



# THE WASHINGTON STATE BOARD OF EDUCATION

*A high-quality education system that prepares all students for college, career, and life.*

**Title:** Approval of First Place Scholars School as a private school

- As Related To:**
- Goal One: Develop and support policies to close the achievement and opportunity gaps.
  - Goal Two: Develop comprehensive accountability, recognition, and supports for students, schools, and districts.
  - Goal Three: Ensure that every student has the opportunity to meet career and college ready standards.
  - Goal Four: Provide effective oversight of the K-12 system.
  - Other

- Relevant To Board Roles:**
- Policy Leadership
  - System Oversight
  - Advocacy
  - Communication
  - Convening and Facilitating

**Policy Considerations / Key Questions:** The State Board of Education (SBE) will approve First Place Scholars School as a private school.

- Possible Board Action:**
- Review
  - Approve
  - Adopt
  - Other

- Materials Included in Packet:**
- Memo
  - Graphs / Graphics
  - Third-Party Materials
  - PowerPoint

**Synopsis:** First Place Scholars School was an approved private school for number of years before became a public charter school. With the charter school law having been found unconstitutional by the state Supreme Court, the school is transitioning back to a private school.

The school submitted a private school certification of compliance to the Office of the Superintendent of Public Instruction (OSPI). OSPI reviewed the certification and found no deviations from the requirements of private school law. WAC 180-90-130 requires OSPI to recommend a school for approval if no deviations have been found:

“If the superintendent of public instruction finds no minor, major, or unacceptable deviations, the superintendent of public instruction shall so notify the private school and shall recommend full approval of the private school to the state board of education.” (WAC 180-90-130.)

WAC 180-90-139 requires the SBE to approve a school if no deviations are found:

“If no deviations are found, the state board of education shall grant full approval.” (WAC 180-90-139.)



## APPROVAL OF FIRST PLACE SCHOLARS SCHOOL AS A PRIVATE SCHOOL

### Policy Considerations

Washington recognizes limited authority over private schools. The law states that private schools “should be subject only to those minimum state controls necessary to insure the health and safety of all the students in the state and to insure a sufficient basic education to meet usual graduation requirements.” ([RCW 28A.195.010](#)).

Private schools annually certify that they are in compliance with state law by submitting a certificate of compliance form to the Office of the Superintendent of Public Instruction (OSPI). OSPI reviews the certification forms to determine if there are deviations from the requirements for private schools. If no deviations are found, OSPI recommends the schools for approval by the State Board of Education (SBE), and the SBE approves the schools ([WAC 180.90.139](#)). The rule does not authorize the SBE to deny approval of schools for which OSPI has found no deviations.

First Place Scholars has submitted a certificate of compliance to OSPI. OSPI has reviewed the school’s information and found no deviations. OSPI has recommended the school for approval as a private school. A recommendation letter to the Board from OSPI is included in the meeting materials for this special meeting.

At the December 18, 2015, special meeting, the SBE will approve First Place Scholars as a private school.

### Background

First Place Scholars operated as an approved private school for a number of years. The school’s website states that the organization was founded in 1989 to serve homeless children. In January 2014 the school was approved to open as the state’s first public charter school in fall of 2014-2015. Since the Washington Supreme Court ruled against the constitutionality of the charter school law, First Place Scholars School decided apply to return to private school status and submitted a certificate of compliance with OSPI. OSPI has reviewed the form, found no deviations from requirements for private schools, and has recommended the school for approval as a private school (see the recommendation letter from OSPI to the SBE.)

The general requirements of private schools include:

- Minimum school day and instructional hour requirements.
- At least one Washington state certificated educator on-staff providing supervision of any non-certificated teachers.
- Facilities that meet health and fire safety requirements and are adequate for the programs offered.
- Instruction that would allow students to meet normal graduation requirements.
- Student records retained and measures are taken to keep them safe.

- Maintenance of policy statements related to the administration and operation of the school.
- The school does not engage in a policy of racial segregation or discrimination.

The state Charter School Commission asked the Washington State Auditor's Office to conduct an audit of First Place Scholars Charter School during the first year of the operation of the school as a public charter school. The State Auditor identified a number of audit findings relevant to First Place Scholars meeting conditions of the charter school contract. The findings, however, would not be relevant to considerations of approval of a private school.

**Action**

In accordance with [WAC 180.90.139](#), the SBE will approve First Place Scholars as a private school.

If you have questions regarding this memo, please contact Linda Drake at [Linda.Drake@k12.wa.us](mailto:Linda.Drake@k12.wa.us).