



THE WASHINGTON STATE BOARD OF EDUCATION

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

COVER: CHARTER SCHOOL AUTHORIZERS

Prepared for the July 2018 Board Meeting

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:

Related to the Board's statutory duties within Washington's charter public school act.

Materials included in packet:

- PPT by Ms. Kaaren Heikes
- PPT by Mr. Joshua Halsey/Charter School Commission
- Memo from Charter School Commission
- PPT by Ms. Jeannette Vaughn/Spokane Public Schools

Synopsis:

Staff (Ms. Kaaren Heikes) will brief the Board regarding its statutory duties related to charter schools.

The Executive Director of Washington's Charter School Commission, Mr. Joshua Halsey, will provide a presentation covering the agency's core statutory duties and composition (commissioners and staff), as well as the agency's processes and tools related to authorizing and overseeing charter public schools throughout the state.

Spokane Public Schools' Director of Innovative Programs and Charter Schools, Ms. Jeannette Vaughn, will provide a presentation covering her district's processes and tools related to authorizing and overseeing charter public schools in Spokane.



Charter School Authorizers

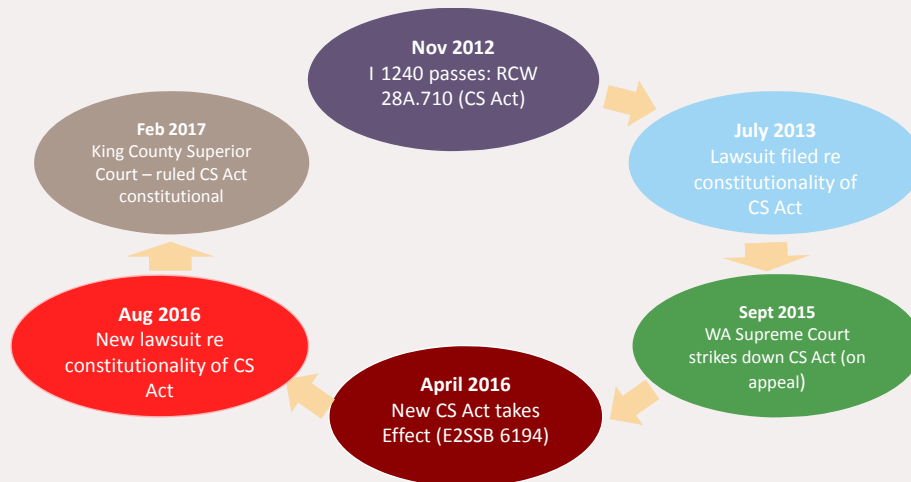
Kaaren Heikes
July 11, 2018

National Landscape



- 44 states, D.C., Guam & Puerto Rico have public charter school laws and public charter schools
- Six states do not (Montana, N Dakota, S Dakota, Nebraska, W Virginia, Vermont)
- Over 1,000 U.S. authorizers authorize 6,900 public charter schools serving 3.1M students (2016-17)

History of WA's Charter School Law



SBE Statutory Duties re: Charter Schools



1. Include all charter schools in its public school system oversight, including accountability measures, to the same extent as other public schools.
2. SBE chair, or designee, serve as a member of the Charter School Commission.
3. Screen, approve, contract with, and oversee the performance and effectiveness of school districts that authorize charter schools within their boundaries.
4. Establish a statewide formula for an authorizer oversight fee.

SBE Statutory CS Duties (con't)



5. Certify charter school applications approved by CSC or a district authorizer between approval and contract ratification (to ensure “room” within the 40 maximum allowed by law).
6. Petitions for charter contract transfers (review and determine whether to grant).
7. Create annual charter school report for Governor, Legislature, public at large.

WA Authorizers and Charters to-date



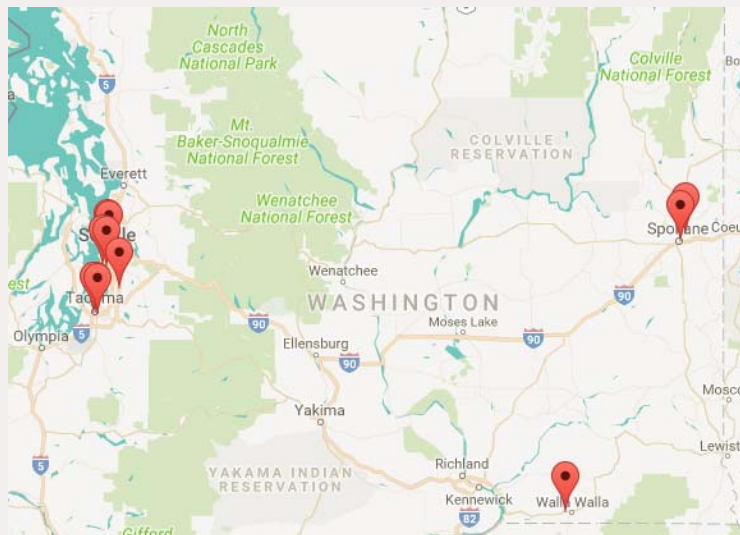
Authorizers

Charter School
Commission (CSC)
Spokane Public Schools

Charter Schools

13 operating 2018-19
school year (2 sponsored
by Spokane Public Schools;
11 by CS Commission)

13 open charter schools in WA 2018-19



Annual Charter School Report

RCW 28A.710.250 Annual reports—Recommendation regarding additional schools.

- Beginning in the first year after there have been charter schools operating for a full school year (2016-2017), by December 1st annually, the SBE, in collaboration with the (CS) commission, must issue a report on the performance of the state's charter schools during the preceding school year to the governor, the legislature, and the public at large (*SBE submitted the first report 12/1/17*).



Annual Charter School Report (con't)



The annual report must include [RCW 28A.710.250(2)]:

- A comparison of the performance of charter school students with the performance of academically, ethnically, and economically comparable groups of students in other public schools.
- The SBE's assessment of the successes, challenges, and areas for improvement in meeting the purposes of this chapter, including the SBE's assessment of the:
 - sufficiency of funding for charter schools,
 - the efficacy of the formula for authorizer funding, and
 - any suggested changes in state law or policy necessary to strengthen the state's charter schools.

Annual Charter School Report (con't)



SBE's annual report must be based on the reports submitted by each authorizer as well as any additional relevant data compiled by the state board of education.

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

- (a) The authorizer's strategic vision for chartering and progress toward achieving that vision;
- (b) The academic and financial performance of all operating charter schools under its jurisdiction, including the progress of the charter schools based on the authorizer's performance framework;
- (c) The status of the authorizer's charter school portfolio, identifying all charter schools in each of the following categories: (i) Approved but not yet open; (ii) operating; (iii) renewed; (iv) transferred; (v) revoked; (vi) not renewed; (vii) voluntarily closed; or (viii) never opened;
- (d) The authorizer's operating costs and expenses detailed in annual audited financial statements that conform with generally accepted accounting principles; and
- (e) The services purchased from the authorizer by the charter schools under its jurisdiction under RCW 28A.710.110, including an itemized accounting of the actual costs of these services.

Annual Charter School Report (con't)



RCW 28A.710.250(3) –

Together with the issuance of the annual report following the fifth year after there have been charter schools operating for a full school year, the state board of education, in collaboration with the commission, shall submit a **recommendation regarding whether or not the legislature should authorize the establishment of additional charter public schools.**

Fifth year after charter schools have been operating for a full school year (2016-17) = 2021 annual report

RCW 28A.710.150 –

(1) A maximum of 40 charter public schools may be established under this chapter over the five-year period commencing with April 3, 2016.

(2)(a) To ensure compliance with the limits for establishing new charter schools, certification from the SBE must be obtained before final authorization of a charter school.

SBE role vis-à-vis CS Commission Role



MEMORANDUM

To: Washington State Board of Education
From: Joshua Halsey, Executive Director
Date: June 29, 2018
RE: Washington State Charter School Commission Overview and Outcomes

Purpose

This memo is intended to provide Washington State Board of Education (SBE) board members with information regarding the [Washington State Charter School Commission](#)'s (Commission) function and role regarding charter public schools and links to charter public school outcome data from the 2016-17 school-year.

Background

Kaaren Heikes, Director of Policy and Partnerships at the SBE invited the Commission's Executive Director, Joshua Halsey, to attend the July 11, 2018 SBE meeting in Spokane, WA. This memo, along with a PowerPoint, have been developed in response to this request.

Commission Overview

The Commission is a statutorily created independent state agency (RCW 28A.710.070) and has been in existence since April, 2013; however, the Commission did cease operations between December 2015 and April 2016 due to the Supreme Court ruling that struck down the original charter school act.

Per state statute (RCW 28A.710.070(1)), the Commission's mission is to authorize high quality charter public schools throughout the state, especially schools that are designed to expand opportunities for at-risk students, and to ensure the highest standards of accountability and oversight for these schools.

The Commission must annually issue and broadly publicize a solicitation for proposals for charter school applicants (RCW 28A.710.130(1)(a)) and must base its authorizing decisions on established policies and practices that are transparent and based on merit (RCW 28A.710.140(3)(c)). The Commission has the authority (RCW 28A.710.080) to authorize charter schools located anywhere in the state and must manage, supervise and enforce charter contracts of authorized charter schools. It must also collaborate with the SBE on an annual report to the legislature (RCW 28A.710.250(2)). While the Commission must collaborate with the SBE on the annual report, unlike school district authorizers, the Commission is not subject to SBE oversight.

There are 11 part-time, volunteer [Commissioners](#) who are either appointed or designated to serve on the Commission. Commissioners serve four-year, staggered terms. Per RCW 28A.710.070(3), nine

members are appointed (three by the Governor, two by the majority caucuses in the House and Senate, one by the minority caucuses in the House and Senate) one is the Superintendent of Public Instruction or her/his designee and one is the Chair of the SBE or her/his designee. Commissioners, like charter school board members, must file personal financial affairs statements with the Public Disclosure Commission. The Commission, similar to the SBE and the Professional Educators Standards Board, resides within the Office of Superintendent of Public Instruction (OSPI) for administrative purposes only (RCW 28A.710.070(8)).

Funding for the Commission comes from two sources, an oversight fee charged to all authorized charter schools and direct appropriations from the Opportunities Pathways Account. The SBE has authority to establish a statewide formula for the oversight fee which is calculated as a percentage of the state operating funding distributed to charter schools, but the fee may not exceed four percent (RCW 28A.710.110(1)).

The Commission is led by an Executive Director with a staff of four full-time employees and three part-time employees.

Commission Strategic and Legislative Priorities

From April 2017 through August 2017, the Commission conducted a strategic assessment of all key program areas, organizational capacity, political environment, economic conditions, and current governance structure. Forty-eight individuals and groups were interviewed for the strategic assessment, the results of which, were used to develop a three-year strategic plan. On April 16, 2018, the Commission agreed to maintain its 2014 mission, vision, values, and update its strategic priorities and outcomes regarding its work over the next three years, please see Attachment 1 for more information.

On June 21, 2018, the Commission identified four (4) legislative priorities for the 2019 Washington State Legislative Session. These priorities align to the Commission Strategic Priorities and were developed after deep engagement with a wide array of entities including charter schools, parents and educational advocacy organizations. Please see Attachment 2 for more information regarding the Commission's legislative priorities.

Charter Contract Overview

Once a charter school is authorized, it negotiates a five-year [performance contract](#) with the Commission. The performance contract establishes the terms by which the charter school agrees to provide educational services that, at a minimum, meet basic education standards. In return, the school receives a distribution of public funds that will be used for the purposes established in the contract and applicable statutes. The charter contract clearly sets forth the academic and operational (including financial) performance expectations and measures by which the charter school will be evaluated and the administrative relationship between the Commission (authorizer) and charter school, including each party's rights and duties. The performance expectations and measures set forth in the charter contract

- Summit Sierra: [Academic Performance Report](#) and [Financial Performance Report](#)

Conclusion

To summarize the preceding, the Commission is a statutorily established independent state agency tasked with authorizing and overseeing charter public schools throughout the state. The Commission is only five (5) years old, yet has established a set of strategic priorities, legislative priorities and implemented its oversight processes and procedures with eight (8) charter schools. Furthermore, the Commission is being sought out by other authorizers, Maine Charter School Commission, Idaho Public Charter School Commission, and Alabama Public Charter School Commission, for advice on how to build a rigorous and fair authorizations processes. Charter schools are new to Washington, yet the preliminary outcomes for these charter schools are promising. The Commission believes that its authorization and oversight processes will lead to the development of a high-quality charter public school sector in Washington. The Commission looks forward to continuing to engage in student-centered dialogue with agencies, organizations, communities and individuals who are interested in improving outcomes for students, especially those who have been systemically marginalized and who are at-risk of not achieving their full academic potential.

Attachment 1

Washington State Charter School Commission 2018-2022 Strategic Priorities

Mission

To authorize high-quality charter public schools and provide effective oversight and transparent accountability to improve educational outcomes for at-risk students.

Vision

Foster innovation and ensure excellence so that every student has access to and thrives in a high-quality public school.

Values

Student-Centered
Cultural and Community Responsiveness
Excellence and Continuous Learning
Accountability/Responsibility
Transparency
Innovation

Strategic Priority A

Become a highly effective State agency and an emerging national model for charter school authorizing and oversight in order to improve educational opportunities for systemically marginalized and at-risk students in Washington State.

The Commission encourages innovation, utilizes research-based practices and uses data to drive decisions in our work as a state agency and in the authorization and oversight of charter schools. Our agency standards and practices are critical to ensuring that we, as well as our authorized charter schools, operate effectively and in the best interest of all students.

To achieve our goal of becoming a highly effective state agency and an emerging national model for charter school authorizing and oversight, we will focus our time, energy and resources on the following outcomes:

Authorizing:

- A. Increase the number of high quality charter schools applications;
- B. Boost the number of charter schools applications proposing schools designed to effectively educate systemically marginalized and at-risk youth in innovative ways;
- C. Increase the pipeline/number of potential charter school operators both locally originating and charter management organizations (CMO); and
- D. Increase school leadership and staff that reflect the demographics of the school community.

Oversight:

- A. Consistent implementation of clear and transparent systems of accountability;
- B. Fully develop and implement data-driven systems; and
- C. Effectively support schools to narrow the opportunity gaps between all students.

Agency:

- A. Align available resources to the strategic priorities, outcomes and strategies;
- B. Disseminate policies and procedures that are effective and efficient in the authorization and oversight of charter public schools; and
- C. Develop and implement policies and procedures that focus on educational equity and honor and reflect the diversity of charter school communities.

Strategic Priority B

Strengthen support for charter schools as an integral part of an effective, innovative, and responsive public school system.

The Commission believes that the entire educational sector will benefit from the existence of high quality charter schools. Charter schools are relatively new in Washington State, and with anything new, there work to be done in order for charter schools to be recognized as a viable, innovative and effective educational choice for families by citizens, legislators and administrators.

To achieve our goal of strengthening support for charter schools, we will focus our time, energy and resources on the following outcomes:

- A. Increase public knowledge of the facts about Washington charter schools and Washington’s charter school law;
- B. Shift public perception to overwhelmingly favorable of charter schools;
- C. Attain equitable funding and adequate resources for charter schools;
- D. Solidify good working relationships with legislators and key influencers and decision makers; and
- E. Increase the number of charter school authorizers, operators and supporters that are welcomed at the table whenever K-12 matters are being addressed.

Strategic Priority C

Cultivate partnerships between charter, traditional public school and other community entities to accelerate the sharing and implementation of innovative practices, policies and structures that improve all student outcomes, particularly for systemically marginalized and at-risk youth.

The Charter School Commission fosters collaboration and partnership with individuals and organizations aimed at improving educational outcomes for all students and communities.

To achieve our goal of cultivating partnerships between charter, traditional public schools and other community entities, we will focus our time, energy and resources on the following outcomes:

- A. Effectively disseminate innovations and best practices that accelerate student learning, particularly for systemically marginalized and at-risk youth;
- B. Increase partnerships with school districts and community and educational organizations to explore and develop policies, practices and structures;
- C. Champion the use of plain language and universal terminology to describe the work and outcomes of charter schools.

Attachment 2

1. Special Education

- Increase the per-student state funding for students with an Individualized Education Plan (IEP)

Why increase the per-student funding for students with an IEP?

State's Special Education program remains underfunded. While traditional public schools can use local levy funds to meet federal mandates under the Individuals with Disabilities Education Act (IDEA), charter public schools have no access to local levy funds thus creating financial hardship and uncertainty for the school.

Eliminate reliance on local levy dollars for basic education. The state Supreme Court, through its McCleary decision, required the state to eliminate the state's unconstitutional reliance on local levies, yet traditional public school districts continue to use local levy funds to meet the needs of students that qualify for special education service.

17% of charter public school students qualify for special education services. Charter public schools are serving the student population they were expected to serve per the Charter School Act's expectations. As a result, a higher percentage of charter public school students qualify for special education service than their traditional public school counterparts.

Increase the per-student state funding for students with an IEP. In alignment with the Office of Superintendent of Public Instruction (OSPI), the Washington State Board of Education (SBE), Washington State Parent Teacher Association and Washington Association of School Administrators (and other education-focused and student-centered organizations), the Washington State Charter School Commission advocates for an increase in the per-student funding formula for students with an IEP.

How will the Commission support this focus?

Support broader education community efforts to increase per-student state funding for students with an IEP through coordinating and collaborating with key stakeholders and special education advocacy organizations.

2. Charter School Act Improvements

- Make changes to the Charter School Act (RCW 28A.710) to clarify language and align the Act to the state's updated accountability system.

Why change the Charter School Act?

Charter School Act is good, and could be great. While Washington's Charter School Act has been identified by multiple third parties as one of the strongest in the nation, implementation is at times

challenging due to the use of conflicting terms found throughout the Act or sections of the Act that do not align to effective implementation of the Act.

Alignment of reporting requirements and data availability. Charter school authorizers and the Washington State Board of Education have annual charter public school performance reporting requirements. The deadlines for these reports do not align with the release of public school performance data. As a result, the school performance data that is utilized in these reports is from 18 months prior, thus preventing timely performance data reporting.

How will the Commission support this focus?

Coordinate and collaborate with the Washington State Board of Education regarding the annual authorizer report to the legislature and collaborate with other state agencies who are leading efforts to address improvements to the Charter School Act and Basic Education statutes.

3. Charter School Facility Support

Allocate state resources and develop a clear and transparent process to support charter public school facility acquisition and improvements.

Why allocate state resources for charter public school facility acquisition and improvements?

Charter schools are public schools. All public schools struggle to provide adequate learning facilities within their budgets. For charter public schools this struggle is more pronounced given charter public schools inability to use local tax revenue to pay for building maintenance and issue bonds to renovate, improve and build school facilities. Finally, the intricacies of the state’s School Construction Assistance Program (SCAP) that provides funding assistance to public schools that are undertaking a major new construction or modernization project make it difficult for charters to access resources through this program.

In the state of Washington, charter public schools serve a student population characterized by the following:

- **75% students of color**
- **60% low income**
- **13% transitional bilingual**
- **17% special education**

All public school students deserve to be educated in the best facilities possible. Research shows a significant relationship between the condition of school facilities and student performance.¹ This is especially important for students that have historically been marginalized.

¹ 21st Century School Fund. Research on the Impact of School Facilities on Students and Teachers. (Washington, D.C.: 21st Century School Fund, 2009); http://www.21csf.org/best-home/docuploads/pub/210_Lit-Review-LetterSize-Final.pdf



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NOTICE OF OUTSIDE MATERIALS

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The State Board of Education (SBE) sometimes receives materials produced by external organizations that they present at our Board meetings. In the interest of transparency, the SBE posts these external materials to our website for each Board meeting under a section entitled: "Externally Produced Materials."

The SBE cannot ensure the full accessibility of externally produced materials. If you have difficulty accessing the following document, please contact our Communications Manager Alissa Muller at Alissa.Muller@k12.wa.us. We will try to locate an accessible copy from the originator agency.

[Charter School Commission PowerPoint Presentation](#)



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[Spokane Public Schools Charter Authorizer PowerPoint Presentation](#)