

# Iowa Charter School General FAQ

## 1. What is a charter school in Iowa?

A charter school is a public school that must operate with a governing board, independently of any school committee under a five year charter granted by the Iowa State Board of Education (Board). It has the freedom to organize around a core mission, curriculum, theme, and/or teaching method and to control its own budget and hire (and fire) teachers and staff. In return for this freedom, a charter school must attract students and produce positive results within five years or its charter will not be renewed. There are two categories of charter schools:

- A. **School board-state board model.** A school board may create a founding group to apply to the state board for approval to establish and operate a charter school within and as a part of the school district by (i) establishing a new attendance center, (ii) creating a new school within an existing attendance center, or (iii) converting an existing attendance center to charter status.
- B. **Founding group-state board model.** A founding group may apply to the state board for approval to establish and operate a charter school within the boundaries of the state that operates as a new attendance center independently from a public school district.

All potential charter schools must complete an application to establish charter school status the year prior to operation. [256E.1, 256E4, 256E.5]

## 2. Who authorizes charter schools in Iowa?

The Iowa State Board of Education is the sole authorizer in the state of Iowa in accordance with 256E.1(4).

## 3. What is the purpose of a charter school?

The purpose of a charter school as defined in 256E.1(3) is to accomplish one or more of the following:

- A. Improve student learning, well-being, and postsecondary success,
- B. Increase learning opportunities for students in areas of need in this state, including but not limited to science, technology, engineering, and math (STEM), and science, technology, engineering, arts, and math (STEAM),
- C. Increase opportunities for work-based learning, early literacy intervention, and serving at-risk populations,
- D. Accelerate student learning to prevent learning loss during the COVID-19 pandemic and other significant disruptions to student learning,
- E. Encourage the use of evidence-based practices in innovative environments,
- F. Require the measurement and evaluation of program implementation and learning outcomes,
- G. Establish models of success for Iowa schools,
- H. Create new professional opportunities for teachers and other educators,
- I. Investigate and establish different organizational structures for schools to use to implement a multi-tiered system of supports for students,
- J. Allow greater flexibility to meet the education needs of a diverse student population and changing workforce needs,
- K. Allow for the flexible allocation of resources through implementation of specialized school budgets for the benefit of the schools served, and
- L. Allow greater flexibility for districts and schools to focus on closing gaps in student opportunity and achievement for all students from preschool through postsecondary preparation.

#### 4. Who may apply to establish a charter school?

A founding group may apply to establish a public charter school. A founding group may be created by a school board, or independent of a school district. If a founding group is created by a school board, the charter may be established in three ways: as a new attendance center, developing a new school within an existing attendance center, or converting an existing attendance center to a charter. If a founding group is created independent of a school district, the charter may be established and operate within the boundaries of the state. [256E.1(2)]

#### 5. How are charter schools funded?

Charter school funds are calculated by the Department's Bureau of School Business Operations. Each student enrolled in a charter school is counted in the student's district of residence, and a charter receives a tuition amount from the state equal to a per-pupil amount, plus the teacher leadership supplement state cost per pupil, from the previous school year. Further, charters receive any funds the district of residence receives for the student as a result of the non-English speaking weighting multiplied by the state cost per pupil. The state then deducts an equal amount of funds from the district of residence. In addition, the resident school district is required to pay the charter school the actual costs incurred in providing appropriate special education for any student requiring such services.

For the first year of operation, funding amounts are based on the charter school's estimated enrollment; for subsequent years funding amounts are based on the charter school's actual enrollment. Like other public schools, charter schools are eligible to receive federal and state funds. In addition, charter schools may apply for private grants and receive contributions. For more information about charter school finances, visit [Iowa Charter School Finance](#). [256E.8]

#### 6. Are laws and regulations waived for charter schools?

Charter schools are required to follow all state and federal laws, with the exception of the following:

- **School Start Date.** Charter Schools are **not required** to follow the school start date in code. Charters are required to indicate the start date within their application to become a Charter. The start date may be prior to August 23 of any given year.

In Iowa, the school year for each school district and accredited nonpublic school must begin on July 1 and the school calendar must begin no sooner than August 23 and no later than the first Monday in December [[IAC 279.10 \(1\)](#)], with the exception of year-round schools and Charter Schools. Public schools must submit an application to be approved as a year-round school.
- **Transportation.** Charter schools are **not required** to provide transportation services. They are required to indicate whether they will provide transportation services within their application to become a Charter. If transportation is indicated within the application and is then approved by the State Board, the Charter will be required to provide transportation services.

Public schools are required to provide transportation to students entitled to transportation [[IAC 285.1\(1\) and \(2\)](#)]<sup>1</sup>
- **Food Services.** Charter Schools are **not required** to provide food services. They are required to indicate whether they will provide food services within their application to

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<sup>1</sup> Public schools must provide transportation to: (1) Elementary students living two or more miles from the attendance center, (2) High school students living three or more miles from the attendance center.

become a Charter. If food services are indicated within the application and are then approved by the State Board, the Charter will be required to provide food services.

Public schools are required to provide lunch programs with nutritionally adequate meals to all students who attend school four or more hours each school day who wish to participate in the program [\[283A.2\(2\)\]](#)

- **Offer and Teach.** Charter schools are **not required** to follow Offer and Teach **only if** they submit - and are approved for - a waiver within their application to become a Charter. If a waiver is not included within the application and approved by the State Board, the Charter will be required to follow Offer and Teach requirements.

Public schools are required to adhere to Offer and Teach requirements as outlined in [IAC 281--12.5](#) across prekindergarten programs through high school.

- **Number of days/hours of Instruction.** Charter Schools are **not required** to follow a minimum number of days or hours of instruction **only if** they submit - and are approved for - a waiver within their application to become a Charter. If a waiver is not included within the application and approved by the State Board, the Charter will be required to follow the minimum number of days or hours of instruction requirements.

Public schools are required to follow a minimum of 180 days or 1,080 hours of instruction set in the school calendar [\[281--12.1\(7\)\]](#)

- **Title Funds.** As is the case for any public school, Charter Schools are **not required** to follow Title requirements **if they do not receive** Title funds<sup>2</sup> related to:

- Title I, section 1003-School Improvement
- Title I, Part A-Basic Programs
- Title I, Part C-Education of Migratory Children
- Title I, Part D, Subpart 1 - Neglected and Delinquent
- Title I, Part D, Subpart 2 - Neglected and Delinquent
- Title II, Part A - Supporting Effective Instruction
- Title III - English Learners
- Title III - Immigrant Students
- Title IV, Part A - Student Support and Academic Enrichment
- Title IV, Part B - 21st Century Community Learning Centers
- Title V, Part B, Subpart 1 - Small, Rural School Achievement Program
- Title V, Part B, Subpart 2 - Rural and Low-income School Program
- McKinney-Vento Homeless Education Grants
- Education of Children in Foster Care

- **Laws not otherwise referenced in 256E.** Charter Schools are **not required** to follow laws not otherwise referenced in Charter School law.

Note the laws that are specifically referenced in 256E, which Charter Schools **are required to follow** include:

- Operate as a nonsectarian, nonreligious school.

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<sup>2</sup> Note that Charter Schools must follow all laws around specific state or federal programs if they receive any related funds.

- Be free of tuition and application fees to Iowa resident students.
- All applicable federal, state and local health and safety requirements and laws prohibiting discrimination on the basis of race, creed, color, sex, sexual orientation, gender identity, national origin, religion, ancestry or disability. This includes such laws<sup>3</sup> as:
  - Bullying and Harassment [[280.28](#)]
  - Seclusion, Restraint and Corporal Punishment [[Chapter 103](#)]
  - Charges and Investigations of incidents of abuse of students by school employees [[Chapter 102](#)]
  - [Section 504](#) of the Rehabilitation Act
  - [Americans with Disabilities Act](#)
  - [Medicaid policies, rules and regulations](#)
  - [Iowa OSHA requirements](#)
  - [Title IX requirements](#)
  - Emergency Operations Plan [[280.30](#)]
  - Any court-ordered desegregation in effect for the school district at the time the charter school application is approved, unless otherwise specifically provided for in the desegregation order.
- Civil and Human Rights in accordance with Chapters [216](#) and [216A](#).
- Special Education Services in accordance with Chapter [256B](#).
- Audit procedures and requirements as outlined in [IAC Chapter 11](#) - specifically 11.6, 11.14, 11.19, and [279.29](#).
- State criminal and history checks for teachers and registry checks for school employees in accordance with sections [279.13](#) and [279.69](#).
- Law specific to prohibiting retaliation against employees or contractors for disclosing certain specified Information in accordance with section [279.14B](#).
- Publishing of student handbooks in accordance with section [279.65](#), and related policies in section [279.65A](#) for the discipline of a student for making a threat of violence or causing an incident of violence that results in injury or property damage or assault.
- Physical examinations, health screenings and formal examinations or surveys designed to assess a student's mental, emotional or physical health in accordance with [279.76](#).
- Law specific to prohibitions and requirements related to the gender identity of students in accordance with [279.78](#).
- Law relating to student, employee and contractor participation in surveys, analyses, activities or evaluations in accordance with [279.79](#).
- Law relating to sexual orientation and gender identity instruction in kindergarten through grade six as required in [279.80](#).
- Law relating to prohibiting students from serving on any committees that determine, or provide recommendations related to, whether a material in a school library should be removed as required in [279.81](#).
- Reporting and investigation of an incident involving the possible commission of a felony by any person who has been issued a license, endorsement, certification, authorization or statement of recognition by the board of educational examiners as required by [280.34](#).

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<sup>3</sup> This is not an exhaustive list.

- Requirement to view the board of educational examiners' public license information prior to hiring an individual who has been issued a license, endorsement, certification, authorization or statement of recognition by the board of educational examiners in accordance with [280.35](#).
- Laws relating to the governing board in [Chapter 21](#) and [Chapter 22](#), where the board's meetings must be open to the public, the board is the governmental body for the Charter, and all records, documents and electronic data of the governing board are public records and to examination.
- Requirement to employ teachers as defined in [256.145](#) who hold valid licenses with an endorsement for the type of instruction or service for which the teachers are employed or under contract.
- Hire a Chief Administrator who is/has one of the following in accordance with [256, subchapter VII, part 3](#): (a) An administrator who holds a valid license, (b) A teacher who holds a valid license or (c) An individual who holds an authorization to be a charter school administrator issued by the board of educational examiners.
- School finance laws in [Chapter 257](#); those specifically referenced include:
  - Student count [257.6, subsection 1, paragraph "a", subparagraph (9)] and applicable fund amounts [[256B.9](#)] where residence meets the definition in section [282.1](#).
  - Costs per pupil [257.9], funds received by the school district of residence for the student as a result of the non-English speaking weighting [[280.4, subsection 3](#)]
  - Postsecondary institution reimbursement [[261E.7](#)] for eligible students [[261E.6](#)]
  - Reimbursement for actual costs regarding special education services for any student requiring special education pursuant to the timeline in section [282.20, subsection 3](#).
- Any required reports are public records as governed by the provisions of [Chapter 22](#).