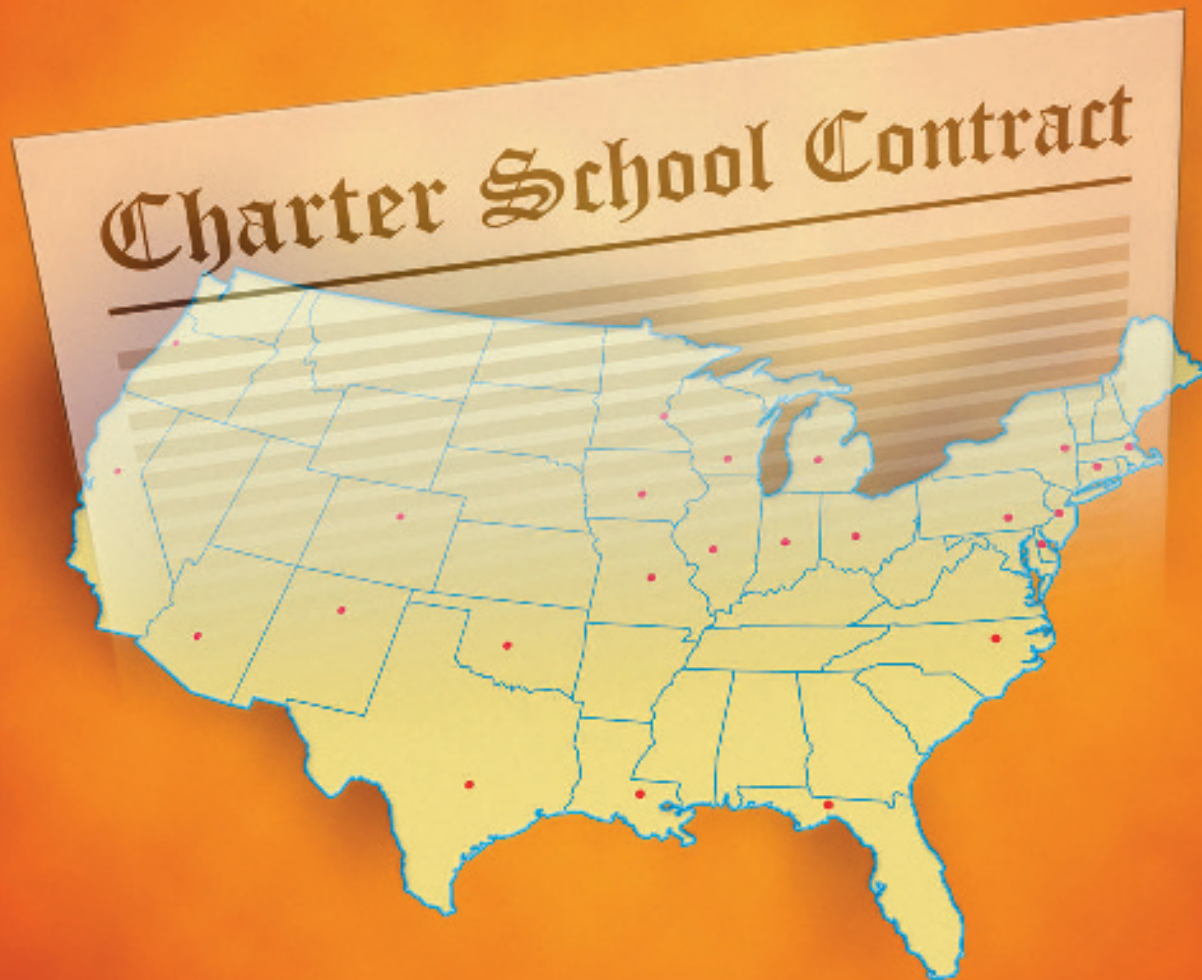


Charter School Authorizing: Are States Making the Grade?

by Louann Bierlein Palmer and Rebecca Gau



June 2003



THOMAS B. FORDHAM
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Table of Contents

Foreword	v
Executive Summary	1
Methodology	5
State Selection	5
Criteria	5
Data Collection	5
Data Analysis	6
Criteria	9
I. State Charter School Environment	9
II. Charter Authorizer Behavior	9
Major Findings	13
State Grades and Rankings	13
Key Issues Across States	15
Policy Issues and Implications	21
Individual State Reports	25
Arizona	27
California	30
Colorado	33
Connecticut	36
Delaware	39
District of Columbia	42
Florida	45
Illinois	48
Indiana	51
Louisiana	54
Massachusetts	57
Michigan	60
Minnesota	64
Missouri	67
New Jersey	70
New Mexico	73
New York	76
North Carolina	79
Ohio	82
Oklahoma	85
Oregon	88
Pennsylvania	91
Texas	94
Wisconsin	97
Appendix A: Detailed State Tables	101
Appendix B: Primary State Contacts	117

Tables

1:	State Summary (alphabetical order)	2
2:	State Summary (ranked)	3
3:	Policy and Authorizer Practices Criteria	10
4:	State Rankings, By Major Categories.	13
5:	Charter Policy Environment, By Subcategory	14
6:	Charter Authorizer Practices, By Subcategory.	15
7:	Higher-Graded Criteria.	16
8:	Lower-Graded Criteria	17
9:	Support For & Understanding of Chartered Schools	17
10:	Authorizer Type & Number of Schools Operating (by overall state grade)	18
11:	Authorizer to School Ratio (by overall state grade).	19
12:	Authorizer Support & Fees	19
13:	Authorizer Role & Chartering Rationale.	20
14:	Summary of Criteria & Grades, By State.	103
15:	Respondent Demographics	111
16:	Types of Authorizers & Numbers of Schools, By State.	112
17:	Number of Active Authorizers By Type, By State.	113
18:	Adequacy of Funding & Authorizer Fees, By State	114
19:	Authorizer Roles & Rationale, By State	115

Foreword

In the early days of the charter school movement, a debate raged about what sorts of entities would be empowered to authorize charter schools. Many in public education sought to restrict that authority to existing local school boards. But charter advocates feared this would cramp the possibilities for innovation. Why would school boards willingly sponsor new schools that would compete with their traditional schools? But that was the extent of the conversation about authorizers. Other than talk about who could carry out this function, scant attention was paid to the role that these entities would end up playing in the overall success of the charter enterprise.

A decade later, we have learned a lot about the chartered schools themselves and the successes (and failures) they are having in serving what now amounts to more than half a million young Americans, many of whom were far behind the education eight-ball when they first walked across the charter threshold. We've also come to understand that authorizers really do play a crucial role. Yet surprisingly little is really understood about them, and they have not been closely scrutinized or evaluated.

This study, as far as we know, is the first major effort to examine charter school authorizing. The Thomas B. Fordham Institute has been pleased to organize and participate in this study and publish its results, which was made possible by a grant from the Walton Family Foundation. But we must give credit where it's due: the heavy lifting on this project was done by a team led by Dr. Louann Bierlein Palmer of Western Michigan University, one of America's foremost charter-school experts, joined by Rebecca Gau and Onnie Shekerjian of Arizona State University's Morrison Institute for Public Policy. We're deeply grateful to them for this path-breaking study.

The essential questions that we set out to answer included: What is the state of charter authorizing in America? Are existing state policy environments satisfactorily supporting effective schools and authorizers? Have authorizers created quality practices that ensure

oversight and accountability while respecting chartered schools' freedoms and distinct missions?

The authorizer, it's now clear, does not have an easy row to hoe. Charter opponents watch like hawks for the slightest omission, inconsistency, or failure. Many authorizers are thinly funded—or expected to support their charter work from budgets meant for other purposes. The way some states have written their charter laws, authorizers can find themselves “sponsoring” schools that they never wanted to come into existence. (This situation may arise when an

“appeals” process overrules an initial negative decision—but remands the newly chartered school to the grudging authorizer for sponsorship.)

Moreover, conscientious authorizers are trying to do something that's virtually

unprecedented in the history of American public education: truly holding schools accountable for specific performance results, including closing down schools that fail to deliver satisfactory results. This involves judging what the schools have actually accomplished with their pupils, not just monitoring their intentions, activities, and expenditures. Many sponsors seek to do this without adding layers of red tape, but that's also difficult in a society that tends to equate accountability with regulatory compliance. All of this is rendered even more complicated by new education accountability responsibilities under federal law, and by continued political opposition to the charter movement itself.

We realized from the outset that charter laws and policy environments differ so profoundly that a study such as this would be meaningful only if undertaken on a state-by-state basis. But time and resources were limited. Some states have no charter schools. Some have just a few. And in some the chartered schools have so little statutory autonomy that “sponsoring” them seems like a nominal activity, unworthy of study. So we confined this study to states whose charter schools have some minimum level of legal or fiscal autonomy. We ended up studying authorizing in

What is the state of charter authorizing in America?

24 of the 38 states that have some type of charter law. (Details on state selection can be found in the methodology section.)

After much discussion, the researchers opted not to evaluate individual authorizers within a given state. This decision was driven by the difficulty in securing an adequate survey response rate to allow disaggregation to the authorizer level, and by the importance of obtaining honest survey responses from the authorizers themselves. Instead, data on individual authorizers were collected, but are reported only within a broader category (e.g., how did all “university” authorizers fare). Given strong response rates across all states, including data on each state’s largest authorizer and most other major authorizers, we judge that the resulting state average is generally reflective of what is happening there. Still, we recognize that any such overall rating could conceal very good or bad practices by individual authorizers—practices markedly different from the state norm.

We are mindful that “grading” states is a tricky and contentious business, yet it also makes for the clearest comparisons and judgments from the reader’s standpoint, particularly when the reader is an interested citizen, policymaker, or journalist rather than a social scientist or policy wonk. So we opted to give grades—and ultimately settled on eight categories for those grades, each characterized by a reasonably coherent set of criteria. As you will see, none of the 24 states received an overall “A,” nor did any get an “F.” Thirteen earned an overall grade in the “B” range, eight in the “C” range, and three in the “D” range.

Note, please, that these grades have *nothing* to do with the success or effectiveness of a state’s chartered schools themselves. It’s authorizer behavior and state policy environments that are judged here. Indeed, there’s some evidence that chartered schools can do relatively well, even within states that get comparatively low grades for their policy environment and authorizing (e.g., Colorado, Connecticut). The converse may also be true. The research team fretted that those seeking ammunition to use against the charter movement may use any grades linked to the phrase

“charter school” in a negative manner. But we chose to take the plunge, even as we say shame on anyone who uses *these* grades to suggest that the schools themselves are doing poorly or that the charter movement should be arrested because a given state receives a low “authorizing” score. In our view, the proper response to weak authorizing is to strengthen it, not halt it.

In addition to the three lead investigators, a number of other people helped conceptualize this study and shape the ensuing analyses. We’re especially grateful to Bryan Hassel (Public Impact, Inc.), Paul Herdman (New American Schools), Rob Melnick (Morrison Institute for Public Policy), and Marci Kanstoroom (Thomas B. Fordham Institute). Valuable guidance and support were also received from Margaret Lin and William Haft of the National Association of Charter School Authorizers, and from advisors in each state. (The latter are identified in Appendix B.) Our thanks to them all, as well as to the foresight, insight, and checkbook of the Walton Family Foundation and its terrific board and staff.

This entire report can be viewed on the Fordham Institute’s web site: <http://www.edexcellence.net/tbf/institute/authorizers.html>. There you will also find links to more detailed data on each state in the study and the survey instruments themselves.

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Chester E. Finn, Jr.
President, Thomas B. Fordham Institute
Washington, DC
June 2003

Executive Summary

When the charter school movement began in the early 1990's, one key set of players received little attention: the public entities that “sponsor” or “authorize” these unconventional schools. A charter, after all, is properly understood as a contract between two parties: the school operator and the authorizer. For the charter movement to succeed, both must do their jobs effectively. The operator must run a successful school that delivers the results it promised. The authorizer must see that this happens, providing various forms of oversight and assistance, renewing the charter if all goes well—and pulling the plug if it does not. The role of the authorizer, therefore, is pivotal to the charter movement's overall success.

So how are authorizers doing? To address this question, the researchers explored how well existing state policy environments were supporting effective schools and authorizers. They also examined authorizer practices to see whether quality oversight and accountability processes were in place, without choking the charter schools in red tape and paper.

Data collected from nearly 900 individuals across 23 states and the District of Columbia reveals important findings across states, and detailed information on each state. (Note that for simplicity, we refer to “24 states” throughout this report, rather than 23 states and the District of Columbia.)

Key Issues Across States

1. Most major authorizers are doing an adequate job, but red tape and “compliance creep” are concerns. The vast majority of states in this study received average or better grades for their authorizing practices. Considering that “charter-authorizing” didn't even exist a dozen years ago, most individuals involved with this activity deserve plaudits for making it work as well as it is. Yet many authorizers are badly handling the balance between “accountability” and “flexibility.” Many, it appears, are sliding too far into the accountability-via-compliance camp.

2. Many state policy environments are not supportive of chartered schools and authorizers. Only 4 states received a “B” range grade for their charter policy environments. These lower policy ratings are driv-

en to a large degree by the perceived lack of support for chartered schools from key players (i.e., politicians, local districts, and the public). In addition, there are concerns over adequate funding and accountability for authorizers.

3. Local school boards generally do not make good authorizers. With a few exceptions, states that have many of their chartered schools overseen by local school boards fared less well in this study. Concerns include the influence of local politics, inadequate infrastructure development, authorizing for the “wrong” reasons, and the tendency of authorizer staff to stress compliance-based accountability (similar to what they're accustomed to doing with their traditional public schools).

4. States with fewer authorizers, serving more schools each, appear to be doing a better job. Quality authorizing is a difficult and complex task. To work well, it demands significant attention from the authorizer's board members and staff. It helps to develop specialized expertise in this area and to dedicate staff members to it. This occurs most frequently in states with fewer entities handling larger numbers of chartered schools. Such authorizers, often statewide bodies, universities, or larger school districts, seem better able to create an adequate infrastructure.

5. Quality authorizing costs money; authorizing fees appear to be a viable funding source. Given the hard work of quality authorizing, it makes sense that real costs are associated with its execution. Many authorizers report receiving inadequate funding, except for some which collect fees from their chartered schools. As state budgets shrink, such fees may be a necessary source of support. (Of course, it's vital to ensure that any fee amounts are prudent, that funds are properly used and that authorizers do not pull their accountability punches with respect to schools from which they obtain revenue.)

6. States with higher grades also have more “proactive” authorizers when it comes to technical assistance and charter advocacy. Differences of opinion exist over the appropriate role of authorizers, especially regarding the provision of technical assistance and “advocacy” on behalf of the charter move-

ment. Although the researchers chose not to include information on such activities in a state's overall grade, those states that did receive a higher grade (using other criteria) also tended to have authorizers engaged in the provision of technical assistance and advocacy for the charter movement itself.

State Grades and Rankings

Table 1 lists each state in alphabetical order, showing grades in the two major categories of criteria (*policy environment* for charter schools and authorizers;

and specific *authorizer practices*), as well as the overall state grade.

Table 2 ranks the 24 states by *overall score*. None received an overall "A," nor did any receive an "F." Thirteen earned an overall grade in the "B" range, eight in the "C" range, and three in the "D" range. Massachusetts and Texas lead the pack while California, Pennsylvania, and New Mexico bring up the rear. The chart also reveals rankings for the two major categories of criteria: *policy environment* for charter schools and authorizers, and specific *authorizer practices*.

Table 1: State Summary (alphabetical order)

	<i>Policy Environment</i>	<i>Authorizer Practices</i>	<i>Overall</i>	
			<i>Grade</i>	<i>Score (1.00 – 4.00 scale)</i>
Arizona	B+	B	B	2.99
California	D+	D+	D+	2.37
Colorado	C–	C–	C–	2.44
Connecticut	D+	B	B–	2.86
Delaware	C	C+	C+	2.68
District of Columbia	C	B	B–	2.86
Florida	C	B–	C+	2.67
Illinois	C	B–	B–	2.76
Indiana	D+	B	B–	2.88
Louisiana	C–	B–	C+	2.65
Massachusetts	B	A–	B+	3.18
Michigan	C	B	B–	2.88
Minnesota	C–	C–	C–	2.48
Missouri	D+	C+	C	2.54
New Jersey	B–	B+	B	2.98
New Mexico	D+	D	D	2.13
New York	C	B–	B–	2.76
North Carolina	C	B+	B	2.96
Ohio	C+	B	B–	2.85
Oklahoma	C–	C–	C–	2.43
Oregon	D	C–	C–	2.40
Pennsylvania	D	D+	D+	2.32
Texas	B–	B+	B+	3.11
Wisconsin	C	B	B	2.89

Grading Scale:

4.00 – 3.75 = A+	3.22 – 3.06 = B+	2.71 – 2.61 = C+	2.38 – 2.20 = D+	1.81 – 1.00 = F
3.74 – 3.49 = A	3.05 – 2.89 = B	2.60 – 2.50 = C	2.19 – 2.01 = D	
3.48 – 3.23 = A–	2.88 – 2.72 = B–	2.49 – 2.39 = C–	2.00 – 1.82 = D–	

Table 2: State Summary (ranked)

State	Policy Environment		Authorizer Practices		Overall	
	Grade	Rank	Grade	Rank	Grade	Rank
Massachusetts	B	2	A-	1	B+	1
Texas	B-	3	B+	2	B+	2
Arizona	B+	1	B	9	B	3
New Jersey	B-	4	B+	4	B	4
North Carolina	C	6	B+	3	B	5
Wisconsin	C	9	B	7	B	6
Indiana	D+	18	B	5	B-	7
Michigan	C	6	B	8	B-	7
District of Columbia	C	11	B	9	B-	9
Connecticut	D+	20	B	6	B-	9
Ohio	C+	5	B	11	B-	11
Illinois	C	12	B-	12	B-	12
New York	C	9	B-	13	B-	12
Delaware	C	6	C+	16	C+	14
Florida	C	13	B-	14	C+	15
Louisiana	C-	14	B-	14	C+	16
Missouri	D+	21	C+	17	C	17
Minnesota	C-	15	C-	18	C-	18
Colorado	C-	17	C-	20	C-	19
Oklahoma	C-	16	C-	21	C-	20
Oregon	D	24	C-	19	C-	21
California	D+	19	D+	22	D+	22
Pennsylvania	D	23	D+	22	D+	23
New Mexico	D+	22	D	24	D	24

Detailed breakdowns for each state are found within the *Major Findings* section, as well as in the *Individual State Reports*.

Methodology

State Selection: The research team agreed from the outset that, unless a state's chartered schools had at least minimal legal or fiscal autonomy, there was little reason to review that state's authorizing practices. If charter schools remain under the complete control of the local school board or school system, then a charter-style performance contract means little. (Indeed, members of the research team, and many others, question whether such schools should even be called charter schools.)

To identify states for inclusion in this study, the research team relied primarily on data compiled and analyzed by the *Center for Education Reform (CER)*, with its latest ranking chart available at http://edreform.com/charter_schools/laws/ranking_chart.pdf. This organization collects a variety of data about charter schools and annually rates each state's charter law on a number of criteria, including autonomy. Instead of replicating CER's efforts, we used the most recent analysis available at that time (Fall 2002), choosing states that received at least a 2.50 rating (out of 4.00 maximum score) on legal or fiscal autonomy. Note that states were not selected on their overall CER ranking (i.e., stronger or weaker law), but simply according to whether they received at least a 2.50 rating in either legal autonomy or fiscal autonomy. That led to the inclusion of 23 states plus the District of Columbia.

Criteria: There is much debate about the proper roles and responsibilities of charter authorizers and which of those are essential for "quality" authorizing. In our view, the most thoughtful work in this area has been done for the *National Association of Charter School Authorizers (NACSA)*, an organization with obvious interest and relevant experience. In 2002, NACSA began development of a document entitled "Critical Design Issues for Charter School Authorizers." We relied on that conceptual framework but defined the items more operationally with an eye toward determining whether a certain practice was or was not occurring within a given state. The resulting criteria were reviewed by charter authorizers, school operators, and others to determine if they could appropriately be used as standards. Numerous revisions were made, until the final set of criteria was established.

Data Collection: Given the initial estimate of over 500 different authorizers across the 24 states, it was fiscally impractical to gather and review written documents from all such entities. Nor were we confident that a study team located outside the state would have sufficient appreciation of state-specific contexts and nuances. So the basic study design relied on data gathered from structured surveys of three key charter constituencies within each of the 24 jurisdictions: *charter authorizers* (those doing the actual authorizing); *charter operators* (those actually running schools and thus on the "receiving end" of the authorizing process); and *knowledgeable observers of the statewide charter scene* (persons not engaged in authorizing or operating schools but broadly familiar with such activities, including charter school network directors, technical assistance providers, legislative or state department staff, and charter advocates).

While individuals in any of these groups may have tunnel vision (or interests and biases to advance), we judged that the three groups, taken together, would be the best sources of information and judgment about policies and practices within a given state. By "triangulating" among the three, it would be possible to obtain a reasonably accurate picture of "reality"—particularly if the survey instrument was sound and respondents' anonymity was assured. Appendix A, Table 15, depicts the total number of survey responses obtained for these groups within each state.

To commence, the study team identified at least one key contact person per state. These individuals agreed to help gather necessary e-mail addresses for the aforementioned groups and pointed toward appropriate websites and important documents that would inform our general understanding of the state charter program. In addition to reviewing such websites and documents, these key contacts were interviewed at length.

The primary data collection tools were three on-line surveys, one each for authorizers, operators, and observers. Each survey was customized a bit for each state, which meant that a total of 72 different surveys were deployed. Sample (uncustomized) copies of the three survey instruments can be found at <http://www.edexcellence.net/tbfstitute/authorizers.html>.

Within each state, efforts were made to secure current e-mail addresses for the following contacts: 1) every operating charter school; 2) at least all *major* authorizers (defined as those authorizing at least three or more operating charter schools); and 3) the identified observers. For operating schools within 20 states, a single e-mail address was obtained; for some schools in the other four states, multiple e-mail addresses were received. In all states, e-mail addresses for each major authorizer were acquired, and in many cases, for every authorizer in a state. To prevent any individual from responding more than once to the on-line survey, the program was set up so only one response per e-mail address could be received.

Some initial e-mail addresses proved incorrect, so much follow-up was necessary to secure accurate addresses. Given such efforts, the researchers are confident that every major authorizer in the 24 states received the opportunity to complete this on-line survey, as well as the vast majority of operating charter schools in those states and the identified charter observers.

Prior to launching the on-line survey, data were collected from charter school authorizers at the National Association of Charter School Authorizers (NACSA) Conference, held in San Antonio, Texas, in October 2002. A hard copy of the survey was distributed to all in attendance and over 50 surveys were completed during this conference. Several authorizers commented that the list of criteria provided a good framework for “best practices.”

The on-line surveys were deployed during December 2002 and January 2003 (to the three groups noted above, minus any received during the NACSA conference). Non-respondents received at least three follow-up e-mail requests urging their participation.

As an incentive to charter operators (who receive numerous research requests and may therefore spurn them), each responding school was placed into a random drawing, with five winners selected to win \$1,000 each for their school. The winning schools, selected during the first week of February 2003, were: 1) Lincoln City Career Tech High School, Newport, OR; 2) Waupun Alternative High School, Waupun, WI; 3) Nerstrand Elementary School,

Nerstrand, MN; 4) Roosevelt Edison Charter School, Colorado Springs, CO; and 5) Rochester Leadership Academy Charter School, Rochester, NY.

In the end, survey respondents numbered 555 charter operators (out of 2,477 operating schools in the 24 states); 114 charter authorizers (representing 93 different authorizing entities); and 191 charter observers. Appendix A, Table 15 provides the respondent breakdown for each state. Thus this study is based on structured survey data from 860 individuals.

Data Analysis: After the surveys were completed, the study team discarded several items where it appeared that the wording was unclear or the value (or relevance) of the data was marginal. The research team also determined how to weight the data. Items deemed of greater value were given double weight in the analysis. It was also decided that responses from charter operators and observers would be worth twice those of authorizers, given the “self-interest” of the latter in the outcome of this study.

All such weighting decisions were made without seeing the state data, and the study team decided not to adjust any state’s results on the basis of its own knowledge of, or opinions about, what may or may not be happening. There is an obvious tension between the “expert judgment” of outsiders, and the “on-the-ground” perspective of active participants. In this case, the study team felt that it was wiser to rely on the survey responses. As with all survey research, however, these results necessarily reflect respondents’ perceptions and different results would likely emerge from different respondents.

Once the weighting scheme was established, simple means were calculated for each survey item (excluding all “don’t know” responses). Individual state rating sheets depicting mean scores for each of the three respondent groups were created (and can be found at <http://www.edexcellence.net/tbfinstitute/authorizers.html>). Weighted averages were calculated for each criterion and grades assigned to each subcategory. The overall state score was calculated as a simple average of the eight subcategories. Details on criteria and subcategories are provided in the next section.

The grading scale itself was also established prior to the analysis of individual state data. Given the tendency of respondents to grade toward the mean, a scale was developed which included greater spread in the grades at the ends of the scales (i.e., A's and F's), and which decreased that spread for the B's and D's, and even further for the C's.

Readers may wonder why the researchers chose to focus on the state level, rather than the individual authorizer level. This issue was discussed at length. Ultimately, the research team decided that this initial study would *not* be about evaluating individual authorizers, but the state policy environment in which authorizers and schools must function, and the aggregate or average authorizer practices that emerge from that policy environment. This decision was driven both by the difficulty of securing adequate survey response rates to allow disaggregation to the authorizer level (since over 500 individual authorizers exist within these 24 states), and by the goal of increased “honesty” from authorizer respondents themselves. Indeed, at the end of the day state policymakers are legitimately held to account for whether their charter

authorizers are doing those jobs well. So it made sense for the state, rather than the individual authorizer, to be the “unit of analysis” for this study.

Strong response rates were achieved in most states, with input from at least 10% of all operating charter schools (and 40% or more of such schools in 10 of the 24 states). Responses from the largest authorizer in each state were received, as well as from most other major authorizers in states with multiple authorizers (representing 68% of all operating charter schools across the 24 states). Table 15 in Appendix A profiles these survey respondent data.

Given relatively strong response rates within most states, the researchers feel that the resulting state average is generally reflective of what is happening there. Although all survey responses were averaged, the major authorizers are represented to a larger degree, given the increased number of responses received from the many schools such authorizers oversee. Still, it is recognized that such the resulting state averages could conceal very good or bad practices by individual authorizers—practices at variance from the state norm.

Criteria

Of what does quality authorizing consist? This turns out to be a complex question. Many states have multiple authorizers, which sometimes construe their responsibilities very differently and do things in varied ways. In addition, state policy itself affects how well authorizers (and charter schools, for that matter) perceive and approach their jobs.

We created two categories of criteria, one to appraise the state policy climate for charter schools and authorizers, the other to judge the performance of a state's authorizing bodies as a whole. Each category has multiple sub-sections, two in the former case and six in the latter. The criteria in those categories are listed in Table 3, and Appendix A, Table 14, shows how each state did on each criterion. Criteria marked with a double diamond (◆◆) were deemed especially important and given "double weight" in the analysis.

I. State Charter Policy Environment

Items within this first broad category focus on factors that significantly impact the overall job that charter authorizers and operators can do. These are factors of particular salience to state policy makers.

A. Support for Charter Schools — This subcategory appraises the state's support for charter schools, including elements of the charter law that provide would-be school operators with access to a quality authorizer.

B. Support & External Accountability for Authorizers — This subcategory focuses on whether authorizers have adequate resources to do their jobs and what policies are in place to hold them accountable for their work. (The researchers do not favor adding layers of bureaucracy atop the authorizers, but do believe that sound charter-school policy includes holding authorizers to account in some manner for the job they are doing with their schools.)

II. Charter Authorizer Behavior

This second broad category focuses chiefly on the actions and practices of authorizers themselves. Given differences from state to state, a strong case can be made that there is no one best way to accom-

plish the difficult task of authorizing. The researchers therefore constructed criteria that recognize that authorizers can accomplish the end goal in various ways. For example, when questions were asked about the provision of technical assistance to school operators (and applicants), the criteria do not require that the authorizers themselves supply such assistance; they may instead offer referrals to other providers of needed expertise and services. But assuring that such assistance is available to school operators is, we judge, an essential element of quality authorizing.

A. Application Processes — The first major task of an authorizer is to establish sound procedures by which aspiring school operators can seek charters. This set of criteria examines authorizers' efforts to get application information to a broad range of applicants, whether detailed timelines exist, and whether applicants are supplied in advance with information about the standards by which school proposals are evaluated.

B. Approval Processes — How does an authorizer determine which applications pass muster and should lead to school charters? This set of criteria addresses such issues as whether the approval process focuses on an application's merit (rather than politics), and whether authorizers have found the right balance between being too strict up front (and thereby giving almost no one a chance to try) and giving promising applicants a chance to open (but without granting automatic charters to all comers).

C. Performance Contracts — These criteria deal with the written document—often termed "the charter"—that serves as the performance contract between school and authorizer. Is it, for example, specific enough to create the basis for holding a charter school accountable for its results? Are there clear consequences for not meeting prescribed outcomes?

D. Oversight — How successful are authorizers in devising and implementing accountability systems for their schools without micromanagement or excessive paperwork and procedural compliance?

E. Renewal & Revocation Processes — These criteria focus on the authorizer's formal review of a school when it's time to decide about charter renewal.

(For states new to the charter scene, and thus with limited experience in renewals, survey respondents were asked to indicate whether such elements appear to be in place and ready to be used.)

F. Transparency & Internal Accountability — This final subcategory focused on how well authorizers are doing in opening their policies and practices to public scrutiny (i.e., transparency), and on whether authorizers arrange for evaluations of their own work.

These 56 criteria formed the basis against which state authorizing practices were analyzed and rated. While later studies will no doubt improve upon them, the research team is confident that they are a solid first cut at the elements of quality charter policy environments and authorizing practices, and provide a basis by which policymakers and authorizers can appraise their work to date, and undertake future improvements.

Table 3: Policy and Authorizer Practices Criteria

I. State Charter Policy Environment
A: Support for Charter Schools
◆ a well-developed charter network or association exists
◆ adequate access to technical assistance or resource center support exists
◆ sufficient contracting services are available (e.g., accounting; special education)
◆ “charter friendly” state department of education exists
◆ sufficient political support for charter schools exists
◆ charter schools are accepted by local school districts
◆ parents and general public sufficiently understand what charter schools are
◆◆ law provides opportunity to operate legally and financially autonomous charter schools
◆◆ applicants have access to one or more authorizers that make chartering decisions on merit, not politics
◆◆ ample opportunities exist for those with quality school proposals to obtain charters
B: Support & External Accountability for Authorizers
◆ adequate funding exists for authorizer staff and activities
◆ authorizers must make periodic reports to legislature or other state body
◆ state auditor general or other oversight body periodically examines work of authorizers
◆ media watch closely and frequently report on authorizer actions
◆ schools may appeal or seek a hearing regarding authorizers’ decisions
◆ comprehensive school-based accountability system exists for all public schools, including chartered schools

Table 3: Policy and Authorizer Practices Criteria (Contd.)

II. Charter Authorizer Behavior
A: Application Processes
◆ authorizers make efforts to get application information to broad range of applicants
◆ authorizers seek charter applicants to meet market gaps
◆ detailed application timelines exist
◆ informational meetings are held for potential applicants
◆ technical assistance is provided by authorizers and/or referrals are made to others who can provide it
◆◆ applicants receive approval standards for how proposals will be evaluated, including written rubrics or scoring scales
B: Approval Processes
◆ multiple reviewers examine applications, including experts in finance, curriculum, etc.
◆ applicants that reach a minimum baseline score can provide additional information if questions arise
◆ applicants that are denied receive written explanation of major weaknesses
◆ adequate time period exists between charter approvals and school openings
◆◆ authorizers strike the right balance between a rigorous approval process and giving schools a chance to open and succeed
◆◆ overall, application review processes are merit-based and non-political
C: Performance Contracts
◆ school-specific mission and goals to be met are sufficiently covered
◆ student recruitment and equal-access enrollment policies are sufficiently covered
◆ provisions for serving special-needs students are sufficiently covered
◆ resources and level of school autonomy are sufficiently covered
◆ student achievement and data requirements are sufficiently covered
◆◆ clear consequences for not meeting prescribed outcomes are sufficiently covered
◆◆ overall quality of performance contracts is suitable for holding schools accountable
D: Oversight
◆ authorizers conduct periodic announced visits to schools
◆ authorizers conduct periodic unannounced visits to schools
◆ authorizers require annual financial audits and periodic progress reports
◆ submitted reports are reviewed, potential problems flagged, and schools notified
◆ authorizers have delineated actions to be taken if school problems are found
◆◆ authorizers work to shield schools from red tape and excessive procedural compliance
◆◆ authorizers have created systems that hold schools accountable, without micromanagement or excessive paperwork
◆◆ overall, good oversight systems exist whereby authorizers collect essential data in consistent manner

Table 3: Policy and Authorizer Practices Criteria (Contd.)

E: Renewal & Revocation Processes
◆◆ clear written criteria exist for formal review and renewal, against which schools are measured
◆ renewal decisions are based largely on school progress toward student achievement goals
◆ authorizers independently analyze schools' student performance data
◆ processes exist for notifying poor performing schools, with adequate time to try to remedy problems
◆ specific provisions exist for closing a school if warranted (e.g., reallocating students and assets)
◆ authorizers have demonstrated ability and willingness to make difficult decisions (e.g., non-approval, revocation)
◆◆ overall, quality review processes exist, allowing revocation or non-renewal of schools that do not meet agreed-upon achievement goals and other outcomes
F: Transparency & Internal Accountability
◆ comprehensive charter school application packets are readily available (e.g., on web)
◆ key authorizer policies and decisions are readily accessible to public (e.g., on web)
◆ full proposals or summaries from approved applicants are made available to public in timely fashion
◆ authorizers publish regular reports regarding progress made by each school they oversee
◆ authorizers undertake formal evaluations of their own authorizing practices
◆◆ overall, authorizers are fully accountable for and transparent about key decisions

Note: Criteria marked with ◆◆ were deemed to be of more value and given "double weight" in the analysis.

Major Findings

State Grades & Rankings

The charts in this section show how the 24 states did in relation to each other. As with any rank-ordering, readers should take care in interpreting a state's placement. For example, a state might lie several ranks below another, yet the statistical difference in their scores might be insignificant. Those seeking more information about each state should proceed on to the individual state reports section.

Table 4 ranks the 24 states by overall scores (using a 1.00–4.00 scale, with 4.00 being the best). Massachusetts and Texas lead with grades of B+, while California, Pennsylvania, and New Mexico turn up at the bottom (with D+ or D grades). The chart also depicts how survey respondents graded their states on the two major categories: policy environment and authorizer practices.

Table 4: State Rankings, By Major Categories

State	Policy Environment		Authorizer Practices		Overall	
	Grade	Rank	Grade	Rank	Grade	Rank
Massachusetts	2.89 B	2	3.27 A-	1	3.18 B+	1
Texas	2.81 B-	3	3.21 B+	2	3.11 B+	2
Arizona	3.08 B+	1	2.96 B	9	2.99 B	3
New Jersey	2.73 B-	4	3.07 B+	4	2.98 B	4
North Carolina	2.59 C	6	3.09 B+	3	2.96 B	5
Wisconsin	2.57 C	9	2.99 B	7	2.89 B	6
Indiana	2.36 D+	18	3.05 B	5	2.88 B-	7
Michigan	2.59 C	6	2.98 B	8	2.88 B-	7
District of Columbia	2.54 C	11	2.96 B	9	2.86 B-	9
Connecticut	2.34 D+	20	3.03 B	6	2.86 B-	9
Ohio	2.66 C+	5	2.91 B	11	2.85 B-	11
Illinois	2.52 C	12	2.84 B-	12	2.76 B-	12
New York	2.57 C	9	2.80 B-	13	2.76 B-	12
Delaware	2.59 C	6	2.71 C+	16	2.68 C+	14
Florida	2.51 C	13	2.73 B-	14	2.67 C+	15
Louisiana	2.44 C-	14	2.73 B-	14	2.65 C+	16
Missouri	2.28 D+	21	2.63 C+	17	2.54 C	17
Minnesota	2.43 C-	15	2.49 C-	18	2.48 C-	18
Colorado	2.41 C-	17	2.45 C-	20	2.44 C-	19
Oklahoma	2.42 C-	16	2.44 C-	21	2.43 C-	20
Oregon	2.14 D	24	2.48 C-	19	2.40 C-	21
California	2.35 D+	19	2.37 D+	22	2.37 D+	22
Pennsylvania	2.18 D	23	2.37 D+	22	2.32 D+	23
New Mexico	2.20 D+	22	2.11 D	24	2.13 D	24

Grading Scale:

4.00 - 3.75 = A+

3.74 - 3.49 = A

3.48 - 3.23 = A-

3.22 - 3.06 = B+

3.05 - 2.89 = B

2.88 - 2.72 = B-

2.71 - 2.61 = C+

2.60 - 2.50 = C

2.49 - 2.39 = C-

2.38 - 2.20 = D+

2.19 - 2.01 = D

2.00 - 1.82 = D-

1.81 - 1.00 = F

The following two charts unpack the subcategories of criteria. Table 5 looks at grades given for the two subcategories that address the charter policy environment.

Table 6 depicts state grades for the six subcategories dealing with authorizer practices. The ranking is by states' average scores for the entire category.

Table 5: Charter Policy Environment By Subcategory

State	Support for Charter Schools	Support & External Accountability for Authorizers	Average	Rank
Arizona	3.00 B	3.16 B+	3.08 B+	1
Massachusetts	2.73 B-	3.04 B	2.89 B	2
Texas	2.80 B-	2.82 B-	2.81 B-	3
New Jersey	2.47 C-	2.98 B	2.73 B-	4
Ohio	2.49 C-	2.83 B-	2.66 C+	5
Delaware	2.45 C-	2.73 B-	2.59 C	6
Michigan	2.36 D+	2.81 B-	2.59 C	6
North Carolina	2.18 D	2.99 B	2.59 C	6
New York	2.42 C-	2.71 C+	2.57 C	9
Wisconsin	2.73 B-	2.41 C-	2.57 C	9
District of Columbia	2.64 C+	2.44 C-	2.54 C	11
Illinois	2.14 D	2.90 B	2.52 C	12
Florida	2.48 C-	2.53 C	2.51 C	13
Louisiana	2.01 D	2.86 B-	2.44 C-	14
Minnesota	2.78 B-	2.08 D	2.43 C-	15
Oklahoma	2.39 C-	2.45 C-	2.42 C-	16
Colorado	2.50 C	2.32 D+	2.41 C-	17
Indiana	2.49 C-	2.22 D+	2.36 D+	18
California	2.48 C-	2.22 D+	2.35 D+	19
Connecticut	2.32 D+	2.36 D+	2.34 D+	20
Missouri	2.46 C-	2.09 D	2.28 D+	21
New Mexico	1.97 D-	2.42 C-	2.20 D+	22
Pennsylvania	2.20 D+	2.15 D	2.18 D	23
Oregon	2.20 D+	2.08 D	2.14 D	24

Grading Scale:

4.00 - 3.75 = A+	3.22 - 3.06 = B+	2.71 - 2.61 = C+	2.38 - 2.20 = D+	1.81 - 1.00 = F
3.74 - 3.49 = A	3.05 - 2.89 = B	2.60 - 2.50 = C	2.19 - 2.01 = D	
3.48 - 3.23 = A-	2.88 - 2.72 = B-	2.49 - 2.39 = C-	2.00 - 1.82 = D-	

Table 6: Charter Authorizer Practices By Subcategory

State	Application Processes	Approval Processes	Performance Contracts	Oversight	Renewal & Revocation	Transparency & Internal Account.	Average	Rank
MA	3.37 A-	3.31 A-	3.26 A-	2.95 B	3.42 A-	3.33 A-	3.27 A-	1
TX	3.19 B+	3.03 B	3.58 A	3.08 B+	3.20 B+	3.17 B+	3.21 B+	2
NC	2.80 B-	3.10 B+	3.32 A-	2.78 B-	3.40 A-	3.12 B+	3.09 B+	3
NJ	2.87 B-	3.23 A-	3.11 B+	2.98 B	3.32 A-	2.91 B	3.07 B+	4
IN	2.93 B	2.98 B	3.44 A-	3.18 B+	2.87 B-	2.90 B	3.05 B	5
CT	2.48 C-	3.18 B+	3.49 A	2.86 B-	3.35 A-	2.82 B-	3.03 B	6
WI	2.79 B-	3.15 B+	3.35 A-	2.91 B	2.89 B	2.85 B-	2.99 B	7
MI	2.77 B-	2.72 B-	3.32 A-	3.20 B+	2.97 B	2.88 B-	2.98 B	8
AZ	2.76 B-	3.01 B	3.22 B+	3.03 B	2.93 B	2.83 B-	2.96 B	9
DC	2.87 B-	3.13 B+	3.07 B+	2.98 B	3.07 B+	2.66 C+	2.96 B	9
OH	2.72 B-	2.77 B-	3.47 A-	2.86 B-	2.97 B	2.66 C+	2.91 B	11
IL	2.58 C	2.59 C	3.21 B+	2.94 B	3.11 B+	2.62 C+	2.84 B-	12
NY	2.31 D+	2.64 C+	3.18 B+	3.04 B	3.07 B+	2.57 C	2.80 B-	13
FL	2.66 C+	2.64 C+	3.06 B+	2.71 C+	2.88 B-	2.41 C-	2.73 B-	14
LA	2.35 D+	2.95 B	3.06 B+	2.60 C	2.81 B-	2.59 C	2.73 B-	14
DE	2.09 D	2.73 B-	3.09 B+	2.94 B	2.90 B	2.49 C-	2.71 C+	16
MO	2.46 C-	2.70 C+	3.06 B+	2.65 C+	2.61 C+	2.30 D+	2.63 C+	17
MN	2.09 D	2.48 C-	2.96 B	2.61 C+	2.57 C	2.24 D+	2.49 C-	18
OR	2.18 D	2.41 C-	2.98 B	2.64 C+	2.51 C	2.18 D	2.48 C-	19
CO	2.28 D+	2.39 C-	3.07 B+	2.29 D+	2.47 C-	2.21 D+	2.45 C-	20
OK	1.96 D-	2.95 B	2.93 B	2.14 D	2.34 D+	2.29 D+	2.44 C-	21
CA	2.14 D	2.42 C-	2.78 B-	2.49 C-	2.30 D+	2.11 D	2.37 D+	22
PA	2.42 C-	2.34 D+	2.98 B	1.95 D-	2.26 D+	2.24 D+	2.37 D+	22
NM	1.90 D-	2.18 D	2.76 B-	2.04 D	2.03 D	1.74 F	2.11 D	24

Grading Scale:

4.00 - 3.75 = A+	3.22 - 3.06 = B+	2.71 - 2.61 = C+	2.38 - 2.20 = D+	1.81 - 1.00 = F
3.74 - 3.49 = A	3.05 - 2.89 = B	2.60 - 2.50 = C	2.19 - 2.01 = D	
3.48 - 3.23 = A-	2.88 - 2.72 = B-	2.49 - 2.39 = C-	2.00 - 1.82 = D-	

Key Issues Across States

Finding #1: Most major authorizers are doing an adequate job, but red tape and “compliance creep” are concerns. The vast majority of states in this study received average or better grades for their authorizing practices. Considering that “charter-authorizing” only began a decade ago, most individuals involved with this activity deserve plaudits for making it work as well as it is.

For example, until a few years ago, no one had shut down an existing school because its students did

not meet certain achievement goals. Yet charter authorizers in several states have now done just this (despite resistance from parents and politicians). Indeed, 138 revocations or contract non-renewals are reported as having occurred across the 24 states. Although most have been for financial or management reasons, several were high profile cases in which schools were closed or non-renewed due to unsatisfactory achievement or other performance failures.

To get a sense of the key areas where authorizing is perceived to be going well, Table 7 lists those crite-

ria for which an average grade of *B or better* was achieved across the 24 states. Observe the high marks on several areas related to application and approval processes, performance contracts, and school oversight. Even renewal and revocation (perhaps the most difficult authorizing tasks) fared well.

Such grades may surprise people outside the charter world, as many believe that authorizers aren't doing a good job, especially on the accountability front. Although these survey data reflect the collective input of nearly 200 outside observers, critics may still charge that survey respondents are living in a world of

wish fulfillment. Perhaps they are. But it's important to recognize that the people closest to the charter movement (including those authorizing and operating schools) seem to think that some decent authorizer practices are in place, at least for many of the major authorizers.

Conversely, some authorizer issues are not going well according to survey respondents. These involve concerns over red tape and internal/external accountability. Table 8 lists those criteria for which the average state grade fell below C-.

Table 7: Higher-Graded Criteria

<i>Criteria</i>	<i>24 State Average</i>
Application & Approval Processes	
• Detailed application timelines exist	B+
• Multiple reviewers examine applications, including experts in finance, curriculum, etc.	B
• Applicants who reach a baseline score can provide additional information if questions arise	B+
• Applicants that are denied receive written explanation of major weaknesses	B
Performance Contracts Sufficiently Cover These Elements	
• School-specific mission and goals to be met	A
• Student recruitment and equal-access enrollment policies	A
• Provisions for serving special-needs students	A-
• Resources and level of autonomy schools are to receive	B+
• Student achievement and data requirements	A-
• Clear consequences for not meeting prescribed outcomes	B
Oversight	
• Periodic announced visits to schools are conducted by authorizers	B+
• Annual financial audits and periodic progress reports are required	A+
• Submitted reports are reviewed, potential problems flagged, and schools notified	A-
• Clearly delineated actions exists which may be taken by authorizers if school problems are found	B
Renewal & Revocation Processes	
• Clear written criteria for formal review and renewal exist, against which schools are measured	B
• Renewal decisions are based largely on progress toward student achievement goals	B
• Authorizers independently analyze schools' student performance data	B+
Transparency & Internal Accountability	
• Comprehensive charter school application packets easily available (e.g., on web)	B+

The initial charter-school “promise” offered results-based accountability in exchange for freedom from excess paperwork and compliance monitoring.

Unfortunately, this does not appear to be what’s happening in many of the states studied (as depicted by the overall “D” for this criterion in Table 8, and the many written comments from the survey respondents). This problem may be driven in part by state charter laws themselves (some of which don’t allow much freedom to begin with), but much arises from the authorizers themselves as they struggle with accountability issues.

These data indicate that many authorizers are not doing an acceptable job of balancing accountability with flexibility. Either they are not being rigorous enough about results or their practices over-emphasize compliance. Or perhaps both. Comments from respondents, plus the research team’s own observa-

tions, suggest that many authorizers are sliding too far in the direction of accountability-via-compliance.

Finding #2: Many state policy environments are not supportive of chartered schools and authorizers.

In just four states did the charter policy environment grade fall within the “B” range (see Table 5). These lower policy ratings are driven to a large degree by the perceived lack of support for chartered schools from various key players (i.e., politicians, local districts, and the public).

Table 9 depicts average state scores on the support that those key players were perceived as offering to chartered schools.

Chartered schools have been in existence for over a decade, yet the perception across 24 states is that local districts still do not accept them and the public does not understand what they are. Political support

Table 8: Lower-Graded Criteria

<i>Criteria</i>	<i>24 State Average</i>
Support & External Accountability for Authorizers	
• Adequate funding for authorizer staff and activities exists	D
• State auditor general or other oversight body periodically examines the work of authorizers	D+
Application & Approval Processes	
• Authorizers seek charter applicants to meet market gaps (e.g., high schools)	D-
Oversight	
• Periodic unannounced visits to schools are made by authorizers	D+
• Authorizers work to shield schools from red tape and excessive procedural compliance	D
Transparency & Internal Accountability	
• Authorizers publish regular reports regarding progress made by each school they oversee	D+
• Authorizers undertake formal evaluations of their own practices	D+

Table 9: Support For & Understanding of Chartered Schools

<i>Policy Criteria</i>	<i>24-State Average</i>
“Charter friendly” state department exists	C
Sufficient political support exists for charter schools	D
Charter schools are now accepted by local districts	F
Parents and general public sufficiently understand what charter schools are	F

is also weak, and information from various states reveals that it has been extremely difficult to get caps increased or funding glitches fixed. Those concerned about the future of the charter school movement should take heed.

On a more positive note, state departments of education are perceived as deserving a “C” for charter-friendliness. This was not always the case. In the charter movement’s early years, many staff within those agencies really didn’t know what to do with these new creatures called chartered schools, which didn’t fit the bureaucratic molds and existing reporting and paperwork forms. Perhaps that situation is now improving as this new breed of public school gains acceptance.

In reference to the policy environment for authorizers, there are concerns over insufficient internal/external authorizer accountability. Very few authorizers are required to report to any type of state body, and almost none are formally reviewing their own internal practices for purposes of improvement. Authorizers also generally report receiving inadequate funding to support their essential responsibilities. (These authorizer policy criteria received grades in the “D” range; see Table 8). Adequate authorizer funding is further

discussed in an upcoming finding related to authorizer fees.

Finding #3: Local school boards generally do not make good authorizers. Table 10 depicts the number of operating charter schools sponsored by various types of authorizers, ranked by overall state grades. In the 13 states receiving grades in the “B” range, only 18% of schools were authorized by local boards, compared to 83% of schools in “C” range states, and 93% in “D” range states. Appendix A, Table 16 depicts this information for each state.

Finding #4: States with fewer authorizers, serving more schools each, appear to be doing a better job. There appear to be efficiencies and economies of scale in charter authorizing, whereby sponsors that charter larger numbers of schools are perceived as having more effective practices. In many cases, these involve statewide or non-district authorizers, but several large district-based authorizers are included as well.

Table 11 indicates that, within states receiving “B” range grades, authorizers average ten schools each, while authorizers in “C” and “D” range states are

Table 10: Authorizer Type & Number of Schools Operating (Fall 2002) (by overall state grade)

Overall State Grade		State School Board	State Charter Board	University or Comm. College	City or Mayor’s Office	Non-Profit Org.	County, Regional, Intermed. District	Local School Board
“B” Grade Range (13 states & 1,439 schools)	# schools operating (% of total)	584 (41%)	354 (25%)	195 (14%)	8 (1%)	0	33 (2%)	265 (18%)
“C” Grade Range (8 states & 494 schools)	# schools operating (% of total)	31 (6%)	0	48 (10%)	0	4 (1%)	0	411 (83%)
“D” Grade Range (3 states & 544 schools)	# schools operating (% of total)	13 (2%)	0	0	0	0	26 (5%)	505 (93%)

responsible for an average of just two or three schools apiece. Individual states are shown in Table 17, Appendix A.

What explains this? Chartering schools is complicated. We surmise that smaller authorizers lack the dedicated staff time or inclination to get everything figured out and properly implemented. When just a few schools are involved, authorizers may pay less heed to such things as clear scoring rubrics and orderly renewal processes. (This issue is addressed further in the discussion section that follows.)

Finding #5: Quality authorizing costs money; authorizing fees can be a viable funding source.

Given the complexity of quality authorizing, real costs are associated with its execution. Table 12 summarizes what authorizers say about the adequacy of their current funding and whether they charge fees to the schools they sponsor. Appendix A, Table 18 records these data for each state.

In only one-third of the 24 states do some or all authorizers believe they are receiving “adequate” funding to support essential staff and activities. Indeed, the average score on this criterion across

all states was a “D” (see Table 8). In five of those eight states, some or all authorizers charge fees to the schools they sponsor, suggesting that such fees may provide a way to finance essential authorizer staffing and activities.

Yet funding and quality practices are not always linked. Table 18 (Appendix A) shows that four of the five top-graded states report inadequate authorizer funding—and authorizer fees are charged in just one of those states. In most of these jurisdictions, however, authorizers receive additional state funding and/or tap into other funds and stretch their personnel in order to get the job done. One wonders, though, how long this can continue before the quality of authorizing suffers.

Finding #6: States with higher grades also have more “proactive” authorizers when it comes to providing technical assistance and charter advocacy.

Differences of opinion exist over the appropriate role of authorizers when it comes to providing technical assistance to schools and advocacy on behalf of the charter movement. Some authorizers feel these are not legitimate parts of their job; others insist that they

Table 11: Authorizer to School Ratio (by overall state grade)

States	Total # Authorizers	Total # Operating Charter Schools (Fall 2002)	Average Authorizer: School Ratio
“B” Grade Range (13 states)	145	1,439	1:10
“C” Grade Range (8 states)	148	494	1:3
“D” Grade Range (3 states)	236	544	1:2

Table 12: Authorizer Support & Fees

	# States	States
“Adequate” Authorizer Funding*	8	AZ, DC, IL, LA, MA, MI, MN, OH
Charge Authorizer Fees**	11	AZ, CA, CO, DC, FL, IN, MI, MN, NM, OH, WI
“Adequately Funded” States Charging Authorizer Fee	5	AZ, DC, MI, MN, OH

* States in which 50% or more of authorizer respondents indicated receiving “just barely” or “more than” enough funding.

** States in which some authorizer respondents noted charging a fee.

are. The researchers concluded that neither direct provision of technical assistance nor advocacy was an essential component of quality authorizing; hence, while they gathered information on these two issues, they did not include these data in overall state grades.

Table 13 shows where the authorizer respondents fall on those issues, sorted by overall grades received by states using other criteria. Most authorizers do provide technical assistance, although the percentage decreases in the lower graded states. The same

pattern holds true for charter advocacy. Appendix A, Table 19 shows these data for each state.

Respondents were also asked to conjecture why their states' authorizers are engaged in this work. Most noted that a primary reason was indeed to provide additional educational options for students. However, several of the lowest graded states (and one of the highest) saw political pressure and/or economics as a major driving factor.

Table 13: Authorizer Role & Chartering Rationale*

States	Authorizers:		Authorizers Approve Charter Schools Primarily:	
	<i>Provide Significant Technical Assistance</i>	<i>Advocate for Charter School Movement</i>	<i>To Provide Additional Student Choice Options</i>	<i>Due to Political Pressure and/or Economic Reasons</i>
"B" Grade Range (13 states)	11 (85%)	11 (85%)	13 (100%)	1 (8%)
"C" Grade Range (7 states)	5 (71%)	4 (57%)	7 (100%)	0 (0%)
"D" Grade Range (3 states)	1 (33%)	1 (33%)	2 (67%)	2 (67%)

* Indicates the number of states in which responses from authorizers averaged 2.50 or higher, indicating that the statement is true at least to a large extent. Also, Oklahoma authorizers did not respond to these questions, so these data reflect responses from 23 of 24 states.

Policy Issues and Implications

In addition to the six findings set forth above, this study illuminates—and in some cases complicates—a number of interesting and consequential charter policy issues. In this section, we discuss two such issues.

Who Should Authorize Schools?

There has been much debate over who should have the right to sponsor charter schools. Some contend that *locally elected school boards* should remain in charge of all public schools, and for a number of states that's how it's done for charter schools. However, our data generally show lower grades for states that depend primarily upon local boards (or even county, regional, or intermediate boards) for charter authorizing. (See Table 16, Appendix A). Data suggest that such boards are more readily influenced by charter-averse education interest groups and by local politics.

Several exceptions are worth noting, however. Wisconsin received high marks despite having most of its charter schools approved by local boards. This may be due to the fact that many of Wisconsin's chartered schools focus on at-risk kids, representing no "competition" to traditional public schools. In addition, Wisconsin's school board association took a positive attitude toward charter schools from the beginning, which may encourage individual school boards to look more favorably upon them and do a better job with them.

Illinois and Texas also contain exceptions to the finding that local boards do not make good authorizers. The work being done by the autonomous charter office within the Chicago Public Schools is widely admired. In Chicago (as well as in Houston, TX), the local school board is chartering enough schools to warrant one or more staff assigned exclusively to this activity. These authorizing tasks are not just "one more thing" for people to do.

A *state board of education* does not necessarily do a superior job of authorizing, especially where its members are elected and politics can interfere with authorizing practices. What's more, state boards generally depend for staff work upon state departments of education, which can be highly bureaucratic and

compliance-driven. That it can work, however, is shown by the fact that the highest grades in this study went to jurisdictions (AZ, MA, TX, NC, NJ) where the state board functions as the only—or a very important—authorizer. They have managed (often with difficulty) to build something of a wall between political and bureaucratic influences and their charter-authorizing practices.

Separately created "charter boards" operate in two of the jurisdictions receiving higher ratings (AZ and DC), and many have wondered whether this is the optimal approach. The theory is that a special-purpose chartering body can minimize the impact of traditional political and bureaucratic forces. This study found that the scores for the separate charter boards in those two states were indeed higher than scores earned by other authorizers in those two jurisdictions. Respondents' comments noted that the special boards could focus on the task at hand without being pulled in other directions. The risk with such boards, however, is that they depend on dedicated funding, at least at the outset, to establish the necessary staff and infrastructure. After schools get going, such operations could be maintained with authorizer fees. (Note that this is not currently how the two separate boards are being funded. Arizona's board charges no authorizer fees and the D.C. board charges only a small fee. Both continue to receive separate dedicated funding.)

Universities are an authorizing option in seven states and serve as major sponsors in three of these (MI, NY, and MO). The scores for those states are mixed (two received a B– and one a C), but they are clearly not at the bottom of the list. Within those states, the average grades received by university authorizers were higher than those received by other sponsors.

In two states, authorizing authority has been granted to a *municipal entity*: the City of Milwaukee and the Indianapolis Mayor's Office. Both received positive comments and relatively high grades. Given the right circumstances (i.e., the ability to isolate chartering decisions from political influence), this option also appears viable. Information obtained from open-ended responses indicates, however, that those circumstances are not easily arranged.

Non-profit organizations are the newest entrants into the authorizer mix. Minnesota now has 5% of its schools overseen by non-profits and Ohio's recent statutory change moves it toward that approach, too. It is premature to draw conclusions, however, especially considering that Minnesota's C- grade may be due in part to the newness of this arrangement. Or it may be due to the small scale of such operations—most Minnesota non-profits are responsible for just one or two schools—and the belief that, as one respondent suggested, “formal” procedures are not necessary if you authorize only a few schools.

Whoever does it, authorizing charter schools is a complicated business. As a whole, chartering via local boards does not work as well as other options, probably because of the influence of local politics and the lack of infrastructure devoted to the work of authorizing. In addition, local boards and their staff are accustomed to compliance-based accountability and apt to bring that approach to charter authorizing. As one (university) authorizer noted: “Implementing the same types of oversight as used with traditional public schools just isn't enough. Expectations for charter schools are so much higher that serious thinking outside the traditional nature of compliance-based accountability is in order.”

It also appears from this study that success does not lie in having numerous authorizers (no matter what kind) sponsor just a few schools each. To be most effective, an authorizer's board and staff need to dedicate sufficient attention to the complex work of authorizing. This is likeliest where relatively fewer entities are each responsible for relatively more charter schools. Such authorizers, often state-level groups, universities, or larger school districts, have been able to create an adequate infrastructure, including staff dedicated to charter issues.

So what kind and how many is optimal? Although a definitive answer cannot be drawn from this study, it is clear that one or more non-local board authorizers must be directly available to potential applicants, not just via an appeal process. A separate chartering board, or an entity that can distance itself somewhat from local politics and traditional compliance-driven accountability processes, appear to be the best alternatives. As for how many, the answer seems to be one

or more per state, but not dozens. It is just too difficult (and costly) to develop the minimal necessary infrastructure needed for quality authorizing.

Authorizer Fees

Authorizer fees were not even considered during the early stages of the charter movement, partly because the overall role of the authorizers was not clearly understood. Few could foresee how complex and burdensome such an undertaking would be, especially given the desire for authorizers to eschew traditional compliance-driven accountability methods.

As states (and authorizers) gained experience, however, the idea of such fees surfaced and some states wrote (or rewrote) their charter laws to allow for them. Their existence in many states is not without conflict, since the amounts charged by authorizers can vary, as do the services that authorizers provide to their schools. For example, the two major state-based authorizers in Arizona do not charge fees, but one local district in that state charges a stiff 10% of its schools' operating revenues. In Michigan, serious questions were raised when it was learned that a state university was using some of its “surplus” authorizing fees to establish a scholarship fund for future graduates from its chartered schools (to attend that university). Other authorizers tend to return any surpluses to their schools, or use them to help purchase essential services (e.g., testing, audits).

Authorizer fees raise plenty of issues as to their size and the uses to which these funds are put. But, as state budgets continue to shrink—and especially if there is any diminution in the federal charter-school funding that some states use to support authorizing activities—fees will become more important to quality authorizing. States that allow for them must take pains, however, to mitigate the potentially corrupting temptations that accompany them, such as encouraging authorizers to give birth to schools just to boost their own revenues or to avoid revoking charters for similar reasons. We suspect that appropriate authorizer accountability measures, combined with relatively small fees, will reduce these risks. The researchers recommend that policymakers and authorizers continue to work on identifying prudent fee amounts (e.g.,

1-2%) and defining the uses to which such funds are properly put.

Next Steps

Many of the states examined here—if they’re serious about successful charter schools and a robust charter movement—would be wise to strengthen their authorizing arrangements and the policy environments that surround them. To begin that process, policymakers and authorizers should carefully review how their state fared on the 56 criteria set forth in Table 14, Appendix A. For some, creating alternatives to local school board authorizing is certainly recommended, as is adequate authorizer funding and accountability. Many authorizers need to recognize and halt “compliance creep.” This study has captured the voices of those most impacted by current state policies and authorizing practices, and much can be learned from paying attention to what they are saying.

Significant research questions also lie ahead. Is there any correlation between quality authorizing and the success of the schools they oversee? Does better authorizing make for more effective schools? These are vital questions, though they will remain

hard to answer until all states have in place school-based accountability and report card systems for all their public schools, including chartered schools. Until then, there is no common “charter school grade” to match with an “authorizer grade.”

As states continue to implement school-based accountability systems as required by the federal No Child Left Behind Act, such crucial questions will become easier to answer. Until then, learning all we can about quality authorizing practices is an important first step. Persuading state policymakers to take quality authorizing seriously is the step that ought to follow. As this study makes plain, chartering schools is a two-way street. A country that has focused closely on how the schools are doing now needs to pay greater heed to their sponsors. Just as raising successful children depends greatly on efforts by their parents, the creation and operation of successful charter schools hinges in large measure upon the work of the entities that authorize them. And both school and sponsor are most apt to thrive within a state policy environment that welcomes and encourages chartering rather than getting in its way.

Individual State Reports



Report Card on Charter Authorizing:		Arizona
I. State Policy Environment		
A. Support for Charter Schools		B
B. Support & External Accountability for Authorizers		B+
II. Authorizer Practices		
A. Application Processes		B-
B. Approval Processes		B
C. Performance Contracts		B+
D. Oversight		B
E. Renewal & Revocation Processes		B
F. Transparency & Internal Accountability		B-
Overall Grade		B

Arizona Charter School Law Overview

Passed in 1994, Arizona allows the State Board of Education, the State Board for Charter Schools (a separate state agency), and local districts to charter an unlimited number of schools, though districts are now limited to chartering schools within their geographic borders. All state-approved charter schools function as local education agencies (LEA) and operate as legally and financially autonomous entities. Schools sponsored by local districts are only an LEA for federal aid; for state purposes, they are considered part of their districts.

As of Fall 2002, 457 operating charter schools existed, sponsored by 11 authorizing entities: the State Board of Education (84 schools); the State Board for Charter Schools (329 schools); and nine local boards (44 schools).

State Policy Environment

Support for Charter Schools: Arizona's policy environment for charter schools has historically been very supportive. While strong support still exists among legislators, a new Democratic Governor (the first since

charter activity began in the state) has created uneasiness. The Governor appoints members to the two boards that authorize 94% of the state's charter schools, and the level of support that such schools will enjoy from future appointees is unknown.

Parental support for charter schools runs high. On a recent State Board for Charter Schools-sponsored parent satisfaction survey, 64% gave their children's school an A or A+. (By contrast, 38% of parents with children in traditional district schools conferred A or A+ grades on those schools.) While charter parents are supportive, most local districts are not, viewing charters as pesky competitors for dollars. This is reflected in low marks from survey respondents regarding district acceptance of charter schools.

The state has a resource center and a state association that provides technical workshops from time to time; much of the training offered is geared towards starting new schools. However, Arizona State University-West's Leadership for Educational Entrepreneurs program offers a charter-oriented Masters degree in Educational Administration and Supervision with a business focus. Regional Training Centers provide training on topics ranging from developing technology plans to reporting student level data.

The state received high marks for its charter-friendly Department of Education.

Support and External Accountability for

Authorizers: Arizona received a B+ in this area. While three of eight district authorizers charge their schools fees, the two statewide authorizers do not; they are supported directly from state funds. Both state entities partner with other agencies (i.e., state retirement system, fire marshal, county health departments, municipalities, attorney general's office, office of administrative hearings, auditor general's office) and the Arizona Department of Education (ADE) in the execution of their duties. For example, all special education is handled by ADE's Exceptional Student Services with each charter school assigned a special education consultant.

Since the Governor appoints both state-level boards, they are accountable to the executive branch. The State Board for Charter Schools is a stand-alone agency that submits annual performance reports to the Governor and the State Legislature. Once every 10 years, it must submit to a performance audit by the Auditor General. The state's newspapers keep close watch on the activities of both state-level authorizers, regularly attending and reporting on their meetings. This degree of attention and visibility is reflected in high marks from survey respondents regarding oversight of authorizers and media scrutiny.

Arizona also received high marks for its appeals process and for having a school-based accountability system.

Authorizer Practices

Application Processes: Arizona received a B- for its application processes. The major chartering entities provide technical workshops for current schools and prospective applicants, either conducting such workshops directly or partnering with ADE in areas such as special education. All necessary materials are readily available on the web. Survey respondents give high marks for detailed application timelines and holding informational meetings. However, the state received mediocre marks on other criteria, and report that there is little soliciting of applications to fill market gaps.

Approval Processes: Arizona's grade of B is driven by high marks relating to how Arizona deals with flawed applications—allowing for questions to be addressed in an interview, and providing written explanations of denials. The two state-level boards are similar in how they authorize schools. Information regarding district authorizing practices is not readily available. However, there is some evidence that the process is becoming more rigorous throughout the state.

Performance Contract: Arizona's performance contracts received a B+. Survey respondents report that they do a good job of covering all necessary areas. (These include alignment of curriculum with state standards, participation in statewide testing, the provision of special education, and annual external financial audits.)

Oversight: Due to its strong system of audits, site visits, and remediation of charter-school problems, Arizona received a B for oversight. For example, each school has a school report card that is sent to parents that contains information ranging from test data to safety records. Also, all public schools in the state, including charters, are subject to a labeling program. A charter may be revoked if schools receive a "failing" label two years in a row. However, there is concern that some of the reporting systems are too complicated to use properly.

Renewal and Revocation Processes: Arizona received a B for this category. While a school is chartered for up to 15 years, a formal review is conducted every five years. Under most circumstances, when a school is found to be out of compliance, the first act of the state-level authorizing boards is to deduct 10% of its monthly appropriation until compliance is achieved. If that doesn't work, the second step is to issue a 90-day "intent to revoke" letter; during that period, the school has an opportunity to take corrective steps. Survey respondents gave the state high marks for its revocation process and for having clear criteria to measure schools. As of Fall 2002, seven charters had been revoked or denied renewal.

Transparency and Internal Accountability: On transparency issues, Arizona earned a B-. All charter authorizing proceedings must be in compliance with the state's Open Meeting Law. Much information is

available on the State Board for Charter Schools and ADE websites (including applications). However, no charter school information is available on the web from either of the school districts that sponsors at least three schools (i.e., “major” authorizers—those with fewer schools were not examined in detail.)

Overall Grade

Based upon scores for 56 criteria, Arizona earned a B+ for its policy environment and a B for authorizer practices, resulting in an overall grade of B. When Arizona observer and school operator survey respondents were asked to provide a single “holistic” grade, the average grade given was a B-. This means that participants believed things are overall not going quite as well as their ratings on individual criteria reflected. Although this state is often credited for its charter-friendly policy environment, local experts see some room for improvement. Policymakers and authorizers are advised to carefully review the specific criterion-based scores for Arizona found in Appendix A of this report, and on the web at <http://www.edexcellence.net/tbf institute/authorizers.html>.

Note: The survey data for Arizona came from seven authorizer respondents (representing the four “major” authorizers in the state, overseeing 98% of operating schools); 17 observer respondents; and 115 charter operator respondents (of 457 total operating charter schools, or 25%, if only one response per school was received).

Arizona

Charter School & Authorizer Numbers

Year Initial Charter Law Enacted	1994
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Total Charter Schools & Students (as of Fall 2002)

# Approved Charter Schools	479
# Operating Charter Schools	457
# Charter Students (% of Total Public School Students)	About 71,000 (7.4%)

Total Closures (to date)

# Revocations or Non-renewals	7
# Voluntary Closures	33

Major Authorizers (those with three or more schools)

Name	# of Schools
Arizona State Board for Charter Schools	329
Arizona State Board of Education	84
Peach Springs Unified School District	22
Higley Unified School District	7

Data Sources: Arizona State Board for Charter Schools; Peach Springs Unified School District; Higley Unified School District

Report Card on Charter Authorizing:		California
I. State Policy Environment		
A. Support for Charter Schools		C-
B. Support & External Accountability for Authorizers		D+
II. Authorizer Practices		
A. Application Processes		D
B. Approval Processes		C-
C. Performance Contracts		B-
D. Oversight		C-
E. Renewal & Revocation Processes		D+
F. Transparency & Internal Accountability		D
Overall Grade		D+

California Charter School Law Overview

California's first charter law was enacted in 1992. School district boards are the primary authorizers, although a county board of education and the State Board of Education (with its charter school oversight administered by the California Department of Education) may authorize such schools upon appeal or rejection. Revisions effective July 2002, however, have changed some key provisions. For example, previously a local board could charter a school anywhere in the state. Now, school boards can only open charters within their districts and counties. Any schools authorized before July 2002 which had not been approved by a local board within their county, must seek authorization by an appropriate entity prior to July 2005.

The current cap allows 550 schools, with no more than 100 schools approved in any given year.

As of Fall 2002, 427 operating charter schools existed. This includes 396 schools approved by 182 local boards, 26 schools approved by 18 county offices of education, and five approved by the State Board—making a total of 201 authorizers.

State Policy Environment

Support for Charter Schools: California received a C- here, mostly due to weak acceptance of charters by local districts, which are the main authorizers. Each has its own policies and procedures and enjoys considerable discretion over charter approval and oversight processes. Most schools do not operate as legally autonomous entities (though they can be fiscally autonomous if this is negotiated as part of their charters). One type of school defined by law—"non-profit public benefit corporation"—can have more, or even complete, autonomy.

Districts range from extremely supportive and effective to extremely inept and hostile toward charter schools, according to survey respondents.

California also received low marks for the general public's level of understanding of charter schools. And the legislature presents a mixed picture. At times, members speak approvingly of the charter movement—and then vote to restrict these schools' autonomy or to levy additional regulatory requirements upon them.

California received higher marks for having a well-developed charter network or association. There are several non-governmental organizations, such as the Charter Schools Development Center at the California

State University Institute for Education Reform. The state also has an association that provides advocacy, networking, and information to the charter community.

California also received high marks for technical assistance. In addition to that provided by resource centers, the State Department provides some assistance. However, respondents report that local districts provide little, if any, technical assistance.

Support and External Accountability for

Authorizers: California received a D+ in this category, with particularly low scores for a watchful media, as well as no periodic reports by authorizers to the legislature or other state body.

Authorizer Practices

Application Processes: California's application processes earned a D from survey respondents, with a very low score for seeking charter applications to fill market gaps.

Approval Processes: The state received a C-, with mediocre scores on all criteria. Due to the many local authorizers, the landscape is very diverse. Some authorizers are good; some are not good. Charter operators are glad to have places to take their appeals from unsupportive local boards. One commented, "We originally applied in [a] School District. They were ignorant of charter law, and adamantly opposed to allowing a charter within their district. After over a year of shenanigans and a final denial, we went to the [county] and had very positive participation and finally good results."

Performance Contracts: Higher marks for most criteria related to performance contracts led to a B- in this category. Each district has its own policies for contract content, however.

Oversight: California received a C- here. Each authorizer enjoys considerable legal flexibility over charter oversight. Hence, districts range from effective to ineffective oversight of charter schools. Although authorizers do not have to report annually to a state body, the schools themselves are required to send their annual audit to the state controller, their County Office of Education, the State Department, and their authorizing entities. Survey respondents gave California high marks for these reports, as well

as for the review of them and notification to schools of problem areas. Respondents gave low marks, however, to authorizer efforts to shield schools from red tape and bureaucracy.

A recent state audit focused on the authorizing practices of large districts, and found that they were inadequately monitoring both the academic and fiscal operations of their schools. They also failed to adequately ensure that their charter schools were abiding by applicable state mandates. Because the old charter law didn't explicitly define a chartering entity's oversight responsibilities, authorizers responded that it was unfair of the state auditor to read various duties into the law that aren't there and then fault them for not fulfilling those expectations.

Renewal and Revocation Processes: California received a D+ in this category. Again, operators report that some authorizers handle this well, others badly. Survey respondents gave a particularly low score for authorizers' notifying schools that are in danger of being closed with enough time to remedy problems. As of Fall 2002, 22 charters had been revoked or non-renewed.

Transparency and Internal Accountability: The state received a D in this category, with a very low score for authorizers' publishing reports about their schools. Evidently this seldom occurs.

Overall Grade

Based on scores for 56 criteria, California earned a D+ for its policy environment and a D+ for authorizer practices, resulting in an overall grade of D+. When California observer and school operator respondents were asked to provide a single "holistic" grade, the average given was a C-. Although the holistic grade is slightly better, room for significant improvement is obvious.

The charter landscape in California is extremely diverse, with 201 authorizers sponsoring schools. Survey respondents with knowledge "on the ground" view the present California system very poorly, as indicated by the low criterion-based and "holistic" grades. One observer commented that "Most districts... don't see approval and oversight of charter schools as their mission and probably would rather not assume that

role—but they also don't want to relinquish it." It will be interesting to see how the new law affects these perceptions in the future. Meanwhile, authorizers and policymakers should review the specific criteria located in Appendix A, and on the web at <http://www.edexcellence.net/tbinstitute/authorizers.html>.

Note: The grades for California are based upon survey data received from 16 authorizer respondents (representing 13 different authorizers — including the three largest— overseeing 31% of the operating schools); 16 observer respondents; and 63 charter operator respondents (of 427 total operating charter schools, or 15%).

California

Charter School & Authorizer Numbers

Year Initial Charter Law Enacted	1992
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Total Charter Schools & Students (as of Fall 2002)

# Approved Charter Schools	474
# Operating Charter Schools	427
# Charter Students (% of Total Public School Students)	133,000 (2.2%) (2001–02 data)

Total Closures (to date)

# Revocations or Non-renewals	22
# Voluntary Closures	44

Major Authorizers (those with three or more schools)

Name	# of Schools
Los Angeles Unified District	46
San Diego City Unified District	20
Oakland Unified District	13
Twin Ridges Elementary District	12
Fresno Unified District	7
Chula Vista Elementary District	6

Kingsburg Joint Unified Elementary District	6
San Carlos Elementary District	6
California State Board of Education	5
Long Beach Unified District	5
Pajaro Valley Joint Unified District	5
Redding Elementary District	5
Ukiah Unified District	5
Western Placer Unified District	5
East Side Union High District	4
El Dorado County Office of Education	4
Napa Valley Unified District	4
Paradise Unified District	4
Ravenswood City Elementary District	4
San Francisco Unified District	4
San Juan Unified District	4
West Fresno Elementary District	4
Bonsall Union Elementary District	3
Gorman Elementary District	3
Hickman Elementary District	3
Keyes Union Elementary District	3
Lodi Unified District	3
Pioneer Union Elementary District	3
Sanger Unified District	3
Santa Ana Unified District	3
Santa Barbara Elementary District	3
Visalia Unified District	3
West Contra Costa Unified District	3

Data Source: California Department of Education—includes schools listed as “pending” with a start state in 2002 (since this database is not up-to-date).

Report Card on Charter Authorizing:		Colorado
I. State Policy Environment		
A. Support for Charter Schools		C
B. Support & External Accountability for Authorizers		D+
II. Authorizer Practices		
A. Application Processes		D+
B. Approval Processes		C-
C. Performance Contracts		B+
D. Oversight		D+
E. Renewal & Revocation Processes		C-
F. Transparency & Internal Accountability		D+
Overall Grade		C-

Colorado Charter School Law Overview

Colorado's law was enacted in 1993. A charter school can only be authorized by a local school district board, with such a district defined as the one in which the majority of a proposed charter school's students live, or it may be a contiguous school district. The State Board of Education is not an authorizer, but does hear appeals and can "force" districts to authorize schools that they initially rejected. The State Board may also waive education laws. There is no cap on the number of charter schools allowed in the state.

As of Fall 2002, 94 charter schools were operating under 38 district authorizers. Eighteen of those schools were approved by local school boards following appeals to the State Board.

State Policy Environment

Support for Charter Schools: Colorado received a C for its level of charter support. In general, Colorado is well-disposed toward parental choice in education, which should bode well for charter schools. And Colorado's charters have fared relatively well; many schools have long waiting lists and most show high

levels of parent satisfaction. Most have met or exceeded their re-enrollment goals. Yet survey respondents report that parents and the general public still do not understand charters. The state also received low marks for access to multiple authorizers.

By law, charters are part of their school districts, though the majority are organized as separate legal entities and exercise significant fiscal and operational autonomy as defined in their contract.

Colorado received high marks for its "charter friendly" State Department of Education. The Commissioner of Education and State Board of Education have been well-disposed toward the charter movement, as have two consecutive governors and many legislators.

Respondents also gave Colorado high marks for its well-developed charter association. The League of Charter Schools is a clearinghouse of information and resources that provide technical support for schools and serves as an advocate for the charter movement.

Support and Accountability for Authorizers: The state received a D+ for authorizer support, with very low marks for adequate funding despite the fact that most districts charge authorizing fees to cover oversight and administration.

Colorado also received low marks for reports to the legislature, examination by an outside body, and watchful media.

Survey respondents gave high marks for the appeals process (if an applicant is denied a charter, the decision may be appealed to the State Board of Education, which after a two-stage process may then direct the local district to grant the application) and for the state's comprehensive school accountability system.

Authorizer Practices

Application Processes: Colorado earned a D+ in this category. Authorizers don't seek out applications to meet identified market gaps, although they do have detailed timelines. Few Colorado authorizers are proactive at all; they are local district boards that must be sought out by would-be charter operators.

Approval Processes: A C- here reflects mediocre scores in all criteria. With the large number of authorizers in the state, there is no consistency in application materials and processes.

Performance Contracts: Colorado earned a B+ for performance contracts with high marks in all but two criteria.

Oversight: The state received a D+ for oversight, with particularly low scores on two important criteria: shielding schools from red tape and having an overall good system that collects essential data in a consistent manner. Authorizers must "periodically" review their charters but they determine how often and when. In contrast to such reviews, Colorado authorizers do require their charter schools to provide periodic audits and progress reports.

Although most authorizers reportedly focus almost solely on compliance issues and don't collect achievement data, all charter schools do participate in a statewide assessment. The State Board of Education periodically conducts an independent study of charter schools, comparing the performance of charter students with comparable groups of pupils in regular public schools. According to the 2002 report, charter students in grades 3–8 performed as well as or better than their non-charter counterparts in matched

groups. (Students in grades 9 and 10 performed less well.)

Renewal and Revocation Processes: Colorado received a C- here with a very low score for not having specific provisions in place for closing schools when warranted. Because of the large number of authorizers, there doesn't appear to be any consistent way of handling such situations. To date, one school was revoked but that decision was overturned by the State Board of Education, and the school is still in operation.

Transparency and Internal Accountability: Colorado received a D+ in this category, with particularly low marks for authorizers' undertaking formal evaluations of their practices, and being accountable for, and transparent about, key decisions.

Overall Grade

Based on scores for 56 criteria, Colorado earned a C- for its policy environment and a C- for its authorizer practices, resulting in an overall grade of C-. When observer and school operator survey respondents were asked to provide a single "holistic" grade, the average grade given was a C.

These mediocre marks may surprise those who view Colorado as having a "strong" charter school program, but we remind readers that this study is not an evaluation of the schools, but of the policy environment and authorizing practices. Some of Colorado's local boards are manifestly hostile to the charter-school idea, causing the landscape to be very uneven and the quality of authorizing is mixed. As one respondent observed, "Some [authorizers] are awful opposers of charters, and some are tolerant. None in the state support their charters to the same level they support their own 'other' public schools." Authorizers and policymakers are urged to review specific criteria for their state within Appendix A, and on the web at <http://www.edexcellence.net/tbfinstitute/authorizers.html>.

Note: The grades for Colorado are based upon survey data received from eight authorizer respondents (representing seven different authorizers—including the largest in the state—overseeing 43% of the operating schools); five observer respondents; and 37 charter operator respondents (of 94 total operating charter schools, or 40%).

Colorado

Charter School & Authorizer Numbers

Year Initial Charter Law Enacted	1993
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Total Charter Schools & Students (as of Fall 2002)

# Approved Charter Schools	100
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# Operating Charter Schools	94
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# Charter Students (% of Total Public School Students)	About 29,000 (4%)
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Total Closures (to date)

# Revocations or Non-renewals	1
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# Voluntary Closures	3
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Major Authorizers (those with three or more schools)

Name	# of Schools
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Jefferson County School District	12
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Denver Public School District	10
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Douglas County School District	5
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Colorado Springs School District # 11	5
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Boulder Valley School District	5
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Greeley (Weld County)	3
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Poudre School District	3
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Adams County School District #12	3
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Data Sources: Colorado League of Charter Schools

Report Card on Charter Authorizing:		Connecticut
I. State Policy Environment		
A. Support for Charter Schools		D+
B. Support & External Accountability for Authorizers		D+
II. Authorizer Practices		
A. Application Processes		C-
B. Approval Processes		B+
C. Performance Contracts		A
D. Oversight		B-
E. Renewal & Revocation Processes		A-
F. Transparency & Internal Accountability		B-
Overall Grade		B-

Connecticut Charter School Law Overview

The Connecticut charter school law (enacted in 1996) is a result of a state Supreme Court decision (Sheff v. O'Neill) requiring the legislature to correct the inequity of education provided to minority students. The legislature and governor judged that charter schools could be catalysts in the restructuring of public schools to increase racial and ethnic diversity.

Current law allows the State Board of Education to authorize a total of 24 charter schools, with such schools becoming either a "local charter school" or a "state charter school." To be a local charter, the applicant obtains approval from the local governing board before requesting a charter from the state. To be a state charter school, the applicant goes straight to the state.

As of Fall 2002, there were 14 approved charters, with 13 currently operating. All are state charter schools. At one time, there were two local charters but both have been converted into magnet schools. Currently, the legislature has not appropriated any additional funds for new charter schools. Hence, no new applications are being accepted.

State Policy Environment

Support for Charter Schools: Connecticut earned a D+ for its level of support. It received very low scores for adequate technical assistance or resource center support, although the State Department of Education provides technical assistance to applicants and holds numerous workshops. The Charter Schools Network also provides some technical assistance and purchases memberships from the Connecticut School Board Association in order for charter schools to receive technical assistance from that organization.

The state also received low marks for sufficient contracting services; political support; acceptance by local districts; understanding by parents and the public; and the existence of ample opportunities for quality proposals to receive a charter. Respondents indicate that funding for charters has been minimal, and has affected the ability of the Department of Education to support its schools.

The state received high marks for providing for financially and legally autonomous schools, but state officials do maintain some control over funding, as specified in the charter.

Support and External Accountability for Authorizers: Connecticut received a D+ in this category.

ry as well. As the only active authorizer, the State Board of Education receives funding for a charter school office (within the State Department of Education) to support several staff members. However, survey respondents gave a very low score for “adequate funding for authorizer staff and activities.” Indeed, charter funding is so low that no new applications are being taken. The state also received low marks for periodic oversight by a state body (although the Commissioner of Education must prepare an annual report for the legislature on the operation of charter schools—a criterion that was rated well) and watchful media.

The state received high marks for having an appeals process as well as a school-based accountability system. (There does not appear to be an “official” appeals process but, in practice, would-be charter operators were able to come directly to the State Board—and that proved to be the route to charters for all schools currently functioning in Connecticut.)

Authorizer Practices

Application Processes: Connecticut received an average of C- here. The lowest score was related to seeking new applications to meet market gaps, likely because of the singular state purpose for charter schools and the lack of funding for new applications.

Approval Processes: The state scored quite well in this category, with a B+. High marks were given for having multiple reviewers, as formal application review and approval processes are in place for charter schools. Also highly rated were criteria related to providing additional information should questions arise, providing denied applicants written explanations, and having a non-political, quality-based application-review process.

Performance Contracts: Connecticut received an A for its performance contracts, with extremely high marks on all criteria.

Oversight: The state’s B- is derived from averaging some very high and low scores. The latter were for unannounced site visits and shielding schools from red tape. The high marks were associated with site visits, requiring audits and progress reports from schools (which are published and available to the public), using those reports to flag problems and notify schools, and having a clearly defined set of actions to take when problems are found.

Renewal and Revocation Processes: Connecticut earned an A- for this category. The law doesn’t require a formal review, but charter schools have a clear understanding of renewal process expectations. As of Fall 2002, only one charter had been revoked or non-renewed.

Transparency and Internal Accountability: Connecticut received a B- here, with mediocre marks for most criteria. It did receive high marks for easily available application packets and for making approved applications available to the public.

Overall Grade

Based on scores for 56 criteria, Connecticut earned a D+ for its policy environment and a B for authorizer practices, resulting in an overall grade of B-. When observer and school operator survey respondents were asked to provide a single “holistic” grade, the average grade given was a C.

Charter schools in Connecticut are few and the program is static. It has developed good authorizing procedures—among the highest rated in this study—but its overall support for the charter movement is very low. Authorizers and policymakers are urged to review specific criteria for their state in Appendix A of this report, and on the web at <http://www.edexcellence.net/tbfinstitute/authorizers.html>.

Note: The grades for Connecticut are based upon survey data received from one authorizer respondent (representing the state’s only authorizer in the state); four observer respondents; and three charter operator respondents (of 13 total operating charter schools, or 23%).

Connecticut

Charter School & Authorizer Numbers

Year Initial Charter Law Enacted	1996
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Total Charter Schools & Students (as of Fall 2002)

# Approved Charter Schools	14
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# Operating Charter Schools	13
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# Charter Students (% of Total Public School Students)	About 2,224 (>1%)
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Total Closures (to date)

# Revocations or Non-renewals	1
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# Voluntary Closures	2 converted to magnet schools, 2 voluntary closures
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Major Authorizers (those with three or more schools)

Name	# of Schools
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Connecticut State Board of Education	13
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Data Source: Connecticut Charter Schools Network

Report Card on Charter Authorizing:		Delaware
I. State Policy Environment		
A. Support for Charter Schools		C-
B. Support & External Accountability for Authorizers		B-
II. Authorizer Practices		
A. Application Processes		D
B. Approval Processes		B-
C. Performance Contracts		B+
D. Oversight		B
E. Renewal & Revocation Processes		B
F. Transparency & Internal Accountability		C-
Overall Grade		C+

Delaware Charter School Law Overview

Delaware's initial charter law was enacted in 1995. It allows a local school board or the Delaware Department of Education to charter an unlimited number of schools. However, a local board has to vote to accept applications each year, and the State Department of Education may decide not to accept applications in any given year.

As of Fall 2002, 11 charter schools were open, with 10 authorized by the State Department of Education and one by a local district.

State Policy Environment

Support for Charter Schools: Despite widening interest in the development and operation of charter schools, survey respondents gave Delaware a C- in this category. This stems from a lack of political support, weak understanding by the public, and lack of acceptance by districts. With a single exception (Red Clay Consolidated School District), school districts have not encouraged their development.

Delaware's Department of Education provides much technical assistance through in-service sessions and multi-day workshops. It also uses a series of

publications called the Integrated Evaluation/Support System, to address a number of legislative requirements. Expectations for Successful Charter Schools provides information for evaluating a charter application, monitoring a school's progress during its initial years, and evaluating it for charter renewal.

Expectations for Model Charter Schools is for charter schools to refer to in complying with Delaware's charter legislation. The Delaware Charter School Technical Assistance Manual shows administrators at new charter schools how to navigate state administrative and financial systems. Orderly as all this may seem to the Department, however, charter supporters view these publications as a focus on regulation and suggest that the Department does not encourage new charter schools. This impression is borne out by the state's low score for a "charter friendly" Department of Education.

Delaware received high marks for a well-developed charter network or association. For example, the Innovative School Development Company serves as a resource center and offers loan guarantee funds for charter facilities.

Chartered schools approved by the Department of Education are legally and financially autonomous.

Support and External Accountability for Authorizers: A B- in this category is driven by high

marks for periodic reports to the legislature, and by a state law which calls for an Accountability Committee, consisting of Department of Education staff members, that reviews concerns and makes recommendations to the State Board. It is also driven by Delaware's comprehensive school-based accountability system. However, there is concern about adequate funding for authorizing staff and activities.

Authorizer Practices

Application Processes: Delaware received a D for its application processes. There are certain published requirements for an application (e.g., a plan to assure the health and safety of the students, employees, and guests of the schools), but survey respondents report a lack of information on how applications will be scored. The fact that the Department of Education and districts can “opt out” of accepting applications is reflected in low scores for efforts to get applications to a broad range of applicants.

Delaware received high marks, however, for having a detailed application timeline.

Approval Processes: A B– in this category is tempered by uncertainty over how new charter regulations, created as “clarifications” of the law, will play out in the approval process. Delaware received high marks for having an adequate time period for schools to prepare to open, as the charter law allows 17 months between approval and a school's opening. The state also received high marks for applicants' ability to respond to questions about their proposals.

Performance Contracts: With a B+, Delaware's highest score is in this category. The state received high marks for contracts that incorporate all the necessary information.

Oversight: Delaware received a B for its oversight processes. Authorizers rely on compliance-oriented practices along with performance measures, such as student achievement and parent satisfaction. Its highest marks were for site visits, schools' annual financial and progress reports, and notifying schools of

problems that emerge from the review of these reports.

Renewal and Revocation Processes: Delaware's B in this category is related to the procedures outlined in the Integrated Evaluation/Support System. The state received high marks for clear written criteria, decisions based on school progress, independent analysis of school data, and an overall quality process. Schools are initially chartered for three years, renewed every five years thereafter. As of Fall 2002, two charters had been revoked or non-renewed.

Transparency and Internal Accountability: Despite the Department of Education publication, *The Parent Guide to Charter Schools*, the state received a C– in this category. Most criteria were rated mediocre, with one—undertaking formal evaluations of their own practices—rating very low.

Overall Grade

Based on scores for 56 criteria, Delaware earned a C for its policy environment and a C+ for authorizer practices, resulting in an overall grade of C+. When observer and school operator survey respondents were asked to provide a single “holistic” grade, the average grade given was also a C+.

Delaware's Department of Education has established extensive procedures and guidelines for charter schools, but these appear to have had both positive and negative consequences. On the one hand this proceduralism provides a good framework for evaluation. On the other, it focuses more on compliance with process, rather than a school's freedom to innovate. For more specifics on areas that could improve that balance, policymakers are advised to review the criteria in Appendix A, and on the web at <http://www.edexcellence.net/tbfinstitute/authorizers.html>.

Note: The survey data for Delaware came from two authorizer respondents (representing both authorizers in the state); 14 observer respondents; and five charter operator respondents (of 11 total operating charter schools, or 46%).

Delaware

Charter School & Authorizer Numbers

Year Initial Charter Law Enacted	1995
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Total Charter Schools & Students (as of Fall 2002)

# Approved Charter Schools	13
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# Operating Charter Schools	11
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# Charter Students (% of Total Public School Students)	About 5,100 (4%)
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Total Closures (to date)

# Revocations or Non-renewals	2
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# Voluntary Closures	6
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Major Authorizers (those with three or more schools)

Name	# of Schools
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Delaware Department of Education	10
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Red Clay Consolidated School	
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District	1
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Data Sources: Delaware Charter Schools Network; closure data from Delaware Department of Education

Report Card on Charter Authorizing: District of Columbia	
I. State Policy Environment	
A. Support for Charter Schools	C+
B. Support & External Accountability for Authorizers	C-
II. Authorizer Practices	
A. Application Processes	B-
B. Approval Processes	B+
C. Performance Contracts	B+
D. Oversight	B
E. Renewal & Revocation Processes	B+
F. Transparency & Internal Accountability	C+
Overall Grade	B-

District of Columbia (D.C.) Charter School Law Overview

Initially enacted in 1996, the D.C. charter law allows two authorizers: The D.C. Board of Education and the D.C. Public Charter School Board (whose sole responsibility is authorizing charter schools). This arrangement was established by Congress as part of an overall education reform package for D.C. Each of the two boards may authorize up to 10 schools per year.

As of Fall 2002, 42 charter schools were operating. The D.C. Public Charter School Board was responsible for 25 of these, the Board of Education for the other 17.

State Policy Environment

Support for Charter Schools: As a whole, D.C. has a modestly supportive policy environment for charter schools, with a C+ for the category. Survey respondents gave a very low score for acceptance by the local district. However, the Mayor is on record as supporting charter schools and the Superintendent of Schools has not been outspoken against them. The strongest support for charter schools comes from the city council.

Respondents give high marks for the law's provision for school autonomy, although some operators report that authorizers are becoming too intrusive. (The one conversion school, not surprisingly, reports being happy with its enhanced autonomy.) D.C. also received high marks for having two authorizers to choose from, which make decisions based on merit and not politics. Respondents indicate that the D.C. Board of Education is less enthusiastic in its authorizing role than the Public Charter School Board. However, this may change as the D.C. Board of Education recently changed its own basic structure from fully elected to half elected and half appointed (by the charter-friendly Mayor).

Support and Accountability for Authorizers: D.C. received a C- for this category with low marks for periodic examination by an oversight body and for having a comprehensive accountability system. Although there are two authorizers, applicants have no appeals process other than legal action.

Authorizer Practices

Application Processes: D.C. was given a B- by survey respondents for its application processes. Two criteria were rated quite high: detailed application

timelines and informational meetings for potential applicants.

Approval Processes: Several aspects of D.C.'s approval process were rated quite high, leading to an average grade of B+ for this category. These criteria were multiple expert reviewers, the opportunity for applicants to address and correct weaknesses, and written notification of weaknesses for denied applications.

Each authorizer has a slightly different process, although some aspects are required by law of both. The Board of Education has a one-stage application process that includes a panel review of applications and public hearings. The Public Charter School Board has a two-step process. Applicants that don't get approved during the first round but that meet minimum requirements may revise their application for round two. This application process also includes information meetings, technical review panels, public hearings, and an interview. One criticism offered by respondents is that the Charter School Board has been too cautious in issuing charters.

Performance Contracts: With a B+ in this category, too, respondents indicate that D.C. performance contracts contain the necessary provisions for mission, student recruitment, and data collection.

Oversight: D.C. received a B for oversight. It earned high marks for announced site visits, annual audits and progress reports, using the reports to notify schools of weaknesses, and establishing a defined set of actions to address problems. However, survey responses indicate a difference between the two authorizers regarding the quality of interaction with charter schools. There is concern that the Board of Education is often at cross purposes with its schools.

Renewal and Revocation Processes: D.C. received a B+ for its renewal and revocation processes. Charter schools are reviewed during every fifth year of their 15-year contract. As the first generation of D.C. charter schools reaches its fifth year of operation, authorizers are starting to focus on the renewal process. So far, they receive high marks from survey respondents on many criteria. For example, authorizers use value-added measures to determine student achievement. The Public Charter School Board analyzes school data

and posts school performance reports on the web. Its oversight process is designed to be less regulatory and based more on self-evaluation.

The Board of Education has shown its commitment to accountability by revoking six schools primarily for financial reasons. (The law is written so that revocation for student performance cannot occur until the fifth year, although a school can be put on probation because of it.) The Public Charter School Board has not revoked any charters, but has also been more cautious in its approvals. Authorizers received good marks from survey respondents in this area.

D.C. also rated well for notifying poorly performing schools of imminent closure in enough time to remedy problems, and for establishing specific provisions for closing schools.

Transparency and Internal Accountability: Survey respondents gave D.C. a C+ for this category, with mediocre scores in most criteria. However, D.C. did receive high marks on criteria related to easily accessible applications. (Both authorizers post application instructions and materials on the web.)

Overall Grade

Based on scores for 56 criteria, the District of Columbia earned a C for its policy environment and a B for authorizer practices, resulting in an overall grade of B-. When observer and school operator survey respondents were asked to provide a single "holistic" grade, the average grade given was a C+.

Nothing in the D.C. authorizing picture stands out as exemplary or atrocious. However, survey respondents are generally more satisfied with their experiences with the Public Charter School Board than with the Board of Education. Authorizers and policymakers should review the specific criteria in Appendix A of this report, and on the web at <http://www.edexcellence.net/tbf/institute/authorizers.html>, to determine ways to move the District of Columbia to "the next level" of successful authorizers.

Note: The grades for the District of Columbia are based upon survey data received from four authorizer respondents (representing both major authorizers); eight observer respondents; and six charter operator respondents (of 42 total operating charter schools, or 14%).

District of Columbia

Charter School & Authorizer Numbers

Year Initial Charter Law Enacted	1996
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Total Charter Schools & Students (as of Fall 2002)

# Approved Charter Schools	42
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# Operating Charter Schools	42
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# Charter Students (% of Total Public School Students)	About 11,500 (14.5%)
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Total Closures (to date)

# Revocations or Non-renewals	6
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# Voluntary Closures	0
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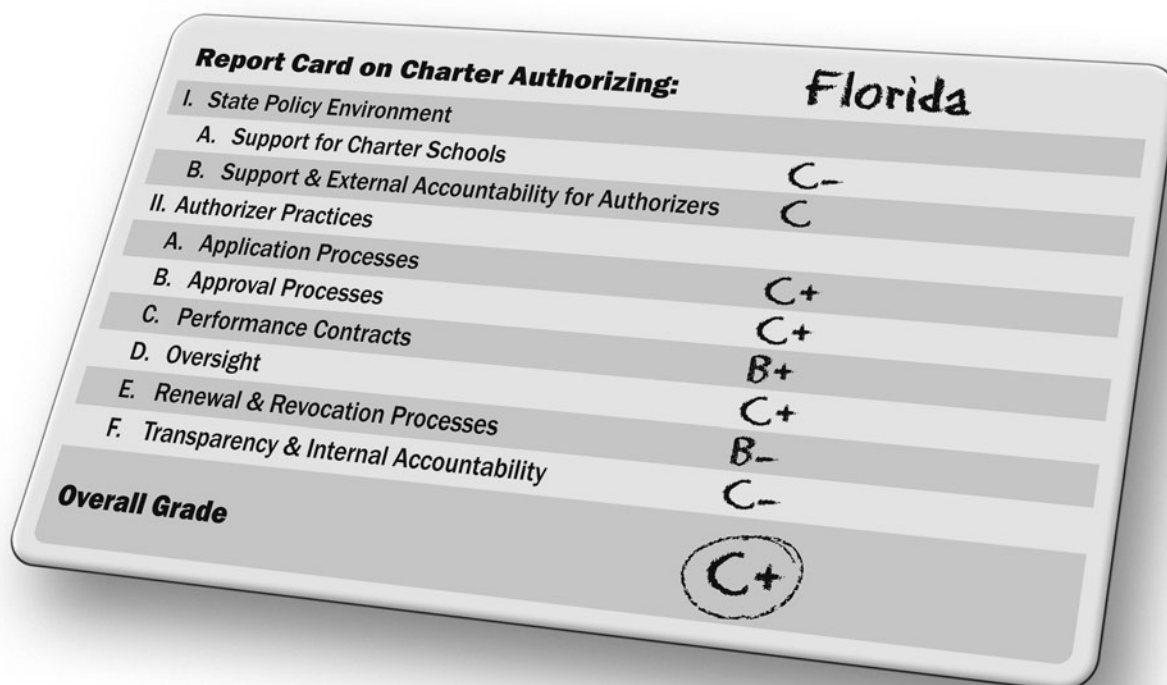
Major Authorizers (those with three or more schools)

Name	# of Schools
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D.C. Public Charter School Board	25
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D.C. Board of Education	17
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Data Sources: D.C. Public Charter School Board, D.C. Board of Education, and the D.C. Public Charter School Resource Center



Florida Charter School Law Overview

First enacted in 1996, Florida's charter statute provides for schools to be authorized only by local school districts. Caps on their numbers are based on district enrollments and range from 12 schools in smaller districts to 28 in the largest. There is a statewide application that applicants submit to their local boards. If denied, the applicant may appeal to the State Board of Education, which gets recommendations from the newly formed Charter School Appeals Commission. The State Board can now order a local board to approve the charter school. (This appeals process also applies to revocation and non-renewal decisions.) Prior to creation of the Appeals Commission, the State Board could only recommend that a local district overturn denials. About 25% of such previous recommendations to overturn a denial had been accepted by district, while 75% were ignored.

Florida also allows for three special types of charter schools: "charter lab schools" (sponsored by a university), "charter schools-in-the-workplace," and "charter schools-in-a-municipality" (both sponsored by local districts via partnerships with outside entities). There is also a pilot program that gives financial incentives to districts to create conversion charter schools.

As of Fall 2002, 275 charter schools were approved, with 232 operating. All but one (231) were sponsored by 36 school districts. The lone exception is sponsored by Florida State University.

State Policy Environment

Support for Charter Schools: Florida earned a C- for charter school support. While there is broad state-level support from the Governor, legislature, and Department of Education (raters gave high marks to its charter friendliness), local support depends upon the district. Some view charters as a service—educating challenging students with less funding, and easing the facilities crunch—and see that they actually make money from charter schools. Other districts view them as a burden. Over half of Florida's districts have chartered at least one school.

Schools are legally part of the district, but have a great deal of autonomy. The law restricts districts from imposing many restrictions on their schools, and requires them to provide some administrative services.

Support and Accountability for Authorizers: Florida received a C in this category. Authorizers are required to report periodically to the legislature and publish reports of charter school progress. The law

also requires a Governor-appointed review panel to regularly appraise policies and practices regarding charter schools. But survey respondents suggest that these measures have not been fully implemented. In 2005, the legislature is due to review the operation of charter schools.

The state received high marks for its appeals process, and for having a comprehensive accountability system.

Authorizer Practices

Application Processes: Mediocre scores on all criteria led to Florida's C+ for applications. The law required the State Board of Education to create a statewide application, which districts may use for their application process. That application, along with an outline of the criteria reviewers will use, is available on-line. According to survey responses, however, local districts are doing a marginal job of providing other services such as informational meetings and technical assistance. Some assistance is provided by outside groups such as the Florida Consortium of Charter Schools. The state received low scores for seeking applications to fill market gaps—no doubt because the charter initiative falls entirely to local districts.

Approval Processes: Florida earned a C+ in this category as well. Once received, the local board sends the application to department heads for scoring and returning to the board, which approves or denies the application. Denied applicants may appeal to the State Board which gets recommendations from the new Charter School Appeals Commission. As of spring 2003, the Board (via the Commission's recommendations) has voted on six appeals, upholding districts' decisions to deny applicants in three cases, and requiring districts to approve schools in three other cases. Survey respondents gave high marks for the applicant's opportunity to provide additional information should questions arise during this process.

Performance Contracts: Florida received a B+ for its performance contracts, with high marks in almost every category. Much of the contract content is specified by law, covering such important areas as school mission, curricular focus, instructional techniques, and access for students with special needs. Another

important requirement in the law is how baseline academic achievement will be established and used in monitoring progress. Local districts must provide student data to charter schools.

Oversight: Despite a C+ for this category, Florida received high marks for financial audits and yearly school progress reports. Survey respondents say these reports are being used to notify schools of potential problems.

Renewal and Revocation Processes: The state received a B- for its renewal and revocation processes, with high marks for student performance data analysis and for having specific provisions to close a school when warranted. Charter renewal periods differ between the two types of charter schools. Contracts for non-profit-run schools can extend 10 years, while publicly sponsored schools can extend for 15 years. Even with an extended contract, however, school progress is monitored annually, and contracts can be canceled at any time due to financial problems or lack of student progress. All local authorizer decisions can be appealed to the State Board. Survey scores indicate that adequate policies regarding renewal and revocation are in place, though perhaps not fully implemented. As of Fall 2002, ten charters had been revoked or non-renewed.

Transparency and Internal Accountability: Many districts' lack of enthusiasm for their role as charter authorizers is apparent in the C- for this category. Authorizers do little to make public their reports on charter schools or to provide transparency in their decisions. It should be noted, however, that since this survey was conducted the Florida Consortium of Charter Schools has established websites that allow the public to compare the progress of public and charter schools.

Overall Grade

Based on scores for 56 criteria, Florida earned a C for its policy environment and a B- for authorizer practices, resulting in an overall score of C+. When observer and school operator survey respondents were asked to provide a single "holistic" grade, the average grade given was a B-.

Overall, there is room for improvement in Florida's authorizer processes. Survey responses suggest that attitudinal differences between local districts create an uneven landscape and uncertain environment. Policymakers and authorizers alike should review the specific criterion-based scores for Florida found in Appendix A, and on the web at <http://www.edexcellence.net/tbfstitute/authorizers.html>.

Note: The grades for Florida are based upon survey data received from 18 authorizer respondents (representing 17 different authorizers, overseeing 44% of operating schools); five observer respondents; and 29 charter operator respondents (of 232 total operating charter schools, or 13%).

Florida

Charter School & Authorizer Numbers

Year Initial Charter Law Enacted	1996
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Total Charter Schools & Students (as of Fall 2002)

# Approved Charter Schools	275
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# Operating Charter Schools	232
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# Charter Students (% of Total Public School Students)	50,695 (about 2%)
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Total Closures (to date)

# Revocations or Non-renewals	10
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# Voluntary Closures	2
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Major Authorizers (those with three or more schools)

Name	# of Schools
Miami-Dade County School Board	25
Palm Beach County School Board	23
Broward County School Board	17
Hillsborough County School Board	16
Orange County School Board	13
Polk County School Board	12
Alachua County School Board	10
Brevard County School Board	10
Osceola County School Board	9
Manatee County School Board	8
Duval County School Board	7
Escambia County School Board	7
Lake County School Board	6
Pasco County School Board	6
Sarasota County School Board	6
Pinellas County School Board	4
Lee County School Board	3
Monroe County School Board	3
Okaloosa County School Board	3
Seminole County School Board	3
St. Johns County School Board	3
Volusia County School Board	3

Data Sources: Florida Consortium of Charter Schools; Florida Department of Education

Report Card on Charter Authorizing:		Illinois
I. State Policy Environment		
A. Support for Charter Schools		D
B. Support & External Accountability for Authorizers		B
II. Authorizer Practices		
A. Application Processes		C
B. Approval Processes		C
C. Performance Contracts		B+
D. Oversight		B
E. Renewal & Revocation Processes		B+
F. Transparency & Internal Accountability		C+
Overall Grade		B-

Illinois Charter School Law Overview

Under its 1996 law, Illinois is limited to a total of 45 charters divided geographically: 15 in Chicago, 15 in the Chicago suburbs, and 15 across the rest of the state. The law also allows each local governing board throughout the state to initiate one charter school within its boundaries, over and above the cap. Additionally, it contains an unusual provision allowing for establishment of a charter school by referendum in addition to the more traditional avenue of applying to a governing body. (This has never been done.) The State Board of Education serves as an appeals body, either by authorizing the school itself, or by forcing a local district to do so.

As of Fall 2002, 26 charter school campuses existed under 20 charters issued by six local districts, and two more schools operated under charters issued by the State Board upon appeal. Most schools (14 charters, 20 campuses) are sponsored by the Chicago Public Schools, which has reached the statutory “cap” and uses multi-campus charters to ease this restriction. It is likely that statutory amendments will be agreed to in 2003 that, among other things, will increase the cap (and ban multi-campus charters).

State Policy Environment

Support for Charter Schools: Illinois received a D for charter support. Although the level of charter activity in Chicago is relatively high due to that city’s positive attitude toward education reform, in general, and charters, in particular, local boards elsewhere in the state have largely stonewalled charter efforts. In particular, respondents report difficulties with acceptance by local districts, weak political support, the absence of a “charter friendly” State Department of Education, limited parental understanding, and too few opportunities for quality charters (this last difficulty likely arising from the pinch that the “cap” has now produced in Chicago).

Besides difficulty establishing charters outside of Chicago, evidence of lack of support can be seen in the funding of charter schools, which is negotiated with the sponsoring district. On average, it is reported that charter schools receive only \$0.82 cents of every education dollar that a district receives. At the same time, the state provides extra aid to help compensate authorizing districts: 90 percent of charter costs the first year, 65 percent the second year, and 35 percent the third year.

No public monies are given directly for charter school facilities, although the state does have a

revolving loan fund available to charter schools, and conversion schools use their buildings from the district at no cost. One interesting note is that the Bill and Melinda Gates Foundation recently made a multi-million dollar grant to the Chicago Charter School Foundation for the development of four charter high schools in Chicago.

The state received high marks for creating fiscally and legally autonomous schools. In practice, however, some maintain close ties to their local districts.

Support and External Accountability for

Authorizers: Illinois received a B in this category. Marks were high for authorizers' reports to the legislature, reflective of the requirement that local boards submit annual evaluations of charter schools to the State Board of Education for inclusion in the latter's annual report to the General Assembly and Governor. (Past reports are posted on the Illinois State Department of Education charter school website.)

Another highly rated criterion was the appeals process. Charter proposals denied by a local school board may be appealed to the State Board of Education. To date, two schools have been created via this appeals process.

Authorizer Practices

Application Processes: A C in this category is related to the lack of a structured application packet that details the process, and a lack of general outreach to applicants by most local districts. Except in Chicago, there are no application forms per se, although law specifies 14 elements of a proposal to establish a charter school, and these are posted on the State Department website.

Despite limited outreach by most districts, the State Board of Education provides general technical assistance, as does the Charter School Resource Center (based in a business-backed organization named Leadership for Quality Education). This latter group assists potential charter developers.

The state received high marks for having detailed application timelines.

Approval Processes: Illinois's approval process also received a C. Respondents indicated that there is little time between approval and a school's opening.

The state did receive high marks, however, for allowing applicants to provide additional information if questions arise. Once the local board has decided to approve or deny a charter application, it forwards that application, regardless of outcome, to the State Board. If the application was approved by the local board, the State Board determines whether the approved charter proposal is consistent with the provisions of the law. If denied locally, the applicant can appeal to the State Board.

Performance Contracts: The state's B+ in this category reflects high marks for almost every aspect of performance contracts, probably because the application itself is submitted as a contract and scrutinized by both local district and State Board. Observers report that the Chicago contract has some real strengths in that it clearly lays out the authorizer's expectations from the outset.

Oversight: Although Illinois received a B for oversight, its perfect score for audits and progress reports is exceptional. Charter schools must submit an annual financial and administrative audit (conducted by an independent outside auditor) to their authorizer, which is included in the State Department report to the General Assembly. Survey respondents also gave high marks for the use of these reports in identifying problems and notifying schools of areas they need to work on.

Renewal and Revocation Processes: Illinois received a B+ here, with particularly high scores for clearly written criteria, renewal decisions based on school progress toward student achievement goals, and independent analysis of student performance data. As of Fall 2002, three charters had been revoked or non-renewed.

Transparency and Internal Accountability: The state's C+ in this category reflects mediocre scores in all areas but one: respondents report easily available application packets. Although actual applications are not available, other than in Chicago, the law requires that applications contain 14 points of information. These items are posted on the web. Illinois received low marks for having key authorizer policies and decisions readily available to the public.

Overall Grade

Based on scores for 56 criteria, Illinois earned a C for its policy environment and a B- for authorizer practices, resulting in an overall grade of B-. When observer and school operator survey respondents were asked to provide a single “holistic” grade, the average grade given was also a B-.

Illinois’ charter program is marked by huge differences between Chicago and the rest of the state. The former has been a charter-friendly environment; the latter generally quite hostile. High marks were also offered for the authorizer practices utilized by the Chicago Public Schools, with lower marks for other authorizers. Policymakers are advised to carefully review their state’s specific criterion-based scores, in Appendix A, and on the web at <http://www.edexcellence.net/tbfinstitute/authorizers.html>.

Note: The grades for Illinois are based upon survey data received from three authorizer respondents (representing two different authorizers—including the largest in the state—overseeing 79% of operating schools); five observer respondents; and nine charter operator respondents (of 28 total operating charter schools, or 32%).

Illinois

Charter School & Authorizer Numbers

Year Initial Charter Law Enacted	1996
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Total Charter Schools & Students (as of Fall 2002)

# Approved Charter Schools	23 charters, with 29 campuses
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# Operating Charter Schools	22 charters, with 28 campuses
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# Charter Students (% of Total Public School Students)	About 9,000 (data for Chicago only—about 2% of total Chicago public school students)
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Total Closures (to date)

# Revocations or Non-renewals	3
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# Voluntary Closures	1
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Major Authorizers (those with three or more schools)

Name	# of Schools
Chicago Public Schools	14 charters, with 20 campuses

Data Sources: Leadership for Quality Education and Chicago Public Schools

Report Card on Charter Authorizing:		Indiana
I. State Policy Environment		
A. Support for Charter Schools		C-
B. Support & External Accountability for Authorizers		D+
II. Authorizer Practices		
A. Application Processes		B
B. Approval Processes		B
C. Performance Contracts		A-
D. Oversight		B+
E. Renewal & Revocation Processes		B-
F. Transparency & Internal Accountability		B
Overall Grade		B-

Indiana Charter School Law Overview

Enacted in 2001, Indiana's relatively new law permits an unlimited number of charter schools, which can be authorized by local school boards, four-year state universities, and the Mayor of Indianapolis. The Mayor can authorize a maximum of five charter schools per year throughout Marion County, which includes the Indianapolis Public Schools and 10 other districts. The number is cumulative; meaning that if the Mayor sponsors only one school in one year, then nine more could be sponsored the next. Only non-profit organizations or conversion schools may obtain charters. Charter schools operate as legally and financially autonomous entities.

As of Fall 2002 there were 11 operating schools—six authorized by Ball State University and three by the Mayor of Indianapolis. Two districts also have authorized one school each.

State Policy Environment

Support for Charter Schools: Indiana's C- here stems from low scores for political support and weak acceptance by local districts. Examples of poor politi-

cal support include reports that Ball State University has spurned some charter applications due to opposition from area legislative leaders.

Funding is a problem, too. It is supposed to be determined by the same base-support level formula used for all district schools. In 2002, however, the charter-averse State Department of Education said it would withhold the first semester's funding for new charters, claiming that all public schools operate with a 4-6 month funding lag. For the 2002-03 school year, this issue was dealt with through an opinion issued by the State Attorney General, but it did not permanently resolve the issue. Funding issues remain a major problem.

Districts appear to view charters as a threat and have treated the charter movement with great hostility. Some aspects of the new law have been challenged through administrative interpretations and may result in court activity if not clarified by the General Assembly.

Indiana received high marks for the law's provision for legally and financially autonomous charter schools. It should also be noted that the state has a new charter school association.

Support and External Accountability for Authorizers: Indiana received a D+ in this category

because survey respondents report that there doesn't appear to be any oversight body to periodically examine an authorizer's work, and authorizers have little funding to carry out their duties. After 20 schools have been approved by universities, however, the State Department of Education must report to the legislature about these types of schools and make recommendations regarding future university sponsorship.

Authorizer Practices

Application Processes: With moderate scores on all criteria related to applications, Indiana received a B. The highest score was for having a detailed application timeline.

Approval Processes: The state's approval processes received a B. Applicants must be notified within 60 days of the acceptance or rejection of a charter proposal. If denied, an applicant may resubmit the proposal to the same, or another, sponsor as many times as the prospective operator wishes to, or can appeal to the Charter School Review Panel (headed by the State Superintendent of Public Instruction). This panel makes recommendations and issues an opinion, but cannot act as the sponsor. Review by the panel is not required, but adds credibility for resubmission of a proposal; the findings of the panel cannot be appealed.

Indiana's highest marks were for having multiple reviewers examine applications, allowing for a response to questions regarding an application, providing a written explanation for denied applications, and having a process that generally focuses on application quality rather than politics.

Performance Contracts: Indiana's A- reflects high marks across the board related to the content of performance contracts. They have all elements needed to hold schools accountable.

Oversight: The B+ for oversight reflects the delicate balance between autonomy and accountability. Survey respondents give the state high marks for holding schools accountable without micromanaging and having a good overall oversight system. However, charter operators are concerned because they often have to double report (both to the authorizer and the

State Department of Education) and provide more information than does a traditional public school.

Indiana also received high marks for site visits, requiring financial audits and progress reports, notifying schools of areas for improvement, and having a clear set of actions to redress problems.

Renewal & Revocation Processes: Indiana received mediocre scores in most criteria, resulting in a B- for this category. Schools are typically chartered for 3-5 years, although no maximum initial charter length is specified in the statute. The Mayor's office issues 7-year charters. The law requires a review every five years. Although Indiana's law is so new that authorizers have not yet reached the point of needing to review or revoke any charters, it received high marks for making decisions based on school progress and student goals. This likely reflects an anticipated process—such as that outlined in the Accountability Handbook produced by the Indianapolis Mayor's office, which offers a detailed step-by-step guide for developing an accountability plan, including academic assessment requirements—rather than one that has been completed.

Transparency and Internal Accountability: Indiana's B in this category stems from providing easily accessible applications, and making approved applications available to the public. The state received low marks for publishing progress reports, but because the first schools just opened in Fall 2002—a year of data is not yet available to create such reports.

Overall Grade

Based on scores for 56 criteria, Indiana earned a D+ for its policy environment and a B for authorizer practices, resulting in an overall grade of B-. When observer and school operator survey respondents were asked to provide a single "holistic" grade, the average grade given was also a B-.

Indiana's charter law is relatively new, and some survey respondents may have higher expectations than what can realistically be expected in such a new system. However well developed the authorizer processes are for this stage of Indiana's charter movement, the state presently has an unwelcoming policy environment. Policymakers are urged to review

the detailed state scores in Appendix A, and on the web at <http://www.edexcellence.net/tbfstitute/authorizers.html>.

Note: The survey data for Indiana came from two authorizer respondents (representing one major authorizer, overseeing 55% of the operating schools); 10 observer respondents; and 18 charter operator respondents (of 11 total operating charter schools, or over 100%, since more than one response was received from some schools).

Indiana

Charter School & Authorizer Numbers

Year Initial Charter Law Enacted	2001
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Total Charter Schools & Students (as of Fall 2002)

# Approved Charter Schools	18
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# Operating Charter Schools	11
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# Charter Students (% of Total Public School Students)	1,389 students (<1%)
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Total Closures (to date)

# Revocations or Non-renewals	0
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# Voluntary Closures	0
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Major Authorizers (those with three or more schools)

Name	# of Schools
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Ball State University	6
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The Mayor of Indianapolis	3
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Data Source: Hudson Institute

Report Card on Charter Authorizing:		Louisiana
I. State Policy Environment		
A. Support for Charter Schools		D
B. Support & External Accountability for Authorizers		B-
II. Authorizer Practices		
A. Application Processes		D+
B. Approval Processes		B
C. Performance Contracts		B+
D. Oversight		C
E. Renewal & Revocation Processes		B-
F. Transparency & Internal Accountability		C
Overall Grade		C+

Louisiana Charter School Law Overview

Louisiana's initial charter law was enacted in 1995. Current law allows up to 42 schools, with new approvals permitted only through 2005. Applicants must first seek approval from their local school board. If denied, they may seek approval from the State Board of Elementary and Secondary Education. Schools approved by the State Board operate as legally and financially autonomous entities; those approved by local boards vary in these aspects depending upon the provisions of their charter.

As of Fall 2002, 26 charter schools were approved, with 20 operating. Of those operating, 14 are authorized by the State Board and six by three local school boards.

State Policy Environment

Support for Charter Schools: With a D for this area, Louisiana has a poor policy environment for charter schools. Access to technical assistance is lacking, with only a few individuals available to provide any help (including a staff person within the state's non-union teacher association). A fledgling charter school association exists but has no staff.

Political support is very low, and chartered schools are not well accepted by local districts, nor understood by parents and the public. The one positive aspect is that, once approved, most schools truly can become legally and fiscally autonomous.

Another area of policy concern is charter funding. Regular public school districts are funded through a formula driven by per-pupil figures and generally "guaranteed" their state funding from the legislature. Charter schools, however, are funded through a separate line item appropriation, with such funding subject to annual approval. Recent budget constraints have meant that some charter schools could not increase their student count (as originally agreed to in their charter), or were not allowed to open at all, despite having been approved. Several charter schools have sought to solve this problem by persuading their own legislators to include school-specific line items in the annual appropriation.

Support and External Accountability for Authorizers: The state received a B- here. As the primary authorizer, the State Board does receive some state funding (and augments that with federal funds) to support one staff member to work on charter schools. In addition, several individuals in other offices of the State Department of Education (e.g., testing, finance, special education) work part-time

with charter schools. The State Board charges no authorizer fees. Local school boards receive no additional funding, but may negotiate with their charter schools to withhold a portion of their funding to help cover authorizer responsibilities.

The State Board is required to report on its chartering activities as part of its normal reporting responsibilities (e.g., to the legislature and to the auditor general). The auditor general keeps watch on the State Board's activities, as do the media. However, no formal "authorizer" reports are required of local boards, and information on their work is not reviewed by anyone at the state level.

Authorizer Practices

Application Processes: Louisiana received a D+ for this area. Respondents noted that few efforts are made to distribute application information to a broad range of prospective operators, to fill market gaps, or to even hold informational meetings. Interested parties must obtain application information by mail since materials are not posted on the web. Authorizers are generally reactive, not proactive. On the positive side, scoring rubrics are available to applicants (at least for those seeking approval from the State Board), and some technical assistance is provided.

Approval Processes: Louisiana received a B for this area. At the state level, the State Board has a formal application review and approval process. An external review team composed of content experts reviews each application and makes recommendations to the State Board. A process is also in place to interview applicants and/or otherwise acquire additional information.

Politics, however, permeate nearly every approval or non-approval decision. The law requires that local boards—the first port of call for would-be charter operators—act upon such applications in a timely fashion, but this initial process still takes time and energy (especially since few districts are interested in chartering schools). Once the application goes to the state, staff and a larger outside review panel of experts review the application in a professional manner and make recommendations. But the State Board, which consists of eight elected members and three appoint-

ed by the Governor, deals with applications in a very political manner. Members are lobbied—pro and con—by applicants, community leaders, legislators, and others. Final decisions often depend upon which State Board members are present for the vote and the effectiveness of the lobbying efforts, rather than the staff's review of the application.

For the few school districts involved in the chartering process, there appears to be little consistency in decision-making. Politics is rampant here, too, as if Louisiana were seeking to maintain its reputation for this sort of thing.

Performance Contracts: Like most states, Louisiana's performance contracts appear to contain sufficient details to hold the chartered schools accountable. A B+ was received for this category.

Oversight: A score of C applies here. By law, charter schools must report to parents, the community, their local school boards, and the State Board of Education at the end of each semester regarding progress toward performance goals. It is unclear, however, whether this is consistently being done. Schools must also prepare a more comprehensive report at the end of their third year. State Board staff conducts periodic visits to charter schools (both announced and unannounced), usually based upon a concern that has been raised.

Respondents believe that Louisiana's authorizers do little to shield them from red tape and excessive procedural compliance. Since most charter schools serve large populations of at-risk students, state department staff appear supportive, yet little is done to minimize paperwork. To a large degree, charter schools are viewed as a nuisance for which variances must be made in reports and other state activities.

Renewal and Revocation Processes: Although the term of their initial charter is five years, schools must be formally reviewed after three years. Most school respondents noted they had a fairly clear understanding of what was expected of them as part of the renewal process. To date, three schools have had their charters revoked by the State Board (all for financial or mismanagement issues). Three other schools voluntarily gave up their charters.

Louisiana has in place a comprehensive school-based accountability system for all its public schools

(including charters). For those schools that serve a large enough number of students, a single school “score” and “rating label” are provided, using growth against established standards. Charter schools, like other public schools, can receive rewards or find themselves facing corrective actions depending on their overall school performance score. An overall score of B– was received by Louisiana for its renewal and revocation processes.

Transparency and Internal Accountability: The state earned a C for this area. Very little is done to foster transparency other than making formal decisions in public hearings. Almost nothing is posted on the State Board’s website regarding charter schools (other than the law and some clarifications). Indeed, the website did not even contain a current list of approved charter schools.

The State Board has hired an outside evaluator for a number of years to examine the work of charter schools in the state, and to focus a bit on how well the chartering processes have been going. In addition, reports for all charter schools (of a minimum student size), are published as part of the overall state public-school accountability system.

Overall Grade

Based on scores for 56 criteria, Louisiana earned a C– for its policy environment and a B– for authorizer practices, resulting in an overall grade of C+. When observer and school operator survey respondents were asked to provide a single “holistic” grade, the average grade given was a C.

Although Louisiana received average grades in many areas, their charter school situation is not healthy. Local boards want little to do with charters, and politics at the State Board level have made it

difficult to base charter decisions on merit. Interested policymakers need to take a serious look at the mechanics of their charter law if they want much more chartering to occur in Louisiana. Policymakers are encouraged to review the individual criterion scores for their state as summarized on the table in Appendix A, and on the web at <http://www.edexcellence.net/tbfstitute/authorizers.html>.

Note: The grades for Louisiana are based upon survey data received from three authorizer respondents (representing two different authorizers—including the largest in the state—overseeing 75% of operating schools); 12 observer respondents; and eight charter operator respondents (of 20 total operating charter schools, or 40%).

Louisiana

Charter School & Authorizer Numbers

Year Initial Charter Law Enacted	1995
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Total Charter Schools & Students (as of Fall 2002)

# Approved Charter Schools	26
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# Operating Charter Schools	20
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# Charter Students (% of Total Public School Students)	About 4,000 (0.005%)
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Total Closures (to date)

# Revocations or Non-renewals	3
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# Voluntary Closures	3
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Major Authorizers (those with three or more schools)

Name	# of Schools
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Board of Elementary and Secondary Education	14
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East Baton Rouge Parish School Board	3
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Data Source: Board of Elementary and Secondary Education

Report Card on Charter Authorizing:		Massachusetts
I. State Policy Environment		
A. Support for Charter Schools		B-
B. Support & External Accountability for Authorizers		B
II. Authorizer Practices		
A. Application Processes		A-
B. Approval Processes		A-
C. Performance Contracts		A-
D. Oversight		B
E. Renewal & Revocation Processes		A-
F. Transparency & Internal Accountability		A-
Overall Grade		B+

Massachusetts Charter School Law Overview

Massachusetts's initial charter law was enacted in 1993 and today allows up to 120 charter schools in two categories: Commonwealth charter schools (72 allowed), and Horace Mann charter schools (48 allowed). Both categories must seek approval from the Massachusetts Board of Education (i.e., State Board), which serves as the only authorizer in the state. The main difference between the two types is that Horace Mann schools are former district schools converted to charter status after having obtained approval from their local school committee, teachers' union president, and the State Board, whereas the Commonwealth schools—all start-ups—need approval only from the State Board. Commonwealth schools all operate as legally and financially autonomous entities, while Horace Mann schools vary depending upon agreements reached by the various parties.

As of Fall 2002, there were 52 schools approved by the State Board, of which 46 were operating.

State Policy Environment

Support for Charter Schools: The state received a B- for this category. This is driven largely by the per-

ception of faltering political support for charters, lack of acceptance by local districts, and persistent lack of understanding by parents and the general public.

Several policy concerns currently face the charter school movement in Massachusetts. Although the total number of schools is well below the statewide cap, some areas of the state are hitting a "sub cap" that says no more than 9% of a given district's net school spending may go to Commonwealth charter schools for school tuition payments. This sub cap will have the effect of blocking future charter school growth in several urban areas, including Boston.

Another issue involves the additional state funding that districts had been receiving to offset the loss of charter students (seen by some as a "bribe" to school districts) at a cost of at least \$20 million per year. This provision has now been phased down over several years, meaning that the "cost" to districts has risen when students leave for charter schools. In a time of budgetary stringency, this has led many districts to renew their protests against charter schools.

There are many positive policy aspects, however. Serving as the state's sole authorizer, the Massachusetts Board of Education (via its charter school office) has long been viewed as supportive of quality charter schools, and its approval and renewal decisions appear to be based upon data, not politics.

There has also been good technical assistance available from the Massachusetts Charter School Resource Center at the Pioneer Institute (a non-profit policy center). One of its key programs—The Building Excellent Schools Fellowship—is closely aligned with the state’s charter authorizing cycle, and attempts to identify and train a set of “fellows” who in turn will become successful charter school founders. Each fellow receives a year of technical assistance and support as he/she develops a charter school proposal. This includes a two-month summer training institute, an 18-week residency at an operating charter school, and other assistance as needed. Since 2001, two cycles of fellows have been completed, and the majority of recent charter schools approved have been awarded to such fellows.

Support and External Accountability for

Authorizers: An overall grade of B was received for this category. Adequate funding has been provided to operate a small charter school office within the Massachusetts Department of Education, which provides staffing support to the State Board in its function as charter authorizer. A number of external accountability measures are also in place, including periodic reports to the legislature and periodic review by an oversight body.

Authorizer Practices

Application Processes: All key components related to quality application processes appear to be in place, leading to a grade of A– for this category.

Approval Processes: Earning an A– here, as well, Massachusetts has in place comprehensive application review and oversight processes. For new schools, it now involves an approval cycle that lasts nearly two years from initial application to school opening. Extensive reviews and applicant interviews are conducted. Approvals are granted within a few months but most new operators are asked to build in a one-year planning period, so their schools will not open for another 1.5 years. The idea behind this delay is that quality planning is linked strongly to quality schooling.

Performance Contracts: Receiving another grade of A–, Massachusetts’ charter performance contracts are deemed to be sufficiently detailed enough to hold

schools accountable. The lowest criterion suggests a need for more clarity on consequences for not meeting prescribed outcomes.

Oversight: Receiving a B in this area, the state is deemed to have good oversight procedures. Operating schools submit a comprehensive report at least once per year, and the authorizer makes annual on-site visits. Unannounced visits, however, are not made. Overall, survey respondents generally felt that a good oversight process is in place that avoids micromanagement and excessive paperwork.

Renewal and Revocation Processes: The state, again, received an A– here. Schools come up for formal renewal every five years, with all renewal criteria and processes posted clearly on the web. Schools are notified well in advance of any concerns, with time for improvements allowed.

As of Fall 2002, three schools had voluntarily closed, with two of those charters turned in “voluntarily” after action was taken by the State Board to revoke or non-renew. The charter for another school was formally non-renewed, based primarily upon its lack of academic performance. This was a high-profile event, involving formal hearings and many attorneys (on both sides). In the end, however, the data-driven approach (rather than a political one) worked and the non-renewal decision was upheld.

Transparency and Internal Accountability:

Receiving an overall A– for this subcategory, the charter school office within the State Department of Education is clearly focused on quality and very transparent about decisions made. This is evidenced by having all key documents posted on its website (e.g., all approved applications, school site visit summaries and evaluation data).

Overall Grade

Based on scores for 56 criteria, Massachusetts earned a B for its policy environment and an A– for authorizer practices, resulting in an overall grade of B+ (the highest of all 24 states studied). However, when observer and school operator survey respondents were asked to provide a single “holistic” grade, the average grade given was a C+. This means that

participants believed things are not going quite as well as their ratings on individual criteria reflect.

Open-ended responses illuminate this issue a bit. Massachusetts has long been known in the charter community for its careful, rigorous, even fussy approach to authorizing, all within an environment of strong pro-charter sentiments among state officials. These circumstances may, however, now be changing. Some respondents note a shift toward more paperwork and bureaucratic approaches. Some believe that many potential applicants are screened out too early in the process, thus slowing the growth of charter schools in the state. One observer likened obtaining a new charter in the Bay State to “passing through the eye of a needle.” This is certainly something for state policymakers to consider. Up to now, however, Massachusetts is to be commended for its decade-long efforts to enact quality authorizing practices. Details on state scores can be found on the table in Appendix A, and on the web at <http://www.edexcellence.net/tbf institute/authorizers.html>.

Note: The grades for Massachusetts are based upon survey data received from three authorizer respondents (representing the only authorizer in the state); five observer respondents; and 22 charter operator respondents (of 46 total operating charter schools, or 48%).

Massachusetts

Charter School & Authorizer Numbers

Year Initial Charter Law Enacted	1993
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Total Charter Schools & Students (as of Fall 2002)

# Approved Charter Schools	52
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# Operating Charter Schools	46
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# Charter Students (% of Total Public School Students)	About 16,000 (1.6%)
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Total Closures (to date)

# Revocations or Non-renewals	1
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# Voluntary Closures	3
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Major Authorizers (those with three or more schools)

Name	# of Schools
Massachusetts State Board of Education	46

Data Source: Massachusetts State Board of Education

Report Card on Charter Authorizing:		Michigan
I. State Policy Environment		
A. Support for Charter Schools		D+
B. Support & External Accountability for Authorizers		B-
II. Authorizer Practices		
A. Application Processes		B-
B. Approval Processes		B-
C. Performance Contracts		A-
D. Oversight		B+
E. Renewal & Revocation Processes		B
F. Transparency & Internal Accountability		B-
Overall Grade		B-

Michigan Charter School Law Overview

Michigan's initial "public school academy" (a.k.a. charter school) law was enacted in 1993 and has since undergone significant revisions due both to legislative initiative and court challenges. Current law allows any of the following to be an authorizer: local school system boards, intermediate school district boards, community college boards, and public university boards.

In 1996, a cap was placed on the total number of charters that could be issued by state universities, starting at 85 and rising to 150 by 1999 and thereafter. The number of charters issued by university boards has been at or near that limit for the last several years. Repeated efforts to raise the cap have not succeeded, although the legislature is again considering the matter. No caps exist for other categories of authorizers, but little chartering activity occurs there.

Schools chartered by any sponsor other than a local board are fiscally and legally autonomous. Those approved by local boards may be, too, but that depends on the terms of their charter. However, Michigan's charter schools are subject to all state laws and regulations that apply to traditional school districts. Teachers in schools authorized by local

boards remain covered by the district's collective bargaining agreement; teachers in other charters may negotiate as a separate unit with the governing body of that school or may work independently.

A significant number—about two-thirds—of Michigan's charter school boards have contracted with educational management organizations (EMOs) to manage the schools in whole or in part.

As of Fall 2002, there were 188 operating schools, involving 27 different authorizers: nine university boards (chartering 148 schools); three community college boards (chartering 4 schools); 10 intermediate school district boards (chartering 24 schools); and five local district boards (chartering 12 schools). One community college is based on a Native American Reservation and, unlike the state's other community colleges, has no geographic restrictions as to where it can charter its schools. It is anticipated that this college will charter a number of schools in the future (especially if the cap on university charters remains in place).

State Policy Environment

Support for Charter Schools: Michigan received a D+ for charter school support. To a large degree, local

districts and traditional education organizations remain strongly opposed. Since all existing laws, regulations, and collective bargaining agreements remain in place for schools chartered by local districts, such entities see little reason to engage in chartering. Intermediate school boards and community college boards are very dependent upon funding approved by local voters and most have been wary of chartering given the influence of traditional education organizations on election outcomes. Boards of state public universities, therefore, have become the primary chartering authorities, often in response to nudging from former Governor John Engler (since the Governor appoints most of their trustees).

Thanks in part to initial support from private donations, Michigan has a fairly well-established charter school association and networking structure. The Michigan Association of Public School Academies (MAPSA) has several staffers and engages in lobbying as well as providing some technical assistance. In addition, several universities engaged in chartering have established significant charter school offices that provide technical assistance in addition to monitoring activities.

Support and External Accountability for

Authorizers: Michigan earned a B- for this category. State law allows authorizers to charge fees of up to 3% and, as a result, most Michigan authorizers felt they had sufficient funding to carry out their duties. In reference to authorizer accountability, there appears to be significant public scrutiny of their work by the legislature, the state auditor general, and certainly the media. In 2001, the legislature established a special commission to review the charter situation in Michigan (after yet another failed legislative effort to raise the cap). Although this commission dealt with a number of issues, a primary concern was the belief that some authorizers were not being thorough in their oversight functions. Some “evidence” to this effect was offered to the commission (although survey data from this study does not support that impression), and one key recommendation was that the State Superintendent of Public Instruction should have more formal oversight over authorizers. This and other commission recommendations, including one to

increase the cap, were debated but not approved by the legislature last year.

Authorizer Practices

Application Processes: Michigan earned a B- here, due in part to low ratings for authorizer efforts to distribute application materials broadly and seek applicants to meet market gaps. Several authorizers noted that they had striven to improve these activities over the years but, since the cap on university-authorized charter schools has been reached, little opportunity has existed for new applicants. Some authorizers have sought out charter applications to meet identified needs. One, for example, is working closely with a group of K-8 charters in the Detroit area to form a consortium charter high school. Others are working with the juvenile courts to create more “alternative” charter schools.

Approval Processes: Michigan’s aggregate approval processes received a B-. The most significant shortcoming is that some denied applicants do not receive a written explanation of their major weaknesses. There appears to be variations across Michigan’s many authorizers in how comprehensive the application processes are, but survey respondents overall felt that, on the whole, things were fair and non-political.

Performance Contracts: The state’s A- in this category reflects high marks for all aspects of the performance contracts. The lowest rating raises the question of whether the overall quality of the contracts is sufficient to really hold schools accountable.

Oversight: Responsible oversight has been a challenge for Michigan’s authorizers since many charter boards have contracted with EMOs to manage their schools, and lines of authority and responsibility are not always clear. Charter schools have no automatic freedom from any laws or regulations, thus much paperwork and reporting is needed. In addition, traditional education organizations (and many newspapers) are watchful for any infraction, no matter how small.

As a result of such scrutiny, as well as the other challenges that they face, authorizers have formed an informal networking system and meet regularly to

share materials and procedures. Some peer pressure has been applied on those authorizers against whom complaints have been made.

As a whole, school operators responding to this survey noted that their authorizers were attempting to shield them from red tape and excessive procedural compliance, and to create systems that hold them accountable without micromanagement. Comments (and complaints) indicate that charter schools are being held to a higher standard than other public schools.

Significant portions of authorizer funds are spent on attorney fees and compliance monitoring. Many have a representative who not only visits each charter school on a regular basis, but also attends the school's board meetings. Many attempt to streamline and systematize the state paperwork and reporting by creating calendars of required reports and deadlines. As a whole, survey respondents report that Michigan authorizers are doing well in their oversight and monitoring efforts (grade of B+).

Renewal and Revocation Processes: Michigan received a B here. The charter schools themselves report that most authorizers have provided clearly written criteria for formal review, and they understand what is expected of them in order to be renewed. As part of this process, many authorizers have required their schools to collect and report student achievement data on all students (whereas Michigan's current state testing program only tests students in certain grades). Some authorizers have been independently analyzing such student data as part of their review process. The largest authorizer in the state, Central Michigan University, engaged Standard and Poor's to compile a detailed analysis of its schools. As of Fall 2002, nine charters have been revoked or non-renewed.

Transparency and Internal Accountability: Michigan's score for this category is B-. Concerns were voiced that not all key authorizer policies and decisions, including proposals or summaries of approved applicants, were readily available to the public.

Overall Grade

Based on scores for 56 criteria, Michigan earned a C for its policy environment and a B for authorizer practices, resulting in an overall grade of B-. When observer and school operator survey respondents were asked to provide a single "holistic" grade, the average grade given was also a B-.

The foremost concern for policymakers within Michigan should be the D+ regarding policy support for charter schools. This is driven to a large degree by the cap on university-sponsored charters. Authorizing practices as a whole received a B, which is quite good considering how many authorizers are involved. Indeed, nearly all of Michigan university-based authorizers received higher marks for their authorizing practices, far exceeding grades offered for the other authorizer groups. Interested parties are advised to carefully review the detailed scores for Michigan, found in Appendix A, and on the web at <http://www.edexcellence.net/tbfstitute/authorizers.html>.

Note: The grades for Michigan are based upon survey data received from 11 authorizer respondents (representing 10 different authorizers—including eight major authorizers—overseeing 69% of operating schools); nine observer respondents; and 41 charter operator respondents (of 188 total operating charter schools, or 22%).

Michigan

Charter School & Authorizer Numbers

Year Initial Charter Law Enacted	1993
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Total Charter Schools & Students (as of Fall 2002)

# Approved Charter Schools	200
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# Operating Charter Schools	188
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# Charter Students (% of Total Public School Students)	About 68,810 (4%)
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Total Closures (to date)

Revocations or Non-renewals	9
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# Voluntary Closures	7
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Major Authorizers (those with three or more schools)

Name	# of Schools
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Central Michigan University	56
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Grand Valley State University	30
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Saginaw Valley State University	18
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Ferris State University	16
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Eastern Michigan University	8
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Wayne Intermediate School District	8
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Oakland University	7
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Lake Superior State University	7
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Detroit Public School District	7
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St. Clair Intermediate School District	6
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Northern Michigan University	5
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Data Source: Michigan Association of Public School Academies (MAPSA)

Report Card on Charter Authorizing:		Minnesota
I. State Policy Environment		
A. Support for Charter Schools		B-
B. Support & External Accountability for Authorizers		D
II. Authorizer Practices		
A. Application Processes		D
B. Approval Processes		C-
C. Performance Contracts		B
D. Oversight		C+
E. Renewal & Revocation Processes		C
F. Transparency & Internal Accountability		D+
Overall Grade		C-

Minnesota Charter School Law Overview

The first charter law enacted by any state (1991), Minnesota's statute permits teachers, parents and other community members to form and operate an unlimited number of charter schools. There are currently four types of authorizers: 1) the Minnesota Department of Children, Families and Learning (DCFL – Minnesota's Department of Education), which may approve schools directly or on appeal; 2) local school boards; 3) public and private universities and community colleges; and 4) non-profit organizations with assets of at least \$2 million.

As of Fall 2002, there were 77 schools in operation with 40 different authorizers. Twenty are local districts with 42 schools; 15 are universities or community colleges with 24 schools; and four are non-profit organizations with one school each. The DCFL itself has chartered seven schools.

State Policy Environment

Support for Charter Schools: Minnesota received a B- for support of charter schools. It received very low scores for support from local districts and for public understanding of charters. Interviewees say that

unions have made dismantling of charter schools part of their legislative agenda, and newspaper reports have been error-laden and misleading.

Minnesota received high marks, however, for its statewide Association of Charter Schools and other non-governmental organizations that assist charter schools. High marks were also given for statutory provisions for legally and fiscally autonomous schools.

Support and External Accountability for Authorizers: The state's D in this category results from low marks on periodic reports to the legislature, oversight, examination by an external body, and watchful media.

Authorizer Practices

Application Processes: Minnesota received a D for application procedures, with particularly low marks for soliciting applications, and providing approval standards and written scoring rubrics. This may have to do with the unique way applications are developed, which is discussed below.

Approval Processes: The state received a C-, with mediocre scores on all criteria, perhaps because of Minnesota's unconventional process. First, the authorizer and board of the proposed charter school negoti-

ate a written contract that is, essentially, the school's application. The team then submits the application, along with an affidavit (called an "intent to authorize") from the willing sponsor. The DCFL's charter school office then meets with each school/authorizer team to provide feedback on the contents of that application/contract and holds a hearing. If approved, the DCFL, sponsor, and school meet to go over roles and responsibilities of the sponsor. (Sponsors that already have schools are encouraged to go through the process, but only first-time authorizers are required to do it.) Applications denied by the local school board may be appealed to the DCFL. If approved there, DCFL itself becomes the authorizer.

Performance Contracts: Minnesota received a B with high scores on most criteria.

Oversight: Although Minnesota earned only a C+ for oversight, two criteria—annual audits and reports and notifying schools of problems revealed by these reports—received high marks. Some authorizers even require quarterly reporting. To help with reporting requirements, the commissioner is required by law to provide financial management training to newly elected members of a charter school board and ongoing training to the board's other members.

If an authorizer does not adequately oversee its schools, sponsorship can be taken away and the schools transferred to the state. If a school has been cited for poor financial management or repeated violations of the law, and the authorizer has not provided any assistance or held the school accountable, then the state conducts a hearing and determines what should happen to the school. This process has been used once, and the school stayed with the local sponsor as a result.

Renewal and Revocation Processes: Minnesota's C in this category is the result of mediocre scores on all criteria. The law states that an authorizer must review the performance of a charter school periodically and in a timely manner before the school's contract is renewed, and must provide this information to DCFL for review and feedback. How this is carried out is left up to each authorizer. However, the DCFL developed a framework to explain its expectations for charter school accountability and to help facilitate these data-gathering plans. Minnesota's grade in this area

suggests that those measures are not necessarily helping.

An authorizer may terminate a charter school contract at any time and must notify the charter school of its intent at least 60 days before termination. Schools may appeal to the DCFL. While there have been several appeals, most closures have been upheld. To date, only one has been overturned. As of Fall 2002, five charters have been revoked or non-renewed.

Transparency and Internal Accountability: The state received a D+ in this category, with a particularly low score for published reports of charter schools' progress.

Overall Grade

Based on scores for 56 criteria, Minnesota earned a C- for its policy environment and a C- for authorizer practices, resulting in an overall grade of C-. When observer and school operator survey respondents were asked to provide a single "holistic" grade, the average grade given was a C+. Respondents as a whole, therefore, believed authorizing was going slightly better than when scoring individual criteria.

Minnesota law has changed significantly over time, and now allows for many different kinds of authorizers. The new addition of nonprofits as authorizers, and the small number of schools many authorizers charter, have resulted in less "formal" authorizing policies, and a somewhat confusing landscape. For example, one authorizer responded, "Minnesota is unique in its openness to multiple authorizers," while another says, "Minnesota has only one authorizing agency. That agent is the commissioner of the Department of Children, Families and Learning." As continued program improvements are sought, Minnesota policymakers and authorizer(s) are encouraged to review the specific criteria found in Appendix A, and on the web at <http://www.edexcellence.net/tbfinstitute/authorizers.html>.

Note: The grades for Minnesota are based upon survey data received from four authorizer respondents (representing three different authorizers, overseeing 17% of operating schools); nine observer respondents; and 20 charter operator respondents (of 77 total operating charter schools, or 26%). Despite numerous attempts to secure responses from all of the state's authorizers, the resulting response rate for that category is low, and caution should be exercised in reviewing the findings for this state.

Minnesota

Charter School & Authorizer Numbers

Year Initial Charter Law Enacted	1991
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Total Charter Schools & Students (as of Fall 2002)

# Approved Charter Schools	86
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# Operating Charter Schools	77
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# Charter Students (% of Total Public School Students)	About 12,500 (1%)
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Total Closures (to date)

# Revocations or Non-renewals	5
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# Voluntary Closures	5
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Major Authorizers (those with three or more schools)

Name	# of Schools
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Minneapolis School Board	9
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St. Paul School Board	9
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Minnesota Department of Children, Families & Learning	7
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Hamline University	4
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Northfield School District	3
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Duluth School Board	3
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University of St. Thomas	3
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Central Lakes College	3
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Data Sources: Minnesota Association of Charter Schools;
Department of Children, Families and Learning

Report Card on Charter Authorizing:		Missouri
I. State Policy Environment		
A. Support for Charter Schools		C-
B. Support & External Accountability for Authorizers		D
II. Authorizer Practices		
A. Application Processes		C-
B. Approval Processes		C+
C. Performance Contracts		B+
D. Oversight		C+
E. Renewal & Revocation Processes		C+
F. Transparency & Internal Accountability		D+
Overall Grade		C

Missouri Charter School Law Overview

Enacted in 1998, the law allows charter schools to be created only within the boundaries of the St. Louis and Kansas City school districts. Several possible authorizers exist, however, including those two cities' school boards; public four-year colleges located in the same county or adjacent counties, or those operating "educational programs" in the district; and community colleges located in the two districts. Denied applications can be appealed to the State Board, which becomes the authorizer if it overturns the denial. (This has yet to happen.) If the State Board rejects the application, it is subject to judicial review.

There are 30 approved charter schools with 26 currently operating, of which 23 have been approved by six universities. The other three have been approved by the two district boards.

State Policy Environment

Support for Charter Schools: Missouri received a C- for support for charter schools, with especially low marks for acceptance by local districts. The St. Louis Board of Education challenged the charter law in court, although this suit was ultimately dismissed. St.

Louis also filed a lawsuit involving the types of sponsors allowed. Moreover, the fact that the law only applies to Missouri's two biggest cities would seem to indicate lack of interest in charters—or opposition to them—elsewhere in the state. Interviews revealed that the charter system is far more political than state law intended and that sponsorship has been based more on politics than merit.

Missouri also received low marks for parental and public understanding. However, a growing number of parents are choosing to send their students to Kansas City charters, giving that district one of the highest rates of charter school enrollment in the country. (Currently about one in five public school students in Kansas City attend a charter school.)

Another criterion with low marks was the development of charter networks or associations, despite the existence of two nonprofit resource centers: The Learning Exchange Charter School Partnership and the Missouri Charter Schools Information Center.

One highly rated criterion in this category was legal and fiscal autonomy, which is allowed for by law, though the level for each school is specified in its charter.

Support and External Accountability for Authorizers: Missouri's D stems from low marks for funding, providing periodic reports to external bodies,

and being examined by an external body. Two criteria were rated highly: the appeals process, and the statewide school-based accountability system.

Authorizer Practices

Application Processes: Missouri received a C- for application processes. Little outreach or information appears to reach potential applicants, although some information is available on the Department of Education website. The state was marked particularly low for seeking out applications. It did, however, receive high marks for having a detailed timeline.

Approval Processes: With a C+ in this category, Missouri was given high marks for having multiple reviewers examine applications. Applicants submit the proposed charter to an authorizer. If the authorizer is not a school board (i.e. a college or university), the applicant gives a copy to the local school board, which may file objections with the proposed authorizer. The state received low marks for allowing enough time between approval and opening a school.

Performance Contracts: Missouri received a B+ for performance contracts that contain the necessary elements, with high marks for inclusion of mission and goals, enrollment policies, special-needs services, and level of resources and autonomy.

Oversight: Missouri's authorizers earned a C+ for charter oversight. In general, they appear to have a "hands off" approach to accountability. The law was left deliberately vague so sponsors could innovate in analyzing the schools they work with. The state does require charters to measure pupil progress toward state academic standards, collect data during at least the first three years, and participate in the statewide assessment system. The school is required to submit an annual report card to its sponsor, the local school district, and the State Board, incorporating information on student performance and teaching methods used. The state received high marks for yearly progress reports and audits, as well as site visits and notifying schools of potential problems. However, the state received low marks for shielding schools from

red tape and bureaucracy. According to one respondent, "We are overwhelmed with paperwork, procedures, legal requirements from the state and from our local school system."

Renewal and Revocation Processes: Although Missouri received a C+ for its renewal processes, it earned high marks for basing renewal decisions on progress toward student achievement. Authorizers are required, at minimum, to review the management, operations, and performance on a two-year cycle. As of Fall 2002, one charter had been revoked or non-renewed.

Transparency and Internal Accountability: A D+ in this category indicates authorizers' "hands-off" approach; they don't tend to publish reports on the schools they authorize and few provide for internal reviews of their own practices.

The Missouri Department of Elementary and Secondary Education's website posts helpful information for charter schools, such as a checklist for applicants that outlines the minimum statutory requirements. However, information about charter schools wasn't readily available on authorizers' websites.

Overall Grade

Based on scores for 56 criteria, Missouri earned a D+ for its policy environment and a C+ for authorizer practices, resulting in an overall grade of C. When observer and school operator survey respondents were asked to provide a single "holistic" grade, the average grade given was also a C.

Missouri has several areas for improvement that could enhance the success of their charter schools. Policymakers and authorizers are advised to review the specific criterion-based scores for Missouri found in Appendix A, and on the web at <http://www.edexcellence.net/tbfstitute/authorizers.html>.

Note: The grades for Missouri are based upon survey data received from two authorizer respondents (representing the two major authorizers in the state, overseeing 62% of operating schools); five observer respondents; and 11 charter operator respondents (of 26 total operating charter schools, or 42%).

Missouri

Charter School & Authorizer Numbers

Year Initial Charter Law Enacted	1998
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Total Charter Schools & Students (as of Fall 2002)

# Approved Charter Schools	30
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# Operating Charter Schools	26
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# Charter Students (% of Total Public School Students)	About 9,500 (1%)
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Total Closures (to date)

# Revocations or Non-renewals	1
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# Voluntary Closures	0
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Major Authorizers (those with three or more schools)

Name	# of Schools
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Central Missouri State University	10
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University of Missouri-Kansas City	7
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Data Source: Missouri Charter School Information Center

Report Card on Charter Authorizing:		New Jersey
I. State Policy Environment		
A. Support for Charter Schools		C-
B. Support & External Accountability for Authorizers		B
II. Authorizer Practices		
A. Application Processes		B-
B. Approval Processes		A-
C. Performance Contracts		B+
D. Oversight		B
E. Renewal & Revocation Processes		A-
F. Transparency & Internal Accountability		B
Overall Grade		B

New Jersey Charter School Law Overview

Under a law enacted in 1996, New Jersey's Commissioner of Education, through the State Department of Education, is the sole authorizer of charter schools in the Garden State. There are currently no caps on the number of such schools. (An earlier cap expired.) Applications are submitted directly to the State Department of Education, with affected school districts given the opportunity to review and comment on them. Both the district and the would-be charter operator can appeal decisions to the State Board of Education.

Although the law states that charter schools are exempt from local district policies, many regulations apply to them under state law, such as the type of staff they must have and the certifications that they must possess. Charter schools have some freedom to design their own curricula, but must conform to New Jersey content standards and administer state assessments.

As of January 2003, 54 charter schools were approved through the State Department of Education and 50 were operating.

State Policy Environment

Support for Charter Schools: New Jersey's charter environment reveals several issues of concern, reflected in the C- grade. The political landscape has changed, with the state going from having a very supportive Governor to one who does not advocate for charter schools, thus causing uncertainty about the future. Charter operators are also concerned by a trend toward more regulation. For example, a recent amendment to the law requires charter schools to employ certified school business officials. Survey respondents indicate that New Jersey lacks political support for charters and that such schools are not accepted by local districts.

Conflict between charters and districts arises over funding related to several state-specific issues. Aggrieved districts took the charter law to the state's Council on Local Mandates, which is tasked with examining laws that may impose unfunded mandates. The Council allowed the law itself to stand because it antedated the Council's own creation but declared later funding provisions to be unconstitutional. The legislature then approved charter funds in a different way.

Another issue arises from the Abbott v. Burke decision, which requires additional state funding for poor districts. These districts count charter pupils in their enrollments counts for purposes of claiming such funding yet the charter schools never see that money.

There is also a lawsuit pending, filed by a local school district, which challenges the requirement that the district must pay for private outplacement of special-needs students from charter schools.

The state receives high marks for its charter associations and networks. There is a New Jersey Charter Public Schools Association, and a New Jersey Charter School Resource Center.

Support and External Accountability for

Authorizers: New Jersey received a B in this area, with high marks for its appeals process and the statewide accountability system that charter schools are part of. While there is no official oversight body for the State Department of Education, it does make periodic reports and undertake formal evaluations of its authorizing processes. Survey respondents report, however, that the Department's charter school office lacks staff and funding.

Authorizer Practices

Application Processes: A B- for applications reflects weak scores for outreach and for providing applicants with written scoring rubrics. However, the State Department of Education reports that it has established such a rubric and is revising the application to provide more information to applicants. The Department did receive high marks for technical assistance, making applications available on-line, detailed timelines, and holding informational meetings.

Approval Processes: New Jersey's A- is based on high scores on several criteria, including application reviews by an independent panel that can request subsequent information from the applicant. The results of that review and comments from local superintendents go to the Commissioner who then approves or denies the charter. Approved charters supply additional paperwork, completing the charter contract. Denied charters are listed on the Department's website along with the reason for

denial; applicants are notified in writing of deficiencies. The Department also gets high marks for having a comprehensive, non-political application processes.

Performance Contracts: With a grade of B+, survey respondents indicated that, for the most part, charter contracts contain the necessary information.

Oversight: New Jersey received a B for oversight. Survey respondents rated the state highly for the schools' annual reports to the Commissioner, as well as to county and local districts. Schools also provide monthly financial reports and must establish an advisory grievance committee to handle any complaints filed against them. This committee makes recommendations to the school's trustees. If not satisfied with the outcome, the complainant may appeal to the Commissioner of Education. The state also received high marks for site visits. One area for improvement, however, is shielding schools from red tape and excessive procedural compliance.

The county superintendents are included in their local charter schools' "paper trail" and monitor schools for general compliance with New Jersey law. However, they have little authority to regulate or restrict the school if they detect problems; they simply report any findings to the State Department of Education.

Renewal and Revocation Processes: New Jersey received an A- in this category. Schools participate in a program review after two years. After the initial four-year charter, a school fills out a renewal application (available on-line) for an additional five years. Survey respondents indicate that the State Department has in place a good process with clear criteria, decisions based on school progress, analysis of performance data, and specific provisions for closing a poorly performing school. At any time, the Department may inform a school in danger of failure that it has 90 days to implement recommendations or close down. As of Fall 2002, 11 charters had been revoked or non-renewed.

Transparency and Internal Accountability: New Jersey received a B, with high marks for on-line applications and for the authorizer's self-evaluation.

Overall Grade

Based on scores for 56 criteria, New Jersey earned a B- for its policy environment and a B+ for authorizer practices, resulting in an overall grade of B. When observer and school operator survey respondents were asked to provide a single “holistic” grade, the average grade given was a C. This means that participants believed things are not going quite as well as their ratings on individual criteria reflected.

New Jersey’s Department of Education provides a great deal of information and assistance to the schools it authorizes, and thus ranks relatively high compared with other states. However, New Jersey would do well to recognize that political conflict and increasing regulations may hinder the success of its charter schools. Policymakers are encouraged to closely review the state scores in Appendix A, and on the web at <http://www.edexcellence.net/tbfstitute/authorizers.html>.

Note: The survey data for New Jersey came from one authorizer respondent (representing the only authorizer in the state); five observer respondents; and six charter operator respondents (of 50 total operating charter schools, or 12%).

New Jersey

Charter School & Authorizer Numbers

Year Initial Charter Law Enacted	1996
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Total Charter Schools & Students (as of Fall 2002)

# Approved Charter Schools	54
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# Operating Charter Schools	50
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# Charter Students (% of Total Public School Students)	About 13,000 (0.8%)
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Total Closures (to date)

# Revocations or Non-renewals	11
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# Voluntary Closures	12
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Major Authorizers (those with three or more schools)

Name	# of Schools
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New Jersey Commissioner of Education	50
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Data Sources: New Jersey Charter School Resource Center.
Closure data are from the New Jersey Department of Education

Report Card on Charter Authorizing:		New Mexico
I. State Policy Environment		
A. Support for Charter Schools		D-
B. Support & External Accountability for Authorizers		C-
II. Authorizer Practices		
A. Application Processes		D-
B. Approval Processes		D
C. Performance Contracts		B-
D. Oversight		D
E. Renewal & Revocation Processes		D
F. Transparency & Internal Accountability		F
Overall Grade		D

New Mexico Charter School Law Overview

New Mexico's initial charter law was passed in 1993, but revisions made in 1999 began to allow start-up schools for the first time. Current law has a rolling cap—it allows up to 100 charter schools in a five-year period (75 start-up and 25 conversions). Thus, the cap doesn't really limit the total number, but rather the rate by which they appear. Applicants must seek approval from their local school board and, if denied, may appeal to the State Board. The State Board, in turn, can order the local board to approve the charter school.

As of Fall 2002, 27 charter schools were operating in 13 districts, with nine of those schools being authorized only after winning an appeal at the state level.

State Policy Environment

Support for Charter Schools: New Mexico earned a D- from survey respondents for its support of charter schools. They gave very low marks for a well-developed charter network. (A New Mexico coalition of charter schools has foundered for lack of leadership,

although a newly hired Executive Director may change the situation.) The state also received low ratings for access to technical assistance and contracting services. (Some technical assistance comes from the State Board though it is supposed to be the role of local authorizers.)

Survey respondents gave low marks for charter acceptance by local districts, and for public understanding of charter schools. As a whole, New Mexico has a contentious charter policy environment. While the State Board is supportive, local districts are not, perhaps because the law's mechanics are somewhat vague. It requires districts and their charters to form contracts but does not define roles or how funding should work. Contention over funding creates conflict between charters and authorizers, the more so when a charter has been forced upon a resistant district by the State Board.

Charters must follow all district policies unless negotiated in the contract between the two parties. They do, however, receive automatic waivers from some specific state regulations. Charter schools can request waivers from other state regulations, though these must be requested in the charter contract and filed by the local board on behalf of the charter school.

The state also received low marks for access to one or more authorizers that make decisions based on merit, not politics. Respondents indicate that, with few exceptions (such as when a school is established for at risk students), charters have poor relations with their district authorizers. One option being considered by policymakers is to add an authorizer that is independent of districts and the State Board.

Support and External Accountability for

Authorizers: New Mexico received a C- in this category. Survey respondents conferred low scores for adequate funding. Local districts may keep some of the charter school's funding to support authorizing activities (2% of state per capita funds). Respondents report that tension over funding is a serious issue. For example, one said that "Charter School authorizers focus upon the fiscal impact of charter schools upon other district schools rather than alternative educational opportunities for students."

The state also received low marks for making periodic reports to the legislature, external review of chartering practices, and watchful media.

New Mexico received high marks for its appeals process—so far the State Board has upheld the denial of three appellants and reversed the denial of nine charters—and for having in place a comprehensive school-based accountability system.

Authorizer Practices

Application Processes: Survey respondents gave New Mexico a D- here, with particularly low scores for efforts to disseminate applications, holding informational meetings, and giving applicants an indication of how their applications will be evaluated (i.e. written rubric or scoring scale). The only information available to applicants on-line is a handbook on the State Board's website.

Approval Processes: New Mexico received a D for approval processes, with a particularly low score for striking the right balance between a rigorous process and giving schools the chance to open and succeed.

Performance Contracts: The state received a B- for its performance contracts. Overall, it received high marks for specific criteria related to contract content

but a low mark on whether the overall quality of the contract is good enough to hold schools accountable.

Oversight: New Mexico was given a D for authorizers' oversight practices. Respondents report little district activity in terms of site visits, clearly defined actions when problems are found in schools, shielding schools from red tape, and having a good oversight system that collects essential data. However, the state did receive high marks for requiring annual financial audits and progress reports from schools.

It should be noted that New Mexico's statewide public-school accountability rating system includes charters. In the 2001-02 school year, two charter schools were rated "exemplary," one was put on probation and the rest were rated as "met standard."

Renewal and Revocation Processes: Survey respondents gave the state a D here. Earning especially low scores were independent reviews of school performance data, notifying poor schools with enough time to remedy problems, and having specific provisions for closing a school.

To date, no schools have closed or had their charters revoked, although four conversion schools reverted back to regular public school status before the law was amended in 1999.

Transparency and Internal Accountability: New Mexico is the only state in this study to receive an F for this category. Survey respondents gave low scores for providing public access to authorizer decisions, publishing progress reports for schools, making formal evaluations of their own practices, and being fully accountable for and transparent about their decisions.

Overall Grade

Based on scores for 56 criteria, New Mexico earned a D+ for its policy environment and a D for authorizer practices, resulting in overall grade of D. When observer and school operator survey respondents were asked to provide a single "holistic" grade, the average grade given was C-.

There is obvious tension between local districts and charter schools, which have been viewed as a nuisance at best and a competitor for funding at

worst. Thus, districts tend simply to treat charters the same as regular public schools, with little freedom from red tape and bureaucracy and little assistance or advocacy—although there is some evidence that this is improving. Meanwhile, authorizers and policymakers are urged to review specific criteria in Appendix A of this report, and on the web at <http://www.edexcellence.net/tbfstitute/authorizers.html>.

Note: The grades for New Mexico are based upon survey data received from four authorizer respondents (including the three largest in the state, overseeing 59% of operating schools); three observer respondents; and 17 charter operator respondents (of 27 total operating charter schools, or 63% if only one response per school was received).

New Mexico

Charter School & Authorizer Numbers

Year Initial Charter Law Enacted	1993
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Total Charter Schools & Students (as of Fall 2002)

# Approved Charter Schools	31
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# Operating Charter Schools	27
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# Charter Students (% of Total Public School Students)	About 2,700 (0.8%)
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Total Closures (to date)

# Revocations or Non-renewals	0
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# Voluntary Closures	4 (conversions that reverted back to district status)
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Major Authorizers (those with three or more schools)

Name	# of Schools
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Albuquerque School District	15
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Santa Fe School District	3
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Data Source: New Mexico State Department of Education

Report Card on Charter Authorizing:		New York
I. State Policy Environment		
A. Support for Charter Schools		C-
B. Support & External Accountability for Authorizers		C+
II. Authorizer Practices		
A. Application Processes		D+
B. Approval Processes		C+
C. Performance Contracts		B+
D. Oversight		B
E. Renewal & Revocation Processes		B+
F. Transparency & Internal Accountability		C
Overall Grade		B-

New York Charter School Law Overview

New York's initial charter law was enacted in 1998, and involves four main authorizing entities: the Board of Regents (with those schools administered by the State Education Department), the State University of New York (SUNY) trustees, the New York City Chancellor's Office (NYC), and other local districts. Except for SUNY-approved schools, all charter schools must also receive final approval from the Board of Regents (via the State Department). In the case of SUNY-approved schools, applications are sent to the State Department for final approval, but this is essentially a formality because SUNY can give final approval to its own schools 30 days after such paperwork is submitted.

Up to 50 schools may be chartered directly by the Board of Regents, as well as any "new" schools approved by NYC or other local districts. Another 50 schools may be sponsored by SUNY. Public school conversion charters do not count under these caps. If the Board of Regents denies an applicant (whether the school applied directly to them or through a local district), there is no appeal or right to sue, but the denied applicant may reapply to a different authorizer.

Charter schools are free from all local school board policies and most state regulations, including curriculum, contracting, and staff tenure. Funding, however, passes through the local district, although the law requires the State Department of Education to withhold a district's funding and pay the charter school directly if the local district fails to do so. State grants are available for start-up costs.

As of Fall 2002, 49 charter schools were approved, with 38 operating. With 24 schools, SUNY (through its Charter School Institute or CSI) is the largest primary authorizer. The State Education Department has directly chartered eight schools, and six have been sponsored by New York City.

State Policy Environment

Support for Charter Schools: As a whole, New York has a contentious policy environment for charter schools, reflected in the grade of C- for this category. Political support is very low. One recently introduced bill calls for a moratorium on charters. To date, support from the Governor and some urban legislators has kept such legislation at bay. But legislative support for charters has never been strong; indeed, enacting the initial charter law required some intricate

maneuvering by Governor Pataki to link its passage to pay raises for legislators themselves.

Charter operators and observers report that the State Department is not “charter friendly.” It tends to treat charters as regular public schools in many respects, disregarding the performance contract as the oversight framework in favor of bureaucratic/compliance reporting.

Other weaknesses include the availability of contracting services and public understanding of what charter schools are. New York’s strongest criterion was legal and financial autonomy.

Support and Accountability for Authorizers: A C+ here belies two highly rated criteria: periodic reports to the legislature (both the State Department and SUNY’s Charter School Institute have generated reports about their authorizing practices and outside researchers have also studied aspects of New York’s charter system), and media that closely watch charter schools. However, the state received low marks for adequate funding of authorizers.

It should be noted that non-State Department authorizers are subject to de facto oversight by the State Department in that this entity can directly interact with a school or veto a decision by a local district. Interviews suggest that this creates a problem for schools.

Authorizer Practices

Application Processes: New York received a D+ here. Although the law defines some content of charter applications, each authorizer has designed its own packet. Survey respondents give particularly low marks to authorizers for providing clear approval standards and written scoring scales, and for seeking out applications to meet specific needs. The state did receive one high mark: for having a detailed application timeline.

Approval Processes: A C+ for this category masks high marks on two criteria: having multiple reviewers examine applications and allowing applicants to address deficiencies in their applications if needed.

Still, the overall approval process is complicated. If denied by any authorizer, an applicant may reapply to that, or another, authorizer. If approved by a local dis-

trict, the State Department must give final approval, and both the State Department and the original authorizer have jurisdiction over that chartered school. For SUNY-approved schools, the application is also officially submitted for final approval, though this is merely a formality. Even if the State Department denies the application, SUNY can automatically give final approval to its own schools after 30 days.

Performance Contracts: Although the different authorizers trip over each other with overlapping authority, the B+ grade for performance agreements suggests that most of the needed elements are present in New York charter contracts.

Oversight: Charter oversight received a B, with the state earning high marks for site visits, audits, review of charter reports to help schools improve, and a clear set of actions to address problems. There is an abundance of overseers for each school, however, leading to multiple requests from multiple authorizers, as well as from the local district (even if it had nothing to do with the authorizing). This creates a heavy paperwork burden.

Renewal and Revocation Processes: New York received a B+ for this category, with high marks for analysis of student data and for having specific provisions for closing schools. (While schools get reviewed after three years, the law is too new for schools to have completed the renewal process.) As of Fall 2002, one charter had been revoked.

Transparency and Internal Accountability: Authorizers in New York received a C for this category. Respondents were critical of authorizers’ ability to self-evaluate their practices, although CSI has recently revamped its charter application, suggesting that some self-evaluation took place. The state also received low marks for making key decisions and policies accessible to the public. Authorizers did, however, receive high marks for accessible application packets.

Overall Grade

Based upon scores for 56 criteria, New York earned a C for its policy environment and a B- for authorizer practices, resulting in an overall grade of B-. When observer and school operator survey

respondents were asked to provide a single “holistic” grade, the average grade given was C+.

New York has room for improvement in numerous areas. Policymakers should review specific details for their state as noted in Appendix A, and on the web at <http://www.edexcellence.net/tbinstitute/authorizers.html>.

Note: The grades for New York are based upon survey data received from three authorizer respondents (representing two of the three major authorizers in the state, overseeing 87% of operating schools); three observer respondents; and 22 charter operator respondents (of 38 total operating charter schools, or 58%, if only one response per school was received).

New York

Charter School & Authorizer Numbers

Year Initial Charter Law Enacted	1998
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Total Charter Schools & Students (as of Fall 2002)

# Approved Charter Schools	49
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# Operating Charter Schools	38
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# Charter Students (% of Total Public School Students)	About 11,000 (0.03%)
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Total Closures (to date)

# Revocations or Non-renewals	1
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# Voluntary Closures	2 (conversions that reverted back to district status)
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Major Authorizers (those with three or more schools)

Name	# of Schools
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State University of New York	24
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State Board of Regents	8 (directly)
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New York City Chancellor	6
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Data Source: Charter School Resource Center

Report Card on Charter Authorizing:		North Carolina
I. State Policy Environment		
A. Support for Charter Schools		D
B. Support & External Accountability for Authorizers		B
II. Authorizer Practices		
A. Application Processes		B-
B. Approval Processes		B+
C. Performance Contracts		A-
D. Oversight		B-
E. Renewal & Revocation Processes		A-
F. Transparency & Internal Accountability		B+
Overall Grade		B

North Carolina Charter School Law Overview

Having initially enacted its charter law in 1996, North Carolina is approaching its cap of 100 schools (with no more than five per district per year). Although the law states that there are several possible authorizers (local districts, the Board of Regents of the University of North Carolina, and the State Board of Education), the State Board of Education must give ultimate approval in every instance. Over time, therefore, the State Board has emerged as the de facto sole authorizer. The Department of Public Instruction's Office of Charter Schools carries out day-to-day activities related to charter schools on behalf of the State Board.

As of Fall 2002, 95 charter schools were operating—all under the State Board of Education.

State Policy Environment

Support for Charter Schools: North Carolina received a D for its support of charter schools. Political support was marked particularly low. In North Carolina, charters have few advocates other than parents and local groups that seek to start them. The charter law itself was a reaction to the threat of

vouchers and the appetite for federal money. In order to protect the 50% of charter school students who are African American (compared to 24% of the state population), the legislature's black caucus has been the target of lobbying by pro-charter groups.

Acceptance by local districts also earned low marks. There is much contention over funding, except where a district has partnered with a charter school to enroll the hard-to-educate students.

Also marked low is the provision of ample opportunities to obtain a charter. This reflects pressure from the cap on school numbers as well as the fact that the authorizer and appeal entity are now the same. North Carolina also received low marks for understanding by parents and the public.

Support and Accountability for Authorizers:

Despite weak overall support for charter schools, North Carolina received a B for support of its authorizer. It received high marks for reports to the legislature and having a school-based accountability system, though not for funding for authorizers.

The state received high marks for schools' ability to seek an appeal. Although the State Board's decisions regarding charter schools have no way to be appealed except by going to court, these decisions are relatively transparent. However, when the law was initially implemented, many denied schools turned to the

State Board for approval—leading to that entity’s eventual emergence as sole authorizer.

Authorizer Practices

Application Processes: North Carolina received a B– here, with high marks for efforts to get applications to a broad range of applicants. For example, the Department of Public Instruction conducts application workshops and people can sign up for an e-mail list of charter school policy updates. The state also received high marks for detailed timelines but low ones for seeking schools to meet market gaps.

Approval Processes: North Carolina earned a B+ for charter approval processes, with high marks for having multiple reviewers examine applications; the opportunity for applicants to provide additional information if questions arise; a sufficient timeline between approval and opening; and balancing a rigorous approval process with affording schools the chance to open and succeed.

The State Board created a 15-member Charter School Advisory Committee to review applications and make recommendations for approvals or revocations. Three of these members are charter representatives. The Department of Public Instruction’s Office of Charter Schools carries out day-to-day activities related to charter schools, including creating and accepting new charter school applications.

Performance Contracts: North Carolina received an A– for performance contracts, with high marks on every criterion.

Oversight: North Carolina earned a B– for oversight, but with profound variance on various criteria. It received very high marks for annual financial audits, notifying schools of potential problems, and establishing actions to address problems, but the state received very low marks for shielding schools from red tape and bureaucracy.

Renewal and Revocation Processes: Reviewers gave the state an A– here, with high marks on all criteria. Charter schools are reviewed during the fourth (and last) year of their contract against a cogent five-

point rubric. Although North Carolina receives high marks in this area from local raters, there is concern that parts of the rubric are vague and allow non-renewal decisions to be based on politics rather than on merit. As of Fall 2002, 30 charters had been revoked or non-renewed, or otherwise relinquished voluntarily.

Transparency and Internal Accountability: North Carolina received a B+ in this area with high marks for public access to application packets, and authorizer policies and decisions. Applications, forms, and regulations are all available on-line at the Department’s charter school website.

Overall Grade

Based upon scores for 56 criteria, North Carolina earned a C for its policy environment and a B+ for authorizer practices, resulting in an overall grade of B. When observer and school operator survey respondents were asked to provide a single “holistic” grade, the average grade given was a C. This means that participants believe the overall picture is dimmer than indicated by ratings on individual criteria. This may have to do with mild dissatisfaction with the State Board in North Carolina. Local raters are concerned about red tape and micromanagement and aren’t confident that the agency supports the charter movement. The authorizer, however, considers itself an advocate that is able to balance accountability with freedom to innovate.

The greatest concern for policymakers within North Carolina should be its D for support of charter schools. Authorizing practices and procedures as a whole received quite good marks. Interested parties are advised to carefully review the detailed scores for North Carolina, found in Appendix A, and on the web at <http://www.edexcellence.net/tbfinstitute/authorizers.html>.

Note: The grades for North Carolina are based upon survey data received from one authorizer respondent (representing the only authorizer in the state); eight observer respondents; and 20 charter operator respondents (of 95 total operating charter schools, or 21%).

North Carolina

Charter School & Authorizer Numbers

Year Initial Charter Law Enacted	1996
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Total Charter Schools & Students (as of Fall 2002)

# Approved Charter Schools	95
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# Operating Charter Schools	95
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# Charter Students (% of Total Public School Students)	21,050 (1.7%)
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Total Closures (to date)

# Revocations or Non-renewals	30 (total for voluntary and non-voluntary)
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Major Authorizers (those with three or more schools)

Name	# of Schools
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State Board of Education	95
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Data Sources: North Carolina League of Charter Schools; North Carolina Department of Instruction

Report Card on Charter Authorizing:		Ohio
I. State Policy Environment		
A. Support for Charter Schools		C-
B. Support & External Accountability for Authorizers		B-
II. Authorizer Practices		
A. Application Processes		B-
B. Approval Processes		B-
C. Performance Contracts		A-
D. Oversight		B-
E. Renewal & Revocation Processes		B
F. Transparency & Internal Accountability		C+
Overall Grade		B-

Ohio Charter School Law Overview

Although Ohio's charter law was first enacted in 1997, in January 2003 it changed drastically. In the future, the State Board of Education (via the Ohio Department of Education (ODE)) will no longer be a direct charter authorizer. Instead, it will become the "authorizer of authorizers," in charge of approving, overseeing, and publicly reporting on most authorizers. Groups now allowed to authorize include: education-oriented nonprofit groups that meet certain requirements, public universities, 58 county educational service centers, and local school districts on "academic watch" or "academic emergency." Previously, only the State Board, academic emergency districts, the Lucas County Educational Service Center, the University of Toledo, and eight large urban school systems could sponsor schools.

The new law states that schools currently sponsored by the State Board must find a new authorizer by July 2005. Between now and that date, approved nonprofit authorizers will only be allowed to take over the sponsorship of an existing charter school; in 2005, they will also be able to charter additional new schools.

As of Fall 2002, 126 operating charter schools existed under 10 different authorizers—101 under the State Board, nine under Lucas County, nine under seven local districts, and seven under the University of Toledo. Almost all of this will change as the new law takes effect.

(Note: This study was completed while the previous law was still in place, thus survey responses reflected that authorizing environment.)

State Policy Environment

Support for Charter Schools: Ohio's C- is indicative of the fact that, while charter schools have some supporters in the Buckeye State, the list of opponents (teachers unions, districts, the state school board association, and even the League of Women Voters) is far longer. They aggressively work to pressure sponsors not to authorize new schools and are involved in complex and long-lasting lawsuits seeking to prove that charter schools are unconstitutional. This is reflected in the low marks the state received for acceptance by local districts and understanding by the general public. The state received high marks, however, for legal and financial autonomy for its charter schools.

It should be noted that the State Department of Education has provided technical assistance only to the schools that it sponsors. Under the new law, however, the Department will be required to offer training to all charter authorizers, as well as school developers and operators.

Support and Accountability for Authorizers:

Although the state received a B- in this category, several criteria were rated quite high: oversight by a state body, the appeals process, and having a comprehensive statewide school-based accountability system. (The new law is apt to bring yet more accountability—some fear too much—by having the Department oversee the authorizers.)

Authorizer Practices

Application Processes: Ohio received a B- for its application processes. At the time of the survey, the Department of Education was the main authorizer. It is unclear how the new state structure will affect the charter application process.

Approval Processes: The state also earned a B- for approval processes. The highest mark was for an applicant's ability to address deficiencies in its application.

Performance Contracts: Ohio received high marks in virtually every criterion related to the necessary elements of a performance contract, with an average score of A-.

Oversight: With a B- in this category, Ohio has been criticized for lack of oversight. Indeed, an unfavorable review by the State Auditor General of the Department of Education's charter oversight contributed to the recent legislative amendments. However, survey respondents gave the Department and other authorizers high marks for producing annual reports on student achievement, requiring annual audits, and conducting site visits. Further, charters must follow laws regarding public reporting of information through the state Education Management Information System, which includes academics, financial, staff, and operational data. Charters must also align their curricula with state standards and administer state achievement tests.

Renewal and Revocation Processes: Ohio received a B in this category, with high marks for authorizers' analysis of student performance data, establishing provisions for closing schools, and having an overall quality review process based on student outcomes and other goals. As of Fall 2002, ten charters had been revoked, primarily for financial reasons.

At the time of the survey, Ohio did not have probationary periods for the development of corrective action plans if a school violated its charter; the new law contains such provisions.

Transparency and Internal Accountability: Ohio's C+ in this category reflects mediocre scores on almost all criteria. The one exception was for the availability of comprehensive application packets. When the Department of Education was an authorizer, it provided much information on the web. It is unclear how this will change under the new structure.

Overall Grade

Based upon scores for 56 criteria, Ohio earned a C+ for its policy environment and a B for authorizer practices, resulting in an overall grade of B-. When observer and school operator survey respondents were asked to provide a single "holistic" grade, the average grade given was also a B-.

But the Ohio charter school landscape has changed profoundly between the weeks of this survey and early 2003. The state has adopted a very different charter-authorizing structure, and it will be interesting to see how well the new (and presumably more numerous) authorizers are able to develop the necessary infrastructure. Although the results of this study were reflective of the old structure, policymakers are still advised to carefully review the specific criterion-based scores for Ohio found in Appendix A, and on the web at <http://www.edexcellence.net/tbfstitute/authorizers.html>.

Note: These survey data for Ohio came from four authorizer respondents (representing four different authorizers — including the largest in the state—overseeing 94% of operating schools); 11 observer respondents; and 13 charter operator respondents (of 126 operating charter schools, or 10%).

Ohio

Charter School & Authorizer Numbers

Year Initial Charter Law Enacted	1997
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Total Charter Schools & Students (as of Fall 2002)

# Approved Charter Schools	176
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# Operating Charter Schools	126
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# Charter Students (% of Total Public School Students)	About 30,000 (1.6%)
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Total Closures (to date)

# Revocations or Non-renewals	10
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# Voluntary Closures	2
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Major Authorizers (those with three or more schools)

Name	# of Schools
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Ohio State Board of Education	101
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Lucas County Educational Service Center	9
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University of Toledo	7
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Cincinnati City School District	3
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Data Source: Ohio Charter School Association

Report Card on Charter Authorizing:		Oklahoma
I. State Policy Environment		
A. Support for Charter Schools		C-
B. Support & External Accountability for Authorizers		C-
II. Authorizer Practices		
A. Application Processes		D-
B. Approval Processes		B
C. Performance Contracts		B
D. Oversight		D
E. Renewal & Revocation Processes		D+
F. Transparency & Internal Accountability		D+
Overall Grade		C-

Oklahoma Charter School Law Overview

Oklahoma's charter law was enacted in 1999. It limits charter schools to seeking approval from school districts in geographic areas that meet specific population requirements (i.e., only in counties with at least 500,000 residents and at least 5,000 students in the school district). This works out to 13 potential school district and 13 vocational-technical school board authorizers. Only two—Oklahoma City and Tulsa—have actually approved any charter schools. The Tulsa vocational-technical school board is reportedly considering accepting an application.

As of Fall 2002, 11 charter schools were open, eight sponsored by Oklahoma City's school board, and three by the Tulsa board.

State Policy Environment

Support for Charter Schools: Oklahoma rated a C- for the support that charter schools receive, with very low scores for access to technical assistance or resource centers. The state's charter-school association is just getting established, and it will be a few years before a full resource center is available. In the

meantime, Oklahoma City has offered some assistance to applicants.

The state also received low marks for acceptance by local districts. Oklahoma's charter law is relatively new, only two districts have chartered schools so far, and Oklahoma City and Tulsa have offered differing levels of support. The former has adopted strong procedures and been a solid supporter of charters (though recent changes in administration and financial difficulties are reportedly weakening this stance). Tulsa has been much more reluctant and has threatened to limit funding to its charters.

The state also received low scores for sufficient understanding from parents and the public, but high marks for a "charter friendly" State Department of Education, and for legal provisions for autonomy. Although technically part of the school district ("sites within the district"), charter schools are legally and financially independent.

Support and External Accountability for Authorizers: Oklahoma received a C- here as well. Survey respondents gave very low marks for adequate funding for authorizers. Although they can withhold up to 5% of a charter school's funds for administrative purposes, authorizers do not feel this is enough. The state also received low ratings for watchful media.

Authorizer Practices

Application Processes: Oklahoma earned a D– for application processes. It received very low scores for getting application information to a broad range of applicants. Oklahoma’s law defines some of the content of charter applications and authorizers may include other requirements. However, districts do not tend to reach out to applicants either by offering application packets on the web, holding information meetings for prospective applicants, or furnishing them with technical assistance.

It should be noted that neither authorizer has made information readily available for applicants. In fact, the Tulsa school system website does not mention charter schools at all (although the Chamber of Commerce website does).

Approval Processes: Oklahoma received a B for its approval processes, with high marks for having multiple reviewers examine applications and for giving applicants the opportunity to provide more information during the application process.

If rejected once, an applicant may submit a revised application. If rejected a second time, applicants may seek mediation or binding arbitration.

Performance Contracts: The state received a B for its performance contracts, with survey respondents indicating that many of the necessary components are included. However, the state got a low mark for the overall quality of those contracts in relation to holding schools accountable.

Oversight: Both current authorizers tend to be rather “hands off” according to survey respondents, thus earning Oklahoma a D for oversight. Amid bleak scores on all criteria, the worst was for shielding schools from red tape and excessive procedural compliance.

Renewal and Revocation Processes: Oklahoma received a D+ here, with very low scores for clearly written criteria, specific provisions for closing a school if warranted, and having an overall review system in place. Because Oklahoma’s charter program is relatively new, few schools have actually gone through a

renewal process. This may explain the discrepancy between authorizers, who report that sound renewal and revocation procedures are in place, and charter school operators and observers who report that these elements are lacking.

The state won high marks for authorizers independently analyzing student performance data and for notifying poor performing schools of problems in time to try to fix them. Oklahoma has a formal yearly statewide evaluation of schools based on test scores, attendance, discipline, and (for high schools) graduation rates; this system includes charter schools.

Transparency and Internal Accountability: Oklahoma received a D+ here, too, with very low scores for publishing regular reports of school progress and evaluating their own processes. However, it earned high marks for making successful applications available to the public.

Overall Grade

Based upon scores for 56 criteria, Oklahoma earned a C– for its policy environment and a C– for authorizer practices, resulting in an overall grade of C–. When observer and school operator survey respondents were asked to provide a single “holistic” grade, the average grade given was a C.

Authorizers in Oklahoma have played a limited role regarding charter schools, and the two school districts that have authorized schools handle them differently. While a few procedural aspects of authorization are rated well, significant improvements are needed in others. Authorizers and policymakers are urged to review specific criteria for Oklahoma found in Appendix A of this report, and on the web at <http://www.edexcellence.net/tbfinstitute/authorizers.html>.

Note: The grades for Oklahoma are based upon survey data received from one authorizer respondent (representing one of two authorizers in the state, overseeing 73% of operating schools); two observer respondents; and five charter operator respondents (of 11 total operating charter schools, or 45%).

Oklahoma

Charter School & Authorizer Numbers

Year Initial Charter Law Enacted	1999
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Total Charter Schools & Students (as of Fall 2002)

# Approved Charter Schools	11
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# Operating Charter Schools	11
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# Charter Students (% of Total Public School Students)	2,000 (data for Oklahoma City only—about 5% of Oklahoma City students)
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Total Closures (to date)

# Revocations or Non-renewals	0
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# Voluntary Closures	0
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Major Authorizers (those with three or more schools)

Name	# of Schools
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Oklahoma City School District	8
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Tulsa School District	3
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Data Source: Independence Charter Middle School

Report Card on Charter Authorizing:		Oregon
I. State Policy Environment		
A. Support for Charter Schools		D+
B. Support & External Accountability for Authorizers		D
II. Authorizer Practices		
A. Application Processes		D
B. Approval Processes		C-
C. Performance Contracts		B
D. Oversight		C+
E. Renewal & Revocation Processes		C
F. Transparency & Internal Accountability		D
Overall Grade		C-

Oregon Charter School Law Overview

Oregon's charter legislation, passed in 1999, allows local school boards and, on appeal, the State Board of Education to authorize charter schools. These schools are only partially autonomous, however; they remain within the school district as a public school defined uniquely by a charter. Contracts run five years. A charter school must serve a minimum of 25 students. For-profit organizations may not operate them.

State law permits an unlimited number of charter schools. As of Fall 2002, 23 were operating, involving 17 different local school districts. The State Board recently approved its first on-appeal charters to two schools, which are slated to open in Fall 2003.

State Policy Environment

Support for Charter Schools: Oregon received a D+ for support of charter schools. Survey respondents rated acceptance by local districts particularly low. Many just don't want to sponsor schools. The state also earned low marks for public understanding of charter schools and for access to more than one authorizer.

The Oregon Department of Education created a Public Charter School Handbook that supplies a comprehensive guide to charter development and implementation. Other resources for technical assistance are the Center for Educational Change and the Oregon Charter School Service Center. Technical assistance provided by authorizers varies greatly.

Support and Accountability for Authorizers:

Oregon received a D here with very low marks for adequate funding of authorizers—despite the fact that they retain 20 percent of their charter schools' state aid. (This large amount was part of a political compromise to appease district fears of losing too much of their operating budgets to charter schools. It has also discouraged the development of new charter schools.) An independent analysis (City Club Report, Sept. 2002) found that Portland charter students receive barely half the public funding level for pupils in traditional public schools.

The state also received low marks for making periodic reports to the legislature, and oversight by a state body. Charters, like other Oregon public schools, must annually submit data to the state education department concerning students, staff, and school characteristics.

Authorizer Practices

Application Processes: Oregon earned a D for its application processes. It received very low marks in the two criteria related to outreach: getting application information to a broad range of applicants and seeking applicants that meet market gaps.

Approval Processes: The state received a C– here, with mediocre scores on all criteria. A written proposal must be submitted to the local school board and a copy filed with the state education department. Charter applicants are strongly encouraged to arrange informal discussions with the prospective sponsoring district before the official application is submitted. The district has 15 days after receipt of the proposal to inform the would-be school operator whether the application is complete. The school board has 60 days to hold a public hearing, after which the proposal must be approved or disapproved within 30 days. Once approved, applicant and district develop a written charter. If denied, the school board must provide written reasons and suggest remedial measures; the applicant can submit a revised proposal. The school board has 20 days after receiving the resubmitted proposal to approve or deny it. If the resubmitted proposal is denied, the applicant may appeal to the State Board of Education.

Performance Contracts: Oregon received a B for its performance contracts, with high marks for including mission and goals, student recruitment and enrollment policies, provisions for special-needs students, and student achievement and data requirements.

Oversight: Oregon earned a C+ for charter oversight. Despite mediocre scores on many criteria, it received high marks for requiring annual financial audits and periodic progress reports, review of reports and notification of problems, and clearly delineated actions when problems are found. Charter schools must submit to their sponsoring districts annual

reports that address student achievement and charter compliance. If a school participates in the Oregon Public Charter School Grant Program, it must also participate in the associated evaluation. All charter schools are required to administer state and local assessments.

Renewal and Revocation Processes: The state received a C for this category, with low marks on most criteria, save for authorizers' analysis of school data. Schools are initially chartered for five years, with an annual review cycle required by law. Most charter schools haven't reached the renewal stage yet. As of Fall 2002, two chartered had been revoked or non-renewed.

Transparency and Internal Accountability: Oregon earned a D in this category, with very low marks for publishing reports on charter school progress and undertaking formal evaluations of their own practices.

Overall Grade

Based upon scores for 56 criteria, Oregon earned a D for its policy environment and a C– for authorizer practices, resulting in an overall grade of C–. When observer and school operator survey respondents were asked to provide a single “holistic” grade, the average grade given was also a C–.

Oregon has room for much improvement in both its charter environment and in many of its processes, according to survey respondents. Interested parties are advised to carefully review the detailed scores for Oregon found in Appendix A, and on the web at <http://www.edexcellence.net/tbfinstitute/authorizers.html>.

Note: The grades for Oregon are based upon survey data received from three authorizer respondents (including responses from the two major authorizers in the state, overseeing 26% of operating schools); 15 observer respondents; and 12 charter operator respondents (of 23 total operating charter schools, or 52%).

Oregon

Charter School & Authorizer Numbers

Year Initial Charter Law Enacted	1999
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Total Charter Schools & Students (as of Fall 2002)

# Approved Charter Schools	23
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# Operating Charter Schools	23
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# Charter Students (% of Total Public School Students)	About 2,200 (0.4%)
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Total Closures (to date)

# Revocations or Non-renewals	2
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# Voluntary Closures	0
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Major Authorizers (those with three or more schools)

Name	# of Schools
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Salem-Keizer School District	4
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Eugene School District	3
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Data Source: Oregon Department of Education

Report Card on Charter Authorizing:		Pennsylvania
I. State Policy Environment		
A. Support for Charter Schools		D+
B. Support & External Accountability for Authorizers		D
II. Authorizer Practices		
A. Application Processes		C-
B. Approval Processes		D+
C. Performance Contracts		B
D. Oversight		D-
E. Renewal & Revocation Processes		D+
F. Transparency & Internal Accountability		D+
Overall Grade		D+

Pennsylvania Charter School Law Overview

Pennsylvania's initial law was enacted in 1997. Only local school boards are allowed to authorize charter schools, except for cyber-charters which, under a 2002 law, can only be sponsored by the State Department of Education.

A charter application that is denied can be appealed to the State Charter Appeals Board, as can revocations and non-renewals. For "brick and mortar" appeals, a petition signed by residents of the district(s) from which the charter is sought is required; if the appeal is affirmed, the local board has 10 days to sign the contract, or it will be signed by the Chair of the Appeals Board on behalf of the district. In its first year alone (1999–2000), the Appeals Board heard 19 cases, upholding 11 denials and overturning eight. As of Fall 2002, 12 schools were open as a result of the appeals process, with one more approved for 2003.

Schools have autonomy in that they are free from local collective bargaining and school board regulations, although "brick and mortar" schools remain a part of their districts. At least 75 percent of a charter's professional staff must hold appropriate

Pennsylvania certification. All other state laws related to public schools apply to charters.

As of Fall 2002, 94 charter schools were approved, with 90 operating. Twenty-one districts were sponsoring 82 schools (12 of them required by the Appeals Board); the State Department of Education authorized eight cyber schools. Half of the operating "brick and mortar" schools (45) are located in Philadelphia.

State Policy Environment

Support for Charter Schools: Support for charter schools is limited, as reflected in the grade of D+. In Pennsylvania's case, the smaller the district, the more resentment seems to be felt for the added burden of dealing with a charter school. This is reflected in the low number of schools everywhere but in Philadelphia. Also, survey respondents felt strongly that application decisions are based on politics, not merit. At the state level, however, technical (if not political) support for charters is strong, as evidenced by the wealth of information on the State Department of Education website regarding charter schools and application materials, the legal and financial accountability allowed by state law, and the state's provision of start-up and planning funds. In addition to the

State Department of Education, information and assistance are available from the Duquesne Charter School Project, the Pennsylvania Charter School Resource Center, and Drexel University.

Survey respondents gave the state low marks for opportunities to obtain charters, acceptance by local districts, and parental and public understanding of charter schools. Says one respondent, “The local school district uses the oversight function strictly as a means of gathering criteria to shut us down! They have never asked how the kids are doing or are the parents happy.” It appears that there’s more acceptance and understanding in urban areas, especially Philadelphia, but those also tend to be places where opposition (notably from teachers’ unions) is stronger.

Support and External Accountability for

Authorizers: Pennsylvania received a D here, with very low marks for adequate funding. Authorizers have not been given additional funding. However, the state now reimburses them for 30% of the money that flows to charter schools. As this is a new policy, its effect on authorizers’ resources is unknown. Until this arrangement began, sponsors had no resources to deal with the added responsibilities of authorizing a charter school.

Authorizers are monitored through reports that the schools send to the legislature. These are supposed to include information about the number and types of students served, information on how the charter contract is being carried out, and how professional development for teachers is provided. The state has also released several statewide evaluations of charter schools. However, authorizers themselves are not obliged to make such reports, which is reflected in low marks in this area.

The state received high marks for the Appeals Board process, however.

Authorizer Practices

Application Processes: Pennsylvania received a C– for its application processes. Although there are extensive application materials available from the State Department of Education website, the lack of information from local districts led to lower marks, especially in relation to soliciting applications.

However, the state earned high marks for detailed application timelines.

Approval Processes: Pennsylvania received a D+ for its charter-approval processes. While it earned high marks for providing written explanations to rejected applicants, other criteria were rated low. Of particular concern to survey respondents was a lack of balance between operating a rigorous approval process and giving schools a chance to open and succeed. In fact, one operator called the process “an inhuman, bloody battle where the charter applicants had no rights and the district had total control.” This underscores the importance of the appeals process in the eyes of Pennsylvania charter advocates.

Performance Contracts: Pennsylvania received a B for performance contracts. The thorough application materials available from the State Department of Education make it easy for contracts to cover the necessary items. But respondents were concerned that these contracts do not serve to hold schools accountable for results. This is likely because Pennsylvania’s accountability system presently tracks only 3rd, 5th, 8th, and 11th grades, meaning that “value-added” assessments are not possible.

Oversight: Pennsylvania received a D– in oversight due to low marks on several criteria. Once approved, authorizers are rather “hands off.” Survey data suggest this may be due to confusion at the local district level as to whether oversight is its responsibility or the State Department of Education’s. The state received low marks for site visits, for creating a set of actions to remediate any problems, and for collecting essential data in a consistent manner. Schools are reportedly not shielded from excessive red tape. On the other hand, Pennsylvania got high marks for requiring charters to produce annual financial audits and progress reports.

Renewal and Revocation Processes: With a D+ in this category, Pennsylvania was rated particularly poorly for processes to notify poor performing schools in time to fix problems. The annual school reports mentioned above constitute the only review process for charter schools, though there is evidence that authorizers may start producing objective assessment tools. As of Fall 2002, three charters had been revoked or non-renewed.

Transparency and Internal Accountability: Despite a high mark for the state's easily accessible charter application packet, Pennsylvania received a D+ in this category. Several areas were rated particularly poorly: published progress reports for each school, formal evaluations of authorizer practices, and general authorizer accountability and transparency.

Overall Grade

Based upon scores for 56 criteria, Pennsylvania earned a D for its policy environment and a D+ for authorizer practices, resulting in an overall grade of D+. When observer and school operator survey respondents were asked to provide a single "holistic" grade, the average grade given was a D. Obviously, there are some issues that policymakers and authorizers should address.

Pennsylvania has reason to be concerned for its charter schools. With one of the lowest grades among the states covered by this study, it appears that neither the charter environment nor authorizer processes are meeting the needs of its schools. Interested parties are advised to carefully review the detailed scores for the state found in Appendix A, and on the web at <http://www.edexcellence.net/tbfinstitute/authorizers.html>.

Note: The survey data for Pennsylvania came from four authorizer respondents (representing three major authorizers, overseeing 59% of operating schools); six observer respondents; and 15 charter operator respondents (of 90 total operating charter schools, or 17%).

Pennsylvania

Charter School & Authorizer Numbers

Year Initial Charter Law Enacted	1997
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Total Charter Schools & Students (as of Fall 2002)

# Approved Charter Schools	94
# Operating Charter Schools	90
# Charter Students (% of Total Public School Students)	32,575 (1.8%)

Total Closures (to date)

# Revocations or Non-renewals	3 (includes one cyber school)
# Voluntary Closures	0

Major Authorizers (those with three or more schools)

Names	# of Schools
Philadelphia District	45
State Department of Education	8
Pittsburgh District	5
Chester Upland District	3
West Chester Area District	3

Data Sources: Pennsylvania Department of Education, Office of Educational Initiatives; closure data supplied by the Community Loan Fund.

Report Card on Charter Authorizing:		Texas
I. State Policy Environment		
A. Support for Charter Schools		B-
B. Support & External Accountability for Authorizers		B-
II. Authorizer Practices		
A. Application Processes		B+
B. Approval Processes		B
C. Performance Contracts		A
D. Oversight		B+
E. Renewal & Revocation Processes		B+
F. Transparency & Internal Accountability		B+
Overall Grade		B+

Texas Charter School Law Overview

Texas's charter law, passed in 1995, allows several types of authorizers: the State Board of Education, local school districts, home rule districts (i.e., charter districts within a school district), and colleges or universities. In the past, the State Board issued two types of charters: "open enrollment" charters, which were capped at 215, and "at risk" charters, which had certain enrollment requirements, but no cap. In 2001, however, the legislature eliminated that distinction, and now all State Board-sponsored schools are capped at 215, with no enrollment requirements.

Although districts have no caps, few (other than Houston) have chartered many schools. One university has issued one charter to a school that will open in Fall 2003. There are no home rule districts so far, nor any home rule charter schools.

Oversight and monitoring of the State Board-authorized schools is handled through the Texas Education Agency (TEA). State-approved charter schools are legally and fiscally autonomous in most respects. They are also exempt from many state laws. District-sponsored charter schools, however, must follow local district rules except for those waived in the charter.

As of Fall 2002, according to TEA, 185 State Board and 32 district charter schools (under five different districts) were operating, for a total of 217. More have been approved to open in 2003. However, several others will close at the end of the 2002-03 school year due to three years of consistently low performances.

State Policy Environment

Support for Charter Schools: Texas received a B- for its support for charter schools. Compared to other states, Texas's policy environment is very supportive. Survey respondents rated the charter law highly for providing legal and fiscal autonomy to schools. Although some added regulations were adopted in 2001 due to a few high-profile school scandals and failures, there are no campaigns to significantly hinder the charter movement. For example, a recent law requires that charter school board members receive training. TEA agreed to make this training free to schools by using federal funds for this purpose. Although districts are reluctant to issue charters, they have not created extra difficulties for the charter schools that the state has approved. However, survey respondents were concerned that charter schools are not well accepted by local school districts, and that

parents and the public may not understand what charter schools are.

Texas has 20 regional Educational Service Centers to assist all public schools. These operate on a fee-for-service basis and have been encouraged to assist charter schools. The nonprofit (and privately funded) Charter School Resource Center also provides services to charter schools. TEA's website provides extensive information for charter applicants and operators, including applications and instructions, grant applications, a school handbook, reporting calendars, and budget information. Thus, Texas received high marks for technical assistance.

One concern for charter schools has been fulfilling the TEA's extensive data-reporting requirements. Some schools believe these requirements are indicative of increasingly intrusive oversight by TEA.

Support and External Accountability for

Authorizers: Texas received a B- in this area as well. Authorizers received high marks for making periodic reports to the state. In fact, TEA produces yearly reports on its authorizing activities that are available on its website. The state also is lauded for external oversight of authorizers and for its statewide school accountability system. One low-rated area, however, is adequate funding for staff and activities. Although the TEA's charter school staff has increased from two to twelve in the last six years, respondents still judged that it is understaffed in relation to the number of schools for which it is responsible.

Authorizer Practices

Application Processes: Texas received a B+ for its application processes. TEA clearly defines its requirements and procedures in an easily accessible on-line document. The few local districts with charter schools do not provide application information on the web, however, and little data is available on their procedures. Even the most active local authorizer, the Houston Independent School District, has no readily accessible application packet, according to survey respondents, though it does have standard procedures regarding timelines—giving applicants a clear set of approval criteria, and supplying denied applicants with written explanations of weaknesses.

Authorizers generally received high marks for outreach efforts, for holding information meetings, and for providing detailed application information, timelines, and approval standards.

Approval Processes: Texas received a B for its approval processes. For state-sponsored schools, TEA staff reviews applications to make sure they are complete before sending them to external reviewers to be scored. Applications with a minimum score are reviewed by several TEA units to ensure that they meet statutory requirements. Applicants are then interviewed by the planning committee of the State Board of Education, and TEA may schedule a public hearing. There is no appeals process for denied applicants, but they can resubmit in a subsequent cycle. Texas's highest scores were for using multiple reviewers to score applications and for providing enough time between charter approval and school openings.

Performance Contracts: Texas received an A for performance contracts. All schools, including charters, must participate in the yearly state assessment program. This assessment is a large part of the performance contracts, as are provisions for equal access, resources, etc. Charter schools also submit yearly audit reports. Consequently, raters gave Texas outstanding marks for all aspects of performance contracts.

Oversight: Texas received a B+ for oversight of charter schools. The first year that a state-sponsored charter school operates, TEA staff conducts a site visit. In the second year, TEA conducts a comprehensive review for charter compliance, special education services, Limited English Proficiency provisions, and finances. The school receives a Corrective Action Report and is assisted by the Charter School Resource Center to fix any problems. Additional accountability for student performance is also rigorous. Any charter school receiving a Low Performance rating for three consecutive years is reviewed for possible closure. A wide variety of technical assistance is available for charters from the Educational Service Centers, the Resource Center, and for-profit providers. Texas was rated particularly high for conducting announced visits by authorizers, requiring audits and financial reports, reviewing reports and flagging problems for follow-up, having a clear set of

actions to fix problems, and having an overall consistent oversight system that collects essential data. Note, though, that some respondents expressed concern that some financial data requests are unclear or do not apply to charter schools and thus create onerous (and needless) reporting burdens.

Renewal & Revocation Processes: Texas received a B+ in this area. TEA provides comprehensive workshops on a regular basis during the renewal cycle. The state received high marks for clearly written criteria, decisions based on student progress, analysis of pupil performance data, adequate remediation processes and time to fix problems, and provisions for closing poor schools.

The law does not stipulate a required length for charter contracts. State-approved schools are initially chartered for five years. The “first generation” of charters has completed the renewal process and all were granted ten-year charters. As of Fall 2002, eight charters had been revoked or non-renewed.

Transparency and Internal Accountability: Texas received a B+ here, too. Authorizers won high marks for having application information, policies, and evaluation reports easily accessible to the public.

Overall Grade

Based upon scores for 56 criteria, Texas earned a B– for its policy environment and a B+ for authorizer practices, resulting in an overall grade of B+. When observer and school operator survey respondents were asked to provide a single “holistic” grade, the average grade given was a C. This means that participants believe the overall picture is dimmer than indicated by ratings on individual criteria. Some noted that, while the right mechanics are still in place, people have a somewhat gloomy feeling about the health of, and support for, the charter movement in Texas.

Still, it would appear that good things are generally happening in Texas (especially when compared to many other states); however, some issues remain, which policymakers and authorizers should address. They are advised to carefully review the specific criterion-based scores for Texas found in Appendix A, and on the web at <http://www.edexcellence.net/tbfstitute/authorizers.html>.

Note: The survey data for Texas came from two authorizer respondents (representing the two largest authorizers in the state, overseeing 96% of operating schools); seven observer respondents; and 33 charter operator respondents (of 217 total operating charter schools, or 15%).

Texas

Charter School & Authorizer Numbers

Year Initial Charter Law Enacted	1995
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Total Charter Schools & Students (as of Fall 2002)

# Approved Charter Schools	230
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# Operating Charter Schools	217
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# Charter Students (% of Total Public School Students)	About 60,000 (1.5%)
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Total Closures (to date)

# Revocations or Non-renewals	8
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# Voluntary Closures	25
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Major Authorizers (those with three or more schools)

Name	# of Schools
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State Board of Education	185
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Houston Independent School District	25
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Dallas Public Schools	3
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Data Sources: Texas Education Agency & Houston Independent School District. Note the data for closures include only those from TEA and Houston Independent School District.

Report Card on Charter Authorizing:		Wisconsin
I. State Policy Environment		
A. Support for Charter Schools		B-
B. Support & External Accountability for Authorizers		C-
II. Authorizer Practices		
A. Application Processes		B-
B. Approval Processes		B+
C. Performance Contracts		A-
D. Oversight		B
E. Renewal & Revocation Processes		B
F. Transparency & Internal Accountability		B-
Overall Grade		B

Wisconsin Charter School Law Overview

Wisconsin's initial charter law was enacted in 1993. Only local boards may serve as authorizers, except for in Milwaukee. In that community, five entities can authorize and four have done so: Milwaukee Public Schools (20 schools), the City of Milwaukee (5 schools), the University of Wisconsin at Milwaukee (5 schools), and the University of Wisconsin–Parkside (1 school). The fifth authorizer, the Milwaukee Area Technical College, has decided not to use its authority.

There are no caps on the number of schools that local board authorizers can approve. Milwaukee has a cap based on an agreement between the Milwaukee Board of Education and the teachers union, which limits the total number of students served by contract services and charter schools. That cap has not yet been reached.

Two types of charters can be obtained from a school district: instrumentalities and non-instrumentalities. Most schools take the former form, meaning that the charter school remains legally part of the district that approves it, follows district policies, and fits into the district budget. The level of autonomy that such charters have, and their level of funding, is

determined by district policy and the bargaining agreement.

As of Fall 2002, 128 charter schools were approved and operating. Most (117) are authorized by 68 different local school boards, five by the City of Milwaukee, and six by universities.

State Policy Environment

Support for Charter Schools: Wisconsin rated a B- for charter support. As a whole, its charter environment depends greatly upon the personal views of local superintendents. Outside Milwaukee, schools have little recourse if their district decides to end the charter because it cannot or does not want to give the school any more money.

There is strong support for charter schools in the legislature, as shown by several rounds of improvement in the law, current interest in further improving the funding structure, and expanding the types of authorizers allowed. (A recently introduced bill would allow counties to charter schools, as well.) Although the new Governor doesn't champion the expansion of charter schools, he does not attack them either.

The state received high marks for its charter school association, as well as groups that assist potential

schools in design and development. In Milwaukee, in addition to a school incubator, there is a collaborative that supports existing charter schools.

Survey respondents do not, however, feel that parents and the public sufficiently understand what charter schools are.

Support and Accountability for Authorizers:

Wisconsin's C- is driven by authorizers' unhappiness with the funding they receive to fulfill their responsibilities, although the amount of funding they keep for such activities is under their control. Authorizers are rather autonomous since there is no appeals process and all operations of most charter schools are at the discretion of the local superintendent or school board.

Authorizer Practices

Application Processes: Mediocre scores across the board led to the state's B- in this category. Application procedures vary from district to district, but the law does require that certain minimum issues be addressed. Some districts have formal applications, while others expect applicants to write their own proposals. Even where a formal process is in place, in most instances, the superintendent decides whether it will go to the local board for approval. Again, the exception is Milwaukee where other authorizers (the city and university) have more formal application procedures.

Approval Processes: Wisconsin's approval processes received a B+. It earned above average scores in almost every criterion, and respondents generally felt that the overall application review process is non-political and focuses on application quality.

Performance Contracts: The state received an A- for its performance contracts, with high marks in all areas. Note, though, that charter contracts are not required by law, and schools operating as instrumentalities may not have them. (Such schools generally use the same monitoring for compliance as regular public schools.)

Oversight: Wisconsin received a B for oversight, with high scores for annual audits and progress reports, and for using these reports to notify schools of problems. Observers of Milwaukee note that the

multiple-authorizer environment seems to create a heightened sense of accountability. Early on, the City of Milwaukee set a high bar and the other two active authorizers followed with fairly rigorous accountability standards.

Renewal and Revocation Processes: Moderate scores in most criteria related to this category led to a grade of B. The highest mark was for analysis of school performance data. While some authorizers hire contractors to evaluate charter schools only in the year before the renewal process begins, others depend on yearly audits for evidence of success. Some may have nothing meaningful at all. Again, there is no appeals process, and authorizers themselves report that Wisconsin does not generally have quality review processes. As of Fall 2002, two charters had been revoked or non-renewed.

Transparency and Internal Accountability:

Wisconsin rated a B- in this category. Its highest mark was for publishing reports on each charter school. The state Department of Public Instruction also has information about grants, laws, and charter school directories on its website.

Overall Grade

Based on scores for 56 criteria, Wisconsin earned a C for its policy environment and a B for authorizer practices, resulting in an overall grade of B. When observer and school operator survey respondents were asked to provide a single "holistic" grade, the average grade given was a B-.

Overall, Wisconsin's charter school system, although complex, rates rather well. However, support and external accountability for authorizers are lacking. Policymakers are advised to carefully review the specific criterion-based scores for that category (as well as others); these scores can be found in Appendix A, and on the web at <http://www.edexcellence.net/tbfstitute/authorizers.html>.

Note: The survey data for Wisconsin came from seven authorizer respondents (representing six different authorizers—including four of seven major authorizers in the state—overseeing 38% of operating schools); seven observer respondents; and 25 charter operator respondents (of 128 total operating charter schools, or 20%).

Wisconsin

Charter School & Authorizer Numbers

Year Initial Charter Law Enacted 1993

Total Charter Schools & Students (as of Fall 2002)

Approved Charter Schools 128

Operating Charter Schools 128

Charter Students (% of Total Public School Students) About 19,200 (2.2%)

Total Closures (to date)

Revocations or Non-renewals 2 (2002-03 only)

Voluntary Closures 3 (end of 2002, only)

Major Authorizers (those with three or more schools)

Name	# of Schools
Milwaukee Public Schools	20
Appleton Area School District	9
School District of La Crosse	6
Stevens Point Area School District	6
City of Milwaukee	5
University of Wisconsin-Milwaukee	5
Eau Claire Area School District	4
Unified School District of Antigo	3
Kenosha School District	3

Data Source: Wisconsin Department of Public Instruction

Appendix A: Detailed State Tables

Table 14: Summary of Criteria & Grades, By State

	AZ	CA	CO	CT	DE	DC	FL	IL	IN	LA	MA	MI	MN	MO	NJ	NM	NY	NC	OH	OK	OR	PA	TX	WI	AVE	
I. State Charter School Policy Environment																										
A. Support for Charter Schools																										
◆ Well-developed charter network or association	2.78	3.38	3.32	2.42	3.45	2.68	2.74	2.22	2.23	1.86	3.56	3.32	3.63	1.98	3.09	1.47	2.76	2.36	2.91	2.55	2.09	2.13	3.04	3.16	2.71 C+	
◆ Adequate access to technical assistance	2.73	3.11	2.73	1.67	2.92	2.77	2.87	2.75	2.24	1.75	3.15	2.93	2.81	2.08	2.67	1.96	2.89	2.40	2.28	2.00	2.32	2.33	3.33	2.96	2.57 C	
◆ Sufficient contracting services	2.75	2.44	2.38	1.84	2.26	2.65	2.48	2.18	2.48	1.72	2.71	3.20	2.96	2.76	2.08	1.82	1.78	2.71	2.54	2.45	2.32	2.60	2.72	2.79	2.44 C-	
◆ Charter friendly state department of education	3.09	2.28	3.26	2.59	1.75	2.31	3.08	1.91	2.26	2.07	2.97	1.68	2.34	2.59	2.45	2.90	1.91	2.05	2.34	3.55	2.62	3.04	2.81	2.78	2.53 C	
◆ Sufficient political support for charter schools	2.79	2.12	2.89	1.50	1.90	2.15	2.78	1.32	1.73	1.66	2.14	1.78	2.46	2.19	1.99	2.29	1.81	1.75	2.27	2.25	2.34	2.14	2.50	2.69	2.14 D	
◆ Charter schools accepted by local school districts	1.85	1.98	2.13	1.59	1.42	1.22	2.04	1.80	1.34	1.32	1.38	1.45	1.79	1.66	1.79	1.43	1.38	1.52	1.34	1.55	1.91	1.32	1.91	2.49	1.65 F	
◆ Parents & public have under-standing of charter schools	2.21	1.63	1.89	1.92	1.60	2.02	1.77	1.49	2.20	1.37	1.68	1.86	1.71	1.95	2.10	1.75	1.33	1.62	1.84	1.90	1.54	1.72	1.82	1.80	1.78 F	
◆◆ Opportunity to create legally and financially autonomous schools	3.38	2.87	2.87	3.46	3.03	3.22	2.74	3.09	3.41	2.96	3.60	2.99	3.44	3.30	2.80	2.55	3.22	2.60	3.41	3.25	2.54	3.20	3.20	2.79	3.08 B+	
◆◆ Authorizers make decisions on merit, not politics	3.32	2.32	1.79	3.04	2.52	3.07	2.08	2.42	2.85	2.25	2.83	2.86	2.97	2.75	2.44	1.35	2.67	2.50	2.55	2.05	1.88	1.80	2.96	2.82	2.50 C	
◆◆ Ample opportunities for quality proposals to be approved	3.68	2.48	2.26	1.84	2.75	2.95	2.41	1.55	2.69	1.96	2.51	1.38	2.78	2.34	2.70	2.09	2.94	1.89	2.47	2.10	2.31	1.67	2.95	2.83	2.40 C-	
Average Score	3.00 B	2.48 C-	2.50 C	2.32 D+	2.45 C-	2.64 C+	2.48 C-	2.14 D	2.49 C-	2.01 D	2.73 B-	2.36 D+	2.78 B-	2.46 C-	2.47 C-	1.97 D-	2.42 C-	2.18 D	2.49 C-	2.39 C-	2.20 D+	2.20 D+	2.80 B-	2.73 B-	2.45 C-	
AZ	CA	CO	CT	DE	DC	FL	IL	IN	LA	MA	MI	MN	MO	NJ	NM	NY	NC	OH	OK	OR	PA	TX	WI	AVE		

Continued on next page

Table 14: Summary of Criteria & Grades, By State (Contd.)

	AZ	CA	CO	CT	DE	DC	FL	IL	IN	LA	MA	MI	MN	MO	NJ	NM	NY	NC	OH	OK	OR	PA	TX	WI	AVE	
I. B. Support & External Accountability for Authorizers																										
♦ Adequate funding for authorizers	3.00	2.27	1.88	1.00	1.50	3.00	2.11	2.67	1.00	3.00	3.00	3.18	2.50	1.00	NR	2.00	2.00	2.00	2.25	2.00	1.00	1.25	1.00	1.60	1.93 D-	
♦ Authorizers periodically report to some state body	2.87	1.52	1.41	2.67	3.11	2.80	2.00	3.41	2.09	2.67	3.01	2.68	1.25	1.60	3.33	1.67	3.37	3.33	2.57	2.89	1.64	1.78	3.18	2.86	2.49 C-	
♦ Some state body examines work of authorizers	3.09	2.04	1.76	1.33	2.84	1.94	2.47	2.44	1.51	2.59	3.17	3.12	1.71	1.22	1.45	1.63	2.56	2.60	3.17	2.33	1.81	1.73	3.47	2.25	2.26 D+	
♦ Media frequently reports on authorizer actions	3.08	2.00	1.84	1.63	2.78	2.33	2.27	2.67	2.78	2.63	2.80	2.60	1.83	2.18	3.00	2.00	3.19	3.00	2.62	2.00	2.21	2.18	2.73	2.32	2.45 C-	
♦ Schools may appeal or seek hearing regarding decisions	3.51	2.98	3.45	4.00	2.96	2.83	3.29	3.40	3.21	2.82	3.91	2.98	2.92	3.36	3.63	3.72	2.98	3.81	3.19	3.00	3.03	3.49	3.05	2.58	3.25 A-	
♦ Comprehensive school-based accountability system	3.38	2.48	3.55	3.34	3.17	1.75	3.06	2.81	2.71	3.47	2.37	2.28	2.26	3.15	3.50	3.47	2.14	3.18	3.18	2.50	2.81	2.45	3.46	2.87	2.89 B	
Average Score	3.16 B+	2.22 D+	2.32 D+	2.36 D+	2.73 B-	2.44 C-	2.53 C	2.90 B	2.22 D+	2.86 B-	3.04 B	2.81 B-	2.08 D	2.09 D	2.98 B	2.42 C-	2.71 C+	2.99 B	2.83 B-	2.45 C-	2.08 D	2.15 D	2.82 B-	2.41 C-	2.48 C-	
AZ	CA	CO	CT	DE	DC	FL	IL	IN	LA	MA	MI	MN	MO	NJ	NM	NY	NC	OH	OK	OR	PA	TX	WI	AVE		

Continued on next page

Table 14: Summary of Criteria & Grades, By State (Contd.)

	AZ	CA	CO	CT	DE	DC	FL	IL	IN	LA	MA	MI	MN	MO	NJ	NM	NY	NC	OH	OK	OR	PA	TX	WI	AVE	
II. Charter School Authorizer Practices																										
A. Application Processes																										
◆ Efforts made to get applications to broad range of applicants	2.88	2.11	2.26	2.67	1.63	2.93	2.34	2.60	3.05	1.83	2.89	2.71	2.37	2.64	2.65	1.61	2.11	3.21	2.58	1.84	1.79	2.17	3.21	2.54	2.44	C-
◆ Authorizers seek charter applicants to meet market gaps	1.68	1.75	1.11	1.45	1.33	2.47	2.00	1.91	2.36	1.50	3.17	2.36	1.25	1.67	2.11	1.33	1.92	1.40	2.33	1.50	1.50	1.55	2.67	2.66	1.87	D-
◆ Detailed application timelines exist	3.43	2.52	3.35	3.00	3.14	3.14	2.92	3.16	3.82	2.98	3.85	3.20	2.89	3.28	3.47	2.73	3.07	3.77	3.04	2.76	2.68	3.54	3.67	3.04	3.19	B+
◆ Informational meetings for applicants are held	3.24	2.25	2.52	2.42	2.21	3.20	2.65	3.03	3.05	1.93	3.47	3.14	2.39	2.18	3.50	1.73	2.49	2.76	2.73	1.45	2.22	2.80	3.47	2.75	2.65	C+
◆ Technical assistance offered and/or referrals are made	2.82	2.31	2.44	2.20	2.37	2.76	2.89	2.67	2.30	2.41	3.46	2.79	2.18	2.82	3.26	2.21	2.64	2.61	2.91	1.36	2.63	2.08	2.40	2.74	2.55	C
◆◆ Applicants receive application approval criteria	2.63	2.03	2.15	2.80	1.99	2.80	2.91	2.34	3.01	2.91	3.38	2.61	1.79	2.30	2.56	1.84	1.98	2.94	2.74	2.40	2.23	2.40	3.44	2.90	2.55	C
Average Score	2.76	2.14	2.28	2.48	2.09	2.87	2.66	2.58	2.93	2.35	3.37	2.77	2.09	2.46	2.87	1.90	2.31	2.80	2.72	1.96	2.18	2.42	3.19	2.79	2.54	
	B-	D	D+	C-	D	B-	C+	C	B	D+	A-	B-	D	C-	B-	D-	D+	B-	B-	D-	D	C-	B+	B-	B-	C
AZ	CA	CO	CT	DE	DC	FL	IL	IN	LA	MA	MI	MN	MO	NJ	NM	NY	NC	OH	OK	OR	PA	TX	WI	AVE		

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Table 14: Summary of Criteria & Grades, By State (Contd.)

	AZ	CA	CO	CT	DE	DC	FL	IL	IN	LA	MA	MI	MN	MO	NJ	NM	NY	NC	OH	OK	OR	PA	TX	WI	AVE
II. B. Approval Processes																									
◆ Multiple reviewers examine applications	2.82	2.40	2.24	3.33	2.76	3.25	2.87	2.93	3.53	3.09	3.83	2.90	2.18	3.50	3.33	2.33	3.78	3.14	2.97	4.00	2.22	2.55	3.47	3.09	3.02 B
◆ Qualified applicants can provide more information	3.17	2.53	2.61	3.60	3.07	3.53	3.39	3.17	3.33	3.27	3.29	3.12	2.69	2.78	3.60	2.47	3.19	3.24	3.31	3.20	2.84	2.24	2.65	3.46	3.07 B+
◆ Denied applicants receive written explanation	3.28	2.71	2.54	4.00	2.90	3.42	2.59	2.11	3.10	2.86	3.50	2.01	2.11	3.03	3.67	2.83	2.22	3.00	2.86	3.00	2.67	3.22	2.78	3.38	2.91 B
◆ Adequate time between approvals and school openings	3.00	2.66	2.75	2.67	3.11	2.92	2.56	1.98	3.07	3.27	3.33	2.32	2.33	1.83	2.78	2.55	2.78	3.45	2.75	2.67	2.56	2.42	3.67	3.36	2.78 B-
◆◆ Balance between rigorous approvals & chance to open	2.66	2.22	2.23	2.83	2.50	2.72	2.37	2.39	2.35	2.66	2.98	2.66	2.62	2.33	2.78	1.44	2.34	3.09	2.26	2.67	2.05	2.00	2.83	2.71	2.49 C
◆◆ Overall, reviews are non-political, & focus on quality	3.23	2.29	2.24	3.07	2.46	3.25	2.50	2.88	3.06	2.88	3.29	3.03	2.64	2.89	3.43	2.18	2.22	2.88	2.89	2.70	2.45	2.15	3.01	3.24	2.79 B-
Average Score	3.01 B	2.42 C	2.39 C	3.18 B+	2.72 B-	3.13 B+	2.64 C+	2.59 C	2.98 B	2.95 B	3.31 A-	2.72 B-	2.48 C-	2.70 C+	3.23 A-	2.18 D	2.64 C+	3.10 B+	2.77 B-	2.95 B	2.41 C-	2.34 D+	3.03 B	3.15 B+	2.79 B-
AZ	CA	CO	CT	DE	DC	FL	IL	IN	LA	MA	MI	MN	MO	NJ	NM	NY	NC	OH	OK	OR	PA	TX	WI	AVE	

Continued on next page

Table 14: Summary of Criteria & Grades, By State (Contd.)

	AZ	CA	CO	CT	DE	DC	FL	IL	IN	LA	MA	MI	MN	MO	NJ	NM	NY	NC	OH	OK	OR	PA	TX	WI	AVE		
II. C. Performance Contracts																											
◆ Clear school-specific mission and goals	3.52	3.49	3.55	3.78	3.30	3.55	3.51	3.41	3.79	3.39	3.68	3.65	3.45	3.53	3.55	3.22	3.81	3.40	3.72	3.73	3.33	3.49	3.60	3.60	3.54	A	
◆ Clear student recruitment & enrollment policies	3.66	3.49	3.59	4.00	3.30	3.36	3.45	3.85	3.64	3.44	3.76	3.80	3.43	3.63	3.89	3.34	3.81	3.73	3.79	3.53	3.78	3.62	3.74	3.66	3.64	A	
◆ Clear special-needs student provisions	3.72	3.26	3.59	3.55	3.13	3.36	3.23	3.07	3.47	2.81	3.52	3.37	3.15	3.06	3.78	3.06	3.27	3.57	3.58	3.20	3.05	3.53	3.71	3.58	3.36	A-	
◆ Clearly identified resources and level of school autonomy	3.45	3.11	3.34	3.55	3.07	3.14	3.15	3.29	3.11	2.97	2.97	3.32	3.13	3.12	2.78	3.19	3.09	3.26	3.75	2.73	2.78	3.41	3.61	3.32	3.19	B+	
◆ Clear student achievement and data requirements	3.34	3.21	3.07	3.33	3.33	3.36	3.29	3.45	3.51	3.25	3.14	3.53	3.32	2.94	3.11	2.91	3.43	3.53	3.57	3.00	3.16	3.31	3.65	3.58	3.31	A-	
◆◆ Clear consequences for not meeting outcomes	2.63	2.81	2.76	3.11	3.03	2.95	3.05	2.89	3.57	3.06	2.88	3.44	2.85	3.05	2.78	2.55	2.60	3.43	3.43	3.07	3.00	2.75	3.39	3.36	3.02	B	
◆◆ Overall quality good enough to hold schools accountable	3.00	1.43	2.50	3.50	2.83	2.50	2.40	3.00	3.14	2.80	3.25	2.67	2.25	2.60	2.67	2.00	3.00	2.75	3.00	2.00	2.36	2.00	3.57	2.86	2.67	C+	
Average Score	3.22	2.78	3.07	3.49	3.09	3.07	3.06	3.21	3.44	3.06	3.26	3.32	2.96	3.06	3.11	2.76	3.18	3.32	3.47	2.93	2.98	2.98	3.58	3.35	3.16		
	B+	B-	B+	A	B+	B+	B+	B+	A-	B+	A-	A-	B	B+	B+	B-	B+	A-	A-	B	B	B	B	A	A-	B+	
AZ	CA	CO	CT	DE	DC	FL	IL	IN	LA	MA	MI	MN	MO	NJ	NM	NY	NC	OH	OK	OR	PA	TX	WI	AVE			

Continued on next page

Table 14: Summary of Criteria & Grades, By State (Contd.)

	AZ	CA	CO	CT	DE	DC	FL	IL	IN	LA	MA	MI	MN	MO	NJ	NM	NY	NC	OH	OK	OR	PA	TX	WI	AVE
II. D. Oversight																									
◆ Periodic announced visits by authorizers	3.13	2.80	2.26	3.78	3.30	3.89	3.05	2.89	3.69	2.64	3.87	3.83	2.73	3.15	3.89	1.87	3.89	2.20	3.68	2.33	2.78	1.57	3.25	2.86	3.06 B+
◆ Periodic unannounced visits by authorizers	2.46	2.24	2.01	1.00	3.43	2.20	2.21	1.45	2.91	2.33	1.31	3.22	2.03	2.12	3.20	1.67	2.97	2.03	2.75	2.33	2.12	1.43	2.33	2.31	2.25 D+
◆ Periodic financial audits & progress reports required	3.94	3.70	3.60	4.00	3.87	3.83	3.76	4.00	3.96	3.67	3.89	3.94	3.81	3.88	4.00	3.46	3.97	3.93	3.95	2.53	3.78	3.40	3.87	3.70	3.77 A+
◆ Reports reviewed, problems flagged, & schools notified	3.51	3.38	3.01	4.00	3.60	3.43	3.28	3.56	3.63	3.36	3.17	3.79	3.40	3.40	3.45	2.93	3.54	3.81	3.32	2.67	3.40	2.64	3.75	3.45	3.40 A-
◆ Actions to address potential problems clearly delineated	3.08	2.50	2.41	3.78	2.87	3.17	2.94	2.70	3.41	2.70	2.57	3.47	2.60	2.83	3.45	1.92	3.22	3.67	2.66	2.86	3.06	1.76	3.50	2.76	2.91 B
◆◆ Authorizers work to shield schools from red tape	2.73	1.92	1.80	1.73	2.33	2.60	2.06	2.82	2.52	1.64	2.71	2.41	2.06	1.89	1.93	1.49	2.29	1.82	2.32	1.00	2.09	1.60	2.49	2.57	2.12 D
◆◆ Systems hold schools accountable, w/out micromanagement	3.03	2.27	2.31	2.77	2.64	2.67	2.63	2.98	3.08	2.63	3.04	2.92	2.70	2.50	2.88	2.19	2.82	2.62	2.63	2.12	2.55	2.08	2.89	2.90	2.66 C+
◆◆ Overall, good oversight systems exist	2.82	2.22	1.89	2.94	2.64	2.88	2.57	3.05	3.08	2.69	3.06	3.16	2.32	2.51	2.57	1.62	2.82	3.02	2.64	2.28	2.29	1.66	3.19	2.97	2.62 C+
Average Score	3.03 B	2.49 C-	2.29 D+	2.86 B-	2.94 B	2.98 B	2.71 C+	2.94 B	3.18 B+	2.60 C	2.95 B	3.20 B+	2.61 C+	2.65 C+	2.98 B	2.04 D	3.04 B	2.78 B-	2.86 B-	2.14 D	2.64 C+	1.95 D-	3.08 B+	2.91 B	2.74 B-
AZ	CA	CO	CT	DE	DC	FL	IL	IN	LA	MA	MI	MN	MO	NJ	NM	NY	NC	OH	OK	OR	PA	TX	WI	AVE	

Continued on next page

Table 14: Summary of Criteria & Grades, By State (Contd.)

	AZ	CA	CO	CT	DE	DC	FL	IL	IN	LA	MA	MI	MN	MO	NJ	NM	NY	NC	OH	OK	OR	PA	TX	WI	AVE	
II. E. Renewal & Revocation Processes																										
♦♦ Clear written criteria for formal review and renewal	3.08	2.16	2.53	3.47	3.15	3.09	2.66	3.33	2.92	2.81	3.43	3.21	2.61	2.61	3.37	2.35	2.93	3.77	3.01	1.90	2.45	2.60	3.08	3.02	2.90	B
♦ Renewal decisions based on student achievement progress	2.78	2.51	2.50	3.13	3.06	2.91	2.91	3.33	3.65	3.00	3.57	2.95	2.60	3.16	3.44	2.70	2.83	3.48	3.03	2.30	2.79	2.53	3.18	2.87	2.97	B
♦ Authorizers independently analyze performance data	2.75	2.90	2.77	3.00	3.20	3.17	3.24	3.56	2.97	3.14	3.30	3.35	2.83	2.63	3.67	1.98	3.72	3.61	3.06	3.67	3.07	2.08	3.75	3.60	3.13	B+
♦ Processes for notifying poor performing schools	2.95	1.89	2.01	3.55	2.33	3.22	3.00	2.50	2.50	2.56	2.42	2.64	2.25	2.60	2.78	1.87	3.00	3.33	2.36	3.33	2.28	1.73	3.50	2.72	2.64	C+
♦ Specific provisions for closing a school if warranted	3.13	2.06	1.78	3.33	2.21	3.17	3.24	3.00	2.87	2.99	4.00	2.51	2.34	2.83	3.50	1.33	3.67	3.33	3.33	2.00	2.50	2.08	3.19	2.54	2.79	B-
♦ Authorizers have made difficult decisions	2.45	2.29	2.21	3.17	2.86	3.14	2.60	2.89	2.33	2.65	3.36	2.85	2.57	2.33	3.00	2.11	2.56	3.24	2.74	3.00	2.04	2.03	2.81	2.47	2.65	C+
♦♦ Overall, quality review process	3.08	2.36	2.93	3.50	3.09	2.92	2.82	3.04	2.83	2.66	3.65	2.99	2.68	2.38	3.37	1.79	3.00	3.02	3.10	1.50	2.50	2.33	3.09	2.90	2.81	B-
Average Score	2.93	2.30	2.47	3.35	2.90	3.07	2.88	3.11	2.87	2.81	3.42	2.97	2.57	2.61	3.32	2.03	3.07	3.40	2.97	2.34	2.51	2.26	3.20	2.89	2.84	B-
	B	D+	C-	A-	B	B+	B-	B+	B-	B-	A-	B	C	C+	A-	D	B+	A-	B	D+	C	D+	B+	B	B-	
AZ	CA	CO	CT	DE	DC	FL	IL	IN	LA	MA	MI	MN	MO	NJ	NM	NY	NC	OH	OK	OR	PA	TX	WI	AVE		

Continued on next page

Table 14: Summary of Criteria & Grades, By State (Contd.)

	AZ	CA	CO	CT	DE	DC	FL	IL	IN	LA	MA	MI	MN	MO	NJ	NM	NY	NC	OH	OK	OR	PA	TX	WI	AVE
<i>II. F. Transparency & Internal Accountability</i>																									
♦ Comprehensive application easily available	3.41	2.21	2.73	3.47	2.70	3.20	3.00	3.15	3.62	3.22	3.71	3.14	2.56	2.60	3.80	2.44	3.38	3.82	3.09	2.56	2.70	3.12	3.28	2.75	3.07 B+
♦ Key authorizer policies readily available to the public	2.94	2.02	2.55	2.45	2.42	2.34	2.34	1.74	2.98	2.48	3.33	2.55	2.33	2.89	2.83	1.26	2.00	3.42	2.85	2.33	2.27	2.56	3.33	2.67	2.54 C
♦ Approved proposals or summaries available to public	2.78	2.22	2.38	3.11	2.83	2.67	2.57	3.00	3.60	2.14	3.73	2.66	2.13	2.67	2.67	2.33	3.00	2.89	2.80	3.33	2.13	2.85	3.17	3.02	2.78 B-
♦ School progress reports published by authorizers	2.09	1.77	2.13	2.22	2.42	2.56	1.78	2.52	1.89	2.85	3.32	2.80	1.60	1.78	2.17	1.63	2.22	2.92	2.48	1.56	1.71	1.36	3.22	3.11	2.25 D+
♦ Authorizers formally evaluating their practices	2.73	2.11	1.80	2.61	1.78	2.31	2.01	2.08	2.67	2.08	2.97	2.72	2.03	1.55	3.33	1.26	1.89	2.75	2.55	2.00	1.84	2.00	3.22	2.56	2.29 D+
♦ ♦ Overall, authorizers fully transparent about key decisions	2.93	2.22	1.93	2.94	2.64	2.78	2.60	2.92	2.78	2.69	3.13	3.15	2.50	2.31	2.78	1.62	2.75	3.02	2.44	2.12	2.29	1.89	2.99	2.91	2.60 C
Average Score	2.83	2.11	2.21	2.82	2.49	2.66	2.41	2.62	2.90	2.59	3.33	2.88	2.24	2.30	2.91	1.74	2.57	3.12	2.66	2.29	2.18	2.24	3.17	2.85	2.59 C
OVERALL STATE SCORE (average of 8 categories)	2.99	2.37	2.44	2.86	2.68	2.86	2.67	2.76	2.88	2.65	3.18	2.88	2.48	2.54	2.98	2.13	2.76	2.96	2.85	2.43	2.40	2.32	3.11	2.89	2.71 C+
Grading Scale:																									
4.00 - 3.75 = A+	3.22 - 3.06 = B+																								
3.74 - 3.49 = A	2.71 - 2.61 = C+																								
3.48 - 3.23 = A-	2.60 - 2.50 = C																								
	2.38 - 2.20 = D+																								
	2.19 - 2.01 = D																								
	2.00 - 1.82 = D-																								
	1.81 - 1.00 = F																								

Notes: Criteria marked with ♦ ♦ were given double weight. The maximum score of 4.0 means the respondents perceived the criteria to be "completely true," while the minimum score of 1.0 means "not true at all." NR = no survey responses for those items.

Table 15: Respondent Demographics

State	# School Respondents as % of Charter Schools Operating during Fall 2002	# Observer Respondents	Authorizer Respondents		
			# Authorizer Respondents	# Different Authorizers	# and % of Schools Overseen by Authorizer Respondents
AZ	115 of 457 (25%)*	17	7	4	447 (98%)
CA	63 of 427 (15%)	16	16	13	133 (31%)
CO	37 of 94 (40%)	5	8	6	40 (43%)
CT	3 of 13 (23%)	4	1	1	13 (100%)
DE	5 of 11 (46%)	14	2	2	11 (100%)
DC	6 of 42 (14%)	8	4	2	42 (100%)
FL	29 of 232 (13%)	5	18	17	101 (44%)
IL	9 of 28 (32%)	5	3	2	22 (79%)
IN	18 of 11 (100+)*	10	2	1	6 (55%)
LA	8 of 20 (40%)	12	3	2	15 (75%)
MA	22 of 46 (48%)	5	3	1	46 (100%)
MI	41 of 188 (22%)	9	11	10	129 (69%)
MN	20 of 77 (26%)	9	4	3	13 (17%)
MO	11 of 26 (42%)	5	2	2	17 (65%)
NJ	6 of 50 (12%)	5	1	1	50 (100%)
NM	17 of 27 (63%)*	3	4	4	16 (59%)
NY	22 of 38 (58%)*	3	3	2	33 (87%)
NC	20 of 95 (21%)	8	1	1	95 (100%)
OH	13 of 126 (10%)	11	4	4	118 (94%)
OK	5 of 11 (45%)	2	1	1	8 (73%)
OR	12 of 23 (52%)	15	3	2	6 (26%)
PA	15 of 90 (17%)	6	4	3	53 (59%)
TX	33 of 217 (15%)	7	2	2	209 (96%)
WI	25 of 128 (20%)	7	7	7	49 (38%)
Total	555 of 2,477 (22%)*	191	114	93	1,672 (68%)
860 Total Respondents					

* The percent response rate noted for 4 states (AZ, IN, NM, and NY) and the overall total may be lower since multiple e-mail addresses for some schools were received, and therefore more than one response per school may have been received.

Table 16: Types of Authorizers & Numbers of Schools, By State (School Year 2002–03)

State	Overall Grade	Total Operating Schools	Authorizing Body							
			State School Board	State Charter Board	University or Comm. College	City or Mayor's Office	Non-Profit Organ.	County, Regional, Intermed. District	Local District Voluntary	Local District Required (via state appeal)
MA	B+	46	100% (46)							
TX	B+	217	85% (185)		1 approved*				15% (32)	
AZ	B	457	18% (84)	72% (329)					10% (44)	
NJ	B	50	100% (50)							
NC	B	95	100% (95)							
WI	B	128			5% (6)	4% (5)			91% (117)	
IN	B-	11			55% (6)	27% (3)			18% (2)	
MI	B-	188			81% (152)			13% (24)	6% (12)	
DC	B-	42		60% (25)					40% (17)	
CT	B-	13	100% (13)							
OH	B-	126	80% (101)		6% (7)			7% (9)	7% (9)	
IL	B-	28	7% (2)						93% (26)	
NY	B-	38	21% (8)		63%(24)				16% (6)	
Subtotal "B" range states:		1,439	584	354	195	8	0	33	265	0
DE	C+	11	91% (10)						9% (1)	
FL	C+	232			0.4% (1)				99.5% (231)	3 approved*
LA	C+	20	70% (14)						30% (6)	
MO	C	26			88% (23)				12% (3)	
MN	C-	77	9% (7)		31% (24)		5% (4)		55% (42)	
CO	C-	94							81% (76)	19% (18)
OK	C-	11							100% (11)	
OR	C-	23	2 approved*						100% (23)	
Subtotal "C" range states:		494	31	0	48	0	4	0	393	18
CA	D+	427	1% (5)					6% (26)	93% (396)	
PA	D+	90	9% (8)						78% (70)	13% (12)
NM	D	27							67% (18)	33% (9)
Subtotal "D" range states:		544	13	0	0	0	0	26	484	21
Total:		2,477	628	354	243	8	4	59	1,142	39

Authorizer Groups with at least 20% of a state's schools are shaded.

* represents new authorizers having approved schools to open Fall 2003, with such schools not included in current total for a given state.

Table 17: Active Authorizers By Type, By State (School Year 2002–03)

State	Overall Grade	Total # Authorizers	Number of Authorizers						
			State Board of Education	State Charter Board	University or Comm. College	City or Mayor's Office	Non-Profit Organ.	County, Regional, or Intermediate District	Local District
MA	B+	1	1						
TX	B+	6	1						5
AZ	B	11	1	1					9
NJ	B	1	1						
NC	B	1	1						
WI	B	71			2	1			68
IN	B-	4			1	1			2
MI	B-	27			12			10	5
DC	B-	2		1					1
CT	B-	1	1						
OH	B-	10	1		1			1	7
IL	B-	7	1						6
NY	B-	3	1		1				1
Subtotal		145	9	2	17	2	0	11	104
DE	C+	2	1						1
FL	C+	37			1				36
LA	C+	4	1						3
MO	C	8			6				2
MN	C-	40	1		15		4		20
CO	C-	38							38
OK	C-	2							2
OR	C-	17							17
Subtotal		148	3	0	22	0	4	0	119
CA	D+	201	1					18	182
PA	D+	22	1						21
NM	D	13							13
Subtotal		236	2	0	0	0	0	18	216
Total		529	14	2	39	2	4	29	439

Table 18: Adequacy of Funding & Authorizer Fees, By State

State	Authorizer Practices Grade	State Provides Funding to "Cover Essential Authorizer Activities" and/or Allows Fee to be Charged (% of authorizer respondents)					Fee Charged to Charter Schools (% of authorizer respondents)				
		No	Yes, but does not cover	Yes, but just barely covers	Yes, more than covers	"Adequate" funding (sum of just barely & more than)	No fee charged	Only initial app. fee	Fee equaling 1-2% of budget	Fee equaling 3-5% of budget	Fee >5% of budget
MA	A-			100%		100%	100%				
TX	B+	100%				0%	100%				
NC	B+		100%			0%	100%				
NJ	B+	No response					100%				
IN	B	100%				0%			100%		
CT	B	100%				0%	100%				
WI	B	60%	20%	20%		20%	33%		67%		
MI	B	9%		55%	36%	91%	27%		73%		
AZ	B		29%	57%	14%	71%	71%		29%		
DC	B		25%	50%	25%	75%			75%	25%*	
OH	B	25%	25%	50%		50%	50%	25%	25%		
IL	B-		33%	67%		67%	100%				
NY	B-	67%			33%	33%	100%				
FL	B-	17%	61%	17%	6%	23%	28%		61%	11%	
LA	B-	33%			67%	67%	100%				
DE	C+	50%	50%			0%	100%				
MO	C+	100%				0%	100%				
MN	C-	25%		75%		75%	50%		50%		
OR	C-	67%	33%			0%	100%				
CO	C-	25%	63%	13%		13%	13%		13%	50%	
OK	C-		100%			0%	No response				
CA	D+	6%	63%	31%		31%			88%	13%	
PA	D+	75%	25%			0%	100%				
NM	D	33%	33%	33%		33%	50%		50%		

Note: These data were as reported by the authorizer respondents, and states are ranked in this chart by the "authorizer practices" grade. In examining these data, remember that notions of adequacy are subjective. In addition, the fee size may have been interpreted differently by respondents. For example, some authorizers keep a portion of the school's per pupil funding for both authorizer oversight, as well as other services (e.g., accounting, technical assistance).

* Although one authorizer respondent from the District of Columbia noted the charging of a fee greater than 5%, other data confirm that a fee of only 0.5% of a school's operating budget is actually charged.

Table 19: Authorizer Role & Rationale, By State

State	Authorizers Provide Great Deal of Technical Assistance	Authorizers Advocate for Charter School Movement	Authorizers Charter Schools Primarily to Provide Additional Student Choice Options	Authorizers Charter Schools Primarily Due to Political Pressure and/or Economic Reasons
MA	1.00	3.56	4.00	1.00
TX	4.00	4.00	4.00	2.67
AZ	3.61	3.81	3.81	2.09
NJ	3.00	3.00	4.00	1.00
NC	4.00	4.00	4.00	1.00
WI	2.67	3.56	4.00	1.52
MI	2.67	3.40	3.64	1.93
IN	2.67	1.00	4.00	1.00
DC	2.50	3.33	3.67	1.00
CT	2.50	1.00	4.00	1.00
OH	3.33	3.33	3.33	2.33
IL	2.23	3.56	4.00	2.00
NY	3.11	3.56	3.56	1.33
DE	3.33	3.33	4.00	1.00
FL	3.40	2.44	3.13	2.36
LA	2.22	1.78	3.56	1.33
MO	2.67	4.00	3.33	2.00
MN	2.67	3.33	4.00	1.00
CO	2.17	2.67	3.51	2.17
OR	3.56	2.22	2.67	2.22
CA	3.00	2.67	3.17	2.08
PA	2.00	1.67	2.33	3.67
NM	2.00	2.00	3.00	2.67

Notes: These data are as reported by the authorizer respondents. A 4.00 = "completely true;" 1.00 = "not true at all." Cells with a 2.50 or higher score are highlighted. Oklahoma authorizers did not respond to this question.

Appendix B: Primary State Contacts

Primary State Contacts

Arizona

- Mary Gifford (Field, Sarvas, King and Coleman, P.C.)
- Kristen Jordison (Arizona State Board for Charter Schools)
- Bonnie Strong (Arizona Department of Education, Charter School Division)
- Lori Damanti (Arizona Department of Education, Charter School Division)

California

- Brad Strong (EdVoice)
- Dave Patterson (California Network of Educational Charters)

Colorado

- Jim Griffin (Colorado League of Charter Schools)

Connecticut

- Claire Howard (Connecticut Charter Schools Network)

Delaware

- Martha Manning (Delaware Charter School Network, Focus on the Kids, Inc.)

District of Columbia

- Shirley Monastra (D.C. Public Charter School Resource Center)

Florida

- Robert Haag (Florida Consortium of Charter Schools)
- Mary Levinson (Florida Consortium of Charter Schools)

Illinois

- John Ayers (Leadership for Quality Education)
- Greg Richmond (Chicago Public Schools Charter School Office)

Indiana

- Derek Redelman (The Hudson Institute)

Louisiana

- Kathy Matheny (Professional Educators of Louisiana)

Massachusetts

- Linda Brown (Massachusetts Charter School Resource Center)

Michigan

- Dan Quisenberry (Michigan Association of Public School Academies)

Minnesota

- Steve Dess (Minnesota Association of Charter Schools)

Missouri

- Dave Camden (Charter School Information Center)

New Mexico

- Ruth M. LeBlanc (New Mexico State Department of Education, Alternative Education Unit)

New Jersey

- Sarah Tantillo (New Jersey Charter Public Schools Association)

New York

- Gerry Vazquez (New York Charter School Resource Center)
- Bill Phillips (New York Charter School Association)

North Carolina

- Roger Gerber (North Carolina League of Charter Schools)

Primary State Contacts (Contd.)**Ohio**

- Clint Satow (Ohio Community Schools Association)
- Steve Ramsey (Ohio Community Schools Association)

Oklahoma

- Janet Barresi (Independence Charter Middle School)

Oregon

- Rob Kremer (Oregon Charter School Service Center)

Pennsylvania

- Jeremy Resnick (Community Loan Fund/Propel)

Texas

- Patsy O' Neill (Charter School Resource Center)
- Sally Friedli (Charter School Resource Center)

Wisconsin

- Cindy Zautcke (Institute for the Transformation of Learning, Marquette University)
- Paula Crandall Decker (Wisconsin Department of Public Instruction)



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