

# HOUSE BILL ANALYSIS

## HB 2415

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**Title:** An act relating to charter public schools.

**Brief Description:** Authorizing charter public schools.

**Sponsors:** Representatives Quall, Talcott, Rockefeller, Carlson, D. Schmidt, Pflug, Thomas, Haigh, Van Luven, Linville, Ruderman and Esser.

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### HOUSE COMMITTEE ON EDUCATION

*Meeting Date:* January 20, 2000.

*Bill Analysis Prepared by:* Charlie Gavigan (786-7340)

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**Background:** Individual schools within a school district do not have independent legal status. Instead, they are administrative elements of a school district. Traditional public schools are operated under the direction of the local school board, the district superintendent, and administrators in the school district's central office. The school district board of directors generally sets policies applicable to the district in conformance with state laws and rules and regulations adopted by the Superintendent of Public Instruction and the State Board of Education.

The Washington Constitution contains several provisions governing public education. Article IX, Section 1, of the state constitution makes it the paramount duty of the state to make ample provision for the education of children residing within its borders. Article IX, Section 2, states that the Legislature must provide for a general and uniform system of public schools. Article IX, Section 4, provides that all schools maintained or supported wholly or in part by public funds must remain free of sectarian control or influence. Article III, Section 22, provides that the Superintendent of Public Instruction (SPI) shall have supervision over all matters pertaining to public schools. The Legislature has defined basic education— for purposes of meeting the state's obligation under the constitution as including basic education, special education, learning assistance programs, transitional bilingual programs, and student transportation. That definition contains funding allocation formulas and is based primarily on funding teacher salaries. There is also a constitutional provision prohibiting the amendment of existing statutes by reference.

In addition to statutory provisions on basic and special education, the education code also has provisions regarding, among other things, the following: highly capable students, compulsory attendance and truancy, food services, hiring of staff, student

discipline and rights, student programs like high school student options, and parent access.

Employees of a school district are entitled to engage in collective bargaining with school districts on a district-wide level.

***Summary of Bill: General provisions:*** The Legislature authorizes creation of charter public schools. A charter public school is a public school managed by an applicant's board of directors. The applicant must be a public benefit nonprofit corporation, a tax exempt nonprofit corporation organized and operated for, among other things, educational purposes, or a nonprofit organization that meets the requirements for a public benefit nonprofit corporation. The applicant may not be a sectarian or religious organization. A charter- is a contract between the applicant and a sponsor. A sponsor of a charter public school may be the school district in which the school will be located, a state or regional university, or The Evergreen State College. The contract establishes the conditions for the management, operation, and educational program of the charter public school. The charter is renewable every five years.

***Admissions:*** A charter public school must enroll all students who submit a timely application. If capacity at the school is insufficient to enroll all applicants, the school must give priority to students who reside within the school district boundaries in which the school is located. Priority must also be given to siblings of current enrollees. A charter public school may not discriminate in its admissions policy but may limit admission to students within a given age group or grade level. Charter public schools may not charge tuition but may charge fees for optional non-credit extracurricular events.

***Powers:*** Charter public schools are managed independently of school districts. The charter public school board of directors may enter into contracts to operate the school. Charter public schools may not levy taxes or issue bonds. Acceptance of gifts or donations is permitted except from sectarian or religious entities.

***Exemptions from state laws and rules:*** Charter public schools are exempt from state laws and rules except for the following and except as provided in the charter; charter public schools must: