8
9	Clear Processes for Renewal, Nonrenewal, and Revocation Decisions	The state law includes a small number of the model law's clear processes for renewal, nonrenewal, and revocation decisions.	1	4	4
10	Educational Service Providers Allowed	The state law is silent regarding these arrangements.	1	2	2

How State Charter Laws Rank Against The New Model Public Charter School Law

For more detailed information about each state, visit the State Public Charter School Law interactive data base online at <http://charterlaws.publiccharters.org>

	Essential Components of Strong Public Charter School Law	Current Component Description	Rating	Weight	Total Score
11	Fiscally and Legally Autonomous Schools, with Independent Public Charter School Boards	The state law includes some of the model law's provisions for fiscally and legally autonomous schools with independent public charter school boards.	2	3	6
12	Clear Student Recruitment, Enrollment, and Lottery Procedures	The state law includes some of the model law's requirements for student recruitment, enrollment, and lottery procedures.	2	1	2
13	Automatic Exemptions from Many State and District Laws and Regulations	The state law provides automatic exemptions from many state and district laws and regulations and requires all of a school's teachers to be certified.	2	3	6
14	Automatic Collective Bargaining Exemption	The state law exempts some schools from existing collective bargaining agreements, but not others.	2	3	6
15	Multi-School Charter Contracts and/or Multi-Charter Contract Boards Allowed	The state law is silent regarding these arrangements.	1	1	1
16	Extra-Curricular and Interscholastic Activities Eligibility and Access	The state law is silent about charter eligibility and access.	1	1	1
17	Clear Identification of Special Education Responsibilities	The state law addresses special education, but is unclear about responsibility for providing services and funding for low-incident, high-cost services.	1	2	2
18	Equitable Operational Funding and Equal Access to All State and Federal Categorical Funding	The state law includes a small number of the model law's provisions for equitable operational funding and equal access to all state and federal categorical funding.	1	3	3
19	Equitable Access to Capital Funding and Facilities	The state law includes a small number of the model law's provisions for equitable access to capital funding and facilities.	1	3	3
20	Access to Relevant Employee Retirement Systems	The state law provides access to relevant employee retirement systems, but does not require participation.	4	2	8
Total					90

Iowa

#38 (out of 40)
56 Points (out of 208)

Iowa's charter school law was passed in 2002. In 2009-10, there were eight charter schools open, serving an estimated 928 students. The statute allows only 20 public school conversions, and requires them to be approved by the local school board and the state board of education. The charter law has a sunset provision of July 1, 2011.

Iowa's law needs improvement across the board, most notably by removing the sunset provision, allowing start-up charter schools and virtual charter schools, providing additional authorizing options for charter applicants, beefing up the law in relation to the model law's four "quality control" components, and ensuring equitable operational funding and equitable access to capital funding and facilities.

	Essential Components of Strong Public Charter School Law	Current Component Description	Rating	Weight	Total Score
1	No Caps	The state has a cap with room for limited growth.	1	3	3
2	A Variety of Public Charter Schools Allowed	The state allows only public school conversions.	0	1	0
3	Multiple Authorizers Available	The state has only a single viable authorizer option available, and there is almost no authorizing activity.	0	3	0
4	Authorizer and Overall Program Accountability System Required	The state law includes a small number of the elements of the model law's authorizer and overall program accountability system.	1	3	3
5	Adequate Authorizer Funding	The state law includes none of the model law's provisions for adequate authorizer funding.	0	2	0
6	Transparent Charter Application, Review, and Decision-making Processes	The state law includes some of the model law's provisions for transparent charter application, review, and decision-making processes.	2	4	8
7	Performance-Based Charter Contracts Required	The state law includes some of the model law's provisions for performance-based charter contracts.	2	4	8
8	Comprehensive Charter School Monitoring and Data Collection Processes	The state law includes a small number of the model law's provisions for comprehensive charter school monitoring and data collection processes.	1	4	4
9	Clear Processes for Renewal, Nonrenewal, and Revocation Decisions	The state law includes some of the model law's clear processes for renewal, nonrenewal, and revocation decisions.	2	4	8
10	Educational Service Providers Allowed	The state law is silent regarding these arrangements.	1	2	2

How State Charter Laws Rank Against The New Model Public Charter School Law

For more detailed information about each state, visit the State Public Charter School Law interactive data base online at <http://charterlaws.publiccharters.org>

41

	Essential Components of Strong Public Charter School Law	Current Component Description	Rating	Weight	Total Score
11	Fiscally and Legally Autonomous Schools, with Independent Public Charter School Boards	The state law includes none of the model law's provisions for fiscally and legally autonomous schools with independent public charter school boards.	0	3	0
12	Clear Student Recruitment, Enrollment, and Lottery Procedures	The state law includes a small number of the model law's requirements for student recruitment, enrollment, and lottery procedures.	1	1	1
13	Automatic Exemptions from Many State and District Laws and Regulations	The state law allows schools to apply for exemptions from state and district laws and requires all of a school's teachers to be certified.	1	3	3
14	Automatic Collective Bargaining Exemption	The state law requires all charter schools to be part of existing collective bargaining agreements, with no opportunity for exemptions.	0	3	0
15	Multi-School Charter Contracts and/or Multi-Charter Contract Boards Allowed	The state law prohibits these arrangements.	0	1	0
16	Extra-Curricular and Interscholastic Activities Eligibility and Access	The state law is silent about charter eligibility and access.	1	1	1
17	Clear Identification of Special Education Responsibilities	The state law clearly addresses responsibility for providing services and ensures state funding for low-incident, high-cost services.	4	2	8
18	Equitable Operational Funding and Equal Access to All State and Federal Categorical Funding	The state law includes a small number of the model law's provisions for equitable operational funding and equal access to all state and federal categorical funding.	1	3	3
19	Equitable Access to Capital Funding and Facilities	The state law includes none of the model law's provisions for equitable access to capital funding and facilities.	0	3	0
20	Access to Relevant Employee Retirement Systems	The state law requires participation in the relevant employee retirement systems.	2	2	4
Total					56

Kansas

#36 (out of 40)
62 Points (out of 208)

Kansas's charter law was passed in 1994. In 2009-10, there are 34 charter schools serving approximately 4,902 students. Kansas law only provides one authorizing option for charter applications. First, the local school board must approve it. Second, the state board of education must approve it.

While Kansas's law is cap-free and is open to new start-ups, public school conversions, and virtual

schools, it needs improvement across the board. Potential starting points include expanding authorizing options, ensuring authorizer accountability, providing adequate authorizer funding, beefing up the law in relation to the model law's four "quality control" components, increasing operational autonomy, and ensuring equitable operational funding and equitable access to capital funding and facilities.

	Essential Components of Strong Public Charter School Law	Current Component Description	Rating	Weight	Total Score
1	No Caps	The state does not have a cap.	4	3	12
2	A Variety of Public Charter Schools Allowed	The state allows new start-ups, public school conversions, and virtual schools.	4	1	4
3	Multiple Authorizers Available	The state has only a single viable authorizer option available, and there is some authorizing activity.	1	3	3
4	Authorizer and Overall Program Accountability System Required	The state law includes some of the elements of the model law's authorizer and overall program accountability system.	2	3	6
5	Adequate Authorizer Funding	The state law includes none of the model law's provisions for adequate authorizer funding.	0	2	0
6	Transparent Charter Application, Review, and Decision-making Processes	The state law includes a small number of the model law's provisions for transparent charter application, review, and decision-making processes.	1	4	4
7	Performance-Based Charter Contracts Required	The state law includes a small number of the model law's provisions for performance-based charter contracts.	1	4	4
8	Comprehensive Charter School Monitoring and Data Collection Processes	The state law includes a small number of the model law's provisions for comprehensive charter school monitoring and data collection processes.	1	4	4
9	Clear Processes for Renewal, Nonrenewal, and Revocation Decisions	The state law includes some of the model law's clear processes for renewal, nonrenewal, and revocation decisions.	2	4	8
10	Educational Service Providers Allowed	The state law explicitly allows contracting with all types of educational service providers but does not include provisions regarding performance contracts and conflicts of interest.	2	2	4

How State Charter Laws Rank Against The New Model Public Charter School Law

For more detailed information about each state, visit the State Public Charter School Law interactive data base online at <http://charterlaws.publiccharters.org>

43

40 State Profiles

Kansas

	Essential Components of Strong Public Charter School Law	Current Component Description	Rating	Weight	Total Score
11	Fiscally and Legally Autonomous Schools, with Independent Public Charter School Boards	The state law includes none of the model law's provisions for fiscally and legally autonomous schools with independent public charter school boards.	0	3	0
12	Clear Student Recruitment, Enrollment, and Lottery Procedures	The state law includes a small number of the model law's requirements for student recruitment, enrollment, and lottery procedures.	1	1	1
13	Automatic Exemptions from Many State and District Laws and Regulations	The state law allows schools to apply for exemptions from state and district laws and requires all of a school's teachers to be certified.	1	3	3
14	Automatic Collective Bargaining Exemption	The state law requires all charter schools to be part of existing collective bargaining agreements, but schools can apply for exemptions.	1	3	3
15	Multi-School Charter Contracts and/or Multi-Charter Contract Boards Allowed	The state law is silent regarding these arrangements.	1	1	1
16	Extra-Curricular and Interscholastic Activities Eligibility and Access	The state law is silent about charter eligibility and access.	1	1	1
17	Clear Identification of Special Education Responsibilities	The state law is silent about special education responsibilities and funding.	0	2	0
18	Equitable Operational Funding and Equal Access to All State and Federal Categorical Funding	The state law includes none of the model law's provisions for equitable operational funding and equal access to all state and federal categorical funding.	0	3	0
19	Equitable Access to Capital Funding and Facilities	The state law includes none of the model law's provisions for equitable access to capital funding and facilities.	0	3	0
20	Access to Relevant Employee Retirement Systems	The state law requires participation in the relevant employee retirement systems.	2	2	4
Total					62

Louisiana

#9 (out of 40)

120 Points (out of 208)

Louisiana's charter law was originally passed in 1995 as a pilot program and expanded in 1997. In 2009-10, the state has 76 charter schools on 78 campuses, serving an estimated 30,405 students.

Until 2003, the law defined four types of charter schools (Types 1 through 4), with the categories dependent on factors such as whether the school is a start-up or conversion. In 2003, a new type of charter (Type 5) was created for the operation of a pre-existing school transferred to the jurisdiction of the state's takeover arm, the Recovery School District. Since 2005, in the aftermath of Hurricane

Katrina, most of the chartering activity in Louisiana has centered on Type 5 charter schools.

Louisiana has made several improvements to its charter laws and regulations, such as improving operational funding equity, lifting its cap, and strengthening its approach to funding authorizers. It also fares well on our four "quality control" components. One potential area for improvement is providing clarity in the law to govern the expansion and replication of high-quality charter schools through multi-school charter contracts and/or multi-charter contract boards.

	Essential Components of Strong Public Charter School Law	Current Component Description	Rating	Weight	Total Score
1	No Caps	The state does not have a cap.	4	3	12
2	A Variety of Public Charter Schools Allowed	The state allows new start-ups, public school conversions, and virtual schools.	4	1	4
3	Multiple Authorizers Available	The state allows two or more viable authorizing options for applicants in some but not all situations.	2	3	6
4	Authorizer and Overall Program Accountability System Required	The state law includes a small number of the elements of the model law's authorizer and overall program accountability system.	1	3	3
5	Adequate Authorizer Funding	The state law includes all of the model law's provisions for adequate authorizer funding.	4	2	8
6	Transparent Charter Application, Review, and Decision-making Processes	The state law includes some of the model law's provisions for transparent charter application, review, and decision-making processes.	2	4	8
7	Performance-Based Charter Contracts Required	The state law includes some of the model law's provisions for performance-based charter contracts.	2	4	8
8	Comprehensive Charter School Monitoring and Data Collection Processes	The state law includes many of the model law's provisions for comprehensive charter school monitoring and data collection processes.	3	4	12
9	Clear Processes for Renewal, Nonrenewal, and Revocation Decisions	The state law includes some of the model law's clear processes for renewal, nonrenewal, and revocation decisions.	2	4	8
10	Educational Service Providers Allowed	The state law explicitly allows contracting with all types of educational service providers but does not include provisions regarding performance contracts and conflicts of interest.	2	2	4

How State Charter Laws Rank Against The New Model Public Charter School Law

For more detailed information about each state, visit the State Public Charter School Law interactive data base online at <http://charterlaws.publiccharters.org>

45

40 State Profiles

Louisiana

	Essential Components of Strong Public Charter School Law	Current Component Description	Rating	Weight	Total Score
11	Fiscally and Legally Autonomous Schools, with Independent Public Charter School Boards	The state law includes many of the model law's provisions for fiscally and legally autonomous schools with independent public charter school boards.	3	3	9
12	Clear Student Recruitment, Enrollment, and Lottery Procedures	The state law includes some of the model law's requirements for student recruitment, enrollment, and lottery procedures.	2	1	2
13	Automatic Exemptions from Many State and District Laws and Regulations	The state law provides automatic exemptions from many state and district laws and regulations and requires all of a school's teachers to be certified for some charters and requires some of a school's teachers to be certified for other charters.	2	3	6
14	Automatic Collective Bargaining Exemption	The state law exempts some schools from existing collective bargaining agreements, but not others.	2	3	6
15	Multi-School Charter Contracts and/or Multi-Charter Contract Boards Allowed	The state law is silent regarding these arrangements.	1	1	1
16	Extra-Curricular and Interscholastic Activities Eligibility and Access	The state law is silent about charter eligibility and access.	1	1	1
17	Clear Identification of Special Education Responsibilities	The state law is clear on the responsibility for providing services, but not on funding for low-incident, high-cost services.	2	2	4
18	Equitable Operational Funding and Equal Access to All State and Federal Categorical Funding	The state law includes some of the model law's provisions for equitable operational funding and equal access to all state and federal categorical funding.	2	3	6
19	Equitable Access to Capital Funding and Facilities	The state law includes some of the model law's provisions for equitable access to capital funding and facilities.	2	3	6
20	Access to Relevant Employee Retirement Systems	The state law provides some charter schools with the option to participate in the relevant state employee retirement systems, but not others.	3	2	6
Total					120

Maryland

#40 (out of 40)
41 Points (out of 208)

Maryland enacted its charter law in 2003. In 2009-10, there are 36 charter schools operating, serving an estimated 12,249 students. Maryland law provides local school boards as the only authorizer option for most applicants. Under limited circumstances, the state board of education may authorize the restructuring of a non-charter public school as a charter school.

The primary strength of Maryland's law is that it's cap-free. In addition, the law's operational funding

language is relatively equitable (the definition of which was upheld by the state's highest court). However, it largely needs improvement elsewhere. Potential starting points include expanding authorizing options, ensuring authorizer accountability, providing adequate authorizer funding, beefing up the law in relation to the model law's four "quality control" components, increasing operational autonomy, and ensuring equitable access to capital funding and facilities.

	Essential Components of Strong Public Charter School Law	Current Component Description	Rating	Weight	Total Score
1	No Caps	The state does not have a cap.	4	3	12
2	A Variety of Public Charter Schools Allowed	The state allows new start-ups and public school conversions, but not virtual schools.	2	1	2
3	Multiple Authorizers Available	The state has only a single viable authorizer option available, and there is some authorizing activity.	1	3	3
4	Authorizer and Overall Program Accountability System Required	The state law includes none of the elements of the model law's authorizer and overall program accountability system.	0	3	0
5	Adequate Authorizer Funding	The state law includes none of the model law's provisions for adequate authorizer funding.	0	2	0
6	Transparent Charter Application, Review, and Decision-making Processes	The state law includes none of the model law's provisions for transparent charter application, review, and decision-making processes.	0	4	0
7	Performance-Based Charter Contracts Required	The state law includes none of the model law's provisions for performance-based charter contracts.	0	4	0
8	Comprehensive Charter School Monitoring and Data Collection Processes	The state law includes none of the model law's provisions for comprehensive charter school monitoring and data collection processes.	0	4	0
9	Clear Processes for Renewal, Nonrenewal, and Revocation Decisions	The state law includes none of the model law's clear processes for renewal, nonrenewal, and revocation decisions.	0	4	0
10	Educational Service Providers Allowed	The state law is silent regarding these arrangements.	1	2	2

How State Charter Laws Rank Against The New Model Public Charter School Law

For more detailed information about each state, visit the State Public Charter School Law interactive data base online at <http://charterlaws.publiccharters.org>

47

40 State Profiles

	Essential Components of Strong Public Charter School Law	Current Component Description	Rating	Weight	Total Score
11	Fiscally and Legally Autonomous Schools, with Independent Public Charter School Boards	The state law includes none of the model law's provisions for fiscally and legally autonomous schools with independent public charter school boards.	0	3	0
12	Clear Student Recruitment, Enrollment, and Lottery Procedures	The state law includes a small number of the model law's requirements for student recruitment, enrollment, and lottery procedures.	1	1	1
13	Automatic Exemptions from Many State and District Laws and Regulations	The state law allows schools to apply for exemptions from state and district laws and requires all of a school's teachers to be certified.	1	3	3
14	Automatic Collective Bargaining Exemption	The state law requires all charter schools to be part of existing collective bargaining agreements, but schools can apply for exemptions.	1	3	3
15	Multi-School Charter Contracts and/or Multi-Charter Contract Boards Allowed	The state law is silent regarding these arrangements.	1	1	1
16	Extra-Curricular and Interscholastic Activities Eligibility and Access	The state law is silent about charter eligibility and access.	1	1	1
17	Clear Identification of Special Education Responsibilities	The state law is silent about special education responsibilities and funding.	0	2	0
18	Equitable Operational Funding and Equal Access to All State and Federal Categorical Funding	The state law includes some of the model law's provisions for equitable operational funding and equal access to all state and federal categorical funding.	2	3	6
19	Equitable Access to Capital Funding and Facilities	The state law includes a small number of the model law's provisions for equitable access to capital funding and facilities.	1	3	3
20	Access to Relevant Employee Retirement Systems	The state law requires participation in the relevant employee retirement systems.	2	2	4
Total					41

Maryland

Massachusetts

#6 (out of 40)

125 Points (out of 208)

Massachusetts enacted its charter law in 1993. In 2009-10, there are 62 charter schools operating, serving an estimated 28,247 students. Massachusetts provides only a single authorizer option in the state board of education, but there has been considerable authorizing activity in the state.

charter schools (although challenges remain). However, it also has the most caps – five – on charter schools in the country, the most problematic being that in any fiscal year, no school district's total charter school tuition payment to commonwealth charter schools shall exceed nine percent of said district's net school spending.

Massachusetts ranks the highest on our four “quality control” components. It is also a leader in providing operational autonomy and funding equity to public

The bottom line: It has created many of the conditions for charter success. Now it just has to lift its numerous caps on charter schools and let them flourish.

	Essential Components of Strong Public Charter School Law	Current Component Description	Rating	Weight	Total Score
1	No Caps	The state has a cap with room for limited growth.	1	3	3
2	A Variety of Public Charter Schools Allowed	The state allows new start-ups and public school conversions, but not virtual schools.	2	1	2
3	Multiple Authorizers Available	The state has only a single viable authorizer option available, and there is some authorizing activity.	1	3	3
4	Authorizer and Overall Program Accountability System Required	The state law includes a small number of the elements of the model law's authorizer and overall program accountability system.	1	3	3
5	Adequate Authorizer Funding	The state law includes none of the model law's provisions for adequate authorizer funding.	0	2	0
6	Transparent Charter Application, Review, and Decision-making Processes	The state law includes some of the model law's provisions for transparent charter application, review, and decision-making processes.	2	4	8
7	Performance-Based Charter Contracts Required	The state law includes some of the model law's provisions for performance-based charter contracts.	2	4	8
8	Comprehensive Charter School Monitoring and Data Collection Processes	The state law includes all of the model law's provisions for comprehensive charter school monitoring and data collection processes.	4	4	16
9	Clear Processes for Renewal, Nonrenewal, and Revocation Decisions	The state law includes many of the model law's clear processes for renewal, nonrenewal, and revocation decisions.	3	4	12
10	Educational Service Providers Allowed	The state law explicitly allows contracting with all types of educational service providers and has provisions regarding performance contracts and conflicts of interest.	4	2	8

How State Charter Laws Rank Against The New Model Public Charter School Law

For more detailed information about each state, visit the State Public Charter School Law interactive data base online at <http://charterlaws.publiccharters.org>

49

40 State Profiles

Massachusetts

	Essential Components of Strong Public Charter School Law	Current Component Description	Rating	Weight	Total Score
11	Fiscally and Legally Autonomous Schools, with Independent Public Charter School Boards	The state law includes all of the model law's provisions for fiscally and legally autonomous schools with independent public charter school boards.	4	3	12
12	Clear Student Recruitment, Enrollment, and Lottery Procedures	The state law includes many of the model law's requirements for student recruitment, enrollment, and lottery procedures.	3	1	3
13	Automatic Exemptions from Many State and District Laws and Regulations	The state law provides automatic exemptions from many state and district laws and regulations and requires some of a school's teachers to be certified.	3	3	9
14	Automatic Collective Bargaining Exemption	The state law exempts some schools from existing collective bargaining agreements, but not others (but allows those not exempted to apply for exemptions).	3	3	9
15	Multi-School Charter Contracts and/or Multi-Charter Contract Boards Allowed	The state law is silent regarding these arrangements.	1	1	1
16	Extra-Curricular and Interscholastic Activities Eligibility and Access	The state law is silent about charter eligibility and access.	1	1	1
17	Clear Identification of Special Education Responsibilities	The state law clearly addresses responsibility for providing services and ensures state funding for low-incident, high-cost services.	4	2	8
18	Equitable Operational Funding and Equal Access to All State and Federal Categorical Funding	The state law includes many of the model law's provisions for equitable operational funding and equal access to all state and federal categorical funding.	3	3	9
19	Equitable Access to Capital Funding and Facilities	The state law includes some of the model law's provisions for equitable access to capital funding and facilities.	2	3	6
20	Access to Relevant Employee Retirement Systems	The state law requires participation in the relevant employee retirement systems.	2	2	4
Total					125

Michigan

#14 (out of 40)
110 Points (out of 208)

Michigan's charter law was passed in 1993. In 2009-10, there were 231 charter schools open, serving an estimated 104,527 students. The law allows boards for local districts, intermediate school districts, community colleges, and public universities may authorize schools, with jurisdictional restrictions for all but tribal community colleges and public universities. The law's cap of 150 schools for public university authorizers has served to significantly inhibit charter school growth in the state.

As we went to publication, the state enacted several bills to improve the public education system. As part

of those changes, the state partially lifted its cap on charter growth, allowed virtual charter schools for the first time (albeit in a limited fashion), and enacted automatic closure provisions. Those changes build on existing strengths in the law, such as its multiple authorizer provisions.

However, potential improvements remain, including lifting all caps, beefing up the law's requirements for charter application, review, and decision-making processes, and ensuring equitable access to capital funding and facilities.

	Essential Components of Strong Public Charter School Law	Current Component Description	Rating	Weight	Total Score
1	No Caps	The state has a cap with room for some growth.	2	3	6
2	A Variety of Public Charter Schools Allowed	The state allows new start-ups and virtual schools, but not public school conversions.	3	1	3
3	Multiple Authorizers Available	The state allows two or more viable authorizing options for each applicant.	4	3	12
4	Authorizer and Overall Program Accountability System Required	The state law includes some of the elements of the model law's authorizer and overall program accountability system.	2	3	6
5	Adequate Authorizer Funding	The state law includes some of the model law's provisions for adequate authorizer funding.	2	2	4
6	Transparent Charter Application, Review, and Decision-making Processes	The state law includes a small number of the model law's provisions for transparent charter application, review, and decision-making processes.	1	4	4
7	Performance-Based Charter Contracts Required	The state law includes some of the model law's provisions for performance-based charter contracts.	2	4	8
8	Comprehensive Charter School Monitoring and Data Collection Processes	The state law includes some of the model law's provisions for comprehensive charter school monitoring and data collection processes.	2	4	8
9	Clear Processes for Renewal, Nonrenewal, and Revocation Decisions	The state law includes some of the model law's clear processes for renewal, nonrenewal, and revocation decisions.	2	4	8
10	Educational Service Providers Allowed	The state law explicitly allows contracting with all types of educational service providers and requires performance contracts, but is silent on conflicts of interest for some types of charter schools.	3	2	6

How State Charter Laws Rank Against The New Model Public Charter School Law

For more detailed information about each state, visit the State Public Charter School Law interactive data base online at <http://charterlaws.publiccharters.org>

51

	Essential Components of Strong Public Charter School Law	Current Component Description	Rating	Weight	Total Score
11	Fiscally and Legally Autonomous Schools, with Independent Public Charter School Boards	The state law includes many of the model law's provisions for fiscally and legally autonomous schools with independent public charter school boards.	3	3	9
12	Clear Student Recruitment, Enrollment, and Lottery Procedures	The state law includes many of the model law's requirements for student recruitment, enrollment, and lottery procedures.	3	1	3
13	Automatic Exemptions from Many State and District Laws and Regulations	The state law allows schools to apply for exemptions from state and district laws and requires all of a school's teachers to be certified.	1	3	3
14	Automatic Collective Bargaining Exemption	The state law exempts some schools from existing collective bargaining agreements, but not others (but only binds those schools to existing collective bargaining agreements for certain employees).	3	3	9
15	Multi-School Charter Contracts and/or Multi-Charter Contract Boards Allowed	The state law is silent regarding these arrangements.	1	1	1
16	Extra-Curricular and Interscholastic Activities Eligibility and Access	The state law is silent about charter eligibility and access.	1	1	1
17	Clear Identification of Special Education Responsibilities	The state law is clear on the responsibility for providing services, but not on funding for low-incident, high-cost services.	2	2	4
18	Equitable Operational Funding and Equal Access to All State and Federal Categorical Funding	The state law includes some of the model law's provisions for equitable operational funding and equal access to all state and federal categorical funding.	2	3	6
19	Equitable Access to Capital Funding and Facilities	The state law includes a small number of the model law's provisions for equitable access to capital funding and facilities.	1	3	3
20	Access to Relevant Employee Retirement Systems	The state law provides that charter schools have access and an option by virtue of how they hire their employees.	3	2	6
Total					110

Minnesota

#1 (out of 40)
152 Points (out of 208)

Minnesota enacted the nation's first charter law in 1991. In 2009-10, there are 155 charter schools open, serving an estimated 36,404 students. The law allows a wide variety of potential authorizers: local and intermediate school boards, cooperatives, charitable nonprofit organizations that meet certain criteria, private colleges, all public postsecondary institutions, and up to three single-purpose authorizers created just to authorize charter schools.

If we had released these rankings last year, Minnesota would probably not have been at the top. Although it has long been recognized as having a good law,

it enacted several changes this year to strengthen school and authorizer accountability – proposed by charter advocates – that vaulted it to #1.

Minnesota's law is strong in several regards: it is cap-free; it allows multiple authorizing options; it provides adequate authorizer funding; it fares well on its requirements for both performance-based contracts and renewal, non-renewal, and revocation processes; it provides operational autonomy; and it provides relatively equitable operational funding. However, Minnesota's law still needs improvement regarding capital funding and facilities.

	Essential Components of Strong Public Charter School Law	Current Component Description	Rating	Weight	Total Score
1	No Caps	The state does not have a cap.	4	3	12
2	A Variety of Public Charter Schools Allowed	The state allows new start-ups, public school conversions, and virtual schools.	4	1	4
3	Multiple Authorizers Available	The state allows two or more viable authorizing options for each applicant.	4	3	12
4	Authorizer and Overall Program Accountability System Required	The state law includes many of the elements of the model law's authorizer and overall program accountability system.	3	3	9
5	Adequate Authorizer Funding	The state law includes all of the model law's provisions for adequate authorizer funding.	4	2	8
6	Transparent Charter Application, Review, and Decision-making Processes	The state law includes some of the model law's provisions for transparent charter application, review, and decision-making processes.	2	4	8
7	Performance-Based Charter Contracts Required	The state law includes many of the model law's provisions for performance-based charter contracts.	3	4	12
8	Comprehensive Charter School Monitoring and Data Collection Processes	The state law includes some of the model law's provisions for comprehensive charter school monitoring and data collection processes.	2	4	8
9	Clear Processes for Renewal, Nonrenewal, and Revocation Decisions	The state law includes many of the model law's clear processes for renewal, nonrenewal, and revocation decisions.	3	4	12
10	Educational Service Providers Allowed	The state law explicitly allows contracting with all types of educational service providers and has provisions regarding performance contracts and conflicts of interest.	4	2	8

How State Charter Laws Rank Against The New Model Public Charter School Law

For more detailed information about each state, visit the State Public Charter School Law interactive data base online at <http://charterlaws.publiccharters.org>

53

	Essential Components of Strong Public Charter School Law	Current Component Description	Rating	Weight	Total Score
11	Fiscally and Legally Autonomous Schools, with Independent Public Charter School Boards	The state law includes all of the model law's provisions for fiscally and legally autonomous schools with independent public charter school boards.	4	3	12
12	Clear Student Recruitment, Enrollment, and Lottery Procedures	The state law includes many of the model law's requirements for student recruitment, enrollment, and lottery procedures.	3	1	3
13	Automatic Exemptions from Many State and District Laws and Regulations	The state law provides automatic exemptions from many state and district laws and regulations and requires all of a school's teachers to be certified.	2	3	6
14	Automatic Collective Bargaining Exemption	The state law does not require any charter schools to be part of district collective bargaining agreements.	4	3	12
15	Multi-School Charter Contracts and/or Multi-Charter Contract Boards Allowed	The state law is silent regarding these arrangements.	1	1	1
16	Extra-Curricular and Interscholastic Activities Eligibility and Access	The state law is silent about charter eligibility and access.	1	1	1
17	Clear Identification of Special Education Responsibilities	The state law clearly addresses responsibility for providing services and ensures state funding for low-incident, high-cost services.	4	2	8
18	Equitable Operational Funding and Equal Access to All State and Federal Categorical Funding	The state law includes many of the model law's provisions for equitable operational funding and equal access to all state and federal categorical funding.	3	3	9
19	Equitable Access to Capital Funding and Facilities	The state law includes a small number of the model law's provisions for equitable access to capital funding and facilities.	1	3	3
20	Access to Relevant Employee Retirement Systems	The state law requires participation in the relevant employee retirement systems.	2	2	4
Total					152

Missouri

#13 (out of 40)
110 Points (out of 208)

Missouri's charter school law was passed in 1998. In 2009-10, the state has 33 charter schools on 46 campuses, serving an estimated 19,783 students. The law only allows charter schools in the Kansas City and St. Louis school districts.

Missouri law allows the local school boards in Kansas City and St. Louis as well as community and four-year colleges meeting certain criteria to serve as authorizers. The law also requires the State Board of Education to weigh in on all applications after approval by an

authorizer and also gives the State Board the ability to authorize a charter school on appeal.

The law provides operational autonomy and fares well on its requirements for charter school oversight. The biggest area for improvement is to expand charter schools statewide. Other potential areas for improvement include beefing up the requirements for charter application, review and decision-making processes and ensuring equitable access to capital funding and facilities.

	Essential Components of Strong Public Charter School Law	Current Component Description	Rating	Weight	Total Score
1	No Caps	The state has a cap with room for limited growth.	1	3	3
2	A Variety of Public Charter Schools Allowed	The state allows new start-ups, public school conversions, and virtual schools.	4	1	4
3	Multiple Authorizers Available	The state allows two or more viable authorizing options for applicants in some but not all situations.	2	3	6
4	Authorizer and Overall Program Accountability System Required	The state law includes some of the elements of the model law's authorizer and overall program accountability system.	2	3	6
5	Adequate Authorizer Funding	The state law includes some of the model law's provisions for adequate authorizer funding.	2	2	4
6	Transparent Charter Application, Review, and Decision-making Processes	The state law includes a small number of the model law's provisions for transparent charter application, review, and decision-making processes.	1	4	4
7	Performance-Based Charter Contracts Required	The state law includes some of the model law's provisions for performance-based charter contracts.	2	4	8
8	Comprehensive Charter School Monitoring and Data Collection Processes	The state law includes many of the model law's provisions for comprehensive charter school monitoring and data collection processes.	3	4	12
9	Clear Processes for Renewal, Nonrenewal, and Revocation Decisions	The state law includes some of the model law's clear processes for renewal, nonrenewal, and revocation decisions.	2	4	8
10	Educational Service Providers Allowed	The state law explicitly allows contracting with all types of educational service providers but does not include provisions regarding performance contracts and conflicts of interest.	2	2	4

How State Charter Laws Rank Against The New Model Public Charter School Law

For more detailed information about each state, visit the State Public Charter School Law interactive data base online at <http://charterlaws.publiccharters.org>

55

	Essential Components of Strong Public Charter School Law	Current Component Description	Rating	Weight	Total Score
11	Fiscally and Legally Autonomous Schools, with Independent Public Charter School Boards	The state law includes many of the model law's provisions for fiscally and legally autonomous schools with independent public charter school boards.	3	3	9
12	Clear Student Recruitment, Enrollment, and Lottery Procedures	The state law includes some of the model law's requirements for student recruitment, enrollment, and lottery procedures.	2	1	2
13	Automatic Exemptions from Many State and District Laws and Regulations	The state law provides automatic exemptions from many state and district laws and regulations and requires some of a school's teachers to be certified.	3	3	9
14	Automatic Collective Bargaining Exemption	The state law does not require any charter schools to be part of district collective bargaining agreements.	4	3	12
15	Multi-School Charter Contracts and/or Multi-Charter Contract Boards Allowed	The state law is silent regarding these arrangements.	1	1	1
16	Extra-Curricular and Interscholastic Activities Eligibility and Access	The state law is silent about charter eligibility and access.	1	1	1
17	Clear Identification of Special Education Responsibilities	The state law is clear on the responsibility for providing services, but not on funding for low-incident, high-cost services.	2	2	4
18	Equitable Operational Funding and Equal Access to All State and Federal Categorical Funding	The state law includes some of the model law's provisions for equitable operational funding and equal access to all state and federal categorical funding.	2	3	6
19	Equitable Access to Capital Funding and Facilities	The state law includes a small number of the model law's provisions for equitable access to capital funding and facilities.	1	3	3
20	Access to Relevant Employee Retirement Systems	The state law requires participation in the relevant employee retirement systems.	2	2	4
Total					110

Nevada

#23 (out of 40)
99 Points (out of 208)

Nevada's charter law was passed in 1997. In 2009-10, there are 26 charter schools (on 33 campuses), serving an estimated 11,827 students.

Nevada law provides that an applicant must first get its petition approved by the state department of education for completeness and compliance with applicable state law and regulation. Once it does, it may apply to its local school board (if that board has been approved to authorize by the state board of education), the state board of education, or a college or university within the Nevada System of Higher Education. In practice, local school boards and the state board of education have

authorized charters, although three local school boards have instituted a moratorium on new charter schools.

The state law does not place any caps on charter school growth (but three local school boards have enacted a moratorium on new charter schools). The law also fares well on its requirements for renewal, non-renewal, and revocation processes. Potential areas for improvement include expanding authorizer options, increasing operational autonomy, and ensuring equitable operational funding and equitable access to capital funding and facilities.

	Essential Components of Strong Public Charter School Law	Current Component Description	Rating	Weight	Total Score
1	No Caps	The state law does not place any caps on charter school growth, but three school districts have enacted a moratorium on new charter schools	3	3	9
2	A Variety of Public Charter Schools Allowed	The state allows new start-ups and virtual schools, but not public school conversions.	3	1	3
3	Multiple Authorizers Available	The state has only a single viable authorizer option available, and there is some authorizing activity.	1	3	3
4	Authorizer and Overall Program Accountability System Required	The state law includes a small number of the elements of the model law's authorizer and overall program accountability system.	1	3	3
5	Adequate Authorizer Funding	The state law includes some of the model law's provisions for adequate authorizer funding.	2	2	4
6	Transparent Charter Application, Review, and Decision-making Processes	The state law includes some of the model law's provisions for transparent charter application, review, and decision-making processes.	2	4	8
7	Performance-Based Charter Contracts Required	The state law includes some of the model law's provisions for performance-based charter contracts.	2	4	8
8	Comprehensive Charter School Monitoring and Data Collection Processes	The state law includes some of the model law's provisions for comprehensive charter school monitoring and data collection processes.	2	4	8
9	Clear Processes for Renewal, Nonrenewal, and Revocation Decisions	The state law includes many of the model law's clear processes for renewal, nonrenewal, and revocation decisions.	3	4	12

How State Charter Laws Rank Against The New Model Public Charter School Law

For more detailed information about each state, visit the State Public Charter School Law interactive data base online at <http://charterlaws.publiccharters.org>

57

40 State Profiles

Nevada

	Essential Components of Strong Public Charter School Law	Current Component Description	Rating	Weight	Total Score
10	Educational Service Providers Allowed	The state law explicitly allows contracting with all types of educational service providers and has provisions regarding performance contracts and conflicts of interest.	4	2	8
11	Fiscally and Legally Autonomous Schools, with Independent Public Charter School Boards	The state law includes many of the model law's provisions for fiscally and legally autonomous schools with independent public charter school boards.	3	3	9
12	Clear Student Recruitment, Enrollment, and Lottery Procedures	The state law includes many of the model law's requirements for student recruitment, enrollment, and lottery procedures.	3	1	3
13	Automatic Exemptions from Many State and District Laws and Regulations	The state law allows a charter school to submit a written request to the state superintendent of public instruction for a waiver from providing the days of instruction required by state law and requires some of a school's teachers to be certified.	1	3	3
14	Automatic Collective Bargaining Exemption	The state law exempts some schools from existing collective bargaining agreements, but not others.	2	3	6
15	Multi-School Charter Contracts and/or Multi-Charter Contract Boards Allowed	The state law is silent regarding these arrangements.	1	1	1
16	Extra-Curricular and Interscholastic Activities Eligibility and Access	The state law provides charter student access to extra-curricular activities at non-charter public schools.	2	1	2
17	Clear Identification of Special Education Responsibilities	The state law addresses special education, but is unclear about responsibility for providing services and funding for low-incident, high-cost services.	1	2	2
18	Equitable Operational Funding and Equal Access to All State and Federal Categorical Funding	The state law includes a small number of the model law's provisions for equitable operational funding and equal access to all state and federal categorical funding.	1	3	3
19	Equitable Access to Capital Funding and Facilities	The state law includes none of the model law's provisions for equitable access to capital funding and facilities.	0	3	0
20	Access to Relevant Employee Retirement Systems	The state law requires participation in the relevant employee retirement systems.	2	2	4
Total					99

New Hampshire

#19 (out of 40)
105 Points (out of 208)

New Hampshire's charter law was passed in 1996. In 2009-10, there are 10 charter schools operating, serving an estimated 662 students. The law allows 10 conversion or new charter schools per year as approved by both a local school board and the state board of education (or as approved by the state board via appeal). In addition, the law allows the state board to approve up to 20 schools via direct application through a pilot program that expires in 2013. However, the state enacted a moratorium on any additional state board approvals until June 30, 2011.

The strengths of the New Hampshire law include the following areas: operational autonomy and its requirements for both charter school oversight and renewal, nonrenewal and revocation processes.

However, the law needs significant improvements in several areas, most immediately removing the moratorium. The state also needs to ensure equitable operational funding and equitable access to capital funding and facilities, while also providing additional authorizing options for charter applicants.

	Essential Components of Strong Public Charter School Law	Current Component Description	Rating	Weight	Total Score
1	No Caps	The state has a cap with no room for growth.	0	3	0
2	A Variety of Public Charter Schools Allowed	The state allows new start-ups, public school conversions, and virtual schools.	4	1	4
3	Multiple Authorizers Available	The state has only a single viable authorizer option available, and there is almost no authorizing activity.	0	3	0
4	Authorizer and Overall Program Accountability System Required	The state law includes a small number of the elements of the model law's authorizer and overall program accountability system.	1	3	3
5	Adequate Authorizer Funding	The state law includes none of the model law's provisions for adequate authorizer funding.	0	2	0
6	Transparent Charter Application, Review, and Decision-making Processes	The state law includes some of the model law's provisions for transparent charter application, review, and decision-making processes.	2	4	8
7	Performance-Based Charter Contracts Required	The state law includes some of the model law's provisions for performance-based charter contracts.	2	4	8
8	Comprehensive Charter School Monitoring and Data Collection Processes	The state law includes many of the model law's provisions for comprehensive charter school monitoring and data collection processes.	3	4	12
9	Clear Processes for Renewal, Nonrenewal, and Revocation Decisions	The state law includes many of the model law's clear processes for renewal, nonrenewal, and revocation decisions.	3	4	12
10	Educational Service Providers Allowed	The state law explicitly allows contracting with all types of educational service providers and has provisions regarding performance contracts and conflicts of interest.	4	2	8

How State Charter Laws Rank Against The New Model Public Charter School Law

For more detailed information about each state, visit the State Public Charter School Law interactive data base online at <http://charterlaws.publiccharters.org>

	Essential Components of Strong Public Charter School Law	Current Component Description	Rating	Weight	Total Score
11	Fiscally and Legally Autonomous Schools, with Independent Public Charter School Boards	The state law includes all of the model law's provisions for fiscally and legally autonomous schools with independent public charter school boards.	4	3	12
12	Clear Student Recruitment, Enrollment, and Lottery Procedures	The state law includes some of the model law's requirements for student recruitment, enrollment, and lottery procedures.	2	1	2
13	Automatic Exemptions from Many State and District Laws and Regulations	The state law provides automatic exemptions from many state and district laws and regulations and requires some of a school's teachers to be certified.	3	3	9
14	Automatic Collective Bargaining Exemption	The state law does not require any charter schools to be part of district collective bargaining agreements.	4	3	12
15	Multi-School Charter Contracts and/or Multi-Charter Contract Boards Allowed	The state law is silent regarding these arrangements.	1	1	1
16	Extra-Curricular and Interscholastic Activities Eligibility and Access	The state law is silent about charter eligibility and access.	1	1	1
17	Clear Identification of Special Education Responsibilities	The state law addresses special education, but is unclear about responsibility for providing services and funding for low-incident, high-cost services.	1	2	2
18	Equitable Operational Funding and Equal Access to All State and Federal Categorical Funding	The state law includes none of the model law's provisions for equitable operational funding and equal access to all state and federal categorical funding.	0	3	0
19	Equitable Access to Capital Funding and Facilities	The state law includes a small number of the model law's provisions for equitable access to capital funding and facilities.	1	3	3
20	Access to Relevant Employee Retirement Systems	The state law provides access to relevant employee retirement systems, but does not require participation.	4	2	8
Total					105

New Jersey

#27 (out of 40)
96 Points (out of 208)

New Jersey's charter law was passed in 1995. In 2009-10, the state has 68 charter schools on 72 campuses serving an estimated 22,206 students. New Jersey law only allows the state commissioner of education to authorize charter schools.

New Jersey's law is cap-free, is open to start-ups, public school conversions, and virtual schools, and

fares well on its requirements for charter school oversight. Potential areas for improvement include expanding authorizer options for applicants, ensuring authorizer accountability, providing adequate authorizer funding, beefing up its requirements for performance-based contracts, increasing operational autonomy, and ensuring equitable operational funding and equitable access to capital funding and facilities.

	Essential Components of Strong Public Charter School Law	Current Component Description	Rating	Weight	Total Score
1	No Caps	The state does not have a cap.	4	3	12
2	A Variety of Public Charter Schools Allowed	The state allows new start-ups, public school conversions, and virtual schools.	4	1	4
3	Multiple Authorizers Available	The state has only a single viable authorizer option available, and there is some authorizing activity.	1	3	3
4	Authorizer and Overall Program Accountability System Required	The state law includes none of the elements of the model law's authorizer and overall program accountability system.	0	3	0
5	Adequate Authorizer Funding	The state law includes none of the model law's provisions for adequate authorizer funding.	0	2	0
6	Transparent Charter Application, Review, and Decision-making Processes	The state law includes some of the model law's provisions for transparent charter application, review, and decision-making processes.	2	4	8
7	Performance-Based Charter Contracts Required	The state law includes none of the model law's provisions for performance-based charter contracts.	0	4	0
8	Comprehensive Charter School Monitoring and Data Collection Processes	The state law includes many of the model law's provisions for comprehensive charter school monitoring and data collection processes.	3	4	12
9	Clear Processes for Renewal, Nonrenewal, and Revocation Decisions	The state law includes some of the model law's clear processes for renewal, nonrenewal, and revocation decisions.	2	4	8
10	Educational Service Providers Allowed	The state law is silent regarding these arrangements.	1	2	2

How State Charter Laws Rank Against The New Model Public Charter School Law

For more detailed information about each state, visit the State Public Charter School Law interactive data base online at <http://charterlaws.publiccharters.org>

61

40 State Profiles

New Jersey

	Essential Components of Strong Public Charter School Law	Current Component Description	Rating	Weight	Total Score
11	Fiscally and Legally Autonomous Schools, with Independent Public Charter School Boards	The state law includes all of the model law's provisions for fiscally and legally autonomous schools with independent public charter school boards.	4	3	12
12	Clear Student Recruitment, Enrollment, and Lottery Procedures	The state law includes some of the model law's requirements for student recruitment, enrollment, and lottery procedures.	2	1	2
13	Automatic Exemptions from Many State and District Laws and Regulations	The state law allows schools to apply for exemptions from state and district laws and requires all of a school's teachers to be certified.	1	3	3
14	Automatic Collective Bargaining Exemption	The state law exempts some schools from existing collective bargaining agreements, but not others.	2	3	6
15	Multi-School Charter Contracts and/or Multi-Charter Contract Boards Allowed	The state law is silent regarding these arrangements.	1	1	1
16	Extra-Curricular and Interscholastic Activities Eligibility and Access	The state law is silent about charter eligibility and access.	1	1	1
17	Clear Identification of Special Education Responsibilities	The state law clearly addresses responsibility for providing services and ensures state funding for low-incident, high-cost services.	4	2	8
18	Equitable Operational Funding and Equal Access to All State and Federal Categorical Funding	The state law includes a small number of the model law's provisions for equitable operational funding and equal access to all state and federal categorical funding.	1	3	3
19	Equitable Access to Capital Funding and Facilities	The state law includes a small number of the model law's provisions for equitable access to capital funding and facilities.	1	3	3
20	Access to Relevant Employee Retirement Systems	The state law provides access to relevant employee retirement systems, but does not require participation.	4	2	8
Total					96

New Mexico

#18 (out of 40)
106 Points (out of 208)

New Mexico passed its charter law in 1993. In 2009-10, there are 71 charter schools operating, serving an estimated 13,293 students. New Mexico law allows local school districts and the public education commission to approve charter applications.

It also provides that no more than 15 schools may open each year with a five year cap of 75, with slots not filled within a five-year period rolled over to the next five years. New Mexico law also requires that an application for a charter school in a district with 1,300

or fewer students may not enroll more than 10% of the students in the district in which the charter school will be located.

New Mexico is one of the national leaders in making headway on providing facilities support to charter schools. Potential areas for improvement include ensuring authorizer accountability, beefing up the requirements for performance-based contracts and charter oversight, and increasing operational autonomy.

	Essential Components of Strong Public Charter School Law	Current Component Description	Rating	Weight	Total Score
1	No Caps	The state has a cap with room for some growth.	2	3	6
2	A Variety of Public Charter Schools Allowed	The state allows new start-ups and virtual schools, but not public school conversions.	3	1	3
3	Multiple Authorizers Available	The state allows two or more viable authorizing options for each applicant.	4	3	12
4	Authorizer and Overall Program Accountability System Required	The state law includes none of the elements of the model law's authorizer and overall program accountability system.	0	3	0
5	Adequate Authorizer Funding	The state law includes some of the model law's provisions for adequate authorizer funding.	2	2	4
6	Transparent Charter Application, Review, and Decision-making Processes	The state law includes some of the model law's provisions for transparent charter application, review, and decision-making processes.	2	4	8
7	Performance-Based Charter Contracts Required	The state law includes a small number of the model law's provisions for performance-based charter contracts.	1	4	4
8	Comprehensive Charter School Monitoring and Data Collection Processes	The state law includes a small number of the model law's provisions for comprehensive charter school monitoring and data collection processes.	1	4	4
9	Clear Processes for Renewal, Nonrenewal, and Revocation Decisions	The state law includes some of the model law's clear processes for renewal, nonrenewal, and revocation decisions.	2	4	8
10	Educational Service Providers Allowed	The state law is silent regarding these arrangements.	1	2	2

How State Charter Laws Rank Against The New Model Public Charter School Law

For more detailed information about each state, visit the State Public Charter School Law interactive data base online at <http://charterlaws.publiccharters.org>

63

40 State Profiles

	Essential Components of Strong Public Charter School Law	Current Component Description	Rating	Weight	Total Score
11	Fiscally and Legally Autonomous Schools, with Independent Public Charter School Boards	The state law includes all of the model law's provisions for fiscally and legally autonomous schools with independent public charter school boards.	4	3	12
12	Clear Student Recruitment, Enrollment, and Lottery Procedures	The state law includes some of the model law's requirements for student recruitment, enrollment, and lottery procedures.	2	1	2
13	Automatic Exemptions from Many State and District Laws and Regulations	The state law allows schools to apply for exemptions from state and district laws and requires all of a school's teachers to be certified.	1	3	3
14	Automatic Collective Bargaining Exemption	The state law does not require any charter schools to be part of district collective bargaining agreements.	4	3	12
15	Multi-School Charter Contracts and/or Multi-Charter Contract Boards Allowed	The state law is silent regarding these arrangements.	1	1	1
16	Extra-Curricular and Interscholastic Activities Eligibility and Access	The state law provides charter student access to extra-curricular activities at non-charter public schools.	2	1	2
17	Clear Identification of Special Education Responsibilities	The state law is clear on the responsibility for providing services, but not on funding for low-incident, high-cost services.	2	2	4
18	Equitable Operational Funding and Equal Access to All State and Federal Categorical Funding	The state law includes some of the model law's provisions for equitable operational funding and equal access to all state and federal categorical funding.	2	3	6
19	Equitable Access to Capital Funding and Facilities	The state law includes many of the model law's provisions for equitable access to capital funding and facilities.	3	3	9
20	Access to Relevant Employee Retirement Systems	The state law requires participation in the relevant employee retirement systems.	2	2	4
Total					106

New Mexico

New York

#8 (out of 40)
121 Points (out of 208)

New York's charter law was passed in 1998. In 2009-10, the state has 144 charter schools serving an estimated 44,204 students. The state empowers local districts, the State Board of Regents (Regents), and the trustees of the State University of New York (SUNY) to authorize charter schools.

New York law contains a cap of 200 start-up charter schools. It provides that 100 of them may be authorized by SUNY, and 100 of them may be authorized by the Regents. In addition, it provides that 50 of the second 100 charter schools must be located in New

York City, with the other 50 located throughout the rest of the state.

New York ranks the second highest on our four "quality control" components. It is also a leader in providing multiple authorizers available to charter applicants and in ensuring operational autonomy. New York still needs to provide facilities support to charters. In addition, it is nearing its restrictive cap on charters and will need to lift it to continue expanding on the promising returns in its charter sector.

	Essential Components of Strong Public Charter School Law	Current Component Description	Rating	Weight	Total Score
1	No Caps	The state has a cap with room for limited growth.	1	3	3
2	A Variety of Public Charter Schools Allowed	The state allows new start-ups and public school conversions, but not virtual schools.	2	1	2
3	Multiple Authorizers Available	The state allows two or more viable authorizing options for each applicant.	4	3	12
4	Authorizer and Overall Program Accountability System Required	The state law includes a small number of the elements of the model law's authorizer and overall program accountability system.	1	3	3
5	Adequate Authorizer Funding	The state law includes a small number of the model law's provisions for adequate authorizer funding.	1	2	2
6	Transparent Charter Application, Review, and Decision-making Processes	The state law includes some of the model law's provisions for transparent charter application, review, and decision-making processes.	2	4	8
7	Performance-Based Charter Contracts Required	The state law includes many of the model law's provisions for performance-based charter contracts.	3	4	12
8	Comprehensive Charter School Monitoring and Data Collection Processes	The state law includes many of the model law's provisions for comprehensive charter school monitoring and data collection processes.	3	4	12
9	Clear Processes for Renewal, Nonrenewal, and Revocation Decisions	The state law includes many of the model law's clear processes for renewal, nonrenewal, and revocation decisions.	3	4	12
10	Educational Service Providers Allowed	The state law explicitly allows contracting with all types of educational service providers but does not include provisions regarding performance contracts and conflicts of interest.	2	2	4

How State Charter Laws Rank Against The New Model Public Charter School Law

For more detailed information about each state, visit the State Public Charter School Law interactive data base online at <http://charterlaws.publiccharters.org>

65

	Essential Components of Strong Public Charter School Law	Current Component Description	Rating	Weight	Total Score
11	Fiscally and Legally Autonomous Schools, with Independent Public Charter School Boards	The state law includes all of the model law's provisions for fiscally and legally autonomous schools with independent public charter school boards.	4	3	12
12	Clear Student Recruitment, Enrollment, and Lottery Procedures	The state law includes some of the model law's requirements for student recruitment, enrollment, and lottery procedures.	2	1	2
13	Automatic Exemptions from Many State and District Laws and Regulations	The state law provides automatic exemptions from many state and district laws and regulations and requires some of a school's teachers to be certified.	3	3	9
14	Automatic Collective Bargaining Exemption	The state law exempts some schools from existing collective bargaining agreements, but not others.	2	3	6
15	Multi-School Charter Contracts and/or Multi-Charter Contract Boards Allowed	The state law prohibits these arrangements.	0	1	0
16	Extra-Curricular and Interscholastic Activities Eligibility and Access	The state law is silent about charter eligibility and access.	1	1	1
17	Clear Identification of Special Education Responsibilities	The state law ensures state funding for low-incident, high-cost services, but is not explicit about which entity is the LEA responsible for providing special education services.	2	2	4
18	Equitable Operational Funding and Equal Access to All State and Federal Categorical Funding	The state law includes some of the model law's provisions for equitable operational funding and equal access to all state and federal categorical funding.	2	3	6
19	Equitable Access to Capital Funding and Facilities	The state law includes a small number of the model law's provisions for equitable access to capital funding and facilities.	1	3	3
20	Access to Relevant Employee Retirement Systems	The state law provides access to relevant employee retirement systems, but does not require participation.	4	2	8
Total					121

North Carolina

#32 (out of 40)
78 Points (out of 208)

North Carolina passed its charter law in 1996. In 2009-10, there are 96 charter schools (on 97 campuses) serving an estimated 39,033 students. North Carolina law allows 100 charter schools, with a maximum of five per school district per year.

North Carolina law allows local school boards, the University of North Carolina, and the state board of education to serve as authorizers. Charter schools approved by local school boards and the University of North Carolina must also be approved by the state board of education. In practice, the state

board of education is the only active authorizer in the state.

The law is open to new start-ups, public school conversions, and virtual schools and fares well on charter school autonomy for start-up charters. However, the law needs significant work, starting with lifting the state's restrictive cap. It also needs to beef up its requirements for charter application, review, and decision-making processes, charter school oversight, and renewal, non-renewal, and revocation processes and provide facilities support to charter schools.

	Essential Components of Strong Public Charter School Law	Current Component Description	Rating	Weight	Total Score
1	No Caps	The state has a cap with no room for growth.	0	3	0
2	A Variety of Public Charter Schools Allowed	The state allows new start-ups, public school conversions, and virtual schools.	4	1	4
3	Multiple Authorizers Available	The state has only a single viable authorizer option available, and there is some authorizing activity.	1	3	3
4	Authorizer and Overall Program Accountability System Required	The state law includes none of the elements of the model law's authorizer and overall program accountability system.	0	3	0
5	Adequate Authorizer Funding	The state law includes none of the model law's provisions for adequate authorizer funding.	0	2	0
6	Transparent Charter Application, Review, and Decision-making Processes	The state law includes a small number of the model law's provisions for transparent charter application, review, and decision-making processes.	1	4	4
7	Performance-Based Charter Contracts Required	The state law includes some of the model law's provisions for performance-based charter contracts.	2	4	8
8	Comprehensive Charter School Monitoring and Data Collection Processes	The state law includes a small number of the model law's provisions for comprehensive charter school monitoring and data collection processes.	1	4	4
9	Clear Processes for Renewal, Nonrenewal, and Revocation Decisions	The state law includes a small number of the model law's clear processes for renewal, nonrenewal, and revocation decisions.	1	4	4
10	Educational Service Providers Allowed	The state law is silent regarding these arrangements.	1	2	2

How State Charter Laws Rank Against The New Model Public Charter School Law

For more detailed information about each state, visit the State Public Charter School Law interactive data base online at <http://charterlaws.publiccharters.org>

67

40 State Profiles

North Carolina

	Essential Components of Strong Public Charter School Law	Current Component Description	Rating	Weight	Total Score
11	Fiscally and Legally Autonomous Schools, with Independent Public Charter School Boards	The state law includes all of the model law's provisions for fiscally and legally autonomous schools with independent public charter school boards.	4	3	12
12	Clear Student Recruitment, Enrollment, and Lottery Procedures	The state law includes many of the model law's requirements for student recruitment, enrollment, and lottery procedures.	3	1	3
13	Automatic Exemptions from Many State and District Laws and Regulations	The state law provides automatic exemptions from many state and district laws and regulations and requires some of a school's teachers to be certified.	3	3	9
14	Automatic Collective Bargaining Exemption	The state law exempts some schools from existing school district personnel policies, but not others.	2	3	6
15	Multi-School Charter Contracts and/or Multi-Charter Contract Boards Allowed	The state law is silent regarding these arrangements.	1	1	1
16	Extra-Curricular and Interscholastic Activities Eligibility and Access	The state law is silent about charter eligibility and access.	1	1	1
17	Clear Identification of Special Education Responsibilities	The state law is silent about special education responsibilities and funding for low-incident, high-cost services.	0	2	0
18	Equitable Operational Funding and Equal Access to All State and Federal Categorical Funding	The state law includes some of the model law's provisions for equitable operational funding and equal access to all state and federal categorical funding.	2	3	6
19	Equitable Access to Capital Funding and Facilities	The state law includes a small number of the model law's provisions for equitable access to capital funding and facilities.	1	3	3
20	Access to Relevant Employee Retirement Systems	The state law provides access to relevant employee retirement systems, but does not require participation.	4	2	8
Total					78

Ohio

#26 (out of 40)
97 Points (out of 208)

Ohio's charter law was passed in 1997. As of 2009-10, there are 332 charter schools, serving an estimated 96,967 students. The law allows a wide variety of entities to serve as authorizers if they are approved by the state board of education.

Ohio law allows 30 start-up charters authorized by non-district entities and 30 start-up charters authorized by districts above the number open as of May 5, 2005. Operators of charter schools with a track record of success are not subject to these

restrictions, though. Ohio law also has a moratorium in place on new virtual schools.

In recent years, Ohio has enacted a flurry of changes to its charter law in an effort to improve the overall quality of its charters, most notably by passing the toughest automatic school closure laws in the country. Further areas of improvement include beefing up its requirements for both charter application, review, and decision-making processes and performance-based contracting and ensuring equitable operational funding and equitable access to capital funding and facilities.

	Essential Components of Strong Public Charter School Law	Current Component Description	Rating	Weight	Total Score
1	No Caps	The state has a cap with room for limited growth.	1	3	3
2	A Variety of Public Charter Schools Allowed	The state allows new start-ups, public school conversions, and virtual schools.	4	1	4
3	Multiple Authorizers Available	The state allows two or more viable authorizing options for each applicant.	4	3	12
4	Authorizer and Overall Program Accountability System Required	The state law includes many of the elements of the model law's authorizer and overall program accountability system.	3	3	9
5	Adequate Authorizer Funding	The state law includes some of the model law's provisions for adequate authorizer funding.	2	2	4
6	Transparent Charter Application, Review, and Decision-making Processes	The state law includes a small number of the model law's provisions for transparent charter application, review, and decision-making processes.	1	4	4
7	Performance-Based Charter Contracts Required	The state law includes a small number of the model law's provisions for performance-based charter contracts.	1	4	4
8	Comprehensive Charter School Monitoring and Data Collection Processes	The state law includes many of the model law's provisions for comprehensive charter school monitoring and data collection processes.	3	4	12
9	Clear Processes for Renewal, Nonrenewal, and Revocation Decisions	The state law includes some of the model law's clear processes for renewal, nonrenewal, and revocation decisions.	2	4	8
10	Educational Service Providers Allowed	The state law explicitly allows contracting with all types of educational service providers but does not include provisions regarding performance contracts and conflicts of interest.	2	2	4

How State Charter Laws Rank Against The New Model Public Charter School Law

For more detailed information about each state, visit the State Public Charter School Law interactive data base online at <http://charterlaws.publiccharters.org>

69

	Essential Components of Strong Public Charter School Law	Current Component Description	Rating	Weight	Total Score
11	Fiscally and Legally Autonomous Schools, with Independent Public Charter School Boards	The state law includes some of the model law's provisions for fiscally and legally autonomous schools with independent public charter school boards for some schools, but not others.	2	3	6
12	Clear Student Recruitment, Enrollment, and Lottery Procedures	The state law includes some of the model law's requirements for student recruitment, enrollment, and lottery procedures.	2	1	2
13	Automatic Exemptions from Many State and District Laws and Regulations	The state law provides automatic exemptions from many state and district laws and regulations and requires all of a school's teachers to be certified with some limited exceptions.	2	3	6
14	Automatic Collective Bargaining Exemption	The state law exempts some schools from existing collective bargaining agreements, but not others.	2	3	6
15	Multi-School Charter Contracts and/or Multi-Charter Contract Boards Allowed	The state law is silent regarding these arrangements.	1	1	1
16	Extra-Curricular and Interscholastic Activities Eligibility and Access	The state law is silent about charter eligibility and access.	1	1	1
17	Clear Identification of Special Education Responsibilities	The state law is clear on the responsibility for providing services, but not on funding for low-incident, high-cost services.	2	2	4
18	Equitable Operational Funding and Equal Access to All State and Federal Categorical Funding	The state law includes a small number of the model law's provisions for equitable operational funding and equal access to all state and federal categorical funding.	1	3	3
19	Equitable Access to Capital Funding and Facilities	The state law includes none of the model law's provisions for equitable access to capital funding and facilities.	0	3	0
20	Access to Relevant Employee Retirement Systems	The state law requires participation in the relevant employee retirement systems.	2	2	4
Total					97

Oklahoma

#24 (out of 40)
99 Points (out of 208)

Oklahoma's charter law was passed in 1999. As of 2009-10, there were 18 charter schools, serving an estimated 5,984 students. Oklahoma law permits the following entities to serve as authorizers: local school districts, technology center school districts, and a comprehensive or regional institution that is a member of the Oklahoma state system of higher education. However, it only allows up to six charter schools to open per year in the state (up to three in Oklahoma County and up to three in Tulsa County). And it only allows charters to open in 10 districts in Oklahoma County and Tulsa County (there are 537 districts in Oklahoma).

The primary strength of Oklahoma's law is the operational autonomy that it provides to its charter schools. The biggest area for improvement is to expand charter schools statewide. Other potential areas for improvement include beefing up the requirements for both charter application, review, and decision-making processes and charter school oversight and ensuring equitable operational funding and equitable access to capital funding and facilities.

	Essential Components of Strong Public Charter School Law	Current Component Description	Rating	Weight	Total Score
1	No Caps	The state has a cap with room for limited growth.	1	3	3
2	A Variety of Public Charter Schools Allowed	The state allows new start-ups and public school conversions, but not virtual schools.	2	1	2
3	Multiple Authorizers Available	The state allows two or more viable authorizing options for applicants in some but not all situations.	2	3	6
4	Authorizer and Overall Program Accountability System Required	The state law includes a small number of the elements of the model law's authorizer and overall program accountability system.	1	3	3
5	Adequate Authorizer Funding	The state law includes some of the model law's provisions for adequate authorizer funding.	2	2	4
6	Transparent Charter Application, Review, and Decision-making Processes	The state law includes a small number of the model law's provisions for transparent charter application, review, and decision-making processes.	1	4	4
7	Performance-Based Charter Contracts Required	The state law includes some of the model law's provisions for performance-based charter contracts.	2	4	8
8	Comprehensive Charter School Monitoring and Data Collection Processes	The state law includes a small number of the model law's provisions for comprehensive charter school monitoring and data collection processes.	1	4	4
9	Clear Processes for Renewal, Nonrenewal, and Revocation Decisions	The state law includes some of the model law's clear processes for renewal, nonrenewal, and revocation decisions.	2	4	8
10	Educational Service Providers Allowed	The state law is silent regarding these arrangements.	1	2	2

How State Charter Laws Rank Against The New Model Public Charter School Law

For more detailed information about each state, visit the State Public Charter School Law interactive data base online at <http://charterlaws.publiccharters.org>

	Essential Components of Strong Public Charter School Law	Current Component Description	Rating	Weight	Total Score
11	Fiscally and Legally Autonomous Schools, with Independent Public Charter School Boards	The state law includes all of the model law's provisions for fiscally and legally autonomous schools with independent public charter school boards.	4	3	12
12	Clear Student Recruitment, Enrollment, and Lottery Procedures	The state law includes a small number of the model law's requirements for student recruitment, enrollment, and lottery procedures.	1	1	1
13	Automatic Exemptions from Many State and District Laws and Regulations	The state law provides automatic exemptions from many state and district laws and regulations and does not require any of a school's teachers to be certified.	4	3	12
14	Automatic Collective Bargaining Exemption	The state law does not require any charter schools to be part of district collective bargaining agreements.	4	3	12
15	Multi-School Charter Contracts and/or Multi-Charter Contract Boards Allowed	The state law explicitly allows multi-school charter contracts but does not require each school to be independently accountable for fiscal and academic performance.	1	1	1
16	Extra-Curricular and Interscholastic Activities Eligibility and Access	The state law is silent about charter eligibility and access.	1	1	1
17	Clear Identification of Special Education Responsibilities	The state law addresses special education, but is unclear about responsibility for providing services and funding for low-incident, high-cost services.	1	2	2
18	Equitable Operational Funding and Equal Access to All State and Federal Categorical Funding	The state law includes a small number of the model law's provisions for equitable operational funding and equal access to all state and federal categorical funding.	1	3	3
19	Equitable Access to Capital Funding and Facilities	The state law includes a small number of the model law's provisions for equitable access to capital funding and facilities.	1	3	3
20	Access to Relevant Employee Retirement Systems	The state law provides access to relevant employee retirement systems, but does not require participation.	4	2	8
Total					99

Oregon

#16 (out of 40)
109 Points (out of 208)

Oregon's charter law was passed in 1999. In 2009-10, the state has 98 charter schools serving an estimated 16,725 students. Local school boards are the primary authorizers in Oregon, though the state board of education may authorize schools on appeal.

work on ensuring equitable operational funding and equitable access to capital funding and facilities. The law also needs a general fine-tuning in relation to the model law's four "quality control" components, while also providing additional authorizing options beyond local school boards for charter applicants.

Oregon's law is cap-free and is relatively strong on charter autonomy. However, the law needs significant

	Essential Components of Strong Public Charter School Law	Current Component Description	Rating	Weight	Total Score
1	No Caps	The state does not have a cap.	4	3	12
2	A Variety of Public Charter Schools Allowed	The state allows new start-ups, public school conversions, and virtual schools.	4	1	4
3	Multiple Authorizers Available	The state has only a single viable authorizer option available, and there is some authorizing activity.	1	3	3
4	Authorizer and Overall Program Accountability System Required	The state law includes none of the elements of the model law's authorizer and overall program accountability system.	0	3	0
5	Adequate Authorizer Funding	The state law includes some of the model law's provisions for adequate authorizer funding.	2	2	4
6	Transparent Charter Application, Review, and Decision-making Processes	The state law includes some of the model law's provisions for transparent charter application, review, and decision-making processes.	2	4	8
7	Performance-Based Charter Contracts Required	The state law includes some of the model law's provisions for performance-based charter contracts.	2	4	8
8	Comprehensive Charter School Monitoring and Data Collection Processes	The state law includes some of the model law's provisions for comprehensive charter school monitoring and data collection processes.	2	4	8
9	Clear Processes for Renewal, Nonrenewal, and Revocation Decisions	The state law includes some of the model law's clear processes for renewal, nonrenewal, and revocation decisions.	2	4	8
10	Educational Service Providers Allowed	The state law explicitly allows contracting with all types of educational service providers and requires performance contracts, but is silent on conflicts of interest.	3	2	6

How State Charter Laws Rank Against The New Model Public Charter School Law

For more detailed information about each state, visit the State Public Charter School Law interactive data base online at <http://charterlaws.publiccharters.org>

73

40 State Profiles

Oregon

	Essential Components of Strong Public Charter School Law	Current Component Description	Rating	Weight	Total Score
11	Fiscally and Legally Autonomous Schools, with Independent Public Charter School Boards	The state law includes all of the model law's provisions for fiscally and legally autonomous schools with independent public charter school boards.	4	3	12
12	Clear Student Recruitment, Enrollment, and Lottery Procedures	The state law includes some of the model law's requirements for student recruitment, enrollment, and lottery procedures.	2	1	2
13	Automatic Exemptions from Many State and District Laws and Regulations	The state law provides automatic exemptions from many state and district laws and regulations and requires some of a school's teachers to be certified.	3	3	9
14	Automatic Collective Bargaining Exemption	The state law does not require any charter schools to be part of district collective bargaining agreements.	4	3	12
15	Multi-School Charter Contracts and/or Multi-Charter Contract Boards Allowed	The state law is silent regarding these arrangements.	1	1	1
16	Extra-Curricular and Interscholastic Activities Eligibility and Access	The state law is silent about charter eligibility and access.	1	1	1
17	Clear Identification of Special Education Responsibilities	The state law is clear on the responsibility for providing services, but not on funding for low-incident, high-cost services.	2	2	4
18	Equitable Operational Funding and Equal Access to All State and Federal Categorical Funding	The state law includes none of the model law's provisions for equitable operational funding and equal access to all state and federal categorical funding.	0	3	0
19	Equitable Access to Capital Funding and Facilities	The state law includes a small number of the model law's provisions for equitable access to capital funding and facilities.	1	3	3
20	Access to Relevant Employee Retirement Systems	The state law requires participation in the relevant employee retirement systems.	2	2	4
Total					109

Pennsylvania

#12 (out of 40)
116 Points (out of 208)

Pennsylvania's charter law was passed in 1997. In 2009-10, there are 138 charter schools operating, serving an estimated 78,437 students. The law only provides local school boards as authorizers, except for virtual charter schools, which must be authorized by the state department of education.

In general, Pennsylvania law provides an environment that's cap-free, open to new start-ups, public school conversions, and virtual schools, and supportive of autonomy. It also fares well on its

requirements for charter application, review, and decision-making processes.

Pennsylvania's law needs improvement in several areas, including ensuring authorizer accountability, providing authorizer funding, expanding authorizer options beyond local school boards, allowing multi-school charter contracts or multi-contract governing boards, and ensuring equitable operational funding and equitable access to capital funding and facilities.

	Essential Components of Strong Public Charter School Law	Current Component Description	Rating	Weight	Total Score
1	No Caps	The state does not have a cap.	4	3	12
2	A Variety of Public Charter Schools Allowed	The state allows new start-ups, public school conversions, and virtual schools.	4	1	4
3	Multiple Authorizers Available	The state has only a single viable authorizer option available, and there is some authorizing activity.	1	3	3
4	Authorizer and Overall Program Accountability System Required	The state law includes none of the elements of the model law's authorizer and overall program accountability system.	0	3	0
5	Adequate Authorizer Funding	The state law includes none of the model law's provisions for adequate authorizer funding.	0	2	0
6	Transparent Charter Application, Review, and Decision-making Processes	The state law includes many of the model law's provisions for transparent charter application, review, and decision-making processes.	3	4	12
7	Performance-Based Charter Contracts Required	The state law includes some of the model law's provisions for performance-based charter contracts.	2	4	8
8	Comprehensive Charter School Monitoring and Data Collection Processes	The state law includes some of the model law's provisions for comprehensive charter school monitoring and data collection processes.	2	4	8
9	Clear Processes for Renewal, Nonrenewal, and Revocation Decisions	The state law includes some of the model law's clear processes for renewal, nonrenewal, and revocation decisions.	2	4	8
10	Educational Service Providers Allowed	The state law explicitly allows contracting with all types of educational service providers but does not include provisions regarding performance contracts and conflicts of interest.	2	2	4

How State Charter Laws Rank Against The New Model Public Charter School Law

For more detailed information about each state, visit the State Public Charter School Law interactive data base online at <http://charterlaws.publiccharters.org>

75

	Essential Components of Strong Public Charter School Law	Current Component Description	Rating	Weight	Total Score
11	Fiscally and Legally Autonomous Schools, with Independent Public Charter School Boards	The state law includes all of the model law's provisions for fiscally and legally autonomous schools with independent public charter school boards.	4	3	12
12	Clear Student Recruitment, Enrollment, and Lottery Procedures	The state law includes some of the model law's requirements for student recruitment, enrollment, and lottery procedures.	2	1	2
13	Automatic Exemptions from Many State and District Laws and Regulations	The state law provides automatic exemptions from many state and district laws and regulations and requires some of a school's teachers to be certified.	3	3	9
14	Automatic Collective Bargaining Exemption	The state law does not require any charter schools to be part of district collective bargaining agreements.	4	3	12
15	Multi-School Charter Contracts and/or Multi-Charter Contract Boards Allowed	The state law prohibits these arrangements.	0	1	0
16	Extra-Curricular and Interscholastic Activities Eligibility and Access	The state law provides charter student access to extra-curricular activities at non-charter public schools.	2	1	2
17	Clear Identification of Special Education Responsibilities	The state law clearly addresses responsibility for providing services and ensures state funding for low-incident, high-cost services.	4	2	8
18	Equitable Operational Funding and Equal Access to All State and Federal Categorical Funding	The state law includes a small number of the model law's provisions for equitable operational funding and equal access to all state and federal categorical funding.	1	3	3
19	Equitable Access to Capital Funding and Facilities	The state law includes a small number of the model law's provisions for equitable access to capital funding and facilities.	1	3	3
20	Access to Relevant Employee Retirement Systems	The state law requires participation in the relevant employee retirement systems, unless at the time of application, an applicant has a retirement program which covers the employees or the employee is currently enrolled in another retirement program.	3	2	6
Total					116

Rhode Island

#37 (out of 40)
58 Points (out of 208)

Rhode Island's charter law was passed in 1995. As of 2009-10, there are 13 charter schools, serving an estimated 3,423 students. Rhode Island law permits only 20 charter schools statewide, and only allows charter schools to serve no more than four percent of the state's school age population. Under Rhode Island law, the only authorizer is the state board of regents, after a charter school has been approved by a local school board or the state commissioner of elementary and secondary education.

Rhode Island recently created mayoral academy charters, which are a new type of charter that has

boards comprised of representatives from each city or town participating in the school and chaired by a mayor of an included city or town. These schools are also exempted from district collective bargaining agreements.

Rhode Island's law is still in need of significant improvement, most notably by removing the cap, providing additional authorizing options for charter applicants, ensuring authorizer accountability, providing adequate authorizer funding, beefing up the law in relation to the model law's four "quality control" components, and ensuring equitable operational funding and equitable access to capital funding and facilities.

	Essential Components of Strong Public Charter School Law	Current Component Description	Rating	Weight	Total Score
1	No Caps	The state has a cap with room for limited growth.	1	3	3
2	A Variety of Public Charter Schools Allowed	The state allows new start-ups and public school conversions, but not virtual schools.	2	1	2
3	Multiple Authorizers Available	The state has only a single viable authorizer option available, and there is almost no authorizing activity.	0	3	0
4	Authorizer and Overall Program Accountability System Required	The state law includes none of the elements of the model law's authorizer and overall program accountability system.	0	3	0
5	Adequate Authorizer Funding	The state law includes none of the model law's provisions for adequate authorizer funding.	0	2	0
6	Transparent Charter Application, Review, and Decision-making Processes	The state law includes some of the model law's provisions for transparent charter application, review, and decision-making processes.	2	4	8
7	Performance-Based Charter Contracts Required	The state law includes none of the model law's provisions for performance-based charter contracts.	0	4	0
8	Comprehensive Charter School Monitoring and Data Collection Processes	The state law includes a small number of the model law's provisions for comprehensive charter school monitoring and data collection processes.	1	4	4
9	Clear Processes for Renewal, Nonrenewal, and Revocation Decisions	The state law includes a small number of the model law's clear processes for renewal, nonrenewal, and revocation decisions.	1	4	4
10	Educational Service Providers Allowed	The state law prohibits contracting with certain types of educational service providers.	1	2	2

How State Charter Laws Rank Against The New Model Public Charter School Law

For more detailed information about each state, visit the State Public Charter School Law interactive data base online at <http://charterlaws.publiccharters.org>

77

	Essential Components of Strong Public Charter School Law	Current Component Description	Rating	Weight	Total Score
11	Fiscally and Legally Autonomous Schools, with Independent Public Charter School Boards	The state law includes some of the model law's provisions for fiscally and legally autonomous schools with independent public charter school boards.	2	3	6
12	Clear Student Recruitment, Enrollment, and Lottery Procedures	The state law includes a small number of the model law's requirements for student recruitment, enrollment, and lottery procedures.	1	1	1
13	Automatic Exemptions from Many State and District Laws and Regulations	The state law allows schools to apply for exemptions from state and district laws and requires all of a school's teachers to be certified.	1	3	3
14	Automatic Collective Bargaining Exemption	The state law exempts some schools from existing collective bargaining agreements, but not others (but allows those not exempted to apply for exemptions).	3	3	9
15	Multi-School Charter Contracts and/or Multi-Charter Contract Boards Allowed	The state law is silent regarding these arrangements.	1	1	1
16	Extra-Curricular and Interscholastic Activities Eligibility and Access	The state law is silent about charter eligibility and access.	1	1	1
17	Clear Identification of Special Education Responsibilities	The state law addresses special education, but is unclear about responsibility for providing services and funding for low-incident, high-cost services.	1	2	2
18	Equitable Operational Funding and Equal Access to All State and Federal Categorical Funding	The state law includes a small number of the model law's provisions for equitable operational funding and equal access to all state and federal categorical funding.	1	3	3
19	Equitable Access to Capital Funding and Facilities	The state law includes a small number of the model law's provisions for equitable access to capital funding and facilities.	1	3	3
20	Access to Relevant Employee Retirement Systems	The state law provides some charter schools with the option to participate in the relevant state employee retirement systems, but not others.	3	2	6
Total					58

South Carolina

#20 (out of 40)
104 Points (out of 208)

South Carolina's charter law was passed in 1996. In 2009-10, the state has 39 charter schools, serving an estimated 11,142 students. Under South Carolina law, applicants can apply to their local school district or to the South Carolina Public Charter School District. Before applying via either route, the law requires applicants to get preliminary approval from a state charter school advisory committee, which assesses compliance with application requirements.

In general, South Carolina law provides an environment that's cap-free, open to new start-ups, public school conversions, and virtual schools, and supportive of autonomy, particularly for start-ups.

However, the law needs improvement in ensuring equitable operational funding and equitable access to capital funding and facilities. It also needs to be beefed up in relation to the model law's four "quality control" components.

	Essential Components of Strong Public Charter School Law	Current Component Description	Rating	Weight	Total Score
1	No Caps	The state does not have a cap.	4	3	12
2	A Variety of Public Charter Schools Allowed	The state allows new start-ups, public school conversions, and virtual schools.	4	1	4
3	Multiple Authorizers Available	The state allows two viable authorizing options for each applicant, but requires applicants to get preliminary approval from a state charter school advisory committee.	3	3	9
4	Authorizer and Overall Program Accountability System Required	The state law includes a small number of the elements of the model law's authorizer and overall program accountability system.	1	3	3
5	Adequate Authorizer Funding	The state law includes a small number of the model law's provisions for adequate authorizer funding.	1	2	2
6	Transparent Charter Application, Review, and Decision-making Processes	The state law includes some of the model law's provisions for transparent charter application, review, and decision-making processes.	2	4	8
7	Performance-Based Charter Contracts Required	The state law includes a small number of the model law's provisions for performance-based charter contracts.	1	4	4
8	Comprehensive Charter School Monitoring and Data Collection Processes	The state law includes a small number of the model law's provisions for comprehensive charter school monitoring and data collection processes.	1	4	4
9	Clear Processes for Renewal, Nonrenewal, and Revocation Decisions	The state law includes some of the model law's clear processes for renewal, nonrenewal, and revocation decisions.	2	4	8
10	Educational Service Providers Allowed	The state law is silent regarding these arrangements.	1	2	2

How State Charter Laws Rank Against The New Model Public Charter School Law

For more detailed information about each state, visit the State Public Charter School Law interactive data base online at <http://charterlaws.publiccharters.org>

79

	Essential Components of Strong Public Charter School Law	Current Component Description	Rating	Weight	Total Score
11	Fiscally and Legally Autonomous Schools, with Independent Public Charter School Boards	The state law includes all of the model law's provisions for fiscally and legally autonomous schools with independent public charter school boards.	4	3	12
12	Clear Student Recruitment, Enrollment, and Lottery Procedures	The state law includes some of the model law's requirements for student recruitment, enrollment, and lottery procedures.	2	1	2
13	Automatic Exemptions from Many State and District Laws and Regulations	The state law provides automatic exemptions from many state and district laws and regulations and requires some of a school's teachers to be certified.	3	3	9
14	Automatic Collective Bargaining Exemption	The state law exempts some schools from existing collective bargaining agreements, but not others.	2	3	6
15	Multi-School Charter Contracts and/or Multi-Charter Contract Boards Allowed	The state law is silent regarding these arrangements.	1	1	1
16	Extra-Curricular and Interscholastic Activities Eligibility and Access	The state law provides charter student access to extra-curricular activities at non-charter public schools.	2	1	2
17	Clear Identification of Special Education Responsibilities	The state law clearly addresses responsibility for providing services and ensures state funding for low-incident, high-cost services.	2	2	4
18	Equitable Operational Funding and Equal Access to All State and Federal Categorical Funding	The state law includes a small number of the model law's provisions for equitable operational funding and equal access to all state and federal categorical funding.	1	3	3
19	Equitable Access to Capital Funding and Facilities	The state law includes a small number of the model law's provisions for equitable access to capital funding and facilities.	1	3	3
20	Access to Relevant Employee Retirement Systems	The state law provides some charter schools with the option to participate in the relevant state employee retirement systems, but not others.	3	2	6
Total					104

Tennessee

#30 (out of 40)
90 Points (out of 208)

Tennessee enacted its charter law in 2002. In 2009-10, there are 22 charter schools operating, serving an estimated 4,963 students. Tennessee law provides local school boards as the only authorizer option for most applicants. Under limited circumstances, the state commissioner of education may authorize the restructuring of a non-charter public school as a charter school.

Tennessee enacted several improvements to its law in 2009. Among other things, this legislation partially

lifted the state's cap on charters, expanded the types of students eligible to attend charter schools, and provided a funding mechanism to support charter facilities costs.

Further improvements are necessary, including allowing virtual charter schools, creating additional authorizing options, ensuring authorizer accountability, beefing up the requirements for performance-based contracts and charter school oversight, and ensuring equitable operational funding.

	Essential Components of Strong Public Charter School Law	Current Component Description	Rating	Weight	Total Score
1	No Caps	The state has a cap with room for some growth.	2	3	6
2	A Variety of Public Charter Schools Allowed	The state allows new start-ups and public school conversions, but not virtual schools.	2	1	2
3	Multiple Authorizers Available	The state has only a single viable authorizer option available, and there is some authorizing activity.	1	3	3
4	Authorizer and Overall Program Accountability System Required	The state law includes a small number of the elements of the model law's authorizer and overall program accountability system.	1	3	3
5	Adequate Authorizer Funding	The state law includes none of the model law's provisions for adequate authorizer funding.	0	2	0
6	Transparent Charter Application, Review, and Decision-making Processes	The state law includes some of the model law's provisions for transparent charter application, review, and decision-making processes.	2	4	8
7	Performance-Based Charter Contracts Required	The state law includes some of the model law's provisions for performance-based charter contracts.	2	4	8
8	Comprehensive Charter School Monitoring and Data Collection Processes	The state law includes a small number of the model law's provisions for comprehensive charter school monitoring and data collection processes.	1	4	4
9	Clear Processes for Renewal, Nonrenewal, and Revocation Decisions	The state law includes some of the model law's clear processes for renewal, nonrenewal, and revocation decisions.	2	4	8
10	Educational Service Providers Allowed	The state law prohibits a charter school governing body from contracting for the management or operation of the charter school with a for-profit entity.	1	2	2

How State Charter Laws Rank Against The New Model Public Charter School Law

For more detailed information about each state, visit the State Public Charter School Law interactive data base online at <http://charterlaws.publiccharters.org>

81

	Essential Components of Strong Public Charter School Law	Current Component Description	Rating	Weight	Total Score
11	Fiscally and Legally Autonomous Schools, with Independent Public Charter School Boards	The state law includes all of the model law's provisions for fiscally and legally autonomous schools with independent public charter school boards.	4	3	12
12	Clear Student Recruitment, Enrollment, and Lottery Procedures	The state law includes some of the model law's requirements for student recruitment, enrollment, and lottery procedures.	2	1	2
13	Automatic Exemptions from Many State and District Laws and Regulations	The state law allows schools to apply for exemptions from state and district laws and requires all of a school's teachers to be certified.	1	3	3
14	Automatic Collective Bargaining Exemption	The state law does not require any charter schools to be part of district collective bargaining agreements.	4	3	12
15	Multi-School Charter Contracts and/or Multi-Charter Contract Boards Allowed	The state law is silent regarding these arrangements.	1	1	1
16	Extra-Curricular and Interscholastic Activities Eligibility and Access	The state law is silent about charter eligibility and access.	1	1	1
17	Clear Identification of Special Education Responsibilities	The state law addresses special education, but is unclear about responsibility for providing services and funding for low-incident, high-cost services.	1	2	2
18	Equitable Operational Funding and Equal Access to All State and Federal Categorical Funding	The state law includes a small number of the model law's provisions for equitable operational funding and equal access to all state and federal categorical funding.	1	3	3
19	Equitable Access to Capital Funding and Facilities	The state law includes some of the model law's provisions for equitable access to capital funding and facilities.	2	3	6
20	Access to Relevant Employee Retirement Systems	The state law requires participation in the relevant employee retirement systems.	2	2	4
Total					90

Texas

#21 (out of 40)
101 Points (out of 208)

The charter law in Texas passed in 1995. In 2009-10, there are 284 charters on 560 campuses, serving more than 140,000 students. Texas law allows applicants to apply to either local school boards or the state board of education. In practice, only 14 out of over 1,000 local school boards are currently authorizers in the state, leaving the state board of education as the only viable authorizing option for most applicants.

Texas is open to new start-ups, public school conversions and virtual schools. The state has continued to refine its regulations for governing state-authorized open enrollment charter schools, but there isn't much law and regulation governing district-authorized charter schools. Potential areas for improvement include lifting the state's cap and ensuring equitable operational funding and equitable access to capital funding and facilities.

	Essential Components of Strong Public Charter School Law	Current Component Description	Rating	Weight	Total Score
1	No Caps	The state has a cap with room for some growth.	2	3	6
2	A Variety of Public Charter Schools Allowed	The state allows new start-ups, public school conversions, and virtual schools.	4	1	4
3	Multiple Authorizers Available	The state has only a single viable authorizer option available, and there is considerable authorizing activity.	2	3	6
4	Authorizer and Overall Program Accountability System Required	The state law includes a small number of the elements of the model law's authorizer and overall program accountability system.	1	3	3
5	Adequate Authorizer Funding	The state law includes none of the model law's provisions for adequate authorizer funding.	0	2	0
6	Transparent Charter Application, Review, and Decision-making Processes	The state law includes some of the model law's provisions for transparent charter application, review, and decision-making processes.	2	4	8
7	Performance-Based Charter Contracts Required	The state law includes some of the model law's provisions for performance-based charter contracts.	2	4	8
8	Comprehensive Charter School Monitoring and Data Collection Processes	The state law includes many of the model law's provisions for comprehensive charter school monitoring and data collection processes.	3	4	12
9	Clear Processes for Renewal, Nonrenewal, and Revocation Decisions	The state law includes some of the model law's clear processes for renewal, nonrenewal, and revocation decisions.	2	4	8
10	Educational Service Providers Allowed	The state law explicitly allows contracting with all types of educational service providers and has provisions regarding performance contracts and conflicts of interest.	4	2	8

How State Charter Laws Rank Against The New Model Public Charter School Law

For more detailed information about each state, visit the State Public Charter School Law interactive data base online at <http://charterlaws.publiccharters.org>

83

	Essential Components of Strong Public Charter School Law	Current Component Description	Rating	Weight	Total Score
11	Fiscally and Legally Autonomous Schools, with Independent Public Charter School Boards	The state law includes all of the model law's provisions for fiscally and legally autonomous schools with independent public charter school boards for some schools, but not others.	2	3	6
12	Clear Student Recruitment, Enrollment, and Lottery Procedures	The state law includes a small number of the model law's requirements for student recruitment, enrollment, and lottery procedures.	1	1	1
13	Automatic Exemptions from Many State and District Laws and Regulations	The state law provides some flexibility from state and district laws and regulations for some schools but less for others and does not require any of a school's teachers to be certified.	2	3	6
14	Automatic Collective Bargaining Exemption	The state law exempts some schools from existing school district personnel policies, but not others.	2	3	6
15	Multi-School Charter Contracts and/or Multi-Charter Contract Boards Allowed	The state law allows an independent public charter school board to oversee multiple schools linked under a single contract with independent fiscal and academic accountability for each school.	4	1	4
16	Extra-Curricular and Interscholastic Activities Eligibility and Access	The state law is silent about charter eligibility and access.	1	1	1
17	Clear Identification of Special Education Responsibilities	The state law is clear on responsibility for providing services, but not funding for low-incident, high-cost services.	2	2	4
18	Equitable Operational Funding and Equal Access to All State and Federal Categorical Funding	The state law includes a small number of the model law's provisions for equitable operational funding and equal access to all state and federal categorical funding.	1	3	3
19	Equitable Access to Capital Funding and Facilities	The state law includes a small number of the model law's provisions for equitable access to capital funding and facilities.	1	3	3
20	Access to Relevant Employee Retirement Systems	The state law requires participation in the relevant employee retirement systems.	2	2	4
Total					101

Utah

#7 (out of 40)

123 Points (out of 208)

Utah enacted its original charter law in 1998. In 2009-10, the state has 72 charter schools serving an estimated 32,253 students. Both local school boards and the Utah State Charter School Board may authorize charter schools.

Utah has made significant strides in improving its charter law and regulations over the past five years. Among other things, it has created a statewide charter authorizer, improved its requirements for charter school oversight, improved operational

funding equity, and boosted facilities support.

Despite the existence of many good practices in the state, Utah's law needs improvement in some areas, including its requirements for performance-based charter contracts. Also, charters in Utah do not expire or require renewal; they perpetuate indefinitely unless revoked. And, the state has a cap on charter student enrollment, but it allows for adequate growth.

	Essential Components of Strong Public Charter School Law	Current Component Description	Rating	Weight	Total Score
1	No Caps	The state has a cap with room for some growth.	2	3	6
2	A Variety of Public Charter Schools Allowed	The state allows new start-ups, public school conversions, and virtual schools.	4	1	4
3	Multiple Authorizers Available	The state allows two or more viable authorizing options for each applicant.	4	3	12
4	Authorizer and Overall Program Accountability System Required	The state law includes none of the elements of the model law's authorizer and overall program accountability system.	0	3	0
5	Adequate Authorizer Funding	The state law includes some of the model law's provisions for adequate authorizer funding.	2	2	4
6	Transparent Charter Application, Review, and Decision-making Processes	The state law includes some of the model law's provisions for transparent charter application, review, and decision-making processes.	2	4	8
7	Performance-Based Charter Contracts Required	The state law includes a small number of the model law's provisions for performance-based charter contracts.	1	4	4
8	Comprehensive Charter School Monitoring and Data Collection Processes	The state law includes many of the model law's provisions for comprehensive charter school monitoring and data collection processes.	3	4	12
9	Clear Processes for Renewal, Nonrenewal, and Revocation Decisions	The state law includes some of the model law's clear processes for renewal, nonrenewal, and revocation decisions.	2	4	8
10	Educational Service Providers Allowed	The state law explicitly allows contracting with all types of educational service providers but does not include the model law's provisions regarding performance contracts and conflicts of interest.	2	2	4

How State Charter Laws Rank Against The New Model Public Charter School Law

For more detailed information about each state, visit the State Public Charter School Law interactive data base online at <http://charterlaws.publiccharters.org>

85

	Essential Components of Strong Public Charter School Law	Current Component Description	Rating	Weight	Total Score
11	Fiscally and Legally Autonomous Schools, with Independent Public Charter School Boards	The state law includes all of the model law's provisions for fiscally and legally autonomous schools with independent public charter school boards.	4	3	12
12	Clear Student Recruitment, Enrollment, and Lottery Procedures	The state law includes many of the model law's requirements for student recruitment, enrollment, and lottery procedures.	3	1	3
13	Automatic Exemptions from Many State and District Laws and Regulations	The state law allows schools to apply for exemptions from state and district laws and requires all of a school's teachers to be certified.	1	3	3
14	Automatic Collective Bargaining Exemption	The state law does not require any charter schools to be part of existing collective bargaining agreements.	4	3	12
15	Multi-School Charter Contracts and/or Multi-Charter Contract Boards Allowed	The state law explicitly allows multi-school charter contracts and requires each school to be independently accountable for fiscal and academic performance.	4	1	4
16	Extra-Curricular and Interscholastic Activities Eligibility and Access	The state law provides both eligibility and access to students, but not employees.	3	1	3
17	Clear Identification of Special Education Responsibilities	The state law is clear on responsibility for providing services, but not funding for low-incident, high-cost services.	2	2	4
18	Equitable Operational Funding and Equal Access to All State and Federal Categorical Funding	The state law includes some of the model law's provisions for equitable operational funding and equal access to all state and federal categorical funding.	2	3	6
19	Equitable Access to Capital Funding and Facilities	The state law includes some of the model law's provisions for equitable access to capital funding and facilities.	2	3	6
20	Access to Relevant Employee Retirement Systems	The state law provides access to relevant employee retirement systems, but does not require participation.	4	2	8
Total					123

Virginia

#35 (out of 40)
63 Points (out of 208)

Virginia's charter law was passed in 1998. In 2009-10, there are four charter schools operating, serving an estimated 250 students. Virginia law only allows local school boards to serve as authorizers.

Virginia's law is cap-free. Aside from an absence of formal restrictions on growth, Virginia's law needs improvement across the board, most notably by

providing additional authorizing options for charter applicants, ensuring authorizer accountability, providing adequate authorizer funding, beefing up the law in relation to the model law's four "quality control" components, increasing operational autonomy, and ensuring equitable operational funding and equitable access to capital funding and facilities.

	Essential Components of Strong Public Charter School Law	Current Component Description	Rating	Weight	Total Score
1	No Caps	The state does not have a cap.	4	3	12
2	A Variety of Public Charter Schools Allowed	The state allows new start-ups and public school conversions, but not virtual schools.	2	1	2
3	Multiple Authorizers Available	The state has only a single viable authorizer option available, and there is almost no authorizing activity.	0	3	0
4	Authorizer and Overall Program Accountability System Required	The state law includes a small number of the elements of the model law's authorizer and overall program accountability system.	1	3	3
5	Adequate Authorizer Funding	The state law includes some of the model law's provisions for adequate authorizer funding.	2	2	4
6	Transparent Charter Application, Review, and Decision-making Processes	The state law includes a small number of the model law's provisions for transparent charter application, review, and decision-making processes.	1	4	4
7	Performance-Based Charter Contracts Required	The state law includes a small number of the model law's provisions for performance-based charter contracts.	1	4	4
8	Comprehensive Charter School Monitoring and Data Collection Processes	The state law includes a small number of the model law's provisions for comprehensive charter school monitoring and data collection processes.	1	4	4
9	Clear Processes for Renewal, Nonrenewal, and Revocation Decisions	The state law includes a small number of the model law's clear processes for renewal, nonrenewal, and revocation decisions.	1	4	4
10	Educational Service Providers Allowed	The state law explicitly allows contracting with all types of educational service providers but does not include the model law's provisions regarding performance contracts and conflicts of interest.	1	2	2

How State Charter Laws Rank Against The New Model Public Charter School Law

For more detailed information about each state, visit the State Public Charter School Law interactive data base online at <http://charterlaws.publiccharters.org>

87

	Essential Components of Strong Public Charter School Law	Current Component Description	Rating	Weight	Total Score
11	Fiscally and Legally Autonomous Schools, with Independent Public Charter School Boards	The state law includes some of the model law's provisions for fiscally and legally autonomous schools with independent public charter school boards.	2	3	6
12	Clear Student Recruitment, Enrollment, and Lottery Procedures	The state law includes a small number of the model law's requirements for student recruitment, enrollment, and lottery procedures.	1	1	1
13	Automatic Exemptions from Many State and District Laws and Regulations	The state law allows schools to apply for exemptions from state and district laws and requires all of a school's teachers to be certified.	1	3	3
14	Automatic Collective Bargaining Exemption	The state law requires all charter schools to be part of existing collective bargaining agreements, with no opportunity for exemptions.	0	3	0
15	Multi-School Charter Contracts and/or Multi-Charter Contract Boards Allowed	The state law is silent regarding these arrangements.	1	1	1
16	Extra-Curricular and Interscholastic Activities Eligibility and Access	The state law is silent about charter eligibility and access.	1	1	1
17	Clear Identification of Special Education Responsibilities	The state law addresses special education, but is unclear about responsibility for providing services and funding for low-incident, high-cost services.	1	2	2
18	Equitable Operational Funding and Equal Access to All State and Federal Categorical Funding	The state law includes a small number of the model law's provisions for equitable operational funding and equal access to all state and federal categorical funding.	1	3	3
19	Equitable Access to Capital Funding and Facilities	The state law includes a small number of the model law's provisions for equitable access to capital funding and facilities.	1	3	3
20	Access to Relevant Employee Retirement Systems	The state law requires participation in the relevant employee retirement systems.	2	2	4
Total					63

Wisconsin

#33 (out of 40)
71 Points (out of 208)

Wisconsin's charter law was passed in 1993. As of 2009-10, there are 224 charter schools operating, serving an estimated 38,005 students. Outside of Milwaukee, the law only allows local school boards to serve as authorizers (and allows the University of Wisconsin-Parkside to sponsor one charter school in the Racine School District). In Milwaukee, the law allows the local school board, city of Milwaukee, University of Wisconsin-Milwaukee, and the Milwaukee Area Technical College to serve as authorizers.

Wisconsin law is generally cap-free with two exceptions.

Wisconsin law needs a major overhaul in several areas, including: providing additional authorizing options for charter applicants outside of Milwaukee, ensuring authorizer accountability, providing adequate authorizer funding, beefing up the law in relation to the model law's four "quality control" components, increasing operational autonomy, and ensuring equitable operational funding and equitable access to capital funding and facilities.

	Essential Components of Strong Public Charter School Law	Current Component Description	Rating	Weight	Total Score
1	No Caps	The state has a cap with room for ample growth (except for virtual schools).	3	3	9
2	A Variety of Public Charter Schools Allowed	The state allows new start-ups, public school conversions, and virtual schools.	4	1	4
3	Multiple Authorizers Available	The state allows two or more viable authorizing options for applicants in some but not all situations.	2	3	6
4	Authorizer and Overall Program Accountability System Required	The state law includes none of the elements of the model law's authorizer and overall program accountability system.	0	3	0
5	Adequate Authorizer Funding	The state law includes none of the model law's provisions for adequate authorizer funding.	0	2	0
6	Transparent Charter Application, Review, and Decision-making Processes	The state law includes a small number of the model law's provisions for transparent charter application, review, and decision-making processes.	1	4	4
7	Performance-Based Charter Contracts Required	The state law includes some of the model law's provisions for performance-based charter contracts.	2	4	8
8	Comprehensive Charter School Monitoring and Data Collection Processes	The state law includes a small number of the model law's provisions for comprehensive charter school monitoring and data collection processes.	1	4	4
9	Clear Processes for Renewal, Nonrenewal, and Revocation Decisions	The state law includes a small number of the model law's clear processes for renewal, nonrenewal, and revocation decisions.	1	4	4
10	Educational Service Providers Allowed	The state law explicitly allows contracting with all types of educational service providers but does not include provisions regarding performance contracts and conflicts of interest.	2	2	4

How State Charter Laws Rank Against The New Model Public Charter School Law

For more detailed information about each state, visit the State Public Charter School Law interactive data base online at <http://charterlaws.publiccharters.org>

89

	Essential Components of Strong Public Charter School Law	Current Component Description	Rating	Weight	Total Score
11	Fiscally and Legally Autonomous Schools, with Independent Public Charter School Boards	The state law includes a small number of the model law's provisions for fiscally and legally autonomous schools with independent public charter school boards.	1	3	3
12	Clear Student Recruitment, Enrollment, and Lottery Procedures	The state law includes a small number of the model law's requirements for student recruitment, enrollment, and lottery procedures.	1	1	1
13	Automatic Exemptions from Many State and District Laws and Regulations	The state law provides automatic exemptions from many state and district laws and regulations for some schools but not others and requires all of a school's teachers to be certified but provides exceptions.	2	3	6
14	Automatic Collective Bargaining Exemption	The state law exempts some schools from existing collective bargaining agreements, but not others.	2	3	6
15	Multi-School Charter Contracts and/or Multi-Charter Contract Boards Allowed	The state law is silent regarding these arrangements.	1	1	1
16	Extra-Curricular and Interscholastic Activities Eligibility and Access	The state law is silent about charter eligibility and access.	1	1	1
17	Clear Identification of Special Education Responsibilities	The state law addresses special education, but is unclear about responsibility for providing services and funding for low-incident, high-cost services.	1	2	2
18	Equitable Operational Funding and Equal Access to All State and Federal Categorical Funding	The state law includes a small number of the model law's provisions for equitable operational funding and equal access to all state and federal categorical funding.	1	3	3
19	Equitable Access to Capital Funding and Facilities	The state law includes a small number of the model law's provisions for equitable access to capital funding and facilities.	1	3	3
20	Access to Relevant Employee Retirement Systems	The state law requires participation in the relevant employee retirement systems for some schools, but denies access to these systems for other schools.	1	2	2
Total					71

Wyoming

#31 (out of 40)
79 Points (out of 208)

Wyoming's charter law was passed in 1995. In 2009-10, the state has 3 charter schools serving an estimated 353 students. Although the state has no charter cap, there is little chartering activity due to the lack of a multiple-authorizer environment (only local

school boards may charter). Wyoming's law needs improvement in virtually all major areas, including the four "quality control" components of the model law, operational autonomy, operational funding, and capital funding and facilities.

	Essential Components of Strong Public Charter School Law	Current Component Description	Rating	Weight	Total Score
1	No Caps	The state does not have a cap.	4	3	12
2	A Variety of Public Charter Schools Allowed	The state allows new start-ups, public school conversions, and virtual schools.	4	1	4
3	Multiple Authorizers Available	The state has only a single viable authorizer option available, and there is almost no authorizing activity.	0	3	0
4	Authorizer and Overall Program Accountability System Required	The state law includes a small number of the elements of the model law's authorizer and overall program accountability system.	1	3	3
5	Adequate Authorizer Funding	The state law includes none of the model law's provisions for adequate authorizer funding.	0	2	0
6	Transparent Charter Application, Review, and Decision-making Processes	The state law includes some of the model law's provisions for transparent charter application, review, and decision-making processes.	2	4	8
7	Performance-Based Charter Contracts Required	The state law includes a small number of the model law's provisions for performance-based charter contracts.	1	4	4
8	Comprehensive Charter School Monitoring and Data Collection Processes	The state law includes a small number of the model law's provisions for comprehensive charter school monitoring and data collection processes.	1	4	4
9	Clear Processes for Renewal, Nonrenewal, and Revocation Decisions	The state law includes some of the model law's clear processes for renewal, nonrenewal, and revocation decisions.	2	4	8
10	Educational Service Providers Allowed	The state law explicitly allows contracting with all types of educational service providers but does not include the model law's provisions regarding performance contracts and conflicts of interest.	2	2	4

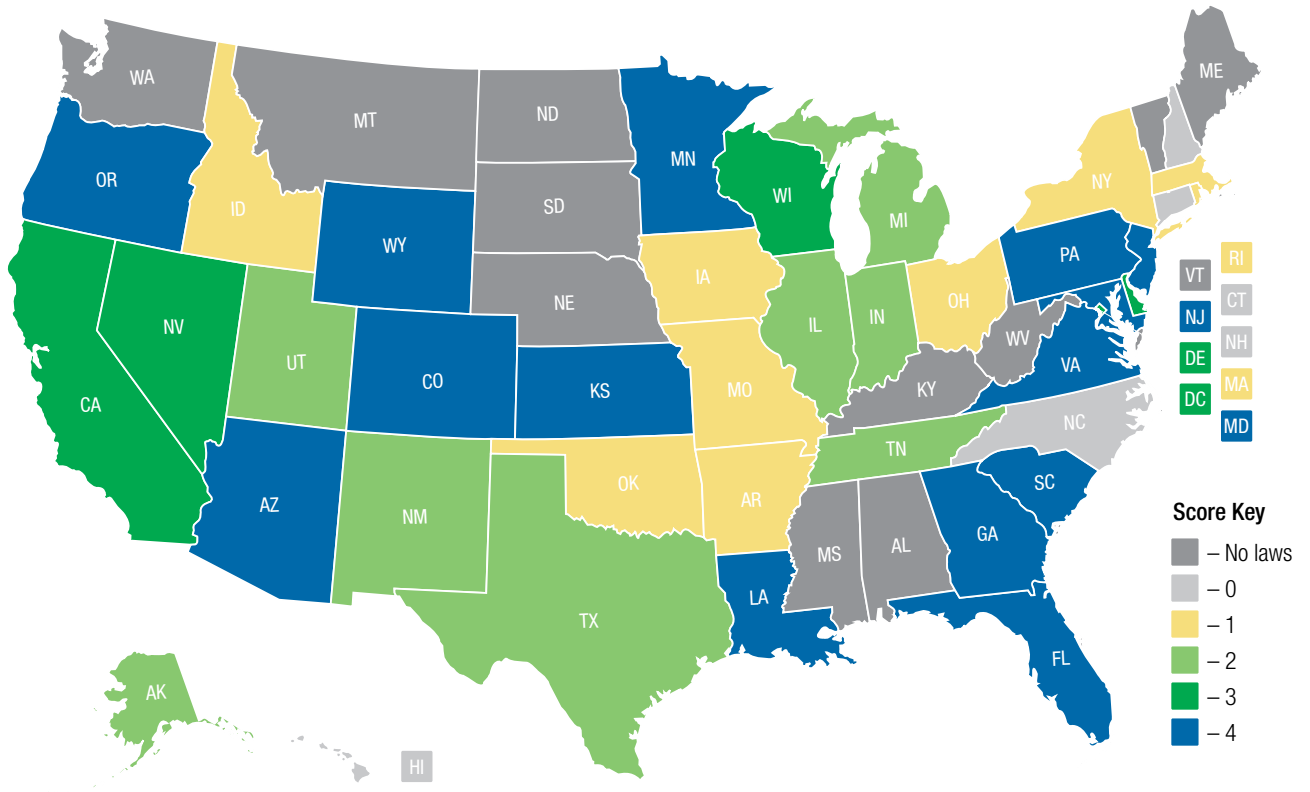
How State Charter Laws Rank Against The New Model Public Charter School Law

For more detailed information about each state, visit the State Public Charter School Law interactive data base online at <http://charterlaws.publiccharters.org>

91

	Essential Components of Strong Public Charter School Law	Current Component Description	Rating	Weight	Total Score
11	Fiscally and Legally Autonomous Schools, with Independent Public Charter School Boards	The state law essentially includes a small number of the model law's provisions for fiscally and legally autonomous schools with independent public charter school boards.	1	3	3
12	Clear Student Recruitment, Enrollment, and Lottery Procedures	The state law includes a small number of the model law's requirements for student recruitment, enrollment, and lottery procedures.	1	1	1
13	Automatic Exemptions from Many State and District Laws and Regulations	The state law allows schools to apply for exemptions from state and district laws and requires all of a school's teachers to be certified.	1	3	3
14	Automatic Collective Bargaining Exemption	The state law does not require any charter schools to be part of existing collective bargaining agreements.	4	3	12
15	Multi-School Charter Contracts and/or Multi-Charter Contract Boards Allowed	The state law is silent regarding these arrangements.	1	1	1
16	Extra-Curricular and Interscholastic Activities Eligibility and Access	The state law is silent regarding these arrangements.	1	1	1
17	Clear Identification of Special Education Responsibilities	The state law is clear on responsibility for providing services, but not funding for low-incident, high-cost services.	2	2	4
18	Equitable Operational Funding and Equal Access to All State and Federal Categorical Funding	The state law includes none of the model law's provisions for equitable operational funding and equal access to all state and federal categorical funding.	0	3	0
19	Equitable Access to Capital Funding and Facilities	The state law includes a small number of the model law's provisions for equitable access to capital funding and facilities.	1	3	3
20	Access to Relevant Employee Retirement Systems	The state law requires participation in the relevant employee retirement systems.	2	2	4
Total					79

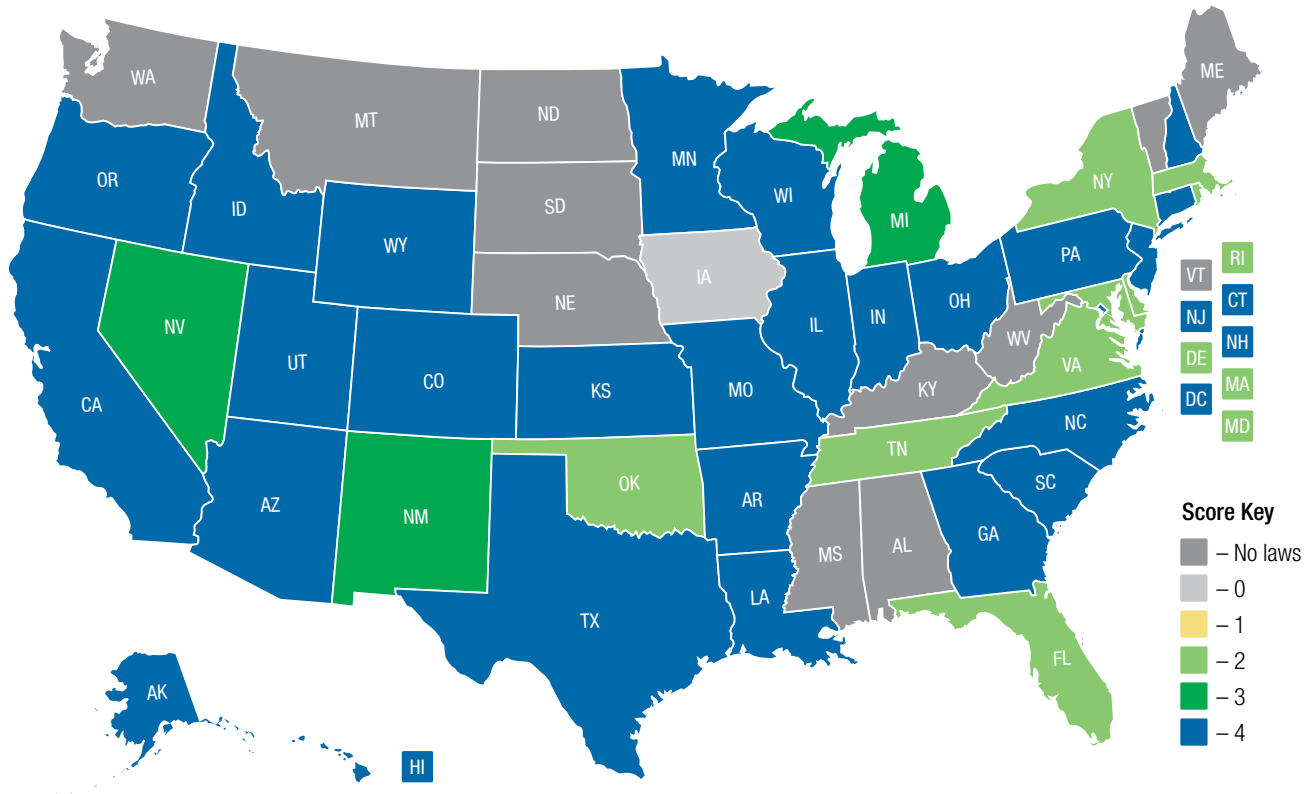
1. No Caps



Alaska	2
Arizona	4
Arkansas	1
California	3
Colorado	4
Connecticut	1
DC	3
Delaware	3
Florida	4
Georgia	4
Hawaii	0
Idaho	1
Illinois	2
Indiana	2
Iowa	1
Kansas	4
Louisiana	4
Maryland	4
Massachusetts	1
Michigan	2

Minnesota	4
Missouri	1
Nevada	3
New Hampshire	0
New Jersey	4
New Mexico	2
New York	1
North Carolina	0
Ohio	1
Oklahoma	1
Oregon	4
Pennsylvania	4
Rhode Island	1
South Carolina	4
Tennessee	2
Texas	2
Utah	2
Virginia	4
Wisconsin	3
Wyoming	4

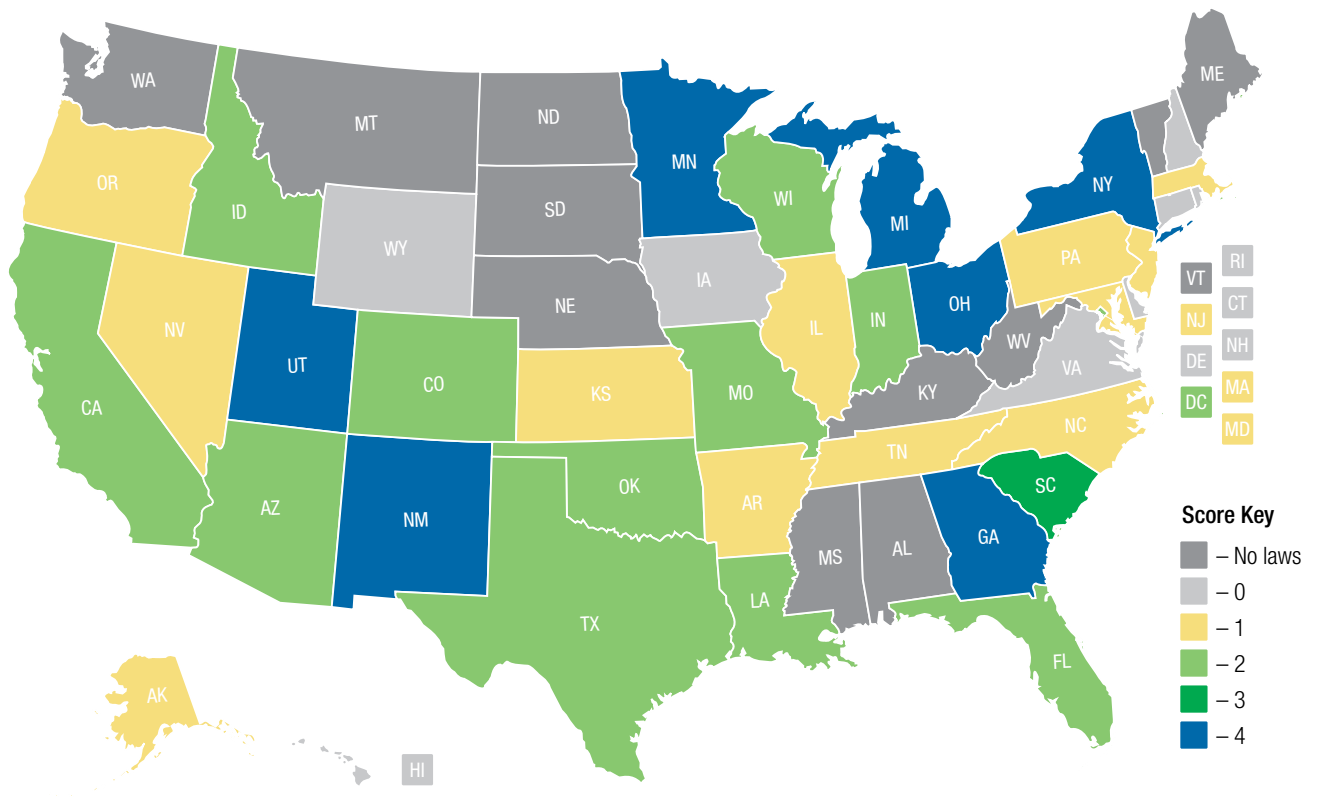
2. A Variety of Public Charter Schools Allowed



Alaska	4
Arizona	4
Arkansas	4
California	4
Colorado	4
Connecticut	4
DC	4
Delaware	2
Florida	2
Georgia	4
Hawaii	4
Idaho	4
Illinois	4
Indiana	4
Iowa	0
Kansas	4
Louisiana	4
Maryland	2
Massachusetts	2
Michigan	3

Minnesota	4
Missouri	4
Nevada	3
New Hampshire	4
New Jersey	4
New Mexico	3
New York	2
North Carolina	4
Ohio	4
Oklahoma	2
Oregon	4
Pennsylvania	4
Rhode Island	2
South Carolina	4
Tennessee	2
Texas	4
Utah	4
Virginia	2
Wisconsin	4
Wyoming	4

3. Multiple Authorizers Available



Alaska	1
Arizona	2
Arkansas	1
California	2
Colorado	2
Connecticut	0
DC	2
Delaware	0
Florida	2
Georgia	4
Hawaii	0
Idaho	2
Illinois	1
Indiana	2
Iowa	0
Kansas	1
Louisiana	2
Maryland	1
Massachusetts	1
Michigan	4

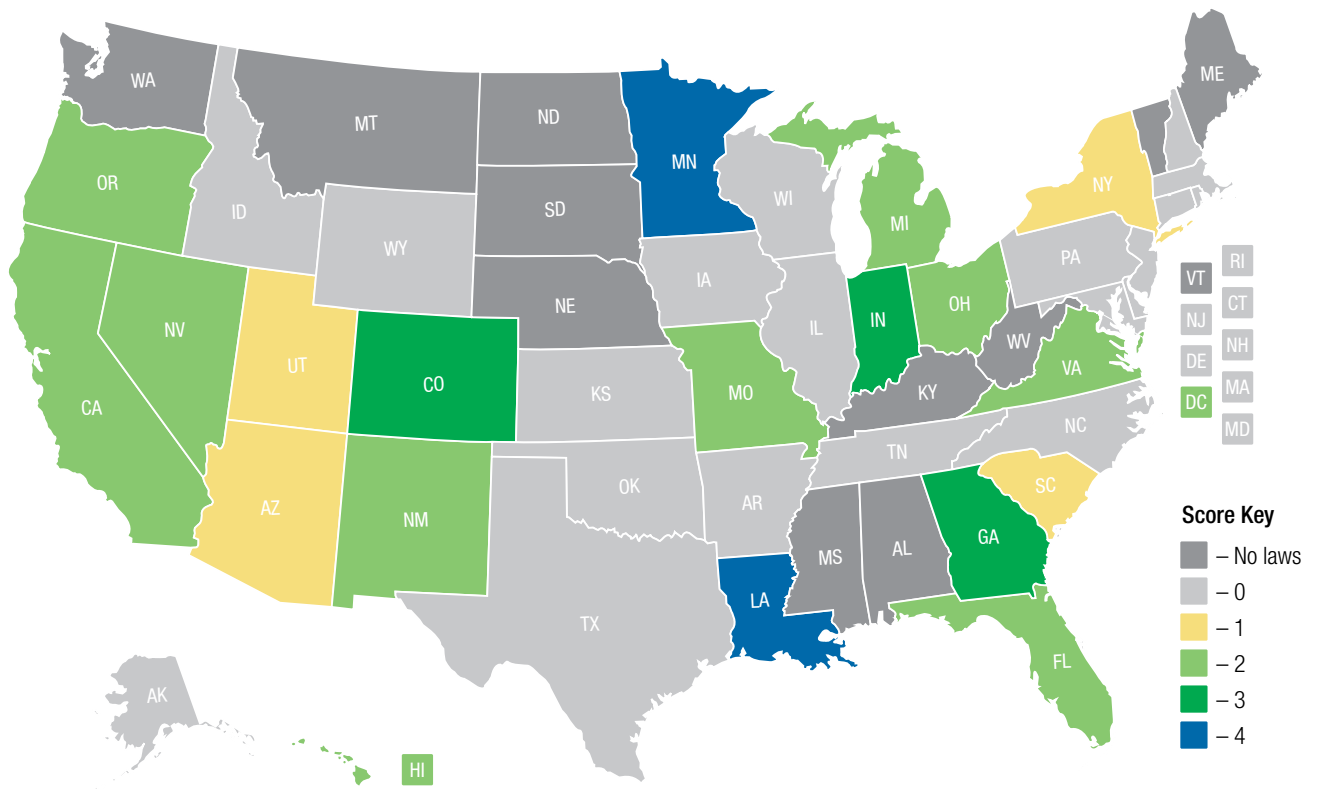
Minnesota	4
Missouri	2
Nevada	1
New Hampshire	0
New Jersey	1
New Mexico	4
New York	4
North Carolina	1
Ohio	4
Oklahoma	2
Oregon	1
Pennsylvania	1
Rhode Island	0
South Carolina	3
Tennessee	1
Texas	2
Utah	4
Virginia	0
Wisconsin	2
Wyoming	0

Score Key

- No laws
- 0
- 1
- 2
- 3
- 4

Minnesota	3
Missouri	2
Nevada	1
New Hampshire	1
New Jersey	0
New Mexico	0
New York	1
North Carolina	0
Ohio	3
Oklahoma	1
Oregon	0
Pennsylvania	0
Rhode Island	0
South Carolina	1
Tennessee	1
Texas	1
Utah	2
Virginia	1
Wisconsin	0
Wyoming	1

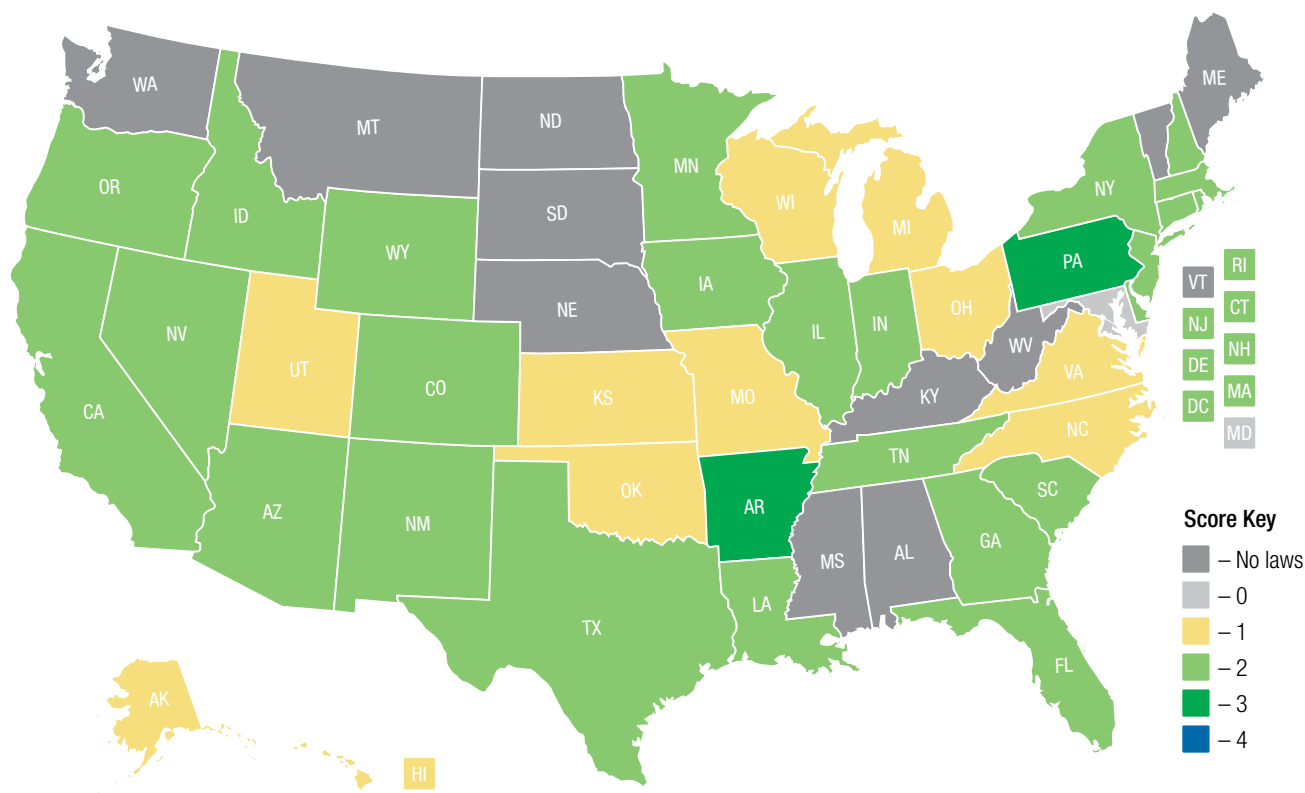
5. Adequate Authorizer Funding



Alaska	0
Arizona	1
Arkansas	0
California	2
Colorado	3
Connecticut	0
DC	2
Delaware	0
Florida	2
Georgia	3
Hawaii	2
Idaho	0
Illinois	0
Indiana	3
Iowa	0
Kansas	0
Louisiana	4
Maryland	0
Massachusetts	0
Michigan	2

Minnesota	4
Missouri	2
Nevada	2
New Hampshire	0
New Jersey	0
New Mexico	2
New York	1
North Carolina	0
Ohio	2
Oklahoma	0
Oregon	2
Pennsylvania	0
Rhode Island	0
South Carolina	1
Tennessee	0
Texas	0
Utah	1
Virginia	2
Wisconsin	0
Wyoming	0

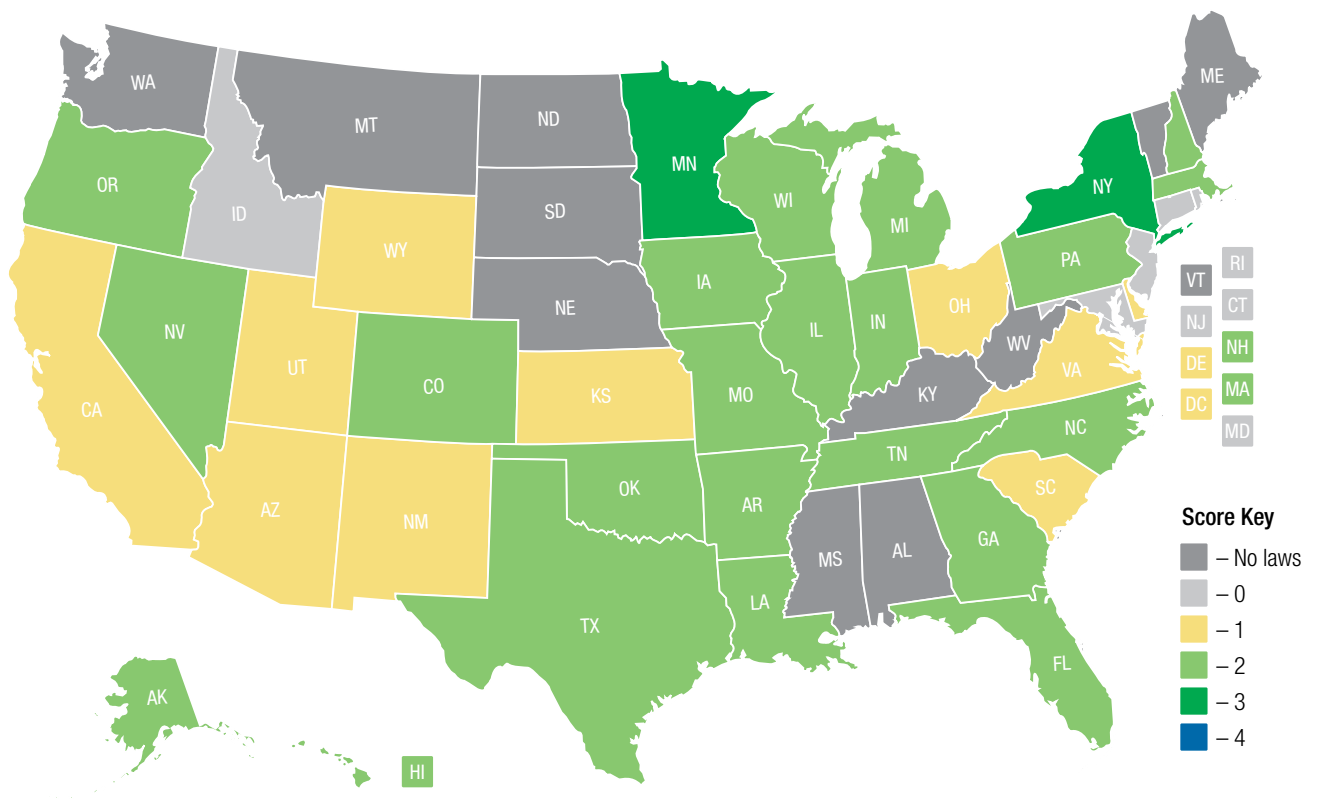
6. Transparent Charter Application, Review, and Decision-making Processes



Alaska	1
Arizona	2
Arkansas	3
California	2
Colorado	2
Connecticut	2
DC	2
Delaware	2
Florida	2
Georgia	2
Hawaii	1
Idaho	2
Illinois	2
Indiana	2
Iowa	2
Kansas	1
Louisiana	2
Maryland	0
Massachusetts	2
Michigan	1

Minnesota	2
Missouri	1
Nevada	2
New Hampshire	2
New Jersey	2
New Mexico	2
New York	2
North Carolina	1
Ohio	1
Oklahoma	1
Oregon	2
Pennsylvania	3
Rhode Island	2
South Carolina	2
Tennessee	2
Texas	2
Utah	1
Virginia	1
Wisconsin	1
Wyoming	2

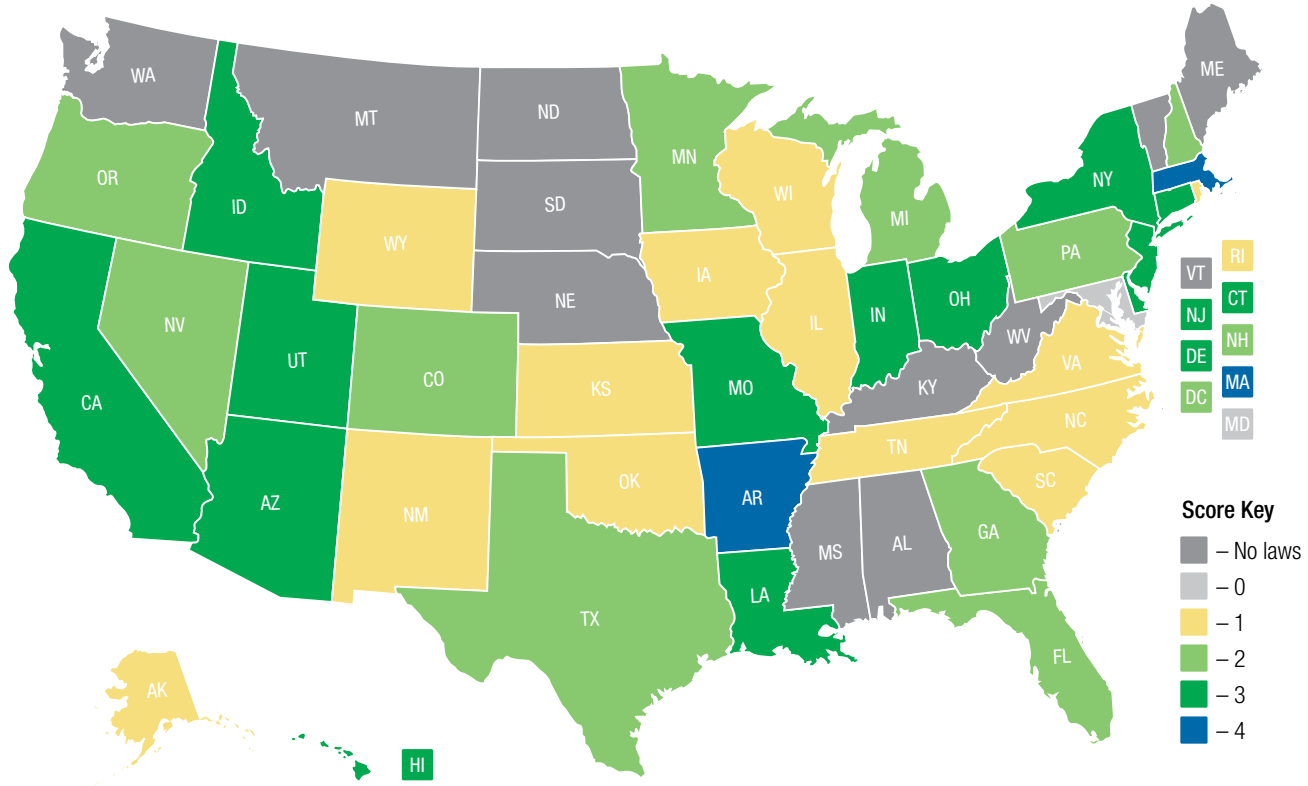
7. Performance-Based Charter Contracts Required



Alaska	2
Arizona	1
Arkansas	2
California	1
Colorado	2
Connecticut	0
DC	1
Delaware	1
Florida	2
Georgia	2
Hawaii	2
Idaho	0
Illinois	2
Indiana	2
Iowa	2
Kansas	1
Louisiana	2
Maryland	0
Massachusetts	2
Michigan	2

Minnesota	3
Missouri	2
Nevada	2
New Hampshire	2
New Jersey	0
New Mexico	1
New York	3
North Carolina	2
Ohio	1
Oklahoma	2
Oregon	2
Pennsylvania	2
Rhode Island	0
South Carolina	1
Tennessee	2
Texas	2
Utah	1
Virginia	1
Wisconsin	2
Wyoming	1

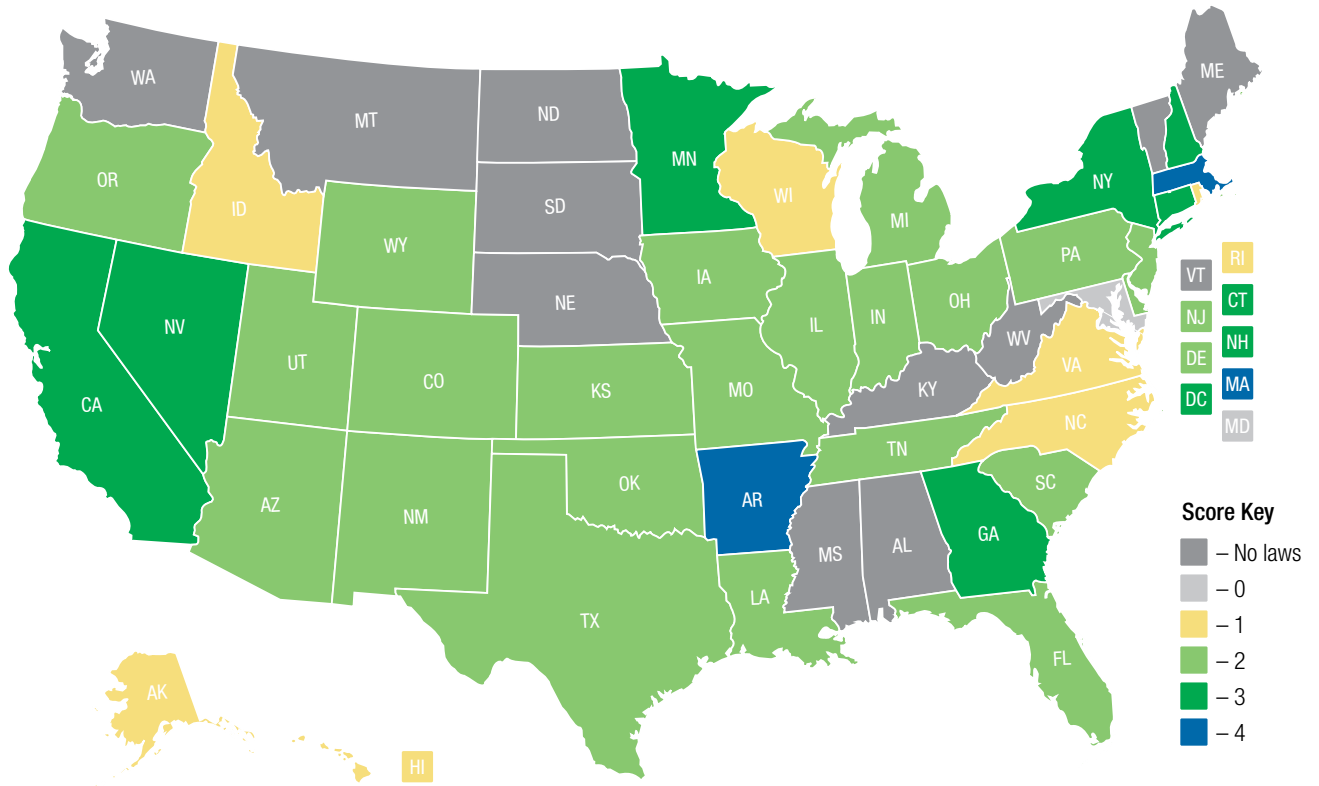
8. Comprehensive Charter School Monitoring and Data Collection Processes



Alaska	1
Arizona	3
Arkansas	3
California	3
Colorado	2
Connecticut	3
DC	2
Delaware	3
Florida	2
Georgia	2
Hawaii	3
Idaho	3
Illinois	1
Indiana	3
Iowa	1
Kansas	1
Louisiana	3
Maryland	0
Massachusetts	4
Michigan	2

Minnesota	2
Missouri	3
Nevada	2
New Hampshire	2
New Jersey	3
New Mexico	1
New York	3
North Carolina	1
Ohio	3
Oklahoma	1
Oregon	2
Pennsylvania	2
Rhode Island	1
South Carolina	1
Tennessee	1
Texas	2
Utah	3
Virginia	1
Wisconsin	1
Wyoming	1

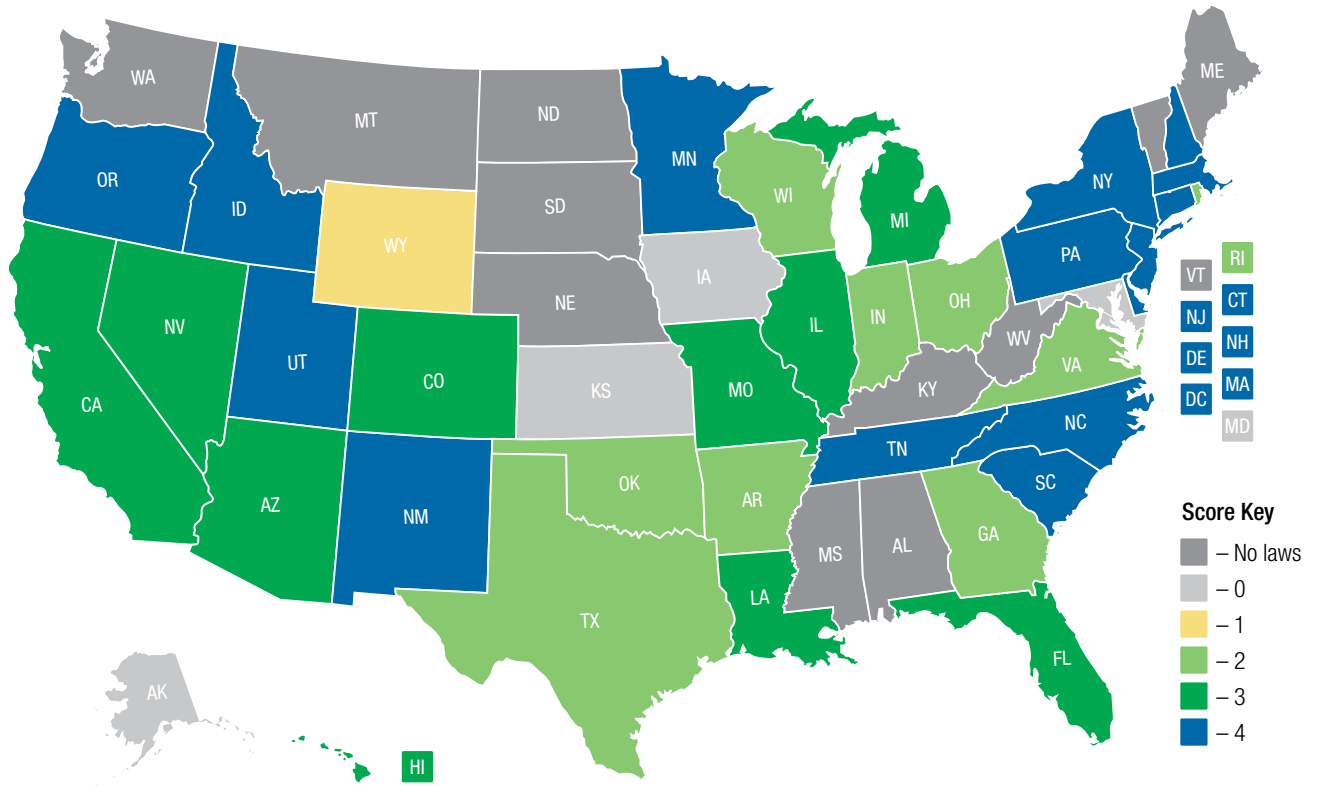
9. Clear Processes for Renewal, Nonrenewal, and Revocation Decisions



Alaska	1
Arizona	2
Arkansas	4
California	3
Colorado	2
Connecticut	3
DC	3
Delaware	2
Florida	2
Georgia	3
Hawaii	1
Idaho	1
Illinois	2
Indiana	2
Iowa	2
Kansas	2
Louisiana	2
Maryland	0
Massachusetts	4
Michigan	2

Minnesota	3
Missouri	2
Nevada	3
New Hampshire	3
New Jersey	2
New Mexico	2
New York	3
North Carolina	1
Ohio	2
Oklahoma	2
Oregon	2
Pennsylvania	2
Rhode Island	1
South Carolina	2
Tennessee	2
Texas	2
Utah	2
Virginia	1
Wisconsin	1
Wyoming	2

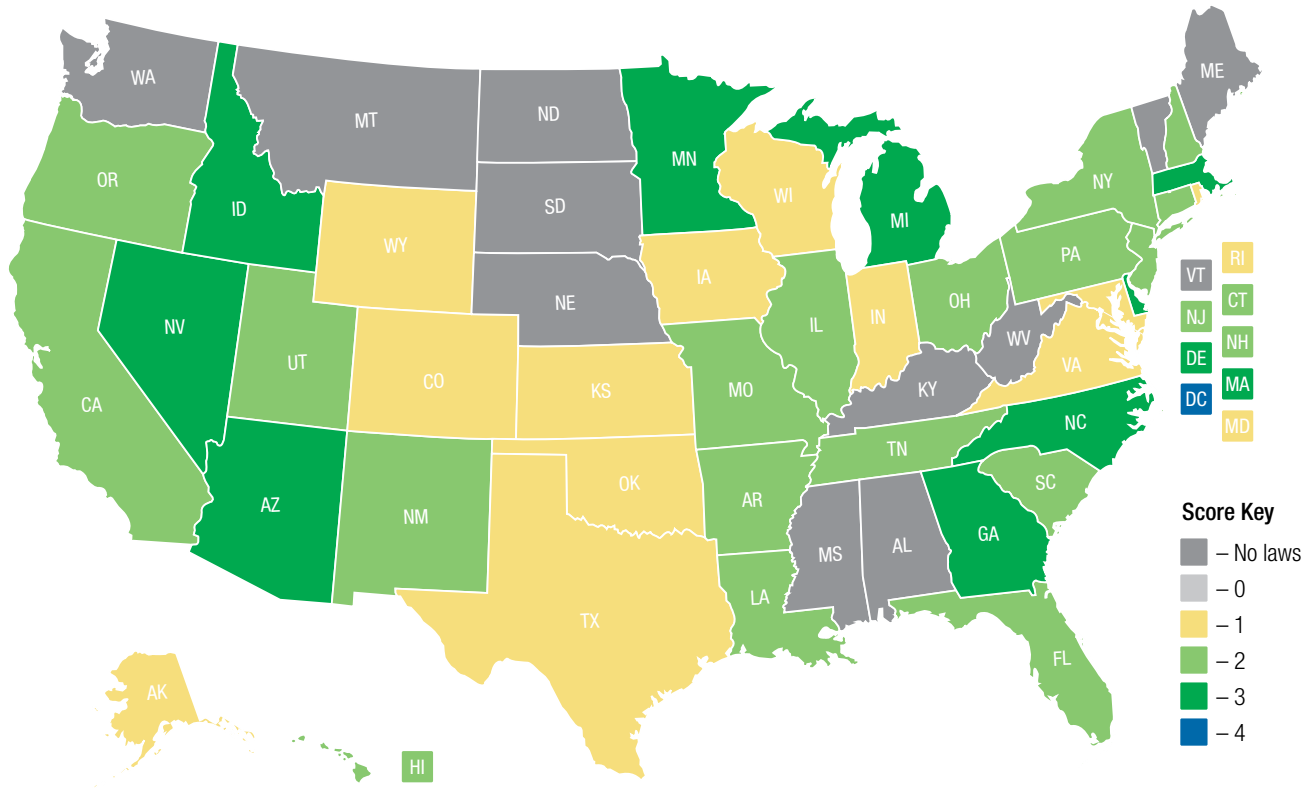
11. Fiscally and Legally Autonomous Schools with Independent Public Charter School Boards



Alaska	0
Arizona	3
Arkansas	2
California	3
Colorado	3
Connecticut	4
DC	4
Delaware	4
Florida	3
Georgia	2
Hawaii	3
Idaho	4
Illinois	3
Indiana	2
Iowa	0
Kansas	0
Louisiana	3
Maryland	0
Massachusetts	4
Michigan	3

Minnesota	4
Missouri	3
Nevada	3
New Hampshire	4
New Jersey	4
New Mexico	4
New York	4
North Carolina	4
Ohio	2
Oklahoma	2
Oregon	4
Pennsylvania	4
Rhode Island	2
South Carolina	4
Tennessee	4
Texas	2
Utah	4
Virginia	2
Wisconsin	2
Wyoming	1

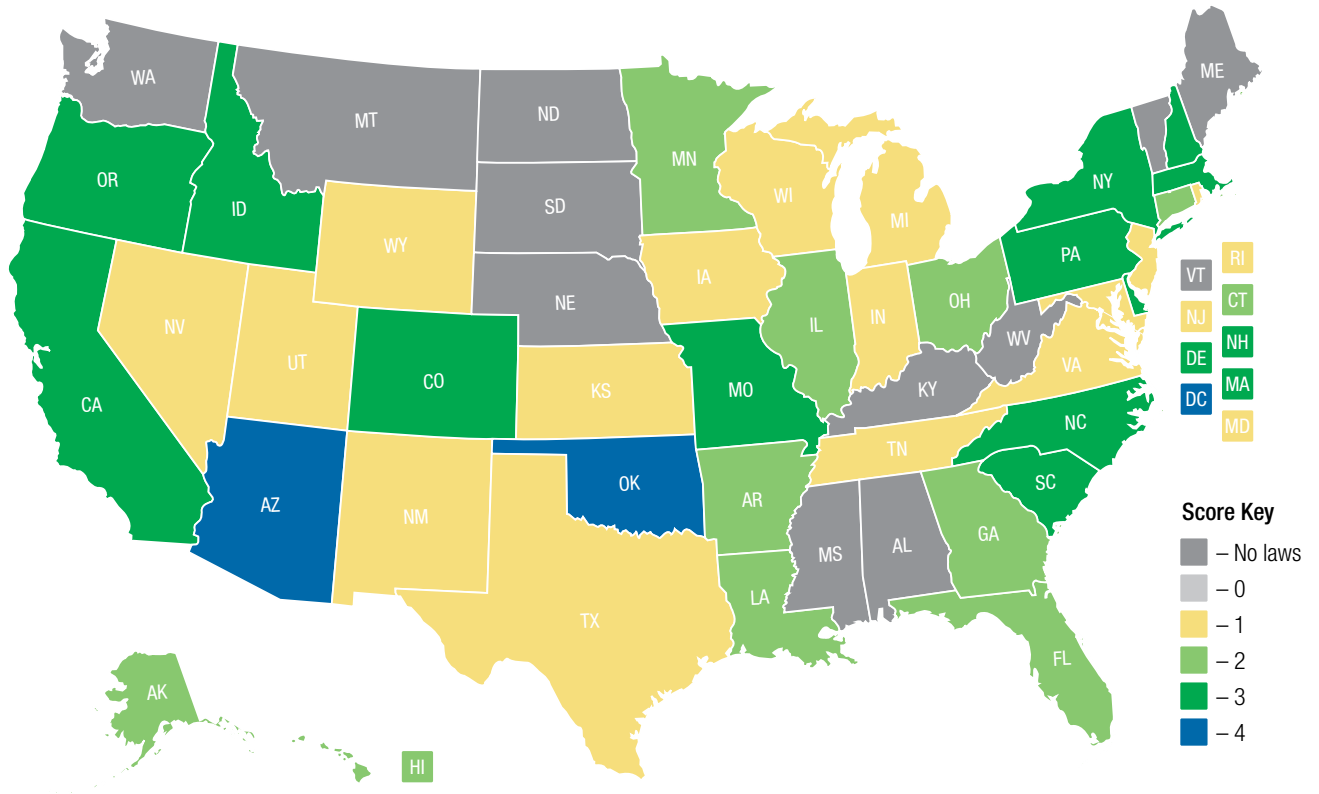
12. Clear Student Recruitment, Enrollment, and Lottery Procedures



Alaska	1
Arizona	3
Arkansas	2
California	2
Colorado	1
Connecticut	2
DC	4
Delaware	3
Florida	2
Georgia	3
Hawaii	2
Idaho	3
Illinois	2
Indiana	1
Iowa	1
Kansas	1
Louisiana	2
Maryland	1
Massachusetts	3
Michigan	3

Minnesota	3
Missouri	2
Nevada	3
New Hampshire	2
New Jersey	2
New Mexico	2
New York	2
North Carolina	3
Ohio	2
Oklahoma	1
Oregon	2
Pennsylvania	2
Rhode Island	1
South Carolina	2
Tennessee	2
Texas	1
Utah	2
Virginia	1
Wisconsin	1
Wyoming	1

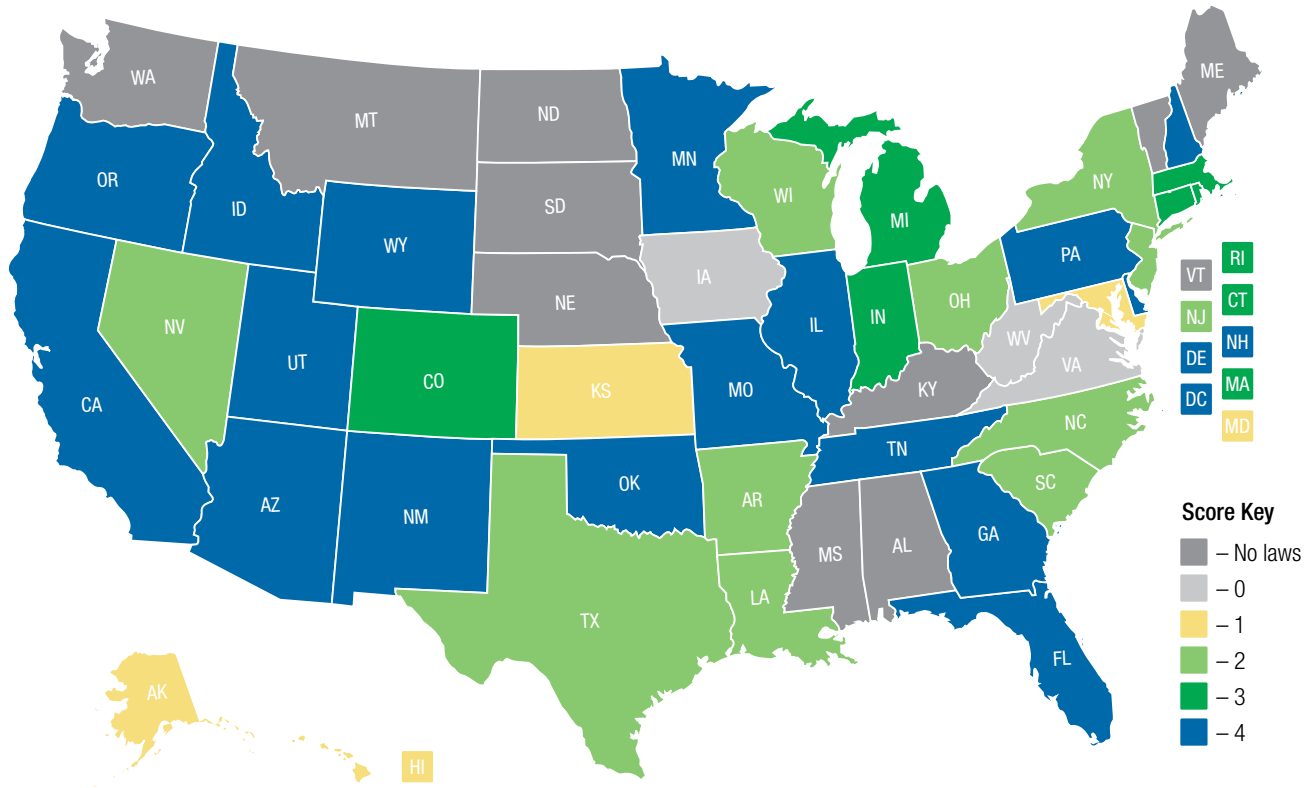
13. Automatic Exemptions from Many State and District Laws and Regulations



Alaska	2
Arizona	4
Arkansas	2
California	3
Colorado	3
Connecticut	2
DC	4
Delaware	3
Florida	2
Georgia	2
Hawaii	2
Idaho	3
Illinois	2
Indiana	1
Iowa	1
Kansas	1
Louisiana	2
Maryland	1
Massachusetts	3
Michigan	1

Minnesota	2
Missouri	3
Nevada	1
New Hampshire	3
New Jersey	1
New Mexico	1
New York	3
North Carolina	3
Ohio	2
Oklahoma	4
Oregon	3
Pennsylvania	3
Rhode Island	1
South Carolina	3
Tennessee	1
Texas	1
Utah	1
Virginia	1
Wisconsin	1
Wyoming	1

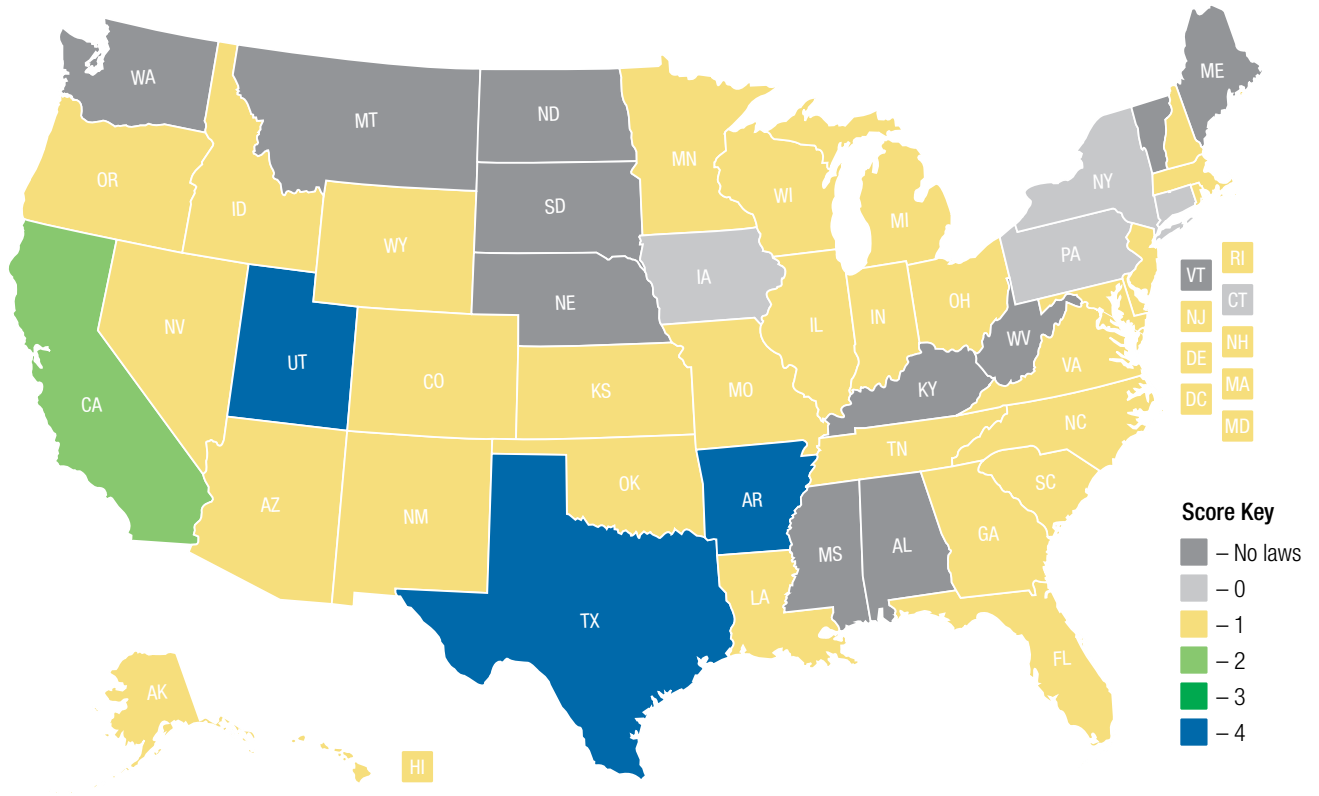
14. Automatic Collective Bargaining Exemption



Alaska	1
Arizona	4
Arkansas	2
California	4
Colorado	3
Connecticut	3
DC	4
Delaware	4
Florida	4
Georgia	4
Hawaii	1
Idaho	4
Illinois	4
Indiana	3
Iowa	0
Kansas	1
Louisiana	2
Maryland	1
Massachusetts	3
Michigan	3

Minnesota	4
Missouri	4
Nevada	2
New Hampshire	4
New Jersey	2
New Mexico	4
New York	2
North Carolina	2
Ohio	2
Oklahoma	4
Oregon	4
Pennsylvania	4
Rhode Island	3
South Carolina	2
Tennessee	4
Texas	2
Utah	4
Virginia	0
Wisconsin	2
Wyoming	4

15. Multi-School Charter Contracts and/or Multi-Charter Contract Boards Allowed



Alaska	1
Arizona	1
Arkansas	4
California	2
Colorado	1
Connecticut	0
DC	1
Delaware	1
Florida	1
Georgia	1
Hawaii	1
Idaho	1
Illinois	1
Indiana	1
Iowa	0
Kansas	1
Louisiana	1
Maryland	1
Massachusetts	1
Michigan	1

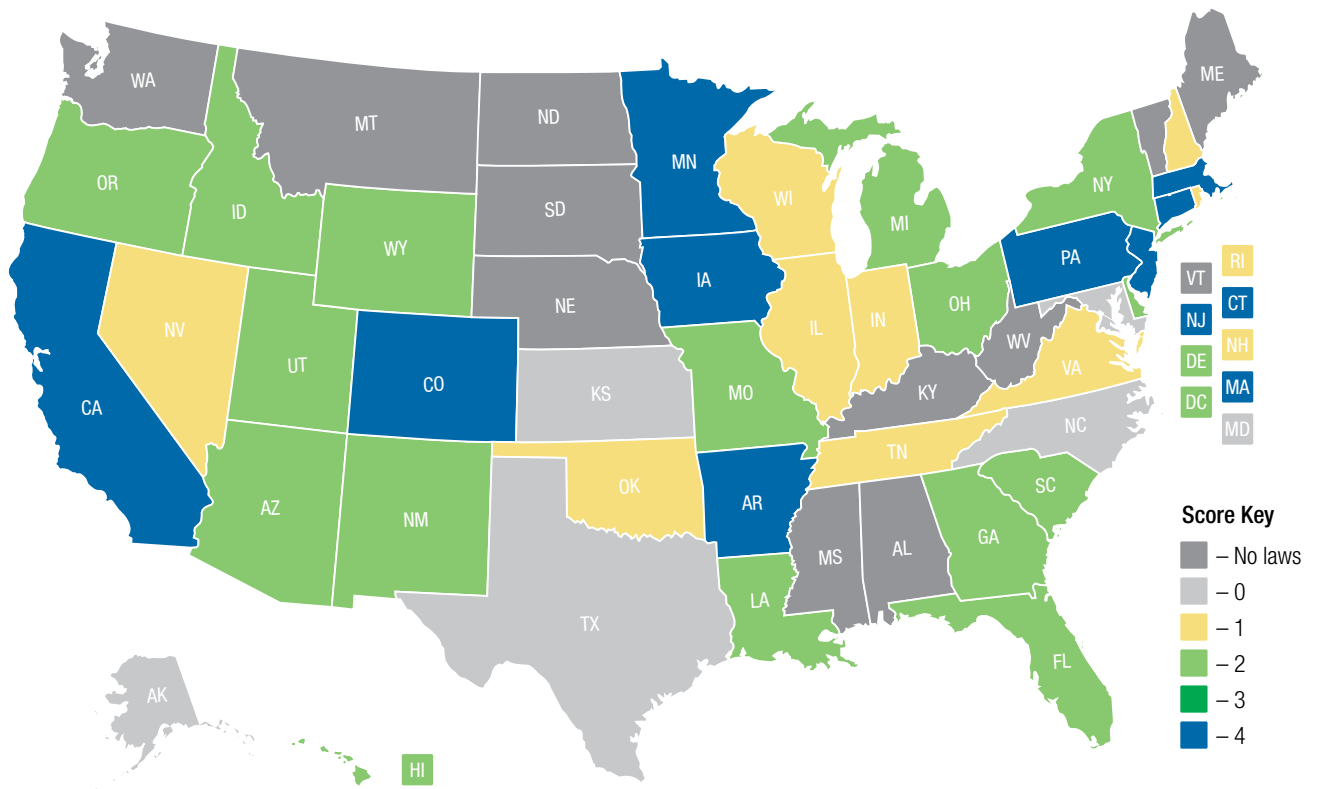
Minnesota	1
Missouri	1
Nevada	1
New Hampshire	1
New Jersey	1
New Mexico	1
New York	0
North Carolina	1
Ohio	1
Oklahoma	1
Oregon	1
Pennsylvania	0
Rhode Island	1
South Carolina	1
Tennessee	1
Texas	4
Utah	4
Virginia	1
Wisconsin	1
Wyoming	1

Score Key

- No laws
- 0
- 1
- 2
- 3
- 4

Minnesota	1
Missouri	1
Nevada	2
New Hampshire	1
New Jersey	1
New Mexico	2
New York	1
North Carolina	1
Ohio	1
Oklahoma	1
Oregon	1
Pennsylvania	2
Rhode Island	1
South Carolina	2
Tennessee	1
Texas	1
Utah	3
Virginia	1
Wisconsin	1
Wyoming	1

17. Clear Identification of Special Education Responsibilities



Alaska	0
Arizona	2
Arkansas	4
California	4
Colorado	4
Connecticut	4
DC	2
Delaware	2
Florida	2
Georgia	2
Hawaii	2
Idaho	2
Illinois	1
Indiana	1
Iowa	4
Kansas	0
Louisiana	2
Maryland	0
Massachusetts	4
Michigan	2

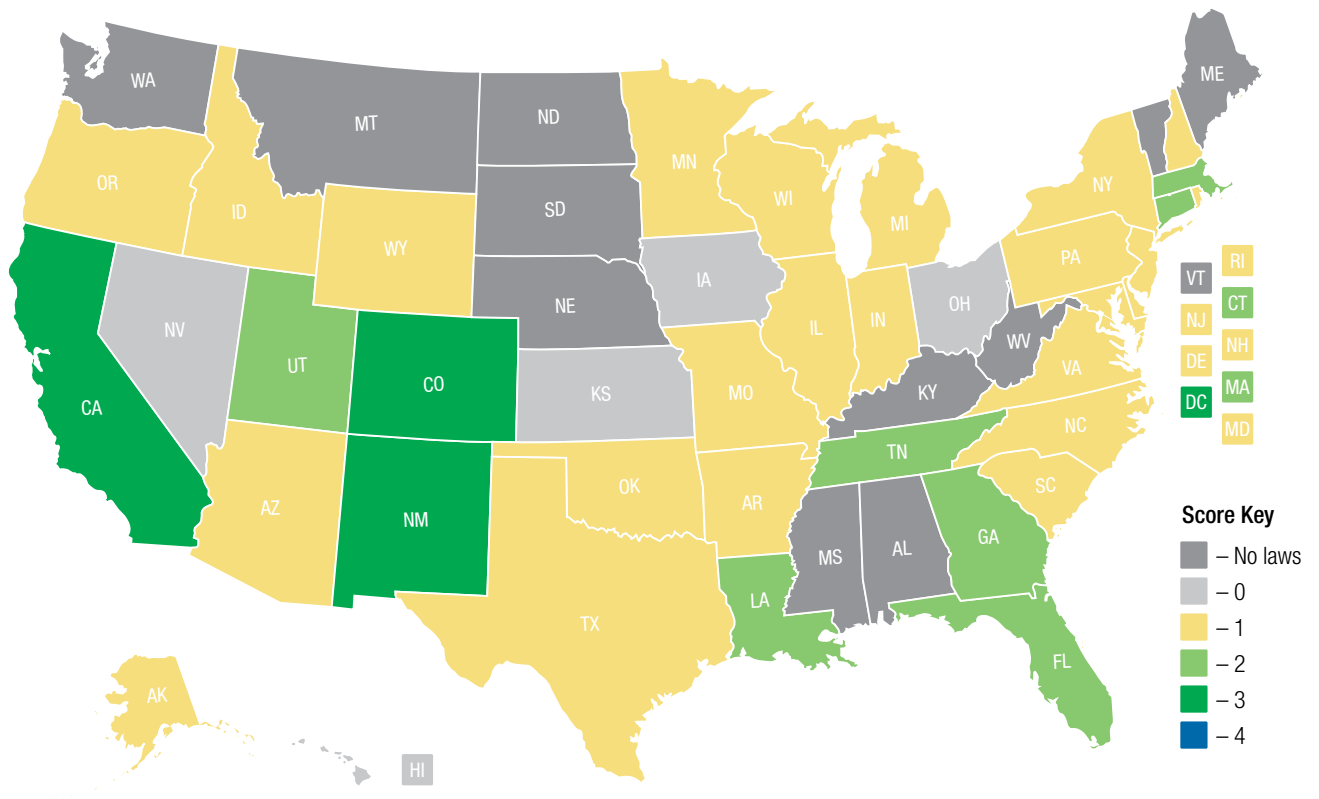
Minnesota	4
Missouri	2
Nevada	1
New Hampshire	1
New Jersey	4
New Mexico	2
New York	2
North Carolina	0
Ohio	2
Oklahoma	1
Oregon	2
Pennsylvania	4
Rhode Island	1
South Carolina	2
Tennessee	1
Texas	0
Utah	2
Virginia	1
Wisconsin	1
Wyoming	2

The map displays the following distribution of scores by state:

- 1 (Dark Gray):** WA, OR, MT, ND, SD, NE, KS, OK, WY, HI, AK.
- 2 (Light Gray):** ID, UT, CO, NM, AZ, NV, CA, NV, TX, DE, VA, WV, KY, TN, MS, AL, GA, FL, NC, SC, PA, OH, IN, IL, WI, MI, NY, CT, RI, NH, ME.
- 3 (Dark Green):** MN, IA, MO, AR, LA, MS, AL, GA, FL, NC, SC, PA, OH, IN, IL, WI, MI, NY, CT, RI, NH, ME.
- 4 (Dark Blue):** None.

Minnesota	3
Missouri	2
Nevada	1
New Hampshire	0
New Jersey	1
New Mexico	2
New York	2
North Carolina	2
Ohio	1
Oklahoma	0
Oregon	0
Pennsylvania	1
Rhode Island	1
South Carolina	1
Tennessee	1
Texas	1
Utah	2
Virginia	1
Wisconsin	1
Wyoming	0

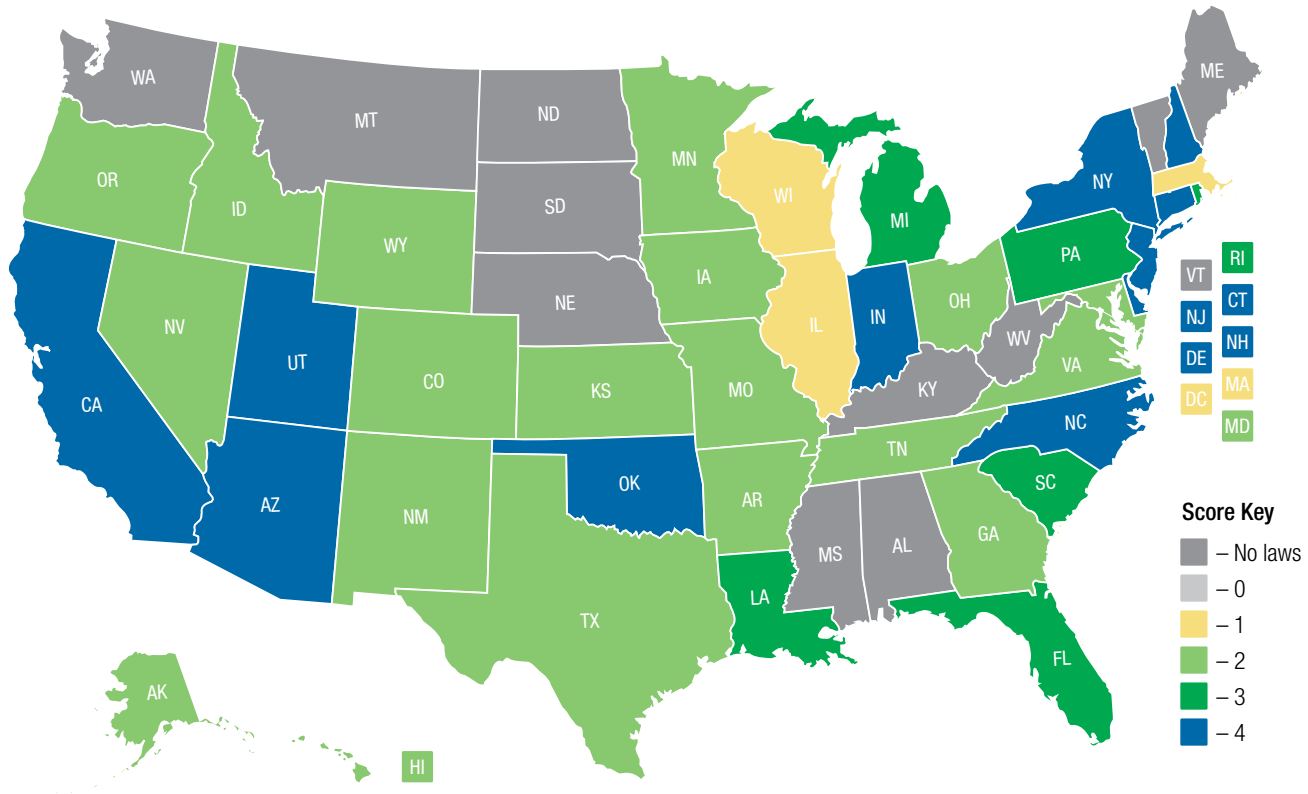
19. Equitable Access to Capital Funding and Facilities



Alaska	1
Arizona	1
Arkansas	1
California	3
Colorado	3
Connecticut	2
DC	3
Delaware	1
Florida	2
Georgia	2
Hawaii	0
Idaho	1
Illinois	1
Indiana	1
Iowa	0
Kansas	0
Louisiana	2
Maryland	1
Massachusetts	2
Michigan	1

Minnesota	1
Missouri	1
Nevada	0
New Hampshire	1
New Jersey	1
New Mexico	3
New York	1
North Carolina	1
Ohio	0
Oklahoma	1
Oregon	1
Pennsylvania	1
Rhode Island	1
South Carolina	1
Tennessee	2
Texas	1
Utah	2
Virginia	1
Wisconsin	1
Wyoming	1

20. Access to Relevant Employee Retirement Systems



Alaska	2
Arizona	4
Arkansas	2
California	4
Colorado	2
Connecticut	4
DC	1
Delaware	4
Florida	3
Georgia	2
Hawaii	2
Idaho	2
Illinois	1
Indiana	4
Iowa	2
Kansas	2
Louisiana	3
Maryland	2
Massachusetts	1
Michigan	3

Minnesota	2
Missouri	2
Nevada	2
New Hampshire	4
New Jersey	4
New Mexico	2
New York	4
North Carolina	4
Ohio	2
Oklahoma	4
Oregon	2
Pennsylvania	3
Rhode Island	3
South Carolina	3
Tennessee	2
Texas	2
Utah	4
Virginia	2
Wisconsin	1
Wyoming	2

Appendix A: Weights And Rubric

Weights

For our analysis, we weighted each of the 20 essential components from the Alliance's model law with a weight of "1" to "4." It is important to note that we gave a weight of "4" to only four of the 20 components, a group of components that we refer to as the "quality control" components of the model law:

- Transparent Charter Application, Review, and Decision-Making Processes
- Performance-Based Charter Contracts Required
- Comprehensive Charter School Monitoring and Data Collection Processes
- Clear Processes for Renewal, Nonrenewal, and Revocation Decisions

Not to say that operational autonomy, operational funding equity, and equitable access to capital funding and facilities don't have a huge impact on charter quality. They clearly do. However, we chose the four components bulleted above because we feel that state charter laws have too often given short shrift to ensuring that authorizers are appropriately exercising their "quality control" responsibilities and want to push states to enact responsible policies in these areas.

We gave a weight of "3" to the following components of the model law:

- No Caps
- Multiple Authorizers Available
- Authorizer and Overall Program Accountability System
- Fiscally and Legally Autonomous Schools, with Independent Public Charter School Boards
- Automatic Exemptions from Many State and District Laws and Regulations
- Equitable Operational Funding and Equal Access to All State and Federal Categorical Funding
- Equitable Access to Capital Funding and Facilities

We gave a weight of "2" to the following components of the model law:

- Adequate Authorizer Funding
- Educational Service Providers Allowed
- Clear Identification of Special Education Responsibilities
- Access to Relevant Employee Retirement Systems

We gave a weight of "1" to the following components of the model law:

- A Variety of Public Charter Schools Allowed
- Clear Student Recruitment, Enrollment, and Lottery Procedures
- Multi-School Charter Contracts and/or Multi-Charter Contract Boards Allowed
- Extra-Curricular and Interscholastic Activities Eligibility and Access

Rubric

After weighting each of the 20 components, we rated each of the components for a state from a scale of “0” to “4.” Within each state, we multiplied the weight and the rank for each component for a score for that component. We then added up the scores for each of the 20 components and came up with a total score for each state. The highest score possible was 208.

The table below shows how we defined the ratings “0” to “4” for each component. For those cells where it reads “Not Applicable,” we did not give that particular numeric rating for that component in any state.

	Essential Components of a Strong Public Charter School Law	0	1	2	3	4
1	No Caps, whereby: 1A. No limits are placed on the number of public charter schools or students (and no geographic limits). 1B. If caps exist, adequate room for growth.	The state has a cap with no room for growth.	The state has a cap with room for limited growth.	The state has a cap with room for some growth.	The state has a cap with room for ample growth. OR The state does not have a cap, but allows districts to restrict growth.	The state does not have a cap.
2	A Variety of Public Charter Schools Allowed, including: 2A. New start-ups. 2B. Public school conversions. 2C. Virtual schools.	The state allows only public school conversions.	Not Applicable	The state allows new start-ups and public school conversions, but not virtual schools. OR The state allows only new start-ups.	The state allows new start-ups and virtual schools, but not public school conversions.	The state allows new start-ups, public school conversions, and virtual schools.

	Essential Components of a Strong Public Charter School Law	0	1	2	3	4
3	Multiple Authorizers Available, including: 3A. Two or more viable authorizing options for each applicant with direct application allowed to each authorizing option.	The state has only a single viable authorizer option available, and there is no or almost no authorizing activity.	The state has only a single viable authorizer option available, and there is some authorizing activity.	The state has only a single viable authorizer option available, and there is considerable authorizing activity. OR The state allows two or more viable authorizing options for applicants in some but not all situations.	The state allows two or more viable authorizing options for each applicant, but requires applicants to get preliminary approval from a state charter school advisory committee.	The state allows two or more viable authorizing options for each applicant.

	Essential Components of a Strong Public Charter School Law	0	1	2	3	4
4	Authorizer and Overall Program Accountability System Required, including: 4A. At least a registration process for local school boards to affirm their interest in chartering to the state. 4B. Application process for other eligible authorizing entities. 4C. Authorizer submission of annual report, which summarizes the agency's authorizing activities as well as the performance of its school portfolio. 4D. A regular review process by authorizer oversight body. 4E. Authorizer oversight body with authority to sanction authorizers, including removal of authorizer right to approve schools. 4F. Periodic formal evaluation of overall state charter school program and outcomes.	The state law includes none of the elements of the model law's authorizer and overall program accountability system.	The state law includes a small number of the elements of the model law's authorizer and overall program accountability system.	The state law includes some of the elements of the model law's authorizer and overall program accountability system.	The state law includes many of the elements of the model law's authorizer and overall program accountability system.	The state law includes all of the elements of the model law's authorizer and overall program accountability system.
5	Adequate Authorizer Funding, including: 5A. Adequate funding from authorizing fees (or other sources). 5B. Guaranteed funding from authorizing fees (or from sources not subject to annual legislative appropriations). 5C. Requirement to publicly report detailed authorizer expenditures. 5D. Separate contract for any services purchased from an authorizer by a school. 5E. Prohibition on authorizers requiring schools to purchase services from them.	The state law includes none of the model law's provisions for adequate authorizer funding.	The state law includes a small number of the model law's provisions for adequate authorizer funding.	The state law includes some of the model law's provisions for adequate authorizer funding.	The state law includes many of the model law's provisions for adequate authorizer funding.	The state law includes all of the model law's provisions for adequate authorizer funding.

	Essential Components of a Strong Public Charter School Law	0	1	2	3	4
6	Transparent Charter Application, Review, and Decision-making Processes, including: 6A. Application elements for all schools. 6B. Additional application elements specific to conversion schools. 6C. Additional application elements specific to virtual schools. 6D. Additional application elements specific when using educational service providers. 6E. Additional application elements specific to replications. 6F. Authorizer-issued request for proposals (including application requirements and approval criteria). 6G. Thorough evaluation of each application including an in-person interview and a public meeting. 6H. All charter approval or denial decisions made in a public meeting, with authorizers stating reasons for denials in writing.	The state law includes none of the model law's provisions for transparent charter application, review, and decision-making processes.	The state law includes a small number of the model law's provisions for transparent charter application, review, and decision-making processes.	The state law includes some of the model law's provisions for transparent charter application, review, and decision-making processes.	The state law includes many of the model law's provisions for transparent charter application, review, and decision-making processes.	The state law includes all of the model law's provisions for transparent charter application, review, and decision-making processes.

For more detailed information about each state, visit the State Public Charter School Law interactive data base online at <http://charterlaws.publiccharters.org>

	Essential Components of a Strong Public Charter School Law	0	1	2	3	4
7	Performance-Based Charter Contracts Required, with such contracts: 7A. Being created as a separate document from the application and executed by the governing board of the charter school and the authorizer. 7B. Defining the roles, powers, and responsibilities for the school and its authorizer. 7C. Defining academic and operational performance expectations by which the school will be judged, based on a performance framework that includes measures and metrics for, at a minimum, student academic proficiency and growth, achievement gaps, attendance, recurrent enrollment, postsecondary readiness (high schools), financial performance, and board stewardship (including compliance). 7D. Providing an initial term of five operating years (or a longer term with periodic high-stakes reviews). 7E. Including requirements addressing the unique environments of virtual schools, if applicable.	The state law includes none of the model law's provisions for performance-based charter contracts.	The state law includes a small number of the model law's provisions for performance-based charter contracts.	The state law includes some of the model law's provisions for performance-based charter contracts.	The state law includes many of the model law's provisions for performance-based charter contracts.	The state law includes all of the model law's provisions for performance-based charter contracts.

	Essential Components of a Strong Public Charter School Law	0	1	2	3	4
8	Comprehensive Charter School Monitoring and Data Collection Processes, including: 8A. The collection and analysis of student outcome data at least annually by authorizers (consistent with performance framework outlined in the contract). 8B. Financial accountability for charter schools (e.g., Generally Accepted Accounting Principles, independent annual audit reported to authorizer). 8C. Authorizer authority to conduct or require oversight activities. 8D. Annual school performance reports produced and made public by each authorizer. 8E. Authorizer notification to their schools of perceived problems, with opportunities to remedy such problems. 8F. Authorizer authority to take appropriate corrective actions or exercise sanctions short of revocation.	The state law includes none of the model law's provisions for comprehensive charter school monitoring and data collection processes.	The state law includes a small number of the model law's provisions for comprehensive charter school monitoring and data collection processes.	The state law includes some of the model law's provisions for comprehensive charter school monitoring and data collection processes.	The state law includes many of the model law's provisions for comprehensive charter school monitoring and data collection processes.	The state law includes all of the model law's provisions for comprehensive charter school monitoring and data collection processes.

For more detailed information about each state, visit the State Public Charter School Law interactive data base online at <http://charterlaws.publiccharters.org>

Essential Components of a Strong Public Charter School Law		0	1	2	3	4
9	Clear Processes for Renewal, Nonrenewal, and Revocation Decisions, including: 9A. Authorizer must issue school performance renewal reports to schools whose charter will expire the following year. 9B. Schools seeking renewal must apply for it. 9C. Authorizers must issue renewal application guidance that provides an opportunity for schools to augment their performance record and discuss improvements and future plans. 9D. Clear criteria for renewal and nonrenewal/revocation. 9E. Authorizers must ground renewal decisions based on evidence regarding the school's performance over the term of the charter contract (in accordance with the performance framework set forth in the charter contract). 9F. Authorizer authority to vary length of charter renewal contract terms based on performance or other issues. 9G. Authorizers must provide charter schools with timely notification of potential revocation or non-renewal (including reasons) and reasonable time to respond. 9H. Authorizers must provide charter schools with due process for nonrenewal and revocation decisions (e.g., public hearing, submission of evidence). 9I. All charter renewal, non-renewal, and revocation decisions made in a public meeting, with authorizers stating reasons for non-renewals and revocations in writing. 9J. Authorizers must have school closure protocols to ensure timely parent notification, orderly student and record transitions, and property and asset disposition.	The state law includes none of the model law's clear processes for renewal, nonrenewal, and revocation decisions.	The state law includes a small number of the model law's clear processes for renewal, nonrenewal, and revocation decisions.	The state law includes some of the model law's clear processes for renewal, nonrenewal, and revocation decisions.	The state law includes many of the model law's clear processes for renewal, nonrenewal, and revocation decisions.	The state law includes all of the model law's clear processes for renewal, nonrenewal, and revocation decisions.

	Essential Components of a Strong Public Charter School Law	0	1	2	3	4
10	Educational Service Providers Allowed , including: 10A. All types of educational service providers allowed to operate all or parts of charter schools. 10B. A performance contract between the independent public charter school board and the service provider is required. 10C. Existing and potential conflicts of interest between the two entities are required to be disclosed and explained in application.	The state law prohibits charter schools from contracting with all types of educational service providers.	The state law is silent regarding these arrangements. OR The state law prohibits contracting with certain types of educational service providers.	The state law explicitly allows contracting with all types of educational service providers but does not include provisions regarding performance contracts and conflicts of interest.	The state law explicitly allows contracting with all types of educational service providers and requires performance contracts or conflicts of interest provisions, but not both.	The state law explicitly allows contracting with all types of educational service providers and has provisions regarding performance contracts and conflicts of interest.
11	Fiscally and Legally Autonomous Schools with Independent Public Charter School Boards , including: 11A. Fiscally and legally autonomous schools (e.g., schools have authority to receive and disburse funds, enter into contracts, and sue and be sued in their own names). 11B. School governing boards independent of the authorizer and created specifically to govern their charter school(s).	The state law includes none of the model law's provisions for fiscally and legally autonomous schools with independent public charter school boards.	The state law includes a small number of the model law's provisions for fiscally and legally autonomous schools with independent public charter school boards.	The state law includes some of the model law's provisions for fiscally and legally autonomous schools with independent public charter school boards. OR The state law includes all of these provisions for some schools, but not others.	The state law includes many of the model law's provisions for fiscally and legally autonomous schools with independent public charter school boards.	The state law includes all of the model law's provisions for fiscally and legally autonomous schools with independent public charter school boards.

For more detailed information about each state, visit the State Public Charter School Law interactive data base online at <http://charterlaws.publiccharters.org>

	Essential Components of a Strong Public Charter School Law	0	1	2	3	4
12	Clear Student Recruitment, Enrollment, and Lottery Procedures, including: 12A. Open enrollment to any student in the state. 12B. Lottery requirements. 12C. Required enrollment preferences for previously enrolled students within conversions, prior year students within chartered schools, and siblings of enrolled students enrolled at a charter school. 12D. Optional enrollment preference for children of a school's founders, governing board members, and full-time employees, not exceeding 10% of the school's total student population.	The state law includes none (or nearly none) of the model law's requirements for student recruitment, enrollment, and lottery procedures.	The state law includes a small number of the model law's requirements for student recruitment, enrollment, and lottery procedures.	The state law includes some of the model law's requirements for student recruitment, enrollment, and lottery procedures.	The state law includes many of the model law's requirements for student recruitment, enrollment, and lottery procedures.	The state law includes all of the model law's requirements for student recruitment, enrollment, and lottery procedures.

	Essential Components of a Strong Public Charter School Law	0	1	2	3	4
13	Automatic Exemptions from Many State and District Laws and Regulations, including: 13A. Exemptions from all laws, except those covering health, safety, civil rights, student accountability, employee criminal history checks, open meetings, freedom of information, and generally accepted accounting principles. 13B. Exemption from state teacher certification requirements.	The state law does not provide automatic exemptions from state and district laws and regulations, does not allow schools to apply for exemptions, and requires all of a school's teachers to be certified.	The state law allows schools to apply for exemptions from state and district laws and requires all of a school's teachers to be certified. OR The state law does not provide automatic exemptions from many state and district laws and regulations and does not require any of a school's teachers to be certified. OR The state law allows schools to apply for exemptions from state and district laws and requires some of a school's teachers to be certified.	There were six variations for how state laws handled 13A and 13B that were included in this cell. ¹	The state law provides automatic exemptions from many state and district laws and regulations and requires some of a school's teachers to be certified.	The state law provides automatic exemptions from many state and district laws and regulations and does not require any of a school's teachers to be certified.

¹ The six variations for how state laws handled 13A and 13B that were included in "2" for 13 are: The state law provides automatic exemptions from many state and district laws and regulations and requires all of a school's teachers to be certified. OR The state law provides automatic exemptions from many state and district laws and regulations and requires all of a school's teachers to be certified for some charters and requires some of a school's teachers to be certified for other charters. OR The state law allows schools to apply for exemptions from state and district laws and requires some of a school's teachers to be certified. OR The state law allows schools to apply for exemptions from state and district laws, including from certification requirements. OR The state law provides automatic exemptions from many state and district laws and regulations for some schools but not others and requires all of a school's teachers to be certified but provides exceptions. OR The state law provides some flexibility from state and district laws and regulations for some schools but less for others and does not require any of a school's teachers to be certified.

	Essential Components of a Strong Public Charter School Law	0	1	2	3	4
14	Automatic Collective Bargaining Exemption, whereby: ² 14A. Charter schools authorized by non-local board authorizers are exempt from participation in district collective bargaining agreements. 14B. Charter schools authorized by local boards are exempt from participation in district collective bargaining agreements.	The state law requires all charter schools to be part of district collective bargaining agreements, with no opportunity for exemptions.	The state law requires all charter schools to be part of district collective bargaining agreements, but schools can apply for exemptions.	The state law exempts some schools from district collective bargaining agreements, but not others.	The state law exempts some schools from district collective bargaining agreements, but not others (but allows those not exempted to apply for exemptions).	The state law does not require any charter schools to be part of district collective bargaining agreements.
15	Multi-School Charter Contracts and/or Multi-Charter Contract Boards Allowed, whereby an independent public charter school board may: 15A. Oversee multiple schools linked under a single contract with independent fiscal and academic accountability for each school. 15B. Hold multiple charter contracts with independent fiscal and academic accountability for each school.	The state law prohibits these arrangements.	The state law is silent regarding these arrangements. OR The state law explicitly allows either of these arrangements but does not require each school to be independently accountable for fiscal and academic performance. OR The state law explicitly allows these arrangements for some schools but not others.	The state law allows either of these arrangements, but only requires schools authorized by some entities to be independently accountable for fiscal and academic performance.	Not Applicable	The state law explicitly allows either of these arrangements and requires each school to be independently accountable for fiscal and academic performance.

² in states without district collective bargaining agreements, we examined whether charter schools are exempt from district personnel policies.

	Essential Components of a Strong Public Charter School Law	0	1	2	3	4
16	Extra-Curricular and Interscholastic Activities Eligibility and Access, whereby: 16A. Laws or regulations explicitly state that charter school students and employees are eligible to participate in all interscholastic leagues, competitions, awards, scholarships, and recognition programs available to non-charter public school students and employees. 16B. Laws or regulations explicitly allow charter school students in schools not providing extra-curricular and interscholastic activities to have access to those activities at non-charter public schools for a fee by a mutual agreement.	The state law prohibits charter eligibility and access.	The state law is silent about charter eligibility and access.	The state law provides either charter eligibility or access, but not both.	The state law provides both charter eligibility and access to students, but not employees.	The state law provides both charter eligibility and access.
17	Clear Identification of Special Education Responsibilities, including: 17A. Clarity regarding which entity is the local education agency (LEA) responsible for providing special education services. 17B. Clarity regarding funding for low-incident, high-cost services for charter schools (in the same amount and/or in a manner similar to other LEAs).	The state law is silent about special education responsibilities and funding for low-incident, high-cost services.	The state law addresses special education, but is unclear about responsibility for providing services and funding for low-incident, high-cost services.	The state law is clear on either responsibility for providing services OR funding for low-incident, high-cost services, but not both.	Not Applicable	The state law clearly addresses responsibility for providing services and ensures state funding for low-incident, high-cost services.
18	Equitable Operational Funding and Equal Access to All State and Federal Categorical Funding, including: 18A. Equitable operational funding statutorily driven. 18B. Equal access to all applicable categorical federal and state funding, and clear guidance on the pass-through of such funds. 18C. Funding for transportation similar to school districts.	The state law includes none of the model law's provisions for equitable operational funding and equal access to all state and federal categorical funding.	The state law includes a small number of the model law's provisions for equitable operational funding and equal access to all state and federal categorical funding.	The state law includes some of the model law's provisions for equitable operational funding and equal access to all state and federal categorical funding.	The state law includes many of the model law's provisions for equitable operational funding and equal access to all state and federal categorical funding.	The state law includes all of the model law's provisions for equitable operational funding and equal access to all state and federal categorical funding.

For more detailed information about each state, visit the State Public Charter School Law interactive data base online at <http://charterlaws.publiccharters.org>

	Essential Components of a Strong Public Charter School Law	0	1	2	3	4
19	Equitable Access to Capital Funding and Facilities, including: 19A. A per-pupil facilities allowance which annually reflects actual average district capital costs. 19B. A state grant program for charter school facilities. 19C. A state loan program for charter school facilities. 19D. Equal access to tax-exempt bonding authorities or allow charter schools to have their own bonding authority. 19E. A mechanism to provide credit enhancement for public charter school facilities. 19F. Equal access to existing state facilities programs available to non-charter public schools. 19G. Right of first refusal to purchase or lease at or below fair market value a closed, unused, or underused public school facility or property. 19H. Prohibition of facility-related requirements stricter than those applied to traditional public schools.	The state law includes none of the model law's provisions for equitable access to capital funding and facilities.	The state law includes a small number of the model law's provisions for equitable access to capital funding and facilities.	The state law includes some of the model law's provisions for equitable access to capital funding and facilities.	The state law includes many of the model law's provisions for equitable access to capital funding and facilities.	The state law includes all of the model law's provisions for equitable access to capital funding and facilities.

	Essential Components of a Strong Public Charter School Law	0	1	2	3	4
20	Automatic Collective Bargaining Exemption, whereby: 20A. Charter schools have access to relevant state retirement systems available to other public schools. 20B. Charter schools have the option to participate (i.e., not required).	The state law does not provide access to the relevant employee retirement systems.	The state law requires participation in the relevant employee retirement systems for some schools, but denies access to these systems for other schools.	The state law requires participation in the relevant employee retirement systems.	The state law provides that charter schools have access and an option by virtue of how they hire their employees. OR The state law requires participation in the relevant employee retirement systems, unless at the time of application, a school has a retirement program which covers the employees or the employee is currently enrolled in another retirement program. OR The state law provides some charter schools with the option to participate in the relevant state employee retirement systems, but not others.	The state law provides access to relevant employee retirement systems, but does not require participation.

In Appendix A, a detailed profile of Minnesota is included as an example of the type of information that is available for each state on the Alliance's State Public Charter School Laws online interactive data base at <http://charterlaws.publiccharters.org>.

Appendix B: Example of a Detailed State Profile: Minnesota

The detailed profile of Minnesota in this section is included as an example of the type of information that is available for each state on the Alliance's State Public Charter School Laws online interactive data base. In contrast, the shorter state profiles in a previous section of this document provide a high-level summary of the state laws and regulations for each component for each state.

The detailed profiles such as the one below provide specifics about how state laws and regulations

address each of the 20 components in each state. They also include contextual information important to know in order to understand the public charter school environment in each state.

We include the example below to both give readers an example of the type of information available for each state in the data base and provide readers with a sense of the information that was used to rate, score, and rank each state.

	Essential Components of Strong Public Charter School Law	Current State Policy vs. Model Components (Yes / Some / No)	Current Component Description	Score	Weight	Total Score
1	No Caps, whereby:		Minnesota law does not place any caps on charter school growth.	4	3	12
	1A. No limits are placed on the number of public charter schools or students (and no geographic limits).	Yes				
	1B. If caps exist, adequate room for growth.	Yes				
2	A Variety of Public Charter Schools Allowed, including:		Minnesota law allows new start-ups, public school conversions, and virtual schools.	4	1	4
	2A. New start-ups.	Yes				
	2B. Public school conversions.	Yes				
	2C. Virtual schools.	Yes				
3	Multiple Authorizers Available, including:		Minnesota law allows the following types of entities to serve as authorizers: local school boards, intermediate school boards, cooperatives, charitable nonprofit organizations that meet certain criteria, private colleges, public postsecondary institutions, and up to three single-purpose authorizers that are charitable, non-sectarian entities created just to authorize schools. It also provides that all entities are subject to approval by the state commissioner of education before they can authorize.	4	3	12
	3A. Two or more viable authorizing options for each applicant with direct application allowed to each authorizing option.	Yes				

	Essential Components of Strong Public Charter School Law	Current State Policy vs. Model Components (Yes / Some / No)	Current Component Description	Score	Weight	Total Score
4	Authorizer and Overall Program Accountability System Required, including:		Minnesota law details a comprehensive authorizer approval and review process. It requires all potential authorizers to submit an application to the state commissioner of education, detailing the applicant's ability to implement the procedures and satisfy the criteria for authorizing a school (including information on the authorizer's capacity and infrastructure, application criteria and process, contracting process, on-going oversight and evaluation processes, and renewal criteria and processes).	3	3	9
	4A. At least a registration process for local school boards to affirm their interest in chartering to the state.	Yes	Following approval by the state commissioner to be an authorizer, Minnesota law requires each potential authorizer to submit an affidavit for approval by the commissioner for each individual school an authorizer seeks to approve. It requires each affidavit to contain details regarding the proposed school's operations and student performance expectations, as well as the process the authorizer will use to provide ongoing oversight and to make decisions regarding the renewal or termination of the school's charter.			
	4B. Application process for other eligible authorizing entities.	Yes	Minnesota law requires the state commissioner to review each authorizer's performance at least every five years and allows the state commissioner to subject the authorizer to corrective actions as needed, including the termination of contracts with schools it has authorized. As part of that review, the law requires the state department of education to comment on each authorizer's evaluation process for providing formal written evaluation of their school's performance before renewal of a charter contract.			
	4C. Authorizer submission of annual report, which summarizes the agency's authorizing activities as well as the performance of its school portfolio.	No	Minnesota law requires all existing authorizers to submit an application by June 30, 2011, and be approved in order to continue as authorizers.			
	4D. A regular review process by authorizer oversight body.	Yes	There is no requirement in law for any type of periodic formal evaluation of the overall state program. Instead, the legislature can commission such a report as needed (with such reports commissioned in 2003 and 2008).			
	4E. Authorizer oversight body with authority to sanction authorizers, including removal of authorizer right to approve schools.	Yes				
	4F. Periodic formal evaluation of overall state charter school program and outcomes.	Some				

	Essential Components of Strong Public Charter School Law	Current State Policy vs. Model Components (Yes / Some / No)	Current Component Description	Score	Weight	Total Score
5	Adequate Authorizer Funding, including:		Minnesota law allows authorizers to annually assess a charter school fee based on a percentage of the basic formula aid received (times the school's adjusted marginal cost pupil units). It also specifies a maximum amount per school as a factor of that basic formula amount. A statutory phase-in formula allows up to 0.5% per pupil for fiscal year 2010 (but not more than 1.5 times the basic formula aid); up to 1% for 2011 (but not more than 2.0); up to 1.3% for 2012 (but not more than 3.0); and up to 1.5% for 2013 and later (but not more than 4.0). With the base amount currently being \$5,124, this formula means that once fully phased-in, the maximum amount any school could be assessed would be \$20,496 (as adjusted by any increase in the base formula aid amount). Minnesota law requires authorizers to annually submit a statement of expenditures related to authorizing activities to the state commissioner and its charter schools. Statute states that the granting or renewal of a charter by an authorizer cannot be contingent on the school being required to contract, lease, or purchase services from the authorizer. It also provides that any potential contract, lease, or purchase of service by a charter school from an authorizer must be disclosed to the state commissioner, accepted through an open bidding process, and be a separate contract from the charter contract. There are also further requirements in law if the contract is for management or financial services.	4	2	8
	5A. Adequate funding from authorizing fees (or other sources).	Yes				
	5B. Guaranteed funding from authorizing fees (or from sources not subject to annual legislative appropriations).	Yes				
	5C. Requirement to publicly report detailed authorizer expenditures.	Yes				
	5D. Separate contract for any services purchased from an authorizer by a school.	Yes				
	5E. Prohibition on authorizers requiring schools to purchase services from them.	Yes				

For more detailed information about each state, visit the State Public Charter School Law interactive data base online at <http://charterlaws.publiccharters.org>

	Essential Components of Strong Public Charter School Law	Current State Policy vs. Model Components (Yes / Some / No)	Current Component Description	Score	Weight	Total Score
6	Transparent Charter Application, Review, and Decision-making Processes, including:		Within their affidavit sent to the state commissioner for each proposed charter school, Minnesota law requires authorizers to detail information related to the application and review process that the authorizer will use to make decisions regarding the granting of charters, as well as their application requirements (covering elements listed in statute) and an evaluation plan for the proposed schools including criteria for evaluating educational, organization, and fiscal plans. It requires the state commissioner to approve such affidavits, and then review the application of such processes as part of the authorizer review process. The law contains specific additional requirements for conversion schools and for charter schools offering on-line programs. While there are no general procedures in statute for all authorizers to follow, the law requires each authorizer to detail such timelines in their application and affidavits and have them approved by the state commissioner. Statute requires that traditional school district authorizers must act on chartering decisions at public meetings.	2	4	8
	6A. Application elements for all schools.	Yes				
	6B. Additional application elements specific to conversion schools.	Yes				
	6C. Additional application elements specific to virtual schools.	Yes				
	6D. Additional application elements specific when using educational service providers.	No				
	6E. Additional application elements specific to replications.	No				
	6F. Authorizer-issued request for proposals (including application requirements and approval criteria).	Yes				
	6G. Thorough evaluation of each application including an in-person interview and a public meeting.	No				
	6H. All charter approval or denial decisions made in a public meeting, with authorizers stating reasons for denials in writing.	Some				

	Essential Components of Strong Public Charter School Law	Current State Policy vs. Model Components (Yes / Some / No)	Current Component Description	Score	Weight	Total Score
7	Performance-Based Charter Contracts Required, with such contracts:		Per statute, a written contract is required as signed by the authorizer and the charter school's board of directors with details including purposes and operations of the school, specific outcomes students are to achieve, the process and criteria the authorizer intends to use to monitor and evaluate the fiscal and student performance of the charter school, and the plan for the orderly closing of a school, if a charter is terminated. Minnesota law requires the initial contract may be for up to three years. A virtual charter school must follow the same statutory provisions, including approval by the state commissioner, as all other public school districts wishing to operate an online program or school. Thus, such charter schools must go through two sets of approvals, one for being a charter school and one for operating an online program or an online school.	3	4	12
	7A. Being created as a separate document from the application and executed by the governing board of the charter school and the authorizer.	Yes				
	7B. Defining the roles, powers, and responsibilities for the school and its authorizer.	Yes				
	7C. Defining academic and operational performance expectations by which the school will be judged, based on a performance framework that includes measures and metrics for, at a minimum, student academic proficiency and growth, achievement gaps, attendance, recurrent enrollment, postsecondary readiness (high schools), financial performance, and board stewardship (including compliance).	Some				
	7D. Providing an initial term of five operating years (or a longer term with periodic high-stakes reviews).	No				
	7E. Including requirements addressing the unique environments of virtual schools, if applicable.	Yes				

	Essential Components of Strong Public Charter School Law	Current State Policy vs. Model Components (Yes / Some / No)	Current Component Description	Score	Weight	Total Score
8	Comprehensive Charter School Monitoring and Data Collection Processes, including:		Student outcome data on the state assessments is collected by the state department of education for all school districts (including charter schools). Authorizers are therefore not required to collect data as it is publicly available.	2	4	8
	8A. The collection and analysis of student outcome data at least annually by authorizers (consistent with performance framework outlined in the contract).	No	Minnesota law requires authorizers to detail for state commissioner approval their process for ongoing oversight of the school consistent with the contract expectations, which must include the criteria, processes, and procedures that the authorizer will use for ongoing oversight of operational, financial, and academic performance.			
	8B. Financial accountability for charter schools (e.g., Generally Accepted Accounting Principles, independent annual audit reported to authorizer).	Yes	While the law does not require authorizers to produce and publish annual school performance reports aligned with the performance framework set forth in the charter as provided in the model law, statute requires charter schools to publish a fairly detailed annual report covering enrollment, student attrition, governance, staffing, finances, academic performance, operational performance, innovative practices, and future plans. It requires this report to be distributed to the state commissioner, authorizer, school employees and parents, as well as posted on the schools' websites. Minnesota law also provides that charter schools are subject to the same financial audit procedures and requirements as all districts, with annual audit results submitted to the state commissioner and their authorizer.			
	8C. Authorizer authority to conduct or require oversight activities.	Yes				
	8D. Annual school performance reports produced and made public by each authorizer.	Some				
	8E. Authorizer notification to their schools of perceived problems, with opportunities to remedy such problems.	No	Statute details causes and processes for nonrenewal or termination, but does not specifically require authorizers to notify their schools of concerns (until renewal time), nor does it give them the ability to impose corrective actions short of revocation. However, the law gives the state commissioner the authority to reduce state aid if a school fails to correct a violation of law.			
	8F. Authorizer authority to take appropriate corrective actions or exercise sanctions short of revocation.	No				

	Essential Components of Strong Public Charter School Law	Current State Policy vs. Model Components (Yes / Some / No)	Current Component Description	Score	Weight	Total Score
9	Clear Processes for Renewal, Nonrenewal, and Revocation Decisions, including:					
	9A. Authorizer must issue school performance renewal reports to schools whose charter will expire the following year.	Yes	Minnesota law requires authorizers to provide a formal written evaluation of each school's performance before renewal of its contract.			
	9B. Schools seeking renewal must apply for it.	No	Statute does not require a formal renewal application, but instead requires authorizers to detail for state commissioner approval their process for making decisions regarding the renewal or termination of a school's charter based on evidence that demonstrate the academic, organization, and financial competency of the school, including its success in increasing student achievement and meeting the goals of the charter school agreement. It also requires such items to be detailed in the actual charter school contract, including the performance evaluation that is a prerequisite for renewing a charter contract			
	9C. Authorizers must issue renewal application guidance that provides an opportunity for schools to augment their performance record and discuss improvements and future plans.	Some				
	9D. Clear criteria for renewal and nonrenewal/revocation.	Yes				
	9E. Authorizers must ground renewal decisions based on evidence regarding the school's performance over the term of the charter contract (in accordance with the performance framework set forth in the charter contract).	Yes	Minnesota law provides that charter renewals may be made for up to five years.	3	4	12
	9F. Authorizer authority to vary length of charter renewal contract terms based on performance or other issues.	Yes	Minnesota law requires the authorizer to provide timely notification of potential revocation to the school's board of directors in writing, including the grounds for the proposed action. It allows the school to request an informal hearing.			
	9G. Authorizers must provide charter schools with timely notification of potential revocation or non-renewal (including reasons) and reasonable time to respond.	Yes	Minnesota law requires each charter contract to have detailed provisions regarding what would happen if the school closed (including student notification and transfer, and financial issues). There are also specific provisions in statute regarding the transfer of records and the disposition of property and assets.			
	9H. Authorizers must provide charter schools with due process for nonrenewal and revocation decisions (e.g., public hearing, submission of evidence).	Yes				

	Essential Components of Strong Public Charter School Law	Current State Policy vs. Model Components (Yes / Some / No)	Current Component Description	Score	Weight	Total Score
9 Cont'd	Clear Processes for Renewal, Nonrenewal, and Revocation Decisions, including:		(See #9 Above)			
	9I. All charter renewal, non-renewal, and revocation decisions made in a public meeting, with authorizers stating reasons for non-renewals and revocations in writing.	Yes				
	9J. Authorizers must have school closure protocols to ensure timely parent notification, orderly student and record transitions, and property and asset disposition.	Yes				
10	Educational Service Providers Allowed, including:		Minnesota law specifies that charters may contract with outside entities to manage all or some aspects of the school and requires that a member of the charter school board is prohibited from being affiliated with any for-profit or non-profit entity with which the school might contract with directly or indirectly (e.g., cannot serve on the board, be an employee or agent). It provides that any violation renders a contract voidable at the option of the state commissioner and that any board member who violates this prohibition is individually liable to the charter school for any damages caused by the violation.	4	2	8
	10A. All types of educational service providers allowed to operate all or parts of charter schools.	Yes				
	10B. A performance contract between the independent public charter school board and the service provider is required.	Yes				
	10C. Existing and potential conflicts of interest between the two entities are required to be disclosed and explained in application.	Yes				
			Minnesota law also requires charter schools' annual audits to include a copy of all charter school agreements for corporate management services.			

	Essential Components of Strong Public Charter School Law	Current State Policy vs. Model Components (Yes / Some / No)	Current Component Description	Score	Weight	Total Score
11	Fiscally and Legally Autonomous Schools, with Independent Public Charter School Boards, including:		Minnesota law provides that charter schools are fiscally and legally autonomous schools with independent schools boards, and each is considered a local education agency (LEA). Statute includes conflict of interest provisions regarding employees, agents, and board members of authorizers serving on any charter school's board of directors.	4	3	12
	11A. Fiscally and legally autonomous schools (e.g., schools have authority to receive and disburse funds, enter into contracts, and sue and be sued in their own names).	Yes				
	11B. School governing boards independent of the authorizer and created specifically to govern their charter school(s).	Yes				
12	Clear Student Recruitment, Enrollment and Lottery Procedures, including:		Minnesota law requires charter schools to be open to all in the state. Minnesota law requires a random selection lottery process to be used if interest exceeds capacity. Minnesota law provides that enrollment preferences must be given to siblings of enrolled pupils (and any foster children of enrolled pupil's parents). Effective for 2010-11, Minnesota law allows charter schools to give preference for children of the school's teachers, but not for board members (and no maximum percentage is stated).	3	1	3
	12A. Open enrollment to any student in the state.	Yes				
	12B. Lottery requirements.	Yes				
	12C. Required enrollment preferences for previously enrolled students within conversions, prior year students within chartered schools, and siblings of enrolled students enrolled at a charter school.	Some				
	12D. Optional enrollment preference for children of a school's founders, governing board members, and full-time employees, not exceeding 10% of the school's total student population.	Some				

	Essential Components of Strong Public Charter School Law	Current State Policy vs. Model Components (Yes / Some / No)	Current Component Description	Score	Weight	Total Score
13	Automatic Exemptions from Many State and District Laws and Regulations, including:		Minnesota law provides that charter schools are exempt from all statutes and rules applicable to traditional public schools or districts unless a statute or rule is made specifically applicable to a charter school or is included in the charter school law. Minnesota law does not exempt charter schools from state teaching license requirements.	2	3	6
	13A. Exemptions from all laws, except those covering health, safety, civil rights, student accountability, employee criminal history checks, open meetings, freedom of information, and generally accepted accounting principles.	Yes				
	13B. Exemption from state teacher certification requirements.	No				
14	Automatic Collective Bargaining Exemption, whereby:		Minnesota law provides that a charter school's teachers are at will employees, and may organize for collective bargaining similar to teachers in other districts.	4	3	12
	14A. Charter schools authorized by non-local board authorizers are exempt from participation in district collective bargaining agreements.	Yes				
	14B. Charter schools authorized by local boards are exempt from participation in district collective bargaining agreements.	Yes				
15	Multi-School Charter Contracts and/or Multi-Charter Contract Boards Allowed, whereby an independent public charter school board may:		Minnesota law allows authorizers to permit a school which meets certain criteria (including improved academic performance and growth) to expand operation to additional sites (as approved by the state commissioner following the submission of a supplemental affidavit). These additional sites however, are considered additional "campuses" of a given school, not separate schools. Each charter school must have its own charter board, with such board only allowed to hold one charter contract.	1	1	1
	15A. Oversee multiple schools linked under a single contract with independent fiscal and academic accountability for each school.	Some				
	15B. Hold multiple charter contracts with independent fiscal and academic accountability for each school.	No				

	Essential Components of Strong Public Charter School Law	Current State Policy vs. Model Components (Yes / Some / No)	Current Component Description	Score	Weight	Total Score
16	Extra-Curricular and Interscholastic Activities Eligibility and Access, whereby:		Minnesota law is silent about charter eligibility and access. Although charter schools are LEAs with all the rights and responsibilities associated with other district LEAs, silence on these provisions results in a level of uncertainty. Statute is silent in that there is no specific statutory language guaranteeing these rights to charter schools.	1	1	1
	16A. Laws or regulations explicitly state that charter school students and employees are eligible to participate in all interscholastic leagues, competitions, awards, scholarships, and recognition programs available to non-charter public school students and employees.	No				
	16B. Laws or regulations explicitly allow charter school students in schools not providing extra-curricular and interscholastic activities to have access to those activities at non-charter public schools for a fee by a mutual agreement.	No				
17	Clear Identification of Special Education Responsibilities, including:		Minnesota law provides that charter schools are the LEAs for special education services and any such funds flow directly to them. In addition, it provides that charter schools may bill a student's resident school district for any additional funds needed to cover excess costs over and above the state and federal funds allocated for that student.	4	2	8
	17A. Clarity regarding which entity is the local education agency (LEA) responsible for providing special education services.	Yes				
	17B. Clarity regarding funding for low-incident, high-cost services for charter schools (in the same amount and/or in a manner similar to other LEAs).	Yes				

	Essential Components of Strong Public Charter School Law	Current State Policy vs. Model Components (Yes / Some / No)	Current Component Description	Score	Weight	Total Score
18	Equitable Operational Funding and Equal Access to All State and Federal Categorical Funding, including:		Minnesota law provides that charter schools receive from the state an amount equal to average state per-pupil operational revenues for state aid (which flows from the state to the school). In addition, it provides that charters receive from the state a percentage of the operating levy at the local level (which is different by district). It also provides that charter schools as LEAs have equal access to all applicable categorical funding. Minnesota law's funding formula provides dollars for transportation to charter schools and gives charter schools the option of providing transportation (and keeping the transportation funds) or requesting the traditional district to provide transportation (and then paying those funds to that district).	3	3	9
	18A. Equitable operational funding statutorily driven.	Some				
	18B. Equal access to all applicable categorical federal and state funding, and clear guidance on the pass-through of such funds.	Yes				
	18C. Funding for transportation similar to school districts.	Yes				
19	Equitable Access to Capital Funding and Facilities, including:		Minnesota law prohibits charter schools from using any state funds to purchase land or buildings (although charter schools may do so with non-state funds). It allows charter schools to lease space from a public or private owner or from a private nonprofit, nonsectarian, nonprofit, and with approval of the state department of education from other sectarian organizations. Minnesota law provides lease aid to charter schools in the amount of 90% of lease costs (up to \$1,200 per-pupil). This amount, however, does not have a mechanism to increase over time (and it is a separate legislative appropriation).	1	3	3
	19A. A per-pupil facilities allowance which annually reflects actual average district capital costs.	Some				
	19B. A state grant program for charter school facilities.	No				
	19C. A state loan program for charter school facilities.	No				

	Essential Components of Strong Public Charter School Law	Current State Policy vs. Model Components (Yes / Some / No)	Current Component Description	Score	Weight	Total Score
19 Cont'd	19D. Equal access to tax-exempt bonding authorities or allow charter schools to have their own bonding authority.	Some	Minnesota law specifies that charter schools that own their own facilities may not receive lease aid. However, it allows charter schools that meet certain requirements (e.g., operating a minimum number of years, have net unreserved general fund balances) may, with state commissioner approval, create an affiliated nonprofit building corporation, which may renovate or purchase an existing facility or construct a new school facility. The law allows such nonprofit building corporations to secure financing through various sources available to other nonprofits (e.g., municipal bonds, mortgages), and allows charter schools to use their lease aide for facilities owned by nonprofit building corporations.			
	19E. A mechanism to provide credit enhancement for public charter school facilities.	No				
	19F. Equal access to existing state facilities programs available to non-charter public schools.	No				
	19G. Right of first refusal to purchase or lease at or below fair market value a closed, unused, or underused public school facility or property.	No				
	19H. Prohibition of facility-related requirements stricter than those applied to traditional public schools.	No				
20	Access to Relevant Employee Retirement Systems, whereby:		Minnesota law provides that the employees of charter schools are considered public employees for retirement purposes and the schools and employees must contribute to the appropriate retirement system.	2	2	4
	20A. Charter schools have access to relevant state retirement systems available to other public schools.	Yes				
	20B. Charter schools have the option to participate (i.e., not required).	No				
TOTAL						152

The National Alliance for Public Charter Schools (www.publiccharters.org) is the national nonprofit organization committed to advancing the charter school movement. The Alliance provides assistance to state charter school associations and resource centers, develops and advocates for improved public policies, and serves as the united voice for this large and diverse movement. Currently, over 1.5 million students attend more than 4,900 public charter schools in 39 states and the District of Columbia. The first charter school opened in Minnesota in 1992.

