Questions to consider when creating or modifying charter school laws

Charter school laws differ immensely in 43 states; seven states do not have a law at all. This is an education policy issue that many states continue to grapple with.

Through its review of commonalities in state policies highlighted in the ECS charter school database, as well as recommendations on the critical components of charter school laws from the National Association of Charter School Authorizers (NACSA) and the National Alliance for Public Charter Schools, the Education Commission of the States has compiled key questions that are worthy of consideration during the creation of a new charter school law or the revision of existing law.

These results are compiled in a new ECS Education Policy Analysis, Questions to consider when creating or modifying charter school laws.

“It’s been more than two decades since the first charter school law passed yet, through our work across the country, we know that many states still continue to search for answers on how to create or improve existing policies,” said Stephanie Aragon, a researcher for the Education Commission of the States. “This report compiles key questions states may want to consider as they look to address charter school laws on topics ranging from accountability to student enrollment and everything in between.”

Some important takeaways from this report:

- 33 states and Puerto Rico have a statewide authorizing body in place.
- 11 states and the District of Columbia have established academic performance thresholds below which charters must be revoked or non-renewed.
- Only in Mississippi are state standards and assessments not applied to charter schools.

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Related ECS resources that you’ll find useful:

- NACSA’s On the Road to Better Accountability: An Analysis of State Charter School Policies can be retrieved here, and the National Alliance for Public Charter Schools’ A New Model Law for Supporting the Growth of High-Quality Public Charter Schools can be retrieved here.
- This ECS report highlights six evolving policy areas in charter school laws.
- For a review of national charter school policy trends, take a look at this ECS charter schools database.
- Also helpful is this ECS charter school issue site, including sections on what states are doing and selected research and readings.

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