POLICY BRIEF


## Executive Summary

The Nevada Plan for school finance is the main funding source for operations for school districts and charter schools. There are also State and Federal categorical grants, which provide funding for specific activities or populations. Under current State law, charter school students are supposed to receive comparable funding from all sources. In practice, charter school students have experienced limited accessibility to State and Federal categorical funds compared to school districts. Charter schools also have limited access to funding available for facilities and must use their operations funding to meet these needs. This policy brief provides data showing funding disparities between school districts and charter schools and recommends ways to improve access to funding for charter school students.

## Recommendations

1. Create State categorical block grants:
a. Ensure charter school students receive a proportionate share of any State categorical funding outside the main funding formula by providing charter schools with a categorical block grant in lieu of separate categorical grants. The block grant would have two components:
i. General block grant: Per-pupil rate multiplied by total enrollment; and
ii. Targeted block grant for at-risk students: Per pupil rate multiplied by the count of Free and Reduced Lunch (FRL) students and English Language Learners.
b. Adopt State performance goals and allow funds to be used for any educational purpose to meet these goals. Create benchmarks and monitor performance.
2. Maximize access to Federal categorical funds:
a. Require sponsoring agencies to provide technical assistance to charter schools to maximize receipt of Federal funds.
b. Encourage charter schools to place greater emphasis on collection of FRL eligibility data to maximize State and Federal funding for at-risk students.
c. Ensure that sponsoring school districts provide charter schools with equal access to Federal grants administered at the district level.
3. Create new options for charter school facilities funding:
a. Explore requiring school districts to set aside a proportionate share of any new bond proceeds for charter schools located within the district, regardless of whether the school is sponsored by the district.
b. Create a State funding mechanism for charter school facilities funding to avoid taking scarce local resources away from school districts.
c. Allow facilities funds to be used for leasing costs at charter schools.
d. Create incentives for charter schools to use capital funding to build cafeteria facilities in order to expand charter school opportunities for low-income students.

# Nevada Charter Schools: Improving Access to Categorical \& Facilities Funding 

## Charter School Students Lack Equal Access to Categorical Funding and Facilities Funding

The Nevada Plan for school finance is the main funding source for operations for school districts and charter schools. ${ }^{1}$ There are also State and Federal categorical grants, which provide funding for specific activities or populations. Under current State law, charter school students are supposed to receive comparable funding from all sources. NRS 386.570 states, "A charter school is entitled to receive its proportionate share of any other money available from Federal, State or local sources that the school or the pupils who are enrolled in the school are eligible to receive." In practice, however, charter school students have experienced limited accessibility to State and Federal categorical funds compared to students at school districts. Charter schools also have limited access to funding available for facilities and must use their operations funding to meet these needs. This policy brief provides data showing funding disparities between school districts and charter schools and recommends ways to improve access to funding for charter school students.

## 4. State Categorical Funds

In FY 2014, there were 30 State-funded categorical programs plus State Special Education funding. Table 1 lists each State program and shows the total and per-pupil funding provided to school districts and charter schools. Charter schools received funding from only eight categorical programs plus Special Education funding. Table 2 isolates these programs and provides detail on the amount received by each charter school.

These tables reveal that charter schools have limited access to State categorical funds and Special Education funding, which disadvantages students at charter schools and provides unequal educational opportunities. Table 1, Column AI, shows that statewide funding averaged $\$ 926$ per pupil in FY 2014. However, charter schools received substantially less funds per pupil as shown below:

- Carson City School District-sponsored charter schools received $\$ 0$ per pupil;
- Clark County School District-sponsored charter schools received $\$ 203$ per pupil;
- Washoe County School District-sponsored charter schools received $\$ 209$ per pupil; and
- State Public Charter School Authority (SPCSA)-sponsored charter schools received $\$ 56$ per pupil.


## State Categorical Funds

There are several reasons for this disparity between school districts and charter schools for State categorical funds.

- Grant Size and Compliance Requirements: For State categorical funds, charter schools sometimes choose not to participate due to the small size of potential grants and/or compliance requirements. As shown in Table 2, most grant amounts other than Special Education and full-day kindergarten are
$\$ 10,000$ or less, making it difficult to design a program that will have a major impact on student achievement.
- Ineligibility for Funding: In other cases, charter schools are not eligible for funding. For example, charter schools are not eligible for class size reduction funding, which is the largest State categorical program (NRS 388.700[8]). As shown in Table 1, Column E, $\$ 160$ million was allocated statewide for class size reduction in FY 2014.
- Targeted Funding: Sometimes grants are targeted towards at-risk populations, such as low-income students eligible for Free and Reduced Lunch (FRL) or English Language Learners (ELLs). Some charter schools do not have sufficient students in these populations to receive these funds. For example, full-day kindergarten funds are targeted at schools with high levels of low-income students and only two charter schools received this funding (see Table 2, Column F [Chapter 382, Statutes of Nevada 2013]). Similarly, only two charter schools received State funds targeting high levels of ELLs (see Table 2, Column E [Chapter 515, Statutes of Nevada 2013]).

One reason for limited access to targeted funding is a lower concentration of at-risk pupils in charter schools. Figure 1 provides the percentage of FRL and ELL students in FY 2014 for charter schools compared to the statewide average. The percentage of ELLs in charter schools was lower than the statewide average, especially for charter schools sponsored by Carson City School District and the SPCSA. For FRL, there is a great deal of variation. Charter schools sponsored by the Clark County School District had a higher percentage of FRL students in FY 2014 than the statewide average. In contrast, the FRL rate in charter schools sponsored by other agencies was substantially lower than the statewide rate. Interviews suggest that FRL students may be undercounted due to a confluence of factors. Because charter schools often lack funding for facilities, many have opted not to build cafeteria facilities and do not participate in the National School Lunch Program. Schools without a lunch program may not make FRL data collection a high priority, which can result in undercounting of FRL students. To help improve data collection, the SPCSA has mandated and funded conversion to the Infinite Campus data system for its charter schools.

Figure 1: Special Student Populations: FY 2014


Source: Nevada Department of Education, Nevada Report Card

While many charter schools have a lower concentration of at-risk students than the statewide average, the data reveals that charter school students are not receiving their proportionate share of State funds for at-risk populations. On a statewide basis, charter schools have 4 percent of all FRL students and 2 percent of all ELL students. ${ }^{2}$ In contrast, charter schools received only 0.7 percent of full-day kindergarten funds and 0.1 percent of ELL funds in FY 2014 (Table 1, Columns M and 0). This left many at-risk students without equal access to intervention programs.

## State Special Education Funds

In the case of Special Education funds, services are mandatory but charter schools lack equal access to funds. The percentage of students identified for Special Education services in FY 2014 was 8 percent for charter schools and 12 percent for school districts. ${ }^{3}$ This represents a ratio of 67 percent charter to district special education students. In contrast, average Special Education funding in FY 2014 was $\$ 94$ per pupil for charter schools (Table 2, Columns K and L ) and $\$ 305$ per pupil for school districts, which represents a ratio of only 30.8 percent. ${ }^{4}$

Charter schools can receive Special Education funding in several ways. First, charter schools sponsored by school districts can receive Special Education funding through their sponsoring districts, either through a direct allocation or as a transfer. Second, SPCSA-sponsored charter schools can receive Special Education funding units. In FY 2013, charter schools received only 13 of 3,049 units ( 0.4 percent), while these schools represented 5 percent of statewide enrollment. ${ }^{5}$ In FY 2014 and FY 2015, the State reserved 40 special education units, which could be allocated to either school districts or charter schools (Chapter 382, Statutes of Nevada 2013). The number of Special Education units allocated to the SPCSA is limited because total units available statewide have not changed since 2009. To fund SPCSA schools proportionately, units would have to be reallocated by the State Superintendent of Public Instruction from school districts, which could create shortfalls for other school districts (NRS 387.1221).

In FY 2014, fourteen out of the State's 35 charter schools did not receive any State Special Education funding and five charter schools received a transfer of Special Education funds from their sponsoring district (Table 2, Columns K and L).

For FY 2017, the Governor recommends increasing special education funding by $\$ 25$ million and adopting a new formula that would provide weighted funding for each special education student in lieu of allocating funding units. This approach would enhance equity for special education students attending charter schools.

## Moving Towards Block Grants

For the 2015-2017 biennium, Governor Brian Sandoval has proposed creating or increasing funding for almost two dozen State categorical programs. These new programs range in size from $\$ 2$ million over the biennium for expanding breakfast in schools to $\$ 74$ million over the biennium to expand full-day kindergarten. If the State allocates funds from each of these programs to charter schools based on enrollment, the amount received by each charter school would likely be small for most programs, making it difficult to implement each program effectively. Given limited staff, it could also be administratively burdensome for small charter schools to apply for each grant and meet the compliance requirements. Thus, current funding inequities would likely continue.

To ensure charter schools receive a proportionate share of funds as required by State law, the State could create a new categorical block grant for charter schools that pools together all funds from current and proposed categorical programs and allows the funding to be used flexibly. Block grants for charter schools have been implemented in California, Pennsylvania, and Utah (although the grant in Utah is currently unfunded). ${ }^{6}$

Some current categorical programs, such as Class Size Reduction, are for the general student population while others are targeted towards specific populations such as ELL students. To broadly maintain the intent of the original programs, there could be a general block grant that provides funding based on total enrollment and a targeted block grant that provides funding based on the number of at-risk students (FRL and ELL). This would help ensure that targeted funds continue to go to the intended populations. Special education should remain outside of the block grant due to Federal maintenance of effort requirements.

The focus of the categorical block grants could move from compliance to outcomes. As indicated, it is difficult for charter schools to meet all of the requirements of each program. By pooling funds together, charter schools could use the funds flexibly. Instead of being required to show compliance with specific grant requirements, charter schools could be held accountable for meeting the State's student achievement goals. For example, the State could articulate that the main goals of all the categorical programs are to achieve reading proficiency by third grade, improve outcomes for ELLS, and improve the graduation rate. The State could then develop benchmarks and monitor performance. Transparency would also be a cornerstone of block grants. Use of funds could be tracked through existing financial reporting requirements and audits. This provides a combination of flexibility and accountability.

Some stakeholders may be concerned that block grants would not hold charter schools to the same standards as school districts since charter schools would be exempt from reporting and compliance requirements of individual programs. However, the ultimate goal of every categorical program, from school breakfast to career readiness programs, is to improve student achievement. Under the proposed block grants, charter schools would be held to the same student achievement standards and benchmarks as traditional schools. In addition, current law requires charter school sponsors to revoke the charter of schools that receive the lowest statewide accountability rating for three consecutive years (NRS 386.5351).

An alternative to block grants would be to create a service delivery model where each charter school's sponsoring agency is responsible for providing or coordinating services required by categorical grants. This may work for some programs where services can be provided centrally, such as professional development or purchasing equipment. However, it would be difficult to use this approach to provide interventions inside the classroom, such as class size reduction or services targeted towards at-risk populations. This approach could also reduce the autonomy provided to charter schools.

## 5. Federal Categorical Funds

Charter schools also have limited access to Federal categorical funds. Table 3 illustrates the amount of Federal funding provided (total and per-pupil) to school districts and charter schools in FY 2014. Table 3, Column G, shows that statewide funding averaged $\$ 591$ per pupil in FY 2014. However, charter schools received substantially less funds per pupil:

- Carson City School District sponsored charter schools received $\$ 371$ per pupil;
- Clark County School District sponsored charter schools received $\$ 221$ per pupil;
- Washoe County School District sponsored charter schools received $\$ 261$ per pupil; and
- SPCSA sponsored charter schools received $\$ 242$ per pupil.

As with State categorical programs, there are several reasons charter schools have less access to Federal grants.

- Grant Size and Compliance Requirements: Federal funds come with accountability and other administrative requirements that can be cumbersome for small schools. Discussions with charter schools and the SPCSA reveal that some charter schools decide that the burden of compliance requirements outweighs the benefits of the amount of funding that could be received, which can be minimal.
- Eligibility Requirements: Many Federal grants are competitive or have specific eligibility requirements. The largest Federal grant program is Title I, which targets low-income students. Some charter schools do not have sufficient FRL students to qualify for this funding. As discussed earlier, FRL students are likely undercounted at some charter schools.
- Access to Districtwide Grants: Lastly, for charter schools sponsored by school districts, some Federal programs are administered centrally by the school district and are not allocated directly to schools. Examples of these programs include Title II funds for teacher quality and Title III funds for ELLs. While charter schools sponsored by school districts do not receive these funds directly, they should have the same access to services purchased with these funds as other schools in the district.

Sponsoring school districts and the SPCSA should take the lead in helping charter schools maximize Federal funding. This can include distributing information about available grants and providing training on grant writing and compliance requirements. Charter schools can also maximize their ability to receive Federal funds by placing greater emphasis on collecting FRL data. Additionally, school districts that sponsor charter schools should be required to ensure and document that charter schools receive equal access to Federal grants administered at the district level.

## C. Facilities Funds

Charter schools also lack access to facilities funds received by school districts. Table 4 illustrates the different revenue sources received by school districts for capital and associated debt repayment. The average revenue in FY 2014 was $\$ 1,216$ per pupil. Charter schools, however, do not have access to any of these funds (Table 4, Column J). The largest funding source available to school districts for capital needs is ad valorem taxes, which is used to repay bonds (Table 4, Column F).

In lieu of direct funding for facilities, charter schools have access to revolving loan funds which must be repaid with regular operational funds provided by the State Distributive School Account. Unlike school districts, charter schools do not have additional funding sources to repay this debt. The revolving loan fund was funded for the first time in 2013 with a one-time State appropriation of $\$ 750,000$. This funding must be used to make loans at or below market rate to charter schools for costs incurred in preparing a charter school to commence its first year of operations or to improve a charter school that has been in
operation (NRS 386.577). The maximum loan amount is the lesser of $\$ 500$ per pupil or $\$ 200,000$ (NRS 386.577). Repayment must be completed in three years out of State funding provided through the Distributive School Account (NAC 386.445).

In 2014, which was the first year of the program, two charter schools received revolving loans: (1) Oasis Academy borrowed $\$ 96,639.71$, which has been fully repaid; and (2) Founders Academy received a loan of $\$ 175,000$ to open a new charter school, with repayment beginning August 2015. Due to a projected State General Fund shortfall, $\$ 400,000$ is being swept to the General Fund reserve, leaving a limited amount available for new loans in 2015. ${ }^{7}$ Another challenge of this program is that State funding is provided on a reimbursement basis, which means that the charter school must obtain an initial source of funding from sources such as credit cards, personal loans, or a high interest commercial loan.

As part of legislation approved in 2013, the Department of Business and Industry can also issue taxexempt lease revenue bonds to be repaid by a charter school (NRS 386.612 et seq.). To qualify, the school must have received four or five stars under Nevada's school performance framework over the last three years (NRS 386.632). One school is currently going through the process to utilize this provision. ${ }^{8}$

Because charter schools do not receive facilities funding, most charter schools use operational funds for facilities costs. The percentage of operational funds used for facilities costs is 12 percent for site-based charter schools and 2 percent for virtual charter schools. ${ }^{9}$ While virtual charter schools may spend less on traditional facilities costs, they have other infrastructure costs not included in the 2 percent figure, including rental space for administration of exams, staff travel to provide special education and other intervention services offsite, and subsidized internet connections for low-income students.

A few charters have accessed other financing options: (1) two charter schools purchased buildings through conventional financing; (2) an associate of one charter accessed the tax exempt bond market to purchase a facility and lease it back to the charter school; and (3) there have been limited examples of an investor group constructing or purchasing a facility and leasing it back to the charter school. These private financing options can be costly because they often involve a private, third party management organization.

The lack of facilities funds has repercussions in other areas. As previously indicated, insufficient funding for school cafeterias can lead to undercounting of FRL students and can limit eligibility for State and Federal funding targeted at those students. Lack of a school lunch program can also discourage lowincome students from attending charter schools.

As part of the 2015 Executive Budget, the Governor has proposed $\$ 20$ million for a charter harbor master fund. These funds would be used to attract high quality charter management organizations to Nevada, which could greatly expand opportunities for at-risk students. A portion of these funds could be used for facility needs. However, these funds would not be available to existing charter schools for leasing costs or bond repayment, which are the primary recurring facilities costs for charter schools. This creates disparities in funding among charters, an inequity that needs to be avoided.

A long-term solution would provide charter schools with a proportionate share of school facilities revenue. Access to public money could also help reduce costs paid to private management organizations. Since the primary capital funding source is bond proceeds from ad valorem and other taxes, the Legislature could
require school districts to set aside a proportionate share of any new bond proceeds for charter schools located within the district, regardless of whether the school is sponsored by the district.

The financial impact on school districts should also be considered. All existing facilities funding comes from local sources and has not been adequate to meet school district capital needs. ${ }^{10}$ In lieu of reallocating local funds from school districts to charter schools, another option would be to provide a commensurate amount of State funding. There could be a uniform statewide funding rate or the rate could vary depending on the amount of facilities funding generated by each school district.

Since the primary facilities cost for many charter schools is lease costs, any future facility program should make lease costs an allowable use of funds.

To address the issues caused by the lack of cafeteria facilities, the new facilities funding mechanism could incentivize building cafeteria facilities by providing additional funding for this purpose. Implementing a school lunch program would make charter schools more appealing and accessible to low-income families and would help make the charter school population more reflective of the general community.

## Recommendations

1. Create State categorical block grants:
a. Ensure charter school students receive a proportionate share of any State categorical funding outside the main funding formula by providing charter schools with a categorical block grant in lieu of separate categorical grants. The block grant would have two components:
i. General block grant: Per-pupil rate multiplied by total enrollment; and
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c. Ensure that sponsoring school districts provide charter schools with equal access to Federal grants administered at the district level.
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Table 2: Detail of State Categorical Grants and Special Education for Charter Schools: FY 2014




[^0]:    ${ }^{1}$ Guinn Center for Policy Priorities. Nevada K-12 Education Finance. (February 2015) http://guinncenter.org/wp-content/uploads/2015/02/Guinn-Center-K-12-Education-Finance-Fact-Sheet.pdf
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    http://www.education.state.pa.us/portal/server.pt/community/grants_and_subsidies/7207. Utah also had a Local Discretionary Block Grant for school districts and charter schools but funding was eliminated in 2009 due to budget shortfalls. See Utah State Legislature. Local Discretionary Block Grant. http://le.utah.gov/lfa/reports/cobi2015/Appr_PQ1.htm\#overviewTab
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