

State Laws

Since 1991, 36 states, the District of Columbia and Puerto Rico have signed into law charter school legislation ([AK](#), [AR](#), [AZ](#), [CA](#), [CO](#), [CT](#), [DC](#), [DE](#), [FL](#), [GA](#), [HI](#), [ID](#), [IL](#), [KS](#), [LA](#), [MA](#), [MI](#), [MN](#), [MO](#), [MS](#), [NC](#), [NH](#), [NJ](#), [NM](#), [NV](#), [NY](#), [OH](#), [OK](#), [OR](#), [PA](#), [PR](#), [RI](#), [SC](#), [TX](#), [UT](#), [VA](#), [WI](#), [WY](#)).

Requested States' Legislative Summaries

Colorado: local district boards grant charters; charter terms are up to five years; funding specified to be at least 80% of the per pupil operating revenues and varies widely from district to district; must meet or exceed district content standards and specify how they will evaluate student performance; using the state testing instrument is not mandated.

North Carolina: local school boards, University of North Carolina boards of trustees, and the State Board of Education grant charters; charter terms up to 5 years; must be operated by a nonprofit corporation; funding comparable with other public schools in the state; must use state performance standards as a "floor" and must conduct state board-selected assessments.

South Carolina: Home schools are the only designated body that cannot operate charter schools; charters sponsored by local boards and appealed to state boards; legally independent and waived of most education laws and regulations; charter terms are 3 years; funding comparable with other South Carolina public schools; must "meet or exceed" district content standards and implement state assessments.

Arguments “for” and “against”

Arguments in favor of charter schools:

- Allow public schools to be created outside of the existing establishment
- Encourage creativity and innovation, allowing schools to escape excessive bureaucracy and regulation
- Increase the range of options available to parents and children

Arguments against charter schools:

- Because charters exist on such a small scale, their benefits will affect only a limited number of students.
- For the school district, the new charter school constitutes a net financial loss. Students attending the new school do not necessarily reduce the sponsoring organizations' costs.
- School boards can be still legally responsible for charter schools which they do not control.

Seven criteria that define strong charter legislation have been developed (*see detailed memo*).

Arizona passed one of the strongest laws to date and is successful (*see detailed memo*).

Racial composition of charter schools, according to the U.S. Department of Education study (as of Jan. 1996), roughly mirrors statewide averages. Charters serve slightly lower proportions of students with disabilities and limited English proficiency, but there is no evidence that they "cream" the best students. About one-third of charter students are eligible for free or reduced price school meals--roughly the same as public schools.

The public wants better schools. The charter concept is spreading because it combines opportunity, choice, and responsibility for higher achievement. Local advocacy groups like the Urban League, the Urban Coalition, the Tejano Center, and ACORN helped start charters. They know better education is possible, now. The charter movement is producing more-involved families, more-fulfilled educators, and more-successful students. American education needs this combination of hope, stimulation, accountability, and opportunity.