

MASSACHUSETTS

(Law passed in 1993; 20th strongest of the nation's 43 charter laws)



INDEPENDENT OR MULTIPLE AUTHORIZERS - NO

APPROVAL	The State Board of Education authorizes two types of charter schools: Commonwealth charters are approved directly by the state board; Horace Mann charters are normally conversion schools by agreement of the school board and teachers union before state approval.
APPEAL	None

OPERATIONAL AUTONOMY

STATE	Yes. The law gives schools a wide degree of autonomy. Virtual schools allowed. Management contracts with ESPs are not restricted.
LOCAL	Yes. Commonwealth charters are free from district rules governing operations and funding. Horace Mann schools receive oversight and their budgets from the district.
TEACHER FREEDOM	Yes for Commonwealth charters; teachers may negotiate as a separate bargaining unit, or work independently. No for Horace Mann charters; teachers remain covered by district collective bargaining agreement. Charter schools must participate in the state's retirement system.

NUMBER OF SCHOOLS ALLOWED

CAP	Yes. Two types of caps. Seventy-two Commonwealth charters and 48 Horace Mann charters allowed. Nine percent cap on the total district spending for Commonwealth charters. In the lowest-scoring districts, this cap is increased to 12 percent and then incrementally by one percent each year until the cap reaches 18 percent. Up to three virtuals can be open in 2013 with a maximum of ten over time. Virtuals can enroll no more than two percent of students statewide, or 19,000 students.
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(Continued)



EQUITY

STUDENT FUNDING

Funds pass from state to school, minus deductions from state aid to affected districts. 100 percent of state and district operations funding is required to follow the student, but the formula created reflects only the average per pupil cost of each district where the charter school receives students. Impact aid reimbursements “reward” districts that lose students -- 100 percent in the first year, 60 percent the next year, and 40 percent the following year.

“The commonwealth shall pay a tuition amount to the charter school equal to the average cost per student in said district. If the student resides in a district that does not have a positive foundation gap, as so defined, the commonwealth shall pay a tuition amount to the charter school equal to the lesser of: (1) the average cost per student in said district; and (2) the average cost per student in the district in which the charter school is located. The state treasurer is hereby authorized and directed to deduct said charter school tuition amount from the total education aid, as defined in said chapter 70, of the district in which the student resides prior to the distribution of said aid.” [MA Gen Law 89(nn)]

FACILITIES FUNDS

Yes. Charters receive a per pupil capital needs allowance, which was \$893 per pupil in FY 2012. [MA Gen Law 89(nn)]

IMPLEMENTATION POINTS

+ 1

One point awarded for authorizer accountability and holding charter schools to performance and operational targets. Massachusetts’ state board has had a long history of authorizing high-quality schools and holding them to high standards.

[LINK TO THE MASSACHUSETTS CHARTER SCHOOL LAW](#)