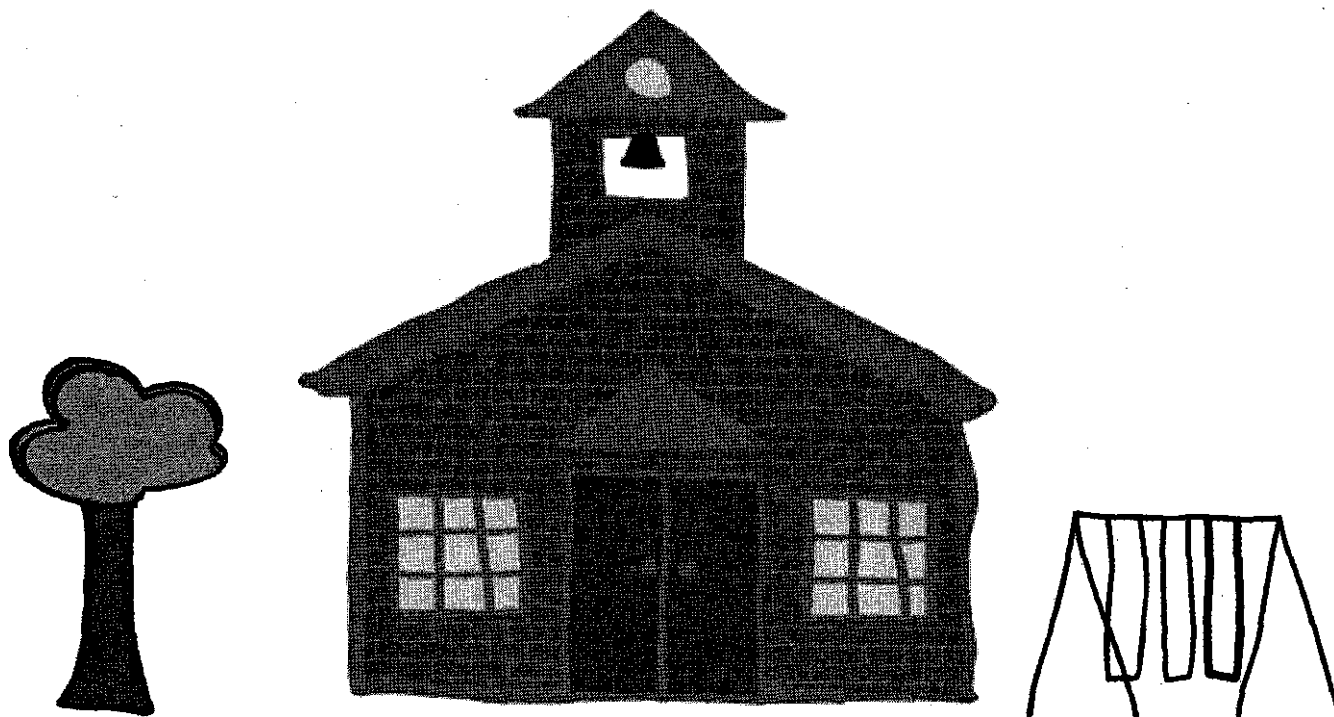


# CHARTER SCHOOL LAWS ACROSS THE STATES

2003

RANKING SCORECARD  
AND LEGISLATIVE PROFILES



THE CENTER FOR EDUCATION REFORM

THE CENTER FOR EDUCATION REFORM

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**THE Center for Education Reform**



**CHARTER SCHOOL LAWS ACROSS THE STATES:  
RANKING SCORECARD AND LEGISLATIVE PROFILES**

**2003**



## CHARTER SCHOOL LAWS ACROSS THE STATES: RANKING SCORECARD AND LEGISLATIVE PROFILES

### WHAT THIS REPORT MEANS

Once again, CER has studied and evaluated the language and effects of the now 40 charter school laws in the United States. As the number of laws has grown, so too has their complexity. Still, using consistent criteria, it is easy to separate the strong from the weak.

Strong laws foster the development of numerous, genuinely independent charter schools. They ensure there will be a plentiful number of autonomous public schools available to a wide array of children and families. It is very difficult to pass a strong law, and virtually no strong law was created without a fight of skillful negotiations.

Weak laws provide fewer opportunities for charter school development. Legislative language often constrains charter schools, forcing them to fit into existing educational structures.

Some laws are only moderately effective. In most cases, these laws are the result of a number of compromises. Many legislators in these states viewed these compromises in the law as a foot in the door. Indeed some — although they are few in number — have succeeded in improving their laws after some time has passed.

Charter schools offer alternative learning opportunities to many children who are otherwise under-served. Knowing what it takes to enact a law that actually yields numerous high quality charter schools is an obligation of policymakers, and a mandate for parents.

### THE LATEST TREND: *REGULATORY FEVER*

The nation's first charter law was created in 1991. Since then the movement has experienced unprecedented success - and most recently - unnecessary disappointment. Why is it that the nation's two newest laws are among the weakest? Policymakers in Tennessee and Iowa had the opportunity to create laws modeled after some of the nation's best; but they were influenced by the harsh effects of the new epidemic that is spreading throughout the country: *Regulatory Fever*.

Far too many states this year experienced some level of regulatory fever. California, Georgia, Illinois and North Carolina are just a few states where charter schools continue to be suffocated by the harmful effects of the fever. Instead of basking in the success of high student achievement and strong parental support, charter leaders are fighting to maintain the autonomy that was once their legal right. State boards of education, local boards, and even state Departments of Education are now taking the liberty of interpreting the law and creating new and unnecessary regulations that undermine a charter school's success. Every week there are reports of the fever striking states with stronger laws. No state is immune from the attempts to slow the expansion of charter schools. Having a strong law today is absolutely no guarantee that it will remain strong in the coming years. The drive to resist rollback attempts and regulatory fever is probably as important as the push to create strong laws in the 11 remaining states.

## WHY A LAW'S STRENGTH MATTERS

The strength of legislation tells much about what is likely to happen in a given state. New Hampshire's law has been given a low "C" based on its major components. But, if its law were to be graded based purely on implementation, the state would get a solid "F." Since the law was created in 1995, the state has yet to produce one single charter school. Local boards are the sole authorizer, but applications must first be approved by the town by popular vote AND the state board before an application can be formally approved. With this type of onerous approval process, charter schools in New Hampshire have never become a reality. Despite their valiant efforts to improve the law this year, charter advocates have been left to watch from the sidelines as other states receive funding to create strong, successful charter schools.

Conversely, Washington, DC boasts one of the strongest laws in the nation. With 39 charter schools, and 15% of the student population in charter schools, its success and health underscore the benefits of strong laws. The District, like many states, has its share of challenges with the usual bureaucratic tinkering, but DC's crop has an open hearing from the District's two chartering authorities, has permitted parents and companies to run schools, is given a substantial amount of funding and is autonomous from government entities.

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## THE SCORING

Laws are judged not only on their intent, but also on their effect. Amendments and various modifications made since a law's inception are carefully analyzed. Some states have fluctuated over the six-year period CER has been scoring. Most changes have given states a boost, but we've found recently that some changes have caused them to slide.

### THE GRADES AND A SAMPLING OF THE STATES THEY TYPIFY:

**"A"** These laws allow for a significant number of charter schools and contribute positively to their growth and development. **Indiana**, only one year since the law was created, has already seen ten charter schools open successfully. The law is ranked among the strongest because it allows for multiple authorizers, it provides professionals with an alternate route for certification, and it provides charter schools legal and fiscal autonomy.

**"B"** These laws also allow for healthy growth of charter schools but contain some significant provisions that may impede growth. **California** gets a "B" because its law provides for a strong appeals process and the potential for equitable funding. However, it fell four places in this year's ranking because it enacted legislation that allows for more regulation, including a new three-tiered oversight provision which enables the district, the county or the state to request information from charter schools at a moment's notice.

**"C"** These laws allow for an adequate number of schools, but normally pose significant challenges to sustaining a prolific and healthy charter environment. **Georgia** gets a "C" because despite having 36 charter schools, the law still limits authorization to school boards, and with recent legislation that removed the automatic waiver from state rules, charter schools in Georgia will now have to contend with more bureaucracy. **Tennessee** debuts as a low "C" with local board-only approval, limited autonomy, and a weak appeals process. The new charter law has a long way to go if the movement in Tennessee is to be sustained and successful.

**"D"** These laws largely allow conventional education agencies to regulate the establishment and operation of charter schools. While schools have opened under these laws, they are heavily regulated and are few and far between. An example of one of these very weak laws is **Rhode Island**, with a cumbersome approval process, no legal or operational autonomy, and a non-existent appeals process. The law was created back in 1995, yet the state has only 8 charter schools to show for itself.

**"F"** **Iowa's** law comes in as a dismal "F," making it unlikely that genuine, autonomous charters will come to be. And then there's **Mississippi**, which failed for the sixth straight year because it simply offers no real charter environment at all. Both are laws in name only.

## LESSONS LEARNED ABOUT ENACTING CHARTER LAWS

- 1) **It's often harder to improve a law than to do it right the first time.** Charter school caps in Michigan, North Carolina and Illinois have failed to be lifted in successive legislatures. Meanwhile, dozens of charter applications wait in the wings as waiting lists swell.
- 2) **Once a law is passed, the challenge isn't over.** Unfriendly State Department of Education bureaucrats and school districts will – if they can – stamp out charter freedoms, without legislation. One way to avoid this is to carefully write the law to preclude additional oversight without a certain legislative procedure followed.
- 3) **Multiple authorities lead to more and healthier charter schools.** School board-only laws limit the nature and scope of charter schools, and often limit their innovation and funding. School boards have also proven to be lax about accountability.
- 4) **Unions are not the leading impediment one might think.** Unions often can find a negotiating chit to ease their opposition. School board associations, however, are another matter. Charter schools serve the same community as local school boards, and thus are perceived by many school boards and their associations as encroaching on their jobs. The increased school choice that charter schools bring to the community means districts no longer have the guaranteed funding of a captive student population. All of this competition spurs resistance from those who are unwilling to bear the scrutiny and accountability that competition brings.
- 5) **Leaving anything to be "negotiated in charter" gives the sponsoring agency carte blanche and the charter school little legal autonomy.** In such states where the phrase is found within the law, authorizers – normally school boards – use this discretion to over-regulate in the body of the charter contract.

## THE VALUE OF KNOWING — AND HAVING — A STRONG LAW

This analysis provides a guidepost to what kind of charter activity is likely to occur under certain legislative conditions. While by no means definitive, it provides a useful yardstick against which to measure and fashion forthcoming legislation and amendments. A state trying to create a healthy supply of charter schools will know to steer clear of the roadblocks put in place by states on the weaker side of the continuum.

This document is intended to both serve as a guide to those evaluating their own existing charter laws against other states' for the first time, or revisiting them with an eye toward making potential amendments. It is also a primer to help charter proponents in the remaining 11 states work to get it right the first time.

Jeanne Allen  
President

Anna Varghese Marcucio  
Director, External Affairs

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## LEGISLATIVE UPDATE

### LAWS THAT WERE SIGNIFICANTLY AMENDED IN SESSION ENDING 2002

California  
Colorado  
Delaware  
Florida

Georgia  
Hawaii  
Utah

### STATES THAT ADDED REGULATIONS (I.E. REGULATORY FEVER)

California  
Delaware  
Georgia  
Hawaii

### STATES THAT IMPROVED THE LAW

Florida  
Utah

### STATES LIKELY TO CONSIDER A NEW CHARTER SCHOOL LAW IN 2003

Maine  
Maryland  
Washington



CHARTER SCHOOL LAWS ACROSS THE STATES

RANKING SCORECARD

| CRITERIA  | STRONG  |       |       |      |       |       |      |         |      |      |      |       |   |     |       |   |      |       |                         |
|---|---------|-------|-------|------|-------|-------|------|---------|------|------|------|-------|---|-----|-------|---|------|-------|-------------------------|
|   | ***A*** |       |       |      |       |       |      | ***B*** |      |      |      |       |   |     |       |   |      |       |                         |
| State   | AZ      | MN    | DC    | DE   | MI    | IN    | MA   | FL      | CO   | NY   | OH   | NC    | PA  | MO  | CA    | OR  | NJ   | WI    | TX                      |
| <i>Year Law Passed</i>  | '94     | '91   | '96   | '95  | '93   | '01   | '93  | '96     | '93  | '98  | '97  | '96   | '97   | '98 | '92   | '99   | '96  | '93   | '95                     |
| <i>Number of schools allowed</i>  | 4.5     | 5     | 4.5   | 5    | 4.5   | 5     | 3.3  | 4       | 4.5  | 2.3  | 3    | 3     | 5   | 2   | 5     | 3.25  | 5    | 5     | 3                       |
| <i>Multiple chartering authorities</i>  | 4.5     | 4.5   | 4     | 4    | 4.5   | 4.5   | 3.5  | 1.75    | 3    | 4    | 4.5  | 3     | 1.75  | 3.5 | 4     | 1.5   | 3    | 3.5   | 3.25                    |
| <i>Eligible charter applicants</i>  | 5       | 5     | 5     | 5    | 5     | 4     | 4.3  | 5       | 5    | 4    | 5    | 5     | 5   | 4   | 5     | 5   | 4    | 5     | 4.25                    |
| <i>New starts allowed</i>   | 4.75    | 4.75  | 4.75  | 4.5  | 4.75  | 4.75  | 4.5  | 4.5     | 4.5  | 4.5  | 4.5  | 4.75  | 4.5   | 3   | 4.75  | 3.5   | 4.5  | 4.75  | 4.75                    |
| <i>School may be started without evidence of local support</i>  | 5       | 3.5   | 3     | 3.5  | 5     | 3     | 4    | 3       | 3    | 4    | 5    | 3     | 3.5   | 4   | 3     | 5   | 3    | 2.5   | 3.5                     |
| <i>Automatic waiver from state and district laws</i>  | 4.5     | 5     | 5     | 3.5  | 2.7   | 5     | 3    | 3       | 3.25 | 5    | 3    | 4     | 3   | 4   | 2     | 2.5   | 1    | 2.5   | 0                       |
| <i>Legal/operational autonomy</i>   | 5       | 4.5   | 4.5   | 4    | 5     | 3     | 4.7  | 3.5     | 2.75 | 5    | 3    | 3     | 3   | 3.5 | 2     | 3   | 2    | 2.5   | 2                       |
| <i>Guaranteed full per-pupil funding</i>  | 3.5     | 3.5   | 4.5   | 5    | 5     | 4     | 5    | 5       | 4    | 2.5  | 3.5  | 4.5   | 3   | 4   | 3     | 2.5   | 2    | 2     | 3                       |
| <i>Fiscal Autonomy</i>  | 5       | 5     | 4.5   | 5    | 5     | 5     | 5    | 5       | 4.5  | 4    | 3    | 4     | 3.5   | 4   | 3     | 2.5   | 5    | 1.8   | 3                       |
| <i>Exempt from collective bargaining agreement/district work rules</i>  | 4.75    | 4.5   | 5     | 5    | 3     | 3     | 3    | 4.5     | 4.5  | 3    | 3    | 3     | 4.5   | 4   | 4     | 4.25  | 3    | 2.5   | 4                       |
| <i>Total</i>  | 46.5    | 45.25 | 44.75 | 44.5 | 44.45 | 41.25 | 40.3 | 39.25   | 39   | 38.3 | 37.5 | 37.25 | 36.75   | 36  | 35.75 | 33  | 32.5 | 32.05 | 30.75                   |
| <i>RANK 2002</i>  | 1       | 2     | 3     | 4    | 5     | 6     | 7    | 8       | 9    | 10   | 11   | 12    | 13  | 14  | 15    | 16  | 17   | 18    | 19                      |
| <i>Rank 2001</i>  | 1       | 3     | 4     | 2    | 5     | 6     | 7    | 8       | 9    | 10   | 14   | 12    | 13  | 15  | 11    | 16  | 17   | 18    | 19                      |
| <i>Number of charters Fall 2002</i>   | 465     | 87    | 39    | 11   | 196   | 10    | 46   | 227     | 93   | 38   | 132  | 93    | 91  | 26  | 427   | 25  | 56   | 130   | 221                     |
| <p>1. Removing or raising the caps on the number of schools permitted increased a state's score in this area.</p> <p>2. States with multiple chartering authorities received the highest scores in that category. Those requiring the approval of the local school board receive a 1; a binding appeals process adds only .75 as appeals are both lengthy and expensive.</p> <p>3. States providing charter leaders full legal authority received the highest scores in that category.</p>  |         |       |       |      |       |       |      |         |      |      |      |       |   |     |       |   |      |       |                         |
| <p>Note: The scores on this table are based on the current status of each law (through December 2002). Amendments to the original law, state board regulations, legal rulings, department of education interpretation and actual implementation have all been factored into the ranking. Each state is ranked for each criterion on a scale of 0 to 5, based on how that state's provisions under that criterion support or restrict the development of a significant number of autonomous charter schools (strongly support = 5; strongly restrict = 0), or, in the case of recently passed or amended laws, are likely to do so. States are listed from left to right from the strongest to the weakest. The laws are also divided into two subsets: strong or moderately effective laws which do or are likely to support at least some significant development of autonomous charter schools, and weak or ineffective laws which have not, and are unlikely to lead to significant charter activity. This chart is part of the book entitled <i>Charter School Laws Across the States; Ranking Score Card and Legislative Profiles</i>, which includes detailed profiles of each state's law. Also available online at <a href="http://www.edreform.com">www.edreform.com</a></p> |         |       |       |      |       |       |      |         |      |      |      |       |   |     |       |   |      |       |                         |
| <p>Each law was scored by a panel of charter school experts over time, including Jeanne Allen, President, The Center for Education Reform and Bruno Manno, Senior Fellow with the Annie E. Casey Foundation. States with tie scores were ranked according to secondary factors influencing the effectiveness of their law. Produced and published by the Center for Education Reform December 2002. (202) 822-9000 or <a href="http://www.edreform.com">www.edreform.com</a></p>  |         |       |       |      |       |       |      |         |      |      |      |       | SCORING LEGEND                                |     |       |   |      |       |                         |
|   |         |       |       |      |       |       |      |         |      |      |      |       | <p>Strong<br/>40 - 50 = A<br/>30 - 39 = B</p> |     |       | <p>Weak<br/>20 - 29 = C<br/>10 - 19 = D</p> |      |       | <p>NA<br/>0 - 9 = F</p> |

CHARTER SCHOOL LAWS ACROSS THE STATES

RANKING SCORECARD (cont.)

WEAK

| CRITERIA  | *B*  | ***C*** |     |       |       |     |     |      |     |     |       |      |       | ***D*** |      |     |     |      | ***F*** |     |     |
|---|------|---------|-----|-------|-------|-----|-----|------|-----|-----|-------|------|-------|---------|------|-----|-----|------|---------|-----|-----|
|   | NM   | IL      | OK  | SC    | LA    | GA  | UT  | ID   | CT  | NV  | WY    | NH   | TN    | HI      | AK   | AR  | RI  | VA   | KS      | IA  | MS  |
| State   |      |         |     |       |       |     |     |      |     |     |       |      |       |         |      |     |     |      |         |     |     |
| Year Law Passed   | '93  | '96     | '99 | '96   | '95   | '93 | '98 | '98  | '96 | '97 | '95   | '95  | '02   | '94     | '95  | '95 | '95 | '98  | '94     | '02 | '97 |
| Number of schools allowed                                       | 3.5  | 1.5     | 2   | 5     | 2     | 5   | 1.5 | 2.6  | 1.5 | 2   | 5     | 5    | 2     | 2       | 2.3  | 2   | 1   | 1.6  | 1       | 1   | 0   |
| Multiple chartering authorities                                 | 1.75 | 1.75    | 1   | 1.75  | 1.75  | 1.5 | 4   | 1.3  | 2.5 | 1   | 1.75  | 0.5  | 1.75  | 1       | 1    | 2.5 | 1   | 1    | 1       | 1   | 1   |
| Eligible charter applicants                                     | 5    | 4       | 4   | 4     | 3.5   | 5   | 4   | 5    | 1.5 | 2   | 5     | 3    | 4     | 3       | 5    | 2   | 2.5 | 2    | 4.5     | 0   | 0   |
| New starts allowed  | 4.5  | 4.5     | 4.5 | 4.5   | 4.5   | 4.5 | 4.5 | 4.5  | 4.5 | 4.5 | 4.5   | 2    | 4     | 4.5     | 5    | 4.5 | 4.5 | 4.5  | 4.5     | 0   | 0   |
| School may be started without evidence of local support         | 3    | 1       | 5   | 2     | 2     | 2.5 | 2.5 | 1    | 1   | 5   | 2.5   | 0    | 2     | 2       | 1    | 2.5 | 0   | 2.5  | 1       | 1.5 | 0   |
| Automatic waiver from state and district laws                   | 2    | 3       | 2.5 | 2.5   | 2.5   | 0   | 0.6 | 4.3  | 2.5 | 2.5 | 0.5   | 4    | 0     | 4.5     | 0    | 0   | 0.5 | 0.5  | 0.5     | 3   | 1.3 |
| Legal/operational autonomy                                      | 2.75 | 3       | 1   | 2     | 1     | 1   | 1.6 | 0    | 0.5 | 1.5 | 0     | 2    | 0     | 0.5     | 0    | 0   | 0.5 | 0.5  | 0       | 0   | 0   |
| Guaranteed full per-pupil funding                               | 3    | 3       | 2   | 2     | 3     | 2   | 0.3 | 3    | 3.5 | 3.5 | 1.5   | 0    | 3     | 1.5     | 3.5  | 1.5 | 3.5 | 0.5  | 0.5     | 0   | 0   |
| Fiscal Autonomy   | 2    | 3.5     | 3   | 2     | 4.5   | 2   | 1   | 1    | 3   | 1   | 1     | 0    | 1     | 1       | 1    | 0   | 1.5 | 0    | 0       | 0   | 0   |
| Exempt from collective bargaining agreement/district work rules | 2.5  | 4       | 4   | 3     | 1.5   | 1.5 | 4   | 1    | 2.5 | 0   | 0     | 5    | 3     | 0       | 0    | 0   | 0   | 0    | 0       | 0   | 0   |
| Total   | 30   | 29.25   | 29  | 28.75 | 26.25 | 25  | 24  | 23.7 | 23  | 23  | 21.75 | 21.5 | 20.75 | 20      | 18.8 | 15  | 15  | 13.1 | 13      | 6.5 | 2.3 |
| RANK 2002   | 20   | 21      | 22  | 23    | 24    | 25  | 26  | 27   | 28  | 29  | 30    | 31   | 32    | 33      | 34   | 35  | 36  | 37   | 38      | 39  | 40  |
| Rank 2001   | 20   | 21      | 23  | 24    | 25    | 22  | 29  | 26   | 27  | 28  | 30    | 31   | N/A   | 33      | 32   | 34  | 35  | 36   | 37      | N/A | 38  |
| Number of charters Fall 2002                                    | 28   | 29      | 10  | 13    | 20    | 36  | 12  | 13   | 16  | 13  | 1     | 0    | 0     | 25      | 15   | 8   | 8   | 8    | 30      | 0   | 1   |

RATING CRITERIA

All 40 charter school laws in existence as of December 2002 are scored and ranked according to their degree of expansiveness. The states are ranked from 1st (most expansive) to 40th (most restrictive), as well as divided into Strong and Weak Charter Laws (see SCORING LEGEND on page 1), indicating which do or are likely to support at least some significant development of autonomous charter schools, and which do not.

**Number of Schools:** States that permit an unlimited or substantial number of autonomous charter schools encourage more activity than states that either limit the number of autonomous schools, or allow an unlimited number of charter schools with restrictions on their autonomy, demographics, etc.

**Multiple chartering authorities:** States that permit a number of entities in addition to or instead of local school boards to authorize charter schools encourage more activity than those that vest authorizing power in a single entity, particularly if that entity is the local school board, or provide an appeals process.

**Variety of applicants:** States that permit a variety of individuals and groups both inside and outside the existing public school system to start charter schools encourage more activity than states that limit eligible applicants to public schools or public school personnel.

**New starts:** States that permit new schools to start up encourage more activity than those that permit only public school conversions.

**Formal evidence of local support:** States that permit charter schools to be formed without having to prove specified levels of local support encourage more activity than states that require such demonstrations of support.

**Automatic waiver from laws and regulations:** States that provide automatic blanket waivers from most or all state and district education laws, regulations, and policies encourage more activity than states that provide no waivers or require charter schools to negotiate waivers on an issue-by-issue basis with charter-granting authorities. (In no case, however, are civil rights laws or health/safety codes waived for charter schools.)

**Legal/operational autonomy:** States in which charter schools are independent legal entities that can own property, sue and be sued, incur debt, control budget and personnel, and contract for services encourage more activity than states in which charter schools remain under district jurisdiction. In addition, legal autonomy refers to the ability of charter schools to control enrollment numbers, with no special conditions imposed by the charter law or the local district on its policies.

**Guaranteed full funding:** States where 100% of per-pupil funding automatically follows student enrolled in charter schools encourage more activity than states where the amount of funding is automatically set below 100%, or must be negotiated with the district.

**Fiscal Autonomy:** States that give charter schools full control over their own budgets, without the district holding the funds, encourage more activity than states that do not.

**Exemption from collective bargaining agreements / district work rules:** States that give charter schools complete control over personnel decisions encourage more activity than states where charter school teachers must remain subject to the terms of district collective bargaining agreements or work rules.

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 Center for Education Reform



CHARTER SCHOOL LAWS ACROSS THE STATES:  
STATE PROFILES

*Technical Notes:*

Each state page contains a full accounting of the 32 major components of the law. These are factored into the ten major categories that define the strength of the law. They are:

1. The Number of Schools Allowed
2. Multiple Chartering Authorities
3. Eligible Charter Applicants
4. New Starts Allowed
5. School May be Started Without Evidence of Local Support
6. Automatic Waiver from State and District Rules
7. Legal/Operational Autonomy
8. Guaranteed Full Per-Pupil Funding
9. Fiscal Autonomy
10. Exempt from Collective Bargaining Agreements/District Work Rules

The contents, scope and condition of each law were evaluated again this year by a team of CER researchers, external reviewers and numerous officials working in each state. The scoring rubrics created in 1997 and improved in subsequent years were then reapplied to each state to begin the scoring process.

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CHARTER SCHOOL LAWS ACROSS THE STATES

| <b>Alaska (1995; last amended in 2001)</b><br><b>The 7<sup>th</sup> weakest of the nation's 40 charter laws</b> |   |
|---|---|
| <b>General Statistics</b>   |   |
| <i>Number of Schools Allowed</i>  | 60  |
| <i>Number of Schools Operating (As of Fall 2002)</i>  | 15  |
| <b>Approval Process</b>   |   |
| <i>Eligible Chartering Authorities</i>  | State board of education, with local school district first having to approve  |
| <i>Eligible Applicants</i>  | Any individual or group   |
| <i>Types of Charter Schools</i>   | Converted public, converted private, new starts, and home-based schools   |
| <i>Appeals Process</i>  | None  |
| <i>Formal Evidence of Local Support Required</i>  | Established by districts  |
| <i>Recipient of Charter</i>   | Academic policy committee   |
| <i>Term of Initial Charter</i>  | Up to 10 years  |
| <b>Operations</b>   |   |
| <i>Automatic Waiver from Most State and District Education Laws, Regulations, and Policies</i>                  | No; exemptions from particular laws, regulations, and policies must be specified in charter   |
| <i>Legal Autonomy</i>   | No  |
| <i>Governance</i>   | Academic policy committee composed of parents, students, teachers, and other school employees   |
| <i>Charter School Governing Body Subject to Open Meeting Laws</i>   | Yes   |
| <i>Charter school may be managed or operated by a for profit organization</i>                                   | Charters may not be granted directly to for-profit organizations, but the schools may be managed by them  |
| <i>Transportation for Students</i>  | Provided by district  |
| <i>Facilities Assistance</i>  | No  |
| <i>Technical Assistance</i>   | Provided by the Department of Education as well as non-governmental entities upon request   |
| <i>Reporting Requirements</i>   | Quarterly reports to local school board and annual report for parents, local school board, and state board of education that indicate academic progress. Charters will perform fiscal accounting and audits by an independent certified accountant. |

### Alaska (cont.)

| <b>Funding</b>                                       |   |
|--|---|
| <i>Amount</i>  | 100% of state and district operations funding follows students, based on average district per-pupil revenue, minus a portion for administrative costs (determined by applying an indirect cost rate approved by the department of education), Estimated portion is about \$8,200. |
| <i>Path</i>  | Funds pass through district to school   |
| <i>Fiscal Autonomy</i>                               | No, local school board provides annual program budget; charter school must provide fiscal information to school board and state board of education  |
| <i>Start-up Funds</i>                                | Federal funds available; no state funding   |
| <b>Teachers</b>                                      |   |
| <i>Collective Bargaining / District Work Rules</i>   | Teachers are covered by district bargaining agreement unless exemption is negotiated with sponsor   |
| <i>Certification</i>                                 | Required  |
| <i>Leave of Absence from District</i>                | Teachers remain employees of the district   |
| <i>Retirement Benefits</i>                           | Charter schools must participate in state's retirement system   |
| <b>Students</b>                                      |   |
| <i>Eligible Students</i>                             | Students in district  |
| <i>Preference for Enrollment</i>                     | Specified in charter  |
| <i>Enrollment Requirements</i>                       | Not permitted   |
| <i>Selection Method (in case of over-enrollment)</i> | Charter school and local school board must try to accommodate excess applicants by providing additional space and attracting additional teachers to the charter school; if all students cannot be accommodated, a lottery will be used.   |
| <i>At-Risk Provisions</i>                            | None  |
| <i>Accountability</i>                                | Statewide assessments; district may require other assessments in charter. The academic policy committee must provide a description of the educational program with specific levels of achievement for the education program.  |

| <b>Arizona (1994; last amended in 2002)</b><br><b>The strongest of the nation's 40 charter laws</b> |   |
|---|---|
| <b>General Statistics</b>   |   |
| <i>Number of Schools Allowed</i>  | Unlimited   |
| <i>Number of Charters Operating (As of Fall 2002)</i>   | 465   |
| <b>Approval Process</b>   |   |
| <i>Eligible Chartering Authorities</i>  | Local school boards, state board of education, state board for charter schools  |
| <i>Eligible Applicants</i>  | Public body, private person, private organization   |
| <i>Types of Charter Schools</i>   | Converted public, converted private, new starts (but not home-based schools)  |
| <i>Appeals Process</i>  | None  |
| <i>Formal Evidence of Local Support Required</i>  | No  |
| <i>Recipient of Charter</i>   | Charter school governing body   |
| <i>Term of Initial Charter</i>  | 15 years  |
| <b>Operations</b>   |   |
| <i>Automatic Waiver from Most State and District Education Laws, Regulations, and Policies</i>      | Yes   |
| <i>Legal Autonomy</i>   | Yes   |
| <i>Governance</i>   | Governing board   |
| <i>Charter School Governing Body Subject to Open Meeting Laws</i>                                   | Yes   |
| <i>Charter School May be Managed or Operated by a For-Profit Organization</i>                       | Yes   |
| <i>Transportation for Students</i>  | For charter schools authorized by local school boards, transportation may be provided by the district; other charter schools receive state transportation aid in order to provide transportation for students         |
| <i>Facilities Assistance</i>  | Department of Education must publish list of vacant buildings owned by the state, which are suitable for charter schools. Non-profit charter schools may apply for financing from Industrial Development Authorities. |
| <i>Technical Assistance</i>   | Provided by the Department of Education as well as non-governmental entities  |
| <i>Reporting Requirements</i>   | Charter schools, like all schools in state, must prepare an annual report card for parents and the department of education; charter schools must also undergo an annual audit.  |



### Arizona (cont.)

| <b>Funding</b>                                       |  |
|--|--|
| <i>Amount</i>  | For charter schools authorized by local school boards, funding may be negotiated and is specified in the charter; for other charter schools, funding is determined by the same base support level formula used for all district schools. Estimated portion is about \$4,600. |
| <i>Path</i>  | Funds pass through district to charter schools authorized by local school boards; from state to all other charters schools.  |
| <i>Fiscal Autonomy</i>                               | Yes  |
| <i>Start-up Funds</i>                                | Federal and state funds available  |
| <b>Teachers</b>                                      |  |
| <i>Collective Bargaining / District Work Rules</i>   | Teachers may remain covered by district bargaining agreement, negotiate a separate unit with charter school governing body, or work independently  |
| <i>Certification</i>                                 | Not required   |
| <i>Leave of Absence from District</i>                | Up to 3 years  |
| <i>Retirement Benefits</i>                           | Charter schools must participate in state's retirement system  |
| <b>Students</b>                                      |  |
| <i>Eligible Students</i>                             | All students in state  |
| <i>Preference for Enrollment</i>                     | District residents if sponsored by local school board; siblings of current students  |
| <i>Enrollment Requirements</i>                       | Not permitted  |
| <i>Selection Method (in case of over-enrollment)</i> | Equitable selection process such as a lottery  |
| <i>At-Risk Provisions</i>                            | None   |
| <i>Accountability</i>                                | Students must participate in the Arizona instrument to measure standards test and the nationally standardized norm-referenced achievement test as designated by the state board. Also, the schools must complete and distribute an annual report card.                       |
| <b>Other Features</b>                                |  |
| <i>Location of Charter School</i>                    | School districts cannot sponsor charter schools located outside the geographic boundaries of the district.   |

| <p align="center"><b>Arkansas (1995; last amended in 2001)</b><br/> <b>The 6<sup>th</sup> weakest of the nation's 40 charter laws</b></p> |   |
|---|---|
| <b>General Statistics</b>   |   |
| <i>Number of Schools Allowed</i>  | 12 new; unlimited conversions   |
| <i>Number of Charters Operating (As of Fall 2002)</i>   | 8   |
| <b>Approval Process</b>   |   |
| <i>Eligible Chartering Authorities</i>  | State board of education  |
| <i>Eligible Applicants</i>  | Non-profits, government entities, and colleges; conversions must be created by the district. No private or parochial elementary or secondary school in existence on or before July 30, 1999, shall be eligible for open-enrollment charter school status. |
| <i>Types of Charter Schools</i>   | Converted public, converted private, and new starts   |
| <i>Appeals Process</i>  | None  |
| <i>Formal Evidence of Local Support Required</i>  | Public hearing required   |
| <i>Recipient of Charter</i>   | For conversions, the school district superintendent. For new starts, the chief operating officer of the charter.  |
| <i>Term of Initial Charter</i>  | 3 years with yearly review  |
| <b>Operations</b>   |   |
| <i>Automatic Waiver from Most State and District Education Laws, Regulations, and Policies</i>  | No; exemptions from particular laws, regulations, and policies must be specified in charter   |
| <i>Legal Autonomy</i>   | No for conversions; limited for new starts  |
| <i>Governance</i>   | For conversions, the school district superintendent. For new starts, the chief operating officer of the charter.  |
| <i>Charter School Governing Body Subject to Open Meeting Laws</i>   | Yes   |
| <i>Charter School May be Managed or Operated by a For-Profit Organization</i>   | No  |
| <i>Transportation for Students</i>  | May be provided by the district, but transportation funds do not follow the child.  |
| <i>Facilities Assistance</i>  | None  |
| <i>Technical Assistance</i>   | Provided by the Department of Education upon request  |
| <i>Reporting Requirements</i>   | Annual reports to parents, local school board, and state board of education; state board must prepare biennial report for legislature.  |
| <b>Funding</b>  |   |
| <i>Amount</i>   | Specified in charter  |
| <i>Path</i>   | Funds pass through district to school for conversions; for open-enrollments, funds go directly to the school  |

| <b>Arkansas (cont.)</b>                              |  |
|--|--|
| <i>Fiscal Autonomy</i>                               | No   |
| <i>Start-up Funds</i>                                | Federal funds available; no state funding  |
| <b>Teachers</b>                                      |  |
| <i>Collective Bargaining / District Work Rules</i>   | Teachers in conversions remain covered by district bargaining agreement, but may request a waiver from certain provisions; teachers in open enrollment schools and limited charters can negotiate as a separate bargaining unit, or work independently |
| <i>Certification</i>                                 | Required for teachers in "limited" charters. Some charters may request a waiver from certification requirements  |
| <i>Leave of Absence from District</i>                | Teachers remain employees of the district  |
| <i>Retirement Benefits</i>                           | Charter schools must participate in state's retirement system  |
| <b>Students</b>                                      |  |
| <i>Eligible Students</i>                             | Conversion school students attending existing schools prior to conversion and other students who reside in the district. Open enrollment charters may draw students from across public school district boundaries.                                     |
| <i>Preference for Enrollment</i>                     | Must use a weighted lottery system in student selection in areas under desegregation orders.   |
| <i>Enrollment Requirements</i>                       | None, but the number of charter schools is limited to 3 per district.  |
| <i>Selection Method (in case of over-enrollment)</i> | Lottery, but desegregated areas are authorized to conduct weighted lotteries   |
| <i>At-Risk Provisions</i>                            | The state board gives preference to applications to schools from districts with high at-risk populations   |
| <i>Accountability</i>                                | Student performance shall be based on assessment instruments adopted by the state board of education and on compliance with any accountability provision specified by the charter, by a deadline, or at intervals specified by the charter             |

| <b>California (1992; last amended in 2002)</b><br><b>The 15<sup>th</sup> strongest of the nation's 40 charter laws</b> |  |
|--|--|
| <b>General Statistics</b>  |  |
| <i>Number of Schools Allowed</i>   | 550; increases by 100 each school year   |
| <i>Number of Charters Operating (As of Fall 2002)</i>  | 427  |
| <b>Approval Process</b>  |  |
| <i>Eligible Chartering Authorities</i>   | Local school board; county board or state board of education can authorize if applications meets certain criteria.   |
| <i>Eligible Applicants</i>   | One or more persons  |
| <i>Types of Charter Schools</i>  | Converted public, new starts, home-based schools   |
| <i>Appeals Process</i>   | Applications denied by the local school board may be appealed to county board of education. Applications denied by the county board may be appealed to the state board of education. The board that ultimately approves the application becomes the school's sponsor.  |
| <i>Formal Evidence of Local Support Required</i>   | 50% of teachers at school must support for conversions; 50% of teachers and 50% of parents/guardians must support for new start.   |
| <i>Recipient of Charter</i>  | Entity described in the charter  |
| <i>Term of Initial Charter</i>   | 5 years  |
| <b>Operations</b>  |  |
| <i>Automatic Waiver from Most State and District Education Laws, Regulations, and Policies</i>                         | Yes from state; no from district (exemptions from particular district policies must be negotiated with sponsor district and specified in charter)  |
| <i>Legal Autonomy</i>  | No; the 3-tiered oversight language prevents true autonomy   |
| <i>Governance</i>  | Specified in charter, but must ensure parental involvement   |
| <i>Charter School Governing Body Subject to Open Meeting Laws</i>  | Not addressed  |
| <i>Charter School May be Managed or Operated by a For-Profit Organization</i>  | Charters may be managed by, and given directly to for-profits  |
| <i>Transportation for Students</i>   | Specified in charter (however, the Department of Education interpretation is that charter school students are entitled to transportation)  |
| <i>Facilities Assistance</i>   | Local school boards are required to provide facilities to charter schools operating within their jurisdiction. Also, the State Allocation Board and the California School Finance Authority must provide funding for charter school facilities projects. Charter schools are included in the facilities bond, with \$400 million specifically earmarked for charter schools. |
| <i>Technical Assistance</i>  | Not addressed in law, but provided by Department of Education, as well as non-governmental entities upon request   |

| <b>California (cont.)</b>                            |  |
|--|--|
| <i>Reporting Requirements</i>                        | Annual financial reports that indicate progress made by the charter school in the previous year.   |
| <b>Funding</b>                                       |  |
| <i>Amount</i>  | 100% of state and district operations funding follows students, based on average district per-pupil revenue for classroom-based charters. For non-classroom based charters, the state Department of Education makes the decision. Estimated portion is about \$5,600 |
| <i>Path</i>  | Funds pass from state to district to school  |
| <i>Fiscal Autonomy</i>                               | Yes; negotiated with sponsor district and specified in charter   |
| <i>Start-up Funds</i>                                | Federal funds available; state offers revolving loan fund  |
| <b>Teachers</b>                                      |  |
| <i>Collective Bargaining / District Work Rules</i>   | Teachers may remain covered by the district bargaining agreement, negotiate as a separate unit with charter school governing body, or work independently.  |
| <i>Certification</i>                                 | Required   |
| <i>Leave of Absence from District</i>                | Specified in charter   |
| <i>Retirement Benefits</i>                           | If a charter school chooses to participate in the State Teacher's Retirement System, all qualified employees shall be covered.   |
| <b>Students</b>                                      |  |
| <i>Eligible Students</i>                             | All students in state  |
| <i>Preference for Enrollment</i>                     | District residents and siblings. Charter must specify means by which school's student body will reflect racial and ethnic balance of the general population living in the school district.   |
| <i>Enrollment Requirements</i>                       | None   |
| <i>Selection Method (in case of over-enrollment)</i> | Lottery/random process   |
| <i>At-Risk Provisions</i>                            | Priority is given to schools designed to serve low-achieving students  |
| <i>Accountability</i>                                | Charter schools shall meet all statewide standards and conduct the pupil assessments required and any other statewide standards authorized in statute or pupil assessments applicable to pupils in traditional public schools.                                       |
| <b>Other Features</b>                                |  |
| <i>District-wide Charters</i>                        | A district may convert all its schools to charter schools if at least 50% of teachers in district sign the charter petition and if state board of education and state superintendent of public instruction approve.  |
| <i>Satellite Campuses</i>                            | Charter schools are now restricted to districts where they were authorized. All satellite campuses will be phased out by 2005, or at the expiration of the charter's term, whichever is later.   |
| <i>Location of Charter School</i>                    | School districts and counties cannot sponsor charter schools located outside the geographic boundaries of the district or county.  |

| <b>Colorado (1993; last amended in 2001)</b><br><b>The 9<sup>th</sup> strongest of the nation's 40 charter laws</b> |   |
|---|---|
| <b>General Statistics</b>   |   |
| <i>Number of Schools Allowed</i>  | Unlimited   |
| <i>Number of Charters Operating (As of Fall 2001)</i>   | 93  |
| <b>Approval Process</b>   |   |
| <i>Eligible Chartering Authorities</i>  | Local school boards; state board may recommend conversion of "failing" schools  |
| <i>Eligible Applicants</i>  | Any person or organization (for profit or non-profit)   |
| <i>Types of Charter Schools</i>   | Converted public, new starts  |
| <i>Appeals Process</i>  | Applications denied by the local school board may be appealed to the state board of education, which may remand the decision back to the local school board for reconsideration. A second denial may be appealed to the state board, which may instruct the local board to approve the charter.   |
| <i>Formal Evidence of Local Support Required</i>  | Teachers, parents, and/or students (in "adequate" numbers) must support; application procedures may be adopted by local school board  |
| <i>Recipient of Charter</i>   | Charter school governing board  |
| <i>Term of Initial Charter</i>  | Up to 5 years   |
| <b>Operations</b>   |   |
| <i>Automatic Waiver from Most State and District Education Laws, Regulations, and Policies</i>                      | Limited; exemptions from district policies must be negotiated with sponsor district and specified in charter, and waivers from state statutes must be granted by state board of education; in practice, however, waivers from state statutes are invariably granted upon request, and many districts grant charter schools wholesale waivers from district policy as well.  |
| <i>Legal Autonomy</i>   | Yes, but autonomy may depend on the district  |
| <i>Governance</i>   | Specified in charter  |
| <i>Charter School Governing Body Subject to Open Meeting Laws</i>   | Yes   |
| <i>Charter School May be Managed or Operated by a For-Profit Organization</i>                                       | Charters can be given directly to a for-profit organization   |
| <i>Transportation for Students</i>  | Specified in charter  |
| <i>Facilities Assistance</i>  | Over \$7,000,000 has been allocated to charter schools (distributed on a per pupil basis) for capital construction. If space is available in district facility, charter school may not be charged for that space (other costs for facilities operations and maintenance are to be negotiated). Any governmental entity may issue bonds on behalf of charter schools. Also, charter schools are allowed to participate in district bond elections. |
| <i>Technical Assistance</i>   | Not addressed in law, but provided by Department of Education, as well as non-governmental entities upon request  |

| <b>Colorado (cont.)</b>                              |  |
|--|--|
| <i>Reporting Requirements</i>                        | Charter school renewal application must include a report on school's progress in meeting its educational goals; state board of education must prepare a report for the legislature comparing performance of charter school students with that of comparable students in other public schools and reviewing the regulations and policies for which waivers were sought. |
| <b>Funding</b>                                       |  |
| <i>Amount</i>  | Effective 2000-2001, a minimum of 95% of average per pupil revenue follows the student. Charter schools may seek bonds at a public rate. In districts of 500 or fewer, at least 85% of district per-pupil revenue is guaranteed. Estimated portion is about \$4,800 to \$5,300.  |
| <i>Path</i>  | Funds pass through district to school  |
| <i>Fiscal Autonomy</i>                               | Relationship negotiated with sponsor district and specified in charter.  |
| <i>Start-up Funds</i>                                | Federal funds available; no state funding  |
| <b>Teachers</b>                                      |  |
| <i>Collective Bargaining / District Work Rules</i>   | Teachers may remain covered by district bargaining agreement, negotiate as separate bargaining unit with the governing body, or work independently   |
| <i>Certification</i>                                 | Required may be waived   |
| <i>Leave of Absence from District</i>                | Up to 3 years  |
| <i>Retirement Benefits</i>                           | Charter schools must participate in state's retirement system  |
| <b>Students</b>                                      |  |
| <i>Eligible Students</i>                             | All students in state  |
| <i>Preference for Enrollment</i>                     | District residents   |
| <i>Enrollment Requirements</i>                       | Not permitted  |
| <i>Selection Method (in case of over-enrollment)</i> | Enrollment decision made in a non-discriminatory manner specified in charter (e.g., first-come-first-served, lottery)  |
| <i>At-Risk Provisions</i>                            | Priority in the approval process must be given to schools designed to serve low-achieving students   |
| <i>Accountability</i>                                | Charter schools must participate in statewide assessments administered under the Colorado student assessment program, and provide a timeline for achievement of the school's student performance standards, and the procedures for taking corrective action in the event that student performance at the independent charter school fails to meet such standards.      |
| <b>Other Features</b>                                |  |
| <i>Federal Services</i>                              | Federally-mandated services must be provided by the district at the same basis as they are to traditional public schools.  |

| <b>Connecticut (1996; last amended in 2001)</b><br><b>The 14<sup>th</sup> weakest of the nation's 40 charter laws</b> |   |
|---|---|
| <b>General Statistics</b>   |   |
| <i>Number of Schools Allowed</i>  | 24  |
| <i>Number of Charters Operating (As of Fall 2002)</i>   | 16  |
| <b>Approval Process</b>   |   |
| <i>Eligible Chartering Authorities</i>  | State board of education for state charters, local board with state board's approval for local charters.  |
| <i>Eligible Applicants</i>  | Any person, group, local or regional school board, or regional educational service center.  |
| <i>Types of Charter Schools</i>   | Converted public, new starts (but not home-based schools)   |
| <i>Appeals Process</i>  | None  |
| <i>Formal Evidence of Local Support Required</i>  | Public hearing and survey to determine interest, and the approval of the local school board for local charter schools; Public hearing in affected district and solicitation of comments from local school board and contiguous school boards for state charter schools.   |
| <i>Recipient of Charter</i>   | Charter school governing council  |
| <i>Term of Initial Charter</i>  | Up to 5 years   |
| <b>Operations</b>   |   |
| <i>Automatic Waiver from Most State and District Education Laws, Regulations, and Policies</i>                        | No; charter schools, like other public schools, may seek waivers on a case-by-case basis from state board of education  |
| <i>Legal Autonomy</i>   | No  |
| <i>Governance</i>   | Governing council as specified in charter; teachers and parents of students, however, must be represented.  |
| <i>Charter School Governing Body Subject to Open Meeting Laws</i>   | Yes   |
| <i>Charter School May be Managed or Operated by a For-Profit Organization</i>   | Charters may not be granted directly to for-profit organizations, but the schools may be managed by them  |
| <i>Transportation for Students</i>  | For students residing in the district in which the charter is located, transportation is provided by district unless other arrangements are specified in charter; districts, at their discretion, may provide transportation for resident students attending a charter outside their district and will be reimbursed for reasonable costs for such services by the state. |
| <i>Facilities Assistance</i>  | No, but charter schools may apply for low-interest loans from CT Health and Educational Facilities Authority (CHEFA)  |



| <b>Connecticut (cont.)</b>                           |   |
|--|---|
| <i>Technical Assistance</i>                          | Not addressed in law, but provided by Department of Education, as well as non-governmental entities upon request  |
| <i>Reporting Requirements</i>                        | Annual report profiling school to local school boards (local charters only); annual reports profiling school to commissioner (state charters only). Commissioner must prepare annual report for legislature on operation of charter schools   |
| <b>Funding</b>                                       |   |
| <i>Amount</i>  | For local charters, specified in charter; for state charters, 110% of state and district operations funding follows students, based on average district per-pupil revenue (about \$6,500). However, funding is directly dependent on state's annual appropriation.  |
| <i>Path</i>  | Funds pass through district to charter schools authorized by local school boards; from state to charters schools authorized by the state.   |
| <i>Fiscal Autonomy</i>                               | Yes, but state officials still maintain some control over funding, as specified in charter  |
| <i>Start-up Funds</i>                                | Federal funds available; no state funding   |
| <b>Teachers</b>                                      |   |
| <i>Collective Bargaining / District Work Rules</i>   | Teachers in local charter schools remain covered by district collective bargaining agreement, but may, by mutual agreements apply for a waiver from a specific provision; teachers in state charters may negotiate as a separate unit with the governing body, or work independently  |
| <i>Certification</i>                                 | 50% must be certified, but law allows for alternative certification   |
| <i>Leave of Absence from District</i>                | Up to 4 years   |
| <i>Retirement Benefits</i>                           | Charter schools must participate in state's retirement system   |
| <b>Students</b>                                      |   |
| <i>Eligible Students</i>                             | All students in state; however charters may enroll no more than 250 students for k-8, and no more than 300 or 25% of enrollment in a district, whichever is less.   |
| <i>Preference for Enrollment</i>                     | Local charters may give preference to students in district; all charter schools may give preference to siblings of students in school   |
| <i>Enrollment Requirements</i>                       | Charter schools are encouraged to target at-risk students, and charters can not enroll more than either 250 students (or 300 for K-8 schools) or 25% of the students in a school district, whichever is less.   |
| <i>Selection Method (in case of over-enrollment)</i> | Lottery / random process, with preference to siblings   |
| <i>At-Risk Provisions</i>                            | Preference in approving charter schools must be given to applicants for schools to be located in districts with a significant at-risk population (identified as "priority" districts). Preference is also given to applicants in districts with 75% or more minority enrollment and proposed state charters located at a work-site or proposed by institutions of higher learning |
| <i>Accountability</i>                                | The charter school must describe a means to assess student performance that includes participation in statewide mastery examinations. Renewal may involve an independent appraisal of the school.   |

| <b>Delaware (1995; last amended in 2002)</b><br><b>The 4<sup>th</sup> strongest of the nation's 40 charter laws</b> |   |
|---|---|
| <b>General Statistics</b>   |   |
| <i>Number of Schools Allowed</i>  | Unlimited   |
| <i>Number of Charters Operating (As of Fall 2002)</i>   | 11  |
| <b>Approval Process</b>   |   |
| <i>Eligible Chartering Authorities</i>  | Local school boards for conversions; local school boards or state board of education for new starts   |
| <i>Eligible Applicants</i>  | Any person, university, college, or non-religious, non-home-based entity  |
| <i>Types of Charter Schools</i>   | Converted public, new starts (but not home-based schools)   |
| <i>Appeals Process</i>  | None  |
| <i>Formal Evidence of Local Support Required</i>  | 50% of teachers and 50% of parents at school must support for conversions   |
| <i>Recipient of Charter</i>   | Charter school governing body   |
| <i>Term of Initial Charter</i>  | 3 years   |
| <b>Operations</b>   |   |
| <i>Automatic Waiver from Most State and District Education Laws, Regulations, and Policies</i>                      | Yes   |
| <i>Legal Autonomy</i>   | Limited. Department of Education has authority to promulgate rules and regulations regarding operations and procedures as they relate to charter schools  |
| <i>Governance</i>   | Board of directors including teachers and parents. School board of directors cannot also be an elected member of a local school board of education. Charter school may enter a contract with a religious or sectarian college or university that offers a nonsectarian teacher education program if the services are used in a nonsectarian manner. |
| <i>Charter School Governing Body Subject to Open Meeting Laws</i>   | Yes   |
| <i>Charter School May be Managed or Operated by a For-Profit Organization</i>                                       | Yes   |
| <i>Transportation for Students</i>  | Provided by district or charter school; if school provides transportation, it receives state transportation aid.  |
| <i>Facilities Assistance</i>  | District must make unused buildings available for charter schools (and bargain in good faith over rent); Department of Education and Department of Administrative Services must publish list of all vacant buildings owned by the state or school districts that may be suitable for charter schools.   |
| <i>Technical Assistance</i>   | Provided by Department of Education upon request  |
| <i>Reporting Requirements</i>   | Annual reports that include discussion of the school's progress in meeting overall student performance goals and standards and contain a financial statement setting forth by appropriate categories the school's revenues and expenditures and assets and liabilities.   |
| <b>Funding</b>  |   |
| <i>Amount</i>   | 100% of computed state funding based on state unit funding formula and 100% of local funding based on previous year per-pupil expenditure (in students' district of residence) follows students. Estimated portion is about \$7,400.  |

| <b>Delaware (cont.)</b>                              |  |
|--|--|
| <i>Path</i>  | Funds pass from state and district to school   |
| <i>Fiscal Autonomy</i>                               | Yes, but district still maintains some control over funding  |
| <i>Start-up Funds</i>                                | Federal funds available; no state funding  |
| <b>Teachers</b>                                      |  |
| <i>Collective Bargaining / District Work Rules</i>   | Teachers are not covered by district bargaining agreements; they may negotiate as separate unit with charter school governing body or work independently   |
| <i>Certification</i>                                 | At least 65% must be certified; alternative certification criteria are specified in law  |
| <i>Leave of Absence from District</i>                | One year, only for the first year in new starts  |
| <i>Retirement Benefits</i>                           | A charter school may choose to be covered by the state retirement system or choose another retirement system in lieu of the state retirement system  |
| <b>Students</b>                                      |  |
| <i>Eligible Students</i>                             | All students in state  |
| <i>Preference for Enrollment</i>                     | Siblings of enrolled students, and children of founders and employees  |
| <i>Enrollment Requirements</i>                       | Students with specific interest in subject matter or teaching philosophy may receive preference; charter school may set reasonable academic and disciplinary standards for students to remain enrolled   |
| <i>Selection Method (in case of over-enrollment)</i> | Lottery / random process   |
| <i>At-Risk Provisions</i>                            | At-risk students may be given preference for enrollment; each charter must describe strategies to meet needs of at-risk and special education students; requirement that charter school serve at least 200 students may be waived if school targets at-risk or special education students  |
| <i>Accountability</i>                                | The school must set goals for student performance and will utilize satisfactory indicators to determine whether its students meet or exceed such goals and the academic standards set by the State. The indicators shall include the assessments required for students in other public schools, although the charter school may adopt additional performance standards or assessment requirements, and shall include timelines for the achievement of student performance goals and the assessment of such performance |
| <b>Other Features</b>                                |  |
| <i>Size</i>  | Charter schools must have at least two grades and serve at least 200 students (with some exceptions)   |

| <b>District of Columbia (1996)</b><br><b>The 3<sup>rd</sup> strongest of the nation's 40 charter laws</b> |  |
|---|--|
| <b>General Statistics</b>   |  |
| <i>Number of Schools Allowed</i>  | 20 per year: 10 each by the two existing chartering authorities.   |
| <i>Number of Charters Operating (As of Fall 2002)</i>   | 39   |
| <b>Approval Process</b>   |  |
| <i>Eligible Chartering Authorities</i>  | District of Columbia Board of Education and the Public Charter School Board; the DC City Council may designate an additional entity by enactment of a bill   |
| <i>Eligible Applicants</i>  | Person, group, organization, or post-secondary institution, including public, private, or quasi-private entities   |
| <i>Types of Charter Schools</i>   | Converted public, converted private, new starts (but not home-based schools)   |
| <i>Appeals Process</i>  | None   |
| <i>Formal Evidence of Local Support Required</i>  | Two-thirds of teachers, two-thirds of parents of minor students, and two-thirds of adult students must support for conversions   |
| <i>Recipient of Charter</i>   | Charter school board of trustees   |
| <i>Term of Initial Charter</i>  | 15 years, with at least one review every 5 years   |
| <b>Operations</b>   |  |
| <i>Automatic Waiver from Most State and District Education Laws, Regulations, and Policies</i>            | Yes  |
| <i>Legal Autonomy</i>   | Yes  |
| <i>Governance</i>   | Board of trustees as specified in charter; board must have an odd number of members not to exceed 7 and must include at least 2 parents of enrolled students; majority of board members must be D.C. residents |
| <i>Charter School Governing Body Subject to Open Meeting Laws</i>   | Not addressed  |
| <i>Charter School May be Managed or Operated by a For-Profit Organization</i>                             | Charters may not be granted directly to for-profit organizations, but the schools may be managed by them   |
| <i>Transportation for Students</i>  | Charter school students, like regular public school students, are eligible for reduced public transportation fares   |
| <i>Facilities Assistance</i>  | Preference over vacant district buildings is mandated (but not always applied)   |
| <i>Technical Assistance</i>   | Not addressed in law, but provided by Department of Education, as well as non-governmental entities upon request   |
| <i>Reporting Requirements</i>   | Annual reports to the chartering authority and District of Columbia Financial Responsibility and Management Assistance Authority.  |
| <b>Funding</b>  |  |
| <i>Amount</i>   | 100% of operations funding follows students, based on D.C. per-pupil formula. Estimated portion is about \$8,300.  |

| <b>District of Columbia (Cont.)</b>                  |   |
|--|---|
| <i>Path</i>  | Funds pass from state office to school  |
| <i>Fiscal Autonomy</i>                               | Yes   |
| <i>Start-up Funds</i>                                | Federal funds available   |
| <b>Teachers</b>                                      |   |
| <i>Collective Bargaining / District Work Rules</i>   | Teachers may negotiate as separate unit with charter school governing body or work independently  |
| <i>Certification</i>                                 | Not required  |
| <i>Leave of Absence from District</i>                | Up to 4 years   |
| <i>Retirement Benefits</i>                           | A public charter school may establish a retirement system for employees   |
| <b>Students</b>                                      |   |
| <i>Eligible Students</i>                             | All D.C. students   |
| <i>Preference for Enrollment</i>                     | Students enrolled prior, district residents, and siblings   |
| <i>Enrollment Requirements</i>                       | Charter school may not limit enrollment based on academic ability or achievement, but may limit enrollment based on the area of focus of the school (e.g., mathematics or the arts)   |
| <i>Selection Method (in case of over-enrollment)</i> | Lottery/random process  |
| <i>At-Risk Provisions</i>                            | Chartering authorities are to give preference to schools that target students with special needs  |
| <i>Accountability</i>                                | All state district standards/assessments apply to charter schools. Charter school must obtain accreditation from an accrediting body deemed appropriate by the chartering authority; if school includes preschool or kindergarten, it must be licensed as a child development center by the DC government |

| <b>Florida (1996; last amended in 2002)</b><br><b>The 8<sup>th</sup> strongest of the nation's 40 charter laws</b> |   |
|--|---|
| <b>General Statistics</b>  |   |
| <i>Number of Schools Allowed</i>   | Unlimited for conversions. New starts limited to 28 in each school district that has 100,000 or more students; 20 in each school district that has 50,000 to 99,000 students; and 12 in each school district with fewer than 50,000 students.   |
| <i>Number of Charters Operating (As of Fall 2002)</i>  | 227   |
| <b>Approval Process</b>  |   |
| <i>Eligible Chartering Authorities</i>   | Local school boards; a district school board may sponsor a charter school in the county over which the board has jurisdiction.  |
| <i>Eligible Applicants</i>   | Individuals, teachers, parents, or a legal entity including a municipality or municipalities of 25,000 or more.   |
| <i>Types of Charter Schools</i>  | Converted public, new starts  |
| <i>Appeals Process</i>   | Applications denied by the local school board may be appealed to the state board of education. The state board's decision is binding  |
| <i>Formal Evidence of Local Support Required</i>   | 50% of teachers and 50% of parents at school must support for conversions   |
| <i>Recipient of Charter</i>  | Charter school governing body   |
| <i>Term of Initial Charter</i>   | 3, 4, or 5 years with renewal every 5 years. Non-profits are eligible for up to a 10-year charter, and charters operating for 3 years that have demonstrated success can renew for a 15-year term to facilitate financing.  |
| <b>Operations</b>  |   |
| <i>Automatic Waiver from Most State and District Education Laws, Regulations, and Policies</i>                     | Negotiated in charter, but charter schools are exempt from local school board policies  |
| <i>Legal Autonomy</i>  | Yes, but autonomy may depend on the district  |
| <i>Governance</i>  | Specified in charter, including charter school's status as public or private employer, or governing body appointed by the municipality governing body   |
| <i>Charter School Governing Body Subject to Open Meeting Laws</i>  | Yes   |
| <i>Charter School May be Managed or Operated by a For-Profit Organization</i>                                      | Charters may not be granted directly to for-profit organizations, but the schools may be managed by them  |
| <i>Transportation for Students</i>   | It is encouraged but not required. Provided by charter school for students within a reasonable distance of school (may involve agreement or contract with district, private provider, parents, or any combination thereof); transportation must not be a barrier to equal access.   |
| <i>Facilities Assistance</i>   | Available district facilities or property may be made available to charter schools, but must be done so on the same basis as they are made available to other public schools in the district. A charter school capital outlay trust fund was established. A maximum of five percent of the school buildings currently in use for instructional purposes in a district may be converted to charter schools. This limitation does not apply to vacant buildings or buildings not used for instructional purposes. |
| <i>Technical Assistance</i>  | Provided by the Department of Education as well as non-governmental entities upon request   |

## Florida (cont.)

| <b>Funding</b>                                       |  |
|--|--|
| <i>Amount</i>  | 100% of state and district operations funding follows students, based on average district per-pupil revenue; fees for administrative services may not exceed 5% of total funding. Estimated portion is about \$4,000.  |
| <i>Path</i>  | Funds pass through district to school  |
| <i>Fiscal Autonomy</i>                               | Yes  |
| <i>Start-up Funds</i>                                | Federal and state funds available  |
| <b>Teachers</b>                                      |  |
| <i>Collective Bargaining / District Work Rules</i>   | Teachers may remain covered by district bargaining agreement, negotiate as a separate unit with the governing body, or work independently  |
| <i>Certification</i>                                 | Not required   |
| <i>Leave of Absence from District</i>                | Contingent upon approval of the local school board   |
| <i>Retirement Benefits</i>                           | Teachers on approved leaves of absence must participate in state's retirement system   |
| <b>Students</b>                                      |  |
| <i>Eligible Students</i>                             | Students in district (inter-district transfer agreements may be honored for charter schools as well as for regular public schools)   |
| <i>Preference for Enrollment</i>                     | Students enrolled prior, siblings, and the children of employees. Charter schools may give preference for enrollment to at-risk students. Also, racial/ethnic balance of charter school may not differ from district or community  |
| <i>Enrollment Requirements</i>                       | A charter school can limit enrollment to students at-risk of dropping out or academic failure and to students within certain boundaries.   |
| <i>Selection Method (in case of over-enrollment)</i> | Lottery/random process   |
| <i>At-Risk Provisions</i>                            | Charter schools may give preference for enrollment to at-risk students   |
| <i>Accountability</i>                                | Students in charter schools shall, at a minimum, participate in the statewide assessment program; and, as appropriate, the Florida Writes Assessment Test, the High School Competency Test, and other assessments administered. In secondary charter schools, a method for determining that a student has satisfied the requirements for graduation must be provided.  |
| <b>Other Features</b>                                |  |
| <i>Limit on Multiple Charters</i>                    | Businesses are encouraged to form business partnership schools or satellite learning centers through charter school status. No organization may operate more than 1 elementary, 1 middle, and 1 high school per district and no more than 15 statewide (though within a district, a single charter may involve multiple sites). Up to six charter districts are allowed and priority is given to Hillsborough and Volusia Counties upon the submission of a completed pre-charter agreement or charter proposal for a charter school district. |
| <i>Private School Conversions</i>                    | Although a private school may not convert directly to a charter school, it may disband, reincorporate as a charter school, and open enrollments to all students in district (with no preference for students previously in the school)   |

| <b>Georgia (1993; last amended in 2002)</b><br><b>The 16<sup>th</sup> weakest of the nation's 40 charter laws</b> |  |
|---|--|
| <b>General Statistics</b>   |  |
| <i>Number of Schools Allowed</i>  | Unlimited  |
| <i>Number of Charters Operating (As of Fall 2002)</i>   | 36   |
| <b>Approval Process</b>   |  |
| <i>Eligible Chartering Authorities</i>  | Local school board   |
| <i>Eligible Applicants</i>  | Individuals, organizations, or state or local public entities  |
| <i>Types of Charter Schools</i>   | Converted public, new starts (but not home-based or cyber schools)   |
| <i>Appeals Process</i>  | The state board of education has the power to grant appeals and become the sponsor of a state charter provided a majority of teachers and of parents from the appealing school support the application and it meets a set of state rules and regulations that the board has set and are not specified in law |
| <i>Formal Evidence of Local Support Required</i>  | Majority of teachers and parents at school must submit petition to local board for conversions.  |
| <i>Recipient of Charter</i>   | Applying organization  |
| <i>Term of Initial Charter</i>  | No less than 3 years, no more than 5 years   |
| <b>Operations</b>   |  |
| <i>Automatic Waiver from Most State and District Education Laws, Regulations, and Policies</i>                    | No   |
| <i>Legal Autonomy</i>   | Limited  |
| <i>Governance</i>   | The majority of board members shall be parents of students enrolled at the school  |
| <i>Charter School Governing Body Subject to Open Meeting Laws</i>   | Yes  |
| <i>Charter School May be Managed or Operated by a For-Profit Organization</i>                                     | Charters may not be granted directly to for-profit organizations, but the schools may be managed by them   |
| <i>Transportation for Students</i>  | Provided by district where feasible  |
| <i>Facilities Assistance</i>  | At district discretion   |
| <i>Technical Assistance</i>   | Provided by the Department of Education  |



**Georgia (cont.)**

| <b>Funding</b>                                       |   |
|--|---|
| <i>Amount</i>  | Negotiated with sponsor district and specified in charter. While the local board and state board are told not to treat the charter school less favorably than other local schools, there is wide discretion in district |
| <i>Path</i>  | Funds pass through district to school   |
| <i>Fiscal Autonomy</i>                               | No  |
| <i>Start-up Funds</i>                                | Federal and state funds available   |
| <b>Teachers</b>                                      |   |
| <i>Collective Bargaining / District Work Rules</i>   | Details of employment specified in charter  |
| <i>Certification</i>                                 | Specified in the charter application  |
| <i>Leave of Absence from District</i>                | Specified in charter  |
| <i>Retirement Benefits</i>                           | Charter schools must participate in state's retirement system   |
| <b>Students</b>                                      |   |
| <i>Eligible Students</i>                             | Specified in charter (but usually limited to students in attendance area, but students may be accepted from outside the charter school district.  |
| <i>Preference for Enrollment</i>                     | District residents and siblings   |
| <i>Enrollment Requirements</i>                       | Not permitted   |
| <i>Selection Method (in case of over-enrollment)</i> | Lottery/random process  |
| <i>At-Risk Provisions</i>                            | None  |
| <i>Accountability</i>                                | A plan for improvement that addresses how the charter petitioner proposes to improve student learning and meet minimum state standards  |

| <b>Hawaii (1994; last amended in 2002)</b><br><b>The 8<sup>th</sup> weakest of the nation's 40 charter laws</b> |  |
|---|--|
| <b>General Statistics</b>   |  |
| <i>Number of Schools Allowed</i>  | 25 for new starts; 23 for conversions  |
| <i>Number of Charters Operating (As of Fall 2002)</i>   | 25   |
| <b>Approval Process</b>   |  |
| <i>Eligible Chartering Authorities</i>  | State board of education (charter school review board)   |
| <i>Eligible Applicants</i>  | A group of teachers, any public school, community or any program within an existing school                             |
| <i>Types of Charter Schools</i>   | Converted public, new starts   |
| <i>Appeals Process</i>  | Applications denied by the state review board may be appealed to the state board of education                          |
| <i>Formal Evidence of Local Support Required</i>  | 60% of teachers, 60% of support staff, and 60% of parents at school must support                                       |
| <i>Recipient of Charter</i>   | The authors of the letter of intent for a new school or the board of an existing public school.                        |
| <i>Term of Initial Charter</i>  | Up to 5 years, as specified in the charter.  |
| <b>Operations</b>   |  |
| <i>Automatic Waiver from Most State and District Education Laws, Regulations, and Policies</i>                  | Yes  |
| <i>Legal Autonomy</i>   | Limited  |
| <i>Governance</i>   | Board must be composed of at least one principal, teacher, support staff member, parent, student, and community member |
| <i>Charter School Governing Body Subject to Open Meeting Laws</i>   | Not addressed  |
| <i>Charter School May be Managed or Operated by a For-Profit Organization</i>                                   | No   |
| <i>Transportation for Students</i>  | Yes  |
| <i>Facilities Assistance</i>  | None, but may apply for supplemental grants as all public schools  |
| <i>Technical Assistance</i>   | Provided by the Department of Education as well as non-governmental entities upon request                              |
| <i>Reporting Requirements</i>   | Annual review during the first two years of existence, and then not again until 4 years                                |
| <b>Funding</b>  |  |
| <i>Amount</i>   | As determined annually, based on per-pupil funding but not guaranteed. Estimated portion is about \$5,800.             |
| <i>Path</i>   | Funds pass from state to school  |
| <i>Fiscal Autonomy</i>  | No   |
| <i>Start-up Funds</i>   | Federal funds available; no state funding  |

**Hawaii (cont.)**

| <b>Teachers</b>                                      |   |
|--|---|
| <i>Collective Bargaining / District Work Rules</i>   | Teachers remain covered by district bargaining agreement  |
| <i>Certification</i>                                 | Required  |
| <i>Leave of Absence from District</i>                | Teachers remain employees of the district   |
| <i>Retirement Benefits</i>                           | Charter schools must participate in state's retirement system   |
| <b>Students</b>                                      |   |
| <i>Eligible Students</i>                             | Students in attendance area of public school prior to conversion  |
| <i>Preference for Enrollment</i>                     | Charter must include plan for identifying, recruiting, and selecting students to make certain that student participation is not exclusive, elitist, or segregationalist   |
| <i>Enrollment Requirements</i>                       | None  |
| <i>Selection Method (in case of over-enrollment)</i> | Not applicable  |
| <i>At-Risk Provisions</i>                            | None  |
| <i>Accountability</i>                                | The charter school must provide a plan for a comprehensive assessment and accountability system that meets or exceeds the established state educational content and performance standards as well as any other specific student outcomes to be achieved, and making this plan accountable to the general public |

| <b>Idaho (1998; last amended in 2001)</b><br><b>The 15<sup>th</sup> weakest of the nation's 40 charter laws</b> |   |
|---|---|
| <b>General Statistics</b>   |   |
| <i>Number of Charters Allowed</i>   | 60 in the first five years (12 charters per year), and not more than two charters per year may be granted within an educational classification region, and not more than one charter may be granted for any one school district in a year, and no whole school district may be converted to a charter district. |
| <i>Number of Charters Operating (As of Fall 2001)</i>   | 13  |
| <b>Approval Process</b>   |   |
| <i>Eligible Chartering Authorities</i>  | Local school board  |
| <i>Eligible Applicants</i>  | Any person  |
| <i>Types of Charter Schools</i>   | Converted public, new starts  |
| <i>Appeals Process</i>  | Applications denied by the local school board may be appealed to a hearing officer selected by the state superintendent of public instruction. The hearing officer can make recommendations, but those recommendations are non-binding.   |
| <i>Formal Evidence of Local Support Required</i>  | 60% of teachers and 60% of parents/guardians must support for conversions. For new starts, a petition signed by more than 30 qualified electors of the district.  |
| <i>Recipient of Charter</i>   | Charter school governing body   |
| <i>Term of Initial Charter</i>  | 5 years   |
| <b>Operations</b>   |   |
| <i>Automatic Waiver from Most State and District Education Laws, Regulations, and Policies</i>                  | Limited   |
| <i>Legal Autonomy</i>   | No  |
| <i>Governance</i>   | Specified in charter  |
| <i>Charter School Governing Body Subject to Open Meeting Laws</i>   | Yes   |
| <i>Charter School May be Managed or Operated by a For-Profit Organization</i>                                   | For-profits may not operate charters and it is unclear whether they may be contracted with for services.  |
| <i>Transportation for Students</i>  | Same as traditional public school. Transportation support paid to the charter school students living more than one and one-half (1 1/2) miles from the school.  |

| <b>Idaho (cont.)</b>                                 |  |
|--|--|
| <i>Facilities Assistance</i>                         | None   |
| <i>Technical Assistance</i>                          | Provided by the Department of Education  |
| <i>Reporting Requirements</i>                        | Annual financial, operational, and student progress reports.   |
| <b>Funding</b>                                       |  |
| <i>Amount</i>  | Computation of support units for each charter school shall be calculated according to the Idaho Code. Funding from the state educational support program shall be equal to the total distribution factor, plus the salary-based apportionment provided in Idaho Code. Estimated portion is about \$6,000 but varies with apportionment calculations. |
| <i>Path</i>  | Funds pass through district to school  |
| <i>Fiscal Autonomy</i>                               | Unclear, depends upon the amount of control exercised by the school board  |
| <i>Start-up Funds</i>                                | Federal funds available; some state funds available  |
| <b>Teachers</b>                                      |  |
| <i>Bargaining / District Work Rules</i>              | Teachers are not covered by district collective bargaining agreement, they are considered a separate unit.   |
| <i>Certification</i>                                 | Required   |
| <i>Leave of Absence from District</i>                | Specified in charter   |
| <i>Retirement Benefits</i>                           | Specified in charter   |
| <b>Students</b>                                      |  |
| <i>Eligible Students</i>                             | All Students   |
| <i>Preference for Enrollment</i>                     | Students in a specific neighborhood, as opposed to all students within the district; siblings of students already enrolled.  |
| <i>Enrollment Requirements</i>                       | None   |
| <i>Selection Method (in case of over-enrollment)</i> | Lottery/random process   |
| <i>Accountability</i>                                | Students of the charter school will be tested with the same standardized tests as other Idaho public school students   |

| <b>Illinois (1996; last amended in 1999)</b><br><b>The 20<sup>th</sup> weakest of the nation's 40 charter laws</b> |   |
|--|---|
| <b>General Statistics</b>  |   |
| <i>Number of Schools Allowed</i>   | 45: 15 in Chicago, 15 in Chicago suburbs, and 15 in rest of state   |
| <i>Number of Charters Operating (As of Fall 2002)</i>  | 29  |
| <b>Approval Process</b>  |   |
| <i>Eligible Chartering Authorities</i>   | Local school boards   |
| <i>Eligible Applicants</i>   | Individuals or organizations including parents, educators, existing public schools, businesses, colleges, universities, community-based organizations, or partnerships among these  |
| <i>Types of Charter Schools</i>  | Converted public, new starts (but not home-based schools)   |
| <i>Appeals Process</i>   | Applications denied by the local school board may be appealed to the state board of education.  |
| <i>Formal Evidence of Local Support Required</i>   | Majority of parents, teachers, and local school council (if applicable) must support for conversions; must show evidence that all seats will be filled for new starts; and preference is to be given to charter schools that demonstrate high level of student, parent, teacher, and community support.   |
| <i>Recipient of Charter</i>  | Charter school governing body (entity must be an Illinois non-profit corporation)   |
| <i>Term of Initial Charter</i>   | Up to 5 years   |
| <b>Operations</b>  |   |
| <i>Automatic Waiver from Most State and District Education Laws, Regulations, and Policies</i>                     | Yes   |
| <i>Legal Autonomy</i>  | Yes, in Chicago; no, downstate  |
| <i>Governance</i>  | Specified in charter (non-profits are required to have a board of directors of at least 3 members)  |
| <i>Charter School Governing Body Subject to Open Meeting Laws</i>  | Yes   |
| <i>Charter School May be Managed or Operated by a For-Profit Organization</i>                                      | Charters may not be granted directly to for-profit organizations, but the schools may be managed by them  |
| <i>Transportation for Students</i>   | Means by which charter school will meet transportation needs of its students, including low-income and at-risk students, is specified in charter  |
| <i>Facilities Assistance</i>   | For conversions, school building is provided by district at no charge   |
| <i>Technical Assistance</i>  | Provided by the State Department of Education and other non-governmental entities   |
| <i>Reporting Requirements</i>  | Charter school must submit an annual financial and administrative audit (conducted by an independent outside auditor); local school board must submit annual evaluations of charter schools to state board of education; state board must submit annual report to legislature and governor comparing performance of charter school students with that of comparable students in other public schools and reviewing exemptions from state laws for charter schools |

### Illinois (cont.)

| <b>Funding</b>                                       |   |
|--|---|
| <i>Amount</i>  | Negotiated with sponsor district and specified in charter, but not less than 75% or more than 125% of per-capita student tuition of district in which charter school is located. Estimated portion is about \$6,200 to \$7,800.           |
| <i>Path</i>  | Funds pass through district to school   |
| <i>Fiscal Autonomy</i>                               | Yes   |
| <i>Start-up Funds</i>                                | Federal funds available; state offers a school loan fund  |
| <b>Teachers</b>                                      |   |
| <i>Collective Bargaining / District Work Rules</i>   | Teachers may remain covered by district bargaining agreement, negotiate as separate unit with charter school governing body, or work independently  |
| <i>Certification</i>                                 | Not required, but uncertified teachers must have a bachelor's degree, 5 years experience in area of degree, passing score on state teacher tests, and evidence of professional growth; mentoring must be provided to uncertified teachers |
| <i>Leave of Absence from District</i>                | Up to 5 years   |
| <i>Retirement Benefits</i>                           | Charter schools must participate in state's retirement system   |
| <b>Students</b>                                      |   |
| <i>Eligible Students</i>                             | Students in district  |
| <i>Preference for Enrollment</i>                     | Students enrolled prior and siblings  |
| <i>Enrollment Requirements</i>                       | Same as other public schools  |
| <i>Selection Method (in case of over-enrollment)</i> | Lottery / random process  |
| <i>At-Risk Provisions</i>                            | Preference in approval process is given to schools designed to serve substantial proportion of at-risk children   |
| <i>Accountability</i>                                | The charter school must meet all achievement goals, standards, and assessments established by the state   |
| <b>Other Features</b>                                |   |
| <i>Joint Charter</i>                                 | Two or more local school boards may issue a joint charter for a single charter school   |
| <i>Other</i>   | Impact aid available to districts   |

| <b>Indiana (2001)</b><br><b>The 6<sup>th</sup> strongest of the nation's 40 charter laws</b>   |  |
|--|--|
| <b>General Statistics</b>  |  |
| <i>Number of Schools Allowed</i>   | Unlimited for schools sponsored by local school boards and public universities; 5 per year by the mayor of Indianapolis  |
| <i>Number of Charters Operating (As of Fall 2002)</i>  | 10   |
| <b>Approval Process</b>  |  |
| <i>Eligible Chartering Authorities</i>   | Local school boards, public state universities, and the mayor of Indianapolis  |
| <i>Eligible Applicants</i>   | Any group or entity that has been determined to be operating under not-for-profit status, or has applied for such a determination                              |
| <i>Types of Charter Schools</i>  | Converted public, new starts   |
| <i>Appeals Process</i>   | Petition may be submitted to the Charter School Review Panel; the Panel may approve the proposal, but cannot act as the sponsor                                |
| <i>Formal Evidence of Local Support Required</i>   | 60 % of teachers and parents at school must support for conversions. For the mayor, a majority of the members of the legislative body of the city must approve |
| <i>Recipient of Charter</i>  | Charter school organizer   |
| <i>Term of Initial Charter</i>   | No less than 3 years   |
| <b>Operations</b>  |  |
| <i>Automatic Waiver from Most State and District Education Laws, Regulations, and Policies</i> | Yes  |
| <i>Legal Autonomy</i>  | Yes  |
| <i>Governance</i>  | Specified in charter   |
| <i>Charter School Governing Body Subject to Open Meeting Laws</i>                              | Yes  |
| <i>Charter School May be Managed or Operated by a For-Profit Organization</i>                  | Charters may not be granted directly to for-profit organizations, but the schools may be managed by them   |
| <i>Transportation for Students</i>   | Local district must provide transportation, but the cost of services provided by district may not exceed 103% of the actual cost of the service                |
| <i>Facilities Assistance</i>   | None   |
| <i>Technical Assistance</i>  | Provided by the Department of Education as well as non-governmental entities   |
| <i>Reporting Requirements</i>  | Annual reports similar to those of traditional public schools. The charter school must also undergo an annual financial audit.                                 |



### Indiana (cont.)

| <b>Funding</b>                                       |  |
|--|--|
| <i>Amount</i>  | Funding is determined by the same base support level formula used for all district schools   |
| <i>Path</i>  | Funds pass from state or district to school  |
| <i>Fiscal Autonomy</i>                               | Yes  |
| <i>Start-up Funds</i>                                | Federal funds available  |
| <b>Teachers</b>                                      |  |
| <i>Collective Bargaining / District Work Rules</i>   | Teachers in conversions will remain covered by district collective bargaining agreements, but may, by mutual agreement apply for a waiver from a specific provision; teachers in new starts may organize as a separate bargaining unit   |
| <i>Certification</i>                                 | Required, but allows for an alternate route, through the "Transition to Teaching" program  |
| <i>Leave of Absence from District</i>                | Up to 2 years, an extension is possible for those teaching in new starts   |
| <i>Retirement Benefits</i>                           | A charter school shall establish a retirement system for its employees   |
| <b>Students</b>                                      |  |
| <i>Eligible Students</i>                             | For start-ups, any student in the state; for conversions, any student from the local district, but that can be waived upon agreement between the sponsor and organizer   |
| <i>Preference for Enrollment</i>                     | Students enrolled prior, district residents, and siblings  |
| <i>Enrollment Requirements</i>                       | Not permitted  |
| <i>Selection Method (in case of over-enrollment)</i> | Lottery/random process   |
| <i>At-Risk Provisions</i>                            | None specified   |
| <i>Accountability</i>                                | The charter school must provide evidence of improvement in assessment measures, including ISTEP and Graduation Qualifying Exam, attendance rates, graduation rates (if appropriate), increased numbers of Core 40 diplomas (if appropriate), and increased numbers of academic honors diplomas (if appropriate). |

| <b>Iowa (2002)</b><br><b>The 2<sup>nd</sup> weakest of the nation's 40 charter laws</b>        |  |
|--|--|
| <b>General Statistics</b>  |  |
| <i>Number of Schools Allowed</i>   | 1 per school district, 10 total, and sunsets in 2010   |
| <i>Number of Charters Operating (As of Fall 2002)</i>  | 0  |
| <b>Approval Process</b>  |  |
| <i>Eligible Chartering Authorities</i>   | State board of education only, with local board first having to approve.   |
| <i>Eligible Applicants</i>   | Teachers, parents, or principal of an existing school  |
| <i>Types of Charter Schools</i>  | Converted public only  |
| <i>Appeals Process</i>   | None   |
| <i>Formal Evidence of Local Support Required</i>   | 50% of parents and 50% of teachers   |
| <i>Recipient of Charter</i>  | School board   |
| <i>Term of Initial Charter</i>   | 4 years  |
| <b>Operations</b>  |  |
| <i>Automatic Waiver from Most State and District Education Laws, Regulations, and Policies</i> | Yes  |
| <i>Legal Autonomy</i>  | No   |
| <i>Governance</i>  | School board, in conjunction with the charter school advisory council  |
| <i>Charter School Governing Body Subject to Open Meeting Laws</i>                              | Yes  |
| <i>Charter School May be Managed or Operated by a For-Profit Organization</i>                  | No   |
| <i>Transportation for Students</i>   | Specified in charter   |
| <i>Facilities Assistance</i>   | Specified in charter   |
| <i>Technical Assistance</i>  | Not specified in law   |
| <i>Reporting Requirements</i>  | Charter school must report annually to the school board, advisory council and state board the information required by either entity. |

**Iowa (cont.)**

|  |   |
|--|---|
| <b>Funding</b>                                       |   |
| <i>Amount</i>  | Not specified in law  |
| <i>Path</i>  | Not specified in law  |
| <i>Fiscal Autonomy</i>                               | None  |
| <i>Start-up Funds</i>                                | State funds are available   |
| <b>Teachers</b>                                      |   |
| <i>Collective Bargaining / District Work Rules</i>   | Teachers are considered employees of the district   |
| <i>Certification</i>                                 | 100% required   |
| <i>Leave of Absence from District</i>                | None  |
| <i>Retirement Benefits</i>                           | Teachers are required to participate in state's retirement program  |
| <b>Students</b>                                      |   |
| <i>Eligible Students</i>                             | All students within the state   |
| <i>Preference for Enrollment</i>                     | Siblings  |
| <i>Enrollment Requirements</i>                       | None  |
| <i>Selection Method (in case of over-enrollment)</i> | Lottery   |
| <i>At-Risk Provisions</i>                            | None  |
| <i>Accountability</i>                                | The school must comply with all state public school accountability measures, including annual testing   |
| <i>Special Provisions</i>                            | If federal rules or regulations relating to the distribution or utilization of federal funds allocated to the DOE are adopted that are inconsistent with the provisions of this state law, the state board shall adopt rules to comply with the requirements of the federal rules and regulations |

| <b>Kansas (1994; last amended in 2000)</b><br><b>The 3<sup>rd</sup> weakest of the nation's 40 charter laws</b> |   |
|---|---|
| <b>General Statistics</b>   |   |
| <i>Number of Schools Allowed</i>  | 30  |
| <i>Number of Charters Operating (As of Fall 2002)</i>   | 30  |
| <b>Approval Process</b>   |   |
| <i>Eligible Chartering Authorities</i>  | Local school boards   |
| <i>Eligible Applicants</i>  | School or school district employee groups, educational services contractors, other persons or entities  |
| <i>Types of Charter Schools</i>   | Converted public, new starts (but not home-based schools)   |
| <i>Appeals Process</i>  | None  |
| <i>Formal Evidence of Local Support Required</i>  | Support from district employees, parents, and community must be described in charter application.   |
| <i>Recipient of Charter</i>   | Applicant   |
| <i>Term of Initial Charter</i>  | 3 years   |
| <b>Operations</b>   |   |
| <i>Automatic Waiver from Most State and District Education Laws, Regulations, and Policies</i>                  | No; exemptions from particular laws, regulations, and policies must be specified in charter   |
| <i>Legal Autonomy</i>   | No  |
| <i>Governance</i>   | Specified in charter (but ultimate control over charter school remains with school district)  |
| <i>Charter School Governing Body Subject to Open Meeting Laws</i>   | Yes   |
| <i>Charter School May be Managed or Operated by a For-Profit Organization</i>                                   | No  |
| <i>Transportation for Students</i>  | District must provide transportation for students who qualify for the free-lunch program and live 2 miles or more from the school, and may provide transportation for other students                        |
| <i>Facilities Assistance</i>  | None  |
| <i>Technical Assistance</i>   | Provided by the Department of Education upon request  |
| <i>Reporting Requirements</i>   | Each year, local school boards must evaluate impact of charter schools on district educational system; those evaluations are compiled by state board of education and submitted to legislature and governor |
| <b>Funding</b>  |   |
| <i>Amount</i>   | Discretion of district. Estimated portion is about \$5,700.   |
| <i>Path</i>   | Funds pass through district to school   |
| <i>Fiscal Autonomy</i>  | No  |

| <b>Kansas (cont.)</b>                                |   |
|--|---|
| <i>Start-up Funds</i>                                | Federal funds available; no state funding   |
| <b>Teachers</b>                                      |   |
| <i>Collective Bargaining / District Work Rules</i>   | Teachers remain covered by district bargaining agreement (waiver may be granted if specified in charter)  |
| <i>Certification</i>                                 | Required (waiver may be granted)  |
| <i>Leave of Absence from District</i>                | Specified in charter  |
| <i>Retirement Benefits</i>                           | All employees who are participating in the operation of a charter school and who qualify for membership in the Kansas public employees retirement system shall be members of the system.                              |
| <b>Students</b>                                      |   |
| <i>Eligible Students</i>                             | Specified in charter (Kansas has a statewide open enrollment law for consenting districts, so statewide eligibility is possible)  |
| <i>Preference for Enrollment</i>                     | Specified in charter. Racial and socio-economic balance of charter school must approximate district   |
| <i>Enrollment Requirements</i>                       | Specified in charter  |
| <i>Selection Method (in case of over-enrollment)</i> | Lottery/random process  |
| <i>At-Risk Provisions</i>                            | In funding district enhancement plans, state board of education must give preference to those plans that include the establishment of charter schools designed to serve at-risk students                              |
| <i>Accountability</i>                                | Charter must describe manner of student participation in state assessment program, and include an explanation of how pupil performance in achieving the specified outcomes will be measured, evaluated, and reported. |

| <b>Louisiana (1995; last amended in 2001)</b><br><b>The 16<sup>th</sup> weakest of the nation's 40 charter school laws</b> |   |
|--|---|
| <b>General Statistics</b>  |   |
| <i>Number of Schools Allowed</i>   | 42 (sunsets August 1, 2005)   |
| <i>Number of Charters Operating (As of Fall 2002)</i>  | 20  |
| <b>Approval Process</b>  |   |
| <i>Eligible Chartering Authorities</i>   | Local school board  |
| <i>Eligible Applicants</i>   | Only non-profit corporations  |
| <i>Types of Charter Schools</i>  | Converted public, new starts (but not home-based schools)   |
| <i>Appeals Process</i>   | Applications denied by the local school board may be appealed to the state board of education. If application is approved, the state board becomes the sponsor.   |
| <i>Formal Evidence of Local Support Required</i>   | Two-thirds of faculty/staff and majority of parents must support for conversions  |
| <i>Recipient of Charter</i>  | Authorized representative of non-profit organization (all charter schools in state organize as non-profits)   |
| <i>Term of Initial Charter</i>   | 5 years   |
| <b>Operations</b>  |   |
| <i>Automatic Waiver from Most State and District Education Laws, Regulations, and Policies</i>                             | Yes, but federal desegregation orders have interfered with the charter's ability to operate independently   |
| <i>Legal Autonomy</i>  | Yes, but autonomy may depend on the district  |
| <i>Governance</i>  | Specified in charter  |
| <i>Charter School Governing Body Subject to Open Meeting Laws</i>  | Yes   |
| <i>Charter School May be Managed or Operated by a For-Profit Organization</i>  | Charters may not be granted directly to for-profit organizations, but the schools may be managed by them  |
| <i>Transportation for Students</i>   | Specified in charter  |
| <i>Facilities Assistance</i>   | Local school boards are directed to make unused facilities and their contents available to charters at fair market value, and at no cost for charter schools not constructed with local board money   |
| <i>Technical Assistance</i>  | Provided by the Department of Education upon request  |
| <i>Reporting Requirements</i>  | Charter school must report to parents, community, local school board, and state board of education at end of each semester regarding progress toward performance objectives; school must prepare more comprehensive reports at end of third year; local school board must report annually to state board; state board must report to legislature and governor by the end of 2001, comparing performance of charter school students with that of other students. |

## Louisiana (cont.)

| <b>Funding</b>                                       |   |
|--|---|
| <i>Amount</i>  | For charters approved by the local board, 100% of state and district operations funding follows students, based on average district per-pupil revenue; for charters approved by the state board, schools receive 100% of funding, in the amount of the average per-pupil revenue of their resident district, directly from the state (state-approved charters receive no district funds). Estimated portion is about \$4,700. Charters may ask for a lesser per pupil amount from the sponsor in exchange for specific services that the chartering authority agrees to provide |
| <i>Path</i>  | Funds pass through district to charter schools authorized by local school boards; from state to charter schools authorized by the state.  |
| <i>Fiscal Autonomy</i>                               | Yes   |
| <i>Start-up Funds</i>                                | Federal funds available; state has a \$3 million no-interest loan fund  |
| <b>Teachers</b>                                      |   |
| <i>Collective Bargaining / District Work Rules</i>   | Teachers are covered by district bargaining agreement, unless exemption is negotiated with sponsor and specified in charter   |
| <i>Certification</i>                                 | 75% must be certified, others must be seeking a permanent license, or have a bachelor's degree or 10 years teaching experience, demonstrate expertise in their field, and teach under the supervision of a certified teacher  |
| <i>Leave of Absence from District</i>                | Up to 3 years   |
| <i>Retirement Benefits</i>                           | Charter schools must participate in the state's retirement system   |
| <b>Students</b>                                      |   |
| <i>Eligible Students</i>                             | For locally-sponsored charters, students in district; for state-sponsored charters, all students in state   |
| <i>Preference for Enrollment</i>                     | Must comply with any desegregation order/regulations  |
| <i>Enrollment Requirements</i>                       | None  |
| <i>Selection Method (in case of over-enrollment)</i> | Lottery/random process  |
| <i>At-Risk Provisions</i>                            | Percentage of at-risk students in charter school must not be less than percentage in district as a whole; proposal must describe how at-risk students will be served  |
| <i>Accountability</i>                                | Charter schools must regularly assess the academic progress of their pupils, including the participation in the state testing programs, and share such information with parents. The state department of education shall work directly with each school regarding the implementation of the state testing program. No charter will be renewed unless the students demonstrate academic improvement over the term of the school's existence.   |

| <b>Massachusetts (1993; last amended in 2000)</b><br><b>The 7<sup>th</sup> strongest of the nation's 40 charter laws</b> |  |
|--|--|
| <b>General Statistics</b>  |  |
| <i>Number of Schools Allowed</i>   | 72 state-approved charters (Commonwealth charters); 48 school district conversion charters (Horace Mann charters)  |
| <i>Number of Charters Operating (As of Fall 2002)</i>  | 46   |
| <b>Approval Process</b>  |  |
| <i>Eligible Chartering Authorities</i>   | State board of education for Commonwealth start-up charters; jointly by local school committee, local teacher union and state board of education for Horace Mann conversions   |
| <i>Eligible Applicants</i>   | Applicants may include (but are not limited to) non-profit organizations, 2 or more certified teachers, 10 or more parents   |
| <i>Types of Charter Schools</i>  | Converted public, new starts (but not home-based schools)  |
| <i>Appeals Process</i>   | None   |
| <i>Formal Evidence of Local Support Required</i>   | Local school committee and the local teacher union must approve Horace Mann conversions; preference may be given to Commonwealth charters that demonstrate local support.  |
| <i>Recipient of Charter</i>  | Charter school governing body  |
| <i>Term of Initial Charter</i>   | 5 years  |
| <b>Operations</b>  |  |
| <i>Automatic Waiver from Most State and District Education Laws, Regulations, and Policies</i>                           | No from state; yes from district for start-ups; negotiated with district for conversions   |
| <i>Legal Autonomy</i>  | Limited  |
| <i>Governance</i>  | Board of trustees  |
| <i>Charter School Governing Body Subject to Open Meeting Laws</i>  | Yes  |
| <i>Charter School May be Managed or Operated by a For-Profit Organization</i>  | Charters may not be granted directly to for-profit organizations, but the schools may be managed by them   |
| <i>Transportation for Students</i>   | Provided by district for students in district where charter school is located  |
| <i>Facilities Assistance</i>   | None   |
| <i>Technical Assistance</i>  | Not addressed in law, but provided by Department of Education upon request   |
| <i>Reporting Requirements</i>  | Annual report including audited financial statement and description of progress toward academic goals, as well as state reports required of all other public schools; each charter school must prepare an accountability contract that specifies performance goals and assessment procedures in greater detail than the charter does; state will commission an independent evaluation under direction of state Education Reform Review Commission. |



## Massachusetts (cont.)

| <b>Funding</b>                                       |   |
|--|---|
| <i>Amount</i>  | 100% of state and district operations funding follows students, based on average cost per pupil of student's home district; if student lives in an above-foundation district (i.e. wealthier district), charter school receives amount equal to the lesser of (a) average cost per pupil in the home district and (b) average cost per pupil in the district where charter school is located; if student lives in a below-foundation district (i.e. poorer district), charter school receives amount equal to average cost per pupil in the sending district. Estimated portion is about \$7,700. |
| <i>Path</i>  | Funds pass from state to school, minus deductions from state aid to affected districts  |
| <i>Fiscal Autonomy</i>                               | Yes for both Commonwealth and Horace Mann charters  |
| <i>Start-up Funds</i>                                | Federal funds available; some state funds available   |
| <b>Teachers</b>                                      |   |
| <i>Collective Bargaining / District Work Rules</i>   | Horace Mann teachers remain covered by district bargaining agreement, but may negotiate separately on certain provisions; Commonwealth teachers are not covered by district bargaining agreement. A charter school must recognize a teachers union as the exclusive collective bargaining unit for all teachers if 60% of teachers are members of that unit   |
| <i>Certification</i>                                 | All teachers must be certified or pass the MA Educator Test   |
| <i>Leave of Absence from District</i>                | Up to 2 years, an extension is possible for those teaching in new starts  |
| <i>Retirement Benefits</i>                           | Charter schools must participate in state's retirement system   |
| <b>Students</b>                                      |   |
| <i>Eligible Students</i>                             | All students in state   |
| <i>Preference for Enrollment</i>                     | City/town residents and siblings for commonwealth charter; students enrolled prior and siblings first, then city/town residents for Horace Mann charters  |
| <i>Enrollment Requirements</i>                       | None  |
| <i>Selection Method (in case of over-enrollment)</i> | Lottery/random process  |
| <i>At-Risk Provisions</i>                            | Charter granting preference may be given to schools located in poor-performing districts  |
| <i>Accountability</i>                                | Students in charter schools shall be required to meet the same performance standards, testing and portfolio requirements set by the board of education for students in other public schools.  |
| <b>Other Features</b>                                |   |
| <i>Charter Growth in Boston</i>                      | No public school district's total charter school payment to commonwealth charter schools shall exceed 9% of the district's net school spending; therefore, the approval of new charter schools in Boston may slowly come to an end.   |

| <b>Michigan (1993)</b><br><b>The 5<sup>th</sup> strongest of the nation's 40 charter laws</b>  |   |
|--|---|
| <b>General Statistics</b>  |   |
| <i>Number of Schools Allowed</i>   | Unlimited for number of charters authorized by local school boards, intermediate school boards, or community colleges. 150 authorized by state universities although no single university may authorize more than 50% of university total |
| <i>Number of Charters Operating (As of Fall 2002)</i>  | 196   |
| <b>Approval Process</b>  |   |
| <i>Eligible Chartering Authorities</i>   | Local school boards, intermediate school boards, community colleges, state public universities  |
| <i>Eligible Applicants</i>   | One or more persons or an entity (partnership, nonprofit organization, labor organization, or any other legal entity)   |
| <i>Types of Charter Schools</i>  | Converted public, converted private, new starts (but not home-based schools)  |
| <i>Appeals Process</i>   | If petition to local school board is rejected, applicant may have it placed on local ballot; applicant denied by any chartering authority may petition a different chartering authority   |
| <i>Formal Evidence of Local Support Required</i>   | No  |
| <i>Recipient of Charter</i>  | Charter school governing body   |
| <i>Term of Initial Charter</i>   | Up to 10 years, with mandatory review at least every 7 years (however, most charters awarded thus far have been for 5 years with 5-year renewal)  |
| <b>Operations</b>  |   |
| <i>Automatic Waiver from Most State and District Education Laws, Regulations, and Policies</i> | No automatic waivers; charter schools, like regular public schools, may seek waivers on a case-by-case basis from state board of education  |
| <i>Legal Autonomy</i>  | Limited   |
| <i>Governance</i>  | Board of directors, which may not include charter school employees  |
| <i>Charter School Governing Body Subject to Open Meeting Laws</i>                              | Yes   |
| <i>Charter School May be Managed or Operated by a For-Profit Organization</i>                  | Charters may not be granted directly to for-profit organizations, but the schools may be managed by them  |
| <i>Transportation for Students</i>   | Not required of any public school (but if transportation is provided for any students it must be provided for all)  |
| <i>Facilities Assistance</i>   | Charters sponsored by school districts can access district bond levies for facilities.  |
| <i>Technical Assistance</i>  | Provided by intermediate school districts, as well as non-governmental entities   |
| <i>Reporting Requirements</i>  | State board must prepare annual report for legislature that includes, among other items, aggregate test scores of charter school students   |

### Michigan (cont.)

| <b>Funding</b>                                       |  |
|--|--|
| <i>Amount</i>  | 100% of state and district operations funding follows students, based on average district per-pupil revenue, not to exceed a certain amount that rises from year to year based on state aid formula. Estimated portion is about \$7,000. |
| <i>Path</i>  | Funds pass from state to the authorizing body acting as fiscal agent to the public school academy.   |
| <i>Fiscal Autonomy</i>                               | Yes  |
| <i>Start-up Funds</i>                                | Federal funds available; no state funding  |
| <b>Teachers</b>                                      |  |
| <i>Collective Bargaining / District Work Rules</i>   | Teachers in schools authorized by local district remain covered by district collective bargaining agreement; teachers in all other charter schools may negotiate as a separate unit with the governing body, or work independently       |
| <i>Certification</i>                                 | Required, except that faculty at a university or community college may teach in a charter school sponsored by that institution   |
| <i>Leave of Absence from District</i>                | No   |
| <i>Retirement Benefits</i>                           | Employees hired by charter school board are eligible for state retirement benefits; employees hired by for-profit corporation contracting with a charter school are not  |
| <b>Students</b>                                      |  |
| <i>Eligible Students</i>                             | For charter schools authorized by universities, all students in state; for others, students in district where charter school is located  |
| <i>Preference for Enrollment</i>                     | Students enrolled prior and siblings   |
| <i>Enrollment Requirements</i>                       | Not permitted  |
| <i>Selection Method (in case of over-enrollment)</i> | Lottery/random process   |
| <i>At-Risk Provisions</i>                            | None   |
| <i>Accountability</i>                                | The progress of the pupils in the public school academy shall be assessed using at least a Michigan education assessment program (MEAP) test or an assessment instrument to administer a state-endorsed high school diploma.             |

| <b>Minnesota (1991; last amended in 2001)</b><br><b>The 2<sup>nd</sup> strongest of the nation's 40 charter laws</b> |   |
|--|---|
| <b>General Statistics</b>  |   |
| <i>Number of Schools Allowed</i>   | Unlimited   |
| <i>Number of Charters Operating (As of Fall 2002)</i>  | 87  |
| <b>Approval Process</b>  |   |
| <i>Eligible Chartering Authorities</i>   | Local school boards; public post-secondary institutions; private colleges and cooperatives (districts working in conjunction); all subject to state board of education approval; state board of education may grant charters on appeal  |
| <i>Eligible Applicants</i>   | Anyone  |
| <i>Types of Charter Schools</i>  | Converted public, converted private, new starts (but not home-based schools)  |
| <i>Appeals Process</i>   | Applications denied by the local school board may be appealed to the state board of education.  |
| <i>Formal Evidence of Local Support Required</i>   | 60% of licensed personnel of the school must support for conversions  |
| <i>Recipient of Charter</i>  | Charter school governing board (teachers must form a majority on the board; all charters must be organized as co-op or non-profit)  |
| <i>Term of Initial Charter</i>   | Up to 3 years   |
| <b>Operations</b>  |   |
| <i>Automatic Waiver from Most State and District Education Laws, Regulations, and Policies</i>                       | Yes   |
| <i>Legal Autonomy</i>  | Limited   |
| <i>Governance</i>  | Requirement that the majority on the board of directors to be licensed teachers from the charter school may be waived. This will be decided by the state board and, subsequently, the commissioner after the state board retires. A person who does not hold a valid administrator license may perform administrative, supervisory, or instructional leadership duties. |
| <i>Charter School Governing Body Subject to Open Meeting Laws</i>  | Yes   |
| <i>Charter School May be Managed or Operated by a For-Profit Organization</i>  | Charters may not be granted directly to for-profit organizations, but the schools may be managed by them  |
| <i>Transportation for Students</i>   | Provided by district or by charter school for students in district where charter school is located; if school provides transportation, it receives state transportation aid; school may reimburse parents outside district for transportation expenses if the family is below federal poverty level   |
| <i>Facilities Assistance</i>   | Charter schools may lease space from public or private non-profit, nonsectarian organizations; with approval of Department of Education, school may lease space from non-profit and sectarian organizations; state grants are available for facility improvements.  |
| <i>Technical Assistance</i>  | Not addressed in law, but provided by Department of Education, as well as non-governmental entities upon request  |
| <i>Reporting Requirements</i>  | Annual reports to the chartering authority and state board of education; must report to sponsoring body at end of contract, prior to renewal.   |

| <b>Minnesota (cont.)</b>                             |   |
|--|---|
| <b>Funding</b>                                       |   |
| <i>Amount</i>  | State portion of operations funding follows students, based on average state per-pupil revenue (district portion is lost). Estimated portion is about \$6,300.  |
| <i>Path</i>  | Funds pass from state to school   |
| <i>Fiscal Autonomy</i>                               | Yes   |
| <i>Start-up Funds</i>                                | Federal and state funds available   |
| <b>Teachers</b>                                      |   |
| <i>Collective Bargaining / District Work Rules</i>   | Teachers may remain covered by district collective bargaining agreement if all parties agree. Teachers may also negotiate as a separate unit with the governing body, or work independently.  |
| <i>Certification</i>                                 | Required  |
| <i>Leave of Absence from District</i>                | Indefinite  |
| <i>Retirement Benefits</i>                           | During a leave, the teacher may continue to aggregate benefits and credits in the teachers' retirement association account by paying both the employer and employee contributions based upon the annual salary of the teacher for the last full pay period before the leave began. The retirement association may impose reasonable requirements to efficiently administer this subdivision.  |
| <b>Students</b>                                      |   |
| <i>Eligible Students</i>                             | All students in state   |
| <i>Preference for Enrollment</i>                     | Racial balance of charter school may not differ from enrollment area if located in a high-concentration minority area.  |
| <i>Enrollment Requirements</i>                       | Not permitted   |
| <i>Selection Method (in case of over-enrollment)</i> | Lottery/random process  |
| <i>At-Risk Provisions</i>                            | None  |
| <i>Accountability</i>                                | A charter school must design its programs to at least meet the outcomes adopted by the commissioner for public school students. In the absence of the commissioner's requirements, the school must meet the outcomes contained in the contract with the sponsor. The achievement levels of the outcomes contained in the contract may exceed the achievement levels of any outcomes adopted by the commissioner for public school students. |
| <b>Other Features</b>                                |   |
| <i>Location of Charter School</i>                    | Local school board may authorize a charter school outside the district boundaries if the district in which the charter school will be located agrees to the arrangement.  |

CHARTER SCHOOL LAWS ACROSS THE STATES

| <b>Mississippi (1997; last amended in 2001)</b><br><b>The weakest of the nation's 40 charter laws</b> |   |
|---|---|
| <b>General Statistics</b>   |   |
| <i>Number of Schools Allowed</i>  | 6   |
| <i>Number of Charters Operating (As of Fall 2002)</i>   | 1   |
| <b>Approval Process</b>   |   |
| <i>Eligible Chartering Authorities</i>  | State board of education (petition must first be approved by local school board)  |
| <i>Eligible Applicants</i>  | Existing public schools   |
| <i>Types of Charter Schools</i>   | Converted public only   |
| <i>Appeals Process</i>  | None  |
| <i>Formal Evidence of Local Support Required</i>  | Majority of school faculty, instructional staff, and parents must support. Must show school, community, and parental involvement in development of petition and operation of charter. |
| <i>Recipient of Charter</i>   | Charter school governing body   |
| <i>Term of Initial Charter</i>  | 4 years   |
| <b>Operations</b>   |   |
| <i>Automatic Waiver from Most State and District Education Laws, Regulations, and Policies</i>        | No; exemptions may be negotiated with the district  |
| <i>Legal Autonomy</i>   | No  |
| <i>Governance</i>   | Charter school governing body   |
| <i>Charter School Governing Body Subject to Open Meeting Laws</i>                                     | Yes   |
| <i>Charter School May be Managed or Operated by a For-Profit Organization</i>                         | No  |
| <i>Transportation for Students</i>  | Not addressed   |
| <i>Facilities Assistance</i>  | None  |
| <i>Technical Assistance</i>   | Provided by the state board of education upon request   |
| <i>Reporting Requirements</i>   | Annual reports that indicate progress to parents, community, local school board, and state board of education.  |
| <b>Funding</b>  |   |
| <i>Amount</i>   | Basic funding not addressed; no additional funds appropriated   |
| <i>Path</i>   | Funds pass through district to school   |
| <i>Fiscal Autonomy</i>  | No  |
| <i>Start-up Funds</i>   | No state funding  |

### Mississippi (cont.)

| <b>Teachers</b>                                      |  |
|--|--|
| <i>Collective Bargaining / District Work Rules</i>   | Teachers remain employees of district  |
| <i>Certification</i>                                 | At least 90% must be certified   |
| <i>Leave of Absence from District</i>                | Teachers remain employees of the district  |
| <i>Retirement Benefits</i>                           | Charter schools must participate in the state's retirement system  |
| <b>Students</b>                                      |  |
| <i>Eligible Students</i>                             | Students of local district and children of school staff  |
| <i>Preference for Enrollment</i>                     | Students enrolled prior, then children of employees, and then district residents   |
| <i>Enrollment Requirements</i>                       | Number of schools is limited to 1 per congressional district and one in the state's Delta region.  |
| <i>Selection Method (in case of over-enrollment)</i> | Selection method for over-enrollment will be specified in the charter  |
| <i>At-Risk Provisions</i>                            | None   |
| <i>Accountability</i>                                | The charter school must describe a plan for school improvement that addresses how the school proposes to work toward improving student learning and meeting state education goals. An assessment has to be made of the students' academic progress in the charter school as measured, where available, against the academic year immediately preceding the first year of the charter school's operation. |

| <b>Missouri (1998)</b><br><b>The 14<sup>th</sup> strongest of the nation's 40 charter laws</b> |  |
|--|--|
| <b>General Statistics</b>  |  |
| <i>Number of Schools Allowed</i>   | Unlimited in St. Louis and Kansas City only  |
| <i>Number of Charters Operating (As of Fall 2002)</i>  | 26   |
| <b>Approval Process</b>  |  |
| <i>Eligible Chartering Authorities</i>   | The school boards of Kansas City or St. Louis district, a four-year college or university located in Missouri with an approved teacher education program that meets regional or national standards of accreditation, a community college.  |
| <i>Eligible Applicants</i>   | Any person, group or organization  |
| <i>Types of Charter Schools</i>  | Conversions up to 5% of operating public schools, new starts   |
| <i>Appeals Process</i>   | Applications with certain criteria that are denied by any authorizer may be submitted to the state board of education, which has specific guidelines that limit the scope of appeals they will consider. The state board's rejection is subject to judicial review. If the state board approves the application, it will serve as the school's sponsor |
| <i>Formal Evidence of Local Support Required</i>   | No   |
| <i>Recipient of Charter</i>  | Charter school governing body  |
| <i>Term of Initial Charter</i>   | No less than 5, no more than 10 years  |
| <b>Operations</b>  |  |
| <i>Automatic Waiver from Most State and District Education Laws, Regulations, and Policies</i> | Limited  |
| <i>Legal Autonomy</i>  | Limited  |
| <i>Governance</i>  | Specified in charter   |
| <i>Charter School Governing Body Subject to Open Meeting Laws</i>                              | Yes  |
| <i>Charter School May be Managed or Operated by a For-Profit Organization</i>                  | Charters may not be granted directly to for-profit organizations, but the schools may be managed by them   |
| <i>Transportation for Students</i>   | School districts required to provide transportation to pupils attending a charter school located in the district, with dual funding for charter and other public school students.  |
| <i>Facilities Assistance</i>   | A school district may incur bonded indebtedness or take other measures to provide for physical facilities for charter schools that it sponsors or contracts with   |
| <i>Technical Assistance</i>  | Not addressed in law, but provided by Department of Education as well as non-governmental entities   |
| <i>Reporting Requirements</i>  | Annual report cards distributed to sponsor, the local school district, and the state board of education that include teaching methods, any educational innovations, and the performance results.   |



### Missouri (cont.)

| <b>Missouri (cont.)</b>                              |  |
|--|--|
| <b>Funding</b>                                       |  |
| <i>Amount</i>  | 100% of state and district operations funding follows students, based on average district per-pupil revenue. Estimated portion is about \$5,500, not including additional eligibility required funding.  |
| <i>Fiscal Autonomy</i>                               | Specified in charter   |
| <i>Start-up Funds</i>                                | Federal funds available, no state funding  |
| <b>Teachers</b>                                      |  |
| <i>Collective Bargaining / District Work Rules</i>   | Teachers may choose to remain covered by district collective bargaining agreement, or can work independently   |
| <i>Certification</i>                                 | At least 80% of full-time staff must be certified  |
| <i>Leave of Absence from District</i>                | Indefinite for teachers who remain part of the district  |
| <i>Retirement Benefits</i>                           | Personnel employed by the charter school shall participate in the retirement system of the school district in which the charter school is located, subject to the same terms, conditions, requirements and other provisions applicable to personnel employed by the school district.   |
| <b>Students</b>                                      |  |
| <i>Eligible Students</i>                             | May establish a geographical area around the school whose residents will receive a preference. May also give a preference for admission of children whose siblings attend the school or whose parents are employed at the school.  |
| <i>Preference for Enrollment</i>                     | District residents, provided that such preferences do not result in the establishment of racially or socio-economically isolated schools and provided such preferences conform to policies and guidelines established by the state board of education; and siblings  |
| <i>Enrollment Requirements</i>                       | None   |
| <i>Selection Method (in case of over-enrollment)</i> | The charter school shall have an admissions process that assures all applicants of an equal chance of gaining admission, but will give preference to siblings and those who live within set geographic boundaries  |
| <i>At-Risk</i>                                       | Priority given to charter schools oriented to high-risk students and to the re-entry of dropouts into the school system. At least one-third of the charters granted by sponsors shall be to schools that actively recruit dropouts or high-risk students as their student body and address the needs of dropouts or high-risk students through their proposed mission, curriculum, teaching methods, and services  |
| <i>Accountability</i>                                | Design a method to measure pupil progress toward the pupil academic standards adopted by the state board of education, collect baseline data during at least the first three years for determining how the charter school is performing and to the extent applicable, participate in the statewide system of assessments, comprised of the essential skills tests and the nationally standardized norm-referenced achievement tests. Also, complete and distribute an annual report card to its sponsor, the local school district, and the state board of education as to its teaching methods and any educational innovations and the results thereof. |

| <b>Nevada (1997; last amended in 2001)</b><br><b>The 13<sup>th</sup> weakest of the nation's 40 charter laws</b> |  |
|--|--|
| <b>General Statistics</b>  |  |
| <i>Number of Schools Allowed</i>   | 21; unlimited on charters serving at-risk students   |
| <i>Number of Charters Operating (As of Fall 2002)</i>  | 13   |
| <b>Approval Process</b>  |  |
| <i>Eligible Chartering Authorities</i>   | Local school boards, following an initial review by the state committee on charter schools   |
| <i>Eligible Applicants</i>   | Committee consisting of at least 3 certified teachers and up to 10 additional community members  |
| <i>Types of Charter Schools</i>  | New starts and distance learning schools that serve at-risk students   |
| <i>Appeals Process</i>   | If the local board takes no action, or rejects an application that is first reviewed by the state committee on charter schools, the application may then be appealed back to the state. If the state approves the charter, it will become the sponsor. |
| <i>Formal Evidence of Local Support Required</i>   | No   |
| <i>Recipient of Charter</i>  | Charter school governing body  |
| <i>Term of Initial Charter</i>   | 6 years (possibility of renewal after 3 years)   |
| <b>Operations</b>  |  |
| <i>Automatic Waiver from Most State and District Education Laws, Regulations, and Policies</i>                   | No; exemptions from particular law, regulations, and policies must be specified in charter   |
| <i>Legal Autonomy</i>  | No   |
| <i>Governance</i>  | Contracts and services are negotiated with the district  |
| <i>Charter School Governing Body Subject to Open Meeting Laws</i>  | Yes  |
| <i>Charter School May be Managed or Operated by a For-Profit Organization</i>                                    | Charters may not be granted directly to for-profit organizations, but the schools may be managed by them   |
| <i>Transportation for Students</i>   | Specified in charter   |
| <i>Facilities Assistance</i>   | None. May use existing public school facilities after hours, otherwise may not use existing public facilities  |
| <i>Technical Assistance</i>  | Not addressed in law, but provided by Department of Education upon request   |
| <i>Reporting Requirements</i>  | Annual reports as required of district public schools  |
| <b>Funding</b>   |  |
| <i>Amount</i>  | 100% of per-pupil funding  |
| <i>Path</i>  | Funds pass from state to school  |
| <i>Fiscal Autonomy</i>   | Yes, but district still maintains some control over funding, as specified in charter   |
| <i>Start-up Funds</i>  | State funding available through revolving loan fund  |

**Nevada (cont.)**

| <b>Teachers</b>                                      |   |
|--|---|
| <i>Collective Bargaining</i>                         | Teachers remain covered by district collective bargaining agreements for three years; after that time, they are covered by any collective bargaining agreement with the charter.  |
| <i>Certification</i>                                 | 70% must be certified; in vocational schools, 50% must be certified   |
| <i>Leave of Absence from District</i>                | Up to 6 years   |
| <i>Retirement Benefits</i>                           | May administer its own or negotiate with the district   |
| <b>Students</b>                                      |   |
| <i>Eligible Students</i>                             | All students  |
| <i>Preference for Enrollment</i>                     | Racial balance of charter school may not differ from district by more than 10%.   |
| <i>Enrollment Requirements</i>                       | Through June 30, 2003, there are geographic restrictions for charter schools: 4 per 75,000 students in counties with a population over 400,000, 4 in each county with a population between 400,000 and 100,000, and 1 in each county with a population below 100,000. |
| <i>Selection Method (in case of over-enrollment)</i> | Lottery/random process  |
| <i>At-Risk Provisions</i>                            | Must be primary consideration for establishing charters; an unlimited number of charters may be started to serve at-risk students   |
| <i>Accountability</i>                                | All statutes regarding student proficiency and achievement apply  |

| <b>New Hampshire (1995; last amended in 1999)<br/>The 10<sup>th</sup> weakest of the nation's 40 charter laws</b> |  |
|---|--|
| <b>General Statistics</b>   |  |
| <i>Number of Schools Allowed</i>  | Unlimited  |
| <i>Number of Charters Operating (As of Fall 2002)</i>   | 0  |
| <b>Approval Process</b>   |  |
| <i>Eligible Chartering Authorities</i>  | Local school board (subject to both town and state board of education approval)  |
| <i>Eligible Applicants</i>  | Non-profit organizations, 2 or more certified teachers, 10 or more parents   |
| <i>Types of Charter Schools</i>   | Converted public, new starts (but not home-based schools)  |
| <i>Appeals Process</i>  | Applications denied by the local school board may be appealed to the state board of education whose decision is non-binding.   |
| <i>Formal Evidence of Local Support Required</i>  | Teachers in school (majority, or two-thirds of teachers in a district that has only one school), school principal, and superintendent. In addition, local voters have two opportunities to approve or deny charter schools: 1) voters decide whether they will allow charter schools in their district; (2) after a specific charter school contract is approved by both the local school board and the state board of education, it is put on ballot for voter ratification; additionally, since charter school budget is shown as a separate line item in district's budget, voters could in theory limit or eliminate funding for the school. |
| <i>Recipient of Charter</i>   | Charter school board of trustees   |
| <i>Term of Initial Charter</i>  | 5 years  |
| <b>Operations</b>   |  |
| <i>Automatic Waiver from Most State and District Education Laws, Regulations, and Policies</i>                    | Yes  |
| <i>Legal Autonomy</i>   | Limited  |
| <i>Governance</i>   | Board of trustees, including at least 2 parents; teachers may serve on board   |
| <i>Charter School Governing Body Subject to Open Meeting Laws</i>   | Yes  |
| <i>Charter School May be Managed or Operated by a For-Profit Organization</i>                                     | Charters may not be granted directly to for-profit organizations, but the schools may be managed by them   |
| <i>Transportation for Students</i>  | Transportation plan, including reasonable provision for students outside district, must be specified in charter  |
| <i>Facilities Assistance</i>  | State aid available for buildings leased from district/buildings of conversion schools.  |
| <i>Technical Assistance</i>   | Not addressed in law, but provided by non-governmental entities  |
| <i>Reporting Requirements</i>   | Quarterly reports to local school board and annual report for parents, local school board, and state board of education that indicate academic progress. Charters will perform fiscal accounting and audits by an independent certified accountant.  |

### New Hampshire (cont.)

| <b>Funding</b>                                       |   |
|--|---|
| <i>Amount</i>  | 80% (minimum) of district's prior year average cost per pupil, as determined by department of education, follows students to school; in addition, special education funding also follows students   |
| <i>Path</i>  | Funds pass through district to school   |
| <i>Fiscal Autonomy</i>                               | Yes, but stipulations exist for special education funds/programs  |
| <i>Start-up Funds</i>                                | Federal funds available; no state funding   |
| <b>Teachers</b>                                      |   |
| <i>Collective Bargaining / District Work Rules</i>   | Teachers are not covered by district bargaining agreements; they may negotiate as separate unit with charter school governing body or work independently  |
| <i>Certification</i>                                 | 50% of charter school teacher staff must be certified or have three years teaching experience   |
| <i>Leave of Absence from District</i>                | Up to 2 years   |
| <i>Retirement Benefits</i>                           | A charter school may choose to participate in the state teacher retirement system   |
| <b>Students</b>                                      |   |
| <i>Eligible Students</i>                             | All students including out-of-state students; as specified in charter   |
| <i>Preference for Enrollment</i>                     | Students enrolled prior and district residents  |
| <i>Enrollment Requirements</i>                       | Charter schools may screen students based on academic aptitude, academic achievement or need, provided that such screening is related to the academic mission of the school. Also, each local school board determines the percentage of students who can enroll in charter schools, subject to the approval of the voters in that school district.                                |
| <i>Selection Method (in case of over-enrollment)</i> | Lottery/random process  |
| <i>At-Risk Provisions</i>                            | None  |
| <i>Accountability</i>                                | Charter school students must participate in statewide assessment program. Also, by the end of its final contract year, the charter school shall meet or exceed the objective academic test results or standards and goals as set forth in its application. If the school does not meet these results or standards and goals, it shall not be eligible for renewal of its charter. |

| <b>New Jersey (1996; amended in 2002)</b><br><b>The 17<sup>th</sup> strongest of the nation's 40 charter laws</b> |   |
|---|---|
| <b>General Statistics</b>   |   |
| <i>Number of Schools Allowed</i>  | Unlimited   |
| <i>Number of Charters Operating (As of Fall 2002)</i>   | 56  |
| <b>Approval Process</b>   |   |
| <i>Eligible Chartering Authorities</i>  | State commissioner of education   |
| <i>Eligible Applicants</i>  | Teachers and/or parents in district; college/university or private entity in conjunction with teachers/parents  |
| <i>Types of Charter Schools</i>   | Converted public, new starts (but not home-based schools)   |
| <i>Appeals Process</i>  | Applications denied may be appealed to the state board of education   |
| <i>Formal Evidence of Local Support Required</i>  | 51% of teachers and 51% of parents must support for conversions   |
| <i>Recipient of Charter</i>   | Charter school governing body   |
| <i>Term of Initial Charter</i>  | 4 years   |
| <b>Operations</b>   |   |
| <i>Automatic Waiver from Most State and District Education Laws, Regulations, and Policies</i>                    | No; exemptions from particular laws, regulations, and policies may be requested in charter application.   |
| <i>Legal Autonomy</i>   | Limited   |
| <i>Governance</i>   | Board of trustees; if charter school is established by private entity, its representatives may not constitute a majority of the board   |
| <i>Charter School Governing Body Subject to Open Meeting Laws</i>   | Yes   |
| <i>Charter School May be Managed or Operated by a For-Profit Organization</i>                                     | Charters may not be granted directly to for-profit organizations, but the schools may be managed by them  |
| <i>Transportation for Students</i>  | Provided by district  |
| <i>Facilities Assistance</i>  | No (unless the school is located in the Abbott Districts), and charter schools cannot use public funds to build a facility  |
| <i>Technical Assistance</i>   | Not addressed in law, but provided by Department of Education as well as non-governmental entities  |
| <i>Reporting Requirements</i>   | Annual reports to parents, local school board, and state board of education that verify compliance with statutes, regulations and the terms of the charter; state board must prepare biennial report for legislature. Same financial report as other school districts |
| <b>Funding</b>  |   |
| <i>Amount</i>   | 90% of the lesser of a) state and district operations funding based on average district per-pupil revenue or b) state-mandated minimum per-pupil spending. District also pays categorical aid. Estimated portion is about \$8,600.                                    |
| <i>Path</i>   | Funds pass through district to school   |
| <i>Fiscal Autonomy</i>  | Yes   |

| <b>New Jersey (cont.)</b>                            |  |
|--|--|
| <i>Start-up Funds</i>                                | Federal funds available; no state funding  |
| <b>Teachers</b>                                      |  |
| <i>Collective Bargaining / District Work Rules</i>   | Teachers in conversions remain covered by district collective bargaining agreement; teachers in new starts may negotiate as a separate unit with the governing body, or work independently                                     |
| <i>Certification</i>                                 | Required   |
| <i>Leave of Absence from District</i>                | Up to 3 years  |
| <i>Retirement Benefits</i>                           | Charter schools must participate in state's retirement system  |
| <b>Students</b>                                      |  |
| <i>Eligible Students</i>                             | All students in state  |
| <i>Preference for Enrollment</i>                     | District residents and siblings. Charter must have plan to enroll cross section of school age population, including racial and academic factors  |
| <i>Enrollment Requirements</i>                       | Charter school may not base enrollment on academic achievement or ability; school may establish reasonable criteria for students (for example, school may request that prospective students attend an orientation meeting)     |
| <i>Selection Method (in case of over-enrollment)</i> | Lottery/random process   |
| <i>At-Risk Provisions</i>                            | Law encourages formation of charter schools in urban areas with participation of higher education institutions   |
| <i>Accountability</i>                                | The attainment of the Core Curriculum Content Standards and the delivery of an educational program leading to high student academic achievement. Statewide Assessment Program results and local assessment results of students |
| <b>Other Features</b>                                |  |
| <i>Size</i>  | The limitation of 500 students or 25% of student population of district, whichever is less, expired in 2000.   |

| <b>New Mexico (1993; last amended in 2001)</b><br><b>The 20<sup>th</sup> strongest of the nation's 40 charter laws</b> |  |
|--|--|
| <b>General Statistics</b>  |  |
| <i>Number of Schools Allowed</i>   | 75 new, 25 conversion  |
| <i>Number of Charters Operating (As of Fall 2002)</i>  | 28   |
| <b>Approval Process</b>  |  |
| <i>Eligible Chartering Authorities</i>   | Local school boards  |
| <i>Eligible Applicants</i>   | Any individual or group  |
| <i>Types of Charter Schools</i>  | Converted public, new starts   |
| <i>Appeals Process</i>   | Applications denied by the local school board may be appealed to the state board of education. If the local school board does not act on an application within 30 days, the applicant can appeal to the state board. |
| <i>Formal Evidence of Local Support Required</i>   | 65% of teachers must support for conversions; must be evidence of support and substantial involvement of parents in developing charter proposal  |
| <i>Recipient of Charter</i>  | Charter school governing body  |
| <i>Term of Initial Charter</i>   | Up to 5 years  |
| <b>Operations</b>  |  |
| <i>Automatic Waiver from Most State and District Education Laws, Regulations, and Policies</i>                         | No, certain exemptions from particular laws, regulations, and policies may be negotiated and specified in charter or requested later through waiver process.   |
| <i>Legal Autonomy</i>  | No   |
| <i>Governance</i>  | Specified in charter   |
| <i>Charter School Governing Body Subject to Open Meeting Laws</i>  | Yes  |
| <i>Charter School May be Managed or Operated by a For-Profit Organization</i>  | No   |
| <i>Transportation for Students</i>   | Shall negotiate with district  |
| <i>Facilities Assistance</i>   | None   |
| <i>Technical Assistance</i>  | Provided by the Department of Education as well as non-governmental entities upon request  |
| <i>Reporting Requirements</i>  | Annual accountability reports to parents, local school board, and department of education.   |
| <b>Funding</b>   |  |
| <i>Amount</i>  | 98% (minimum) of state and district operations funding follows students, based on average district per-pupil revenue. Estimated portion is about \$4,900 to \$5,000.   |
| <i>Path</i>  | Funds pass through district to school  |
| <i>Fiscal Autonomy</i>   | Yes; charter school submits a school-based budget to local school board for approval; local board authority is limited to ensuring that sound fiscal practices are followed  |
| <i>Start-up Funds</i>  | State stimulus fund available  |



| <b>New Mexico (cont.)</b>                            |   |
|--|---|
| <b>Teachers</b>                                      |   |
| <i>Collective Bargaining / District Work Rules</i>   | Teachers can organize as a separate unit, or work independently   |
| <i>Certification</i>                                 | Required  |
| <i>Leave of Absence from District</i>                | Up to 3 years if teachers take a leave of absence   |
| <i>Retirement Benefits</i>                           | Charter schools must participate in state's retirement system   |
| <b>Students</b>                                      |   |
| <i>Eligible Students</i>                             | All students in district  |
| <i>Preference for Enrollment</i>                     | Students enrolled prior   |
| <i>Enrollment Requirements</i>                       | Not permitted   |
| <i>Selection Method (in case of over-enrollment)</i> | Not yet addressed   |
| <i>At-Risk Provisions</i>                            | None  |
| <i>Accountability</i>                                | Charter school must provide a description of the student performance plan that will be used to measure student progress toward achievement of the types of assessments that will be used to measure student progress toward achievement of the state's standards and the school's performance standards, the timeline for achievement of the standards, and the procedures for taking corrective action if student achievement falls below the standards. |
| <b>Other Features</b>                                |   |
| <i>Charter Districts</i>                             | Law allows for the creation of three charter school pilot districts.  |

| <p align="center"><b>New York (December 1998; last amended in 2002)</b><br/> <b>The 10<sup>th</sup> strongest of the nation's 40 charter laws</b></p> |  |
|---|--|
| <b>General Statistics</b>   |  |
| <i>Number of Schools Allowed</i>  | 100 new; unlimited conversions   |
| <i>Number of Charters Operating (As of Fall 2002)</i>   | 38   |
| <b>Approval Process</b>   |  |
| <i>Eligible Chartering Authorities</i>  | The board of trustees of the State University of New York (SUNY) (50), or the board of regents (50) can authorize new schools statewide. Conversions must be approved by local school boards, which can approve new schools within their boundaries (in NYC, this authority rests with Chancellor). All district- or Chancellor-approved charters subject to board of regents' approval. |
| <i>Eligible Applicants</i>  | Teachers, parents, school administrators, community residents or any combination thereof.  |
| <i>Types of Charter Schools</i>   | Converted public, new starts (but not home-based schools)  |
| <i>Appeals Process</i>  | None   |
| <i>Formal Evidence of Local Support Required</i>  | Majority of parents for conversions. For new starts, support sufficient to meet projected enrollment.  |
| <i>Recipient of Charter</i>   | Charter school governing body  |
| <i>Term of Initial Charter</i>  | Up to 5 years  |
| <b>Operations</b>   |  |
| <i>Automatic Waiver from Most State and District Education Laws, Regulations, and Policies</i>  | Limited; several sets of rules apply   |
| <i>Legal Autonomy</i>   | Limited  |
| <i>Governance</i>   | Specified in charter   |
| <i>Charter School Governing Body Subject to Open Meeting Laws</i>   | Yes  |
| <i>Charter School May be Managed or Operated by a For-Profit Organization</i>   | Charters may not be granted directly to for-profit organizations, but the schools may be managed by them   |
| <i>Transportation for Students</i>  | Same as for private schools, details specified in charter  |
| <i>Facilities Assistance</i>  | A stimulus fund exists if activated by legislative appropriations  |
| <i>Technical Assistance</i>   | Provided by non-governmental entities upon request   |

| <b>New York (cont.)</b>                              |   |
|--|---|
| <i>Reporting Requirements</i>                        | Annual report that includes progress to educational objectives, financial statement, indications of parental and student satisfaction. SUNY charters require annual accountability plan progress reports. Renewal is dependent upon the reporting. Reporting is statutory for all public schools  |
| <b>Funding</b>                                       |   |
| <i>Amount</i>  | Formula results in about 2/3 to 4/5 of traditional school's per pupil allotment. Approximately \$6,800-\$10,000 depending on the district   |
| <i>Path</i>  | Funds pass through district to school   |
| <i>Fiscal Autonomy</i>                               | Yes   |
| <i>Start-up Funds</i>                                | Federal funds available, as well as state stimulus fund   |
| <b>Teachers</b>                                      |   |
| <i>Collective Bargaining / District Work Rules</i>   | Schools enrolling up to 250 students in the first year are exempt (and they remain so), schools with enrollment larger than 250 must negotiate with teachers as a separate bargaining unit of the local union. Schools are not compelled to accept local contract or work rules. Ten SUNY-authorized schools are totally exempt. Teachers in conversions remain covered by district collective bargaining agreement, but may, by mutual agreement negotiate waivers from contract provisions. A "check-card" system is now in place, making it much easier for staff to decide to join a union, thereby replacing a formal voting process |
| <i>Certification</i>                                 | 30% or no more than 5 teachers per school are permitted to have alternative certification; uncertified teachers must meet specified criteria  |
| <i>Leave of Absence from District</i>                | Up to 2 years   |
| <i>Retirement Benefits</i>                           | The employees of the charter school may be deemed employees of the local school district for the purpose of providing retirement benefits, including membership in the teachers' retirement system and other retirement systems open to employees of public schools.  |
| <b>Students</b>                                      |   |
| <i>Eligible Students</i>                             | Open enrollment, at-risk service encouraged   |
| <i>Preference for Enrollment</i>                     | Students enrolled prior, district residents, and siblings. In addition, a school may create a preference for at-risk students. Single-sex schools also allowed.   |
| <i>Enrollment Requirements</i>                       | At least 50 children and 3 teachers are required unless compelling justification is presented.  |
| <i>Selection Method (in case of over-enrollment)</i> | Lottery/random process  |
| <i>At-Risk Provisions</i>                            | Preference to applications that demonstrate the capability to provide comprehensive learning experiences to students identified by the applicants as at risk of academic failure.   |
| <i>Accountability</i>                                | State performance standards and Regents requirements apply as they do for other public schools  |

| <b>North Carolina (1996; last amended in 1998)</b><br><b>The 11<sup>th</sup> strongest of the nation's 40 charter laws</b> |   |
|--|---|
| <b>General Statistics</b>  |   |
| <i>Number of Schools Allowed</i>   | 100; 5 per school district per year   |
| <i>Number of Charters Operating (As of Fall 2002)</i>  | 93  |
| <b>Approval Process</b>  |   |
| <i>Eligible Chartering Authorities</i>   | State board of education; local boards may authorize, subject to state board's approval   |
| <i>Eligible Applicants</i>   | Person, group of persons, or non-profit corporation   |
| <i>Types of Charter Schools</i>  | Converted public, converted private, new starts   |
| <i>Appeals Process</i>   | Applications denied by the local school board or UNC institution may be appealed to the state board of education  |
| <i>Formal Evidence of Local Support Required</i>   | Majority of teachers, majority of uncertified staff at school, and a significant number of parents must support for conversions. Districts must provide and sponsors must consider impact statement.  |
| <i>Recipient of Charter</i>  | Charter school board of directors   |
| <i>Term of Initial Charter</i>   | Up to 5 years   |
| <b>Operations</b>  |   |
| <i>Automatic Waiver from Most State and District Education Laws, Regulations, and Policies</i>                             | Yes, except for local board-sponsored charters, which must negotiate for waivers from district rules  |
| <i>Legal Autonomy</i>  | Yes, but state and local officials exercise additional oversight.   |
| <i>Governance</i>  | Specified in charter  |
| <i>Charter School Governing Body Subject to Open Meeting Laws</i>  | Yes   |
| <i>Charter School May be Managed or Operated by a For-Profit Organization</i>  | Charters may not be granted directly to for-profit organizations, but the schools may be managed by them  |
| <i>Transportation for Students</i>   | Charter schools must provide same transportation assistance as district public schools  |
| <i>Facilities Assistance</i>   | District may lease or provide free-of-charge facilities for charter school. State facility leasing funds are available to be used by charter school.  |
| <i>Technical Assistance</i>  | Provided by the Department of Education as well as non-governmental entities upon request   |
| <i>Reporting Requirements</i>  | Charter school must comply with reporting requirements established by state board of education in the Uniform Education Reporting System; charter school must prepare annual report for chartering authority and state board; state board must prepare annual report on academic progress, best practices, and effect of charter schools on districts for legislature |

## North Carolina (cont.)

| <b>Funding</b>                                       |  |
|--|--|
| <i>Amount</i>  | 100% of state and district operations funding follows students, based on average district per-pupil revenue; special needs funding also follows the student. Estimated portion is about \$5,200.   |
| <i>Path</i>  | Funds pass from state and district to school   |
| <i>Fiscal Autonomy</i>                               | Yes  |
| <i>Start-up Funds</i>                                | Federal funds available; no state funding  |
| <b>Teachers</b>                                      |  |
| <i>Collective Bargaining / District Work Rules</i>   | For charter school sponsored by local school board teachers remain subject to district work rules unless they negotiate to work independently; for all other charter schools, teachers are not subject to district work rules  |
| <i>Certification</i>                                 | In elementary schools, 75% must be certified; in secondary schools, 50% must be certified  |
| <i>Leave of Absence from District</i>                | Up to 6 years  |
| <i>Retirement Benefits</i>                           | Teachers have the option to participate in state system. Charter boards decide whether to participate or not.  |
| <b>Students</b>                                      |  |
| <i>Eligible Students</i>                             | All students in state  |
| <i>Preference for Enrollment</i>                     | Children of employees; in a charter's first year of operation the lesser of 10% or 20 slots may be reserved for children of founding board members; for public conversions, students in attendance area of former public school (for private conversions, students enrolled prior may not receive preference). After one year, charter school must reasonably reflect racial balance of district (or, if serving special population, must resemble the balance of that population in the district) |
| <i>Enrollment Requirements</i>                       | Charter schools must have a minimum number of students (65) and teachers (3), though exceptions are allowed; may increase by 10% without additional approval from sponsor  |
| <i>Selection Method (in case of over-enrollment)</i> | Lottery/random process   |
| <i>At-Risk Provisions</i>                            | Preference in the approval process is given to charter schools designed to serve at-risk students  |
| <i>Accountability</i>                                | The school shall design its programs to at least meet the student performance standards adopted by the State Board of Education and the student performance standards contained in the charter. A charter school shall conduct the student assessments required for charter schools by the State Board of Education  |
| <b>Other Features</b>                                |  |
| <i>Impact Aid</i>                                    | Districts with fewer than 3,000 students with an enrollment decrease larger than 4% are eligible for State reimbursement of up to 4%.  |
| <i>Termination of Charter</i>                        | If two thirds of teachers and support staff request, charter may be terminated   |

| <b>Ohio (1997; last amended in 2002)</b><br><b>The 11<sup>th</sup> strongest of the nation's 40 charter schools</b> |   |
|---|---|
| <b>General Statistics</b>   |   |
| <i>Number of Schools Allowed</i>  | The cap of 225 for start-ups located in Big Eight Districts (Cleveland, Columbus, Cincinnati, Dayton, Akron, Canton, Toledo, and Youngstown) as well as in the Urban 21 districts and in any district that was reported to be in academic emergency or "watch." Unlimited for conversions anywhere in the state.  |
| <i>Number of Charters Operating (As of Fall 2002)</i>   | 130   |
| <b>Approval Process</b>   |   |
| <i>Eligible Chartering Authorities</i>  | Local school board or joint board in the county in which the charter school would be located, the state board of education, and private, non-profit education organizations; the Lucas County Educational Service Center and the University of Toledo for Lucas County  |
| <i>Eligible Applicants</i>  | Any individual or group   |
| <i>Types of Charter Schools</i>   | Converted public, new starts  |
| <i>Appeals Process</i>  | None  |
| <i>Formal Evidence of Local Support Required</i>  | No  |
| <i>Recipient of Charter</i>   | Charter school governing body   |
| <i>Term of Initial Charter</i>  | Up to 5 years   |
| <b>Operations</b>   |   |
| <i>Automatic Waiver from Most State and District Education Laws, Regulations, and Policies</i>                      | Yes, except for a few non-education regulations identified in the charter law   |
| <i>Legal Autonomy</i>   | Yes   |
| <i>Governance</i>   | Specified in charter  |
| <i>Charter School Governing Body Subject to Open Meeting Laws</i>   | Yes   |
| <i>Charter School Allowed to Earn a Profit</i>  | Charters may not be granted directly to for-profit organizations, but the schools may be managed by them  |
| <i>Transportation for Students</i>  | The district in which community school students are eligible to attend, school must provide transportation to and from a community school located within the district or within another district, but districts are not required to provide transportation if student lives more than 30 minutes away from school |
| <i>Facilities Assistance</i>  | Charter school may negotiate with the district to lease a public school facility; charter schools also have access to lease-purchase agreements.  |
| <i>Technical Assistance</i>   | Provided by the Department of Education   |
| <i>Reporting Requirements</i>   | Annual reports to parents and sponsor as required of district public schools that include program and financial audits.   |

## Ohio (Cont.)

| <b>Funding</b>                                       |   |
|--|---|
| <i>Path</i>  | Funds pass from state to school   |
| <i>Amount</i>  | 100% of the funds equal to the community school's base formula amount (about \$6,100), as adjusted by the cost-of-doing-business factor of the school district in which the student is entitled to attend school.   |
| <i>Fiscal Autonomy</i>                               | Yes   |
| <i>Start-up Funds</i>                                | Federal funds available; no state funding   |
| <b>Teachers</b>                                      |   |
| <i>Collective Bargaining / District Work Rules</i>   | Teachers in conversions remain part of district collective bargaining agreement, unless a majority of them petition to organize as a separate bargaining unit, or work independently; charter school teachers in new starts may work independently or form a separate bargaining unit |
| <i>Certification</i>                                 | Required, but law allows for alternative certification; uncertified employees may teach up to 12 hours/week   |
| <i>Leave of Absence from District</i>                | At least 3 years  |
| <i>Retirement Benefits</i>                           | Charter schools must participate in state's retirement system   |
| <b>Students</b>                                      |   |
| <i>Eligible Students</i>                             | All students in state are eligible  |
| <i>Preference for Enrollment</i>                     | Students enrolled prior, district residents, and siblings. Racial balance of charter school may not differ from district, and charter school must comply with any desegregation order/regulations   |
| <i>Enrollment Requirements</i>                       | School may choose to limit enrollment to students in a particular geographic area or to at-risk students; school must enroll at least 25 students   |
| <i>Selection Method (in case of over-enrollment)</i> | Lottery/random process  |
| <i>At-Risk Provisions</i>                            | School may restrict enrollment to at-risk students  |
| <i>Accountability</i>                                | The charter school will provide a plan that describes the academic goals to be achieved and the method of measurement that will be used to determine progress toward those goals, which shall include the statewide proficiency tests   |

| <b>Oklahoma (May 1999)</b><br><b>The 18<sup>th</sup> weakest of the nation's 40 charter laws</b> |  |
|--|--|
| <b>General Statistics</b>  |  |
| <i>Number of Schools Allowed</i>   | Unlimited in school districts with 5,000 or more students and counties with a population of at least 500,000 (Oklahoma City and Tulsa) |
| <i>Number of Charters Operating (As of Fall 2002)</i>  | 10   |
| <b>Approval Process</b>  |  |
| <i>Eligible Chartering Authorities</i>   | Local school boards or vocational-technical school districts   |
| <i>Eligible Applicants</i>   | Any person or organization   |
| <i>Types of Charter Schools</i>  | Converted public, new starts   |
| <i>Appeals Process</i>   | No, only binding arbitration and mediation paid for by the school district   |
| <i>Formal Evidence of Local Support Required</i>   | No   |
| <i>Recipient of Charter</i>  | Charter school governing body  |
| <i>Term of Initial Charter</i>   | Up to 3 years  |
| <b>Operations</b>  |  |
| <i>Automatic Waiver from Most State and District Education Laws, Regulations, and Policies</i>   | Limited waiver   |
| <i>Legal Autonomy</i>  | No   |
| <i>Governance</i>  | Charter school governing board   |
| <i>Charter School Governing Body Subject to Open Meeting Laws</i>                                | Yes  |
| <i>Charter School May be Managed or Operated by a For-Profit Organization</i>                    | Charters may not be granted directly to for-profit organizations, but the schools may be managed by them                               |
| <i>Transportation for Students</i>   | The charter school is responsible for providing transportation, but only within boundaries of the school district where it is located. |
| <i>Facilities Assistance</i>   | None   |



| <b>Oklahoma (Cont.)</b>                              |  |
|--|--|
| <i>Technical Assistance</i>                          | Provided by the Department of Education upon request   |
| <b>Funding</b>                                       |  |
| <i>Amount</i>  | At least 95% of average daily expenditure  |
| <i>Path</i>  | Funds pass through district to school  |
| <i>Fiscal Autonomy</i>                               | Limited  |
| <i>Start-up Funds</i>                                | Federal funds available; no state funding  |
| <b>Teachers</b>                                      |  |
| <i>Collective Bargaining / District Work Rules</i>   | Teachers may remain part of district collective bargaining agreement, negotiate as a separate unit with the charter school governing body, or work independently   |
| <i>Certification</i>                                 | Specified in charter application   |
| <i>Leave of Absence from District</i>                | 3 years  |
| <i>Retirement Benefits</i>                           | Employees of a charter school may participate as members of the Teachers' Retirement System of Oklahoma  |
| <b>Students</b>                                      |  |
| <i>Eligible Students</i>                             | All students   |
| <i>Preference for Enrollment</i>                     | District residents and siblings  |
| <i>Enrollment Requirements</i>                       | None   |
| <i>Selection Method (in case of over-enrollment)</i> | Lottery/random process   |
| <i>At risk provisions</i>                            | Academic enterprise zones may be designated for areas where 60% of residing children qualify for free or reduced-price lunch   |
| <i>Accountability</i>                                | A charter school shall participate in the testing as required by the Oklahoma School Testing Program Act and the reporting of test results as is required of a school district. A charter school shall also provide any necessary data to the Office of Accountability |

| <b>Oregon (May 1999; last amended in 2001)</b><br><b>The 16<sup>th</sup> strongest of the nation's 40 charter laws</b> |   |
|--|---|
| <b>General Statistics</b>  |   |
| <i>Number of Schools Allowed</i>   | Unlimited through 2003  |
| <i>Number of Charters Operating (As of Fall 2002)</i>  | 25  |
| <b>Approval Process</b>  |   |
| <i>Eligible Chartering Authorities</i>   | Local school boards   |
| <i>Eligible Applicants</i>   | Any person or group   |
| <i>Types of Charter Schools</i>  | Converted public, new starts  |
| <i>Appeals Process</i>   | Applications denied by the local school board may be appealed to the state board of education which may make recommendations. The state board cannot overturn the local board's decision, but may become the charter's sponsor. |
| <i>Formal Evidence of Local Support Required</i>   | No  |
| <i>Recipient of Charter</i>  | Charter school governing body   |
| <i>Term of Initial Charter</i>   | Up to 5 years   |
| <b>Operations</b>  |   |
| <i>Automatic Waiver from Most State and District Education Laws, Regulations, and Policies</i>                         | Yes, but local school boards have limited discretion over applicable rules and statutes.  |
| <i>Legal Autonomy</i>  | Yes, but autonomy may depend on the district  |
| <i>Governance</i>  | Charter school governing body   |
| <i>Charter School Governing Body Subject to Open Meeting Laws</i>  | Yes   |
| <i>Charter School May be Managed or Operated by a For-Profit Organization</i>  | Charters may not be granted directly to for-profit organizations, but the schools may be managed by them  |
| <i>Transportation for Students</i>   | Charter school is responsible but may negotiate with the district   |
| <i>Facilities Assistance</i>   | Districts should make available a list of open public school buildings or portions of buildings that could be used by a charter school  |
| <i>Technical Assistance</i>  | Provided by the Department of Education upon request  |
| <i>Reporting Requirements</i>  | Annual audit and yearly report on academic progress   |

**Oregon (cont.)**

| <b>Funding</b>                                       |  |
|--|--|
| <i>Amount</i>  | At least 80% of the district's average expenditure for K-8; 95% for 9-12. For schools through state board: 90% for K-8 and 95% for 9-12  |
| <i>Path</i>  | Funds pass through district to school  |
| <i>Fiscal Autonomy</i>                               | No   |
| <i>Start-up Funds</i>                                | Federal funds available; no state funding  |
| <b>Teachers</b>                                      |  |
| <i>Collective Bargaining/District Work Rules</i>     | Teachers may negotiate as a separate unit with the governing body, or work independently   |
| <i>Certification</i>                                 | At least 50% of teachers must be certified or have a license   |
| <i>Leave of Absence from District</i>                | 2 years  |
| <i>Retirement Benefits</i>                           | Eligible to participate in all benefit programs open to public school employees  |
| <b>Students</b>                                      |  |
| <i>Eligible Students</i>                             | All students, but no more than 20% of students can be from outside the district  |
| <i>Preference for Enrollment</i>                     | Siblings   |
| <i>Enrollment Requirements</i>                       | Must have at least 25 students. Also, enrollment cannot exceed 10% of students in the school district, unless waived by local school board.  |
| <i>Selection Method (in case of over-enrollment)</i> | Lottery/random process   |
| <i>At risk provisions</i>                            | None   |
| <i>Accountability</i>                                | All charter schools must abide by the statewide assessment system developed by the Department of Education. The school district in which the charter school is located shall offer a high school diploma, certificate, Certificate of Initial Mastery or Certificate of Advanced Mastery to any charter school student who meets the district's and state's standards for a high school diploma, certificate, Certificate of Initial Mastery or Certificate of Advanced Mastery. |

| <b>Pennsylvania (1997; last amended in 2002)</b><br><b>The 12<sup>th</sup> strongest of the nation's 40 charter laws</b> |  |
|--|--|
| <b>General Statistics</b>  |  |
| <i>Number of Schools Allowed</i>   | Unlimited  |
| <i>Number of Charters Operating (As of Fall 2002)</i>  | 91   |
| <b>Approval Process</b>  |  |
| <i>Eligible Chartering Authorities</i>   | Local school boards; two or more local boards may grant regional charters; state department of education for cyber schools.  |
| <i>Eligible Applicants</i>   | Individuals, parents, teachers, nonsectarian institutions of higher education, museums, nonsectarian corporation not-for-profits, corporations, associations, or any combination thereof   |
| <i>Types of Charter Schools</i>  | Converted public, new starts   |
| <i>Appeals Process</i>   | Applications denied by the local school board may be appealed to the state appeals board.  |
| <i>Formal Evidence of Local Support Required</i>   | A majority of teachers and majority of school's parents must support for conversions; all charter applications must demonstrate local support.   |
| <i>Recipient of Charter</i>  | Charter school governing body  |
| <i>Term of Initial Charter</i>   | Up to 5 years  |
| <b>Operations</b>  |  |
| <i>Automatic Waiver from Most State and District Education Laws, Regulations, and Policies</i>                           | Yes  |
| <i>Legal Autonomy</i>  | Yes, but autonomy may depend on the district   |
| <i>Governance</i>  | Board of trustees, to be established according to terms in the charter; no member of a local school board may serve on the board   |
| <i>Charter School Governing Body Subject to Open Meeting Laws</i>  | Yes  |
| <i>Charter School May be Managed or Operated by a For-Profit Organization</i>  | Charters may not be granted directly to for-profit organizations, but the schools may be managed by them   |
| <i>Transportation for Students</i>   | Students who attend a charter school located in their school district of residence, a regional charter school of which the school district is a part, or a charter school located outside district boundaries at a distance not exceeding 10 miles by the nearest highway shall be provided free transportation by their school district of residence. |
| <i>Facilities Assistance</i>   | None   |
| <i>Technical Assistance</i>  | Not addressed in law, but provided by Department of Education as well as non-governmental entities   |

| <b>Pennsylvania (cont'd)</b>                         |  |
|--|--|
| <i>Reporting Requirements</i>                        | Annual reports to the local school board and state secretary of education. Every five years the secretary of education must commission an evaluation by an independent consultant for the governor, secretary and general assembly, including recommendations for continuation, modification, expansion or termination of the program  |
| <b>Funding</b>                                       |  |
| <i>Amount</i>  | Funding follows students, based on average district per-pupil budgeted expenditure of the previous year (depending on the district, charter funding will be 70%-82% of district's per-pupil revenue); for regional charters and non-resident students, funds come from the district of student's residence; charters receive additional funding for special needs students, or may request the intermediate unit to assist in providing special-needs services at the same cost as provided to district schools. Estimated portion is about \$5,000 - \$5,900. |
| <i>Path</i>  | Funds pass through district to school  |
| <i>Fiscal Autonomy</i>                               | Yes  |
| <i>Start-up Funds</i>                                | Federal funds available; no state funding  |
| <b>Teachers</b>                                      |  |
| <i>Collective Bargaining / District Work Rules</i>   | Teachers may negotiate as a separate unit with governing board   |
| <i>Certification</i>                                 | At least 75% must be certified   |
| <i>Leave of Absence from District</i>                | Up to 5 years  |
| <i>Retirement Benefits</i>                           | Charter schools must participate in the state's retirement system  |
| <b>Students</b>                                      |  |
| <i>Eligible Students</i>                             | All students in state  |
| <i>Preference for Enrollment</i>                     | District residents, children of employees, and siblings  |
| <i>Enrollment Requirements</i>                       | Charter school may limit enrollment to a particular grade level or area of concentration and may set reasonable criteria to evaluate prospective students, consistent with the charter   |
| <i>Selection Method (in case of over-enrollment)</i> | Lottery/random process   |
| <i>At-Risk Provisions</i>                            | None   |
| <i>Accountability</i>                                | All charter schools shall participate in the Pennsylvania state assessment system. Every year, the school must provide results of tests including criterion-referenced tests, curriculum-based assessments, ecological life skills assessments and other equivalent measures.  |
| <b>Other Features</b>                                |  |
| <i>Funding Cushion</i>                               | The state will compensate districts for non-public school students who enroll in charters (i.e. become public school students) for the first year of the student's attendance. A state grant program will allow districts to apply for "temporary transitional funding" to address the "budgetary impact relating to any student attending a charter school" (not available to conversion charters).   |

| <b>Rhode Island (1995)</b><br><b>The 5<sup>th</sup> weakest of the nation's 40 charter laws</b> |  |
|---|--|
| <b>General Statistics</b>   |  |
| <i>Number of Schools Allowed</i>  | 20 charters serving no more than 4% of students statewide. No more than 2 charters per school district, except in districts serving more than 20,000 where 4 may be granted.   |
| <i>Number of Charters Operating (As of Fall 2002)</i>   | 8  |
| <b>Approval Process</b>   |  |
| <i>Eligible Chartering Authorities</i>  | State Board of Regents, only after charter school has been approved by local school committee or state commissioner of elementary and secondary education.   |
| <i>Eligible Applicants</i>  | School districts, school personnel, public colleges and universities, and established Rhode Island nonprofit organizations existing for more than 2 years and not for the purpose of operating a school.   |
| <i>Types of Charter Schools</i>   | Converted public, new starts (but not home-based schools)  |
| <i>Appeals Process</i>  | None   |
| <i>Formal Evidence of Local Support Required</i>  | Two-thirds of teachers and 50% parents at school must support for conversions. Two-thirds of teachers necessary to staff school and 50% of parents necessary to enroll must support for new starts. Local bargaining unit may review charter, state objections, and have local school committee and commissioner of education respond before recommending the charter. |
| <i>Recipient of Charter</i>   | Charter school governing body  |
| <i>Term of Initial Charter</i>  | Up to 5 years  |
| <b>Operations</b>   |  |
| <i>Automatic Waiver from Most State and District Education Laws, Regulations, and Policies</i>  | No; exemptions from particular laws, regulations, and policies must be specified in charter  |
| <i>Legal Autonomy</i>   | No   |
| <i>Governance</i>   | Specified in charter   |
| <i>Charter School Governing Body Subject to Open Meeting Laws</i>                               | Yes  |
| <i>Charter School May be Managed or Operated by a For-Profit Organization</i>                   | Charters may not be granted directly to for-profit organizations, but the schools may be managed by them   |
| <i>Transportation for Students</i>  | Specified in charter   |
| <i>Facilities Assistance</i>  | A traditional district may access aid for reimbursement of school housing costs for district sponsored charter schools. Charter schools not sponsored by a district may apply for 30% reimbursement of school housing cost on a need basis.  |
| <i>Technical Assistance</i>   | Not addressed in law, but provided by Department of Education as well as non-governmental entities   |
| <i>Reporting Requirements</i>   | Annual reports to parents, the community, the local school committee, and the commissioner of elementary and secondary education that indicate the progress made by the charter public school during the previous year in meeting the charter objectives.  |

### Rhode Island (cont.)

| <b>Rhode Island (cont.)</b>                          |   |
|--|---|
| <b>Funding</b>                                       |   |
| <i>Amount</i>  | 100% of state and district operations funding follows students, based on average district per-pupil revenue minus 5% of the state share which the district retains for administration and impact; charter school and district negotiate cost of services school wants district to provide. Estimated portion is about \$7,900.  |
| <i>Path</i>  | Funds pass from state and district to school  |
| <i>Fiscal Autonomy</i>                               | Specified in charter  |
| <i>Start-up Funds</i>                                | Federal funds available, if federal funds are depleted, state funds will be available   |
| <b>Teachers</b>                                      |   |
| <i>Collective Bargaining / District Work Rules</i>   | Teachers are covered by district bargaining agreement   |
| <i>Certification</i>                                 | Required  |
| <i>Leave of Absence from District</i>                | Up to 4 years   |
| <i>Retirement Benefits</i>                           | Charter schools must participate in state's retirement system   |
| <b>Students</b>                                      |   |
| <i>Eligible Students</i>                             | Students in district  |
| <i>Preference for Enrollment</i>                     | Students enrolled prior. No charter shall be authorized for a school with a student population that does not include students eligible for free or reduced cost lunch, students with limited English proficiency, and special education students in a combined percentage which is at least equal to the combined percentage of those student populations enrolled in the school district as a whole. |
| <i>Enrollment Requirements</i>                       | School may establish reasonable academic standards for enrollment. Limited to 1% statewide student enrollment if there are 10 charter schools, 2% if there are 20 charters.   |
| <i>Selection Method (in case of over-enrollment)</i> | Lottery/random process  |
| <i>At-Risk Provisions</i>                            | At least ten (10) of the twenty (20) total charters shall be reserved for charter school applications which are designed to increase the educational opportunities for at-risk pupils.  |
| <i>Accountability</i>                                | The charter school must describe a plan for education, including the mission, objective, method of providing a basic education, and process for improving student learning and fulfilling the charter and fulfilling state and national educational goals and standards.  |

| <b>South Carolina (1996; amended in 2002)</b><br><b>The 17<sup>th</sup> weakest of the nation's 40 charter laws</b> |   |
|---|---|
| <b>General Statistics</b>   |   |
| <i>Number of Schools Allowed</i>  | Unlimited   |
| <i>Number of Charters Operating (As of Fall 2002)</i>   | 13  |
| <b>Approval Process</b>   |   |
| <i>Eligible Chartering Authorities</i>  | Local school boards   |
| <i>Eligible Applicants</i>  | Parents, teachers, community members  |
| <i>Types of Charter Schools</i>   | Converted public, new starts (but not home-based schools)   |
| <i>Appeals Process</i>  | Applications denied by the local school board may be appealed to the state board of education.  |
| <i>Formal Evidence of Local Support Required</i>  | Two-thirds of teachers and two-thirds of parents must support for conversions   |
| <i>Recipient of Charter</i>   | Charter school governing body   |
| <i>Term of Initial Charter</i>  | Up to 3 years   |
| <b>Operations</b>   |   |
| <i>Automatic Waiver from Most State and District Education Laws, Regulations, and Policies</i>                      | Limited   |
| <i>Legal Autonomy</i>   | Limited   |
| <i>Governance</i>   | Governing body is elected annually by employees and parents (one vote per child enrolled) and must include at least one teacher   |
| <i>Charter School Governing Body Subject to Open Meeting Laws</i>   | Yes   |
| <i>Charter School May be Managed or Operated by a For-Profit Organization</i>                                       | Charters may not be granted directly to for-profit organizations, but the schools may be managed by them  |
| <i>Transportation for Students</i>  | Charter school must provide transportation plan as specified in charter   |
| <i>Facilities Assistance</i>  | Department of Education must publish list of vacant buildings owned by the state or by school districts   |
| <i>Technical Assistance</i>   | Provided by the Department of Education and local school boards upon request  |
| <i>Reporting Requirements</i>   | Annual reports to sponsor and the department of education that include all information required by the sponsor or the department and including, at a minimum, the number of students enrolled in the charter school, the success of students in achieving the specific educational goals for which the charter school was established, and the identity and certification status of the teaching staff. |
| <b>Funding</b>  |   |
| <i>Amount</i>   | 100% of state and district operations funding is supposed to follow students, based on average district per-pupil revenue. Estimated portion is about \$5,300.  |



| <b>South Carolina (cont.)</b>                        |   |
|--|---|
| <i>Path</i>  | Funds pass through district to school   |
| <i>Fiscal Autonomy</i>                               | Limited; district still maintains some control over funding, and has denied some funds  |
| <i>Start-up Funds</i>                                | Federal funds available; no state funding   |
| <b>Teachers</b>                                      |   |
| <i>Collective Bargaining / District Work Rules</i>   | For conversions, teachers remain covered by district employment policy; for new starts, teachers may remain covered by district policy, negotiate as separate unit with charter school governing body, or work independently  |
| <i>Certification</i>                                 | In conversions, 90% must be certified; in new starts, 75% must be certified   |
| <i>Leave of Absence from District</i>                | Up to 5 years   |
| <i>Retirement Benefits</i>                           | During a leave, the employee may continue to accrue benefits and credits in the South Carolina Retirement System by paying the employee contributions based upon the annual salary of the employee, and the charter school shall pay the employer contribution. The South Carolina Retirement System may impose reasonable requirements to administer this section. |
| <b>Students</b>                                      |   |
| <i>Eligible Students</i>                             | All students in state   |
| <i>Preference for Enrollment</i>                     | The racial composition of the charter must not exceed that of district schools by more than 20%   |
| <i>Enrollment Requirements</i>                       | Not permitted   |
| <i>Selection Method (in case of over-enrollment)</i> | Lottery / random process  |
| <i>At-Risk Provisions</i>                            | None  |
| <i>Accountability</i>                                | Statewide assessments; charter school also must meet or exceed content standards of district  |

| <b>Tennessee (2002)</b><br><b>The 9<sup>th</sup> weakest of the nation's 40 charter laws</b>   |   |
|--|---|
| <b>General Statistics</b>  |   |
| <i>Number of Schools Allowed</i>   | No more than 10 new schools per year per district in first year of law; number of charters may not exceed 1/3 of all failing schools.   |
| <i>Number of Charters Operating (As of Fall 2002)</i>  | 0   |
| <b>Approval Process</b>  |   |
| <i>Eligible Chartering Authorities</i>   | Local school board  |
| <i>Eligible Applicants</i>   | Any individual, group, or non-profit organization   |
| <i>Types of Charter Schools</i>  | Converted public, new starts (but not home-based schools or cyber schools)  |
| <i>Appeals Process</i>   | Applications denied by the local board may be appealed to the state board of education. The state board's decision is binding.  |
| <i>Formal Evidence of Local Support Required</i>   | 60% of parents and 60% of teachers  |
| <i>Recipient of Charter</i>  | A non-profit organization   |
| <i>Term of Initial Charter</i>   | 5 years   |
| <b>Operations</b>  |   |
| <i>Automatic Waiver from Most State and District Education Laws, Regulations, and Policies</i> | No  |
| <i>Legal Autonomy</i>  | No  |
| <i>Governance</i>  | Governing board   |
| <i>Charter School Governing Body Subject to Open Meeting Laws</i>                              | Yes   |
| <i>Charter School May be Managed or Operated by a For-Profit Organization</i>                  | No  |
| <i>Transportation for Students</i>   | Must be provided by the district or charter school  |
| <i>Facilities Assistance</i>   | No  |
| <i>Technical Assistance</i>  | Provided by the Department of Education as well as non-governmental entities  |
| <i>Reporting Requirements</i>  | Annual reports that include a discussion of the school's progress in meeting overall student performance goals and standards and contain a financial statement setting forth by appropriate categories the school's revenues and expenditures and assets and liabilities. |

| <b>Tennessee (cont.)</b>                             |  |
|--|--|
| <b>Funding</b>                                       |  |
| <i>Amount</i>  | 100% of state and local funds calculated on per pupil expenditure from the previous year   |
| <i>Path</i>  | Funds pass through district to charter school  |
| <i>Fiscal Autonomy</i>                               | Limited  |
| <i>Start-up Funds</i>                                | None. State is encouraged to apply for federal start-up grants   |
| <b>Teachers</b>                                      |  |
| <i>Collective Bargaining / District Work Rules</i>   | Teachers may remain covered by district bargaining agreement, or negotiate as separate unit with charter school governing body.  |
| <i>Certification</i>                                 | 100% required  |
| <i>Leave of Absence from District</i>                | Negotiated with district   |
| <i>Retirement Benefits</i>                           | Charter schools may participate in state's retirement system   |
| <b>Students</b>                                      |  |
| <i>Eligible Students</i>                             | All students in the state, except in those schools that have a partnership with institutions of higher education 75% of the student population must have been previously enrolled in a failing school, or students eligible for free & reduced lunch programs. |
| <i>Preference for Enrollment</i>                     | Siblings, children of teachers, founders, or members of the governing body, and students enrolled in the school prior to conversion not to exceed 10% or 25 students whichever is less.  |
| <i>Enrollment Requirements</i>                       | None   |
| <i>Selection Method (in case of over-enrollment)</i> | Lottery  |
| <i>At-Risk Provisions</i>                            | See "eligible students"  |
| <i>Accountability</i>                                | The school must comply with all state public school accountability measures, including annual testing  |

CHARTER SCHOOL LAWS ACROSS THE STATES

| <b>Texas (1995; last amended in 2001)</b><br><b>The 19<sup>th</sup> strongest of the nation's 40 charter laws</b> |  |
|---|--|
| <b>General Statistics</b>   |  |
| <i>Number of Schools Allowed</i>  | 215, not including schools started by public universities  |
| <i>Number of Charters Operating (As of Fall 2002)</i>   | 221  |
| <b>Approval Process</b>   |  |
| <i>Eligible Chartering Authorities</i>  | Local school boards for conversions and state board of education for open-enrollments (new starts)   |
| <i>Eligible Applicants</i>  | For conversion charters, parents and teachers at existing public schools; for open-enrollment charters, existing public or private schools, parents, teachers, public or private institutions of higher education, non-profit organizations, governmental entities   |
| <i>Types of Charter Schools</i>   | Converted public, converted private, new starts  |
| <i>Appeals Process</i>  | None   |
| <i>Formal Evidence of Local Support Required</i>  | Majority of teachers and a majority of parents must support for conversion charter; for open-enrollment charters, state board may require applicants to submit a petition signed by a certain number of parents in area or hold public hearing to determine support; open-enrollment charter must include a statement from school district on the impact of charter school on district's enrollment and financial status |
| <i>Recipient of Charter</i>   | Chief operating officer of charter school  |
| <i>Term of Initial Charter</i>  | Specified in charter, usually 5 years  |
| <b>Operations</b>   |  |
| <i>Automatic Waiver from Most State and District Education Laws, Regulations, and Policies</i>                    | No; exemptions will be determined by commissioner  |
| <i>Legal Autonomy</i>   | No   |
| <i>Governance</i>   | Governing board is restricted to individuals with no substantial interest in a management company. The commissioner will issue rules regarding training of governing board members.  |
| <i>Charter School Governing Body Subject to Open Meeting Laws</i>   | Yes  |
| <i>Charter School May be Managed or Operated by a For-Profit Organization</i>                                     | Charters may not be granted directly to for-profit organizations, but the schools may contract with them for services.   |
| <i>Transportation for Students</i>  | Neither regular public schools nor charter schools are required to provide transportation for students, though many do   |
| <i>Facilities Assistance</i>  | Non-profit corporation established to issue bonds in order to finance construction, renovations, and maintenance of open-enrollment charter schools  |
| <i>Technical Assistance</i>   | Not addressed in law, but provided by Texas Education Agency as well as non-governmental entities  |
| <i>Reporting Requirements</i>   | Charters must participate in state's general public-school reporting system (PEIMS); Commissioner shall designate an impartial annual evaluation of open-enrollment charter schools.   |

**Texas (cont.)**

| <b>Funding</b>                                       |   |
|--|---|
| <i>Amount</i>  | State funds are guaranteed; local revenue is restricted by certain formulas cited in law. Starting 2003-2004 school year, the state will start to phase-in a new formula that will eventually base all allotments according to the statewide average, rather than what's available in the districts |
| <i>Path</i>  | Funds pass through district to charter schools authorized by local school boards; from state to open-enrollment charters schools.   |
| <i>Fiscal Autonomy</i>                               | Limited   |
| <i>Start-up Funds</i>                                | Federal funds available; no state funding   |
| <b>Teachers</b>                                      |   |
| <i>Collective Bargaining / District Work Rules</i>   | Teachers at conversions remain part of district; teachers at open-enrollments work independently  |
| <i>Certification</i>                                 | Not required  |
| <i>Leave of Absence from District</i>                | For conversions, no leave of absence necessary (charter school teachers remain employees of district); for open-enrollment charters, no   |
| <i>Retirement Benefits</i>                           | Charter schools must participate in the state's retirement system   |
| <b>Students</b>                                      |   |
| <i>Eligible Students</i>                             | Students in geographic area specified in charter  |
| <i>Preference for Enrollment</i>                     | District residents if local charter   |
| <i>Enrollment Requirements</i>                       | None  |
| <i>Selection Method (in case of over-enrollment)</i> | Not addressed   |
| <i>At-Risk Provisions</i>                            | None  |
| <i>Accountability</i>                                | Charters must participate in statewide testing system in which scores are publicly reported to state  |
| <b>Other Features</b>                                |   |
| <i>Zoning Requirements</i>                           | Charter schools can be created only in municipalities with a population of more than 20,000   |
| <i>Reporting</i>                                     | Commissioner is required to report to school board members and legislators in districts where a charter school is being sought  |

| <b>Utah (1998; last amended in 2002)</b><br><b>The 15<sup>th</sup> weakest of the nation's 40 charter laws</b> |  |
|--|--|
| <b>General Statistics</b>  |  |
| <i>Number of Schools Allowed</i>   | Unlimited for number of charters authorized by local school boards; cap for state charters is raised to 16 in 2002-03; state can also authorize 6 charter schools focused on math, science and technology (not part of the cap).   |
| <i>Number of Charters Operating (As of Fall 2002)</i>  | 12   |
| <b>Approval Process</b>  |  |
| <i>Eligible Chartering Authorities</i>   | Local school boards and the state board of education   |
| <i>Eligible Applicants</i>   | Any individual or group; or a legal entity, (but not parochial schools or home schools).   |
| <i>Types of Charter Schools</i>  | Converted public, new starts   |
| <i>Appeals Process</i>   | Applications denied by local school board may be appealed to the state board of education. If application is approved, then the state will be the school's sponsor.  |
| <i>Formal Evidence of Local Support Required</i>   | 2/3 of teachers and parents at school must support for conversions   |
| <i>Recipient of Charter</i>  | Applicant  |
| <i>Term of Initial Charter</i>   | 3 years  |
| <b>Operations</b>  |  |
| <i>Automatic Waiver from Most State and District Education Laws, Regulations, and Policies</i>                 | No; charter schools, like other public schools, may seek waivers on a case-by-case basis from state board of education   |
| <i>Legal Autonomy</i>  | No, a charter school is subject to state laws applicable to public schools, except as otherwise provided in its charter  |
| <i>Governance</i>  | Specified in the charter   |
| <i>Charter School Governing Body Subject to Open Meeting Laws</i>  | Yes  |
| <i>Charter School May be Managed or Operated by a For-Profit Organization</i>                                  | Charters may not be granted directly to for-profit organizations, but the schools may be managed by them   |
| <i>Transportation for Students</i>   | Can be negotiated between charter and local board  |
| <i>Facilities Assistance</i>   | The State Office of Education shall publish and make available a list of vacant and unused portions of buildings that are owned by the state or by school districts in the state and that may be suitable for the operation of a charter school. A charter school may participate in the Risk Management Fund upon the approval of the state risk manager and the governing body of the charter school |
| <i>Technical Assistance</i>  | Provided by the Department of Education upon request   |
| <i>Reporting Requirements</i>  | Annual financial audit reports as required of district public schools. The governing body of a charter school shall make annual progress reports to the state board of education and the Legislature through its Education Interim Committee.  |

## Utah (cont.)

| <b>Funding</b>                                |   |
|---|---|
| Amount  | On average 75% of per pupil funding follows the child. The school district in which a charter school student resides shall pay to the host district 1/2 of the amount by which the resident district's per student expenditure exceeds the value of the state funding. Qualified students receive all their federal moneys. |
| Path  | Funds pass from state and district to school  |
| Fiscal Autonomy                               | No  |
| Start-up Funds                                | Federal and state funds available   |
| <b>Teachers</b>                               |   |
| Collective Bargaining / District Work Rules   | Teachers are employees of charter school, and are not required to be district employees   |
| Certification                                 | Required, but law allows for alternative certification  |
| Leave of Absence from District                | Contingent upon approval of the local school board  |
| Retirement Benefits                           | Charter schools must participate in state's retirement benefits   |
| <b>Students</b>                               |   |
| Eligible Students                             | All students  |
| Preference for Enrollment                     | Students enrolled prior, district residents, children of founding parents, and siblings   |
| Enrollment Requirements                       | Same as other public schools  |
| Selection Method (in case of over-enrollment) | Lottery / random process  |
| At-Risk Provisions                            | None  |
| Racial Balance Provisions                     | None  |
| Accountability                                | Each participant school shall develop an accountability plan to measure student achievement against targets established by the school including state core assessments and required Stanford Achievement Tests.   |
| <b>Other Features</b>                         |   |
| Charter School Cap                            | The cap on state approved charters cannot be raised until an evaluation of existing charters is submitted to the state legislature.   |

| <b>Virginia (1998)</b><br><b>The 4<sup>th</sup> weakest of the nation's 40 charter laws</b>    |  |
|--|--|
| <b>General Statistics</b>  |  |
| <i>Number of Schools Allowed</i>   | 2 charters or 10 percent of the total number of schools in the school district, whichever is greater |
| <i>Number of Charters Operating (As of Fall 2002)</i>  | 8  |
| <b>Approval Process</b>  |  |
| <i>Eligible Chartering Authorities</i>   | Local school board; two or more local boards may authorize regional charter schools                  |
| <i>Eligible Applicants</i>   | Any person, group or organization  |
| <i>Types of Charter Schools</i>  | Converted public, new starts   |
| <i>Appeals Process</i>   | None   |
| <i>Formal Evidence of Local Support Required</i>   | Adequate number of parents, teachers, per-pupil support  |
| <i>Recipient of Charter</i>  | Charter school governing body  |
| <i>Term of Initial Charter</i>   | 3 years  |
| <b>Operations</b>  |  |
| <i>Automatic Waiver from Most State and District Education Laws, Regulations, and Policies</i> | No; exemptions are made at the discretion of the school board  |
| <i>Legal Autonomy</i>  | No   |
| <i>Governance</i>  | Charter school governing body  |
| <i>Charter School Governing Body Subject to Open Meeting Laws</i>                              | Yes  |
| <i>Charter School May be Managed or Operated by a For-Profit Organization</i>                  | Yes  |
| <i>Transportation for Students</i>   | Specified in charter   |
| <i>Facilities Assistance</i>   | Districts may charge rent; other fees negotiable   |
| <i>Technical Assistance</i>  | Provided by Department of Education  |
| <i>Reporting Requirements</i>  | Annual reports as required of district public schools  |
| <b>Funding</b>   |  |
| <i>Amount</i>  | Basic funding not addressed; charters treated as public school with fees negotiated                  |
| <i>Path</i>  | Funds pass through district to school  |
| <i>Fiscal Autonomy</i>   | No   |
| <i>Start-up Funds</i>  | Federal funds available; no state funding  |



**Virginia (cont.)**

| <b>Teachers</b>                                      |   |
|--|---|
| <i>Collective Bargaining / District Work Rules</i>   | Teachers remain covered by district collective bargaining agreement   |
| <i>Certification</i>                                 | Required  |
| <i>Leave of Absence from District</i>                | Teachers given one year contract, but reassignment to the charter school is dependent upon governing board's approval   |
| <i>Retirement Benefits</i>                           | Charter schools must participate in state's retirement system   |
| <b>Students</b>                                      |   |
| <i>Eligible Students</i>                             | All students in state, but charter schools that cater to at-risk students will have a better chance of being approved   |
| <i>Preference for Enrollment</i>                     | District residents and at-risk students. Charter must comply with any desegregation orders/ regulations   |
| <i>Enrollment Requirements</i>                       | Not permitted   |
| <i>Selection Method (in case of over-enrollment)</i> | Lottery/random process  |
| <i>At-Risk Provisions</i>                            | One of each of two charters in each district must serve at-risk   |
| <i>Accountability</i>                                | Same as public schools, charter schools shall be subject to the requirements of the Standards of Quality, including the Standards of Learning and the Standards of Accreditation. The school must describe the assessments to be used to measure pupil progress towards achievement of the school's pupil performance standards; the timeline for achievement of such standards; and the procedures for taking corrective action in the event that pupil performance at the public charter school falls below such standards. |
| <b>Other Features</b>                                |   |
| <i>Regional Charter Schools</i>                      | Two or more local school boards can create Regional Charter Schools.  |

| <b>Wisconsin (1993; amended in 2001)</b><br><b>The 18<sup>th</sup> strongest of the nation's 40 charter laws</b> |  |
|--|--|
| <b>General Statistics</b>  |  |
| <i>Number of Schools Allowed</i>   | Unlimited  |
| <i>Number of Charters Operating (As of Fall 2002)</i>  | 130  |
| <b>Approval Process</b>  |  |
| <i>Eligible Chartering Authorities</i>   | Statewide: local school boards only.<br>Milwaukee: school board, city of Milwaukee, University of Wisconsin-Milwaukee, and Milwaukee Area Technical College. Also, the University of Wisconsin-Parkside can authorize one school in the Racine school district |
| <i>Eligible Applicants</i>   | Any individual or group  |
| <i>Types of Charter Schools</i>  | Converted public, non sectarian private, new starts  |
| <i>Appeals Process</i>   | None   |
| <i>Formal Evidence of Local Support Required</i>   | 50% of teachers in a school or 10% of teachers in a school district must sign a petition, except for board-initiated charter schools, which may open without the signature or petition process.  |
| <i>Recipient of Charter</i>  | Applicant  |
| <i>Term of Initial Charter</i>   | Up to 5 years  |
| <b>Operations</b>  |  |
| <i>Automatic Waiver from Most State and District Education Laws, Regulations, and Policies</i>                   | Yes from state; no from district (except Milwaukee)  |
| <i>Legal Autonomy</i>  | Yes in Milwaukee, no in other districts  |
| <i>Governance</i>  | Specified in charter   |
| <i>Charter School Governing Body Subject to Open Meeting Laws</i>  | Yes  |
| <i>Charter School May be Managed or Operated by a For-Profit Organization</i>                                    | Yes  |
| <i>Transportation for Students</i>   | Not addressed  |
| <i>Facilities Assistance</i>   | None   |
| <i>Technical Assistance</i>  | Provided by non-governmental entities upon request   |
| <i>Reporting Requirements</i>  | Charter schools must file same reports with department of public instruction as other public schools must file   |

## Wisconsin (cont.)

| <b>Funding</b>                                    |   |
|---|---|
| Amount  | Negotiated with sponsor district and specified in charter; district is permitted to spend more on charter schools than regular public schools. Estimated portion is about \$6,400.  |
| Path  | Funds pass through district to school   |
| Fiscal Autonomy                                   | Negotiated with sponsor district and specified in charter   |
| Start-up Funds                                    | Federal funds available; no state funding   |
| <b>Teachers</b>                                   |   |
| Collective Bargaining / District Work Rules       | Teachers in "instrumentality" charter schools remain covered by district collective bargaining agreement, but may organize as a separate unit. Teachers in "non-instrumentality" charter schools are not district employees and are eligible to negotiate as a separate unit with charter school governing body, or work independently  |
| Certification                                     | Required, but if search for licensed teacher is unsuccessful, a special charter school license is available for persons with bachelor's degree in their field who take 6 credits of training each year and are supervised by a teacher with a regular license.  |
| Leave of Absence from District                    | Teachers remain employees of the district   |
| Retirement Benefits                               | Charter schools must participate in state's retirement system   |
| <b>Students</b>                                   |   |
| Eligible Students                                 | Students in sponsoring district(s) or state open enrollment students, if space is available.  |
| Preference for Enrollment                         | Students enrolled prior. Racial balance of charter school may not differ from district  |
| Enrollment Requirements                           | Charter schools may not use academic ability criteria; they may, however, define certain other criteria for enrollment, such as at-risk criteria  |
| Selection Method (in case of over-enrollment)     | Not addressed in law, but uses a lottery/random process   |
| At-Risk Provisions                                | Local school boards must give preference in awarding charters to schools designed to serve children at-risk   |
| Accountability                                    | Each operator of a charter school shall adopt pupil academic standards in mathematics, science, reading and writing, geography and history but must administer the state's reading comprehension exam and the grade knowledge and concepts exam in the appropriate grades. Also, every charter high school must administer the state's high school graduation examination that is designed to measure whether pupils meet the pupil academic standards. |
| <b>Other Features</b>                             |   |
| District wide Charter and Multi-District Charters | A district may convert all of its schools to charter schools, if at least 50% of teachers in the district approve and the local school board provides alternative public school arrangements for students who do not wish to attend charter schools or are not enrolled; multi-district charters are also permitted.  |

| <b>Wyoming (1995; last amended in 2001)</b><br><b>The 11<sup>th</sup> weakest of the nation's 40 charter laws</b> |  |
|---|--|
| <b>General Statistics</b>   |  |
| <i>Number of Schools Allowed</i>  | Unlimited  |
| <i>Number of Charters Operating (As of Fall 2002)</i>   | 1  |
| <b>Approval Process</b>   |  |
| <i>Eligible Chartering Authorities</i>  | Local school boards  |
| <i>Eligible Applicants</i>  | Any person   |
| <i>Types of Charter Schools</i>   | Converted public, new starts (but not home-based schools)  |
| <i>Appeals Process</i>  | Applications denied by the local school board may be appealed to the state board of education.   |
| <i>Formal Evidence of Local Support Required</i>  | 10% of teachers in district or 50% of teachers in a school, and 10% of parents in district or 50% of parents in a school must support  |
| <i>Recipient of Charter</i>   | Charter school governing body  |
| <i>Term of Initial Charter</i>  | Up to 5 years  |
| <b>Operations</b>   |  |
| <i>Automatic Waiver from Most State and District Education Laws, Regulations, and Policies</i>                    | No; charter schools, like other public schools, may seek waivers on a case-by-case basis from state board of education   |
| <i>Legal Autonomy</i>   | Limited  |
| <i>Governance</i>   | Specified in charter, including process to ensure parental involvement   |
| <i>Charter School Governing Body Subject to Open Meeting Laws</i>   | Yes  |
| <i>Charter School May be Managed or Operated by a For-Profit Organization</i>                                     | Charters may not be granted directly to for-profit organizations, but the schools may be managed by them   |
| <i>Transportation for Students</i>  | Provided by district   |
| <i>Facilities Assistance</i>  | District boards shall make available to approved charter holders unused facilities upon request. Charter facilities are included among the public school facilities eligible for funds to cover facilities repair/replacement. |
| <i>Technical Assistance</i>   | Provided by non-governmental entities upon request   |
| <i>Reporting Requirements</i>   | Local school board must prepare annual report for state board of education on each charter school operating within the district; after three years, state board must prepare report for legislature                            |
| <b>Funding</b>  |  |
| <i>Amount</i>   | 95% of the district per pupil amount. Estimated portion in about \$6,000   |
| <i>Path</i>   | Funds pass through district to school  |
| <i>Fiscal Autonomy</i>  | Negotiated with sponsor district and specified in charter  |
| <i>Start-up Funds</i>   | Federal funds available; no state funding  |

**Wyoming (cont.)**

| <b>Teachers</b>                                      |  |
|--|--|
| <i>Collective Bargaining / District Work Rules</i>   | Teachers remain part of the district and are subject to district rules   |
| <i>Certification</i>                                 | Required   |
| <i>Leave of Absence from District</i>                | Specified in charter   |
| <i>Retirement Benefits</i>                           | Charter schools must participate in state's retirement system  |
| <b>Students</b>                                      |  |
| <i>Eligible Students</i>                             | All students in state  |
| <i>Preference for Enrollment</i>                     | Students enrolled prior. Racial balance of charter school may not differ from district. Means by which this balance is to be achieved must be specified in charter.  |
| <i>Enrollment Requirements</i>                       | Enrollment requirements are permitted, but enrollment may not be based exclusively on academic ability or achievement.   |
| <i>Selection Method (in case of over-enrollment)</i> | Not addressed  |
| <i>At-Risk Provisions</i>                            | None   |
| <i>Accountability</i>                                | Charter schools shall meet the state uniform educational program standards imposed upon public schools and the uniform state student performance standards prescribed by the state board of education, including compliance with requirements under the statewide assessment system. |