

SENATE BILL REPORT

SB 6226

AS OF JANUARY 28, 1994

Brief Description: Authorizing charter schools.

SPONSORS: Senators Moyer, Anderson, Nelson, Bluechel and Roach

SENATE COMMITTEE ON EDUCATION

Staff: Susan Mielke (786-7439)

Hearing Dates: January 31, 1994

BACKGROUND:

As the state continues toward development of a performance-based education system, specific strategies for carrying out education reform will be developed and implemented locally. Many models exist for promoting reform. Examples include: schools-within-schools, year-round calendars, open enrollment, and site-based decision-making. Another model is charter schools, the concept of granting a group the authority to develop and run a public school program but outside most regular requirements of the public school system. Eight states have adopted charter schools legislation. A survey by the National Conference of State Legislatures estimates that at least 14 more states will consider charter school bills in 1994.

SUMMARY:

The creation of public charter schools, operated by nonprofit or governmental organizations independently of a school district, is authorized. The State Board of Education must distribute information to the public and to school district personnel on how to form and operate a charter school, and shall develop a charter schools application form. The information required to be in the application is specified.

An application to establish a charter school may be submitted by two or more certificated teachers, ten or more parents, or by nonprofit and governmental organizations. The application may be submitted to the State Board of Education or to a school district board of directors. Before submittal of the application, a board of trustees, who may develop and implement the programs, activities, and services of the charter school must be established. The board of trustees does not have authority to levy taxes or issue bonds.

A charter school is exempt from all statutes and rules applicable to a school district. However, a charter school: (1) must not charge tuition; (2) must meet health, safety, and civil rights requirements; (3) must design its programs to be

consistent with the statewide student learning goals and the essential academic learning requirements developed for the goals; (4) must offer a minimum number of hours of instruction; (5) must comply with special education laws; (6) administer the statewide tests in grades 4, 8, and 11 and the assessment being developed by the Commission on Student Learning; and (7) must be subject to the same financial audits, audit procedures, and audit requirements as a school district. A charter school must report annually to its sponsor and parents.

Admission to a charter school may be limited to students within an age group or grade level, or to students within a specific geographic area if that area has a greater percentage of non-Caucasian people than is in the congressional district in which the geographic area is located. Admission may not be limited to students on the basis of intellectual ability, measures of achievement or aptitude, or athletic ability. Transportation to and from the charter school is the student's responsibility.

The amount of state funding provided for charter school students is determined by the number of full-time equivalent students enrolled in the school multiplied by the estimated statewide annual average per full-time equivalent student allocation under law. State funding for students eligible for special education and transitional bilingual assistance is determined under the statutes and rules that apply to school districts. A charter school may also receive funds from other governmental and private sources.

A charter school must contract with certificated and non-certificated employees. If a school district employee requests in writing an extended leave of absence from the district to work at a charter school, the school district must grant the leave. During the leave, the district employee may continue to aggregate benefits and credits in the retirements system by paying both the employer and employee contributions. Collective bargaining units at a charter school shall be separate from any other collective bargaining units.

A charter may be terminated or not renewed by its sponsor if the school fails to meet the requirements for student performance set out in the charter, if the school fails to meet generally accepted standards of fiscal management, or if other good cause is shown.

Private and religious schools are not eligible for charter school status. A charter school may not be affiliated with religious institutions.

Appropriation: none

Revenue: none

Fiscal Note: requested January, 18, 1994