School boards and the Alaska State Board of Education and Early Development

While no law specifically states that a charter school is a “governmental body of a public entity” subject to Alaska’s public records law, charter school governing boards, which may govern one or more individual public charter schools, are subject to Alaska’s public records law. (Alaska Code § 14.03.255)

Charter school governing boards, which may govern one or more individual public charter schools, are subject to Alaska’s open meetings Act. (Alaska Code § 14.03.255)

Charter school governing boards, which may govern one or more individual public charter schools, are subject to Alabama’s Public Records Act. (Ala. Code § 16–6F–9(d)(3).


According to the Charter School Authorizing Panel, the position appears to be that charter schools are within scope of Alaska’s Public Records Act.

Charter schools are required to “comply with state and federal law” (Alaska Administrative Code tit. 4 § 33.115) and the position appears to be that charter schools are within scope of Alaska’s Open Meetings Act. Some independent charter school forums adopt the Alaska Open Meetings Act in the charter, while others do not.

While no law specifically states whether or not charter schools are subject to Arizona’s Public Records Law, the definition of “public body” is broad and is widely understood to encompass governmental bodies, quasi-governmental bodies, public universities, public educational institutions, public school districts, and special districts. The Arizona State Board for Charter Schools is a “public body” within the meaning of the Open Meeting Law. The Charter School Authorizing Panel by the State Board of Education is a “public body” with the authority to establish policies or make decisions for the public entity or with the authority to advise or make recommendations to the public entity; governmental body includes the members of a subcommittee or other subordinate and all governmental units of the subdivision or consists of two or more members.” Arizona Administrative Code § 44.62.1303(a).

Arizona’s open meetings law. “All meetings of a governmental body of a public entity of the state are open to the public except as otherwise provided by this section or another provision of law.” Arizona Administrative Code § 44.62.101(a).

Arizona’s open records law. “All records of all public agencies are open to inspection by the public under reasonable rules during regular office hours.” Arizona Administrative Code § 44.61.1105(a).

For the purposes of Arizona’s open records law, “public agency means a political subdivision, department, institution, board, commission, division, authority, public corporation, council, committee, or any other instrumentality of the state or municipality... “ Arizona Administrative Code § 44.61.210(a).

Arizona’s public records law. “All meetings of a governmental body of a public entity of the state are open to the public except as otherwise provided by this section or another provision of law.” Arizona Administrative Code § 44.62.101(a).

44.61.1105(d)(3). Arizona’s public records law has been reported in the media and by watchdog groups.

The Arizona State Board for Charter Schools is a “public body” within the meaning of the Open Meeting Law. (Ariz. Rev. Stat. § 38–431)

“Public body” means this state, any county, city, town, school district, political subdivision or taxing district, or any other board or body, or subcommittee of the foregoing, and any public organization or agency, supported in whole or in part by public funds or expending public funds. All records maintained in public offices or by public employees within the scope of their employment shall be presumed to be public records.” Arizona Administrative Code § 44.61.102.


A law was passed in March 2019 that specifically states that charter schools and their governing bodies are subject to public records laws in California.

Charter schools, while they do not have the same level of autonomy that charter schools in other states have, are subject to public records laws in California. (California Code of Regulations, Title 5, Division 6, Chapter 5, § 5550 et seq.)

Charter schools in California are subject to the California Public Records Act. (California Government Code § 6250 et seq.)
In addition to general requirements under the Connecticut Freedom of Information Act, the governing councils of charter schools and their governing bodies are subject to the state's open meetings law. Conn. Gen. Stat. §§ 10‐66kk (open meetings requirements for charter schools); Conn. Gen. Stat. § 1‐200 (General FOIA). Public records disclosure is required for the terms of its charter and the provisions of this section and sections 10‐66bb to 10‐66uu, inclusive, of the Connecticut General Statutes. See also Idaho Department of Education, Charter School Resource Files: Laws Governing Charter Schools, (within in the office of the State Board of Education); local school board; Idaho public college, university or community college: school, board of directors, trustees, board of trustees, board of trustees or any board or committee that is accredited by the same organization that accredits Idaho public colleges and universities.


Charter schools and their governing bodies are subject to Idaho's open records law, except that it is not clear that the private nonprofit would be subject to the open records law. Charter schools and their governing bodies are subject to Idaho's open meetings law. Idaho Code §§ 33, ch. 52 (Charter Schools); Idaho Code §§ 74, ch. 1 (Public Records Act); Idaho Code §§ 74, ch. 2 (Open Meetings Law).
Illinois
105 ILCS 5/27A (Charter School Commission) (a)(c), (d), (e), (g)
Public records and public meetings

Local school boards or the State Charter School Commission

Charter schools are subject to public records laws. The governing bodies of charter schools are subject to Illinois's open meeting laws. 105 ILCS 5/27A-5(c). As a public body, the State Charter School Commission is subject to Illinois's freedom of information act. 105 ILCS 5/27A-5(e), (g).

Indiana
105 ILCS 5/27A (Charter School Commission) (c), (d), (e), (g)
Public records and public meetings

Charter schools are subject to Indiana's public records laws. The charter school law, which defines the terms "public records" and "public meeting," provides that the records and meetings of a "public entity" (including the Indiana charter school law, which defines the terms "public records" and "public meeting," provides that the records and meetings of a "public entity" (including the charter schools) are subject to the provisions of IC 5‐14‐1.5 (Ind. Code § 20‐24‐4‐15). Charter schools are subject to the requirements of IC 5‐14‐1.5 (Ind. Code § 20‐24‐4‐15). Charter school records would likely fall under the definition of "public records" in §402, and the charter school law provides that charter school records are "public records." La. Rev. Stat. § 17:3996(B)(10).

Iowa
105 ILCS 5/27A (Charter School Commission) (c), (e), (g)
Public records and public meetings

Charter school boards and Iowa State Board of Education

Charter schools are subject to Iowa's public records laws. The Iowa State Board of Education is subject to Iowa's open meetings law. Iowa Code § 256F.4(2)(j). Charter schools are required to comply with the provisions of law and regulation governing public schools. Iowa Code § 256F.10(1).

Kansas
105 ILCS 5/27A (Charter School Commission) (c), (e), (g)
Public records and public meetings

Charter school authorizers include: local school boards; and local governing bodies of other entities that are authorized to charter schools. The charter school law also provides that charter schools are subject to the provisions of law and regulation governing public schools. Kan. Stat. § 72‐4206 et seq. (Charter Schools); Kan. Stat. § 45‐215 et seq. (Public Records); Kan. Stat. § 75‐4317 et seq. (Open Meetings).

Kentucky
105 ILCS 5/27A (Charter School Commission) (c), (e), (g)
Public records and public meetings

Charter school authorizers include: local school boards; and local governing bodies of other entities that are authorized to charter schools. The charter school law also provides that charter schools are subject to the provisions of law and regulation governing public schools. Ky. Rev. Stat. §§ 3971‐4002 et seq. (Open Meetings); Ky. Rev. Stat. §§ 42:11 et seq. (Public Records); Ky. Rev. Stat. §§ 61.870‐884 (Public Records); Ky. Rev. Stat. §§ 61‐800‐850 (Open Meetings).

Louisiana
105 ILCS 5/27A (Charter School Commission) (c), (e), (g)
Public records and public meetings

Charter schools are subject to Louisiana's public records laws. The governing bodies of charter schools are subject to Louisiana's open meeting laws. 105 ILCS 5/27A-5(c).

Maine
105 ILCS 5/27A (Charter School Commission) (c), (e), (g)
Public records and public meetings

Charter schools are subject to Maine's public records laws. The Maine government guide to "Laws that apply to Public Charter Schools" provides that charter schools are subject to the Maine Freedom of Access law, which requires that the public have access to public records. Me. Rev. Stat. tit. 20‐A, § 1001 et seq. (Public Records);

Maryland
105 ILCS 5/27A (Charter School Commission) (c), (e), (g)
Public records and public meetings

Charter schools are subject to Maryland's public records laws. Public charter schools are required to comply with the provisions of law and regulation governing public schools. Md. Educ. Code § 9‐20A‐4.

Mississippi
105 ILCS 5/27A (Charter School Commission) (c), (e), (g)
Public records and public meetings

Charter schools are subject to Mississippi's public records laws. The charter school law provides that charter schools are subject to the Mississippi Freedom of Access Law, which requires that the public have access to public records. Miss. Code § 9‐20A‐4.

Montana
105 ILCS 5/27A (Charter School Commission) (c), (e), (g)
Public records and public meetings

Charter schools are subject to Montana's public records laws. Public charter schools are required to comply with the provisions of law and regulation governing public schools. Mt. Code § 9‐20A‐4.
Charter schools are required to comply with open records requirements. Minn. Stat. § 124E.03(5).

Charter schools are subject to laws applicable to public schools.

The charter school authorizer is subject to the Massachusetts public records law. Additionaly, a charter school shall publish and maintain on the school's official website: (1) the meeting minutes of the board of directors and of members and committees having board-delegate authority, for at least 4 years from the date of publication; (2) directory information for the board of directors and for the members of committees having board-delegate authority; and (3) identifying and contact information for the school's authorizer. Minn. Stat. § 124E.07(8)(a). Charter schools are subject to the Massachusetts open meetings law.

Charter schools are subject to Michigan's Freedom of Information Act.

Charter schools are subject to Michigan's open meetings act.

Charter school authorizers are subject to the Massachusetts public records law. Charter school authorizers are subject to the Massachusetts open meetings law.

Charter schools are subject to Mississippi's open meetings laws.

Charter schools are subject to Mississippi's public records laws.

Charter schools are subject to Missouri's open meetings laws.

Charter schools are subject to Missouri's Freedom of Information Act.

Charter schools are subject to Missouri's open meeting laws.

The Missouri State Board of Education is subject to Missouri’s public records law. Charter schools are subject to Missouri’s open meetings laws.

Charter schools are regulated by a state agency, which includes a charter school board, or an entity appointed by the charter school board, that governs the charter school. The board of directors of the charter school must consist of five members, one of whom must be a student enrolled in the charter school. The board of directors is responsible for the governance of the charter school. Minn. Stat. § 124E.02(1).

Charter schools are regulated by a state agency, which includes a charter school board, or an entity appointed by the charter school board, that governs the charter school. The board of directors of the charter school must consist of five members, one of whom must be a student enrolled in the charter school. The board of directors is responsible for the governance of the charter school. Minn. Stat. § 124E.02(1).

Any entity, either public or private, operating, administering, or otherwise managing a charter school is considered a quasi-public governmental body and is subject to the provisions of sections 610.010 to 610.035, which includes the open records laws. Mo. Rev. Stat. § 610.010(13).

The Missouri State Board of Education is subject to Missouri’s public records law. While somewhat unclear, charter school sponsors are subject to Missouri's open meetings laws under Mo. Rev. Stat. § 610.010(13).
<table>
<thead>
<tr>
<th>State</th>
<th>Charter School Law</th>
<th>Montana does not have a charter school law.</th>
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<td>Nebraska</td>
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</table>

Charter school authorizers are subject to Nevada’s public records law. Charter school authorizers are subject to Nevada’s open meetings law.

Nevada Code specifically states that charter schools are subject to the state’s open meetings laws. N.R. Rev. Stat. § 388A.366(1)(e). Additionally, the governing body of a charter school must hold at least one regularly scheduled public meeting each calendar quarter. N.R. Rev. Stat. § 388A.310(5). The open meetings laws apply to public bodies, and the governing body of a charter school is a public body. N.R. Rev. Stat. § 388A.320(4).

Nevada’s charter school law specifically requires charter schools to comply with the public records laws but not the public records law. The charter school law states that the governing board of a charter school is a “public body.” N.R. Rev. Stat. § 388A.330(5), (b) by the term “public body” is not used in the public records law. The public records law requires that “Only privatization contract executed by or on behalf of a governmental entity is a public record and must be open to public inspection during the regular business hours of the governmental entity.” N.R. Rev. Stat. § 239.030. A “privatization contract” is “a contract executed by or on behalf of a governmental entity which authorizes a private entity to provide public services that are (a) substantially similar to the services provided by the public employees of the governmental entity, and (b) in law of the services otherwise authorized or required to be provided by the governmental entity.” N.R. Rev. Stat. § 239.030. A “privatization contract” is “a contract executed by or on behalf of a governmental entity which authorizes a private entity to provide public services that are (a) substantially similar to the services provided by the public employees of the governmental entity, and (b) in law of the services otherwise authorized or required to be provided by the governmental entity.”
New York

New York State Education Law § 2800 – Charter Schools Act: § 2800 et seq. (Open Meetings Act as an agency). Charter schools are subject to New York’s open meets laws.

New York Code specifically states that charter schools are subject to New York’s open meets laws.


South Dakota does not have a charter school law. Chapter 13‐15A, which authorized a pilot charter school for American Indian Students, has since been repealed.

New York’s public records law applies to the Freedom of Information Act. § 50‐600 (Charter School Act). Charter schools, including the charter school and its governing body, must be subject to the Freedom of Information Act. § 50‐600(B)(3). The NYSDOE includes both open meetings and public records provisions.

Charter school authorizers are subject to New York’s open meets laws.

South Dakota does not have a charter school law. Chapter 13‐15A, which authorized a pilot charter school for American Indian Students, has since been repealed.

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Texas
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Utah
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Washington
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West Virginia
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Wisconsin
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New York
Charter school authorizers are subject to New York’s public records laws. Charter school authorizers are subject to New York’s open meetings laws.
A law was passed in March 2019 that specifically states that charter schools and their governing bodies are subject to open records laws in California. Local, county, and state boards of education are subject to California's Public Records Act.

Local, county, and state boards of education are subject to California's open meetings law. In a public body, the State Charter School Commission is subject to Brown's Freedom of Information Act.

Open‐enrollment charter schools and their governing bodies are subject to public records requirements in Texas to the same extent as public schools. Tex. Educ. Code § 12.1051(a).

Charter school authorizers are subject to the Texas public records law. Charter school authority is subject to the Texas open meetings law. Local school board authorizes the charter of a charter school and oversees it, and are subject to the Right to Know Law and Sunshine Act. The Pennsylvania Department of Education also monitors charter schools. Board of trustees of Charter schools are subject to Pennsylvania's open records law. The State Charter School Appeal Board's documents are subject to the Right to Know Law, 65 P.S. § 67.101‐67.3104, and Sunshine Act. The Pennsylvania Department of Education also monitors charter schools.

Philadelphia, PA

The State Charter School Appeal Board's documents are subject to the Sunshine Act (Open Meetings Law). 24 P.S. § 17‐1721‐A(e).

Local school board authorizes the charter of a charter school and oversees it, and are subject to the Right to Know Law and Sunshine Act. The Pennsylvania Department of Education also monitors charter schools.

Houston, TX

Charter school authorizers are subject to the State Charter School Appeal Board's documents' Right to Know law. 24 P.S. § 17‐1721‐A(e).

Local school board authorizes the charter of a charter school and oversees it, and are subject to the Right to Know Law and Sunshine Act. The Pennsylvania Department of Education also monitors charter schools.

Miami, FL

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Local school board authorizes the charter of a charter school and oversees it, and are subject to the Right to Know Law and Sunshine Act. The Pennsylvania Department of Education also monitors charter schools.

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Local school board authorizes the charter of a charter school and oversees it, and are subject to the Right to Know Law and Sunshine Act. The Pennsylvania Department of Education also monitors charter schools.
Georgia charter schools are subject to the state’s public records requirements. Ga. Code § 50-14.6. (General public records provisions) and § 50-18-70 et seq. (general open meetings provisions) governing the operation of the governing board of the nonprofit organization of which each charter school shall be a member.

Seattle, WA

Charter schools are subject to Washington’s public records laws. Rev. Code § 28A.710(1)-(4), (6)-(10) (Charter School Act); Rev. Code § 42.30 (Open Meetings Act); Rev. Code § 42.56 (Public Records Act).

Atlanta, GA

Charter schools are subject to the state’s public records requirements. See above.

Boston, MA

Charter schools are subject to the state’s public records requirements. See above.

Detroit, MI

Charter schools are subject to the state’s public records requirements. See above.

San Francisco, CA

Charter schools are subject to the state’s public records requirements. See above.

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<table>
<thead>
<tr>
<th>Location</th>
<th>State</th>
<th>Charter School Laws</th>
<th>Public Charter School Board</th>
<th>Status of Open Records</th>
<th>Status of Open Meetings</th>
</tr>
</thead>
<tbody>
<tr>
<td>Minneapolis, MN</td>
<td></td>
<td>charter schools and charter school authorizing boards are subject to the same laws as the state of Minnesota.</td>
<td>charter schools are required to comply with open records requirements. Minn. Stat. § 13D.005.</td>
<td>charter schools are required to comply with open records requirements. Minn. Stat. § 13D.005(5e).</td>
<td>charter school board meetings must comply with chapter 13D governing open meetings. Minn. Stat. § 13D.07(5a).</td>
</tr>
<tr>
<td>San Diego, CA</td>
<td></td>
<td>same laws governing charter schools and charter school authorizing boards as the state of California.</td>
<td>charter schools are required to comply with open records requirements. Cal. Educ. Code § 47604.1.</td>
<td>charter school board meetings must comply with chapter 13D governing open meetings. Minn. Stat. § 13D.07(5a).</td>
<td>charter school board meetings must comply with chapter 13D governing open meetings.</td>
</tr>
<tr>
<td>Washington, DC</td>
<td></td>
<td>charter schools and charter school authorizing boards are subject to open records laws in California.</td>
<td>charter schools are required to comply with open records requirements. D.C. Code § 2–531 et seq.</td>
<td>charter schools are subject to open records laws in California.</td>
<td>charter school board meetings must comply with chapter 13D governing open meetings.</td>
</tr>
</tbody>
</table>

Updated August 2, 2019