



### What Is a Public School? Examples of Definitions

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The following definitions originate in either state constitutions or in statutes. Additions are welcome.

	Citation	Definition
Arizona	<a href="#">ARIZ. REV. STAT. ANN. § 15-101</a>	"School" means any public institution established for the purposes of offering instruction to pupils in programs for preschool children with disabilities, kindergarten programs or any combination of grades one through twelve."
Colorado	<a href="#">COLO. REV. STAT. ANN. § 22-1-101</a>	"A public school is a school that derives its support, in whole or in part, from moneys raised by a general state, county, or district tax."
Florida	<a href="#">FLA. STAT. ANN. § 1003.01</a>	"School" means an organization of students for instructional purposes on an elementary, middle or junior high school, secondary or high school, or other public school level authorized under rules of the State Board of Education."
Guam	<a href="#">GUAM CODE ANN. § 1105</a>	"School" means any public schools except the University of Guam unless otherwise specifically provided."
Hawaii	<a href="#">HAW. REV. STAT. § 302A-101</a>	"Public schools" means all academic and noncollege type schools either established and maintained by the department, or issued a charter by the board of education, in accordance with law. All other academic and noncollege type schools are 'private schools', irrespective of the hours during which the sessions take place."
Illinois	<a href="#">ILL. REV. STAT. CH. 105, § 5/1-3</a>	"The terms 'common schools', 'free schools' and 'public schools' are used interchangeably to apply to any school operated by authority of [the school code]."
Indiana	<a href="#">IND. CODE ANN. § 20-18-2-15</a>	"Public school" means a school maintained by a school corporation."
Iowa	<a href="#">IOWA CODE ANN. § 280.2</a>	"The term 'public school' means any school directly supported in whole or in part by taxation. The term 'nonpublic school' means any other school which is accredited or which uses licensed practitioners as instructors."
Kentucky	<a href="#">KY. REV. STAT. ANN. § 158.030</a>	"Common school" means an elementary or secondary school of the state supported in whole or in part by public taxation."
Maine	<a href="#">ME. REV. STAT. ANN. TIT. 20A, § 1</a>	"Public school" means a school that is governed by a school board of a school administrative unit and funded primarily with public funds."
Maryland	<a href="#">MD. CODE ANN. EDUC. § 1-101</a>	"Public schools" means the schools in the public elementary and secondary education system of this State."
Michigan	<a href="#">MICH. COMP. LAWS ANN. § 380.5</a>	"Public school" means a public elementary or secondary educational entity or agency that is established under [the revised school code], has as its primary mission the teaching and learning of academic and vocational-technical skills and knowledge, and is operated by a school district, local act school district, special act school district, intermediate school district, public school academy corporation, strict discipline academy corporation, urban high school academy corporation, or by the department or state board. Public school also includes a laboratory school or other elementary or secondary school that is controlled

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		and operated by a state public university described in section 4, 5, or 6 of article VII of the <a href="#">state constitution</a> [.]"
Minnesota	<a href="#">MINN. STAT. § 120A.05</a>	"'Elementary school' means any school with building, equipment, courses of study, class schedules, enrollment of pupils ordinarily in prekindergarten through grade 6 or any portion thereof, and staff meeting the standards established by the commissioner."  "Middle school' means any school other than a secondary school giving an approved course of study in a minimum of two consecutive grades above 4th but below 10th with building, equipment, courses of study, class schedules, enrollment, and staff meeting the standards established by the commissioner of education."  "'Secondary school' means any school with building, equipment, courses of study, class schedules, enrollment of pupils ordinarily in grades 7 through 12 or any portion thereof, and staff meeting the standards established by the commissioner of education."
Missouri	<a href="#">MO. ANN. STAT. § 160.11</a>	"'Public school' includes all elementary and high schools operated at public expense[.]"
Montana	<a href="#">MONT. CODE ANN. § 20-6-501</a>	"As used in this title, unless the context clearly indicates otherwise, the term 'school' means an institution for the teaching of children that is established and maintained under the laws of the state of Montana at public expense."
Nebraska	<a href="#">NEB. REV. STAT. § 79-101</a>	"School means a school under the jurisdiction of a school board authorized by [the school code]."
Nevada	<a href="#">NEV. REV. STAT. ANN. § 385.007</a>	"'Public schools' means all kindergartens and elementary schools, junior high schools and middle schools, high schools, charter schools and any other schools, classes and educational programs which receive their support through public taxation and, except for charter schools, whose textbooks and courses of study are under the control of the State Board."
New Jersey	<a href="#">N.J. REV. STAT. § 18A:1-1</a>	"'Public school' means a school, under college grade, which derives its support entirely or in part from public funds[.]"
New Mexico	<a href="#">N.M. STAT. ANN. § 22-1-2</a>	"'[P]ublic school' means that part of a school district that is a single attendance center in which instruction is offered by one or more teachers and is discernible as a building or group of buildings generally recognized as either an elementary, middle, junior high or high school or any combination of those and includes a charter school[.]"  "'[S]chool' means a supervised program of instruction designed to educate a student in a particular place, manner and subject area[.]"
New York	<a href="#">N.Y. CONST. ART. XI, § 1</a>	"The legislature shall provide for the maintenance and support of a system of free common schools, wherein all the children of this state may be educated."  From decisions: "The common schools referred to were public schools, maintained as a part of the state system of public education by state or by local tax. Op. Education Dept., 1916, 10 St. Dept. Rep. 449."
North Carolina	<a href="#">N.C. GEN. STAT. § 115C-1</a>  <a href="#">N.C. GEN. STAT. § 115C-74</a>	"A general and uniform system of free public schools shall be provided throughout the State, wherein equal opportunities shall be provided for all students, in accordance with the provisions of <a href="#">Article IX</a> of the Constitution of North Carolina."  "The school system of each local school administrative unit shall consist of 12 years of study or grades, and shall be graded on the basis of a school year of not less than nine months. Schools within the system may be organized in the discretion of the local board of education."
Oklahoma	<a href="#">OKLA. STAT. TIT. 70, § 1-106</a>	"The public schools of Oklahoma shall consist of all free schools supported by public taxation and shall include nurseries, kindergartens, elementary, which

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		may include either K-6 or K-8, secondary schools and technology center schools, not to exceed two (2) years of junior college work, night schools, adult and other special classes, vocational and technical instruction and such other school classes and instruction as may be supported by public taxation or otherwise authorized by laws which are now in effect or which may hereafter be enacted."
South Carolina	<a href="#">S.C. CODE ANN. § 59-1-120</a>	"'Public school' means a school operated by publicly elected or appointed school officials in which the program and activities are under the control of these officials and which is supported by public funds."
Vermont	<a href="#">VT. STAT. ANN. TIT. 16, § 11</a>	"'Public school' means an elementary school or secondary school for which the governing board is publicly elected."
Washington	<a href="#">WASH. REV. CODE ANN. § 28A.150.010</a>	"Public schools shall mean the common schools as referred to in <a href="#">Article IX</a> of the state Constitution and those schools and institutions of learning having a curriculum below the college or university level as now or may be established by law and maintained at public expense."
	<a href="#">WASH. REV. CODE ANN. § 28A.150.020</a>	"'Common schools' means schools maintained at public expense in each school district and carrying on a program from kindergarten through the twelfth grade or any part thereof including vocational educational courses otherwise permitted by law."
Wisconsin	<a href="#">WIS. STAT. ANN. § 115.01</a>	"Public schools are the elementary and high schools supported by public taxation."

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