



State Pre-K and Charter School: A Summary of State Policies

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INFORMATION REQUEST

A state's department of education requested information on policies or practices that are in place at the state level to support charter schools in implementing pre-K.

State's Goal

Hearing about the experiences from other states that are operating pre-K classrooms in charter schools will help inform stakeholder discussions and decision points as the state moves to sustain the Preschool Development Grant (PDG) programs currently operating in charter schools.

What We Know

According to the 2016 NIEER State of Preschool Yearbook, all but two of state-funded pre-K programs had at least some of the classrooms operating in public schools¹.

Forty-three states and D.C. have enacted charter school laws. In the past 10 years, charter school enrollment nationally has been steadily increasing from 1.2 million in 2006-2007 to 3.1 million in 2016-2017². The seven states that do not have charter school laws are Kentucky, Montana, Nebraska, North Dakota, South Dakota, Vermont, and West Virginia. Charter schools are defined as non-religious public schools operating under a contract or charter that governs all aspects of operation. The main difference between charter schools and other public schools is the "regulatory freedom and autonomy from state and local rules (in terms of staffing, curriculum choices, and budget management).³ For example:

Background and Context

The state that requested CEELO's assistance operates its state funded pre-K program only within traditional district public schools, however the Preschool Development Grant (PDG) funded preschools operate in charter schools.

Methodology

We began by analyzing the NAECs-SDE listserv 8 responses to identify common themes. This was followed by a review of the National Institute for Early Education Research (NIEER) The State of Preschool Yearbook and the research conducted by [Mead and Mitchel, Bellwether Education Partners \(2015\)](#) on policies and statutes in 35 states and DC that had both charter schools and state-funded pre-K programs in 2014-2015.

We followed up by reviewing state websites and resources as well as contacting state pre-K and/or charter school leaders who had knowledge about how pre-K operates with their states.

¹ Connecticut's Child Day Care Contracts and Louisiana's Nonpublic Schools Early Childhood Development (NSECD) program do not operate in public schools.

² Estimated charter school enrollment, nationally and by state, is available at the National Alliance for Public Charter Schools [report](#).

³ From the Center for Public Education *Charter schools: Finding out the facts: At a glance*.

- Charter schools are governed under a legislative contract referred to as a charter, which exempts the schools from certain state and local regulations.
- Charter schools are given flexibility and autonomy in designing curriculum and other elements of the program, however a school must meet the accountability standards outlined in its charter.
- A school’s charter is reviewed periodically by the authorizer and can be revoked if the accountability standards or management of the contract are not met.

Policies that Support Charter Schools Implementing State Pre-K

Twenty-three states and D.C. currently operate pre-K in charter schools, see **Table 1, Status of State Pre-K and Charter Schools**. Through our literature research and discussions with state leaders responsible for aspects of these programs, we have identified the following policies and practices that support charter school participation in pre-K:

- Enabling legislation;
- Contracting process;
- Funding levels; and
- State supports available to charter schools.

In addition, successful implementation of the pre-K programs requires ongoing state monitoring and quality requirements that are similar to programs not operating in charter schools.

Table 1. Status of State Pre-K and Charter Schools

State Does NOT have State Funded Pre-K (6)	State Does NOT have laws Authorizing Charter Schools (7)	Charter Schools May NOT Operate State Funded Pre-K (2)	Charter Schools May Operate State Funded Pre-K, but are NOT currently Implementing State Pre-K (14)	Charter Schools are Currently Implementing State Pre-K (24)	
Idaho New Hampshire North Dakota South Dakota Utah Wyoming	Kentucky Montana Nebraska North Dakota South Dakota Vermont West Virginia	Connecticut Pennsylvania	Alabama Alaska Delaware Hawaii Indiana Kansas Massachusetts Mississippi Missouri Nevada Oregon Rhode Island Virginia Washington	Arizona Arkansas California Colorado District of Columbia Florida Georgia Illinois Iowa Louisiana Maine Maryland	Michigan Minnesota New Jersey New Mexico New York North Carolina Ohio Oklahoma South Carolina Tennessee Texas Wisconsin

Enabling Legislation. Most states do not explicitly allow or prevent charter schools from operating pre-K. State policies that explicitly address state pre-K in charter schools include:

- The [Colorado Preschool Program Act](#) which gives charter schools statutory authority to receive funds and “operate a public preschool program.”
- Minnesota’s [charter legislation](#) that states “(a) charter school may offer a free or fee-based preschool or prekindergarten that meets high-quality early learning instructional program standards aligned with Minnesota’s early learning standards for children.”
- According to New York state’s education law, all New York City Charter Schools are eligible to apply for, and operate, one of the state funded Pre-K for All programs.
- The [Oklahoma charter school legislation](#) says that “a charter school may provide a comprehensive program of instruction for a prekindergarten program.”

In California, there are two programs that serve pre-K children, the California State Preschool Program (CSPP) and Transitional Kindergarten (TK). The TK law states that all children who miss the kindergarten cut-off date are eligible to attend TK, including those enrolled in charter schools. CSPP does not benefit from the same law as TK, and schools must enter into a separate contract with the state as described in the next section.

Some of the states we reviewed either have a charter school law that does not mention pre-K or pre-K legislation that does not mention charter schools. In order for charter schools to receive pre-K funds in these states, charter schools must go through an “affiliate.” Mead and Mitchel (2015) define “affiliates” as “separate organizations...often co-located with the charter school, but they are not considered part of the school itself.” (p.16)

Contracting Process. States typically require charter schools to either have an authorizing charter that specifies that they serve pre-K children or have a separate contract with the state. In Michigan, charter schools must have “pre-K” stipulated in their charter in order to receive Great Start Readiness Program (GSRP) funding. In Arkansas, California, Iowa, Maine, New Jersey, and New York, charter schools enter into two contracts; one with their authorizer to be a charter school and one with the state that allows them to receive pre-K funds. If charter schools want to participate in Iowa’s Shared Visions Program (SVP) or the Arkansas Better Chance programs, charters apply through a competitive grant process, similar to other community-based organizations.

In Florida, charter schools can either have a charter that stipulates they can offer Voluntary Prekindergarten (VPK) or, if a charter school’s charter does not include pre-K, then the school can apply to the state as a private provider. If the school applies through the private provider route, then it must adhere to the same requirements as other private providers, including facility licensing.

In some states, funds from the state flow directly to the school districts and then the districts may distribute the funds to charter schools or community early learning programs. Tennessee is an example of this type of arrangement. In Illinois, charter schools located in Chicago apply for Preschool for All

(PFA) through the Chicago Public Schools, whereas charters not located within the city apply directly to the Illinois State Board of Education (ISBE).

One of the intended outcomes of Louisiana’s Act 3 (2012) was to provide the state a way to streamline the grant application process for providers, including charter schools, that are interested in operating one of the state’s three pre-K programs. The [2016-2017 Coordinated Funding Request Guide](#) outlines the requirements for each of the pre-K programs, other funding opportunities, and sample MOUs and program assurances.

Funding Levels. Most states have lower per-child spending for pre-K aged students as compared to grades K-12⁴. One exception is the District of Columbia (DC). Charter schools receive the same per child allotment for their pre-K students as their K-12 via their school funding formula. Colorado also uses a school funding formula to distribute Colorado Preschool Program funds to LEAs based on the number of allocated slots. The Charter School Institute, Colorado’s statewide authorizer of charter schools, is considered an LEA.

State Supports to Charter Schools. All of the states and DC that operate pre-K within charter schools are able to receive supports from the office that has authority over the pre-K program, typically the SEA. However, there is some discretion as to whether or not charters will access these resources. For example, in Wisconsin charter schools are eligible to receive the same level of support as traditional public schools operating pre-K. Since all charter schools are governed by an independent governance board, the board of the charter school decides what types of training, coaching and other supports will be offered and provided to charter school staff. In Michigan, the state support charter schools may receive [includes](#) training to manage the grant, professional development for teaching staff, and classroom coaches. These supports are dependent on the local written agreements established with providers.

State Monitoring. States usually extend the monitoring process they use to oversee state pre-K programs to charter schools. Michigan has 57 Intermediate School Districts (ISDs) that support and monitor all of their pre-K providers through the Great Start Readiness Program (GSRP). All GSRP providers, including charter schools, must meet the same [requirements](#): lead teacher with a BA and specialization; assistant teacher with a CDA; maximum class size of 18, student-teacher ratio of 1:8; and participation in a system of continuous quality improvement. Similarly, in Minnesota, charter schools that receive pre-K funds must follow the same statutory requirements as early learning programs in traditional school districts or community-based early learning programs in a mixed-delivery model, and are subject to the same state monitoring process. In New York City, pre-K classrooms in charters are required to participate in the same monitoring, programmatic review, and operational requirements as those classrooms located in other settings, however it is the responsibility of the charter entity to ensure that this occurs.

⁴ In Mead and Mitchel’s research, 22 out of 36 states had lower pre-K per child funding as compared to K-12 in charter schools.

D.C. requires charter schools that offer pre-K to also meet the accountability requirements mandated by the [District of Columbia Public Charter School Board](#) for students in older grades. The [accountability framework](#) for pre-K requires the use of child assessments and the Classroom Assessment Scoring System (CLASS).

Quality Requirements. The elements that define high-quality pre-K that have been researched to be positively correlated to child outcomes include teacher credentials, training, and support; class size and student to teacher ratio; the use and support of early learning and development standards; comprehensive services; and a system of continuous quality improvement. Not all charter schools that participate in state-funded pre-K are required to meet the same standards as those that are housed in other settings within the same state. For example, charter schools in DC may exceed the class size limit other public schools need to adhere to.

Arizona distributes its state pre-K funds known as Quality First Scholarships through First Things First (FTF). Private child care, public schools, charter schools, Head Start settings, tribally regulated programs, family child care homes, and faith-based programs are eligible to receive Quality First (QF) Scholarships as long as they participate in Quality First, the state's Quality Rating and Improvement System (QRIS). With a few exceptions, all settings receiving QF scholarships have met QRIS quality standards.

Charter Schools Participation in State Pre-K

For the 37 states and D.C. that have state funding for both pre-K and charter schools, most allow pre-K programs to operate within charter schools. (See **Table 1** for more information on the status of state pre-K and charter schools). About a third of the states allow charter schools to operate a state-funded pre-K, however none of these were funded with state funds in 2015-2016. Two states, Connecticut, and Pennsylvania, do not allow charter schools to implement state-funded pre-K directly. In Connecticut, charters cannot apply for state pre-K funds but can include pre-K children in their student count and receive state general school aid.

Charter Schools Currently Implementing State Pre-K. For many of the states that are implementing pre-K, the number of children in charter schools is relatively small as compared to other settings, see Table 2 for information about the number of children served and/or the number of state-funded pre-K classrooms that operate within charter schools. The four states that serve a large percentage of pre-K children in charter schools are DC, Florida, Wisconsin, and Texas.

Some charter schools in a few states receive their state pre-K funds directly from the state (i.e. Arkansas, California, Maine) whereas others receive some and/or all dollars from the school district (i.e., Alaska, Maryland, Tennessee, Virginia) or through an affiliate (i.e., Arizona, Georgia, Illinois, North Carolina, Ohio, Washington).

Table 2. Enrollment or Participation Information of Pre-K in Charter Schools

States that Operate Pre-K within Charter Schools	Enrollment Information
Arizona	In 2014-2015, at least five charter schools offered pre-K.
Arkansas	One charter school operated pre-K in 2016-2017.
California	In 2014-2015, 235 charter schools had at least one student in Transitional Kindergarten (TK); four charters had a contract with the state to provide California State Preschool Program (CSPP); and an unknown number of charters had a contract to offer CSPP through the LEA.
Colorado	Thirty-eight charter schools operated the Colorado Preschool Program in 2014-2015.
District of Columbia	The District of Columbia served 6,477 pre-K students (out of 12,902) in 57 charter schools in 2016-2017.
Florida	Thirty-one percent of Florida’s 331 elementary charter schools served state-funded pre-K children in 2014-2015.
Georgia	In 2014-2015, nine charter schools operated Georgia Pre-K.
Illinois	In Illinois, 18 charter schools operate the state’s Preschool for All (PFA); 17 of the schools are located within Chicago and receive their PFA dollars via the Chicago Public Schools.
Iowa	One charter school in Iowa operated a state-funded pre-K program in 2014-2015.
Louisiana	In 2014-2015, 34 charter schools operated pre-K in one of Louisiana’s pre-K programs.
Maine	Maine began serving 42 pre-K children in two charter schools in 2016-2017. It will add another charter school this year.
Maryland	In Maryland, 13 charter schools operated pre-K classrooms, serving 452 children in 2016-2017; this number represents less than 2% of all pre-K students.
Michigan	In 2016-2017, Michigan served about 5% of children who participated in state pre-K; that is 2,096 students in 131 classrooms operated by 62 charter schools. However, only about one-third of charter schools in the state offered pre-K.
Minnesota	In 2014-2015, 20 charter schools in Minnesota offered state funded pre-K.
New Jersey	New Jersey served 306 pre-K children in 10 charter schools in 2016-2017; this is less than 0.5% of children enrolled in state-funded pre-K in the entire state.
New Mexico	In New Mexico, 179 children were enrolled in pre-K classrooms operated by six charter schools in 2016-2017; this is less than 2% of all pre-K students
New York	In New York state, only New York City served pre-K children in charter schools: 498 in 2015-2016. That number is 0.4% of all state-funded pre-K children in New York state.
North Carolina	At least five charter schools operated NC Pre-K in 2-14-2015.
Ohio	The number of charter schools operating pre-K classrooms in Ohio is not available.
Oklahoma	Seven charter schools in Oklahoma operated state funded pre-K in 2014-2015.
South Carolina	Six charter schools in South Carolina operated state funded pre-K in 2014-2015.
Tennessee	At least nine charter school operated VPK in 2014-2015.
Texas	In Texas, 13,729 pre-K students were served in 76 charters on 139 campuses in 2015-2016; this number represents about 6% of the state’s pre-K enrollment,
Wisconsin	In Wisconsin, approximately three-fourths of the elementary charter schools operated pre-K classrooms in 2016-2017.

State Policies Allow Charter Schools to Implement State Pre-K, But Charter Schools Currently Do Not.

In 14 states, charter schools could operate a state-funded pre-K program, but currently do not. Some of the reasons include:

- Recent passage of charter school legislation (Alabama);
- Charter schools did not apply (or did apply but were not awarded) a pre-K contract or renewal through a competitive grant process (Indiana, Massachusetts, Missouri, Nevada, Rhode Island);
- Charter schools begin with older grades (Mississippi's charter schools currently begin with 5th grade);
- Currently there are no authorized charter schools in operation (Kansas);
- No process to add new agencies to operate pre-K classrooms (Oregon) exists; and
- Federal Preschool Development Grant (PDG) funding is being used to support pre-K in charter schools (Hawaii and Nevada)⁵.

In addition, two of Indiana's charter schools have pre-K classrooms that operate on the charter school campus, but are independent from the charter school.

Conclusion

For 23 states and D.C., enabling legislation, the contracting process, funding levels, state supports, monitoring, and quality requirements have determined the ease and the degree to which charter schools have been able to implement high-quality, state-funded pre-K programs.

As the number of children enrolled in state-funded pre-K increases, as well as the number of charter schools, more states may soon be grappling with questions of how best to work with the unique characteristics of charter schools, expand state pre-K to charter schools, and implement high-quality preschool programs.

⁵ PDG funding is being used to support pre-K in charter schools in Arkansas, Georgia, Hawaii, Louisiana, Maryland, Nevada, and Tennessee.

Resources and Links

[50-State Comparison: Charter School Policies](#). (2016). The Education Commission of the States provides a comparison of the charter school laws that vary from state to state, including who is able to authorize charter schools and accountability and teacher requirements.

[Can Charter School Serve Preschoolers?](#) (2016). This blog by Ashely LiBetti Mitchel summarizes some of her research on how pre-K operates within charter schools. A brief summary of visits to DC, the Bay Area, and LA are included.

[Pre-K and Charter Schools: Where State Policies Create Barriers to Collaboration](#) (2015). This research by Mead and Mitchel provides both an overview of the policy issues as well as state summaries of the 36 states that were offering both state funded pre-K and had charter schools in 2015.

[State of Preschool Yearbooks](#). These annual reports profile a state by state summary of policies that support state funded pre-K. In addition, enrollment data, including by setting is available.

[The Charter Model Goes to Preschool](#). (2017). The article by Mitchel and Mead provides a national overview of charter schools and pre-K as well as some of the experiences implementing pre-K in California, DC, and New York.

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<https://pdg.grads360.org/#program>

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