

The 2009 ranking reflects the most critical components of a good charter school law, those the federal Education Department should focus on in order to evaluate those states most likely to make it in the Race to the Top

Charter School Law Ranking and Scorecard 2009

STATE	T	OK	NC	IL	TN	NH	AR	MD	RI	AK	CT	HI	WY	KS	VA
Year Law Passed	95	99	96	96	02	95	95	03	95	95	96	94	95	94	98
Multiple Authorizers (15)	3	2	3	2	2	2	2	1	2	1	2	2	1	1	1
Number of Schools Allowed (10)	2	2	2	1	2	5	2	4	2	5	1	2	10	10	10
Operations (15)															
• State Autonomy	2	2	2	3	1	3	1	1	1	1	1	3	2	0	0
• District Autonomy	2	2	3	2	1	2	2	2	1	1	2	2	0	0	0
• Collective Bargaining Equity (15)	3	5	3	3	5	5	3	1	0	0	3	0	0	1	0
• 100% Funding	7	5	4	5	5	2	5	5	7	4	3	2	2	0	0
• Facilities Funds Implementation Points	0	0.5	0	0	0	0	0	0	0	0	0	0	0	0	0
2009 Total Score (out of 55)	19	18.5	17	16	16	16	15	14	13	12	12	11	10	9	8
2009 Rank	25	26	27	28	29	30	31	32	33	34	35	36	37	38	39
2008 Total Score	27	32.5	33.5	27.75	23.75	26.5	24	21	15	20	23	20	20.25	19	16
2008 Rank	27	19	17	26	31	29	30	33	39	36	32	35	34	37	38
Number of Charters as of Feb. 2009	31	14	103	74	14	11	25	34	11	26	21	32	3	40	4

12 out of 55 pts possible

34

Definitions

1. Multiple Chartering Authorizers (15 points). Does the state permit entities other than traditional school boards to create and manage charter schools independently, and does the existence of such a provision actually lead to the active practice of independent authorizing? Independent entities may include universities, independent boards, and mayors.

2. Equity (15 points). Fiscal equity requires that not only are the amounts received the same, but charters receive monies from the identical streams and routes as other schools. If the law guarantees that charter schools receive money that is the same amount as and received in the same manner as traditional public schools, then they will be viewed as and treated the same as public schools in law and practice.

3. Operations (15 points). How much independence from existing state and district operational rules and procedures is codified in law and results in freedom and flexibility as intended? In the early charter laws, a provision known as the blanket waiver ensured that once opened, charter schools could set their own processes and rules for operations, while still adhering to standards, safety and civil rights requirements.

4. Number of Schools Allowed (10 points). How many charter schools are allowed to open, whether annually, in total throughout the state, or on a local level? Do the caps imposed through charter law hinder the growth and development of the charter school movement in the state? It is not enough to simply have an unlimited provision in a state law regarding the number of charters that can be approved. Virginia, Wyoming, and Delaware all, by law, allow an unlimited number of schools, but constrain growth in other ways. Restrictions are not only defined by how many schools exist—some states also restrict total enrollment and per pupil revenue to limit charter growth.

(States were able to score extra—or lose—points for accountability and other factors.)

http://www.edreform.com/Fast_Facts/Ed_Reform_FAQs/?Just_the_FAQs_Charter_Schools

NATIONAL CHARTER SCHOOL & ENROLLMENT STATISTICS 2009

STATE	OPERATING IN 2008-2009	OPEN IN 2009-2010	APPROVED TO OPEN IN FUTURE	TOTAL OPERATING	TOTAL ENROLLMENT	LAW GRADE 09	10
Alaska	26	1	0	27	5,489	D	
Alabama	523	13	0	536	10,000	B	
Arkansas	28	6	0	34	7,812	D	
Arizona	771	89	6	866	10,000	A	
Colorado	151	15	8	166	63,799	B	
Connecticut	21	0	0	21	10,000	D	
Delaware	19	0	3	19	8,990	B	
Florida	375	38	12	413	131,183	B	
Georgia	85	1	0	86	10,000	C	
Hawaii	32	0	0	32	7,878	D	C
Idaho	30	5	6	41	10,000	C	
Illinois	80	8	1	88	33,400	D	O
Indiana	50	5	2	57	10,000	B	
Iowa	9	0	0	9	1,462	F	M
Kansas	27	0	0	27	10,000	D	
Louisiana	65	13	2	78	29,078	C	I
Maine	35	2	1	38	10,000	D	
Massachusetts	63	2	1	65	25,579	C	N
Michigan	270	1	6	277	10,000	B	
Minnesota	158	4	1	162	28,371	A	G
Mississippi	38	6	1	45	10,000	B	
Nevada	25	3	0	28	8,559	C	
New Hampshire	10	0	0	10	10,000	D	
New Jersey	65	7	1	72	20,496	C	S
New Mexico	66	6	1	73	10,000	B	
New York	125	29	19	154	44,000	B	O
North Carolina	102	10	0	112	10,000	D	
Ohio	323	15	0	338	94,171	C	O
Oklahoma	15	2	0	17	10,000	D	
Oregon	92	16	0	108	16,809	C	N
Pennsylvania	134	10	0	144	10,000	F	
Rhode Island	11	2	0	13	3,106	D	
South Carolina	34	4	0	38	10,000	C	
Tennessee	16	5	1	21	4,301	D	
Texas	394	12	0	406	10,000	D	
Utah	68	8	6	76	30,183	B	
Vermont	0	0	1	1	10,000	D	
Wisconsin	219	4	0	223	37,432	C	
Wyoming	0	0	0	0	10,000	D	
TOTAL	4,624	119	89	5,018	1,360,997		

State	Facilities Funding
Arizona	Charter schools receive a per pupil allocation called "additional assistance." These monies can be used for anything from teacher salaries to transportation to facility construction. The amount of "additional assistance" is currently \$1,405 per pupil in kindergarten through grade eight and \$1,644 per pupil in grades nine through twelve. http://www.azleg.state.az.us/FormatDocument.asp?InDoc=/ars/15/00185.htm&Title=15&DocType=ARS (see B, 4)
California	A charter schools revolving loan fund allows charter schools to receive loans for as much as \$250,000, allowing up to five years for repayment. A school can use these loans for any start-up costs, including facilities. http://www.leginfo.ca.gov/cgi-bin/displaycode?section=edc&group=41001-42000&file=41360-41367 The charter school facilities program authorizes the State Allocation Board to provide per pupil facilities grant funding for 50% of the total project cost for new construction of charter school facilities. This program is subject to available statewide school bonds passed to support charter school facilities. Currently, no funding is available to support this program, while a backlog of almost \$2 billion of eligible charter projects exists. http://www.leginfo.ca.gov/cgi-bin/displaycode?section=edc&group=17001-18000&file=17078.52-17078.66 A lease aid funding program for charter schools in low-income areas provides up to \$750 per student. http://leginfo.ca.gov/cgi-bin/displaycode?section=edc&group=47001-48000&file=47610-47615 (See 47614.5)
Colorado	For FY 2009, \$5 million in capital construction funds have been appropriated and are provided to qualified charter schools on a per-pupil basis. See Word document entitled "CO Per-Pupil Charter Facilities Funds Statute." The legislature also provides a mechanism for limited credit enhancement for eligible, highly rated bond transactions for charter schools, by using the state's moral obligation to back up to \$400 million in debt. See Word document entitled "CO Moral Obligation for Charter Facilities Statute."
Connecticut	For the two-year budget cycle starting on July 1, 2006, the state provided \$10 million in bond financing to cover facilities costs at existing charter schools, disbursed through a competitive application process. For the two-year budget cycle starting on July 1, 2008, the state provided an additional \$10 million in bond financing to cover facilities costs at existing charter schools, disbursed through a competitive application process. http://www.cga.ct.gov/2007/pub/Chap164.htm#Sec10-66ij.htm http://www.cga.ct.gov/2007/pub/Chap164.htm#Sec10-66hh.htm
D.C.	There is a per-pupil facilities aid program in D.C. The amount is based on a five year moving average of capital funds available to the school system. For Fiscal Year 2009, the allowance as calculated at \$3,109 per pupil. See Word document entitled "DC Charter Facilities Funding Statute." The City Build Charter School Initiative promotes community revitalization with a particular emphasis on strengthening public charter schools. Most of the grants from this program have been allocated for facilities and expansion projects. The Fiscal Year 2009 District of Columbia Appropriations Act includes \$3.25 million for the program. The Public Charter School Credit Enhancement Fund provides credit enhancement for the purchase, construction, and/or renovation of facilities for charter schools. The program offers guarantees or collateral pledges of up to \$3 million for two to five years. http://frwebgate.access.gpo.gov/cgi-bin/getdoc.cgi?dbname=browse_usc&docid=Cite:+20USC1155 (Sections 1155(e)(2)(B) and 1155(e)(3)) The District of Columbia's Direct Loan Fund for Charter School Improvement provides flexible loan capital for the construction, purchase, renovation and maintenance of charter school facilities. Loans are capped at \$2 million per school. \$4.5 million in federal appropriations was earmarked for this initiative for Fiscal Year 2009. http://government.westlaw.com/linkedslice/default.asp?rs=gvt1.0&vr=2.0&sp=dcc-1000 (Section 38-1833.02)
Florida	For FY 2009, Florida appropriated \$57 million for its per-pupil charter facilities funding

Facilities Funding	
	<p>program. http://www.flsenate.gov/statutes/index.cfm?App_mode=Display_Statute&Search_String=&URL=Ch1013/Sec62.HTM</p>
Georgia	<p>The state has a per-pupil, needs-based capital-funding program. Approximately \$2 million was appropriated for FY 2010. See Word document entitled "GA Charter Facilities Funding Statute."</p>
Massachusetts	<p>Charter schools receive a per-pupil capital needs allowance as part of their per pupil tuition revenue. For Fiscal Year 2009, the per pupil capital needs component was \$893.http://www.mass.gov/legis/laws/mgl/71-89.htm (See nn)</p>
Minnesota	<p>The state provides lease aid to charter schools in the amount of 90% of lease costs or \$1,200 per-pupil. With approval of the state department of education, charter schools may lease space from public or private nonprofit, nonsectarian organizations and from sectarian organizations.http://www.revisor.leg.state.mn.us/stats/124D/11.html (See Subd. 4)</p>
New Mexico	<p>Lease payments for charter schools for FY 2010: \$700 per student.http://nmcharterschools.org/docs/charter_schools/charter_schools_act.pdf (See 22-8B-14)</p>
New York	<p>The Charter Schools Stimulus Fund provides discretionary financial support to charter schools for start-up costs and for costs associated with the acquisition, renovation and construction of school facilities. Grants awarded by the New York State Board of Regents are capped at \$200,000, and those awarded by the State University of New York are capped at \$350,000. \$5.5 million was appropriated for the FY 2009 school year. See Word document entitled "NY Charter Schools Stimulus Fund Statute."</p>
Oklahoma	<p>The charter school incentive fund provides up to \$50,000 per school to cover costs associated with renovating or remodeling existing buildings and structures for use by a charter school. See Word document entitled "OK Charter Facilities Funding Statute."</p>
Pennsylvania	<p>The state department of education calculates an approved reimbursable annual rental charge for leases of buildings or portions of buildings for charter school use which have been approved by the secretary of education on or after July 1, 2001. This charge is the lesser of (1) the annual rental payable under the provisions of the approved lease agreement or (2) the product of the enrollment times \$160 for elementary schools, \$220 for secondary schools or \$270 for area vocational-technical schools. See Word document entitled "PA Charter Facilities Funding Statute."</p>
Utah	<p>The Local Revenue Replacement Program provides an additional annual per pupil appropriation for charter schools to replace some of the local property tax revenue that traditionally covers maintenance and operation, capital projects and debt service. A minimum of 10% of the grant monies must be expended for facilities. This facilities dedication was \$143 per pupil in Fiscal Year 2009.http://le.utah.gov/~code/TITLE53A/htm/53A02032.htm The state has created a charter school revolving loan fund. This fund provides loans to charter schools for the costs of constructing, renovating, and purchasing charter school facilities. This fund is capitalized at \$6,000,000.http://www.rules.utah.gov/publicat/code/r277/r277-487.htm</p>