

The Presence of Neoliberal Ideology in State Charter School Policies

by

Rebecca A Daugherty

BA Anthropology, University of Pittsburgh, 2021

Submitted to the Graduate Faculty of the
School of Education in partial fulfillment
of the requirements for the degree of

Master of Arts

University of Pittsburgh
2023

UNIVERSITY OF PITTSBURGH
SCHOOL OF EDUCATION

This thesis was presented

by

Rebecca A Daugherty

It was defended on

December 4, 2023

and approved by

Hayley Weddle, Assistant Professor, EFOP, School of Education

Emily Rainey, Assistant Professor, TLL, School of Education

Maureen Porter, Thesis Advisor, Associate Professor, EFOP, School of Education

Copyright © by Rebecca A Daugherty

2023

The Presence of Neoliberal Ideology in State Charter School Policies

Rebecca A Daugherty, MA

University of Pittsburgh, 2023

The United States' public education system is no stranger to robust efforts of educational reform. The past 50 years have seen various forms of local and institutional attempts to reform the public education system, but perhaps no reform has been as extensive and successful as the charter school movement. Charter schools are publicly funded but privately run schools of choice that prioritize privatization and autonomy above all else. On the surface, they seem harmless to the public education system—simply a reform that puts the power of choice back into parents' and students' hands. But charter schools as an institutional reform represent a new kind of threat to our public education system: neoliberalism. Neoliberalism as an ideology postulates free-market ideals, such as competition, individualism, and deregulation, as necessary means for social well-being in all aspects of life, not just the economic sphere. This study uses content analysis with literature-based a priori codes to examine the presence of neoliberal ideals in state charter school policies. All state charter school policies were found to have some level of neoliberal ideology, the most frequent being privatization and regulatory accountability (to their own set of regulations). The results of this study are consistent with previous literature and demonstrate a compelling account of the connection between neoliberalism and charter schools.

Table of Contents

1.0 Introduction.....	1
1.1 Research Questions.....	2
1.2 Positionality	4
1.3 Significance of Study.....	4
2.0 Literature Review	6
2.1 Public Education in the U.S.	6
2.1.1 The Common School Movement	7
2.1.2 Public, Separate, and Unequal	7
2.1.3 A Public Good or Private Choice?	8
2.2 Background of Charter Schools	9
2.2.1 First Generation	10
2.2.2 Second Generation.....	10
2.2.3 Third Generation	12
2.3 Theory	13
2.3.1 Introduction to Neoliberalism	13
2.3.2 Neoliberalism as a Political Rationality	14
2.3.3 Neoliberalism in Education.....	15
3.0 Data and Methods.....	18
3.1 Research Questions.....	18
3.2 Sample Collection.....	18
3.3 Qualitative Methods.....	20
3.3.1 Content Analysis	20

3.3.2 A Priori Codes.....	21
3.3.3 Inter-coder Reliability	22
4.0 Results	26
4.1 Minnesota.....	26
4.1.1 Deregulation in MN Chapter 124E	27
4.1.2 Privatization in MN Chapter 124E	28
4.2 Florida	29
4.2.1 Choice in FL 1002.33	30
4.2.2 Legislative and Administrative Autonomy in FL 1002.33	30
4.3 Connecticut.....	32
4.3.1 Privatization in CT 10-66.....	33
4.4 Pennsylvania.....	34
4.4.1 Choice in PA “Charter School Law”	35
4.4.2 Deregulation in PA “Charter School Law”	35
4.4.3 Privatization in PA “Charter School Law”	36
4.5 Indiana	37
4.5.1 Regulatory Accountability in IN 20-24.....	38
4.5.2 Privatization in IN 20-24	39
4.6 West Virginia.....	40
4.6.1 Choice in WV 18-5G.....	40
4.6.2 Privatization in WV 18-5G	41
5.0 Discussion.....	43
5.1 Research Question 1	44
5.2 Research Questions 2.....	45

5.3 Limitations and Further Research	47
5.4 Implications	47
5.4.1 Theory Implications.....	49
5.4.2 Policy Implications.....	49
Appendix A Codebooks	51
Appendix B IRB Waiver	84
Data Sources	85
Bibliography	86

List of Tables

Table 1: Section 1 (1991-1996) Sampling.....	20
Table 2: Section 2 (1997-2003) Sampling.....	20
Table 3: Section 3 (2010-2019) Sampling.....	20
Table 4: A Priori Codes.....	24
Table 5: Coding Frequency of Neoliberal Ideology.....	46
Table 6: Codebook MN.....	51
Table 7: Codebook FL.....	54
Table 8: Codebook CT.....	58
Table 9: Codebook PA.....	63
Table 10: Codebook IN.....	71
Table 11: Codebook WV.....	80

List of Figures

Figure 1: IRB Waiver	84
-----------------------------------	-----------

1.0 Introduction

Charter schools have been a part of the United States education system for a little over 30 years now. They are the product of various robust efforts to reform the United States public education system. The idea of charter schools is usually credited to Ray Budde and his 1988 report titled *Education by Charter: Restructuring School Districts*. The term was then popularized by Al Shanker, the president of the American Federation of Teachers (AFT) in the late 1980s (Murphy & Shiffman, 2002). The phenomenon of charter schools is shaped not just by a desire to reform public education, but by the desire to reshape public education along certain attitudes of what constitutes a successful social, political, and economic culture of education.

Charter schools are publicly funded schools that operate independently from the traditional school model. These schools instead adhere to state legislation and statutes created by charter authorizing agencies, called charters, which outline specific governing principles while also exempting the schools from specific state or local regulations (Barghaus & Boe, 2011; Enoch-Stevens et al., 2022). Murphy and Shiffman (2002, p. 5) describe charter schools as so:

Core dimensions of charters include: (1) freedom for parents on the demand side of choice and, by opening up delivery, freedom for potential providers on the supply side of choice; (2) accountability realized by unleashing market forces (i.e. competition) and by fulfilling the charter contract—as opposed to accountability through regulations; and (3) decentralization of control to the local unit of operation (i.e., the individual school).

The first charter school legislation passed at a state level occurred in Minnesota in 1991, and the first public charter school in the United States opened a year later in 1992 (Barghaus & Boe, 2011; White & Yeuting, 2022).

Today, 45 states and the District of Columbia have charter school laws. Following this large state buy-in, there has been a rapidly growing body of research and literature regarding US charter schools. Past studies have focused on exploring the mechanisms of charter school creation (Holyoke, 2022; Lee, 2014), the implementation of charter school policies and regulations (Barghaus & Boe, 2011; Enoch-Stevens et al., 2022), discerning student outcomes (Clark et al., 2015), and understanding student, teacher, and family perceptions of charter schools (Kraemer-Holland & Cruz, 2023).

Very few studies have attempted to place charter school legislation, and consequently charter schools themselves, within current discourses on the US education system. Charter schools are a prime example of what is called an “institutional reform” (Rosenblum Brigham Associates, 1998, p. 27). Certainly, policy is not created in a vacuum and is heavily influenced by policy-makers, constituents, and stakeholders' views on the world around them. In turn, the policy itself influences the actions and attitudes at work in its domain. This cycle of legitimization is present in US state charter school laws and the aspect of the US education system they oversee.

1.1 Research Questions

The creation of charter schools is often cited as a solution to growing dissatisfaction with traditional public schools and a need for new large-scale educational reform (Gawlik, 2016). Charter schools, which use public funding, present parents with an alternative to the traditional

school while still allowing them to participate in the wider conversation of public education. As an “institutional reform” (Rosenblum Brigham Associates, 1998, p. 27), charter schools are uniquely situated as a state-sanctioned education reform that affects the entire US public education system while also seeming to only play out in localized contexts.

This form of institutionalization that charter schools highlight sheds light on the current dominant discourse in education: neoliberalism. Neoliberalism in education refers to the beliefs of “free-market fundamentalism, privatizing public institutions and consumerism...[and] redefining education as a product, and school as a business” (Kraemer-Holland & Cruz, 2023, p. 50). As mentioned earlier in the Murphy and Shiffman (2002) quote, charter schools rely on market forces and state-sanctioned methods of deregulation. Charter schools exist within the dominant discourse of neoliberalism, which prizes market-based approaches to education and prides itself on valuing competition, individualism, and consumerism above all else— in direct juxtaposition to a traditional public school model focused on education for all and democratic principles (Apple, 2017).

Because of this, state charter school policies provide the perfect case study for interrogating the ways in which dominant neoliberal discourse is legitimized and reproduced in our education system. Kraemer-Holland and Cruz describe neoliberalism as a “rationality shaping policy, practice, and truth” (2023, p. 50). Viewing neoliberalism as a shaping force in the way the US now approaches public education, I seek to ask: *is neoliberal ideology present in the language of state charter school legislation? If so, what is the most frequent neoliberal belief found in the language of the policy?*

1.2 Positionality

As a researcher, it is important to address my positionality as it directly effects the work I choose to do and the conclusions I draw. It is my belief that public goods are necessary for a strong, democratic country. The United States is made stronger by its institutions for public good, and nowhere is that seen better than in our public education system. Our public education system ensures that every child has access to education. It promotes social cohesion through teaching similar standards. It allows for the education of the people, by the people. But I believe institutional reforms like charter schools, that prioritize market-based practices and support rampant deregulation, are threatening that public good. It is because of this that I chose to focus my study on charter school state policies. It is my hope that this work will be influential in understanding aspects of neoliberalism in charter schools and stand as necessary background for future work on how to disrupt these trends and preserve our public education system.

1.3 Significance of Study

As citizens of a democratic society, it is important for us to understand how the government works and how it works *for* us. One of the main ways to do this is to understand the public goods that we, as a body politic, are entitled to under federal, state, or local legislation, as well as the public goods we socially and culturally view to be under the jurisdiction of the government. The public education system is primarily controlled by state and local governments, and therefor is hyper-localized. But that does not mean there aren't certain education reforms that sweep the nation both legislatively and socio-culturally. Charter schools are an example of such educational reform that has permeated our very idea of what a public education means.

This is important for a number of reasons. For starters, any aggressive reshaping of policy and constituents' every-day belief is important to recognize and understand. It allows policymakers and the public to recognize patterns of change and how to adapt or defy them. But charter school policies represent a more dangerous trend in US policy than just change— they perfectly highlight what unchecked neoliberal ideals do to the public's perception of the roles of a public and democratic government. Put plainly, the rise of charter schools forces us to ask questions of what, exactly, makes public education a public good (Miron & Nelson, 2002).

The primary goal of this study is to examine the presence and extent of neoliberal ideals in state charter school policies. The hope is that by understanding the way neoliberalism invades education policies and how those policies reinforce, institutionalize, and re-legitimize neoliberal beliefs, we can begin to think critically about those ideals and their effects.

2.0 Literature Review

This literature review examines the phenomenon of public education in the US and explores charter school reform and their connection to neoliberalism through the following topics: (1) an overview of public education in the US, (2) an overview of charter schools explored through their three generations, and (3) the theory of neoliberalism as a political rationale, its role in education, and its connection to charter school policy.

2.1 Public Education in the U.S.

According to Kober and Rentner from Center on Education Policy (2020, p.2): “the Founding Fathers maintained that the success of a fragile democracy would depend on the competency of its citizens”. Jefferson, Adams, and other early leaders of America knew that preserving democracy in our country would require an educated populace, and therefore acknowledged that the United States needed “a more systematic approach to schooling” (Kober & Retner; 2020, p.2). While this notion took hold in some places as early as the late 1780s, the wider concept of free and public education did not take root until the 1830s with Horace Mann and the common school movement. Today, public education is widely seen as a public good protected by our democratic government, despite the federal government having a relatively small role in education.

2.1.1 The Common School Movement

When Horace Mann was elected to the Massachusetts Board of Education in 1837, he furthered the belief that public education was necessary in creating democratic citizens. The common school movement arose as an attempt to fund schools in every community with public dollars, thus making them “public” schools (Marshall, 2017). The movement aimed to make education secular, differing from the prior colonial schools which often had strong religious beliefs, and to create a better educated citizenship, which would in turn strengthen the country’s democracy. The other hope for the common schools was that having a singular “public” school option would create a populace that had common values, and could run a country smoother (something that, as we can see today, does not always pan out). However, there were many arguments about how common schools should be run and by who—many of Mann’s opposition felt it was undemocratic that the state be involved in local schools (Marshall, 2017). We can see echoes of that sentiment today, in the increasing lack of support for traditional public schools and simultaneous support for deregulated options such as vouchers and charter schools.

2.1.2 Public, Separate, and Unequal

Common Schools gained traction in the south post- Civil War due to new state constitutions that required public schools for both white and black children (Marshall, 2017). However, these school were separate from each other and widely unequal—an inequity that only become more profound after Plessey v. Ferguson in 1896, when Jim Crow laws allowed for white leaders to continue to underfund schools serving Black children (Ramsey, n.d.). Despite being publicly funded, legal segregation allowed for the government to funnel more money, resources, and supports to white schools, leaving the separate public schools inherently unequal.

Segregation continued until 1954, when the supreme court ruled in *Brown v. Board of Education of Topeka, Kansas* that state-sanctioned segregation of public schools is unequal, and therefor unconstitutional (Ramsey, n.d.; *Brown V. Board of Education of Topeka*, 1954). Desegregation was a slow, and often violent, process in the US—white people of all socio-economic backgrounds began fleeing urban schools in what is known as white flight, and, if they could afford to, they left the public education system altogether. While the *Brown* ruling is often hailed as the end of segregation and an important win for the Civil Rights movement, racial segregation is still a monumental problem in today’s public schools—approximately a third of all students attend a school where 75% or higher of the population is a single race or ethnicity (US Government Accountability Office, 2022). As was documented back in the 1960s with white students fleeing to private schools, today competitive charter schools and voucher systems only exasperate the problem (Ramsey, n.d.).

2.1.3 A Public Good or Private Choice?

Public education in the US has always been a tricky topic. As with many institutions in the US, education spent a long time only being public to a select few, despite its initial pushing as a necessary fixture to democracy. Post-segregation saw an increase in public schools that served a diverse student population, as well as more support from the federal government in the form of federal legislation and funding such as: Title VI, Title IX, the Elementary and Secondary Education Act, the Higher Education Act, as well as the creation of the Department of Education (U.S. Department of Education, n.d.). Public education seemed to take center stage in the debate on government responsibility and was reaping the benefits by being solidified as a public good with federal, state, and local backing.

It wasn't until the release of the government report *A Nation at Risk* (The National Commission on Excellence in Education, 1983) that the idea of large-scale reform began to dominate discourses on the public education system. Suddenly, it was clear that the public education system was failing, and the current reforms were not cutting it. The popularization of the voucher system by Friedman in the 1980s and the rise of charter schools in the 1990s marked a new trend in public education that focused on reforming the public education system by remaking it. After *A Nation at Risk*, many felt that public education would be better served by two strategies: decentralization and school choice (Murphy & Shiffman, 2002). These essentially shifted the role of education from a public to a private good/service, and this shift can be clearly seen in the rampant growth and institutionalization of charter schools.

2.2 Background of Charter Schools

Having been around for over 30 years, there is much literature on the U.S. charter school system. In her article "The U.S. Charter School Landscape: Extant literature, gaps in research, and implication for the U.S. educational system" (2016), Gawlik breaks the existence of charter schools into three generations based on her perceptions of their purpose and the research that was being done on them at the time. The first generation marks the beginning of charter schools in the US and is characterized by a distrust and lack of faith in public schools. The second generation focuses on larger education reforms such as state laws and chartering agreements. The third generation, and the most recent view on charter schools, consists of their institutionalization and efforts to improve individual charter school quality.

2.2.1 First Generation

The first generation of charter schools began in the 1990s and continued for most of the rest of the decade. At this time, charter schools were being introduced as an alternative to traditional public schools and were “targeted at students who had not been well served by traditional public schools” (Gawlik, 2016, p. 50). These charters focused their sights on at-risk students, ELL students, and special education students (Gawlik, 2016). They also highlighted the importance of letting teachers experiment with innovative curriculum for a varying student body.

Minnesota was the first state to set up their own charter school system and pass state legislation in 1991, often citing opportunity, choice, and responsibility as the founding values of charter schools. By 1999, 38 states had passed charter school legislation (Murphy & Shiffman, 2002). Charter schools had quickly become one of the fastest growing educational reforms in the US, and because of that the dialogue around them changed. While charter schools today still cite the curriculum innovation and specialization that characterized this first generation of charter schools, the focus shifted in the late 1990s and early 2000s to ideas of wide-scale education reform (Lubienski, 2003).

2.2.2 Second Generation

The second generation of charter schools covers the late 1990s to mid 2010s and is characterized by a focus on more abstract questions of education reform (Gawlik, 2016). Charter schools, continuing to steadily grow in popularity, began to play a larger role in education discourses regarding notions of autonomy, accountability and larger local and state reforms (Barghaus & Boe, 2011; Dekkers, 2007; Gawlik, 2016; Smole, 2007). At this point, charter

schools had become embedded in many state education systems, solidified by the creation of state boards and technical centers whose job was to support the expansion of charter schools (Gawlik, 2016). Questions of charter school proposers, researchers, and critics became less about the purpose of them, and more about what their long-term role in public education would look like. Of importance to these inquiries is the plethora of research at the time that focused on the main legislative and administrative components of charter schools: autonomy and accountability.

One of the main components of charter schools has always been increased autonomy. Allowing charter schools increased autonomy compared to traditional public schools allows the idea of charter schools, as an education reform, to attract various supporters due to their mutability. As Smole (2007, p. 1) explains: “The terms of a charter typically provide the charter school operator with increased autonomy in how to operate the school, often including exemption from, or flexibility in the application of, many of the state or local regulations otherwise applicable to public schools...”. Lee (2014, p. 21) mimics this description of autonomy, stating: “Charter schools impressively have their autonomy that is out of the direct control of school districts...”. Miron and Nelson (2002) mention the increased autonomy of charter schools not just for their larger operation within the public education system, but also for their curriculum and instructional purposes. Barghaus and Boe (2011) claim the intended purpose of charter school autonomy is not just autonomy from the local and state districts, but also within the school as well, with increased teacher influence on day-to-day decisions.

Components of accountability also play a large role in the research of this generation of charter schools. Perhaps the other side of the autonomy coin, accountability for charter schools plays out on multiple levels. The first is what Miron and Nelson (2002, p. 133) call *regulatory accountability*: “compliance with existing and applicable rules and regulations”. Smole (2007, p. 1) uses the notion of *regulatory accountability* when he argues that charter schools receive

autonomy “in exchange for greater accountability for results or outcomes” as stated in state policies and charter agreements. Most charter school laws and agreements have “oversight provisions” (Jones, 1998, p. 1) and require participation in education success measurements such as state tests or other outcomes measurements for teacher and students (Gawlik, 2016; Lee, 2014).

The second form of accountability we start to take notice of around this time is *market accountability* (Miron & Nelson, 2002, p. 133). In this form of accountability, parents are seen as consumers of a commodity (a school for their child). In order for the charter school to be successful, it needs to be able to successfully hold itself accountable to its consumers— the parents (Miron & Nelson, 2002). This is often done by catering to parents and communities needs and ensuring they can attract, satisfy, and retain students (Gawlik, 2016; Miron & Nelson, 2002). Lee (2014, p. 23) argues along these lines, stating that “organizers of charter schools have responsibilities for their students’ academic success”. Despite the larger focus on questions of accountability around this time, Miron & Nelson (2002) point out in their brief on Pennsylvania charter school reform that many accountability documentation requirements were rather ambiguous.

2.2.3 Third Generation

The third generation of charter schools began in the mid 2010s and continues today. Charter schools in this era are characterized by their institutionalization in US public education. They are no longer a new, innovation reform but rather an established institution within our education system that has over 20 years of history. The focus now is less on the individual aspects of charter schools themselves, and more on their current track record and predictions on how they will continually evolve and affect the public education system. The charter school

system is rapidly growing, with enrollment doubling in the last 10 years to almost 3.7 million students nationally (NCES, 2023). Only five states do not have charter school policies, and the question seems to be not if, but when, they will each pass legislation authorizing charters.

Gawlik (2016, p. 51) argues that charter schools were so successful as an institutional education reform because they “appeal to a broad range of political and ideological groups including neoliberals, neoconservatives, the religious right, parents and teachers in urban areas, and the middle class”. Each of these factions supports the existence of charter schools in public education for different reasons, and it is this widespread appeal across different beliefs and political parties that has made charter school policies so successful, and charter schools such a permanent fixture in our public education system. This study focuses on one of these ideologies and its role in state charter school policies in particular: neoliberalism.

2.3 Theory

The present study interrogates whether neoliberal ideology is present in the language of state charter school policies, and if it is, to what extent is it present. To investigate these questions, I used a theoretical framework of neoliberalism to support data analysis. The following sections will: (1) introduce neoliberalism (2) classify neoliberalism as a “political rationality” (Brown, 2006, p. 693), and (3) explore neoliberalism in education specifically.

2.3.1 Introduction to Neoliberalism

First brought to the public mind in Milton Friedman’s *Capitalism and Freedom* (1962), neoliberalism—neo meaning new or changed—was introduced as a “revived classical liberalism

[that] held decentralized governance and free market activity to be the best check against a paternalistic state” (Lemke, 2015, p. 54). Initially focused on the economic and political sphere, neoliberalism sought to bolster economic and political freedom through diminishing public goods and services, decreasing government regulations, and championing the privatization of services (Brown, 2006; Lemke, 2015). Neoliberalism, at its core, is a “distinctive political theory” (Vallier, 2022) that aims not to control the market, but to have the market control all else.

2.3.2 Neoliberalism as a Political Rationality

New to neoliberalism, in contrast with former notions of liberalism, was the belief that neoliberalism could not and should not stay only in the economic and political sphere. It is less of an economic theory and more of a theory for our way of life. Brown (2006, p. 693) writes that neoliberalism is not just an economic ideology, but a “political rationality”. Drawing from Foucault’s (1998) term, she describes neoliberalism as an order of reason or world view “organizing the political sphere, governance practices, and citizenship” (Brown, 2006, p. 693). It encompasses more than just economic policies, reaching into political decisions and spreading throughout social and cultural modes of being. Similarly, Kramer-Holland and Cruz (2023, p. 50) describe it “as a rationality shaping policy, practice, and truth”.

This rationality is so embedded into our understanding of the US and ourselves as American citizens that it has become the dominant discourse in many fields, being introduced and reproduced throughout policy and practice (Apple, 2004; Sturges, 2015). Neoliberalism as a “political rationality” (Brown, 2006, p. 693) embeds the concepts of individualism, privatization, competition, choice, and deregulation into our collective common-sense (Apple, 2004; Dorsey & Plucker, 2016; Horsford et al., 2019; Lubienski, 2006). These concepts are integral to

understanding neoliberalism as a theory and its pervasiveness as a shaping tool. It becomes the way in which both institutions and the body politic order their lives.

Individualism espouses privatization, as the private ownership of goods and services reinforces the narrative that one is self-reliant and exercising free will and action (Horsford et al., 2019; Wilson, 2007). Privatization is meant to open up the market to more options, increasing choice. Choice “empowers individual ‘consumers’ by personalizing decisions about goods, services, and associations, and life activities”, therefore reinforcing notions of individualism (Horsford et al., 2019, p. 50). Privatization and choice increase competition, as individuals turn into “consumers of services” (Sturges, 2015, 4) and private companies compete to sell to them. Deregulation, in practice, aims to open up industries to privatization, therefore increasing choice and competition (Dorsey & Plucker, 2016).

Each of these concepts works together, although not always smoothly, to create a new form of sensemaking that “articulates the nature and meaning of the political, the social, and the subject” (Brown, 2006, p. 693). Neoliberal concepts such as individualism, privatization, deregulation, competition, and choice become our rationality. These concepts are present in our everyday life and are therefore integral to understanding the way that neoliberalism influences policy, and how that policy in turn shapes our institutions, behaviours, and beliefs.

2.3.3 Neoliberalism in Education

Neoliberalism being a “political rationality” (Brown, 2006, p.693) means that, if we look hard enough, we can see it shaping every aspect of our lives. Education is no exception. In education, neoliberalism “casts the political and social spheres both as appropriately dominated by market concerns and as themselves organized by market rationality” (Brown, 2006, p. 694).

Institutional reforms created with neoliberal concepts and supported by neoliberal common-sense are introduced in local, state, and federal education contexts every day.

Neoliberalism can be seen as the driving force for national policies such as the Obama Administration's 2010 Race to the Top (RTTT), which emphasized “the politics of market and competition” (Horsford et al., 2019, p. 75). It plays an extensive role in state and local policies that push hyper-accountability and other market-based reforms like increased standardized tests with the idea that “hold[ing] schools’, administrators’, and teachers’ feet to the fire of competition” will increase efficiency and success (Apple, 2017, p. 149). It can be discerned in curriculum and material development that praises business-oriented practices such as efficiency, competition, productivity and profit; individualism; and meritocracy (Brown, 2006; Horsford et al., 2019; Kraemer-Holland & Cruz, 2023; Lemke, 2015; Sturges, 2015).

Perhaps most drastically, we can see it in the realignment of our public school system in the past 30 years to include charter schools. Charter schools are run by three options: independent companies and organizations (community or teacher groups, universities, foundations, businesses, faith-based organization); Charter Management Organizations (CMOs), which are non-profits; or Education Management Organizations (EMOs), which are for-profit (White & Yueting, 2022). Miron and Nelson (2002, p. 2) call charter schools a “public-private hybrid”. Though funded by the public, the individual ownership and management of these schools can be seen as a form of privatization through individual control over a public good (Gawlik, 2016).

One of the stated goals of many charters is to provide more options for schooling, facilitating aspects of choice and competition (Barghaus & Boe, 2011; Gawlik, 2016). School choice refers to the influx of institutional diversity in US public schools that allows families to “choose” where to send their child to school. Charter schools increase choice, as they are a part

of the public system and require no extra resources to attend. That in turn increases market-based practices of competition and “position[s] education as a private commodity to be pursued competitively by individuals” (Lubienski, 2006, p. 16). This reinforces ideas of individuals as consumers and of services only having value when they are bought (into).

Charter schools are implemented and regulated by state charter school policies. These policies are an example of the institutionalization of neoliberal ideology, as they are legislative enactments that establish charter schools (and their market-based practices) as a convention or rationale within our public education system. These policies often “exempt [charter schools] from a variety of laws and regulations affecting other public schools” (Rafa et al., 2020). This practice of deregulation “opens an industry to competition” (Dorsey & Plucker, 2016) through loosening government oversight as a means to increase autonomy, and therefore choice. Sturges (2105, p. 2) points out that such “*hyper-deregulation*” places focus on the individual instead of the democratic majority. Deregulation shifts the focus on education decision-making from the state government to the charter school and to the hands of the family-consumers (Horsford et al., 2019).

Because of neoliberalism's pervasiveness in what we view as common sense in our everyday lives, it is the perfect framework in which to analyse the language of state charter school policies. The aforementioned concepts of neoliberalism as a political theory and overall collection of principles of belief were used to create a priori codes for this study. I then used the a priori codes as a tool for tracing the extent that neoliberalism is present in state charter school policies, and therefore being legitimized within legislative reform.

3.0 Data and Methods

The following sections reiterate the main research questions and explore the data and methods used to interrogate these questions in a systematic and replicable way. Non-probability sampling was used to collect six state charter school policies for analysis. The method used for analysis was content analysis—a form of qualitative research involving the precise coding of the language used in policies. Since the data set only consists of publicly available documents, this research has been waived by the University of Pittsburgh’s Institutional Review Board (IRB). Documentation of this waiver is included in the appendix.

3.1 Research Questions

1. Is neoliberal ideology present in the text of state charter school policies?
2. If so, what is the most frequent neoliberal belief found in the language of the policy?

3.2 Sample Collection

45 states, plus D.C., and US territories Puerto Rico and Guam, have passed legislation authorizing charter schools. Only five states, Montana, Nebraska, North Dakota, South Dakota, and Vermont, do not have state charter school laws. Since the research question regards the institutionalization of neoliberalism in state charter school policies, the 45 states with charter school legislation were considered the population. In order to create a thesis with a feasible scope

of analysis, six of these state charter school policies were analyzed: Connecticut, Minnesota, Florida, Indiana, Pennsylvania, and West Virginia. This is just a small sample of the total policies (7.5%) and is meant to be a starting point for further research.

These six states were chosen by a sampling process that aimed to be reflective of the population spread in terms of the year legislation was passed, and the total number of students enrolled in charter schools. Between 1991 and 2023, 18 of those years saw legislation passed: 1991, 1992, 1993, 1994, 1995, 1996, 1997, 1998, 1999, 2001, 2002, 2003, 2010, 2011, 2015, 2017, and 2019.

These years were broken into three sections: 1991-1996 (27 policies passed), 1997-2003 (13 policies passed), and 2010-2019 (6 policies passed). The following number of policies from each section were selected: three policies from 1991-1996, two from 1997-2003, and one from 2010-2019, to equal six policies in all. Each of the three sections reflects the three generation of charter schools as theorized by Gawlik (2016): 1991-1996 is the first generation, 1997-2003 the second generation, and 2010-2019 the third. The specific policies sampled within each year section were chosen due to the number of students enrolled in charter schools, to ensure the sample exemplified the varying prevalence of charter schools in the US. The number of students enrolled in charter schools in the six states chosen for this study ranges from 2,000 to 382,367. Tables 1-3 present the information for each policy chosen.

Table 1: Section 1 (1991-1996) Sampling

Year Charter School Legislation Passed	State	Number of Students Enrolled in Charter Schools
1991	Minnesota	68,000
1996	Connecticut	11,000
1996	Florida	382,367

Table 2: Section 2 (1997-2003) Sampling

Year Charter School Legislation Passed	State	Number of Students Enrolled in Charter Schools
1997	Pennsylvania	169,135
2001	Indiana	50,000

Table 3: Section 3 (2010-2019) Sampling

Year Charter School Legislation Passed	State	Number of Students Enrolled in Charter Schools
2017	West Virginia	2,000

3.3 Qualitative Methods

3.3.1 Content Analysis

I utilized content analysis to analyze the data in this study. Content analysis is a method of qualitative research that involves coding a document, in this case state policies, to determine the presence of certain words or concepts. The words or concepts coded, also referred to as the

language or text of the policies, can then be used as data to support arguments regarding the policies' creation and/or purpose. Using the content analysis method allows for an evaluation of the language used in the policies and the dominant discourse that they represent and re-legitimize through publication. Utilizing content analysis for the language of a variety of different states' policies can help reveal patterns of institutional reform that occur across the US.

3.3.2 A Priori Codes

The words and concepts coded during the content analysis of the state charter school policies were done using a series of a priori codes. A priori codes are codes that are developed prior to examining the data, in this case the six state charter school policies. These codes were developed utilizing a theoretical framework of neoliberalism as well as previous literature on charter schools and their role in public education. I made the choice to use a priori coding in this study so as to ensure that reputable lines are being drawn connecting neoliberalism as a political theory and charter school policies as an institutional reform. Table 4 reflects the a priori codes used, with examples from the policies for each code (the state policy the example derived from will be noted with state abbreviation).

The a-priori codes I decided upon for this study reflect a vigorous understanding of both neoliberalism as a political rationality and state charter school policies as an institutional reform. They express concepts of neoliberalism as they are at play in the education field as well as at function in high-level policy. *Regulatory accountability* refers to the aspects of a state policy that holds charter schools accountable to government regulations, whether they be federal, state, or local. Aspects of a state charter school policy are coded *Market accountability* if it paints the public school system and charter schools as being accountable to the market and its consumers. Subcodes of this include *choice*—expands options in the public education system and allows

parents to choose—, *competition*— the ability to choose between public school types exacerbates competition between them—, and *accountability to parents/community*— parents viewed as consumers to be catered to in order to be chosen and includes school’s attempt at accessibility.

The last concepts coded are *autonomy*. *Administrative autonomy* characterizes language in the policies that focuses on charter schools as an autonomous unit within the public education system that has the freedom to make certain decisions. Those decisions are subcoded as *innovation*, relating mostly to curriculum freedom, and *operating procedures*, which indicate the policy granting the freedom to charter schools to make their own decision on day-to-day logistics. *Legislative autonomy* refers to *deregulation*, a process that is integral to neoliberal ventures by loosening or eliminating government oversights, and *privatization*, the private control, ownership, and/or recipience of previously public funds, goods, and services.

The purpose of this study is to use these a priori codes to interrogate if the language of state charter school policies can be reasonably connected to neoliberal ideologies and concepts. Because of the nature of this research question, not all a priori codes may be present in every policy, and the extent these concepts are coded may vary notably.

3.3.3 Inter-coder Reliability

Inter-coder reliability (ICR) is a practice done in qualitative research to ensure the validity and consistency of the codebook. In the case of this study, it required another outside researcher to code a section of the data (state charter school policies) and compare their choices to the original researcher. The outside researcher was provided with a table consisting of the codes and their definitions—they were then provided with 19 excerpts from the six state charter schools policies and asked to use the provided table to match the excerpts to the code they felt fit

best. 15 of 19 codes were matched in the same way as the original researcher. The inter-coder reliability rate was approximately 79%.

Table 4: A Priori Codes

Codes	Subcodes	Definition	Example
Accountability			
Regulatory Accountability		Being held accountable to procedures established by government agencies.	<i>A charter school shall meet all federal, state, and local health and safety requirements applicable to school districts. (MN)</i>
Market Accountability		Being held accountable to the market and its consumers—schools serving the whims of parents and students.	<i>Serve the different learning styles and needs of public school students. (IN)</i>
	Choice	The ability of parents to choose what school to send their children to.	<i>Provide expanded opportunities within the public schools for parents to choose among the school curricula, specialized academic or technical themes, and methods of instruction that best serve the interests or needs of their child. (WV)</i>
	Competition	Charter schools are in competition with each other and with other forms of schooling in the community.	<i>Provide rigorous competition within the public school system to stimulate continual improvement in all public schools. (FL)</i>
Accountability to Parents and the Community		Parents and the wider community are seen as consumers to be catered to—includes responsibility for providing accessible knowledge of charter schools and their role in public education.	<i>A charter school shall be accountable to the parents, the public and the Commonwealth. (PA)</i>
Autonomy			
Administrative		Freedom of charter schools to make their own decision regarding aspects of the schools.	<i>Allow authorized public schools and programs within public schools exceptional levels of self-direction and flexibility. (WV)</i>
	Innovation	Freedom in charter schools is designed to bolster innovation in curriculum	<i>A charter school may be established under this article to provide</i>

Table 4: A Priori Codes (continued)

			<i>innovative and autonomous programs. (IN)</i>
	Operating Procedures	Freedom of charter schools to dictate their own day to day school operations.	<i>The board of trustees of a charter school shall have the authority to decide matters related to the operation of the school, including, but not limited to, budgeting, curriculum and operating procedures, subject to the school's charter. (PA)</i>
Legislative		Charter school are given freedom from traditional ways of ownership and oversight.	
	Deregulation	The removal or lessening of government regulations and oversight.	<i>Except as otherwise provided in this article, a charter school is exempt from statutory requirements established in this act, from regulations of the State board and the standards of the secretary not specifically applicable to charter schools. (PA)</i>
	Privatization	Education as a private good instead of a public one. Includes the receipt of public funds and empowered private ownership and control within the public education system.	<i>Receive and expend private funds or public funds, including funds from local or regional boards of education and funds received by local charter schools for out-of-district students, for school purposes. (CT)</i>

4.0 Results

After conducting content analysis on six state charter school policies, I found that key concepts of neoliberalism were present in each state's policy. The results show that while some neoliberal ideologies are hyper-present, such as privatization, others are less present. The study also found that regulatory accountability was strong in most of the state policies. This is hypothesized to be because of the nature of the policies as legislative documents. Each state's policy will be reviewed in general terms and the main findings in each policy will be discussed and supported by codes from the text. The complete codebook for each state policy is included in the Appendix.

4.1 Minnesota

Minnesota was the first state to introduce a charter school policy in 1991. In 1992, the first ever charter school opened its doors in St. Paul, Minnesota. Today, there are 180 charter schools operating in Minnesota, serving over 68,000 Pre-Kindergarten through 12th grade students (MN Department of Education, 2023). The Minnesota Department of Education (2023) calls charter schools “independent public schools of choice for parents and students”. Gawlik (2016, p. 51) argued that “Minnesota passed the first charter law in an effort to infuse choice, innovation, and improvement, to address parental dissatisfaction with traditional public schools”.

Charter schools in the state are organized under the Minnesota Statutes 2022, Chapter 124E. The policy consists of four main sections: Generally (01-03), Administration (05-09), Policies and Procedures (10-17), and Finance (20-26). Each section was thoroughly coded

utilizing the above a priori codes (detailed codebook in appendix) and two main findings were evident: deregulation and privatization were hyper present in the text.

4.1.1 Deregulation in MN Chapter 124E

Deregulation in the case of state charter school policy refers to the intentional shift away from both state and local government regulations. This occurs in state charter school policies as they “exempt [charter schools] from a variety of laws and regulations affecting other public schools” (Rafa et al., 2020). Minnesota’s state charter school law, Chapter 124E, is no exception to this phenomenon and contains various codes of deregulation. Perhaps the strongest exemplar coded *deregulation* is the following section of policy:

*124E.03 APPLICABLE LAW. Subdivision 1. **Public status; exemption from statutes and rules.** A charter school is a public school and is part of the state’s system of public education. A charter school is exempt from all statutes and rules applicable to a school, school board, or school district unless a statute or rule is made specifically applicable to a charter school or is included in this chapter.*
(Minn. Stat. ch. 124E.03)

The policy specifically uses the word “exempt” and iterations of it to describe the freedom that charter schools in the state have. This freedom is juxtaposed by the initial sentence in the section claiming charter schools to be public schools that are an integral part of the public education system.

The unique autonomy of charter schools is now seen clearly: considered public, but given considerably less regulation and oversight than other, traditional, forms of public education in the state. This deregulation is present again in Minn. Stat. ch. 124E.08, stating: “Nothing in this

section or in the collaboration agreement may impact in any way the authority or autonomy of the charter school”. The only regulations outright noted for charter schools in MN are those present in the statutes, and they consist of certain mandatory federal or state requirements for funding (Civil Rights laws, assessments and standards accountability laws, etc).

4.1.2 Privatization in MN Chapter 124E

On top of loose government regulation, the Minnesota state charter school policy also consisted of many guidelines allowing charter schools to access public funds and goods. This form of privatization allows for non-public entities, such as private organizations outside the traditional public school framework, to not only participate in a public system of service, but to utilize public funding and goods. Minnesota’s charter school policy allows private ownership of public funds. This is clear in the text, which very pointedly gives charter schools access to the same public funding that traditional public schools receive.

The following selections of text were coded *privatization* for their allocation of public funds to charter schools: “General education revenue must be paid to a charter school as though it were a district”; “The state must pay transportation aid to a charter school as though it were a district”; “Federal aid received by the state must be paid to the school, if it qualifies for aid, as though it were a school district”; “A charter school is eligible to receive other aid, grants, and revenue according to chapters 120A and 129C, as though it were a district” (Minn. Stat. ch. 124E.20-26). In each coded example, charter schools are given access to public funds despite being run by private authorizers separate from the traditional local education agency.

The prevalence of privatization in charter school policies goes further than the private access of public funds—public services and goods are also provided to charter schools, sometimes even with an increased burden placed on traditional public schools. The Minnesota

charter school policy states that “A board of an independent or special school district may convert one or more of its existing schools to a charter school” (Minn. Stat. ch. 124E.20.). The chapter also states that “if a charter school does not elect to provide transportation, the district in which the school is located must provide transportation... for a pupil residing in the same district in which the charter school is located” (Minn. Stat. ch. 124E.15.). Both examples show the ability of charter schools to utilize public goods and services at the expense of traditional public schools— they can take land away and use it for themselves (by converting traditional public schools into charter schools), and they can put the onus of transportation onto the local school district for their own kids.

4.2 Florida

Florida passed its state charter school policy in 1996. The Florida Department of Education (n.d.) claims that in the 2022-2023 school year, there were 726 charter schools operating in the state and approximately 382, 367 students enrolled. According to the National Alliance for Public Charter Schools, Florida has the third largest charter school enrollment in the country (White, 2022). Charter schools in the state operate according to Chapter 1002 in the 2023 Florida Statutes, *Student and Parental Rights and Educational Choice, Part II Educational Choice*, section 1002.33 *Charter Schools* (Fla. Stat. ch. 1002.33). Already, the placement of the charter school policy within state legislation highlights what the state of Florida finds most important about the charter school system: choice. This choice is furthered by a focus on autonomy through innovation and privatization.

4.2.1 Choice in FL 1002.33

As mentioned above, choice is seen immediately in Florida state charter school policy due to its categorizing within the state Statues. Situating the charter school policy in that way makes it clear to constituents that the state views charter schools as a driver of choice in their public education system. This belief is echoed within the policy itself. The first section ‘GUIDING PRINCIPLES; PUPOSE, LEGISLATIVE INTENT’ states that charter schools in Florida must “Meet high standard of student achievement while providing parents flexibility to choose among diverse educational opportunities within the state’s public school system” (Fla. Stat. ch. 1003.33). The key word in this snippet, of course, is *choose*. Charter schools create options in the public school system and, because of that, turn schooling into a commodification.

This can be seen in the policy’s characterization of the charter school systems’ purpose as to “provide rigorous competition within the public school system” and “expand the capacity of the public school system” to create more options (Fla. Stat. ch. 1003.33). These listed purposes were coded as *competition* and *choice* respectfully. Both represent the way that charter schools are seen as a tool to bolster the public education system and provide more options. These options then incite various aspects of choice—choosing between school types, between school curriculums, etc. The choice at play here, school, becomes a commodity to weigh and invest in.

4.2.2 Legislative and Administrative Autonomy in FL 1002.33

Florida state charter school policies are also written with an explicit focus on legislative and administrative autonomy, in the form of privatization and innovation. The way the Florida state charter school policy is written allows for intense freedom in school curriculum and

operating procedures (administrative autonomy). One specific freedom charter schools in Florida have is to limit their enrollment to specific types of students only. The policy states:

A charter school may limit the enrollment process only to target the following student populations:

- 1. Students within specific age groups or grade levels.*
- 2. Students considered at risk of dropping out of school or academic failure. Such students shall include exceptional education students.*
- 3. Students enrolling in a charter school-in-the-workplace or charter school-in-a-municipality established pursuant to subsection (15).*
- 4. Students residing within a reasonable distance of the charter school, as described in paragraph (20)(c). Such students shall be subject to a random lottery and to the racial/ethnic balance provisions described in subparagraph (7)(a)8. or any federal provisions that require a school to achieve a racial/ethnic balance reflective of the community it serves or within the racial/ethnic range of other nearby public schools.*
- 5. Students who meet reasonable academic, artistic, or other eligibility standards established by the charter school and included in the charter school application and charter or, in the case of existing charter schools, standards that are consistent with the school's mission and purpose...*
- 6. Students articulating from one charter school to another pursuant to an articulation agreement between the charter schools that has been approved by the sponsor.*
- 7. Students living in a development in which a developer, including any affiliated business entity or charitable foundation, contributes to the formation, acquisition, construction, or operation of one or more charter schools or charter school facilities and related property in an amount equal to or having a total appraised value of at least \$5 million to be used as charter schools to mitigate the educational impact created by the development of new residential dwelling units... (Fla. Stat. ch. 1003.33)*

This policy allows for charter schools to essentially pick and choose who they serve, providing administrative freedom while also furthering the view of schools as a commodity. It allows charter schools to act in a way that is not conducive to the idea that public schools are equal and for all, while still receiving public funds.

The legislative autonomy of privatization is seen in the aspects of Florida charter school policy that allows for private organizations to run charter schools— “a charter school shall organize, or be operated by, a nonprofit organization” (Fla. Stat. ch. 1003.33)—instead of public governance. These private non-profit run schools still get to access public funds. The policy states that “a charter school system’s governing board shall be designated a local educational agency for the purpose of receiving federal funds” (Fla. Stat. ch. 1003.33) and that charter schools receive the same amount from the state per students as public schools do. The policy also permits charter schools to put burden on traditional public education services through allowing “a charter school student... to participate in an interscholastic extracurricular activity at the public school to which the student would otherwise be assigned to attend...” (Fla. Stat. ch. 1003.33). Florida charter school policy prioritizes language of privatization by ensuring charter schools can be created and managed by private groups while still receiving public funds, goods, and services within the education system.

4.3 Connecticut

In 1996, the Connecticut General Assembly enacted Connecticut’s very first charter school law. As of the 2022-2023 school year, Connecticut had 21 charter schools with approximately 11,000 students enrolled (Connecticut Charter Schools Association, n.d.). The charter school policy is found in the 2022 Connecticut General Statutes, section 10-66 (Conn.

Gen. Stat. §10-66). Connecticut treats its charter school similarly to traditional public schools and provides less deregulation than is typical. Although passed originally in 1996, charter schools in Connecticut did not gain a lot of support until 2008 when a settlement regarding the Sheff v. O’Neill case in Hartford, CT reaffirmed the state’s goal to expand equitable education options through charter and magnet schools (Sheff Movement, 2020).

Because charter schools gained popularity in the state due to the Sheff v. O’Neill case, most students attending Connecticut charter schools are Black and Brown, and from low-income households (Connecticut Charter Schools Association, n.d.). While some neoliberal ideals were found in this state policy, I found that Connecticut does a decent job comparably of focusing on ensuring that charter schools in the state have the freedom to access students in need while still having quality enforced by the state government and local community. Because of this focus on accessing students proven to be underserved by the traditional public school system, the main aspect of neoliberalism present in Connecticut’s charter school policy is privatization through the assurance of public funds to charter schools.

4.3.1 Privatization in CT 10-66

As mentioned above, it is important to note that out of the six policies analyzed in this study, Connecticut’s policy consisted of the least key neoliberal ideas (see frequency table in part 5). Part of this probably has to do with the intended goal of charter schools in the state—they were popularized as a state attempt to prioritize equitable access for low-income children of color (Connecticut Charter Schools Association, n.d.; Sheff Movement, 2020). Therefore, after reading the policy it can be hypothesized that the state of Connecticut leverages the autonomy of charter school enrollment and accessibility with state oversight and public funding. This can be seen in the language of the policy.

Charter schools in Connecticut are still an example of a privatized public school. They might have stronger state oversight than most state charter school policies (i.e. less language ensuring deregulation), but Connecticut’s policy still ensure that charter schools can be run separately than other public schools while still receiving public funds. Charter schools can be run by “any not-for-profit organization that is exempt from taxation...public or independent institution of higher education, local or regional board of education... or regional educational service” (Conn. Gen. Stat. §10-66). The charter schools potentially run by a non-profit or university—which are private entities separate from the public government—can still receive from the government’s public funds a “...per-student grant to a local charter school”, “... any grants for special education, competitive state grants...” and “ any federal funds available for the education of any public attending public schools” (Conn. Gen. Stat. §10-66). Not only that, but teachers in charter schools in Connecticut participate in the public school teachers’ retirement system (Conn. Gen. Stat. §10-66) There were 14 excerpts of Connecticut’s charter school policy that were coded as *privatization*. Each one represents the presence of a neoliberal belief that espouses private ownership with the use of public funds.

4.4 Pennsylvania

Pennsylvania’s state charter school policy was passed in 1997. As of the 2020-2021 school year, Pennsylvania had approximately 169,135 students enrolled in charter schools across the state (White, 2022). Pennsylvania charter schools operate according to the Pennsylvania General Assembly 1949 Act 14, titled *Public School Code of 1949*—known and cited as the “Charter School Law” (1949 Pa. Code Act 14). Pennsylvania’s state charter school policy is unique in that it authorizes and directs traditional charter schools as well as cyber charter

schools, making it the longest policy analyzed for this study. This state's policy has a myriad of language reflecting neoliberal ideology, the most frequent and distinct being choice, deregulation, and privatization.

4.4.1 Choice in PA “Charter School Law”

The occurrence of choice in PA state charter school law is easily understood through the policy's focus on both traditional charter schools and cyber charter schools. Already, the state has presented not one, but two options to “establish and maintain schools that operate independently from the existing school district structure” (1949 Pa. Code Act 14). The purpose of these schools is to “increase learning opportunities for all pupils” and “provide parents and pupils with expanded choices in the types of educational opportunities that are available within the public school system” (1949 Pa. Code Act 14). The use of the word choice is meaningful here as it explicitly lays out the notion that this state charter school policy has been created for the purpose of providing options and inspiring choice within the institution of public school.

4.4.2 Deregulation in PA “Charter School Law”

Deregulation is a common practice lent to charter school legislation, and Pennsylvania's state “Charter School Law” is no exception. The language of PA's charter school policy exhibits deregulation as if it is an unlimited power of charter schools, stating: “A charter school established under this act is a body corporate and shall all powers necessary or desirable for carrying out its charter” (1949 Pa. Code Act 14). Other excerpts coded *deregulation* mention exemptions from public school building facility regulations and exemptions from state, county, city, borough, township, or other taxes (1949 Pa. Code Act 14).

The Pennsylvania Charter School Law ensures that “a charter school shall have such other powers as are necessary to fulfil its charter and which are not inconsistent with this article”, meaning that anything not explicitly mentioned in the legislation but not explicitly conflicting it is potentially free reign for a charter school (1949 Pa. Code Act 14). Not only that, but charter schools are “exempt from statutory requirements established in this act, from regulations of the state board and the standards of the secretary not specifically applicable to charter schools” (1949 Pa. Code Act 14). Language of deregulation was coded 7 times in the PA state charter school policy.

4.4.3 Privatization in PA “Charter School Law”

Privatization in this study relates to the clear private ownership of public funds. This concept can take shape in a myriad of ways in each policy—from the receipt of public local, state, and federal education funds; the conversion of public schools into charter schools; the private ownership (often Non-profit organizations) of schools considered public but noted as independent; the burden of specific responsibilities that benefit charter schools being put on public districts. Pennsylvania’s charter school policy is ripe with language that clarifies charter schools as independent from traditional public school, and yet classifies them as an integral part of the public education system. Put plainly, it allows private control of public goods.

PA Charter School Law states that charter schools may be created and run by: “an individual; one or more teachers who will teach at the proposed charter school; parents or guardians of students who will attend the charter school; any nonsectarian college, university, or museum located in this Commonwealth; any nonsectarian corporation not-for-profit...” (1949 Pa. Code Act 14). These potential charter school establishers are not a part of the government or

public service, and therefor are not representatives of public ownership. Yet these charter schools “shall still be considered a public school” (1949 Pa. Code Act 14).

PA charter schools receive the same funding as traditional public schools when it comes to per-student expenditure (1949 Pa. Code Act 14). The state also requires traditional public school districts to pay for busing:

Students who attend a charter school located in their school district of residence, a regional charter school of which the school district is a part or a charter school located outside district boundaries at a distance not exceeding ten (10) miles by the nearest public highway shall be provided free transportation to the charter school by their school district of residence on such dates and periods that the charter school is in regular session whether or not transportation is provided on such dates and periods to students attending schools of the district. (1949 Pa. Code Act 14)

The Pennsylvania state charter school policy gives charter schools the best of both worlds by allowing charter schools the benefit of being independent and “privately” owned while still providing them with public funding and goods, and requiring the public school district to shoulder the burden when it comes to responsibilities vital to a school such as transportation and extracurriculars.

4.5 Indiana

Indiana passed its state charter school policy in 2001. The first 11 charter schools in the state opened the next year in 2002, and in the 2021-2022 school year the state had 120 charter schools open, serving approximately 50,000 students (Indiana Charter School Board, n.d.).

Charter schools in Indiana are authorized and overseen by the 2022 *Indiana Code*, Title 20 *Education*, Article 24 *Charter Schools* (20 Ind. Code 24.1-13). Article 24 contains 13 chapters on the legal operation of charter schools in the state of Indiana, and includes regulations for traditional charter schools, cyber charter schools, and charter schools for adult learners. Utilizing the a priori codes, this study found that the concepts of regulatory accountability and privatization were strong in Indiana’s policy.

4.5.1 Regulatory Accountability in IN 20-24

Regulatory accountability is a concept that is usually a small part of state charter school policy. Charter schools are often given “freedom and flexibility in exchange for exceptional levels of accountability” (20 Ind. Code 24.1-13), but the accountability consists of answering more to the community as consumers and the loose charter than on local, state, or federal rules. Indiana’s charter school policy, however, sets up a relatively strong web of accountability to the regulations stated within and throughout the wider Indiana Code. The policy states: “For each charter school established under this article, the charter school and the organizer are accountable to the authorizer for ensuring compliance with: (1) applicable federal and state laws; (2) the charter; and (3) the Constitution of the State of Indiana” (20 Ind. Code 24.1-13). The policy also includes a list of twenty-two statutes, rules, and guidelines from the wider Code that apply to charter schools and includes requirements regarding special education, auditing, laws for state agencies, health, and safety measures, etc. (20 Ind. Code 24.1-13).

Indiana’s state charter school policy also contains various regulations regarding admission and enrollment to the charter school. These excerpts of policy are coded *regulatory accountability* because they enforce regulations for charter schools that reflect traditional public school policies. The policy states: “Except as provided in this chapter, a charter school may not

establish admission policies or limit student admissions in any manner in which a public school is not permitted to establish admission policies or limit student admissions”; and that “a charter school, including a conversion charter school, must be open to any student who resides in Indiana” (20 Ind. Code 24.1-13). Accountability is important in charter school policies, and such regulatory accountability marks an interesting focus for a charter school policy.

4.5.2 Privatization in IN 20-24

In somewhat of a contrast to regulatory accountability, Indiana’s state charter school policy also contained language that was reflective of privatization. These two concepts can clash because one component of privatization is often the idea that when government-owned “business” becomes privately owned, there is rampant deregulation that makes the private ownership possible. While this is often true and is true to an extent in charter school policy, this study takes privatization to have a bigger focus on the private control of public funds—an act that can exist hand in hand with regulatory accountability. Even if charter schools must follow the same regulations and rules, or similar level ones, as traditional public schools, it doesn’t erase the fact that they are still non-government run schools (aka private) receiving public funds, goods, and services.

The following portions of Indiana’s state charter school policy reflect notions of privatization: the idea that charter schools can take over public schools, can receive state and federal funding, can participate in state teacher retirement funds, and are just in general considered public schools despite their non-government owners (20 Ind. Code 24.1-13). Indiana’s state charter school policy “confirm[s] the status of a charter school as a public school” and ensures that the state education department “distribute[s] state tuition support distributions... at the same time and in the same manner as the department makes a distribution of state tuition

support under IC20-43-2 to other school corporations” (20 Ind. Code 24.1-13). Both snippets of policy reflect privatization in the state policy and its charter school model.

4.6 West Virginia

One of the most recent states to pass charter school legislation was West Virginia in 2019. The very first charter schools opened in the state in 2022 and the 2022-2023 school year saw approximately 2,000 students enrolled in charter schools (McElhinny, 2023). Legislation for the charter schools in the state is found in the West Virginia Code, Chapter 18 *Education*, Article 5G *Public Charter Schools* (W. Va. Code §18-5G). Being one of the more recent state charter school policies enacted, West Virginia’s policy shows a strong connection to neoliberal ideology, specifically concepts of choice and privatization.

4.6.1 Choice in WV 18-5G

The concept of choice is clearly articulated in the language of West Virginia’s charter school policy. The policy states that charter schools in the state are meant to “provide expanded opportunities within the public schools for parents to choose among the school curricula, specialized academic or technical themes, and methods of instruction that best serve the interests or needs of their child” (W. Va. Code §18-5G). It explicitly expresses that charter schools “are public schools to which parents or legal guardians choose to send their child or children” (W. Va. Code §18-5G). Both examples directly use an iteration of the word choice to describe the role that charter schools play in the public education system as empowering parents as “consumers” in the education “market” (Horsford et al., 2019).

4.6.2 Privatization in WV 18-5G

Also explicitly present in West Virginia’s charter school policy is the notion of privatization. The policy states that an applicant for the creation of a charter school can be “any one or more in combination of parents, community members, teachers, school administrators, or institutions of higher education in this state who are interested in organizing a public charter school” (W. Va. Code §18-5G). These organizers can then contract out work to an “education service provider”, who the policy states can be “a public or private nonprofit or for-profit education management organization, school design provider, or any other partner entity with which a public charter school contracts for educational design, implementation, or comprehensive management” (W. Va. Code §18-5G). Charter schools in West Virginia can then end up being created by individuals and run by education service providers, who may be for-profit institutions. Despite this private ownership, the policy ensures that “all public charter schools established under this article are public schools and are part of the state’s public education system” (W. Va. Code §18-5G).

As an affirmed part of the public school system in West Virginia, charter schools are eligible to the same public goods, services, and funds that traditional public schools are. The policy declares: “It is the intent of the Legislature that public charter school students be considered as important as all other school students in the state and, to that end, comparable funding levels from existing and future sources should be maintained for public charter school” (W. Va. Code §18-5G). Despite the disconnect of ownership and control of public charter schools being non-public, they still receive federal and state funding, and the “county school district is required to pay for a student attending a public charter school” (W. Va. Code §18-5G).

Just this sliver of content from the West Virginia state charter school policy is enough to understand the acceptance and support of privatization regarding charter schools in the state.

5.0 Discussion

Within the present study, I utilized content analysis to analyze six state charter school policies: Minnesota, Florida, Connecticut, Pennsylvania, Indiana, and West Virginia. My analysis focused on the presence of neoliberal ideology within the language and inferred implementation of the state policy. To investigate this, I asked two research questions: (1) Is neoliberal ideology present in the text of state charter school policies? And (2) If so, what is the most frequent neoliberal concept found in the language of the policy? These questions are important to ask because they interrogate whether neoliberalism truly exists within charter school legislation—and if so, it interrogates the frequency that certain ideologies appear, allowing us to discern important aspects of neoliberalism used to create and support charter schools as an institutional reform. These questions were explored through a set of a priori codes created from previous literature on neoliberalism and charter schools.

The goal of this study was to add to the growing body of research on the role of charter schools in the US public education system, and to situate that role within the context of a current worldview prevalent in our society. Neoliberalism is often considered “a rationality shaping policy, practice, and truth” (Kramer-Holland and Cruz, 2023, p. 50). Because it is a rationality, it is often difficult to conceptualize it at play in various aspects of our lives. This study aimed to tease out whether neoliberal ideologies were at play within state charter school policy, and if so, how that prevalence exemplifies neoliberalism as a “political rationality” (Brown, 2006, p.693) that has indeed permeated US public education.

5.1 Research Question 1

Research Question 1: Is there neoliberal ideology present in the text of state charter school policies?

Results from this study indicate that there are various neoliberal concepts woven into state charter school policies. Each of the six policies I analysed here had language that reflected main concepts of neoliberal ideology. *Regulatory accountability* was coded a total of 63 times throughout all six policies and demonstrated the existence of accountability towards various regulations on local, state, and federal levels. Important to note is that the regulatory accountability prevalent in these policies was aimed towards regulations that *differed* or were *lesser* than traditional schools. *Market accountability*, which in turn reflects charter schools' accountability to market forces—viewing school as a commodity that is accountable to consumers—, was coded 54 times (including its subcodes of *choice*, *competition*, and *accountability to parents and the community*). The prevalence of both forms of accountability reflects Gawlik's (2016) argument that charter schools place importance on accountability and demonstrates the neoliberal ideology that takes accountability (high market accountability, loose regulatory accountability) as a necessary component of free market beliefs.

Administrative Autonomy is coded 36 times, including the subcodes *innovation* and *operating procedures*. The prevalence of these concepts is important because they demonstrate the policies' utilization of the neoliberal belief that freedom in the creation, operation, and oversight of charter schools allows for the freedom of an individual to choose—empowering market-based principles to invade the school system. *Legislative autonomy- deregulation* was coded 28 times and reflects the specific language in the policies that allows for charter schools to ignore regulations aimed towards traditional public schools. The prevalence of this main

neoliberal concept in the six policies allows for the private aspects of charter schools to successfully take root in the public education system. The last code, *legislative autonomy-privatization*, was coded 103 times and the hyper prevalence of this concept drives home the existence of neoliberal ideology in state charter school policies. This study reveals that, whether intentionally or not, state legislative bodies have allowed neoliberal ideology to become institutionalized within their state's public education system through the language and perceived opportunities of implementation in their state charter school policy.

5.2 Research Questions 2

Research Question 2: If neoliberal ideals are present, what is the most frequent belief found in the language of the policy?

I found that the most common neoliberal ideal present in the six state charter school policies analysed was privatization and regulatory accountability. Using prior literature, I defined the code privatization as: private ownership, control, and recipience of public goods, services, and funds. It was coded the most due to its frequency in the policies as well as its wide-ranging definition. Charter schools as an educational reform themselves are an example of privatization since they represent private/ non-public ownership of public schools, so it followed that privatization as a neoliberal ideology would be hyper-present in the texts. Privatization was coded a total of 103 times throughout the six policies.

Regulatory accountability was the next most prevalent, followed by market accountability—accountability to parents and the community. I theorize that regulatory accountability was hyper-present in the policies due to their role as a legislative document—a state policy's explicit purpose is to ensure that stakeholders and constituents follow the

regulations put into place by its passing. While regulatory accountability was found to be consistent throughout the sample policies, its role seemed to function as a support for privatization occurring within the charter school reform, as most accountability was aimed towards the (loose) regulations written into the policy itself. Regulatory accountability was coded a total of 63 times.

Table 5: Coding Frequency of Neoliberal Ideology

CODES	MN	FL	CT	PA	IN	WV	TOTAL
Accountability							
Regulatory	5	11	7	15	14	11	63
Market	0	0	0	0	3	0	3
Choice	0	1	0	3	2	3	9
Competition	0	1	0	1	0	0	2
Accountability to Parents/Community	6	4	2	10	10	8	40
Autonomy							
Administrative	0	0	0	5	1	2	8
Innovation	2	6	6	1	1	4	14
Operating Procedures	1	2	2	9	2	0	14
Legislative	-	-	-	-	-	-	-
Deregulation	6	5	5	7	5	2	28
Privatization	7	18	18	19	34	11	103

5.3 Limitations and Further Research

This study is naturally limited due to its small data set. Only six state charter school policies were analyzed for this study out of 45 state policies total, which amounts to the sample data only representing 7.5% of the total population. While the results found are valid and important to the wider understanding of charter school policy and neoliberalism in the US public education system, it is not yet a complete reflection of the total picture. Further research is needed to analyze the remaining 39 policies. This present study could also be expanded to include more researchers, which would improve the inter-coder reliability and help lessen any researcher bias. To explore more thoroughly the institution that is charter schools in the US, and the role that neoliberal ideology plays in legitimizing it in our common sense, future research should expand the data set to include samples of charters from each state, as well as supplementary literature: charter school websites, state government charter school websites, authorized charters, accountability reports, authorizing agencies information, and so on.

5.4 Implications

Charter schools are a prime example of a successful institutional education reform. Entering the scene over 30 years ago with the first legislation passed in Minnesota in 1991, they have now become a mainstay in the US public education system. Education reforms are a common occurrence the in the US, so why are charter schools so important? Through this study I found that neoliberal ideology is present in the six state charter school policies analyzed. The presence of this ideology within state legislation institutionalizes it and further legitimizes it as a rational worldview and acceptable understanding of what we consider to be common sense.

I believe this is dangerous to what many would argue to be an important part of American democracy: the public education system. If charter schools, with their private managers and deregulated oversight, are considered public schools authorized to receive public funds, then what else can be considered public? While some contend that charter schools are harmless to the public education system since they have been integrated into the public system and are overseen by state legislation, I believe they set a dangerous precedent for the private use of public funds—such as setting the stage for an expansion of various voucher programs, and the public funding of private schools (Dorsey & Plucker, 2016). Indeed, we can see this happening currently in Oklahoma, where the Oklahoma Statewide Virtual Charter School Board approved a cyber charter school run by the Roman Catholic Archdiocese and providing religious instruction—and yet it will be funded by public taxpayer dollars (Mervosh, 2023). Both Apple (2019) and Gawlik (2016) agree that this is a real fear, stating that neoconservatives view charter schools and mechanisms of deregulation as a step towards schools that re-center dominant (white, Christian) religious values.

Charter school policies force us to interrogate what public education means to the state, the nation, and us as a democratic body politic. If we truly believe education to be a public good for the wider good of our democracy, then we should not be allowing neoliberal ideology to so thoroughly change the make-up. Understanding the way that neoliberalism invades education policies through institutional reforms like charter schools, and how those policies reinforce and re-legitimize neoliberal beliefs, allows us to critically think about those ideologies and their real-life effects. The hope is that, by prioritizing research like this present study, we can begin to better understand neoliberalism as a political rationality permeating US public education. And that understanding will make it easier for us to find new and creative ways to disrupt dominant discourses and create a more equitable education system in our nation (Apple, 2004).

5.4.1 Theory Implications

In doing this work, I created multiple a priori codes that function as tools for identifying language in the policies that represent neoliberal concepts. This practice has potential implications for the growing theoretical framework of neoliberalism in education—in particular, how concepts of neoliberalism can be teased out of legislative documents and institutional reforms. The ability to trace aspects of neoliberalism in policy is important for theoretical discussions of neoliberalism's effect on public education in the US. It allows for researchers build a toolbox of codes that can reliably select and articulate the presence of neoliberal ideology. Being able to do this can help researchers identify the impact of such ideology in public education, and hopefully create counterstrategies to neoliberalism in public education policies.

5.4.2 Policy Implications

In addition to the impact that this study could have on building theory, it also holds various implications for policy. While further work is needed to recommend concrete policy changes, the current findings reflect a need for stricter regulations regarding charter schools and their role in public education. My recommendation is that a model law be created at the federal level that takes into account the importance of preserving public education as a public good. This model law should include, at minimum: stricter regulations on who has ownership and oversight of charter schools, stricter regulations on the public funding of charter schools, stricter regulations on transparency for charter schools, stricter requirements on equitable enrollment and service, and more power to local governance structures. This model law should be shared with state lawmakers and the federal government should provide incentives for states that adopt it into legislation. The

hope is that this study will inspire further work on the presence of neoliberal ideology in state charter school policies, and that it will lead to the reforming of current policies to preserve public education as a public good for all.

Appendix A Codebooks

Table 6: Codebook MN

CODE	SUBCODE	DATA
Regulatory Accountability		<ul style="list-style-type: none"> - A charter school must comply with sections 125A.02, 125A.03 to 125A.24, 125A.65, and 125A.75 and rules relating to the education of pupils with a disability as though it were a district. - A charter school shall meet all federal, state, and local health and safety requirements applicable to school districts - A charter school enrolling prekindergarten pupils with a disability under section 124E.11, paragraph (h), must comply with sections 125A.259 to 125A.48 and rules relating to the Interagency Early Intervention System as though it were a school district - A charter school must release a student for religious instruction - A school must comply with statewide accountability requirements governing standards and assessments in chapter 120B
Market Accountability		
Choice		
Competition		
Accountability to Parents & the Community		<ul style="list-style-type: none"> - the authorizer must provide a letter to the school for distribution to families of students enrolled in the school that explains the decision to withdraw as an authorizer - A charter school must notify eligible voters of the school board election dates at least 30 days before the election. - A charter school shall publish and maintain on the school's official website: (1) the meeting minutes of the board of directors and of members and committees having board-delegated authority, for at least 365 days from the date of publication - A charter school must include identifying and contact information for the school's authorizer in other school materials it makes available to the public - A charter school also must distribute the annual report by publication, mail, or electronic means to its authorizer, school employees, and parents and legal guardians of students enrolled in the charter school.

	<ul style="list-style-type: none"> - Upon request of an individual, the charter school must make available in a timely fashion financial statements showing all operations and transactions affecting the school's income, surplus, and deficit during the last annual accounting period; and a balance sheet summarizing assets and liabilities on the closing date of the accounting period
Administrative Autonomy	
Innovation	<ul style="list-style-type: none"> -encourage the use of different and innovative teaching methods - create different and innovative forms of measuring outcomes
Operating Procedures	-including the opportunity to be responsible for the learning program at the school site.
Legislative Autonomy	
Deregulation	<ul style="list-style-type: none"> -A school board, intermediate school district school board, or education district organized under sections 123A.15 to 123A.19 may authorize a charter school. - Nothing in this section or in the collaboration agreement may impact in any way the authority or autonomy of the charter school. -124E.03 APPLICABLE LAW. Subdivision 1. Public status; exemption from statutes and rules. A charter school is a public school and is part of the state's system of public education. A charter school is exempt from all statutes and rules applicable to a school, school board, or school district unless a statute or rule is made specifically applicable to a charter school or is included in this chapter. (Minn. Stat. ch. 124E.03) - A person, without holding a valid administrator's license, may perform administrative, supervisory, or instructional leadership duties. - A charter school may receive money from any source for capital facilities needs - A charter school may organize an affiliated nonprofit building corporation - A charter school may lease space from: an independent or special school board; other public organization; private, nonprofit, nonsectarian organization; private property owner; or a sectarian organization
Privatization	<ul style="list-style-type: none"> -A board of an independent or special school district may convert one or more of its existing schools to charter schools - If a charter school does not elect to provide transportation, the district in which the school is located must provide transportation, according to sections 123B.88, subdivision 6, governing transporting nonresident pupils, and 124D.03,

	<p><i>subdivision 8, for a pupil residing in the same district in which the charter school is located.</i></p> <ul style="list-style-type: none"><i>- General education revenue must be paid to a charter school as though it were a district.</i><i>- The state must pay transportation aid to the charter school according to section 124E.23</i><i>- Transportation revenue must be paid to a charter school that provides transportation services</i><i>- A charter school is eligible to receive other aids, grants, and revenue according to chapters 120A to 129C, as though it were a district.</i><i>- Federal aid received by the state must be paid to the school, if it qualifies for the aid, as though it were a school district.</i>
--	---

Table 7: Codebook FL

CODE	SUBCODE	DATA
Regulatory Accountability		<p><i>-All charter schools in Florida are public schools and shall be part of the state’s program of public education</i></p> <p><i>-... and consistent with the state education goals established by s.1000.03(5)</i></p> <p><i>-The sponsor shall ensure that the charter school participates in the state’s education accountability system</i></p> <p><i>-The sponsor shall submit an annual report to the department of education...</i></p> <p><i>-Notwithstanding any other provision of the law, an interlocal agreement or ordinance that imposes a greater regulatory burden on charter schools than school districts or that prohibits or limits the creation of a charter school is void and unenforceable</i></p> <p><i>-Students in charter schools shall, at a minimum, participate in the statewide assessment program created under s.1008.22</i></p> <p><i>-A charter school shall meet all applicable state and local health, safety, and civil rights requirements</i></p> <p><i>-Charter schools are subject to the same accountability requirements as other public schools...</i></p> <p><i>-A charter school shall provide instruction for at least the number of days required by law for other public schools...</i></p> <p><i>-Those statutes pertaining to the provision of services to students with disabilities</i></p> <p><i>-Those statutes pertaining to civil rights, including s.1000.05 ,relating to discrimination</i></p>
Market Accountability		
	Choice	<p><i>-...while providing parents flexibility to choose among diverse educational opportunities within the state’s public school system.</i></p>
	Competition	<p><i>- Provide rigorous competition within the public school system to stimulate continual improvement in all public schools.</i></p>
Accountability to Parents & the	Community	<p><i>-The methods will provide a means for the charter school to ensure accountability to its constituents...</i></p> <p><i>-Each charter school shall maintain a website that enables the public to obtain information regarding the school...</i></p> <p><i>-Each charter school’s governing board must hold at least two public meetings per school year in the school district where the charter school is located</i></p>
Administrative Autonomy		

<p style="text-align: center;">Innovation</p>	<ul style="list-style-type: none"> - Encourage the use of innovative learning methods. - Create innovation measurement tools. - The sponsor shall ensure that the charter school is innovative - the focus of the curriculum, the instructional methods to be used, any distinctive instructional techniques to be employed, and identification and acquisition of appropriate technologies needed to improve educational and administrative performance... - ...the legislation encourages instructional methods for blended learning courses consisting of both traditional classroom and online instructional techniques - changes to curriculum which are consistent with state standards shall be deemed approved...
<p style="text-align: center;">Operating Procedures</p>	<ul style="list-style-type: none"> -...and may provide instruction for additional days - A charter school may limit the enrollment process only to target the following student populations: <ol style="list-style-type: none"> 1. Students within specific age groups or grade levels 2. Students considered at risk of dropping out of school or academic failure. Such students shall include exceptional education students 3. Students enrolling in a charter school-in-the-workplace or charter school in a municipality established pursuant to subsection (15) 4. Students residing within a reasonable distance of the charter school... 5. Students who meet reasonable academic, artistic, or other eligibility standards established by the charter school and included in the charter school application and charter... 6. Students articulating from one charter school to another pursuant to an articulation agreement between the charter schools... 7. Students living in a development in which a developer, including any affiliated business entity or charitable foundation, contributes to the formation, acquisition, construction, or operation of one or more charter schools or charter school facilities and related property in an amount equal to or having the total appraised value of at least \$5 million to be used as charter schools to mitigate the educational impact

	<i>created by the development of new residential dwelling units.</i>
Legislative Autonomy	
Deregulation	<ul style="list-style-type: none"> -A charter school may be exempt from the requirements of s.1002.31 -A charter school shall operate in accordance with its charter and shall be exempt from all statues in chapters 1000-1013 -A start up charter school shall utilize facilities which comply with the Florida Building Code pursuant to chapter 553 except for the state requirements for educational facilities. -Charter school facilities are exempt from assessments of fees for building permits -Any facility, or portion thereof, used to house a charter school whose charter has been approved by the sponsor and governing board, pursuant to subsection (7), is exempt from ad valore taxes
Privatization	<ul style="list-style-type: none"> -A charter school may be formed by creating a new school or converting an existing public school to charter status. -...comparable funding levels from existing and future sources should be maintained for charter school students. -An application for a new charter school may be made by an individual, teachers, parents, a group of individuals, a municipality, or a legal entity organized under the laws of this state. -...a charter school may elect to follow generally accepted accounting standards for not-for-profit organizations -The sponsor may not require governing board members to reside in the school district in which the charter school is located... -A charter school student is eligible to participate in an interscholastic extracurricular activity at the public school to which the student would be otherwise assigned to attend... -A charter school shall organize as, or be operated by, a nonprofit organization. -As such, the charter school may be either a private or public employer. -Students enrolled in a charter school, regardless of the sponsorship, shall be funded as if they are in a basic program or a special program, the same as students enrolled in other public schools in a school district. -The basis for the agreement for funding students enrolled in a charter school shall be the sum of the school district's operating funds from the Florida Education Finance Program as provided in s.1011.62 and the General Appropriations Act, including gross

	<p><i>state and local funds, discretionary lottery funds, and funds from the school district's current operating discretionary military levy...</i></p> <ul style="list-style-type: none"> <i>-Charter schools whose students or programs meet the eligibility criteria in law are entitled to their proportional share of categorical program funds...</i> <i>-For charter schools operated by a not-for-profit entity, any unrestricted current or capital assets identified in the charter school's annual audit may be used for other charter schools operated by the not-for-profit entity which are located outside of the originating charter school's school district, but within the state...</i> <i>-All charter schools shall receive all federal funding for which the school is otherwise eligible</i> <i>-Such federal funds include, but are not limited to, Title I, Title II, and the individuals with disabilities Act (IDEA)</i> <i>-Charter schools shall be included by the Department of Education and the district school board in requests for federal stimulus funds in the same manner as district school board-operated public schools</i> <i>-Charter schools are eligible for capital outlay funds pursuant to ss. 1011.71(2) and 1013.62</i> <i>-A sponsor may withhold an administrative fee for the provision of such services, which shall be a percentage of the available funds defined in paragraph (17)(b)...</i> <i>-A charter school system's governing board shall be designated a local educational agency for the purpose of receiving federal funds, the same as though the charter school system were a school district</i>
--	---

Table 8: Codebook CT

CODE	SUBCODE	DATA
Regulatory Accountability		<p><i>-To ensure that the school complies with the provisions of section 10-15c and that it does not discriminate on the basis of disability, athletic performance, or proficiency in the English language</i></p> <p><i>-The governing council of a charter school shall submit annually, to the Commissioner of Education, a strategic school profile report as described in subsection (c) of section 10-220.</i></p> <p><i>-The governing council of each charter school shall submit annually, to the Commissioner of Education, at such time and in such manner as the commissioner prescribes, and, in the case of a local charter school, to the local or regional board of education for the school district in which the school is located, a report on the school's progress in meeting the academic and organizational performance goals set forth in the charter, including a description of (1) the educational progress of students in the school, (2) the financial condition of the school, including a certified audit statement of all revenues from public and private sources and expenditures, (3) the school's accomplishment of the mission, purpose and any specialized focus of the charter school, (4) the racial and ethnic composition of the student body and efforts taken to increase the racial and ethnic diversity of the student body, and (5) best practices employed by the school that contribute significantly to the academic success of students.</i></p> <p><i>- Subject to the provisions of this subsection and except as may be waived pursuant to subsection (d) of section 10-66bb, charter schools shall be subject to all federal and state laws governing public schools.</i></p> <p><i>-Within available appropriations, the state may provide a grant in a amount not to exceed seventy-five thousand dollars to any newly approved state charter school that assists the state in meeting its obligations pursuant to the decision in <u>Sheff v. O'Neill, 238 Conn. 1 (1996)</u></i></p> <p><i>-Annually, the Commissioner of Education shall randomly select one state charter school... to be subject to a comprehensive financial audit conducted by an independent auditor selected and monitored by the commissioner</i></p> <p><i>-The public schools shall be open to all children five years of age and over who reach age five on or before the first day of January of any school year, and each such child shall have, and shall be so advised by the appropriate school authorities, an</i></p>

	<i>equal opportunity to participate in the activities, programs and courses of study offered in such public schools, at such time as the child becomes eligible to participate in such activities, programs and courses of study, without discrimination on account of race, as defined in section 46a-51, color, sex, gender identity or expression, religion, national origin, [or] sexual orientation or disability; provided boards of education may, by vote at a meeting duly called, admit to any school children under five years of age.</i>
Market Accountability	
Choice	
Competition	
Accountability to Parents & the Community	<p><i>-A plan to share student learning practices and experiences with the local or regional board of education of the town in which the proposed charter school is to be located</i></p> <p><i>-The governing council of each state charter school shall post on any internet web site that the council operates the (1) schedule, (2) agenda, and (3) minutes of each meeting, including any meeting of subcommittees of the governing council</i></p>
Administrative Autonomy	
Innovation	
Operating Procedures	
Legislative Autonomy	
Deregulation	<p><i>-Any not-for-profit organization that is exempt from taxation under Section 501(c)(3) of the Internal Revenue Code of 1986, or any subsequent corresponding internal revenue code of the United States, as amended from time to time, public or independent institution of higher education, local or regional board of education or two or more boards of education cooperatively, or regional educational service center may apply to the Commissioner of Education, at such time and in such manner as the commissioner prescribes, to obtain an initial certificate of approval for a charter, provided no nonpublic elementary or secondary school may be established as a charter school and no parent or group of parents providing home instruction may establish a charter school for such instruction.</i></p> <p><i>- The State Board of Education shall give preference to applicants for charter schools (A) whose primary purpose is the establishment of education programs</i></p>

	<p><i>designed to serve one or more of the following student populations: (i) Students with a history of low academic performance, (ii) students who receive free or reduced priced lunches pursuant to federal law and regulations, (iii) students with a history of behavioral and social difficulties, (iv) students identified as requiring special education, (v) students who are English language learners, or (vi) students of a single gender; (B) whose primary purpose is to improve the academic performance of an existing school that has consistently demonstrated substandard academic performance, as determined by the Commissioner of Education; (C) that will serve students who reside in a priority school district pursuant to section 10-266p; (D) that will serve students who reside in a district in which seventy-five per cent or more of the enrolled students are members of racial or ethnic minorities; (E) that demonstrate highly credible and specific strategies to attract, enroll and retain students from among the populations described in subparagraph (A)(i) to (A)(vi), inclusive, of this subdivision; or (F) that, in the case of an applicant for a state charter school, such state charter school will be located at a work-site or such applicant is an institution of higher education.</i></p> <p><i>- The governing council of a state or local charter school may apply to the State Board of Education for a waiver of the requirements of the enrollment lottery described in subdivision (8) of subsection (d) of this section, provided such state or local charter school has as its primary purpose the establishment of education programs designed to serve one or more of the following populations: (A) Students with a history of behavioral and social difficulties, (B) students identified as requiring special education, (C) students who are English language learners, or (D) students of a single gender.</i></p>
<p>Privatization</p>	<p><i>- "Charter school" means a public, nonsectarian school</i></p> <p><i>-operated independently of any local or regional board of education in accordance with the terms of its charter and the provisions of this section</i></p> <p><i>- The General Assembly may appropriate funds to the Department of Education for the purposes of providing grants to local and state charter schools</i></p> <p><i>-The school professionals and persons holding a charter school educator permit, issued by the State Board of Education pursuant to section 10-145q, employed by a local charter school shall be members of the appropriate bargaining unit for the local or regional school district in which the local charter</i></p>

	<p><i>school is located and shall be subject to the same collective bargaining agreement as the school professionals employed by such district.</i></p> <p><i>-shall participate in the state teachers' retirement system under chapter 167a on the same basis as if such professional were employed by a local or regional board of education. The governing council of a charter school shall make the contributions,</i></p> <p><i>-For the purposes of equalization aid under section 10-262h a student enrolled (1) in a local charter school shall be considered a student enrolled in the school district in which such student resides, and (2) in a state charter school shall not be considered a student enrolled in the school district in which such student resides.</i></p> <p><i>-The local board of education of the school district in which a student enrolled in a local charter school resides shall pay, annually, in accordance with its charter, to the fiscal authority for the charter school for each such student the amount specified in its charter, including the reasonable special education costs of students requiring special education.</i></p> <p><i>-The local or regional board of education of the school district in which the local charter school is located shall be responsible for the financial support of such local charter school at a level that is at least equal to the product of (A) the per pupil cost for the fiscal year two years prior to the fiscal year for which support will be provided, and (B) the number of students attending such local charter school in the current fiscal year</i></p> <p><i>- the State Board of Education may approve, within available appropriations, a per student grant to a local charter school in an amount not to exceed three thousand dollars for each student enrolled in such local charter school, provided the local or regional board of education for such local charter school and the representatives of the exclusive bargaining unit for certified employees, chosen pursuant to section 10-153b, mutually agree on staffing flexibility in such local charter school, and such agreement is approved by the State Board of Education.</i></p> <p><i>-In the case of a student identified as requiring special education, the school district in which the student resides shall: (A) Hold the planning and placement team meeting for such student and shall invite representatives from the charter school to participate in such meeting; and (B) pay the state charter school, on a quarterly basis, an amount equal to the difference between the reasonable cost of educating such student and the sum of the amount received by the state charter school for such student pursuant to subdivision</i></p>
--	--

	<p><i>-the local or regional board of education of the school district in which the charter school is located shall provide transportation services for students of the charter school who reside in such school district pursuant to section 10-273a unless the charter school makes other arrangements for such transportation. Any local or regional board of education may provide transportation services to a student attending a charter school outside of the district in which the student resides and, if it elects to provide such transportation, shall be reimbursed pursuant to section 10-266m for the reasonable costs of such transportation.</i></p> <p><i>-charter schools shall be eligible to the same extent as boards of education for any grants for special education, competitive state grants, and grants pursuant to sections 10-17g</i></p> <p><i>-Charter schools shall receive, in accordance with federal law and regulations, any federal funds available for the education of any pupils attending public schools</i></p> <p><i>-Receive and expend private funds or public funds, including funds from local or regional boards of education and funds received by local charter schools for out-of-district students, for school purposes</i></p>
--	---

Table 9: Codebook PA

CODE	SUBCODE	DATA
Regulatory Accountability		<ul style="list-style-type: none"> - <i>Charters may not be granted to any for-profit entity</i> - <i>Charter schools are not exempt from statutes applicable to public schools other than this act.</i> - <i>A charter school shall participate in the Pennsylvania State Assessment System as provided for in 22 Pa. Code Ch. 5 (relating to curriculum), or subsequent regulations promulgated to replace 22 Pa. Code Ch. 5, in the manner in which the school district in which the charter school is located is scheduled to participate.</i> - <i>Boards of trustees and contractors of charter schools shall be subject to the following statutory requirements governing construction projects and construction-related work</i> - <i>A person who serves as an administrator for a charter school shall not receive compensation from another charter school or from a company that provides management or other services to another charter school</i> - <i>Procedures which will be used regarding the suspension or expulsion of pupils. Said procedures shall comply with section 1318.</i> - <i>An official clearance statement regarding child injury or abuse from the Department of Public Welfare as required by 23 Pa.C.S. Ch. 63 Subch. C.2 (relating to background checks for employment in schools) for all individuals who shall have direct contact with students.</i> - <i>This written charter, when duly signed by the local board of school directors of a school district, or by the local boards of school directors of a school district in the case of a regional charter school, and the charter school's board of trustees, shall act as legal authorization for the establishment of a charter school</i> - <i>A charter school shall not discriminate in its admission policies or practices on the basis of intellectual ability, except as provided in paragraph (2), or athletic ability, measures of achievement or aptitude, status as a person with a disability, proficiency in the English language or any other basis that would be illegal if used by a school district</i> - <i>A student enrolled in a charter school shall be included in the average daily membership of the student's district of residence for the purpose of providing basic education funding payments and special education funding pursuant to Article XXV</i> - <i>The local board of school directors shall have ongoing access to the records and facilities of the</i>

	<p><i>charter school to ensure that the charter school is in compliance with its charter and this act and that requirements for testing, civil rights and student health and safety are being met</i></p> <ul style="list-style-type: none"> - <i>Violation of any provision of law from which the charter school has not been exempted, including Federal laws and regulations governing children with disabilities</i> - <i>Requirements for student performance set forth in 22 Pa. Code Ch. 4 (relating to academic standards and assessment)</i> - <i>The local board of school directors of a school district which is operating under a desegregation plan approved by the Pennsylvania Human Relations Commission or a desegregation order by a Federal or State court shall not approve a charter school application if such charter school would place the school district in noncompliance with its desegregation order.</i> - <i>A cyber charter school shall provide the department with ongoing access to all records and facilities necessary for the department to assess the cyber charter school in accordance with the provisions of this subdivision.</i>
Market Accountability	
Choice	<ul style="list-style-type: none"> - <i>Increase learning opportunities for all pupils</i> - <i>Provide parents and pupils with expanded choices in the types of educational opportunities that are available within the public school system</i> - <i>The extent to which the charter school may serve as a model for other public schools</i>
Competition	<ul style="list-style-type: none"> - <i>The Commonwealth shall provide temporary financial assistance to a school district due to the enrollment of students in a charter school who attended a nonpublic school in the prior school year in order to offset the additional costs directly related to the enrollment of those students in a public charter school</i>
Accountability to Parents & the Community	<ul style="list-style-type: none"> - <i>A charter school shall be accountable to the parents, the public and the Commonwealth</i> - <i>each charter school shall establish and publish on its publicly accessible Internet website an e-mail address for each member of the board of trustees which may be used by members of the public, charter school staff and students to communicate with individual board members regarding matters of charter school governance</i> - <i>the local board of school directors in which the proposed charter school is to be located shall hold at</i>

	<p><i>least one public hearing on the provisions of the charter application</i></p> <ul style="list-style-type: none"> - <i>The demonstrated, sustainable support for the charter school plan by teachers, parents, other community members and students, including comments received at the public hearing held under subsection (d).</i> - <i>In order for a charter school applicant to be eligible to appeal the denial of a charter by the local board of directors, the applicant must obtain the signatures of at least two per centum of the residents of the school district or of one thousand (1,000) residents, whichever is less, who are over eighteen (18) years of age</i> - <i>Procedures which shall be established to review complaints of parents regarding the operation of the charter school.</i> - <i>Information on the manner in which community groups will be involved in the charter school planning process</i> -<i>The consultant shall receive input from members of the educational community and the public on the charter school program.</i> -<i>Upon request and prior to the student's first day in a cyber charter school, the cyber charter school shall, either in writing or electronically, provide to the parent or guardian of a student the following:</i> <ol style="list-style-type: none"> (1) <i>A list and brief description of the courses of instruction the student will receive. The list shall be updated annually for each grade level in which the student is enrolled.</i> (2) <i>A description of the lessons and activities to be offered both online and offline.</i> (3) <i>The manner in which attendance will be reported and work will be authenticated.</i> (4) <i>A list of all standardized tests the student will be required to take during the school year and the place where the test will be administered, if available.</i> (5) <i>The meetings to be held during the school year between a parent or guardian and a teacher and among other school officials or parents or guardian and the manner in which the parent or guardian will be notified of the time and place for the meeting.</i> (6) <i>The address of the cyber charter school and the name, telephone number and e-mail address of the school administrator and other school personnel</i> (7) <i>A list of any extracurricular activities provided by the cyber charter school.</i> (8) <i>The names of the student's teachers, if available, and the manner in which each teacher can be contacted by the student or the parent or guardian.</i>
--	--

	<p>(9) A list of all services that will be provided to the student by the cyber charter school.</p> <p>(10) Copies of policies relating to computer security and privacy, truancy, absences, discipline and withdrawal or expulsion of students.</p> <p>(11) Information on: (i) The cyber charter school's professional staff, including the number of staff personnel, their education level and experience. (ii) The cyber charter school's performance on the PSSA and other standardized test scores.</p> <p>(12) Information regarding the proper usage of equipment and materials and the process for returning equipment and materials supplied to the students by the cyber charter school. A parent or guardian shall acknowledge, either in writing or electronically, the receipt of this information</p> <p>(13) A description of the school calendar, including, but not limited to, the time frame that will constitute a school year and a school week, holidays and term breaks.</p> <p>- The types and frequency of communication between the cyber charter school and the student and the manner in which the cyber charter school will communicate with parents and guardians.</p>
Administrative Autonomy	<p>-The identification of the charter applicant.</p> <p>- The name of the proposed charter school.</p> <p>- The grade or age levels served by the school.</p> <p>-The proposed governance structure of the charter school, including a description and method for the appointment or election of members of the board of trustees.</p> <p>-The mission and education goals of the charter school, the curriculum to be offered and the methods of assessing whether students are meeting educational goals.</p>
Innovation	<p>-Encourage the use of different and innovative teaching methods</p>
Operating Procedures	<p>- Create new professional opportunities for teachers, including the opportunity to be responsible for the learning program at the school site</p> <p>- "Cyber charter school" shall mean an independent public school established and operated under a charter from the Department of Education and in which the school uses technology in order to provide a significant portion of its curriculum and to deliver a significant portion of instruction to its students through the Internet or other electronic means</p> <p>- The board of trustees of a charter school shall have the authority to decide matters related to the operation of the school, including, but not limited to,</p>

	<p><i>budgeting, curriculum and operating procedures, subject to the school's charter.</i></p> <ul style="list-style-type: none"> <i>-The board shall have the authority to employ, discharge and contract with necessary professional and nonprofessional employees subject to the school's charter and the provisions of this article</i> <i>- A charter school may be located in an existing public school building, in a part of an existing public school building, in space provided on a privately owned site, in a public building or in any other suitable location.</i> <i>-A charter school may establish reasonable criteria to evaluate prospective students which shall be outlined in the school's charter.</i> <i>- a charter school may enroll nonresident students on a space- available basis, and the student's district of residence shall permit the student to attend the charter school.</i> <i>- For purposes of tort liability, employees of the charter school shall be considered public employees and the board of trustees shall be considered the public employer in the same manner as political subdivisions and local agencies.</i> <i>-two (2) or more charter schools may consolidate into a multiple charter school organization</i>
Legislative Autonomy	
Deregulation	<ul style="list-style-type: none"> <i>-A charter school established under this act is a body corporate and shall have all powers necessary or desirable for carrying out its charter</i> <i>- A charter school shall have such other powers as are necessary to fulfill its charter and which are not inconsistent with this article</i> <i>-Except as otherwise provided in this article, a charter school is exempt from statutory requirements established in this act, from regulations of the State board and the standards of the secretary not specifically applicable to charter schools.</i> <i>-A charter school shall only be subject to the laws and regulations as provided for in section 1732-A, or as otherwise provided for in this article</i> <i>-the charter school facility shall be exempt from public school facility regulations except those pertaining to the health or safety of the pupils.</i> <i>- all school property, real and personal, owned by any charter school, cyber charter school or an associated nonprofit foundation, or owned by a nonprofit corporation or nonprofit foundation and leased to a charter school, cyber charter school or associated nonprofit foundation at or below fair market value, that is occupied and used by any charter school or cyber charter school for public school, recreation or any other purposes provided</i>

	<p><i>for by this act, shall be made exempt from every kind of State, county, city, borough, township or other real estate tax, including payments in lieu of taxes established through agreement with the Commonwealth or any local taxing authority, as well as from all costs or expenses for paving, curbing, sidewalks, sewers or other municipal improvements, Provided, That any charter school or cyber charter school or owner of property leased to a charter school or cyber charter school may make a municipal improvement in a street on which its school property abuts or may contribute a sum toward the cost of the improvement.</i></p> <p><i>- Any agreement entered into by a charter school, cyber charter school or associated nonprofit foundation with the Commonwealth or a local taxing authority for payments in lieu of taxes prior to December 31, 2009, shall be null and void.</i></p>
<p>Privatization</p>	<p><i>-to provide pupils and community members to establish and maintain schools that operate independently from the existing school district</i></p> <p><i>- "Charter school" shall mean an independent public school established and operated under a charter from the local board of school directors and in which students are enrolled or attend. A charter school must be organized as a public, nonprofit corporation. Charters may not be granted to any for-profit entity.</i></p> <p><i>-Receive and disburse funds for charter school purposes only</i></p> <p><i>-Solicit and accept any gifts or grants for charter school purposes</i></p> <p><i>-A person who serves as an administrator for a charter school shall be a public official under 65 Pa.C.S. Ch. 11</i></p> <p><i>-A charter school may be established by an individual; one or more teachers who will teach at the proposed charter school; parents or guardians of students who will attend the charter school; any nonsectarian college, university or museum located in this Commonwealth; any nonsectarian corporation not-for-profit, as defined in 15 Pa.C.S. (relating to corporations and unincorporated associations); any corporation, association or partnership; or any combination thereof</i></p> <p><i>-A charter school may be established by creating a new school or by converting an existing public school or a portion of an existing public school.</i></p> <p><i>-The conversion of an existing public school or portion of an existing public school to a charter school may be initiated by any individual</i></p> <p><i>-no school district of residence shall prohibit a student of a charter school from participating in any</i></p>

	<p><i>extracurricular activity of that school district of residence: Provided, That the student is able to fulfill all of the requirements of participation in such activity and the charter school does not provide the same extracurricular activity.</i></p> <p><i>-Members who are not employes of State government shall be reimbursed for expenses incurred in the course of their official duties from funds appropriated for the general government operations of the department</i></p> <p><i>-All employes of a charter school shall be enrolled in the Public School Employees' Retirement System in the same manner as set forth in 24 Pa.C.S. § 8301(a) (relating to mandatory and optional membership) unless at the time of the application for the charter school the sponsoring district or the board of trustees of the charter school has a retirement program which covers the employees or the employee is currently enrolled in another retirement program.</i></p> <p><i>-The charter school shall be considered a public school as defined in 24 Pa.C.S. § 8102</i></p> <p><i>-Any public school employe of a school entity may request a leave of absence for up to five (5) years in order to work in a charter school located in the district of employment or in a regional charter school in which the employing school district is a participant. Approval for a leave shall not be unreasonably withheld</i></p> <p><i>-For non-special education students, the charter school shall receive for each student enrolled no less than the budgeted total expenditure per average daily membership of the prior school year, as defined in section 2501(20), minus the budgeted expenditures of the district of residence for nonpublic school programs; adult education programs; community/junior college programs; student transportation services; for special education programs; facilities acquisition, construction and improvement services; and other financing uses, including debt service and fund transfers as provided in the Manual of Accounting and Related Financial Procedures for Pennsylvania School Systems established by the department. This amount shall be paid by the district of residence of each student.</i></p> <p><i>-For special education students, the charter school shall receive for each student enrolled the same funding as for each non-special education student as provided in clause (2), plus an additional amount determined by dividing the district of residence's total special education expenditure by the product of multiplying the combined percentage of section 2509.5(k) times the district of residence's total</i></p>
--	---

	<p><i>average daily membership for the prior school year. This amount shall be paid by the district of residence of each student.</i></p> <p><i>-It shall be lawful for any charter school to receive, hold, manage and use, absolutely or in trust, any devise, bequest, grant, endowment, gift or donation of any property, real or personal and/or mixed, which shall be made to the charter school for any of the purposes of this article.</i></p> <p><i>-Students who attend a charter school located in their school district of residence, a regional charter school of which the school district is a part or a charter school located outside district boundaries at a distance not exceeding ten (10) miles by the nearest public highway shall be provided free transportation to the charter school by their school district of residence on such dates and periods that the charter school is in regular session whether or not transportation is provided on such dates and periods to students attending schools of the district.</i></p> <p><i>-transportation shall also be provided to charter schools under the same conditions</i></p> <p><i>-In the event that the Secretary of Education determines that a school district is not providing the required transportation to students to the charter school, the Department of Education shall pay directly to the charter school funds for costs incurred in the transportation of its students</i></p> <p><i>-Upon request, provide assistance to the cyber charter school in the delivery of services to a student with disabilities.</i></p>
--	---

Table 10: Codebook IN

CODE	SUBCODE	DATA
Regulatory Accountability		<p><i>-A charter school is subject to all federal and state laws and constitutional provisions that prohibit discrimination</i></p> <p><i>-An authorizer may not grant a charter to a for-profit entity</i></p> <p><i>-The organizer's constitution, charter, articles, or bylaws must contain a clause providing that upon the cessation of operation of the charter school:</i></p> <p><i>(1) the remaining assets of the charter school shall be distributed first to satisfy outstanding payroll obligations for employees of the charter school, then to creditors of the charter school, then to any outstanding debt to the common school fund; and (2) the remaining funds received from the department shall be returned to the department not more than thirty (30) days after the charter school ceases operation due to:</i></p> <p><i>(A) closure of the charter school;</i></p> <p><i>(B) nonrenewal of the charter school's charter; or (C) revocation of the charter school's charter.</i></p> <p><i>If the assets of the charter school are insufficient to pay all parties to whom the charter school owes compensation under subdivision (1), the priority of the distribution of assets may be determined by a court.</i></p> <p><i>-Set forth the methods by which the charter school will be held accountable for achieving the educational mission and goals of the charter school</i></p> <p><i>-A charter school shall set annual performance targets in conjunction with the charter school's authorizer. The annual performance targets shall be designed to help each school meet applicable federal, state, and authorizer expectations</i></p> <p><i>-A charter school, including a conversion charter school, must be open to any student who resides in Indiana</i></p> <p><i>-Except as provided in this chapter, a charter school may not establish admission policies or limit student admissions in any manner in which a public school is not permitted to establish admission policies or limit student admissions</i></p> <p><i>-A charter school may not suspend or expel a charter school student or otherwise request a charter school student to transfer to another school on the basis of the following:</i></p> <p><i>(1) Disability.</i></p> <p><i>(2) Race.</i></p> <p><i>(3) Color.</i></p> <p><i>(4) Gender.</i></p>

(5) *National origin.* (6) *Religion.*
(7) *Ancestry.*
-*At least ninety percent (90%) of the individuals who teach full time in a charter school must either:*
(1) *hold any license or permit to teach in a public school in Indiana described in: (A) IC 20-28-5; or (B) rules adopted by the state board concerning the licensing of teachers; or*
(2) *be in the process of obtaining a license to teach in a public school in Indiana under the transition to teaching program established by IC 20-28-4-2.*
-*When a charter school uses public funds for the construction, reconstruction, alteration, or renovation of a public building, bidding and wage determination laws and all other statutes and rules apply*
-*For each charter school established under this article, the charter school and the organizer are accountable to the authorizer for ensuring compliance with:*
(1) *applicable federal and state laws;*
(2) *the charter; and*
(3) *the Constitution of the State of Indiana.*
-*The following statutes and rules and guidelines adopted under the following statutes apply to a charter school:*
(1) *IC 5-11-1-9 (required audits by the state board of accounts).* (2) *IC 20-39-1-1 (unified accounting system).*
(3) *IC 20-35 (special education).*
(4) *IC 20-26-5-10 (criminal history).*
(5) *IC 20-26-5-6 (subject to laws requiring regulation by state agencies).* (6) *IC 20-28-10-12 (nondiscrimination for teacher marital status).*
(7) *IC 20-28-10-14 (teacher freedom of association).*
(8) *IC 20-28-10-17 (school counselor immunity).*
(9) *For conversion charter schools only if the conversion charter school elects to collectively bargain under IC 20-24-6-3(b), IC 20-28-6, IC 20-28-7.5, IC 20-28-8, IC 20-28-9, and IC 20-28-10.*
(10) *IC 20-33-2 (compulsory school attendance).*
(11) *IC 20-33-8-19, IC 20-33-8-21, and IC 20-33-8-22 (student due process and judicial review).*
(12) *IC 20-33-8-16 (firearms and deadly weapons).*
(13) *IC 20-34-3 (health and safety measures).*
(14) *IC 20-33-9 (reporting of student violations of law).*
(15) *IC 20-30-3-2 and IC 20-30-3-4 (patriotic commemorative observances).*
(16) *IC 20-31-3, IC 20-32-4, IC 20-32-5 (for a school year ending before July 1, 2018), IC 20-32-5.1 (for a school year beginning after June 30, 2018), IC 20-32-8, and IC 20-32-8.5, as provided in IC 20-32-8.5-2(b)*

	<p><i>(academic standards, accreditation, assessment, and remediation).</i></p> <p><i>(17) IC 20-33-7 (parental access to education records).</i></p> <p><i>(18) IC 20-31 (accountability for school performance and improvement).</i></p> <p><i>(19) IC 20-30-5-19 (personal financial responsibility instruction).</i></p> <p><i>(20) IC 20-26-5-37.3, before its expiration (career and technical education reporting). (21) IC 20-35.5 (dyslexia screening and intervention).</i></p> <p><i>(22) IC 22-2-18, before its expiration on June 30, 2021 (limitations on employment of minors).</i></p> <p><i>-The authorizer shall oversee a charter school's compliance with: (1) the charter; and</i></p> <p><i>(2) all applicable laws</i></p> <p><i>-A conversion charter school shall continue to comply with all legal requirements concerning student diversity and treatment of children with special needs and accept all students who attended the school before its conversion and who wish to attend the conversion charter school</i></p>
Market Accountability	<p><i>-Serve the different learning styles and needs of public school students</i></p> <p><i>-Provide parents, students, community members, and local entities with an expanded opportunity for involvement in the public school system</i></p> <p><i>- provide a public report summarizing the evidence basis for each decision</i></p>
Choice	<p><i>-Offer public school students appropriate and innovative choices</i></p> <p><i>-if a governing body grants a charter to establish a charter school, the governing body must provide a noncharter school that students of the same age or grade levels may attend.</i></p>
Competition	
Accountability to Parents & the Community	<p><i>-The department and each authorizer shall establish a charter school page on the department's and the authorizer's Internet web site that includes information</i></p> <p><i>-The state board shall maintain on the state board's Internet web site the names of each authorizer approved by the state board under this section</i></p> <p><i>-The evaluation shall be posted on the state board's Internet web site.</i></p> <p><i>-Before issuing a charter, the authorizer must conduct a public hearing concerning the establishment of the proposed charter school. The public hearing must be held within the school corporation where the proposed charter school would be located.</i></p> <p><i>-A virtual charter school shall establish and implement an annual onboarding process and</i></p>

	<p><i>orientation for virtual charter school students and the students' parents.</i></p> <p><i>-publicize the discipline rules within the charter school where the discipline rules apply, which may include:</i></p> <p><i>(A) making a copy of the discipline rules available to students or parents, guardians, or custodians of students; or</i></p> <p><i>(B) delivering a copy of the discipline rules to students or parents, guardians, or custodians of students.</i></p> <p><i>-An authorizer that has established a charter school shall submit an annual report to the department and the state board for informational and research purposes. The authorizer shall make the annual report available on the authorizer's Internet web site</i></p> <p><i>-The department and state board shall make all annual reports submitted under subsection (a) available on the department's and state board's Internet web sites</i></p> <p><i>-If an organizer of a charter school maintains an Internet web site for a charter school, the organizer of the charter school shall publish the names of the members of the charter school's governing body on the charter school's Internet web site</i></p> <p><i>-The organizer of a charter school shall publish an annual performance report that provides the information required under IC 20-20-8-8 in the same manner that a school corporation publishes an annual report under IC 20-20-8.</i></p>
Administrative Autonomy	<i>-Allow public schools freedom and flexibility in exchange for exceptional levels of accountability</i>
Innovation	<i>-A charter school may be established under this article to provide innovative and autonomous programs</i>
Operating Procedures	<p><i>-A charter school is not prohibited from delivering instructional services: (1) through the Internet or another online arrangement; or</i></p> <p><i>(2) in any manner by computer; if the instructional services are provided to students enrolled in the charter school in a manner that complies with any procedures adopted by the department concerning online and computer instruction in public schools.</i></p> <p><i>-A charter school may limit new admissions to the charter school to:</i></p> <p><i>(1) ensure that a student who attends the charter school during a school year may continue to attend the charter school in subsequent years;</i></p> <p><i>(2) ensure that a student who attends a charter school during a school year may continue to attend a different charter school held by the same organizer in subsequent years;</i></p>

	<p>(3) allow the siblings of a student alumnus or a current student who attends a charter school or a charter school held by the same organizer to attend the same charter school the student is attending or the student alumnus attended;</p> <p>(4) allow preschool students who attend a Level 3 or Level 4 Paths to QUALITY program preschool to attend kindergarten at a charter school if the charter school and the preschool provider have entered into an agreement to share services or facilities;</p> <p>(5) allow each student who qualifies for free or reduced price lunch under the national school lunch program to receive preference for admission to a charter school if the preference is specifically provided for in the charter school's charter and is approved by the authorizer; and</p> <p>(6) allow each student who attends a charter school that is co-located with the charter school to receive preference for admission to the charter school if the preference is specifically provided for in the charter school's charter and is approved by the charter school's authorizer.</p>
Legislative Autonomy	
Deregulation	<p>-Confer certain rights, franchises, privileges, and obligations on a charter school</p> <p>-Specify that the authorizer and the organizer may amend the charter during the term of the charter by mutual consent and describe the process for amending the charter</p> <p>-a charter school may operate as a single gender school if approved to do so by the authorizer. A single gender charter school must be open to any student of the gender the school serves who resides in Indiana</p> <p>-a charter school may not be required to purchase services from its authorizer as a condition of charter approval or of executing a charter contract, nor may any such condition be implied.</p> <p>-the following do not apply to a charter school:</p> <p>(1) An Indiana statute applicable to a governing body or school corporation.</p> <p>(2) A rule or guideline adopted by the state board.</p> <p>(3) A rule or guideline adopted by the state board concerning teachers, except for those rules that assist a teacher in gaining or renewing a standard or advanced license.</p> <p>(4) A local regulation or policy adopted by a school corporation unless specifically incorporated in the charter.</p>
Privatization	<p>- "Conversion charter school" means a charter school established under IC 20-24-11 by the conversion of an existing school into a charter school</p>

- "Education service provider" means a for profit education management organization, nonprofit charter management organization, school design provider, or any other partner entity with which a charter school intends to contract for educational design, implementation, or comprehensive management.

-the charter school facilities assistance fund

-Each member of the charter board who is not a state employee is entitled to the minimum salary

-Funding for the charter board consists of administrative fees collected under IC 20-24-7-4.

-Confirm the status of a charter school as a public school

-A charter school may participate in any of the following:

(1) The Indiana state teachers' retirement fund in accordance with IC 5-10.4. (2) The public employees' retirement fund in accordance with IC 5-10.3.

-The department shall distribute state tuition support distributions, and in the case of an adult high school (as defined in IC 20-24-1-2.3), funding provided in the state biennial budget for adult high schools, to the organizer. The department shall make a distribution under this section at the same time and in the same manner as the department makes a distribution of state tuition support under IC 20-43-2 to other school corporations.

-tuition support and other state funding for any purpose for students enrolled in the conversion charter school

-a proportionate share of state and federal funds received:

(A) for students with disabilities; or

(B) for staff services for students with disabilities; enrolled in the conversion charter school

-a proportionate share of funds received under federal or state categorical aid programs for students who are eligible for the federal or state categorical aid and are enrolled in the conversion charter school;

-in a state fiscal year, a state educational institution may receive from the organizer of a charter school authorized by the state educational institution an administrative fee equal to not more than three percent (3%) of the total amount the organizer receives during the state fiscal year from basic tuition support (as defined in IC 20-43-1-8)

-in a state fiscal year, the executive may collect from the organizer of a charter school authorized by the executive an administrative fee equal to not more than three percent (3%) of the total amount the organizer receives during the state fiscal year for basic tuition support

-in a state fiscal year, a private college or university may collect from the organizer of a charter school authorized by the private college or university an administrative fee equal to not more than three percent (3%) of the total amount the organizer receives during the state fiscal year for basic tuition support.

- in a state fiscal year, the charter school board may collect from the organizer of a charter school authorized by the charter board an administrative fee equal to not more than three percent (3%) of the total amount the organizer receives during the state fiscal year for basic tuition support.

-An authorizer described in subsections (b) through (e) may collect an administrative fee equal to not more than three percent (3%) of the total state appropriation to the adult high school for a state fiscal year under section 13.5 of this chapter.

-An organizer may apply for and accept for a charter school: (1) independent financial grants; and (2) funds from public or private sources other than the department.

-a school corporation may distribute a proportionate share of the school corporation's operations fund to a charter school. A charter school may elect to distribute a proportionate share of the charter school's operations fund to the school corporation in whose district the charter school is located.

-A governing body may distribute money that is received as part of a tax levy collected under IC 20-46-1 from the school corporation's education fund to a charter school

-A governing body may distribute money from the school safety referendum tax levy fund to a charter school

-An authorizer may request and receive financial reports concerning a charter school from the organizer at any time

-The department shall apply for all federal funds that are available for charter schools and for which Indiana is eligible.

-The department shall distribute federal charter school start-up grants to eligible organizers in a timely manner according to the department's published guidelines for distributing the grants.

-To increase the state's opportunity to receive matching funds from the United States Department of Education, the department shall develop a facilities incentive grants program

-For each state fiscal year, a virtual charter school is entitled to receive funding in a month from the state

-For each state fiscal year, a virtual charter school's special education grants under IC 20-43-7 shall be

calculated in the same manner as special education grants are calculated for other school corporations

-A charter school is considered a school corporation for purposes of any state or federal funding opportunities administered by the department or any other state agency that are otherwise available to a school corporation as described in IC 20-18-2-16(a)

-A charter school may use any money distributed by law to the charter school to prepare financial reports and conduct audits that the charter school determines are necessary for the conduct of the affairs of the charter school

-The state shall pay directly to a charter school any federal or state aid attributable to a student with a disability attending the charter school

-The purpose of the program is to make grants and loans to charter schools for the purpose of:

- (1) constructing;
- (2) purchasing;
- (3) renovating;
- (4) maintaining;
- (5) paying first semester costs for new; and (6) reducing common school fund debt for; charter schools.

-The fund consists of the following:

- (1) Money appropriated or authorized by the general assembly.
- (2) The repayment proceeds of loans made to charter schools from the fund.
- (3) Any gifts and grants made to the fund or other money required by law to be deposited in the fund.
- (4) Any federal grants that are received to capitalize or supplement the fund.
- (5) Any earnings on money in the fund.

-The department may apply to the United States Department of Education for a state charter school facilities incentive program grant authorized under 34 U.S.C. 7221d(b). The department shall use the proceeds of any state charter school facilities incentive program grant awarded to the state for purposes of the program. To the extent permitted by federal law, the proceeds may be used to pay the administrative expenses of the program.

-An annual grant program is established to provide funding to a school for the following:

- (1) Capital improvements for the school, including the renovation or expansion of a facility, or for debt or lease payments owed on a facility, including advances from the common school fund under IC 20-49-9.
- (2) The purposes for which the school corporation's operations fund may be used by a school corporation under IC 20-40-18.

(3) The purposes for which a technology grant from the Senator David C. Ford educational technology fund may be used by a school corporation under IC 20-20-13-6. (b) The program shall be administered by the state board.

(c) The state board shall establish a written application and procedure for providing grants under this chapter to a school described in section 5 of this chapter.

-Each year, such a charter school may apply for an annual grant under this chapter.

Table 11: Codebook WV

CODE	SUBCODE	DATA
Regulatory Accountability		<ul style="list-style-type: none"> - <i>Public charter schools are open for enrollment to all students of appropriate grade level age</i> - <i>The same student transportation safety laws applicable to public schools when transportation is provided</i> - <i>The public charter school governing board shall comply with the provisions of §29B-1-1 et seq. of this code relating to freedom of information and the provisions of §6-9A-1 et seq. of this code relating to open governmental proceedings</i> - <i>Are part of the state’s system of public schools and are subject to general supervision by the West Virginia Board of Education for meeting the student performance standards required of other public school students under §18-2E-5(d) and (e) of this code</i> - <i>Are subject to the oversight of the school’s authorizer for operating in accordance with its approved charter contract and for meeting the terms and performance standards established in the charter contract</i> - <i>All federal laws and authorities applicable to noncharter public schools in this state including, but not limited to, the same federal nutrition standards, the same civil rights, disability rights and health, life and safety requirements applicable to noncharter public schools in this state</i> - <i>Public charter schools may not discriminate against any person on any basis which would be unlawful for noncharter public schools in the school district</i> - <i>A public charter school may not establish admission policies or limit student admissions in any manner in which a public school is not permitted to establish admission policies or limit student admissions</i> - <i>The same immunization requirements applicable to noncharter public schools;</i> - <i>The same compulsory school attendance requirements applicable to noncharter public schools;</i> - <i>Have no requirements that would exclude any child from enrollment who would not be excluded at a noncharter public school.</i>
Market Accountability		

Choice	<ul style="list-style-type: none"> - Provide students, parents, community members, and local entities with expanded opportunities for involvement in the public school system - Provide expanded opportunities within the public schools for parents to choose among the school curricula, specialized academic or technical themes, and methods of instruction that best serve the interests or needs of their child - Are public schools to which parents or legal guardians choose to send their child or children
Competition	
Accountability to Parents & the Community	<ul style="list-style-type: none"> - The charter contract shall include provisions relating to the performance of the public charter school which will include the academic, and operational performance indicators, measures, and metrics to be used by the authorizer to evaluate the public charter school - Provide an opportunity in a public forum for local residents to provide input and learn about the charter application - The public charter school's plan for notice to parents and others of enrollment in the school as an option available for students and the school's primary recruitment area - A public charter school's recruitment effort shall include all segments of the student populations served by noncharter public schools of comparable grade levels - The school's lottery procedures and timelines support equal and open access for all students and take place in an open meeting - The public charter school's plan for parental involvement - A public charter school shall provide or publicize to parents and the general public information about the public charter school as an enrollment option for students and the process for application and enrollment, including dates and timelines. - Reporting information on student and school performance to parents, policy-makers, and the general public in the same manner as noncharter public schools
Administrative Autonomy	<ul style="list-style-type: none"> - Has autonomy over key decisions, including, but not limited to, decisions concerning finance, personnel, scheduling, curriculum, and instruction except as provided in this article - Allow authorized public schools and programs within public schools exceptional levels of self-direction and flexibility

<p style="text-align: center;">Innovation</p>	<ul style="list-style-type: none"> - <i>Public charter schools are intended to empower new, innovative, and more flexible ways of educating</i> - <i>Allow innovative educational methods, practices and programs that engage students in the learning process</i> - <i>Enable schools to establish a distinctive school curriculum, a specialized academic or technical theme, or method of instruction</i> - <i>Allow authorized public schools and programs within public schools exceptional levels of self-direction and flexibility in exchange for exceptional levels of results-driven accountability for student learning</i>
<p style="text-align: center;">Operating Procedures</p>	
<p style="text-align: center;">Legislative Autonomy</p>	
<p style="text-align: center;">Deregulation</p>	<ul style="list-style-type: none"> - <i>A public charter school authorized pursuant to this article is exempt from all statutes and rules applicable to a noncharter public school or board of education</i> - <i>The provisions of this article shall be interpreted liberally to support the purpose and intent of this section and to advance a renewed commitment by the state to the mission, goals and diversity of public education</i>
<p style="text-align: center;">Privatization</p>	<ul style="list-style-type: none"> - <i>Apply for any federal funds that may be available for the implementation of public charter school programs</i> - <i>The rule shall designate which county school district is required to pay for a student attending a public charter school</i> - <i>The rule shall require the Department of Education to follow federal requirements in ensuring that federal funding follows the student to a public charter school</i> - <i>An authorizer may receive and expend appropriate gifts, grants and donations of any kind from any public or private entity</i> - <i>convert an existing noncharter public school to a public charter school or establish a program conversion public charter school</i> - <i>Encourage the replication of successful strategies for improving student learning</i> - <i>All public charter schools established under this article are public schools and are part of the state's public education system.</i> - <i>It is the intent of the Legislature that public charter school students be considered as important as all other school students in the state and, to that end, comparable funding levels from existing and future</i>

	<p><i>sources should be maintained for public charter school students.</i></p> <p><i>- "Applicant" means any one or more in combination of parents, community members, teachers, school administrators, or institutions of higher education in this state who are interested in organizing a public charter school</i></p> <p><i>- "Education service provider" means a public or private nonprofit or for-profit education management organization, school design provider, or any other partner entity with which a public charter school contracts for educational design, implementation, or comprehensive management</i></p> <p><i>- Any public charter school authorized pursuant to this article shall be treated and act as its own local education agency for all purposes except as needed under the provisions of the Public School Support Plan for funding purposes</i></p>
--	--

Appendix B IRB Waiver

RE: IRB consultation request

Fuhrman, Amy B <fuhrman@pitt.edu>

Tue 2/28/2023 1:16 PM

To: Daugherty, Rebecca A <RAD144@pitt.edu>

Hello Rebecca,

Thank you for your email. The use of publicly available documents does not warrant an IRB application. You may use this email correspondence as confirmation that an IRB submission is not required.

Sincerely,
Amy

Amy Fuhrman, *Research Review Specialist*
University of Pittsburgh
Human Research Protection
Office of Research Protections
Phone: 412-383-1494
Email: fuhrman@pitt.edu
www.hrpo.pitt.edu

Figure 1: IRB Waiver

Data Sources

Charter Schools, Florida. Statute § 1002.33 (2021).

http://www.leg.state.fl.us/Statutes/index.cfm?App_mode=Display_Statute&URL=1000-1099/1002/Sections/1002.33.html

Charter Schools, 20 Indiana Code. §24.1 et seq. (2022).

<https://law.justia.com/codes/indiana/2022/title-20/article-24/>

CHARTER SCHOOLS, Minnesota Statute § 124E (2023).

<https://www.revisor.mn.gov/statutes/cite/124E>

Charter School Law, Connecticut General Statute § 10-66aa et seq. (2022). https://portal.ct.gov/-/media/SDE/Charter-Schools/Charter_School_Law2022.pdf

CHARTER SCHOOL LAW, 1949 Pennsylvania Code Act 14 (2022).

<https://www.legis.state.pa.us/cfdocs/legis/LI/uconsCheck.cfm?txtType=HTM&yr=1949&sessInd=0&smthLwInd=0&act=014&chpt=17A>

PUBLIC CHARTER SCHOOLS, West Virginia Code § 18.5G (2023).

<https://code.wvlegislature.gov/18-5G-1/>

Bibliography

- Apple, M. W. (2004). Creating difference: Neo-liberalism, neo-conservatism, and the politics of educational reform. *Education Policy*, 18(1), 12-44.
- Apple, M. W. (2017). What is present and absent in critical analyses of neoliberalism in education. *Peabody Journal of Education*, 92(1), 148-153.
- Barghaus, K. M., & Boa, E. E. (2011). From policy to practice: Implementation of the legislative objectives of charter schools. *American Journal of Education*, 118(1), 5786.
- Brown, W. (2006). American nightmare: Neoliberalism, neoconservatism, and de democratization. *Political Theory*, 34(6), 690-714.
- Brown v. Board of Education of Topeka, Opinion; May 17, 1954; Records of the Supreme Court of the United States; Record Group 267; National Archives.
- Budde, R. (1988). *Education by charter: Restructuring school districts*. ERIC.
- Clark, M., A., Gleason, P. M., Tuttle, C. C., & Silverberg, M. K. (2015). Do charter schools improve student achievement? *Educational Evaluation and Policy Analysis*, 37(4), 419-436. Connecticut Charter Schools Association (n.d.). *CT's Charter Schools*. Connecticut Charter Schools Association. <https://ctcharters.org/about-charter-schools/436>.
- Dekkers, H. P. J. M. (2007). Accessible and effective education: new research in a sophisticated theoretical context. In R. Teese, S. Lamb, & M. Duru-Bellat (Eds.), *International Studies in Educational Inequality, Theory, and Policy* (Vol. 1, pp. 117-134). Springer.
- Dorsey, D. N. T., & Plucker, J. A. (2016). Deregulation and the American education marketplace. *Peabody Journal of Education*, 91(4), 424-440.
- Enoch-Stevens, T., Daramola, E. J., Jabber, H., & Marsh, J. (2022). Accountability battle: A critical analysis of a charter renewal decision. *Urban Education*, 0(0), 1-34.
- Foucault, M., Sheridan, A., & Kritzman, L. D. (1988). *Politics and Reason* (1 ed.). Routledge.
- Friedman, M. (1962). *Capitalism and Freedom*. University of Chicago Press.
- Gawlik, M. A. (2016). The U.S. charter school landscape: Extant literature, gaps in research, and implications for the U.S. educational system. *Global Education Review*, 3(2), 5083.
- Holyoke, T. T. (2022). Path dependence and resistance to it in public policies: The case of charter school policies in the United States. *Politics & Policy*, 50, 1209-1226.
- Horsford, S. D., Scott, J. T., & Anderson, G. L. (2019). *The politics of education policy in an era of inequity: Possibilities for democratic schooling*. Routledge.

- Indiana Charter School Board (n.d.). Charter School FAQs. Retrieved November 14, 2023. <https://www.in.gov/icsb/families-and-students/charter-school-faqs/>
- Jones, K. D. (1998). *Overview of State Charter School Laws [CRS Report for Congress]*.
- Kober, N. & D.S. Retner (2020). *History and Evolution of Public Education in the US*. Center on Education Policy. <https://files.eric.ed.gov/fulltext/ED606970.pdf>
- Kraemer-Holland, A., & Cruz, A. (2023). The progressive neoliberal proxy: “Colonizing” empowerment, choice, and equity in a midwest charter network. In A. Sharma, M. Schmeichel, & E. Wurzburg (Eds.), *Progressive neoliberalism in education: Critical perspectives on manifestations and resistance* (Vol. 1, pp. 49-62). Routledge.
- Lee, J. J. (2014). The mechanism of state charter school policy adoption: The case of American states. *International Journal of Public Administration*, 37(1), 20-34.
- Lemke, M. A. (2015). (Un)Making the neoliberal agenda in public education. In K. M. Sturges (Ed.), *Neoliberalizing Educational Reform* (pp. 53-77). Sense Publishers.
- Lubienski, C. (2003). Innovation in education markets: Theory and evidence on the impact of competition and choice in charter schools. *American Educational Research Journal*, 40(2), 395-443.
- Lubienski, C. (2006). School choice and privatization in education: An alternative analytical framework. *Journal for Critical Education Policy Studies*, 4(1), 1-27.
- Marshall, J. (2012). Common Schools Movement. In J. A. Banks (Ed), *The Encyclopedia of Diversity in Education* (pp. 416-417). SAGE Publications, Inc..
- Marvosh, S. (2023). Oklahoma Approves First Religious Charter School in the U.S.. *The New York Times*. <https://www.nytimes.com/2023/06/05/us/oklahoma-first-religious-charter-school-in-the-us.html>
- McElhinny, B. (October 15, 2023). West Virginia charter schools, challenged by startup costs, could benefit from \$12 million federal grant. *MetroNews*. <https://wvmetronews.com/2023/10/15/west-virginia-charter-schools-challenged-by-startup-costs-could-benefit-from-12-million-federal-grant/>
- Miron, G., Christopher, N., & Risley, J. (2002). *Stengthening Pennsylvania’s charter school reform: Findings from the statewide evaluation and discussion of relevant policy issues* W. M. U. The Evaluation Center.
- Miron, G., & Nelson, G. (2002). What’s public about charter schools? - Evidence from Michigan. *Commentary*, 38-39.
- MN Department of Education (n.d.). Charter Schools. MN Department of Education. <https://education.mn.gov/mde/fam/cs/>
- Murphy, J. & Shiffman, C.D. (2002). *Understanding and Assessing the Charter School Movement* (Vol. 6). Teachers College Press.

- NCES (n.d.). *Fast Facts: Charter Schools*. National Center for Education Statistics. <https://nces.ed.gov/fastfacts/display.asp?id=30>
- Rafa, A., Erwin, B., Kelley B., & Wixom M.A. (2020, January 28). *50 States comparison: Charter school policies*. Education Commission of the States. <https://www.ecs.org/charter-school-policies/>
- Ramsey, S. (n.d.). *The troubled history of American education after the Brown decision*. Organization of American Historians. <https://www.oah.org/tah/february-3/the-troubled-history-of-american-education-after-the-brown-decision/>
- Rosenblum Brigham Associates (1998). *Innovation and Massachusetts charter schools*. Boston. Sheff Movement (n.d.) *Timeline*. Sheff Movement: Quality Integrated Education For All Children. <https://www.sheffmovement.org/timeline>
- Smole, D. P. (2007). *Public charter school accountability* [CRS Report for Congress].
- Sturges, K. M. (2015). Educational reform in the age of neoliberalism. In K. M. Sturges (Ed.), *Neoliberalizing Educational Reform* (pp. 1-19). Sense Publishers.
- The National Commission on Excellence in Education (1983). *A nation at risk: The imperative for educational reform*. https://edreform.com/wp-content/uploads/2013/02/A_Nation_At_Risk_1983.pdf
- United States Department of Education. *NCLB / Proven Methods: Doing What Works*. U.S. Department of Education <https://www2.ed.gov/nclb/methods/whatworks/edpicks.jhtml?src=ln>.
- U.S. Government Accountability Office (2022). *K-12 education: Student population has significantly diversified, but many schools remain divided along racial, ethnic, and economic lines*. U.S. Government Accountability Office. <https://www.gao.gov/products/gao-22-104737>
- Vallier, K. (2022). Neoliberalism. In E.N. Zalta & U. Nodelman (eds.), *The Stanford Encyclopedia of Philosophy*.
- White, J. (2022). *How many charter schools and students are there?* National Alliance for Public Charter Schools. <https://data.publiccharters.org/digest/charter-school-data-digest/how-many-charter-schools-and-students-are-there/>
- White, J., & Yueting, C. X. (2022, December 6). *How are charter schools managed?*. National Alliance for Public Charter Schools. <https://data.publiccharters.org/digest/charter-school-data-digest/who-manages-charter-schools/>
- Wilson, B., M. (2007). Social Justice and Neoliberal Discourse. *Southeastern Geographer*, 47(1), 97-100.