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## State Policy Snapshot: Facilities Funding for Public Charter Schools

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Public charter 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 2014–15 school year, approximately 2.9 million children attended a public charter school—a growth of 76 percent over the last five years. However, this dramatic expansion has not kept pace with demand from families, as reflected in the 1 million student names on public charter school waiting lists nationally.

One of the biggest challenges to the continued expansion of public charter schools is the fact that many public charter school laws place the ultimate burden of obtaining and paying for facilities on public charter schools themselves. As a result, public 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 public charter school facilities. State policy options include:

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

This document provides a snapshot of the 29 jurisdictions that have authorized one or more of these options.

**Per-pupil facilities allowances.** Fifteen jurisdictions are providing a per-pupil facilities allowance to public charter schools: Arizona; California; Colorado; Florida; Georgia; Idaho; Massachusetts; Minnesota; New Mexico; New York; Ohio; Pennsylvania; Tennessee; Utah; and Washington, D.C. Of these 15 jurisdictions, four provide funding of more than \$1,000 per pupil (Arizona; Georgia; Minnesota; and Washington, D.C.), four provide funding of between \$350 and \$999 per pupil (California, Florida, Massachusetts, and New Mexico), and six provide funding of less than \$349 per pupil (Colorado, Idaho, Ohio, Pennsylvania, Tennessee, and Utah). The per-pupil amount in New York is still to be determined.

**Public charter school grants.** Fifteen jurisdictions have created a public charter school facility grant program: Arizona, Arkansas; California; Connecticut; Delaware; Georgia; Hawaii; Indiana; New Hampshire; New Mexico; New York; Oklahoma; Oregon; Pennsylvania; and Washington, D.C. Of these 15 jurisdictions, only seven are currently providing funding to these programs: California; Connecticut; Delaware; Georgia; New York; Oklahoma; and Washington, D.C.

**Loans.** Twelve jurisdictions have created a public 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 seven are currently providing funding to these programs: Arkansas; California; Louisiana; Nevada; South Carolina; Utah; and Washington, D.C.

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

**Local property tax dollars.** Five states provide public charter schools with access to local property tax dollars generated for facilities: Alaska, Colorado, Florida, New Mexico, and Washington.

State	Provisions
<p><b>Alaska</b></p>	<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 public charter 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 public charter schools with access to local property tax dollars generated for facilities.</p> <p><i>Citation: Alaska Statute § 14.03.260</i></p>
<p><b>Arizona</b></p>	<p>Arizona law provides public charter 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 \$1,707.77 per K–8 pupil and \$1,990.38 per high school pupil for fiscal year 2015.</p> <p><i>Citation: Arizona Revised Statutes § 15-185</i></p> <p>Arizona law creates a public charter schools stimulus fund for the purpose of providing financial support to charter school applicants and charter schools for start-up 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 funding this program.</p> <p><i>Citation: Arizona Revised Statutes § 15-188</i></p>

State	Provisions
<p><b>Arkansas</b></p>	<p>Arkansas law creates an open enrollment public charter school capital grant program. While the state is not currently providing funding to this program, it is considering how it might use a \$5 million private sector commitment to the Arkansas Development Finance Authority in the grant program.</p> <p><i>Citation: Arkansas Code Annotated § 6-23-801 to § 6-23-804</i></p> <p>Arkansas law creates an open enrollment public charter school facilities loan fund. The state is currently providing \$5 million to this fund.</p> <p><i>Citation: Arkansas Code Annotated § 6-23-901 to § 6-23-907</i></p>
<p><b>California</b></p>	<p>California law created the Charter School Facility Grant Program that provides up to \$750 per pupil in lease reimbursement for public charter schools that serve a pupil population in which at least 60 percent are eligible for free or reduced-priced meals or are located in attendance areas where 70 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 \$92 million to this program in 2014–15.</p> <p><i>Citation: EDC 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 public charter school facilities. This program is subject to available statewide school bonds passed to support 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 public charter school facility development.</p> <p><i>Citation: EDC 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 public charter schools, allowing up to five years for repayment. A school may use these loans for any start-up costs, including facilities.</p> <p><i>Citation: EDC 41365</i></p>

State	Provisions
<p><b>Colorado</b></p>	<p>Colorado law provides a per-pupil public charter school facilities funding program. The state provided \$13.5 million to this program in 2014–15 and will provide \$22 million in 2015–16. These funding amounts translated to \$169 per pupil in 2014–15 and will translate to approximately \$250 per pupil in 2015–16. However, a public charter school located in a district facility receives only half these allocated amounts.</p> <p><i>Citation: Colorado Revised Statutes § 22-54.5-309</i></p> <p>Colorado law allows public 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 Revised Statutes § 22-43.7</i></p> <p>Colorado law requires a school district that authorizes a public 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 public charter school in the discussions. A public 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: Colorado Revised Statutes § 22-30.5-404 and § 22-30.5-405</i></p> <p>The law requires school districts to include at least one public charter school representative on any long-term mill levy planning committees; invite each charter to participate in ballot submission discussions; and if the district does not include a charter’s needs, 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 public charter schools in each school district.</p> <p><i>Citation: Colorado Revised Statutes § 20-30.5-118 and § 20-30.5-119</i></p>
<p><b>Connecticut</b></p>	<p>In 2001, Connecticut enacted legislation and appropriated funds for the Charter School Facilities Grant Program to assist public charter 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: Connecticut General Statutes § 10-66hh</i></p>

State	Provisions
<p><b>Delaware</b></p>	<p>Delaware law requires the state department of education to administer a performance fund for public charter 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 public charter school's authorizer or comparable measures as defined by the department. It 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 start-up or expansion or 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. In 2013, the state appropriated \$2 million to this fund.</p> <p><i>Citation: Delaware Code 14 § 509</i></p> <p>Delaware law provides for minor capital improvement grants for public charter schools, to be funded in the same manner as for the state's vocational technical school districts.</p> <p><i>Citation: Delaware Code 14 § 509</i></p>
<p><b>District of Columbia</b></p>	<p>The law provides a per-pupil facilities aid program. The public charter schools facilities allowance is currently set at \$3,072.</p> <p><i>Citation: District of Columbia Official Code § 38-2908</i></p> <p>With federal funding, Washington, D.C., created the Investing in Public Facilities Grant Program that provides grants for improving the quality of district-owned educational facilities occupied by public 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 public 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 public 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 senior 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 public 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: District of Columbia Official Code § 38-1833.02</i></p>

State	Provisions
<p><b>Florida</b></p>	<p>Florida law provides a per-pupil charter facilities funding program for eligible public charter schools. It specifies that a school is eligible if it has been in operation at least three years, is part of an expanded feeder pattern chain, or is accredited. It provides that eligible schools receive per-pupil dollars based on a formula. In 2014, the legislature appropriated \$75 million for this fund. This funding amount translates to approximately \$380 per pupil in eligible schools in 2014–15.</p> <p><i>Citation: Florida Statutes § 1013.62</i></p> <p>Florida law provides that a local school board may levy up to 1.5 mills for district schools, including public charter 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 Statutes § 1011.71</i></p>
<p><b>Georgia</b></p>	<p>Georgia law provides a needs-based capital-funding program that is distributed through a competitive grant process. The state currently provides \$1.2 million to the program.</p> <p><i>Citation: O.C.G.A. § 20-2-2068.2</i></p> <p>Georgia law provides that, subject to appropriations by the General Assembly, the state board of education shall establish a grant program for qualified public charter school contributions. The grant program shall provide \$1 in matching funds—up to a maximum amount authorized by the state board for a single public 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: O.C.G.A. § 20-2-2095.2</i></p> <p>Georgia law provides state public charter schools and state-chartered special 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 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 approximately \$1,100 per pupil for this item.</p> <p><i>Citation: O.C.G.A. § 20-2-2089</i></p>
<p><b>Hawaii</b></p>	<p>Hawaii law allows the commission to request facilities funding as part of its annual budget request to the 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: Hawaii Revised Statutes § 302D-29.5</i></p>

State	Provisions
<p><b>Idaho</b></p>	<p>Idaho law requires the state department of education to distribute facilities funds to public charter schools for each enrolled student a majority of whose instruction is received at a facility that is owned or leased by the public 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 public charter school for educational or administrative purposes.</p> <p>It 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"> <li>■ Fiscal year 2014: 20 percent</li> <li>■ Fiscal year 2015: 30 percent</li> <li>■ 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 to 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 public charter school shall not exceed the average amount of funding received by each school district.</li> </ul> <p>For those public 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 public 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 the school received facilities funds for all enrolled students.</p> <p>This approach translated to approximately \$121 per pupil in 2014–15.</p> <p><i>Citation: Idaho Code Annotated § 33-5208</i></p>
<p><b>Illinois</b></p>	<p>Illinois law establishes the charter schools revolving loan fund to provide interest-free loans to public charter schools to be used to pay start-up 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 ILCS 5/Art. 27A-11.5</i></p>
<p><b>Illinois</b></p>	<p>Indiana law established the charter school facilities assistance program to make grants and loans to public charter schools for the purpose of constructing, purchasing, and renovating charter school facilities. The state is currently not providing funding to this program.</p> <p><i>Citation: Indiana Code § 20-24-12</i></p>

State	Provisions
Louisiana	<p>Louisiana law creates the Louisiana Charter School Start-Up Fund, which provides zero-interest loans for both new and existing public charter schools of up to \$100,000 with terms of up to three years. 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: Louisiana Revised Statutes § 17:4001</i></p>
Massachusetts	<p>Massachusetts law requires the state department of education to provide, subject to appropriation, funding to public charter schools for a portion of the per-pupil capital needs component included in the charter 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 public charter schools; and reimburse these sending school districts for said costs. In making these calculations, it 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: Massachusetts General Laws Chapter 71, § 89 (ff)</i></p>
Minnesota	<p>Minnesota law provides lease aid to public charter schools in the amount of 90 percent of lease costs, up to \$1,314 per pupil.</p> <p><i>Citation: Minnesota Statutes § 124D.11</i></p>
New Hampshire	<p>New Hampshire law provides that public charter 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 public 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, 2015.</p> <p><i>Citation: New Hampshire Revised Statutes § 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. Public 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: New Hampshire Revised Statutes § 194-B:11</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 public charter schools for the costs incurred in preparing a charter school to commence its first year of operation and to improve a charter school that has been in operation. The total amount of a loan that may be made to a public charter school must not exceed the lesser of either an amount equal to \$500 per pupil enrolled or to be enrolled at the charter school or \$200,000. The state is currently providing \$750,000 to this program.</p> <p><i>Citation: Nevada Revised Statutes § 386.576 to 386.578</i></p>
New Mexico	<p>New Mexico law provides lease payments for public charter schools at \$700 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 public charter school, the charter school may submit its own application, and state-chartered schools are required to submit their own applications.</p> <p><i>Citation: New Mexico Statute § 22-24-4</i></p> <p>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 public charter 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 public 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 had not commenced operations.</p> <p><i>Citation: New Mexico Statute § 22-25-3 and § 22-25-7</i></p> <p>New Mexico law creates the charter schools stimulus fund to financially support public charter schools, whether start-up or conversion, for initial start-up costs and initial costs associated with renovating or remodeling existing buildings and structures. The state is not providing money to this fund.</p> <p><i>Citation: New Mexico Statute § 22-8B-14</i></p>

State	Provisions
New York	<p>New York law provides a charter schools stimulus fund, which provides discretionary financial support to public charter schools for start-up costs and for costs associated with the acquisition, renovation, and construction of school facilities. Currently, the state has appropriated approximately \$3.1 million to this fund.</p> <p><i>Citation: New York State Finance Law § 97-sss</i></p> <p>New York law requires that the New York City School District provide public 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"> <li>■ Offer, at no cost to the public charter school, a co-location site in a public school building, or</li> <li>■ Offer the public 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.</li> </ul> <p>The law gives the public 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 public charter school may either accept such offer or locate in another site at the charter school’s expense.</p> <p>For a new public 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"> <li>■ The actual rental cost of an alternative privately owned site selected by the public charter school, or</li> <li>■ 20 percent of the product of the public 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.</li> </ul> <p>For a new public 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: New York State Education Law § 56-2853</i></p>

State	Provisions
Ohio	<p>Ohio law provides brick-and-mortar schools with \$100 per pupil for facilities funding.</p> <p><i>Citation: 2013 Legislative Session, House Bill 59, Appropriation Item 200684</i></p> <p>Ohio law also creates a revolving loan fund that allows public 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 funding this program.</p> <p><i>Citation: Ohio Revised Code § 3314.30</i></p>
Oklahoma	<p>Oklahoma law provides for the Charter School Incentive Fund, which provides up to a one-time grant of \$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 fund is administered by the Oklahoma State Department of Education and was initially funded with a \$1 million appropriation. Since fiscal year 2005, the fund has received additional appropriations totaling \$646,260. However, \$500,000 of the total \$1.65 million appropriated has been subsequently diverted to educational purposes unrelated to public charter schools.</p> <p><i>Citation: Oklahoma Statutes Title 70 § 3-144</i></p> <p>Oklahoma law provides that public charter schools have access to the State Public Common School Building Equalization Fund. It provides that public charter schools must use these funds to acquire buildings, that grants can only be awarded 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 public 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 to 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 public 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: Oklahoma Statutes Title 70 § 3-104</i></p>
Oregon	<p>Oregon law gives the state department of education the authority to award grants and loans to public charter schools that have a charter approved by a sponsor or to applicants that wish to establish or expand a public charter school. The purpose of the grants and loans is to promote development of high-quality public 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 public charter schools serving at-risk youth. The state is not currently funding this program.</p> <p><i>Citation: Oregon Revised Statutes § 338.185</i></p>

State	Provisions
<p><b>Pennsylvania</b></p>	<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 for public charter school use that have been approved 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 P.S. § 25-2574.3</i></p> <p>Pennsylvania law allows the state secretary of education to allocate grants for planning and start-up 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 start-up funding may vary depending on the size and special characteristics of the public charter school. A start-up grant may be used to meet the expenses of the public charter school. The state is not currently providing funding to this program.</p> <p><i>Citation: 24 P.S. § 17-1731-A</i></p>
<p><b>Rhode Island</b></p>	<p>Rhode Island law provides that, in the event that federal start-up funds are either unavailable or are fully expended, there shall be established a system of interest-free loans for start-up costs for public charter 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 public 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 public charter schools by the state department of elementary and secondary education through a process that requires each public 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: Rhode Island General 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 public 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: Rhode Island General Laws § 16-77.1-5</i></p>
<p><b>South Carolina</b></p>	<p>South Carolina law creates a Charter School Facility Revolving Loan Program. In 2014, the state provided \$500,000 to this program.</p> <p><i>Citation: South Carolina Code of Laws § 59-40-175</i></p>

State	Provisions
<p><b>Tennessee</b></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 public charter 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 public charter school must be based on prior year ADM, except that the per-pupil share of any charter school in its first year of operation must be based on the anticipated enrollment in the charter agreement.</p> <p>The law further provides that a district must include in the local share of funds paid to a public 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 to determine the amount of the state BEP nonclassroom component for capital outlay to be distributed to a public charter school authorized by the state board. The district in which the public 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: Tennessee Code § 49-13-112</i></p>
<p><b>Utah</b></p>	<p>As part of the local revenue replacement program, Utah law provides an additional annual per-pupil appropriation for public charter 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. This facilities dedication is currently \$170 per pupil.</p> <p><i>Citation: Utah Code § 53A-1a-513</i></p> <p>Utah law provides a charter school revolving loan fund that provides loans to public 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 § 53A-1a-522</i></p>
<p><b>Washington</b></p>	<p>Washington law provides that public charter schools are eligible for state matching funds for common school construction.</p> <p><i>Citation: Revised Code of Washington § 28A.710.230</i></p> <p>Washington's public charter school laws contain provisions to ensure that charter schools share equitably in local levy funds. These provisions, however, differentiate between different types of public charter schools. Public charter schools authorized by local districts and conversion charter schools are immediately eligible for local levy funding approved by voters after the start-up date of the school, while nonconversion charter schools that are authorized by the Washington Charter School Commission are eligible to receive levy funding only after the next levy passes.</p> <p><i>Citation: Revised Code of Washington § 28A.710.220</i></p>

State	Provisions
Wyoming	<p>Wyoming law provides that a public charter 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 &amp; Facility Repair &amp; Replacement Program) based on the gross square footage of the facility. This funding does not include dollars for capital improvements.</p> <p><i>Citation: Wyoming Statutes § 21-3-314</i></p>

## About the Author



Lisa Grover, Ph.D., is the senior director of state advocacy for the National Alliance for Public Charter Schools. She works with local and national partners to improve existing charter school laws and enact new ones. In 2001, Lisa was asked to edit a new charter application for a proposed high school in the rural mountains of New Mexico, and she has worked in the charter movement ever since. As the CEO of the New Mexico Coalition for Charter Schools from 2005 to 2010, she helped pass legislation to establish a new statewide authorizer, solidify a \$7 million lease assistance fund, and gain charter school access to local district tax dollars. She began her career as a Spanish and English language learner teacher in the Los Angeles Unified School District and has also taught English as a second language in China, Ecuador, and Mexico. She holds a doctorate degree in Romance languages and a master of arts in linguistics and multicultural education.