



2014 CHARTER SCHOOL LAW RANKINGS AND SCORECARD *THE RATIONALE BEHIND THE RANKINGS*

HOW WE EVALUATE CHARTER LAWS

The Center for Education Reform's (CER) experience makes us uniquely positioned to see how policies have unfolded over the last 20 years. Our rankings take into consideration not only the policy itself, but how that policy plays out on the ground. For instance, a law might look great in theory, but you cannot truly discern the quality of the law if no schools have opened. As the nation celebrates twenty-plus years of charter schools, history suggests new state proposals should be modeled after success, not theory.

Our evaluation begins with a thorough review of the state's law and what the words mean, in practice. The issue is not whether a state has a law, and hopefully some schools. The issue is whether the law has strong, permanent authorizing structures, equitable funding codified in law, and autonomy across state, district, and teacher rules and regulations, giving charters the freedom to do what they do best – educate kids.

Unless the critical flexibilities and equitable resources are codified in law, they are subject to the whims of politicians. It happened in Oakland, California, back when Jerry Brown was mayor, it happened in Washington, D.C., and it is happening

right now in New York City with newly elected mayor Bill de Blasio. The content of the charter law plays a large role in the relative success or failure of the charter schools that open within that state.

While some states do earn a grade of 'A', that does not mean that they are perfect. The highest achieving states in our rankings still have a long way to go, being ten or more points away from a perfect score. Each law has points of concern that must be corrected to ensure that all charter schools in that state are given the resources to succeed. The majority of charter laws are average, graded a 'C', and with the exception of one or two states, there have not been any substantial improvements over the last year to the policies that are critical components of strong charter laws. Minor tweaks have been made, but governors, legislators, and policy analysts need to look at the existing framework of laws and regulations of strong states and implement what works day in and day out, and not rely on theoretical framework.

METHODOLOGY AND DEFINITIONS

A numerical value is placed on the four major components of a charter law that have been determined to have the most impact on the development and creation of charter schools. States may earn a

maximum of 55 points based on their law - and practice of that law in the following categories:

1. MULTIPLE AUTHORIZERS (15 POINTS). Does the state permit entities other than traditional school boards to create and manage charter schools independently, and does the existence of such a provision actually lead to the active practice of independent authorizing? Independent authorizers may vary in scope and degree of independence from pre-existing government school structures, and their score reflects that. The terms multiple and independent authorizers are used to describe a component in a law that permits authorizing by entities such as universities, independent charter school boards or commissions, nonprofit organizations, and/or mayors.

2. NUMBER OF SCHOOLS ALLOWED (10 POINTS). How many charters are allowed to open, whether annually, in total throughout the state, or on a local level? Do the caps imposed through charter law hinder the growth and development of the charter school movement in the state? Restriction can also be defined by limits on the number of students that can be enrolled in charter schools. It is not enough to simply have no cap, as many states do, if charter schools are not being approved or opened on a regular basis. That is another kind of growth constraint, and points are deducted for that.

3. OPERATIONS (15 POINTS). How much independence from existing state and district operational rules and procedures is codified in law and results in that practice as intended? Do charter schools receive a “blanket waiver”, which automatically exempts them from the majority of public school regulations, while still adhering to important regulations concerning standards, safety and civil rights? Do schools have to apply for waivers in order to operate their schools as they wish? Are all types of charter schools permitted in the state,

including online? What regulations are imposed on education service providers and their relationships with charter schools? Freedom to operate, combined with freedom from collective bargaining are considered essential elements.

4. EQUITY (15 POINTS). Fiscal equity requires that the amount of money allotted for each charter school student is the same, and the monies charter schools receive come from the same funding streams as all other public schools. If the law guarantees that charter schools receive money that is the same amount as and received in the same manner as traditional public schools, including funding for facilities, then they will be viewed as and treated the same as public schools in law and in practice.

IMPLEMENTATION POINTS: States are able to earn or lose points for accountability and putting the law into practice. If the law is not followed, or charter schools are not being approved for arbitrary reasons not codified in law, points are deducted.

States with tie scores are ranked according to secondary factors including the effectiveness of their law, and the number of schools currently operating.

For more information on The Center for Education Reform’s charter school law rankings over the years, or for additional research on strong charter school policy, please visit www.edreform.com.



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