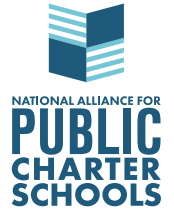


MEASURING UP TO THE MODEL

A RANKING OF STATE PUBLIC CHARTER SCHOOL LAWS

NINTH ANNUAL EDITION, JANUARY 2018



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INTRODUCTION

The year 2017 proved to be a historic one for public charter school policy wins across the country. Kentucky became the 44th state (along with the District of Columbia) to enact a charter school law. Colorado and Florida required districts to share locally raised dollars with charter school students for the first time in those states, echoing changes made in Utah in 2016. Tennessee and Texas created new funding streams to specifically support charter school facility costs, the first time either state had done so.

Wisconsin gave statewide authorizing ability to the Office of Educational Opportunity at the University of Wisconsin–Madison, any University of Wisconsin Chancellor, and any technical college district board. And Illinois and Washington overhauled their public school funding systems in ways that will provide more equitable funding for their states' students, including those in charter schools.

At a time when we are seeing an increasing amount of pushback from long-time opponents, it is notable that charter school supporters achieved these game-changing policy victories. We don't want to minimize the threats we are facing. We need to take them very seriously. At the same time, though, we are achieving some major policy wins for students across the country. We should not lose sight of this progress.

This year's edition of *Measuring Up to the Model: A Ranking of State Public Charter School Laws* takes into account these important policy wins. As this annual effort continues to evolve, we periodically refine our methodology to reflect what we are learning. This year's edition takes these refinements into account as well.

We must continue pushing hard for more high-quality charter schools, particularly for those students who most need such options. We also must keep advocating for the public policies that will best support the creation and operation of such schools. We hope this report continue to serve as a helpful resource for those engaged in this critical work.

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2018 STATE PUBLIC CHARTER SCHOOL LAW RANKINGS

Some key takeaways from this year's rankings include:

- ▶ For the third year in a row, Indiana has the nation's strongest charter school law in the country, ranking No. 1 (out of 45). Indiana's law does not cap charter school growth, includes multiple authorizers, and provides a fair amount of autonomy and accountability. Indiana has also made notable strides in recent years to provide more equitable funding to charter schools, although some work remains to be done.
- ▶ Colorado jumped from No. 5 to No. 2, in part because of legislation that the state enacted in 2017 that will provide charter schools with equitable access to a local funding stream that most districts had refused to share with charter schools (i.e., local mill levy override).
- ▶ Kentucky became the 45th state to enact a public charter school law in 2017. Kentucky lawmakers took great care in writing this law to ensure that the state heeded the lessons learned within the first quarter-century of the charter movement and also took into the account the state constitutional constraints that exist. As a result, they enacted a relatively strong charter school law, ranking No. 10.
- ▶ The Top 10 includes a mixture of states with more mature movements (Indiana at No. 1, Colorado at No. 2, Minnesota at No. 4, D.C. at No. 8, and Florida at No. 9) and states with newer movements (Washington at No. 3, Alabama at No. 5, Mississippi at No. 6, Maine at No. 7, and Kentucky at No. 10). The fact that these states are in the Top 10 speaks to the fact that many existing states continue to strengthen their laws based on what's working (and what's not working) and that new states rely heavily on those lessons learned so they don't repeat the mistakes of the states that came before them.
- ▶ States that are enacting laws for the first time and states that are overhauling their laws are bypassing states that were previously more highly ranked, such as Arizona, Louisiana, and New York. That doesn't mean that the laws have gotten weaker in the states being bypassed. They remain strong. What it does mean, though, is that more and more states have better and better laws across the country, a good place to be if you believe that all states should have high-quality charter school laws.
- ▶ Maryland has the nation's weakest charter school law, ranking No. 45 (out of 45). While Maryland's law does not cap charter school growth, it allows only district authorizers and provides little autonomy, insufficient accountability, and inequitable funding to charter schools. Rounding out the bottom five states are Iowa (No. 41), Wyoming (No. 42), Alaska (No. 43), and Kansas (No. 44).

2018 STATE PUBLIC CHARTER SCHOOL LAW RANKINGS

TABLE 1: 2018 STATE PUBLIC CHARTER SCHOOL LAW RANKINGS¹

2018 RANKING	STATE	2018 SCORE	2017 SCORE	SCORE DIFFERENCE	2017 RANKING	RANKING DIFFERENCE
1	Indiana	181	177	4	1	0
2	Colorado	181	165	16	5	3
3	Washington	179	164	15	4	1
4	Minnesota	178	171	7	3	-1
5	Alabama	177	174	3	2	-3
6	Mississippi	169	160	9	10	4
7	Maine	167	161	6	7	0
8	D.C.	166	153	13	18	10
9	Florida	166	161	5	8	-1
10	Kentucky	166	N/A	N/A	N/A	N/A
11	Nevada	165	159	6	13	2
12	Louisiana	164	161	3	9	-3
13	Massachusetts	162	159	3	12	-1
14	New York	162	162	0	6	-8
15	Arizona	160	160	0	11	-4
16	North Carolina	160	157	3	14	-2
17	Delaware	157	151	6	19	2
18	California	156	154	2	16	-2
19	South Carolina	155	153	2	17	-2
20	Utah	154	146	8	23	3
21	Idaho	153	150	3	20	-1
22	Oklahoma	153	156	-3	15	-7
23	Ohio	153	147	6	21	-2

1 | In case of a tie, we first looked at each state's total weighted score for the four "quality control" components (No. 6, No. 7, No. 8, and No. 9). Whichever state had the highest score was ranked higher. If the states had the same total weighted score for these components, we looked at each state's total weighted score for the three autonomy components (No. 11, No. 13, and No. 14). Whichever state had the highest score was ranked higher. If the states had the same total weighted score for these components, we looked at each state's weighted score for the multiple authorizer component (No. 3). Whichever state had the highest score was ranked higher. If the states had the same weighted score for this component, we looked at each state's weighted score for the funding component (No. 18 and No. 19). Whichever state had the highest score was ranked higher.

2018 STATE PUBLIC CHARTER SCHOOL LAW RANKINGS
TABLE 1: 2018 STATE PUBLIC CHARTER SCHOOL LAW RANKINGS

2018 RANKING	STATE	2018 SCORE	2017 SCORE	SCORE DIFFERENCE	2017 RANKING	RANKING DIFFERENCE
24	New Hampshire	151	139	12	24	0
25	New Mexico	148	146	2	22	-3
26	Missouri	147	130	17	32	6
27	Georgia	145	145	0	24	-3
28	Texas	145	142	3	25	-3
29	Tennessee	145	133	12	29	0
30	Michigan	143	137	6	27	-3
31	Arkansas	141	132	9	30	-1
32	Hawaii	141	136	5	28	-4
33	New Jersey	131	124	7	35	2
34	Pennsylvania	131	131	0	31	-3
35	Illinois	130	123	7	36	1
36	Oregon	129	126	3	34	-2
37	Connecticut	126	126	0	33	-4
38	Rhode Island	123	117	6	37	-1
39	Wisconsin	109	104	5	38	-1
40	Virginia	94	91	3	39	-1
41	Iowa	91	82	9	41	0
42	Wyoming	87	87	0	40	-2
43	Alaska	83	78	5	42	-1
44	Kansas	65	65	0	43	-1
45	Maryland	62	51	11	44	-1

Note: The total points possible is 240.

It is important to note that our primary focus was to assess whether and how state laws and regulations addressed the National Alliance model law, not whether and how practices in the state addressed it. In a couple of areas—such as caps and funding—we incorporated what was happening in practice because we felt it was necessary to do so to fairly capture the strength of the law. Notwithstanding these instances, the purpose of the analyses is to encourage state laws and regulations to require best practices and guarantee charter school rights and freedoms so that state charter school movements will benefit from a supportive legal and policy environment.

ESSENTIAL COMPONENTS OF A STRONG PUBLIC CHARTER SCHOOL LAW

In this report, we evaluate each state’s public charter school law against the 21 essential components of a strong charter school law. These 21 components are drawn from the National Alliance’s *A New Model Law for Supporting the Growth of High-Quality Public Charter Schools: Second Edition*. Table 2 lists the 21 essential components and a brief description of each.

2018 STATE PUBLIC CHARTER SCHOOL LAW RANKINGS

TABLE 2: ESSENTIAL COMPONENTS OF A STRONG PUBLIC CHARTER SCHOOL LAW

ESSENTIAL COMPONENT	
1	No Caps on the growth of charter schools in a state.
2	A Variety of Charter Schools Allowed, including new startups and public school conversions.
3	Non-district Authorizers Available, to which charter applicants may directly apply.
4	Authorizer and Overall Program Accountability System Required, whereby all authorizers must affirm interest to become an authorizer (except for a legislatively created state charter school commission) and participate in an authorizer reporting program based on objective data, as overseen by some state-level entity with the power to sanction.
5	Adequate Authorizer Funding, including provisions for guaranteed funding from the state or authorizer fees and public accountability for such expenditures.
6	Transparent Charter School Application, Review, and Decision-making Processes, including comprehensive academic, operational, and governance application requirements, with such applications reviewed and acted on following professional authorizer standards.
7	Performance-based Charter School Contracts Required, with such contracts created as separate post-application documents between authorizers and charter schools detailing academic performance expectations, operational performance expectations, and school and authorizer rights and duties.
8	Comprehensive Charter School Monitoring and Data Collection Processes so that all authorizers can verify charter school compliance with applicable law and their performance-based contracts.
9	Clear Processes for Renewal, Nonrenewal, and Revocation Decisions, including school closure and dissolution procedures to be used by all authorizers.
10	Transparency Regarding Educational Service Providers, provided there is a clear performance contract between an independent charter school board and the service provider and there are no conflicts of interest between the two entities.
11	Fiscally and Legally Autonomous Schools with Independent Charter School Boards, whereby charter schools are created as autonomous entities with their boards having most of the powers granted to traditional school boards.
12	Clear Student Enrollment and Lottery Procedures, which must be followed by all charter schools.



2018 STATE PUBLIC CHARTER SCHOOL LAW RANKINGS

TABLE 2: ESSENTIAL COMPONENTS OF A STRONG PUBLIC CHARTER SCHOOL LAW

ESSENTIAL COMPONENT	
13	Automatic Exemptions from Many State and District Laws and Regulations, except for those covering health, safety, civil rights, student accountability, employee criminal history checks, open meetings, freedom of information requirements, and generally accepted accounting principles.
14	Automatic Collective Bargaining Exemption, whereby charter schools are exempt from any outside collective bargaining agreements, while not interfering with laws and other applicable rules protecting the rights of employees to organize and be free from discrimination.
15	Multi-school Charter Contract and/or Multi-charter School Contract Boards Allowed, whereby an independent charter school board may oversee multiple schools linked under a single charter contract or may hold multiple charter contracts.
16	Extracurricular and Interscholastic Activities Eligibility and Access, whereby (a) charter school students and employees are eligible for state- and district-sponsored interscholastic leagues, competitions, awards, scholarships, and recognition programs to the same extent as district public school students and employees; and (b) students at charter schools that do not provide extracurricular and interscholastic activities have access to those activities at district- public schools for a fee via a mutual agreement.
17	Clear Identification of Special Education Responsibilities, including clarity on which entity is the local education agency responsible for such services and how such services are to be funded (especially for low-incident, high-cost cases).
18	Equitable Operational Funding and Equal Access to All State and Federal Categorical Funding, flowing to the school in a timely fashion and in the same amount as district schools following eligibility criteria similar to all other public schools.
19	Equitable Access to Capital Funding and Facilities, including multiple provisions such as facilities funding, access to public space, access to financing tools, and other supports.
20	Access to Relevant Employee Retirement Systems, with the option to participate in a similar manner as all other public schools.
21	Full-time Virtual Charter School Provisions, including specific provisions regarding authorizing structure, enrollment criteria, enrollment levels, accountability for performance, funding levels based on costs, and performance-based funding.



LEADING STATES FOR THE 21 ESSENTIAL COMPONENTS OF THE NATIONAL ALLIANCE MODEL LAW

This year’s rankings report again details the leaders for each of the 21 essential components of the National Alliance model law—i.e., those states that received the highest rating for a particular component. For 17 of the 21 components, the leading states received a rating of 4 on a scale of 0 to 4. For Components 9, 18, and 19, no states received a 4, so the leading states are those that received a rating of 3. For Component 21, no states received higher than a 2, so no states are listed.

Table 3 lists the leading states for each component. The District of Columbia is counted in Table 3 as if it were a state.

2018 STATE PUBLIC CHARTER SCHOOL LAW RANKINGS	
TABLE 3: LEADING STATES FOR THE 21 ESSENTIAL COMPONENTS OF THE NATIONAL ALLIANCE MODEL LAW	
ESSENTIAL COMPONENT	STATES
1 No Caps (23 States)	Alaska, Arizona, Colorado, Florida, Georgia, Hawaii, Idaho, Indiana, Iowa, Kansas, Kentucky, Louisiana, Maryland, Minnesota, Nevada, New Hampshire, New Jersey, North Carolina, Oregon, South Carolina, Tennessee, Virginia, Wyoming
2 A Variety of Charter Schools Allowed (42 states)	Alabama, Alaska, Arizona, Arkansas, California, Colorado, Connecticut, Delaware, District of Columbia, Florida, Georgia, Hawaii, Idaho, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Maine, Maryland, Massachusetts, Michigan, Minnesota, Mississippi, Missouri, New Hampshire, New Jersey, New York, North Carolina, Ohio, Oklahoma, Oregon, Pennsylvania, Rhode Island, South Carolina, Tennessee, Texas, Utah, Virginia, Wisconsin, Wyoming
3 Non-district Authorizers Available (24 states)	Arizona, Arkansas, Delaware, District of Columbia, Georgia, Hawaii, Idaho, Indiana, Louisiana, Maine, Michigan, Minnesota, Nevada, New Hampshire, New Jersey, New Mexico, New York, North Carolina, Ohio, South Carolina, Texas, Utah, Washington, Wisconsin
4 Authorizer and Overall Program Accountability System Required (12 states):	Alabama, Arkansas, Connecticut, District of Columbia, Hawaii, Indiana, Mississippi, Missouri, Nevada, North Carolina, Ohio, Washington
5 Adequate Authorizer Funding (8 states):	Colorado, Louisiana, Maine, Minnesota, Nevada, Ohio, Tennessee, Washington

2018 STATE PUBLIC CHARTER SCHOOL LAW RANKINGS

TABLE 3: LEADING STATES FOR THE 21 ESSENTIAL COMPONENTS OF THE NATIONAL ALLIANCE MODEL LAW

ESSENTIAL COMPONENT	STATES
6 Transparent Charter School Application, Review, and Decision-making Processes (4 states):	Alabama, Louisiana, Mississippi, Washington
7 Performance-based Charter School Contracts Required (7 states)	Alabama, District of Columbia, Kentucky, Maine, Mississippi, Missouri, Washington
8 Comprehensive Charter School Monitoring and Data Collection Processes (1 state)	Washington
9 Clear Processes for Renewal, Nonrenewal, and Revocation Decisions (21 states)	Alabama, Arkansas, Colorado, Delaware, District of Columbia, Florida, Georgia, Hawaii, Idaho, Indiana, Maine, Massachusetts, Minnesota, Mississippi, Missouri, Nevada, New Mexico, New York, North Carolina, Oklahoma, Washington
10 Transparency Regarding Educational Service Providers (2 states):	Florida, Kentucky
11 Fiscally and Legally Autonomous Schools with Independent Charter School Boards (30 states)	Alabama, Colorado, Connecticut, Delaware, District of Columbia, Hawaii, Idaho, Indiana, Kentucky, Louisiana, Maine, Massachusetts, Michigan, Minnesota, Mississippi, Missouri, Nevada, New Hampshire, New Jersey, New Mexico, New York, North Carolina, Oklahoma, Oregon, Pennsylvania, South Carolina, Tennessee, Utah, Washington, Wisconsin
12 Clear Student Enrollment and Lottery Procedures (13 states)	Alabama, California, District of Columbia, Maine, Massachusetts, Minnesota, New Hampshire, New York, Ohio, South Carolina, Tennessee, Washington, Wisconsin
13 Automatic Exemptions from Many State and District Laws and Regulations (5 states)	Alabama, Arizona, District of Columbia, Louisiana, Oklahoma
14 Automatic Collective Bargaining Exemption (27 states)	Alabama, Arizona, California, Colorado, Delaware, District of Columbia, Florida, Georgia, Idaho, Illinois, Indiana, Kentucky, Michigan, Minnesota, Mississippi, Missouri, Nevada, New Hampshire, New Mexico, North Carolina, Oklahoma, Oregon, Pennsylvania, Tennessee, Utah, Washington, Wyoming
15 Multi-school Charter Contracts and/or Multi-charter School Contract Boards Allowed (19 states)	Alabama, Arkansas, Colorado, Delaware, Hawaii, Idaho, Indiana, Kentucky, Louisiana, Maine, Massachusetts, Minnesota, Mississippi, Nevada, New York, Oklahoma, Texas, Washington, Wisconsin
16 Extracurricular and Interscholastic Activities Eligibility and Access (7 states):	Colorado, Florida, Kentucky, Minnesota, South Carolina, Utah, Washington

2018 STATE PUBLIC CHARTER SCHOOL LAW RANKINGS

TABLE 3: LEADING STATES FOR THE 21 ESSENTIAL COMPONENTS OF THE NATIONAL ALLIANCE MODEL LAW

ESSENTIAL COMPONENT	STATES
17 Clear Identification of Special Education Responsibilities (4 states)	California, Indiana, Ohio, Pennsylvania
18 Equitable Operational Funding and Equal Access to All State and Federal Categorical Funding (4 states)	Colorado, Illinois, New Mexico, Utah
19 Equitable Access to Capital Funding and Facilities (8 states)	California, Colorado, District of Columbia, Florida, Indiana, Tennessee, Texas, Utah
20 Access to Relevant Employee Retirement Systems (14 states):	Arizona, California, Delaware, Florida, Indiana, Maine, Michigan, Mississippi, New Hampshire, New York, North Carolina, Oklahoma, Pennsylvania, Utah
21 Full-time Virtual Charter School Provisions (0 states)	



ALABAMA

5

RANK (OUT OF 45)

177

TOTAL POINTS (OUT OF 240)

2015YEAR PUBLIC
CHARTER SCHOOL LAW
WAS ENACTED

Changes

- ▶ Alabama's score increased from 174 points to 177 points.
- ▶ Its score increased because of changes in the methodology for Component No. 3 (Non-district Authorizers Available).
- ▶ Its ranking moved from No. 2 (out of 44) to No. 5 (out of 45).

Recommendations

- ▶ Alabama's law contains a cap that allows for ample growth, includes a state authorizing pathway, has strong quality-control components, gives operational autonomy to public charter schools, and provides equitable operational and categorical funding to charter schools. The primary weaknesses of the law are that it provides inequitable facilities funding and inadequate accountability for full-time virtual charter schools.
- ▶ The main places for improvement are ensuring equitable access to capital funding and facilities and strengthening accountability for full-time virtual charter schools.

0NUMBER OF PUBLIC
CHARTER SCHOOLS IN
2016-2017**0**ESTIMATED NUMBER OF
PUBLIC CHARTER SCHOOL
STUDENTS IN 2016-2017

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 Charter Schools Allowed	The state allows new start-ups and public school conversions.	4	2	8
3 Non-district Authorizers Available	The state law creates a non-district authorizer. It allows the authorizer to hear an application if one of the following factors is met: <ul style="list-style-type: none"> An application to form a charter school is denied by a district that is registered as an authorizer and the applicant chooses to appeal the denial to the non-district authorizer. The applicant wishes to open a start-up charter school in a district that is not registered as an authorizer. 	3	3	9
4 Authorizer and Overall Program Accountability System Required	The state law includes all of the elements of the model law’s authorizer and overall program accountability system.	4	3	12
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 Decisionmaking Processes	The state law includes all of the model law’s provisions for transparent charter application, review, and decisionmaking processes.	4	4	16
7 Performance-based Charter Contracts Required	The state law includes all of the model law’s provisions for performance-based charter contracts.	4	4	16
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 Transparency Regarding Educational Service Providers	The state law includes some of the model law’s provisions for educational service providers.	2	2	4
11 Fiscally and Legally Autonomous Schools with Independent Charter School Boards	The state law includes all of the model law’s provisions for fiscally and legally autonomous schools with independent charter school boards.	4	3	12
12 Clear Student Enrollment and Lottery Procedures	The state law includes all of the model law’s requirements for student enrollment and lottery procedures.	4	2	8
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 personnel policies.	4	3	12
15 Multischool Charter Contracts and/or Multicharter Contract Boards Allowed	The state law allows both of these arrangements and requires each school to be independently accountable for fiscal and academic performance.	4	2	8
16 Extracurricular and Interscholastic Activities Eligibility and Access	The state law provides charter school eligibility for extracurricular and interscholastic activities.	3	1	3
17 Clear Identification of Special Education Responsibilities	The state law includes some of the model law’s requirements for special education responsibilities.	2	2	4
18 Equitable Operational Funding and Equal Access to All State and Federal Categorical Funding	The state law includes many of the model law’s provisions for equitable operational and categorical funding, but there is no evidence of the amount of funds charter students versus district students receive.	1	4	4
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	4	4
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 requires other schools to participate.	3	2	6
21 Full-time Virtual Charter School Provisions	The state law does not include any of the model law’s requirements for full-time virtual charter schools.	0	3	0

ALASKA

43

RANK (OUT OF 45)

83

TOTAL POINTS (OUT OF 240)

1995YEAR PUBLIC
CHARTER SCHOOL LAW
WAS ENACTED**29**NUMBER OF PUBLIC
CHARTER SCHOOLS IN
2016–2017**6,600**ESTIMATED NUMBER OF
PUBLIC CHARTER SCHOOL
STUDENTS IN 2016–2017

Changes

- ▶ Alaska's score increased from 78 points to 83 points.
- ▶ Its score increased because of changes in the methodology for Component No. 3 (Non-district Authorizers Available) and a clarification about existing policy for Component No. 17 (Clear Provisions Regarding Special Education Responsibilities).
- ▶ Its ranking moved from No. 42 (out of 44) to No. 43 (out of 45).

Recommendations

- ▶ Alaska's law does not cap public charter school growth and includes an appellate mechanism for charter school applicants rejected by districts, but it also provides little autonomy, insufficient accountability, and inequitable facilities funding.
- ▶ Alaska's law still needs major improvement. Potential starting points include beefing up the law in relation to the model law's four quality-control components (Components 6 through 9), increasing operational autonomy, ensuring equitable access to capital funding and facilities, ensuring transparency regarding educational service providers, and strengthening accountability for full-time virtual charter schools.

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 Charter Schools Allowed	The state allows new start-ups and public school conversions.	4	2	8
3 Non-district Authorizers Available	The state law requires an applicant to apply to a district, but also allows the applicant to appeal a district denial to a non-district authorizer.	3	3	9
4 Authorizer and Overall Program Accountability System Required	The state law does not include any 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 Decisionmaking Processes	The state law includes a small number of the model law's provisions for transparent charter application, review, and decisionmaking 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 Transparency Regarding Educational Service Providers	The state law does not include any of the model law's provisions for educational service providers.	0	2	0
11 Fiscally and Legally Autonomous Schools with Independent Charter School Boards	The state law does not include any of the model law's provisions for fiscally and legally autonomous schools with independent charter school boards.	0	3	0
12 Clear Student Enrollment and Lottery Procedures	The state law includes a small number of the model law's requirements for student enrollment and lottery procedures.	1	2	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 Multischool Charter Contracts and/or Multicharter Contract Boards Allowed	The state law is silent regarding these arrangements.	1	2	2
16 Extracurricular and Interscholastic Activities Eligibility and Access	The state law provides access to extracurricular and interscholastic activities at noncharter public schools.	3	1	3
17 Clear Identification of Special Education Responsibilities	The state law includes a small number of the model law's requirements for special education responsibilities.	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, and there is no evidence of the amount of funds charter public school students versus district students receive.	1	4	4
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	4	4
20 Access to Relevant Employee Retirement Systems	The state law requires participation in the relevant employee retirement systems.	2	2	4
21 Full-time Virtual Charter School Provisions	The state law does not include any of the model law's requirements for full-time virtual charter schools.	0	3	0

ARIZONA

Changes

- ▶ Arizona's score stayed at 160 points.
- ▶ Its ranking moved from No. 11 (out of 44) to No. 15 (out of 45).

Recommendations

- ▶ Arizona's law does not have a cap on public charter school growth, allows multiple non-district authorizing entities, and provides a fair amount of autonomy and accountability to its charter schools. However, the law still provides inequitable funding to charter school students by barring their access to significant funding streams.
- ▶ Potential areas for improvement in Arizona's law include ensuring equitable operational funding and equitable access to capital funding and facilities, providing adequate authorizer funding, and strengthening accountability for full-time virtual charter schools.

15

RANK (OUT OF 45)

160

TOTAL POINTS (OUT OF 240)

1994YEAR PUBLIC
CHARTER SCHOOL LAW
WAS ENACTED**547**NUMBER OF PUBLIC
CHARTER SCHOOLS IN
2016-2017**180,000**ESTIMATED NUMBER OF
PUBLIC CHARTER SCHOOL
STUDENTS IN 2016-2017

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 Charter Schools Allowed	The state allows new start-ups and public school conversion.	4	2	8
3 Non-district Authorizers Available	The state allows multiple authorizing options in all situations, with direct access to each option.	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 Decisionmaking Processes	The state law includes some of the model law's provisions for transparent charter application, review, and decisionmaking 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 some of the model law's clear processes for renewal, nonrenewal, and revocation decisions.	2	4	8
10 Transparency Regarding Educational Service Providers	The state law includes some of the model law's provisions for educational service providers.	2	2	4
11 Fiscally and Legally Autonomous Schools with Independent Charter School Boards	The state law includes many of the model law's provisions for fiscally and legally autonomous schools with independent charter school boards.	3	3	9
12 Clear Student Enrollment and Lottery Procedures	The state law includes many of the model law's requirements for student enrollment and lottery procedures.	3	2	6
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 Multischool Charter Contracts and/or Multicharter 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.	2	2	4
16 Extracurricular 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 includes many of the model law's requirements for special education responsibilities.	3	2	6
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 and categorical funding, but evidence demonstrates an equity gap between district and charter students of between 10 percent and 19.9 percent.	2	4	8
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	4	8
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
21 Full-time Virtual Charter School Provisions	The state law does not include any of the model law's requirements for full-time virtual charter schools.	0	3	0

ARKANSAS

31

RANK (OUT OF 45)

141

TOTAL POINTS (OUT OF 240)

1995YEAR PUBLIC
CHARTER SCHOOL LAW
WAS ENACTED**73**NUMBER OF PUBLIC
CHARTER SCHOOLS IN
2016-2017**29,400**ESTIMATED NUMBER OF
PUBLIC CHARTER SCHOOL
STUDENTS IN 2016-2017

Changes

- ▶ Arkansas' score increased from 132 points to 141 points.
- ▶ Its score increased because of changes in the methodology for Component No. 3 (Non-district Authorizers Available).
- ▶ Its ranking moved from No. 30 (out of 44) to No. 31 (out of 45).

Recommendations

- ▶ While Arkansas' law has a cap on public charter school growth, it is structured in a way that allows ample growth. Although the state law provides a state authorizer and adequate accountability provisions, it provides inadequate autonomy and inequitable funding to charter schools.
- ▶ Potential areas for improvement include increasing operational autonomy, ensuring equitable operational funding, further ensuring equitable access to capital funding and facilities, ensuring transparency regarding educational service providers, and strengthening accountability for full-time virtual 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 Charter Schools Allowed	The state allows new start-ups and public school conversions.	4	2	8
3	Non-district Authorizers Available	The state law allows an applicant anywhere in the state to apply directly to a non-district authorizer.	4	3	12
4	Authorizer and Overall Program Accountability System Required	The state law includes all of the elements of the model law's authorizer and overall program accountability system.	4	3	12
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 Decisionmaking Processes	The state law includes many of the model law's provisions for transparent charter application, review, and decisionmaking 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 many of the model law's clear processes for renewal, nonrenewal, and revocation decisions.	3	4	12
10	Transparency Regarding Educational Service Providers	The state law includes a small number of the model law's provisions for educational service providers.	1	2	2
11	Fiscally and Legally Autonomous Schools with Independent Charter School Boards	The state law includes some of the model law's provisions for fiscally and legally autonomous schools with independent charter school boards.	2	3	6
12	Clear Student Enrollment and Lottery Procedures	The state law includes many of the model law's requirements for student enrollment and lottery procedures.	3	2	6
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	Multischool Charter Contracts and/or Multicharter Contract Boards Allowed	The state law allows an independent charter public school board to oversee multiple schools linked under a single contract with independent fiscal and academic accountability for each school.	4	2	8
16	Extracurricular 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 includes some of the model law's requirements for special education responsibilities.	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, and evidence demonstrates an equity gap between district and charter students of greater than 30 percent.	0	4	0
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	4	8
20	Access to Relevant Employee Retirement Systems	The state law requires participation in the relevant employee retirement systems.	2	2	4
21	Full-time Virtual Charter School Provisions	The state law includes a small number of the model law's requirements for full-time virtual charter schools.	1	3	3

CALIFORNIA

18

RANK (OUT OF 45)

156

TOTAL POINTS (OUT OF 240)

1992YEAR PUBLIC
CHARTER SCHOOL LAW
WAS ENACTED**1,253**NUMBER OF PUBLIC
CHARTER SCHOOLS IN
2016–2017**604,700**ESTIMATED NUMBER OF
PUBLIC CHARTER SCHOOL
STUDENTS IN 2016–2017

Changes

- ▶ California's score increased from 154 points to 156 points.
- ▶ Its score increased because of policy changes for Component No. 12 (Clear Student Enrollment and Lottery Procedures).
- ▶ Its ranking moved from No. 16 (out of 44) to No. 18 (out of 45).

Recommendations

- ▶ California's law has a cap that allows ample growth, provides a robust appellate process, and provides a fair amount of autonomy but lacks some aspects of the model law's accountability provisions. It has also made notable strides in recent years to provide more equitable funding to public charter schools—although some work remains to be done.
- ▶ Potential areas for improvement in its charter school law include strengthening authorizer accountability, beefing up requirements for performance-based charter contracts, and ensuring transparency regarding 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 Charter Schools Allowed	The state allows new start-ups and public school conversions.	4	2	8
3 Non-district Authorizers Available	The state law requires an applicant to apply to a district, but also allows the applicant to appeal a district denial to a non-district authorizer.	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 some of the model law’s provisions for adequate authorizer funding.	2	2	4
6 Transparent Charter Application, Review, and Decisionmaking Processes	The state law includes some of the model law’s provisions for transparent charter application, review, and decisionmaking 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 Transparency Regarding Educational Service Providers	The state law includes a small number of the model law’s provisions for educational service providers.	1	2	2
11 Fiscally and Legally Autonomous Schools with Independent Charter School Boards	The state law includes many of the model law’s provisions for fiscally and legally autonomous schools with independent charter school boards.	3	3	9
12 Clear Student Enrollment and Lottery Procedures	The state law includes all of the model law’s requirements for student enrollment, and lottery procedures.	4	2	8
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 Multischool Charter Contracts and/or Multicharter Contract Boards Allowed	The state law allows either of these arrangements but requires only schools authorized by some entities to be independently accountable for fiscal and academic performance.	3	2	6
16 Extracurricular 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 because they are not expressly prohibited.	3	1	3
17 Clear Identification of Special Education Responsibilities	The state law includes all of the model law’s requirements for special education responsibilities.	4	2	8
18 Equitable Operational Funding and Equal Access to All State and Federal Categorical Funding	Evidence demonstrates an equity gap between district and charter students of between 20 percent and 29.9 percent, but recent policy changes have likely reduced this gap.	2	4	8
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	4	12
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
21 Full-time Virtual Charter School Provisions	The state law includes some of the model law’s requirements for full-time virtual charter schools.	2	3	6

COLORADO

2

RANK (OUT OF 45)

181

TOTAL POINTS (OUT OF 240)

1993YEAR PUBLIC
CHARTER SCHOOL LAW
WAS ENACTED**238**NUMBER OF PUBLIC
CHARTER SCHOOLS IN
2016–2017**114,700**ESTIMATED NUMBER OF
PUBLIC CHARTER SCHOOL
STUDENTS IN 2016–2017

Changes

- ▶ Colorado's score increased from 164 points to 181 points.
- ▶ Its score increased because of policy changes for Component No. 18 (Equitable Operational Funding and Equal Access to All State and Federal Categorical Funding), changes in the methodology for Component No. 3 (Non-district Authorizers Available) and No. 14 (Automatic Collective Bargaining Exemption), and clarification about existing policy for Component No. 5 (Clear Provisions Regarding Special Education Responsibilities) and No. 16 (Extra-Curricular and Interscholastic Activities Eligibility and Access).
- ▶ Its ranking moved from No. 5 (out of 44) to No. 2 (out of 45).

Recommendations

- ▶ Colorado's law does not cap public charter school growth, provides a fair amount of autonomy and accountability to charter schools, and provides multiple authorizers or a robust appellate process for charter school applicants. It has also made notable strides in recent years to provide more equitable funding to charter public schools—although some work remains to be done.
- ▶ Potential areas for improvement in the law include continuing to strengthen equitable access to capital funding and facilities and strengthening accountability for full-time virtual charter schools.

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 Charter Schools Allowed	The state allows new start-ups and public school conversions.	4	2	8
3 Non-district Authorizers Available	The state law provides multiple authorizers or a robust appellate process for charter school applicants.	3	3	9
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 all of the model law’s provisions for adequate authorizer funding.”	4	2	8
6 Transparent Charter Application, Review, and Decisionmaking Processes	The state law includes many of the model law’s provisions for transparent charter application, review, and decisionmaking 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 many of the model law’s clear processes for renewal, nonrenewal, and revocation decisions.	3	4	12
10 Transparency Regarding Educational Service Providers	The state law includes some of the model law’s provisions for educational service providers.	2	2	4
11 Fiscally and Legally Autonomous Schools with Independent Charter School Boards	The state law includes all of the model law’s provisions for fiscally and legally autonomous schools with independent charter school boards.	4	3	12
12 Clear Student Enrollment and Lottery Procedures	The state law includes some of the model law’s requirements for student enrollment and lottery procedures.	2	2	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 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 does not directly address this issue but has been consistently interpreted to exempt charter schools from district collective bargaining agreements.”	4	3	12
15 Multischool Charter Contracts and/or Multicharter Contract Boards Allowed	The state law allows both of these arrangements and requires each school to be independently accountable for fiscal and academic performance.	4	2	8
16 Extracurricular and Interscholastic Activities Eligibility and Access	The state law provides charter school extracurricular and interscholastic activity eligibility and access.	4	1	4
17 Clear Identification of Special Education Responsibilities	The state law includes many of the model law’s requirements for special education responsibilities.	3	2	6
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	4	12
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	4	12
20 Access to Relevant Employee Retirement Systems	The state law requires participation in the relevant employee retirement systems.	2	2	4
21 Full-time Virtual Charter School Provisions	The state law includes a small number of the model law’s requirements for full-time virtual charter schools.	1	3	3

CONNECTICUT

Changes

- ▶ Connecticut's score stayed at 126 points.
- ▶ Its ranking moved from No. 33 (out of 44) to No. 37 (out of 45).

Recommendations

- ▶ Connecticut's law contains significant restrictions on growth and provides inadequate autonomy, insufficient accountability, and inequitable funding to public charter schools. Also, it creates a non-district authorizing option, but connects the school approval and opening process to legislative decisions about funding in a way that significantly inhibits school approvals and openings.
- ▶ Much improvement is still needed in Connecticut's charter school law, including lifting its remaining restrictions on growth and ensuring equitable operational funding and equitable access to capital funding and facilities.

37

RANK (OUT OF 45)

126

TOTAL POINTS (OUT OF 240)

1996YEAR PUBLIC
CHARTER SCHOOL LAW
WAS ENACTED**24**NUMBER OF PUBLIC
CHARTER SCHOOLS IN
2016-2017**9,700**ESTIMATED NUMBER OF
PUBLIC CHARTER SCHOOL
STUDENTS IN 2016-2017

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 Charter Schools Allowed	The state allows new start-ups and public school conversions.	4	2	8
3 Non-district Authorizers Available	The state law creates a non-district authorizing option, but connects the school approval and opening process to legislative decisions about funding in a way that significantly inhibits school approvals and openings.	1	3	3
4 Authorizer and Overall Program Accountability System Required	The state law includes all of the elements of the model law's authorizer and overall program accountability system.	4	3	12
5 Adequate Authorizer Funding	The state law does not include any of the model law's provisions for adequate authorizer funding.	0	2	0
6 Transparent Charter Application, Review, and Decisionmaking Processes	The state law includes some of the model law's provisions for transparent charter application, review, and decisionmaking 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 some of the model law's clear processes for renewal, nonrenewal, and revocation decisions.	2	4	8
10 Transparency Regarding Educational Service Providers	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 Charter School Boards	The state law includes all of the model law's provisions for fiscally and legally autonomous schools with independent charter school boards.	4	3	12
12 Clear Student Enrollment and Lottery Procedures	The state law includes many of the model law's requirements for student enrollment and lottery procedures.	3	2	6
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 other schools (but allows those not exempted to apply for exemptions).	3	3	9
15 Multischool Charter Contracts and/or Multicharter Contract Boards Allowed	The state law prohibits these arrangements.	0	2	0
16 Extracurricular 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 includes many of the model law's requirements for special education responsibilities.	3	2	6
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, and evidence demonstrates an equity gap between district and charter students of greater than 30 percent.	0	4	0
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	4	8
20 Access to Relevant Employee Retirement Systems	The state law requires participation in the relevant employee retirement systems.	3	2	6
21 Full-time Virtual Charter School Provisions	The state law does not include any of the model law's requirements for full-time virtual charter schools.	0	3	0

DELAWARE

17

RANK (OUT OF 45)

157

TOTAL POINTS (OUT OF 240)¹

1995

YEAR PUBLIC CHARTER SCHOOL LAW WAS ENACTED

25

NUMBER OF PUBLIC CHARTER SCHOOLS IN 2016-2017

15,300

ESTIMATED NUMBER OF PUBLIC CHARTER SCHOOL STUDENTS IN 2016-2017

Changes

- ▶ Delaware's score increased from 151 points to 157 points.
- ▶ Its score increased because of changes in the methodology for Component No. 3 (Non-district Authorizers Available).
- ▶ Its ranking moved from No. 19 (out of 44) to No. 17 (out of 45).

Recommendations

- ▶ Delaware's law allows multiple authorizing entities and provides a fair amount of autonomy and accountability to its public charter schools, but it contains a moratorium on charter school growth in Wilmington and provides inequitable funding to charter schools.
- ▶ Delaware's law still needs improvement in several areas, including lifting the moratorium on charter school growth in Wilmington, ensuring equitable operational and facilities funding, ensuring adequate authorizing funding, and ensuring transparency regarding educational service providers.

¹ | Since Delaware does not allow full-time virtual charter schools, the highest score possible is 228 for the remaining 20 components. However, we converted this score to one that is comparable to the states that allow full-time virtual charter schools. Delaware received 149 out of the 228 points available for the remaining 20 components, or 65 percent. We then multiplied the total points possible for all 21 components (240) by 65 percent to get a score comparable to the other states (157).



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 Charter Schools Allowed	The state allows new start-ups and public school conversions.	4	2	8
3 Non-district Authorizers Available	The state allows multiple authorizing options in all situations, with direct access to each option.	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 none of the model law's provisions for adequate authorizer funding.	0	2	0
6 Transparent Charter Application, Review, and Decisionmaking Processes	The state law includes many of the model law's provisions for transparent charter application, review, and decisionmaking 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 many of the model law's clear processes for renewal, nonrenewal, and revocation decisions.	3	4	12
10 Transparency Regarding Educational Service Providers	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 Charter School Boards	The state law includes all of the model law's provisions for fiscally and legally autonomous schools with independent charter school boards.	4	3	12
12 Clear Student Enrollment and Lottery Procedures	The state law includes many of the model law's requirements for student enrollment and lottery procedures.	3	2	6
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 Multischool Charter Contracts and/or Multicharter 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	2	8
16 Extracurricular 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 includes some of the model law's requirements for special education responsibilities.	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, and evidence demonstrates an equity gap between district and charter students of greater than 30 percent.	0	4	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	4	4
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
21 Full-time Virtual Charter School Provisions	The state law does not allow full-time virtual charter schools.	N/A	3	N/A
				149/157

DISTRICT OF COLUMBIA

8

RANK (OUT OF 45)

166

TOTAL POINTS (OUT OF 240)

1996YEAR PUBLIC
CHARTER SCHOOL LAW
WAS ENACTED**119**NUMBER OF PUBLIC
CHARTER SCHOOLS IN
2016-2017**42,400**ESTIMATED NUMBER OF
PUBLIC CHARTER SCHOOL
STUDENTS IN 2016-2017

Changes

- ▶ D.C.'s score increased from 153 points to 166 points.
- ▶ Its score increased because of changes in the methodology for Component No. 3 (Non-district Authorizers Available) and No. 20 (Access to Relevant Employee Retirement Systems) and clarification about existing policy for Component No. 7 (Performance-based Charter Contracts Required) and No. 8 (Comprehensive Charter School Monitoring and Data Collection Processes).
- ▶ Its ranking moved from No. 18 (out of 44) to No. 8 (out of 45).

Recommendations

- ▶ D.C.'s law has a cap on public charter schools that allows for ample growth, includes an independent charter board as the authorizer, and provides a fair amount of autonomy and accountability. However, it also provides inequitable funding to charter schools.
- ▶ The biggest area for potential improvement is ensuring equitable operational 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 Charter Schools Allowed	The state allows new start-ups and public school conversions.	4	2	8
3 Non-district Authorizers Available	The state creates an independent charter board as the authorizer	4	3	12
4 Authorizer and Overall Program Accountability System Required	The state law includes all of the elements of the model law's authorizer and overall program accountability system.	4	3	12
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 Decisionmaking Processes	The state law includes some of the model law's provisions for transparent charter application, review, and decisionmaking processes.	2	4	8
7 Performance-based Charter Contracts Required	The state law includes all of the model law's provisions for performance-based charter contracts.	4	4	16
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 Transparency Regarding Educational Service Providers	The state law includes some of the model law's provisions for educational service providers.	2	2	4
11 Fiscally and Legally Autonomous Schools with Independent Charter School Boards	The state law includes all of the model law's provisions for fiscally and legally autonomous schools with independent charter school boards.	4	3	12
12 Clear Student Enrollment and Lottery Procedures	The state law includes all of the model law's requirements for student enrollment and lottery procedures.	4	2	8
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 Multischool Charter Contracts and/or Multicharter Contract Boards Allowed	The state law is silent regarding these arrangements.	1	2	2
16 Extracurricular and Interscholastic Activities Eligibility and Access	The state law provides eligibility but not access.	3	1	3
17 Clear Identification of Special Education Responsibilities	The state law includes many of the model law's requirements for special education responsibilities.	3	2	6
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, and evidence demonstrates an equity gap between district and charter students of greater than 30 percent.	0	4	0
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	4	12
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."	2	2	4
21 Full-time Virtual Charter School Provisions	The state law does not include any of the model law's requirements for full-time virtual charter schools.	0	3	0

FLORIDA

9

RANK (OUT OF 45)

166

TOTAL POINTS (OUT OF 240)

1996YEAR PUBLIC
CHARTER SCHOOL LAW
WAS ENACTED**656**NUMBER OF PUBLIC
CHARTER SCHOOLS IN
2016–2017**291,200**ESTIMATED NUMBER OF
PUBLIC CHARTER SCHOOL
STUDENTS IN 2016–2017

Changes

- ▶ Florida's score increased from 161 points to 166 points.
- ▶ Its score increased because of policy changes for Component No. 19 (Equitable Access to Capital Funding and Facilities) and clarification about existing policy for Component No. 16 (Extracurricular and Interscholastic Activities Eligibility and Access).
- ▶ Its ranking moved from No. 8 (out of 44) to No. 9 (out of 45).

Recommendations

- ▶ Florida's law does not have a cap on public charter school growth, provides a fair amount of autonomy and accountability, and provides a robust appellate process for charter school applicants. However, it still provides inequitable funding to charter schools.
- ▶ Potential areas for improvement include creating authorizer accountability requirements, ensuring equitable operational funding and equitable access to capital funding and facilities, and strengthening accountability for full-time virtual charter schools.

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 Charter Schools Allowed	The state allows new start-ups and public school conversions.	4	2	8
3 Non-district Authorizers Available	The state law requires an applicant to apply to a district, but also allows the applicant to appeal a district denial to a non-district entity.	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 many of the model law’s provisions for adequate authorizer funding.	3	2	6
6 Transparent Charter Application, Review, and Decisionmaking Processes	The state law includes many of the model law’s provisions for transparent charter application, review, and decisionmaking 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 many of the model law’s clear processes for renewal, nonrenewal, and revocation decisions.	3	4	12
10 Transparency Regarding Educational Service Providers	The state law includes all of the model law’s provisions for educational service providers.	4	2	8
11 Fiscally and Legally Autonomous Schools with Independent Charter School Boards	The state law includes many of the model law’s provisions for fiscally and legally autonomous schools with independent charter school boards.	3	3	9
12 Clear Student Enrollment and Lottery Procedures	The state law includes many of the model law’s requirements for student enrollment and lottery procedures.	3	2	6
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 Multischool Charter Contracts and/or Multicharter Contract Boards Allowed	The state law explicitly allows multicharter contract boards but does not require each school to be independently accountable for fiscal and academic performance.	2	2	4
16 Extracurricular and Interscholastic Activities Eligibility and Access	The state law provides charter school extracurricular and interscholastic activity eligibility and access.	4	1	4
17 Clear Identification of Special Education Responsibilities	The state law includes some of the model law’s requirements for special education responsibilities.	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, and evidence demonstrates an equity gap between district and charter students of between 20 percent and 29.9 percent.	1	4	4
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	4	12
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
21 Full-time Virtual Charter School Provisions	The state law includes a small number of the model law’s requirements for full-time virtual charter schools.	1	3	3

GEORGIA

27

RANK (OUT OF 45)

145

TOTAL POINTS (OUT OF 240)

1994YEAR PUBLIC
CHARTER SCHOOL LAW
WAS ENACTED**83**NUMBER OF PUBLIC
CHARTER SCHOOLS IN
2016–2017**84,400**ESTIMATED NUMBER OF
PUBLIC CHARTER SCHOOL
STUDENTS IN 2016–2017

Changes

- ▶ Georgia's score stayed at 145 points.
- ▶ Its ranking moved from No. 24 (out of 44) to No. 27 (out of 45).

Recommendations

- ▶ Georgia's law does not cap public charter school growth, provides multiple authorizers to charter school applicants, and provides adequate autonomy and accountability. However, it does not provide equitable funding to charter schools.
- ▶ Potential areas for improvement include ensuring equitable operational funding and equitable access to capital funding and facilities, ensuring transparency regarding educational service providers, allowing multischool charter contracts and/or multi-charter school contract boards, and strengthening accountability for full-time virtual charter schools.

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 Charter Schools Allowed	The state allows new start-ups and public school conversions.	4	2	8
3 Non-district Authorizers Available	The state allows multiple authorizing options in all situations, with direct access to each option.	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 many of the model law’s provisions for adequate authorizer funding.	3	2	6
6 Transparent Charter Application, Review, and Decisionmaking Processes	The state law includes some of the model law’s provisions for transparent charter application, review, and decisionmaking 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 Transparency Regarding Educational Service Providers	The state law includes some of the model law’s provisions for educational service providers.	2	2	4
11 Fiscally and Legally Autonomous Schools with Independent Charter School Boards	The state law includes many of the model law’s provisions for fiscally and legally autonomous schools with independent charter school boards.	3	3	9
12 Clear Student Enrollment and Lottery Procedures	The state law includes many of the model law’s requirements for student enrollment and lottery procedures.	3	2	6
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 Multischool Charter Contracts and/or Multicharter Contract Boards Allowed	The state law is silent regarding these arrangements.	1	2	2
16 Extracurricular 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 includes a small number of the model law’s requirements for special education responsibilities.	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, but evidence demonstrates an equity gap between district and charter students of greater than 30 percent.	0	4	0
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	4	8
20 Access to Relevant Employee Retirement Systems	The state law requires participation in the relevant employee retirement systems.	2	2	4
21 Full-time Virtual Charter School Provisions	The state law does not include any of the model law’s requirements for full-time virtual charter schools.	0	3	0

145

HAWAII

32

RANK (OUT OF 45)

141

TOTAL POINTS (OUT OF 240)

1994

YEAR PUBLIC
CHARTER SCHOOL LAW
WAS ENACTED

34

NUMBER OF PUBLIC
CHARTER SCHOOLS IN
2016-2017

10,900

ESTIMATED NUMBER OF
PUBLIC CHARTER SCHOOL
STUDENTS IN 2016-2017

Changes

- ▶ Hawaii's score increased from 136 points to 141 points.
- ▶ Its score increased because of changes in the methodology for Component No. 3 (Non-district Authorizers Available) and decreased because of clarification about existing policy for Component No. 6 (Transparent Charter Application, Review, and Decision-making Processes).
- ▶ Its ranking moved from No. 28 (out of 44) to No. 32 (out of 45).

Recommendations

- ▶ Hawaii's law does not cap public charter school growth, includes an independent charter board as the authorizer, and provides sufficient accountability. However, the law still provides inadequate autonomy and inequitable funding to charter schools.
- ▶ Hawaii's law still needs significant improvement in several areas, including beefing up the requirements for charter application, review, and decisionmaking processes, exempting charter schools from collective bargaining agreements, ensuring equitable operational funding and equitable access to capital funding and facilities, and ensuring transparency regarding educational service providers.

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 Charter Schools Allowed	The state allows new start-ups and public school conversions.	4	2	8
3 Non-district Authorizers Available	The state law includes an independent charter board as the authorizer.	4	3	12
4 Authorizer and Overall Program Accountability System Required	The state law includes all of the elements of the model law's authorizer and overall program accountability system.	4	3	12
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 Decisionmaking Processes	The state law includes some of the model law's provisions for transparent charter application, review, and decisionmaking 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 Transparency Regarding Educational Service Providers	The state law includes a small number of the model law's provisions for educational service providers.	1	2	2
11 Fiscally and Legally Autonomous Schools with Independent Charter School Boards	The state law includes all of the model law's provisions for fiscally and legally autonomous schools with independent charter school boards.	4	3	12
12 Clear Student Enrollment and Lottery Procedures	The state law includes some of the model law's requirements for student enrollment and lottery procedures.	2	2	4
13 Automatic Exemptions from Many State and District Laws and Regulations	The state law does not provide automatic exemptions from many state and district laws and regulations 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 Multischool Charter Contracts and/or Multicharter Contract Boards Allowed	The state law explicitly allows both of these arrangements and requires each school to be independently accountable for fiscal and academic performance.	4	2	8
16 Extracurricular 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 includes some of the model law's requirements for special education responsibilities.	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, and evidence demonstrates an equity gap between district and charter students of greater than 30 percent.	0	4	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	4	4
20 Access to Relevant Employee Retirement Systems	The state law requires participation in the relevant employee retirement systems.	2	2	4
21 Full-time Virtual Charter School Provisions	The state law does not include any of the model law's requirements for full-time virtual charter schools.	0	3	0

IDAHO

21

RANK (OUT OF 45)

153

TOTAL POINTS (OUT OF 240)

1996YEAR PUBLIC
CHARTER SCHOOL LAW
WAS ENACTED**52**NUMBER OF PUBLIC
CHARTER SCHOOLS IN
2016-2017**21,400**ESTIMATED NUMBER OF
PUBLIC CHARTER SCHOOL
STUDENTS IN 2016-2017

Changes

- ▶ Idaho's score increased from 150 points to 153 points.
- ▶ Its score increased because of policy changes for Component No. 1 (No Caps).
- ▶ Its ranking moved from No. 20 (out of 44) to No. 21 (out of 45).

Recommendations

- ▶ Idaho's law is cap-free, provides multiple authorizers, and provides a fair amount of autonomy and accountability. However, it still provides inequitable funding to public charter schools.
- ▶ Potential areas for improvement include creating authorizer accountability requirements, ensuring equitable operational funding and equitable access to capital funding and facilities, and strengthening accountability for full-time virtual charter schools.

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 Charter Schools Allowed	The state allows new start-ups and public school conversions.	4	2	8
3 Non-district Authorizers Available	The state allows multiple authorizing options in all situations, with direct access to each option.	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 Decisionmaking Processes	The state law includes some of the model law's provisions for transparent charter application, review, and decisionmaking 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 Transparency Regarding Educational Service Providers	The state law includes some of the model law's provisions for educational service providers.	2	2	4
11 Fiscally and Legally Autonomous Schools with Independent Charter School Boards	The state law includes all of the model law's provisions for fiscally and legally autonomous schools with independent charter school boards.	4	3	12
12 Clear Student Enrollment and Lottery Procedures	The state law includes many of the model law's requirements for student enrollment and lottery procedures.	3	2	6
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.	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 Multischool Charter Contracts and/or Multicharter 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	2	8
16 Extracurricular 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 includes some of the model law's requirements for special education responsibilities.	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, and evidence demonstrates an equity gap between district and charter students of between 20 percent and 29.9 percent.	1	4	4
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	4	8
20 Access to Relevant Employee Retirement Systems	The state law requires participation in the relevant employee retirement systems.	2	2	4
21 Full-time Virtual Charter School Provisions	The state law includes a small number of the model law's requirements for full-time virtual charter schools.	1	3	3

ILLINOIS

35

RANK (OUT OF 45)

130

TOTAL POINTS (OUT OF 240)

1996YEAR PUBLIC
CHARTER SCHOOL LAW
WAS ENACTED**143**NUMBER OF PUBLIC
CHARTER SCHOOLS IN
2016–2017**65,500**ESTIMATED NUMBER OF
PUBLIC CHARTER SCHOOL
STUDENTS IN 2016–2017

Changes

- ▶ Illinois' score increased from 123 points to 130 points.
- ▶ Its score increased because of policy changes for Component No. 18 (Equitable Operational Funding and Equal Access to All State and Federal Categorical Funding) and changes in the methodology for Component No. 3 (Non-district Authorizers Available).
- ▶ Its ranking moved from No. 36 (out of 44) to No. 35 (out of 45).

Recommendations

- ▶ While Illinois' law provides an appellate process for public charter school applicants rejected by local school districts and a fair amount of autonomy and accountability, it contains caps on charter school growth and provides inequitable facilities funding to charter schools.
- ▶ Illinois' law needs major work in several areas—most significantly, ensuring equitable access to capital funding and facilities and ensuring transparency regarding 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 Charter Schools Allowed	The state allows new start-ups and public school conversions.	4	2	8
3 Non-district Authorizers Available	The state law requires an applicant to apply to a district, but also allows the applicant to appeal a district denial to a non-district authorizer.	3	3	9
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 Decisionmaking Processes	The state law includes some of the model law's provisions for transparent charter application, review, and decisionmaking 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 Transparency Regarding Educational Service Providers	The state law includes a small number of the model law's provisions for educational service providers.	1	2	2
11 Fiscally and Legally Autonomous Schools with Independent Charter School Boards	The state law includes many of the model law's provisions for fiscally and legally autonomous schools with independent charter school boards.	3	3	9
12 Clear Student Enrollment and Lottery Procedures	The state law includes some of the model law's requirements for student recruitment, enrollment, and lottery procedures.	2	2	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, 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 Multischool Charter Contracts and/or Multicharter Contract Boards Allowed	The state law explicitly allows these arrangements for some schools but prohibits them for other schools.	2	2	4
16 Extracurricular 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 includes a small number of the model law's requirements for special education responsibilities.	1	2	2
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	4	12
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	4	4
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
21 Full-time Virtual Charter School Provisions	The state law does not include any of the model law's requirements for full-time virtual charter schools.	0	3	0

130

INDIANA

1

RANK (OUT OF 45)

181

TOTAL POINTS (OUT OF 240)

2001YEAR PUBLIC
CHARTER SCHOOL LAW
WAS ENACTED**95**NUMBER OF PUBLIC
CHARTER SCHOOLS IN
2016–2017**43,900**ESTIMATED NUMBER OF
PUBLIC CHARTER SCHOOL
STUDENTS IN 2016–2017

Changes

- ▶ Indiana's score increased from 176 points to 181 points.
- ▶ Its score increased because of policy changes for Component No. 17 (Clear Provisions Regarding Special Education Responsibilities) and changes in the methodology for Component No. 4 (Authorizer and Overall Program Accountability System Required).
- ▶ Its ranking stayed at No. 1.

Recommendations

- ▶ Indiana's law does not cap public charter school growth, includes multiple authorizers, and provides a fair amount of autonomy and accountability. It has also made notable strides in recent years to provide more equitable funding to charter public schools—although some work remains to be done.
- ▶ The biggest area for improvement in Indiana's law is continuation of efforts to close the inequitable funding gap between charter school students and their counterparts in district public schools. Another area is strengthening accountability for full-time virtual charter schools.

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 Charter Schools Allowed	The state allows new start-ups and public school conversions.	4	2	8
3 Non-district Authorizers Available	The state allows multiple authorizing options in all situations, with direct access to each option.	4	3	12
4 Authorizer and Overall Program Accountability System Required	The state law includes all of the elements of the model law’s authorizer and overall program accountability system.	4	3	12
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 Decisionmaking Processes	The state law includes many of the model law’s provisions for transparent charter application, review, and decisionmaking 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 many of the model law’s clear processes for renewal, nonrenewal, and revocation decisions.	3	4	12
10 Transparency Regarding Educational Service Providers	The state law includes some of the model law’s provisions for educational service providers.	2	2	4
11 Fiscally and Legally Autonomous Schools with Independent Charter School Boards	The state law includes all of the model law’s provisions for fiscally and legally autonomous schools with independent charter school boards.	4	3	12
12 Clear Student Enrollment and Lottery Procedures	The state law includes many of the model law’s requirements for student recruitment, enrollment, and lottery procedures.	3	2	6
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 it requires all of a school’s teachers to be certified but provides exceptions.	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 Multischool Charter Contracts and/or Multicharter Contract Boards Allowed	The state law allows both of these arrangements and requires each school to be independently accountable for fiscal and academic performance.	4	2	8
16 Extracurricular 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 all of the model law’s requirements for special education responsibilities.	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, and evidence demonstrates an equity gap between district and charter students of greater than 30 percent.	0	4	0
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	4	12
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
21 Full-time Virtual Charter School Provisions	The state law includes a small number of the model law’s requirements for full-time virtual charter schools.	1	3	3

IOWA

41

RANK (OUT OF 45)

91

TOTAL POINTS (OUT OF 240)

2002YEAR PUBLIC
CHARTER SCHOOL LAW
WAS ENACTED**3**NUMBER OF PUBLIC
CHARTER SCHOOLS IN
2016-2017**400**ESTIMATED NUMBER OF
PUBLIC CHARTER SCHOOL
STUDENTS IN 2016-2017

Changes

- ▶ Iowa's score increased from 82 points to 91 points.
- ▶ Its score increased because of changes in the methodology for Component No. 3 (Non-district Authorizers Available).
- ▶ Its ranking stayed at No. 41.

Recommendations

- ▶ While Iowa's law does not cap public charter school growth, it allows only district authorizers and provides little autonomy, insufficient accountability, and inequitable funding to charter schools.
- ▶ Iowa's law needs improvement across the board. Potential starting points include expanding authorizing options, beefing up the law in relation to the model law's four quality-control components (Components #6 through #9), increasing operational autonomy, ensuring equitable operational funding and equitable access to capital funding and facilities, ensuring transparency regarding educational service providers, and strengthening accountability for full-time virtual charter schools.

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 Charter Schools Allowed	The state allows new start-ups and public school conversions.	4	2	8
3 Non-district Authorizers Available	The state law requires an applicant to apply to a district, but also allows the applicant to appeal a district denial to a non-district authorizer.	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 does not include any of the model law's provisions for adequate authorizer funding.	0	2	0
6 Transparent Charter Application, Review, and Decisionmaking Processes	The state law includes some of the model law's provisions for transparent charter application, review, and decisionmaking 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 Transparency Regarding Educational Service Providers	The state law includes a small number of the model law's provisions for educational service providers.	1	2	2
11 Fiscally and Legally Autonomous Schools with Independent Charter School Boards	The state law includes a small number of the model law's provisions for fiscally and legally autonomous schools with independent charter school boards.	1	3	3
12 Clear Student Enrollment and Lottery Procedures	The state law includes many of the model law's requirements for student enrollment and lottery procedures.	3	2	6
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 Multischool Charter Contracts and/or Multicharter Contract Boards Allowed	The state law is silent regarding these arrangements.	1	2	2
16 Extracurricular 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 includes many of the model law's requirements for special education responsibilities.	3	2	6
18 Equitable Operational Funding and Equal Access to All State and Federal Categorical Funding	The state law does not include any of the model law's provisions for equitable operational funding and equal access to all state and federal categorical funding, and there is no evidence of the amount of funds charter students versus district students receive.	0	4	0
19 Equitable Access to Capital Funding and Facilities	The state law does not include any of the model law's provisions for equitable access to capital funding and facilities.	0	4	0
20 Access to Relevant Employee Retirement Systems	The state law requires participation in the relevant employee retirement systems.	2	2	4
21 Full-time Virtual Charter School Provisions	The state law does not include any of the model law's requirements for full-time virtual charter schools.	0	3	0

91

KANSAS

Changes

- ▶ Kansas' score stayed at 65 points.
- ▶ Its ranking moved from No. 43 (out of 44) to No. 44 (out of 45).

Recommendations

- ▶ While Kansas' law does not cap public charter school growth, it allows only district authorizers and provides little autonomy, insufficient accountability, and inequitable funding to charter schools.
- ▶ Kansas' law needs improvement across the board. Potential starting points include expanding authorizing options, beefing up the law in relation to the model law's four quality-control components (Components #6 through #9), increasing operational autonomy, ensuring equitable operational funding and equitable access to capital funding and facilities, ensuring transparency regarding educational service providers, and strengthening accountability for full-time virtual charter schools.

44

RANK (OUT OF 45)

65

TOTAL POINTS (OUT OF 240)

1994YEAR PUBLIC
CHARTER SCHOOL LAW
WAS ENACTED**10**NUMBER OF PUBLIC
CHARTER SCHOOLS IN
2016-2017**3,800**ESTIMATED NUMBER OF
PUBLIC CHARTER SCHOOL
STUDENTS IN 2016-2017

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 Charter Schools Allowed	The state allows new start-ups and public school conversions.	4	2	8
3 Non-district Authorizers Available	The state law does not provide applicants with access to a non-district authorizer.	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.	2	3	6
5 Adequate Authorizer Funding	The state law does not include any of the model law's provisions for adequate authorizer funding.	0	2	0
6 Transparent Charter Application, Review, and Decisionmaking Processes	The state law includes a small number of the model law's provisions for transparent charter application, review, and decisionmaking 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 Transparency Regarding Educational Service Providers	The state law includes a small number of the model law's provisions for educational service providers.	1	2	2
11 Fiscally and Legally Autonomous Schools with Independent Charter School Boards	The state law does not include any of the model law's provisions for fiscally and legally autonomous schools with independent charter school boards.	0	3	0
12 Clear Student Enrollment and Lottery Procedures	The state law includes some of the model law's requirements for student enrollment and lottery procedures.	2	2	4
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 Multischool Charter Contracts and/or Multicharter Contract Boards Allowed	The state law is silent regarding these arrangements.	1	2	2
16 Extracurricular 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 does not include any of the model law's requirements for special education responsibilities.	0	2	0
18 Equitable Operational Funding and Equal Access to All State and Federal Categorical Funding	The state law does not include any of the model law's provisions for equitable operational funding and equal access to all state and federal categorical funding, and there is no evidence of the amount of funds charter students versus district students receive.	0	4	0
19 Equitable Access to Capital Funding and Facilities	The state law does not include any of the model law's provisions for equitable access to capital funding and facilities.	0	4	0
20 Access to Relevant Employee Retirement Systems	The state law requires participation in the relevant employee retirement systems.	2	2	4
21 Full-time Virtual Charter School Provisions	The state law does not include any of the model law's requirements for full-time virtual charter schools.	0	3	0

KENTUCKY

10

RANK (OUT OF 45)

166

TOTAL POINTS (OUT OF 240)²

2017

YEAR PUBLIC CHARTER SCHOOL LAW WAS ENACTED

N/A

NUMBER OF PUBLIC CHARTER SCHOOLS IN 2016-2017

N/A

NUMBER OF PUBLIC CHARTER SCHOOL STUDENTS IN 2016-2017

Changes

- ▶ In 2017, Kentucky became the 44th state (along with the District of Columbia) to enact a public charter school law in 2017. Kentucky lawmakers took great care in writing this law to ensure that the state heeded the lessons learned within the first quarter-century of the charter school movement and also took into the account the state constitutional constraints that exist. As a result, they enacted a relatively strong charter school law.

Recommendations

- ▶ Kentucky’s law is cap-free, allows multiple authorizers in the state’s two biggest districts and a robust appeals process throughout the state, has strong quality-control components, gives operational autonomy to charters, and provides equitable operational and categorical funding to charter schools. The primary weakness of the law is that it provides inequitable facilities funding.
- ▶ The main place for improvement is ensuring equitable access to capital funding and facilities.

2 | Since Kentucky does not allow full-time virtual charter schools, the highest score possible is 228 for the remaining 20 components. However, we converted this score to one that is comparable to the states that allow full-time virtual charter schools. Kentucky received 158 out of the 228 points available for the remaining 20 components, or 69 percent. We then multiplied the total points possible for all 21 components (240) by 69 percent to get a score comparable to the other states (166).

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 Charter Schools Allowed	The state allows new start-ups and public school conversions.	4	2	8
3 Non-district Authorizers Available	The state provides multiple authorizers to applicants in the state's two largest districts and a robust appeals process to applicants statewide.	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 Decisionmaking Processes	The state law includes many of the model law's provisions for transparent charter application, review, and decisionmaking processes.	3	4	12
7 Performance-based Charter Contracts Required	The state law includes all of the model law's provisions for performance-based charter contracts.	4	4	16
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 Transparency Regarding Educational Service Providers	The state law includes all of the model law's provisions for educational service providers.	4	2	8
11 Fiscally and Legally Autonomous Schools with Independent Charter School Boards	The state law includes all of the model law's provisions for fiscally and legally autonomous schools with independent charter school boards.	4	3	12
12 Clear Student Enrollment and Lottery Procedures	The state law includes many of the model law's requirements for student enrollment and lottery procedures.	3	2	6
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 Multischool Charter Contracts and/or Multicharter Contract Boards Allowed	The state law allows a charter school's board of directors to hold one or more charter contracts, with each public charter school under contract being separate and distinct from any other public charter school under contract with that board.	4	2	8
16 Extracurricular and Interscholastic Activities Eligibility and Access	The state law provides charter school extracurricular and interscholastic activity eligibility and access.	4	1	4
17 Clear Identification of Special Education Responsibilities	The state law does not include any of the model law's requirements for special education responsibilities.	0	2	0
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 and categorical funding, but there is no evidence of the amount of funds charter students versus district students receive.	1	4	4
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	4	4
20 Access to Relevant Employee Retirement Systems	The state law requires participation in the relevant employee retirement systems.	2	2	4
21 Full-time Virtual Charter School Provisions	The state law does not include any of the model law's requirements for full-time virtual charter schools.	N/A	3	N/A

158/166

LOUISIANA

12

RANK (OUT OF 45)

164

TOTAL POINTS (OUT OF 240)

1995YEAR PUBLIC
CHARTER SCHOOL LAW
WAS ENACTED**146**NUMBER OF PUBLIC
CHARTER SCHOOLS IN
2016-2017**84,400**ESTIMATED NUMBER OF
PUBLIC CHARTER SCHOOL
STUDENTS IN 2016-2017

Changes

- ▶ Louisiana's score increased from 161 points to 164 points.
- ▶ Its score increased because of clarification about existing policy for Component No. 14 (Automatic Collective Bargaining Exemption).
- ▶ Its ranking moved from No. 9 to No. 12.

Recommendations

- ▶ Louisiana's law does not cap public charter school growth, includes multiple authorizers, provides a fair amount of autonomy and accountability, and provides relatively equitable operational and categorical funding to charter schools. However, it does not provide equitable facilities funding to charter schools.
- ▶ Potential areas for improvement are ensuring equitable access to capital funding and facilities and strengthening accountability for full-time virtual charter schools.

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 Charter Schools Allowed	The state allows new start-ups and public school conversions.	4	2	8
3 Non-district Authorizers Available	The state allows multiple authorizing options in all situations, with direct access to each option.	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 all of the model law’s provisions for adequate authorizer funding.	4	2	8
6 Transparent Charter Application, Review, and Decisionmaking Processes	The state law includes all of the model law’s provisions for transparent charter application, review, and decisionmaking processes.	4	4	16
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 Transparency Regarding Educational Service Providers	The state law includes some of the model law’s provisions for educational service providers.	2	2	4
11 Fiscally and Legally Autonomous Schools with Independent Charter School Boards	The state law includes all of the model law’s provisions for fiscally and legally autonomous schools with independent charter school boards.	4	3	12
12 Clear Student Enrollment and Lottery Procedures	The state law includes many of the model law’s requirements for student enrollment and lottery procedures.	3	2	6
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 exempts some schools from existing collective bargaining agreements but not other schools.	3	3	9
15 Multischool Charter Contracts and/or Multicharter Contract Boards Allowed	The state law allows multicharter contract boards and requires each school to be independently accountable for fiscal and academic performance.	4	2	8
16 Extracurricular 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 includes some of the model law’s requirements for special education responsibilities.	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, but there is no evidence of the amount of funds charter students versus district students receive.	1	4	4
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	4	4
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 other schools.	3	2	6
21 Full-time Virtual Charter School Provisions	The state law does not include any of the model law’s requirements for full-time virtual charter schools.	0	3	0

164

MAINE

7

RANK (OUT OF 45)

167

TOTAL POINTS (OUT OF 240)

2011

YEAR PUBLIC
CHARTER SCHOOL LAW
WAS ENACTED

9

NUMBER OF PUBLIC
CHARTER SCHOOLS IN
2016-2017

2,000

ESTIMATED NUMBER OF
PUBLIC CHARTER SCHOOL
STUDENTS IN 2016-2017

Changes

- ▶ Maine's score increased from 161 points to 167 points.
- ▶ Its score increased because of changes in the methodology for Component No. 3 (Non-district Authorizers Available).
- ▶ Its ranking stayed at No. 7.

Recommendations

- ▶ • Maine's law allows multiple authorizers via districts and a statewide authorizer, has strong quality-control components, provides operational autonomy to public charter schools, and provides equitable operational funding to charter schools. The three major weaknesses of the law include a cap of 10 state-authorized charter schools during the initial 10 years that the law is in effect (there is no cap on the number of charter schools that local school districts can approve), a relatively small number of provisions for supporting charter-school facilities' needs, and inadequate accountability for full-time virtual charter schools.
- ▶ Potential areas for improvement in the law are lifting the state's cap on state-authorized charter schools, ensuring equitable access to capital funding and facilities, and strengthening accountability for full-time virtual 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 Charter Schools Allowed	The state allows new start-ups and public school conversions.	4	2	8
3 Non-district Authorizers Available	The state allows multiple authorizing options in all situations, with direct access to each option.	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 Decisionmaking Processes	The state law includes many of the model law’s provisions for transparent charter application, review, and decisionmaking processes.	3	4	12
7 Performance-based Charter Contracts Required	The state law includes all of the model law’s provisions for performance-based charter contracts.	4	4	16
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 Transparency Regarding Educational Service Providers	The state law includes some of the model law’s provisions for educational service providers.	2	2	4
11 Fiscally and Legally Autonomous Schools with Independent Charter School Boards	The state law includes all of the model law’s provisions for fiscally and legally autonomous schools with independent charter school boards.	4	3	12
12 Clear Student Enrollment and Lottery Procedures	The state law includes all of the model law’s requirements for student enrollment and lottery procedures.	4	2	8
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 other schools (but allows those not exempted to apply for exemptions).	3	3	9
15 Multischool Charter Contracts and/or Multicharter 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	2	8
16 Extracurricular and Interscholastic Activities Eligibility and Access	The state law provides access but not eligibility.	3	1	3
17 Clear Identification of Special Education Responsibilities	The state law includes many of the model law’s requirements for special education responsibilities.	3	2	6
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, but there is no evidence of the amount of funds charter students versus district students receive.	1	4	4
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	4	4
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
21 Full-time Virtual Charter School Provisions	The state law includes a small number of the model law’s requirements for full-time virtual charter schools.	1	3	3

MARYLAND

45

RANK (OUT OF 45)

62

TOTAL POINTS (OUT OF 240)³

2003

YEAR PUBLIC CHARTER SCHOOL LAW WAS ENACTED

49

NUMBER OF PUBLIC CHARTER SCHOOLS IN 2016-2017

23,500

ESTIMATED NUMBER OF PUBLIC CHARTER SCHOOL STUDENTS IN 2016-2017

Changes

- ▶ Maryland's score increased from 51 points to 62 points.
- ▶ Its score increased because of clarification about existing policy for Component No. 4 (Authorizer and Overall Program Accountability System Required), Component No. 6 (Transparent Charter Application, Review, and Decision-making Processes), Component No. 9 (Clear Processes for Renewal, Nonrenewal, and Revocation Decisions), and Component No. 12 (Clear Student Enrollment and Lottery Procedures). Its score decreased because of changes in the methodology for Component No. 3 (Non-district Authorizers Available).
- ▶ Its ranking moved from No. 44 (out of 44) to No. 45 (out of 45).

Recommendations

- ▶ While Maryland's law does not cap public charter school growth, it allows only district authorizers and provides little autonomy, insufficient accountability, and inequitable funding to charter schools.
- ▶ Maryland's law needs improvement across the board. Potential starting points include expanding authorizing options, beefing up the law in relation to the model law's four quality-control components (Components 6 through 9), increasing operational autonomy, ensuring equitable operational funding and equitable access to capital funding and facilities, and ensuring transparency regarding educational service providers.

3 | Since Maryland does not allow full-time virtual charter schools, the highest score possible is 228 for the remaining 20 components. However, we converted this score to one that is comparable to the states that allow full-time virtual charter schools. Maryland received 59 out of the 228 points available for the remaining 20 components, or 26 percent. We then multiplied the total points possible for all 21 components (240) by 26 percent to get a score comparable to the other states (62).



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 Charter Schools Allowed	The state allows new start-ups and public school conversions.	4	2	8
3 Non-district Authorizers Available	The state law does not provide applicants with access to a non-district authorizer.	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 does not include any of the model law's provisions for adequate authorizer funding.	0	2	0
6 Transparent Charter Application, Review, and Decisionmaking Processes	The state law includes a small number of the model law's provisions for transparent charter application, review, and decisionmaking processes.	1	4	4
7 Performance-based Charter Contracts Required	The state law does not include any 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 Transparency Regarding Educational Service Providers	The state law does not include any of the model law's provisions for educational service providers.	0	2	0
11 Fiscally and Legally Autonomous Schools with Independent Charter School Boards	The state law does not include any of the model law's provisions for fiscally and legally autonomous schools with independent charter school boards.	0	3	0
12 Clear Student Enrollment and Lottery Procedures	The state law includes many of the model law's requirements for student enrollment and lottery procedures.	3	2	6
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 Multischool Charter Contracts and/or Multicharter Contract Boards Allowed	The state law is silent regarding these arrangements.	1	2	2
16 Extracurricular 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 does not include any of the model law's requirements for special education responsibilities.	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 and categorical funding, and evidence demonstrates an equity gap between district and charter students of greater than 30 percent.	0	4	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	4	4
20 Access to Relevant Employee Retirement Systems	The state law requires participation in the relevant employee retirement systems.	2	2	4
21 Full-time Virtual Charter School Provisions	The state law does not allow full-time virtual charter schools.	N/A	3	N/A
				59/62

MASSACHUSETTS

13

RANK (OUT OF 45)

162

TOTAL POINTS (OUT OF 240)⁴

1993

YEAR PUBLIC CHARTER SCHOOL LAW WAS ENACTED

81

NUMBER OF PUBLIC CHARTER SCHOOLS IN 2016-2017

44,200

ESTIMATED NUMBER OF PUBLIC CHARTER SCHOOL STUDENTS IN 2016-2017

Changes

- ▶ Massachusetts' score increased from 159 points to 162 points.
- ▶ Its score increased because of changes in the methodology for Component No. 3 (Non-district Authorizers Available). Its score decreased because of changes in the methodology for Component No. 13 (Automatic Exemptions from Many State and District Laws and Regulations).
- ▶ Its ranking moved from No. 12 (out of 44) to No. 13 (out of 45).

Recommendations

- ▶ Massachusetts' law includes a state authorizing pathway and provides a fair amount of autonomy and accountability to public charter schools, but it contains a variety of caps on charter school growth and provides inequitable funding.
- ▶ Potential areas for improvement include removing the state's caps on charter school growth and ensuring equitable operational funding and equitable access to capital funding and facilities.

4 | Since Massachusetts does not allow full-time virtual charter schools, the highest score possible is 228 for the remaining 20 components. However, we converted this score to one that is comparable to the states that allow full-time virtual charter schools. Massachusetts received 151 out of the 228 points available for the remaining 20 components, or 68 percent. We then multiplied the total points possible for all 21 components (240) by 68 percent to get a score comparable to the other states (162).



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 Charter Schools Allowed	The state allows new start-ups and public school conversions.	4	2	8
3 Non-district Authorizers Available	The state law allows an applicant anywhere in the state to apply directly to a non-district authorizer.	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 a small number of the model law's provisions for adequate authorizer funding.	1	2	2
6 Transparent Charter Application, Review, and Decisionmaking Processes	The state law includes many of the model law's provisions for transparent charter application, review, and decisionmaking 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 many of the model law's clear processes for renewal, nonrenewal, and revocation decisions.	3	4	12
10 Transparency Regarding Educational Service Providers	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 Charter School Boards	The state law includes all of the model law's provisions for fiscally and legally autonomous schools with independent charter school boards.	4	3	12
12 Clear Student Enrollment and Lottery Procedures	The state law includes all of the model law's requirements for student enrollment and lottery procedures.	4	2	8
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.	2	3	6
14 Automatic Collective Bargaining Exemption	The state law exempts some schools from existing collective bargaining agreements but not other schools (but allows those not exempted to apply for exemptions).	3	3	9
15 Multischool Charter Contracts and/or Multicharter 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	2	8
16 Extracurricular 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 includes many of the model law's requirements for special education responsibilities.	3	2	6
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, and evidence demonstrates an equity gap between district and charter students of between 20 percent and 29.9 percent.	1	4	4
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	4	8
20 Access to Relevant Employee Retirement Systems	The state law requires participation in the relevant employee retirement systems.	2	2	4
21 Full-time Virtual Charter School Provisions	The state law does not allow full-time virtual charter schools.	N/A	3	N/A
				154/162

MICHIGAN

30

RANK (OUT OF 45)

143

TOTAL POINTS (OUT OF 240)

1993YEAR PUBLIC
CHARTER SCHOOL LAW
WAS ENACTED**301**NUMBER OF PUBLIC
CHARTER SCHOOLS IN
2016–2017**146,100**ESTIMATED NUMBER OF
PUBLIC CHARTER SCHOOL
STUDENTS IN 2016–2017

Changes

- ▶ Michigan's score increased from 137 points to 143 points.
- ▶ Its score increased because of changes in the methodology for Component No. 4 (Authorizer and Overall Program Accountability System Required) and Component No. 13 (Automatic Exemptions from Many State and District Laws and Regulations) and clarification about existing policy for Component No. 7 (Performance-based Charter Contracts Required).
- ▶ Its ranking moved from No. 27 (out of 44) to No. 30 (out of 45).

Recommendations

- ▶ Michigan's law contains caps on public charter schools that allow for ample growth, includes multiple authorizers, and provides a fair amount of autonomy and accountability. However, it provides inequitable funding.
- ▶ Potential areas for improvement include beefing up the law's application requirements, ensuring equitable access to capital funding and facilities, and strengthening accountability for full-time virtual 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 Charter Schools Allowed	The state allows new start-ups and public school conversions.	4	2	8
3 Non-district Authorizers Available	The state allows multiple authorizing options in all situations, with direct access to each option.	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 Decisionmaking Processes	The state law includes a small number of the model law’s provisions for transparent charter application, review, and decisionmaking processes.	1	4	4
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 Transparency Regarding Educational Service Providers	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 Charter School Boards	The state law includes all of the model law’s provisions for fiscally and legally autonomous schools with independent charter school boards.	4	3	12
12 Clear Student Enrollment and Lottery Procedures	The state law includes many of the model law’s requirements for student enrollment and lottery procedures.	3	2	6
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.	2	3	6
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 Multischool Charter Contracts and/or Multicharter Contract Boards Allowed	The state law explicitly allows multischool charter contracts but does not require each school to be independently accountable for fiscal and academic performance.	2	2	4
16 Extracurricular 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 includes a small number of the model law’s requirements for special education responsibilities.	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, and evidence demonstrates an equity gap between district and charter students of between 20 percent and 29.9 percent.	1	4	4
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	4	4
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
21 Full-time Virtual Charter School Provisions	The state law does not include any of the model law’s requirements for full-time virtual charter schools.	0	3	0

MINNESOTA

4

RANK (OUT OF 45)

178

TOTAL POINTS (OUT OF 240)

1991YEAR PUBLIC
CHARTER SCHOOL LAW
WAS ENACTED**167**NUMBER OF PUBLIC
CHARTER SCHOOLS IN
2016–2017**53,400**ESTIMATED NUMBER OF
PUBLIC CHARTER SCHOOL
STUDENTS IN 2016–2017

Changes

- ▶ Minnesota's score increased from 171 points to 178 points.
- ▶ Its score increased because of clarification about existing policy for Component No. 14 (Automatic Collective Bargaining Exemption) and Component No. 16 (Extracurricular and Interscholastic Activities Eligibility and Access).
- ▶ Its ranking moved from No. 3 (out of 44) to No. 4 (out of 45).

Recommendations

- ▶ Minnesota's law does not cap public charter school growth, includes multiple authorizers, and provides a fair amount of autonomy and accountability. However, it also provides inequitable funding to charter schools.
- ▶ The biggest areas for improvement in Minnesota's law are ensuring equitable operational and categorical funding, equitable access to capital funding and facilities, and strengthening accountability for full-time virtual charter schools.

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 Charter Schools Allowed	The state allows new start-ups and public school conversions.	4	2	8
3	Non-district Authorizers Available	The state allows multiple authorizing options in all situations, with direct access to each option.	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 Decisionmaking Processes	The state law includes many of the model law's provisions for transparent charter application, review, and decisionmaking 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 many of the model law's clear processes for renewal, nonrenewal, and revocation decisions.	3	4	12
10	Transparency Regarding Educational Service Providers	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 Charter School Boards	The state law includes all of the model law's provisions for fiscally and legally autonomous schools with independent charter school boards.	4	3	12
12	Clear Student Enrollment and Lottery Procedures	The state law includes all of the model law's requirements for student enrollment and lottery procedures.	4	2	8
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	Multischool Charter Contracts and/or Multicharter Contract Boards Allowed	The state law allows multischool charter contracts and requires each school to be independently accountable for fiscal and academic performance.	4	2	8
16	Extracurricular and Interscholastic Activities Eligibility and Access	The state law provides charter school extracurricular and interscholastic activity eligibility and access.	4	1	4
17	Clear Identification of Special Education Responsibilities	The state law includes many of the model law's requirements for special education responsibilities.	3	2	6
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, but evidence demonstrates an equity gap between district and charter students of between 20 percent and 29.9 percent.	1	4	4
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	4	8
20	Access to Relevant Employee Retirement Systems	The state law requires participation in the relevant employee retirement system.	2	2	4
21	Full-time Virtual Charter School Provisions	The state law includes a small number of the model law's requirements for full-time virtual charter schools.	1	3	3

MISSISSIPPI

6

RANK (OUT OF 45)

169

TOTAL POINTS (OUT OF 240)

2010YEAR PUBLIC
CHARTER SCHOOL LAW
WAS ENACTED**3**NUMBER OF PUBLIC
CHARTER SCHOOLS IN
2016-2017**400**ESTIMATED NUMBER OF
PUBLIC CHARTER SCHOOL
STUDENTS IN 2016-2017

Changes

- ▶ Mississippi's score increased from 160 points to 169 points.
- ▶ Its score increased because of changes in the methodology for Component No. 1 (No Caps) and Component No. 3 (Non-district Authorizers Available).
- ▶ Its ranking moved from No. 10 (out of 44) to No. 6 (out of 45).

Recommendations

- ▶ Mississippi's law contains a cap with room for ample growth, includes a state authorizer, provides a fair amount of autonomy and accountability, and includes strong operational and categorical funding.
- ▶ Potential areas of improvement in Mississippi's law include providing applicants in all districts with direct access to the state authorizer 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 Charter Schools Allowed	The state allows new start-ups and public school conversions.	4	2	8
3 Non-district Authorizers Available	The state law allows an applicant in some parts of the state to apply directly to a non-district authorizer. It requires applicants in other parts of the state to first get approved by a district before applying to the non-district authorizer.	2	3	6
4 Authorizer and Overall Program Accountability System Required	The state law includes all of the elements of the model law's authorizer and overall program accountability system.	4	3	12
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 Decisionmaking Processes	The state law includes all of the model law's provisions for transparent charter application, review, and decisionmaking processes.	4	4	16
7 Performance-based Charter Contracts Required	The state law includes all of the model law's provisions for performance-based charter contracts.	4	4	16
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 Transparency Regarding Educational Service Providers	The state law includes some of the model law's provisions for educational service providers.	2	2	4
11 Fiscally and Legally Autonomous Schools with Independent Charter School Boards	The state law includes all of the model law's provisions for fiscally and legally autonomous schools with independent charter school boards.	4	3	12
12 Clear Student Enrollment and Lottery Procedures	The state law includes many of the model law's requirements for student enrollment and lottery procedures.	3	2	6
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 school district personnel polices.	4	3	12
15 Multischool Charter Contracts and/or Multicharter Contract Boards Allowed	The state law explicitly allows both of these arrangements and requires each school to be independently accountable for fiscal and academic performance.	4	2	8
16 Extracurricular and Interscholastic Activities Eligibility and Access	The state law provides eligibility but not access.	3	1	3
17 Clear Identification of Special Education Responsibilities	The state law includes some of the model law's requirements for special education responsibilities.	2	2	4
18 Equitable Operational Funding and Equal Access to All State and Federal Categorical Funding	The state law includes many of the model law's provisions for equitable operational funding and equal access to all state and federal categorical funding, but there is no evidence of the amount of funds charter students versus district students receive.	1	4	4
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	4	4
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
21 Full-time Virtual Charter School Provisions	The state law does not include any of the model law's requirements for full-time virtual charter schools.	0	3	0

MISSOURI

26

RANK (OUT OF 45)

147

TOTAL POINTS (OUT OF 240)

1998YEAR PUBLIC
CHARTER SCHOOL LAW
WAS ENACTED**61**NUMBER OF PUBLIC
CHARTER SCHOOLS IN
2016-2017**23,000**ESTIMATED NUMBER OF
PUBLIC CHARTER SCHOOL
STUDENTS IN 2016-2017

Changes

- ▶ Missouri's score increased from 130 points to 147 points.
- ▶ Its score increased because of changes in the methodology for Component No. 4 (Authorizer and Overall Program Accountability System Required) and clarification about existing policy for Component No. 6 (Transparent Charter Application, Review, and Decision-making Processes), Component No. 7 (Performance-based Charter Contracts Required), Component No. 9 (Clear Processes for Renewal, Nonrenewal, and Revocation Decisions), and Component No. 17 (Clear Provisions Regarding Special Education Responsibilities).
- ▶ Its ranking moved from No. 32 (out of 44) to No. 26 (out of 45).

Recommendations

- ▶ Missouri's law is largely cap-free and provides a fair amount of autonomy and accountability to public charter schools. However, it includes multiple authorizing options in some districts, but not others, and provides inequitable funding to charter schools.
- ▶ Potential areas for improvement include providing multiple authorizing options in all districts and ensuring equitable operational funding and equitable access to capital funding and facilities.

ESSENTIAL COMPONENTS OF STRONG PUBLIC CHARTER SCHOOL LAW	CURRENT COMPONENT DESCRIPTION	RATING	WEIGHT	TOTAL SCORE
1 No Caps	The state has a cap with room for ample growth.	3	3	9
2 A Variety of Charter Schools Allowed	The state allows new start-ups and public school conversions.	4	2	8
3 Non-district Authorizers Available	The state law provides multiple authorizing options to applicants in only some districts. In other districts, the state law only allows applicants to apply to districts.	2	3	6
4 Authorizer and Overall Program Accountability System Required	The state law includes all of the elements of the model law's authorizer and overall program accountability system.	4	3	12
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 Decisionmaking Processes	The state law includes some of the model law's provisions for transparent charter application, review, and decisionmaking processes.	2	4	8
7 Performance-based Charter Contracts Required	The state law includes all of the model law's provisions for performance-based charter contracts.	4	4	16
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 Transparency Regarding Educational Service Providers	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 Charter School Boards	The state law includes all of the model law's provisions for fiscally and legally autonomous schools with independent charter school boards.	4	3	12
12 Clear Student Enrollment and Lottery Procedures	The state law includes some of the model law's requirements for student recruitment, enrollment, and lottery procedures.	2	2	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 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 Multischool Charter Contracts and/or Multicharter Contract Boards Allowed	The state law is silent regarding these arrangements.	1	2	2
16 Extracurricular 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 includes many of the model law's requirements for special education responsibilities.	3	2	6
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, and evidence demonstrates an equity gap between district and charter students of greater than 30 percent.	0	4	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	4	4
20 Access to Relevant Employee Retirement Systems	The state law requires participation in the relevant employee retirement systems.	2	2	4
21 Full-time Virtual Charter School Provisions	The state law does not include any of the model law's requirements for full-time virtual charter schools.	0	3	0

NEVADA

11

RANK (OUT OF 45)

165

TOTAL POINTS (OUT OF 240)

1997YEAR PUBLIC
CHARTER SCHOOL LAW
WAS ENACTED**39**NUMBER OF PUBLIC
CHARTER SCHOOLS IN
2016–2017**39,900**ESTIMATED NUMBER OF
PUBLIC CHARTER SCHOOL
STUDENTS IN 2016–2017

Changes

- ▶ Nevada's score increased from 159 points to 165 points.
- ▶ Its score increased because of changes in the methodology for Component No. 13 (Automatic Exemptions from Many State and District Laws and Regulations) and clarification about existing policy for Component No. 2 (A Variety of Charter Public Schools Allowed) and Component No. 4 (Authorizer and Overall Program Accountability System Required). Its score decreased because of clarification about existing policy for Component No. 17 (Clear Provisions Regarding Special Education Responsibilities).
- ▶ Its ranking moved from No. 13 (out of 44) to No. 11 (out of 45).

Recommendations

- ▶ Nevada's law does not have a cap on public charter school growth, allows multiple authorizing entities, and provides a fair amount of autonomy and accountability. Still, the law provides inequitable funding to charter schools.
- ▶ Potential areas for improvement include ensuring equitable operational funding and equitable access to capital funding and facilities and strengthening accountability for full-time virtual charter schools.

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.	4	3	12
2 A Variety of Charter Schools Allowed	The state allows new start-ups and public school conversions.	4	2	8
3 Non-district Authorizers Available	The state allows two or more authorizing options in all situations, with direct access to each option. There is some authorizing activity in at least two of those options.	4	3	12
4 Authorizer and Overall Program Accountability System Required	The state law includes all of the elements of the model law's authorizer and overall program accountability system.	4	3	12
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 Decisionmaking Processes	The state law includes many of the model law's provisions for transparent charter application, review, and decisionmaking 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 many of the model law's clear processes for renewal, nonrenewal, and revocation decisions.	3	4	12
10 Transparency Regarding Educational Service Providers	The state law includes some of the model law's provisions for educational service providers.	2	2	4
11 Fiscally and Legally Autonomous Schools with Independent Charter School Boards	The state law includes all of the model law's provisions for fiscally and legally autonomous schools with independent charter school boards.	4	3	12
12 Clear Student Enrollment and Lottery Procedures	The state law includes many of the model law's requirements for student enrollment and lottery procedures.	3	2	6
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.	2	3	6
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 Multischool Charter Contracts and/or Multicharter Contract Boards Allowed	The state law explicitly allows both of these arrangements and requires each school to be independently accountable for fiscal and academic performance.	4	2	8
16 Extracurricular and Interscholastic Activities Eligibility and Access	The state law provides charter student access to extracurricular activities at noncharter public schools.	3	1	3
17 Clear Identification of Special Education Responsibilities	The state law includes a small number of the model law's requirements for special education responsibilities.	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, and there is no evidence of the amount of funds charter students versus district students receive.	1	4	4
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	4	4
20 Access to Relevant Employee Retirement Systems	The state law requires participation in the relevant employee retirement systems.	2	2	4
21 Full-time Virtual Charter School Provisions	The state law does not include any of the model law's requirements for full-time virtual charter schools.	0	3	0

NEW HAMPSHIRE

24

RANK (OUT OF 45)

151

TOTAL POINTS (OUT OF 240)

1996YEAR PUBLIC
CHARTER SCHOOL LAW
WAS ENACTED**26**NUMBER OF PUBLIC
CHARTER SCHOOLS IN
2016-2017**3,300**ESTIMATED NUMBER OF
PUBLIC CHARTER SCHOOL
STUDENTS IN 2016-2017

Changes

- ▶ New Hampshire's score increased from 139 points to 151 points.
- ▶ Its score increased because of changes in the methodology for Component No. 3 (Non-district Authorizers Available) and clarification about existing policy for Component No. 1 (No Caps) and Component No. 16 (Extracurricular and Interscholastic Activities Eligibility and Access).
- ▶ Its ranking moved from No. 26 (out of 44) to No. 24 (out of 45).

Recommendations

- ▶ While New Hampshire's law is cap-free, provides multiple authorizing options, and provides a fair amount of autonomy and accountability to public charter schools, the law provides inequitable funding to charter schools.
- ▶ Potential areas for improvement in New Hampshire's charter school law include ensuring equitable operational funding and equitable access to capital funding and facilities.

ESSENTIAL COMPONENTS OF STRONG PUBLIC CHARTER SCHOOL LAW	CURRENT COMPONENT DESCRIPTION	RATING	WEIGHT	TOTAL SCORE
1 No Caps	The state does not have a cap.	4	3	12
2 A Variety of Charter Schools Allowed	The state allows new start-ups, public school conversions, and virtual schools.	4	2	8
3 Non-district Authorizers Available	The state allows multiple authorizing options in all situations, with direct access to each option.	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 none of the model law's provisions for adequate authorizer funding.	0	2	0
6 Transparent Charter Application, Review, and Decisionmaking Processes	The state law includes some of the model law's provisions for transparent charter application, review, and decisionmaking 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.	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.	2	4	8
10 Transparency Regarding Educational Service Providers	The state law includes many of the model law's provisions for educational service providers.	2	2	4
11 Fiscally and Legally Autonomous Schools with Independent Charter School Boards	The state law includes all of the model law's provisions for fiscally and legally autonomous schools with independent charter school boards.	4	3	12
12 Clear Student Enrollment and Lottery Procedures	The state law includes some of the model law's requirements for student recruitment, enrollment, and lottery procedures.	4	2	8
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 Multischool Charter Contracts and/or Multicharter Contract Boards Allowed	The state law is silent regarding these arrangements.	1	2	2
16 Extracurricular and Interscholastic Activities Eligibility and Access	The state law provides charter student access to extracurricular activities at noncharter public schools.	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 none of the model law's provisions for equitable operational funding and equal access to all state and federal categorical funding, and evidence demonstrates an equity gap between district and charter students of greater than 30 percent.	0	4	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	4	4
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
21 Full-time Virtual Charter School Provisions	The state law includes a small number of the model law's requirements for full-time virtual charter schools.	1	3	3

NEW JERSEY

33

RANK (OUT OF 45)

131

TOTAL POINTS (OUT OF 240)⁵

1995

YEAR PUBLIC CHARTER SCHOOL LAW WAS ENACTED

88

NUMBER OF PUBLIC CHARTER SCHOOLS IN 2016-2017

48,900

ESTIMATED NUMBER OF PUBLIC CHARTER SCHOOL STUDENTS IN 2016-2017

Changes

- ▶ New Jersey's score increased from 124 points to 131 points.
- ▶ Its score increased because of changes in the methodology for Component No. 3 (Non-district Authorizers Available) and clarification about existing policy for Component No. 16 (Extracurricular and Interscholastic Activities Eligibility and Access).
- ▶ Its ranking moved from No. 35 (out of 44) to No. 33 (out of 45).

Recommendations

- ▶ New Jersey's law does not contain caps on public charter school growth, includes a statewide authorizing entity, and provides a fair amount of accountability, but it provides insufficient autonomy and inequitable funding to charter schools.
- ▶ Potential areas for improvement include increasing operational autonomy and ensuring equitable operational funding and equitable access to capital funding and facilities.

⁵ | Since New Jersey does not allow full-time virtual charter schools, the highest score possible is 228 for the remaining 20 components. However, we converted this score to one that is comparable to the states that allow full-time virtual charter schools. New Jersey received 124 out of the 228 points available for the remaining 20 components, or 54 percent. We then multiplied the total points possible for all 21 components (240) by 54 percent to get a score comparable to the other states (131).



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 Charter Schools Allowed	The state allows new start-ups and public school conversions.	4	2	8
3 Non-district Authorizers Available	The state law allows an applicant anywhere in the state to apply directly to a non-district authorizer.	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 does not include any of the model law's provisions for adequate authorizer funding.	0	2	0
6 Transparent Charter Application, Review, and Decisionmaking Processes	The state law includes some of the model law's provisions for transparent charter application, review, and decisionmaking 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 Transparency Regarding Educational Service Providers	The state law includes a small number of the model law's provisions for educational service providers.	1	2	2
11 Fiscally and Legally Autonomous Schools with Independent Charter School Boards	The state law includes all of the model law's provisions for fiscally and legally autonomous schools with independent charter school boards.	4	3	12
12 Clear Student Enrollment and Lottery Procedures	The state law includes many of the model law's requirements for student enrollment and lottery procedures.	3	2	6
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 other schools.	2	3	6
15 Multischool Charter Contracts and/or Multicharter Contract Boards Allowed	The state law allows multischool charter contracts but does not require each school to be independently accountable for fiscal and academic performance.	2	2	4
16 Extracurricular and Interscholastic Activities Eligibility and Access	The state law provides charter student access to extracurricular activities at noncharter public schools.	3	1	3
17 Clear Identification of Special Education Responsibilities	The state law includes many of the model law's requirements for special education responsibilities.	3	2	6
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, and evidence demonstrates an equity gap between district and charter students of greater than 30 percent.	0	4	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	4	4
20 Access to Relevant Employee Retirement Systems	The state law requires participation in the relevant employee retirement systems.	2	2	4
21 Full-time Virtual Charter School Provisions	The state law does not allow full-time virtual charter schools.	N/A	3	N/A
				124/131

NEW MEXICO

25

RANK (OUT OF 45)

148

TOTAL POINTS (OUT OF 240)

1993YEAR PUBLIC
CHARTER SCHOOL LAW
WAS ENACTED**99**NUMBER OF PUBLIC
CHARTER SCHOOLS IN
2016-2017**25,400**ESTIMATED NUMBER OF
PUBLIC CHARTER SCHOOL
STUDENTS IN 2016-2017

Changes

- ▶ New Mexico's score increased from 146 points to 148 points.
- ▶ Its score increased because of clarification about existing policy for Component No. 5 (Adequate Authorizer Funding).
- ▶ Its ranking moved from No. 22 (out of 44) to No. 25 (out of 45).

Recommendations

- ▶ New Mexico's law provides multiple authorizers and a fair amount of accountability but contains some caps on public charter school growth and provides insufficient autonomy and inequitable funding to charter schools.
- ▶ Potential areas for improvement include increasing operational autonomy, allowing multischool charter contracts and/or multicharter contract boards, ensuring transparency regarding educational service providers, and strengthening accountability for full-time virtual 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 adequate growth.	2	3	6
2 A Variety of Charter Schools Allowed	The state allows new start-ups but not public school conversions.	3	2	6
3 Non-district Authorizers Available	The state allows two or more authorizing paths in all situations, with direct access to each option. There is considerable activity in at least two of those options.	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 many of the model law's provisions for adequate authorizer funding.	3	2	6
6 Transparent Charter Application, Review, and Decisionmaking Processes	The state law includes some of the model law's provisions for transparent charter application, review, and decisionmaking 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 Transparency Regarding Educational Service Providers	The state law includes a small number of the model law's provisions for educational service providers.	1	2	2
11 Fiscally and Legally Autonomous Schools with Independent Charter School Boards	The state law includes all of the model law's provisions for fiscally and legally autonomous schools with independent charter school boards.	4	3	12
12 Clear Student Enrollment and Lottery Procedures	The state law includes many of the model law's requirements for student enrollment and lottery procedures.	3	2	6
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 Multischool Charter Contracts and/or Multicharter Contract Boards Allowed	The state law is silent regarding these arrangements.	1	2	2
16 Extracurricular and Interscholastic Activities Eligibility and Access	The state law provides charter student access to extracurricular activities at noncharter public schools.	3	1	3
17 Clear Identification of Special Education Responsibilities	The state law includes some of the model law's requirements for special education responsibilities.	2	2	4
18 Equitable Operational Funding and Equal Access to All State and Federal Categorical Funding	The state law includes many of the model law's provisions for equitable operational funding and equal access to all state and federal categorical funding, and evidence demonstrates an equity gap between district and charter students of less than 10 percent.	3	4	12
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	4	8
20 Access to Relevant Employee Retirement Systems	The state law requires participation in the relevant employee retirement systems.	2	2	4
21 Full-time Virtual Charter School Provisions	The state law does not include any of the model law's requirements for full-time virtual charter schools.	0	3	0

NEW YORK

Changes

- ▶ New York's score remained at 162 points.
- ▶ Its ranking moved from No. 6 (out of 44) to No. 14 (out of 45).

Recommendations

- ▶ New York's law has a cap on public charter schools that allows for ample growth and provides multiple authorizers and a fair amount of autonomy and accountability, but it provides inequitable funding.
- ▶ Potential areas for improvement include ensuring equitable operational funding and equitable access to capital funding and facilities.

14

RANK (OUT OF 45)

162TOTAL POINTS (OUT OF 240)⁶**1998**

YEAR PUBLIC CHARTER SCHOOL LAW WAS ENACTED

267

NUMBER OF PUBLIC CHARTER SCHOOLS IN 2016-2017

132,100

ESTIMATED NUMBER OF PUBLIC CHARTER SCHOOL STUDENTS IN 2016-2017

6 | Since New York does not allow full-time virtual charter schools, the highest score possible is 228 for the remaining 20 components. However, we converted this score to one that is comparable to the states that allow full-time virtual charter schools. New York received 154 out of the 228 points available for the remaining 20 components, or 68 percent. We then multiplied the total points possible for all 21 components (240) by 68 percent to get a score comparable to the other states (162).

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 Charter Schools Allowed	The state allows new start-ups and public school conversions.	4	2	8
3 Non-district Authorizers Available	The state allows two or more authorizing paths in all situations, with direct access to each option. There is considerable activity in at least two of those options.	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 does not include any of the model law's provisions for adequate authorizer funding.	0	2	0
6 Transparent Charter Application, Review, and Decisionmaking Processes	The state law includes some of the model law's provisions for transparent charter application, review, and decisionmaking 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 Transparency Regarding Educational Service Providers	The state law includes some of the model law's provisions for educational service providers.	2	2	4
11 Fiscally and Legally Autonomous Schools with Independent Charter School Boards	The state law includes all of the model law's provisions for fiscally and legally autonomous schools with independent charter school boards.	4	3	12
12 Clear Student Enrollment and Lottery Procedures	The state law includes all of the model law's requirements for student enrollment and lottery procedures.	4	2	8
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 other schools (but allows those not exempted to apply for exemptions).	3	3	9
15 Multischool Charter Contracts and/or Multicharter Contract Boards Allowed	The state law explicitly allows both of these arrangements and requires each school to be independently accountable for fiscal and academic performance.	4	2	8
16 Extracurricular and Interscholastic Activities Eligibility and Access	The state law provides access but not eligibility.	3	1	3
17 Clear Identification of Special Education Responsibilities	The state law includes many of the model law's requirements for special education responsibilities.	3	2	6
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, but evidence demonstrates an equity gap between district and charter students of greater than 30 percent.	0	4	0
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	4	8
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
21 Full-time Virtual Charter School Provisions	The state law does not allow full-time virtual charter schools.	N/A	3	N/A

154/162

NORTH CAROLINA

16

RANK (OUT OF 45)

160

TOTAL POINTS (OUT OF 240)

1996YEAR PUBLIC
CHARTER SCHOOL LAW
WAS ENACTED**168**NUMBER OF PUBLIC
CHARTER SCHOOLS IN
2016-2017**91,800**ESTIMATED NUMBER OF
PUBLIC CHARTER SCHOOL
STUDENTS IN 2016-2017

Changes

- ▶ North Carolina's score increased from 157 points to 160 points.
- ▶ Its score increased because of changes in the methodology for Component No. 3 (Non-district Authorizers Available).
- ▶ Its ranking moved from No. 14 (out of 44) to No. 16 (out of 45).

Recommendations

- ▶ North Carolina's law does not cap public charter school growth, includes a statewide authorizing entity, and provides a fair amount of autonomy and accountability to charter schools, but it provides inequitable funding.
- ▶ Potential areas of improvement include ensuring equitable operational funding and equitable access to capital funding and facilities, providing adequate authorizer funding, ensuring transparency regarding educational service providers, and strengthening accountability for full-time virtual charter schools.

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 Charter Schools Allowed	The state allows new start-ups and public school conversions.	4	2	8
3 Non-district Authorizers Available	The state law allows an applicant anywhere in the state to apply directly to a non-district authorizer.	4	3	12
4 Authorizer and Overall Program Accountability System Required	The state law includes all of the elements of the model law's authorizer and overall program accountability system.	4	3	12
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 Decisionmaking Processes	The state law includes many of the model law's provisions for transparent charter application, review, and decisionmaking 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 many of the model law's clear processes for renewal, nonrenewal, and revocation decisions.	3	4	12
10 Transparency Regarding Educational Service Providers	The state law includes some of the model law's provisions for educational service providers.	2	2	4
11 Fiscally and Legally Autonomous Schools with Independent Charter School Boards	The state law includes all of the model law's provisions for fiscally and legally autonomous schools with independent charter school boards.	4	3	12
12 Clear Student Enrollment and Lottery Procedures	The state law includes many of the model law's requirements for student enrollment and lottery procedures.	3	2	6
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 Multischool Charter Contracts and/or Multicharter Contract Boards Allowed	The state law allows multicharter contract boards but does not require each school to be independently accountable for fiscal and academic performance.	2	2	4
16 Extracurricular 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 includes a small number of the model law's requirements for special education responsibilities.	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 and categorical funding, but evidence demonstrates an equity gap between district and charter students of between 10 percent and 19.9 percent.	2	4	8
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	4	4
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
21 Full-time Virtual Charter School Provisions	The state law does not include any of the model law's requirements for full-time virtual charter schools.	0	3	0

160

OHIO

23

RANK (OUT OF 45)

153

TOTAL POINTS (OUT OF 240)

1997YEAR PUBLIC
CHARTER SCHOOL LAW
WAS ENACTED**362**NUMBER OF PUBLIC
CHARTER SCHOOLS IN
2016–2017**121,000**ESTIMATED NUMBER OF
PUBLIC CHARTER SCHOOL
STUDENTS IN 2016–2017

Changes

- ▶ Ohio's score increased from 147 points to 153 points.
- ▶ Its score increased because of clarification about existing policy for Component No. 5 (Adequate Authorizer Funding), Component No. 12 (Clear Student Enrollment and Lottery Procedures), and Component No. 20 (Access to Relevant Employee Retirement Systems).
- ▶ Its ranking moved from No. 21 (out of 44) to No. 23 (out of 45).

Recommendations

- ▶ While Ohio's law allows multiple authorizing entities and provides sufficient autonomy and accountability to public charter schools, it allows only brick-and-mortar startup charter schools in about 10 percent of the state's school districts and provides inequitable funding to charter schools.
- ▶ Potential areas of improvement include removing all caps on charter school growth, beefing up the law's requirements for charter application, review, and decisionmaking processes, ensuring equitable operational funding and equitable access to capital funding and facilities, and strengthening accountability for full-time virtual 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 adequate growth.	2	3	6
2 A Variety of Charter Schools Allowed	The state allows new start-ups and public school conversions.	4	2	8
3 Non-district Authorizers Available	The state allows two or more authorizing paths in all situations, with direct access to each option. There is considerable activity in at least two of those options.	4	3	12
4 Authorizer and Overall Program Accountability System Required	The state law includes all of the elements of the model law's authorizer and overall program accountability system.	4	3	12
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 Decisionmaking Processes	The state law includes a small number of the model law's provisions for transparent charter application, review, and decisionmaking processes.	1	4	4
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 Transparency Regarding Educational Service Providers	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 Charter School Boards	The state law includes all of the model law's provisions for fiscally and legally autonomous schools with independent charter school boards for some schools but not others.	2	3	6
12 Clear Student Enrollment and Lottery Procedures	The state law includes all of the model law's requirements for student enrollment and lottery procedures.	4	2	8
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 other schools (but allows those not exempted to apply for exemptions).	3	3	9
15 Multischool Charter Contracts and/or Multicharter 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.	2	2	4
16 Extracurricular and Interscholastic Activities Eligibility and Access	The state law provides access but not eligibility.	3	1	3
17 Clear Identification of Special Education Responsibilities	The state law includes all of the model law's requirements for special education responsibilities.	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, and evidence demonstrates an equity gap between district and charter students of between 20 percent and 29.9 percent.	1	4	4
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	4	8
20 Access to Relevant Employee Retirement Systems	For the most part, the state law requires participation in the relevant employee retirement systems. However, there is some flexibility for certain types of operators.	3	2	6
21 Full-time Virtual Charter School Provisions	The state law does not include any of the model law's requirements for full-time virtual charter schools.	0	3	0

OKLAHOMA

22

RANK (OUT OF 45)

153

TOTAL POINTS (OUT OF 240)

1999YEAR PUBLIC
CHARTER SCHOOL LAW
WAS ENACTED**37**NUMBER OF PUBLIC
CHARTER SCHOOLS IN
2016-2017**22,300**ESTIMATED NUMBER OF
PUBLIC CHARTER SCHOOL
STUDENTS IN 2016-2017

Changes

- ▶ Oklahoma's score decreased from 156 points to 153 points.
- ▶ Its score decreased because of changes in the methodology for Component No. 3 (Non-district Authorizers Available).
- ▶ Its ranking moved from No. 15 (out of 44) to No. 22 (out of 45).

Recommendations

- ▶ Oklahoma's law contains caps on public charter schools that allow for ample growth, provides a fair amount of autonomy and accountability to charter schools, and includes multiple authorizers or a robust appeals process for applicants (depending on the district in which the applicant is located). However, it provides inequitable funding to charter schools.
- ▶ The biggest areas for improvement in Oklahoma's law are ensuring equitable operational funding and equitable access to capital funding and facilities, ensuring transparency regarding educational service providers, and strengthening accountability for full-time virtual 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 Charter Schools Allowed	The state allows new start-ups and public school conversions.	4	2	8
3 Non-district Authorizers Available	The state allows multiple authorizers or a robust appeals process to applicants (depending on the district in which the applicant is located).	3	3	9
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 a small number of the model law's provisions for adequate authorizer funding.	1	2	2
6 Transparent Charter Application, Review, and Decisionmaking Processes	The state law includes some of the model law's provisions for transparent charter application, review, and decisionmaking 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 Transparency Regarding Educational Service Providers	The state law includes some of the model law's provisions for educational service providers.	2	2	4
11 Fiscally and Legally Autonomous Schools with Independent Charter School Boards	The state law includes all of the model law's provisions for fiscally and legally autonomous schools with independent charter school boards.	4	3	12
12 Clear Student Enrollment and Lottery Procedures	The state law includes many of the model law's requirements for student enrollment and lottery procedures.	3	2	6
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 Multischool Charter Contracts and/or Multicharter Contract Boards Allowed	The state law explicitly allows both of these arrangements and requires each school to be independently accountable for fiscal and academic performance.	4	2	8
16 Extracurricular and Interscholastic Activities Eligibility and Access	The state law provides charter eligibility and access for some charter students but not others.	2	1	2
17 Clear Identification of Special Education Responsibilities	The state law includes some of the model law's requirements for special education responsibilities.	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, and there is no evidence of the amount of funds charter students versus district students receive.	0	4	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	4	4
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
21 Full-time Virtual Charter School Provisions	The state law includes a small number of the model law's requirements for full-time virtual charter schools.	1	3	3

OREGON

36

RANK (OUT OF 45)

129

TOTAL POINTS (OUT OF 240)

1999YEAR PUBLIC
CHARTER SCHOOL LAW
WAS ENACTED**126**NUMBER OF PUBLIC
CHARTER SCHOOLS IN
2016-2017**32,900**ESTIMATED NUMBER OF
PUBLIC CHARTER SCHOOL
STUDENTS IN 2016-2017

Changes

- ▶ Oregon's score increased from 126 points to 129 points.
- ▶ Its score increased because of changes in the methodology for Component No. 3 (Non-district Authorizers Available).
- ▶ Its ranking moved from No. 34 (out of 44) to No. 36 (out of 45).

Recommendations

- ▶ While Oregon's law does not contain a cap on public charter school growth and provides adequate autonomy to charter schools, it also includes limited authorizing options, insufficient accountability, and inadequate funding.
- ▶ Oregon's law needs significant work on ensuring equitable operational funding and equitable access to capital funding and facilities. The law also needs to provide additional authorizing options for charter applicants and strengthen accountability for schools (including full-time virtual charter schools) and authorizers.

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 Charter Schools Allowed	The state allows new start-ups and public school conversions.	4	2	8
3 Non-district Authorizers Available	The state requires applicants to first apply to districts. It allows them to appeal a denial by a district to the state board of education or submit a proposal to an institution of higher education.	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 Decisionmaking Processes	The state law includes many of the model law's provisions for transparent charter application, review, and decisionmaking 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 Transparency Regarding Educational Service Providers	The state law includes some of the model law's provisions for educational service providers.	2	2	4
11 Fiscally and Legally Autonomous Schools with Independent Charter School Boards	The state law includes all of the model law's provisions for fiscally and legally autonomous schools with independent charter school boards.	4	3	12
12 Clear Student Enrollment and Lottery Procedures	The state law includes some of the model law's requirements for student enrollment and lottery procedures.	2	2	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 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 Multischool Charter Contracts and/or Multicharter Contract Boards Allowed	The state law is silent regarding these arrangements.	1	2	2
16 Extracurricular 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 includes some of the model law's requirements for special education responsibilities.	2	2	4
18 Equitable Operational Funding and Equal Access to All State and Federal Categorical Funding	The state law does not include any of the model law's provisions for equitable operational funding and equal access to all state and federal categorical funding, and evidence demonstrates an equity gap between district and charter students of greater than 30 percent.	0	4	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	4	4
20 Access to Relevant Employee Retirement Systems	The state law requires participation in the relevant employee retirement systems.	2	2	4
21 Full-time Virtual Charter School Provisions	The state law includes a small number of the model law's requirements for full-time virtual charter schools.	1	3	3

PENNSYLVANIA

34

RANK (OUT OF 45)

131

TOTAL POINTS (OUT OF 240)

1997YEAR PUBLIC
CHARTER SCHOOL LAW
WAS ENACTED**183**NUMBER OF PUBLIC
CHARTER SCHOOLS IN
2016-2017**138,400**ESTIMATED NUMBER OF
PUBLIC CHARTER SCHOOL
STUDENTS IN 2016-2017

Changes

- ▶ Pennsylvania's score remained at 131 points.
- ▶ Its ranking moved from No. 31 (out of 44) to No. 34 (out of 45).

Recommendations

- ▶ While Pennsylvania's law does not contain a cap on public charter school growth and provides adequate autonomy to charter schools, it primarily allows district authorizers and provides insufficient accountability and inadequate funding to charter schools.
- ▶ Pennsylvania's law needs improvement in several areas, including prohibiting district-mandated restrictions on growth, expanding authorizer options, ensuring authorizer accountability, providing authorizer funding, beefing up the law in relation to the model law's four quality-control components (Components #6 through #9), allowing multischool charter contracts or multi-contract governing boards, ensuring equitable operational funding and equitable access to capital funding and facilities, ensuring transparency regarding educational service providers, and strengthening accountability for full-time virtual charter schools.

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 Charter Schools Allowed	The state allows new start-ups and public school conversions.	4	2	8
3 Non-district Authorizers Available	The state allows one authorizing option, and 100 or more schools are authorized.	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 does not include any of the model law's provisions for adequate authorizer funding.	0	2	0
6 Transparent Charter Application, Review, and Decisionmaking Processes	The state law includes some of the model law's provisions for transparent charter application, review, and decisionmaking 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 Transparency Regarding Educational Service Providers	The state law includes some of the model law's provisions for educational service providers.	2	2	4
11 Fiscally and Legally Autonomous Schools with Independent Charter School Boards	The state law includes all of the model law's provisions for fiscally and legally autonomous schools with independent charter school boards.	4	3	12
12 Clear Student Enrollment and Lottery Procedures	The state law includes many of the model law's requirements for student enrollment and lottery procedures.	3	2	6
13 Automatic Exemptions from Many State and District Laws and Regulations	The state law provides automatic exemptions from some state and district laws and regulations and requires some 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 Multischool Charter Contracts and/or Multicharter Contract Boards Allowed	The state law prohibits these arrangements.	0	2	0
16 Extracurricular and Interscholastic Activities Eligibility and Access	The state law provides charter student access to extracurricular activities at noncharter public schools.	3	1	3
17 Clear Identification of Special Education Responsibilities	The state law includes all of the model law's requirements for special education responsibilities.	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, and evidence demonstrates an equity gap between district and charter students of greater than 30 percent.	0	4	0
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	4	8
20 Access to Relevant Employee Retirement Systems	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 employee or the employee is currently enrolled in another retirement program.	4	2	8
21 Full-time Virtual Charter School Provisions	The state law includes a small number of the model law's requirements for full-time virtual charter schools.	1	3	3

RHODE ISLAND

Changes

- ▶ Rhode Island's score increased from 117 points to 123 points.
- ▶ Its score increased because of changes in the methodology for Component No. 3 (Non-district Authorizers Available).
- ▶ Its ranking moved from No. 37 (out of 44) to No. 38 (out of 45).

Recommendations

- ▶ Rhode Island's law includes a non-district authorizer and provides a fair amount of accountability but caps public charter school growth and provides inadequate autonomy and inequitable funding to charter schools.
- ▶ Rhode Island's law is still in need of significant improvement, most notably by removing the remaining caps on charter school growth, ensuring authorizer accountability, providing adequate authorizer funding, increasing operational autonomy, and ensuring equitable access to capital funding and facilities.

38

RANK (OUT OF 45)

123

TOTAL POINTS (OUT OF 240)⁷

1995

YEAR PUBLIC
CHARTER SCHOOL LAW
WAS ENACTED

30

NUMBER OF PUBLIC
CHARTER SCHOOLS IN
2016-2017

8,000

ESTIMATED NUMBER OF
PUBLIC CHARTER SCHOOL
STUDENTS IN 2016-2017

7 | Since Rhode Island does not allow full-time virtual charter schools, the highest score possible is 228 for the remaining 20 components. However, we converted this score to one that is comparable to the states that allow full-time virtual charter schools. Rhode Island received 117 out of the 228 points available for the remaining 20 components, or 51 percent. We then multiplied the total points possible for all 21 components (240) by 51 percent to get a score comparable to the other states (123).



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 Charter Schools Allowed	The state allows new start-ups and public school conversions.	4	2	8
3 Non-district Authorizers Available	The state law allows most applicants to apply directly to a non-district authorizer.	3	3	9
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 does not include any of the model law's provisions for adequate authorizer funding.	0	2	0
6 Transparent Charter Application, Review, and Decisionmaking Processes	The state law includes some of the model law's provisions for transparent charter application, review, and decisionmaking 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 some of the model law's clear processes for renewal, nonrenewal, and revocation decisions.	2	4	8
10 Transparency Regarding Educational Service Providers	The state law includes some of the model law's provisions for educational service providers.	2	2	4
11 Fiscally and Legally Autonomous Schools with Independent Charter School Boards	The state law includes some of the model law's provisions for fiscally and legally autonomous schools with independent charter school boards.	2	3	6
12 Clear Student Enrollment and Lottery Procedures	The state law includes many of the model law's requirements for student enrollment and lottery procedures.	3	2	6
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 other schools (but allows those not exempted to apply for exemptions).	3	3	9
15 Multischool Charter Contracts and/or Multicharter Contract Boards Allowed	The state law is silent regarding these arrangements.	1	2	2
16 Extracurricular 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 includes a small number of the model law's requirements for special education responsibilities.	1	2	2
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 and categorical funding, but there is no evidence of the amount of funds charter students versus district students receive.	1	4	4
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	4	8
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 other schools.	3	2	6
21 Full-time Virtual Charter School Provisions	The state law does not allow full-time virtual charter schools.	N/A	3	N/A
				117/123

SOUTH CAROLINA

19

RANK (OUT OF 45)

155

TOTAL POINTS (OUT OF 240)

1996YEAR PUBLIC
CHARTER SCHOOL LAW
WAS ENACTED**66**NUMBER OF PUBLIC
CHARTER SCHOOLS IN
2016-2017**31,700**ESTIMATED NUMBER OF
PUBLIC CHARTER SCHOOL
STUDENTS IN 2016-2017

Changes

- ▶ South Carolina's score increased from 153 points to 155 points.
- ▶ Its score increased because of clarification about existing policy for Component No. 12 (Clear Student Enrollment and Lottery Procedures).
- ▶ Its ranking moved from No. 17 (out of 44) to No. 19 (out of 45).

Recommendations

- ▶ South Carolina law does not cap public charter school growth, provides multiple authorizing options to charter school applicants, and provides a fair amount of autonomy and accountability to charter schools. However, it also provides inequitable funding to charter schools, especially for facilities, technology, and transportation.
- ▶ Potential areas for improvement include ensuring equitable funding by increasing per-pupil funding, providing equitable access to capital funding, and ensuring access to vacant and underutilized facilities. They also include ensuring transparency regarding educational service providers, allowing multischool charter contracts or multicontract governing boards, and strengthening accountability for full-time virtual charter schools.

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 Charter Schools Allowed	The state allows new start-up and public school conversions.	4	2	8
3 Non-district Authorizers Available	The state allows two or more authorizing options in all situations, with direct access to each option. There is considerable authorizing activity in at least two of those options.	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 a small number of the model law's provisions for adequate authorizer funding.	1	2	2
6 Transparent Charter Application, Review, and Decisionmaking Processes	The state law includes many of the model law's provisions for transparent charter application, review, and decisionmaking 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 Transparency Regarding Educational Service Providers	The state law includes a small number of the model law's provisions for educational service providers.	1	2	2
11 Fiscally and Legally Autonomous Schools with Independent Charter School Boards	The state law includes all of the model law's provisions for fiscally and legally autonomous schools with independent charter school boards.	4	3	12
12 Clear Student Enrollment and Lottery Procedures	The state law includes all of the model law's requirements for student enrollment and lottery procedures.	4	2	8
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 other schools (but allows those not exempted to apply for exemptions).	3	3	9
15 Multischool Charter Contracts and/or Multicharter Contract Boards Allowed	The state law is silent regarding these arrangements.	1	2	2
16 Extracurricular and Interscholastic Activities Eligibility and Access	The state law provides charter student access to extracurricular activities at noncharter public schools.	4	1	4
17 Clear Identification of Special Education Responsibilities	The state law includes some of the model law's requirements for special education responsibilities.	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, and evidence demonstrates an equity gap between district and charter students of between 10 percent and 19.9 percent.	2	4	8
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	4	4
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 other schools.	3	2	6
21 Full-time Virtual Charter School Provisions	The state law includes a small number of the model law's requirements for full-time virtual charter schools.	1	3	3

TENNESSEE

Changes

- ▶ Tennessee's score increased from 133 points to 145 points.
- ▶ Its score increased because of policy changes for Component No. 5 (Adequate Authorizer Funding), Component No. 12 (Clear Student Enrollment and Lottery Procedures), and Component No. 19 (Equitable Access to Capital Funding and Facilities).
- ▶ Its ranking stayed at No. 29.

Recommendations

- ▶ While Tennessee's law does not cap public charter school growth and provides a fair amount of accountability, it primarily allows only district authorizers, affords insufficient autonomy, and provides inequitable funding.
- ▶ Tennessee's law needs improvement in several areas, including ensuring equitable operational funding and equitable access to capital funding and facilities, creating additional authorizing options in all of the state's districts, beefing up the requirements for charter school oversight, and ensuring transparency regarding educational service providers.

29

RANK (OUT OF 45)

145

TOTAL POINTS (OUT OF 240)⁸

2002

YEAR PUBLIC
CHARTER SCHOOL LAW
WAS ENACTED

107

NUMBER OF PUBLIC
CHARTER SCHOOLS IN
2016–2017

30,000

ESTIMATED NUMBER OF
PUBLIC CHARTER SCHOOL
STUDENTS IN 2016–2017

8 | Since Tennessee does not allow full-time virtual charter schools, the highest score possible is 228 for the remaining 20 components. However, we converted this score to one that is comparable to the states that allow full-time virtual charter schools. Tennessee received 138 out of the 228 points available for the remaining 20 components, or 61 percent. We then multiplied the total points possible for all 21 components (240) by 61 percent to get a score comparable to the other states (145).



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 Charter Schools Allowed	The state allows new start-ups and public school conversions.	4	2	8
3 Non-district Authorizers Available	The state allows two or more authorizing options in some but not all situations, with direct access to each option. There is some authorizing activity in at least two of those options.	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 all of the model law's provisions for adequate authorizer funding.	4	2	8
6 Transparent Charter Application, Review, and Decisionmaking Processes	The state law includes many of the model law's provisions for transparent charter application, review, and decisionmaking 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 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 Transparency Regarding Educational Service Providers	The state law includes a small number of the model law's provisions for educational service providers.	1	2	2
11 Fiscally and Legally Autonomous Schools with Independent Charter School Boards	The state law includes all of the model law's provisions for fiscally and legally autonomous schools with independent charter school boards.	4	3	12
12 Clear Student Enrollment and Lottery Procedures	The state law includes all of the model law's requirements for student enrollment and lottery procedures.	4	2	8
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 Multischool Charter Contracts and/or Multicharter Contract Boards Allowed	The state law is silent regarding these arrangements.	1	2	2
16 Extracurricular 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 includes a small number of the model law's requirements for special education responsibilities.	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, and evidence demonstrates an equity gap between district and charter students of between 10 percent and 19.9 percent.	2	4	8
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	4	12
20 Access to Relevant Employee Retirement Systems	The state law requires participation in the relevant employee retirement systems.	2	2	4
21 Full-time Virtual Charter School Provisions	The state law does not allow full-time virtual charter schools.	0	3	0

138/145

TEXAS

28

RANK (OUT OF 45)

145

TOTAL POINTS (OUT OF 240)

1995

YEAR PUBLIC
CHARTER SCHOOL LAW
WAS ENACTED

761

NUMBER OF PUBLIC
CHARTER SCHOOLS IN
2016-2017

315,200

ESTIMATED NUMBER OF
PUBLIC CHARTER SCHOOL
STUDENTS IN 2016-2017

Changes

- ▶ Texas' score increased from 142 points to 145 points.
- ▶ Its score increased because of clarification about existing policy for Component No. 16 (Extracurricular and Interscholastic Activities Eligibility and Access) and policy changes for Component No. 19 (Equitable Access to Capital Funding and Facilities). Its score decreased because of changes in the methodology for Component No. 13 (Automatic Exemptions from Many State and District Laws and Regulations).
- ▶ Its ranking moved from No. 25 (out of 44) to No. 28 (out of 45).

Recommendations

- ▶ Texas' law is notable in that it often applies different requirements to state-authorized public charter schools than it does to district-authorized public charter schools. The requirements for state-authorized charter schools are typically better than those for district-authorized charter schools. For example, the law's provisions for charter school autonomy are much better for state-authorized charter schools. In fact, if our analysis focused on the provisions governing only state-authorized charter schools, Texas' law would be in our Top 10. However, because our analysis looks at how the law addresses both types of charter schools, Texas is ranked No. 25.
- ▶ Potential areas for improvement include ensuring equitable operational 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 ample growth.	3	3	9
2 A Variety of Charter Schools Allowed	The state allows new start-ups and public school conversions.	4	2	8
3 Non-district Authorizers Available	The state allows two or more authorizing paths in all situations, with direct access to each option. There is considerable activity in at least two of those options.	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 a small number of the model law's provisions for adequate authorizer funding.	1	2	2
6 Transparent Charter Application, Review, and Decisionmaking Processes	The state law includes some of the model law's provisions for transparent charter application, review, and decisionmaking 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 some of the model law's clear processes for renewal, nonrenewal, and revocation decisions.	2	4	8
10 Transparency Regarding Educational Service Providers	The state law includes some of the model law's provisions for educational service providers.	2	2	4
11 Fiscally and Legally Autonomous Schools with Independent Charter School Boards	The state law includes all of the model law's provisions for fiscally and legally autonomous schools with independent charter school boards for some schools but not others.	2	3	6
12 Clear Student Enrollment and Lottery Procedures	The state law includes some of the model law's requirements for student enrollment and lottery procedures.	2	2	4
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 provide automatic exemptions from many district laws and regulations.	2	3	6
14 Automatic Collective Bargaining Exemption	The state law exempts some schools from existing school district policies but not other schools.	2	3	6
15 Multischool Charter Contracts and/or Multicharter Contract Boards Allowed	The state law allows an independent charter public school board to oversee multiple schools linked under a single contract with independent fiscal and academic accountability for each school.	4	2	8
16 Extracurricular and Interscholastic Activities Eligibility and Access	The state law provides charter eligibility but not access.	3	1	3
17 Clear Identification of Special Education Responsibilities	The state law includes some of the model law's requirements for special education responsibilities.	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, and evidence demonstrates an equity gap between district and charter students of between 10 percent and 19.9 percent.	2	4	8
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	4	12
20 Access to Relevant Employee Retirement Systems	The state law requires participation in the relevant employee retirement systems.	2	2	4
21 Full-time Virtual Charter School Provisions	The state law includes a small number of the model law's requirements for full-time virtual charter schools.	1	3	3

UTAH

20

RANK (OUT OF 45)

154

TOTAL POINTS (OUT OF 240)

1998YEAR PUBLIC
CHARTER SCHOOL LAW
WAS ENACTED**125**NUMBER OF PUBLIC
CHARTER SCHOOLS IN
2016–2017**71,500**ESTIMATED NUMBER OF
PUBLIC CHARTER SCHOOL
STUDENTS IN 2016–2017

Changes

- ▶ Utah's score increased from 146 points to 154 points.
- ▶ Its score increased because of changes in the methodology for Component No. 1 (No Caps) and clarification about existing policy for Component No. 16 (Extracurricular and Interscholastic Activities Eligibility and Access) and Component No. 18 (Equitable Operational Funding and Equal Access to All State and Federal Categorical Funding).
- ▶ Its ranking moved from No. 23 (out of 44) to No. 20 (out of 45).

Recommendations

- ▶ Utah's law contains a cap with room for ample growth and allows multiple authorizing entities. It has also made notable strides in recent years to provide more equitable funding to public charter schools.
- ▶ Potential areas for improvement include ensuring authorizing accountability, beefing up the requirements for renewals, ensuring transparency regarding educational service providers, providing more operational autonomy to charter schools, and strengthening accountability for full-time virtual 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 Charter Schools Allowed	The state allows new start-ups and public school conversions.	4	2	8
3 Non-district Authorizers Available	The state allows two or more authorizing options in all situations, with direct access to each option. There is considerable authorizing activity in at least two of those options.	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 some of the model law's provisions for adequate authorizer funding."	2	2	4
6 Transparent Charter Application, Review, and Decisionmaking Processes	The state law includes some of the model law's provisions for transparent charter application, review, and decisionmaking 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 a small number of the model law's clear processes for renewal, nonrenewal, and revocation decisions.	1	4	4
10 Transparency Regarding Educational Service Providers	The state law includes some of the model law's provisions for educational service providers.	2	2	4
11 Fiscally and Legally Autonomous Schools with Independent Charter School Boards	The state law includes all of the model law's provisions for fiscally and legally autonomous schools with independent charter school boards.	4	3	12
12 Clear Student Enrollment and Lottery Procedures	The state law includes many of the model law's requirements for student recruitment, enrollment, and lottery procedures."	3	2	6
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 Multischool Charter Contracts and/or Multicharter Contract Boards Allowed	The state law explicitly allows multischool charter contracts for some schools and requires each school to be independently accountable for fiscal and academic performance.	3	2	6
16 Extracurricular and Interscholastic Activities Eligibility and Access	The state law provides charter school extracurricular and interscholastic activity eligibility and access.	4	1	4
17 Clear Identification of Special Education Responsibilities	The state law includes some of the model law's requirements for special education responsibilities.	2	2	4
18 Equitable Operational Funding and Equal Access to All State and Federal Categorical Funding	The state law includes many of the model law's provisions for equitable operational and categorical funding.	3	4	12
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	4	12
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
21 Full-time Virtual Charter School Provisions	The state law includes a small number of the model law's requirements for full-time virtual charter schools.	1	3	3

VIRGINIA

40

RANK (OUT OF 45)

94

TOTAL POINTS (OUT OF 240)⁹

1998

YEAR PUBLIC CHARTER SCHOOL LAW WAS ENACTED

9

NUMBER OF PUBLIC CHARTER SCHOOLS IN 2016-2017

1,500

ESTIMATED NUMBER OF PUBLIC CHARTER SCHOOL STUDENTS IN 2016-2017

Changes

- ▶ Virginia's score increased from 91 points to 94 points.
- ▶ Its score increased because of changes in the methodology for Component No. 4 (Authorizer and Overall Program Accountability System Required).
- ▶ Its ranking moved from No. 39 (out of 44) to No. 40 (out of 45).

Recommendations

- ▶ While Virginia's law does not contain a cap on public charter school growth, it allows only district authorizers and provides little autonomy, insufficient accountability, and inequitable funding.
- ▶ Virginia's law needs improvement across the board. Potential starting points include expanding authorizing options, beefing up the law's application, oversight, and renewal requirements, increasing operational autonomy, ensuring equitable operational funding and equitable access to capital funding and facilities, and ensuring transparency regarding educational service providers.

9 | Since Virginia does not allow full-time virtual charter schools, the highest score possible is 228 for the remaining 20 components. However, we converted this score to one that is comparable to the states that allow full-time virtual charter schools. Virginia received 89 out of the 228 points available for the remaining 20 components, or 39 percent. We then multiplied the total points possible for all 21 components (240) by 39 percent to get a score comparable to the other states (94).

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 Charter Schools Allowed	The state allows new start-ups and public school conversions.	4	2	8
3	Non-district Authorizers Available	The state allows one authorizing option, and 11 or fewer schools are authorized.	0	3	0
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 Decisionmaking Processes	The state law includes some of the model law's provisions for transparent charter application, review, and decisionmaking 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 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	Transparency Regarding Educational Service Providers	The state law includes a small number of the model law's provisions for educational service providers.	1	2	2
11	Fiscally and Legally Autonomous Schools with Independent Charter School Boards	The state law includes some of the model law's provisions for fiscally and legally autonomous schools with independent charter school boards.	2	3	6
12	Clear Student Enrollment and Lottery Procedures	The state law includes some of the model law's requirements for student enrollment and lottery procedures.	2	2	4
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 but provides an opportunity for exemptions.	1	3	3
15	Multischool Charter Contracts and/or Multicharter Contract Boards Allowed	The state law is silent regarding these arrangements.	1	2	2
16	Extracurricular 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 includes a small number of the model law's requirements for special education responsibilities.	1	2	2
18	Equitable Operational Funding and Equal Access to All State and Federal Categorical Funding	The state law does not include any of the model law's provisions for equitable operational funding and equal access to all state and federal categorical funding, and there is no evidence of the amount of funds charter students versus district students receive.	0	4	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	4	4
20	Access to Relevant Employee Retirement Systems	The state law requires participation in the relevant employee retirement systems.	2	2	4
21	Full-time Virtual Charter School Provisions	The state law does not allow full-time virtual charter schools.	N/A	3	N/A
					89/94

WASHINGTON

3

RANK (OUT OF 45)

179

TOTAL POINTS (OUT OF 240)

2016YEAR PUBLIC
CHARTER SCHOOL LAW
WAS ENACTED**7**NUMBER OF PUBLIC
CHARTER SCHOOLS IN
2016–2017**1,300**ESTIMATED NUMBER OF
PUBLIC CHARTER SCHOOL
STUDENTS IN 2016–2017

Changes

- ▶ Washington's score increased from 164 points to 179 points.
- ▶ Its score increased because of changes in the methodology for Component #3 (Non-district Authorizers Available) and clarification about existing policy for Component #8 (Comprehensive Charter School Monitoring and Data Collection Processes), Component #10 (Transparency Regarding Educational Service Providers), Component #12 (Clear Student Enrollment and Lottery Procedures), #16 (Extracurricular and Interscholastic Activities Eligibility and Access), and Component #17 (Clear Provisions Regarding Special Education Responsibilities).
- ▶ Its ranking moved from No. 4 (out of 44) to No. 3 (out of 45).

Recommendations

- ▶ Washington's law allows multiple authorizers via local school districts and a statewide authorizer, has strong quality control components, gives operational autonomy to public charter schools, and provides equitable operational funding to charter schools. The two major weaknesses of the law include a cap of 40 charter schools during the initial five years that it is in effect and a relatively small number of provisions for supporting charter schools' facilities needs.
- ▶ Potential areas for improvement include lifting the state's cap, ensuring equitable access to capital funding and facilities, and strengthening accountability for full-time virtual 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 adequate growth.	2	3	6
2 A Variety of Charter Schools Allowed	The state allows new start-ups but not public school conversions.	3	2	6
3 Non-district Authorizers Available	The state allows multiple authorizing options in all situations, with direct access to each option.	4	3	12
4 Authorizer and Overall Program Accountability System Required	The state law includes all of the elements of the model law's authorizer and overall program accountability system.	4	3	12
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 Decisionmaking Processes	The state law includes all of the model law's provisions for transparent charter application, review, and decisionmaking processes.	4	4	16
7 Performance-based Charter Contracts Required	The state law includes all of the model law's provisions for performance-based charter contracts.	4	4	16
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 Transparency Regarding Educational Service Providers	The state law includes some of the model law's provisions for educational service providers.	2	2	4
11 Fiscally and Legally Autonomous Schools with Independent Charter School Boards	The state law includes all of the model law's provisions for fiscally and legally autonomous schools with independent charter school boards.	4	3	12
12 Clear Student Enrollment and Lottery Procedures	The state law includes all of the model law's requirements for student enrollment and lottery procedures.	4	2	8
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 Multischool Charter Contracts and/or Multicharter Contract Boards Allowed	The state law allows both of these arrangements and requires each school to be independently accountable for fiscal and academic performance.	4	2	8
16 Extracurricular and Interscholastic Activities Eligibility and Access	The state law provides charter school extracurricular and interscholastic activity eligibility and access.	4	1	4
17 Clear Identification of Special Education Responsibilities	The state law includes many of the model law's requirements for special education responsibilities.	3	2	6
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 and categorical funding, but there is no evidence of the amount of funds charter students receive versus district students.	1	4	4
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	4	4
20 Access to Relevant Employee Retirement Systems	The state law requires participation in the relevant employee retirement systems.	2	2	4
21 Full-time Virtual Charter School Provisions	The state law does not include any of the model law's requirements for full-time virtual charter schools.	0	3	0

WISCONSIN

39

RANK (OUT OF 45)

109

TOTAL POINTS (OUT OF 240)

1993YEAR PUBLIC
CHARTER SCHOOL LAW
WAS ENACTED**234**NUMBER OF PUBLIC
CHARTER SCHOOLS IN
2016-2017**44,900**ESTIMATED NUMBER OF
PUBLIC CHARTER SCHOOL
STUDENTS IN 2016-2017

Changes

- ▶ Wisconsin's score increased from 104 points to 109 points.
- ▶ Its score increased because of policy changes for Component No. 3 (Non-district Authorizers Available) and Component No. 12 (Clear Student Enrollment and Lottery Procedures).
- ▶ Its ranking moved from No. 38 (out of 44) to No. 39 (out of 45).

Recommendations

- ▶ Wisconsin's law is largely cap-free, allows multiple authorizing options in all districts, and provides adequate autonomy for public charter schools, but it provides inadequate accountability and inequitable funding to charter schools.
- ▶ Potential areas for improvement include beefing up the law's application, oversight, and renewal requirements, ensuring equitable operational funding and equitable access to capital funding and facilities, ensuring transparency regarding educational service providers, and strengthening accountability for full-time virtual 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 Charter Schools Allowed	The state allows new start-ups and public school conversions.	4	2	8
3 Non-district Authorizers Available	The state allows multiple authorizing options in all situations, with direct access to each option.	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 Decisionmaking Processes	The state law includes a small number of the model law's provisions for transparent charter application, review, and decisionmaking processes.	1	4	4
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 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 Transparency Regarding Educational Service Providers	The state law includes a small number of the model law's provisions for educational service providers.	1	2	2
11 Fiscally and Legally Autonomous Schools with Independent Charter School Boards	The state law includes all of the model law's provisions for fiscally and legally autonomous schools with independent charter school boards.	4	3	12
12 Clear Student Enrollment and Lottery Procedures	The state law includes all of the model law's requirements for student enrollment and lottery procedures.	4	2	8
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 other schools.	2	3	6
15 Multischool Charter Contracts and/or Multicharter Contract Boards Allowed	The state law explicitly allows both of these arrangements and requires each school to be independently accountable for fiscal and academic performance.	4	2	8
16 Extracurricular 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 includes a small number of the model law's requirements for special education responsibilities.	1	2	2
18 Equitable Operational Funding and Equal Access to All State and Federal Categorical Funding	The state law does not include any of the model law's provisions for equitable operational funding and equal access to all state and federal categorical funding, and evidence demonstrates an equity gap between district and charter students of greater than 30 percent.	0	4	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	4	4
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
21 Full-time Virtual Charter School Provisions	The state law does not include any of the model law's requirements for full-time virtual charter schools.	0	3	0

WYOMING

42

RANK (OUT OF 45)

87

TOTAL POINTS (OUT OF 240)

1995YEAR PUBLIC
CHARTER SCHOOL LAW
WAS ENACTED**4**NUMBER OF PUBLIC
CHARTER SCHOOLS IN
2016-2017**500**ESTIMATED NUMBER OF
PUBLIC CHARTER SCHOOL
STUDENTS IN 2016-2017

Changes

- ▶ Wyoming's score stayed at 87 points.
- ▶ Its ranking moved from No. 40 (out of 44) to No. 42 (out of 45).

Recommendations

- ▶ While Wyoming's law does not contain a cap on public charter school growth, it allows only district authorizers and provides little autonomy, insufficient accountability, and inequitable funding.
- ▶ Wyoming's law needs improvement across the board. Potential starting points include expanding authorizing options, beefing up the law in relation to the model law's four quality-control components (Components 6 through 9), increasing operational autonomy, ensuring equitable operational funding and equitable access to capital funding and facilities, ensuring transparency regarding educational service providers, and strengthening accountability for full-time virtual charter schools.

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 Charter Schools Allowed	The state allows new start-ups and public school conversions.	4	2	8
3 Non-district Authorizers Available	The state law does not provide applicants with access to a non-district authorizer.	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 does not include any of the model law's provisions for adequate authorizer funding.	0	2	0
6 Transparent Charter Application, Review, and Decisionmaking Processes	The state law includes some of the model law's provisions for transparent charter application, review, and decisionmaking 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 Transparency Regarding Educational Service Providers	The state law includes a small number of the model law's provisions for educational service providers.	1	2	2
11 Fiscally and Legally Autonomous Schools with Independent Charter School Boards	The state law includes some of the model law's provisions for fiscally and legally autonomous schools with independent charter school boards.	2	3	6
12 Clear Student Enrollment and Lottery Procedures	The state law includes some of the model law's requirements for student enrollment and lottery procedures.	2	2	4
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 Multischool Charter Contracts and/or Multicharter Contract Boards Allowed	The state law is silent regarding these arrangements.	1	2	2
16 Extracurricular 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 includes a small number of the model law's requirements for special education responsibilities.	1	2	2
18 Equitable Operational Funding and Equal Access to All State and Federal Categorical Funding	The state law does not include any of the model law's provisions for equitable operational funding and equal access to all state and federal categorical funding, and there is no evidence of the amount of funds charter students versus district students receive.	0	4	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	4	4
20 Access to Relevant Employee Retirement Systems	The state law requires participation in the relevant employee retirement systems.	2	2	4
21 Full-time Virtual Charter School Provisions	The state law does not include any of the model law's requirements for full-time virtual charter schools.	0	3	0

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APPENDIX A: METHODOLOGICAL DETAILS

This edition of *Measuring Up to the Model: A Ranking of State Charter Public School Laws* is the ninth one produced by the National Alliance for Public Charter Schools and the second one that measures each state's charter school law against *A Model Law for Supporting the Growth of High-Quality Charter Schools: Second Edition*. As we continued to refine this analysis within the context of the new model charter school law, we took an opportunity in this edition to revisit our scoring criteria for the following 11 of the model charter school law's 21 components:

- ▶ 1: No Caps
- ▶ 2: A Variety of Charter Schools Allowed
- ▶ 3: Non-district Authorizers Available
- ▶ 4: Authorizer and Overall Program Accountability System Required
- ▶ 5: Adequate Authorizer Funding
- ▶ 11: Fiscally and Legally Autonomous Schools with Independent Charter School Boards
- ▶ 12: Clear Student 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 School Contract Boards Allowed
- ▶ 20: Access to Relevant Employee Retirement Systems

We also took the opportunity to look deeper across states to ensure that our scoring was consistent from state to state for these 11 components. We plan to take the same approach for the remaining 10 components in next year's report.

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.

WEIGHTS

For our analysis comparing each state’s charter school law with the National Alliance for Public Charter Schools’ model law, we first weighted each of the model law’s 21 essential components with a weight from 1 to 4.

WEIGHTS	ESSENTIAL COMPONENTS
4	
6	Transparent Charter Application, Review, and Decisionmaking Processes
7	Performance-based Charter School Contracts Required
8	Comprehensive Charter School Monitoring and Data Collection Processes
9	Clear Processes for Renewal, Nonrenewal, and Revocation Decisions
18	Equitable Operational Funding and Equal Access to All State and Federal Categorical Funding
19	Equitable Access to Capital Funding and Facilities
3	
1	No Caps
3	Non-district Authorizers Available
4	Authorizer and Overall Program Accountability System Required
11	Fiscally and Legally Autonomous Schools with Independent Charter School Boards
13	Automatic Exemptions from Many State and District Laws and Regulations
14	Automatic Collective Bargaining Exemption
21	Full-time Virtual Charter School Provisions
2	
2	A Variety of Charter Schools Allowed
5	Adequate Authorizer Funding
10	Transparency Regarding Educational Service Providers
12	Clear Student Enrollment and Lottery Procedures
15	Multischool Charter Contracts and/or Multi-charter School Contract Boards Allowed
17	Clear Identification of Special Education Responsibilities
20	Access to Relevant Employee Retirement Systems
1	
16	Extracurricular and Interscholastic Activities Eligibility and Access

RUBRIC

After weighting each of the 21 components, we rated every state on the components on a scale of 0 to 4. We multiplied the rating and the weight to get a score for each component in each state. We then added up the scores for each of the components and came up with an overall score for each state. For those states that allow full-time virtual charter schools, the highest score possible is 240 for all 21 components. For those states that don't allow full-time virtual charter schools, the highest score possible is 228 for the remaining 20 components. However, we converted these scores to ones that are comparable to the states that allow full-time virtual charter schools. For example, Maryland received 59 out of the 228 points available for the remaining 20 components, or 26 percent. We then multiplied the total points possible for all 21 components (240) by 26 percent to get a score comparable to the other states (62).

The following tables shows how we defined the 0 to 4 ratings for each component. "Not applicable" signifies that we did not give that particular numeric rating for that component in any state.

1 NO CAPS

Whereby:

- 1A. No numeric or geographic limits are placed on the number of charter schools or students.
- 1B. If caps exist, there is room for growth.

WEIGHT	EVALUATION CRITERIA
0	The state has a cap with no room for growth.
1	The state has a cap with room for limited growth.
2	The state has a cap with room for adequate growth.
3	The state has a cap with room for ample growth OR The state does not have a cap but allows districts to restrict growth. Some districts have done so.
4	The state does not have a cap

2 A VARIETY OF CHARTER SCHOOLS ALLOWED

Including:

- 2A. New start-ups.
- 2B. Public school conversions.

WEIGHT	EVALUATION CRITERIA
0	Not applicable
1	The state only allows public school conversions.
2	Not applicable
3	The state allows new start-ups but not public school conversions.
4	The state allows new start-ups and public school conversions.

3 NON-DISTRICT AUTHORIZERS AVAILABLE

Including:

- 3A. The state allows an applicant anywhere in the state to apply directly to a non-district authorizer(s).

WEIGHT	EVALUATION CRITERIA
0	The state law does not provide applicants with access to a non-district authorizer(s).
1	Not applicable
2	The state law allows applicants in some parts of the state to apply directly to a non-district authorizer(s).
3	The state law requires an applicant to apply to a district, but allows the applicant to appeal a district denial to a non-district authorizer(s).
4	The state law allows an applicant anywhere in the state to apply directly to a non-district authorizer(s).

4 AUTHORIZER AND OVERALL PROGRAM ACCOUNTABILITY SYSTEM REQUIRE

Including:

- 4A. Registration process for school boards to affirm their interest in authorizing.
- 4B. Application process for other eligible authorizing entities (except a state charter schools commission, a state board of education, a state department of education, a state commissioner of education, or a specifically named entity).
- 4C. Authorizer submission of annual report.
- 4D. The ability for the state to conduct a review of an authorizer’s performance.
- 4E. The ability for the state to sanction an authorizer for poor performance.
- 4F. Periodic formal evaluation of overall state charter school program.

WEIGHT	EVALUATION CRITERIA
0	The state law does not include any of the elements of the model law’s authorizer and overall program accountability system.
1	The state law includes a small number of the elements of the model law’s authorizer and overall program accountability system.
2	The state law includes some of the elements of the model law’s authorizer and overall program accountability system.
3	The state law includes many of the elements of the model law’s authorizer and overall program accountability system.
4	The state law includes all of the elements of the model law’s authorizer and overall program accountability system.

5 ADEQUATE AUTHORIZER FUNDING

Including:

- 5A. A uniform statewide formula that guarantees annual authorizer funding that is not subject to annual legislative appropriations.
- 5B. Requirement to publicly report detailed expenditures.
- 5C. Separate contract for any services purchased from an authorizer by a school.
- 5D. Prohibition on authorizers requiring schools to purchase services from them.

WEIGHT	EVALUATION CRITERIA
0	The state law does not include any of the model law’s provisions for adequate authorizer funding.
1	The state law includes a small number of the model law’s provisions for adequate authorizer funding.
2	The state law includes some of the model law’s provisions for adequate authorizer funding.
3	The state law includes many of the model law’s provisions for adequate authorizer funding.
4	The state law includes all of the model law’s provisions for adequate authorizer funding.

6 TRANSPARENT CHARTER APPLICATION, REVIEW, AND DECISIONMAKING PROCESSES

Including:

- 6A. Application elements for all schools.
- 6B. Additional application elements specific to conversion schools.
- 6C. Additional application elements specific to using educational service providers.
- 6D. Additional application elements specific to replications.
- 6E. Requirement for thorough evaluation of each application, including an in-person interview and a public meeting.
- 6F. Application approval criteria.
- 6G. All charter school approval or denial decisions made in a public meeting with authorizers stating reasons for denials in writing.

WEIGHT	EVALUATION CRITERIA
0	The state law does not include any of the model law's provisions for transparent charter application, review, and decisionmaking processes.
1	The state law includes a small number of the model law's provisions for transparent charter application, review, and decisionmaking processes.
2	The state law includes some of the model law's provisions for transparent charter application, review, and decisionmaking processes.
3	The state law includes many of the model law's provisions for transparent charter application, review, and decisionmaking processes.
4	The state law includes all of the model law's provisions for transparent charter application, review, and decisionmaking processes.

7 PERFORMANCE-BASED CHARTER SCHOOL CONTRACTS REQUIRED

With such contracts:

- 7A. Being created as a separate document from the application and executed by the charter school and the authorizer.
- 7B. Defining the roles, powers, and responsibilities for the school and its authorizer.
- 7C. Defining academic, financial, and operational performance expectations by which the school will be judged based on a performance framework.
- 7D. Providing an initial term of five operating years.

WEIGHT	EVALUATION CRITERIA
0	The state law does not include any of the model law's provisions for performance-based charter school contracts.
1	The state law includes a small number of the model law's provisions for performance-based charter school contracts.
2	The state law includes some of the model law's provisions for performance-based charter school contracts.
3	The state law includes many of the model law's provisions for performance-based charter school contracts.
4	The state law includes all of the model law's provisions for performance-based charter school contracts.

8 COMPREHENSIVE CHARTER SCHOOL MONITORING AND DATA COLLECTION PROCESSES

Including:

- 8A. Annual school performance reports.
- 8B. Financial accountability for charter schools (e.g., generally accepted accounting principles, independent annual audit reported to authorizer).
- 8C. Authorizer authority to conduct oversight activities.
- 8D. Authorizer notification to its schools of perceived problems, with opportunities to remedy such problems.
- 8E. Authorizer authority to take appropriate corrective actions or exercise sanctions short of revocation.
- 8F. Authorizer may not request duplicative data submission from its charter schools and may not use performance framework to create cumbersome reporting requirements.

WEIGHT	EVALUATION CRITERIA
0	The state law does not include any of the model law’s provisions for comprehensive charter school monitoring and data collection processes.
1	The state law includes a small number of the model law’s provisions for comprehensive charter school monitoring and data collection processes.
2	The state law includes some of the model law’s provisions for comprehensive charter school monitoring and data collection processes.
3	The state law includes many of the model law’s provisions for comprehensive charter school monitoring and data collection processes.
4	The state law includes all of the model law’s provisions for comprehensive charter school monitoring and data collection processes.

9 CLEAR PROCESSES FOR RENEWAL, NONRENEWAL, AND REVOCATION DECISIONS

Including:

- 9A. Authorizer must issue school performance renewal reports to schools whose charter contract will expire the following year.
- 9B. Schools seeking renewal must apply for it.
- 9C. Authorizers must issue renewal application guidance that provides an opportunity for schools to augment their performance record and discuss improvements and future plans.
- 9D. Ability to have a differentiated process for renewal of high-performing charter schools.
- 9E. Authorizers must use clear criteria for renewal and nonrenewal/revocation.
- 9F. Authorizers must ground renewal decisions based on evidence regarding the school’s performance over the term of the charter school contract in accordance with the performance framework set forth in the charter school contract.
- 9G. Requirement that authorizers close chronically low-performing charter schools unless exceptional circumstances exist.
- 9H. Authorizers must have the authority to vary length of charter school contract renewal terms based on performance or other issues.
- 9I. Authorizers must provide charter schools with timely notification of potential revocation or nonrenewal (including reasons) and reasonable time to respond.
- 9J. Authorizers must provide charter schools with due process for nonrenewal and revocation decisions (e.g., public hearing, submission of evidence).
- 9K. All charter renewal, nonrenewal, and revocation decisions must be made in a public meeting, with authorizers stating reasons for nonrenewals and revocations in writing.

- 9L. Authorizers must have school closure protocols to ensure timely parent notification, orderly student and record transitions, and property and asset disposition.
- 9M. Any transfer of charter contracts from one authorizer to another are allowed only if they are approved by the state.

WEIGHT	EVALUATION CRITERIA
0	The state law does not include any of the model law’s clear processes for renewal, nonrenewal, and revocation decisions.
1	The state law includes a small number of the model law’s clear processes for renewal, nonrenewal, and revocation decisions.
2	The state law includes some of the model law’s clear processes for renewal, nonrenewal, and revocation decisions.
3	The state law includes many of the model law’s clear processes for renewal, nonrenewal, and revocation decisions.
4	The state law includes all of the model law’s clear processes for renewal, nonrenewal, and revocation decisions.

10 TRANSPARENCY REGARDING EDUCATIONAL SERVICE PROVIDERS (ESPS)

Including:

- 10A. All types of educational service providers (both for-profit and nonprofit) are allowed to operate all or parts of schools.
- 10B. The charter application requires (1) performance data for all current and past schools operated by the ESP, and (2) explanation and evidence of the ESP’s capacity for successful growth while maintaining quality in existing schools.

- 10C. A performance contract is required between the independent charter school board and the ESP, with such contract approved by the school’s authorizer.
- 10D. School governing boards operate as entities completely independent of any ESP, individuals compensated by an ESP are prohibited from serving as voting members on such boards, and existing and potential conflicts of interest between the two entities are required to be disclosed and explained in the charter application.
- 10E. Provides that charter school governing boards must have access to ESP records necessary to oversee the ESP contract.
- 10F. An ESP must annually provide information to its charter school governing board on how that ESP spends public funding it receives when the ESP is performing a public function under applicable state law.
- 10G. Requires that similar criminal history record checks and fingerprinting requirements applicable to other public schools shall also be mandatory for on-site employees of ESPs who regularly come into contact with students.

WEIGHT	EVALUATION CRITERIA
0	The state law does not include any of the model law’s provisions for 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 includes some of the model law’s provisions for educational service providers.
3	The state law includes many of the model law’s provisions for educational service providers.
4	The state law includes all of the model law’s provisions for educational service providers.

11 FISCALLY AND LEGALLY AUTONOMOUS SCHOOLS WITH INDEPENDENT CHARTER PUBLIC SCHOOL BOARDS

Including:

- 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. Independent school governing boards created specifically to govern their charter schools.

WEIGHT	EVALUATION CRITERIA
0	The state law does not include any of the model law's provisions for fiscally and legally autonomous schools with independent 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 charter school boards.
2	The state law includes some of the model law's provisions for fiscally and legally autonomous schools with independent charter school boards.
3	The state law includes many of the model law's provisions for fiscally and legally autonomous schools with independent charter school boards.
4	The state law includes all of the model law's provisions for fiscally and legally autonomous schools with independent charter school boards.

12 CLEAR STUDENT ENROLLMENT AND LOTTERY PROCEDURES

Including:

- 12A. Open enrollment to any student in the state.
- 12B. Anti-discrimination provisions regarding admissions.
- 12C. Required enrollment preferences for previously enrolled students within conversions and for prior-year students within charter schools.
- 12D. Lottery requirements.

WEIGHT	EVALUATION CRITERIA
0	The state law does not include any of the model law's requirements for student enrollment and lottery procedures.
1	The state law includes a small number of the model law's requirements for student enrollment and lottery procedures.
2	The state law includes some of the model law's requirements for student enrollment and lottery procedures.
3	The state law includes many of the model law's requirements for student enrollment and lottery procedures.
4	The state law includes all of the model law's requirements for student enrollment and lottery procedures.

13 AUTOMATIC EXEMPTIONS FROM MANY STATE AND DISTRICT LAWS AND REGULATIONS

Including:

13A. Exemptions from all laws, except those covering health, safety, civil rights, student accountability, employee criminal history checks, open meetings, freedom of information, and generally accepted accounting principles.

13B. Exemption from state teacher certification requirements.

WEIGHT	EVALUATION CRITERIA
0	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.
1	The state law allows schools to apply for exemptions from state and district laws and requires all of a school's teachers to be certified. OR The state law does not provide automatic exemptions from many state and district laws and regulations and does not require any of a school's teachers to be certified. OR The state law allows schools to apply for exemptions from state and district laws and requires some of a school's teachers to be certified.
2	There were six variations for how state laws handled 13A and 13B that were included in this cell. ¹⁰
3	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.
4	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.

14 AUTOMATIC COLLECTIVE BARGAINING EXEMPTION

Whereby:

14A. Charter schools authorized by non-district authorizers are exempt from participation in any outside collective bargaining agreements.

14B. Charter schools authorized by district authorizers are exempt from participation in any district collective bargaining agreements.

WEIGHT	EVALUATION CRITERIA
0	The state law requires all charter schools to be part of existing collective bargaining agreements, with no opportunity for exemptions.
1	The state law requires all charter schools to be part of existing collective bargaining agreements, but schools can apply for exemptions. OR 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.
2	The state law exempts some schools from existing collective bargaining agreements but not other schools.
3	The state law exempts some schools from existing collective bargaining agreements but not other schools (but allows those not exempted to apply for exemptions).
4	The state law does not require any charter schools to be part of district collective bargaining agreements.

10 | The six variations for how state laws handled 13A and 13B that were included in 2 for Component 13 are: (1) 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) The state law provides automatic exemptions from many state and district laws and regulations, requires all of a school's teachers to be certified for some charter schools, and requires some of a school's teachers to be certified for other charter schools. (3) 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. (4) The state law allows schools to apply for exemptions from state and district laws, including from certification requirements. (5) 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. (6) 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.

15 MULTI-SCHOOL CHARTER CONTRACTS AND/OR MULTI-CHARTER SCHOOL CONTRACT BOARDS ALLOWED

Whereby an independent charter school board may:

- 15A. Oversee multiple schools linked under a single contract with independent fiscal and academic accountability for each school.
- 15B. Hold multiple charter school contracts with independent fiscal and academic accountability for each school.

WEIGHT	EVALUATION CRITERIA
0	The state law prohibits these arrangements.
1	The state law is silent regarding these arrangements.
2	The state law explicitly allows either of these arrangements but does not require each school to be independently accountable for fiscal and academic performance. OR The state law explicitly allows these arrangements for some schools but prohibits them for other schools.
3	The state law allows either of these arrangements but requires only schools authorized by some entities to be independently accountable for fiscal and academic performance. OR The state law allows either of these arrangements for some schools and requires each school to be independently accountable for fiscal and academic performance.
4	The state law explicitly allows either of these arrangements and requires each school to be independently accountable for fiscal and academic performance.

16 EXTRACURRICULAR AND INTERSCHOLASTIC ACTIVITIES ELIGIBILITY AND ACCESS

Whereby:

- 16A. Laws or regulations explicitly state that public school students and employees are eligible to participate in all extracurricular and interscholastic activities available to district public school students and employees.
- 16B. Laws or regulations explicitly allow charter school students in schools not providing extracurricular and interscholastic activities to have access to those activities at district public schools.

WEIGHT	EVALUATION CRITERIA
0	The state law prohibits eligibility and access for some or all charter school students.
1	The state law is silent about charter school eligibility and access.
2	The state law provides either eligibility or access (but not both) for some types of charter schools (but not all).
3	The state law provides both eligibility and access to students but not employees. OR The state law provides either eligibility or access but not both.
4	The state law provides both eligibility and access.

17 CLEAR PROVISIONS REGARDING SPECIAL EDUCATION RESPONSIBILITIES

Including:

- 17A. Clarity regarding which entity is the local education agency (LEA) responsible for providing special education services.
- 17B. Clarity regarding the flow of federal, state, and local special education funds to charter schools.
- 17C. Clarity regarding funding for low-incident, high-cost services for charter schools.
- 17D. Clarity that charter schools have access to all regional and state services and supports available to districts.

WEIGHT	EVALUATION CRITERIA
0	The state law does not include any of the model law’s provisions regarding special education responsibilities.
1	The state law contains a small number of the model law’s provisions regarding special education responsibilities.
2	The state law contains some of the model law’s provisions regarding special education responsibilities.
3	The state law contains many of the model law’s provisions regarding special education responsibilities.
4	The state law contains all of the model law’s provisions regarding special education responsibilities.

18 EQUITABLE OPERATIONAL FUNDING AND EQUAL ACCESS TO ALL STATE AND FEDERAL CATEGORICAL FUNDING

Including:

- 18A. Equitable operational funding statutorily driven.
- 18B. Equal access to all applicable categorical federal and state funding.
- 18C. Funding for transportation similar to districts.
- 18D. Annual report offering district and charter school funding comparisons and including annual recommendations to the legislature for any needed equity enhancements.

WEIGHT	EVALUATION CRITERIA
0	The state law includes some of the model law’s provisions for equitable operational and categorical funding, and evidence demonstrates an equity gap between district and charter school students of greater than 30.0 percent. OR The state law includes a small number or none of the model law’s provisions for equitable operational and categorical funding, and there is no evidence of the amount of any equity funding gap between district and charter school students.
1	The state law includes some of the model law’s provisions for equitable operational and categorical funding, and evidence demonstrates an equity gap between district and charter school students of between 20.0 percent and 29.9 percent. OR The state law includes some or many of the model law’s provisions for equitable operational and categorical funding, and there is no evidence of the amount of any equity funding gap between district and charter school students.
2	The state law includes some of the model law’s provisions for equitable operational and categorical funding, and evidence demonstrates an equity gap between district and charter school students of between 10.0 percent and 19.9 percent.
3	The state law includes many of the model law’s provisions for equitable operational and categorical funding, and evidence demonstrates an equity gap between district and charter school students of less than 10.0 percent.
4	The state law includes all of the model law’s provisions for equitable operational and categorical funding, and evidence demonstrates no equity gap between district and charter school students.

19 EQUITABLE ACCESS TO CAPITAL FUNDING AND FACILITIES

Including:

Facilities Funding

- 19A. A per-pupil facilities allowance that annually reflects actual average district capital costs.
- 19B. A state grant program for charter school facilities.
- 19C. Equal access to existing state facilities programs available to non-charter public schools.

Access to Public Space

- 19D. A requirement for districts to provide district space or funding to charter schools if the majority of that school’s students reside in that district.
- 19E. Right of first refusal to purchase or lease at or below fair market value a closed, unused, or underused public school facility or property.

Access to Financing Tools

- 19F. A state loan program for charter school facilities.
- 19G. Equal access to tax-exempt bonding authorities or allowing charter schools to have their own bonding authority.
- 19H. Pledging the moral obligation of the state to help charter schools obtain more favorable bond financing terms.
- 19I. The creation and funding of a state charter school debt reserve fund.
- 19J. The inclusion of charter schools in school district bonding and mill levy requests.
- 19K. A mechanism to provide credit enhancement for charter school facilities.

Other

- 19L. Charter schools allowed to contract at or below fair-market value with a school district, a college or university, or any other public or for-profit or nonprofit private entity for the use of facility for a school building.
- 19M. Certain entities allowed to provide space to charter schools within their facilities under their preexisting zoning and land use designations.
- 19N. Charter school facilities exempt from ad valorem taxes and other assessment fees not applicable to other public schools.

WEIGHT	EVALUATION CRITERIA
0	The state law does not include any of the model law’s provisions regarding equitable access to capital funding and facilities.
1	The state law includes a small number of the model law’s provisions regarding equitable access to capital funding and facilities.
2	The state law includes some of the model law’s provisions regarding equitable access to capital funding and facilities.
3	The state law includes many of the model law’s provisions regarding equitable access to capital funding and facilities.
4	The state law includes all of the model law’s provisions regarding equitable access to capital funding and facilities.

20 ACCESS TO RELEVANT EMPLOYEE RETIREMENT SYSTEMS

Whereby:

- 20A. Charter schools have access to relevant state retirement systems available to other public schools.
- 20B. Charter schools have the option, but not the requirement, to participate.

WEIGHT	EVALUATION CRITERIA
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.
2	The state law requires participation in the relevant employee retirement systems.
3	The state law provides some charter schools with the option to participate in the relevant state employee retirement systems but not other schools.
4	The state law provides access to relevant employee retirement systems but does not require participation.

21 FULL-TIME VIRTUAL CHARTER SCHOOL PROVISIONS (IF SUCH SCHOOLS ALLOWED BY STATE)

Including:

- 21A. An authorizing structure whereby full-time virtual charter schools that serve students from more than one district may be approved only by an authorizer with statewide chartering jurisdiction and authority, full-time virtual charter schools that serve students from one school district may be authorized by that school district, and a cap is placed on the total amount of funding that an authorizer may withhold from a full-time virtual charter school.
- 21B. Legally permissible criteria and processes for enrollment based on the existence of supports needed for student success.
- 21C. Enrollment level provisions that establish maximum enrollment levels for each year of a charter school contract, with any increases in enrollment from one year to the next based on whether the school meets its performance requirements.
- 21D. Accountability provisions that include virtual-specific goals regarding student enrollment, attendance, engagement, achievement, truancy, and attrition.
- 21E. Funding levels per student based on costs proposed and justified by the operators.
- 21F. Performance-based funding whereby full-time virtual charter schools are funded via a performance-based funding system.

WEIGHT	EVALUATION CRITERIA
0	The state law does not include any of the model law’s provisions related to full-time virtual charter schools.
1	The state law includes a small number of the model law’s provisions related to full-time virtual charter schools.
2	The state law includes some of the model law’s provisions related to full-time virtual charter schools.
3	The state law includes many of the model law’s provisions related to full-time virtual charter schools.
4	The state law includes all of the model law’s provisions related to full-time virtual charter schools.

CHANGES

For this edition of the report, we modified our approach to one of the 21 essential components: No. 3: Non-district Authorizers Available. See below for a direct comparison of the previous rubric and the new rubric.

OLD RUBRIK	NEW RUBRIK
<p>3 MULTIPLE AUTHORIZERS AVAILABLE, including: 3A. The state allows two or more authorizing options (e.g., school districts and a state charter schools commission) for each applicant with direct application to each authorizer.</p>	<p>3 NON-DISTRICT AUTHORIZERS AVAILABLE, including: 3A. The state allows an applicant anywhere in the state to apply directly to a non-district authorizer(s).</p>
<p>0 The state allows one authorizing option, and 11 or fewer schools are authorized.</p>	<p>The state law does not provide applicants with access to a non-district authorizer(s).</p>
<p>1 The state allows one authorizing option, and between 12 and 49 schools are authorized.</p>	<p>Not applicable.</p>
<p>2 The state allows two or more authorizing options in all situations, with direct access to each option. There is some authorizing activity in one option but little activity in the other options. OR The state allows two or more authorizing options in all situations but does not provide direct access to each option. There is some authorizing activity in one option but little activity in the other options. OR The state allows two or more authorizing options in some but not all situations, with direct access to each option. There is some authorizing activity in at least two of those options. OR The state allows one authorizing option, and between 50 and 99 schools are authorized.</p>	<p>The state law allows applicants in some parts of the state to apply directly to a non-district authorizer(s).</p>
<p>3 The state allows two or more authorizing options in all situations, with direct access to each option. There is some authorizing activity in at least two of those options. OR The state allows two or more authorizing options in all situations but does not provide direct access to each option. There is considerable authorizing activity in at least two of those options. OR The state allows one authorizing option, and 100 or more schools are authorized.</p>	<p>The state law requires an applicant to apply to a district, but allows the applicant to appeal a district denial to a non-district authorizer(s).</p>
<p>4 The state allows two or more authorizing options in all situations, with direct access to each option. There is considerable authorizing activity in at least two of those options.</p>	<p>The state law allows an applicant anywhere in the state to apply directly to a non-district authorizer(s).</p>