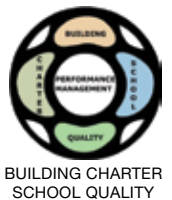
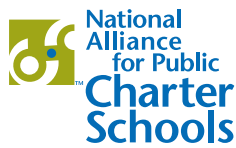


Building Charter School Quality in Ohio

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Introduction

Eighteen years after the nation's first charter school opened in Minnesota in 1992, more than 4,900 charter schools currently serve approximately 1.6 million public school students in 39 states and the District of Columbia. As the charter school movement continues to grow, one of its key challenges is the wide range in charter school quality. While a growing number of charter schools rank among the country's best schools, a notable minority are chronically poorly performing.

To address this challenge, four leading organizations came together to spearhead the Building Charter School Quality (BCSQ) project as a force for improving the performance of charter schools nationwide. The convening partners are the Colorado League of Charter Schools (the League), the Center for Research on Education Outcomes (CREDO) at Stanford University, the National Alliance for Public Charter Schools (the Alliance), and the National Association of Charter School Authorizers (NACSA).

As part of the BCSQ project, the convening partners chose Ohio as one of the project's target states. Over the last year, the BCSQ project's activities in Ohio have included Performance Management Institutes, authorizer trainings, and public policy support, with the goal of improving the performance of Ohio charter schools. This report, "Building Charter School Quality in Ohio," is also part of those activities.

This report provides an overview of the state's charter school landscape and offers gap analyses of the charter school policies, charter school authorizer practices, support services for public charter schools, and the public education data system policies.

The overarching purpose of this report is to guide improvement in the Ohio charter school sector, which in turn will lead the way to improving the performance of all public schools and the students they serve.



A Snapshot of Ohio Charter Schools¹

In 2009-10, Ohio had 321 charter schools serving 92,000 students. In 2010-11, Ohio has 339 open charter schools serving approximately 98,000 students--283 of Ohio's charter schools are independent startup schools, and 56 are district conversion schools. Thirty-two of the schools are online or e-schools. The e-schools collectively serve 31,000 students, but the vast majority of these online students (nearly 28,000) are served in one of the eight statewide e-schools. Ohio charter schools include 168 elementary schools, 67 secondary schools, and 104 combined elementary/secondary schools. Sixty-one schools are categorized as "dropout recovery" schools, and 36 schools are classified as a "special needs" schools. Ohio charter school enrollment is just over five percent of the state's 1.8 million schoolchildren.

The vast majority of Ohio's charter schools are located in the big eight urban districts – Akron, Canton, Cincinnati, Cleveland, Columbus, Dayton, Toledo, and Youngstown. Cleveland has the largest charter school enrollment at 14,475, followed by Columbus at 12,909. Dayton has the highest percentage of students served at 29 percent.

Charter School Demographics

Sixty-eight (68) percent of Ohio charter school students are non-white, compared to 25 percent of traditional district students statewide.

Free and Reduced Lunch

Sixty-seven (67) percent of Ohio charter school students are economically disadvantaged (qualifying for free and reduced lunch), compared to 45 percent of traditional district students statewide.

Students with Disabilities

Twenty-five (25) percent of Ohio charter school students are students with disabilities, compared to 16 percent of traditional district students statewide.

Charter School Growth

The charts below illustrate growth in the number of Ohio charter schools each year, and the growth in charter school enrollment in Ohio since the first schools opened in 1998.

FIGURE 1. CHARTER SCHOOL ENROLLMENT

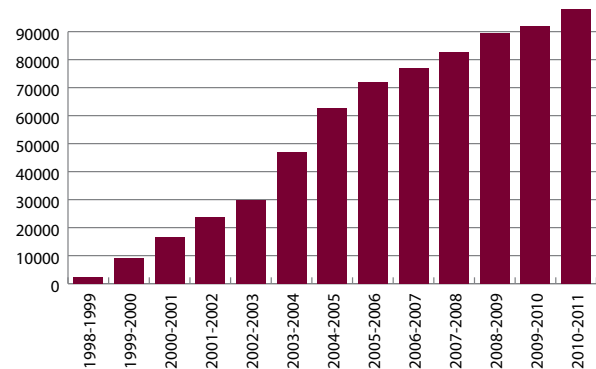
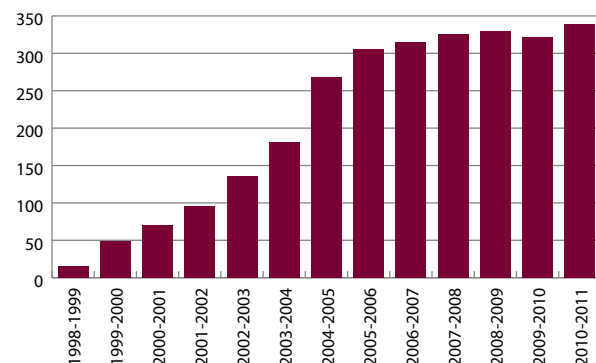


FIGURE 2. NUMBER OF OHIO CHARTER SCHOOLS



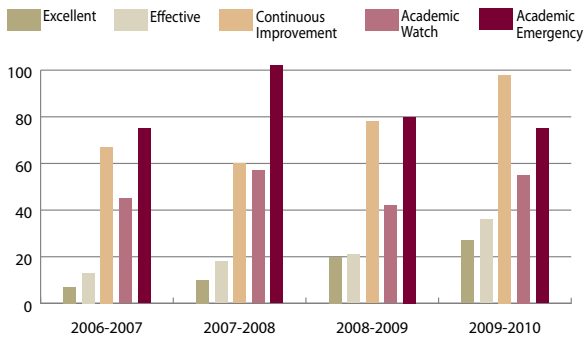
¹ It is important to note that in Ohio charter schools are termed "community schools" and the terms sponsor and authorizer are used interchangeably. For the sake of consistency between state reports the terms charter schools and authorizers will be used instead of community schools and sponsors.



Academic Results

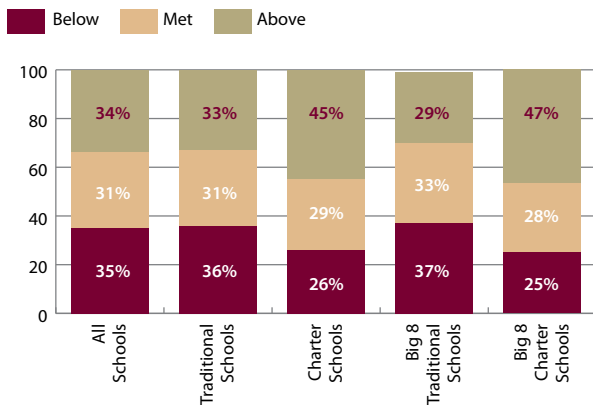
Evidence of improving academic performance of Ohio charter schools is illustrated in the charts below.

FIGURE 3. OHIO CHARTER SCHOOL RATINGS 2006-07 THROUGH 2009-10



Ohio charter schools typically outperform traditional district schools on measures of academic growth, as shown below:

FIGURE 4. 2010 VALUE-ADDED DATA: COMPARISON OF SCHOOL TYPES





Charter School Policy Gap Analysis

This section focuses on how Ohio can improve its charter school law to better support the growth of high-quality public charter schools in the state. In June 2009, the National Alliance for Public Charter Schools (the Alliance) released a new model charter school law organized around 20 essential components of a strong charter school law.² In January 2011, the Alliance published its second annual rankings of state charter school laws against the new model charter school law.³ Ohio's charter school law was ranked 27th out of 40, receiving 95 points out of 208 points possible in the rankings report's scoring system.

To identify priority areas for improvement, this section focuses on weaknesses or omissions in Ohio's charter school law regarding the 16 (out of 20) essential components of the model charter school law that receive the greatest weight in the rankings report's scoring system. These 16 components received either a "4," "3," or "2" (on a scale where "4" was the highest and "1" was the lowest) in the rankings report's scoring system.

Weight: 4

- Transparent Charter Application, Review, and Decision-making Processes.
- Performance-Based Charter Contracts Required.
- Comprehensive Charter School Monitoring and Data Collection Processes.
- Clear Processes for Renewal, Non-renewal, and Revocation Decisions.

Weight: 3

- No Caps.
- Multiple Authorizers⁴ Available.*
- Authorizer and Overall Program Accountability System Required.
- Fiscally and Legally Autonomous Schools, with Independent Public Charter School Boards.
- Automatic Exemptions from Many State and District Laws and Regulations.
- Automatic Collective Bargaining Exemption.
- Equitable Operational Funding and Equal Access to All State and Federal Categorical Funding.
- Equitable Access to Capital Funding and Facilities.

Weight: 2

- Adequate Authorizer Funding.
- Educational Service Providers Allowed.
- Clear Identification of Special Education Responsibilities.
- Access to Relevant Employee Retirement Systems.

* Ohio received the highest score possible for this component, so it is excluded from this analysis.

These "components" are shorthand for key policy areas that the model law addresses in detail through carefully crafted provisions, often with a number of important subcomponents. Readers should refer to the model law and its accompanying explanations for full perspective and model statutory language each component.

² See *A New Model Law For Supporting The Growth of High-Quality Public Charter Schools*, (June 2009), www.publiccharters.org/modellaw.

³ See *Measuring Up to the Model: A Ranking of State Public Charter School Laws*, (January 2011).

⁴ Authorizers are called 'sponsors' in Ohio.



In addition to the policy gaps or weaknesses highlighted in this analysis, readers should be aware of all the gaps between Ohio's law and the model law's 20 essential components (including the four less-weighted components not discussed here), as described in Appendix A. The 20 essential components of the model law offer a strong framework to guide comprehensive improvement of Ohio's law to support quality growth of charter schools.

Following is a summary of the deficiencies in Ohio's charter school law in the 16 areas outlined above. It is recommended that Ohio adopt all provisions of the model law that the state currently lacks.

Transparent Charter Application, Review, and Decision-Making Processes

Current Ohio Score: 4 points out of 16 possible

Ohio lacks most of the model law's provisions for ensuring that authorizers follow rigorous and transparent charter application, review and decision-making processes. These provisions are essential to ensure that charters are granted only to applicants that demonstrate sound plans and capacity to operate successful schools.

RECOMMENDATIONS

Ohio should amend its law to include the following requirements for quality charter application review and decision-making processes by all authorizers:

- A.** The law should require authorizers to issue a request for proposals, including application content requirements and approval criteria.
- B.** In addition to setting forth minimum general application content requirements, the law should set forth minimum application content requirements specific to proposals for (i) conversion charter schools, (ii) educational service providers, and (iii) school replications.
- C.** The law should require authorizers to thoroughly evaluate each application, including conducting an in-person interview with each applicant team.
- D.** The law should require authorizers to issue all charter approval or denial decisions in a public meeting, and to state reasons for denials in writing.

Performance-Based Charter Contracts Required

Current Ohio Score: 4 points out of 16 possible

Ohio lacks most of the model law's provisions for performance-based charter contracts. These provisions are essential to ensure that the outcomes for which charter schools are accountable, as well as the autonomies to which they are entitled, are mutually agreed upon and set forth in a legally binding contract.

RECOMMENDATIONS

Ohio should amend its law to include the following requirements for charter contracts:

- A.** The law should require that charter contracts be separate and distinct from the charter application and executed by the governing boards of both the charter school and the authorizer.
- B.** The law should require that charter contracts define academic and operational performance expectations by which the school will be judged, based on a performance framework that includes measures and metrics for, at a minimum, student academic proficiency and growth, achievement gaps, attendance, recurrent enrollment, post-secondary readiness (high schools), financial performance, and board stewardship (including compliance).
- C.** The law should provide for initial charter terms of five years for all schools, regardless of which authorizer holds the contract.
- D.** The law should require that charter contracts include requirements addressing the unique environments of virtual schools, if applicable.

Comprehensive Charter School Monitoring and Data Collection Processes

Current Ohio Score: 12 points out of 16 possible

Ohio lacks a small number of the model law's provisions for comprehensive charter school monitoring and data collection by authorizers. These provisions are essential to ensure that all authorizers amass the comprehensive body of evidence needed to inform sound high-stakes judgments of each charter school, report publicly on charter school performance, and provide schools a fair opportunity to remedy identified problems.



RECOMMENDATIONS

Ohio should amend its law to strengthen authorizers’ monitoring and data collection processes in the following ways:

- A.** The law should require authorizers to collect and analyze student outcome data at least annually (consistent with the performance framework outlined in the charter contract, with minimum elements as set forth in the model law).
- B.** While Ohio law requires authorizers to produce annual school performance reports that are sent to the Ohio Department of Education, the law should also require authorizers to make these reports more easily accessible to the public.

Clear Processes for Renewal, Non-renewal, and Revocation Decisions

Current Ohio Score: 8 points out of 16 possible

Ohio lacks some of the model law’s provisions for clear, merit-based renewal, non-renewal and revocation decision processes. These provisions are essential to ensure that authorizers provide a fair, evidence-based process for making high-stakes decisions, as well as protect student and public interests in the event of school closure.

RECOMMENDATIONS

Ohio should amend its law to improve authorizers’ renewal, non-renewal, and revocation processes in the following ways:

- A.** The law should provide clear criteria for renewal, non-renewal, and revocation.
- B.** The law should require authorizers to issue performance renewal reports to schools whose charter contracts will expire the following year.
- C.** The law should require schools seeking renewal to apply for it.
- D.** The law should require authorizers to issue renewal application guidance that provides an opportunity for schools to augment their performance record and describe improvements and future plans.
- E.** The law should require authorizers to issue all charter renewal, non-renewal, and revocation decisions in a public meeting, and to state reasons for non-renewals and revocations in writing.

No Caps

Current Ohio Score: 3 points out of 12 possible

Ohio lacks most of the model law’s provisions for allowing unrestricted or adequate growth of charter schools across the state. These provisions are essential to ensure that the benefits of quality charter schools are available to meet educational needs and demand across the state and in districts of all sizes.

RECOMMENDATIONS

- A.** Ohio should amend its law to ensure that there are no limits, either de jure or de facto, on the number of public charter schools, including virtual charter schools, that may open in the state.

Authorizer and Overall Program Accountability System Required

Current Ohio Score: 9 points out of 12 possible

Ohio currently lacks one of the model law’s key provisions to ensure authorizer commitment and accountability as well as accountability for the state’s charter schools program as a whole. These provisions are essential to ensure that local school boards demonstrate sufficient commitment and capacity for quality authorizing before undertaking the role, that all authorizers are publicly accountable for quality authorizing, and that the state periodically evaluates the implementation and outcomes of its charter program to identify and inform necessary improvements.

RECOMMENDATIONS

- A.** Ohio should amend its law to strengthen authorizer and overall program accountability by requiring all authorizers to submit an annual report to the Superintendent of Education, summarizing each agency’s authorizing activities as well as the performance of its school portfolio, including progress on each school’s contractual performance goals.



Fiscally and Legally Autonomous Schools, with Independent Public Charter School Boards

Current Ohio Score: 6 points out of 12 possible

Ohio falls short of the model law’s provisions for fiscally and legally autonomous charter schools with independent public charter school boards. These provisions are essential to ensure that every charter school has the core autonomies needed for maximum educational and organizational success and is governed by an independent board positioned to carry out sound public stewardship of the school.

RECOMMENDATIONS

Ohio should amend its law to strengthen charter school autonomy and governance in the following ways:

- A.** The law should provide fiscal and legal autonomy for all charter schools (e.g., schools have authority to receive and disburse funds, enter into contracts, and sue and be sued in their own names).
- B.** The law should require that every charter school be governed by an independent governing board that holds the charter contract with its authorizer.
- C.** The law should require that every charter school governing board be legally and operationally independent of its authorizer and any contracted service providers.

Automatic Exemptions for Many State and District Laws and Regulations

Current Ohio Score: 6 points out of 12 possible

Ohio includes the model law’s general provisions for automatic exemptions from all but essential laws and regulations, but it lacks the model law’s provision for automatic exemption from state teacher certification requirements. These provisions are essential to ensure that charter schools have – and do not need to fight for – the broad, core autonomies (including staffing, instructional design, use of time, and budgeting) needed to succeed and be held accountable for outcomes.

RECOMMENDATIONS

- A.** Ohio should amend its law to provide more flexibility (and core autonomy) to charter schools by providing automatic exemption from state teacher certification requirements.

Automatic Collective Bargaining Exemption

Current Ohio Score: 6 points out of 12 possible

Ohio falls short of the model law’s provisions for automatic collective bargaining exemptions for all charter schools. These provisions are essential to provide flexibility in staffing, a core autonomy needed to succeed and be held accountable for outcomes.

RECOMMENDATIONS

- A.** Ohio should amend its law to provide charter schools more staffing flexibility by exempting all charter schools authorized by local boards from district collective bargaining agreements.

Equitable Operational Funding and Equal Access to All State and Federal Categorical Funding

Current Ohio Score: 3 points out of 12 possible

Ohio lacks most of the model law’s provisions for equitable operational funding and equal access to categorical funding for charter schools. These provisions are essential to ensure that charter schools – and thus, their students – are funded fairly and on an equal basis as other public schools and students.

RECOMMENDATIONS

Ohio should amend its law to provide equitable funding for public charter school students in the following ways:

- A.** The law should provide equitable operational funding to public charter schools.
- B.** The law should provide equal access to all applicable federal and state categorical funding, and clear guidance on the pass-through of such funds.
- C.** The law should provide funding for transportation similar to school districts.



Equitable Access to Capital Funding and Facilities

Current Ohio Score: 0 points out of 12 possible

Ohio lacks all of the model law’s provisions for equitable charter school access to capital funding and facilities. These provisions are essential to ensure that charter schools have appropriate facilities in which to educate their students and are not forced to cannibalize their operational funding for capital costs – a financial disadvantage that, at best, is unfair to charter students, and is potentially devastating for charter schools.

RECOMMENDATIONS

Ohio should amend its law to provide equitable support for charter school facilities in the following ways:

- A.** The law should provide a per-pupil facilities allowance that annually reflects actual average district capital costs and may be used for a wide variety of facilities-related purposes.
- B.** The law should create a state grant program for charter schools that allows grant funds to be used for a wide variety of facilities-related purposes.
- C.** The law should create a state loan program for charter schools that allows loan funds to be used for a wide variety of facilities-related purposes.
- D.** The law should provide equal access to tax-exempt bonding authorities or allow charter schools to have their own bonding authority.
- E.** The law should provide a mechanism to provide credit enhancement for public charter school facilities.
- F.** The law should provide charter schools with equal access to existing state facilities programs available to non-charter public schools.
- G.** The law should provide a right of first refusal for charter schools to purchase or lease at or below fair market value a closed, unused, or underused public school facility or property.
- H.** The law should prohibit facility-related requirements stricter than those applied to traditional public schools.

Adequate Authorizer Funding

Current Ohio Score: 4 points out of 8 possible

Ohio lacks some of the model law’s provisions for adequate authorizer funding. These provisions are essential to ensure that authorizers have the financial and human resources necessary to carry out their critical responsibilities with quality, integrity, and public accountability.

RECOMMENDATIONS

Ohio should amend its law to provide for adequate funding for all authorizers in the following ways:

- A.** The law should provide for adequate authorizer funding from authorizing fees or other sources.
- B.** The law should provide for guaranteed authorizer funding from authorizing fees or from sources not subject to annual legislative appropriations.
- C.** The law should require authorizers to publicly report expenditures for authorizing activities annually.
- D.** The law should require a separate contract (from the charter operating contract) or separable provision for any services purchased from an authorizer by a school.

Educational Service Providers Allowed

Current Ohio Score: 2 points out of 8 possible

Ohio lacks many of the model law’s provisions for quality contracting with educational service providers. These provisions are essential to enable charter schools to contract for a variety of services, and to ensure appropriate oversight, quality service, and public accountability in such service arrangements through clear performance contracts with independent charter school governing boards.



RECOMMENDATIONS

Ohio should amend its law to improve charter school contracting with educational service providers (ESPs) in the following ways:

- A.** The law should require the charter application to contain 1) performance data for all current and past schools operated by the ESP, including documentation of academic achievement and (if applicable) school management success; and 2) explanation and evidence of the ESP's capacity for successful growth while maintaining quality in existing schools.
- B.** The law should require a performance contract between the independent public charter school board and the ESP, setting forth material terms including but not limited to: performance evaluation measures; methods of contract oversight and enforcement by the charter school board; compensation structure and all fees to be paid to the ESP; and conditions for contract renewal and termination.
- C.** The law should require the material terms of the performance contract to be approved by the authorizer prior to charter approval.
- D.** The law should require school governing boards to operate as entities legally and fiscally independent of any educational service provider (e.g., must retain independent oversight authority of their charter schools, and cannot give away their authority via contract).
- E.** The law should require existing and potential conflicts of interest between the two entities to be disclosed and explained in the charter application.

Clear Identification of Special Education Responsibilities

Current Ohio Score: 4 points out of 8 possible

Ohio falls short of the model law's requirements for clear identification of special education responsibilities. These provisions are essential to ensure that special education responsibilities for eligible charter school students are both clearly defined and adequately funded.

RECOMMENDATIONS

- A.** Ohio should amend its law to clarify funding for low-incidence, high-cost special education services for charter schools (providing for funding in the same amount as and in a manner similar to school districts).

Access to Relevant Employee Retirement Systems

Current Ohio Score: 4 points out of 8 possible

Ohio currently falls short of the model law's provisions for access to relevant public employee retirement systems. These provisions are important to allow charter schools to participate in such retirement systems at their option, choosing the approach that makes the most sense for each school and its employees.

RECOMMENDATIONS

- A.** Ohio should amend its law to allow charter schools, at their option, to participate in relevant state retirement systems available to other public school employees.



Charter School Authorizer Practices Gap Analysis

The National Association of Charter School Authorizers (NACSA) conducts an annual survey of charter school authorizers. Responding authorizers provide information about their current authorizing policies and practices as well as information about their oversight and management of charter schools over the last year (Applications, Renewals, Revocations, etc.). Using data collected from its 2010 survey, NACSA can report on the policies and practices of eight responding Ohio charter school authorizers. These eight authorizers collectively oversee 47 percent of the charter schools in Ohio during the 2010-2011 school year (161 of 339 schools).

NACSA does not have data on the current practices of the remaining 61 authorizers in the state. In most states there was little change in response rate or in the particular authorizers responding to the 2009 survey versus the 2010 survey. In Ohio, however, a few authorizers that responded to previous surveys declined to respond to this latest survey. There is no data on the relative strength of practices implemented by the survey respondents compared with the practices of non-responding authorizers. The following data should not be treated as an accurate reflection of all Ohio authorizers. Nevertheless, this data does speak to the practices of authorizers that oversee approximately half of the state's charter schools.

The policies and practices of the eight authorizers described below fall into five functional areas in charter school authorizing:

- A.** Review of applications.
- B.** Contracting with charter schools.
- C.** Oversight and monitoring.
- D.** Renewal decision-making.
- E.** Commitment and capacity.

Successfully accomplishing the required tasks in each of these five functional areas requires well-developed practices and a qualified, professional staff. This report focuses on a small number of key issues within each functional area.

Review of Applications

A quality charter school authorizer implements a comprehensive charter application process. Several of the responding Ohio authorizers appear to lack the hallmarks of a comprehensive charter application process; in particular, Ohio's respondents have a low rate of employing external panels to review applications.

A comprehensive charter application process includes an annual request for charter school applications issued by the charter school authorizer. In Ohio, one authorizer reported that its charter school growth is currently capped. Among the remaining seven responding authorizers, three reported that they issue annual requests for new charter applications. Thirty percent of charter school authorizers nationally report issuing an annual request for new charter applications.

A comprehensive charter application process includes an interview with each charter applicant. Face-to-face interviews offer an opportunity for authorizers to evaluate an organizing team's understanding of their proposal as well as their capacity to implement that proposal. The majority of Ohio authorizers currently implement this recommended practice with seven of eight Ohio authorizers conducting interviews with charter applicants. Nationally, 81 percent of charter school authorizers report conducting interviews with charter applicants.



Through discussions with charter school authorizers nationally and its direct work with charter school authorizers, NACSA has found that quality charter school authorizers employ panels of experts to evaluate charter school applications. These panels should include external experts. Including external experts is important for two reasons. First, successfully operating a charter school requires an experienced team with diverse sets of skills and abilities such as financial management, non-profit governance, school leadership, and curriculum development. Expert panels with members experienced in different subject areas are necessary to evaluate applications in those diverse domains. Second, including external experts helps insulate application review from the political influence of applicants and other factors separate from the operation of a successful school. Only five of eight Ohio authorizers report that they employ expert panels, and only one of eight authorizers report that they employ panels that include experts external to the authorizing organization. Nationally, 38 percent of charter school authorizers employ panels that include external experts.

A rigorous application process should be selective. Authorizers should grant charters to qualified applicants with the greatest likelihood of succeeding. One proxy for the rigor of an authorizer's application process is its application approval rate. As mentioned earlier, one authorizer reported that its charter school growth is currently capped. All of the remaining seven authorizers reported receiving and evaluating charter applications during the 2009-2010 school year. On average, surveyed Ohio authorizers approved 42 percent of the charter applications they received. This rate is higher than the national average (37 percent), suggesting that Ohio authorizers responding to the NACSA survey may be slightly less selective than authorizers nationally.

Contracting with Charter Schools

A quality charter school authorizer signs contracts with schools that describe the rights and responsibilities of the authorizer and the school. This section discusses two basic components of a quality charter school contract: the existence of a contract distinct from an application and a five-year charter term.

The contract, separate from the charter application, is an essential document to hold schools accountable, uphold school autonomy, and protect student and public interests. Having a contract distinct from a charter application ensures that the material terms and performance expectations are explicitly and formally described and agreed upon. A contract distinct from the charter application also ensures that the charter school is not held accountable at renewal for statements in their charter application extraneous to those central performance expectations. All of the surveyed authorizers in Ohio report signing contracts with each charter school overseen. Six of eight authorizers reported signing contracts separate from the submitted charter applications. Nationally, 88 percent of charter school authorizers sign contracts with each charter school and 73 percent of those authorizers that sign contracts with charter schools, sign contracts that are distinct from the charter application.



A quality charter school authorizer grants charter contracts for a term of five operating years, or longer only with periodic high-stakes reviews every five years. A term of five years allows a school to develop beyond the initial startup phase and produce a sufficient performance record and body of data necessary for high-stakes decision making. Terms longer than five years may not provide sufficient oversight to ensure that charter schools are held accountable for student performance. Three of the eight responding Ohio authorizers reported charter terms of five years. The remaining five authorizers reported ranges of charter terms, all under five years. One larger authorizer in Ohio reports that it grants charter terms that are dependent on the current status of the authorizer's term as a sponsor of charter schools, with available charter terms reduced by one year each year as the authorizer approaches its own five-year renewal. Nationally, 59 percent of charter school authorizers report five-year terms. Surveyed Ohio authorizers report the basic components of a quality charter school contract, though several authorizers may want to consider longer charter terms.

Oversight and Monitoring

A quality authorizer conducts oversight that competently evaluates performance and monitors compliance, ensures a school's legally entitled autonomy, protects student rights, informs high-stakes decision making, and provides annual public reports on school performance.

The quality of intervention strategies reported by Ohio authorizers varies. Seven of seven responding Ohio authorizers report providing underperforming schools, in writing, a description of the unsatisfactory performance (91 percent nationally). Seven of seven responding Ohio authorizers report requiring the school to submit a plan for improvement designed by the school and approved by the authorizer (86 percent nationally). Both of these intervention strategies appropriately balance accountability and school autonomy. Some interventions threaten both accountability and

autonomy by becoming involved in the operation of charter schools. Six of seven responding Ohio authorizers report that when a school performs unsatisfactorily, they provide the school, in writing, suggestions for how to improve (62 percent nationally). Four of seven responding authorizers (57 percent) report that they create plans for improvement in partnership with the underperforming school (54 percent nationally). Becoming involved in the operational choices of a school may result in the authorizer sharing responsibility for the school's performance, making evaluation during renewal more difficult.

Renewal Decision-Making

A quality charter school authorizer regularly reviews their charter schools for renewal and bases the renewal process and renewal decisions on thorough analyses of a comprehensive body of objective evidence defined by the performance framework in the charter contract. Responding Ohio authorizers appear to have the basic components of a quality renewal process. Regular high-stakes reviews of charter school performance (once every five years) is essential to fostering excellent schools and protecting student and public interests. During the 2009-2010 school year, responding Ohio authorizers reviewed, on average, 47 percent of their charter schools for renewal. The average nationally is 30 percent. Basing renewal decisions on the performance expectations outlined in a contract between a charter school and its authorizer contributes to a fair and rigorous renewal process. Eight of eight responding Ohio authorizers report that they base renewal decisions on the expectations stated in the charter contract. Ninety percent of authorizers nationally report this policy.



Commitment and Capacity

A quality charter school authorizer has sufficient resources and staff to oversee and foster excellent schools that meet identified needs. Responding Ohio authorizers have greater resources and capacity than many authorizers nationally. Five of eight responding authorizers have budgets dedicated to charter school authorizing. Nationally, only 39 percent of charter school authorizers report having a budget dedicated to charter school authorizing. Seven of eight responding authorizers report that they rely on oversight fees deducted from charter school revenues to support their authorizing work. Sixty-nine percent of charter school authorizers report oversight fees as a source of funding for authorizing work. Without reliable sources of funding and a dedicated budget, authorizers must support authorizing with funds allocated for other programs (or neglect authorizing duties entirely).

Responding Ohio authorizers report an average of 2.9 schools for every full-time equivalent (FTE) employee assigned to authorizing work. The national average is 5.6 schools per FTE. In both sources of funding and staffing, responding Ohio charter schools authorizers exceed national averages.

RECOMMENDATIONS

- A.** All Ohio authorizers currently accepting charter school applications should work to strengthen the rigor of their application processes. All active authorizers should release an annual request for applications and employ expert panels to evaluate charter applicants that include external experts.
- B.** All Ohio authorizers should provide their public charter schools with annual written performance-based feedback. In providing this feedback, authorizers should avoid offering prescriptive remedies, but rather focus on expected outcomes and timelines. Such feedback will preserve school autonomy and strengthen authorizers' ability to hold schools accountable at renewal.
- C.** Many authorizers in the state of Ohio are not included in the data presented in this section. Data on authorizer practices for a larger sample of Ohio authorizers is needed, whether obtained via an authorizer survey or other instruments. In the meantime, authorizers throughout the state would be well-served by examining the practices of their strongest entities, and replicating such practices.



Support Services for Charter Schools Gap Analysis

Among the critical elements necessary for quality charter schools to flourish within a state are the support services that are available to charter schools. In most states, these services are provided by organizations commonly referred to as charter support organizations (CSOs). While CSOs tend to be the primary source of services for charter schools in a state, other organizations provide support services in some states as well.

There are a variety of support services that charter schools need or want, such as advocacy, group purchasing, or recruiting. However, this analysis focuses on five critical support services that best promote the growth of quality charter schools within a state:

- Proactive advocacy for charter schools.
- Education of charter school board members.
- Support in the development and startup years of schools.
- Support during the renewal process for schools.
- Help in implementing performance management practices.

In June of 1997, the Ohio legislature passed House Bill 215 allowing for the creation of Ohio's first charter school. Since the first charter school opened, Ohio has experienced rapid growth with charters now serving over 98,000 students in approximately 339 schools. For almost a decade, the state of Ohio was without the necessary services that CSOs provide. The Ohio Alliance for Public Charter Schools (OAPCS) began filling this need in 2007, when it was formed.

The Ohio Alliance for Public Charter Schools is a non-profit, non-partisan organization committed to advancing the charter school movement in Ohio. When the OAPCS began, Ohio's education landscape was highly politicized and OAPCS worked to build bridges between charter innovators, education stakeholders,

politicians, authorizers and charter management organizations. OAPCS's second priority was advocating on behalf of charter schools in order to increase political support for school choice and its continued growth within the state. When OAPCS began, Ohio had a large array of charter schools, many of which were not living up to the promise of innovation, quality and accountability. OAPCS is keenly aware of the need to improve quality and to increase accountability.

The OAPCS is a membership-based organization that offers tools to start a successful charter school, increase student performance and improve financial and human resource management. The OAPCS is staffed with experts in business management, advocacy, government relations, school performance, legal expertise, and membership services. The OAPCS has played a leading role in working to improve quality by providing performance management tools, creating uniform standards, offering board trainings, giving charter application support and promoting the sharing of best practices from within the charter school community through networking and local and national conferences. In order to improve quality, OAPCS continues to build its support services capacity, though the daunting scale of serving a state with nearly 340 charter schools, half of which are run by management companies, underscores the importance of increasing resources available to provide critical services.



This section of the report outlines the support services available to charter schools in Ohio and identifies the gaps that must be filled to create an environment in which quality charter schools flourish and poor performing charter schools close. Support services in Ohio are outlined and recommendations provided on how the services can be strengthened. For this analysis, the web pages of the OAPCS, the Ohio Association of Charter School Authorizers and the Ohio Department of Education’s Office of Community Schools were reviewed and interviews with key staff members from the OAPCS were conducted.

Proactive Advocacy for Charter Schools

Proactive advocacy for charter schools is essential to ensure a policy environment that allows for charter schools to operate with the flexibility and accountability necessary to foster the growth of quality charter schools, preserve choice for all parents, and provide children the educational options they deserve. As CSOs often work most closely with the charters in their states, they are best informed on what policies are necessary to promote high-performing charter schools. Through both grassroots advocacy and lobbying, CSOs influence what legislation gets passed in their state. In addition, proactive advocacy by CSOs includes taking public and firm stances on quality in a variety of ways, including publishing quality standards and certifying schools according to specified criteria.

SUMMARY OF PROACTIVE ADVOCACY ACTIVITIES FOR OHIO PUBLIC CHARTER SCHOOLS

SPECIFIC SERVICES	PRESENCE AND QUALITY OF SERVICE	SERVICE PROVIDER(S)
Initiating legislation that promotes charter quality	✓	OAPCS
Blocking legislation that undermines charter quality	✓+	OAPCS
Informing stakeholders on agendas and outcomes	✓+	OAPCS
Encouraging grassroots advocacy	✓+	OAPCS
Publishing quality standards based on nationally accepted standards	✓	OAPCS

LEGEND:

- ✓+ means that services are available and quality of services appears strong
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Since its foundation, the OAPCS and the Ohio Association of Charter School Authorizers have focused on proactive advocacy and have helped pass laws to better support charter schools, such as by reducing the funding disparity between charter schools and traditional public schools and increasing charter school access to quality facilities. The OAPCS was instrumental in blocking legislation that would have removed funding from charter schools in the 2009-2010 legislative session. It should be noted that the OAPCS generated over 32,000 emails and faxes to 132 legislators during this challenge, demonstrating a marked increase in capacity since its founding and an effective utilization of their scarce resources.



The OAPCS has developed several tools to help charter stakeholders communicate effectively with key decision-makers, including guidelines for calling, e-mailing, or meeting with decision-makers and helpful tips on constructing a one-page document for communicating with decision-makers. Additionally, the OAPCS is able to send out calls to action to its members through Voter Voice. The OAPCS has also adopted a set of “Quality Values and Principles” and is in the process of collecting and reviewing input from stakeholders. These “Quality Values and Principles” are used as a part of an evaluation tool when schools apply to be certified in the Ohio Community Charter School Certification Program, which acts as a seal of approval for students, parents, schools and authorizers.

The OAPCS supported legislation strengthening the closure provisions for poor performing charter schools, giving Ohio the strictest charter school performance accountability in the nation.

RECOMMENDATIONS

There are two items that should be strengthened within the proactive advocacy services in Ohio: grassroots advocacy and quality standards.

A. Grassroots advocacy: The tools that the OAPCS has developed are essential in enacting positive change and preventing a regression of funding and support. With Ohio’s charter schools serving over 98,000 students and 339 schools, the OAPCS and the Ohio Association of Charter School Authorizers must continue to increase membership, work collaboratively and more effectively communicate with a single united voice, calling for action when necessary.

The OAPCS has grown its membership rapidly in the past 12 to 24 months and this will help improve grassroots efforts for all public charter schools. However, the lack of a unified voice from the Ohio Association of Charter School Authorizers hampers this effort. The Ohio Association of Charter School Authorizers operates in a fractured manner and should focus its efforts on creating an agenda that unifies its members and allows them to work collaboratively with the OAPCS and for the benefit of Ohio’s students.

In order to expand its reach and improve the atmosphere for charter legislation, the OAPCS should reach out to legislators on both sides of the aisle and build relationships with pro-charter and anti-charter local and state boards of education.

B. Quality standards: The OAPCS currently publishes a five point document for quality standards; however, this document is not fully aligned with industry best practice standards. The OAPCS should continue to work with the Ohio Department of Education (ODE), local authorizers, management organizations and the National Alliance for Public Charter Schools to improve its quality standards and principles and their use in assessing charter school quality.

The OAPCS should look for outside funds in order to continue its work with the ODE, as outlined in Ohio’s Race to the Top application, building a coordinated, collaborative and widespread effort to review struggling schools by strong and fair measures of success.



Education of Charter School Board Members

The education of charter school board members on their roles and responsibilities is essential for the quality of every charter school. As the entity that holds the charter, the board is responsible for ensuring that all contractual agreements are upheld. Without proper education, charter boards may step beyond the boundaries of oversight into the day-to-day management of the school. Additionally, as volunteers who are generally not trained in education, board members need to be informed on local, state, and federal accountability requirements.

Due to Ohio’s complex landscape of service providers, management companies and authorizers, there is no single source of board governance training. The ODE and the Ohio School Boards Association do not offer any form of board training for public charter schools. The OAPCS has partnered with several entities to offer trainings from time to time, and is working with the newly created Buckeye Charter Schools Board Association in this endeavor. Currently the variety of offerings based on geographic location and authorizer relationships that leave gaps in both quality and coverage.

SUMMARY OF BOARD DEVELOPMENT TRAINING TOPICS AVAILABLE TO OHIO CHARTER SCHOOLS

SPECIFIC SUPPORT SERVICES	PRESENCE AND QUALITY OF SERVICE	SERVICE PROVIDER(S)
Ethics	✓-	OAPCS, ODE, Ohio Auditor of States Office, Various Authorizers and Various Charter Management Organizations
Charter school law and policy environment	✓-	
Charter board responsibilities:		
– Budgeting/financial/operational efficiency (or fiduciary responsibilities)	✓-	
– Academic oversight	✓-	
– Public trust	✓-	
Public school employment laws	✓-	ODE
Charter administrator responsibilities	✓-	OAPCS, ODE, Ohio Auditor of States Office, Various Authorizers and Various Charter Management Organizations
Authorizer responsibilities and relationships	✓-	ODE
Performance management	✓-	OAPCS
Strategic planning	✓-	The OAPCS, Various Authorizers and Various Charter Management Organizations
State, local, and federal accountability systems	✓-	
Data systems	✓-	
Assessments	✓-	
Board by-laws	✓-	

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RECOMMENDATIONS

A. Currently Ohio does not mandate charter school board member training. The OAPCS may wish to push for legislation mandating charter school board trainings or, at a minimum, conduct a board member training needs assessments and create meaningful board development training tools to meet those needs. Regardless of the strategies chosen, increasing system-wide expectations for board training and capacity is critical. These trainings should be based on industry best practice standards with modifications based on Ohio’s unique needs.

These trainings could be offered through the OAPCS’s scheduled state-wide conferences, during regional meetings or as individual webinars.

Support in the Development and Startup Years of Public Charter Schools

The active support of charter school groups in the development and startup phases of their schools is one way for CSOs to help ensure that developing groups understand the complexity and serious nature of the endeavor to start a school and monitor the quality of the applications for new schools.

LIST OF SUPPORT SERVICES AVAILABLE DURING THE DEVELOPMENT AND STARTUP YEARS OF CHARTER SCHOOLS

SPECIFIC SUPPORT SERVICES	PRESENCE AND QUALITY OF SERVICE	SERVICE PROVIDER(S)
Application review	✓-	Ohio Department of Education, Various Authorizers, Charter Management Organizations, and the OAPCS
Founding group training	✓-	
Contract review		
Grant and funding assistance	✓-	
Facilities support	✓-	
Access to cost saving products and services	✓-	
Financial services		
Recruitment support	✓-	

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Previously, it was fairly easy to open a new charter school, and Ohio saw rapid growth that has led to the 339 charter schools currently operating in the state. Recently, however, there has been a shift, and HB 119, passed in July 2007, restricted who can legally open and manage a new charter school. Only successful, current, in-state or out-of-state operators (operators are defined as a superintendent, principal, governing board, or management company) can open new schools. Operators are successful under the eyes of the law if the school they operate is in Continuous Improvement or above on the most recent state report card, and thus eligible to open up another school. This applies only to schools in Ohio. If the operator is from another state, the equivalent rating of “C” or better on their state accountability system is necessary. Operators must show proof of this to their sponsor and to the Ohio Department of Education through an application process.

Despite the limitations, new schools are still opening, and the OAPCS and the Ohio Department of Education’s Office of Community Schools offer a variety of critical supports for charter schools in development and during the first years of operation. The OAPCS provides consulting to new school development teams, and reviews of applications and grants. As the state partner for the Walton Family High Quality Startup grant, OAPCS is able to work closely with a small number of developers eligible to participate in this opportunity (currently limited to schools opening in Columbus). If the OAPCS believes that there is a high likelihood of success, they can recommend the school be reviewed by a panel of state experts for a pre-authorization grant worth \$30,000, and a post-authorization grant up to \$220,000 (additional funds can be awarded in operational years two and three if student academic growth performance objectives are met).

The OAPCS keeps a current list of facilities available in the state of Ohio on its website and works to help new and expanding schools meet their facilities needs. Also, as a member of the OAPCS, charters have access to cost saving products and services. Members are eligible to take advantage of many group purchasing options with Staples, Hertz Furniture, School Specialty, Hertz Car Rental and many others throughout the year.

Charter Management Organizations and various authorizers also play a key role in providing the support services that are necessary during the development and startup years of public charter schools. However, these services are not available to the degree that is necessary in a state with over 300 public charter schools.

RECOMMENDATIONS

A. Ohio’s charter school history is marked by growth in the number of schools that has dramatically outpaced the growth of the support services needed to enhance school quality. The OAPCS could improve this by strengthening the support for founding groups beginning with a thorough application review process based on a rigorous set of state and nationally recognized standards. The application review should provide direct feedback and recommendations to the founding group and the application review should be undertaken by a diverse group of experts.

Startup funding, founding board training, charter contract review and other support services should follow to those groups which have already undergone a thorough application review.

B. The OAPCS should encourage all charter schools to have charter contracts reviewed by legal counsel. The OAPCS could be instrumental in ensuring there is a bank of attorneys with the appropriate contract experience and expertise available to effectively review charter contracts.



Support During the Renewal Process for Schools

As is the case with initial applications, ensuring that charters are renewed based on a comprehensive renewal application that provides authorizers with empirical evidence of the effectiveness of schools helps high-quality schools remain open and provides a defensible basis for closing low-performing schools.

RENEWAL SUPPORT AVAILABLE TO CHARTER SCHOOLS

SPECIFIC SUPPORT SERVICES	PRESENCE AND QUALITY OF SERVICE	SERVICE PROVIDER(S)
Renewal application review		
School and/or student data analysis	✓-	OAPCS
Renewal contract review		

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Although the OAPCS is not currently engaged in renewal services, it has gained approval to be an eligible service provider for recipients of federal school improvement grants. The OAPCS provides the Building Charter School Quality Performance Institute to Ohio charter schools, and provides ad hoc consulting, services and referrals to boards and school staff on performance management. It is recommended that the OAPCS align the Building Charter School Quality Performance Institute services to also support schools in the renewal process.

RECOMMENDATIONS

- A. The OAPCS should survey its membership about their contract renewal needs. This may lead to fee-for-service activity with customized working sessions for individual boards regarding renewal or broad based board training around the critical need to provide data to support the ways in which schools are making progress toward meeting their charter contracts.
- B. The OAPCS should expand its staff capacity to include more people that are knowledgeable of, and can effectively educate schools about performance management, such as accountability systems, student information systems, interim assessments, and data-driven decision-making. These staff members would be able to assist boards in creating and running analyses that would measure progress toward school goals – another potential fee-for-service activity. Staff members with this capacity would also be ideally situated to help review contract goals, ensuring that new goals are rigorous, realistic, measurable, and tied directly to student academic outcomes.



Help in Implementing Performance Management Practices

Only by tracking and monitoring student progress through data can teachers and principals make truly informed decisions about needed programmatic improvements and individual student interventions. CSOs need to facilitate professional development and networking opportunities that teach educators how to build a data driven culture within their school buildings.

PERFORMANCE MANAGEMENT SUPPORT AVAILABLE TO PUBLIC CHARTER SCHOOLS

SPECIFIC SUPPORT SERVICES	PRESENCE AND QUALITY OF SERVICE	SERVICE PROVIDER(S)
Facilitate professional development opportunities for founding groups and new and existing charter teachers and leaders on:		
– Accountability systems	✓-	OAPCS
– Data management systems	✓-	OAPCS
– Interim assessments	✓-	OAPCS
– Data-driven decision making	✓-	OAPCS

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The OAPCS has held a number of workshops on “Knowing Your Accountability Data,” and “Using the SUCCESS System,” and provides ad hoc data management services to schools. OAPCS is convening with ODE on a statewide symposium on *Best Practices in Student Data Management* to promote knowledge, sharing and emphasis on instruction, information systems, and processes. Additionally, the OAPCS has published school performance dashboards on its website, providing great insight and transparency into school performance in Ohio for both traditional district and charter schools.

RECOMMENDATIONS

- A.** To provide Ohio charter schools with stronger more comprehensive support around performance management, the OAPCS should continue its plans to develop an extensive menu of professional development opportunities for teachers, school leaders, and data teams. Ideally, this menu of professional development opportunities would include trainings to facilitate the understanding of:
- Federal, state, and local accountability systems.
 - The effective use of data management systems (including student information systems and data warehouses).
 - The selection and effective use of interim (short-cycle) assessments.
 - Data-driven decision making at the classroom and building level.

The addition of up to two staff members with intimate knowledge about performance management would allow for the development of these services.



Public Education Data System Gap Analysis

This section focuses on building a statewide assessment and data infrastructure that supports and meets the essential expectations of the BCSQ Project’s nationally recommended **A Framework for Academic Quality**.⁵ By enacting the policies recommended herein, Ohio will empower charter schools and authorizers to strengthen the quality of public charter schools in ways that presently are not possible.

This section consists of the following parts:

- **Essential Elements of a Robust State Longitudinal Data System:** This section identifies gaps between current Ohio policy and the Data Quality Campaign’s 10 Essential Elements of a Robust Longitudinal Data System.
- **Essential State Actions to Ensure Effective Use of Education Data:** This section identifies gaps between current Ohio policy and the Data Quality Campaign’s 10 Actions that states must take to ensure effective use of data to increase student achievement.
- **Student Growth Data System:** This section discusses the need for Ohio to consider adopting a growth measure that is better understood by educators and parents to make effective change in student achievement and progress.

Essential Elements of a Robust State Longitudinal Data System

This section cites results from the *2009-10 Annual Survey Update and State Progress Report*⁶ by the Data Quality Campaign (DQC) to convey the degree to which Ohio meets the DQC’s “10 Essential Elements” of a robust state longitudinal education data system capable of providing timely, valid, and relevant data to the state’s charter schools, authorizers, and other education stakeholders. A robust longitudinal data system is a cornerstone of state infrastructure for building and achieving quality statewide public education.

The DQC was launched in 2005 to support state development of longitudinal data systems that provide policymakers and educators with information to help adjust policies and practices to improve student achievement. Since 2005, the DQC’s annual survey has tracked state progress in implementing the 10 Essential Elements to ensure that policymakers and educators have the longitudinal data systems capable of providing timely, valid, and relevant data to inform decisions at all levels.

According to the DQC report, Ohio has nine of the 10 Essential Elements in place; thus, it has most of the elements of a robust state longitudinal data system.⁷ The one Essential Element that Ohio still lacks is:

- Ability to match student records between the P-12 and higher education systems

However, Ohio users of the systems argue that DQC element number three, the ability to match individual students’ test records from year to year to measure academic growth, is only partially implemented, as growth is not measured on students that have changed districts or moved to a charter school within a year. Therefore, teachers do not get data on student growth for these students until the student has been in the school/district for two years.

5 See *A Framework for Academic Quality: A Report from the National Consensus Panel on Charter School Academic Quality* (June 2008), www.charterschoolquality.org.

6 The Essential Element and State Action summary descriptions in this report are taken directly from the DQC 2009-2010 Annual Survey Update & State Progress Report, available at www.dataqualitycampaign.org/survey/states/OH.

7 The complete 2009-10 Essential Elements survey results for Ohio are available at www.dataqualitycampaign.org/survey/states/OH?tab=elements.



RECOMMENDATIONS

A. Given that Ohio’s data system has the capability to follow students in real time, it is recommended that Ohio adopt a policy to allow student data to follow the student in real time. Without real-time access to students’ historical data, teachers either spend a lot of time and resources “diagnosing” students, or work without the knowledge of where their students are academically.

Following is information on the Essential Element involving matching student records between P-12 and higher education systems.

Ability to Match Student Records between the P-12 and Higher Education Systems

As states and school systems work to align expectations in high school with the demands of post-secondary education, they need better data on student success when they leave the P-12 system and enter college. Most states today do not have data systems that enable this two-way communication.

RECOMMENDATIONS

Ohio should enact policy to enable matching of student records between the P-12 and higher education systems, including the following components of this Essential Element:

- A.** Student-level K-12 records can be matched with the records of the same students in all of the state’s public colleges and universities.
- B.** Able to match using either the SSN or unique student ID.

Essential State Actions to Ensure Effective Use of Education Data

The DQC has identified 10 Actions that states must take to ensure effective use of education data – the fundamental steps states must take to change the culture around how data are used to inform decisions and policies to improve student achievement. These State Actions are important not just for charter schools and authorizers, but also for the public education system as a whole. According to the DQC’s *2009-10 Annual Survey Update and State Progress Report*, Ohio has achieved only three of the 10 State Actions.⁸ Ohio has not achieved the following State Actions:

- Link state data systems across the P-20/workforce spectrum.
- Create stable, sustained support for robust state longitudinal data systems.
- Create reports using longitudinal statistics to guide system-wide improvement efforts.
- Develop a P-20/workforce research agenda.
- Promote educator professional development and credentialing.
- Promote strategies to raise awareness of available data.

Note: It is unknown at this time whether Ohio has achieved the DQC State Action to implement systems to provide timely access to information. The DQC did not evaluate this Action last year due to a flaw in the survey. Although the DQC did not evaluate this Action in the 2009-10 survey, it is included in this report for Ohio policymakers’ awareness and consideration.

The rest of this section discusses the specific components that Ohio still lacks for each of the above State Actions.

⁸ The complete 2009-10 State Actions survey results for Ohio are available at www.dataqualitycampaign.org/survey/states/OH?tab=actions.



Link State Data Systems Across the P-20/ Workforce Spectrum

Academic data and performance histories alone cannot provide a complete picture of the challenges students face and the programs and services they take part in outside the classroom that affect student achievement. By linking data systems across the P-20/workforce spectrum, states will be able to evaluate whether: a) students, schools, and districts are meeting college and career readiness expectations; b) students are receiving services for which they are eligible; and c) students are receiving effective interventions.

RECOMMENDATIONS

Ohio should enact policy to implement the following components of this State Action:

- A.** Student-level K-12 records can be matched with the records of the same students in all of the state's public colleges and universities.
- B.** Student-level K-12 records can be matched with the records of the same students in the state's workforce data system(s).

Create Stable, Sustained Support for Robust State Longitudinal Data Systems

Longitudinal data systems are not one-time investments but critical state infrastructure that requires maintenance and enhancements over time to meet new stakeholder demands. A key factor in ensuring that state longitudinal data systems remain viable over time is stakeholder use and demand for these systems. States can help to foster this sustainability through codifying a state P-20 state longitudinal data system, as well as by providing maintenance and expansion funding.

RECOMMENDATIONS

Ohio should enact policy to implement the following components of this State Action:

- A.** A state P-20 statewide longitudinal data system is mandated by executive order or legislation.
- B.** State P-20 longitudinal data systems receive state funding for ongoing maintenance.
- C.** State P-20 longitudinal data systems receive state funding for system expansion.

Implement Systems to Provide All Stakeholders with Timely Access to the Information They Need While Protecting Student Privacy⁹

Data are useful only if people are able to access, understand and use them. Without access to the right information, stakeholders are forced to make decisions based on anecdote, experience, or instinct. For information to be useful, it must be timely, readily available, and easy to understand.

Different stakeholders need, and are entitled to, access to different types of information. For example, teachers and school administrators need access to individual longitudinal information on the students in their charge. Parents need information on their own children. Other users, such as charter school authorizers, members of the general public, or parents seeking information on the performance of their children's schools, need access to aggregate statistics based on longitudinal data that do not reveal information on individual students. By granting access to different types of users based on the kinds of information to which they are entitled, state data systems can provide access to information while fully protecting student privacy.

⁹ The DQC did not issue an analysis on Action 5 in its 2009-2010 survey because the survey instrument failed to collect adequate information. The DQC will provide this information in its 2010-11 analysis. Action 5 is nevertheless included here for Ohio policymakers' awareness and consideration.



RECOMMENDATIONS

- A. Ohio policy leaders should consider the extent to which their state education data systems enable timely access to information for all stakeholders.

Create Reports Using Longitudinal Statistics to Guide System-wide Improvement Efforts

All stakeholders need information on school, district, and state performance to gauge progress and make decisions to support continuous improvement at all education levels. Reports that include longitudinal statistics provide valuable information about the effectiveness of schools, programs, policies, and interventions for students who start out at different academic levels.

RECOMMENDATIONS

Ohio should enact policy to implement the following components of this State Action:

- A. State produces graduation or completion report(s).
- B. State produces report(s) using relational analysis.
- C. At least two reports using aggregate data are posted on the state education agency's website.

Develop a P-20/Workforce Research Agenda

To make full use of the longitudinal data states are collecting, states need access to individuals with high-level analytical skills and research training to mine the data and answer the multitude of policy and evaluation questions. Through the formation of strategic partnerships with universities and other organizations that conduct educational research or serve as advocacy organizations, states will be provided with information and analysis that could inform decision-making and improve student and system performance.

RECOMMENDATIONS

Ohio should enact policies to implement the following components of this State Action:

- A. State has developed a P-20 workforce agenda in conjunction with other organizations.
- B. State has developed a P-20 workforce agenda in conjunction with an inter-agency data governance committee.
- C. State has developed a P-20 workforce agenda in conjunction with universities.
- D. State has developed a P-20 workforce agenda in conjunction with outside researchers.
- E. State has developed a P-20 workforce agenda in conjunction with intermediaries.

Promote Educator Professional Development and Credentialing

To ensure that data are used to inform teaching in the classroom and to promote continuous improvement at the school and district levels, educators must be trained in how to access, analyze, and interpret the data. States can develop the capacity of educators to use data by implementing appropriate policies for both pre-service and in-service staff.

RECOMMENDATIONS

Ohio should enact policy to implement the following component of this State Action:

- A. State shares aggregate-level information about how teachers perform as measured through their students' performance data and course data.

Promote Strategies to Raise Awareness of Available Data

In addition to educators, other stakeholders including students, parents, charter authorizers, policymakers, and community members need to know what data are available and be able to access, interpret, and use data effectively. Few stakeholders have had access to longitudinal education data; consequently, few will automatically know how to use the information effectively.



RECOMMENDATIONS

Ohio should enact policies to implement the following components of this State Action:

- A.** Stakeholders are provided with training on how to use data/reports.
- B.** State provides at least two means of training to stakeholders.
- C.** Parents and students are offered data training.
- D.** School board members, state executives, or state department of education personnel are offered data training.
- E.** Education writers/ journalists, community leaders, or the public are offered data training.

Student Growth Data System

Central to data quality and a well-designed state assessment system is the ability of schools, authorizers, policymakers, and other stakeholders to track student academic growth over time, using student-level data. Measuring student academic growth is an essential part of the BCSQ Project’s nationally recommended *A Framework for Academic Quality*.¹⁰ There are various types of growth measures and methodologies – not all equally rigorous or informative – and states are increasingly adopting assessment systems that include some type of growth model as a key means to reveal and understand student academic progress over time.¹¹

Rigorously measuring student academic growth is necessary for well-informed school evaluation, because it reveals what schools are accomplishing or not accomplishing with their students over time. In so doing, it often provides a dramatically different picture of school performance than a purely status-based assessment system would offer. In many ways, measuring academic growth “lifts the shades” on educational performance. It may reveal, for example, that a school that would be judged as “low-performing” on proficiency levels alone is actually accelerating student learning far faster than any other school in the district. Conversely, it can show that a school consistently praised as “high-performing” is simply maintaining students at the same level, rather than challenging and helping them achieve more each year.¹²

Sound growth measures and data are essential for school evaluation, and especially for the evidence needed to support high-stakes charter decisions. Measuring student academic growth requires appropriate assessments and methodologically sound data analysis. States should provide systems for measuring student growth in all of their public schools according to a sound model. To select (or develop) and implement an assessment system that will produce quality student growth data, it is important for state education policy leaders to have a basic understanding of common methods of growth analysis and their respective advantages, limitations, and appropriate (or inappropriate) uses.¹³

10 See *A Framework for Academic Quality: A Report from the National Consensus Panel on Charter School Academic Quality* (June 2008), www.charterschoolquality.org.

11 The U.S. Department of Education is encouraging and approving more states each year to implement high-quality growth models to improve their state accountability systems under No Child Left Behind. For a concise, practical guide to growth models and explanation of why rigorously measuring student academic growth is critical to school evaluation, see NACSA Issue Brief No. 19, “Leave No Charter Behind: An Authorizer’s Guide to the Use of Student Growth Data” (June 2009), www.qualitycharters.org/images/stories/publications/Issue_Briefs/July09_Issue_Brief_Growth_Data.pdf

12 Adapted from Lin, M., “It Depends on the Meaning of ‘Bad’: The Evidence Base Needed for School Closure,” in *Accountability in Action: A Comprehensive Guide to School Closure* (NACSA, 2010).

13 For example, improvement in a school’s school-wide achievement level from one year to the next is not a measure of student academic growth. It is simply a *status improvement* – which could easily occur due to changes in the student population, rather than indicating academic growth for students who have stayed in the school continuously. See Ernst, J. and Wenning, R., NACSA Issue Brief No. 19, “Leave No Charter Behind: An Authorizer’s Guide to the Use of Growth Data,” for discussion of growth-model options: www.qualitycharters.org/images/stories/publications/Issue_Briefs/July09_Issue_Brief_Growth_Data.pdf.



Once a state has selected or developed a strong system for assessing individual student growth, the state must then determine how to weigh growth versus school-status measures in its assessment framework. The BCSQ Project recommends giving greater weight to growth measures because of the depth and quality of performance insight they provide. For example, the state of Colorado has established a ratio of 75/25 for weighting growth over status measures in its accreditation system.¹⁴

Ohio's accountability system currently includes a value-added growth measure as one of several factors, along with proficiency measures, that contribute to an index score for every school in the state. Ohio calculates student growth through the SAS EVAAS value-added model developed by Dr. William Sanders and colleagues at the University of Tennessee.¹⁵

A major drawback of Ohio's growth measure is that SAS EVAAS is a proprietary model whose components are not fully explained to school stakeholders or the education community, thereby making this value-added approach difficult to use to guide effective changes in practice. Purportedly, the SAS EVAAS system allows stakeholders to gauge the "value-added" by a school or teacher (the value of the school or teacher on the students' educational growth above and beyond any demographic or circumstantial influences). While this may be the case, it is difficult for educators to act on data from the model without knowing and understanding the components of the model. Moreover, if teachers do not understand how to interpret or use a growth measure, they cannot help parents understand how their children are doing or what intervention may need to occur outside the classroom.

In addition, data does not follow the child. Thus, value-added is only compiled for students that have been attending the same district or charter school at least two years. There are no value-added data available for mobile students, which describes a large number of charter and urban students. Also, teachers who are teaching the first grade level offered by a school (e.g., 7th grade in a school serving 7th-9th grade students) will never be assessed as to the growth of his/her students. Rather these teachers end up being evaluated on status measures, which for many reasons are not good indicators for teacher effectiveness.

RECOMMENDATIONS

A. Ohio should consider replacing its current growth model with one that is better understood by – and thus more useful to – all stakeholders, including teachers and parents. To be useful, it is essential that a growth measure be both rigorous and easily understood by parents, teachers, school leaders, and community members.

One model to consider is the growth percentile methodology used in Colorado and a growing number of states. This methodology meets the critical conditions noted above.¹⁶

In addition, as stated in the recommendations in this report, the state's longitudinal data system (with all nine DQC elements in place) should have full capability to follow students in real time, regardless of movement within or between districts and schools. The state department of education needs to address this deficiency immediately, so schools and teachers have the ability to assess where their students are, academically speaking, shortly after enrollment.

¹⁴ See www.schoolview.org for information on the Colorado Growth Model, which numerous other states have chosen to adopt, as it is adaptable to any state's existing assessment system (provided that the system is built upon annual assessments).

¹⁵ For an explanation of this model, see www.sas.com/govedu/edu/k12/evaas/index.html.

¹⁶ See Betebenner, D., *Norm- and Criterion-Referenced Student Growth* (2008), available at www.nciea.org.



Next Steps

While all of the recommendations in this report will elevate the quality of Ohio charter schools, the following priorities are suggested for each of the four major sections of the report.

Align Ohio Charter School Law with the Model

Charter School Law: Over the next few years, the state should align Ohio charter school law with all 20 of the essential components of the the National Alliance for Public Charter Schools' Model Charter School Law. As a starting point, we recommend that lawmakers pass legislation in 2011 that will (1) ensure equitable access to capital funding and facilities; (2) delineate authorizer roles and responsibilities to further advance charter school oversight and performance through transparent charter application, review and decision-making processes and performance-based contracts that adopt the BCSQ frameworks for academic and operational quality; and (3) strengthen charter school governance requirements to ensure sound, independent oversight of educational service providers.

Align Authorizer Practices with NACSA Principles and Standards for Quality Charter School

Authorizing: All Ohio authorizers currently accepting charter school applications should work to strengthen the rigor of their application processes. All active authorizers should release an annual request for applications and employ expert panels to evaluate charter applicants that include external experts. Authorizers throughout the state would be well-served by examining the practices of their strongest entities, and replicating such practices.

Performance Management Support to Charter

Schools: The OAPCS provides some performance management services but it lacks the capacity and reach to provide services to all charter schools. As a first step, the OAPCS should continue its plans to develop an extensive menu of professional development opportunities for charter board members, school leaders, teachers and data teams.

Continued Support in the Development and Startup Years of Charter Schools:

Ohio's charter school movement reflects a history of quantity over quality. The OAPCS has made great strides of late in establishing relationships and credibility in the charter sector. The OAPCS could improve new school quality by strengthening the support for founding groups beginning with a thorough application review based on a rigorous set of state and nationally recognized standards.

Adopt a More Rigorous Growth Measure to Assess Both Student Progress and School Effectiveness:

Over the next few years, the state should continue to build and fund the state's public education data system. A fully functional data system will provide important information to all public education stakeholders. As a first step, lawmakers should pass legislation in 2011 that mandates a statewide longitudinal data system (P-20) and updates the student growth measure to be more rigorous and transparent to parents, community members, school leaders and teachers.

Appendix A:

Analysis of Ohio’s Charter School Law

Against the 20 Essential Components of the Model Public Charter School Law

Ranking: 27 out of 40
 Score: 95 points out of 208

Ohio’s charter law was passed in 1997. As of 2009-10, there are 339 charter schools, serving an estimated 98,000 students. The law allows a wide variety of entities to serve as authorizers if they are approved by the state board of education. Ohio law allows conversion schools in all districts and several Educational Service Centers. However, Ohio law limits startup charters to “challenged” districts (which are the eight largest urban school districts, as well as districts in academic emergency, academic watch, and districts in the original pilot project area, Lucas County). Startup schools must have a contractual relationship with a successful charter school “operator.” (An “operator” is a person or organization that has previously managed the daily operations of another community school in Ohio, or charter school out of state, and can demonstrate that the other community or charter school was academically successful by virtue of a state rating).

In recent years, Ohio has enacted a flurry of changes to its charter law in an effort to improve the overall quality of its charters, most notably by passing the toughest automatic school closure laws in the country. Further areas of improvement include beefing up its requirements for charter application, review, and decision-making processes and performance-based contracting; strengthening governance provisions to require strong, independent oversight of educational service providers; and ensuring equitable operational funding and equitable access to capital funding and facilities.

ESSENTIAL COMPONENTS OF STRONG PUBLIC CHARTER SCHOOL LAW	CURRENT STATE POLICIES VS. MODEL COMPONENTS (YES/SOME/NO)	RATING	WEIGHT	SCORE
1) No Caps, whereby:		1	3	3
1A. No limits are placed on the number of public charter schools or students (and no geographic limits).	No			
1B. If caps exist, adequate room for growth.	Some			
Current Component Description: Ohio law allows conversion schools in all districts. However, Ohio law limits startup charters to “challenged” districts (those rated “academic watch” or “academic emergency”). Only operators of charter schools with a track record of success are able to start new schools. Ohio law also has a moratorium in place on new virtual schools.				
2) A Variety of Public Charter Schools Allowed, including:		4	1	4
2A. New startups.	Yes			
2B. Public school conversions.	Yes			
2C. Virtual schools.	Yes			
Current Component Description: Ohio law allows startups, public school conversions, and virtual schools (although there is a moratorium in place on new virtual schools).				
3) Multiple Authorizers Available, including:		4	3	12
3A. Two viable authorizing options for each applicant with direct application allowed to each authorizing option.	Yes			
Current Component Description: Ohio law provides several charter authorizers including: the board of education of the district in which the school is proposed to be located; the board of education of any joint vocational school district with territory in the county in which is located the majority of the territory of the district in which the school is proposed to be located; the board of education of any other city, local, or exempted village school district having territory in the same county where the district in which the school is proposed to be located has the major portion of its territory; the governing board of any educational service center, as long as the proposed school will be located in a county within the territory of the service center or in a county contiguous to such county; a sponsoring authority designated by the board of trustees of any of the thirteen state universities or the board of trustees for the university itself if the proposed school will serve as the university’s teaching demonstration site as approved by the state board of education; and any qualified education non-profit that meets the standards as outlined in the charter law.				

ESSENTIAL COMPONENTS OF STRONG PUBLIC CHARTER SCHOOL LAW	CURRENT STATE POLICIES VS. MODEL COMPONENTS (YES/SOME/NO)	RATING	WEIGHT	SCORE
4) Authorizer & Overall Program Accountability System Required, including:		3	3	9
4A. At least a registration process for local school boards to affirm their interest in chartering to the state.	Some			
4B. Application process for other eligible authorizing entities.	Some			
4C. Authorizer submission of annual report, which summarizes the agency's authorizing activities as well as the performance of its school portfolio.	Some			
4D. A regular review process by authorizer oversight body.	Yes			
4E. Authorizer oversight body with authority to sanction authorizers, including removal of authorizer right to approve schools.	Yes			
4F. Periodic formal evaluation of overall state charter school program and outcomes.	Yes			
<p>Current Component Description: Ohio law requires all eligible authorizers to apply to the state board of education for approval to serve as an authorizer (except for those already serving as authorizers at the time this provision was enacted).</p> <p>Ohio law requires the state department of education to adopt criteria and procedures to process authorizer applications. State regulations specify that an interested authorizer must obtain, complete and submit a written application by the specified deadline. Regulations provide that the application must include evidence of a authorizer's ability and willingness to do the following: authorize a new charter in a challenged district; demonstrate, if it authorizes any schools, that they hold a comparable rating to or better than the performance of Ohio schools rated for continuous performance; possess resources necessary to monitor and provide technical assistance; comply with statute; indicate fees not to exceed 3% which will be collected; monitor and evaluate school compliance; monitor and evaluate academic and fiscal performance; report on the schools to the state department; provide technical assistance; intervene to correct any performance deficiencies; and have a plan in place for when a school experiences financial difficulties or closes prior to the end of the school year.</p> <p>Ohio law requires authorizers to issue an annual report of assurances to the state department.</p> <p>Ohio law requires the state department to monitor the effectiveness of authorizers in their oversight of the schools with which they have contracted.</p> <p>If at any time the state board finds that an authorizer is not in compliance or is no longer willing to comply with its contract with any school or with the department's rules for authorizing, state law requires the state board or designee to conduct a hearing in accordance with Chapter 119 of the Revised Code on that matter. If after the hearing, the state board or designee has confirmed the original finding, state law allows the state department may revoke the authorizer's approval to authorize schools and assume the authorization of any schools with which the authorizer has contracted until the earlier of the expiration of two school years or until a new authorizer as is secured by the school's governing authority. State law allows the state department to extend the term of the contract in the case of a school for which it has assumed authorization under this division as necessary to accommodate the term of the department's authorization of the school specified in this division.</p> <p>By December 31st of each year, state law requires the state department to issue a report to the governor, the speaker of the house of representatives, the president of the senate, and the chairpersons of the house and senate committees principally responsible for education matters regarding the effectiveness of academic programs, operations, and legal compliance and of the financial condition of all charter schools and on the performance of authorizers.</p>				
5) Adequate Authorizer Funding, including:		2	2	4
5A. Adequate funding from authorizing fees (or other sources).	Yes			
5B. Guaranteed funding from authorizing fees (or from sources not subject to annual legislative appropriations).	Yes			
5C. Requirement to publicly report detailed authorizer expenditures.	No			
5D. Separate contract for any services purchased from an authorizer by a school.	No			
5E. Prohibition on authorizers requiring schools to purchase services from them.	No			
<p>Current Component Description: Ohio law allows authorizers to take up to 3% of each charter school's per pupil funding.</p> <p>According to a 2006 report entitled "Turning the Corner to Quality: Policy Guidelines for Strengthening Ohio's Charter Schools," while authorizers are allowed to charge up to 3%, amounts actually being charged are often far less and vary among authorizers based in part upon what other services authorizers might be selling to schools beyond their basic authorizer fees. Current differences in fees and services foster sponsor shopping by some charter schools, which can be good if schools are looking for the most quality for their money, but bad if schools are looking for the easiest contract terms.</p>				

ESSENTIAL COMPONENTS OF STRONG PUBLIC CHARTER SCHOOL LAW	CURRENT STATE POLICIES VS. MODEL COMPONENTS (YES/SOME/NO)	RATING	WEIGHT	SCORE
6) Transparent Charter Application, Review, and Decision-making Processes, including:		1	4	4
6A. Application elements for all schools.	Yes			
6B. Additional application elements specific to conversion schools.	No			
6C. Additional application elements specific to virtual schools.	Yes			
6D. Additional application elements specific when using educational service providers.	No			
6E. Additional application elements specific to replications.	No			
6F. Authorizer-issued request for proposals (including application requirements and approval criteria).	No			
6G. Thorough evaluation of each application including an in-person interview and a public meeting.	No			
6H. All charter approval or denial decisions made in a public meeting, with authorizers stating reasons for denials in writing.	No			
Current Component Description: Ohio law provides application elements for all schools. It also provides additional application elements specific to virtual schools.				
7) Performance-Based Charter Contracts Required, with such contracts:		1	4	4
7A. Being created as a separate document from the application and executed by the governing board of the charter school and the authorizer.	No			
7B. Defining the roles, powers, and responsibilities for the school and its authorizer.	Yes			
7C. Defining academic and operational performance expectations by which the school will be judged, based on a performance framework that includes measures and metrics for, at a minimum, student academic proficiency and growth, achievement gaps, attendance, recurrent enrollment, post-secondary readiness (high schools), financial performance, and board stewardship (including compliance).	Some			
7D. Providing an initial term of five operating years (or a longer term with periodic high-stakes reviews).	No			
7E. Including requirements addressing the unique environments of virtual schools, if applicable.	No			
Current Component Description: Ohio law requires a contract between the authorizer and the governing board of the charter school that articulates, among other things, the focus of the curriculum, the academic goals to be achieved, the method of measurement that will be used to determine progress toward the academic goals, and the duties and responsibilities of both the charter school governing board and the authorizer. However, nothing in law prevents the authorizer from adopting the application as the contract, provided it contains all terms required in statute. Under Ohio law, each contract entered into between an authorizer and governing board of the community school shall not exceed 5 years.				
8) Comprehensive Charter School Monitoring and Data Collection Processes, including:		3	4	12
8A. The collection and analysis of student outcome data at least annually by authorizers (consistent with performance framework outlined in the contract).	No			
8B. Financial accountability for charter schools (e.g., Generally Accepted Accounting Principles, independent annual audit reported to authorizer).	Yes			
8C. Authorizer authority to conduct or require oversight activities.	Yes			
8D. Annual school performance reports which are made public.	Yes			
8E. Authorizer notification to their schools of perceived problems, with opportunities to remedy such problems.	Yes			
8F. Authorizer authority to take appropriate corrective actions or exercise sanctions short of revocation.	Yes			
Current Component Description: Ohio law requires the state auditor to conduct financial audits of each school. It also requires authorizers to annually report the academic and fiscal performance of each of its schools to the state department of education and to parents. Ohio law requires the state department of education to issue an annual report card to each school, which is to include both financial and academic data. Furthermore, state law requires each school to participate in the statewide management information system. Under Ohio law, a perspective charter authorizer must include in its application its ability to monitor and conduct oversight authority. Ohio law allows an authorizer to place a school on probation with the assurance of the governing body that it will correct any deficiencies. The law requires the charter contract to specify the duties of the authorizer, which include its ability to intervene in the school's operation to correct problems and declare the school to be on probationary status if deemed necessary. The law provides that a school may only be placed on probation with the assurance of the governing body that it will correct any deficiencies.				

ESSENTIAL COMPONENTS OF STRONG PUBLIC CHARTER SCHOOL LAW	CURRENT STATE POLICIES VS. MODEL COMPONENTS (YES/SOME/NO)	RATING	WEIGHT	SCORE
9) Clear Processes for Renewal, Non-renewal, and Revocation Decisions, including:		2	4	8
9A. Authorizer must issue school performance renewal reports to schools whose charter will expire the following year.	No			
9B. Schools seeking renewal must apply for it.	No			
9C. Authorizers must issue renewal application guidance that provides an opportunity for schools to augment their performance record and discuss improvements and future plans.	No			
9D. Clear criteria for renewal and non-renewal/revocation.	Some			
9E. Authorizers must ground renewal decisions based on evidence regarding the school's performance over the term of the charter contract (in accordance with the performance framework set forth in the charter contract).	Yes			
9F. Authorizer authority to vary length of charter renewal contract terms based on performance or other issues.	Yes			
9G. Authorizers must provide charter schools with timely notification of potential revocation or non-renewal (including reasons) and reasonable time to respond.	Yes			
9H. Authorizers must provide charter schools with due process for non-renewal and revocation decisions (e.g., public hearing, submission of evidence).	Yes			
9I. All charter renewal, non-renewal, and revocation decisions made in a public meeting, with authorizers stating reasons for non-renewals and revocations in writing.	Some			
9J. Authorizers must have school closure protocols to ensure timely parent notification, orderly student and record transitions, and property and asset disposition.	Yes			

Current Component Description:

Ohio law does not require authorizers to issue renewal applications. In practice, however, some authorizers issue an application, while others adopt an automatic renewal clause in the contract.

The law allows a contract to be terminated or not renewed for fiscal mismanagement, failure to be performance goals of the charter, violation of the law or a “good cause.” Under the recently passed HB 1, the following circumstances trigger automatic closure of a charter school (with a continued exemption for dropout recovery schools with a waiver from the state department, and a new exemption for schools in which a majority of the students are receiving special education):

- For schools that do not offer a grade higher than 3, it requires closure if the school has been in academic emergency for three of the four most recent school years;
- For schools that offer any of grades 4 to 8 but no grade higher than 9, it requires closure if the school has been in academic emergency for two of the three most recent school years and showed less than one standard year of academic growth in reading or math for at least two of the three most recent years;
- For schools that offer any of grades 10 to 12, it requires closure if the school has been in academic emergency for three of the four most recent years.

Ohio law does not address the number of years in the renewal term for the charter contract, but simply says that an authorizer may choose not to renew a contract at its expiration or may choose to terminate a contract prior to its expiration.

Under state law, at least 90 days prior to the termination or non renewal of a contract, the authorizer must notify the school of the proposed action in writing, which must include the reasons for the proposed action in detail, the effective date of the termination or non renewal, and a statement that the school may, within 14 days of receiving the notice, request an informal hearing before the sponsor. The law requires the informal hearing to be held within 70 days of the receipt for a hearing request. Following the hearing, the law requires the authorizer to issue a written decision either affirming or rescinding the decision to terminate or not to renew the contract.

Ohio law allows the charter holder to appeal an authorizer’s decision to the state board and provides that the decision by the state board is final.

Ohio law requires each school’s charter to contain procedures and policies for the disposition of students and teachers in the event of closure. It also provides that a child attending a terminated or non-renewed charter shall be admitted to his or her district school.

ESSENTIAL COMPONENTS OF STRONG PUBLIC CHARTER SCHOOL LAW	CURRENT STATE POLICIES VS. MODEL COMPONENTS (YES/SOME/NO)	RATING	WEIGHT	SCORE
10) Educational Service Providers (ESPs) Allowed, including:		1	2	2
10A. All types of educational service providers to operate all or parts of charter schools.	Yes			
10B. A performance contract between the independent public charter school board and the service provider.	No			
10C. A performance contract is required between the independent public charter school board and the ESP, setting forth material terms including but not limited to: performance evaluation measures; methods of contract oversight and enforcement by the charter school board; compensation structure and all fees to be paid to the ESP; and conditions for contract renewal and termination.	No			
10D. The material terms of the ESP performance contract must be approved by the authorizer prior to charter approval.	No			
10E. School governing boards operating as entities completely independent of any educational service provider (e.g., must retain independent oversight authority of their charter schools, and cannot give away their authority via contract).	No			
10F. Existing and potential conflicts of interest between the two entities are required to be disclosed and explained in the charter application.	No			
Current Component Description: Ohio law allows charter schools to contract with all types of educational service providers but does not include provisions regarding performance contracts, conflicts of interest, and relationships between boards and educational service providers.				
11) Fiscally and Legally Autonomous Schools, with Independent Public Charter School Boards, including:		2	3	6
11A. Fiscally and legally autonomous schools (e.g., schools have authority to receive and disburse funds, enter into contracts, and sue and be sued in their own names).	Some			
11B. School governing boards independent of the authorizer and created specifically to govern their charter school(s).	Some			
11C. School governing boards created specifically to govern their charter schools.	Yes			
Current Component Description: Ohio law includes all of the model law's provisions for fiscally and legally autonomous schools with independent public charter school boards for non-district authorized schools, but not for district-authorized schools.				
12) Clear Student Recruitment, Enrollment and Lottery Procedures, including:		2	1	2
12A. Open enrollment to any student in the state.	Yes			
12B. Lottery requirements.	Yes			
12C. Required enrollment preferences for previously enrolled students within conversions, prior year students within chartered schools, siblings of enrolled students enrolled at a charter school.	Some			
12D. Optional enrollment preference for children of a school's founders, governing board members, and full-time employees, not exceeding 10% of the school's total student population.	No			
Current Component Description: Ohio law requires charter schools to provide open enrollment to any student in the state. Ohio law requires charter schools to admit students by lot if the number of applicants exceeds the capacity of the school's programs, classes, grade levels, or facilities. Ohio law requires charter schools to give preference to students attending the school the previous year and to students who reside in the school district in which the school is located. Ohio law allows a charter school to give preference to siblings of students attending the school the previous year. It also allows a charter school to limit admissions to students defined in their contract as "at risk," residents of a specific geographic area within the district as defined in their contract, or separate groups of autistic and non-disabled students.				
13) Automatic Exemptions from Most State and District Laws and Regulations, including:		2	3	6
13A. Exemptions from all laws, except those covering health, safety, civil rights, student accountability, employee criminal history checks, open meetings, freedom of information, and generally accepted accounting principles.	Yes			
13B. Exemption from state teacher certification requirements.	No			
Current Component Description: Except as otherwise specified in the state's charter school law and in the contract between a charter school and an authorizer, Ohio law exempts a charter school from all state laws and rules pertaining to schools, school districts, and boards of education, except those laws and rules that grant certain rights to parents. Ohio law requires all charter school teachers to be certified, except that a charter school may engage non-certificated persons to teach up to 12 hours per week.				

ESSENTIAL COMPONENTS OF STRONG PUBLIC CHARTER SCHOOL LAW	CURRENT STATE POLICIES VS. MODEL COMPONENTS (YES/SOME/NO)	RATING	WEIGHT	SCORE
14) Automatic Collective Bargaining Exemption, whereby:		2	3	6
14A. Charter schools authorized by non-local board authorizers are exempt from participation in any outside collective bargaining agreements.	Yes			
14B. Charter schools authorized by local boards are exempt from participation in any district collective bargaining agreements.	Some			
Current Component Description: For startups, Ohio law exempts charter schools from participation in any outside collective bargaining agreements. The law subjects conversions to a school district's collective bargaining agreement, unless a majority of the charter school's teachers petition to work independently or form their own unit.				
15) Multi-School Charter Contracts and/or Multi-Charter Contract Boards Allowed, whereby an independent public charter school board may:		1	1	1
15A. Oversee multiple schools linked under a single contract with independent fiscal and academic accountability for each school.	No			
15B. Hold multiple charter contracts with independent fiscal and academic accountability for each school.	No			
Current Component Description: Ohio law is silent regarding these arrangements.				
16) Extra-Curricular and Interscholastic Activities Eligibility and Access, whereby:		1	1	1
16A. Laws or regulations explicitly state that charter school students and employees are eligible to participate in all interscholastic leagues, competitions, awards, scholarships, and recognition programs available to non-charter public school students and employees.	No			
16B. Laws or regulations explicitly allow charter school students in schools not providing extra-curricular and interscholastic activities to have access to those activities at non-charter public schools for a fee by a mutual agreement.	No			
Current Component Description: Ohio law is silent about charter eligibility and access.				
17) Clear Identification of Special Education Responsibilities, including:		2	2	4
17A. Clarity regarding which entity is the local education agency (LEA) responsible for providing special education services.	Yes			
17B. Clarity regarding funding for low-incident, high-cost services for charter schools (in the same amount and/or in a manner similar to other LEAs).	No			
Current Component Description: Under state law, the charter school is the LEA responsible for providing special education services. The law requires a school district board of education or educational service center governing board to negotiate with a charter school governing authority that seeks to contract for the provision of services for a disabled student in the same manner as it would with the board of education of a school district that seeks to contract for such services.				
18) Equitable Operational Funding and Equal Access to All State and Federal Categorical Funding, including:		1	1	3
18A. Equitable operational funding statutorily driven.	No			
18B. Equal access to all applicable categorical federal and state funding, and clear guidance on the pass-through of such funds.	No			
18C. Funding for transportation similar to school districts.	Yes			
Current Component Description: Under Ohio law, charters receive substantially less than traditional public schools, which is mostly due to a lack of access to additional funding sources such as sales and property taxes. Ohio law requires districts to provide transportation for all charter students, but also allows charter schools to accept responsibility for transportation (and receive funding for this directly from the state under prescribed circumstances). In a recent national study of charter school funding (Charter School Funding: Inequity Persists, 2010), Ohio charter schools were receiving on average \$8,190 per pupil, while traditional public schools would have received \$10,421 for those students. As a result, the state's charter schools were receiving \$2,231 per pupil - or 21.4% - less than what the traditional public schools would have received for those students. This figure includes all sources of funding, and analysis reveals some continued inequities for both operational and capital funding (see component #19 for information on capital issues).				

ESSENTIAL COMPONENTS OF STRONG PUBLIC CHARTER SCHOOL LAW	CURRENT STATE POLICIES VS. MODEL COMPONENTS (YES/SOME/NO)	RATING	WEIGHT	SCORE
19) Equitable Access to Capital Funding and Facilities, including:		0	3	0
19A. A per-pupil facilities allowance which annually reflects actual average district capital costs.	No			
19B. A state grant program for charter school facilities.	No			
19C. A state loan program for charter school facilities.	No			
19D. Equal access to tax-exempt bonding authorities or allow charter schools to have their own bonding authority.	No			
19E. A mechanism to provide credit enhancement for public charter school facilities.	No			
19F. Equal access to existing state facilities programs available to non-charter public schools.	No			
19G. Right of first refusal to purchase or lease at or below fair market value a closed, unused, or underused public school facility or property.	No			
19H. Prohibition of facility-related requirements stricter than those applied to traditional public schools.	No			
<p>Current Component Description: Ohio law allows charter schools to use loans guaranteed under the Community Schools Facilities Guaranteed Loan Program for the construction of new school buildings. The state is not funding this program.</p> <p>Ohio law also creates a revolving loan fund that allows charter schools to apply to use funds for any services described in their charter. The law provides that the maximum cumulative loan amount is \$250,000 and that it must be repaid within five years. The state is not funding this program.</p> <p>In a recent national study of charter school funding (Charter School Funding: Inequity Persists, 2010), Ohio charter schools were receiving on average \$8,190 per pupil, while traditional public schools would have received \$10,421 for those students. As a result, the state's charter schools were receiving \$2,231 per pupil - or 21.4% - less than what the traditional public schools would have received for those students. This figure includes all sources of funding, and analysis reveals some continued inequities for both operational and capital funding (see component #18 for information on operational issues).</p>				
20) Access to Relevant Employee Retirement Systems, whereby:		2	2	4
20A. Charter schools have access to relevant state retirement systems available to other public schools.	Yes			
20B. Charter schools have the option to participate (i.e., not required).	No			
<p>Current Component Description: Ohio law requires that charter schools participate in relevant employee retirement systems.</p>				

