

Are charter schools bound by school district collective bargaining agreements?

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At the present time, 39 states, the District of Columbia and Puerto Rico have enacted charter school laws, so this database contains information only for them. It does not contain any information for the 11 states that have not enacted charter school laws.

Maintenance of this database is a collective effort between ECS and the National Alliance for Public Charter Schools. Please contact Molly Ryan, 303.299.3614 or mryan@ecs.org with questions or comments about the database.

Are charter schools bound by school district collective bargaining agreements?

Alaska	Yes
Arizona	No
California	No. A charter school's teachers have the same option to form a union as other school district employees. The drafters of the school's charter decide whether the charter school will remain covered by the school district's collective bargaining agreement or will have the right to organize independently. When a charter school is organized independently, it is generally subject to the state's education collective bargaining laws.
Colorado	No
Connecticut	A local charter school's teachers are covered by the school district collective bargaining agreement, but such agreement may be modified by a majority of a charter school's teachers and the charter school's governing council. A state charter school's teachers may negotiate as a separate unit with the charter school governing council or work independently.
Delaware	The employees of a conversion charter school who are employed by the school district are bound by school district collective bargaining agreements. The employees of a conversion charter

	school who are employed by the charter school and the employees of a start-up charter school are not bound by school district collective bargaining agreements. These employees may negotiate as a separate unit with the charter school governing body or work independently.
District of Columbia	No
Florida	No. A charter school's teachers may work independently or bargain collectively.
Georgia	No
Hawaii	Yes. The negotiated master agreements apply to charter school employees unless the exclusive union representatives and the charter school's governing board enter into supplemental agreements that contain cost and non-cost items to facilitate decentralized decision-making.
Idaho	No. The staff of the charter school is considered a separate unit for purposes of collective bargaining.
Illinois	No. However, any bargaining unit of charter school employees that is formed must be separate and distinct from any bargaining units formed from employees of a school district in which the charter school is located.
Indiana	A conversion charter school's teachers are bound by collective bargaining agreements, but they may seek a waiver from the agreements. A start-up charter school's teachers may negotiate as a separate unit with the charter school governing council or work independently.
Iowa	Yes
Kansas	Yes. A charter school's teachers remain covered by the school district collective bargaining agreement, although a waiver may be granted if specified in charter.
Louisiana	Yes. A charter school's teachers are covered by the school district collective bargaining agreement, unless exemption is negotiated with the sponsor and specified in the charter.
Maryland	Yes. Although a charter school and a local teachers' union may mutually agree to negotiate amendments to the existing agreement to address the needs of the particular public charter school.

Massachusetts	Horace Mann charters remain bound by school district collective bargaining agreements to the extent provided by the terms of their charters. Commonwealth charters are not bound by these agreements.
Michigan	Teachers in charter schools authorized by local school boards are covered by school district collective bargaining agreements. Other charter school teachers are not, and may negotiate as a separate unit with a charter school governing body or work independently.
Minnesota	No. A charter school's teachers may negotiate as a separate unit with the charter school governing body or work independently. A charter school's bargaining unit may remain part of the school district unit if teachers, the charter school governing board, the local school board and the teachers' union in the school district agree.
Missouri	No
Nevada	The governing body of a charter school may make all decisions concerning the terms and conditions of employment with the charter school and any other matter relating to employment with the charter school. In addition, the governing body may make all employment decisions with regard to its employees, unless a collective bargaining agreement entered into by the governing body contains separate provisions relating to the discipline of licensed employees of a school. However, an employee who is on a leave of absence from a school district continues, while he is on leave, to be covered by the collective bargaining agreement of the school district only with respect to any matter relating to his status or employment with the district.
New Hampshire	No. Any teacher may choose to be an employee of a charter school; in which case such teacher will have the rights of a teacher in public education to join or organize collective bargaining units.
New Jersey	Teachers in converted public schools are covered by the school district collective bargaining agreement. Teachers in start-ups may remain covered by the school district collective bargaining agreement, negotiate as a separate unit with charter school governing board or work independently.
New Mexico	No
New York	Conversion charter schools are bound by existing school district collective bargaining agreements. Start-up charter schools enrolling up to 250 students in the 1st year are not deemed members of any

	<p>existing collective bargaining unit representing employees of the school district in which the charter school is located; the charter school and its employees are not subject to any existing collective bargaining agreement between the school districts and its employees.</p> <p>Start-up charter schools with enrollments larger than 250 are deemed to be represented in a separate negotiating unit at the charter school by the same employee organization, if any, that represents like employees in the school district in which such charter school is located. However, this representation may be waived in up to 10 charters issued by the State University of New York, is not applicable to the renewal or extension of a charter and does not subject such a charter school to any collective bargaining agreement between any school district and its employees or make such a charter school part of any negotiating unit at such school district. The charter school may, in its sole discretion, choose whether or not to offer the terms of any existing collective bargaining to school employees.</p>
North Carolina	No
Ohio	For start-up schools, teachers may work independently or form a collective bargaining unit. Conversion schools are subject to a school district's collective bargaining agreement, unless a majority of the charter school's teachers petition to work independently or form their own unit.
Oklahoma	No. However, a charter school may choose to be a part of a collective bargaining agreement.
Oregon	No. However, a charter school's teachers may participate in existing collective bargaining units or form collective bargaining units that are separate from existing ones. Also, if a school board is not the sponsor of the charter school, the school board is not the employer of the employees of the charter school and thus the school board cannot collectively bargain with the employees of the charter school.
Pennsylvania	No. However, a charter school's staff may bargain collectively, but not as part of the school district's collective bargaining unit.
Puerto Rico	No
Rhode Island	Yes. A charter school's teachers are covered by the school district collective bargaining agreement.
South Carolina	A conversion charter school's teachers remain covered by the

	school district employment policy. A start-up charter school's teachers may remain covered by the school district employment policy, negotiate as separate unit with charter school governing body or work independently.
Tennessee	No. A charter school's employees may form a bargaining unit, which may elect to represent themselves in negotiations with the charter school's governing body, or they may elect to be represented by any qualified person or organization, including the local bargaining unit within the school district. A charter school's bargaining unit may bargain only with the governing board of the charter school, and not with the local school board.
Texas	Teachers at school-district approved charter schools are school district employees. Teachers at open-enrollment charter schools work independently.
Utah	No
Virginia	Yes
Wisconsin	Yes. For charter schools that are part of a school district
Wyoming	No

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