

THE ESSENTIAL GUIDE TO CHARTER SCHOOL LAW 2012 NATIONAL RANKING AND SCORECARD

CER's 13th annual analysis of charter school laws across the states documents the conditions for effective laws that support the growth and success of these proven models of public schooling. The 2012 report analyzes each law against nationally recognized benchmarks that most closely dictate the impact of charter school policies on healthy, sustainable charter schools. Components such as the creation of multiple independent authorizers and fiscal equity can transform a state's educational culture. States that do so include Washington, DC, Minnesota and Indiana. The lack of components that ensure operational freedom, equity and alternate paths to authorizing limits charter progress and often leads to contentious charter battles. States such as Virginia and Georgia are notable in this category.

The national GPA of 2.1 - a 'C' - on state charter school laws is a result of states having earned five A grades, ten Bs, fifteen Cs, eight Ds and four Fs. Categories ranked include: the existence of multiple independent authorizers, number of schools allowed, operational autonomy, and fiscal equity when compared to their conventional public school peers. For more information on these categories, our methodology, and scoring system, please go to our website, <http://www.edreform.com>.

Charter schools are permitted in 41 states and the District of Columbia, serving nearly 2 million students, and engaging more than 5 million adults in the creation and execution of these independent, high quality public schools. While success and accountability is apparent, not all states have the conditions necessary in law to ensure schools have the tools to succeed. Effective state charter laws are critical to having world class schools. To that end, this analysis is a critical guide to best practice and the essential components of charter school law.

Alison Consoletti, Vice President of Research

NOTEWORTHY FROM THE STATES

- *Indiana moved up into the 'A's for the first time after the reform-minded governor and legislature greatly improved the state charter law in 2011.*
- *Washington, DC once again took the top spot in the rankings because of their strong independent authorizer, charter autonomy and nearly equitable funding.*
- *Maine enacted their first charter law in 2011, but entered the rankings in 24th place, a low 'C'. Reformers are still working to make sure when a charter school is approved, it will have the autonomy to succeed.*
- *Independent, multiple authorizers are the key to a strong charter law, and this was evident in California, which dropped from 3rd place to 7th. Power has increasingly been put in the hands of school boards.*
- *At the last minute, Idaho signed a bill to eliminate its restrictive cap and moved up to a 'B'.*
- *Georgia's Supreme Court ruling that the independent authorizer Charter Schools Commission was unconstitutional cost them five spots.*
- *The worst laws in the country made no changes to their laws and will continue to be given 'F' grades until legislators take a serious look at what is wrong with each law - no multiple authorizers, not autonomy, and inequitable funding.*

CHARTER SCHOOL LAW RANKINGS 2012

GRADE	A					B												
STATE	DC	MN	IN	AZ	MI	NY	CA	FL	CO	UT	MO	ID	PA	LA	OH	WI	SC	
Year Law Passed	96	91	01	94	93	98	92	96	93	98	98	98	97	95	97	93	96	
Independent Authorizers (15)	12	13	12	10	12	12	5	3	4	6	7	5	4	5	9	3	5	
Number of Schools Allowed (10)	8	10	10	9	8	8	9	10	10	8	6	10	10	10	3	10	10	
OPERATIONS (15)																		
State Autonomy	4	3	3	5	3	2	4	4	4	3	3	3	4	4	3	5	4	
District Autonomy	5	4	5	4	5	3	3	3	3	2	3	4	3	3	4	3	2	
Teacher Freedom	5	4	5	5	4	3	5	5	4	5	4	4	4	3	4	3	4	
EQUITY (15)																		
100% Funding	8	8	6	6	8	7	8	7	7	8	9	5	6	5	6	4	3	
Facilities Funds	3	2	1	2	0	0	0.5	1	0.5	0.5	0	0	0.5	0.5	0	0	0	
IMPLEMENTATION POINTS																		
2012 Total Score	46	45	42	40	40	36	34.5	33	32.5	32.5	32	31	30.5	30.5	30	28	28	
2012 Rank	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	
2011 Total Score	47	45	33	37.5	36	33	43	32	34	32	33	25	31.5	29.5	27	28	27	
2011 Rank	1	2	8	4	5	7	3	10	6	11	9	22	12	13	18	16	20	
Number of Charters as of Fall, 2011*	107	162	63	539	316	201	1008	517	185	85	52	43	170	113	368	256	48	

AND SCORECARD

C													D							F				
DE	MA	GA	TN	NM	OR	NJ	NV	OK	ME	TX	NC	IL	AR	RI	NH	CT	WY	AK	MD	HI	KS	IA	VA	MS
95	93	93	02	93	99	96	97	99	11	95	96	96	95	95	95	96	95	95	03	94	94	02	98	10
3	4	2	4	4	3	3	5	6	4	3	3	3	2	2	2	2	1	1	1	2	1	1	1	2
9	4	10	10	4	10	10	8	3	3	3	9	4	4	4	7	8	10	10	4	3	10	10	10	1
3	4	4	1	4	2	1	2	3	3	3	2	3	3	1	3	1	2	1	1	3	0	0	0	1
4	4	2	1	3	1	2	2	2	3	2	3	2	2	1	2	2	0	1	2	2	0	0	0	0
5	3	4	4	4	4	3	3	5	4	4	3	4	3	3	5	3	1	0	0	0	0	0	0	0
6	7	5	6	7	5	6	8	5	7	7	4	4	5	8	2	3	2	3	5	4	0	0	0	0
0	0.5	0.5	0.5	0	0	0	0	0.5	0	0	0	0	0	0	0	0.5	0	0	0	0.5	0	0	0	0
-2	1	-1	0	0	0	0	-3	0	0	0	-2	0	0	0	-3	-3	-3	-3	0	-3	-3	-3	-3	-3
28	27.5	26.5	26.5	26	25	25	25	24.5	24	22	22	20	19	19	18	16.5	13	13	13	11.5	8	8	8	1
18	19	20	21	22	23	24	25	26	27	28	29	30	31	32	33	34	35	36	37	38	39	40	41	42
29	27.5	28.5	20.5	24	26	27	25	20.5	N/A	19	17	19.5	15	19	16	14	10	14	13	12	8	8	8	4
14	17	15	25	24	21	19	23	26	N/A	29	30	27	32	28	31	33	37	34	35	36	38	39	40	41
22	76	125	35	85	116	87	34	19	0	444	105	105	37	17	11	23	4	28	46	31	19	8	4	0

Note: The scores on this table are based on the current status of each law (through March 25, 2012). Amendments to the original law, state board regulations, legal rulings, department of education interpretation and actual implementation have all been factored into the rankings. The total amount of points a state could score this year is 55. States are listed left to right from the strongest to the weakest. States with tie scores were ranked according to secondary factors including the effectiveness of their law, and the number of schools currently operating.

Produced and published by The Center for Education Reform, April 2012.

HOW WE EVALUATE CHARTER LAWS

Getting high marks these days is no easy task, at least when the grades are based on substantial accomplishment, and not just mastering the art of test taking. That, in public policy, translates to simply having a law on paper but nothing more.

To address these fundamental issues, we begin 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 has some schools. The issue is whether the law has strong permanent authorizing structures and can withstand political elections or partisan whims with regard to funding, operations and accountability.

Such laws, it turns out, are harder to create than the number of schools, today at 5,700 according to The Center's ongoing evaluations – would suggest. As this and previous analyses have revealed, just having a law is not even half the battle. The old adage that too many schools feel pressured to “teach the test” applies here. That pressure typically occurs in schools and among teachers that have neither the flexibility and resources to do their job well, nor the confidence to realize that when students are given the best instruction, they will do well on whatever test is administered.

Similarly, states that adopt new laws without codifying the critical flexibilities and equitable resources that the charter concept demands to be successful are simply going through the motions, checking the boxes, and allowing the charters that do get created to go forward without the critical ingredients for success.

The “Teaching to the Test” states – those, which require schools to abide robotic processes, lack of rigor and lots of bureaucracy – are the low C's, D and F states.

The “Exceptional Delivery” states – those where schools are more likely to thrive because of the consistent delivery of strong educational practices and conditions necessary for good education – are the A's and B's.

That said, the high achieving states in this ranking still have a long way to go. The top three states are still ten or more points away from a perfect score. While they perform at a much higher level than the other states on the more important components, each state's law presents issues that must be corrected to ensure that all charter schools in that state are well served, and thus, serve their clients – parents and students.

It is the existing framework of laws and regulations which must guide all who are involved in public policy analysis. It is that guide – what works in actual practice and what does not – that should inform the whole of education – from the individuals who dedicate themselves day in and day out to teaching to the institutions that regulate our schools. Unproven theory has no place here.

To that end, we continue to hold ourselves and those working in pursuit of education reform to a standard that transcends generational change, political whims or even public opinion. *And we continue to hold the charter school movement to a standard that was set by its founders – the creation of truly autonomous, equitably supported, independent public schools open by choice and accountable for results that are guided and operated by people with connections to the communities they serve. Whether organic, one-up schools, managed by tax-paying or nonprofit agencies, hybrid or made of building material, charter schools that succeed do so first and foremost because of the laws that enable them.*

For complete report, including introduction, methodology description, and state-by-state grading and summations, go to our website and download a copy. (<http://www.edreform.com>)