



On March 9th, 2016, the House of Representatives amended and passed ESSB 6194, a new charter school law. On March 10th, 2016, the Senate concurred with the House’s changes and passed the bill. The bill now awaits Governor Inslee’s signature. The bill reenacts provisions of Initiative 1240 and makes changes to the charter school system to comply with the Supreme Court’s ruling on charter schools in September of 2015. This bill will allow the current schools to stay open and new schools to be established in the future, providing more options for Washington’s students and families.

***Items in bold are House amendments**

ESSB 6194 as Amended in the House	
Governance	<ul style="list-style-type: none"> • Washington State Charter Schools Commission is an independent statewide authorizer <ul style="list-style-type: none"> ○ Commission includes SPI or designee and the chair of the SBE or designee (amendment) ○ 3 commissioners appointed by governor; 3 by Senate, with 2 by the majority caucus, 1 by the minority caucus; 3 by House, with 2 by the majority caucus, and 1 by minority caucus. (amendment) <ul style="list-style-type: none"> ▪ Appointments must be made by July 1, 2016 (amendment) ○ Removes provision that no more than 5 commissioners can be from the same political party (amendment) ○ Commission shall be housed in OSPI for administrative purposes • Districts may apply to the State Board of education to become authorizers of charter schools in their district
School Approval and Opening	<ul style="list-style-type: none"> • Same application and approval process for schools as previous law • Authorizers must establish pre-opening conditions for schools (amendment)
Common School Status	<ul style="list-style-type: none"> • Charter schools are not common schools
Funding	<ul style="list-style-type: none"> • Charter schools, the Commission, and charter related activities are funded out of the Opportunity Pathways Account • Charter schools cannot access local levy dollars • Removes retroactive payment to schools that lost funding as a result of the court decision (amendment) • Legislature intends for charter schools to be funded equitably to other public schools • Funding for schools will be calculated using the prototypical formula and average staff mix factor (amendment)



Reestablishing Schools and Entities	<ul style="list-style-type: none"> • Contracts between authorizers and schools shall be re-executed under substantially the same terms and conditions • Contracts between the SBE and district authorizers shall be re-executed under substantially the same terms and conditions • Activities related to establishing the commission and district authorizers under the previous law are deemed valid
Compliance and Autonomy	<ul style="list-style-type: none"> • Must provide a program of basic education • Subject to federal and state health and safety laws • Subject to federal laws and regulations, including but not limited to ESEA, IDEA, FERPA • Subject to McKinney-Vento act (amendment) • Exempt from most state statutes and rules • Exempt from district policies
Oversight and Accountability	<ul style="list-style-type: none"> • Schools must submit annual reports to their authorizers on academic, organizational, and financial performance • Schools must comply with OSPI reporting requirements • Schools are subject to state auditing • Schools must contract for an independent audit after the first year of operation and every three years thereafter (amendment) • Charter school commissioners and charter board members must file personal financial statements with the PDC (amendment)
Cap on # of schools/ timeline	<ul style="list-style-type: none"> • Resets 5-year timeline for establishing 40 schools to start when new law is passed • Current schools don't count towards annual cap in first year
Student enrollment	<ul style="list-style-type: none"> • Schools are open and free to all students, regardless of district of residence • Schools may only limit enrollment based on capacity and preference for siblings of current students • If more students apply than there is capacity for, students are enrolled via a lottery • Lottery may be weighted for at-risk students and children of staff (amendment) • Schools must notify current, new, and prospective families of any litigation challenging the constitutionality of the charter school law that could impact the school's existence. (amendment)
Facilities	<ul style="list-style-type: none"> • Charters can receive state funds for construction, but the funds cannot be from common school construction fund • Charters have right of first refusal for unused district buildings at fair market value



Conversion Schools	<ul style="list-style-type: none">• Removes provisions allowing district schools to convert to charter schools (amendment)
Sports (amendment)	<ul style="list-style-type: none">• Students must play sports in resident districts• Charters must comply with WIAA rules• Charter schools pay for students' participation in district sports.
Fix for other non-common programs	<ul style="list-style-type: none">• Removes other non-common schools programs from the bill (amendment)

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