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5 Strike everything after the enacting clause and insert the
6 following:

7 "NEW SECTION. **Sec. 1.** The purpose of this chapter is to allow for
8 the establishment of charter schools. The purposes of charter schools
9 are to:

- 10 (1) Improve student learning;
11 (2) Increase learning opportunities for pupils;
12 (3) Encourage the use of different and innovative methods of
13 teaching;
14 (4) Require the measurement of learning standards and create
15 different and innovative forms of measuring standards;
16 (5) Establish new forms of accountability for schools; and
17 (6) Create professional opportunities for teachers and other
18 educators, including the opportunity to be responsible for the learning
19 program at the school site.

20 NEW SECTION. **Sec. 2.** This chapter applies only to charter schools
21 formed and operated under this chapter.

22 NEW SECTION. **Sec. 3.** (1) School districts may sponsor charter
23 schools. A sponsor may authorize one or more individuals or an
24 organization to form and operate a charter school. If a school board
25 rejects an application for a charter school, the application may be
26 submitted to the state board of education for approval or disapproval.
27 The sponsor's authorization shall be in the form of a written contract
28 between the sponsor and the board of directors of the charter school.

29 (2) The total number of charter schools operating in the state in
30 any school year shall not exceed ten, with not more than one charter
31 school in any single school district. For purposes of implementing
32 this subsection, a school district shall notify the state board of
33 education when it receives a charter school application, when it
34 approves a charter school pursuant to this section, and when a charter

1 school contract expires or is terminated. Once ten charter schools are
2 approved by school boards or the state board of education, the state
3 board shall notify school districts. The state board also shall notify
4 school districts when additional charter schools may be approved due to
5 charter school contract expirations or terminations.

6 NEW SECTION. **Sec. 4.** The contract shall be in writing and contain
7 at least the following:

8 (1) A description of a program that carries out one or more of the
9 purposes in section 1 of this act;

10 (2) Specific standards to be achieved by the pupils;

11 (3) Admission policies and procedures;

12 (4) Management and administration of the school;

13 (5) Requirements and procedures for program and financial audits;

14 (6) Assumption of liability by the charter school;

15 (7) Types and amounts of insurance coverage to be obtained by the
16 charter school; and

17 (8) The term of the contract, which may be up to three years.

18 NEW SECTION. **Sec. 5.** Except as provided in this section, a
19 charter school is exempt from all statutes and rules applicable to a
20 school board or school district, although it may elect to comply with
21 one or more provisions of such statutes or rules. However, a charter
22 school shall meet the same health and safety requirements required of
23 a school district.

24 NEW SECTION. **Sec. 6.** (1) The school location may not be
25 prescribed or limited by a sponsor or other authority, except a zoning
26 authority.

27 (2) The school must be nonsectarian in its programs, admission
28 policies, employment practices, and all other operations.

29 (3) The primary focus of the school shall be to provide a
30 comprehensive program of instruction for at least one grade or age
31 group from five through eighteen years of age. Instruction may be
32 provided to people younger than five years and older than eighteen
33 years of age.

34 (4) The school may not charge tuition.

35 NEW SECTION. **Sec. 7.** Charter schools shall not discriminate in

1 the admission of students, hiring practices, or otherwise on the basis
2 of race, ethnicity, color, or national origin.

3 NEW SECTION. **Sec. 8.** (1) A school may limit admission in the
4 following ways:

5 (a) Pupils within an age group or grade level; or

6 (b) Pupils who have attributes designating them as at risk of
7 failure.

8 (2) The school shall not limit admission to students on the basis
9 of athletic ability.

10 NEW SECTION. **Sec. 9.** A charter school shall design its programs
11 to meet the standards contained in the contract with the sponsor.

12 NEW SECTION. **Sec. 10.** The school shall provide instruction each
13 year for at least the number of days required of school districts.

14 NEW SECTION. **Sec. 11.** Transportation for students enrolled at a
15 charter school shall be provided by the school district in which the
16 school is located for a student who resides in the same school district
17 in which the charter school is located. Transportation may be provided
18 by the school district in which the school is located for a student
19 residing in a different school district.

20 NEW SECTION. **Sec. 12.** If a teacher employed by a school district
21 makes a written request for an extended leave of absence to teach at a
22 charter school, the school district shall grant the leave.

23 NEW SECTION. **Sec. 13.** (1) The superintendent of public
24 instruction shall separately calculate and allocate moneys appropriated
25 for basic education under RCW 28A.150.260 to charter schools. The
26 amount of state funding for charter schools shall be determined by the
27 number of full-time equivalent students enrolled in the school
28 multiplied by the estimated state-wide annual average per full-time
29 equivalent student allocation under RCW 28A.150.260 and applicable
30 rules.

31 (2) State funding for students who are eligible for special
32 education under chapter 28A.155 RCW, the learning assistance program
33 under chapter 28A.165 RCW, and the transitional bilingual instruction

1 program under chapter 28A.180 RCW shall be determined in accordance
2 with applicable statutes and rules that apply to school districts.

3 (3) For each annual full-time equivalent student enrolled in a
4 charter school, the charter schools shall be entitled to an amount
5 equal to the maintenance and operation excess tax levy rate per annual
6 average full-time equivalent student of the district in which each
7 full-time equivalent student who attends the charter school resides.
8 These funds shall be paid to the charter school by the school district
9 in which the student resides.

10 (4) The superintendent shall establish rules for the calculation
11 and payment of funds to charter schools.

12 (5) The board of trustees may not levy taxes or issue bonds.

13 (6) Charter schools may receive funds from other governmental and
14 private sources, excluding sectarian organizations.

15 (7) Money received from the state shall not be used to purchase
16 land or buildings. The school may own land and buildings if obtained
17 through nonstate sources. If school districts have excess classroom
18 space, facilities, and buildings suitable for a charter school, the
19 school district shall make such space and facilities available to the
20 charter school.

21 NEW SECTION. **Sec. 14.** (1) The approving agency may unilaterally
22 terminate a contract during the term of the contract for any reason in
23 subsection (2) of this section. At least sixty days before not
24 renewing or terminating a contract, the approving agency shall notify
25 the board of trustees of the school of the proposed action in writing.
26 The notice shall state the reasons for the proposed action in
27 reasonable detail and the school's board of trustees may request in
28 writing an informal hearing before the approving agency within fourteen
29 days of receiving notice of nonrenewal or termination of the contract.
30 Failure by the board of trustees to make a written request for a
31 hearing within the fourteen-day period shall be treated as acquiescence
32 to the proposed actions. Upon receiving a timely written request for
33 a hearing, the approving agency shall give reasonable notice to the
34 school's board of trustees of the hearing date. The approving agency
35 shall conduct an informal hearing before taking final action.

36 (2) A contract may be terminated for the following reasons:

37 (a) The failure to meet the requirements for student performance
38 contained in the contract;

1 (b) The failure to meet generally accepted standards of fiscal
2 management;

3 (c) Violations of the law; or

4 (d) Other good cause shown.

5 (3) If a contract is terminated, the school shall be dissolved.

6 (4) If a contract is terminated or not renewed, students who
7 attended the school may enroll in the resident district, or may submit
8 an application to a nonresident district according to RCW 28A.225.220
9 through 28A.225.230. Applications and notices required by RCW
10 28A.225.220 through 28A.225.230 shall be processed and provided in a
11 prompt manner.

12 NEW SECTION. **Sec. 15.** Sections 1 through 14 of this act shall
13 constitute a new chapter in Title 28A RCW."

14 Correct the title accordingly.

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