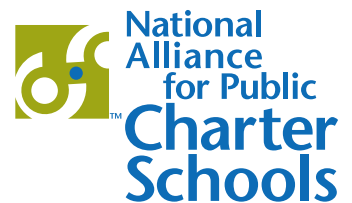




# **Measuring Up to the Model**

A Ranking of State Charter School Laws

Second Edition  
January 2011



The National Alliance for Public Charter Schools is the leading national nonprofit organization committed to advancing the charter school movement. Our mission is to lead public education to unprecedented levels of academic achievement for all students by fostering a strong charter sector.

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## Acknowledgements

This report was written by Todd Ziebarth, vice president of state advocacy and support at the National Alliance for Public Charter Schools. The analyses of the 41 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, 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) and Margaret Lin, president, Margaret Lin Consulting (also the founding executive director of the National Association of Charter School Authorizers).

We want to thank The Joyce Foundation for its financial support of this effort. The Foundation backing of this work, beginning with creation of the model law itself, has been essential in moving the national discussion of chartering toward how state laws can best support the creation of high-quality public charter schools.



## Introduction

Since the National Alliance for Public Charter Schools (Alliance) released the first edition of *How State Charter Laws Rank Against The New Model Public Charter School Law* in January, 2010, we have been thrilled by the response. In October 2010, the National Association of Charter School Authorizers gave the Alliance its 2010 Award for Excellence in Advancing Knowledge. At the time of its release, U.S. Secretary of Education Arne Duncan praised the Alliance's work—a statement that was highlighted in *The Washington Post's* exclusive coverage of the report's release last year. Throughout the year, charter school supporters used the report's results to advocate successfully for policy changes in several states.

2010 proved to be quite a year for charter school legislation, with several states making positive changes. Florida, for example, passed a number of "quality control" provisions that should help boost the overall performance of the state's burgeoning charter school sector. These four quality provisions are described in greater detail on page 90. Massachusetts and New York partially lifted some of the nation's most restrictive caps on charter school growth. However, these cap lifts came with a price as new regulations were added in both places, arguably the most problematic being a prohibition on contracting with for-profit educational management organizations in New York. Notwithstanding such restrictive provisions, overall, these bills signify major political and policy victories in these states.

Other states made changes that were more symbolic than substantive. Alaska, for example, removed its cap of 60 charter schools, but there are only 25 charter schools currently open. Similarly, Iowa removed its cap of 20 charter schools, but there are only eight currently open—and the state still allows only conversion charter

schools but no start-up charters. Connecticut now will allow high-performing charters to apply to the state board of education for waivers from the state's charter enrollment caps. Unfortunately Connecticut failed to repair the primary problem with the state's charter policy, an inequitable and duplicative funding system for charters.

Still other states took steps backwards. Mississippi, whose previous charter law only allowed six conversion charter schools and expired in 2009, enacted a new charter law. This law is actually weaker than the previous law because it only allows failing schools to convert to charter schools—and then fails to provide them sufficient operational flexibility. New data revealed the District of Columbia has been increasing spending on its traditional public schools outside of its established and commendably equitable funding formula, helping to create the biggest funding gap in the country between charter schools and traditional public schools.

Overall, the charter movement gained more than it lost across the country in 2010, but the road ahead remains long. The biggest task is to create more supportive policy environments—particularly in providing funding equity, increasing facilities support and strengthening authorizing environments. The movement will need to fight new and more intense battles in state capitals across the country in 2011 and beyond. We hope this report, and the model law it is based upon, are useful tools to charter school supporters in this critical work.



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## Methodological Overview

This report is based on a comparison of each state's charter laws and regulations against the Alliance's model charter school law. The model describes 20 essential components of a strong charter school law, and these components are 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, the model law working group developed sub-components. Each state's laws and regulations were examined to find out if and how they explicitly address the components and sub-components. These analyses then underwent a scoring process. The highest score possible was 208. See Appendix A: Methodological Details for more information.

It is important to note this report's focus is to assess whether and how state laws and regulations address the components of the model law, not whether and how state laws and regulations address the components and sub-components, not whether and how current practices in the state address them. The purpose of the analyses is to encourage state laws and regulations to require best practices and to guarantee charter school rights and freedoms. Having quality practices in place by some authorizers and schools within a given state is a good start, but our goal is to ensure quality practices across all such entities. The best way to do that is by enacting strong laws and regulations.

However, there were three notable exceptions to this rule: caps, multiple authorizers and funding. For these components, the analysis 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.

It is also important to note the criteria and rubric for three of the model law's 20 components (10, 11 and 20) have been refined. Access to new data about funding also impacted the analysis of two components (18 and 19) in this year's report.

## The Top 10

There were some big moves—both up and down—within our Top 10 list this year.

Florida made the biggest jump, moving from number 11 to number two. Massachusetts moved from number six to number three. New York moved from number eight to number five.

The District of Columbia fell the farthest, dropping from number two to number eight. California fell from number three to number six, Georgia sank from number four to number seven, and Utah dipped from number seven to number 10. Arizona fell out of the Top 10 altogether, slipping from number 10 to number 11.

The states with charter laws and regulations most similar to the model charter school law—those 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	For the second year in a row, Minnesota is at the top. While it did not pass any new laws in 2010, the state further refined its authorizer approval regulations, which helped to boost its score from last year.
2. Florida	Florida made the biggest jump from last year, moving from number 11 to number two. The major reasons for this move are the “quality control” provisions adopted by the state in the form of model charter school applications, charter school application evaluation forms and charter contracts that all authorizers must use.
3. Massachusetts	Massachusetts moved from number six to number three, mostly because it passed a law that partially lifted the state’s caps on charter school growth and explicitly allowed charter governing boards to hold multiple charter contracts in order to promote replication and expansion of high-quality charter schools. Massachusetts also ranks the highest on the four ‘quality controls’ components.
4. Colorado	Colorado moved from number five to number four. In 2010, it passed a law strengthening its accountability provisions. The new law allows authorizers to request temporary intervention powers from the state commissioner of education over a charter school or charter management organization in certain emergency situations. Colorado is still a leader in providing facilities support to public charter schools, although challenges remain.
5. New York	New York moved from number eight to number five. Earlier this year, it passed a law that lifted its cap from 200 charter schools to 460 charter schools. To promote replication and expansion of successful charter schools, the law also allows a nonprofit education corporation to operate more than one school or house any grade at more than one site. New York ranks second highest on the four ‘quality controls’ components.
6. California	California dropped from number three to number six. This drop had more to do with the aggressive improvements made in other states than with any steps backward in California. California continues to be a leader in providing facilities support to public charter schools, although challenges remain.
7. Georgia	Georgia was passed by four states, dropping from number four to number 7. As in California, the drop had more to do with aggressive changes made in other states than with any steps backward in Georgia. Georgia remains a cap-free environment that is open to a wide variety of public charter schools, with multiple paths toward authorization.
8. District of Columbia (D.C.)	D.C. made the biggest drop from last year, falling from number two to number eight. The main reason for the drop was new data revealing that D.C. has been increasing spending on its traditional public schools outside of its established funding formula, helping to create the biggest funding gap in the country between charter schools and traditional public schools. D.C. is still a leader in providing operational autonomy to its charter schools and in providing facilities support to public charter schools, although challenges remain.
9. Louisiana	Louisiana held steady at number nine. Perhaps most notable among the legislative changes made in 2010, the state expanded the transparency of local authorizers during the approval and renewal process. Louisiana fares well on the four ‘quality controls’ components.
10. Utah	Utah dropped from number seven to number 10. Similar to California and Georgia, this drop had more to do with aggressive changes made in other states than with any steps backward in Utah. In 2010, Utah continued taking incremental steps toward fiscal parity with traditional public schools.

## Leaders in “Quality Control” Policies

### Massachusetts, Arkansas, New York, Minnesota, and Florida

Both the model law, and the way state charter laws are ranked against it, elevate the prominence of “quality control” provisions. This emphasis should not be taken as a signal that the Alliance or its model law do not place a high value on charter school growth, but rather a belief that long-term growth can only be sustained through laws and regulations that produce strong and high-performing charter schools.

While each of the 20 essential components from the model law contribute to quality charter growth, it is clear that many state laws have given short shrift 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

These four components of the model law have the highest weight—four or four possible points—in the scoring system used for ranking state laws against the model law.

As states look to improve their work in these areas, the Alliance recommends they look especially to the state “quality control” policies already on the books in five states: **Massachusetts, Arkansas, New York, Minnesota and Florida**. The first four states were on this list last year, but Florida is new to it this year. Florida’s “quality control” scores increased because this high-growth state took new steps including adopting model charter school applications, charter school application evaluation forms and charter contracts aligned with the model law that

all authorizers must use (which, in Florida, is mostly school districts).

## Leaders in Operational and Categorical Funding Equity Policies

### Minnesota

The abstruse nature of public school funding laws makes the model law component “equitable operational funding and equal access to all state and federal categorical funding” the most challenging to analyze. Our efforts were aided by the release of *Charter School Funding: Inequity Persists* by Ball State University in May 2010, the most comprehensive analysis to date of public charter school funding.

This analysis examines what is on the states’ books regarding operational and categorical funding, what is actually being practiced by states and the available data about funding equity. For example, Hawaii’s law has one of the better funding formulas for public charter schools, but state lawmakers choose to ignore it and provide charters with a funding amount arbitrarily determined via a line item in each year’s budget. The result is serious funding inequity between public charter schools and traditional public schools in Hawaii (and a “zero” in our rating system on a scale of zero to four).

Unfortunately, there isn’t a state in the nation that is providing equitable operational funding and equal access to all state and federal categorical funding. But there is one state that has a strong policy framework in place, where charter schools appear to be receiving close to equitable operational funding and equal access to all state and federal categorical funding:

**Minnesota.** There are still funding gaps in Minnesota, but it appears they are largely due to charter schools’ lack of access to the full amount of local levies raised by school districts for facilities costs.

## Leaders in Facilities Support Policies

### District of Columbia, California, Colorado and New Mexico

Closely related to operational and categorical funding equity is “equitable access to capital funding and facilities.” Similar to state progress on operational and categorical funding, it is clear that no states are providing charter schools with equitable access to capital funding and facilities. However, four have made more progress than others by implementing a menu of approaches for supporting public charter school facility needs: 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 schools face.

## Leaders in Operational Autonomy Policies

### District of Columbia and Oklahoma

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

The District of Columbia and Oklahoma received perfect scores on these components. Their laws make it clear that public charter schools are fiscally and legally autonomous entities, with independent governing boards. Their laws also clearly provide automatic exemptions from most state and district laws and regulations and automatically exclude schools from existing collective bargaining agreements.

## Laggards in Growth and Choice Policies

### Arkansas, Connecticut, Hawaii, Idaho, Mississippi, Missouri, New Hampshire, North Carolina and Ohio

Because of the U.S. Department of Education’s Race to the Top (RTTT) competition, much of the discussion about charter schools in state capitals over the past 18 months has focused on lifting caps. And there’s no question RTTT has produced some progress in this area: 14 states lifted charter caps and one state (Mississippi) enacted a new charter school law (albeit the worst one in the country). The strengths of these cap lifts varied, with some quite meaningful, but others more symbolic.

Seventeen states are currently in the ideal position of having no caps on the growth of public charter schools and the number of public school choices charters are able to provide to families. This is three more than last year. The other 25 jurisdictions have put some type of cap in place. In some instances, like California’s cap of 100 new public charter schools a year, these caps allow growth sufficient to meet demand.

In other instances—the laggard states in charter growth and choice policies—such caps are severely constraining growth. The laggard states in charter growth and choice policies are: **Arkansas, Connecticut, Hawaii, Idaho, Mississippi, Missouri, New Hampshire, North Carolina and Ohio**.



## The Full Rankings 1 to 41

(out of 208 total points)<sup>1</sup>

1	Minnesota (154)
2	Florida (135)
3	Massachusetts (130)
4	Colorado (130)
5	New York (129)
6	California (128)
7	Georgia (126)
8	District of Columbia (123)
9	Louisiana (122)
10	Utah (121)
11	Arizona (117)
12	Pennsylvania (115)
13	Missouri (113)
14	Michigan (110)
15	Arkansas (107)
16	New Hampshire (106)
17	Oregon (105)
18	Delaware (104)
19	South Carolina (104)
20	New Mexico (104)
21	Texas (102)

22	Oklahoma (102)
23	Nevada (97)
24	Connecticut (97)
25	Indiana (97)
26	New Jersey (96)
27	Ohio (95)
28	Idaho (94)
29	Tennessee (90)
30	Illinois (87)
31	Wyoming (80)
32	North Carolina (76)
33	Hawaii (74)
34	Wisconsin (69)
35	Virginia (67)
36	Iowa (65)
37	Rhode Island (64)
38	Kansas (60)
39	Alaska (58)
40	Maryland (39)
41	Mississippi (37)

The purpose of the analyses is to encourage state laws and regulations to require best practices and to guarantee charter school rights and freedoms.

<sup>1</sup> We used the following tiebreakers for these rankings. In 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 unweighted score for all 20 components for each state. Whichever state had the highest score was ranked higher. If the states had the same total unweighted score for the 20 components, we looked at each state's total weighted score for the three operational autonomy components. Whichever state had the highest score was ranked higher.

## Alaska

**#39** (out of 41)  
**58 Points** (out of 208)

In 2010, Alaska passed legislation to remove its cap of 60 charter schools. This legislation also created a supplemental charter school facilities construction, lease and major maintenance grant program, but the legislature has not appropriated any money to fund it.

Alaska's score increased from 54 points to 58 points, but its ranking stayed at number 39 this year. Its score for component number 10 dropped from two points to zero points because stronger evaluation criteria has been applied to this component.

Alaska's law still needs improvement across the board. Potential starting points include expanding authorizing options, strengthening the law in relation to the model law's four "quality control" components (numbers six through nine), increasing operational autonomy, and ensuring equitable operational and categorical 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 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 includes none of the model law's provisions for educational service providers.	0	2	0

Year Charter School Law was Enacted: **1995**Estimated Number of Public Charter Schools in 2010-2011: **27**Estimated Number of Public Charter School Students in 2010-2011: **5,800**

	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					58

## Arizona

**#11** (out of 41)  
**117 Points** (out of 208)

In 2010, Arizona passed a variety of legislation impacting charter schools. Most notably, it passed a bill to expand authorizing options by allowing a university, community college district or group of community college districts to each approve no more than two charter school applications for fiscal year 2010-2011, no more than three applications for fiscal year 2012 and no more than four applications for fiscal year 2013.

Arizona dropped from number 10 to number 11, and its score decreased from 120 points to 117

points. For component number one, it decreased from 12 points to nine points because of the caps put in place on the authorizing activity by universities, community college districts and groups of community college districts.

Arizona's charter school policy environment remains supportive of charter growth. Potential areas for improvement in Arizona's law include providing adequate authorizer funding, strengthening 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 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 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 includes a small number of the model law's provisions for educational service providers.	1	2	2



Year Charter School Law was Enacted: **1994**Estimated Number of Public Charter Schools in 2010-2011: **510**Estimated Number of Public Charter School Students in 2010-2011: **120,000**

	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					117

## Arkansas

**#15** (out of 41)  
**107 Points** (out of 208)

Arkansas did not pass any legislation impacting charter schools in 2010. Arkansas stayed at number 15 this year, although its score dropped from 109 points to 107 points. For component number 10, its score fell from two points to zero points because the Alliance strengthened the evaluative criteria for this component.

Along with Massachusetts, Arkansas ranks the highest on the four 'quality controls' components (number six through nine). Potential areas for improvement in its charter law include lifting the state's cap of 24 start-up, open-enrollment charter schools, creating additional authorizing options, increasing operational autonomy, 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 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 includes none of the model law's provisions for educational service providers.	0	2	0

Year Charter School Law was Enacted: **1995**Estimated Number of Public Charter Schools in 2010-2011: **30**Estimated Number of Public Charter School Students in 2010-2011: **9,000**

	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					107

## California

#6 (out of 41)

**128 Points** (out of 208)

California passed a variety of legislation and regulations impacting charter schools in 2010. Of particular note, California passed regulations that authorized the state board of education to revoke a district-authorized charter school under certain circumstances.

California dropped from number three to number six this year. While this drop had more to do with the aggressive changes made in other states than with any steps backward in California, the state score fell from 130 points to 128 points. For component number 10, its score fell from four points to two

points because stronger evaluation criteria has been applied to this component.

California is a leader in providing facilities support to public charter schools, although challenges persist. Potential areas for improvement in its charter law include strengthening requirements for performance-based charter contracts and authorizer accountability, requiring the appropriate state agency to conduct an annual report on the performance of the state's public charter schools and enacting statutory guidelines for relationships between charter schools and educational service providers.

	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 includes a small number of the model law's provisions for educational service providers.	1	2	2



Year Charter School Law was Enacted: **1992**

Estimated Number of Public Charter Schools in 2010-2011: **913**

Estimated Number of Public Charter School Students in 2010-2011: **376,000**

	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					128

## Colorado

#4 (out of 41)

**130 Points** (out of 208)

In 2010, Colorado enacted several pieces of legislation impacting charter schools, including a bill to allow authorizers to request from the state commissioner of education temporary intervention powers over a charter school or charter management organization in certain emergency situations.

Colorado moved from number five to number four, and its score increased from 128 points to 130 points. For component number eight, its score increased from eight points to 12 points because of the legislation allowing authorizer interventions in certain emergency situations. For component number

10, its score decreased from four points to two points because stronger evaluation criteria has been applied to this component.

Colorado is a leader in providing facilities support to public charter schools, although challenges remain. Potential areas for improvement in the law include enacting statutory guidelines for relationships between charter schools and educational service providers as well as enacting statutory guidelines to govern the expansion 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 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 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 includes a small number of the model law's provisions for educational service providers.	1	2	2

Year Charter School Law was Enacted: **1993**Estimated Number of Public Charter Schools in 2010-2011: **172**Estimated Number of Public Charter School Students in 2010-2011: **77,000**

	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					130

## Connecticut

**#24** (out of 41)  
**97 Points** (out of 208)

In 2010, Connecticut passed legislation that allows the state board to waive the state's caps for charters with a demonstrated record of achievement. This legislation also put in place a requirement that teachers hired after July 1, 2010 must participate in the state retirement system (previously, participation was optional).

Connecticut dropped from number 22 to number 24, and its score fell from 101 points to 97 points. For component number 10, its score decreased from four points to two points because stronger evaluation

criteria has been applied to this component. For component number 20, its score fell from 12 points to six points because of the new requirements for teachers to participate in the state retirement system.

Much improvement is needed in Connecticut's charter school law, including lifting its remaining restrictions on growth, providing additional authorizing options, strengthening performance contracting requirements and ensuring equitable operational and categorical 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 includes a small number of the model law's provisions for educational service providers.	1	2	2



Year Charter School Law was Enacted: **1997**Estimated Number of Public Charter Schools in 2010-2011: **18**Estimated Number of Public Charter School Students in 2010-2011: **5,800**

	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 some charter schools with the option to participate in the relevant state employee retirement systems, but not others.	3	2	6
Total					97

## Delaware

**#18** (out of 41)  
**104 Points** (out of 208)

Delaware did not pass any major charter-specific legislation in 2010. Delaware's ranking fell from number 17 to number 18, and its total score dropped from 106 points to 104 points. For component number 10, its score fell from four points to two points because stronger evaluation criteria has been applied to this component.

Delaware law needs significant improvement in several areas including expanding authorizing options, strengthening its provisions for performance-based contracts, and ensuring equitable operational and categorical 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, 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 includes a small number of the model law's provisions for educational service providers.	1	2	2

Year Charter School Law was Enacted: **1995**Estimated Number of Public Charter Schools in 2010-2011: **19**Estimated Number of Public Charter School Students in 2010-2011: **5,800**

	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					104

## District of Columbia

#8 (out of 41)

**123 Points** (out of 208)

Washington, D.C. passed several pieces of legislation impacting charter schools in 2010. For example, it passed a law to expedite the process of turning over surplus buildings in the D.C. Public Schools to charter schools. It also passed legislation that removed the U.S. Secretary of Education from the process to select candidates to fill vacancies on the D.C. Public Charter School Board.

D.C. fell from number two to number eight, and its score dropped from 131 points to 123 points. For component number 18, its score fell from nine points to three points as new data revealed the District of Columbia has been increasingly spending money on its traditional public

schools outside of its established funding formula, helping to create the biggest funding gap in the country between charter schools and traditional public schools. For component number 10, its score fell from four points to two points because stronger evaluation criteria has been applied to this component.

D.C. remains a leader in providing operational autonomy to its charter schools and in providing facilities support to public charter schools, although challenges remain. The biggest area for potential improvement is moving back toward ensuring equitable funding for 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 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 includes a small number of the model law's provisions for educational service providers.	1	2	2



Year Charter School Law was Enacted: **1996**Estimated Number of Public Charter Schools in 2010-2011: **97**Estimated Number of Public Charter School Students in 2010-2011: **29,000**

	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 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 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 D.C. retirement system. Otherwise, charter employees do not have access to the system.	1	2	2
Total					123

## Florida

**#2** (out of 41)  
**135 Points** (out of 208)

In 2010, Florida adopted model charter school applications, charter school application evaluation forms and charter contracts that district authorizers must use.

Because of these changes, its ranking jumped nine places and its total score increased by 18 points. The specific score increases were applied to components number five through eight, 10 and 20.

For component number five, its score increased from four points to six points because of further clarification

from the state about the specifics of its policies for this component. For component number 20, its score increased from nine points to eight points because we clarified the evaluative criteria for this component.

Florida ranks second highest on the four “quality control” components (number six through nine), tied with Minnesota and New York. Potential areas for improvement in Florida’s law include allowing virtual charter schools and creating authorizer accountability requirements.

	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 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 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 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 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 includes many of the model law’s provisions for educational service providers.	3	2	6

Year Charter School Law was Enacted: **1996**

Estimated Number of Public Charter Schools in 2010-2011: **461**

Estimated Number of Public Charter School Students in 2010-2011: **159,000**

	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 access to relevant employee retirement systems, but does not require participation.	4	2	8
Total					135

## Georgia

#7 (out of 41)

**126 Points** (out of 208)

Georgia did not pass any major charter-specific legislation in 2010. Georgia's ranking fell from number four to number 7. This drop had more to do with the aggressive changes made in other states than with any steps backward in Georgia. Its total score fell from 130 points to 126 points. For component number 10, its score fell from eight points to four points because stronger evaluation criteria has been applied to this component.

Georgia remains a cap-free environment that is open to a wide variety of public charter schools, with multiple paths toward authorization. One potential area of improvement is providing equitable access to capital funding and facilities. Another 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 arrangements.

	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.	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 includes some of the model law's provisions for educational service providers.	2	2	4

Year Charter School Law was Enacted: **1994**Estimated Number of Public Charter Schools in 2010-2011: **97**Estimated Number of Public Charter School Students in 2010-2011: **50,000**

	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					126



## Hawaii

**#33** (out of 41)  
**74 Points** (out of 208)

In 2010, Hawaii passed legislation that, among other things, partially lifted its cap on start-up charter schools, made some changes to the state's charter school funding formula and required the state department of education to make vacant public school facilities available to public charter schools.

Hawaii moved from number 34 to number 33, and its score increased from 70 points to 74 points. For component number one, its score increased from zero points to three points because of the partial cap lift. For component number 19, its score increased from zero points to three points because of the

requirements to make vacant public school facilities available to public charter schools. For component number 10, its score fell from two points to zero points because stronger evaluation criteria has been applied to this component.

Hawaii's law still needs significant improvement in several areas, including completely removing its caps; strengthening the requirements for both charter application, review and decision-making processes and renewal, non-renewal, and revocation processes; and ensuring equitable operational and categorical 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 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 includes none of the model law's provisions for educational service providers.	0	2	0

Year Charter School Law was Enacted: **1994**

Estimated Number of Public Charter Schools in 2010-2011: **31**

Estimated Number of Public Charter School Students in 2010-2011: **8,100**

	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 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					74

## Idaho

**#28** (out of 41)  
**94 Points** (out of 208)

Idaho did not pass any major charter-specific legislation in 2010. It fell from number 25 to number 28, and its score dropped from 98 points to 94 points. For component number 10, its score fell from six points to two points because stronger evaluation criteria has been applied to this component.

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. Potential areas for improvement include removing all caps on charter school growth; requiring performance-based contracts, strengthening its renewal, nonrenewal and revocation 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 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 includes a small number of the model law's provisions for educational service providers.	1	2	2

Year Charter School Law was Enacted: **1996**Estimated Number of Public Charter Schools in 2010-2011: **40**Estimated Number of Public Charter School Students in 2010-2011: **17,000**

	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					94

## Illinois

**#30** (out of 41)  
**87 Points** (out of 208)

Illinois did not pass any major charter-specific legislation in 2010. It fell from number 28 to number 30, and its score dropped from 91 points to 87 points. For component number 10, its score fell from six points to two points because stronger evaluation criteria has been applied to this component.

Illinois law needs significant work in several areas, including expanding authorizer options for applicants, strengthening the law in relation to the model law's four quality control components (number six through nine), and ensuring equitable operational and categorical 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 adequate 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 includes a small number of the model law's provisions for educational service providers.	1	2	2



Year Charter School Law was Enacted: **1996**

Estimated Number of Public Charter Schools in 2010-2011: **116**

Estimated Number of Public Charter School Students in 2010-2011: **45,000**

	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					87

## Indiana

**#25** (out of 41)  
**97 Points** (out of 208)

In 2010, Indiana created a facilities grant program supported by a federal grant from the U.S. Department of Education and matching funds from the state's common school fund interest balance account.

Indiana moved from number 29 to number 25, and its total score increased from 90 points to 97 points. Its specific scores changed in the following ways:

- For component number 10, it decreased from two points to zero points because stronger evaluation criteria has been applied to this component.
- For component number 11, it increased from six

points to nine points because stronger evaluation criteria has been applied to this component.

- For component number 18, it increased from three points to six points because of new data available for this component.
- For component number 19, it increased from three points to six points because of the new facilities grant program.

Potential areas for further improvement include expanding authorizer options and ensuring equitable operational and categorical 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 adequate 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 includes none of the model law's provisions for educational service providers.	0	2	0

Year Charter School Law was Enacted: **2001**Estimated Number of Public Charter Schools in 2010-2011: **62**Estimated Number of Public Charter School Students in 2010-2011: **22,000**

	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 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 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					97

## Iowa

#36 (out of 41)  
65 Points (out of 208)

In 2010, Iowa passed a law to remove its cap of 20 public charter school conversions and eliminate the pilot nature of the program by removing a sunset provision. It moved up from number 38 to number 36, and its total score increased from 56 points to 65 points. For component number one, its score increased from three points to 12 points because of these changes.

Iowa's law needs improvement overall, most notably by allowing start-up charter schools and virtual charter schools, providing additional authorizing options for charter applicants, strengthening the law in relation to the model law's four "quality control" components (number six through nine), increasing operational autonomy, and ensuring equitable operational and categorical 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 only public school conversions.	0	1	0
3	Multiple Authorizers Available	The state has only a single viable authorizer option available and there is 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 includes a small number of the model law's provisions for educational service providers.	1	2	2

Year Charter School Law was Enacted: **2002**Estimated Number of Public Charter Schools in 2010-2011: **8**Estimated Number of Public Charter School Students in 2010-2011: **600**

	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					65



## Kansas

**#38** (out of 41)  
**60 Points** (out of 208)

Kansas did not enact any major charter-specific legislation in 2010. It fell from number 36 to number 38, and its total score dropped from 62 points to 60 points. For component number 10, it fell from four points to two points because stronger evaluation criteria has been applied to this component.

While Kansas 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, strengthening the law in relation to the model law's four "quality control" components (number six through nine), increasing operational autonomy, and ensuring equitable operational and categorical 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 includes a small number of the model law's provisions for educational service providers.	1	2	2

Year Charter School Law was Enacted: **1994**Estimated Number of Public Charter Schools in 2010-2011: **26**Estimated Number of Public Charter School Students in 2010-2011: **5,000**

	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					60

## Louisiana

#9 (out of 41)

**122 Points** (out of 208)

In 2010, Louisiana enacted several pieces of legislation impacting charter schools. Perhaps most notably, the state expanded the transparency of local authorizers during the approval and renewal process.

Louisiana held steady at number nine this year, and its total score increased from 120 points to 122 points. For component number eight, its score increased from six points to 12 points because of the expansion of local authorizer transparency during the approval and renewal process. For component number 10,

its score decreased from four points to two points because stronger evaluation criteria has been applied to this component.

Louisiana fares well on the four 'quality controls' components (number six through nine). 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 board arrangements.

	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 few 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 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 includes a small number of the model law's provisions for educational service providers.	1	2	2

Year Charter School Law was Enacted: **1995**Estimated Number of Public Charter Schools in 2010-2011: **90**Estimated Number of Public Charter School Students in 2010-2011: **37,000**

	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					122

## Maryland

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

Maryland did not pass any major charter-specific legislation in 2010. It remained at number 40, and its score fell from 41 points to 39 points. For component number 10, its score decreased from two points to zero points because stronger evaluation criteria has been applied to this component.

elsewhere. Potential starting points include expanding authorizing options, strengthening the law in relation to the model law's four "quality control" components (numbers six through nine), increasing operational autonomy and ensuring equitable access to capital funding and facilities.

The primary strength of Maryland's law is that it's cap-free. However, it largely needs improvement

	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 includes none of the model law's provisions for educational service providers.	0	2	0



Year Charter School Law was Enacted: **2003**Estimated Number of Public Charter Schools in 2010-2011: **45**Estimated Number of Public Charter School Students in 2010-2011: **14,000**

	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					39

## Massachusetts

#3 (out of 41)

132 Points (out of 208)

In 2010, Massachusetts passed a law that partially lifted the state's caps on charter school growth and explicitly allowed charter governing boards to hold multiple charter contracts to promote the replication and expansion of high-quality charter schools. However, these changes came with a price, as new regulations were added.

Massachusetts jumped three places and its total score increased by 7 points. The specific score increases were applied to components number one, six and 15. The state earned points for a partial cap

lift, new application requirements specific to educational service providers and changes regarding charter governing boards. For component number 18, the score decreased because of new data available for this component.

Potential areas for improvement include removing the remaining caps on charter school growth, ensuring equitable operational and categorical funding, 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 has a cap with room for adequate 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 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 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 includes all of the model law's provisions for educational service providers.	4	2	8

Year Charter School Law was Enacted: **1993**Estimated Number of Public Charter Schools in 2010-2011: **63**Estimated Number of Public Charter School Students in 2010-2011: **28,000**

	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 explicitly allows multi-charter contract boards 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 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 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					132

## Michigan

**#14** (out of 41)  
**110 Points** (out of 208)

Michigan did not pass any major charter-specific legislation in 2010, and remained at number 14, with a total score of 110 points. For component number 10, its score fell from six points to four points because we strengthened the evaluative criteria for this component. For component number 20, its score increased from six points to eight points because we clarified the evaluative criteria for this component.

The Michigan law's greatest strengths are its multiple authorizer provisions coupled with adequate and guaranteed authorizer funding. However, much

improvement is needed, including lifting the cap; increasing operational autonomy; strengthening its requirements for both charter application, review and decision-making processes and renewal, non-renewal, and revocation processes; and ensuring equitable access to capital funding and facilities.

Michigan has an active Michigan Council of Charter School Authorizers that has adopted a common set of comprehensive oversight and accountability standards. While such standards are great practice, they are not required per statute or regulation.

	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 adequate 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 includes some of the model law's provisions for educational service providers.	2	2	4

Year Charter School Law was Enacted: **1993**Estimated Number of Public Charter Schools in 2010-2011: **245**Estimated Number of Public Charter School Students in 2010-2011: **114,000**

	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 access to relevant employee retirement systems, but does not require participation.	4	2	8
Total					110



## Minnesota

#1 (out of 41)

**154 Points** (out of 208)

For the second year in a row, Minnesota is ranked number one. While it did not pass any new laws in 2010, the state further refined its authorizer approval regulations, which helped to boost its score from 152 points last year to 154 points. For component number six, its score increased from eight points to 12 points because of these refinements. For component number 10, its score decreased from eight points to six points because we strengthened the evaluative criteria for this component.

Minnesota ranks the second highest on our four quality control components (numbers six through nine), tied with Florida and New York. One potential area of improvement in Minnesota's law is providing equitable access to capital funding and facilities. Another area is enacting statutory guidelines to govern the expansion 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 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 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 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 includes many of the model law's provisions for educational service providers.	3	2	6

Year Charter School Law was Enacted: **1991**

Estimated Number of Public Charter Schools in 2010-2011: **149**

Estimated Number of Public Charter School Students in 2010-2011: **38,000**

	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					154

# Mississippi

**#41** (out of 41)  
**37 Points** (out of 208)

Mississippi, whose previous charter law only allowed six conversion charter schools and expired in 2009, enacted a new charter law in 2010. Unfortunately, it is actually weaker than the previous law in that it only allows failing schools to convert to charter status, but such schools remain part of the school district. In fact, Mississippi's new law only scored 37 points and ranked number 41 — dead last.

Significant improvements are needed in every aspect of this law. For example, the law empowers a charter school's local management board to select the principal and teachers and allows it to contract with a for-profit or nonprofit organization for the daily management of the school—but then restricts the school by noting that such management cannot include the authority to employ or terminate administrators, teachers or other personnel; establish curriculum; or adopt a budget.

	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 only public school conversions.	0	1	0
3	Multiple Authorizers Available	The state has only a single viable authorizer option available and there is 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 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 includes a small number of the model law's provisions for educational service providers.	1	2	2

Year Charter School Law was Enacted: **2010**Estimated Number of Public Charter Schools in 2010-2011: **0**Estimated Number of Public Charter School Students in 2010-2011: **0**

	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 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 school staff to be employees of the local school district, but exempts the staff from state education employment laws.	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 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 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					37

## Missouri

**#13** (out of 41)  
**113 Points** (out of 208)

Missouri did not pass any major charter-specific legislation in 2010. Its ranking remained at number 13, and its score increased from 110 points to 113 points. For component number 11, it increased from nine points to 12 points because stronger evaluation criteria has been applied to this component.

Missouri's law fares well on the operational autonomy provided to charter schools. However,

Missouri's law only allows charter schools in the Kansas City and St. Louis school districts. Therefore, the biggest area for improvement is to expand charter schools statewide. Other potential areas for improvement include strengthening 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 includes some of the model law's provisions for educational service providers.	2	2	4

Year Charter School Law was Enacted: **1998**Estimated Number of Public Charter Schools in 2010-2011: **36**Estimated Number of Public Charter School Students in 2010-2011: **19,000**

	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 a small number 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					113



## Nevada

**#23** (out of 41)  
**97 Points** (out of 208)

Nevada did not pass any major charter-specific legislation in 2010. Its ranking stayed at number 23, and its score fell from 99 points to 97 points. For component number 10, its score decreased from eight points to six points because we strengthened the evaluative criteria for this component.

Nevada's law does not place any caps on charter school growth (but three school districts have enacted a moratorium on new charter schools). Potential areas for improvement include expanding authorizer options, increasing operational autonomy, and ensuring equitable operational and categorical 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

Year Charter School Law was Enacted: **1997**Estimated Number of Public Charter Schools in 2010-2011: **27**Estimated Number of Public Charter School Students in 2010-2011: **13,000**

	Essential Components of Strong Public Charter School Law	Current Component Description	Rating	Weight	Total Score
10	Educational Service Providers Allowed	The state law includes many of the model law's provisions for educational service providers.	3	2	6
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					97

## New Hampshire

**#16** (out of 41)  
**106 Points** (out of 208)

New Hampshire passed a law in 2010 that removed a moratorium on any additional state board approvals. New Hampshire's ranking moved from number 19 to number 16, and its total score increased from 105 points to 106 points. For component number one, its score increased from zero points to three points because it removed the moratorium. For component number 10, its score decreased from eight points to six points because the Alliance strengthened the evaluative criteria for this component.

New Hampshire's law fares well on the operational autonomy provided to charter schools. However, the law needs significant improvements in several areas, most immediately removing the pilot nature of the program. The state also needs to ensure equitable operational and categorical 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 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 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 includes many of the model law's provisions for educational service providers.	3	2	6

Year Charter School Law was Enacted: **1996**Estimated Number of Public Charter Schools in 2010-2011: **10**Estimated Number of Public Charter School Students in 2010-2011: **900**

	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					106

## New Jersey

**#26** (out of 41)  
**96 Points** (out of 208)

New Jersey did not pass any major charter-specific legislation in 2010. It moved from number 27 to number 26, but its total score did not change.

New Jersey's law is cap-free; is open to start-ups, conversions, and virtual schools; and fares well on its requirements for charter school oversight.

Potential areas for improvement include expanding authorizer options for applicants, increasing operational autonomy, beefing up its requirements for performance-based contracts, ensuring authorizer accountability, providing adequate authorizer funding, and ensuring equitable operational and categorical 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 includes a small number of the model law's provisions for educational service providers.	1	2	2

Year Charter School Law was Enacted: **1995**Estimated Number of Public Charter Schools in 2010-2011: **73**Estimated Number of Public Charter School Students in 2010-2011: **24,000**

	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

**#20** (out of 41)  
**104 Points** (out of 208)

New Mexico did not pass any major charter-specific legislation in 2010. Its ranking moved from number 18 to number 20, and its total score dropped from 106 points to 104 points. For component number 10, its score decreased from two points to zero points because the Alliance strengthened the evaluative criteria for this component.

schools, although challenges remain. Potential areas for improvement include ensuring authorizer accountability, improving the requirements for performance-based contracts and charter oversight, increasing operational autonomy, and enacting statutory guidelines for relationships between charter schools and educational service providers.

New Mexico is one of the national leaders in making headway on providing facilities support to charter

	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 adequate 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 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 includes none of the model law's provisions for educational service providers.	0	2	0

Year Charter School Law was Enacted: **1993**

Estimated Number of Public Charter Schools in 2010-2011: **81**

Estimated Number of Public Charter School Students in 2010-2011: **15,000**

	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					104

## New York

#5 (out of 41)

**129 Points** (out of 208)

In 2010, New York passed legislation that lifted its cap from 200 charter schools to 460 charter schools. To promote replication and expansion of successful charter schools, the law also allows a nonprofit education corporation to operate more than one school at more than one site. However, these changes came with a price as new regulations were added, arguably the most problematic being a prohibition on contracting with for-profit educational management organizations.

New York moved from number eight to number five, and its total score increased from 121 points to 129 points.

For component number one, its score increased from three points to nine points because of the partial cap lift. For component number 10, its score decreased from four points to two points because we strengthened the evaluative criteria for this component. For component number 15, its score increased from zero points to four points because of the changes allowing a nonprofit education corporation to operate more than one school or house any grade at more than one site.

The biggest area for improvement is for the state to provide equitable access to capital funding and facilities for 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 room for ample 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 allows two 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 includes a small number of the model law's provisions for educational service providers.	1	2	2

Year Charter School Law was Enacted: **1998**Estimated Number of Public Charter Schools in 2010-2011: **176**Estimated Number of Public Charter School Students in 2010-2011: **51,000**

	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 explicitly allows either of these arrangements 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 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					129

## North Carolina

**#32** (out of 41)  
**76 Points** (out of 208)

North Carolina took a step backwards on charter schools in 2010 by passing legislation that allows school districts to further increase funding inequities between charter schools and school districts. North Carolina's ranking stayed at number 32, and its total score fell from 78 points to 76 points. For component number 10, its score fell from two points to zero points because the Alliance strengthened the evaluative criteria for this component.

North Carolina's 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 improve 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 includes none of the model law's provisions for educational service providers.	0	2	0

Year Charter School Law was Enacted: **1996**Estimated Number of Public Charter Schools in 2010-2011: **98**Estimated Number of Public Charter School Students in 2010-2011: **42,000**

	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 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					76



## Ohio

#27 (out of 41)  
95 Points (out of 208)

Ohio did not pass any major charter-specific legislation in 2010. Its ranking fell from number 26 to number 27, and its total score dropped from 97 points to 95 points. For component number 10, its score fell from four points to two points because the Alliance strengthened the evaluative criteria for this component.

Potential areas of improvement include removing all caps and moratoria on charter school growth; strengthening its requirements for charter application, review and decision-making processes and performance-based contracting; and ensuring equitable operational and categorical 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 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 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 includes a small number of the model law's provisions for educational service providers.	1	2	2

Year Charter School Law was Enacted: **1997**Estimated Number of Public Charter Schools in 2010-2011: **345**Estimated Number of Public Charter School Students in 2010-2011: **100,000**

	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 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					95

## Oklahoma

**#22** (out of 41)  
**102 Points** (out of 208)

In 2010, Oklahoma passed legislation that removed some of its caps on charter school growth and clarified that each charter school is its own Local Educational Agency (LEA). Its ranking moved from number 24 to number 22, and its total score increased from 99 points to 102 points.

The specific score increases were applied to components number one and 17. The state earned points for a partial cap lift and for clarifying that each charter school is its own LEA. The state lost points

on component 10 because the Alliance strengthened evaluation criteria for this component.

Oklahoma is a leader in providing operational autonomy to its charter schools. The biggest area for improvement is to expand charter schools statewide (it currently only allows charters in 21 of the state's 537 districts). Other potential areas for improvement include ensuring equitable operational and categorical funding 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 has a cap with room for adequate 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 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 includes none of the model law's provisions for educational service providers.	0	2	0

Year Charter School Law was Enacted: **1999**Estimated Number of Public Charter Schools in 2010-2011: **18**Estimated Number of Public Charter School Students in 2010-2011: **6,600**

	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 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 provides access to relevant employee retirement systems, but does not require participation.	4	2	8
Total					102

## Oregon

**#17** (out of 41)  
**105 Points** (out of 208)

In 2010, Oregon passed new requirements for virtual charter schools. Oregon's ranking fell from number 16 to number 17, and its total score dropped from 109 points to 105 points. For component number 10, its score fell from six points to two points because the Alliance strengthened the evaluative criteria for this component.

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

significant work on ensuring equitable operational and categorical 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 (number six through nine), while also providing additional authorizing options beyond local school boards for charter applicants.

	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 includes a small number of the model law's provisions for educational service providers.	1	2	2

Year Charter School Law was Enacted: **1999**

Estimated Number of Public Charter Schools in 2010-2011: **104**

Estimated Number of Public Charter School Students in 2010-2011: **20,000**

	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					105



## Pennsylvania

**#12** (out of 41)  
**115 Points** (out of 208)

Pennsylvania did not enact any major pieces of charter legislation in 2010. Pennsylvania's ranking remained at number 12, and its total score decreased from 116 points to 115 points. For component number 1, its score decreased from 12 points to nine points because of district-mandated restrictions on growth. For component number 20, its score increased from six points to eight points because the Alliance clarified the evaluative criteria for this component.

In general, Pennsylvania law provides an environment that's open to new start-ups, public school conversions, and virtual schools and supportive of autonomy. Pennsylvania's law needs improvement in several areas, including prohibiting district-mandated restrictions on growth, 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 and categorical 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 some school districts have enacted restrictions on 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 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 includes some of the model law's provisions for educational service providers.	2	2	4

Year Charter School Law was Enacted: **1997**Estimated Number of Public Charter Schools in 2010-2011: **147**Estimated Number of Public Charter School Students in 2010-2011: **87,000**

	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 provides access to relevant employee retirement systems, but does not require participation.	4	2	8
Total					118

## Rhode Island

**#37** (out of 41)  
**64 Points** (out of 208)

In 2010, Rhode Island passed legislation that partially lifted its caps on charter school growth. Rhode Island's ranking remained at number 37, but its total score increased from 58 points to 64 points. For component number one, it increased from three points to six points because of the partial cap lift. For component number three, it increased from zero points to three points.

remaining caps on charter school growth, providing additional authorizing options for charter applicants, ensuring authorizer accountability, providing adequate authorizer funding, strengthening the law in relation to the model law's four "quality control" components (number six through nine), and ensuring equitable operational and categorical funding and equitable access to capital funding and facilities.

Rhode Island's law is still in need of significant improvement, most notably by removing the

	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 adequate 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 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 includes a small number of the model law's provisions for educational service providers.	1	2	2

Year Charter School Law was Enacted: **1995**Estimated Number of Public Charter Schools in 2010-2011: **16**Estimated Number of Public Charter School Students in 2010-2011: **3,900**

	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					64

## South Carolina

**#19** (out of 41)  
**104 Points** (out of 208)

South Carolina did not pass any major charter-specific legislation in 2010. Its ranking moved from number 20 to number 19, and its total score remained at 104 points.

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 and categorical funding and equitable access to capital funding and facilities. It also needs to be strengthened 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 includes a small number of the model law's provisions for educational service providers.	1	2	2

Year Charter School Law was Enacted: **1996**

Estimated Number of Public Charter Schools in 2010-2011: **44**

Estimated Number of Public Charter School Students in 2010-2011: **17,000**

	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 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 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 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 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

**#29** (out of 41)  
**90 Points** (out of 208)

Tennessee did not enact any major charter-specific legislation in 2010. Its ranking moved from number 30 to number 29, and its total score remained at 90 points. Tennessee's law needs improvement in several areas, including removing the law's remaining restrictions on charter school growth (especially those

related to student enrollment), allowing virtual charter schools, creating additional authorizing options, ensuring authorizer accountability, strengthening the requirements for performance-based contracts and charter school oversight, and ensuring equitable operational and categorical 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 adequate 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 includes a small number of the model law's provisions for educational service providers.	1	2	2

Year Charter School Law was Enacted: **2002**Estimated Number of Public Charter Schools in 2010-2011: **29**Estimated Number of Public Charter School Students in 2010-2011: **6,800**

	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 41)  
**102 Points** (out of 208)

Most notable in 2010, the Texas Education Agency determined that open-enrollment charter schools are eligible for the state's new instructional facilities allotment. However, open-enrollment charter schools remain ineligible for other state programs such as the permanent school fund, the instructional facilities allotment, and the existing debt allotment.

Texas remained at number 21, and its total score increased from 101 points to 102 points. For component number 10, its score fell from eight points

to six points because the Alliance strengthened the evaluative criteria for this component. For component number 13, its score increased from six points to nine points because of further clarification from the state about the specifics of its policies for this component.

Potential areas for improvement start with removing all remaining restrictions on charter school growth and ensuring equitable operational and categorical funding and equitable access to capital funding and facilities. Other areas include ensuring authorizer accountability and providing adequate authorizer 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 adequate 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 includes many of the model law's provisions for educational service providers.	3	2	6

Year Charter School Law was Enacted: **1995**

Estimated Number of Public Charter Schools in 2010-2011: **574**

Estimated Number of Public Charter School Students in 2010-2011: **166,000**

	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	For state-authorized charters, 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. For district-authorized charters, the state law provides automatic exemptions from many state laws and regulations and does not require any of a school's teachers to be certified, but it does not provides automatic exemptions from many district laws and regulations.	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 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					102

## Utah

**#10** (out of 41)  
**121 Points** (out of 208)

Utah passed legislation in 2010 that tweaked its cap on charter school growth, expanded authorizing options to include higher educational institutions, and took incremental steps toward fiscal parity with traditional public schools.

Utah slipped from number seven to number 10. This drop had more to do with aggressive changes made in other states than with any steps backward in Utah. Its total score dropped from 123 points to 121 points. For component number 10, its score fell from four points

to two points because the Alliance strengthened the evaluative criteria for this component.

Potential areas for improvement include removing the remaining restrictions on charter school growth, ensuring authorizing accountability, strengthening its requirements for performance-based charter contracts, providing more operational autonomy to charter schools, and enacting statutory guidelines for relationships between charter schools and educational service providers.

	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 adequate 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 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 many of the model law's clear processes for renewal, nonrenewal and revocation decisions.	2	4	8
10	Educational Service Providers Allowed	The state law includes a small number of the model law's provisions for educational service providers.	1	2	2

Year Charter School Law was Enacted: **1998**Estimated Number of Public Charter Schools in 2010-2011: **78**Estimated Number of Public Charter School Students in 2010-2011: **39,000**

	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 either of these arrangements 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					121



## Virginia

**#35** (out of 41)  
**67 Points** (out of 208)

In 2010, Virginia passed a law that tweaked the application review process to require the state board of education to first review all applications to determine whether they meet the approval criteria established by the state board. After such a review and determination by the state board of education, the application goes to the local school board, who still makes the final determination about it.

Virginia's ranking remained at number 35, and its total score increased from 63 points to 67 points.

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, strengthening the law in relation to the model law's four "quality control" components (number six through nine), increasing operational autonomy, and ensuring equitable operational and categorical 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 includes a small number of the model law's provisions for educational service providers.	1	2	2

Year Charter School Law was Enacted: **1998**Estimated Number of Public Charter Schools in 2010-2011: **4**Estimated Number of Public Charter School Students in 2010-2011: **200**

	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 school district personnel policies, 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

**#34** (out of 41)  
**69 Points** (out of 208)

Wisconsin did not pass any major charter-specific legislation in 2010. Its ranking fell from number 33 to number 34, and its total score dropped from 71 points to 69 points. For component number 10, its score fell from four points to two points because the Alliance strengthened the evaluative criteria for this component.

Wisconsin law needs a major overhaul in several areas, including: providing additional authorizing

options, ensuring authorizer accountability, providing adequate authorizer funding, strengthening the law in relation to the model law's four "quality control" components (number six through nine), increasing operational autonomy, and ensuring equitable operational and categorical 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.	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 includes a small number of the model law's provisions for educational service providers.	1	2	2

Year Charter School Law was Enacted: **1993**Estimated Number of Public Charter Schools in 2010-2011: **206**Estimated Number of Public Charter School Students in 2010-2011: **35,000**

	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					69

## Wyoming

**#31** ((out of 41))  
**80 Points** (out of 208)

Wyoming did not pass any major charter-specific legislation in 2010. Its ranking stayed at number 31, and its total score increased from 79 points to 80 points. For component number 10, its score fell from four points to two points because the Alliance strengthened the evaluative criteria for this component. For component number 11, its score increased from three points to six points because the Alliance strengthened the evaluative criteria for this component.

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 areas, including the four "quality control" components (number six through nine) of the model law, operational autonomy, operational and categorical 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 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 includes a small number of the model law's provisions for educational service providers.	1	2	2

Year Charter School Law was Enacted: **1995**Estimated Number of Public Charter Schools in 2010-2011: **3**Estimated Number of Public Charter School Students in 2010-2011: **300**

	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 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 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					80



## Appendix A: Methodological Details

In this Appendix, we describe in more detail the methodology that we used for the state analyses at the heart of the rankings report. It is divided into the following subsections: weights, rubric and changes from the first edition of the rankings report.

### Weights

For the analysis of each state's charter school law against the Alliance model law, each of the model law's 20 essential components was weighted. Four components received the heaviest weight, four points each. This group is referred 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 and categorical funding equity, and equitable access to capital funding and facilities don't have a huge impact on charter quality. They clearly do. However, the four components bulleted above are too often given short shrift in charter laws. These components ensure that authorizers are appropriately exercising their "quality control" responsibilities, and the Alliance aims 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. Some authorizers have established serious "quality control" practices in spite of their state law's silence on these provisions. However, 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.

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.

A weight of three points was assigned 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

A weight of two points was assigned 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

A weight of one point was assigned 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 each of the 20 components received a weight, each component for each state was rated on a scale of “zero” to “four.” The rating and the weight were multiplied to get a score for each component in each state. Totalling the scores for each of the 20 components gives an overall score for each state. The highest score possible is 208.

The table below shows how the ratings “zero” to “four” are defined for each component. For those cells where it reads “not applicable,” a particular numeric rating for that component was not given in any state.

Essential Components of a Strong Public Charter School Law	0	1	2	3	4
<b>1) No Caps, whereby:</b>  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 adequate 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.
<b>2) A Variety of Public Charter Schools Allowed, including:</b>  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
<p><b>3) Multiple Authorizers Available</b>, including:</p> <p>3A. Two viable authorizing options for each applicant with direct application allowed to each authorizing option.</p>	<p>The state has only a single viable authorizer option available and there is no or almost no authorizing activity.</p>	<p>The state has only a single viable authorizer option available and there is some authorizing activity.</p>	<p>The state has only a single viable authorizer option available and there is considerable authorizing activity.</p> <p>OR</p> <p>The state allows two or more viable authorizing options for applicants in some but not all situations.</p> <p>OR</p> <p>The state allows two or more viable authorizing options for applicants but the authorizing activities of such entities is limited.</p>	<p>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.</p>	<p>The state allows two or more viable authorizing options for each applicant.</p>

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

Essential Components of a Strong Public Charter School Law	0	1	2	3	4
<b>6) Transparent Charter Application, Review and Decision-Making Processes</b> , 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.

It's very important to have better, clearer charter laws—laws that enable innovation, promote transparency about how charter schools perform and how they are held accountable, and provide fair access to public funds and facilities. We're encouraged that the National Alliance for Public Charter Schools supports creation of better charter school laws as models of learning, and we encourage authorizers to hold charters accountable for student performance.

*Arne Duncan*

*U.S. Secretary of Education*

Essential Components of a Strong Public Charter School Law	0	1	2	3	4
<p><b>7) Performance-Based Charter Contracts Required,</b> with such contracts:</p> <p>7A. Being created as a separate document from the application and executed by the governing board of the charter school and the authorizer</p> <p>7B. Defining the roles, powers and responsibilities for the school and its authorizer</p> <p>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)</p> <p>7D. Providing an initial term of five operating years (or a longer term with periodic high-stakes reviews.)</p> <p>7E. Including requirements addressing the unique environments of virtual schools, if applicable</p>	<p>The state law includes none of the model law's provisions for performance-based charter contracts.</p>	<p>The state law includes a small number of the model law's provisions for performance-based charter contracts.</p>	<p>The state law includes some of the model law's provisions for performance-based charter contracts.</p>	<p>The state law includes many of the model law's provisions for performance-based charter contracts.</p>	<p>The state law includes all of the model law's provisions for performance-based charter contracts.</p>



Essential Components of a Strong Public Charter School Law	0	1	2	3	4
<b>8) Comprehensive Charter School Monitoring and Data Collection Processes, including:</b>  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.

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

Essential Components of a Strong Public Charter School Law	0	1	2	3	4
<p><b>10) Educational Service Providers (ESPs) Allowed</b>, including:</p> <p>10A. All types of educational service providers (both for-profit and nonprofit) explicitly allowed to operate all or parts of schools</p> <p>10B. The charter application requires 1) performance data for all current and past schools operated by the ESP, including documentation of academic achievement and (if applicable) school management success; and 2) explanation and evidence of the ESP's capacity for successful growth while maintaining quality in existing schools.</p> <p>10C. A performance contract is required between the independent public charter school board and the ESP, setting forth material terms including but not limited to: performance evaluation measures; methods of contract oversight and enforcement by the charter school board; compensation structure and all fees to be paid to the ESP; and conditions for contract renewal and termination.</p> <p>10D. The material terms of the ESP performance contract must be approved by the authorizer prior to charter approval.</p> <p>10E. School governing boards operating as entities completely independent of any educational service provider (e.g., must retain independent oversight authority of their charter schools and cannot give away their authority via contract).</p> <p>10F. Existing and potential conflicts of interest between the two entities are required to be disclosed and explained in the charter application.</p>	<p>The state law includes none of the model law's provisions for educational service providers.</p>	<p>The state law includes a small number of the model law's provisions for educational service providers.</p>	<p>The state law includes some of the model law's provisions for educational service providers.</p>	<p>The state law includes many of the model law's provisions for educational service providers.</p>	<p>The state law includes all of the model law's provisions for educational service providers.</p>

Essential Components of a Strong Public Charter School Law	0	1	2	3	4
<b>11) Fiscally and Legally Autonomous Schools with Independent Public Charter School Boards, including:</b>  11A. Fiscally autonomous schools (e.g., schools have clear statutory authority to receive and disburse funds, incur debt and pledge, assign or encumber assets as collateral)  11B. Legally autonomous schools (e.g., schools have clear statutory authority to enter into contracts and leases, sue and be sued in their own names and acquire real property)  11C. School governing boards created specifically to govern their charter schools	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.	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.
<b>12) Clear Student Recruitment, Enrollment and Lottery Procedures, including:</b>  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, siblings of 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 percent of the school's total student population	The state law includes 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
<p><b>13) Automatic Exemptions from Many State and District Laws and Regulations, including:</b></p> <p>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.</p> <p>13B. Exemption from state teacher certification requirements.</p>	<p>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.</p>	<p>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.</p> <p>OR</p> <p>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.</p> <p>OR</p> <p>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.</p>	<p>There were six variations for how state laws handled 13A and 13B that were included in this cell.<sup>1</sup></p>	<p>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.</p>	<p>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.</p>

<sup>1</sup> The six variations for how state laws handled 13A and 13B that were included in rating 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
<p><b>14) Automatic Collective Bargaining Exemption</b>, whereby:</p> <p>14A. Charter schools authorized by non-local board authorizers are exempt from participation in any outside collective bargaining agreements</p> <p>14B. Charter schools authorized by local boards are exempt from participation in any district collective bargaining agreements</p>	<p>The state law requires all charter schools to be part of existing collective bargaining agreements, with no opportunity for exemptions.</p>	<p>The state law requires all charter schools to be part of existing collective bargaining agreements, but schools can apply for exemptions.</p> <p>OR</p> <p>The state law requires all charter school staff to be employees of the local school district, but exempts the staff from state education employment laws.</p>	<p>The state law exempts some schools from existing collective bargaining agreements, but not others.</p>	<p>The state law exempts some schools from existing collective bargaining agreements, but not others (but allows those not exempted to apply for exemptions).</p>	<p>The state law does not require any charter schools to be part of district collective bargaining agreements.</p>



Essential Components of a Strong Public Charter School Law	0	1	2	3	4
<p><b>15) Multi-School Charter Contracts and/or Multi-Charter Contract Boards Allowed,</b> whereby an independent public charter school board may:</p> <p>15A. Oversee multiple schools linked under a single contract with independent fiscal and academic accountability for each school</p> <p>15B. Hold multiple charter contracts with independent fiscal and academic accountability for each school</p>	The state law prohibits these arrangements.	<p>The state law is silent regarding these arrangements.</p> <p>OR</p> <p>The state law explicitly allows either of these arrangements but does not require each school to be independently accountable for fiscal and academic performance.</p> <p>OR</p> <p>The state law explicitly allows these arrangements for some schools but not others.</p>	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.
<p><b>16) Extra-Curricular and Interscholastic Activities Eligibility and Access,</b> whereby:</p> <p>16A. Laws or regulations explicitly state that charter school students and employees are eligible to participate in all inter-scholastic leagues, competitions, awards, scholarships and recognition programs available to non-charter public school students and employees.</p> <p>16B. Laws or regulations explicitly allow charter school students in schools not providing extra-curricular and inter-scholastic activities to have access to those activities at non-charter public schools for a fee by a mutual agreement.</p>	The state law prohibits charter eligibility and access.	The state law is silent about charter eligibility and access.	The state law provides either eligibility or access, but not both.	The state law provides both eligibility and access to students, but not employees.	The state law provides both eligibility and access.

Essential Components of a Strong Public Charter School Law	0	1	2	3	4
<b>17) Clear Identification of Special Education Responsibilities</b> , 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.
<b>18) Equitable Operational Funding and Equal Access to All State and Federal Categorical Funding</b> , 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.

Essential Components of a Strong Public Charter School Law	0	1	2	3	4
<p><b>19) Equitable Access to Capital Funding and Facilities</b>, including:</p> <p>19A. A per-pupil facilities allowance that annually reflects actual average district capital costs</p> <p>19B. A state grant program for charter school facilities</p> <p>19C. A state loan program for charter school facilities</p> <p>19D. Equal access to tax-exempt bonding authorities or allow charter schools to have their own bonding authority</p> <p>19E. A mechanism to provide credit enhancement for public charter school facilities</p> <p>19F. Equal access to existing state facilities programs available to non-charter public schools</p> <p>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</p> <p>19H. Prohibition of facility-related requirements stricter than those applied to traditional public schools</p>	<p>The state law includes none of the model law's provisions for equitable access to capital funding and facilities.</p>	<p>The state law includes a small number of the model law's provisions for equitable access to capital funding and facilities.</p>	<p>The state law includes some of the model law's provisions for equitable access to capital funding and facilities.</p>	<p>The state law includes many of the model law's provisions for equitable access to capital funding and facilities.</p>	<p>The state law includes all of the model law's provisions for equitable access to capital funding and facilities.</p>
<p><b>20) Access to Relevant Employee Retirement Systems</b>, whereby:</p> <p>20A. Charter schools have access to relevant state retirement systems available to other public schools</p> <p>20B. Charter schools have the option to participate (i.e., not required)</p>	<p>The state law does not provide access to the relevant employee retirement systems.</p>	<p>The state law requires participation in the relevant employee retirement systems for some schools, but denies access to these systems for other schools.</p>	<p>The state law requires participation in the relevant employee retirement systems.</p>	<p>The state law provides some charter schools with the option to participate in the relevant state employee retirement systems, but not others.</p>	<p>The state law provides access to relevant employee retirement systems, but does not require participation.</p>

## Changes from the First Edition of the Rankings Report

Three criteria or the service rubric (or both) of the 20 essential components have been changed for this edition. They are educational service providers allowed, fiscally and legally autonomous schools with independent public charter school boards, and access to relevant employee retirement systems. New data informed two of the 20 essential components: equitable operational funding and equal access to all state and federal categorical funding and equitable access to capital funding and facilities.

For component number 10, educational service providers allowed, three new sub-components have been added to strengthen the criteria. See below for a direct comparison.

First Edition of Rankings Report	Second Edition of Rankings Report
<b>10) Educational Service Providers Allowed</b> , including:	<b>10) Educational Service Providers Allowed</b> , including:
10A. All types of educational service providers allowed to operate all or parts of charter schools	10A. All types of educational service providers (both for-profit and nonprofit) explicitly allowed to operate all or parts of schools.
10B. A performance contract between the independent public charter school board and the service provider is required	10B. The charter application requires 1) performance data for all current and past schools operated by the ESP, including documentation of academic achievement and (if applicable) school management success; and 2) explanation and evidence of the ESP's capacity for successful growth while maintaining quality in existing schools.
10C. Existing and potential conflicts of interest between the two entities are required to be disclosed and explained in the application	10C. A performance contract is required between the independent public charter school board and the ESP, setting forth material terms including but not limited to: performance evaluation measures; methods of contract oversight and enforcement by the charter school board; compensation structure and all fees to be paid to the ESP; and conditions for contract renewal and termination.
	10D. The material terms of the ESP performance contract must be approved by the authorizer prior to charter approval.
	10E. School governing boards operating as entities completely independent of any educational service provider (e.g., must retain independent oversight authority of their charter schools and cannot give away their authority via contract).
	10F. Existing and potential conflicts of interest between the two entities are required to be disclosed and explained in the charter application.

The rubric for component number 10 has been modified. See below for a direct comparison.

First Edition of Rankings Report	Second Edition of Rankings Report
<b>10) Educational Service Providers Allowed</b>	<b>10) Educational Service Providers Allowed</b>
0—The state law prohibits charter schools from contracting with all types of educational service providers.	0—The state law includes none of the model law's provisions for educational service providers.
1—The state law is silent regarding these arrangements.  OR  The state law prohibits contracting with certain types of educational service providers.	1—The state law includes a small number of the model law's provisions for educational service providers.
2—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—The state law includes some of the model law's provisions for educational service providers.
3—The state law explicitly allows contracting with all types of educational service providers and either requires performance contracts or conflicts of interest provisions, but not both.	3—The state law includes many of the model law's provisions for educational service providers.
4—The state law explicitly allows contracting with all types of educational service providers and has provisions regarding performance contracts and conflicts of interest.	4—The state law includes all of the model law's provisions for educational service providers.

These changes resulted in decreasing scores in 29 states.

For component number 11, a third subcomponent has been added. See below for a direct comparison.

First Edition of Rankings Report	Second Edition of Rankings Report
<b>11) Fiscally and Legally Autonomous Schools with Independent Public Charter School Boards, including:</b>	<b>11) Fiscally and Legally Autonomous Schools with Independent Public Charter School Boards, including:</b>
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)	11A. Fiscally autonomous schools (e.g., schools have clear statutory authority to receive and disburse funds; incur debt; and pledge, assign or encumber assets as collateral)
11B. School governing boards independent of the authorizer and created specifically to govern their charter schools	11B. Legally autonomous schools (e.g., schools have clear statutory authority to enter into contracts and leases, sue and be sued in their own names and acquire real property)
	11C. School governing boards created specifically to govern their charter schools

The rubric for component number 11 has also been modified to reflect the strengthened criteria. These changes resulted in increasing scores in three states. See below for a direct comparison.

First Edition of Rankings Report	Second Edition of Rankings Report
<b>11) Fiscally and Legally Autonomous Schools with Independent Public Charter School Boards</b>	<b>11) Fiscally and Legally Autonomous Schools with Independent Public Charter School Boards</b>
0—The state law includes none of the model law's provisions for fiscally and legally autonomous schools with independent public charter school boards.	0—The state law includes none of the model law's provisions for fiscally and legally autonomous schools with independent public charter school boards.
1—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—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.
2—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.	2—The state law includes some of the model law's provisions for fiscally and legally autonomous schools with independent public charter school boards.
3—The state law includes many of the model law's provisions for fiscally and legally autonomous schools with independent public charter school boards.	3—The state law includes many of the model law's provisions for fiscally and legally autonomous schools with independent public charter school boards.
4—The state law includes all of the model law's provisions for fiscally and legally autonomous schools with independent public charter school boards.	4—The state law includes all of the model law's provisions for fiscally and legally autonomous schools with independent public charter school boards.



We modified the rubric for component number 20. These changes resulted in increasing scores in three states.

With the release of Ball State University's *Charter School Funding. Inequity Persists* in May 2010, written by Meagon Batdorff, Larry Maloney, Jay May, Daniela Doyle, and Bryan Hassel, we had access to the most updated and comprehensive data on the funding inequities between public charter schools and traditional public schools. This data helped inform our analysis and scoring for components number 18 and number 19. See below for a direct comparison.

First Edition of Rankings Report	Second Edition of Rankings Report
<b>20) Access to Relevant Employee Retirement Systems</b>	<b>20) Access to Relevant Employee Retirement Systems</b>
0—The state law does not provide access to the relevant employee retirement systems.	0—The state law does not provide access to the relevant employee retirement systems.
1—The state law requires participation in the relevant employee retirement systems for some schools, but denies access to these systems for other schools.	1—The state law requires participation in the relevant employee retirement systems for some schools, but denies access to these systems for other schools.
2—The state law requires participation in the relevant employee retirement systems.	2—The state law requires participation in the relevant employee retirement systems.
3—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, it has a retirement program that 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.	3—The state law provides some charter schools with the option to participate in the relevant state employee retirement systems, but not others.
4—The state law provides access to relevant employee retirement systems, but does not require participation.	4—The state law provides access to relevant employee retirement systems, but does not require participation.



The National Alliance for Public Charter Schools mission is to lead public education to unprecedented levels of academic achievement for all students by fostering a strong charter sector. The National Alliance for Public Charter Schools 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.

