

Essential Components of a Strong Public Charter School Law

In this report, we evaluate each state's charter school law against the 20 essential components of a strong public charter school law. These 20 components are drawn from National Alliance's *A New Model Law For Supporting The Growth Of High-Quality Public Charter Schools*. Below we provide a list of the 20 components and a brief description of each.

Essential Components of Strong Public Charter School Law	
1	No Caps, on the growth of public charter schools in a state.
2	A Variety of Public Charter Schools Allowed, including new start-ups, public school conversions, and virtual schools.
3	Multiple Authorizers Available, including non-local school board authorizers, to which charter applicants may directly apply.
4	Authorizer and Overall Program Accountability System Required, whereby all authorizers must affirm interest to become an authorizer (except for a legislatively-created state public charter school commission) and participate in an authorizer reporting program based on objective data, as overseen by some state-level entity with the power to remedy.
5	Adequate Authorizer Funding, including provisions for guaranteed funding from authorizer fees, and public accountability for such expenditures.
6	Transparent Charter Application, Review, and Decision-making Processes, including comprehensive academic, operational, governance, and performance application requirements, with such applications reviewed and acted upon following professional authorizer standards.
7	Performance-Based Charter Contracts Required, with such contracts created as separate post-application documents between authorizers and public charter schools detailing at least academic performance expectations, operational performance expectations, and school and authorizer rights and duties.
8	Comprehensive Public Charter School Monitoring and Data Collection Processes, so that all authorizers can verify public charter school compliance with applicable law and their performance-based contracts.
9	Clear Processes for Renewal, Nonrenewal, and Revocation Decisions, including school closure and dissolution procedures to be used by all authorizers.
10	Educational Service Providers Allowed, provided there is a clear performance contract between the independent public charter school board and the service provider and there are no conflicts of interest between the two entities.

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11	Fiscally and Legally Autonomous Schools, with Independent Public Charter School Boards, whereby public charter schools are created as autonomous entities with their boards having most powers granted to other traditional public school district boards.
12	Clear Student Recruitment, Enrollment and Lottery Procedures, which must be followed by all public charter schools.
13	Automatic Exemptions from Many State and District Laws and Regulations, except for those covering health, safety, civil rights, student accountability, employee criminal history checks, open meetings, freedom of information requirements, and generally accepted accounting principles.
14	Automatic Collective Bargaining Exemption, whereby public charter schools are exempt from any outside collective bargaining agreements, while not interfering with laws and other applicable rules protecting the rights of employees to organize and be free from discrimination.
15	Multi-School Charter Contracts and/or Multi-Charter Contract Boards Allowed, whereby an independent public charter school board may oversee multiple schools linked under a single charter contract or may hold multiple charter contracts.
16	Extra-Curricular and Interscholastic Activities Eligibility and Access, where: (a) public charter school students and employees are eligible for state- and district-sponsored interscholastic leagues, competitions, awards, scholarships, and recognition programs to the same extent as traditional public school students and employees; and (b) students at charters that do not provide extra-curricular and interscholastic activities have access to those activities at traditional public schools for a fee via a mutual agreement.
17	Clear Identification of Special Education Responsibilities, including clarity on which entity is the local education agency (LEA) responsible for such services and how such services are to be funded (especially for low-incident, high cost cases).
18	Equitable Operational Funding and Equal Access to All State and Federal Categorical Funding, flowing to the school in a timely fashion and in the same amount as district schools following eligibility criteria similar to all other public schools.
19	Equitable Access to Capital Funding and Facilities, including multiple provisions such as: a per-pupil facility allowance (equal to statewide average per-pupil capital costs); facility grant and revolving loan programs; a charter school bonding authority (or access to all relevant state tax-exempt bonding authorities available to all other public schools); the right of first refusal to purchase or lease at or below fair market value a closed or unused public school facility or property; and clarity that no state or local entity may impose any facility-related requirements that are stricter than those applied to traditional public schools.
20	Access to Relevant Employee Retirement Systems, with the option to participate in a similar manner to all other public schools.