

Comparison of Senate Bill 6202 (Charter & TZD schools) and Senate Bill 6348 (Laboratory School Partnerships)

Senate Bill 6202: Creates two alternative forms of governance for certain public schools to operate independently of a school district & most state laws & rules:

1. Charter schools that are managed and operated in accordance with a charter contract.
2. Transformation Zone Schools, which is a school that is temporarily transferred to the Transformation Zone District (OSPI) where they are managed and operated by a Learning Management Organization (LMO).

Senate Bill 6348: Creates the Laboratory School Partnership program between a school district and an institution of higher education.

The following summarizes some of the major components of the legislation.

	6202: Charter Schools	6202: Transformation Zone Schools	6348: Laboratory School Partnerships (LSP)
Intent	To improve academic achievement for educationally disadvantaged students and have increased autonomy, flexibility, and oversight .	Same.	To create partnerships between an institution of higher education and low-achieving public schools to implement plans to accelerate student achievement and advance educator preparation .
Eligibility	Applicant for a charter must be: • A public benefit nonprofit corporation; or • A nonprofit corporation that has applied for tax exempt status under section 501(c)(3) of the Internal Revenue Code. Authorizer of applications: • <u>The Washington Charter School Commission</u>: - o A state agency to authorize charter schools statewide. - o 9 members: 3 appointed by the Governor, President of the Senate, & Speaker of the House of Representatives. - o Serve without compensation but may be reimbursed for travel expenses. - o Staff support provided by the Office of the Governor until WCSC has sufficient resources to have separate staff. • <u>If approved by the SBE</u>: - o A school district (<i>charters within district</i>) - o Washington's public 4-year colleges & universities (<i>charters statewide</i>)	A school must be among the persistently lowest-achieving schools and meet other criteria established by OSPI.	• Any 4-year institution of higher education; and • An identified persistently lowest-achieving school that has not received funds to implement school improvement plans.

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Process	90 days after adjournment of the session when the bill becomes effective. • The applicant may apply to form a charter school. The application must include the formation of a charter school board to manage and operate the school. • An authorizer must evaluate and approve or deny charter applications. • If approved then, in accordance with a timeline and process provided, the authorizer and the charter school board must execute a 5-year charter contract that contains specified components, including a performance framework and targets. • The authorizer must monitor the charter school's performance & compliance; and may take corrective actions, sanction, revoke, renew or non-renew.	Beginning in January 2013. • OSPI annually recommends to the SBE the schools for temporary transfer to the Transformation Zone District (TDZ). <i>(which is an office created in OSPI)</i> • The school district is notified and may ask for reconsideration of the recommendation. • The SBE must consider the list of schools recommended by OSPI at a public meeting & may modify the recommendations. • The annual transfer of schools from the original district to the TDZ takes effect on September 1. • The original school district, in cooperation with OSPI, must develop a transfer plan. • OSPI must contract with a LMO for the management and operation of each school that is transferred. • A school is eligible to return to its original school district when it meets the performance improvement criteria established by the SBE for 3-years. • The return of schools to the original districts takes effect September 1.	90 days after adjournment of the session when the bill becomes effective. • By July 1, 2012, OSPI must create a list of eligible schools and notify the schools. • PESB provides the list to the schools of education at 4-year institutions of higher education. • The school & the institution of higher education file an application of intent, with specified elements, to form a LSP. • SBE & PESB approves or disapproves the LSP application of intent. If approved & if funds are available then OFM must make available funds to the LSP to create a plan. • The school, school district, & the 4-year institution of higher education must develop an LSP plan, with specific elements, & conduct at least 1 public hearing regarding the plan. • By February 1, 2013, the plan must be submitted to SBE & PESB for approval. If approved & if funds are available then OFM must make available funds to implement the plan. • The plan is implemented in the 2014-15 school year but may begin in the 2013-14 school year. • The plan concludes in the 2016-17 school year, unless rescinded or modified due to lack of expected results, or extended under an updated reapproved plan every 5 years. Grant funds must be used for extended plans.
Who operates the school	The Charter School Board, which is appointed or selected under the terms of the charter application.	A Learning Management Organization with expertise in managing a school & is a: • A public benefit nonprofit corporation, or • A nonprofit corporation that has applied for tax exempt status under section 501(c)(3) of the Internal Revenue Code.	The LSP plan must provide the description of the roles, activities, and responsibilities of the institution of higher education, the school and the school district.

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Exemptions from State Law Laws that <u>Must</u> be followed Waivers	A charter school • May not engage in sectarian practices • Is exempt from all state laws & rules applicable to schools except as provided in the Act & in the approved charter contract. • <u>Must</u>: - o Comply with state & federal health, safety, parents' rights, civil rights, & non-discrimination laws applicable to school districts; employee record checks; the annual performance report; the Open Public Meetings Act; the Open Public Records Act; & future legislation enacted governing charter schools; - o Provide instruction in the EALRs, participate in the statewide student assessments, & be subject to SBE's performance improvement goals; - o Employ certificated instructional staff, except in exceptional cases, <i>(the same as public non-charter and private schools)</i>; and - o Adhere to generally accepted accounting principles and be subject to financial examinations & audits as determined by the state auditor; - o Collective bargaining laws apply.	OSPI and the schools transferred to its jurisdiction • Are exempt from all state laws & rules applicable to schools except as provided in the Act. • <u>Must</u>: - o List is same as for a charter school.	LSP • May request waivers from SBE & OSPI that are currently available for school districts. • May request waivers from the PESB related to alternative routes to teacher and principal preparation.
Caps/Limits	• Maximum of 50 charter schools • Not more than 10 in each calendar year	• At least 10 but no more than 20 schools that meet OSPI's criteria can be transferred to the TZD each year.	Each 4-yr public institution of higher education may enter into an agreement with an eligible public school. (6 possible)
State and Local Funding	• Uses the statewide average staff-mix ratio • Includes general apportionment, special education, categorical and non-basic education funds • Does not include the small school assistance factor. • Eligible for state school construction assistance and to apply for state grants.	• A process for state allocations for a transformation school is provided & includes general apportionment, special education, categorical and non-basic education funds. • State & federal funds apportioned to transformation zone schools must be included in the original school district's levy base.	If funds are available then OFM must provide funds to develop and implement a LSP plan.

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State and Local Funding <i>(continued)</i>	- Levy funds are available only to charter schools authorized by a school district. - If a local levy is approved before the start-up of a conversion charter school then it is eligible for the local levy funds but new charter schools are not. - If a levy is approved after the start-up of any charter school then the school must be included in the levy & the levy process.	- If a local levy is approved before the transfer of the school then the transformation school is eligible for their share of local levy funds. - If a local levy is approved after the transfer of the school then the school must be included in the levy & the levy process.	
Admissions	- May not charge tuition - May not limit admission but may organize around a special emphasis, theme or concept. - Children of the charter school's founders, board members, & full-time employees may get an enrollment preference up to 10 percent of the school's total enrollment. - Conversion charter schools must enroll all students who wish to remain enrolled after the conversion & give siblings of current students an enrollment preference. - If there is insufficient capacity to serve all students who apply to a charter school then the school must use a lottery to select students.	N/A	N/A
Facilities	A Charter School - May purchase or lease, at below fair market value, facilities or property of school districts & facilities of institutions of higher education, or other public or private entities for use as a school building. - Specified entities, including churches, may provide space within their facilities for charter schools to use. - A conversion charter school is entitled to continue rent-free used of its existing facility.	A Transformation Zone School - Is entitled to use its existing facility rent free. - The original school district retains ownership & remains responsible for major repairs and safety upgrades but the TAD is responsible for routine maintenance of the facility. OSPI may negotiate with the original school district for payment of the school's share of overhead costs.	N/A

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Students	• Eligible to participate in interscholastic programs in the same manner as non-charter school students. • May participate in extracurricular activities at non-charter public school if the activities are not offered by the charter school.	• Permitted to transfer to another school within the original school district in accordance with district assignment policies. • May participate in interscholastic & extracurricular activities of the original school district.	N/A
Employees	The charter school board • Hire, manage, and discharge charter school employees • Are included in the established state employee insurance and health care systems. • Are included in of the state retirement systems if the Department of Retirement Systems determines it does not jeopardize the status of the systems as governmental plans. • Bargaining units for classified and certificated employees must be separate from other bargaining units the district. • Years of service in a charter school are included in the service calculation for the statewide salary allocation schedule.	• The OSPI is authorized to hire employees for the TZD and the LMO has the responsibility to hire, assign, evaluate, and dismiss all staff of a transformation zone school. • The original school district must notify all employees at a school that is identified to be transferred to the TZD that their employment contracts will not be renewed at the end of the school year before the transfer takes place. • Employees may request a transfer to the transformation zone school or another school in the original school district. • Years of service in a transformation zone school are included in the service calculation for the statewide salary allocation schedule.	The LSP plan must provide: <u>For the school district</u> Identify & complete any needed collective bargaining procedures, including reopening the agreement or negotiating an addendum to implement the plan. If the parties cannot reach agreement then the procedures in current law for Required Action Districts for a PERC mediator & ultimately the Superior Court, if necessary, must be followed to implement the plan. <u>For the 4-year higher education institution</u> Identify and complete any needed modifications to collective bargaining agreements.
Reports	• Each authorizer must submit an annual report to SBE that includes specified components. • SBE must submit to the public, Governor, and Legislature, an annual report on the state's charter schools by December 1, which must contain specified information, including a comparison of the student performance of charter schools with non-charter schools.	N/A	• LSPs must provide data to OSPI, SBE, & PESB to comply with required reporting purposes, for evaluation purposes, and as otherwise requested. • By September 1, 2013, SBE & PESB must summarize partnerships that have been formed; additional annual reports are required with certain data obtained and any recommendations to the governor, Legislature, institutions of higher education, & school districts; a final report due by September 1, 2017. • SBE & PESB recommendations may include a determination to rescind or modify the LSP plan based on a lack of expected results.

