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**SUBSTITUTE HOUSE BILL 1744**

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**State of Washington**

**68th Legislature**

**2023 Regular Session**

**By** House Education (originally sponsored by Representatives Rude, Santos, Schmidt, and Pollet)

READ FIRST TIME 02/17/23.

1 AN ACT Relating to clarifying the responsibilities and  
2 accountability for the effective delivery and oversight of public  
3 education services to charter school students; amending RCW  
4 28A.710.030, 28A.710.040, 28A.710.070, 28A.710.100, 28A.710.120,  
5 28A.710.140, 28A.710.180, and 28A.710.190; adding a new section to  
6 chapter 28A.710 RCW; and creating a new section.

7 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

8 NEW SECTION. **Sec. 1.** (1) The legislature finds that  
9 requirements governing the establishment and operations of public  
10 charter schools have proven insufficient. These schools have  
11 experienced a steady growth in student enrollment and often provide  
12 valuable educational opportunities for families in communities across  
13 Washington state.

14 (2) However, several of these schools have closed in the decade  
15 since Washington voters authorized the establishment of charter  
16 schools. As a result, students, parents, and staff in several Puget  
17 Sound locations and in Walla Walla were left to make alternative  
18 arrangements for school and work, unexpectedly and without adequate  
19 notice, when their school closed. Furthermore, in one western  
20 Washington school, the disappointment proved especially difficult as  
21 the charter school opened and permanently ceased operations within

1 the span of a few months. Under no circumstances is a disruption of  
2 this nature acceptable to the many students, families, and staff that  
3 were profoundly impacted by the closure.

4 (3) The legislature also finds that the establishment and  
5 operational challenges of some public charter schools are not limited  
6 to school closures: Some public charter schools have failed to  
7 properly and timely comply with teacher certification requirements;  
8 some public charter school boards have demonstrated ineffective  
9 leadership and oversight, leading to charter school closures; and the  
10 charter school commission has authorized charter schools that were  
11 not prepared or otherwise able to deliver sustained education  
12 services in the manner set forth in their charter school application  
13 or charter contract, as evidenced by multiple closures and the  
14 disruptions they created for students, families, and staff.

15 (4) The legislature authorized the establishment of charter  
16 schools in 2016 after the supreme court invalidated charter school  
17 laws adopted through a voter initiative. As a result, the legislature  
18 has an obligation to ensure that the responsibilities for the  
19 oversight of charter public schools are clearly delineated and  
20 adequate to ensure the highest standards of practices and public  
21 accountability. The legislature is committed to ensuring all  
22 authorized public charter schools in Washington are successful in  
23 their mission to serve Washington students. The legislature,  
24 therefore, intends to clarify responsibilities and increase the  
25 accountability measures governing the effective delivery and  
26 oversight of public education services to public charter school  
27 students.

28 **Sec. 2.** RCW 28A.710.030 and 2016 c 241 s 103 are each amended to  
29 read as follows:

30 (1) To fulfill its duty to manage and operate the charter school,  
31 and to execute the terms of its charter contract, a charter school  
32 board may:

33 (a) Hire, manage, and discharge charter school employees in  
34 accordance with the terms of this chapter and the school's charter  
35 contract;

36 (b) Receive and disburse funds for the purposes of the charter  
37 school;

38 (c) Enter into contracts with any school district, educational  
39 service district, or other public or private entity for the provision

1 of real property, equipment, goods, supplies, and services, including  
2 educational instructional services, pupil transportation services,  
3 and for the management and operation of the charter school, provided  
4 the charter school board maintains oversight authority over the  
5 charter school. Contracts for management operation of the charter  
6 school may only be with nonprofit organizations;

7 (d) Rent, lease, purchase, or own real property. All charter  
8 contracts and contracts with other entities must include provisions  
9 regarding the disposition of the property if the charter school fails  
10 to open as planned or closes, or if the charter contract is revoked  
11 or not renewed;

12 (e) Issue secured and unsecured debt, including pledging,  
13 assigning, or encumbering its assets to be used as collateral for  
14 loans or extensions of credit to manage cash flow, improve  
15 operations, or finance the acquisition of real property or equipment.  
16 However, the charter public school may not pledge, assign, or  
17 encumber any public funds received or to be received pursuant to RCW  
18 28A.710.220. Debt issued under this subsection (1)(e) is not a  
19 general, special, or moral obligation of the state, the charter  
20 school authorizer, the school district in which the charter school is  
21 located, or any other political subdivision or agency of the state.  
22 Neither the full faith and credit nor the taxing power of the state,  
23 or any political subdivision or agency of the state, may be pledged  
24 for the payment of the debt;

25 (f) Solicit, accept, and administer for the benefit of the  
26 charter school and its students, gifts, grants, and donations from  
27 individuals, or public or private entities, excluding sectarian or  
28 religious organizations. A charter school board may not accept any  
29 gifts or donations that violate this chapter or other state laws; and

30 (g) Issue diplomas to students who meet state high school  
31 graduation requirements established under RCW 28A.230.090. A charter  
32 school board may establish additional graduation requirements.

33 (2) A charter school board must (~~contract for an independent~~  
34 ~~performance~~)) obtain an accountability audit of the school to be  
35 conducted: (a) The second year immediately following the school's  
36 first full school year of operation; and (b) at least every three  
37 years thereafter. (~~The performance audit must be conducted in~~  
38 ~~accordance with United States general accounting office government~~  
39 ~~auditing standards. A performance~~)) An audit in compliance with this

1 section does not inhibit the state auditor's office from conducting a  
2 performance audit of the school.

3 (3) A charter school board may not levy taxes or issue tax-backed  
4 bonds.

5 (4) A charter school board may not acquire property by eminent  
6 domain.

7 (5) A charter school board, through website postings and written  
8 notice with receipt acknowledged by signature of the recipient, must  
9 advise families of new, ongoing, and prospective students of any  
10 ongoing litigation challenging the constitutionality of charter  
11 schools or that may require charter schools to cease operations.

12 (6) Each charter school board shall ensure that its members and  
13 administrative staff receive annual training to support the effective  
14 operation and oversight of the charter school, including compliance  
15 with requirements governing the employment of properly credentialed  
16 instructional staff, compliance with the requirements of chapters  
17 42.30 and 42.56 RCW, and the permitted uses of public funds.

18 **Sec. 3.** RCW 28A.710.040 and 2018 c 75 s 9 are each amended to  
19 read as follows:

20 (1) A charter school must operate according to the terms of its  
21 charter contract and the provisions of this chapter.

22 (2) A charter school must:

23 (a) Comply with local, state, and federal health, safety,  
24 parents' rights, civil rights, and nondiscrimination laws applicable  
25 to school districts and to the same extent as school districts,  
26 including but not limited to chapter 28A.642 RCW (discrimination  
27 prohibition) (~~and~~), chapter 28A.640 RCW (sexual equality), and  
28 chapter 28A.155 RCW (special education);

29 (b) Provide a program of basic education, that meets the goals in  
30 RCW 28A.150.210, including instruction in the (~~essential academic~~  
31 ~~learning requirements~~) state learning standards, and participate in  
32 the statewide student assessment system as developed under RCW  
33 28A.655.070;

34 (c) Comply with the screening and intervention requirements under  
35 RCW 28A.320.260;

36 (d) Employ certificated instructional staff as required in RCW  
37 28A.410.025. Charter schools, however, may hire noncertificated  
38 instructional staff of unusual competence and in exceptional cases as  
39 specified in RCW 28A.150.203(7). Beginning November 1, 2023, and

1 annually thereafter, charter schools shall report the employment of  
2 all noncertificated instructional staff hired in accordance with this  
3 subsection (2)(d) during the current and preceding school year to the  
4 executive director of the commission and the state board of education  
5 for inclusion in the annual report required by RCW 28A.710.250;

6 (e) Comply with the employee record check requirements in RCW  
7 28A.400.303;

8 (f) Adhere to generally accepted accounting principles and be  
9 subject to financial examinations and audits as determined by the  
10 state auditor, including annual audits for legal and fiscal  
11 compliance;

12 (g) Comply with the annual performance report under RCW  
13 28A.655.110;

14 (h) Be subject to the performance improvement goals adopted by  
15 the state board of education under RCW 28A.305.130;

16 (i) Comply with the open public meetings act in chapter 42.30 RCW  
17 and public records requirements in chapter 42.56 RCW; and

18 (j) Be subject to and comply with legislation enacted after  
19 December 6, 2012, that governs the operation and management of  
20 charter schools.

21 (3) Charter public schools must comply with all state statutes  
22 and rules made applicable to the charter school in the school's  
23 charter contract, and are subject to the specific state statutes and  
24 rules identified in subsection (2) of this section. For the purpose  
25 of allowing flexibility to innovate in areas such as scheduling,  
26 personnel, funding, and educational programs to improve student  
27 outcomes and academic achievement, charter schools are not subject  
28 to, and are exempt from, all other state statutes and rules  
29 applicable to school districts and school district boards of  
30 directors. Except as provided otherwise by this chapter or a charter  
31 contract, charter schools are exempt from all school district  
32 policies.

33 (4) A charter school may not engage in any sectarian practices in  
34 its educational program, admissions or employment policies, or  
35 operations.

36 (5) Charter schools are subject to the supervision of the  
37 superintendent of public instruction and the state board of  
38 education, including accountability measures such as the Washington  
39 achievement index developed by the state board of education under RCW

1 28A.657.110, to the same extent as other public schools, except as  
2 otherwise provided in this chapter.

3 **Sec. 4.** RCW 28A.710.070 and 2020 c 49 s 2 are each amended to  
4 read as follows:

5 (1) The Washington state charter school commission is established  
6 as an independent state agency whose mission is to ~~((authorize))~~:

7 (a) Authorize high quality charter public schools throughout the  
8 state, especially schools that are designed to expand opportunities  
9 for at-risk students ~~((, and to ensure))~~;

10 (b) Ensure the highest standards of accountability and oversight  
11 for these schools; and

12 (c) Ensure that students in charter schools authorized under this  
13 chapter have opportunities for academic success that are not  
14 disrupted by unsatisfactory educational, operational, or financial  
15 oversight of the charter school, the charter school board, or both.

16 (2) The commission shall, through its management, supervision,  
17 and enforcement of the charter contracts and pursuant to applicable  
18 law, administer the charter schools it authorizes in the same manner  
19 as a school district board of directors administers other schools.

20 (3) (a) The commission shall consist of:

21 (i) Nine appointed members;

22 (ii) The superintendent of public instruction or the  
23 superintendent's designee; and

24 (iii) The chair of the state board of education or the chair's  
25 designee.

26 (b) Appointments to the commission shall be as follows: Three  
27 members shall be appointed by the governor; three members shall be  
28 appointed by the senate, with two members appointed by the leader of  
29 the largest caucus of the senate and one member appointed by the  
30 leader of the minority caucus of the senate; and three members shall  
31 be appointed by the house of representatives, with two members  
32 appointed by the speaker of the house of representatives and one  
33 member appointed by the leader of the minority caucus of the house of  
34 representatives. The appointing authorities shall assure diversity  
35 among commission members, including representation from various  
36 geographic areas of the state and shall assure that at least one  
37 member is the parent of a Washington public school student.

38 (4) Members appointed to the commission shall collectively  
39 possess strong experience and expertise in public and nonprofit

1 governance; management and finance; public school leadership,  
2 assessment, curriculum, and instruction; and public education law.  
3 All appointed members shall have demonstrated an understanding of and  
4 commitment to charter schooling as a strategy for strengthening  
5 public education.

6 (5) Appointed members shall serve four-year, staggered terms. The  
7 initial appointments from each of the appointing authorities must  
8 consist of one member appointed to a one-year term, one member  
9 appointed to a two-year term, and one member appointed to a  
10 three-year term, all of whom thereafter may be reappointed for a  
11 four-year term. No appointed member may serve more than two  
12 consecutive terms. Initial appointments must be made by July 1, 2016.

13 (6) Whenever a vacancy on the commission exists among its  
14 appointed membership, the original appointing authority must appoint  
15 a member for the remaining portion of the term within no more than  
16 thirty days.

17 (7) Commission members shall serve without compensation but may  
18 be reimbursed for travel expenses as authorized in RCW 43.03.050 and  
19 43.03.060.

20 (8) The commission may hire an executive director and may employ  
21 staff as necessary to carry out its duties under this chapter. The  
22 commission may delegate to the executive director the duties as  
23 necessary to effectively and efficiently execute the business of the  
24 commission, including the authority to employ necessary staff. In  
25 accordance with RCW 41.06.070, the executive director and the  
26 executive director's confidential secretary are exempt from the  
27 provisions of chapter 41.06 RCW.

28 (9) The commission shall reside within the office of the  
29 superintendent of public instruction for administrative purposes  
30 only.

31 (10) RCW 28A.710.090 and 28A.710.120 do not apply to the  
32 commission.

33 **Sec. 5.** RCW 28A.710.100 and 2016 c 241 s 110 are each amended to  
34 read as follows:

35 (1) Authorizers are responsible for:

36 (a) Ensuring that students in charter schools they authorize will  
37 have opportunities for academic success that are not disrupted by  
38 unsatisfactory educational, operational, or financial oversight of  
39 the charter school, the charter school board, or both;

1       **(b)** Soliciting and evaluating charter applications;  
2       ~~((b))~~ **(c)** Approving charter applications that meet identified  
3 educational needs and promote a diversity of educational choices;  
4       ~~((e))~~ **(d)** Denying charter applications that fail to meet  
5 statutory requirements, requirements of the authorizer, or both;  
6       ~~((d))~~ **(e)** Negotiating and executing charter contracts with each  
7 authorized charter school;  
8       ~~((e))~~ **(f)** Monitoring, in accordance with charter contract  
9 terms, the performance and legal compliance of charter schools  
10 including, without limitation, education and academic performance  
11 goals and student achievement; ~~((and~~  
12 ~~(f))~~ **(g)** Determining whether each charter contract merits  
13 renewal, nonrenewal, or revocation; and  
14 (h) Ensuring that charter school boards comply with the annual  
15 training requirements in RCW 28A.710.030(6).

16       (2) An authorizer may delegate its responsibilities under this  
17 section to employees or contractors.

18       (3) All authorizers must develop and follow chartering policies  
19 and practices that are consistent with the principles and standards  
20 for quality charter authorizing developed by the national association  
21 of charter school authorizers in at least the following areas:

- 22       (a) Organizational capacity and infrastructure;  
23       (b) Soliciting and evaluating charter applications;  
24       (c) Performance contracting;  
25       (d) Ongoing charter school oversight and evaluation; and  
26       (e) Charter renewal decision making.

27       (4) Each authorizer must submit an annual report to the state  
28 board of education, according to a timeline, content, and format  
29 specified by the board that includes:

30       (a) The authorizer's strategic vision for chartering and progress  
31 toward achieving that vision;

32       (b) The academic and financial performance of all operating  
33 charter schools under its jurisdiction, including the progress of the  
34 charter schools based on the authorizer's performance framework;

35       (c) The status of the authorizer's charter school portfolio,  
36 identifying all charter schools in each of the following categories:

- 37       (i) Approved but not yet open; (ii) operating; (iii) renewed; (iv)  
38 transferred; (v) revoked; (vi) not renewed; (vii) voluntarily closed;  
39 or (viii) never opened;



1 (d) The authorizer's operating costs and expenses detailed in  
2 annual audited financial statements that conform with generally  
3 accepted accounting principles; and

4 (e) The services purchased from the authorizer by the charter  
5 schools under its jurisdiction under RCW 28A.710.110, including an  
6 itemized accounting of the actual costs of these services.

7 (5) Neither an authorizer, individuals who comprise the  
8 membership of an authorizer in their official capacity, nor the  
9 employees of an authorizer are liable for acts or omissions of a  
10 charter school they authorize.

11 (6) No employee, trustee, agent, or representative of an  
12 authorizer may simultaneously serve as an employee, trustee, agent,  
13 representative, vendor, or contractor of a charter school under the  
14 jurisdiction of that authorizer.

15 **Sec. 6.** RCW 28A.710.120 and 2016 c 241 s 112 are each amended to  
16 read as follows:

17 (1) The state board of education is responsible for overseeing  
18 the performance and effectiveness of all authorizers (~~(approved under~~  
19 ~~RCW 28A.710.090)~~).

20 (2) Persistently unsatisfactory performance of an authorizer's  
21 portfolio of charter schools, a pattern of well-founded complaints  
22 about the authorizer or its charter schools, a high percentage of  
23 charter school closures during the preceding 10-year period, or other  
24 objective circumstances may trigger a special review by the state  
25 board of education.

26 (3) In reviewing or evaluating the performance of authorizers,  
27 the state board of education must apply nationally recognized  
28 principles and standards for quality charter authorizing. Evidence of  
29 material or persistent failure by an authorizer to carry out its  
30 duties in accordance with these principles and standards constitutes  
31 grounds for revocation of the authorizing contract by the state board  
32 of education, as provided under this section.

33 (4) If at any time the state board of education finds that an  
34 authorizer is not in compliance with a charter contract, its  
35 authorizing contract, or the authorizer duties under RCW 28A.710.100,  
36 the board must notify the authorizer in writing of the identified  
37 problems, and the authorizer must have reasonable opportunity to  
38 respond and remedy the problems.

1 (5) (~~If~~) Except as provided otherwise in subsection (7) of this  
2 section if, after due notice from the state board of education, an  
3 authorizer persists in violating a material provision of a charter  
4 contract or its authorizing contract, or fails to remedy other  
5 identified authorizing problems, the state board of education shall  
6 notify the authorizer, within a reasonable amount of time under the  
7 circumstances, that it intends to revoke the authorizer's chartering  
8 authority unless the authorizer demonstrates a timely and  
9 satisfactory remedy for the violation or deficiencies.

10 (6) In the event of revocation of any authorizer's chartering  
11 authority, the state board of education shall manage the timely and  
12 orderly transfer of each charter contract held by that authorizer to  
13 another authorizer in the state, with the mutual agreement of each  
14 affected charter school and proposed new authorizer. The new  
15 authorizer shall assume the existing charter contract for the  
16 remainder of the charter term.

17 (7) If the commission is the subject of the special review under  
18 this section, the state board of education shall have one year from  
19 the initiation of its review to complete the review and provide a  
20 report with findings and recommendations, including any  
21 recommendations for statutory revisions it deems necessary, to the  
22 governor, the superintendent of public instruction, and the  
23 appropriate committees of the house of representatives and the  
24 senate.

25 (8) The state board of education must establish timelines and a  
26 process for taking actions under this section in response to  
27 performance deficiencies by an authorizer.

28 **Sec. 7.** RCW 28A.710.140 and 2016 c 241 s 114 are each amended to  
29 read as follows:

30 (1) The state board of education must establish an annual  
31 statewide timeline for charter application submission and approval or  
32 denial that must be followed by all authorizers.

33 (2) In reviewing and evaluating charter applications, authorizers  
34 shall employ procedures, practices, and criteria consistent with  
35 nationally recognized principles and standards for quality charter  
36 authorizing. Authorizers shall give preference to applications for  
37 charter schools that are designed to enroll and serve at-risk student  
38 populations. However, nothing in this chapter may be construed as  
39 intended to limit the establishment of charter schools to those that

1 serve a substantial portion of at-risk students, or to in any manner  
2 restrict, limit, or discourage the establishment of charter schools  
3 that enroll and serve other pupil populations under a nonexclusive,  
4 nondiscriminatory admissions policy. The application review process  
5 must include thorough evaluation of each application, an in-person  
6 interview with the applicant group, and an opportunity to learn about  
7 and provide input on each application in a public forum including,  
8 without limitation, parents, community members, local residents, and  
9 school district board members and staff.

10 (3) In deciding whether to approve an application, authorizers  
11 must:

12 (a) Grant charters only to applicants that have demonstrated  
13 competence in each element of the authorizer's published approval  
14 criteria and are likely to open ~~((and)),~~ operate, and ensure the  
15 financial viability of a successful charter public school;

16 (b) Base decisions on documented evidence collected through the  
17 application review process;

18 (c) Follow charter-granting policies and practices that are  
19 transparent and based on merit; and

20 (d) Avoid any conflicts of interest, whether real or apparent.

21 (4) An approval decision may include, if appropriate, reasonable  
22 conditions that the charter applicant must meet before a charter  
23 contract may be executed.

24 (5) For any denial of an application, the authorizer shall  
25 clearly state in writing its reasons for denial. A denied applicant  
26 may subsequently reapply to that authorizer or apply to another  
27 authorizer in the state.

28 **Sec. 8.** RCW 28A.710.180 and 2016 c 241 s 118 are each amended to  
29 read as follows:

30 (1) Each authorizer must continually monitor the performance and  
31 legal compliance of the charter schools under its jurisdiction,  
32 including collecting and analyzing data to support ongoing evaluation  
33 according to the performance framework in the charter contract.

34 (2) An authorizer may conduct or require oversight activities  
35 that enable the authorizer to fulfill its responsibilities under this  
36 chapter, including conducting appropriate inquiries and  
37 investigations ~~((, if those activities are consistent with the intent  
38 of this chapter, adhere to the terms of the charter contract, and do  
39 not unduly inhibit the autonomy granted to charter schools))~~.

1 Examples of permitted reasons for conducting or requiring oversight  
2 activities under this section include: The persistent unsatisfactory  
3 performance of a charter school; a pattern of well-founded complaints  
4 about a charter school; or other objective circumstances.

5 (3) In the event that a charter school's performance, financial  
6 status, or legal compliance appears unsatisfactory, the authorizer  
7 must promptly notify the school of the perceived problem and provide  
8 reasonable opportunity for the school to remedy the problem. However,  
9 if the problem warrants revocation of the charter contract, the  
10 revocation procedures under RCW 28A.710.200 apply.

11 (4) An authorizer may take appropriate corrective actions or  
12 exercise sanctions short of revocation in response to apparent  
13 deficiencies in charter school performance or legal compliance. These  
14 actions or sanctions may include, if warranted, requiring a school to  
15 develop and execute a corrective action plan within a specified time  
16 frame.

17 **Sec. 9.** RCW 28A.710.190 and 2016 c 241 s 119 are each amended to  
18 read as follows:

19 (1) A charter contract may be renewed by the authorizer, at the  
20 request of the charter school, for successive five-year terms. The  
21 authorizer, however, may vary the term based on the performance,  
22 demonstrated capacities, and particular circumstances of a charter  
23 school, and may grant renewal with specific conditions for necessary  
24 improvements to a charter school.

25 (2) No later than six months before the expiration of a charter  
26 contract, the authorizer must issue a performance report and charter  
27 contract renewal application guidance to the charter school. The  
28 performance report must summarize the charter school's performance  
29 record to date based on the data required by the charter contract,  
30 and must provide notice of any weaknesses or concerns perceived by  
31 the authorizer concerning the charter school that may, if not timely  
32 rectified, jeopardize its position in seeking renewal. The charter  
33 school has thirty days to respond to the performance report and  
34 submit any corrections or clarifications for the report.

35 (3) The renewal application guidance must, at a minimum, provide  
36 an opportunity for the charter school to:

37 (a) Present additional evidence, beyond the data contained in the  
38 performance report, supporting its case for charter contract renewal;

1 (b) Describe improvements undertaken or planned for the school;  
2 and

3 (c) Detail the school's plans for the next charter contract term.

4 (4) The renewal application guidance must include or refer  
5 explicitly to the criteria that will guide the authorizer's renewal  
6 decisions, and this criteria must be based on the performance  
7 framework set forth in the charter contract.

8 (5) In making charter renewal decisions, an authorizer must:

9 (a) Ensure that students in the charter school will have  
10 opportunities for academic success that are not disrupted by  
11 unsatisfactory educational, operational, or financial oversight of  
12 the charter school, the charter school board, or both;

13 (b) Base its decisions in evidence of the school's performance  
14 over the term of the charter contract in accordance with the  
15 performance framework set forth in the charter contract;

16 ~~((b))~~ (c) Ensure that data used in making renewal decisions are  
17 available to the school and the public; and

18 ~~((e))~~ (d) Provide a public report summarizing the evidence  
19 basis for its decision.

20 NEW SECTION. Sec. 10. A new section is added to chapter 28A.710  
21 RCW to read as follows:

22 (1) Subject to the availability of amounts appropriated for this  
23 specific purpose, beginning with the 2023-24 school year, the  
24 commission shall promote the effective administration and operation  
25 of charter schools through the provision of technical assistance to  
26 requesting charter schools, charter school boards, or both.

27 (2) The principal objective of technical assistance provided in  
28 accordance with this section, which may be provided by commission  
29 staff or through a contractor, must be to support charter schools and  
30 charter school boards in achieving and maintaining compliance with  
31 the requirements of this chapter and other provisions of Title 28A  
32 RCW governing the operation of charter schools. In responding to  
33 requests for technical assistance, the commission shall prioritize  
34 the provision of assistance to charter schools that have been in  
35 operation for three or fewer school years.

36 (3) Technical assistance provided in accordance with this  
37 section: May only be provided at the request of the applicable  
38 charter school or charter school board; and is unrelated to, and does

1 not affect or otherwise modify, duties of the commission in its role  
2 as an authorizer.

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