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For Immediate Release

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RANKING OF CHARTER SCHOOL LEGISLATION RELEASED; *CALIFORNIA JUMPS INTO THE TOP TEN, MISSISSIPPI STILL WEAKEST IN NATION; FOUR NEW STATES JOIN THE CHARTER RANKS*

December 2, 1998 The Center for Education Reform [CER] has released it's third ranking and evaluation of the nation's charter school laws. Currently 33 states and the District of Columbia have enacted charter legislation. Arizona, where 24% of the nation's 1128 charter schools are thriving, continues to rank first; California, after amending its law earlier this year, jumps into the top ten; and Missouri, which passed legislation in 1998, is listed for the first time with a relatively strong ranking of 14th. Of the 34 laws, 23 overall are ranked as strong or moderately strong and likely to lead to positive charter activity, while 11 are rated weak, and because of that, it will be unlikely to see any measurable charter activity in their state. (See attached chart for each state's scores and ranking.)

CER's report, provides the nation's only comprehensive evaluation of all charter school laws, with both the state-by-state rankings, based on scores in 10 categories, and a detailed, individual profile of each of the 34 laws.

Jeanne Allen, President of CER remarked, "The Center offers this report to serve not only as a guide to those who are evaluating their own existing charters laws against other states' for the first time, or are revisiting them with an eye toward making positive amendments, but also as a primer to help charter activists working to get it right the first time in the 17 states still without charter legislation."

"Unfortunately, some charter school laws are crippled at the outset by voluminous restrictions and provisions, a direct reflection of the growing threat felt by many in traditional venues of public education toward this new, successful form of public school, "concluded Allen.

Each law was reviewed independently by a panel of experts including Jeanne Allen, president of The Center for Education Reform, Linda Brown, director, Pioneer Institute Charter School Resource Center and Chester Finn, Fordham Foundation President and John M. Olin Fellow at the Hudson Institute. Scores and rankings were based on both official provisions and the realities of actual implementation of that legislation. Information and analysis was contributed by dozens of state and local charter experts.

For more information or to receive the full report contact The Center for Education Reform by calling (202) 822-9000 or by e-mail at cer@edreform.com. CER's award-winning website can be found at "edreform.com."

The Center for Education Reform is a national, independent, non-profit advocacy organization founded in 1993 to provide support and guidance to individuals, community and civic groups, policymakers and others who are working to bring fundamental reforms to their schools.

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Charter School Legislation: State Rankings

CRITERIA	← STRONG																						
State	**AZ**	**MI**	**DC**	**DE**	**MA**	**MN**	**NC**	**TX**	**CA**	**SC**	**CO**	**FL**	**LA**	**MO**	**PA**	**NJ**	**WI**	**NH**	**IL**	**GA**	**CT**	**OH**	**ID**
Year Law Passed	'94	'93	'96	'95	'93	'91	'96	'95	'92	'96	'93	'96	'95	'98	'97	'96	'93	'95	'96	'93	'96	'97	'98
Number of schools allowed	5.0	4.3	3.7	3.7	3.3	5.0	4.3	4.3	4.6	4.7	4.1	5	3.0	2.3	4.7	4.0	5	1.7	2.0	5	1.0	1.7	2.6
Multiple chartering authorities	5.0	5.0	4.7	2.4	3.3	4.7	4.3	3.0	4.5	3.7	2.7	.9	2.7	4	2.0	3.3	3.5	0.7	1.0	1.3	1.3	2.7	1.3
Eligible charter applicants	4.7	4.7	5.0	4.4	4.3	4.3	4.7	4.3	4.7	3.7	5	4.6	3.0	1	4.0	4.0	4.6	3.7	3.0	4	5.0	3.0	3
New starts allowed	5.0	4.7	4.7	4.9	5.0	4.7	4.3	4.7	4	4.3	4.8	4.7	4.7	4.6	5.0	4.3	4.6	3.7	3.3	4.5	4.0	2.7	4.8
School may be started without formal evidence of local support	5.0	5.0	2.7	3.5	4.0	2.7	3.0	3.0	3.5	1.7	3	3.2	2.3	4	3.3	3.0	2.1	0.0	1.7	0	2.3	4.7	1
Automatic waiver from state and district laws	4.3	2.7	4.7	4.4	3.0	4.7	3.7	4.7	2.6	4.0	3	3	4.7	4	2.0	1.0	2.9	4.7	4.0	4.3	0.3	3.0	4.3
Legal / operational autonomy	4.7	5.0	4.7	5	4.7	2.7	2.7	3.0	2.3	2.3	3	3	5.0	4.2	4.0	4.7	3	3.7	2.7	.6	2.7	1.7	0
Guaranteed full per-pupil funding	3.3	5.0	5.0	5	5.0	2.0	4.7	3.7	4.6	5.0	2.8	4.5	5.0	4	2.7	2.0	1.4	0.0	3.0	3.3	3.7	2.7	3
Fiscal Autonomy	4.7	5.0	5.0	5	5.0	5.0	4.7	4.0	3.6	4.3	4.1	4	5.0	4	4.0	5.0	1.8	5.0	3.3	2	5.0	2.7	1.6
Exempt from collective bargaining agreement / district work rules	5.0	4.0	4.7	4.9	4.3	4.0	3.0	4.0	4	4.0	4.1	3.6	1.0	4	3.7	2.7	1.3	4.7	3.7	2.3	2.0	2.3	4
Total	46.7	45.3	44.7	43.2	42	39.7	39.3	38.7	38.4	37.7	36.6	36.5	36.3	36.1	35.3	34	30.2	27.7	27.7	27.3	27.3	27	25.6
Rank 1998 Rank 1997	***1*** 1	***2*** 2	***3*** 3	***4*** 4	***5*** 5	***6*** 6	***7*** 7	***8*** 8	***9*** 15	***10*** 9	***11*** 14	***12*** 11	***13*** 10	***14*** N/A	***15*** 12	***16*** 13	***17*** 20	***18*** 16	***19*** 17	***20*** 28	***21*** 18	***22*** 19	***23*** N/A
Number of Charter Schools Fall 1998 (1128 total)	271	139	19	4	34	35	59	60	156	5	61	75	10	N/A	31	30	24	0	14	27	16	15	N/A

Note: The scores on this table are based on the current status of each law (through September 1998). 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 stronger to weaker. 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. See the following page for a more detailed explanation of the criteria and rating system. See also analysis of individual states' laws for further explanation of specific provisions.

CO: The Colorado ***waiver authority*** is given a 3 even though the law does not guarantee it. An agreeable State Board of Education makes the process easy.
ID: The scores reflect the lack of clarity in the law pertaining to fiscal and legal autonomy.
MO: While the provisions of the law work well for the two cities, the rest of the state is not authorized to have charter schools.

Each law was scored by a panel of experts composed of Jeanne Allen, President, The Center for Education Reform, Linda Brown, Director, Pioneer Institute Charter School Resource Center, and Chester Finn, President of the Thomas B. Fordham Foundation and John M. Olin Fellow at the Hudson Institute. The average of the panelists' individual scores was used for the final score for each criterion, and their sum provided final raw scores by which each state was ranked. States with tie scores were ranked according to secondary factors influencing the effectiveness of their law.

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Charter School Legislation: State Rankings (cont.)

CRITERIA	← WEAK →										
State	UT	AK	NV	RI	WY	VA	KS	III	NM	AR	MS
Year Law Passed	'98	'95	'97	'95	'95	'98	'94	'94	'93	'95	'97
Number of schools allowed	.6	2.3	3.0	1	5.0	1.6	0.7	1.3	0.0	5.0	0.0
Multiple chartering authorities	2	0.3	0.3	1.2	0.0	1	0.0	.8	1.0	0.3	0.0
Eligible charter applicants	4.3	4.7	1.0	1	4.3	2.6	4.3	0	0.0	0.0	0.0
New starts allowed	4.1	5.0	2.0	4.6	4.0	2.3	4.7	0.0	0.0	0.0	0.0
School may be started without formal evidence of local support	2.5	1.3	5.0	0	1.7	2.6	1.0	0.2	0.0	0.0	0.0
Automatic waiver from state and district laws	.6	0.0	3.3	0	0.0	.6	0.3	4.5	0.3	0.0	1.3
Legal / operational autonomy	1.6	0.0	0.0	.5	0.0	.6	0.0	.3	0.0	0.0	0.0
Guaranteed full per-pupil funding	.3	3.3	3.3	3.3	0.0	.6	0.3	3.3	4.3	0.3	0.0
Fiscal Autonomy	1.3	4.0	0.0	3.8	0.0	0	0.0	.3	4.3	0.0	0.0
Exempt from collective bargaining agreement / district work rules	4.3	0.0	0.0	0	0.0	0	0.0	0.0	0.0	0.0	0.0
Total	21.6	21	18	15.4	15	11.9	11.3	10.7	10	5.7	1.3
Rank 1998	***24***	***25***	***26***	***27***	***28***	***29***	***30***	***31***	***32***	***33***	***34***
Rank 1997	N/A	21	22	23	24	N/A	25	26	27	29	30
Number of Charters Fall 1998	N/A	17	1	2	0	N/A	15	2	5	0	1

Rating Criteria:

All 34 charter school laws in existence as of October 1998 are scored and ranked according to their degree of expansiveness. The states are ranked from 1 (most expansive) to 34 (most restrictive), as well as divided into Strong and Weak Charter Law States, indicating which do or are likely to support at least some significant development of autonomous charter schools, and which are 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 / binding appeals process: States that permit a number of entities in addition to or instead of local school boards to authorize charter schools, or that provide applicants with a binding appeals process, encourage more activity than those that vest authorizing power in a single entity, particularly if that entity is the local school board, or provide only an advisory 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 students 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.

Note: Please see The Center for Education Reform's complete analysis at www.edreform.com or by referring to *Charter School Laws Across the States*, 1998.