

Charter Policy Issue Brief

Charter school access to local district tax base



This document examines state policies that provide charter schools with access to local district bonds or levies used to fund district capital projects. This document is divided into two sections: The first one focuses on a table that presents various details about each state's policies for charter school access to local district tax base; the second section outlines some policy considerations for state policymakers and advocates to wrestle with when designing policies for charter school access to local district tax base.

Section I: State policies for charter school access to local district tax base table

As of this writing, four states explicitly provide charter school access to the local district tax base in statute. In two states, charter schools are accessing the local district tax base without an explicit provision in statute. The table below presents various details about each state's policies for charter school access to the local district tax base. The states are listed in order of the gap measure, which is the difference between the percentage of the bond money charter schools receive and the percentage of a state's public school students that are in charter schools. The text box after the table provides more information about what each column of the table represents.

State	Gap measure	Total bond money passed	Total charter school amount	Charter school percentage of funding	Percentage of public school student in charter schools	Number of years of data	Charter schools explicitly eligible ¹	All charter schools equally eligible	Affirmative responsibility placed on local district ²	Statute includes a timeline with key deadlines ²	State role
Georgia	-3.6	\$14,795,450,899	\$62,963,722	0.40%	4%	16	Y	–	N	N	N
New Mexico	-3.9	\$2,893,571,144	\$163,973,304	5.70%	10%	10	Y	–	Y	S	Y
California	-7.7	\$104,782,002,058	\$1,541,250,997	1.50%	9%	9	NM	–	–	–	–
Colorado	-12.6	\$11,962,842,530	\$325,480,651	2.70%	15%	13	Y	No – diff for schools on probation or in first five years	Y ³	Y	N
Florida	–	–	–	–	13%	–	Y	–	N	N	N
Oregon	–	–	–	–	8%	–	NM	–	–	–	–

1. Y = yes (green); NM = not mentioned (yellow), the not mentioned states indicate there is no official statute granting charter schools access to the local district tax base, yet there has been a record of success in those states.
2. Y = yes (green); S = somewhat (orange); N = no (yellow).
3. Specifically for charter schools authorized by the district.

State policies for charter school access to local district tax base table column descriptions

Gap measure: The difference between the percentage of bond money for charter schools and the percentage of public school students enrolled in charter school, used to determine if charter schools are getting their share of the bond money.

Total bond money passed: A general estimate of the total amount of bond funding that has passed in a certain period across the state.

Total charter school amount: The total amount of money charter schools have received from district bonds.

Charter school percentage of funding: The percentage of the total funding that charter schools have received in a certain period across the state (this percentage is an educated estimate, based on conversations with state charter school associations and related research).

Percentage of public school students in charter schools: The percentage of public school students enrolled in charter schools.

Number of years of data: Shows how many years of data are available, recognizing that data in some cases remains inaccessible.

Charter schools explicitly eligible: Addresses whether the statute makes charter schools explicitly eligible to receive proceeds from or otherwise benefit from facilities-focused district tax elections.

All charter schools equally eligible: Does the statute establishing eligibility specify certain schools that are or are not eligible?

Affirmative responsibility placed on local district: Whether the district must notify charter schools of their intention to seek a tax increase for facility purposes.

Statute includes a timeline with key deadlines: The statute provides dates and deadlines for key steps leading up to the bond election can help ensure charter schools know what they have to do and when to do it.

State role: Whether bond election interactions between districts and charter schools are overseen by anyone at the state level.

Section II: Policy considerations

Just as districts own and manage the vast majority of public school facilities across the country, those same districts have traditionally raised funds for those facilities from local taxpayers. A significant majority of states rely upon district bonds or levies to fund district capital projects, producing significant funding for public school construction and maintenance. Charter schools in a small handful of states have managed to access those funds for their facilities needs.

While it may not be uniformly necessary to amend state bond election statutes to include charter schools, it can open doors for charter school participation in a way that's harder without explicit authorization. Key questions to consider include: Should the statute specify how any resulting funds are to be shared with charter schools? Is it better for every charter school to get an equal distribution or offer a merit-based approach where schools that meet certain criteria qualify while others may not?

The strongest outcomes are where charter school participation is not simply permissive but rather specifically described in statute. However, California is an outlier on that point, as charter school participation is not specified in statute. However, California is also relatively unique in requiring 55% voter approval to bond elections making districts hungrier for help from charter schools on their ballot questions.