

Massachusetts Can Do More To Encourage Education Entrepreneurship

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Table of Contents

Executive Summary	4
Introduction	4
Key Data Points	5
Innovative Education Models	6
Supply-side Barriers	7
Demand-side Barriers	12
Policy Ideas	14
Supply-side	14
Demand-side	16
Conclusion	17
Bibliography	18

Executive Summary

Across the United States, the landscape of education is shifting. Families and educators are embracing flexible, personalized education models in the form of microschools, hybrid schools, small private schools, coops, learning centers or a variety of other forms. While education entrepreneurship is exploding in some states, notably Florida, Arizona, Georgia, and Texas, the story in Massachusetts is different. Massachusetts families show interest in alternatives, demonstrated by strong private school enrollment, waitlists for charter and virtual schools and a growing homeschool community. However, education entrepreneurs face significant challenges to starting innovative learning environments.

A combination of supply-side and demand-side barriers are hindering the growth of innovative learning environments in Massachusetts. Supply-side barriers include ambiguous child care licensing regulations, private school approval processes, zoning and facilities compliance costs. Demand-side barriers include cultural preferences, attachment to interscholastic athletics and activities, and affordability.

If Massachusetts wants to embrace the current movement toward plurality in education, it should address some underlying issues to break down these barriers, including: (i) distinguishing child care from education, (ii) simplifying private school approval, (iii) endorsing innovation, (iv) increasing support for entrepreneurs, (v) creating more flexibility in zoning and fire codes, and (vi) exploring policies where educational funding follows the child.

Enabling education entrepreneurs to operate more freely will provide families the ability to access a more diverse choice of educational options for their children and ensure that Massachusetts remains competitive in the future of education.

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Introduction

Across the U.S., a growing movement toward education freedom is driving the rise of “edupreneurs”—educators, parents and entrepreneurs creating innovative learning environments designed to meet the needs of individual kids. As used in this paper, the term edupreneur includes owners and operators of private schools and programs for children who are homeschooled. It does not include operators of charter schools or other forms of public school. As discussed later, these programs may be called many names such as microschools, hybrid schools, learning centers, learning pods, homeschool coops, resource centers and more. They may be formed as nonprofit or for-profit entities. To meet the demand for a more individualized approach to education that moves away from the traditional school paradigm of one-size-fits-all, many of these learning environments are quite small frequently having 30 learners or less. This shift, accelerated by the COVID-19 pandemic, has led to an explosion of innovative learning environments nationwide.

Many states have embraced and invited the introduction of new and novel approaches to education. Florida and Arizona have vibrant education savings account (“ESA”) programs that enable families to withdraw from public school and use a portion of the funds allocated to educate their child for other educational purposes including private school tuition, tutoring and, other forms of educational services, curriculum and other educational materials. In April 2025, Texas enacted an ESA program that will be the largest such program in the United States. Georgia, Texas, Utah and West Virginia have adopted statutory provisions protecting certain types of learning environments from unnecessary government regulation. The recognition of alternative education

environments and some state's willingness to allow families to use their tax dollars to pay for alternatives to in-system education have resulted in a blossoming of options for children and families. It is difficult to get accurate counts on microschool enrollment, but estimates are between 750,000 and 2.2 million students across the United States use microschools as their main schooling provider.¹ Dividing those numbers by an enrollment of 30 students, which is likely either an over or understatement, it equates to 25,000 to over 73,000 programs run by edupreneurs.

There is no available data that measures how many innovative learning environments exist in Massachusetts. However, looking at data that correlates with the existence of innovative learning environments, it appears that Massachusetts is lagging many states in the growth of this new education sector.

This paper seeks to explore why edupreneurs are not flourishing in Massachusetts and suggest ways that the ecosystem could be improved to encourage more innovation.

Key Data Points

In the absence of data on the number of innovative learning environments, the number of children being homeschooled is an important statistic. Many innovative education environments rely on homeschool laws to operate often because they cannot meet the requirements to become a private school or they want flexibility that is not available if they are a private school. In these cases, most of the children who participate in these programs are registered as homeschoolers to fulfil their compulsory attendance requirement and participate in the program under the umbrella of homeschooling, the remaining participants may be virtual schoolers. As such, homeschooling rates are an indicator of the volume of innovative education environments.

According to data tracked by Johns Hopkins Institute for Education Policy Homeschool Hub, the percentage of families homeschooling in the United States is growing. In 2019, 2.8 percent of the total student population between the ages of 5 and 17 in the United States were homeschooled, up from 1.7 percent in 1999. Data from the U.S. Census Household Pulse Survey found that 5.4 percent of families in the United States reported that they homeschooled their children during the 2020–2021 school year rising to approximately 6 percent in 2023–24.²

The story in Massachusetts is a bit different. Just prior to the pandemic in spring of 2020 about 1.5 percent of families said they homeschooled according to the Household Pulse Survey. By fall of 2020 it had risen to 12.1 percent of families. However, post-COVID, based upon Household Pulse Survey data, the Homeschool Hub estimates that approximately 3.14 percent of K-12 students were homeschooled in in the 2022–23 school year and 3.39 percent during the 2023–24 school year.³ That percentage is significantly lower than the national average.

Another data point that has some bearing on innovative education models is virtual learning. Children may be enrolled in a Commonwealth of Massachusetts Virtual School (CMVS) to fulfil their compulsory attendance requirement but may also be engaged in in-person learning in an innovative education program. Currently there are two approved and operating CMVSs. For the 2023–24 academic year, the CMVSs have enrollment caps set in each of their authorizing certificates of 4,200 students collectively. According to the two schools' annual reports, collectively they had approximately 340 children on the waitlist for 2023–24.⁴

According to the National Education Policy Center, in the 2021–22 school year (the most recent year of available data) 35 states had full-time virtual public schools.⁵ Of those 35

states 25 had more than 5,000 children enrolled in virtual public schools and 9 states had more than 20,000 enrolled children. California had the most enrolled children, with just under 60,000 followed by Pennsylvania with 57,800 students. States that had between 30,000 and 50,000 enrolled children include Texas, Arizona, Florida, Oklahoma, Ohio, and Michigan.⁶ Converting these absolute numbers to approximate percentages⁷ Oklahoma has almost 5 percent of eligible school-age children participating in virtual school. Arizona (3.1 percent), Pennsylvania (2.9 percent) Michigan (1.9 percent), Ohio (1.8 percent) and Florida (1.6 percent) followed with the remaining state participation rates under 1 percent. While DESE caps state-wide virtual school enrollment at 2%,⁸ Massachusetts also lags other states with actual enrollment of approximately .4 percent, well under the cap.

Taken together the percentages of children fulfilling their compulsory attendance requirement through homeschool or virtual school is relatively low compared with other states. As stated above, many innovative learning environments are not private schools meaning their learners must meet compulsory attendance requirements through homeschooling or virtual schooling. Therefore, the implication is that if homeschooling and virtual schooling numbers are low, this type of innovative education environment is limited.

There are 70 Commonwealth charter schools that enrolled 46,000 students in the 2023–24 academic year. During that year there were 21,000 children on waitlists for enrollment. Charter schools had significantly higher percentages of low income and high needs students than the statewide average in public schools.⁹

Private school enrollment in Massachusetts is strong in comparison to national averages. For the 2024–25 school year, 12 percent of all K-12 students in Massachusetts attend private schools. The national average is 11 percent for the same period.¹⁰ This high rate of private school attendance exists despite high average tuition rates. Massachusetts has the third highest average private school tuition of all states at \$26,978. The average elementary school tuition is \$24,252 and the average high school tuition is \$40,011 for the 2024–25 school year.¹¹ Of the 888 private schools in Massachusetts 170 are Catholic schools and they have a lower average tuition of \$11,830.¹²

The number of children in and on waitlists for charter schools and virtual schools as well as a high percentage of children attending private schools would seem to indicate that there is an appetite for alternatives to public schooling. However, as we shall explore, this does not necessarily translate into high demand for smaller innovative education programs.

Innovative Education Models

Innovative education programs can take many forms: private schools, microschools, hybrid schools, learning centers, learning pods, homeschool coops, resource centers or any other format an imaginative entrepreneur can dream up.

Unlike some states, Massachusetts does not have a legal definition for “school,” “private school,” “homeschool,” “microschool,” “learning pod” or any other such terms. While the meaning of school and the nature of homeschooling has been established under case law, these other terms have been left undefined. While society has ascribed some meaning to the words, they are cultural rather than legal definitions. When people talk about microschools, learning centers, pods, co-ops or other formats, they are generally referring to small learning environments without assigning any specific form of legal entity or structure. In Massachusetts, these small learning environments can be two types of programs, either a private school, or some other form of educational service

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where the children participating are meeting their compulsory attendance requirements under Massachusetts law by being homeschooled or in some cases by being enrolled in a CMVS. Given the limited number of CMVS seats, this paper will refer to the latter option as a homeschool-based program.

While various forms of innovative learning environments, e.g., learning pods, have existed in some form for decades, scholarly literature on the impact of small innovative learning environments on student outcomes is virtually nonexistent. A recent report published by RAND Corporation conducted a systemic review to identify research on the effectiveness of microschoools. The report did not define “microschools.” Rather it recognized the flexible nature of the concept and identified some common characteristics including small size, individualized approach to instruction and a shared belief that an alternative to traditional schooling could better serve certain students.¹³ Although the search identified numerous sources, the literature was primarily focused on pandemic-era learning pods, many of which no longer operate. The search identified 22 relevant sources on microschoools but “[n]one of the studies used statistical methods that could identify whether the observed improvements in academic performance should be attributed to the microschool or whether those gains reflect systematic differences between students and families who choose a microschool as compared with those who choose to attend a traditional public or private school.”¹⁴ Further research that seeks to evaluate innovative learning environments is needed.

Despite the lack of scholarly support for small individualized learning environments, public interest is growing steadily and many families are seeking out alternatives to traditional schools. A 2024 national survey conducted by YouGov and released by yes. every kid. foundation. found that nearly three-quarters (72 percent) of Americans support making education more flexible with 81 percent of K-12 parents supporting flexibility.¹⁵

In an investigation conducted by Tyton Partners, “Choose to Learn” 2024, they found that nearly half (48 percent) of all K-12 parents surveyed possess a strong interest in pursuing new and/or additional educational programs for their child. While the majority of those parents want to augment their child’s current school experience, 36 percent of those parents were interested in either changing their child’s school or creating a customized education plan for their child that may include an innovative educational program alongside homeschooling.¹⁶

This interest in individualized learning is resulting in an increase of innovative learning environments across the United States. However, in Massachusetts there are significant barriers to opening and operating small, innovative educational environments. Whether formed as a private school or a homeschool-based program, innovative learning environments face a plethora of challenges. While the core objective is to provide educational options for kids, at their heart these learning environments are small businesses that need to fulfill related regulatory requirements. The challenges faced by edupreneurs are both supply-side and demand-side. Supply-side barriers include the private school approval process, ambiguous child care licensing regulations, zoning and facilities compliance costs. Supply-side barriers include cultural preferences, attachment to interscholastic athletics and activities and affordability.

Despite the lack of scholarly support for small individualized learning environments, public interest is growing steadily and many families are seeking out alternatives to traditional schools.

Supply-side Barriers

Private schools and homeschool-based learning environments face different supply-side barriers. However, both types of learning environments face some of the same types of issues.

Supply-side Barriers	Homeschool-based	Private School
Approval	No approval required	Approval by the local school committee required
Child care licensure	Licensure may be required—regulations and guidance ambiguous as to applicability	No licensure required
Zoning	Must comply with local zoning regulations but it is unclear what category of use a program may fall into	Must comply with local zoning regulations that apply to a private school
Facilities compliance	Must comply with building and fire codes relating to an educational Group E occupancy	Must comply with building and fire codes relating to an educational Group E occupancy

Approval. All private schools, including those with religious purposes or affiliations must be approved. Discretion is given to local school committees to determine the process and criteria for evaluating private schools. DESE recommends that school committees have written statements of policy and procedures by which they consider and act upon private school applications for approval.¹⁷ DESE provides suggested (not mandatory) elements for such policies and sample criteria for how a school committee may determine if a private school is equal in thoroughness and efficiency as the local public school. However, there is no centralized control over the process. As a result, the absolute difficulty or ease of getting approval depends on the nature of the municipality, the school committee members and the superintendent. Although there is variation throughout the state, it is fair to say that approval for a private school is not as straightforward or easy as it is for homeschoolers.

By contrast, because all participants in homeschool-based programs are approved homeschoolers or attend a CMVS, the program itself does not need to be approved as long as it is not deemed to be a school. As noted above, there is no statutory definition of “school” under Massachusetts law. Looking at case law, courts have held that a school is “a place where systematic instruction in any or all of the useful branches of learning is given by methods common to schools and institutions of learning.”¹⁸ Whether a homeschool-based program will be considered a school may hinge on one or more of a number of factors including time spent on instruction, how much control parents retain over their child’s instruction and the curriculum used, and the degree of parent involvement. While this may place some constraints on the nature and operations of a homeschool-based program, it avoids the approval process enabling quicker and more friction free access to the market.

Child care licensure. The Department of Early Education (EEC) is responsible for licensing or approving child care centers, school-aged child care programs, family child care homes and large family child care homes.¹⁹ Licensure is required for general programs involving children under 7 years of age and for school-age programs, involving children under 14 years of age unless an exemption is available. Child care licensure imposes significant requirements on a learning environment and can be costly to complete. The requirements include teacher certification and training, staff to student ratios, record keeping, health and safety, and physical facility requirements. Private schools are clearly exempted from licensure²⁰ however, not so for homeschool-based learning environments.

The Wildflower Foundation helps education entrepreneurs open Wildflower schools across the United States and Puerto Rico. They currently have over 70 schools, 17 of which are in Massachusetts. The majority of the schools serve children aged 3 to 6 years old, meaning they need to have a child care license if they operate in Massachusetts—but Wildflower is increasingly supporting the growth of elementary and adolescent programs as well. Katelyn Shore, who started a pre-K and elementary Wildflower School in Massachusetts and works with the Wildflower Foundation to assist other operators, estimates that the average start-up cost for a school in Massachusetts is approximately \$200,000, due in large part to facilities requirements for child care centers. The Wildflower Foundation offers loans, grants and coaching to new operators enabling them to get started and their schools typically break even by year two or three. The high level of start-up costs for licensed programs, however, can be a barrier to entry for some education entrepreneurs even with support.

Thankfully there are some licensure exemptions available. The definition of child care center requiring a license excludes any part of a private organized educational system unless (i) the services of that system are primarily limited to kindergarten, nursery or related preschool services, or (ii) unless the services are limited to a school-aged child care program. The definition of school-aged child care states that they may operate before and after school and may also operate during school vacation and holidays,²¹ clearly contemplating before- and after-school care programs rather than a substitute for a day school. Also exempted are programs that provide care during religious services, informal cooperative arrangements and the occasional care of children. The EEC has published a policy statement entitled *Criteria for Exemption from Licensing*²² where it expounds on the concept of a “private organized educational system” stating that “[t]o be considered a private organized educational system, a program must be approved by the local education authority (school committee, school superintendent or designee) as an alternative to public school, in accordance with M.G.L. Ch.76.” However, the designation “private organized educational system” is not defined in law or regulation. Some advocates of homeschool-based programs have taken the view that homeschool-based programs are not subject to child care licensure as each child is approved as a homeschool. Thus, when they come together in a collective learning environment it is a private organized educational system. This theory has yet to be tested in court.

The *Criteria for Exemption from Licensing* also identifies certain other exemptions that may be obtained by submitting a written request for exemption to the EEC. These include (i) classes that are of an instructional nature where children may sign up for a specific class or lesson and leave the program at the end of the class or lesson which is distinct and time limited; and (ii) programs with an “open-door policy” where children may drop-in during any or all of the hours that the program is open and may come and go at will. While the former exemption is not broad enough to cover most programs, the open-door policy aka drop-in exemption has been used to exempt some learning environments from child care licensure. However, the process is not always smooth.

When Amar Kumar was laying the groundwork to open a homeschool-based micro-school in Newton, Massachusetts, he researched the applicability of child care licensure and determined that complying with the drop-in exemption was the fastest way to launch. Kumar adjusted the model for the microschool to fit squarely within the exemption. Following the guidance issued by the EEC, Kumar applied to the EEC for the exemption in June of 2021. When the microschool opened in the fall of 2021 the EEC had not yet responded to the exemption application. Believing that the microschool complied with the exemption requirements, Kumar made the decision to open and operate and hope for the best. Finally, later in the fall the microschool received official

approval confirming that it was exempt from licensure requirements as long as nothing about the program changed from the description submitted.

The program was successful, and Kumar wanted to serve children under the age of 9, the youngest age included in the original application for exemption. Upon consultation with the EEC, Amar was told that the microschool would need to submit a new application. If denied, it would void the original application as well. As a result, Amar made the decision that the extension of the program to children under 9 years old was not worth the risk.

When Amar reflects on the experience, a sense of unease pervades his recollections. In fact, he remembers receiving an email with a subject line that read “EEC Licensure” that immediately caused his heart rate to skyrocket. As it turns out the email was innocuous but demonstrates the sense of fear licensure issues create. If a learning environment is found to be operating without a license where required, it is deemed an illegal child care and the EEC will seek immediate closure. This can be a devastating result for programs and the families that attend them.

The sense of fear experienced by Kumar and other operators of learning centers results from uncertainty and the inability to obtain clear guidance from the EEC. The EEC has five regional licensing offices. In researching this paper, one of the authors reached out to each of the five regions for guidance on the applicability of child care licensure to homeschool-based programs operating during the school day. The responses were mixed. Representatives from the Western, Northeastern and Southeastern Regions responded that if the children are school-aged and their homeschool plan is approved by their local district they fall under the jurisdiction of DESE and EEC will not impose licensure requirements unless the program is operating before or after school hours. The response from the Boston Metro office was similar but they would not commit to an answer stating that the question should be addressed to DESE. The Central Region would not give any firm guidance and kept referring the author to the *Criteria for Exemption from Licensing* and stating that an operator would have to submit an application for exemption.

The current state of child care regulations creates an unwelcoming environment to education entrepreneurs whether they chose to become licensed or configure themselves to fit into an exemption. Unless an edupreneur can afford the time and money to become licensed, they face a high degree of uncertainty moving forward.

Zoning. Land use ordinances or zoning codes divide localities into zoning districts and designate what types of use a property may be put to within each district. Unless use of a premises as a private school is allowed as of right an edupreneur may need to go through a process to obtain a special use permit or modify the applicable zoning. These processes often take several months and may require costly submissions such as architects plans and traffic studies. The processes may also involve public notice and public hearings. An edupreneur trying to open a private school in a zoning district that does not allow them as of right may not have the time, money or fortitude to go through a conditional use or rezoning process, thereby terminating the project. Furthermore, if undertaken, there is no guarantee that the entrepreneur will prevail and be allowed to move forward with the project.

There is some good news on the zoning front for nonprofit private schools. Nonprofit education corporations along with religious sects or denominations are given some protection from local zoning laws under what is referred to as the Dover Amendment.²³ The Dover Amendment prevents localities from prohibiting, regulating or restricting land use for religious or educational purposes, provided that they may be subject to reasonable

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regulations concerning the bulk and height of structures and determining yard sizes, lot area, setbacks, open space, parking and building coverage requirements. While this opens up zoning districts that may not otherwise be available to private schools, some level of review is generally required. In some municipalities, a site plan review is required that may include a traffic study. Depending on the project size, a site plan may need to be prepared by one or more professionals such as a registered professional engineer, a registered architect, a registered land surveyor and/or a registered landscape architect, or combination thereof. While a site plan review is not as onerous as some other zoning procedures, if professional involvement is required the costs can be significant for a small learning environment.

For-profit educational entities do not have the benefit of the Dover Amendment and may or may not have difficulty finding a district where private schools are allowed as of right. Some municipalities allow schools as of right in all districts and some do not allow schools in any district without going through some sort of approval process. There are also municipalities that have a mix of the two approaches. Whether or not zoning will be problematic is a localized issue.

Similar to private schools, zoning issues exist for homeschool-based programs. However, they have a different set of challenges. Unlike private schools, these programs often fall into a zoning gray area because they are not easily classified. Local land use ordinances determine permitted uses based upon identified categories. While some ordinances allow “tutoring centers,” most lack clear classifications for homeschool programs, leaving zoning decisions to local authorities. If a use does not fall into a defined category, it is up to the zoning authority to determine if it is similar enough to be allowed.

If run from an edupreneur’s home, a homeschool-based program may qualify as a home occupation but face restrictions on employees, space usage, and client numbers which are sometimes limited to one. These restrictions may effectively rule out the use of an operator’s home as the location of a homeschool-based program.

No matter what type of learning environment is involved, navigating zoning can be a highly uncertain exercise and may lead to substantial costs and delays for edupreneurs.

Building and Fire Codes. All types of programs are subject to requirements under the Massachusetts State Building Code²⁴ (the “Building Code”) and the Massachusetts Comprehensive Fire Safety Code²⁵ (the “Fire Code” and together with the Building Code, the “Codes”) which jointly work to safeguard public health, safety and general welfare. The Codes classify the use of a building or structure, or portion thereof, by six or more persons at any one time for educational purposes through the 12th grade as an educational group E occupancy. Under the Fire Code, educational group E occupancies must meet heightened fire safety requirements often including automatic sprinkler and manual fire alarm systems, both of which can be quite expensive to install. There are exemptions from these requirements including, from (i) the sprinkler requirements if the fire area is less than 12,000 ft², and the fire area is located on the level of exit discharge and the occupant load is less than 300 persons; and (ii) the fire alarm system requirement if the occupant load is 50 or fewer. However, the Building Code requires sprinkler systems in any building with more than 7,500 square feet in floor area.

The impact of Code requirements depends on the type of facility the program desires to use. Issues frequently arise if a school wants to locate itself in a church, synagogue or other place of worship. Those types of buildings are generally classified as assembly occupancies and do not have to meet the higher fire safety standards for educational occupancies under the Fire Code.

Private schools are also required to comply with regulations designed to make public

buildings and facilities accessible to persons with disabilities. State requirements include maintaining accessible routes, meeting accessibility standards for at least 50 percent of public entrances, having accessible parking and restroom facilities, and adequate signage.²⁶ In addition, the federal Americans with Disabilities Act Title III regulations²⁷ apply to any nursery, elementary, secondary, undergraduate, or postgraduate private school, or other place of education.²⁸ Religious organizations are broadly exempt from the ADA and Massachusetts accessibility regulations, however, if a religious organization operates a school the portion of the building used for the school may need to comply with the regulations depending on the funding and characteristics of the school.

Demand-side Barriers

When it comes to demand-side barriers, the challenges faced by homeschool-based programs and private schools are essentially the same. Irrespective of the operating model, these programs are small, innovative approaches to education that lack some of the benefits entrenched in public, charter and larger established private schools.

Cultural preferences. Massachusetts is often ranked as having one of the best public school systems in the nation.²⁹ According to NAEP scores, Massachusetts public school students performed significantly higher than the national average in every category.³⁰ Additionally, Massachusetts is known for high quality and in some cases high profile, elite private schools. As previously stated, Massachusetts has a higher percentage of children attending private schools than the national average. Historically, the state has long valued formal education and schooling. Homeschool advocates and anecdotal evidence suggests that these factors may contribute to a degree of cultural bias for formal schooling over home education or other forms of innovative education.

Some edupreneurs conveyed that the innovative education programs they run are often viewed as a last resort. While there is a subset of homeschooling families that chose to homeschool in the first instance, families who start their child's education in the public or traditional private school system express a preference to stay in-system unless it becomes absolutely clear that the system cannot serve their child. This leads edupreneurs to use a two-stage process to market their programs. They must first convince a family that is hesitant to leave the system that their child's needs would be better served outside the traditional setting before they can start to market the benefits of their specific learning environment.³¹

Further, public and private schools offer services beyond education. Interscholastic athletics and activities are a major driver for kids to remain in public or larger private schools. While homeschoolers may be eligible to participate in activities and athletics in the child's public school of record, local school committees must approve participation opportunities for all homeschoolers. Another distinguishing factor is that private, and indeed some public schools offer access to community networks, college connections and prestigious alumni. These conditions make it more difficult for education entrepreneurs to market their concept to the general population.

Funding and affordability. Whether an innovative education model is operated as a private school or a homeschool-based model, financial security is a major issue. Given the fact that these innovative education models share the desire to provide individualized education and stay relatively small, often under 30 learners, there are generally fewer tuition dollars to fund operations. This is one reason the homeschool-based model is appealing to many edupreneurs. Unless a homeschool-based program chooses to become a licensed child care facility, it is safe to say that start-up costs for the program are usually less than the cost to start a private school.

The microschool Amar Kumar founded in Newton was a pilot site for what would become a systematized method for opening innovative learning environments: KaiPod Learning. KaiPod Learning assists education entrepreneurs open microschools and is active in 25 states. The KaiPod Catalyst Program provides personalized coaching and mentoring, a step-by-step playbook for opening a microschool, a support community and expert guidance. Part of the Catalyst Program focuses on developing a sustainable budget. According to the KaiPod Program, the average start-up costs for a microschool run about \$5,000–\$10,000 consisting primarily of an opening deposit on space, furniture and supplies. However, operating costs are significantly higher, generally consisting of staff salaries (60 percent), cost of space (20 percent) and other costs (20 percent). Understanding that enrollment will likely be less than 100 percent for the first year, operators may need financial reserves beyond tuition to cover some of these costs.

The largest single budget item, after teacher salaries, is cost of space. A number of edupreneurs interviewed for this paper highlighted the lack of affordable suitable space for innovative learning environments. This is especially true when the limitations created by local zoning codes are applied. The cost of living in Massachusetts in 2024 was ranked among the nation's highest, behind Hawaii, according to Forbes Advisor Analysis of 2023 data.³² Further, Massachusetts ranked fourth for the highest rental costs and third highest for median monthly housing costs.³³ While these rankings are based upon residential housing costs, they are indicative of an expensive real estate market.

Many learning environments look to churches as a potentially affordable option. In fact, this is one reason why the number of church-based learning centers is increasing. Michael King of the Massachusetts Family Institute (MFI) is part of a team at MFI that has developed a program similar to the KaiPod Catalyst Program to help church communities to open learning centers. One of the goals of the church-based learning centers is to keep tuition affordable for the families they serve. Without the support of the associated church, these programs would not be financially sustainable. Because these programs are often organized as ministries of the church, they have access to space at no cost, a built-in network of volunteers and may receive other financial and non-financial benefits from the church. Further MFI has partnered with other organizations such as the Herzog Foundation that provides free training, mentorship and website design as well as the Children's Scholarship Fund, which provides private scholarships to children who qualify. This is one of the reasons these programs are succeeding in the innovative education space. Unfortunately, these benefits are not available to all edupreneurs.

Alternative learning environments have multiple reasons to try and keep tuition costs low. Many, like the church-based learning centers are focused on serving an identified population that cannot afford large tuition bills. Alternative learning environments are also competing against established private schools. As of the 2024–25 school year, there are 888 private schools in Massachusetts with an average annual tuition of \$24,252 for elementary schools and an overall average of \$26,978 for all private schools.³⁴ One hundred seventy of those private schools are Catholic schools, which have an average tuition of \$11,830.³⁵ While it may appear that Massachusetts families are ready, willing and able to pay high tuition bills, that does not appear to be the case.

Returning to Kumar's experience with his pilot program, the microschool faced financial challenges despite strong demand. Tuition was set at \$12,000, yet even at that rate, the school was unsustainable. While many families were eager to enroll, the feedback received was that the tuition was too high, even with the school operating at a loss. Ultimately, these conditions led Amar to close the Newton location and shift the focus of the KaiPod Catalyst program to developing microschools in states with more viable economic and regulatory conditions.

Similarly, Kenneth Danford has been running North Star, a program for middle schoolers and high schoolers near Amherst, MA since 1996. The program has approximately 65 learners and Ken used to think it would grow significantly larger, but teens and parents have fears around the lack of diplomas and conventional transcripts. However, the largest challenge in operating the program is finding money. Full tuition with North Star's sliding scale is \$9,500–\$3,600 per year, with the hope of averaging about \$7,000 while turning no child away for inability to pay. Because the average payment is closer to \$5,000 per member, the program engages in fundraising. After operating for almost 30 years Danford expressed that they are pretty good at fundraising but managing the budget still causes a lot of stress.

While all of the barriers listed above impact edupreneurs, funding and affordability was the issue that edupreneurs raised time after time as their greatest challenge.

Policy Ideas

While the beneficial outcomes of small, innovative learning environments are yet to be validated, the trend toward encouraging more education options for families is strong. As Kerry McDonald noted in her paper, *Why Massachusetts Should Be A Leader in Encouraging Education Entrepreneurship and Innovative K-12 Learning Models*³⁶, innovative learning models offer creative, flexible, low-cost private education options for families. If Massachusetts wants to embrace the current movement toward plurality in education there are steps it can take to make it easier for edupreneurs to flourish. McDonald spotlighted some policy recommendations in her paper and the following echo and build on some of those.

Supply-side

Make child care licensure issues easier to navigate by differentiating between education and child care. While some regional child care licensure representatives indicated that the EEC does not consider programs for school age children conducted during the school day to require licensure, this is not stated clearly anywhere. Indeed, the publicly available guidance on the EEC website seems to indicate that programs need to be licensed unless they fall into a category described in the policy statement *Criteria for Exemption from Licensing*. When one of the authors asked the regional representatives if the policy could be provided in writing, the response was that the EEC could not provide that guidance because regulation of homeschool students falls under the jurisdiction of DESE and local school committees. A clear statement from the EEC and/or DESE would make it much easier for edupreneurs to navigate child care licensure issues.

In addition, establishing a dedicated liaison within the EEC for homeschool-based or other education programs would assist in clarifying any ambiguities. If a regulatory authority is unwilling to provide written guidance, it would be helpful to have one definitive voice that edupreneurs could consult and rely on.

Make it easier for private schools to be approved. Theoretically, the standard for approval of a private school is the same under Massachusetts law as for homeschooling.³⁷ However, the recommendations on criteria for the approval of a private school from DESE³⁸ delve a lot deeper into school organization and operations including an evaluation of curriculum, staff, facilities, recordkeeping, student services, student assessment, and financial support. The approach to approving a homeschool education plan is a framework that touches on four elements: (i) proposed curriculum and hours of instruction, (ii) competency of instructors (although no certifications or degrees required),

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(iii) instructional materials, and (iv) periodic assessments. While the DESE recommendations are just that and every district can establish its own criteria, a push to simplify the process would make becoming a private school more attractive to edupreneurs.

Clarify that programs for homeschooled and virtual-schooled children are not “schools.” Homeschool families have to meet the educational advancement requirements of their local district. Similarly, children attending virtual school must meet the assessments conducted by the virtual schools. Making it clear that any program—regardless of its form, duration, or content—that’s solely designed to support children already meeting their compulsory attendance requirements under another set of rules isn’t considered a school would give homeschool-based learning environments more freedom. This would allow them create programs that serve their communities without worrying about accidentally being classified as a school.

Create a Real Office of Innovation. The [Felix School](#) is an approved virtual public school with an innovative model. The concept is that substantive instruction will be provided virtually with in-person meeting spaces in community centers like Boys & Girls Clubs where kids can go and be supported by in-person staff. Core subject teachers are 100 percent virtual, and students are supported by success coaches and enrichment teachers at the in-person sites. The school was unanimously approved as a CMVS by the Board of Elementary and Secondary Education. The project was then referred to the Office of Charter Schools and School Redesign in DESE. According to DESE’s website, the office “supports and oversees the creation and sustainability of a variety of high quality public school options—including those that innovate in the areas of instructional practice, time, resources, and technology.”³⁹ Unfortunately, the project is now on hold waiting to resolve the additional “conditions” the Office of Charter Schools and School Redesign has imposed. Some of these conditions would compromise the innovative objectives of the Felix School.

While virtual public, charter and district public schools are outside the realm of this paper, the foregoing anecdote is a telling story about the mindset of regulators. Although DESE does not play a role in the approval of private schools unless they are going to serve disabled students, it sets a tone for the marketplace. If Massachusetts is serious about pursuing of innovation, its institutions need to reflect that vision. They need to have an awareness that in order to create something new, people need to think differently. Innovation cannot be squeezed into existing models. People need to be willing to break the mold. If the office charged with developing innovative schools is overly focused on accountability and unwilling to take risks, it does not create a fertile environment for innovation.

Signal acceptance of innovation in education. As a corollary to the preceding suggestion, DESE can signal its openness to innovation in an updated advisory on approval of private schools.⁴⁰ In addition to clarifying that districts should exercise a minimal level of oversight when evaluating a proposed private school, it could include statements as to the value of innovation and welcome new approaches that may not conform to the traditional criteria used to evaluate schools. Not only would this signal to districts a desire to foster innovation, but it would also signal to parents that new approaches to education are valued and perceived as a worthy option for families.

Another idea would be to convene a coalition of various government bodies that regulate microschools (e.g., representatives of DESE, EEC, the state fire marshal and potentially a rotating slate of representatives of local governments). The coalition could offer educational seminars and best practices on how education innovation can comply with state laws and regulations.

Make more entrepreneurship resources available to edupreneurs. Many education entrepreneurs focus on the educational aspects of the learning environment they want to create and, in some cases, overlook the small business aspects of starting a learning environment. Small business training programs can be offered that address many of the common pitfalls of education entrepreneurship. Some municipalities offer programs that introduce prospective small business owners to the concepts of business licensing, zoning, fire code compliance, budgeting, marketing and other useful tools and information. One town in Florida offers a \$10,000 loan to small business owners who are residents of the town and are starting a business there. Twenty percent of the loan is forgiven every year the business remains in the town. In addition to the funding, the program includes a six-week Small Business Academy Accelerator that introduces the entrepreneurs to the concepts listed above. Local programs such as this one would help edupreneurs get a foot hold and provide needed guidance on regulatory compliance issues.

Right-size zoning requirements. Zoning is a difficult issue to address because of the localized nature of land use ordinances. As a principle, it is recognized that individual municipalities are the best judge of how their resources should be used. That said, it is hard to imagine that any current land use ordinance contemplated the small educational environments described here. It does not seem equitable to say that all private schools are the same, or that home-based learning environments should be treated as private schools when they typically have less than 30 learners.

Some states have introduced legislation that relieves small learning environments from the application of zoning, fire code, child care or other local and state regulations. But, they raise their own set of dangers if they try to define the class of learning environment covered. However, following on from the Dover Amendment, such relief could be offered to all private, organized educational systems. This would not introduce any new definition but extend the relief beyond nonprofit organizations to potentially all the alternative education models discussed above.

Recognize alternative methods of achieving fire safety. The Fire Code explicitly states that the authority having jurisdiction, generally the local fire marshal, is authorized to permit the use of alternative systems, methods or devices to fulfil safety requirements. There are established alternative methodologies, such as NFPA 101A, Guide on Alternative Approaches to Life Safety that employ a holistic approach to fire safety. As a result, in cases where an automatic sprinkler system may be required under the Fire Code, if there are enough compensating fire safety systems, an automatic sprinkler may not be necessary to maintain the same level of fire safety. Recognition and acceptance of such approaches would provide additional avenues when the traditional avenue poses high costs to entrepreneurs.

Demand-side

Have funding follow the child. Many families, edupreneurs and policy professionals share the view that having educational funds follow the child would make it easier for families to exercise true choice in the education of their children. While Massachusetts has an element of school choice in the form of charter schools, virtual schools, private schools, learning centers, and homeschooling, the reality for many families is that without some financial assistance, they have no choice other than sending their child to a public school. In addition to giving families the financial wherewithal to exercise more options, the availability of funding would stimulate supply of education alternatives hopefully contributing to a more vibrant market in educational options.

In addition to giving families the financial wherewithal to exercise more options, the availability of funding would stimulate supply of education alternatives hopefully contributing to a more vibrant market in educational options.

Increase recognition of education alternatives. Policies that outrightly recognize the existence and validity of education options other than traditional public and private schools will help shape public opinion about their viability as an option. These include some of the demand-side recommendations above, such as creating an office of innovation, easing approval of private schools, creating zoning relief and recognizing the differences between large traditional schools and small learning environments in fire code inspections.

Conclusion

The explosion of innovative learning environments throughout the United States is a testament to the fact that families are looking for different approaches to education than what traditionally has been offered. Whether or not these new small learning environments focused on individualized education offer benefits as compared to other education options is yet to be proven. But shouldn't Massachusetts edupreneurs and families be given the opportunity to explore these options and make decisions for themselves? Embracing innovation through expanding access to funding, easing regulation and publicly supporting innovative education would provide a more conducive environment where edupreneurs would have a greater opportunity to thrive. By encouraging education entrepreneurship, Massachusetts can contribute to the exploration and development of new possibilities in education. In turn, Bay State families will have more choice when deciding what is best for the education of their children.

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