ON THE ROAD TO BETTER ACCESSIBILITY, AUTONOMY, & ACCOUNTABILITY:

STATE POLICY ANALYSIS 2015



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EXECUTIVE SUMMARY

Across America, there is much debate about charter schools. Some of that debate is about the existence of charter schools and whether there should be more or fewer of them. More of the debate is about the quality and oversight of charter schools.

This publication is part of that debate and speaks to the state laws and policies that greatly determine how many charter schools exist (accessibility), the flexibility they have to operate (autonomy), and the standards of quality and oversight they must meet (accountability).

It is easy to find zealous voices arguing for or against charter school policies based on theories or ideologies. Some believe charter schools should be heavily regulated, along the lines of school districts. Some believe that 6,700 charter schools serving more than 2.9 million children can somehow all be eliminated. Others argue for less regulation and faster growth, even in places where some charter schools or types of operators are failing.

The National Association of Charter School Authorizers (NACSA) approaches this debate from a unique position—real-world experience—and that position is reflected in this publication. NACSA is a professional membership organization of the agencies that approve, monitor, renew, and sometimes close charter schools. NACSA staff has worked in virtually every state and major city with charter schools. Here is what we know from our experiences:

Most of the state laws and policies governing charter school accessibility, autonomy, and accountability need to be improved.

In communities where charter schools and authorizers are achieving good things, they sometimes are achieving them despite state laws, not because of them. In communities where there are too many failing charter schools, too often the laws do not support quality and accountability.

This publication presents eight state policy recommendations that can provide a solid foundation for better accessibility, autonomy, and accountability for charter schools. It also analyzes and ranks each state's current policies against these eight recommendations.

This is not a rating of the quality of the charter schools in each state, for state laws are only one factor affecting school quality. It is also not a rating of the actions of the authorizers in each state, for authorizers often develop practices that work around weaknesses or vagaries in state law.

Rather, this is a publication that presents policies that NACSA believes would strengthen every state charter school law based on experience. Each state will need to customize these policy recommendations to fit its unique context. But no state should believe that it can ignore or avoid this debate.

The debate about more or fewer charter schools and more or less regulation is upon us. The question is not whether new laws will be passed, but which ones.

At NACSA, we recommend that policymakers draw heavily from these commonsense recommendations that have been informed by years of experience strengthening accessibility, autonomy, and accountability for charter schools.

As the charter school sector continues to evolve and push into new realms of policies and experiences, NACSA is committed to the continual examination of our policy approach and analysis. NACSA is dedicated to ensuring that the policies we promote are supported by the best evidence available to support authorizers, charter schools, and, most importantly, strong student outcomes.



POLICIES THAT PROMOTE CHARTER SCHOOL EXCELLENCE

These eight policies are not new ideas, nor are they cumbersome rules and regulations. They are simply cornerstones of charter school excellence protected in state law.

Together these policies ensure a legal framework for every state to

- · set high standards for all charter schools;
- · approve only good new charter schools;
- monitor the performance of all charter schools;
- empower successful schools to remain open and possibly grow;
- · close charter schools that persistently fail.

A strikingly diverse group of states—states that aren't often grouped together in policy discussions, such as Alabama, Delaware, Indiana, Maine, Minnesota, Missouri, Nevada, Ohio, South Carolina, Texas, and Washington—have adopted six, seven, or all eight of these policies. These states can already point to results that matter to families, such as the default closure policy weeding out the schools that aren't doing right by kids, and the replication policy making it easier for successful schools to grow.

On the other hand, when these policies aren't codified in state law—as was the case in Connecticut and Indiana—even the best charter authorizers and schools are in danger.

3 Principles and 8 Policies

AUTONOMY: uphold school autonomy

ACCOUNTABILITY: maintain high standards for schools

ACCESSIBILITY: protect student and public interests

Authorizer Quality Policies

- 1. Who Authorizes (alternative authorizer): every charter school can be authorized by at least one body other than the local school district
- 2. Authorizer Standards: the state endorses national professional standards for quality charter school authorizing
- 3. Authorizer Evaluations: a state entity can evaluate authorizers on their practices or the performance of their charter schools—regularly or as needed
- 4. Authorizer Sanctions: authorizers face consequences if they have poor practices or a high proportion of persistently failing schools

School Accountability Policies

- **5. Reports on Performance**: every authorizer publishes an annual report on the academic performance of the charter schools it oversees
- 6. Performance Management and Replication: every charter school is bound by a charter contract and a set of performance expectations; high-performing charter schools are encouraged to replicate
- 7. Renewal Standard: authorizers can close charter schools that don't meet their academic performance expectations
- 8. Default Closure: charter schools that perform below a certain minimum threshold are closed



WHAT'S POLICY GOT TO DO WITH IT?

Good policy is the road to stability, consistency, and quality in public school systems.

But today's system—which in most states includes charter schools—isn't our parents' public school system. This is a newer, more nimble system of schools built on the premise that it is a privilege to educate America's children. This privilege must be earned, not granted in perpetuity. This newer kind of public school system means we need new policies to protect and guide those who seek this privilege to serve.

NACSA's <u>Principles & Standards for Quality Charter School</u>
<u>Authorizing</u> were developed a decade ago and are continually updated. The three national professional principles are to uphold school autonomy, maintain high standards for schools, and protect student and public interests. The eight policies reflect those three principles at work within state law—the logical, natural next step of the field's values.

Good authorizer practice—also guided by the same *Principles & Standards*—can get you far, but it is impermanent. Practice alone is not enough. It fills in the voids left by state policy; the larger the void, the more we must trust practices to fill in the details. When we find success in authorizer practices, it is the responsibility of leaders to go back and fill in those voids with smart policies. This ensures that future iterations of our public school systems are stable, consistent, and high quality.

NACSA crafted these policies so that when winds blow, whims shift, or leadership changes, the bedrock of the charter sector in any given state can hold steady. We already have 25 years of experience as a nation getting chartering right, so we know a lot about which policies make the most sense. NACSA's *Principles & Standards* point to these policies, which work in state law to improve charter school sectors using quality authorizing.

POSITIVE POLICY CHANGES TO STATE LAW

NACSA's first State Policy Analysis in 2014 was used to understand challenges and push for change. A number of improvements have happened in the months since:

Alabama became the 44th state to pass a charter school law. The state's policies receive a nearly perfect score.

Arizona added new laws to create mechanisms for the oversight of authorizing activity.

Colorado made it easier for high-performing charter schools to replicate.

Connecticut adopted a strong renewal standard that links renewal with school performance, instituted annual reporting requirements, and now requires a charter contract with clear performance goals.

Delaware modified its display method for annual performance data, ensuring the public can access this data for every charter school.

Indiana established an authorizer application and evaluation process and added the final recommended performance management tool. Indiana now receives a perfect score.

Georgia adopted new rules that create an authorizer evaluation system, require authorizers to issue annual performance reports, establish a strong renewal standard, and create incentives for the replication of high-performing charter schools.

Louisiana made it easier for high-performing charter schools to replicate.

Missouri made it easier to monitor charter school performance by requiring authorizers to use performance frameworks.

Nevada adopted regulations for regular authorizer evaluations and made it easier for high-performing charter management organizations to expand. Nevada now receives a perfect score.

Ohio passed comprehensive legislation to address many of the challenges discovered during implementation of earlier charter school reform legislation. This includes creating a strong renewal standard and specific policies to prevent authorizer shopping.

Oklahoma passed significant charter school reform legislation that expands charter schools statewide while putting in place performance management and annual reporting requirements, authorizer standards, authorizer sanctions, and mechanisms to close failing charter schools. Oklahoma gained the most points of any existing charter state in 2015.

Tennessee issued new rules and guidelines concerning annual reports on charter school performance, ensuring the public has access to robust academic performance information.

Wisconsin added additional authorizers, now requires annual reports on charter school performance, and created an incentive for the replication of high-performing charter schools.



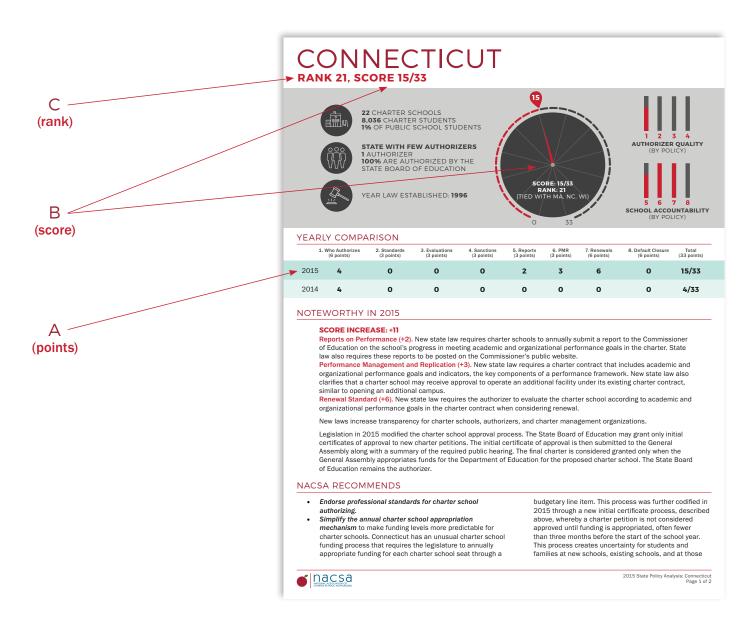
IMPORTANT CHANGES TO THE 2015 STATE POLICY ANALYSIS

This 2015 edition is streamlined and considerably simplified. We use the same rubric and scoring scheme. But last year's more complex grouping of states (based on their authorizing environment) has been replaced by a single ranked list of all 42 states plus Washington, D.C.¹ A universal scoring mechanism makes it easier to see where your state stands and where it can improve. Both of these changes reflect our cumulative experience working in the field. Both help stakeholders focus on one goal: smart policies in every state.

This report describes how each of these eight policies promotes quality and accountability in charter schools across the country. State-by-state profiles provide a road map to address shortcomings and safeguard what's working. The focus here is state policies that set expectations for and requirements of both authorizers and the schools they oversee—not on local or individual authorizers' policies or practices.

In this analysis, states receive **points** (A) for each recommended policy in their law (or partial points for partial policies). The points are added to determine the **score** (B) for each state's charter law. Based on this score, each state receives a corresponding **rank** (C).

Each state's two-page profile gives score and rank, and some quick data on the chartering sector. We provide a comparison between 2015 and 2014, highlight any improvements, and share recommendations. The opposite page dives into each of the eight policies and why that state received the points it did.





CLOSING THOUGHTS

This publication analyzes the current policy reality of each chartering state, not authorizers' day-to-day practices.

It isn't designed to tell the whole story of a state charter school law or the whole story of a state's charter school sector. We focus here on policy to ensure quality both tomorrow and for years to come, in recognition that increased accountability is how to open and sustain more great public schools for our nation's kids. The publication tells a unique story that is a complement to other publications in the field.²

At NACSA, we believe all kids deserve a quality public education. We want to work with decision makers to ensure a policy environment to make that more likely, not less likely. Let's create a policy environment where great schools can be created and sustained so more kids get that chance that is their unalienable right: the chance to attend a quality public school.



CHARTER SCHOOL STATES AND THEIR STATE POLICY SCORES

Table 1. Charter School States & Their State Policy Scores

(See Appendix A for Methodology)

As context for NACSA's ranking, below is the briefest of snapshots of each state's charter school policy, which can provide insight into a state's motivation to enact policy changes or address practice challenges

Context Matters

NACSA's scoring rubric is based on a framework of policies in law, regulation, and/or rules. The eight policies are not new ideas, nor are they cumbersome rules and regulations. They are simply cornerstones of charter school excellence protected in state law.

We recognize that certain states may not have the ability to enact some of the policies for a variety of reasons. Moreover, policies are only one part of the puzzle—what people do with them through implementation and the development of practices matters, too. Implementation does not exist in a vacuum. It is done within an administrative and political landscape by people and institutions that might not always get it right the first time.

Beyond the policy framework, lawmakers, stakeholders, and authorizers must ensure that the policies are implemented properly to provide quality charter schools to families and avert perverse incentives that undermine the system. Over time, a successful charter school system requires a combination of smart policy, committed people, and strong practice.

As with any study, there are anomalies:

- Ohio is illustrative of the complex dynamic between policy and implementation. The state scores very well on our rubric; however, there have been problems putting the policies into practice. Policymakers responded with another round of reforms to rectify the situation. NACSA and the charter community believe it can work.
- New York represents an example of a successful charter school system with strong practices in place across their authorizing sector, despite not having NACSA's recommended policies enacted into law.
- In addition, there are states—Alabama, for example—that rank high because they recently passed legislation containing most, if not all, of NACSA's policies. However, it will take time for those policies—and their implementation—to affect student outcomes and be reflected in an assessment of the charter school system.

NACSA, through smart policy, committed people, and strong practice, will maintain its high expectations for charter schools and the children they serve.

RANK	STATE	2015 SCORE (33 points possible)	POLICY & PRACTICE CONTEXT
1	Indiana	33	Indiana passed law changes between 2011 and 2015 designed to increase the consistency of school accountability and authorizer quality. Indiana authorizers supported these changes.
1	Nevada	33	In 2013 and 2015, Nevada passed laws designed to improve authorizer quality, strengthen charter school accountability, and encourage the growth of high-performing charter schools. The legislation was partially motivated by generally weak charter school performance.



RANK	STATE	2015 SCORE (33 points possible)	POLICY & PRACTICE CONTEXT
3	Ohio	32	Ohio passed law changes between 2009 and 2015 that, among other provisions, created new charter school closure mechanisms and a system for the evaluation of authorizers. Ohio had significant challenges with implementation at the state, authorizer, and school level over several years. New reforms passed in fall 2015 are an attempt to address these challenges.
4	Alabama	31	Alabama passed a new charter law in 2015 that is based on best practices in charter school policy.
5	Texas	27	Texas passed significant reforms in 2013 to address a history of mixed charter school quality and accountability in the state. The legislation also raised the cap on the number of charter schools allowed and created several first-of-its-kind measures to encourage the replication of high-performing charter schools.
6	Minnesota	26	Minnesota passed policy provisions in 2009 that created the first authorizer application system, designed to regularly evaluate authorizers to determine if they should be allowed to continue authorizing schools. This includes requirements that authorizers use numerous best practices. The implementation of these policies is in progress.
6	Mississippi	26	Mississippi passed a new charter law in 2013 that is based on best practices in charter school policy.
8	Missouri	25	Missouri passed significant authorizer quality and school accountability reforms in the last several years. The implementation of these policies is ongoing.
8	South Carolina	25	In 2011 and 2014, South Carolina passed significant authorizer quality and school accountability reforms, largely in concert with the statewide authorizer created in 2006. The implementation of these policies is ongoing.
10	Louisiana	24	The Recovery School District had already developed and employed several model practices, which were subsequently enacted into policy. If any additional statewide authorizers, which are allowed but not currently operating, ever become active, they must adhere to several authorizer quality policies.
10	Oklahoma	24	Oklahoma passed comprehensive legislation in 2015 to allow charter schools across the state and establish additional school and authorizer accountability measures. The implementation of these measures has just begun.
12	Delaware	21	Over the last several years, Delaware passed and implemented significant authorizer quality and school accountability reforms through law, regulation, and changes in practices. The implementation of these policies is ongoing.



RANK	STATE	2015 SCORE (33 points possible)	POLICY & PRACTICE CONTEXT
12	Hawaii	21	Hawaii passed significant reforms of its charter school law in 2011, including the creation of a new statewide authorizer. The implementation of these policies is ongoing.
14	Georgia	20	Georgia adopted several charter school policies over a number of years, notably through the regulatory process in 2014 and 2015. The policies were designed, among other things, to improve authorizer quality and consistency, create assistance for struggling authorizers, and create a strong renewal process throughout the state.
14	Tennessee	20	In 2014, Tennessee passed significant school accountability and authorizer quality policies, which included the expansion of the appellate authorizer. The State also modified the implementation of a handful of policies, most notably making an existing annual charter report more robust to provide better information to the public.
16	District of Columbia	19	D.C. has only one authorizer, with policy set by the City Council. This sole authorizer voluntarily employs strong practices that mirror those that result from NACSA's recommended policies—enacting them into law will ensure they continue into the future.
16	Maine	19	Maine passed a new charter law in 2011 based on best practices in charter school policy.
18	Arizona	18	In 2015, Arizona passed several authorizer quality policies to ensure strong practices among all authorizers. The primary authorizer already employs strong practices and the new law was designed to ensure all authorizers do so, as well.
18	Florida	18	Florida has several school accountability policies with few authorizer quality policies. The state has developed and promulgated voluntary standards for authorizer quality; however, the State should incorporate these Principles & Standards and performance metrics into law.
20	Idaho	16	In 2013, Idaho modernized its charter school law to put several charter school accountability mechanisms in place, including performance-based contracts. Idaho voluntarily employs strong authorizing practices that mirror those that result from NACSA's recommended policies—enacting them into law will ensure they continue into the future.
21	Connecticut	15	In 2015, Connecticut passed comprehensive policy reform to ensure the single authorizer employs strong practices for charter school accountability and transparency. However, the State does not officially endorse professional standards for charter school authorizing.



RANK	STATE	2015 SCORE (33 points possible)	POLICY & PRACTICE CONTEXT
21	Massachusetts	15	Massachusetts has adopted several charter school accountability policies, largely through the regulatory process. The sole authorizer voluntarily employs practices that largely mirror those that result from NACSA's recommended policies.
21	New Mexico	15	New Mexico has a mixed policy and practice environment, partially as a result of a diverse community of school district, Native American-focused, and statewide authorizers.
21	North Carolina	15	North Carolina has a high growth rate since the charter school cap was expanded in 2011. The sole authorizer has put several school accountability policies in place through regulation.
21	Wisconsin	15	Wisconsin passed significant legislation in 2015 that created new authorizers and strengthened authorizer quality and school accountability initiatives.
26	Illinois	14	Illinois has several authorizer quality policies in place, spurred largely by the creation of an appellate Independent Charter Board and the resulting rules and regulations. Charters are concentrated in Chicago, where authorizing practices have become unpredictable.
27	New Jersey	13	New Jersey has only one authorizer, with much policy set through rules and regulations. The sole authorizer voluntarily employs strong practices that mirror those that result from NACSA's recommended policies—enacting them into law will ensure they continue into the future.
27	Rhode Island	13	Rhode Island has only one authorizer, with much policy set through rules and regulations. The sole authorizer voluntarily employs strong practices that largely mirror those that result from NACSA's recommended policies—enacting them into law will ensure they continue into the future.
29	Arkansas	12	Arkansas has a small charter school sector with largely undeveloped authorizing policies.
29	New Hampshire	12	New Hampshire has a small charter school sector with largely undeveloped authorizing policies.
31	California	11	California has a school district-focused policy structure that combines some charter school accountability policies with a multi-tiered appeal structure. This creates extreme variability within the authorizing sector, with hundreds of authorizers with very small portfolios and largely undeveloped authorizer practices.
31	Pennsylvania	11	Pennsylvania has tried unsuccessfully to pass charter law reform in the last several years. The State should bring consistency to historically variable authorizer practices and engage in standardized performance management practices.



RANK	STATE	2015 SCORE (33 points possible)	POLICY & PRACTICE CONTEXT
33	Colorado	10	Colorado has a school district-focused policy structure that encourages authorizers to use best practices in charter school authorizing through rules, making samples available, and an appeal process. There is significant variability of authorizer size, with generally strong authorizer practices among authorizers with 10 or more schools.
34	Michigan	9	Opinions on Michigan's charter school law, authorizing practices, and charter school quality vary tremendously. There are instances of both strength and weakness and local stakeholders vigorously debate how to improve.
35	Utah	8	Utah policy lacks many basic school accountability and authorizer quality provisions.
36	New York	7	New York is an example of a state where authorizers successfully work around many deficiencies in state policy. Authorizers voluntarily employ strong practices that largely mirror those that result from NACSA's recommended policies.
37	Oregon	5	Oregon has school-district focused authorizing with generally undeveloped charter school policy and authorizer practices. The state primarily has authorizers with small portfolios of charter schools.
38	lowa	4	lowa has a moribund charter school law with little accountability or autonomy.
39	Alaska	3	Alaska has a moribund charter school law with little accountability or autonomy.
39	Wyoming	3	Wyoming has a moribund charter school law with little accountability or autonomy.
41	Maryland	2	Maryland has a highly variable charter sector with autonomy and accountability determined largely by each school district. Outside of those districts that grant autonomy, including Baltimore, the law is considered moribund.
42	Virginia	1	Virginia has a moribund charter school law with little accountability or autonomy.
43	Kansas	0	Kansas has a moribund charter school law with little accountability or autonomy.
	Washington*		The Washington State Supreme Court held Washington's 2012 charter school law unconstitutional. Before the court's decision, Washington received a score of 33.

^{*}Note: On September 4, 2015, the Washington Supreme Court held Washington State's charter school statute unconstitutional under "common school" and other provisions of the state constitution, based primarily on how those provisions relate to public school funding and governance. On November 19, 2015, the Washington Supreme Court ruled it will not reconsider its earlier decision; therefore, the state's charter school law remains invalidated. The ruling was not a comment on NACSA's eight recommended policies. To learn more about how the state's law scored before it was struck down, see our 2014 analysis.



NACSA AT A GLANCE

At NACSA, we believe all kids deserve a quality public education.

When done well, charter schools are a proven way to provide quality public education—not just for a few kids, but for millions.

While most education improvement plans can take a decade or even a generation to demonstrate impact, in many urban areas, charter schools have immediately transformed lives.

Charter school authorizers—many of whom are NACSA members, including school districts, education agencies, independent boards, universities, and not-for-profits—work to increase the number of great charter schools across the nation. They do this through smart charter growth: encouraging the replication of the best schools and making tough decisions to close low-performing schools. Through smart growth, authorizers will give hundreds of thousands of kids a better chance each year.

For more than 15 years, NACSA has worked alongside authorizers to build the gold standard for charter school authorizing. Our work advances excellence and accountability in the sector, whether we're providing authorizers with practical resources and policy guidelines or advocating for laws that raise the bar among authorizers and the schools they charter.

NACSA's One Million Lives campaign is dedicated to providing one million more children the chance to attend a great school that will prepare them for success throughout their lives. We work to engage and support authorizers and a broad coalition to open many new, high-performing charter schools and close those charter schools that persistently fail children.

This state policy analysis is based on NACSA's research on authorizing, education policy, and years of experience in every state with a significant charter school presence. NACSA has extensive, first-hand experience working with, and for, authorizers across the country. This includes overseeing application evaluation processes in Arizona, Florida, New Orleans, Tennessee, and Washington; designing performance frameworks in Delaware, Hawaii, Indiana, Nevada, and New Mexico; and conducting detailed and comprehensive evaluations of nearly 40 authorizing agencies across the nation.



EIGHT STATE POLICIES FOR ACCESSIBILITY, AUTONOMY, AND ACCOUNTABILITY

Authorizer Quality Policies

- 1. Who Authorizes (alternative authorizer): every charter school can be authorized by at least one body other than the local school district
- **2. Authorizer Standards**: the state endorses national professional standards for quality charter school authorizing
- **3. Authorizer Evaluations:** a state entity can evaluate authorizers on their practices or the performance of their charter schools—regularly or as needed
- **4. Authorizer Sanctions:** authorizers face consequences if they have poor practices or a high proportion of persistently failing schools

POLICY 1: WHO AUTHORIZES

What:

NACSA supports policy that produces at least two high-quality authorizers in every jurisdiction. At least one of these authorizers should be an alternative to the local school district (LEA)—ideally a statewide independent charter board (ICB) established with the sole mission of chartering quality schools. Each charter applicant should be able to apply directly to either authorizer. If only one authorizer is present, such as a local school district, there should at a minimum be an authorizer that can consider and authorize on appeal.

Why:

Having more than one authorizer provides a fail-safe for high-quality charter schools—it prevents a single reluctant, ambivalent, or hostile authorizer from blocking good charter school applicants or inappropriately closing schools. These alternative authorizers can also help establish expectations for all authorizers and provide models of strong practice that others can follow. Additionally, the presence of a second authorizer gives states the ability to sanction a specific authorizer without indirectly harming future applicants or strong schools.

This policy receives double weight in NACSA's rubric because the absence of a quality authorizer in any jurisdiction can make it difficult to establish quality charter schools, diminishing the impact of the rest of the policies.

This approach is not meant to promote a large number of authorizers operating in any single locale.

POLICY 2: AUTHORIZER STANDARDS

What:

NACSA supports policy requiring every state to endorse national professional standards for quality charter school authorizing and requiring all authorizers to meet these standards. Ideally, these standards will be NACSA's *Principles & Standards*. They were created by independent experts and represent more than 15 years of continuous development in the changing charter school landscape. These standards ensure authorizers engage in a full range of oversight activities, including (1) holding schools accountable for their performance goals, (2) protecting public dollars, and (3) looking out for the needs of special populations and the larger community. Importantly, these standards also uphold the charter school model by striking the appropriate balance between autonomy and oversight overreach. Alternatively, a state should develop or endorse standards that are well aligned with NACSA's, requiring and providing guidance on strong authorizer practices and addressing all major stages and responsibilities of charter school authorizing and oversight.



Why:

Professional standards for authorizing promote rigor in charter school oversight and accountability for charter school performance. Authorizing is both a major public stewardship role and a complex profession requiring particular capacities and commitment. It should be treated as such—with standards-based barriers to entry and ongoing evaluation to maintain the right to authorize. NACSA's *Principles & Standards* guide authorizers through all key stages of charter oversight and include standards designed to protect student and public interests and to safeguard charter school autonomy.

POLICY 3: AUTHORIZER EVALUATIONS

What:

NACSA supports policy requiring a qualified state entity to regularly evaluate authorizers on adherence to authorizer standards and on the performance of the charter schools they oversee. In some states, such as those that have only one authorizer, regular self-evaluation by authorizers themselves may be appropriate.

Why:

Authorizer evaluations function as the authorizer equivalent of a charter school renewal evaluation, providing an opportunity to assess an authorizer's performance on multiple levels. Evaluations ensure transparency so the public and policymakers know if and how an authorizer is contributing to a high-quality charter school sector. If needed, these evaluations also provide a basis for further oversight. They require authorizers to step back from their day-to-day actions and transparently evaluate their practices. External evaluations also provide rigorous, unbiased evidence that can form a legitimate basis for authorizer sanctions.

POLICY 4: AUTHORIZER SANCTIONS

What:

NACSA supports policy that sanctions authorizers if they do not meet professional standards or if the schools they oversee persistently fail to meet performance standards. Sanctions may include revoking the authorizer's authority to oversee schools, revoking the authorizer's authority to authorize new schools, and transferring schools to other authorizers. Some forms of authorizer sanctions may be counterproductive until a state has a viable alternative authorizer. Where this is the case, authorizer standards and evaluations should be used to inform and improve the authorizer's practices rather than to apply sanctions that would eliminate the only available authorizer.

Why:

Authorizers, like charter schools, must be closed if they persistently fail.³ The public entrusts authorizers with the expectation that they will maintain portfolios of schools that serve the public good. This includes fostering strong student outcomes; maintaining the public trust through transparent, ethical actions; and adhering to professional standards in practices. An authorizer that violates this trust is no longer serving the public good and, as a result, should no longer have the right to authorize charter schools. Authorizer sanctions are not meant to eliminate the only available authorizer in any state or locale. This would contradict the purpose of charter school authorizing. Rather, authorizer sanctions ensure that, where there is an alternative authorizer, policymakers have a mechanism for pushing failing authorizers out of the sector. Even a single authorizer willing to help weak applicants and failing schools escape rigor and accountability can undermine strong practices by all other authorizers.



School Accountability Policies

- **5. Reports on Performance:** every authorizer publishes an annual report on the academic performance of the charter schools it oversees
- **6. Performance Management and Replication:** every charter school is bound by a charter contract and a set of performance expectations; high-performing charter schools are encouraged to replicate
- 7. Renewal Standard: authorizers can close charter schools that don't meet their academic performance expectations
- 8. Default Closure: charter schools that perform below a certain minimum threshold are closed

POLICY 5: REPORTS ON PERFORMANCE

What:

NACSA supports policy requiring a public report on the academic performance of each charter school in an authorizer's portfolio. This report should include measures of performance as established by the state accountability system and, ideally, the measures from the school performance framework used by the authorizer and set forth in the charter contract.

Why:

Policymakers, schools, parents, and the general public should have access to transparent information on the academic performance of charter schools. These reports serve multiple purposes. They provide individual schools with an annual check-in against the performance goals in their charter agreement. They provide policymakers, authorizers, and other stakeholders with a consolidated look at the portfolio of schools each authorizer oversees, helping identify any patterns of school performance that may point to either deficient or exceptional authorizing practices. But most importantly, these reports ensure transparency. Transparency is necessary to help parents make informed educational choices. Annual public performance reports provide all stakeholders with a clear picture of charter school performance.

POLICY 6: PERFORMANCE MANAGEMENT AND REPLICATION

What:

NACSA supports policy requiring every authorizer to execute a charter contract with each of its schools. The contract should be a distinct document—separate from the charter petition or application—articulating the rights and responsibilities of the school and authorizer and setting forth the performance standards and expectations the school must meet to earn renewal. Each authorizer should be required to use a performance framework for all its schools. These frameworks should reflect the academic, financial, and organizational performance expectations outlined in the charter contract and provide the basis for authorizers' renewal decisions.

States should also adopt policies that promote the thoughtful replication of high-quality schools. Policies that encourage replication include using a differentiated application process designed for high-performing schools seeking to replicate, and allowing successful charter operators to run multiple campuses under one charter. NACSA particularly recommends state policies that (a) explicitly encourage quality replication of successful schools and (b) require authorizers to evaluate prospective school replicators rigorously (and differently from initial charter applicants) based on their performance records, growth planning, and demonstrated capacity to replicate high-quality schools.⁴



Why:

Performance management policies are the foundation on which charter school accountability is built. These practices promote academic rigor and accountability for performance. Charter contracts and performance frameworks establish school performance expectations at the outset. They also provide the transparency and predictability that allow authorizers to fulfill their public obligations while focusing on results instead of compliance-based oversight that can erode charter school autonomy. With these tools in place to establish and enforce high expectations, it then becomes possible to identify the charter schools that are ripe for replication. State policies promoting quality replication make this possible by encouraging successful school models to flourish and serve more students while guarding against low-quality replication.

POLICY 7: RENEWAL STANDARD

What:

NACSA supports policy requiring strong renewal standards. A strong renewal standard allows authorizers to hold schools accountable if they fail to achieve the outcomes in their charter contract at the end of their charter term. It is distinct from a standard applied for charter revocation (closing a school during its charter term). Revoking a charter before the end of its term typically requires clear evidence of extreme underperformance or violation of law or the public trust that imperils students or public funds. A renewal standard should be set much higher.

Why:

The strong renewal standard allows authorizers to enforce accountability and close failing charter schools when necessary. It shifts the burden of proof from the authorizer to a failing school—making renewal something that is earned by schools when they demonstrate success. In practice, statutory language around "reasonable progress" has led some courts and appellate bodies to keep demonstrably failing schools open because the school argued that state law required the authorizer to keep them open if they could provide any evidence of "progress." Success should be defined by the achievement of a goal, not merely the opposite of failure. This policy change would remove language from charter laws that makes it difficult to close failing schools.

This element receives double weight in NACSA's rubric. Authorizers can put in place many strong performance management tools, but the test of this work occurs when an authorizer decides to close a failing school at renewal and that school is then actually closed.

POLICY 8: DEFAULT CLOSURE

What:

NACSA supports policy requiring the state to establish a threshold of minimally acceptable academic performance for charter schools. Schools performing below this threshold at the time of renewal, or that remain below this level for a certain period of time, face closure as the default—or expected—consequence. In some situations, the authorizer or state may decide to keep a school open based on special circumstances, such as an alternative school serving a specific high-risk population, known as alternative education campuses (AECs).⁵ A default closure mechanism should allow these exceptions. If a school falls below the minimally acceptable performance threshold, the expectation is that the school will be closed, but performance above that "floor" does not guarantee a right to stay open. A default closure policy should not be used to prevent authorizers from establishing and enforcing higher academic performance standards for the schools they oversee.

Why:

Default closure provisions address the "worst-of-the-worst" schools. Barring special circumstances, it should be accepted and expected that charter schools that fail to meet a minimal threshold of performance will be closed. Schools can still be subject to closure for failure to meet any higher expectations established by authorizers and agreed to in their charter contracts, but at a minimum, closure is expected when schools fall below a state's default closure threshold.

This policy receives double weight in NACSA's rubric because it can safeguard other elements of authorizer practice. In essence, there can be no ultimate charter school accountability if state law allows the worst-of-the-worst schools to continue operating.



Connecticut: Modernizing State Law in Face of Opposition

Connecticut's charter sector has, for years, relied on the solid reputation of many great schools, with little concern that the state's rudimentary charter school law had been virtually untouched in 20 years. That changed in 2014 when significant problems were uncovered in one local network of charter schools. Without an existing law that codified quality authorizing practices, a plethora of policy proposals—some of which would have done more harm than good—were introduced. After robust legislative debates, Connecticut law now includes many smart accountability provisions. The political battle surrounding those provisions, however, should serve as a warning of what can happen when statutory policy does not reflect the new demands of quality authorizing. The law helps ensure strong authorizing now and into the future.

CHALLENGES

Connecticut charter school law was outdated and not as strong as it needed to be to weather controversy. In particular, it lacked strong and smart accountability provisions that would protect strong authorizing practices and extend quality oversight. Everyone agreed it needed to be modernized, but the large holes also gave charter opponents room to advance anti-charter provisions, including a moratorium.

Connecticut Stakeholders Said: "The old law allowed opponents to put a bunch of terrible stuff in the modernization law under the guise of accountability...[I]t would have been better to have a strong law in place in the first place to defend rather than fighting off bad new ideas..."

POLICY FIXES

Driven in part by heightened public attention after a very public scandal in a local charter network, Connecticut's legislators chose to make significant changes to policies that impact transparency, accountability, and charter school regulation.

Public Act No 15-239¹ contained these authorizing and accountability elements:

- Formal charter school contracts that must include academic and organizational goals used by the State Board to evaluate charter school performance
- Enhanced financial and organizational transparency measures
- The required use of performance frameworks
- The establishment and use of renewal standards tied to school performance
- Annual reporting on school performance
- A comprehensive set of new application requirements, including requiring the State Board to conduct due diligence regarding potential charter school operators
- A comprehensive set of new provisions that must be included in contracts for whole school management services
- A strengthened set of criminal background check requirements and conflict of interest policies

Connecticut Stakeholders Said: "The more rigorous transparency requirements are key. That will help with things such as performance expectations and management contracts....[T]he annual reporting will also ensure clear lines of communication and feedback between the State DOE and charter schools."



EVIDENCE OF PROGRESS

 Protection: Strong authorizing policy in state law is a critical protective element and can help advance a quality-focused charter school agenda.

Connecticut Stakeholders Said: "It [new legislation] clarifies accountability measures so the public is getting all the [information] it deserves."

THE ROAD AHEAD

- Connecticut must now focus on implementation of these new accountability policies, which include a smooth transition for existing charter schools. The State must pay attention to balancing the demands of accountability and compliance to ensure that autonomy and innovation in the sector are not stifled.
- Connecticut policymakers can focus on other needed reforms for the law, such as measures to protect autonomy and equitable charter school funding levels and procedures.
- One aspect of the legislation—requiring the dual approval of the General Assembly (in addition to
 the State Board of Education) before a new charter school approval is finalized—could politicize the
 approval process as well as cause problems in attracting and cultivating quality school operators.

Connecticut Stakeholders Said: "We had a really tough fight on trying to explain why certain provisions were not actually facets of strong and quality authorizing...[We] should continue to educate policymakers and authorizers on their respective roles, as well as what charter authorizing policies should be all about: balancing flexibility with accountability and transparency without compromising [school] quality."

^{1.} Full text of Public Act No 15-239 (Senate Bill 1096 as signed by the Governor) can be found at https://legiscan.com/CT/text/SB01096/2015



Indiana: Preventing Authorizer Shopping to Preserve Quality Schools

Indiana has multiple authorizers and a growing charter community. While the state had an otherwise strong charter law, Indiana's story is an example of the risks associated with not having comprehensive authorizing policies in statute. Authorizer shopping—when charter schools change authorizers to avoid closure or scrutiny—was one symptom of underlying problems with a law that allowed vastly different standards of practice among authorizers. Strong authorizer practices and open lines of communication are critical, and policy helps reinforce and spread these practices. This is especially important if inappropriate behavior emerges.

CHALLENGES

Failing charter schools in Indiana kept finding ways to stay open. Even in recent years, as authorizers increased performance expectations and showed greater willingness to close failing schools, some schools sought out new authorizers to avoid accountability. The lack of strong statutory policies led to highly public instances of authorizer shopping in 2013: when an established authorizer increased its accountability process and moved to close seven failing schools, three were able to find new authorizers and remain open. Not all authorizers were enforcing strong standards and, as a result, schools were allowed to continue failing students.



POLICY FIXES

Legislation enacted during the 2013, 2014, and 2015 legislative sessions was designed to bolster common standards of practice and accountability among all authorizers, preventing inappropriate authorizer shopping using these mechanisms:

- Standards of authorizer practice: authorizer standards, performance frameworks, annual reporting, and stronger default closure provisions
- · Consequences for authorizers if they engage in poor authorizing
- A screening process for new authorizers to ensure they have the capacity and commitment necessary to authorize successfully
- Provisions to increase transparency of chartering activity, including the disclosure of a charter school's history and required communication between a school's former and potential future authorizers.

Indiana Stakeholders Said: "I'm glad we have a stronger law now and hope it prevents shopping in the future, but we should have had it in place five years ago."



EVIDENCE OF PROGRESS

- Communication: Indiana's legislation has already opened up lines of communication among authorizers.
- Transparency: There is greater transparency of charter school outcomes and of authorizer decision-making
 processes. This helps policymakers and the public understand why authorizers must at times make the
 difficult decisions not to renew a charter, reject a charter application, or close a failing charter school.

Indiana Stakeholders Said: "...To be sure, we need both policy and practice, but it had to be both in our state to force those who won't engage in best practices to change."

THE ROAD AHEAD

- While this new law provides protections against authorizer shopping, it has not been tested yet.
- More experienced authorizers remain hopeful that increased conversations with new authorizers will build community and coordination.
- Indiana will need to do the difficult work of enforcing authorizer sanctions if needed, especially if authorizer shopping continues. The law may need revisiting if the problem persists.

Indiana Stakeholders Said: "We need more accountability and transparency for authorizers. It's unacceptable and immoral for a failing school to continue badly serving kids."

 $^{1.\} http://iga.in.gov/legislative/laws/2015/ic/titles/020/articles/024/chapters/2.2/$



Nevada: Trading One-Star Performance for Five-Star Accountability

Nevada's leaders, spurred by lagging charter school performance, have pushed through various rounds of policy reform during the past four years. Nevada's stakeholders—while realistic that this is a work in progress—are optimistic that these policy reforms will ultimately result in stronger student outcomes and protected public interests. Today, enrollment in quality charter schools is up, authorizing is seen as a profession rather than an activity, and the state is working to uphold strong academic standards for all charter schools.

CHALLENGES

Nevada charter school students were losing ground academically faster than in any other state, and the schools that were failing them were continuing to operate with little improvement and no accountability. The law did not give authorizers much direction outside of basic compliance monitoring.

Nevada Stakeholders Said: "[The Department of Education] treated authorizing like any other state program...[F]inancial accountability was emphasized rather than student outcomes."

POLICY FIXES

The Nevada State Public Charter School Authority, designed to be a model authorizer in the state, was created in 2011. Schools previously authorized by the Nevada State Department of Education were transferred to the new State Public Charter School Authority.

During the 2013 and 2015 legislative sessions, application and accountability measures were reformed in state law to ensure all authorizers did the following:

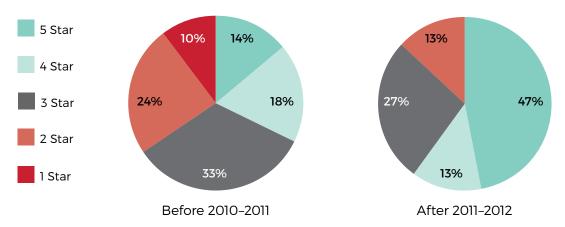
- Use a team of knowledgeable reviewers to evaluate charter applications
- Use and develop charter contracts and performance frameworks with all their schools
- · Use a separate renewal application that focuses on past performance
- Employ a default closure provision for persistently failing charter schools
- Publish annual reports on the performance of their portfolios of schools
- . Be subject to authorizer sanctions for failure to adhere to authorizing standards

The National Alliance for Public Charter Schools has since ranked Nevada's charter school law in the top third of all charter laws in the nation.¹

Nevada Stakeholders Said: "...[W]e knew we needed to start with high-quality procedures that would result in decisions to open schools that have the highest probability of success for our kids."



Academic Performance of State-Authorized Charter Schools Before & After Creation of Nevada State Public Charter School Authority



EVIDENCE OF PROGRESS

- Quality Schools: Nearly half of the schools authorized by the Authority have received a five-star rating, the highest possible² from the State of Nevada.
- Quality Growth: Between 2011 and 2015, the number of students served by four- and five-star charter schools statewide grew 147%.³
- Accountability: The default closure provision, while important to Nevada's reform effort, represents the floor, not
 the ceiling of their expectations. Authorizers are able to enforce a strong standard for charter school renewal.

Nevada Stakeholders Said: "It [the Authority] was the example of how to do it right. Authorizing in Nevada [went from being] focused on processes and procedures to being focused on outcomes for kids."

THE ROAD AHEAD

- Nevada is poised to make significant student achievement gains.
- Nevada needs robust infrastructure and capacity to implement reforms.
- Nevada must figure out how to transition schools with a weak or non-existent performance framework to a new, outcomes-focused framework as part of the charter contract.
- Nevada is implementing several other systemwide reforms that apply to all public schools in the state both traditional and charter—designed to improve student achievement, including a new funding formula.

^{3.} State Public Charter School Authority, 2016-2017 Agency Overview.



^{1.} http://www.publiccharters.org/get-the-facts/law-database/states/NV

^{2.} According to the Nevada Department of Education, star ratings are generally referred to as school "classifications." Generally, a five-star school is considered above the 89th percentile, a four-star rating represents schools in the 75th to 89th percentile range, a three-star rating represents schools within the 25th to 74th percentiles and two-star schools fall between the 5th and 24th percentiles. One-star schools are in the lowest 5% of the state.

Texas: Raising Expectations by Closing Schools that Fail

In the early years of the Texas charter law, charters were easy to obtain and charter schools opened at a precipitous rate. A lack of uniform standards for applicants, along with poor performance results, fed a negative public perception of charter schools. State policies now include strong, explicit, consistent standards for charter school authorizing and for charter school performance, buoyed with additional authorizer authority to enforce them. This has had a direct, transformative effect on the quality of the state's charter schools, including the closure of 20 failing charter schools since 2013.

CHALLENGES

The number of Texas charter schools increased rapidly from zero in 1995 to 176 schools just a few years later in 1999.¹ Failing charters were difficult to close. Lax standards, fed by a dearth of policy guidance related to school and authorizer quality, affected the quality of existing charter schools as well as the public perception of these schools.

Texas Stakeholders Said: "In the beginning, people thought the market approach would work [to close schools], but after 20 years of chartering in Texas, we've realized it is a lot more difficult and challenging..."

POLICY FIXES

A comprehensive overhaul of the state's charter school law in 2013 provided the following corrective measures:

- Enhanced applicant approval standards: applicants must be capable of carrying out the responsibilities required
 by the charter, likely to operate a school of high quality, and must meet any financial, governing, educational,
 and operational standards adopted by the Commissioner
- Specification of the academic, operational, and financial performance expectations by which a school will be evaluated, including standards for renewal, non-renewal, and revocation
- Default closure of schools with unacceptable performance for the three preceding years²
- · Differentiated renewal process with clear expectations for schools at all performance levels

Texas Stakeholders Said: "We really had an organizational shift in [the] charter application in trying to highlight the standards that were outlined in the law and tying those standards back to the application."

EVIDENCE OF PROGRESS

- Application Process: The Commissioner of Education, not the State Board of Education, is now the authorizer. This, coupled with the requirement that the Commissioner adopt enhanced application standards, has led to significant changes in the state's charter application process.
- Closure: From 1995, when Texas first enacted its charter law, until the passage of 2013 legislation, 27 charter schools were non-renewed or had their charters revoked.³ Since the passage of that legislation, 20 low-performing charter schools have been closed by the Texas Education Agency using the default closure provisions.⁴

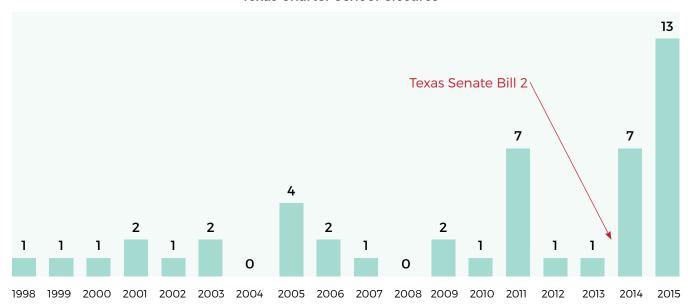
Texas Stakeholders Said: "You really have to serve kids or you're going to get closed down because of these guidelines. You are quality checked."



THE ROAD AHEAD

- Texas must continue to evaluate the measures it uses to determine academic and financial performance of charter schools—and to make any adjustments to adapt the traditional public school metrics to the charter sector as needed and allowed. The new policies ensure the robustness of charter school accountability, and now it behooves the State to make sure the new closure mechanisms are indeed identifying the right schools.
- Texas must balance needed sector clean-up with due process, especially during the current transition between old
 and new processes. This means putting practices in place to ensure reasonable due process for schools facing
 closure, including review of potential errors in the ratings that trigger closure.
- Texas needs to codify standard practices and procedures for asset distribution at closure.

Texas Charter School Closures



^{4.} http://tea.texas.gov/WorkArea/DownloadAsset.aspx?id=2147485098



^{1.} http://www.publiccharters.org/dashboard/schools/state/TX/year/2014

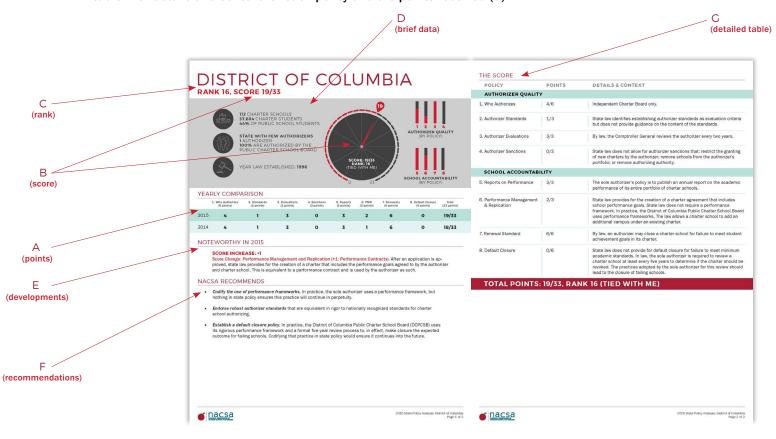
^{2.} https://legiscan.com/TX/drafts/SB2/2013

^{3.} The Texas Education agency distinguishes between default closures and voluntary closures. Default Closures include revocations under Texas Education Code (TEC) §§ 12.115(a), 12.115(c), and expirations/non-renewals under TEC §12.1141(d). Voluntary Closures include surrenders/returns, conversions, and consolidations.

GETTING IT RIGHT ADAPTING THE EIGHT FOR YOUR STATE

Each state's two-page profile contains the following:6

- Points (A), score (B), and rank (C), plus some brief data points (D) describing the charter school landscape
- A comparison of points in 2015 v. 2014 (A), and any noteworthy developments (E)
- NACSA's recommendations to boost quality charter school oversight (F)
- A table with details and context for each policy and the points received (G)



Look at your state's policy points, score, rank, and details. Then you and other stakeholders can begin to map the changes needed and adapt them to your state, so your journey on the road to public charter school excellence will be safer, more predictable, and ultimately more successful. Here are some conversation starters:

- What is your authorizing structure? (School district authorizers? Many overlapping authorizers? One or two non-district authorizers?)
- What entities currently oversee other public agencies? Is there an agency or other entity
 that routinely handles guidance, accountability, and oversight in the education space? To
 streamline this work, could you piggyback on activities already happening in your state, such
 as reporting, technical assistance, or professional development?
- What are some strengths to build upon and challenges to address in your state's charter school sector in the areas of academics, accessibility, autonomy, and accountability?



GETTING STARTED: THE ROADMAP TO IMPROVED ACCESSIBILITY, AUTONOMY, & ACCOUNTABILITY

- Every state can benefit from NACSA's policy recommendations. These eight policies encourage the kind of behavior you want; these policies also discourage and address problems that may arise.
- They fit together. School accountability is not separate from authorizer quality—it is a loop of positive reinforcement when all policies are adopted.
- Policies need to be adapted to fit your state and coordinated with other aspects of charter school and general
 public education policy. Policies should minimize duplication and work towards a cohesive system of oversight
 for charter schools.

SCENARIO 1: My state has school district authorizers. What policies should I prioritize to make these authorizers the best?

States with primarily school district authorizers are prone to wide variations in their authorizing quality and in their enforcement of school accountability, based partially on the sheer number of school districts, usually with small portfolios of charter schools. In addition, the relationship between the school district and the charter school can be adversarial; thus, policies that foster transparency (for both schools and authorizers) help establish trust.

START WITH

Authorizer standards: these frame authorizing duties as a distinct responsibility for school districts and bring consistency to their practices across the state.

Performance management: a charter contract and charter framework are tools unique to charter school accountability that define a school district's relationship with a charter school as one based on autonomy and accountability.

Alternative authorizer: an alternative authorizer or, at a minimum, an appeal option, provides an alternative when a school district does not want to be an authorizer or is hostile to charter schools.

THEN CONSIDER

Reports on performance: this lets the public see how charter schools are performing and if a school district is appropriately holding charter schools accountable.

Default closure: this creates a universal threshold for charter school closure and requires all districts to take appropriate, consistent action.

Authorizer evaluations: this gives the state a way to evaluate if a school district is respecting charter autonomy and enforcing accountability.

Authorizer sanctions: these create consequences for school districts that don't fulfill their authorizing responsibilities. Sanctions must ensure that authorizing activity can continue in each locale.

Renewal standard: this reinforces that renewal is based on performance outcomes, giving charter schools and school districts a transparent basis for renewal decisions.



SCENARIO 2: My state has many authorizers operating in overlapping jurisdictions. What policies should I put in place to make these authorizers the best?

States with lots of different authorizers operating in overlapping locales can present a real challenge for charter school accountability. When there are many different authorizers, challenges can sometimes manifest as a "race to the bottom" as some charter schools or operators seek out the authorizers with the lowest standards. Policy should seek to raise the quality bar for all authorizers and all schools to make it clear there is room only for quality authorizing and quality charter schools in the state.

START WITH

Authorizer standards: this provides a common set of rules that all authorizers must follow to standardize practices and expectations in every locale.

Reports on performance: the impact of authorizers can get lost if the public doesn't know which authorizer oversees which charter schools. Annual reports clearly link the authorizer with their charter schools and identify if any authorizers have good or bad histories of school performance.

Authorizer evaluations: these identify which authorizers are great and could serve as models for the state and if any authorizers are failing to fulfill their responsibilities.

Authorizer sanctions: these impose a consequence for failing authorizers, which ensures a single authorizer cannot erode charter school accountability for the entire locale.

THEN CONSIDER

Performance management: this provides a common set of tools that all authorizers can use to set clear expectations for performance that the public (and other authorizers) can see.

Default closure: this establishes a universal performance threshold that all authorizers must enforce which prevents failing schools from jumping from one authorizer to another to avoid accountability.

Renewal standard: this allows authorizers to enforce the charter contract and hold schools accountable. Decisions to non-renew a charter school must be respected by all the authorizers in a locale to ensure the decision "sticks."



SCENARIO 3: My state has only one or two non-district authorizers, who are

a) doing a great job;

b) not doing a great job. They don't seem to know how to handle something that is not a traditional public school.

States with only one or two authorizers are impacted by the quality of that dominant authorizer. This can be a great asset if the authorizer is high quality, but the reverse is also true. State policy serves one of two purposes for these authorizers: it codifies existing high-quality charter school oversight practices to ensure a smooth transition to new personnel or a new administration; or it sets high expectations for the authorizer if current practices are weak.

START WITH

Authorizer standards: this will justify a high-quality authorizer's existing practices and require low-quality authorizers to change their practices.

Renewal standards: renewal decisions are less likely to be circumvented in a state with few authorizers, and as such, a strong renewal statute can significantly improve charter school accountability for the entire state.

Performance management: standardized, modern practices reflect the unique relationship between a charter school and its authorizer. They can help authorizers "flip the switch" to outcome-based accountability. These tools also can immediately impact the entire sector and make it easier for any authorizer to manage a large portfolio of schools.

THEN CONSIDER

Authorizer evaluations: this will bring transparency to authorizer practices and help ensure the authorizing sector is operating well. In states with just one authorizer, a self-evaluation may be appropriate as it can be used to identify areas for improvement.

Reports on school performance: these ensure that both the public and the charter schools themselves are provided regular updates on the performance of the schools.

Alternative authorizer: the addition of a second authorizer provides an alternative for charter schools and a safeguard if the only available authorizer becomes unwelcoming to charter schools.

Default closure: this requires the authorizer to act if there are failing charter schools. This can appropriately streamline the process for charter school accountability, which can help very large authorizers focus staff resources appropriately.



COMMON PROBLEM: I have a hard time figuring out how the charter schools in my state are doing. How can I bring more transparency to the work of the authorizers and the charter schools?

START WITH

Reports on performance make sure the public knows how charter schools are doing each and every year.

Performance contracts and frameworks publically detail the responsibilities of charter schools and authorizers. This includes setting performance goals as well as policies that ensure fairness and transparency for all families and students.

ALSO CONSIDER

Authorizer standards make authorizer practices consistent, and those practices reinforce academic, operational, and financial transparency for authorizers and charter schools.

Authorizer evaluations publicize the practices used by authorizers and if those practices meet national standards.

COMMON PROBLEM: My authorizers are all over the place, with big differences in the quality of their schools and the quality of their practices. How do I make these authorizers and their practices reasonably consistent?

START WITH

Authorizer standards define what good authorizing looks like and require authorizers to employ those practices.

Authorizer evaluations highlight which authorizers are models and which may need to change their practices.

ALSO CONSIDER

Default closure sets a statewide minimum threshold for charter school performance, ensuring that failing charter schools are closed regardless of the identity of their authorizer.

Authorizer sanctions create consequences for bad authorizers, removing bad actors from the authorizing sector.



COMMON PROBLEM: I have great charter schools that I want to grow.

START WITH

Reports on performance objectively identify which schools have great academic performance and may be candidates for replication.

Performance management policies set operational and financial parameters for school health that help authorizers judge if a school is ready to replicate. Replication policies make it easier for a high-quality school to gain approval to replicate or to manage the logistics of multi-campus operation.

ALSO CONSIDER

Alternative authorizers have only one responsibility: to be a high-quality authorizer of high-quality schools. This lets them bring a laser-like focus to charter schools that is often defined in their mission. As such, they often have more capacity and experience to identify and replicate great charter schools.

Authorizer standards give authorizers the tools to differentiate practices and the confidence to evaluate if a school is prepared to replicate.

Also see NACSA and Charter School Growth Fund's report on <u>Replicating Quality.</u>

COMMON PROBLEM: There are lots of low-performing charter schools in my state that no one is trying to close.

START WITH

Default closure sets a statewide minimum threshold for charter school performance, ensuring that failing charter schools are closed.

Reports on performance identify which schools are failing and who their authorizer is, identifying which authorizers are letting failing schools stay open.

ALSO CONSIDER

Authorizer standards require authorizers to enforce charter contracts and give them policy and practice tools to enforce school accountability.

Renewal standards make achieving goals the bar for renewal, making it easier for authorizers to close schools that don't fulfill their promises.



COMMON PROBLEM: What can I do to get a reluctant authorizer to do better?

START WITH

Authorizer standards enumerate an authorizer's responsibilities and require authorizers to fulfill them.

Performance contracts and performance frameworks place authorizer responsibilities in an enforceable contract that protects the rights of charter schools and the authorizer and sets standards for regular oversight of academic, financial, and operational benchmarks.

Reports on performance ensure an authorizer is annually assessing their charter schools and providing that information to schools and the public.

ALSO CONSIDER

Alternative authorizers are designed solely to authorize charter schools and have no competing priorities.

Default closure makes it easier to close failing charter schools, giving authorizers additional statutory support to fulfill a core accountability function.

Authorizer evaluations identify areas of strength and weakness and can encourage authorizers to change their behaviors.



STATE-BY-STATE PROFILES

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South Carolina	107
Tennessee	109
Texas	111
Utah	113
Virginia	115
Washington	117
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ALABAMA RANK 4, SCORE 31/33



O CHARTER SCHOOLSO CHARTER STUDENTSO% OF PUBLIC SCHOOL STUDENTS

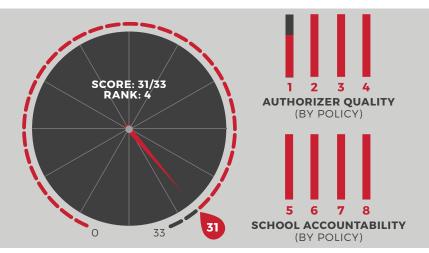


DISTRICT AUTHORIZING STATE (ANTICIPATED)

O ACTIVE AUTHORIZERS



YEAR LAW ESTABLISHED: 2015



YEARLY COMPARISON

	1. Who Authorizes (6 points)	2. Standards (3 points)	3. Evaluations (3 points)	4. Sanctions (3 points)	5. Reports (3 points)	6. PMR (3 points)	7. Renewals (6 points)	8. Default Closure (6 points)	Total (33 points)
2015	4	3	3	3	3	3	6	6	31/33
2014	_	_	_	_	_	_	_	_	_

NOTEWORTHY IN 2015

SCORE INCREASE: +31

In 2015, Alabama passed its first charter school law, the Alabama School Choice and Student Opportunity Act. It includes all of NACSA's recommended policies.

NACSA RECOMMENDS

Alabama has all of NACSA's recommended policies in law. NACSA encourages the state to continue with thoughtful
implementation and development of high-quality authorizer practices. Strong statutes identified in this report, as well as a
robust charter school petition and evaluation process also defined in law, will help Alabama authorizers conduct rigorous
front-end quality controls to get this new sector off to a strong start.



THE SCORE

POLICY	POINTS	DETAILS & CONTEXT					
AUTHORIZER QUALITY							
1. Who Authorizes	4/6	LEA, Independent Charter Board. The Alabama Public Charter School Commission is the only statewide authorizer. School districts may register with the Department of Education for the authority to authorize charter schools. Registration includes the submission and review of several components to demonstrate commitment and understanding of quality authorizing. The Commission may directly authorize charter schools in jurisdictions where the local school district is not a registered authorizer and may also authorize on appeal. Authorizers may approve no more than 10 start-up charter schools per year until 2020. As of October 2015, four school districts have started the registration process to become authorizers.					
2. Authorizer Standards	3/3	State law requires all authorizers to develop and maintain chartering policies and practices consistent with nationally recognized principles and standards for quality charter authorizing in all major areas of authorizing responsibility. The State Board of Education will promulgate rules and regulations to this effect.					
3. Authorizer Evaluations	3/3	By law, the Department of Education oversees the performance and effectiveness of all authorizers. The Department can conduct a special review and evaluation of any authorizer, if needed.					
4. Authorizer Sanctions	3/3	State law allows the Department of Education to revoke the chartering authority of local school boards if they fail to remedy identified deficiencies. State law allows the Department of Education to recommend the removal of Commission members if the Commission fails to remedy deficiencies.					
SCHOOL ACCOUNTABI	SCHOOL ACCOUNTABILITY						
5. Reports on Performance	3/3	By law, all authorizers must submit to the State Board of Education an annual report on the academic and financial performance of their charter school portfolio. This includes a performance report for each charter school it oversees.					
6. Performance Management & Replication	3/3	State law requires the use of a charter contract and a performance framework. Multiple schools may be governed under one charter.					
7. Renewal Standard	6/6	Authorizers may non-renew a school if it fails to meet the performance expectations set forth in the charter contract.					
8. Default Closure	6/6	By law, a charter contract shall not be renewed if the school fails to attain the minimum state proficiency standard for public charter schools in each year of operation and over the charter term. A school that receives an F at the time of renewal or a D or F for the past three most recent years is considered to fall below the minimum state standard. The authorizer may justify keeping the school open under exceptional circumstances.					

TOTAL POINTS: 31/33, RANK 4







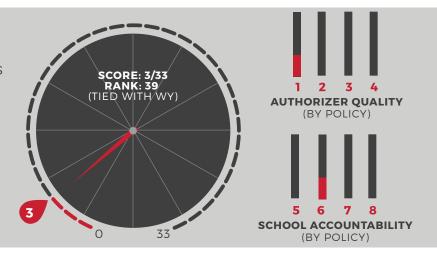
27 CHARTER SCHOOLS6,224 CHARTER STUDENTS5% OF PUBLIC SCHOOL STUDENTS



DISTRICT AUTHORIZING STATE 8 AUTHORIZERS **100%** ARE AUTHORIZED BY LEAS



YEAR LAW ESTABLISHED: 1995



YEARLY COMPARISON

	1. Who Authorizes (6 points)	2. Standards (3 points)	3. Evaluations (3 points)	4. Sanctions (3 points)	5. Reports (3 points)	6. PMR (3 points)	7. Renewals (6 points)	8. Default Closure (6 points)	Total (33 points)
2015	2	0	0	0	0	1	0	0	3/33
2014	2	0	0	0	0	1	0	0	3/33

- Alaska has a moribund charter school law. Creating legally autonomous schools should be the primary policy goal for the state. Policy should ensure that schools have a legally autonomous governing board and autonomy in crucial areas of school operations.
- Eliminate the dual-approval system and empower school districts and an alternative authorizer to directly approve charter schools. Alaska is one of only four states with a dual-approval system, which is nearly synonymous with limited autonomy charter schools. The dual-approval system should be eliminated and school districts and a statewide alternative authorizer should be empowered to directly approve legally autonomous charter schools. If an alternative authorizer is not viable, the state should, at a minimum, empower the State Board of Education and Commissioner of Education to serve as an authorizer on appeal.
- Endorse professional standards for charter school authorizing.
- Create a strong renewal standard that directly links school academic performance to renewal.
- Require performance frameworks and annual performance reports for all charter schools.



THE SCORE¹

POLICY	POINTS	DETAILS & CONTEXT
AUTHORIZER QUALIT	Υ	
1. Who Authorizes	2/6	LEA, SEA consider appeals. Alaska has a dual-approval system for charter schools. All schools are authorized by LEAs but, upon district approval, must also be approved by the State Board of Education (SBE). The Commissioner of Education and the SBE consider and rule on appeals, but LEAs remain the legal authorizers.
2. Authorizer Standards	0/3	State law does not adopt, provide, or endorse quality standards for authorizers.
3. Authorizer Evaluations	0/3	State law does not require or provide for the evaluation of authorizers based on standards for quality authorizing.
4. Authorizer Sanctions	0/3	State law does not allow for authorizer sanctions that: restrict the granting of new charters by the authorizer; remove schools from the authorizer's portfolio; or remove authorizing authority.
SCHOOL ACCOUNTAB	ILITY	
5. Reports on Performance	0/3	State law does not require authorizers to produce an annual public report on the academic performance of their portfolio of schools.
6. Performance Management & Replication	1/3	State law requires a charter contract but not a performance framework. The law does not explicitly encourage or address replication of successful schools.
7. Renewal Standard	0/6	State law does not specify provisions for renewing charters.
8. Default Closure	0/6	State law does not provide for default closure for failure to meet minimum academic standards.

TOTAL POINTS: 3/33, RANK 39 (TIED WITH WY)



¹Alaska has a moribund charter school law. Creating legally autonomous schools and a viable alternative authorizer should be the primary policy goals for the state.

ARIZONA RANK 18, SCORE 18/33



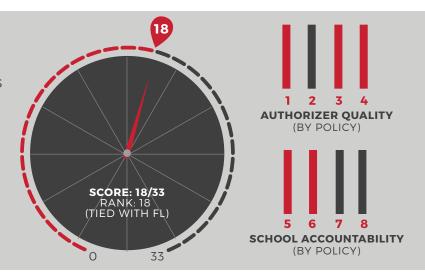
623 CHARTER SCHOOLS
165,961 CHARTER STUDENTS
15% OF PUBLIC SCHOOL STUDENTS



STATE WITH MANY AUTHORIZERS
27 AUTHORIZERS
8 AUTHORIZERS WITH 5 OR
MORE SCHOOLS



YEAR LAW ESTABLISHED: 1994



YEARLY COMPARISON

	1. Who Authorizes (6 points)	2. Standards (3 points)	3. Evaluations (3 points)	4. Sanctions (3 points)	5. Reports (3 points)	6. PMR (3 points)	7. Renewals (6 points)	8. Default Closure (6 points)	Total (33 points)	
2015	6	0	3	3	3	3	0	0	18/33	
2014	6	0	0	0	0	3	0	0	9/33	

NOTEWORTHY IN 2015

SCORE INCREASE: +9

Reports on Performance (+3). New law in 2015 requires authorizers to submit annual reports to the Auditor General on the academic and operational performance of the authorizer's charter portfolio as measured by the authorizer's adopted performance framework. The report also includes information on the number of schools authorized; the number of new charters approved; the number of charter schools closed and the reason for the closure; and the authorizer's application, amendment, renewal and revocation processes, charter contract template, and current performance framework.

Authorizer Evaluations (+3). The Auditor General must review the annual report described above. As a result of that review, the Auditor General may make a finding of significant noncompliance. Given the broad content of the report and the scope of the review, this fulfills the function of an authorizer evaluation.

Authorizer Sanctions (+3). If the Auditor General finds significant non-compliance during the review of the annual report, the Auditor General must report it to the Governor, the President of the Senate, the Speaker of the House of Representatives, and the Chairs of the Senate and House Education Committees. At such time, the Legislature shall consider revoking the authorizer's authority to authorize charter schools.

- Institute a strong renewal standard by ensuring all authorizers may close schools that fail to achieve the performance goals set out in their charter contracts. The Arizona State Board for Charter Schools, the primary authorizer, enforces a strong renewal standard in practice, but there is no requirement that the growing segment of LEA and HEI authorizers do so.
- **Establish a default closure provision** that makes closure the expected outcome for failing charter schools, regardless of their authorizer.
- Endorse professional standards for charter school authorizing.



POLICY	POINTS	DETAILS & CONTEXT
AUTHORIZER QUALITY	1	
1. Who Authorizes	6/6	LEA, Independent Charter Board, SEA, Higher Education Institution (HEI). Arizona allows the Arizona State Board for Charter Schools (ASBCS), the State Board of Education, LEAs, and HEIs to authorize charter schools. The State Board of Education currently has a self-imposed moratorium on charter school authorizing, and LEAs are under a statutory moratorium prohibiting them from issuing new charters.
2. Authorizer Standards	0/3	State law does not adopt, provide, or endorse quality standards for authorizers.
3. Authorizer Evaluations	3/3	New in 2015: The Auditor General will review annual reports submitted by each authorizer for noncompliance with state law.
4. Authorizer Sanctions	3/3	New in 2015: The Legislature will consider revoking the authorizer's authority to authorizer charter schools if the Auditor General finds significant noncompliance with state law.
SCHOOL ACCOUNTABI	LITY	
5. Reports on Performance	3/3	New in 2015: Authorizers are required to submit an annual report to the Auditor General that includes the academic and operational performance of the authorizer's charter portfolio.
6. Performance Management & Replication	3/3	State law requires a charter contract and a performance framework and allows multi-site charter schools.
7. Renewal Standard	0/6	State law allows "reasonable progress" to be sufficient for a charter to be renewed. In practice, the state's dominant authorizer sets a strong renewal standard through their adopted performance framework system.
8. Default Closure	0/6	State law does not provide for default closure for failure to meet minimum academic standards.1

TOTAL POINTS: 18/33, RANK 18 (TIED WITH FL)

 $^{\rm 1}{\rm In}$ practice, the state's dominant authorizer has adopted practices that should lead to closure of failing schools.



ARKANSAS RANK 29, SCORE 12/33



45 CHARTER SCHOOLS
19,179 CHARTER STUDENTS
4% OF PUBLIC SCHOOL STUDENTS



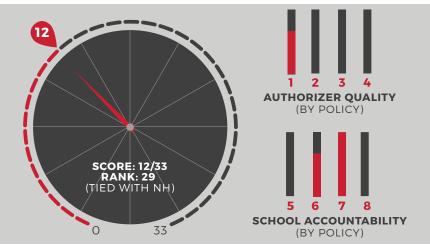
STATE WITH FEW AUTHORIZERS

1 AUTHORIZER

100% ARE AUTHORIZED BY THE
STATE BOARD OF EDUCATION



YEAR LAW ESTABLISHED: 1995



YEARLY COMPARISON

	1. Who Authorizes (6 points)	2. Standards (3 points)	3. Evaluations (3 points)	4. Sanctions (3 points)	5. Reports (3 points)	6. PMR (3 points)	7. Renewals (6 points)	8. Default Closure (6 points)	Total (33 points)	_
2015	4	0	0	0	0	2	6	0	12/33	
2014	4	0	0	0	0	2	6	0	12/33	

- Endorse professional standards for charter school authorizing.
- Establish an autonomous Independent Charter Board that includes members outside the Department of Education. An Independent Charter Board could focus solely on authorizing high-quality charter schools.
- Require the authorizer to use performance frameworks.
 Performance frameworks set academic, financial, and organizational performance expectations for each charter school.
- Require the authorizer to issue annual public reports on the academic performance of its portfolio of charter schools.
- **Establish authorizer evaluations** on an as-needed or self-evaluative basis. Authorizer self-evaluations require authorizers to reflect on their practices and outcomes and identify areas for improvement.



POLICY	POINTS	DETAILS & CONTEXT
AUTHORIZER QUALITY	(
1. Who Authorizes	4/6	SEA only. Arkansas allows only the State Board of Education to authorize new-start charter schools. State law establishes the Charter Authorizing Panel, an internal body established to review charter school applications and renewal requests. Members of the Panel are appointed by the Commissioner of Education and must be employees of the Department of Education. In addition, the State Board of Education may choose to review decisions made by the Department of Education and may affirm them, request additional information, or take other actions. Conversion charter schools must first be approved by their LEA and then be authorized by the SEA (dual approval).
2. Authorizer Standards	0/3	State law does not adopt, provide, or endorse quality standards for authorizers.
3. Authorizer Evaluations	0/3	State law does not require or provide for the evaluation of authorizers based on standards for quality authorizing.
4. Authorizer Sanctions	0/3	State law does not allow for authorizer sanctions that: restrict the granting of new charters by the authorizer; remove schools from the authorizer's portfolio; or remove authorizing authority.
SCHOOL ACCOUNTABI	LITY	
5. Reports on Performance	0/3	State law does not require authorizers to produce an annual public report on the academic performance of their portfolio of schools.
6. Performance Management & Replication	2/3	State law requires a charter contract but not a performance framework. The law requires a differentiated process for replicating proven successful schools.
7. Renewal Standard	6/6	State law allows an authorizer to place a school on probation or revoke its charter for failure to meet academic or fiscal performance criteria.
8. Default Closure	0/6	State law does not provide for default closure for failure to meet minimum academic standards.

TOTAL POINTS: 12/33, RANK 29 (TIED WITH NH)



CALIFORNIA

RANK 31, SCORE 11/33



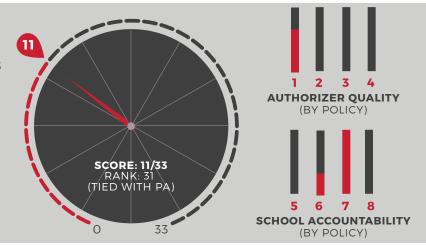
1,184 CHARTER SCHOOLS
544,980 CHARTER STUDENTS
9% OF PUBLIC SCHOOL STUDENTS



DISTRICT AUTHORIZING STATE 324 AUTHORIZERS **97%** ARE AUTHORIZED BY LEAS



YEAR LAW ESTABLISHED: 1997



YEARLY COMPARISON

	1. Who Authorizes (6 points)	2. Standards (3 points)	3. Evaluations (3 points)	4. Sanctions (3 points)	5. Reports (3 points)	6. PMR (3 points)	7. Renewals (6 points)	8. Default Closure (6 points)	Total (33 points)
2015	4	0	0	0	0	1	6	0	11/33
2014	4	0	0	0	0	1	6	0	11/33

NOTEWORTHY IN 2015

Two voluntary statewide initiatives have been launched to improve the quality of authorizing practices: the California Authorizers Regional Support Network (CARSNet), a federally funded training and development network for small authorizers, and California Charter Authorizing Professionals (CCAP), a network of support and resources for authorizing professionals.

- Endorse professional standards for charter school authorizing.
- Require charter contracts and performance frameworks for all charter schools. California is one of only six states that do
 not require a separate charter contract. California's new Local Control and Accountability Plans (LCAPs), a component of
 the Local Control Funding Formula reforms passed in 2013, include school-site goal setting, which is one of the qualities of
 a performance framework. As rules governing LCAPs are developed, NACSA recommends the State provide for authorizer
 involvement, as appropriate, in the oversight and development of charter school LCAPs to make them robust tools for
 autonomous charter school improvement and accountability. Development in this way would fulfill NACSA's performance
 framework recommendation.
- Require regular, consistent reporting and data collection on authorizing activity, including the performance of charter schools by authorizer. This includes consistent and reliable state-level data collection on the new charter petitions, renewals, and closure decisions made by every authorizer.
- Create mechanisms for the oversight of authorizers, and, if necessary, intervention.
- Make closure the expected outcome for persistently failing charter schools. Once the new assessment and accountability
 metrics are stabilized, California should reform its statutory provisions on renewal to create a true default non-renewal or
 closure mechanism and a distinct renewal petition process. This would make it easier for authorizers to assess charter school
 performance and ultimately close failing charter schools.
- Consider a statewide or regional network of alternative authorizers that are independent from local school districts.

 These independent authorizers would not only authorize charter schools, but could also assist with the development and dissemination of model practices to California's hundreds of authorizers.



POLICY	POINTS	DETAILS & CONTEXT
AUTHORIZER QUALITY		
1. Who Authorizes	4/6	LEA, ¹ SEA on appeal. ² There is extreme variability in the size of California authorizers.
2. Authorizer Standards	0/3	State law does not adopt, provide, or endorse quality standards for authorizers. New in 2015: Two voluntary statewide initiatives have launched to improve the quality of authorizing practices: the California Authorizers Regional Support Network (CARSNet), a federally funded training and development network for small authorizers, and California Charter Authorizing Professionals (CCAP), a network of support and resources for authorizing professionals.
3. Authorizer Evaluations	0/3	State law does not require or provide for the evaluation of authorizers based on standards for quality authorizing.
4. Authorizer Sanctions	0/3	State law does not allow for authorizer sanctions that: restrict the granting of new charters by the authorizer; remove schools from the authorizer's portfolio; or remove authorizing authority.
SCHOOL ACCOUNTABI	LITY	
5. Reports on Performance	0/3	State law does not require authorizers to produce an annual public report on the academic performance of their portfolio of schools.
6. Performance Management & Replication	1/3	State law does not require a charter contract or performance framework. Multiple schools may be operated under a single charter. Significant education reforms passed in 2013—collectively referred to here as the Local Control Funding Formula reforms—may impact charter school performance management as they are fully implemented over the next several years.
7. Renewal Standard	6/6	By law, authorizers must consider academic performance as the most important factor when considering renewal. In addition, a charter school may not be renewed unless the school demonstrates academic achievement according to state standards or the authorizer determines the school's performance is at least equal to the performance of a school in the school district in which it is located.
8. Default Closure	0/6	State law does not provide for default closure for failure to meet minimum academic standards. While the law does set a non-renewal threshold, the law provides authorizers with considerable discretion to renew schools that fail to meet the minimum performance standards, far beyond what NACSA considers reasonable circumstances for exemption. As such, NACSA does not interpret California law as making closure the default or expected consequence for schools that fail to meet a minimum academic standard.

TOTAL POINTS: 11/33, RANK 31 (TIED WITH PA)

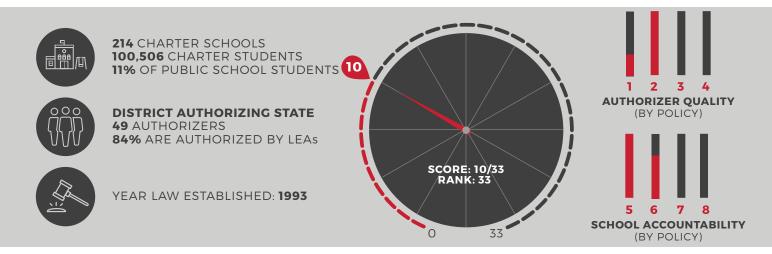
²California has a two-tiered appeals process. Schools can appeal a decision from the school district to their respective County Office of Education. The County Offices of Education can authorize the school or uphold the denial. If

denied by the County Office of Education, the school can then appeal to the State Board of Education (SBE), which can authorize the school or uphold the denial. The SBE can authorize schools of statewide benefit.



 $^{^{1}\}mbox{LEAs}$ include County Offices of Education. The County Office of Education may authorize on appeal and may also directly authorize schools of countywide benefit.

COLORADO RANK 33, SCORE 10/33



YEARLY COMPARISON

	1. Who Authorizes (6 points)	2. Standards (3 points)	3. Evaluations (3 points)	4. Sanctions (3 points)	5. Reports (3 points)	6. PMR (3 points)	7. Renewals (6 points)	8. Default Closure (6 points)	Total (33 points)
2015	2	3	0	0	3	2	0	0	10/33
2014	2	3	0	0	3	1	0	0	9/33

NOTEWORTHY IN 2015

SCORE INCREASE: +1

Performance Management and Replication (+1: Replication). Legislation passed in 2015 allows a single charter school board to hold multiple charters.

- Institute a strong renewal standard. Empower authorizers to close schools that fail to achieve the performance goals set out in their charter contracts.
- Codify the expectation that all authorizers use performance frameworks. Performance frameworks used by Denver Public Schools and the Colorado Charter School Institute (CSI) are already promoted in the state for use by all authorizers. State law should require all authorizers to use performance frameworks.
- Institute a default closure provision. Enforcement of charter school accountability has been inconsistent among Colorado authorizers. A default closure provision will ensure that failing charter schools are considered for closure. Colorado is well positioned to adopt such a policy because of the state's existing well-developed accountability system that prioritizes student growth and differentiates accountability for Alternative Education Campuses.
- Transform the Colorado Charter School Institute into a statewide Independent Charter Board. The CSI should be able to directly authorize schools across the state. Its authority should not be constrained to jurisdictions that relinquish their authorizing authority, whether voluntarily or through force.



POLICY	POINTS	DETAILS & CONTEXT
AUTHORIZER QUALITY	•	
1. Who Authorizes	2/6	LEA, Independent Charter Board (ICB) with limited jurisdiction, SEA considers appeals.¹ The Colorado Charter School Institute (CSI) is a limited jurisdiction ICB. The CSI was established to serve both as an alternative authorizer and as a model authorizer for the state. The CSI may authorize charter schools directly in the nine districts that do not currently have exclusive authorizing authority. Districts may not have exclusive authorizing authority for a variety of reasons, including voluntary relinquishment (either wholesale or for a particular school or applicant) or forcible loss after demonstrating a pattern of treating charters in a hostile manner. The CSI oversees a portfolio that has a larger proportion of Alternative Education Campuses and virtual schools than found among charter schools authorized by Colorado districts.
2. Authorizer Standards	3/3	State law requires the State Board of Education (SBE) to adopt authorizer standards. The SBE's final rules reference NACSA's <i>Principles & Standards for Quality Charter School Authorizing</i> . Authorizer practices around the state have achieved some consistency due to the establishment of authorizer standards and a collaborative effort among districts, the CSI, the State Department of Education, and the Colorado League of Charter Schools to improve authorizing. At the same time, the small scale of authorizing by the majority of Colorado's LEA authorizers remains an ongoing challenge.
3. Authorizer Evaluations	0/3	State law does not require or provide for the evaluation of authorizers based on standards for quality authorizing.
4. Authorizer Sanctions	0/3	State law does not allow for authorizer sanctions that: restrict the granting of new charters by the authorizer; remove schools from the authorizer's portfolio; or remove authorizing authority. Colorado has a limited form of authorizer sanctions through the SBE's power to remove a district's exclusive chartering authority for cause. When invoked, a charter applicant may seek authorization directly from the CSI. The SBE has exercised this authority a handful of times since the CSI was created in 2005.
SCHOOL ACCOUNTABI	LITY	
5. Reports on Performance	3/3	State law requires the ICB and LEAs to produce an annual public report on the academic performance of their portfolios of schools. State law requires all LEAs to provide an annual report to the Department, which by regulation must include reporting school performance data.
6. Performance Management & Replication	2/3	State law requires a charter contract. State law does not require authorizers to use a performance framework for charter school oversight. In practice, the Department's School Performance Framework is established in policy and promoted as a model tool to be used by district authorizers statewide for all schools, but it is not explicitly required to be tied to charter school oversight. New in 2015: A single charter board may hold multiple charters.
7. Renewal Standard	0/6	State law allows "reasonable progress" to be sufficient for a charter to be renewed.
8. Default Closure	0/6	State law does not provide for default closure for failure to meet minimum academic standards.

TOTAL POINTS: 10/33, RANK 33

¹The SBE is the official appellate body. If the SBE overturns a decision by an LEA, the school is first remanded back to the LEA for their authorization. If the LEA refuses to authorize the school, the SBE may order the establishment of the school. At that point, the LEA is the authorizer.



CONNECTICUT

RANK 21, SCORE 15/33



22 CHARTER SCHOOLS8,036 CHARTER STUDENTS1% OF PUBLIC SCHOOL STUDENTS



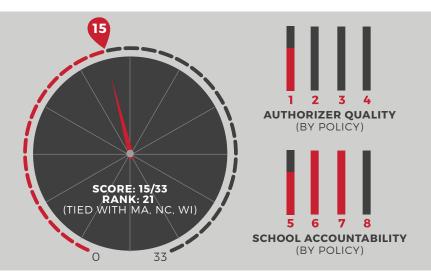
STATE WITH FEW AUTHORIZERS

1 AUTHORIZER

100% ARE AUTHORIZED BY THE
STATE BOARD OF EDUCATION



YEAR LAW ESTABLISHED: 1996



YEARLY COMPARISON

		no Authorizes 6 points)	2. Standards (3 points)	3. Evaluations (3 points)	4. Sanctions (3 points)	5. Reports (3 points)	6. PMR (3 points)	7. Renewals (6 points)	8. Default Closure (6 points)	Total (33 points)	
2	2015	4	0	0	0	2	3	6	0	15/33	
2	2014	4	0	0	0	0	0	0	0	4/33	

NOTEWORTHY IN 2015

SCORE INCREASE: +11

Reports on Performance (+2). New state law requires charter schools to annually submit a report to the Commissioner of Education on the school's progress in meeting academic and organizational performance goals in the charter. State law also requires these reports to be posted on the Commissioner's public website.

Performance Management and Replication (+3). New state law requires a charter contract that includes academic and organizational performance goals and indicators, the key components of a performance framework. New state law also clarifies that a charter school may receive approval to operate an additional facility under its existing charter contract, similar to opening an additional campus.

Renewal Standard (+6). New state law requires the authorizer to evaluate the charter school according to academic and organizational performance goals in the charter contract when considering renewal.

New laws increase transparency for charter schools, authorizers, and charter management organizations.

Legislation in 2015 modified the charter school approval process. The State Board of Education may grant only initial certificates of approval to new charter petitions. The initial certificate of approval is then submitted to the General Assembly along with a summary of the required public hearing. The final charter is considered granted only when the General Assembly appropriates funds for the Department of Education for the proposed charter school. The State Board of Education remains the authorizer.

- Endorse professional standards for charter school authorizing.
- Simplify the annual charter school appropriation mechanism to make funding levels more predictable for charter schools. Connecticut has an unusual charter school funding process that requires the legislature to annually appropriate funding for each charter school seat through a budgetary line item. This process was further codified in 2015 through a new initial certificate process, described above, whereby a charter petition is not considered approved until funding is appropriated, often fewer than three months before the start of the school year. This process creates uncertainty for students and families at new schools, existing schools, and at those tentatively approved to expand. NACSA encourages the state to consider a simplified, predictable approval and appropriation mechanism for charter schools.



• Consider additional autonomies for charter schools. Connecticut is one of only a few states that do not automatically give charter schools exemptions from some provisions that govern traditional public schools. Instead, charter schools must individually request each exemption and receive approval from the State. NACSA encourages the State to consider identifying a subset of exemptions that can be given automatically to all charter schools.

THE SCORE

1112 000112		
POLICY	POINTS	DETAILS & CONTEXT
AUTHORIZER QUALITY		
1. Who Authorizes	4/6	SEA only. The State Board of Education is the only authorizer. Local charter schools, which include conversions, must be authorized by both the local or regional board of education and by the State Board of Education. State law includes enrollment restrictions (subject to waivers) and geographic restrictions. New in 2015: The State Board of Education may grant "initial certificates of approval" to charter schools. The charter is considered effective only when the General Assembly appropriates the necessary funding.
2. Authorizer Standards	0/3	State law does not adopt, provide, or endorse quality standards for authorizers.
3. Authorizer Evaluations	0/3	State law does not require or provide for the evaluation of authorizers based on standards for quality authorizing.
4. Authorizer Sanctions	0/3	State law does not allow for authorizer sanctions that: restrict the granting of new charters by the authorizer; remove schools from the authorizer's portfolio; or remove authorizing authority.
SCHOOL ACCOUNTABII	LITY	
5. Reports on Performance	2/3	New in 2015: State law requires charter schools to annually submit a report to the Commissioner of Education on the school's progress in meeting academic and organizational performance goals in the charter. State law also requires these reports to be posted on the Commissioner's public website.
6. Performance Management & Replication	3/3	New in 2015: State law requires a charter contract and a performance framework. State law allows a charter school to operate multiple facilities under a single charter contract upon authorizer approval. This provides an additional mechanism for quality growth and replication. However, other policies, such as the General Assembly enrollment approval mechanism and limitations on allowable charter governance structures, can inhibit the growth of high-quality charter schools.
7. Renewal Standard	6/6	New in 2015: By law, the authorizer must evaluate the performance of the charter school according to its academic goals when considering renewal of the charter. The authorizer may decide what level of performance warrants renewal.
8. Default Closure	0/6	State law does not provide for default closure for failure to meet minimum academic standards.

TOTAL POINTS: 15/33, RANK 21 (TIED WITH MA, NC, NM, WI)



DELAWARE





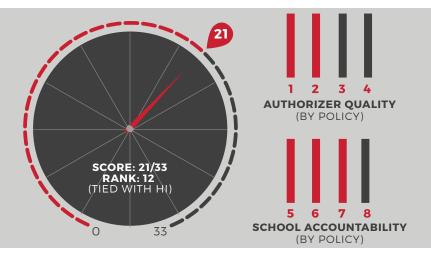
24 CHARTER SCHOOLS
11,346 CHARTER STUDENTS
8% OF PUBLIC SCHOOL STUDENTS



STATE WITH FEW AUTHORIZERS 2 AUTHORIZERS **85%** ARE AUTHORIZED BY THE DEPARTMENT OF EDUCATION



YEAR LAW ESTABLISHED: 1995



YEARLY COMPARISON

	1. Who Authorizes (6 points)	2. Standards (3 points)	3. Evaluations (3 points)	4. Sanctions (3 points)	5. Reports (3 points)	6. PMR (3 points)	7. Renewals (6 points)	8. Default Closure (6 points)	Total (33 points)	
2015	6	3	0	0	3	3	6	0	21/33	
2014	6	0	0	0	0	3	6	0	15/33	

NOTEWORTHY IN 2015

SCORE INCREASE: +6

Score Change: Authorizer Standards (+3). Regulations specify that the charter school law is to be implemented with chartering policies and practices consistent with nationally recognized principles and standards for quality charter school authorizing in all major areas of authorizing. Delaware should have been awarded full points for this category in 2014. Reports on Performance (+3). State law requires the Department of Education to report annually on charter schools and the charter school program. State regulations specify that the report must analyze the performance of all charter schools according to their performance framework and the report must be posted on the Department's public website. The report includes school performance by authorizer.

The State has instituted a moratorium on new charter school openings in the City of Wilmington. The moratorium is in place until June 30, 2018 or until the State Board of Education develops a strategic plan for the number of charter, district, and vocational-technical schools in the state, whichever occurs first. In addition, new charter schools proposing to operate in Wilmington will be subject to an additional local screening and approval process.

- Consider a default closure policy to make closure the expected outcome for failing charter schools. This creates a differentiated renewal mechanism that can streamline the renewal process while enforcing a high level of charter school accountability.
- Develop a strong strategic plan for the state's charter sector to lift the moratorium on new charter schools. NACSA
 encourages all parties to develop a plan for charter schools that preserves charter autonomy and allows for the
 growth of quality public schools, charter and otherwise. NACSA hopes this plan will address any concerns with charter
 concentration in Wilmington and remove any duplicative approval processes while ensuring appropriate community
 involvement and input
- Review charter school enrollment policies to ensure that state law prevents charter schools from establishing undue barriers to enrollment.



POLICY	POINTS	DETAILS & CONTEXT
AUTHORIZER QUALITY	1	
1. Who Authorizes	6/6	LEA, SEA. For state-approved charters, the Department of Education is referred to as "the approving authority." The oversight and staff support for authorizing functions are performed by the Department. The Department's decisions to approve, renew, revoke, or make a material modification to a charter, as well as changes to the performance framework and regulations, require the assent of the State Board of Education. Local district authorizer decisions do not require Board approval. New in 2015: New law establishes a moratorium on new charter schools in Wilmington until June 30, 2018 or until the Board develops a strategy for the number of charter, district, and vocational-technical schools in the state. In addition, new charter schools proposing to operate in Wilmington will be subject to additional local screening processes and approval processes to varying degrees by the local school district.
2. Authorizer Standards	3/3	New in 2015: Regulations specify that the charter school law is to be implemented with chartering policies and practices consistent with nationally recognized principles and standards for quality charter school authorizing in all major areas of authorizing. Delaware should have been awarded full points for this category in 2014.
3. Authorizer Evaluations	0/3	State law does not require or provide for the evaluation of authorizers based on standards for quality authorizing.
4. Authorizer Sanctions	0/3	State law does not allow for authorizer sanctions that: restrict the granting of new charters by the authorizer; remove schools from the authorizer's portfolio; or remove authorizing authority.
SCHOOL ACCOUNTABI	LITY	
5. Reports on Performance	3/3	New in 2015: State law requires the Department of Education to produce an annual report on charter schools. Regulations require that report to contain an analysis of each charter school's performance according to their performance framework and to post the report on the Department's public website. In addition, state law requires charter schools to submit annual reports on their progress in meeting student performance goals to their authorizer, the Department of Education, and the State Board of Education. Per regulations, these reports must be publicly accessible on the school's website.
6. Performance Management & Replication	3/3	State law requires a charter contract and performance framework. A Charter School Performance Fund is available for high-quality schools seeking to expand.
7. Renewal Standard	6/6	State law requires renewal decisions to be grounded in the performance framework. In addition, regulations make renewal contingent on performance according to the school's performance framework.
8. Default Closure	0/6	State law does not provide for default closure for failure to meet minimum academic standards.

TOTAL POINTS: 21/33, RANK 12 (TIED WITH HI)



DISTRICT OF COLUMBIA

RANK 16, SCORE 19/33



112 CHARTER SCHOOLS
37,684 CHARTER STUDENTS
44% OF PUBLIC SCHOOL STUDENTS



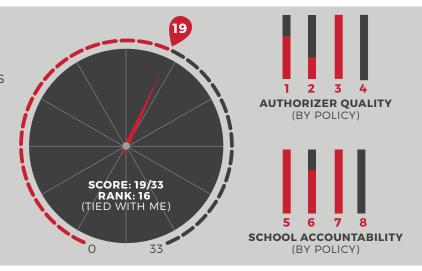
STATE WITH FEW AUTHORIZERS

1 AUTHORIZER

100% ARE AUTHORIZED BY THE
PUBLIC CHARTER SCHOOL BOARD



YEAR LAW ESTABLISHED: 1996



YEARLY COMPARISON

	1. Who Authorizes (6 points)	2. Standards (3 points)	3. Evaluations (3 points)	4. Sanctions (3 points)	5. Reports (3 points)	6. PMR (3 points)	7. Renewals (6 points)	8. Default Closure (6 points)	Total (33 points)	
2015	4	1	3	0	3	2	6	0	19/33	
2014	4	1	3	0	3	1	6	0	18/33	

NOTEWORTHY IN 2015

SCORE INCREASE: +1

Score Change: Performance Management and Replication (+1: Performance Contracts). After an application is approved, state law provides for the creation of a charter that includes the performance goals agreed to by the authorizer and charter school. This is equivalent to a performance contract and is used by the authorizer as such.

- Codify the use of performance frameworks. In practice, the sole authorizer uses a performance framework, but nothing in state policy ensures this practice will continue in perpetuity.
- **Endorse robust authorizer standards** that are equivalent in rigor to nationally recognized standards for charter school authorizing.
- **Establish a default closure policy.** In practice, the District of Columbia Public Charter School Board (DCPCSB) uses its rigorous performance framework and a formal five-year review process to, in effect, make closure the expected outcome for failing schools. Codifying that practice in state policy would ensure it continues into the future.



POLICY	POINTS	DETAILS & CONTEXT					
AUTHORIZER QUALITY	1						
1. Who Authorizes	4/6	Independent Charter Board only.					
2. Authorizer Standards	1/3	State law identifies establishing authorizer standards as evaluation criteria but does not provide guidance on the content of the standards.					
3. Authorizer Evaluations	3/3	By law, the Comptroller General reviews the authorizer every two years.					
4. Authorizer Sanctions	0/3	State law does not allow for authorizer sanctions that: restrict the granting of new charters by the authorizer; remove schools from the authorizer's portfolio; or remove authorizing authority.					
SCHOOL ACCOUNTABILITY							
5. Reports on Performance	3/3	The sole authorizer's policy is to publish an annual report on the academic performance of its entire portfolio of charter schools.					
6. Performance Management & Replication	2/3	State law provides for the creation of a charter agreement that includes school performance goals. State law does not require a performance framework. In practice, the District of Columbia Public Charter School Board uses performance frameworks. The law allows a charter school to add an additional campus under an existing charter.					
7. Renewal Standard	6/6	By law, an authorizer may close a charter school for failure to meet student achievement goals in its charter.					
8. Default Closure	0/6	State law does not provide for default closure for failure to meet minimum academic standards. In law, the sole authorizer is required to review a charter school at least every five years to determine if the charter should be revoked. The practices adopted by the sole authorizer for this review should lead to the closure of failing schools.					

TOTAL POINTS: 19/33, RANK 16 (TIED WITH ME)



FLORIDA RANK 18, SCORE 18/33



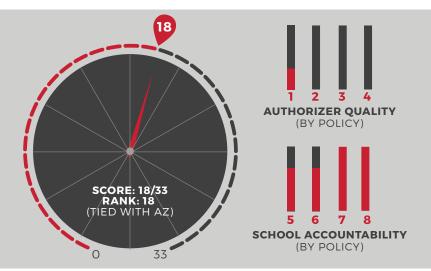
653 CHARTER SCHOOLS
250,583 CHARTER STUDENTS
9% OF PUBLIC SCHOOL STUDENTS



DISTRICT AUTHORIZING STATE 48 AUTHORIZERS 99% ARE AUTHORIZED BY LEAS



YEAR LAW ESTABLISHED: 1996



YEARLY COMPARISON

	1. Who Authorizes (6 points)	2. Standards (3 points)	3. Evaluations (3 points)	4. Sanctions (3 points)	5. Reports (3 points)	6. PMR (3 points)	7. Renewals (6 points)	8. Default Closure (6 points)	Total (33 points)	
2015	2	0	0	0	2	2	6	6	18/33	
2014	2	0	0	0	0	2	6	6	16/33	

NOTEWORTHY IN 2015

SCORE INCREASE: +2

Score Change: Reports on Performance (+2). In 2015, NACSA modified the "Reports on Performance" Policy Rubric to reorient the score levels towards the desired outcome of this policy—an annual report on the academic performance of every charter school in each authorizer's portfolio. This desired outcome is achieved through state law. As such, Florida receives partial points (2/3) in this category. Florida would receive full credit if the reports were generated by authorizers themselves or otherwise verified by authorizers prior to publication.

- Incorporate the Florida Principles & Standards for Quality Charter School Authorizing into law. These standards give
 authorizers guidance on executing their responsibilities over all stages of charter school oversight. This includes improving
 front-end screening of charter school applications to make sure the schools are likely to succeed, conducting regular
 monitoring, and making renewal and closure decisions.
- Require authorizers to use performance frameworks with academic, financial, and organizational performance metrics and incorporate that into the charter contract. This establishes the agreed-upon expectations for school performance before a school is open, providing a basis for on-going accountability and renewal decisions.
- Enrich the annual reports on school performance by including data from authorizers on the progress each school is making towards their contractual performance goals.
- Establish authorizer evaluations. Evaluations facilitate improvement of authorizer quality and, as a result, help foster
 quality charter schools. State law should allow as-needed or regular evaluations of authorizers based on the quality of their
 authorizing practices or the quality of the charter schools in their portfolio. Incorporating the Florida Principles & Standards
 for Quality Charter School Authorizing into law will provide an important set of benchmarks for these evaluations.
- Explore a constitutional amendment that would enable a non-LEA alternative authorizer such as an Independent Charter Board.



POLICY	POINTS	DETAILS & CONTEXT
AUTHORIZER QUALITY	•	
1. Who Authorizes	2/6	LEA, limited jurisdiction Higher Education Institution (HEI); SEA considers appeals. Florida constitutionally limits charter school authorizing mostly to its 67 school districts, although HEIs may authorize specified career technical and lab schools. Florida school districts are generally large and, as such, many have large portfolios of charter schools. Florida statute also empowers the State Board of Education to hear charter school appeals, but the original LEA serves as the authorizer if its decision is reversed on appeal.
2. Authorizer Standards	0/3	State law does not adopt, provide, or endorse quality standards for authorizers. In 2014, the Florida Department of Education released the Florida Principles & Standards for Quality Charter School Authorizing, which are consistent with national authorizing standards. While NACSA applauds the State and Florida authorizers for voluntarily developing these standards, nothing in state law or rules required the development of these standards or their adoption, use, or endorsement by any authorizer.
3. Authorizer Evaluations	0/3	State law does not require or provide for the evaluation of authorizers based on standards for quality authorizing.
4. Authorizer Sanctions	0/3	State law does not allow for authorizer sanctions that: restrict the granting of new charters by the authorizer; remove schools from the authorizer's portfolio; or remove authorizing authority.
SCHOOL ACCOUNTABI	LITY	
5. Reports on Performance	2/3	New in 2015: A charter school must report progress in meeting academic goals to its authorizer. This report is then transmitted by the authorizer to the Commissioner of Education (SEA). Florida would receive full credit if the reports were generated by authorizers themselves or otherwise verified by authorizers prior to publication.
6. Performance Management & Replication	2/3	State statute requires the use of a charter contract but not a performance framework. Multiple high-performing charter schools may operate or replicate under a single governing board.
7. Renewal Standard	6/6	By law, authorizers may decide not to renew a school if it fails to meet the performance goals in its charter.
8. Default Closure	6/6	By law, charter schools that receive an F rating two years in a row must be closed, with few exceptions.

TOTAL POINTS: 18/33, RANK 18 (TIED WITH AZ)



GEORGIA RANK 14. SCORE 20/33



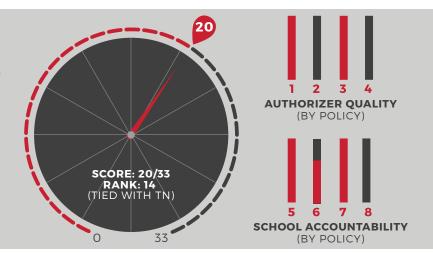
103 CHARTER SCHOOLS
83,277 CHARTER STUDENTS
5% OF PUBLIC SCHOOL STUDENTS



DISTRICT AUTHORIZING STATE 46 AUTHORIZERS 87% ARE AUTHORIZED BY LEAS



YEAR LAW ESTABLISHED: 2002



YEARLY COMPARISON

	1. Who Authorizes (6 points)	2. Standards (3 points)	3. Evaluations (3 points)	4. Sanctions (3 points)	5. Reports (3 points)	6. PMR (3 points)	7. Renewals (6 points)	8. Default Closure (6 points)	Total (33 points)	_
2015	6	0	3	0	3	2	6	0	20/33	
2014	6	0	0	0	0	1	0	0	7/33	

NOTEWORTHY IN 2015

SCORE INCREASE: +13

Reports on Performance (+3). Rules passed over the last year require authorizers to produce an annual public report on the academic and financial performance of their portfolio of charter schools.

Performance Management and Replication (+1: Replication). Rules passed in fall 2014 require authorizers to provide for an expedited review process for renewal, expansion, and replication of high-quality schools.

Authorizer Evaluations (+3). Rules passed over the last year require the Department of Education to annually assign authorizers into one of four categories (first-time authorizer, exemplary, adequate, and needs improvement) and then to provide technical assistance to authorizers not in the "exemplary" category. When implemented, this will require a state entity to assess authorizers' compliance with applicable standards and/or portfolio performance.

Renewal (+6). Rules passed over the last year require an authorizer to evaluate a renewal petition based on the charter school's performance in relation to the expectations and goals in the charter and to take appropriate action based on that evaluation. In addition, the rules specify that an authorizer has a responsibility to enforce clear expectations for, and ensure achievement of, performance goals set forth in a charter agreement. This allows an authorizer to non-renew a school if a school does not achieve their performance goals. As such, this is a strong renewal standard.

- Implement the authorizer evaluation and rating system to encourage authorizer improvement and provide support to improve the quality of all authorizers in the state.
- Require authorizers to follow best practices in charter authorizing in accordance with national professional standards. This provision should be incorporated into the authorizer evaluation system under development.
- Institute a default closure mechanism to make closure the presumptive expectation for failing charter schools, barring
 extenuating circumstances.



POLICY	POINTS	DETAILS & CONTEXT
AUTHORIZER QUALITY	•	
1. Who Authorizes	6/6	LEA, Independent Charter Board. Georgia law allows LEAs and the Georgia Charter Schools Commission, an Independent Charter Board, to authorize charter schools. The Commission was established in 2008, ruled unconstitutional in 2011, and then re-established in 2012 after a successful voter referendum.
2. Authorizer Standards	0/3	State law does not adopt, provide, or endorse quality standards for authorizers.
3. Authorizer Evaluations	3/3	New in 2015: Rules passed over the last year require the Department of Education to annually assign authorizers into one of four categories (first-time authorizer, exemplary, adequate, and needs improvement) and then to provide technical assistance to authorizers not in the "exemplary" category. When implemented, this will require a state entity to assess authorizers' compliance with applicable standards and/or portfolio performance.
4. Authorizer Sanctions	0/3	State law does not allow for authorizer sanctions that: restrict the granting of new charters by the authorizer; remove schools from the authorizer's portfolio; or remove authorizing authority.
SCHOOL ACCOUNTABI	LITY	
5. Reports on Performance	3/3	New in 2015: State law requires authorizers to produce an annual public report on the performance of their portfolio of schools. In addition, rules adopted over the last year specify the inclusion of academic performance mechanisms.
Performance Management & Replication	2/3	State law requires a charter contract but not a performance framework. New in 2015: Authorizers must provide for an expedited review process for renewal, expansion, and replication of high-quality schools.
7. Renewal Standard	6/6	New in 2015: State rules require authorizers to evaluate renewal petitions based on the charter school's performance in relation to the expectations and goals in the charter and to take appropriate action based on that evaluation.
8. Default Closure	0/6	State law does not provide for default closure for failure to meet minimum academic standards.

TOTAL POINTS: 20/33, RANK 14 (TIED WITH TN)



HAWAII RANK 12. SCORE 21/33



34 CHARTER SCHOOLS
10,413 CHARTER STUDENTS
6% OF PUBLIC SCHOOL STUDENTS



STATE WITH FEW AUTHORIZERS

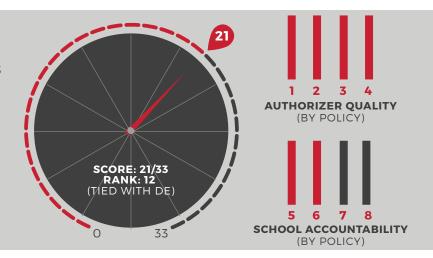
1 AUTHORIZER

100% ARE AUTHORIZED BY THE

HAWAII STATE PUBLIC CHARTER SCHOOL COMMISSION



YEAR LAW ESTABLISHED: 1994



YEARLY COMPARISON

	1. Who Authorizes (6 points)	2. Standards (3 points)	3. Evaluations (3 points)	4. Sanctions (3 points)	5. Reports (3 points)	6. PMR (3 points)	7. Renewals (6 points)	8. Default Closure (6 points)	Total (33 points)
2015	6	3	3	3	3	3	0	0	21/33
2014	6	3	3	_	3	3	0	0	18/33

NOTEWORTHY IN 2015

SCORE INCREASE: +3

Score Change: Authorizer Sanctions (+3). State law allows the sanction of additional authorizers if they become active. Structuring authorizer sanctions in this way is appropriate as it preserves the existing authorizer functions while ensuring that there is an accountability system in place if more than two authorizers in a given jurisdiction should ever emerge. In 2014, NACSA did not provide an Authorizer Sanctions score for "States With Few Authorizers." As such, Hawaii's policy was not previously scored.

In 2015, Hawaii made two changes to its charter school closure law. The first change creates an automatic closure provision for a charter school that is unable to pay its staff when payroll is due. The second change allows charter schools to give enrollment priority to students who are from a charter school facing closure.

- Institute a strong renewal standard in state policy. Empower authorizers to close schools that fail to achieve performance goals in the charter contract. Hawaii has historically struggled to enforce accountability, though new regulations and practices of the Hawaii State Public Charter School Commission should give the authorizer more tools to assess a charter school's performance and hold charter schools accountable. The existing weak renewal statute is still in place, and NACSA is concerned it will undermine the Commission's ability to employ these new practices and enforce accountability. NACSA encourages Hawaii to fix the underlying law.
- Create a default closure mechanism to make closure the expected outcome for failing charter schools.
- Continue implementation of state policy to continue enforcing new charter school accountability provisions.



POLICY	POINTS	DETAILS & CONTEXT
AUTHORIZER QUALITY	1	
1. Who Authorizes	6/6	Independent Charter Board (Allowed but inactive: Higher Education Institution [HEI], Not-For-Profit [NFP], and Non-Educational Governmental [NEG] entity).¹ Hawaii is unique, having a single LEA/SEA across the state. The Hawaii State Public Charter School Commission, an Independent Charter Board, is the only active authorizer. Other eligible entities must apply to the State Board of Education (SBE) to receive authorizing authority. To date, no other entities have applied to become an authorizer.
2. Authorizer Standards	3/3	State law requires authorizers to develop and maintain authorizing standards consistent with national professional standards.
3. Authorizer Evaluations	3/3	State law does not provide for periodic review of authorizers, but the SBE can evaluate authorizers and must apply nationally recognized principles and standards when evaluating authorizer performance.
4. Authorizer Sanctions	3/3	State law allows the sanction of additional NEG or HEI authorizers if they become active. State law allows sanctions for poor portfolio performance or failure to meet standards for quality authorizing. Sanctions can include revocation of authorizing power or authority to grant new charters. Structuring authorizer sanctions in this way is appropriate as it preserves the existing authorizer functions while ensuring there is an accountability system in place if more than two authorizers in a given jurisdiction should ever emerge.
SCHOOL ACCOUNTABI	LITY	
5. Reports on Performance	3/3	By law, authorizers must provide an annual public report summarizing the academic performance of all schools in its portfolio as measured by state standards.
6. Performance Management & Replication	3/3	State law requires a charter contract and a performance framework. The law also allows multiple schools to operate under a single governing board.
7. Renewal Standard	0/6	State law allows "sufficient progress" to be sufficient for a charter to be renewed. The charter law and associated rules have changed to strengthen the charter renewal process and provide the authorizer with additional tools to evaluate charter school performance and enforce charter school accountability. NACSA is encouraged by these changes and hopes the Commission will be able to use these tools to enforce a strong renewal standard in practice.
8. Default Closure	0/6	State law does not provide for default closure for failure to meet minimum academic standards.

TOTAL POINTS: 21/33, RANK 12 (TIED WITH DE)



 $^{^{\}rm 1}\mbox{In}$ Hawaii, the NEG authorizers are county agencies or state agencies.

IDAHO RANK 20, SCORE 16/33



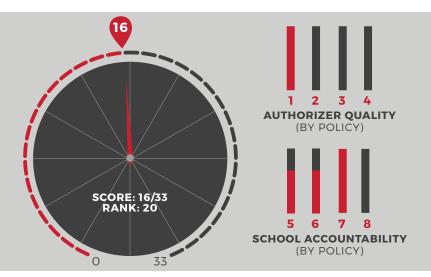
48 CHARTER SCHOOLS
20,449 CHARTER STUDENTS
7% OF PUBLIC SCHOOL STUDENTS



STATE WITH MANY AUTHORIZERS
14 AUTHORIZERS
69% AUTHORIZED BY THE
IDAHO PUBLIC CHARTER
SCHOOL COMMISSION



YEAR LAW ESTABLISHED: 1996



YEARLY COMPARISON

	1. Who Authorizes (6 points)	2. Standards (3 points)	3. Evaluations (3 points)	4. Sanctions (3 points)	5. Reports (3 points)	6. PMR (3 points)	7. Renewals (6 points)	8. Default Closure (6 points)	Total (33 points)	_
2015	6	0	0	0	2	2	6	0	16/33	
2014	6	0	0	0	2	2	6	0	16/33	

- Continue implementation of strong performance management policies passed in 2013.
- Endorse professional standards for charter school authorizing. In practice, the Idaho Public Charter School Commission employs many best practices in charter school authorizing. Codifying the expectation that all authorizers follow professional standards will ensure consistent high quality across the authorizing sector.
- Institute a default closure policy to make closure the expected outcome for failing charter schools.
- Consider policies that encourage the replication of high-performing charter schools, such as allowing a single charter school governing board to operate multiple charter schools.
- Consider adopting authorizer screening, evaluation, and sanction policies if alternative authorizers become active. State law allows Higher Education Institutions to authorize charter schools. The state would benefit from additional authorizer quality initiatives, such as authorizer applications or other screening processes, such as those adopted in Minnesota or Indiana. These initiatives are quality control measures that ensure only authorizers with a commitment to quality are allowed to authorize. These policies would prevent authorizer shopping activities from eroding charter school accountability, a problem in states with more than two non-LEA authorizers.



POLICY	POINTS	DETAILS & CONTEXT
AUTHORIZER QUALITY	•	
1. Who Authorizes	6/6	LEA, Independent Charter Board (Allowed but inactive: Higher Education Institution). The Idaho Public Charter School Commission is the dominant authorizer, with 13 LEAs authorizing the remaining schools. Idaho has a large virtual charter school sector.
2. Authorizer Standards	0/3	State law does not adopt, provide, or endorse quality standards for authorizers. In practice, the Commission employs many best practices in charter school authorizing.
3. Authorizer Evaluations	0/3	State law does not require or provide for the evaluation of authorizers based on standards for quality authorizing.
4. Authorizer Sanctions	0/3	State law does not allow for authorizer sanctions that: restrict the granting of new charters by the authorizer; remove schools from the authorizer's portfolio; or remove authorizing authority.
SCHOOL ACCOUNTABI	LITY	
5. Reports on Performance	2/3	State law requires authorizers to produce an annual public performance report on each charter school they oversee, based on the school's performance framework, but it is not a consolidated report on their portfolio. The Commission, in practice, produces an annual report on the performance of its portfolio of charter schools.
6. Performance Management & Replication	2/3	State law requires a charter contract and a performance framework. The law does not explicitly encourage or address replication of successful schools.
7. Renewal Standard	6/6	By law, renewal decisions must be grounded in the performance framework.
8. Default Closure	0/6	State law does not provide for default closure for failure to meet minimum academic standards.

TOTAL POINTS: 16/33, RANK 20



ILLINOIS RANK 26, SCORE 14/33



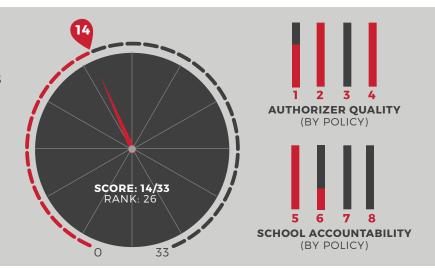
148 CHARTER SCHOOLS62,429 CHARTER STUDENTS3% OF PUBLIC SCHOOL STUDENTS



DISTRICT AUTHORIZING STATE 13 AUTHORIZERS 97% ARE AUTHORIZED BY LEAS



YEAR LAW ESTABLISHED: 1996



YEARLY COMPARISON

	1. Who Authorizes (6 points)	2. Standards (3 points)	3. Evaluations (3 points)	4. Sanctions (3 points)	5. Reports (3 points)	6. PMR (3 points)	7. Renewals (6 points)	8. Default Closure (6 points)	Total (33 points)	
2015	4	3	0	3	3	1	0	0	14/33	
2014	4	3	0	-	3	1	0	0	11/33	

NOTEWORTHY IN 2015

SCORE INCREASE: +3

Score Change: Authorizer Sanctions (+3). State law allows sanctions for not adhering to high-quality authorizer practices but not for poor performance of their charter school portfolio. Sanctions can include removal of authorizing power or authority to grant new charters. In 2014, NACSA did not provide an Authorizer Sanctions score for "District Authorizing States." As such, Illinois' policy was not previously scored.

- **Preserve the Illinois State Charter School Commission.** Recent legislative efforts have attempted to dissolve the Commission. Illinois must prioritize the preservation of the Commission as a necessary appellate body. In addition, it would be ideal to allow the Commission to receive charter applications directly, rather than through appeals only.
- Codify into law a requirement for authorizers to use performance frameworks and replication incentives, which are already used by Chicago Public Schools.
- Institute a strong renewal standard that empowers authorizers to close schools that fail to achieve the performance goals in the charter contract.
- Designate a state oversight entity to conduct authorizer evaluations, as needed. Illinois law currently allows for authorizer sanctions, but there is no evaluative mechanism to officially gather evidence for such an action. Law should designate an entity with that responsibility and empower it to conduct authorizer evaluations, as needed. Evaluations also serve as a barometer of authorizer activities and can inform changes in practice and policy.



POLICY	POINTS	DETAILS & CONTEXT
AUTHORIZER QUALITY	1	
1. Who Authorizes	4/6	LEA, Independent Charter Board (ICB) on appeal. The Illinois State Charter School Commission, an ICB, may approve schools on appeal. Charter schools are primarily located in Chicago, with Chicago Public Schools serving as authorizer of 124 schools, or 89% of all charter schools in Illinois.
2. Authorizer Standards	3/3	By law, the Illinois State Charter School Commission and all LEAs overseeing charters shall carry out all their chartering duties in a manner consistent with nationally recognized principles and standards of charter school authorizing.
3. Authorizer Evaluations	0/3	State law does not require or provide for the evaluation of authorizers based on standards for quality authorizing.
4. Authorizer Sanctions	3/3	New in 2015: State law allows for sanctions for not adhering to high-quality authorizer practices but not for poor performance of their charter school portfolio. Sanctions can include removal of authorizing power or authority to grant new charters.
SCHOOL ACCOUNTABI	LITY	
5. Reports on Performance	3/3	By law, authorizers are required to report annually on the academic performance of all charter schools in their portfolio as measured by state standards.
6. Performance Management & Replication	1/3	State law requires a charter contract but not a performance framework or replication policy.
7. Renewal Standard	0/6	State law allows "reasonable progress" to be sufficient for a charter to be renewed.
8. Default Closure	0/6	State law does not provide for default closure for failure to meet minimum academic standards.

TOTAL POINTS: 14/33, RANK 26



INDIANA RANK 1. SCORE 33/33



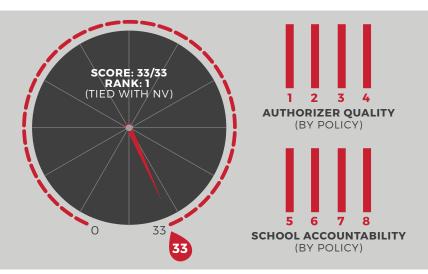
79 CHARTER SCHOOLS
37,448 CHARTER STUDENTS
4% OF PUBLIC SCHOOL STUDENTS



STATE WITH MANY AUTHORIZERS 7 AUTHORIZERS **3 AUTHORIZERS** WITH 5 OR
MORE SCHOOLS



YEAR LAW ESTABLISHED: 2001



YEARLY COMPARISON

	1. Who Authorizes (6 points)	2. Standards (3 points)	3. Evaluations (3 points)	4. Sanctions (3 points)	5. Reports (3 points)	6. PMR (3 points)	7. Renewals (6 points)	8. Default Closure (6 points)	Total (33 points)	
2015	6	3	3	3	3	3	6	6	33/33	
2014	6	3	0	3	3	2	6	6	29/33	

NOTEWORTHY IN 2015

SCORE INCREASE: +4

Authorizer Evaluations (+3). New law in 2015 establishes an authorizer application process for new Higher Education Institution authorizers to be conducted by the State Board of Education. Potential new authorizers must demonstrate their commitment to quality authorizing and charter school accountability through several application requirements and assurances. The State Board may grant six-year contracts to new authorizers, with contract extensions contingent on specified performance terms.

Performance Management and Replication (+1: Performance Frameworks). New authorizers must use a performance framework. In addition, new and existing authorizers must make renewal decisions based on a school's performance according to the performance framework in a charter contract.

Indiana added provisions to prevent authorizer shopping, which is when charter schools change authorizers to avoid closure or scrutiny.

NACSA RECOMMENDS

• Indiana has all of NACSA's recommended policies in law.



POLICY	POINTS	DETAILS & CONTEXT
AUTHORIZER QUALITY	1	
1. Who Authorizes	6/6	LEA, Higher Education Institution (HEI), Independent Charter Board (ICB), Non-Education Government entity. In practice, there are nine active authorizers of varying sizes, with Ball State University, the Mayor of Indianapolis, and the Indiana Charter Board (an ICB) each maintaining midsized to large portfolios that account for most of the 75 charter schools in the state. State law allows state HEIs offering four-year undergraduate degrees and 30 different not-for-profit HEIs to become active authorizers at any time. New in 2015: New authorizers after 2015 must apply to the State Board of Education (SBE) for the authority to authorize charter schools. The SBE evaluates the application and can decide to grant authorizing authority for a six-year term.
2. Authorizer Standards	3/3	State law requires all authorizers to adopt standards for quality charter school authorizing.
3. Authorizer Evaluations	3/3	New in 2015: New authorizers must be approved through an authorizer application process conducted by the SBE. These authorizers must meet various quality assurances to continue authorizing after that initial term.
4. Authorizer Sanctions	3/3	By law, an authorizer may be sanctioned if the SBE has intervened to close or transfer 25% or more of its schools.
SCHOOL ACCOUNTABI	LITY	
5. Reports on Performance	3/3	State law requires authorizers to produce an annual public report that includes all testing, growth, and improvement data for each charter school.
6. Performance Management & Replication	3/3	State law requires a charter contract. Boards holding multiple charters may apply to consolidate tuition distributions within the state, mirroring an attribute of multi-campus charters. New in 2015: New authorizers must use a performance framework. In addition, new and existing authorizers must make renewal decisions based on a school's performance according to the performance framework in a charter contract.
7. Renewal Standard	6/6	By law, renewal requires meeting minimum academic standards. In addition, an authorizer shall make renewal decisions based upon evidence of the school's performance over the term of the charter contract.
8. Default Closure	6/6	By law, a school remaining in the lowest state group—or with a designation of School Improvement—in the third year after its initial placement in the lowest group, shall be closed.

TOTAL POINTS: 33/33, RANK 1 (TIED WITH NV)



 $^{^{\}rm 1}{\rm The}$ Mayor of Indianapolis is the only Non-Education Government entity that may authorize charter schools.





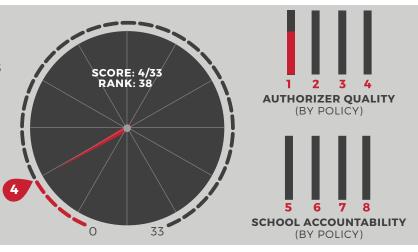
3 CHARTER SCHOOLS
322 CHARTER STUDENTS
<1% OF PUBLIC SCHOOL STUDENTS



DISTRICT AUTHORIZING STATE 3 AUTHORIZERS **100%** ARE AUTHORIZED BY LEAS



YEAR LAW ESTABLISHED: 2002



YEARLY COMPARISON

	1. Who Authorizes (6 points)	2. Standards (3 points)	3. Evaluations (3 points)	4. Sanctions (3 points)	5. Reports (3 points)	6. PMR (3 points)	7. Renewals (6 points)	8. Default Closure (6 points)	Total (33 points)
2015	4	0	0	0	0	0	0	0	4/33
2014	4	0	0	0	0	0	0	0	4/33

- lowa has a moribund charter law. Creating legally autonomous schools should be the primary policy goal for the state.
 Policy should ensure that schools have a legally autonomous governing board and autonomy in crucial areas of school operations.
- Eliminate the dual-approval system and empower school districts and an alternative authorizer to directly approve charter schools. Iowa is one of only four states with a dual-approval system, which is nearly synonymous with limited autonomy charter schools. The dual-approval system should be eliminated and school districts and a statewide alternative authorizer should be empowered to directly approve legally autonomous charter schools.
- Endorse professional standards for charter school authorizing.
- Create a strong renewal standard that directly links school academic performance to renewal.
- Require contracts, performance frameworks, and annual performance reports for all charter schools.



POLICY	POINTS	DETAILS & CONTEXT
AUTHORIZER QUALITY		
1. Who Authorizes	4/6	LEA, SEA on appeal. Iowa allows LEA authorizers and empowers the SEA to authorize on appeal. The SEA must also approve all charter contracts issued by LEAs, a process referred to as dual approval. Although the SEA has the power to authorize on appeal, it has not yet done so.
2. Authorizer Standards	0/3	State law does not adopt, provide, or endorse quality standards for authorizers.
3. Authorizer Evaluations	0/3	State law does not require or provide for the evaluation of authorizers based on standards for quality authorizing.
4. Authorizer Sanctions	0/3	State law does not allow for authorizer sanctions that: restrict the granting of new charters by the authorizer; remove schools from the authorizer's portfolio; or remove authorizing authority.
SCHOOL ACCOUNTABI	LITY	
5. Reports on Performance	0/3	State law does not require authorizers to produce an annual public report on the academic performance of their portfolio of schools.
6. Performance Management & Replication	0/3	State law requires no charter contract, performance framework, or replication policy.
7. Renewal Standard	0/6	State law does not specify provisions for renewing charters.
8. Default Closure	0/6	State law does not provide for default closure for failure to meet minimum academic standards.

TOTAL POINTS: 4/33, RANK 38

 1 lowa has a moribund charter school law. Creating legally autonomous schools and a viable alternative authorizer should be the primary policy goals for the state.



KANSAS RANK 43, SCORE 0/33



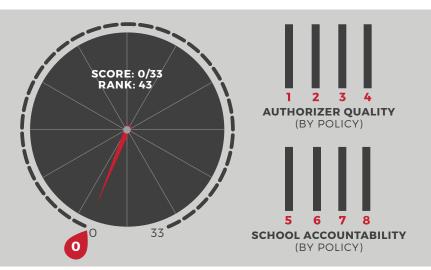
11 CHARTER SCHOOLS
2,677 CHARTER STUDENTS
1% OF PUBLIC SCHOOL STUDENTS



DISTRICT AUTHORIZING STATE
11 AUTHORIZERS
100% ARE AUTHORIZED BY LEAS



YEAR LAW ESTABLISHED: 1994



YEARLY COMPARISON

	1. Who Authorizes (6 points)	2. Standards (3 points)	3. Evaluations (3 points)	4. Sanctions (3 points)	5. Reports (3 points)	6. PMR (3 points)	7. Renewals (6 points)	8. Default Closure (6 points)	Total (33 points)	
2015	0	0	0	0	0	0	0	0	0/33	
2014	0	0	0	0	0	0	0	0	0/33	

- Kansas has a moribund charter law. Creating legally autonomous schools should be the primary policy goal for the state.
 Policy should ensure that schools have a legally autonomous governing board and autonomy in crucial areas of school operations.
- Create an alternative authorizer or, at a minimum, an appellate authorizer. Kansas is one of only three states that allow only LEAs to authorize charter schools; in addition, Kansas has no appeals system. This severely limits charter schools.
- Endorse professional standards for charter school authorizing.
- Create a strong renewal standard that directly links school academic performance to renewal.
- Require contracts, performance frameworks, and annual performance reports for all charter schools.



THE SCORE¹

POLICY	POINTS	DETAILS & CONTEXT
AUTHORIZER QUALITY	1	
1. Who Authorizes	0/6	LEA only.
2. Authorizer Standards	0/3	State law does not adopt, provide, or endorse quality standards for authorizers.
3. Authorizer Evaluations	0/3	State law does not require or provide for the evaluation of authorizers based on standards for quality authorizing.
4. Authorizer Sanctions	0/3	State law does not allow for authorizer sanctions that: restrict the granting of new charters by the authorizer; remove schools from the authorizer's portfolio; or remove authorizing authority.
SCHOOL ACCOUNTABI	LITY	
5. Reports on Performance	0/3	State law does not require authorizers to produce an annual public report on the academic performance of their portfolio of schools.
6. Performance Management & Replication	0/3	State law requires no charter contract, performance framework, or replication policy.
7. Renewal Standard	0/6	State law does not specify provisions for renewing charters.
8. Default Closure	0/6	State law does not provide for default closure for failure to meet minimum academic standards.

TOTAL POINTS: 0/33, RANK 43



 $^{^{1}}$ Kansas has a moribund charter school law. Creating legally autonomous schools and a viable alternative authorizer should be the primary policy goals for the state.

LOUISIANA RANK 10, SCORE 24/33



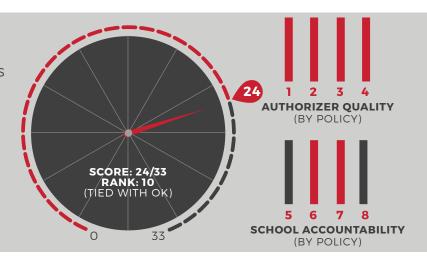
129 CHARTER SCHOOLS
69,078 CHARTER STUDENTS
10% OF PUBLIC SCHOOL STUDENTS



STATE WITH FEW AUTHORIZERS
11 AUTHORIZERS
73% ARE AUTHORIZED BY THE
STATE BOARD OF EDUCATION



YEAR LAW ESTABLISHED: 1995



YEARLY COMPARISON

	1. Who Authorizes (6 points)	2. Standards (3 points)	3. Evaluations (3 points)	4. Sanctions (3 points)	5. Reports (3 points)	6. PMR (3 points)	7. Renewals (6 points)	8. Default Closure (6 points)	Total (33 points)
2015	6	3	3	3	0	3	6	0	24/33
2014	6	3	2	_	0	1	6	0	18/33

NOTEWORTHY IN 2015

SCORE INCREASE: +5

Performance Management and Replication (+2: Performance Frameworks, Replication). State rules allow high-performing charter schools to open and operate additional campuses if they meet several performance criteria. The charter contract must include the specific student standards for renewal on academic, financial, and operational grounds, akin to a performance framework. For schools authorized by the Board of Education, this is detailed in a performance framework, called a "performance compact," that includes criteria in three categories: student performance, financial performance, and organizational performance.

Score Change: Authorizer Sanctions (+3). State law allows the sanction of additional "local charter school authorizers" if they become active. Structuring authorizer sanctions in this way is appropriate as it preserves the existing authorizer functions while ensuring there is an accountability system in place if more than two authorizers in a given jurisdiction should ever emerge. In 2014, NACSA did not provide an Authorizer Sanctions score for "States With Few Authorizers." As such, Louisiana's policy was not previously scored.

Score Change: Authorizer Evaluations (+3). The Louisiana statute was incorrectly scored in 2014. The State requires an authorizer evaluation for local charter authorizers

- Require all authorizers to include school performance information in their annual reports. Louisiana statute already
 requires all charter school authorizers to submit an annual report to the State Board on their portfolios of charter schools,
 but this report does not include school performance information. This report should be modified to include school
 performance information.
- Extend the default closure policy used by the Louisiana Board of Elementary and Secondary Education (BESE) to all authorizers and all charter schools. State policy currently requires the non-renewal of failing charter schools authorized by BESE, but not for charter schools under other authorizers. This policy should be extended to all authorizers.
- Continue creating and implementing policies to address the unique challenges of New Orleans's all-charter district. Policies already developed for areas such as transportation, enrollment procedures, charter school restarts, and student discipline serve as important models for the rest of the country. As the proportion of charter schools increases in other locales, policymakers are increasingly turning to New Orleans for data on the effect of systemwide policy initiatives.



POLICY	POINTS	DETAILS & CONTEXT
AUTHORIZER QUALITY	•	
1. Who Authorizes	6/6	LEA, SEA, limited jurisdiction Recovery School District (RSD) (Allowed but inactive: Higher Education Institution [HEI], Not-For-Profit [NFP], Non-Education Government entity [NEG]). The Louisiana Board of Elementary and Secondary Education (BESE), through the statewide RSD, oversees 73% of all charter schools in the state, while 10 school districts oversee the remaining charter schools. All public schools operating in New Orleans are charter schools. NEGs are limited to state agencies and, along with HEIs and NFPs, must apply to BESE to become an officially designated "local charter authorizer." No NEGs, HEIs, or NFPs have applied to become charter school authorizers.
2. Authorizer Standards	3/3	State law requires authorizers to develop standards. For the review of charter applications, the standards authorizers develop and employ must comply with NACSA's <i>Principles & Standards for Quality Charter School Authorizing</i> .
3. Authorizer Evaluations	3/3	"Local charter authorizers" are reviewed regularly, but LEAs and the SEA are not subject to evaluation.
4. Authorizer Sanctions	3/3	Applies only to "local charter authorizers." State law allows sanctions for poor portfolio performance or failure to meet standards for quality authorizing. Sanctions can include revocation of authorizing power or authority to grant new charters. Structuring authorizer sanctions in this way is appropriate as it preserves the existing authorizer functions while ensuring there is an accountability system in place if more than two authorizers in a given jurisdiction should ever emerge.
SCHOOL ACCOUNTABI	LITY	
5. Reports on Performance	0/3	State law does not require authorizers to produce an annual public report on the academic performance of their portfolios of charter schools.
6. Performance Management & Replication	3/3	State law requires a charter contract. Rules require a performance framework, called a "performance compact." Rules allow high-performing charter schools to open additional campuses through a streamlined process.
7. Renewal Standard	6/6	By law, if a charter school is not achieving its stated goals, its charter shall not be extended.
8. Default Closure	0/6	State policy does not provide for default closure for failure to meet minimum academic standards for all authorizers. State policy does set a minimum academic performance threshold for charter schools authorized by BESE. Schools receiving a D or F in the year prior to renewal are not eligible for renewal unless defined exceptional circumstances apply.

TOTAL POINTS: 24/33, RANK 10 (TIED WITH OK)



 $^{^{}m 1}$ State law defines "local charter authorizers" as HEI, NFP, and NEG authorizers.

MAINE RANK 16, SCORE 19/33



6 CHARTER SCHOOLS
857 CHARTER STUDENTS
<1% OF PUBLIC SCHOOL STUDENTS



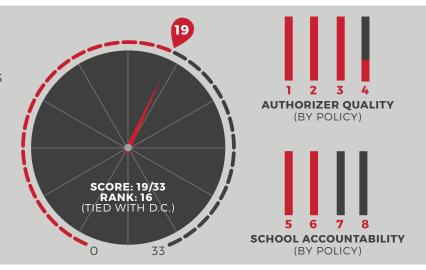
STATE WITH FEW AUTHORIZERS

1 AUTHORIZER

100% ARE AUTHORIZED BY THE
MAINE CHARTER SCHOOL
COMMISSION



YEAR LAW ESTABLISHED: 2011



YEARLY COMPARISON

	1. Who Authorizes (6 points)	2. Standards (3 points)	3. Evaluations (3 points)	4. Sanctions (3 points)	5. Reports (3 points)	6. PMR (3 points)	7. Renewals (6 points)	8. Default Closure (6 points)	Total (33 points)	
2015	6	3	3	1	3	3	0	0	19/33	
2014	6	3	3	1	3	3	0	0	19/33	

NOTEWORTHY IN 2015

The Maine Charter School Commission is preparing for its first renewal cycles in the coming years. This includes the adoption of numerous regulations and procedures governing standards for charter school renewal and renewal processes.

NACSA RECOMMENDS

• Continue work by the Commission to put policies and practices in place for a rigorous first renewal cycle with a strong renewal standard. NACSA anticipates the Commission will employ state policy to enforce a strong renewal standard based on the achievement of academic goals. At this time, state policy—which encompasses statute, rules, and regulations—contains provisions that can be interpreted as a strong renewal policy (based on achieving performance goals) or a weak renewal policy (based on progress toward performance goals). This variable renewal policy environment is present in a handful of other states; in those states, the history of implementation has enabled NACSA to determine if a state has a strong or weak renewal standard. However, Maine has not yet conducted a renewal cycle and, as such, NACSA is unable to determine if the interplay of state policies empower authorizers to uphold a strong standard for renew. NACSA believes it will and, after the first renewal cycles this year and next, anticipates awarding Maine full points in this category.



POLICY	POINTS	DETAILS & CONTEXT
AUTHORIZER QUALITY	•	
1. Who Authorizes	6/6	LEA, Independent Charter Board (ICB). The Maine Charter School Commission (an ICB) is limited to 10 charter schools until 2021, while LEAs may authorize an unlimited number of charter schools. To date, the Commission is the only active authorizer.
2. Authorizer Standards	3/3	State law requires the State Department of Education to establish policies and practices consistent with nationally recognized principles and professional standards for authorizers.
3. Authorizer Evaluations	3/3	State law allows the State Department of Education to investigate and evaluate authorizers' performance.
4. Authorizer Sanctions	1/3	State law allows sanctions for failure to meet standards for quality authorizing but not for poor portfolio performance. Sanctions can include revocation of authority to grant new charters or renew existing charters.
SCHOOL ACCOUNTABI	LITY	
5. Reports on Performance	3/3	State law requires authorizers to submit an annual report on every charter school's academic performance according to the charter's performance measures and expectations.
6. Performance Management & Replication	3/3	State law requires a charter contract and a performance framework, and allows multiple schools under one board.
7. Renewal Standard	0/6	New in 2015: State policies contain variable provisions governing charter school renewal that allows both "reasonable progress" to be sufficient for a charter to be renewed (a weak renewal standard) and grounds renewal decisions on the performance of the school in accordance with their performance goals (a strong renewal standard). Because Maine has not yet conducted a renewal cycle, it is unclear at this point if the policy enables the authorizer to enforce a strong renewal standard. NACSA believes the Commission will use these policies to enforce a strong renewal standard, as evidenced by regulations and processes adopted in 2014 and 2015, and anticipates awarding Maine full points after the first renewal cycle is conducted.
8. Default Closure	0/6	State law does not provide for default closure for failure to meet minimum academic standards.

TOTAL POINTS: 19/33, RANK 16 (TIED WITH D.C.)



MARYLAND RANK 41, SCORE 2/33



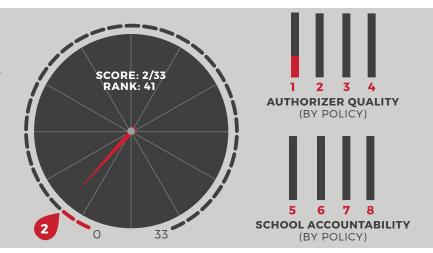
53 CHARTER SCHOOLS20,800 CHARTER STUDENTS2% OF PUBLIC SCHOOL STUDENTS



DISTRICT AUTHORIZING STATE
6 AUTHORIZERS
100% ARE AUTHORIZED BY LEAS



YEAR LAW ESTABLISHED: 2003



YEARLY COMPARISON

	1. Who Authorizes (6 points)	2. Standards (3 points)	3. Evaluations (3 points)	4. Sanctions (3 points)	5. Reports (3 points)	6. PMR (3 points)	7. Renewals (6 points)	8. Default Closure (6 points)	Total (33 points)	_
2015	2	0	0	0	0	0	0	0	2/33	
2014	2	0	0	0	0	0	0	0	2/33	

NOTEWORTHY IN 2015

In 2015, Maryland passed charter school reform in key areas of school autonomy, teacher certification, funding, and student enrollment. However, these reforms did not impact charter school authorizing policy; therefore, there is no change in Maryland's score.

- Creating legally autonomous schools across the state should be the primary policy goal. Policy should ensure that all charter schools in all school districts have a legally autonomous governing board and autonomy in crucial areas of school operations.
- Endorse professional standards for charter school authorizing.
- Create a strong renewal standard that directly links school academic performance to renewal.
- Require contracts, performance frameworks, and annual performance reports for all charter schools.



POLICY	POINTS	DETAILS & CONTEXT
AUTHORIZER QUALITY	4	
1. Who Authorizes	2/6	LEA, SEA considers appeals. ² State law allows the State Board of Education to hear appeals, but the original LEA serves as the authorizer if its decision is reversed on appeal.
2. Authorizer Standards	0/3	State law does not adopt, provide, or endorse quality standards for authorizers.
3. Authorizer Evaluations	0/3	State law does not require or provide for the evaluation of authorizers based on standards for quality authorizing.
4. Authorizer Sanctions	0/3	State law does not allow for authorizer sanctions that: restrict the granting of new charters by the authorizer; remove schools from the authorizer's portfolio; or remove authorizing authority.
SCHOOL ACCOUNTABI	LITY	
5. Reports on Performance	0/3	State law does not require authorizers to produce an annual public report on the academic performance of their portfolio of schools.
6. Performance Management & Replication	0/3	State law requires no charter contract, performance framework, or replication policy.
7. Renewal Standard	0/6	State law does not specify provisions for renewing charters.
8. Default Closure	0/6	State law does not provide for default closure for failure to meet minimum academic standards.

TOTAL POINTS: 2/33, RANK 41

¹Arguably, Maryland's law could be classified as a moribund law. The law does not explicitly provide any charter schools with separate, legally autonomous charter school governing boards. The law does not grant charter schools a waiver from any local or state laws or regulations. Instead, charter schools must individually apply to their LEA authorizer or the State Board of Education for any autonomies it seeks. However, individual schools may be granted autonomy and operate with the freedom usually found in states with live laws. The law requires each LEA to develop a charter school policy and, in practice, some LEAs have policies that provide additional autonomies. As a result, the governing structure of charter schools and the degree of charter school autonomy vary considerably from school to school and from district to district.

²The State Board of Education may directly authorize "restructured schools," one of the district school interventions under Maryland's No Child Left Behind Act compliance.



MASSACHUSETTS

RANK 21, SCORE 15/33



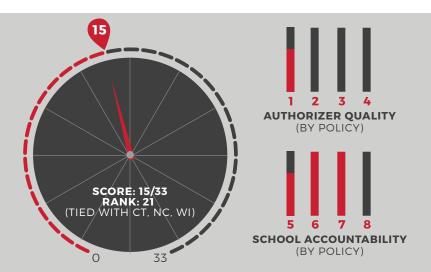
78 CHARTER SCHOOLS
37,402 CHARTER STUDENTS
4% OF PUBLIC SCHOOL STUDENTS



STATE WITH FEW AUTHORIZERS
1 AUTHORIZER
100% ARE AUTHORIZED BY THE
STATE BOARD OF ELEMENTARY &
SECONDARY EDUCATION



YEAR LAW ESTABLISHED: 1993



YEARLY COMPARISON

	1. Who Authorizes (6 points)	2. Standards (3 points)	3. Evaluations (3 points)	4. Sanctions (3 points)	5. Reports (3 points)	6. PMR (3 points)	7. Renewals (6 points)	8. Default Closure (6 points)	Total (33 points)
2015	4	0	0	0	2	3	6	0	15/33
2014	4	0	0	-	0	2	0	0	6/33

NOTEWORTHY IN 2015

SCORE INCREASE: +9

Score Change: Renewal Standard (+6). Massachusetts's regulations require the State Board of Elementary and Secondary Education (BESE) to base its renewal decision upon affirmative evidence of the success of the school's academic programs. Guidance from the Department of Education further links these criteria to the achievement of academic goals in the charter contract. Together, these state policies create a strong renewal standard amidst a state charter law that otherwise would enable a weaker standard for renewal. This score is a result of a re-examination of Massachusetts's full range of rules and regulations in 2015 to analyze the relationships between interconnected regulations and laws.

Score Change: Reports on Performance (+2). In 2015, NACSA modified the "Reports on Performance" policy rubric to reorient the score levels towards the desired outcome of this policy—an annual report on the academic performance of every charter school in each authorizer's portfolio. This desired outcome is achieved through state regulations. As such, Massachusetts receives partial points (2/3) in this category.

Score Change: Performance Management and Replication (+1: Performance Frameworks). State regulations require the authorizer and charter school to agree to an accountability plan with academic and operational performance goals. This is structurally the same as a performance framework.

- Require all charter school annual reports to be published in one location on a consolidated website, such as the Department of
 Education's charter school website. Currently these reports are available on individual school websites and also available to the
 public by request to the Department of Education, but they are not easily accessible in a single consolidated location. This minor
 change would make it easier to access performance information for every charter school and qualify for full points.
- Codify the expectation that the authorizer follows professional standards for authorizers. In practice, BESE uses practices consistent with much of NACSA's *Principles & Standards for Quality Charter School Authorizing*. However, nothing in state policy ensures it will continue to do so in perpetuity. This expectation should be codified.
- Remove or significantly reform the charter school cap system.



POLICY	POINTS	DETAILS & CONTEXT
AUTHORIZER QUALITY	1	
1. Who Authorizes	4/6	SEA. The Board of Elementary and Secondary Education (BESE) is the only authorizer. The Department of Education provides the necessary professional staff. Massachusetts classifies two different types of charter schools (Commonwealth charters and Horace Mann charters) that have different approval requirements. In addition, Massachusetts has various charter school caps relating to the total number of each type of charter school in the state, the school enrollment size, and the home district population size. There are some cap exemptions for charter schools in the lowest-performing school districts.
2. Authorizer Standards	0/3	State law does not adopt, provide, or endorse quality standards for authorizers. The sole authorizer voluntarily engages in many practices that are consistent with best practices in charter school authorizing.
3. Authorizer Evaluations	0/3	State law does not require or provide for the evaluation of authorizers based on standards for quality authorizing.
4. Authorizer Sanctions	0/3	State law does not allow for authorizer sanctions that: restrict the granting of new charters by the authorizer; remove schools from the authorizer's portfolio; or remove authorizing authority.
SCHOOL ACCOUNTABI	LITY	
5. Reports on Performance	2/3	New in 2015: State law does require each charter school to submit annual reports on its performance. These reports are made available to the public on the school's individual websites and can be requested through the Department of Education, but these reports are not required to be accessible to the public in a single, consolidated location. As such it does not receive full points on NACSA's rubric.
6. Performance Management & Replication	3/3	State regulations require a charter contract. Regulations allow multiple campuses under a single charter and provide successful school operators exclusive access to specified jurisdictions. ¹ New in 2015: State regulations require an accountability plan, structurally the same as a performance framework.
7. Renewal Standard	6/6	New in 2015: State law allows "reasonable progress" to be sufficient for a charter to be renewed. However, state regulations and Department guidance provide further renewal requirements. In order to grant renewal, BESE must find affirmative evidence of academic success, linked to a school's performance goals, to renew a charter school. By effectively using the regulatory process to, in essence, define "reasonable progress" as fulfilling charter school goals, Massachusetts is able to create a strong renewal standard.
8. Default Closure	0/6	State law does not provide for default closure for failure to meet minimum academic standards.

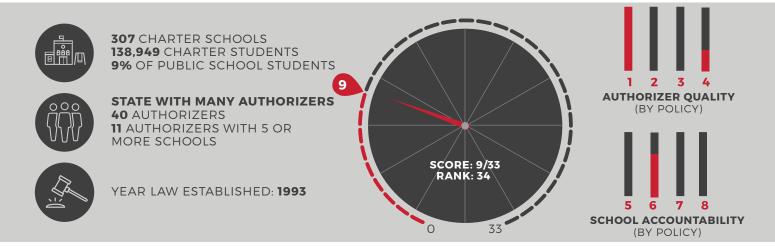
TOTAL POINTS: 15/33, RANK 21 (TIED WITH CT, NC, NM, WI)

and in which the 9% net school spending is or would be exceeded. Proven providers are the only applicants that can apply to operate charter schools in these jurisdictions.



 $^{^1}$ Those wishing to seek proven provider status submit to an application process run by the Commissioner. Approved proven providers can then submit applications to school districts performing in the lowest 10% statewide

MICHIGAN RANK 34. SCORE 9/33



YEARLY COMPARISON

	1. Who Authorizes (6 points)	2. Standards (3 points)	3. Evaluations (3 points)	4. Sanctions (3 points)	5. Reports (3 points)	6. PMR (3 points)	7. Renewals (6 points)	8. Default Closure (6 points)	Total (33 points)
2015	6	0	0	1	0	2	0	0	9/33
2014	6	0	0	1	0	2	0	0	9/33

NOTEWORTHY IN 2015

In late 2014, for the first time, the State Superintendent identified authorizers "At Risk of Suspension" based on stated factors of charter school portfolio performance and an authorizer's engagement in appropriate continuing oversight of charter schools in the areas of accountability, transparency, and fiscal governance. Lacking statute or rules, this action does not earn Michigan additional points.

The Michigan Council of Charter School Authorizers is in the process of developing an authorizer accreditation system. It is unknown at the time of publication what factors will be considered and it currently has no force of law. The Council has stated their intent to incorporate the accreditation into state policy to fulfill the functions of authorizer standards, authorizer evaluations, and authorizer sanctions while possibly requiring authorizers to use several performance management practices as well.

- Endorse professional charter school authorizing standards.
- Require regular authorizer evaluations. Michigan is the only state with multiple non-LEA authorizers that does not have authorizer evaluation explicitly in state policy. The efforts by the Superintendent and the Michigan Council of Charter School Authorizers are promising starts. A system of authorizer evaluation must be further developed and formally incorporated into state policy to give it the full weight of the law.
- Strengthen authorizer sanctions. Sanctions for underperforming authorizers should include the ability to revoke an authorizer's authority to issue new charter contracts and oversee existing schools. These possible sanctions should apply to authorizers that fail in their duties, demonstrate poor practices or conduct, or oversee portfolios with too many persistently low-performing schools.
- Make the default closure provision enforceable by updating the outdated statutory references. This technical oversight should be remedied immediately.
- Institute a strong renewal standard.
- Require all authorizers to use performance frameworks. Many Michigan authorizers already use performance frameworks.



POLICY	POINTS	DETAILS & CONTEXT
AUTHORIZER QUALITY	•	
1. Who Authorizes	6/6	LEA, Higher Education Institution (HEI), a statewide recovery school district with limited jurisdiction (the Education Achievement Authority [EAA]). LEA authorizers include both traditional school districts and regional bodies that can encompass multiple districts. There are 11 HEIs that authorize 82% of all charter schools in the state. Most HEI authorizers have a significant portfolio of more than 10 charter schools. The EAA is limited to certain new school and conversion efforts in specific school catchment zones where existing schools demonstrate failing performance.
2. Authorizer Standards	0/3	State law does not adopt, provide, or endorse quality standards for authorizers.
3. Authorizer Evaluations	0/3	State law does not require or provide for the evaluation of authorizers based on standards for quality authorizing. New in 2015: The Michigan Council of Charter School Authorizers is developing an authorizer accreditation system. It is unknown at the time of publication what factors will be considered and it currently has no force of law. The Council has stated their intent to incorporate the accreditation into state policy.
4. Authorizer Sanctions	1/3	The State Superintendent may suspend an authorizer's ability to issue new contracts if the authorizer is not conducting appropriate oversight. New in 2015: In late 2014, for the first time, the Superintendent identified authorizers "At Risk of Suspension" based on stated factors of charter school portfolio performance and an authorizer's engagement in appropriate continuing oversight of charter schools in the areas of accountability, transparency, and fiscal governance. As of this publication, no statute or rules have been put in place to clearly enable this type of authorizer evaluation, establish the criteria for evaluation or sanction, or make it a regular or as-needed occurrence. Lacking statute or rules, this action does not earn Michigan additional points.
SCHOOL ACCOUNTABI	LITY	
5. Reports on Performance	0/3	State law does not require authorizers to produce an annual public report on the academic performance of their portfolio of schools. In practice, some authorizers do produce annual reports on the performance of their portfolio of charter schools.
6. Performance Management & Replication	2/3	State law requires a charter contract but not a performance framework. The law allows multiple schools under a single charter.
7. Renewal Standard	0/6	State law allows "reasonable progress" to be sufficient for a charter to be renewed.
8. Default Closure	0/6	State law does not provide for default closure for failure to meet minimum academic standards. Michigan has a default closure provision in law but the state accountability structure that forms the statutory basis for the law is not currently in use. The default closure law is statutorily linked to two processes used in Michigan for compliance with the No Child Left Behind Act of 2001 and the American Recovery and Reinvestment Act of 2009: the Persistently Lowest Achieving Schools list and official federal school sanction levels. Michigan is currently under an Elementary and Secondary Education Act waiver and, as such, is not engaged in either of these specific processes as they are defined in the statute linked to the default closure law. As such, it is unenforceable in practice and does not receive any points.

TOTAL POINTS: 9/33, RANK 34



MINNESOTA

RANK 6, SCORE 26/33



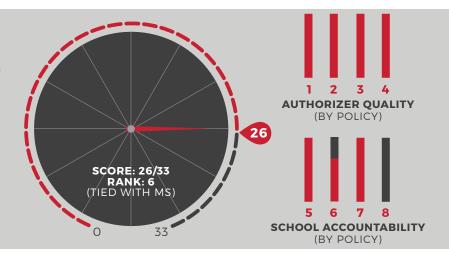
158 CHARTER SCHOOLS
45,322 CHARTER STUDENTS
5% OF PUBLIC SCHOOL STUDENTS



STATE WITH MANY AUTHORIZERS
23 AUTHORIZERS
11 AUTHORIZERS WITH 5 OR
MORE SCHOOLS



YEAR LAW ESTABLISHED: 1991



YEARLY COMPARISON

	1. Who Authorizes (6 points)	2. Standards (3 points)	3. Evaluations (3 points)	4. Sanctions (3 points)	5. Reports (3 points)	6. PMR (3 points)	7. Renewals (6 points)	8. Default Closure (6 points)	Total (33 points)	_
2015	6	3	3	3	3	2	6	0	26/33	
2014	6	3	3	3	3	2	6	0	26/33	

- Require all authorizers to use performance frameworks. Many authorizers in Minnesota already use performance frameworks and regularly demonstrate their use statewide and nationally. This would ensure all authorizers in the state engage in this practice.
- Continue developing charter school transfer provisions to prevent authorizer shopping. These provisions prevent authorizers from inappropriately facilitating forum shopping or authorizer shopping by weak schools.
- Establish a default closure provision that makes closure the expected outcome for failing charter schools. The number of active authorizers in Minnesota can present challenges for school accountability, as schools have many authorizers they can transfer to in order to stay open. A default closure provision, tied to reasonable charter school transfer limitations, would help ensure charter school accountability was consistently enforced and honored by all authorizers.



POLICY	POINTS	DETAILS & CONTEXT
AUTHORIZER QUALITY	•	
1. Who Authorizes	6/6	LEA, Higher Education Institution (HEI), Not-For-Profit (NFP). Non-LEA authorizers may authorize schools statewide. Legislation passed in 2009 requires all authorizers (both prospective and then-operating) to be approved by the State Department of Education and reviewed every five years. Since the law's passage, Minnesota has created and is implementing the nation's first state-led system to solicit and evaluate authorizer applications. After the first rounds of authorizer approval, the number of active authorizers fell from a high of 55 in 2009 to 26 in 2014.
2. Authorizer Standards	3/3	State law requires the Commissioner to consider standards that mirror NACSA's <i>Principles & Standards for Quality Charter School Authorizing</i> when making a decision on an authorizer application.
3. Authorizer Evaluations	3/3	By law, the State Education Commissioner (through the State Department of Education) is required to review all authorizers' performance every five years. In 2015, the State Department of Education will conduct its first round of required authorizer reviews and evaluations, a first for a statewide authorizer cohort of comparable scale.
4. Authorizer Sanctions	3/3	By law, the State Board of Education has the discretion to close authorizers for failing to meet goals in their authorizing contract.
SCHOOL ACCOUNTABI	LITY	
5. Reports on Performance	3/3	By law, the Commissioner must establish specifications for an annual authorizer report that must include academic, operational, and financial performance of schools.
6. Performance Management & Replication	2/3	State law requires a charter contract but not a performance framework. It also permits the board of a charter school to add additional sites.
7. Renewal Standard	6/6	State law gives the authorizer discretion to close schools for failing to meeting student achievement goals.
8. Default Closure	0/6	State law does not provide for default closure for failure to meet minimum academic standards.

TOTAL POINTS: 26/33, RANK 6 (TIED WITH MS)



MISSISSIPPI

RANK 6, SCORE 26/33



O CHARTER SCHOOLSO CHARTER STUDENTSO% OF PUBLIC SCHOOL STUDENTS

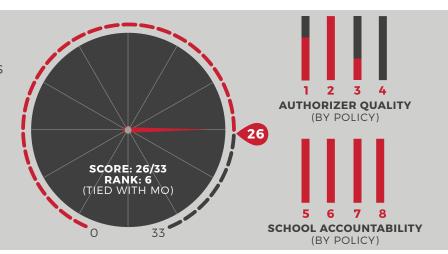


STATE WITH FEW AUTHORIZERS
1 AUTHORIZER
100% ARE AUTHORIZED BY THE
MISSISSIPPI CHARTER SCHOOL



YEAR LAW ESTABLISHED: 2010

AUTHORIZER BOARD



YEARLY COMPARISON

	1. Who Authorizes (6 points)	2. Standards (3 points)	3. Evaluations (3 points)	4. Sanctions (3 points)	5. Reports (3 points)	6. PMR (3 points)	7. Renewals (6 points)	8. Default Closure (6 points)	Total (33 points)	_
2015	4	3	1	0	3	3	6	6	26/33	
2014	4	3	1	0	3	3	6	6	26/33	

- Continue development and implementation of strong authorizer practices to complement the strong state policy environment.
- As Mississippi's charter sector is established and positioned to grow, NACSA encourages the state to **consider empowering** the Mississippi Charter School Authorizer Board to directly authorize schools statewide without conditions or restrictions.



POLICY	POINTS	DETAILS & CONTEXT						
		DETAILS & CONTEXT						
AUTHORIZER QUALITY								
1. Who Authorizes	4/6	Independent Charter Board (ICB) only. The Mississippi Charter School Authorizer Board, an ICB, is the sole authorizer in the state. The ICB may directly authorize charter schools in school districts with a D or F rating on the state accountability system. The ICB may also authorize charter schools in districts with an A, B, or C rating if a majority of the local school board votes to endorse the charter application or if a local school district is the charter applicant.						
2. Authorizer Standards	3/3	State law requires the ICB to develop chartering policies consistent with nationally recognized principles and standards.						
3. Authorizer Evaluations	1/3	By law, the authorizer must self-report annually on their adherence to authorizer standards.						
4. Authorizer Sanctions	0/3	State law does not allow for authorizer sanctions that: restrict the granting of new charters by the authorizer; remove schools from the authorizer's portfolio; or remove authorizing authority.						
SCHOOL ACCOUNTABI	LITY							
5. Reports on Performance	3/3	By law, the authorizer must annually provide the Legislature with a performance report for each charter school it oversees.						
Performance Management & Replication	3/3	State law requires a charter contract and a performance framework, and allows multiple schools under one charter.						
7. Renewal Standard	6/6	By law, a renewal decision must be grounded in the school's performance in accordance with the performance framework.						
8. Default Closure	6/6	By law, the authorizer may not renew a charter if the school receives an F rating on the state accountability system during the final year of the charter term.						

TOTAL POINTS: 26/33, RANK 6 (TIED WITH MN)



MISSOURI RANK 8, SCORE 25/33



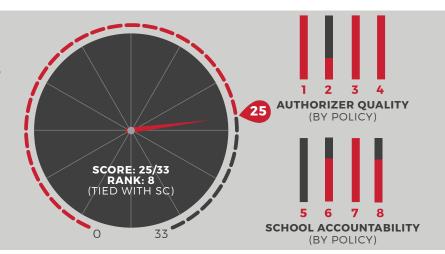
51 CHARTER SCHOOLS
19,737 CHARTER STUDENTS
2% OF PUBLIC SCHOOL STUDENTS



STATE WITH MANY AUTHORIZERS
12 AUTHORIZERS
3 AUTHORIZERS WITH 5 OR
MORE SCHOOLS



YEAR LAW ESTABLISHED: 1998



YEARLY COMPARISON

	1. Who Authorizes (6 points)	2. Standards (3 points)	3. Evaluations (3 points)	4. Sanctions (3 points)	5. Reports (3 points)	6. PMR (3 points)	7. Renewals (6 points)	8. Default Closure (6 points)	Total (33 points)	_
2015	6	1	3	3	0	2	6	4	25/33	
2014	6	1	3	3	0	1	6	4	24/33	

NOTEWORTHY IN 2015

SCORE INCREASE: +1

Performance Management and Replication (+1: Performance Framework). In 2014 and 2015, the Office of Quality Schools in the Missouri Department of Education adopted several new regulations to further define quality authorizing. This includes a requirement that the authorizer submit a copy of its performance framework as part of the authorizer evaluation process.

The Missouri Charter Public School Commission is now active and considering charter school applications.

- Improve authorizer standards, making the standards adopted equivalent to nationally recognized best practices in charter school authorizing.
- Require authorizers to produce annual public reports on the academic performance of their portfolio of charter schools. These reports should encompass each of the performance goals in the charter agreement, including performance on state assessments. This can be done through the authorizer evaluation system or through distinct state policy on authorizer responsibilities.
- Establish a defined academic performance threshold for the existing default closure provision. Creating a universal metric for the application of the default closure statute makes it easier for authorizers to identify and close persistently failing charter schools.
- Revise the closure statute to ensure the charter school governing board assumes responsibility for school closure costs.



POLICY	POINTS	DETAILS & CONTEXT
AUTHORIZER QUALITY	1	
1. Who Authorizes	6/6	LEA, limited jurisdiction Higher Education Institution (HEI), limited jurisdiction Independent Charter Board (ICB) (Allowed but inactive: SEA on appeal). LEAs may authorize within their respective jurisdictions. HEIs and the Commission may authorize schools only in jurisdictions that fail to meet specified accreditation and performance thresholds. The State Board of Education (SBE) is notified of all approved charter applications by all authorizers and, if it chooses, may intervene and invalidate any application's approval at that time. Without SBE intervention, an application is deemed approved by its authorizer. The SBE may also approve and authorize schools that have been denied by other authorizers. All but one charter school in Missouri are authorized by one of 11 active HEI authorizers, with two of those HEIs overseeing 55% of all charter schools.
2. Authorizer Standards	1/3	State law requires authorizers to develop authorizing standards in key areas. The SBE also notifies authorizers of any required or recommended best practices. The content of these standards is not fully consistent with NACSA's <i>Principles & Standards for Quality Charter School Authorizing</i> and, as such, Missouri receives partial points in this category.
3. Authorizer Evaluations	3/3	By law, the SBE evaluates authorizers against national standards every three years and may evaluate an authorizer at any time for cause.
4. Authorizer Sanctions	3/3	State law includes sanctions for authorizers failing to meet standards for quality authorizing but not for poor performance of the schools they oversee.
SCHOOL ACCOUNTABI	LITY	
5. Reports on Performance	0/3	State law does not require authorizers to produce an annual public report on the academic performance of their schools.
6. Performance Management & Replication	2/3	State law requires a charter contract. The law does not explicitly encourage or address replication of successful schools. New in 2015: State policy regarding authorizer evaluations requires authorizers to submit a performance framework for their charter schools.
7. Renewal Standard	6/6	By law, a charter may be revoked or put on probation if the school does not meet performance expectations stated in its charter.
8. Default Closure	4/6	State law requires default closure of schools that show clear evidence of underperformance in three of the last four years. However, the law does not define underperformance or establish a specific threshold for closure.

TOTAL POINTS: 25/33, RANK 8 (TIED WITH SC)



NEVADA RANK 1. SCORE 33/33



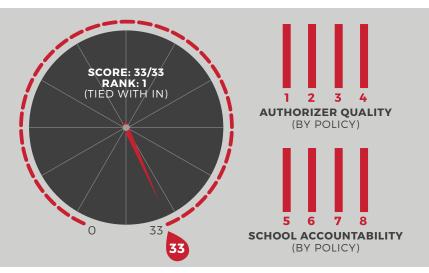
38 CHARTER SCHOOLS28,975 CHARTER STUDENTS6% OF PUBLIC SCHOOL STUDENTS



STATE WITH FEW AUTHORIZERS4 AUTHORIZERS
55% ARE AUTHORIZED BY THE NEVADA STATE PUBLIC CHARTER SCHOOL AUTHORITY



YEAR LAW ESTABLISHED: 1997



YEARLY COMPARISON

	1. Who Authorizes (6 points)	2. Standards (3 points)	3. Evaluations (3 points)	4. Sanctions (3 points)	5. Reports (3 points)	6. PMR (3 points)	7. Renewals (6 points)	8. Default Closure (6 points)	Total (33 points)
2015	6	3	3	3	3	3	6	6	33/33
2014	6	3	0	3	3	2	6	6	29/33

NOTEWORTHY IN 2015

SCORE INCREASE: +4

Performance Management and Replication (+1: Replication). Legislation passed in 2015 allows a not-for-profit charter management organization to directly submit applications for charter schools and, therefore, hold multiple charters. Score Change: Authorizer Evaluations (+3). A state statute passed in 2013 and regulations adopted in 2014 establish an authorizer evaluation process. The Department of Education will conduct a comprehensive review of each approved charter school authorizer at least once every three years. The Department will then base recommendations for authorizer sanctions on those evaluations.

In 2015, the Legislature modified the implementation date of the default closure provision and restructured the timeline for the application of the provision. Schools can be subject to default closure if they have three years of one-star academic performance rankings in a consecutive five-year period. The statute and associated regulations also make timeline adjustments based on the current transitions in state assessments. The Nevada State Public Charter School Authority is engaged in several initiatives to assist with the assessment transition as it relates to all areas of charter school oversight and accountability, including the default closure provision.

New legislation allows authorizers to subject failing charter schools to a restructure process in lieu of closure. Restructuring includes, at a minimum, a new board of directors and the execution of a new charter contract, making it functionally equivalent to a new school. The process will be developed through regulations created by the Department of Education.

- Nevada has adopted all of NACSA's recommended policies.
- Consider providing the Nevada State Public Charter School Authority with additional budget autonomy, especially as implementation of new policies continues. The Authority is officially designated as a LEA in statute and, as such, has specific categorical budget constraints that are unusual for a dedicated statewide authorizer. This creates constraints that can limit the Authority's ability to staff appropriately for authorizer-specific tasks and diminish its ability to fulfill its statutory role as the propagator of model authorizing practices across the state.



POLICY	POINTS	DETAILS & CONTEXT
AUTHORIZER QUALITY	,	
1. Who Authorizes	6/6	LEA, Independent Charter Board (Allowed but inactive: Higher Education Institution). The Nevada State Public Charter School Authority is the primary authorizer. A significant portion of the state's charter schools remain authorized by local school districts, making policy particularly important to ensure consistent, high-quality practices among all authorizers.
2. Authorizer Standards	3/3	State law requires authorizers to develop authorizing standards consistent with national professional standards.
3. Authorizer Evaluations	3/3	New in 2015: State law adopted in 2013, paired with regulations adopted in late 2014, provide for an authorizer application process and evaluations of authorizers every three years. The evaluations are to be based on the performance of charter schools in the authorizer's portfolio and nationally recognized best practices in charter school authorizing.
4. Authorizer Sanctions	3/3	State law allows sanctions for failure to meet standards for quality authorizing but not for poor portfolio performance. Sanctions can include revocation of authorizing power or authority to grant new charters.
SCHOOL ACCOUNTABI	LITY	
5. Reports on Performance	3/3	By law, authorizers must annually submit to the state a written report summarizing the performance of charter schools they oversee.
6. Performance Management & Replication	3/3	State law requires the use of a charter contract and a performance framework. New in 2015: Charter management organizations may directly submit charter school applications.
7. Renewal Standard	6/6	State law requires authorizers to use the performance framework as the basis for renewal decisions.
8. Default Closure	6/6	State law requires authorizers to revoke a charter if the charter school receives the lowest rating possible on the state accountability system for any three years in a consecutive five-year period.

TOTAL POINTS: 33/33, RANK 1 (TIED WITH IN)



NEW HAMPSHIRE

RANK 29, SCORE 12/33



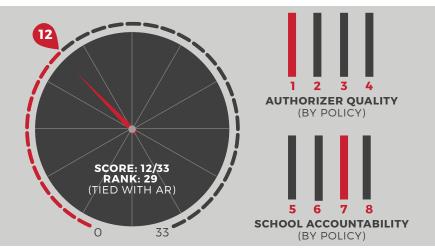
23 CHARTER SCHOOLS
2,548 CHARTER STUDENTS
1% OF PUBLIC SCHOOL STUDENTS



STATE WITH FEW AUTHORIZERS 2 AUTHORIZERS **96%** ARE AUTHORIZED BY THE STATE BOARD OF EDUCATION



YEAR LAW ESTABLISHED: 1995



YEARLY COMPARISON

	1. Who Authorizes (6 points)	2. Standards (3 points)	3. Evaluations (3 points)	4. Sanctions (3 points)	5. Reports (3 points)	6. PMR (3 points)	7. Renewals (6 points)	8. Default Closure (6 points)	Total (33 points)	
201	L5 6	0	0	0	0	0	6	0	12/33	
201	L4 4	0	0	0	0	0	6	0	10/33	

NOTEWORTHY IN 2015

SCORE INCREASE: +2

Score Change: Who Authorizes (+2). A New Hampshire statute was incorrectly scored in 2014. The State allows LEAs and at least one alternative authorizer (the State Board of Education) to authorize charter schools. As such, it should have received a score of 6 in 2014.

- Endorse professional standards for charter school authorizing.
- Require charter contracts and performance frameworks for all charter schools and all authorizers. New Hampshire is one of only six states that do not require a separate charter contract for all charter schools. In an unusual legal structure, charter schools authorized by LEAs are required to have charter contracts, but those authorized by the State Board of Education are not. NACSA believes this is a drafting oversight dating back to when the State Board of Education could authorize only on appeal. This oversight should be corrected immediately. Charter contracts and performance frameworks establish clear expectations for charter schools and authorizers and are an important component of charter school autonomy and accountability.
- Require all authorizers to report annually on the academic performance of their schools.
- **Establish authorizer evaluations** to allow the evaluation of authorizers based on the performance of their portfolio of schools and their adherence to best practices in charter school authorizing. Authorizer evaluations increase transparency in the charter sector and ensure authorizers are fulfilling their responsibilities to charter schools and the public.



POLICY	POINTS	DETAILS & CONTEXT
AUTHORIZER QUALITY	Y	
1. Who Authorizes	6/6	LEA, SEA. New Hampshire allows LEAs and the State Board of Education (SBE) to authorize charter schools. LEAs must vote to be an authorizer and, in doing so, must determine what percentage of their students will be allowed to enroll in charter schools. The SBE authorizes all but one of the state's 23 existing charter schools.
2. Authorizer Standards	0/3	State law does not adopt, provide, or endorse quality standards for authorizers.
3. Authorizer Evaluations	0/3	State law does not require or provide for the evaluation of authorizers based on standards for quality authorizing.
4. Authorizer Sanctions	0/3	State law does not allow for authorizer sanctions that: restrict the granting of new charters by the authorizer; remove schools from the authorizer's portfolio; or remove authorizing authority.
SCHOOL ACCOUNTABI	LITY	
5. Reports on Performance	0/3	State law does not require authorizers to produce an annual public report on the academic performance of their portfolio of schools.
6. Performance Management & Replication	0/3	Charter schools authorized by LEAs are required to have a charter contract, but those authorized by the SBE are not. State law does not require a performance framework or a replication policy.
7. Renewal Standard	6/6	By law, a charter school must meet the academic goals in its charter by the final year of the charter term to be eligible for renewal.
8. Default Closure	0/6	State law does not provide for default closure for failure to meet minimum academic standards.

TOTAL POINTS: 12/33, RANK 29 (TIED WITH AR)



NEW JERSEY

RANK 27, SCORE 13/33



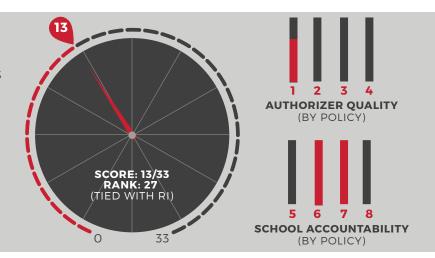
87 CHARTER SCHOOLS
37,259 CHARTER STUDENTS
3% OF PUBLIC SCHOOL STUDENTS



STATE WITH FEW AUTHORIZERS
1 AUTHORIZER
100% ARE AUTHORIZED BY
COMMISSIONER OF EDUCATION



YEAR LAW ESTABLISHED: 1995



YEARLY COMPARISON

	1. Who Authorizes (6 points)	2. Standards (3 points)	3. Evaluations (3 points)	4. Sanctions (3 points)	5. Reports (3 points)	6. PMR (3 points)	7. Renewals (6 points)	8. Default Closure (6 points)	Total (33 points)	_
2015	4	0	0	0	0	3	6	0	13/33	
2014	4	0	0	0	0	3	6	0	13/33	

- Codify the expectation that the authorizer follows professional standards for charter school authorizing. The Department of Education voluntarily follows NACSA's *Principles & Standards for Quality Charter School Authorizing*. However, nothing in state policy ensures the Department will continue to do so in perpetuity. This expectation should be codified.
- Codify the expectation that the authorizer will issue public annual reports on the academic performance of their schools.

 Rules require the Department to annually review the performance of each charter school according to the performance framework. Rules also require the charter school to prepare annual reports on their academic performance. However, nothing in state policy requires either the annual review or the annual reports to be publicly released. This expectation should be codified.
- Consider a statewide alternative authorizer, such as an Independent Charter Board. This additional authorizer would serve as a safety net for the state's charter sector if electoral changes ever lead to significant reduction or suspension of authorizing activity or commitment by the SEA.
- **Establish authorizer evaluations** on an as-needed or self-evaluative basis. Authorizer self-evaluations require authorizers to reflect on their practices and outcomes and identify areas for improvement.



POLICY	POINTS	DETAILS & CONTEXT
AUTHORIZER QUALITY	1	
1. Who Authorizes	4/6	SEA only. New Jersey allows only the State Commissioner of Education to authorize charter schools. The authorizing staff work is conducted by the New Jersey Department of Education. The level of authorizing activity in the state has historically varied significantly from one commissioner to the next.
2. Authorizer Standards	0/3	State law does not adopt, provide, or endorse quality standards for authorizers. In practice, the Department of Education has publicly committed to authorizing consistent with NACSA's <i>Principles & Standards for Quality Charter School Authorizing</i> .
3. Authorizer Evaluations	0/3	State law does not require or provide for the evaluation of authorizers based on standards for quality authorizing.
4. Authorizer Sanctions	0/3	State law does not allow for authorizer sanctions that: restrict the granting of new charters by the authorizer; remove schools from the authorizer's portfolio; or remove authorizing authority.
SCHOOL ACCOUNTABI	LITY	
5. Reports on Performance	0/3	State law requires the authorizer to conduct an annual review of each charter school. State rules also require each charter school to submit an annual report on their academic performance according to their performance framework. However, state policy does not require this information to be made available to the general public. In practice, the Department of Education issues annual reports to its schools on their academic performance.
Performance Management & Replication	3/3	State law requires a charter contract and a performance framework. The law also provides for an expedited application process for charter applicants with demonstrable experience.
7. Renewal Standard	6/6	State law requires the Commissioner of Education to use the performance framework to make charter renewal decisions.
8. Default Closure	0/6	State law does not provide for default closure for failure to meet minimum academic standards.

TOTAL POINTS: 13/33, RANK 27 (TIED WITH RI)



NEW MEXICO

RANK 21, SCORE 15/33



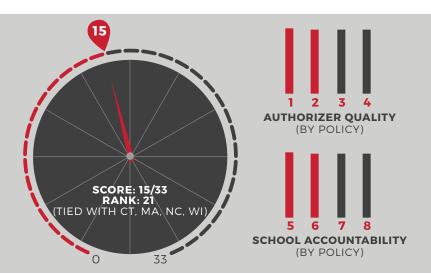
97 CHARTER SCHOOLS
22,715 CHARTER STUDENTS
7% OF PUBLIC SCHOOL STUDENTS



STATE WITH FEW AUTHORIZERS
19 AUTHORIZERS
56% ARE AUTHORIZED BY THE
PUBLIC EDUCATION COMMISSION



YEAR LAW ESTABLISHED: 1993



YEARLY COMPARISON

	1. Who Authorizes (6 points)	2. Standards (3 points)	3. Evaluations (3 points)	4. Sanctions (3 points)	5. Reports (3 points)	6. PMR (3 points)	7. Renewals (6 points)	8. Default Closure (6 points)	Total (33 points)	
2015	6	3	0	0	3	3	0	0	15/33	
2014	6	3	0	0	3	2	0	0	14/33	

NOTEWORTHY IN 2015

SCORE INCREASE: +1

Score Change: Performance Management and Replication (+1: Replication). A charter school may operate multiple campuses within a single school district with authorizer approval.

- Institute a strong renewal standard. Empower authorizers to close schools that fail to achieve the performance goals in their charter contract.
- Create a default closure provision, making closure the expected outcome for failing charter schools. Together, a strong renewal standard and a default closure mechanism should have a long-term positive impact on the quality of the state's charter school sector.
- Establish authorizer evaluations and allow sanctions for failing authorizers. The Public Education Commission is the state's dominant authorizer, overseeing 56% of charter schools—qualifying New Mexico as a "State With Few Authorizers." However, the state also has a large number of active school district authorizers, many who oversee small portfolios of charter schools. This can make it difficult to (1) have consistently high-quality authorizing across the charter school sector and (2) enforce charter school accountability. Authorizer evaluations and, if necessary, authorizer sanctions can identify low-quality authorizers and impose consequences if they fail to engage in quality authorizing.
- Assess the joint authorizing relationship between the Public Education Commission and the State Superintendent to
 determine if changes in statute could clarify and differentiate their respective roles in authorizing charter schools.

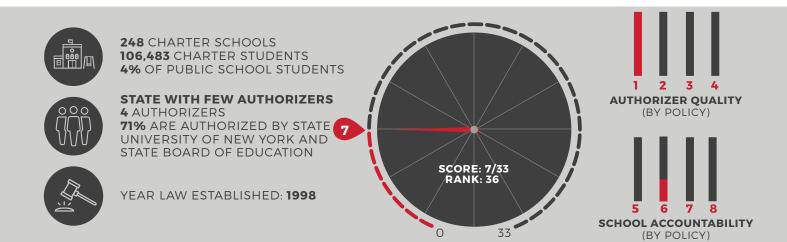


POLICY	POINTS	DETAILS & CONTEXT
AUTHORIZER QUALITY	1	
1. Who Authorizes	6/6	LEA, SEA. New Mexico allows LEAs and the Public Education Commission (PEC), which is functionally similar to an Independent Charter Board, to authorize charter schools. The PEC is a quasi-independent body that officially serves in an advisory capacity to the New Mexico Secretary of Education, meaning the decisions of the PEC are subject to reversal by the Secretary of Education. At the same time, the PEC relies on staff from the State Department of Education for some functions. This arrangement creates conflict. The PEC authorizes 56% of all charter schools in the state. Nearly half of the remaining charter schools are authorized by Albuquerque School District. The rest are overseen by other LEAs with small charter school portfolios. Because a significant proportion of schools are overseen by authorizers other than the PEC, the practices of the largest authorizer are less important in New Mexico than in other states where a single authorizer oversees all charters.
2. Authorizer Standards	3/3	State law requires authorizers to develop and maintain authorizing standards consistent with national professional standards.
3. Authorizer Evaluations	0/3	State law does not require or provide for the evaluation of authorizers based on standards for quality authorizing.
4. Authorizer Sanctions	0/3	State law does not allow for authorizer sanctions that: restrict the granting of new charters by the authorizer; remove schools from the authorizer's portfolio; or remove authorizing authority.
SCHOOL ACCOUNTABI	LITY	
5. Reports on Performance	3/3	By law, authorizers must annually report on school performance based on their charter performance framework.
6. Performance Management & Replication	3/3	State law requires a charter contract and a performance framework. New in 2015: State law allows charter schools to operate multiple campuses within a single school district.
7. Renewal Standard	0/6	By law, "substantial progress" toward academic goals may be sufficient for charter renewal.
8. Default Closure	0/6	State law does not provide for default closure for failure to meet minimum academic standards.

TOTAL POINTS: 15/33, RANK 21 (TIED WITH CT, MA, NC, WI)



NEW YORK RANK 36, SCORE 7/33



YEARLY COMPARISON

	1. Who Authorizes (6 points)	2. Standards (3 points)	3. Evaluations (3 points)	4. Sanctions (3 points)	5. Reports (3 points)	6. PMR (3 points)	7. Renewals (6 points)	8. Default Closure (6 points)	Total (33 points)
2015	6	0	0	0	0	1	0	0	7/33
2014	6	0	0	0	0	1	0	0	7/33

NOTEWORTHY IN 2015

The statewide cap on charter schools was restructured in such a way so that the State University of New York (SUNY) and the Board of Regents may collectively authorize an additional 130 charter schools outside of New York City and an additional 50 charter schools within New York City.

NACSA RECOMMENDS

Note: New York's authorizers voluntarily employ practices that largely mirror those that occur when NACSA's policy recommendations are in place. Thus, New York is an example of a state where authorizers successfully work around deficiencies in state policy and produce a charter sector with strong student outcomes.

• Institute a strong renewal standard in state policy. Empower authorizers to close schools that fail to achieve the performance goals in their charter contract. The dominant authorizers have voluntarily instituted strong renewal standards for charter schools in their portfolios through stringent contractual requirements, and their portfolios show strong student outcomes. However, nothing in state policy requires authorizers to employ a strong renewal standard in perpetuity.

Codify the expectation that the authorizer will follow professional standards for charter school authorizing. In practice, the three dominant authorizers—SUNY, the Board of Regents, and the New York City Department of Education—use practices consistent with much of NACSA's *Principles & Standards for Quality Charter School Authorizing*. However, nothing in state policy ensures all authorizers will continue to do so in perpetuity. This expectation should be codified.

- Codify the expectation that authorizers use performance frameworks.
- Codify the expectation that authorizers will issue public annual reports on the academic performance of their schools. The two statewide authorizers currently engage in extensive voluntary performance reporting.
- Establish a statewide incentive for the replication of high-performing charter schools.



POLICY	POINTS	DETAILS & CONTEXT
AUTHORIZER QUALITY		
1. Who Authorizes	6/6	LEA, SEA, Higher Education Institution. New York allows the Board of Regents (the State Board of Education), the Board of Trustees of the State University of New York (SUNY), and LEAs to serve as charter school authorizers. In 2010 and again in 2015, the charter cap was expanded in such a way that only the Board of Regents and SUNY may approve new-start charter schools.
2. Authorizer Standards	0/3	State law does not adopt, provide, or endorse quality standards for authorizers. The dominant authorizers voluntarily engage in many practices that are consistent with best practices in charter school authorizing.
3. Authorizer Evaluations	0/3	State law does not require or provide for the evaluation of authorizers based on standards for quality authorizing.
4. Authorizer Sanctions	0/3	State law does not allow for authorizer sanctions that: restrict the granting of new charters by the authorizer; remove schools from the authorizer's portfolio; or remove authorizing authority.
SCHOOL ACCOUNTABI	LITY	
5. Reports on Performance	0/3	State law does not require authorizers to produce an annual public report on the academic performance of their portfolios of schools. The two statewide authorizers currently engage in extensive voluntary performance reporting.
6. Performance Management & Replication	1/3	State law requires a charter contract but not a performance framework. The law does not explicitly encourage or address replication of successful schools. The two statewide authorizers each have practices that encourage the replication of high-performing charter schools.
7. Renewal Standard	0/6	State law allows "reasonable progress" to be sufficient for a charter to be renewed. NACSA recognizes that the two statewide authorizers employ high-quality practices and oversee portfolios of charter schools with strong performance records. This includes voluntarily instituting a strong renewal standard in practice and enforcing it through strong charter contracts.
8. Default Closure	0/6	State law does not provide for default closure for failure to meet minimum academic standards.

TOTAL POINTS: 7/33, RANK 36



¹ The Board of Regents is the only entity that can legally issue a charter. It must officially issue a charter before a school approved by SUNY or a LEA may begin operating. However, if the Board of Regents does not issue a charter to a SUNY-approved school, the Board of Trustees of SUNY can reassert approval and, at that point, the Board of Regents must issue the school a charter.

NORTH CAROLINA

RANK 21, SCORE 15/33



151 CHARTER SCHOOLS **70,079** CHARTER STUDENTS **4%** OF PUBLIC SCHOOL STUDENTS



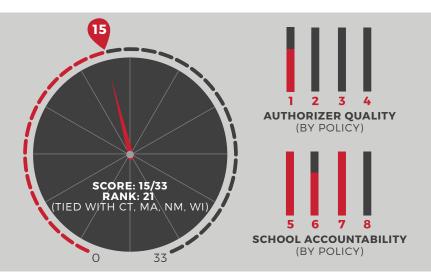
STATE WITH FEW AUTHORIZERS

1 AUTHORIZER

100% ARE AUTHORIZED BY THE
STATE BOARD OF EDUCATION



YEAR LAW ESTABLISHED: 1996



YEARLY COMPARISON

	1. Who Authorizes (6 points)	2. Standards (3 points)	3. Evaluations (3 points)	4. Sanctions (3 points)	5. Reports (3 points)	6. PMR (3 points)	7. Renewals (6 points)	8. Default Closure (6 points)	Total (33 points)	
2015	4	0	0	0	3	2	6	0	15/33	
2014	4	0	0	0	3	2	6	0	15/33	

NOTEWORTHY IN 2015

At Risk: Renewal Standard. Legislation passed in late 2015 modifies the renewal standard in two key ways: it changed the law from "may renew if" a charter school meets certain criteria to "shall renew unless" a charter school fails to meet those criteria, and it changed one of the criteria from "in compliance with its charter" to "substantially in compliance with its charter." Taken together, these changes mean an authorizer may be legally obligated to renew a charter school even if it fails to meet the performance expectations in its charter. That is a weak renewal standard. The State Board of Education (SBE) must adopt policy defining "substantially in compliance" by January 15, 2016. NACSA strongly encourages the SBE to define "substantially in compliance" as meeting the academic performance expectations in a charter contract. Such a policy would qualify as a strong renewal standard.

New law restructures the North Carolina Charter Schools Advisory Board and the North Carolina Office of Charter Schools. It further defines the powers and duties of the Office of Charter Schools and requires the Executive Director of that office to be appointed by the State Board of Education.

The State Board of Education has adopted several policies to increase transparency within the charter sector.

- Ensure the State Board of Education adopts a strong renewal standard as it implements the new renewal statute. The State Board of Education must adopt policy before January 15, 2016 to define what the term "substantially in compliance" means in the context of the new renewal standard. NACSA strongly encourages the State Board to define "substantially in compliance" as meeting the performance expectations in a charter contract. Such a policy would qualify as a strong renewal standard. North Carolina could also consider a differentiated renewal process, either in statute or through SBE policy or rules that would ease the renewal burden for demonstrably high-performing charter schools while ensuring the robust renewal standard for the charter sector as a whole.
- Endorse professional standards for charter school authorizing. These policies will give the authorizer clear direction that its first priority is to create and oversee a high-quality charter sector through quality growth and, when necessary, closure.
- Codify the expectation that the authorizer will use performance frameworks. The Department of Education does this in practice; however, nothing in state policy ensures the Department will continue to do so in perpetuity. This expectation should be codified.



- Set a minimum universal statewide standard for charter school performance. Current rules create standards for each individual school but do not set a universal floor for charter school performance. These rules should be modified to set a universal statewide minimum academic performance standard, below which schools are subject to revocation or non-renewal unless there are exceptional circumstances.
- Establish authorizer evaluations on an as-needed or self-evaluative basis. Authorizer self-evaluations require authorizers to reflect on their practices and outcomes and identify areas for improvement.

THE SCORE		
POLICY	POINTS	DETAILS & CONTEXT
AUTHORIZER QUALITY	•	
1. Who Authorizes	4/6	SEA only. Only the State Board of Education (SBE) may authorize charter schools. Charter applications and renewal requests are first reviewed by the North Carolina Charter Schools Advisory Board, which then makes recommendations to the SBE. New in 2015: The SBE and the Advisory Board are both staffed by the North Carolina Office of Charter Schools, which is administratively located in the Department of Public Instruction and subject to supervision, direction, and control by the State Board of Education. The Office of Charter Schools' Executive Director is appointed by the State Board of Education.
2. Authorizer Standards	0/3	State law does not adopt, provide, or endorse quality standards for authorizers. In practice, the Office of Charter Schools employs practices that are largely consistent with nationally recognized best practices in authorizing.
3. Authorizer Evaluations	0/3	State law does not require or provide for the evaluation of authorizers based on standards for quality authorizing.
4. Authorizer Sanctions	0/3	State law does not allow for authorizer sanctions that: restrict the granting of new charters by the authorizer; remove schools from the authorizer's portfolio; or remove authorizing authority.
SCHOOL ACCOUNTABI	LITY	
5. Reports on Performance	3/3	By law, the State Board of Education must report on the student academic progress of charter schools measured against the previous year.
6. Performance Management & Replication	2/3	State law requires a charter contract but not a performance framework. The law offers an expedited application process for replication of high-quality charter schools.
7. Renewal Standard	6/6	New in 2015—At Risk: By law, the authorizer shall renew a school unless it is, among other criteria, not in substantial compliance with the terms of its charter. The terms of its charter include student performance goals. The term "substantial compliance" is to be defined by SBE policy by January 16, 2016. "Substantial compliance" must be defined as, at a minimum, meeting the academic performance goals in the charter contract in order to continue to qualify as a strong renewal standard.
8. Default Closure	0/6	State rules require the SBE to initiate revocation of the charter of any charter school when, for two of three consecutive school years, the charter school does not meet or exceed expected growth and has a proficiency level below 60%. The definition of "expected growth" is determined for each individual school and is not universal. As such, this policy does not set a statewide universal minimum standard of performance and does not meet NACSA's definition of a default closure policy.

TOTAL POINTS: 15/33, RANK 21 (TIED WITH CT, MA, NM, WI)



OHIO RANK 3, SCORE 32/33



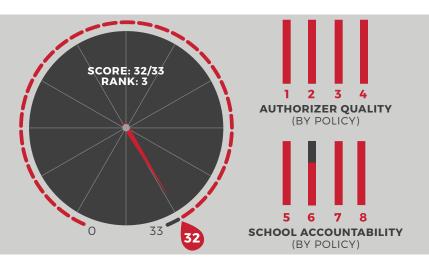
384 CHARTER SCHOOLS **123,844** CHARTER STUDENTS **7%** OF PUBLIC SCHOOL STUDENTS



STATE WITH MANY AUTHORIZERS
69 AUTHORIZERS
14 AUTHORIZERS WITH 5 OR
MORE SCHOOLS



YEAR LAW ESTABLISHED: 1997



YEARLY COMPARISON

	1. Who Authorizes (6 points)	2. Standards (3 points)	3. Evaluations (3 points)	4. Sanctions (3 points)	5. Reports (3 points)	6. PMR (3 points)	7. Renewals (6 points)	8. Default Closure (6 points)	Total (33 points)
2015	6	3	3	3	3	2	6	6	32/33
2014	6	3	3	3	2	1	0	6	24/33

NOTEWORTHY IN 2015

SCORE INCREASE: +8

Reports on Performance (+1). State policy on authorizer evaluations requires the production of an annual consolidated report on the performance of schools in each authorizer's portfolio, including information on the academic and fiscal performance. Performance Management and Replication (+1: Performance Framework). New state law requires that all charter contracts include performance standards, including the basis for annual monitoring of the academic, fiscal, and operational performance of the charter school. This is equivalent to a performance framework.

Renewal Standard (+6). Ohio's charter school law allows authorizers to non-renew or terminate a charter contract if a school fails to meet the student performance requirements in the charter contract.

- Use the passage of HB 2 (2015) to appropriately adjust and proceed with the implementation of authorizer quality and charter school accountability provisions. Ohio has nearly all of NACSA's recommended policies in place but has struggled to translate these policies into changes on the ground. NACSA believes this is partially a result of an excess of authorizers, a long implementation timeline, and, in some cases, inconsistent state law with since-discovered loopholes. HB 2 is an important step to remedy these challenges. It must now be backed up with aggressive implementation if the sector is to produce high-quality schools.
- Continue with implementation of authorizer evaluation and authorizer sanction systems. Ohio conducted its first round of annual authorizer evaluations and released preliminary ratings in 2015. The ratings were ultimately withdrawn pending appropriate questions about methodology from the State Board of Education. NACSA encourages Ohio to fix the methodological problems, preserve the many other strong aspects of the evaluation process, and push ahead with a quality authorizer evaluation.
- Through practice, ensure authorizers are using the strong renewal standard afforded to them by law. Ohio law contains multiple provisions concerning renewal: some that constitute a strong renewal standard, some that constitute a weak renewal standard. HB 2 contained provisions to reinforce the intent that authorizers will use a strong renewal standard. NACSA encourages the State to use guidance, the authorizer evaluation process, or other means to ensure that a strong renewal standard is indeed being used.
- Prevent closed charter schools from opening under new authorizers. New legislation passed in 2014 and HB 2, passed in fall 2015, should significantly address this problem. NACSA encourages the State and all authorizers to implement it with fidelity.



POLICY	POINTS	DETAILS & CONTEXT
AUTHORIZER QUALITY	•	
1. Who Authorizes	6/6	LEA, SEA, Higher Education Institution (HEI), Not-For-Profit (NFP). LEA authorizers include both traditional school districts and regional bodies that can encompass multiple districts. There are 60 LEA authorizers overseeing charter schools across the state, but most LEA authorizers have small portfolios. NFP, HEI, and SEA authorizers maintain larger portfolios on average and oversee more than 50% of schools. New-start charter schools in Ohio may be located only in state-designated "challenged" school districts. Ohio statute includes an authorizer application, evaluation, and sanction process. Ohio grandfathered in some existing authorizers, exempting them from the authorizer application process. Starting in 2015, all authorizers are subject to yearly evaluations, which include a rating process developed by the State, and potential sanctions.
2. Authorizer Standards	3/3	State law requires the adoption of NACSA standards.
3. Authorizer Evaluations	3/3	By law, the State Board of Education may evaluate authorizers on the academic performance of their portfolios and their adherence to quality practices.
4. Authorizer Sanctions	3/3	State law establishes authorizer sanctions for failing to comply with any charter school contract or for failing to comply with the State Department of Education's rules for authorizing. The rules pertain to standards for quality authorizing but not directly to the performance of the authorizer's portfolio of charter schools.
SCHOOL ACCOUNTABI	LITY	
5. Reports on Performance	3/3	New in 2015: State policy on authorizer evaluations requires the production of an annual consolidated report on the performance of schools in each authorizer's portfolio, including information on the academic and fiscal performance.
6. Performance Management & Replication	2/3	State law requires a charter contract. The law does not explicitly encourage or address replication of successful schools. New in 2015: State law requires charter contracts to include performance standards that relate to the academic, fiscal, and operational performance of the charter school. This is equivalent to a performance framework.
7. Renewal Standard	6/6	New in 2015: State law allows authorizers to non-renew or terminate a charter contract if the school fails to meet the student performance requirements stated in the charter contract. State law also allows "reasonable progress" to be sufficient for a charter to be renewed. HB 2 contained several provisions that reinforce the intent of the Legislature that authorizers will enforce a strong renewal standard that is based on achieving student performance expectations. NACSA encourages the State to ensure authorizers are upholding the strong renewal standard specified in law.
8. Default Closure	6/6	State law requires default closure of schools declared to be in academic crisis, with differing standards for different grade configurations. The implementation of the default closure provision has faced challenges when closed schools have successfully engaged in authorizer shopping to remain open. Provisions in HB 2 are designed to prevent that behavior.

TOTAL POINTS: 32/33, RANK 3



OKLAHOMA

RANK 10, SCORE 24/33



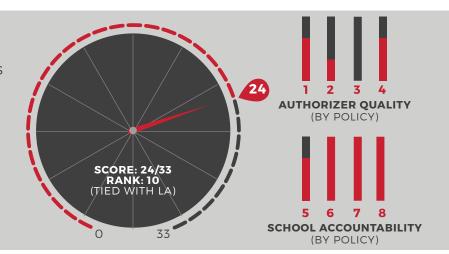
27 CHARTER SCHOOLS
16,585 CHARTER STUDENTS
2% OF PUBLIC SCHOOL STUDENTS



DISTRICT AUTHORIZING STATE
7 AUTHORIZERS
63% ARE AUTHORIZED BY LEAS



YEAR LAW ESTABLISHED: 1999



YEARLY COMPARISON

	1. Who Authorizes (6 points)	2. Standards (3 points)	3. Evaluations (3 points)	4. Sanctions (3 points)	5. Reports (3 points)	6. PMR (3 points)	7. Renewals (6 points)	8. Default Closure (6 points)	Total (33 points)	
2015	4	1	0	2	2	3	6	6	24/33	
2014	2	0	0	0	0	2	6	0	10/33	

NOTEWORTHY IN 2015

Oklahoma passed significant legislation in 2015 that included nearly all of NACSA's recommended policies.

SCORE INCREASE: +14

Who Authorizers (+2). State law now allows charter schools across the state. LEAs can authorize schools statewide and the State Board of Education (SBE) can authorize schools on appeal.

Authorizer Standards (+1). State law requires authorizers to develop and maintain authorizing standards consistent with those established by the Office of Educational Quality and Accountability. NACSA anticipates that the standards, once adopted, will be consistent with national professional standards. At that point, Oklahoma will earn full points for this category.

Authorizer Sanctions (+2). By law, an authorizer may be sanctioned if the SBE has intervened to close or transfer 25% or more of its schools. Sanctions are limited to suspending an authorizer's ability to sponsor new schools.

Score Change: Reports on Performance (+2). In 2015, NACSA modified the "Reports on Performance" policy rubric to reorient the score levels towards the desired outcome—an annual report on the academic performance of every charter school in each authorizer's portfolio. This desired outcome is achieved through state law. As such, Oklahoma receives partial points (2/3) in this category. In 2015, language was added to the law that requires authorizers to conduct annual performance reviews of all charter schools in their portfolios. It was then unclear if that will result in an annual public report by each authorizer on the academic performance of its portfolio. If that should happen, Oklahoma will earn full credit in this category. Performance Management and Replication (+1: Performance Frameworks). State law requires a performance framework. Default Closure (+6). An authorizer must non-renew a school in the bottom 5% of all public schools or appear before a state board to justify its decision to renew the school.

- Ensure the authorizer standards established by the Office of Educational Quality and Accountability are consistent with national professional standards of quality authorizing. NACSA anticipates this will occur. That will earn Oklahoma full points for this category.
- Ensure the annual performance review conducted by authorizers is made public and includes information on the academic performance of each school. NACSA anticipates this will occur. That will earn Oklahoma full points for this category.
- Empower a state entity to conduct authorizer evaluations, as needed.

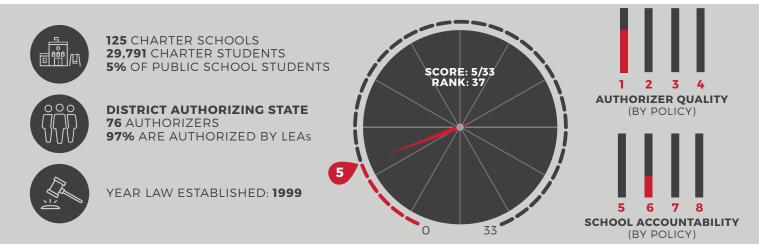


POLICY	POINTS	DETAILS & CONTEXT
AUTHORIZER QUALITY	1	
1. Who Authorizes	4/6	LEA, SEA on appeal, limited jurisdiction Higher Education Institution (HEI), limited jurisdiction Independent Charter Board, limited jurisdiction Non-Education Government entity. HEIs may authorize only in school districts with more than 5,000 students or those with schools on the state's school improvement list. Federally recognized Indian tribes may authorize charter schools within specifically designated boundaries. In addition, the newly established Virtual Charter School Board may authorize statewide, full-time virtual charter schools. New in 2015: LEAs can authorize charter schools statewide. The State Board of Education can authorize on appeal.
2. Authorizer Standards	1/3	New in 2015: State law requires authorizers to develop and maintain authorizing standards consistent with those established by the Office of Educational Quality and Accountability (OEQA). The OEQA had not yet established standards the time of publication; it is expected these standards will meet or exceed NACSA's <i>Principles & Standards for Quality Charter School Authorizing</i> . When that happens, Oklahoma will receive full points in this category.
3. Authorizer Evaluations	0/3	State law does not require or provide for the evaluation of authorizers based on standards for quality authorizing.
4. Authorizer Sanctions	2/3	New in 2015: By law, an authorizer may be sanctioned if the State Board of Education (SBE) has intervened to close or transfer 25% or more of its schools. Sanctions are limited to suspending an authorizer's ability to sponsor new schools.
SCHOOL ACCOUNTABI	LITY	
5. Reports on Performance	2/3	State law requires each charter school to annually file a report with the OEQA that includes a report on the academic performance of the school. The SBE must then use this information to issue an annual report on the status of charter schools in the state. This subsequent report includes the academic performance of every charter school and the identity of the authorizer. New in 2015: Authorizers are now required to conduct annual performance reviews of all charter schools in their portfolios. When this language was added, it was unclear if that will result in an annual public report by each authorizer on the academic performance of its portfolio of charter schools. If that should happen, Oklahoma will earn full credit in this category.
6. Performance Management & Replication	3/3	State law requires a charter contract and allows multiple schools under a single contract. New in 2015: State law requires a performance framework.
7. Renewal Standard	6/6	By law, authorizers may decide not to renew a school for failing to complete the obligations of the charter contract or the provisions required of all charter schools under the state's law. This includes meeting academic performance expectations.
8. Default Closure	6/6	New in 2015: An authorizer must non-renew a school in the bottom 5% of all public schools or appear before a state board to justify its decision to renew the school.

TOTAL POINTS: 24/33, RANK 10 (TIED WITH LA)







YEARLY COMPARISON

	1. Who Authorizes (6 points)	2. Standards (3 points)	3. Evaluations (3 points)	4. Sanctions (3 points)	5. Reports (3 points)	6. PMR (3 points)	7. Renewals (6 points)	8. Default Closure (6 points)	Total (33 points)
2015	4	0	0	0	0	1	0	0	5/33
2014	4	0	0	0	0	1	0	0	5/33

- Endorse professional standards for charter school authorizing. Oregon authorizers can receive the highest authorizer fee in the country. This can create mixed incentives for authorizers. Authorizer standards prioritize quality authorizing as the most important goal and ensure fair, transparent, and equitable actions by authorizers.
- Require authorizers to report annually on the performance of their schools and use performance frameworks.
- Institute a strong renewal standard. Empower authorizers to close schools that fail to achieve the performance goals set out in their charter contract.
- Create a default closure provision, making closure the expected outcome for failing charter schools. This is particularly important given Oregon's historically low-performing charter sector.
- Create a viable alternative authorizer, such as an Independent Charter Board.



POLICY	POINTS	DETAILS & CONTEXT
AUTHORIZER QUALITY	1	
1. Who Authorizes	4/6	LEA, SEA on appeal (Allowed but inactive: Higher Education Institution on appeal).
2. Authorizer Standards	0/3	State law does not adopt, provide, or endorse quality standards for authorizers.
3. Authorizer Evaluations	0/3	State law does not require or provide for the evaluation of authorizers based on standards for quality authorizing.
4. Authorizer Sanctions	0/3	State law does not allow for authorizer sanctions that: restrict the granting of new charters by the authorizer; remove schools from the authorizer's portfolio; or remove authorizing authority.
SCHOOL ACCOUNTABI	LITY	
5. Reports on Performance	0/3	State law does not require authorizers to produce an annual public report on the academic performance of their portfolio of schools.
6. Performance Management & Replication	1/3	State law requires the use of a charter contract but not a performance framework. The law does not explicitly encourage or address replication of successful schools.
7. Renewal Standard	0/6	State law allows "reasonable progress" to be sufficient for a charter to be renewed.
8. Default Closure	0/6	State law does not provide for default closure for failure to meet minimum academic standards.

TOTAL POINTS: 5/33, RANK 37



PENNSYLVANIA

RANK 31, SCORE 11/33



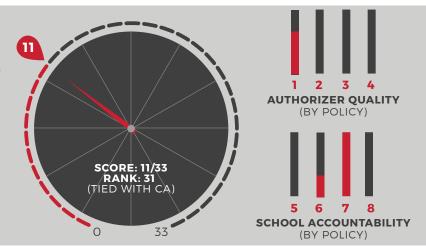
176 CHARTER SCHOOLS
132,531 CHARTER STUDENTS
7% OF PUBLIC SCHOOL STUDENTS



DISTRICT AUTHORIZING STATE 64 AUTHORIZERS **92%** ARE AUTHORIZED BY LEAS



YEAR LAW ESTABLISHED: 1997



YEARLY COMPARISON

	1. Who Authorizes (6 points)	2. Standards (3 points)	3. Evaluations (3 points)	4. Sanctions (3 points)	5. Reports (3 points)	6. PMR (3 points)	7. Renewals (6 points)	8. Default Closure (6 points)	Total (33 points)
2015	4	0	0	0	0	1	6	0	11/33
2014	4	0	0	0	0	1	6	0	11/33

NOTEWORTHY IN 2015

In April, the Legislative Budget and Finance Committee released a comprehensive report on "The Feasibility of Alternative Methods for Authorizing Charter Schools in Pennsylvania." The report recommended several of NACSA's authorizer quality and school accountability policies, including an Independent Charter Board, authorizer standards, contracts, performance frameworks, annual reports on school performance, and, when needed, authorizer evaluations and sanctions.

- Endorse professional standards for charter school authorizing. Professional standards bring consistency and transparency to authorizing practices and ensure that strong practices continue irrespective of the political environment. This is especially important given the variability of practices among authorizers throughout the state and over the history of the charter sector.
- Require all authorizers to use performance frameworks and publish annual reports on the academic performance of their charter schools. This parallels some of the initiatives being undertaken by the largest authorizer and makes sure all authorizers engage in similar performance management practices. It is also embodied in current legislative proposals for a charter school "performance matrix" and related annual report.
- Create a default closure mechanism where closure is the expected outcome for failing charter schools. This policy must apply
 to both brick-and-mortar and virtual schools.
- Create mechanisms for the oversight of all authorizers and, if necessary, intervention.
- Create a statewide alternative authorizer, such as an Independent Charter Board or an Achievement School District.
- Ensure state policy provides authorizers with meaningful access to necessary charter school data in a timely fashion.

 Pennsylvania authorizers report some difficulty accessing basic charter school enrollment and performance data that are necessary to perform adequate charter school oversight. NACSA encourages the state to work with authorizers and charter schools to examine state policy to identify and address any challenges.



POLICY	POINTS	DETAILS & CONTEXT
AUTHORIZER QUALIT	Υ	
	4/6	LEA, SEA on appeal,¹ SEA for virtual schools only. The State Department of Education oversees 14 virtual charter schools. In addition, consortia of LEAs may authorize regional charter schools that serve larger areas. The Charter School Appeal Board, an independent appointed board, presides over appeals statewide and may overturn or uphold LEA authorizing decisions. Schools approved by the Board are then authorized by the original LEA authorizer or, if the original authorizer refuses, by the SEA. The majority of Pennsylvania's charter schools are located in Philadelphia and authorized by the Philadelphia School District, which in turn is governed by the School Reform Commission. The Commission has the authority to exempt the Philadelphia School District from some state statutes and has historically imposed additional restrictions on chartering through that exemption process.
	0/3	State law does not adopt, provide, or endorse quality standards for authorizers.
	0/3	State law does not require or provide for the evaluation of authorizers based on standards for quality authorizing.
	0/3	State law does not allow for authorizer sanctions that: restrict the granting of new charters by the authorizer; remove schools from the authorizer's portfolio; or remove authorizing authority.
SCHOOL ACCOUNTAB	BILITY	
	0/3	State law does not require authorizers to produce an annual public report on the academic performance of their portfolio of schools.
	1/3	State law requires a charter contract but not a performance framework. The law does not explicitly encourage or address replication of successful schools.
	6/6	By law, authorizers have discretion to close schools for failing to meet student performance standards.
	0/6	State law does not provide for default closure for failure to meet minimum academic standards.

TOTAL POINTS: 11/33, RANK 31 (TIED WITH CA)

 1 The Charter School Appeal Board (CAB) presides over both brick-and-mortar and virtual school appeals. Schools approved by the CAB are then authorized by the LEA or the SEA.



RHODE ISLAND

RANK 27, SCORE 13/33



21 CHARTER SCHOOLS
6,433 CHARTER STUDENTS
5% OF PUBLIC SCHOOL STUDENTS



STATE WITH FEW AUTHORIZERS

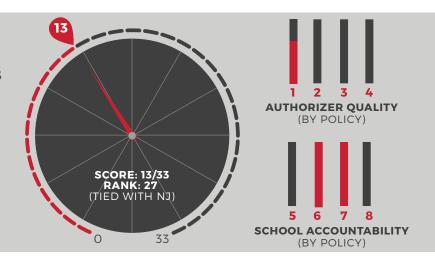
1 AUTHORIZER

100% ARE AUTHORIZED BY

STATE BOARD OF EDUCATION



YEAR LAW ESTABLISHED: 1995



YEARLY COMPARISON

	1. Who Authorizes (6 points)	2. Standards (3 points)	3. Evaluations (3 points)	4. Sanctions (3 points)	5. Reports (3 points)	6. PMR (3 points)	7. Renewals (6 points)	8. Default Closure (6 points)	Total (33 points)	
2015	4	0	0	0	2	1	6	0	13/33	
2014	4	0	0	0	0	1	0	0	5/33	

NOTEWORTHY IN 2015

SCORE INCREASE: +8

Score Change: Reports on Performance (+2). In 2015, NACSA modified the "Reports on Performance" policy rubric to reorient the score levels toward the desired outcome of this policy—an annual report on the academic performance of every charter school in each authorizer's portfolio. This desired outcome is achieved through state rules that require schools to submit annual reports on their progress meeting their performance goals. As such, Rhode Island receives partial points (2/3) in this category. Rhode Island would receive full credit if the reports were generated by the authorizer itself or otherwise verified prior to publication.

Score Change: Renewal Standard (+6). Rhode Island was incorrectly scored in 2014. State rules require the State Board of Education (SBE) to base its renewal decision on affirmative evidence of the success of the school's academic program as defined by the academic goals in the charter. This qualifies as a strong renewal standard.

- Codify the expectation that the authorizer follows professional standards for charter school authorizing. In practice, the Rhode Island Department of Education, which staffs the SBE, uses practices consistent with much of NACSA's Principles & Standards for Quality Charter School Authorizing. However, nothing in state policy ensures the authorizer will continue to do so in perpetuity. Codifying this standard will help protect quality authorizing activity should the political environment change.
- Codify the expectation that authorizers use performance frameworks.
- Establish a statewide incentive for the replication of high-performing charter schools.



POLICY	POINTS	DETAILS & CONTEXT
AUTHORIZER QUALITY	1	
1. Who Authorizes	4/6	SEA only. Rhode Island allows only the State Board of Education (SBE) to authorize charter schools. Charter schools must first be approved by the LEA or the State Commissioner of Elementary and Secondary Education before being authorized. The Rhode Island Department of Education staffs the Commissioner and the State Board of Education on authorizing matters. State law also requires that all charter school applicants partner with an existing in-state not-for-profit during the charter school application process. The charter school is then required to form a separate not-for-profit to serve as the governing board of the school. State law classifies three types of charter schools—district charter schools, independent charter schools, and mayoral academies—with varying levels of autonomy.
2. Authorizer Standards	0/3	State law does not adopt, provide, or endorse quality standards for authorizers. In practice, the Rhode Island Department of Education employs many practices consistent with NACSA's <i>Principles & Standards for Quality Charter School Authorizing</i> .
3. Authorizer Evaluations	0/3	State law does not require or provide for the evaluation of authorizers based on standards for quality authorizing.
4. Authorizer Sanctions	0/3	State law does not allow for authorizer sanctions that: restrict the granting of new charters by the authorizer; remove schools from the authorizer's portfolio; or remove authorizing authority.
SCHOOL ACCOUNTABI	LITY	
5. Reports on Performance	2/3	New in 2015: State rules require charter schools to annually report on their progress in meeting the academic and organizational performance goals identified in their charters.
6. Performance Management & Replication	1/3	State law requires a charter contract but not a performance framework. The law does not explicitly encourage or address replication of successful schools. In practice, the Department of Education requires charter schools to use a performance framework.
7. Renewal Standard	6/6	New in 2015: State rules require the State Board of Education to base its renewal decision on affirmative evidence of the success of the school's academic program as defined by the academic goals in the charter.
8. Default Closure	0/6	State law does not provide for default closure for failure to meet minimum academic standards.

TOTAL POINTS: 13/33, RANK 27 (TIED WITH NJ)



SOUTH CAROLINA

RANK 8, SCORE 25/33



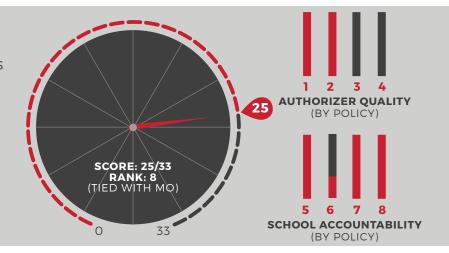
66 CHARTER SCHOOLS27,191 CHARTER STUDENTS4% OF PUBLIC SCHOOL STUDENTS



DISTRICT AUTHORIZING STATE
18 AUTHORIZERS
54% ARE AUTHORIZED BY LEAS



YEAR LAW ESTABLISHED: 1996



YEARLY COMPARISON

	1. Who Authorizes (6 points)	2. Standards (3 points)	3. Evaluations (3 points)	4. Sanctions (3 points)	5. Reports (3 points)	6. PMR (3 points)	7. Renewals (6 points)	8. Default Closure (6 points)	Total (33 points)	_
2015	6	3	0	0	3	1	6	6	25/33	
2014	6	3	0	0	3	1	6	6	25/33	

- Require all authorizers to use performance frameworks.
- Empower a state entity to conduct authorizer evaluations, as needed. As the South Carolina Public Charter School District has grown, the disparities in practices among authorizers have become more apparent. An evaluation would allow the State to identify authorizers in need of improvement based on their practices or the performance of their portfolios of charter schools.
- Consider adopting authorizer screening and sanction policies if alternative authorizers continue to expand. The activation of South Carolina State University as an authorizer, the first Higher Education Institution in the state to do so, has proven that additional alternative authorizers may indeed become a part of the charter school landscape. As such, the state will benefit from additional authorizer quality initiatives, such as authorizer applications or other screening processes, such as those adopted in Minnesota or Indiana. These initiatives are quality control measures that ensure only authorizers with a commitment to quality are allowed to authorize. These policies would prevent authorizer shopping activities from eroding charter school accountability, a problem in states with more than two non-LEA authorizers.



POLICY	POINTS	DETAILS & CONTEXT
AUTHORIZER QUALITY	Y	
1. Who Authorizes	6/6	LEA, Independent Charter Board, Higher Education Institution. South Carolina's authorizing sector is in transition, with currently 59% of schools authorized by LEAs and 41% of charter schools authorized by the South Carolina Public Charter School District (SCPCSD), the state's Independent Charter Board created in 2007. NACSA anticipates that the SCPCSD will eventually authorize a majority of the state's charter schools. The SCPCSD is the only authorizer of statewide full-time virtual schools New in 2015: South Carolina State University is active and is accepting charter school applications.
2. Authorizer Standards	3/3	State law requires the adoption of professional standards.
3. Authorizer Evaluations	0/3	State law does not require or provide for the evaluation of authorizers based on standards for quality authorizing.
4. Authorizer Sanctions	0/3	State law does not allow for authorizer sanctions that: restrict the granting of new charters by the authorizer; remove schools from the authorizer's portfolio; or remove authorizing authority.
SCHOOL ACCOUNTABL	ILITY	
5. Reports on Performance	3/3	By law, authorizers must annually compile all school reports on performance and submit them to the State Department of Education.
6. Performance Management & Replication	1/3	State law requires a charter contract but not a performance framework. The law does not explicitly encourage or address replication of successful schools.
7. Renewal Standard	6/6	By law, charter schools must not be renewed if they fail to meet academic performance standards.
8. Default Closure	6/6	State law requires default closure for charter schools that are in the state's lowest performance level for three consecutive years.

TOTAL POINTS: 25/33, RANK 8 (TIED WITH MO)



TENNESSEE

RANK 14, SCORE 20/33



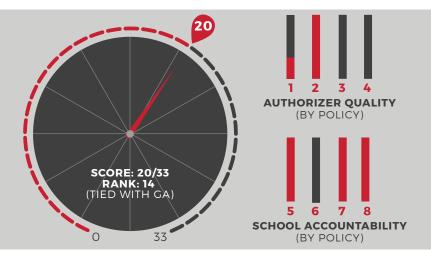
80 CHARTER SCHOOLS
12,148 CHARTER STUDENTS
1% OF PUBLIC SCHOOL STUDENTS



DISTRICT AUTHORIZING STATE
4 AUTHORIZERS
79% ARE AUTHORIZED BY LEAS



YEAR LAW ESTABLISHED: 1994



YEARLY COMPARISON

	1. Who Authorizes (6 points)	2. Standards (3 points)	3. Evaluations (3 points)	4. Sanctions (3 points)	5. Reports (3 points)	6. PMR (3 points)	7. Renewals (6 points)	8. Default Closure (6 points)	Total (33 points)
2015	2	3	0	0	3	0	6	6	20/33
2014	2	3	0	0	0	0	6	6	17/33

NOTEWORTHY IN 2015

SCORE INCREASE: +3

Reports on Performance (+3). State statute requires each charter school to report its progress towards achieving the goals in its charter. The statute also requires the Commissioner of Education to prepare and submit an annual report on charter schools to the Joint Committee on Education Oversight based on the school performance information collected. In 2015, the Department of Education issued new guidance on this requirement by (1) providing a sample annual report template and (2) reiterating an authorizer's discretion to specify attributes of the form and the content of the report. The result is state policy that produces an annual consolidated report on the performance of schools in each authorizer's portfolio.

In 2015, the Legislature modified the implementation date of the default closure provision. Charter schools on the priority school list (the bottom 5% of schools) in 2017 or later will be subject to closure.

- Require all authorizers to use nationally recognized professional standards for charter school authorizing. Tennessee
 law requires the State Board of Education to follow nationally recognized best practices in charter school authorizing and
 recommends that other authorizers in the state do so as well. Metro Nashville Public Schools moved this year to adopt a
 set of authorizing policies that are contrary to nationally recognized best practices. Given this, NACSA recommends that
 Tennessee law be further strengthened to require all authorizers to follow nationally recognized best practices in charter
 school authorizing as promulgated by the Board.
- Extend State Board of Education appellate authorizing jurisdiction to the entire state. Provide all charter school applicants with the right to an enforceable appeal, regardless of their jurisdiction.
- Require all authorizers to use performance contracts, performance frameworks, and policies that encourage the replication of high-quality charter schools. These practices are currently being used by several authorizers in the state and should be codified as a requirement for all authorizers. Tennessee is one of only six states that do not require a charter contract that is distinct from the charter application.
- Create mechanisms for the oversight of authorizers, including authorizer evaluations. Historically, the quality of authorizers has been mixed. In the last two years, several initiatives have been passed to improve the quality of authorizers and enhance charter school accountability, but concerns about inconsistent authorizer quality remain. Basic authorizer transparency



• mechanisms, such as disclosure of various charter school oversight expenses and allowing for as-needed evaluations of authorizers, would encourage quality authorizing and help foster public trust of the authorizing community. This would also help needed campaigns for authorizer operational funding, which the state currently lacks.

THE SCORE

THE SCORE		
POLICY	POINTS	DETAILS & CONTEXT
AUTHORIZER QUALITY	,	
1. Who Authorizes	2/6	LEA, SEA on appeal with limited jurisdiction, and an Achievement School District (ASD), a statewide recovery school district with limited jurisdiction that acts like an Independent Charter Board. The State Board of Education (SBE) may directly authorize charter schools on appeal from school districts with one or more schools ranked in the bottom 5% of all schools in the state. Charter schools from other districts may still appeal to the SBE; if the SBE overturns the LEA's decision, the charter school is returned to the LEA for authorization. The ASD is limited to certain new school and conversion efforts in specific school catchment zones where existing schools demonstrate failing performance.
2. Authorizer Standards	3/3	State law requires the use of nationally recognized authorizer standards by the SBE and recommends their use by all authorizers.
3. Authorizer Evaluations	0/3	State law does not require or provide for the evaluation of authorizers based on standards for quality authorizing.
4. Authorizer Sanctions	0/3	State law does not allow for authorizer sanctions that: restrict the granting of new charters by the authorizer; remove schools from the authorizer's portfolio; or remove authorizing authority.
SCHOOL ACCOUNTABII	LITY	
5. Reports on Performance	3/3	New in 2015: State statute requires each charter school to report its progress towards achieving the goals in its charter. The statute also requires the Commissioner of Education to prepare and submit an annual report on charter schools to the Joint Oversight Committee on Education based on the school performance information collected. In 2015, the Department of Education issued new guidance on this requirement by (1) providing a sample annual report template and (2) reiterating an authorizer's discretion to specify attributes of the form and content of the report. The result is state policy that produces an annual consolidated report on the performance of schools in each authorizer's portfolio.
6. Performance Management & Replication	0/3	State law requires no charter contract, performance framework, or replication policy. In practice, several of the authorizers in the state use performance frameworks and have policies to encourage the replication of high-performing charter schools.
7. Renewal Standard	6/6	State law calls for the non-renewal of "priority schools" (the state's lowest-performing schools), and renewal decisions must be based on a charter school's annual progress report.
8. Default Closure	6/6	State law calls for the default closure of priority schools. New in 2015: Charter schools on the priority list beginning in 2017 will be subject to default closure.

TOTAL POINTS: 20/33, RANK 14 (TIED WITH GA)



TEXAS RANK 5, SCORE 27/33



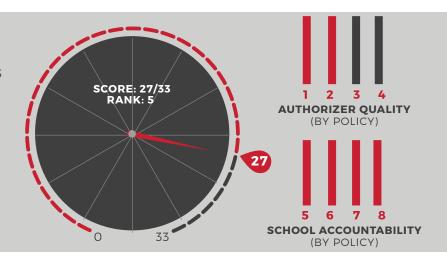
721 CHARTER SCHOOLS
264,606 CHARTER STUDENTS
5% OF PUBLIC SCHOOL STUDENTS



STATE WITH FEW AUTHORIZERS 17 AUTHORIZERS **89%** ARE AUTHORIZED BY THE COMMISSIONER OF EDUCATION



YEAR LAW ESTABLISHED: 1995



YEARLY COMPARISON

	1. Who Authorizes (6 points)	2. Standards (3 points)	3. Evaluations (3 points)	4. Sanctions (3 points)	5. Reports (3 points)	6. PMR (3 points)	7. Renewals (6 points)	8. Default Closure (6 points)	Total (33 points)	
2015	6	3	0	0	3	3	6	6	27/33	
2014	6	3	0	0	3	3	6	6	27/33	

- Continue with the implementation of authorizer quality and charter school accountability provisions. As Texas continues with the implementation of significant reforms passed in 2013, the state may benefit from clarifying practices concerning renewal and closure proceedings and asset distribution and dissolution. NACSA also encourages the State to extend many of these policies to more broadly encompass LEA authorizers and their practices as reform continues.
- Establish authorizer evaluations on an as-needed or self-evaluative basis. Authorizer self-evaluations require an authorizer to reflect on their practices and outcomes and identify areas for improvement. This would identify any LEA authorizers that may be in need of improvement and provide a mechanism for the Commissioner of Education or the State Board of Education to proactively recommend the improvement of internal practices.
- Consider authorizer sanctions if additional school districts choose to authorize large portfolios of charter schools. This will
 create a mechanism to impose consequences, if necessary, if authorizers are not engaged in high-quality authorizing activity.



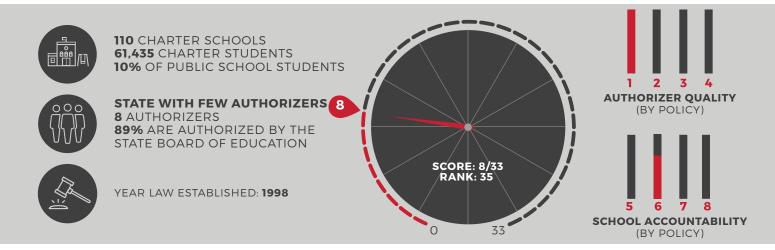
THE SCORE

POLICY	POINTS	DETAILS & CONTEXT
AUTHORIZER QUALITY	1	
1. Who Authorizes	6/6	LEA, SEA. Texas allows the Commissioner of Education and LEAs to authorize charter schools. The State Board of Education is able to review charter school approvals. While most charter schools are authorized by the Commissioner, 16 LEAs also authorize charter schools. Some LEAs, such as Houston Independent School District, oversee large portfolios of charter school campuses.
2. Authorizer Standards	3/3	State law requires authorizers to adopt practices based on national quality standards for authorizers.
3. Authorizer Evaluations	0/3	State law does not require or provide for the evaluation of authorizers based on standards for quality authorizing.
4. Authorizer Sanctions	0/3	State law does not allow for authorizer sanctions that: restrict the granting of new charters by the authorizer; remove schools from the authorizer's portfolio; or remove authorizing authority.
SCHOOL ACCOUNTABI	LITY	
5. Reports on Performance	3/3	State law requires all authorizers to release an annual report for the schools they oversee comparing charter to district school performance.
6. Performance Management & Replication	3/3	State law requires a charter contract and a performance framework. The law also allows multiple schools to be operated under one charter and eases replication for high-performing schools. Texas law creates a first-in-the-nation statutorily differentiated renewal structure for SEA-authorized schools.
7. Renewal Standard	6/6	By law, low-performing charter schools may not be renewed. Authorizers may non-renew charter schools that fail to meet their academic performance goals.
8. Default Closure	6/6	State law requires default closure for charter schools assigned the lowest performance rating on the state accountability system for three consecutive years.

TOTAL POINTS: 27/33, RANK 5



UTAH RANK 35, SCORE 8/33



YEARLY COMPARISON

	1. Who Authorizes (6 points)	2. Standards (3 points)	3. Evaluations (3 points)	4. Sanctions (3 points)	5. Reports (3 points)	6. PMR (3 points)	7. Renewals (6 points)	8. Default Closure (6 points)	Total (33 points)
2015	6	0	0	0	0	2	0	0	8/33
2014	6	0	0	0	0	2	0	0	8/33

NOTEWORTHY IN 2015

Utah law now establishes a mechanism for the voluntary surrender of a charter. This is the only provision currently in law for the closure of a charter school outside of revocation.

- Establish a renewal statute with a strong renewal standard. Utah is the only state in the country that still has "evergreen" charter contracts that do not expire unless they are revoked. This makes it very difficult to enforce accountability and close a charter school under almost any circumstances. A renewal statute with a strong renewal standard will give the State Charter School Board, and all other authorizers, the statutory authority it needs to conduct regular high-stakes reviews and enforce charter school accountability. This is especially important given Utah's history of low-performing charter schools.
- Institute a default closure mechanism to make closure the expected outcome for failing charter schools.
- Endorse professional standards for charter school authorizing. Authorizer standards provide clear guidance and support for current authorizers to implement strong practices, while encouraging consistent quality in the authorizing sector if more Higher Education Institutions or LEA authorizers become active.
- Establish authorizer evaluations based on the performance of their portfolios of schools and their adherence to best practices in charter school authorizing. This is especially important given the large number of potential authorizers allowed by Utah statute. It will ensure consistent, high-quality authorizing if additional authorizers become active.
- Codify the expectation that all authorizers will report annually on the academic performance of their schools.



THE SCORE

POLICY	POINTS	DETAILS & CONTEXT
AUTHORIZER QUALITY	1	
1. Who Authorizes	6/6	LEA, Independent Charter Board, Higher Education Institution (HEI). Utah allows LEAs, the State Charter School Board (an Independent Charter Board), and HEIs to authorize charter schools. The State Board of Education (SBE) must also approve all schools authorized by HEIs (dual approval).
2. Authorizer Standards	0/3	State law does not adopt, provide, or endorse quality standards for authorizers.
3. Authorizer Evaluations	0/3	State law does not require or provide for the evaluation of authorizers based on standards for quality authorizing.
4. Authorizer Sanctions	0/3	State law does not allow for authorizer sanctions that: restrict the granting of new charters by the authorizer; remove schools from the authorizer's portfolio; or remove authorizing authority.
SCHOOL ACCOUNTABI	LITY	
5. Reports on Performance	0/3	State law does not require authorizers to produce an annual public report on the academic performance of their portfolio of schools. In practice, the State Charter School Board issues annual reports on the performance of its portfolio of charter schools.
6. Performance Management & Replication	2/3	State law requires the use of a charter contract but not a performance framework. The law requires the SBE to make rules to establish procedures for charter school expansion.
7. Renewal Standard	0/6	State law does not provide a clear standard for charter renewal.
8. Default Closure	0/6	State law does not provide for default closure for failure to meet minimum academic standards.

TOTAL POINTS: 8/33, RANK 35







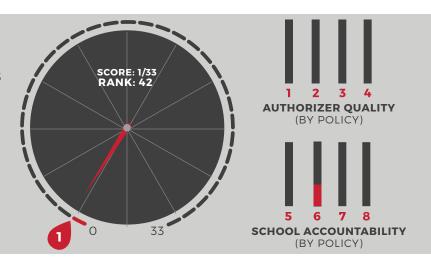
7 CHARTER SCHOOLS
2,263 CHARTER STUDENTS
<1% OF PUBLIC SCHOOL STUDENTS



DISTRICT AUTHORIZING STATE
5 AUTHORIZERS
100% ARE AUTHORIZED BY LEAS



YEAR LAW ESTABLISHED: 1998



YEARLY COMPARISON

	1. Who Authorizes (6 points)	2. Standards (3 points)	3. Evaluations (3 points)	4. Sanctions (3 points)	5. Reports (3 points)	6. PMR (3 points)	7. Renewals (6 points)	8. Default Closure (6 points)	Total (33 points)	
2015	0	0	0	0	0	1	0	0	1/33	
2014	0	0	0	0	0	1	0	0	1/33	

NOTEWORTHY IN 2015

In 2015, the Legislature passed Senate Joint Resolution 256, which is the first step toward placing a constitutional amendment on the November 2016 general election ballot to empower the State Board of Education to establish charter schools. The resolution will need to pass the Legislature again with a majority vote in the 2016 session in order to be placed before voters on the November 2016 ballot.

- Virginia has a moribund charter law. Creating legally autonomous schools should be the primary policy goal for the state. Policy should ensure that schools have a legally autonomous governing board and autonomy in crucial areas of school operations.
- Create an alternative authorizer, such as the State Board of Education. Virginia is one of only three states that allow only LEAs to authorize charter schools and has no appeals system. This severely limits charter schools.
- Endorse professional standards for charter school authorizing.
- Create a strong renewal standard that directly links school academic performance to renewal.
- Require contracts, performance frameworks, and annual performance reports for all charter schools.



THE SCORE

POLICY	POINTS	DETAILS & CONTEXT
AUTHORIZER QUALITY	1	
1. Who Authorizes	0/6	LEA only. New in 2015: In 2015, the Legislature passed Senate Joint Resolution 256, which is the first step toward placing a constitutional amendment on the November 2016 general election ballot to empower the State Board of Education to establish charter schools. The resolution will need to pass the Legislature again with a majority vote in the 2016 session in order to be placed before voters on the November 2016 ballot.
2. Authorizer Standards	0/3	State law does not adopt, provide, or endorse quality standards for authorizers.
3. Authorizer Evaluations	0/3	State law does not require or provide for the evaluation of authorizers based on standards for quality authorizing.
4. Authorizer Sanctions	0/3	State law does not allow for authorizer sanctions that: restrict the granting of new charters by the authorizer; remove schools from the authorizer's portfolio; or remove authorizing authority.
SCHOOL ACCOUNTABI	LITY	
5. Reports on Performance	0/3	State law does not require authorizers to produce an annual public report on the academic performance of their portfolio of schools.
6. Performance Management & Replication	1/3	State law requires the use of a charter contract but not a performance framework or replication policy.
7. Renewal Standard	0/6	State law does not specify provisions for renewing charters.
8. Default Closure	0/6	State law does not provide for default closure for failure to meet minimum academic standards.

TOTAL POINTS: 1/33, RANK 42



 $^{^{\}rm 1}$ Virginia has a moribund charter school law. Creating legally autonomous schools and a viable alternative authorizer should be the primary policy goals for the state.

WASHINGTON



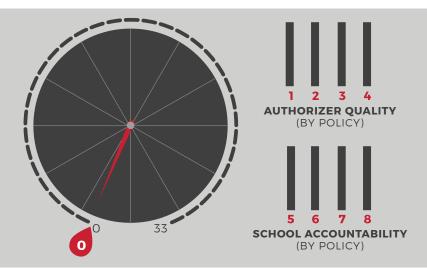
0 CHARTER SCHOOLS0 CHARTER STUDENTS0% OF PUBLIC SCHOOL STUDENTS



N/A



YEAR LAW ESTABLISHED: 2012 LAW INVALIDATED BY COURT RULING IN 2015



YEARLY COMPARISON

	1. Who Authorizes (6 points)	2. Standards (3 points)	3. Evaluations (3 points)	4. Sanctions (3 points)	5. Reports (3 points)	6. PMR (3 points)	7. Renewals (6 points)	8. Default Closure (6 points)	Total (33 points)
2015	-	-	-	-	-	-	-	-	-
2014	6	3	3	3	3	3	6	6	33/33

NOTEWORTHY IN 2015

On September 4, 2015, the Washington Supreme Court held Washington State's charter school statute unconstitutional under "common school" and other provisions of the state constitution, based primarily on how those provisions relate to public school funding and governance. On November 19, 2015, the Washington Supreme Court ruled it will not reconsider its earlier decision; therefore, the state's charter school law remains invalidated.

- Washington had all of NACSA's recommended policies in law before the law was ruled unconstitutional. The ruling was not
 a comment on NACSA's eight recommended policies. To learn more about how the state's law scored before it was struck
 down, see our 2014 analysis.
- Washington should find a way to reestablish a charter school law, to both respect the will of Washington voters and offer families quality public school options.



WISCONSIN

RANK 21, SCORE 15/33



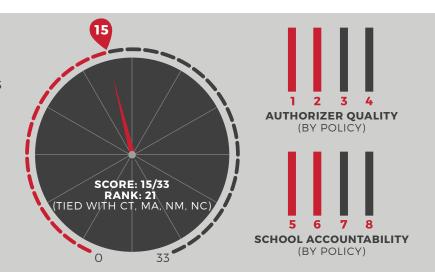
245 CHARTER SCHOOLS42,704 CHARTER STUDENTS5% OF PUBLIC SCHOOL STUDENTS



DISTRICT AUTHORIZING STATE 102 AUTHORIZERS 91% ARE AUTHORIZED BY LEAS



YEAR LAW ESTABLISHED: 1993



YEARLY COMPARISON

	1. Who Authorizes (6 points)	2. Standards (3 points)	3. Evaluations (3 points)	4. Sanctions (3 points)	5. Reports (3 points)	6. PMR (3 points)	7. Renewals (6 points)	8. Default Closure (6 points)	Total (33 points)
2015	6	3	0	0	3	3	0	0	15/33
2014	2	3	0	0	0	1	0	0	6/33

NOTEWORTHY IN 2015

SCORE INCREASE: +9

Who Authorizes (+4). The geographic restrictions on authorizing activity by the City of Milwaukee, Milwaukee Area Technical College, University of Wisconsin-Milwaukee, and University of Wisconsin-Parkside were removed; now these entities may authorize statewide. In addition, new limited-jurisdiction authorizers were added. The University of Wisconsin System Board of Regents may authorize charter schools in the Madison and Milwaukee school districts, with authorizing conducted by the newly established Office of Educational Opportunity, the Director of which will be appointed by the President of the University of Wisconsin. The College of Menominee Nation and Lac Courte Oreilles Ojibwa Community College, both tribal colleges, may authorize a total of six charter schools between them; Gateway Technical College (a Higher Education Institution) may authorize in the Gateway Technical College District only; the County Executive of Waukesha County may authorize in Waukesha County only.

Reports on Performance (+3). State law passed in 2015 requires authorizers to produce an annual public report on the academic and financial performance of their portfolio of schools.

Performance Management and Replication (+2: Performance Frameworks and Replication). State law passed in 2015 requires authorizers to use a performance framework. In addition, charter contracts must now include a provision that allows the governing boards of top-rated charter schools to open additional campuses, thereby encouraging replication of high-quality charter schools.

- Institute a strong renewal standard. Empower authorizers to close schools that fail to achieve the performance goals in their charter contract.
- Require regular authorizer evaluations. Requiring authorizers to adhere to NACSA's Principles & Standards for Quality Charter School Authorizing, as state law does, is an important step to help ensure authorizing quality. These standards should be reinforced through authorizer evaluations and authorizer sanctions. This is important in a state like Wisconsin, which has so far created a patchwork system of authorizers, each with their own variable jurisdiction. Regular evaluations can identify any deficiencies before they create problems.
- Ensure that new charter school governing board autonomies, particularly for instrumentality schools, are implemented to maximize charter school flexibility. If these are not implemented as such, the State should revisit the status of these schools and explore changing them to some status other than "charter schools." This would more accurately reflect their relationships to their local school district and their relative lack of autonomy.



POLICY	POINTS	DETAILS & CONTEXT
AUTHORIZER QUALITY	1	
1. Who Authorizes	6/6	LEA, Non-Educational Government (NEG) entities, statewide and limited jurisdiction Higher Education Institutions (HEI). Wisconsin's charter school law distinguishes three types of brick-and-mortar charter schools based on their type of authorizer and degree of autonomy.¹ While LEAs authorize a vast majority of Wisconsin's charter schools, schools authorized by LEAs generally lack significant autonomy.² Schools authorized by non-LEAs have higher autonomy more consistent with the autonomy expected in the charter school sector. Wisconsin allows LEA authorizers across the state. New in 2015: Six entities may authorize statewide: The City of Milwaukee, Milwaukee Area Technical College, University of Wisconsin-Milwaukee, University of Wisconsin-Parkside, and the College of Menominee Nation and Lac Courte Oreilles Ojibwa Community College (which may authorize up to six charter schools between them). Three entities may authorize in limited jurisdictions: the University of Wisconsin System Board of Regents may authorize charter schools in Madison and Milwaukee school districts; Gateway Technical College (an HEI) may authorize in the Gateway Technical College District; and the County Executive of Waukesha County may authorize in Waukesha County only.
2. Authorizer Standards	3/3	State law requires authorizers to adhere to the <i>Principles & Standards</i> of <i>Quality Charter School Authorizing</i> established by NACSA.
3. Authorizer Evaluations	0/3	State law does not require or provide for the evaluation of authorizers based on standards for quality authorizing.
4. Authorizer Sanctions	0/3	State law does not allow for authorizer sanctions that: restrict the granting of new charters by the authorizer; remove schools from the authorizer's portfolio; or remove authorizing authority.
SCHOOL ACCOUNTABI	LITY	
5. Reports on Performance	3/3	New in 2015: State law requires authorizers to produce an annual public report on the academic and financial performance of their portfolio of schools.
6. Performance Management & Replication	3/3	State law requires a charter contract. New in 2015: Authorizers must use a performance framework. Charter contracts must include a provision that allows the governing boards of toprated charter schools to open additional campuses, thereby encouraging replication of high-quality charter schools.
7. Renewal Standard	0/6	State law allows "reasonable progress" to be sufficient for a charter to be renewed.
8. Default Closure	0/6	State law does not provide for default closure for failure to meet minimum academic standards.

TOTAL POINTS: 15/33, RANK 21 (TIED WITH CT, NC, NM, WI)



^{1&}quot;2r" charter schools are authorized by NEGs or HEIs and do have significant autonomy. Non-instrumentality charter schools are authorized by school districts and may have significant autonomy. Instrumentality charter schools are authorized by school districts and lack most traditional charter school autonomies.

 $^{^2}$ Most of the district-authorized schools are instrumentality charter schools and lack most traditional charter school autonomies.

WYOMING RANK 39, SCORE 3/33



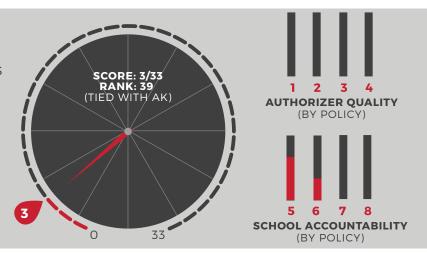
4 CHARTER SCHOOLS
459 CHARTER STUDENTS
<1% OF PUBLIC SCHOOL STUDENTS



DISTRICT AUTHORIZING STATE
2 AUTHORIZERS
100% ARE AUTHORIZED BY LEAS



YEAR LAW ESTABLISHED: 1995



YEARLY COMPARISON

	1. Who Authorizes (6 points)	2. Standards (3 points)	3. Evaluations (3 points)	4. Sanctions (3 points)	5. Reports (3 points)	6. PMR (3 points)	7. Renewals (6 points)	8. Default Closure (6 points)	Total (33 points)
2015	0	0	0	0	2	1	0	0	3/33
2014	0	0	0	0	2	1	0	0	3/33

- Wyoming has a moribund charter law. Creating legally autonomous schools should be the primary policy goal for the state. Policy should ensure that schools have a legally autonomous governing board and autonomy in crucial areas of school operations.
- Create an alternative authorizer or, at a minimum, an appellate authorizer. Wyoming is one of only three states that allow only LEAs to authorize charter schools and has no appeals system. This severely limits charter schools.
- Endorse professional standards for charter school authorizing.
- Create a strong renewal standard that directly links school academic performance to renewal.
- Require contracts and performance frameworks.

THE SCORE1

POLICY	POINTS	DETAILS & CONTEXT	
AUTHORIZER QUALITY			
1. Who Authorizes	0/6	LEA only.	
2. Authorizer Standards	0/3	State law does not adopt, provide, or endorse quality standards for authorizers.	
3. Authorizer Evaluations	0/3	State law does not require or provide for the evaluation of authorizers based on standards for quality authorizing.	
4. Authorizer Sanctions	0/3	State law does not allow for authorizer sanctions that: restrict the granting of new charters by the authorizer; remove schools from the authorizer's portfolio; or remove authorizing authority.	
SCHOOL ACCOUNTABILITY			
5. Reports on Performance	2/3	By law, each school district must report annually to the state board on its charter school's program and performance but not provide a comprehensive report on its portfolio. ²	
6. Performance Management & Replication	1/3	State law requires a charter contract but not a performance framework. The law does not explicitly encourage or address replication of successful schools.	
7. Renewal Standard	0/6	State law allows "reasonable progress" to be sufficient for a charter to be renewed.	
8. Default Closure	0/6	State law does not provide for default closure for failure to meet minimum academic standards.	

TOTAL POINTS: 3/33, RANK 39 (TIED WITH AK)

¹Wyoming law is silent on the legal autonomy of charter school governing boards. State rules operate under the assumption that charter schools have a separate not-for-profit governing board but do not specify that the school must have one. As such, NACSA classifies Wyoming as having a moribund charter school law. Creating legally autonomous schools and a viable alternative authorizer should be the primary policy goals for the state.

²In practice, because portfolios are so small, a report on a single school can effectively constitute a report on the authorizer's portfolio. However, there is nothing in statute that would require the authorizer to report on its schools collectively.



APPENDIX A: METHODOLOGY

NACSA examined state laws and rules⁷ for current charter school state policies in place as of October 1, 2015 (with the exception of Washington State, since updated due to exigent circumstances), then used a rubric to assess those policies against NACSA's recommended policy framework.

We shared the initial scoring and narrative with stakeholders, state by state, who helped NACSA correct inaccuracies, pointed out policies we may have missed or misinterpreted, or offered observations on the context of their state that are important to consider when evaluating their state's environment. This report includes notes on the state-specific contexts that reflect these conversations.

As NACSA learns through this work, the policies we track and how we evaluate them may change over time. While NACSA acknowledges valuable feedback we received, we take full responsibility for the content of this report.

Scoring on the rubric is calculated as follows:

- A state with no relevant policy receives 0 on that measure.
- Partial policies receive 1 or 2 points, depending on their quality.
- Policies that mirror NACSA's recommendations receive 3 points.
- · Three of the eight policies are higher priorities and receive double "weighting."
- Five policies can produce 3 points each, and the three higher priority policies are worth 6 points each.
- The resulting rubric provides a total of 33 points.

All authorizer accountability policies—authorizer standards, authorizer evaluations, reports on performance, and authorizer sanctions—have a maximum of 3 points each. Performance management and replication also has a maximum of 3 points. States can receive 0, 1, 2, or 3 points for each of these policies, with the exception of authorizer standards and authorizer evaluations, which are worth 0, 1, or 3 points. Alternative statewide authorizer, default closure, and renewal standard each have a maximum point total of 6. States can receive 0 or 6 points for renewal standard and 0, 2, 4, or 6 points for default closure and alternative authorizer.

Policy 1: Who Authorizes	
RUBRIC	SCORE
State law permits more than one authorizer that a school can directly apply to without appeals or other limitations across the state, such as an ICB, SEA, HEI, or NFP, and there is more than one authorizing option in the state.	6/6
State law permits an alternative authorizer only upon appeal, or there is only a single statewide authorizer.	4/6
State law permits an alternative authorizer with limited jurisdiction, or a LEA decision can be appealed, but the LEA remains the authorizer upon approval.	2/6
State law allows only LEA authorizing.	0/6



Policy 2: Authorizer Standards			
RUBRIC	SCORE		
State law incorporates national professional standards of quality authorizing or provides state standards that meet or exceed NACSA's <i>Principles & Standards for Quality Charter School Authorizing.</i>	3/3		
State law requires standards but does not provide any content, or the content is not consistent with NACSA's <i>Principles & Standards</i> or are not high quality.	1/3		
State law omits authorizer standards.	0/3		

Policy 3: Authorizer Evaluations			
RUBRIC	SCORE		
State law requires or allows a state entity to assess authorizers' compliance with applicable standards and/or portfolio performance.	3/3		
State law requires authorizers to self-report on their compliance with state-mandated standards.	1/3		
State law provides no evaluation for authorizers.	0/3		

Policy 4: Authorizer Sanctions			
RUBRIC	SCORE		
Sanctions can be applied to authorizers for failure to meet standards of quality authorizing or for school performance. Sanctions explicitly include removing authorizing authority.	3/3		
Sanctions can be applied to authorizers for failure to meet standards of quality authorizing or for school performance. Sanctions include removing schools from an authorizer's portfolio.	2/3		
Sanctions can be applied to authorizers for failure to meet standards of quality authorizing or for school performance. Sanctions restrict the granting of new charters by the authorizer but may allow authorizers to remain open and continue overseeing existing schools.	1/3		
State law does not allow for authorizer sanctions that restrict the granting of new charters by the authorizer, remove schools from the authorizer's portfolio, or remove authorizing authority.	0/3		



Policy 5: Reports on Performance			
RUBRIC	SCORE		
State law requires authorizers to issue an annual consolidated report on the performance of schools in their portfolio.	3/3		
State law requires some but not all authorizers to issue an annual consolidated report on the performance of schools in their portfolio, or state law requires performance reports on each individual school but not a consolidated report of the whole authorizer portfolio.	2/3		
State law requires an annual report including information on school performance but requires something less than a comprehensive report on all schools in the portfolio.	1/3		
State law does not require reports on school performance.	0/3		

Policy 6: Performance Management and Replication				
RUBRIC	SCORE			
State law requires all authorizers to use three essential tools for all charter schools: two performance management tools (a charter contract—separate and distinct from the charter application, and a performance framework), and a policy that encourages and promotes thoughtful replication of high-quality schools. For example, replication policies may include requiring a differentiated (and rigorous) application process specifically designed for high-performing schools seeking to replicate, or allowing successful charter operators to run multiple campuses under one charter.	3/3			
State law requires the use of two of three tools.	2/3			
State law requires the use of one of three tools.	1/3			
State law does not require the use of any of these tools.	0/3			



Policy 7: Renewal Standard				
RUBRIC	SCORE			
State law allows authorizers the option to refuse to renew low- performing schools based solely on past academic performance and does not require "reasonable progress" to be sufficient for renewal.	6/6			
State law requires "reasonable progress" to be sufficient for charter renewal.	0/6			

Policy 8: Default Closure			
RUBRIC	SCORE		
The default consequence under state law provides that charter schools that fail to meet statutorily specified and enforceable performance standards for a defined period, or at the time of renewal, will lose their charter unless there are extenuating circumstances.	6/6		
The default consequence under state law provides that charter schools that fail to meet unspecified standards for a defined period, or at the time of renewal, will lose their charter unless there are extenuating circumstances.	4/6		
Charter schools with a renewal term of 10 or more years and that fail to meet performance standards will be closed at the time of renewal.	2/6		
The default consequence under state law provides that schools will retain their charters despite failing to meet minimum academic standards.	0/6		



APPENDIX B: WHICH POLICIES, WHICH STATES?

POLICY 1: WHO AUTHORIZES

What:

NACSA supports policy that produces at least two high-quality authorizers in every jurisdiction. At least one of these authorizers should be an alternative to the local school district (LEA)—ideally a statewide independent charter board (ICB) established with the sole mission of chartering quality schools. Each charter applicant should be able to apply directly to either authorizer. If only one authorizer is present, such as a local school district, there should at a minimum be an authorizer that can consider and authorize on appeal.

Why:

Having more than one authorizer provides a fail-safe for high-quality charter schools—it prevents a single reluctant, ambivalent, or hostile authorizer from blocking good charter school applicants or inappropriately closing schools. These alternative authorizers can also help establish expectations for all authorizers and provide models of strong practice that others can follow. Additionally, the presence of a second authorizer gives states the ability to sanction a specific authorizer without indirectly harming future applicants or strong schools.

This policy receives double weight in NACSA's rubric because the absence of a quality authorizer in any jurisdiction can make it difficult to establish quality charter schools, diminishing the impact of the rest of the policies.

This approach is not meant to promote a large number of authorizers operating in any single locale.

Rubric:

6/6: State law permits more than one authorizer that a school can directly apply to without appeals or other limitations across the state, such as an ICB, SEA, HEI, or NFP, and there is more than one authorizing option in the state.

4/6: State law permits an alternative authorizer only upon appeal, or there is only a single statewide authorizer.

2/6: State law permits an alternative authorizer with limited jurisdiction, or a LEA decision can be appealed, but the LEA remains the authorizer upon approval.

0/6: State law allows only LEA authorizing.



State	Who Authorizes Score	State	Who Authorizes Score	State	Who Authorizes Score
Arizona	6	Alabama*	4	Alaska	2
Delaware	6	Arkansas	4	Colorado	2
Georgia	6	California*	4	Florida	2
Hawaii	6	Connecticut	4	Maryland	2
Idaho	6	District of Columbia	4	Tennessee	2
Indiana	6	Illinois*	4	LIMITED JURISDICTION	5 STATES
Louisiana Maine	6	lowa*	4	ALTERNATIVE AUTHORIZER OR APPEAL	
Michigan	6	Massachusetts	4	HEARING ONLY	
Minnesota	6	Mississippi New Jersey	4	State	Who
Missouri	6	North Carolina	4		Authorizes Score
Nevada	6	Oklahoma*	4	Kansas	0
New Hampshire	6	Oregon*	4	Virginia	0
New Mexico	6	Pennsylvania*	4	Wyoming	0
New York	6	Rhode Island	4	DISTRICT	7 STATES
Ohio	6			DISTRICT ONLY, NO	3 STATES
South Carolina	6	SINGLE STATEWIDE	15 STATES	APPEAL	
Texas	6	AUTHORIZER OR APPEAL*			
Utah	6				:
Wisconsin	6				
2 OR MORE	20 STATES				



AUTHORIZERS

State	Authorizer Standards Score
Alabama	3
Colorado	3
Delaware	3
District of Columbia	1
Hawaii	3
Illinois	3
Indiana	3
Louisiana	3
Maine	3
Minnesota	3
Mississippi	3
Missouri	1
Nevada	3
New Mexico	3
Ohio	3
Oklahoma	1
South Carolina	3
Tennessee	3
Texas	3
Wisconsin	3
FULL CREDIT: PARTIAL CREDIT:	17 STATES 3 STATES
TOTAL:	20 STATES

What:

NACSA supports policy requiring every state to endorse national professional standards for quality charter school authorizing and requiring all authorizers to meet these standards. Ideally, these standards will be NACSA's *Principles & Standards*. They were created by independent experts and represent more than 15 years of continuous development in the changing charter school landscape. These standards ensure authorizers engage in a full range of oversight activities, including (1) holding schools accountable for their performance goals, (2) protecting public dollars, and (3) looking out for the needs of special populations and the larger community. Importantly, these standards also uphold the charter school model by striking the appropriate balance between autonomy and oversight overreach. Alternatively, a state should develop or endorse standards that are well aligned with NACSA's, requiring and providing guidance on strong authorizer practices and addressing all major stages and responsibilities of charter school authorizing and oversight.

Why:

Professional standards for authorizing promote rigor in charter school oversight and accountability for charter school performance. Authorizing is both a major public stewardship role and a complex profession requiring particular capacities and commitment. It should be treated as such—with standards-based barriers to entry and ongoing evaluation to maintain the right to authorize. NACSA's *Principles & Standards* guide authorizers through all key stages of charter oversight and include standards designed to protect student and public interests and to safeguard charter school autonomy.

Rubric:

3/3: State law incorporates national professional standards of quality authorizing or provides state standards that meet or exceed NACSA's *Principles & Standards for Quality Charter School Authorizing.*

1/3: State law requires standards but does not provide any content, or the content is not consistent with NACSA's *Principles & Standards* or are not high quality.

0/3: State law omits authorizer standards.

POLICY 3: AUTHORIZER EVALUATIONS

State	Authorizer Evaluations Score
Alabama	3
Arizona	3
District of Columbia	3
Georgia	3
Hawaii	3
Indiana	3
Louisiana	3
Maine	3
Minnesota	3
Mississippi	1
Missouri	3
Nevada	3
Ohio	3
FULL CREDIT: PARTIAL CREDIT:	12 STATES 1 STATES
TOTAL:	13 STATES

What:

NACSA supports policy requiring a qualified state entity to regularly evaluate authorizers on adherence to authorizer standards and on the performance of the charter schools they oversee. In some states, such as those that have only one authorizer, regular self-evaluation by authorizers themselves may be appropriate.

Why:

NACSA supports policy requiring a qualified state entity to regularly evaluate authorizers on adherence to authorizer standards and on the performance of the charter schools they oversee. In some states, such as those that have only one authorizer, regular self-evaluation by authorizers themselves may be appropriate.

Rubric:

3/3: State law requires or allows a state entity to assess authorizers' compliance with applicable standards and/or portfolio performance.

1/3: State law requires authorizers to self-report on their compliance with state-mandated standards.

0/3: State law provides no evaluation for authorizers.



State	Authorizer Sanctions Score
Alabama	3
Arizona	3
Hawaii	3
Illinois	3
Indiana	3
Louisiana	3
Maine	1
Michigan	1
Minnesota	3
Missouri	3
Nevada	3
Ohio	3
Oklahoma	2
FULL CREDIT: PARTIAL CREDIT:	10 STATES 3 STATES
TOTAL:	13 STATES

What:

NACSA supports policy that sanctions authorizers if they do not meet professional standards or if the schools they oversee persistently fail to meet performance standards. Sanctions may include revoking the authorizer's authority to oversee schools, revoking the authorizer's authority to authorize new schools, and transferring schools to other authorizers. Some forms of authorizer sanctions may be counterproductive until a state has a viable alternative authorizer. Where this is the case, authorizer standards and evaluations should be used to inform and improve the authorizer's practices rather than to apply sanctions that would eliminate the only available authorizer.

Why:

Authorizers, like charter schools, must be closed if they persistently fail.⁸ The public entrusts authorizers with the expectation that they will maintain portfolios of schools that serve the public good. This includes fostering strong student outcomes; maintaining the public trust through transparent, ethical actions; and adhering to professional standards in practices. An authorizer that violates this trust is no longer serving the public good and, as a result, should no longer have the right to authorize charter schools. Authorizer sanctions are not meant to eliminate the only available authorizer in any state or locale. This would contradict the purpose of charter school authorizing. Rather, authorizer sanctions ensure that, where there is an alternative authorizer, policymakers have a mechanism for pushing failing authorizers out of the sector.

Even a single authorizer willing to help weak applicants and failing schools escape rigor and accountability can undermine strong practices by all other authorizers.

Rubric:

- 3/3: Sanctions can be applied to authorizers for failure to meet standards of quality authorizing or for school performance. Sanctions explicitly include removing authorizing authority.
- 2/3: Sanctions can be applied to authorizers for failure to meet standards of quality authorizing or for school performance. Sanctions include removing schools from an authorizer's portfolio.
- 1/3: Sanctions can be applied to authorizers for failure to meet standards of quality authorizing or for school performance. Sanctions restrict the granting of new charters by the authorizer but may allow authorizers to remain open and continue overseeing existing schools.
- 0/3: State law does not allow for authorizer sanctions that restrict the granting of new charters by the authorizer, remove schools from the authorizer's portfolio, or remove authorizing authority.



POLICY 5: REPORTS ON PERFORMANCE

What:

NACSA supports policy requiring a public report on the academic performance of each charter school in an authorizer's portfolio. This report should include measures of performance as established by the state accountability system and, ideally, the measures from the school performance framework used by the authorizer and set forth in the charter contract.

Why:

Policymakers, schools, parents, and the general public should have access to transparent information on the academic performance of charter schools. These reports serve multiple purposes. They provide individual schools with an annual check-in against the performance goals in their charter agreement. They provide policymakers, authorizers, and other stakeholders with a consolidated look at the portfolio of schools each authorizer oversees, helping identify any patterns of school performance that may point to either deficient or exceptional authorizing practices. But most importantly, these reports ensure transparency. Transparency is necessary to help parents make informed educational choices. Annual public performance reports provide all stakeholders with a clear picture of charter school performance.

Rubric:

- 3/3: State law requires authorizers to issue an annual consolidated report on the performance of schools in their portfolio.
- 2/3: State law requires some but not all authorizers to issue an annual consolidated report on the performance of schools in their portfolio, or state law requires performance reports on each individual school but not a consolidated report of the whole authorizer portfolio.
- 1/3: State law requires an annual report including information on school performance but requires something less than a comprehensive report on all schools in the portfolio.
- 0/3: State law does not require reports on school performance.



POLICY 5: REPORTS ON PERFORMANCE

State	Reports on Performance Score	State	Reports on Performance Score
Alabama	3	New Mexico	3
Arizona	3	North Carolina	3
Colorado	3	Ohio	3
Connecticut	2	Oklahoma	2
Delaware	3	Rhode Island	2
District of	3	South Carolina	3
Columbia Florida	2	Tennessee	3
Georgia		Texas	3
Hawaii	3 3 2 3	Wisconsin	3
Idaho		Wyoming	2
Illinois		FULL CREDIT: PARTIAL CREDIT:	20 STATES 7 STATES
Indiana	3	TOTAL:	27 STATES
Maine	3		
Massachusetts	2		
Minnesota	3		
Mississippi	3		
Nevada	3		



POLICY 6: PERFORMANCE MANAGEMENT AND REPLICATION

What:

NACSA supports policy requiring every authorizer to execute a charter contract with each of its schools. The contract should be a distinct document—separate from the charter petition or application—articulating the rights and responsibilities of the school and authorizer and setting forth the performance standards and expectations the school must meet to earn renewal. Each authorizer should be required to use a performance framework for all its schools. These frameworks should reflect the academic, financial, and organizational performance expectations outlined in the charter contract and provide the basis for authorizers' renewal decisions.

States should also adopt policies that promote the thoughtful replication of high-quality schools. Policies that encourage replication include using a differentiated application process designed for high-performing schools seeking to replicate, and allowing successful charter operators to run multiple campuses under one charter. NACSA particularly recommends state policies that (a) explicitly encourage quality replication of successful schools and (b) require authorizers to evaluate prospective school replicators rigorously (and differently from initial charter applicants) based on their performance records, growth planning, and demonstrated capacity to replicate high-quality schools.

Why:

Performance management policies are the foundation on which charter school accountability is built. These practices promote academic rigor and accountability for performance. Charter contracts and performance frameworks establish school performance expectations at the outset. They also provide the transparency and predictability that allow authorizers to fulfill their public obligations while focusing on results instead of compliance-based oversight that can erode charter school autonomy. With these tools in place to establish and enforce high expectations, it then becomes possible to identify the charter schools that are ripe for replication. State policies promoting quality replication make this possible by encouraging successful school models to flourish and serve more students while guarding against low-quality replication.

Rubric:

- 1: State law requires the use of that tool.
- 0: State law does not require the use of that tool.



POLICY 6: PERFORMANCE MANAGEMENT AND REPLICATION

State	Contracts Score	Performance Frameworks Score	
Alabama*	1	1	1
Alaska	1	0	0
Arizona*	1	1	1
Arkansas	1	0	1
California	0	0	1
Colorado	1	0	1
Connecticut*	1	1	1
Delaware*	1	1	1
District of Columbia	1	0	1
Florida	1	0	1
Georgia	1	0	1
Hawaii*	1	1	1
Idaho	1	1	0
Illinois	1	0	0
Indiana*	1	1	1
lowa	0	0	0
Kansas	0	0	0
Louisiana*	1	1	1
Maine*	1	1	1
Maryland	0	0	0
Massachusetts	1	1	1



State	Contracts Score	Performance Frameworks Score	Replication Score
Michigan	1	0	1
Minnesota	1	0	1
Mississippi*	1	1	1
Missouri	1	1	0
Nevada*	1	1	0
New Hampshire	0	0	0
New Jersey*	1	1	1
New Mexico*	1	1	1
New York	1	0	0
North Carolina	1	0	1
Ohio	1	1	0
Oklahoma*	1	1	1
Oregon	1	0	0
Pennsylvania	1	0	0
Rhode Island	1	0	0
South Carolina	1	0	0
Tennessee	0	0	0
Texas*	1	1	1
Utah	1	0	1
Virgina	1	0	0
Wisconsin*	1	1	1
Wyoming	1	0	0
TOTALS:	37 STATES	19 STATES	26 STATES
		STATES WITH ALL PMR*	20 STATES



POLICY 7: RENEWAL STANDARD

What:

NACSA supports policy requiring strong renewal standards. A strong renewal standard allows authorizers to hold schools accountable if they fail to achieve the outcomes in their charter contract at the end of their charter term. It is distinct from a standard applied for charter revocation (closing a school during its charter term). Revoking a charter before the end of its term typically requires clear evidence of extreme underperformance or violation of law or the public trust that imperils students or public funds. A renewal standard should be set much higher.

Why:

The strong renewal standard allows authorizers to enforce accountability and close failing charter schools when necessary. It shifts the burden of proof from the authorizer to a failing school—making renewal something that is earned by schools when they demonstrate success. In practice, statutory language around "reasonable progress" has led some courts and appellate bodies to keep demonstrably failing schools open because the school argued that state law required the authorizer to keep them open if they could provide any evidence of "progress." Success should be defined by the achievement of a goal, not merely the opposite of failure. This policy change would remove language from charter laws that makes it difficult to close failing schools.

This element receives double weight in NACSA's rubric. Authorizers can put in place many strong performance management tools, but the test of this work occurs when an authorizer decides to close a failing school at renewal and that school is then actually closed.

Rubric:

6/6: State law allows authorizers the option to refuse to renew low-performing schools based solely on past academic performance and does not require "reasonable progress" to be sufficient for renewal.

0/6: State law requires "reasonable progress" to be sufficient for charter renewal.



POLICY 7: RENEWAL STANDARD

State	Renewal Standard Score	State	Renewal Standard Score
Alabama	6	New Jersey	6
Arkansas	6	North Carolina	6
California	6	Ohio	6
Connecticut	6	Oklahoma	6
Delaware	6	Pennsylvania	6
District of	6	Rhode Island	6
Columbia Florida Georgia Idaho	6 6 6	South Carolina Tennessee Texas	6 6 6
Indiana		FULL CREDIT: PARTIAL CREDIT:	26 STATES 0 STATES
Louisiana	6	TOTAL:	26 STATES
Massachusetts	6		
Minnesota	6		
Mississippi	6		
Missouri	6		
Nevada	6		
New Hampshire	6		



State	Default Closure Score
Alabama	6
Florida	6
Indiana	6
Mississippi	6
Missouri	4
Nevada	6
Ohio	6
Oklahoma	6
South Carolina	6
Tennessee	6
Texas	6
FULL CREDIT: PARTIAL CREDIT:	10 STATES 1 STATES
TOTAL:	11 STATES

What:

NACSA supports policy requiring the state to establish a threshold of minimally acceptable academic performance for charter schools. Schools performing below this threshold at the time of renewal, or that remain below this level for a certain period of time, face closure as the default—or expected—consequence. In some situations, the authorizer or state may decide to keep a school open based on special circumstances, such as an alternative school serving a specific high-risk population, known as alternative education campuses (AECs).⁹ A default closure mechanism should allow these exceptions. If a school falls below the minimally acceptable performance threshold, the expectation is that the school will be closed, but performance above that "floor" does not guarantee a right to stay open. A default closure policy should not be used to prevent authorizers from establishing and enforcing higher academic performance standards for the schools they oversee.

Why:

Default closure provisions address the "worst-of-the-worst" schools. Barring special circumstances, it should be accepted and expected that charter schools that fail to meet a minimal threshold of performance will be closed. Schools can still be subject to closure for failure to meet any higher expectations established by authorizers and agreed to in their charter contracts, but at a minimum, closure is expected when schools fall below a state's default closure threshold.

This policy receives double weight in NACSA's rubric because it can safeguard other elements of authorizer practice. In essence, there can be no ultimate charter school accountability if state law allows the worst-of-the-worst schools to continue operating.

Rubric:

6/6: The default consequence under state law provides that charter schools that fail to meet statutorily specified and enforceable performance standards for a defined period, or at the time of renewal, will lose their charter unless there are extenuating circumstances.

4/6: The default consequence under state law provides that charter schools that fail to meet unspecified standards for a defined period, or at the time of renewal, will lose their charter unless there are extenuating circumstances.

2/6: Charter schools with a renewal term of 10 or more years and that fail to meet performance standards will be closed at the time of renewal.

0/3: The default consequence under state law provides that schools will retain their charters despite failing to meet minimum academic standards.

APPENDIX C: 2014 TO 2015 POLICY CHANGES

STATE	2014 SCORE/RANK	2015 SCORE/RANK	CATEGORIES CHANGED
Indiana	29/2	33/1	Authorizer evaluations, performance frameworks
Nevada	29/2	33/1	Authorizer evaluations, replication
Ohio	23/9	32/3	Reports on school performance, renewal standard, performance frameworks
Alabama	n/a	31/4	all
Texas	27/4	27/5	n/a
Minnesota	26/5	26/6	n/a
Mississippi	26/5	26/6	n/a
Missouri	24/8	25/8	Performance frameworks
South Carolina	25/7	25/8	n/a
Louisiana	21/10	24/10	Replication, performance frameworks, authorizer evaluations
Oklahoma	10/37	24/10	Authorizer standards, reports on school performance, authorizer sanctions, default closure, who authorizes, performance frameworks
Delaware	15/16	21/12	Authorizer standards, reports on school performance
Hawaii	21/10	21/12	n/a
Georgia	7/31	20/14	Renewal standard, reports on school performance, authorizer evaluations, replication
Tennessee	17/14	20/14	Reports on school performance
District of Columbia	18/13	19/16	Contracts
Maine	19/12	19/16	n/a
Arizona	9/27	18/18	Reports on school performance, authorizer evaluations, authorizer sanctions
Florida	16/16	18/18	Reports on school performance
Idaho	16/16	16/20	n/a
Connecticut	4/37	15/21	Renewal standard, contracts, replication, performance framework, reports on school performance
Massachusetts	6/33	15/21	Renewal standard, reports on school performance, performance framework



APPENDIX C: 2014 TO 2015 POLICY CHANGES

STATE	2014 SCORE/RANK	2015 SCORE/RANK	CATEGORIES CHANGED
New Mexico	14/19	15/21	n/a
North Carolina	15/18	15/21	n/a
Wisconsin	6/33	15/21	Who authorizes, replication, performance frameworks, reports on school performance
Illinois	13/20	14/26	Authorizer sanctions
New Jersey	13/20	13/27	
Rhode Island	5/35	13/27	n/a
Arkansas	12/22	12/29	Renewal standard, reports on school performance
New Hampshire	10/25	12/29	n/a
California	11/23	11/31	Who authorizes
Pennsylvania	11/23	11/31	n/a
Colorado	9/27	10/33	n/a
Michigan	9/29	9/34	Replication
Utah	8/29	8/35	n/a
New York	7/31	7/36	n/a
Oregon	5/35	5/37	n/a
Iowa	4/37	4/38	n/a
Alaska	3/39	3/39	n/a
Wyoming	3/39	3/39	n/a
Maryland	2/41	2/41	n/a
Virginia	1/42	1/42	n/a
Kansas	0/43	0/43	n/a
Washington	33	0	



ENDNOTES

- ¹ Nationally, 42 states plus the District of Columbia have state charter school laws. For ease of communication, this report will refer to all 43 jurisdictions as states.
- ² This analysis was designed as a complement to the National Alliance for Public Charter Schools' model charter school law, which is strong on authorizer quality and accountability issues and supported by NACSA. NACSA conducts the largest annual survey of authorizers nationwide and uses the survey data to provide an annual update on <u>The State of Charter Authorizing</u>. We also track a key set of <u>Essential Practices</u> for quality charter authorizing, and we report publicly on the degree to which authorizers around the country implement these essential practices and carry out authorizing in alignment with professional standards. There are other reports that provide analyses of state charter laws, charter implementation, and charter academic performance. To fully understand how the charter sector is performing in any state, it is important to look at a broad range of information.
- ³ Many authorizers operate to provide functions in addition to authorizing. When an entity that existed prior to serving as an authorizer has its authority to serve as an authorizer terminated, the entity itself is not going to close. Instead, the authorizing office within that entity will cease to operate.
- ⁴ For more information on policies that encourage the replication of high-performing charter schools, please see *Replicating Quality*, a joint report by NACSA and the Charter School Growth Fund.
- ⁵ An alternative education campus (AEC) is a school specifically designed and created to serve a population at risk of failing in traditional public schools or a population of students that has particular needs that require extensive supports. AECs include schools for over-aged and under-credited youth who are extremely unlikely to graduate or schools for students who have already dropped out of school, as well as schools for pregnant and parenting teens. In some states, what it takes for a school to be treated as an AEC is defined in state law. In too many cases, the definition and treatment of AECs is not clearly articulated. In these states, many schools that serve low-income children claim they are an AEC and deserve to be released from accountability expectations for student performance. NACSA's recommendations regarding the specialized treatment of AECs is reserved for schools that are defined in state law or otherwise designed from the beginning as alternative settings for particular groups of students. The flexibility afforded to AECs should not be built into charter oversight and accountability systems for any school serving low-income children.
- ⁶ Data in the state profiles comes from NACSA's currently unpublished <u>State of Charter Authorizing 2015</u>, the National Alliance for Public Charter Schools' Data Dashboard, state laws, and at times, regulations in each of the 43 states. Data on the number of students, authorizers, and charter schools reflects the 2014-2015 academic year.
- ⁷ In some cases, authorizer regulations are also relevant, particularly when a single statewide authorizer oversees most of a state's charter schools.
- ⁸ Many authorizers operate to provide functions in addition to authorizing. When an entity that existed prior to serving as an authorizer has its authority to serve as an authorizer terminated, the entity itself is not going to close. Instead, the authorizing office within that entity will cease to operate.
- ⁹ An alternative education campus (AEC) is a school specifically designed and created to serve a population at risk of failing in traditional public schools or a population of students that has particular needs that require extensive supports. AECs include schools for over-aged and under-credited youth who are extremely unlikely to graduate or schools for students who have already dropped out of school, as well as schools for pregnant and parenting teens. In some states, what it takes for a school to be treated as an AEC is defined in state law. In too many cases, the definition and treatment of AECs is not clearly articulated. In these states, many schools that serve low-income children claim they are an AEC and deserve to be released from accountability expectations for student performance. NACSA's recommendations regarding the specialized treatment of AECs is reserved for schools that are defined in state law or otherwise designed from the beginning as alternative settings for particular groups of students. The flexibility afforded to AECs should not be built into charter oversight and accountability systems for any school serving low-income children.

