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Facilities Funding for Charter Public Schools

By Lisa Grover, PhD

Charter public school leaders have shown an immense amount of grit in overcoming a host of challenges to grow at a pace unexpected by even their most stalwart supporters. In the 2015–16 school year, approximately 2.9 million children attended a charter school—a growth of 76 percent over the past five years. However, this dramatic expansion has not kept pace with demand from families, as reflected in the 1 million student names on charter school waiting lists nationally.

One of the biggest challenges to the continued expansion of charter schools is the fact that many charter school laws place the ultimate burden of obtaining and paying for facilities on charter schools themselves. As a result, charter school leaders struggle to find suitable and affordable facilities to house their growing numbers of students.

States play an important role in determining the options available to help fund charter school facilities. Increasingly, states are enacting and updating state policies to help offset the cost of leasing, purchasing, and maintaining charter school facilities.

In addition, there is a financial incentive for having in place strong facilities policies at the state level. The recently updated federal Charter Schools Program, which awards funds to states to open, replicate, and expand high-quality charter schools, and prioritizes states based on the availability of facilities to charter schools. Specifically, the program prioritizes applicants located in a state that provides to charter schools one or more of the following:

- Funding for facilities
- Assistance with facilities acquisition
- Access to public facilities
- Ability to share in bonds or mill levies
- Right of first refusal to purchase public school buildings
- Low- or no-cost leasing privileges

Current state policy options include:

- Providing a per-pupil facilities allowance to charter schools,
- Creating a charter school facility grant program,

- Providing a charter school facility revolving loan program,
- Ensuring that charter schools have equal access to all of the existing state facilities programs for district-run public schools in a state, and
- Providing charter schools with access to local property tax dollars generated for facilities.

This document provides a snapshot of the 30 jurisdictions that have authorized one or more of these options.

Per-pupil facilities allowances. Sixteen jurisdictions are providing a per-pupil facilities allowance to charter schools: Arizona; California; Colorado; Florida; Georgia; Idaho; Indiana; Massachusetts; Minnesota; New Mexico; New York; Ohio; Pennsylvania; Tennessee; Utah; and Washington, D.C. Of these 16 jurisdictions, five provide funding of more than \$1,000 per pupil (Arizona; Georgia; Minnesota; New York; and Washington, D.C.), four provide funding of between \$351 and \$999 per pupil (California, Indiana, Massachusetts, and New Mexico), and six provide funding of less than \$350 per pupil (Colorado, Idaho, Ohio, Pennsylvania, Tennessee, and Utah). The per-pupil amount in Florida is still being determined.

Charter public school grants. Sixteen jurisdictions have created a charter school facility grant program: Arizona; Arkansas; California; Connecticut; Delaware; Georgia; Hawaii; Indiana; New Hampshire; New Mexico; New York; Ohio; Oklahoma; Oregon; Pennsylvania; and Washington, D.C. Of these 16 jurisdictions, only seven are currently providing funding to these programs: Arkansas; California; Connecticut; Georgia; New York; Ohio; and Washington, D.C.

Loans. Twelve jurisdictions have created a charter school facility loan program: Arkansas; California; Illinois; Indiana; Louisiana; Nevada; Ohio; Oregon; Rhode Island; South Carolina; Utah; and Washington, D.C. Of these 12 jurisdictions, only six are currently providing funding to these programs: California; Louisiana; Nevada; South Carolina; Utah; and Washington, D.C.

Existing grants for district-run public schools. Seven states ensure that charter schools have access to existing state facilities programs for district-run public schools: Alaska, Colorado, Delaware, New Hampshire, Oklahoma, Rhode Island, and Wyoming.

Local property tax dollars. Five states provide charter schools with access to local property tax dollars generated for facilities (at least on paper): Alaska, Colorado, Florida, New Mexico, and Ohio.

State	Provisions
Alaska	<p>Alaska law requires school districts to direct state aid under the state’s grant program for the construction, rehabilitation, and improvement of schools and education-related facilities to the charter public school that generated the state aid, subject to the same terms and conditions that apply to state aid under this program for construction and major maintenance of a school facility that is not a charter school.</p> <p>Alaska law requires local school boards to provide charter schools with access to local property tax dollars generated for facilities.</p> <p><i>Citation: Alaska Stat. § 14.03.260</i></p>

State	Provisions
Arizona	<p>Arizona law provides charter public schools with a per-pupil allocation called “additional assistance” that may be used for facility construction as well as other operational needs. Statute provides that this amount is \$1,752.10 per K–8 pupil and \$2,042.04 per high school pupil for fiscal year 2017.</p> <p>Citation: <i>Ariz. Rev. Stat. § 15-185</i></p> <p>Arizona law creates a charter schools stimulus fund for the purpose of providing financial support to charter school applicants and charter schools for startup costs and costs associated with renovating or remodeling existing buildings and structures. The fund allows schools to receive up to two grants for up to \$100,000 for each grant. The state is not currently funding this program.</p> <p>Citation: <i>Ariz. Rev. Stat. § 15-188</i></p>
Arkansas	<p>Arkansas law creates an open enrollment charter public school capital grant program. The state is not currently funding this program.</p> <p>Citation: <i>Ark. Code Ann. § 6-23-801 to § 6-23-804</i></p> <p>Arkansas law creates an open enrollment charter school facilities loan fund. The state is not currently funding this program.</p> <p>Citation: <i>Ark. Code Ann. § 6-23-901 to § 6-23-907</i></p> <p>Arkansas law creates an open enrollment charter school facilities funding aid program and authorizes up to \$20 million in funding to the program. The funds received by a school through this program may be used only for the lease, purchase, renovation, repair, construction, installation, restoration, alteration, modification, or operation and maintenance of an approved facility that meets the eligibility requirements. To receive funding, a school must not be in academic or fiscal distress, classified as a priority school, or placed in probationary status. In order to be eligible for the program, virtual technology may not be the school’s primary method of delivering instruction. The state is currently providing \$5 million in funding to this program.</p> <p>Citation: <i>Ark. Code Ann. § 6-23-908</i></p>

State	Provisions
California	<p>California law creates the Charter School Facility Grant Program, which provides up to \$750 per pupil in lease reimbursement for charter schools that serve a pupil population in which at least 55 percent are eligible for free or reduced-priced meals or are located in attendance areas where 55 percent of students qualify for free and reduced-price meals. Payments may not exceed 75 percent of total annual facilities rent costs. The legislature provided \$112 million to this program in 2015–16.</p> <p><i>Citation: Cal. Educ. Code 47614.5</i></p> <p>Under California law, the Charter School Facilities Program authorizes the State Allocation Board to provide per-pupil facilities grant funding for 50 percent of the total project cost for new construction or renovation of charter school facilities. This program is subject to available statewide school bonds passed to charter school facilities. Currently, no funding is available for this program, while a backlog of almost \$2 billion in eligible projects exists. Proposition 47, Proposition 55, and Proposition 1D have placed more than \$800 million in a fund for charter school facility development.</p> <p><i>Citation: Cal. Educ. Code 17078.52 to 17078.66</i></p> <p>Under California law, the Charter School Revolving Loan Program provides below-market loans of up to \$250,000 for new-start charter schools, allowing up to five years for repayment. A school may use these loans for any startup costs, including facilities.</p> <p><i>Citation: Cal. Educ. Code 41365</i></p>

State	Provisions
Colorado	<p>Colorado law provides a per-pupil charter public school facilities funding program. The state will provide \$25 million to this program in 2016–17. This funding amount will translate to approximately \$275 per pupil in 2016–17. However, a charter school located in a district facility receives only half these allocated amounts.</p> <p><i>Citation: Colo. Rev. Stat. § 22-54.5-309</i></p> <p>Colorado law allows charter schools to apply for competitive grants from the state’s public school facility financing program. Colorado law creates the Charter School Matching Moneys Loan Program, which is set up to provide a state loan for qualified schools (i.e., investment-grade schools) to meet any required matches under the state’s public school facility financing program.</p> <p><i>Citation: Colorado Rev. Stat. § 22-43.7</i></p> <p>Colorado law requires a school district that authorizes a charter school to include the charter school in the planning process and planning committee to seek voter approval for additional local revenues to meet operating expenses. In addition, if the school district is considering submitting, or is required by a petition to submit, a ballot question for additional local revenues, it must include the charter school in the discussions. A charter school may also ask its authorizing school district to include the charter school in a ballot question for the school district to authorize additional local revenues or to submit a ballot question solely for the charter school.</p> <p><i>Citation: Colo. Rev. Stat. § 22-30.5-404 and § 22-30.5-405</i></p> <p>The law requires school districts to include at least one charter school representative on any long-term mill levy planning committees; invite each charter school to participate in ballot submission discussions; and, if the district does not include a charter school’s needs in a ballot submission, provide a written justification as to why these needs were not included. The law requires the creation of an annual report by the Colorado Department of Education that compiles the amount of mill levy revenue in each school district and the amount of the mill levy shared with charter schools in each school district.</p>
Connecticut	<p>In 2001, Connecticut enacted legislation and appropriated funds for the Charter School Facilities Grant Program to assist charter public schools with capital expenses. The Connecticut General Assembly renewed the program in 2005 and made the Charter School Facilities Grant Program permanent in 2010. The Connecticut State Department of Education released a new application for \$5 million in state grants for fiscal year 2014.</p> <p><i>Citation: Conn. Gen. Stat. § 10-66hh</i></p>

State	Provisions
<p>Delaware</p>	<p>Delaware law requires the state department of education to administer a performance fund for charter public schools, to be known as the Charter School Performance Fund. It requires the department to establish threshold eligibility requirements for applicants desiring to apply for funding, which shall include but not be limited to a proven track record of success, as measured by a performance framework established by the charter school’s authorizer or comparable measures as defined by the department. The law also requires the department to establish criteria to evaluate applications for funding, which shall include but not be limited to the availability of supplemental funding from nonstate sources at a ratio to be determined by the department. The law requires the department to prioritize applications from those applicants that have developed high-quality plans for startup or expansion or that serve high-need students, as defined by the department. The law provides that the fund shall be subject to appropriation and shall not exceed \$5 million annually. The state is currently not funding this program.</p> <p><i>Citation: Del. Code Ann. tit. 14, § 509</i></p> <p>Delaware law provides for minor capital improvement grants for charter schools, to be funded in the same manner as for the state’s vocational technical school districts.</p> <p><i>Citation: Del. Code Ann tit. 14, § 509</i></p>

State	Provisions
District of Columbia	<p>The law provides a per-pupil facilities aid program. The charter public schools facilities allowance is currently set at \$3,124 per-pupil.</p> <p><i>Citation: District of Columbia Official D.C. Code § 38-2908</i></p> <p>With federal funding, Washington, D.C., created the Investing in Public Facilities Grant Program, which provides grants for improving the quality of district-owned educational facilities occupied by charter schools. Grant funds may be used for new construction; renovations; system upgrades; predevelopment soft costs; and the addition of nonclassroom space, such as resource rooms, labs, and athletic rooms.</p> <p><i>Citation: Scholarships for Opportunity and Results Act</i></p> <p>With federal funding, D.C. created the Replication and Growth Grant Program to support the replication and expansion of new charter schools by funding planning and development of new facilities.</p> <p><i>Citation: Scholarships for Opportunity and Results Act</i></p> <p>The District of Columbia’s Direct Loan Fund for Public Charter School Improvement was established in 2003 to provide flexible loan capital for the construction, purchase, renovation, and maintenance of charter school facilities. Loans are capped at \$2 million per school, with interest rates and terms varying by project. These loans are frequently used in conjunction with debt in larger projects and may function as gap financing in transactions where little equity is available. To date, the fund has disbursed close to \$37 million in direct loans to 27 charter schools, leveraging \$220 million in additional financing. As of October 2013, the available Direct Loan Fund balance was \$21 million.</p> <p><i>Citation: D.C. Code § 38-1833.02</i></p>

State	Provisions
<p>Florida</p>	<p>Florida law provides a per-pupil charter public school facilities funding program for eligible charter schools. To be eligible for a funding allocation, a charter school must have been in operation for two or more years, be governed by a governing board established in the state for three or more years that operates both charter schools and conversion charter schools within the state, be an expanded feeder chain of a charter school within the same school district that is currently receiving charter school capital outlay funds, have been accredited by the Commission on Schools of the Southern Association of Colleges and Schools, or serve students in facilities that are provided by a business partner for a charter school-in-the-workplace. A school must also have an annual audit that does not reveal any financial emergency conditions for the most recent fiscal year for which such audit results are available, have satisfactory student achievement based on state accountability standards applicable to the charter school, have received final approval from its sponsor for operation during that fiscal year, and serve students in facilities that are not provided by the charter school’s sponsor.</p> <p>The law provides weighted capital outlay funding for charter schools that meet one or both of the following criteria:</p> <ul style="list-style-type: none"> ■ Seventy-five percent or more of the school’s students are eligible for free or reduced-price school lunch. ■ Twenty-five percent or more of the school’s students are students with disabilities. <p>Schools that meet one of the above criteria receive capital outlay funding weighted at 1.25 full-time equivalent pupil, while schools that meet both criteria receive funding weighted at 1.5 full-time equivalent pupil. Eligible schools that do not meet either of the criteria receive the base 1.0 full-time equivalent pupil.</p> <p>Funds may be used for the purchase of real property; construction of school facilities; purchase, lease-purchase, or lease of permanent or relocatable school facilities; purchase of vehicles to transport students to and from the charter school; and renovation, repair, and maintenance of school facilities that the charter school owns or is purchasing through a lease-purchase or long-term lease of five years or longer.</p> <p>In 2016, the legislature appropriated \$75 million for this fund.</p> <p><i>Citation: Florida Stat. § 1013.62</i></p>

State	Provisions
Florida (cont.)	<p>Florida law provides that a local school board may levy up to 1.5 mills for district schools, including charter public schools, for the construction, renovation, remodeling, maintenance, and repair of educational facilities; the purchase, lease, or lease-purchase of equipment, vehicles, educational facilities, and construction materials directly related to the delivery of student instruction; and the rental or lease of educational facilities.</p> <p><i>Citation: Florida Stat. § 1011.71</i></p>
Georgia	<p>Georgia law provides a needs-based capital-funding program that is distributed through a competitive grant process. The state currently provides \$2.1 million to the program.</p> <p><i>Citation: Ga. Code Ann. § 20-2-2068.2</i></p> <p>Georgia law provides that, subject to appropriations by the Georgia General Assembly, the state board of education shall establish a grant program for qualified charter public school contributions. The grant program shall provide \$1 in matching funds—up to a maximum amount authorized by the state board for a single charter school project—for each dollar donated to a qualified charter school organization for such project, provided that the total amount to a qualified charter school organization for a single charter school project shall not exceed 75 percent of the average per-student state portion of capital outlay funding provided multiplied by the number of students that the charter school project was designed to serve. The state is not currently funding this program.</p> <p><i>Citation: Ga. Code Ann. § 20-2-2095.2</i></p> <p>Georgia law provides state-approved charter schools with an amount equal to the statewide average total capital revenue per full-time equivalent, as determined by the state department of education. Statute notes that such funding is subject to appropriations by the Georgia General Assembly but that such schools shall be treated consistently with all other public schools in the state, pursuant to the respective statutory funding formulas and grants. Currently, the state is providing state-approved charter schools approximately \$1,100 per pupil for this item.</p> <p><i>Citation: Ga. Code Ann. § 20-2-2089</i></p>
Hawaii	<p>Hawaii law allows the state charter school commission to request facilities funding as part of its annual budget request to the state department of education's director of finance and may receive, expend, or allocate any funds provided by the facilities funding request beginning with fiscal year 2014–15. The legislature is currently not providing funding for facilities costs.</p> <p><i>Citation: Haw. Rev. Stat. § 302D-29.5</i></p>

State	Provisions
Idaho	<p>Idaho law requires the state department of education to distribute facilities funds to charter public schools for each enrolled student who receives a majority of instruction at a facility that is owned or leased by the charter school. It provides that such funds shall be used to defray the purchase, fee, loan, or lease costs associated with payments for real property used by the students or employees of the charter school for educational or administrative purposes.</p> <p>The law provides that such funds shall be distributed from the moneys appropriated to the educational support program and shall be calculated as a percentage of the statewide average amount of bond and plant facility funds levied per student by Idaho school districts, as follows:</p> <ul style="list-style-type: none"> ■ Fiscal year 2014: 20 percent ■ Fiscal year 2015: 30 percent ■ For fiscal year 2016 and every fiscal year thereafter, this percentage shall increase by 10 percent each time the total appropriation of state funds for the educational support program increases by 3 percent or more above the prior fiscal year and shall decrease by 10 percent each time the total appropriation of state funds for the educational support program decreases as compared with the prior fiscal year, provided that the percentage shall be no less than 20 percent and no greater than 50 percent and that the average amount of funding received per charter school shall not exceed the average amount of funding received by each school district. <p>For those charter schools that do not receive facilities funds for all enrolled students, the law allows the school to submit to the state department of education a reimbursement claim for any costs for which facilities funds may be used.</p> <p>The law requires the state department of education to reduce such claims by the greater of either 50 percent or the percentage of the school's enrolled students for which the school receives facilities funds and to pay the balance, provided that the total reimbursements paid to a charter school, in combination with any facilities stipend received by the school, shall not exceed the amount of facilities funds that would have been received by the school had it received facilities funds for all enrolled students.</p> <p>This approach translated to approximately \$335 per pupil in fiscal year 2017.</p> <p><i>Citation: Idaho Code Ann. § 33-5208</i></p>

State	Provisions
Illinois	<p>Illinois law establishes the Charter Schools Revolving Loan Fund to provide interest-free loans to charter schools to be used to pay startup costs of acquiring educational materials and supplies, textbooks, furniture, and other equipment needed in the initial term of the charter school and for acquiring and remodeling a suitable physical plant within the initial term of the charter school. The state is not currently providing funding to this program.</p> <p><i>Citation: 105 Ill. Comp. Stat. 5/27A-11.5</i></p>
Indiana	<p>Indiana law creates a \$500 per-pupil facilities allotment for charter public schools that must be used primarily for facilities and transportation purposes, provided the schools meet performance expectations. The state provided \$20 million to this program in 2015.</p> <p><i>Citation: Ind. Code § 20-24-13</i></p> <p>Indiana law establishes a charter school loan program that allows charter schools to borrow up to \$5 million each at 1 percent interest for facilities and a wide range of educational needs. Qualification for the loan is based on the same performance criteria used to receive the facilities allotment. The state provided \$50 million to this program in 2015.</p> <p><i>Citation: Ind. Code § 20-49-9</i></p> <p>Indiana law establishes a charter school facilities assistance program to make grants and loans to charter public schools for the purpose of constructing, purchasing, and renovating charter school facilities. The state is not currently funding this program.</p> <p><i>Citation: Ind. Code § 20-24-12</i></p>
Louisiana	<p>Louisiana law creates the Louisiana Charter School Start-Up Fund, which provides zero-interest loans of up to \$100,000 for terms of up to three years for both new and existing charter public schools. It allows the loans to be used for facility acquisition, upgrade, and repairs. There is currently approximately \$225,000 remaining in this fund.</p> <p><i>Citation: La. Rev. Stat. Ann. § 17:4001</i></p>

State	Provisions
Massachusetts	<p>Massachusetts law requires the state department of education to provide, subject to appropriation, funding to charter public schools for a portion of the per-pupil capital needs component included in the charter school tuition amount. It requires the department to calculate a statewide per-pupil average expenditure from state and local sources for capital costs solely associated with payments—including interest and principal payments—for the construction, renovation, purchase, acquisition, or improvement of school buildings and land; multiply said amount by the number of students the district sends to charter schools; and reimburse these sending school districts for said costs. In making these calculations, the law requires the department to use data from the most recent year for which actual district expenditures have been reported by districts to the department. The per-pupil capital needs component is currently \$893.</p> <p><i>Citation: Mass. Gen. Laws ch. 71, § 89 (ff)</i></p>
Minnesota	<p>Minnesota law provides that the amount of annual building lease aid for a charter public school shall not exceed the lesser of (1) 90 percent of the approved cost or (2) the product of the pupil units served for the current school year times \$1,314.</p> <p><i>Citation: Minn. Stat. § 124E.22</i></p>

State	Provisions
Nevada	<p>Nevada law creates a revolving loan fund that allows the State Public Charter School Authority to make loans at or below market rate to charter public schools for the costs incurred in preparing a charter school to commence its first year of operation, to improve a charter school that has been in operation, and to fund recruitment of teachers and pupils to new charter school facilities and enrollment of pupils in such facilities. The total amount of a loan that may be made to a charter school must not exceed the lesser of either \$200,000 or an amount equal to \$500 per pupil enrolled or to be enrolled at the charter school. The state is currently providing \$750,000 to this program.</p> <p><i>Citation: Nev. Rev. Stat. § 388A.432 to § 388A.438</i></p> <p>New Hampshire law provides that charter public schools are eligible to receive two types of grants through the School Building Aid Grant Program. The first type of grant allows charter conversion schools to receive funds to cover up to 30 percent of the costs related to construction. The second type of grant allows state-authorized charter schools to receive funds for up to 30 percent of the annual cost of leasing space. The state has a moratorium on these grants through June 30, 2017.</p> <p><i>Citation: N.H. Rev. Stat. Ann. § 198:15-b and § 198:15-hh</i></p> <p>New Hampshire law creates a grant program to be administered and determined by the state board of education, which shall have the authority to develop a grant application, written procedures, and criteria used to determine eligibility for grants as well as procedures for the administration of grants by recipients, including reporting requirements. The total grants provided under this program shall not exceed the amount of money appropriated in the budget, transferred, or provided by gift or grant to the state for this purpose. Charter schools that are eligible for grants under this program shall match funds provided by the state through private contributions in order to receive funding that exceeds the state’s average per-pupil cost for the grade level weight of the pupil. The state is not currently funding this program.</p> <p><i>Citation: N.H. Rev. Stat. § 194-B:11</i></p>

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<p>New Hampshire</p>	<p>New Hampshire law provides that charter public schools are eligible to receive two types of grants through the School Building Aid Grant Program. The first type of grant allows charter conversion schools to receive funds to cover up to 30 percent of the costs related to construction. The second type of grant allows state-authorized charter schools to receive funds for up to 30 percent of the annual cost of leasing space. The state has a moratorium on these grants through June 30, 2017.</p> <p><i>Citation: N.H. Rev. Stat. Ann. § 198:15-b and § 198:15-hh</i></p> <p>New Hampshire law creates a grant program to be administered and determined by the state board of education, which shall have the authority to develop a grant application, written procedures, and criteria used to determine eligibility for grants as well as procedures for the administration of grants by recipients, including reporting requirements. The total grants provided under this program shall not exceed the amount of money appropriated in the budget, transferred, or provided by gift or grant to the state for this purpose. Charter schools that are eligible for grants under this program shall match funds provided by the state through private contributions in order to receive funding that exceeds the state’s average per-pupil cost for the grade level weight of the pupil. The state is not currently funding this program.</p> <p><i>Citation: N.H. Rev. Stat. § 194-B:11</i></p>

State	Provisions
New Mexico	<p data-bbox="386 247 1424 422">New Mexico law provides lease payments for charter public schools at \$736 per student. The law pegs this amount to an inflation index to determine future year allotments. If a school district fails to make an application on behalf of a charter school, the charter school may submit its own application, and state-chartered schools are required to submit their own applications.</p> <p data-bbox="386 457 769 489"><i>Citation: N.M. Stat. § 22-24-4</i></p> <p data-bbox="386 527 1424 947">According to the law, a local tax levy resolution submitted to qualified electors shall include capital improvements funding for a locally chartered or state-chartered school located within the school district if the charter school provides, in a timely fashion, the necessary information to the school district for inclusion in the resolution that identifies the capital improvements of the charter school for which the revenue will be used. The amount of tax revenue to be distributed to each charter school that was included in the resolution shall be determined each year and shall be in the same proportion as the average full-time-equivalent enrollment of the charter school on the 40th day of the prior school year is to the total such enrollment in the school district, provided that no distribution shall be made to an approved charter school that has not commenced operations.</p> <p data-bbox="386 982 959 1014"><i>Citation: N.M. Stat. § 22-25-3 and § 22-25-7</i></p> <p data-bbox="386 1052 1424 1188">New Mexico law creates the charter schools stimulus fund to financially support charter schools, whether startup or conversion, for initial startup costs and initial costs associated with renovating or remodeling existing buildings and structures. The state is not providing money to this fund.</p> <p data-bbox="386 1224 784 1255"><i>Citation: N.M. Stat. § 22-8B-14</i></p>

State	Provisions
New York	<p>New York law provides a charter public schools stimulus fund, which provides discretionary financial support to charter schools for startup costs and for costs associated with the acquisition, renovation, and construction of school facilities. Currently, the state has appropriated up to approximately \$4.8 million to this fund.</p> <p><i>Citation: N.Y. Fin. Law § 97-sss</i></p> <p>New York law requires that the New York City School District provide to charter schools that first commence instruction or that require additional space due to an expansion of grade level approved by their authorizer for the 2014–15 school year or thereafter and request co-location in a public school building one of two options:</p> <ul style="list-style-type: none"> ■ Offer, at no cost to the charter school, a co-location site in a public school building; or ■ Offer the charter school space in a privately owned or other publicly owned facility at the expense of the school district and at no cost to the charter school. The space must be reasonable, appropriate, and comparable and in the community school district to be served by the charter school and otherwise in reasonable proximity. <p>The law gives the charter school the option of appealing the school district’s offer or failure to offer a co-location site through binding arbitration or via an expedited appeal to the state commissioner of education. If the appeal results in a determination in favor of the school district, the school district’s offer shall be final, and the charter school may either accept such offer or locate in another site at the charter school’s expense.</p> <p>For a new charter school whose charter is granted or for an existing charter school whose expansion of grade level is approved by its authorizer before October 1, 2016, if the appeal results in a determination in favor of the charter school, the school district shall pay the charter school an amount attributable to the grade-level expansion or the formation of the new charter school that is equal to the lesser of</p> <ul style="list-style-type: none"> ■ The actual rental cost of an alternative privately owned site selected by the charter school; or

State	Provisions
New York (cont.)	<ul style="list-style-type: none"> ■ Twenty percent of the product of the charter school’s basic tuition for the current school year and, for a new charter school that first commences instruction on or after July 1, 2014, the charter school’s current year enrollment or, for a charter school that expands its grade level before October 1, 2016, the positive difference of the charter school’s enrollment in the current school year minus the charter school’s enrollment in the school year prior to the first year of the expansion. <p>For a new charter school whose charter is granted or for an existing charter school whose expansion of grade level is approved by its authorizer on or after October 1, 2016, if the appeal results in a determination in favor of the charter school, the school district shall pay the charter school an amount attributable to the grade-level expansion or the formation of the new charter school that is equal to the maximum cost allowance established by the state commissioner of education for leases eligible pursuant to state law.</p> <p><i>Citation: N.Y. Educ. Law § 56-2853</i></p>
Ohio	<p>Ohio law provides brick-and-mortar charter schools with \$150 per pupil for facilities funding in fiscal year 2016 and \$200 per pupil in fiscal year 2017.</p> <p><i>Citation: 2015 Legislative Session, House Bill 64</i></p> <p>Ohio law creates a \$25 million Community School Classroom Facilities grant program for high-performing charter public schools. Definitions for a “high-performing charter school” include schools that have received a grade of A, B, or C on the state performance index score or have increased their performance index score in each of the previous three years of operation and have received a grade of A or B for the value-added progress on their most recent state report card. Funds may be used to purchase or support classroom facilities construction or modifications that increase the supply of seats in effective schools; service specific unmet student needs through community school education; and demonstrate innovation in design and potential as a successful, replicable school model.</p> <p><i>Citation: 2015 Legislative Session, House Bill 64</i></p> <p>Ohio law allows school districts to levy taxes for charter schools that are sponsored by “exemplary” authorizers.</p> <p><i>Citation: 2015 Legislative Session, House Bill 64</i></p> <p>Ohio law contains a revolving loan fund that allows charter schools to apply to use funds for any services described in their charters. The law provides that the maximum cumulative loan amount is \$250,000 and that it must be repaid within five years. The state is not currently funding this program.</p> <p><i>Citation: Ohio Rev. Code Ann. § 3314.30</i></p>

State	Provisions
Oklahoma	<p>Oklahoma law provides for the Charter School Incentive Fund, which provides a one-time grant of up to \$50,000 per school to cover costs associated with renovating or remodeling existing buildings and structures. The fund was established as a continuing fund that is not subject to fiscal year limitations and consists of all monies appropriated by the legislature and gifts, grants, and donations from any public or private source. The state is not currently funding this program.</p> <p><i>Citation: Okla. Stat. tit. 70, § 3-144</i></p> <p>Oklahoma law provides that charter public schools have access to the State Public Common School Building Equalization Fund. It provides that charter schools must use these funds to acquire buildings, that grants can be awarded only to charter schools that have secured matching funds for acquiring buildings in an amount of not less than 10 percent of the total grant amount, and that the amount of each grant cannot exceed \$4,000,000. From the total amount available to provide grants to public schools, the law requires that charter schools be allocated the greater of either 10 percent of the total amount or the percentage of students enrolled in charter schools that are not sponsored by the statewide virtual charter school board as compared with the student enrollment in school districts that have a total assessed property valuation per average daily membership that is equal to or less than 25 percent of the state total assessed property valuation per average daily membership. It also provides that the state board of education shall make available to eligible charter schools any unused grant funds that remain after the initial allocation to all eligible public school districts and charter schools. The state is not currently funding this program.</p> <p><i>Citation: Okla. Stat. tit. 70, § 3-104</i></p>
Oregon	<p>Oregon law gives the state department of education the authority to award grants and loans to charter public schools that have a charter approved by a sponsor or to applicants that wish to establish or expand a charter school. The purpose of the grants and loans is to promote development of high-quality charter schools. Pursuant to rules adopted by the state board of education, the state department of education shall award grants and loans on the basis of need. Priority for awarding grants and loans shall be to those charter schools serving at-risk youth. The state is not currently funding this program.</p> <p><i>Citation: Or. Rev. Stat. § 338.185</i></p>

State	Provisions
Pennsylvania	<p>Pennsylvania law provides that the state department of education must calculate an approved reimbursable rental charge for leases of buildings or portions of buildings that have been approved for charter public school use by the state secretary of education on or after July 1, 2001. It provides that this charge is the lesser of either the annual rent payable under the provision of the approved lease agreement or the product of the enrollment multiplied by \$160 for elementary schools, \$220 for secondary schools, or \$270 for area vocational-technical schools.</p> <p><i>Citation: 24 Pa. Stat. Ann. § 25-2574.3</i></p> <p>Pennsylvania law allows the state secretary of education to allocate grants for planning and startup funding to eligible applicants. The amount of a planning grant may vary depending on the size and scope of the planning needed by the applicant. A grant for startup funding may vary depending on the size and special characteristics of the charter school. A startup grant may be used to meet the expenses of the charter school. The state is not currently providing funding to this program.</p> <p><i>Citation: 24 Pa. Stat. Ann. § 17-1731-A</i></p>
Rhode Island	<p>Rhode Island law provides that, in the event that federal startup funds either are unavailable or are fully expended, there shall be established a system of interest-free loans for startup costs for charter public schools to be provided from an appropriation of state funds designated by the legislature for this purpose. The loans shall not exceed \$150,000 for a single charter school, and this loan of state funds shall be repaid in equal monthly installments over no more than five years. The state funds shall be distributed to charter schools by the state department of elementary and secondary education through a process that requires each charter school seeking the funds to submit a loan application to the department of elementary and secondary education. The state is not currently funding this program.</p> <p><i>Citation: R.I. Gen. Laws § 16-77.1-4</i></p> <p>Rhode Island law provides that a school district may access aid for reimbursement of school housing costs for school district-sponsored charter schools and that charter schools not sponsored by a school district may apply for 30 percent reimbursement of school housing costs on a need basis.</p> <p><i>Citation: R.I. Gen. Laws § 16-77.1-5</i></p>
South Carolina	<p>South Carolina law creates the Charter School Facility Revolving Loan Program. The state has provided \$1.2 million to this program.</p> <p><i>Citation: S.C. Code Ann. § 59-40-175</i></p>

State	Provisions
<p>Tennessee</p>	<p>Tennessee law requires the state department of education to calculate the amount of state funding required under the basic education program (BEP) for capital outlay as a nonclassroom component to be received in a fiscal year by a district in which one or more charter public schools operate, to reserve from the sum for such a district the funds that constitute the amount due to charter schools operating in the district and not distribute such reserved amount to the district, and to distribute from the reserved amount directly to each charter school its total per-pupil share as determined by its average daily membership (ADM). The law provides that the per-pupil share of each charter school must be based on prior year ADM, except that the per-pupil share of any charter school upon opening is based on the anticipated enrollment in the charter agreement (the district adjusts payments if necessary throughout the first year of a charter school to accurately reflect the first year's enrollment).</p> <p>The law further provides that a district must include in the local share of funds paid to a charter school the required district match for the state funds generated under the BEP for capital outlay as a nonclassroom component that are paid directly to a charter school as per-pupil facilities aid.</p> <p>The law requires the state department of education to determine the amount of the state BEP nonclassroom component for capital outlay to be distributed to a charter school authorized by the state board. The district in which the charter school is located shall pay to the department 100 percent of the required local match under the BEP for capital outlay as a nonclassroom component for distribution to the charter school.</p> <p>Currently, the allotment is between approximately \$140 and \$350 per pupil.</p> <p><i>Citation: Tenn. Code Ann. § 49-13-112</i></p>
<p>Utah</p>	<p>As part of the local revenue replacement program, Utah law provides an additional annual per-pupil appropriation for charter public schools to replace some of the local property tax revenue that traditionally covers maintenance and operation, capital projects, and debt service. The law requires that a minimum of 10 percent of these monies must be expended for facilities at brick-and-mortar schools. This facilities dedication is currently \$170 per pupil.</p> <p><i>Citation: Utah Code Ann. § 53A-1a-513</i></p> <p>Utah law provides a charter school revolving loan fund that provides loans to charter schools for the costs of constructing, renovating, and purchasing charter school facilities. There is approximately \$6 million in this fund.</p> <p><i>Citation: Utah Code Ann. § 53A-1a-522</i></p>

State	Provisions
Wyoming	<p>Wyoming law provides that a charter public school operating in a district facility is entitled to a proportionate share of its district’s major maintenance funding (under the Wyoming School Facilities Commission’s Major Building & Facility Repair & Replacement Program) based on the gross square footage of the facility. This funding does not include dollars for capital improvements.</p> <p><i>Citation: Wyo. Stat. Ann. § 21-3-314</i></p>