

## KEEPING STATE CHARTER LAW UP TO DATE

State-level ESSA implementation will require changes to the broader policies of your state law—state assessments, report cards, accountability, and teacher quality provisions. These will inevitably trickle down into the charter sector, as they do for all public schools.

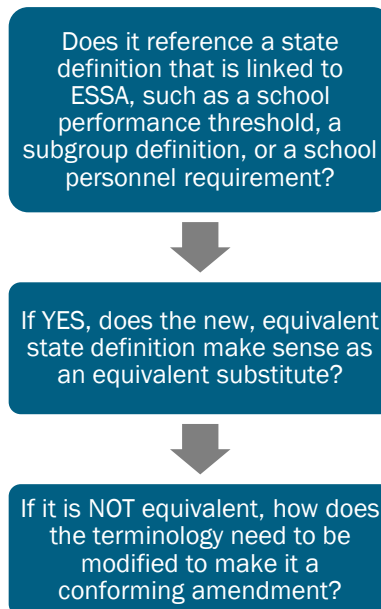
**Specific areas of your state charter law may need to be updated with conforming amendments to ensure there are no gaps in authorizer authority during the transition.**

There may be an adverse effect on charter school authorizing—particularly oversight and accountability—if this doesn’t happen in a timely manner.

- *For example, a legal renewal or replication threshold may reference a state grading system that is being phased out. That part of the charter law would need to be updated to instead reference the new state grading system in order to process renewal or replication applications appropriately.*

In the process of making conforming amendments, policymakers may want to engage in a closer examination of the authorizer quality and school accountability parts of their state charter school law. NACSA’s annual [State Policy Analysis](#) is an excellent resource for that exercise.

## DECISION TREE



## Common Laws or Regulations that may Require Updating in Your State

### DEFINITIONS

#### Alternative Education

**Campus (AEC) or “At-Risk Student”** Identified student subgroups, and n-size parameters for subgroups.

**High-Performing Charter Schools** Performance threshold for designation.

**Who Authorizes** The relevant performance threshold designations (Some states have limits on the authorization of charter schools in school districts based on the school district performance).

### AUTHORIZER OVERSIGHT AND ACCOUNTABILITY

**Authorizer Oversight** School performance thresholds or goals for an authorizer’s portfolio of charter schools overseen by an authorizer. This may be in an application to become an authorizer, a necessary performance goal of approved authorizers, or a threshold for authorizer sanctions.

**Evaluation and/or Reporting on Authorizers** Required reporting elements, such as: elements of state report card, the performance levels of portfolio schools, and supplemental information.

### RENEWALS, NON-RENEWALS, INTERVENTION, AND REVOCATION

**Renewal Thresholds** Academic and/or state accountability system performance threshold(s) for renewal or non-renewal (such as a renewal or a default non-renewal threshold); demonstration of compliance with state Title I and Title II plans (such as spending plans or teacher qualifications)

<b>Renewal Application</b>	Academic and/or state accountability system performance goals; assurances concerning Title I and Title II requirements (such as spending plans or teacher qualifications); assurances concerning new state reporting requirements (such as new subgroup reporting)
<b>Intervention or Probation</b>	Academic and/or state accountability system thresholds; thresholds related to compliance with state Title plans
<b>Revocations</b>	Academic and/or state accountability system performance thresholds for revocation, such as a default closure threshold

### CHARTER CONTRACTS AND PERFORMANCE FRAMEWORKS

<b>Charter Contracts</b>	Academic and/or state accountability system performance goals and/or thresholds; state reporting requirements; state intervention responsibilities of LEA (or as own LEA); assessment flexibility responsibilities (NEW component if allowed by State)
<b>Performance Framework</b>	Academic and/or state accountability system performance goals; inclusion and/or weighting of new non-academic state report card components; universal performance framework thresholds for corrective action or probation (if based on a state measure)

### ANNUAL REPORTING

<b>Academic Reporting Elements</b>	Terminology of performance progress and goals; number or list of schools at different performance thresholds (such as schools identified for improvement); subgroup performance goals and elements
<b>Non-academic Reporting Elements</b>	Enrollment by subgroups, including new subgroups and new n-size requirements; financial compliance, if reference Title spending requirements; organizational compliance with Title planning and implementation requirements (such as Title I or Title II planning, or teacher qualification requirements)

### NEW CHARTER APPLICATIONS

<b>Performance Goals</b>	Terminology of performance goals and minimum thresholds for performance goals, based on the new state goals and accountability system; must including goals for new sub-groups
<b>Replication</b>	Performance thresholds for replication eligibility, including evidence of past success. <i>Note: authorizer RFPs may need to address how they will evaluate performance reports that bridge the two assessment and accountability platforms.</i>
<b>Assessment Flexibility</b>	If a state chooses to allow assessment flexibility, an application should ask for a school's plans to use that flexibility (if applicable) and assurances that the school will fulfill all requirements related to the use of that assessment
<b>Enrollment Plans</b>	Recruiting, serving, and/or reporting on new subgroups, as required by State
<b>ESP Contracts</b>	Terminology of performance goals and minimum thresholds for performance goals; assurances regarding compliance with new Title requirements (such as spending plans or teacher qualifications)
<b>Reporting Assurances</b>	New or modified subgroups, including n-size requirements; new or modified state reporting requirements
<b>Teacher Quality</b>	Teacher quality requirements and Title II compliance assurances (such as teacher evaluation plans or credential requirements, if/as required by state)
<b>Special Communities</b>	Some states have limitations or priorities for serving specific populations or communities. The designation of that community may be based on an element of a state accountability system.

### OTHER

<b>Charter Transfers</b>	Performance threshold requirements for charter transfers
<b>Facilities</b>	Performance threshold requirements for facilities programs and/or facilities preferences