

**STATE OF WASHINGTON
CHARTER SCHOOL COMMISSION
MEETING AGENDA**

Thursday, April 4, 2013 – 11:00 a.m. to 6:00 p.m.

Governor's Conference Room
Legislative Building, 2nd Floor
416 Sid Snyder Ave
Olympia, WA 98501

Commission Members:

Dr. Doreen Cato, Trish Millines Dziko, Kevin Jacka, Christ Martin, Dr. Margit McGuire, Dave Quall, Steve Sundquist, Cindi Williams, and Larry Wright.

Contact:

RaShelle Davis, Policy Advisor
Office: 360.902.0551
Email: rashelle.davis@gov.wa.gov

Times and Order: The Charter School Commission (Commission) meeting will start at 11:00 a.m. on Thursday, April 4 and will adjourn when all agenda items are complete. The Commission will work through lunch. This agenda is subject to change. Comments from the public in attendance will be solicited at the public comment period.

Accessibility: This meeting is accessible to persons with disabilities. Special aids and services can be made available upon advance request. Advance request for special aids and services must be made no later than Monday, April 1, 2013. If you wish to receive general information about this meeting, please contact the Policy Advisor at 360.902.0551. Please call 711 or 1-800-833-6388 to reach the Washington State Relay Service for deaf callers. If you need assistance due to a speech disability, Speech-to-Speech provides human voice for people with difficulty being understood. The Washington State Speech-to-Speech toll-free access number is 1-877-833-6341.

OPEN SESSION – Thursday, April 4, 2013

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| 1. CALL TO ORDER -- DETERMINATION OF A QUORUM | 11:00 a.m. |
| 1.1 Introductions | |
| 1.2 Agenda Review | |
| LUNCH – Commission members will continue meeting through lunch | 11:30 a.m. |
| 2. CHARTER SCHOOL LAW OVERVIEW – Aileen Miller and Dave Stolier, AAGs | 11:30 a.m. |
| 3. ROLE OF AGO, OPEN PUBLIC MEETINGS ACT & PUBLIC DISCLOSURE ACT
– Aileen Miller and Dave Stolier, AAG | 12:10 p.m. |
| 4. ETHICS TRAINING – Melanie de Leon | 1:00 p.m. |

BREAK (15 minutes)	1:30 p.m.
5. STATE BOARD OF EDUCATION PROPOSED RULES – Jack Archer, SBE	1:45 p.m.
6. SHAREPOINT TRAINING AND TECHNICAL ASSISTANCE – Mai Nguyen, DES	2:30 p.m.
7. ESTABLISH COMMISSION’S OPERATING PROCEDURES AND STRUCTURE	3:00 p.m.
7.1 Bylaws	
7.2 Committees/work groups: executive and other(s)	
7.3 Commissioners’ roles and responsibilities	
7.4 Staffing	
7.5 Establish regular meeting schedule	
7.6 Communications: website, listserv, email accounts	
BREAK (15 minutes)	4:45 p.m.
8. PUBLIC COMMENT	5:00 p.m.
9. OTHER ISSUES AND NEXT STEPS	5:30 p.m.
10. COMMISSION ADJOURNMENT	6:00 p.m.

State of Washington Charter School Commission

Commissioners

Dr. Doreen Cato

Trish Millines Dziko

Kevin Jacka

Chris Martin

Dr. Margit McGuire

Dave Quall

Steve Sundquist

Cindi Williams

Larry Wright

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Charter School Commissioners' Biographies

Dr. Doreen Cato



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Dr. Doreen Cato is currently Executive Director and Chief Professional Officer at United Way of Grays Harbor County, also serving Pacific County. She was formally the executive director at First Place, a K-6th grade nonprofit school and agency licensed by The Office of Superintendent of Public Instruction (OSPI) focused on assisting low income families either threatened with homelessness or dealing with its reality. Dr. Cato has been involved in the field of education for over 35 years. She has served with the Detroit and Inkster school districts; on core faculty at Leadership Institute of Seattle City University's Masters Program; as Adjunct Faculty at Western Washington University Human Services Program and Antioch University Seattle.

Dr. Cato's community involvement is very extensive. She has volunteered for over 30 years in Seattle, Bellevue, Washington State, and nationally on various boards, commissions, committees and task forces. She is currently member of the Aberdeen Rotary Club and founder of Grays Harbor Youth Works, an internship program for high school students.

Dr. Cato's passion to work with children, youth and parents extends beyond the United States to Africa. The work with Cultural Reconnection Mission and African American Kenyan Women Interconnect takes her to the schools in rural areas of Kenya and Ethiopia. It was in the mountainous area of Oromia, Ethiopia that she helped to establish a preschool so women could attend school.

She was appointed in 1995 to the King County Housing Authority Board of Commissioners by then King County Executive Gary Locke. She served as a member of Washington State Community Trade and Economic Development Advisory; member of the Minority Executive Directors Coalition, (MEDC); the League of Women Voters, the Cultural Reconnection Missions; Seattle University Visiting Committee for the Masters Nonprofit Leadership, the Seattle Rotary Downtown Club and Seattle Rotary Services Foundation.

Dr. Cato has a Bachelors degree in Art Education, a Masters in Applied Behavioral Science with an emphasis on organizational development, and a Doctorate in Educational Leadership from Seattle University. She has received numerous national awards and recognition however, as the mother of Christina and Barron Cato; and grandmother to Benjamin and Mya Charisse Cato, she believes her children to be her greatest accomplishments.

Trish Millines Dziko



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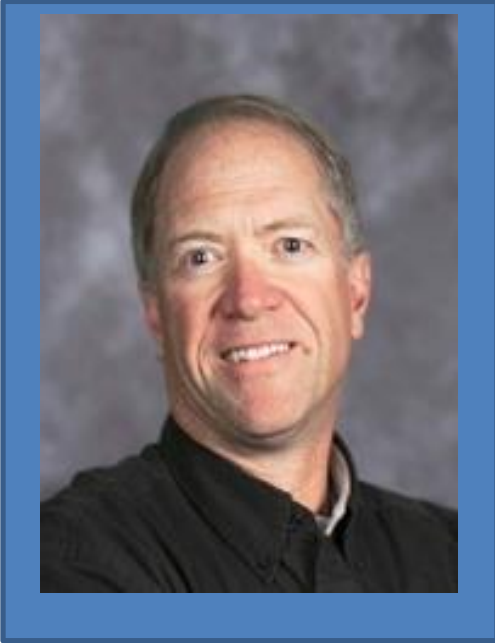
Trish Millines Dziko founded Technology Access Foundation in 1996 after spending 15 years as a developer, designer and manager in the high tech industry. A native of New Jersey who attended Monmouth College (now Monmouth University) on a basketball scholarship, she graduated with a B.S. in Computer Science in 1979 at a time when few people of color and few women were entering the field. Her successful career brought her to Microsoft in the mid-1980s, just as the pioneering software company was set to become a worldwide brand.

Over the next decade of tremendous growth, she saw very little change in the high tech industry: women and people of color remained grossly underrepresented. After looking closely at the problem as Microsoft's first Sr. Diversity Administrator, she determined the only solution was to increase the number of qualified people graduating from college. She traced the root of the problem to the lack of access to rigorous, relevant technology training in our public schools, particularly those in traditionally underserved communities of color. Trish left Microsoft in 1996, the same year she founded TAF.

In addition to her work at TAF, Trish remains a committed, proactive leader and serves on the boards of several organizations that focus on children and education. Trish has received dozens of local and national awards for her work improving the educational opportunities for children of color.

Trish and her partner live on Vashon Island and are the proud parents of 4 children.

Kevin Jacka



Kevin Jacka is currently Superintendent of the Mary Walker School District in Springdale, WA, and has been in this position for the past eight years. His career in education spans 26 years, during which time he has been a teacher, coach and Superintendent.

Mr. Jacka coordinated the development of the PREP Consortium (Panorama Rural Education Partnership) consisting of 10 member school districts. As the lead Superintendent, he collaborates with the other member districts, all of which are tasked with the mission of bringing/sharing resources and costs, of establishing a college/career-going culture, and of reforming education within the Consortium.

As the lead Superintendent of the Rural Alliance, Mr. Jacka also coordinates the development of its 48 school districts, six community colleges, multiple non-profits and four universities that make up the Rural Alliance collaboration, focusing on college readiness and the transition between P-12 and post-secondary education.

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Chris Martin



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Chris brings to the Charter School Commission a broad-based management background and a passion for education. His career spans 30+ years in fundraising, project management, event planning, volunteer management and community leadership in both the non-profit and for-profit sectors. He is co-founder and Executive Director of Prodigy Northwest, a non-profit organization based in Spokane, WA that is dedicated to serving the needs of gifted youth, their families, and their educators. He is a co-founder of the regional Inland Northwest arts organization First Night Spokane and served as their Executive Director for nine years. Other management roles have included positions with the Spokane Veterans Memorial Arena and the March of Dimes.

A member of the Spokane STEM Design and Leadership team, Chris is part of the group of leaders with backgrounds in education and business who are setting goals and objectives for STEM learning opportunities for students in Spokane County. Chris plays an active role in the Parent Teacher Group for the Odyssey gifted education program at the Libby Center in Spokane, WA and is currently a member of the Spokane Public Schools Gifted Education Parent Advisory Committee. Most recently, he joined the board of directors of the Northwest Gifted Child Association.

A native of Seattle, Chris is happily married and the father of two school-aged daughters.

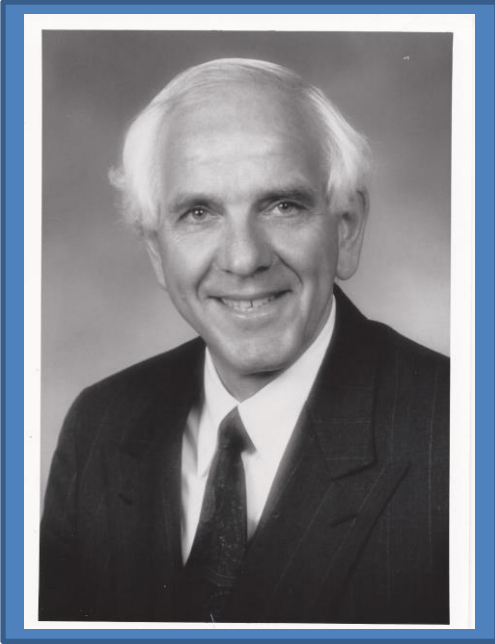
Dr. Margit McGuire



Margit E. McGuire is Director and Professor of Teacher Education at Seattle University and former president of the National Council for the Social Studies (NCSS) and a recipient of the Washington Award for Excellence in Teacher Preparation. She has presented nationally and internationally on topics related to social studies and teacher preparation. Her leadership positions have included the National Geographic Literacy Council, NAEP Civics Advisory Board, and chairperson of the Elementary Social Studies Framework for Washington's Office of Superintendent of Public Instruction. Currently she serves as Washington State's liaison for higher education for the national Teacher Performance Assessment (edTPA). She is the author of the Storypath Program and recently co-edited, the NCSS Bulletin, *Making a Difference: Revitalizing Elementary Social Studies*.

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Dave Quall



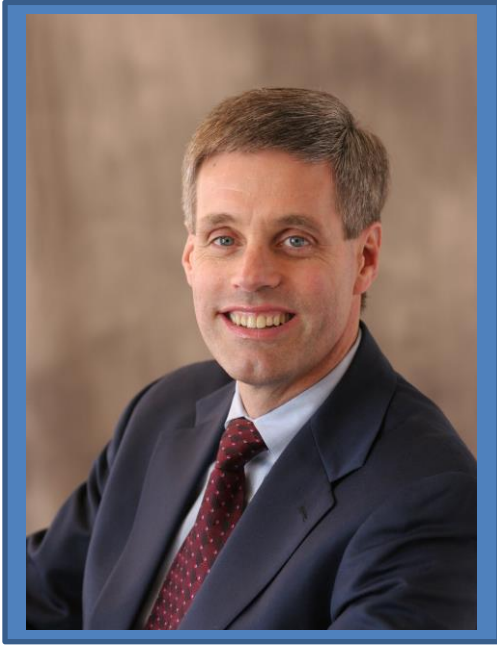
Dave Quall has lived in Washington all his life, attending several schools as a child of a Methodist pastor. He graduated from Seattle Pacific University with a B.A. in Education and an M.A. in Guidance and Counseling. He is a former teacher, counselor and basketball coach serving in these capacities for thirty eight years. His wife, Allene, was a 34 year veteran as a first grade teacher. He has two daughters, both active in professional careers as a surgical nurse and teacher. He has six exceptional grandchildren.

Dave served in the Legislature as a representative from 1993-2011. Eight of those years, he was chair of K-12 Education Committee. He has had a commitment to Charter Schools visiting several high quality ones throughout the country. He drafted Charter School Legislation in 1995 (HB1147), 1997-1998 (HB2019) where it passed the house with no action in the Senate. In 2004 (HB2295) passed the legislature, was signed by Gov Locke, but overturned by the voters.

It is an honor to be selected to serve on this Charter School Commission.

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Steve Sundquist



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Steve Sundquist is active in the business and civic life of the Pacific Northwest through his involvement in a number of local organizations. Most recently, he was an elected School Board Director on the Seattle School Board from 2007 to 2011. In that capacity he served one year as Board President and two years as Vice President. Per school board custom he also served as a board member of Seattle's Alliance for Education in 2011. He is currently a member of the Our Schools Coalition in Seattle.

Separately, he is serving on the boards of Climate Solutions, Conservation Northwest, and Seattle Northwest Securities Corporation; and is a member of downtown Seattle Rotary, Social Venture Partners, and Fauntleroy Church, UCC. Prior to his recent board work, Mr. Sundquist enjoyed a long career at the Russell Investment Group, where he led their IT function and National Accounts group among other responsibilities over a 22 year span ending in 2005. Mr. Sundquist earned an MBA from the University of Chicago, and a B.S. in Computer Science from Washington State University.

Steve and his wife Liann live in Seattle and are the proud parents of two daughters.

Cindi Williams



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Cindi Williams serves as a Principal at HCM Strategists, a leading DC-based education and health public policy firm, where she provides communications and advocacy strategy for a portfolio of clients dedicated to improving student outcomes for low income students.

Williams joined HCM last year after having spent four years on the US leadership team at the Bill and Melinda Gates foundation. Williams served as the Director for US Communications across its domestic portfolio and worked with grantees and partners across the country to create a national dialogue about the need for education reform. Prior to joining the Gates foundation, Williams worked in a variety of policy and communications roles, serving as Senior Advisor to the U.S. Secretary of Education--where she focused on reauthorization of No Child Left Behind--along with serving as Deputy Assistant Secretary of Education for Communications and Outreach.

In addition to her work at the Department of Education, Williams served as a Special Assistant in the White House Office of Public Liaison, where she led efforts related to women's outreach, small business and education. In the aftermath of September 11, she also worked on behalf of the White House alongside the State Department and USAID to launch the US-Afghan Women's Council, a public-private partnership created to meet the needs of women in Afghanistan. Williams has worked on three Presidential campaigns and has held leadership roles in the U.S. House of Representatives and the American Red Cross. She is a member of the Bush Institute's Education Advisory Council, the U.S. Afghan Women's Council, and Northwest Center Foundation Board, the STAND for Children Advisory Board and the Center for Reinventing Public Education (CRPE) Advisory Committee.

She lives in Bellevue with her husband, Tony, and two boys Jacob and Joshua.

Larry Wright



Larry Wright is the Managing Director of the Bellevue Arts Museum. Prior to joining the museum, he served as CEO of the National Mentoring Partnership in Washington DC and as executive director of their Washington State affiliate, Washington State Mentors.

He is committed to community service and sits on the boards of the College Success Foundation, Washington State Mentors, and Big Brothers Big Sisters of Puget Sound.

He received his PhD in communication from the University of Wisconsin-Madison and his MA and BA from Washington State University. He lives in Sammamish with his wife and two children.

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Initiative Measure No. 1240

BILL REQUEST - CODE REVISER'S OFFICE

BILL REQ. #: I-2563.1/12

ATTY/TYPIST: SCG:crs

BRIEF DESCRIPTION:

Initiative Measure No. 1240 filed May 31, 2012

AN ACT Relating to public charter schools; amending RCW 28A.150.010, 28A.315.005, and 41.05.011; adding a new section to chapter 41.32 RCW; adding a new section to chapter 41.35 RCW; adding a new section to chapter 41.40 RCW; adding a new section to chapter 41.56 RCW; adding a new section to chapter 41.59 RCW; and adding a new chapter to Title 28A RCW.

BE IT ENACTED BY THE PEOPLE OF THE STATE OF WASHINGTON:

PART I

INTENT, PURPOSE, AND FINDINGS

NEW SECTION. **Sec. 101.** (1) The people of the state of Washington in enacting this initiative measure find:

(a) In accordance with Article IX, section 1 of the state Constitution, "it is the paramount duty of the state to make ample provision for the education of all children residing within its

borders, without distinction or preference on account of race, color, caste, or sex";

(b) All students deserve excellent educational opportunities and the highest quality standards of public education available;

(c) Many of our public schools are failing to address inequities in educational opportunities for all students, including academic achievement, drop-out rates, and other measures of educational success for students across all economic, racial, ethnic, geographic, and other groups;

(d) It is a priority of the people of the state of Washington to improve the quality of our public schools and the education and academic achievement of all students throughout our state;

(e) Forty-one states have public charter schools with many ranked higher in student performance than Washington's schools;

(f) Allowing public charter schools in Washington will give parents more options to find the best learning environment for their children;

(g) Public charter schools free teachers and principals from burdensome regulations that limit other public schools, giving them the flexibility to innovate and make decisions about staffing, curriculum, and learning opportunities to improve student achievement and outcomes;

(h) Public charter schools are designed to find solutions to problems that affect chronically underperforming schools and to better serve at-risk students who most need help;

(i) Public charter schools have cost-effectively improved student performance and academic achievement for students throughout the country, especially for students from the lowest-performing public schools;

(j) Public charter schools serving low-income, urban students often outperform traditional public schools in improving student outcomes and are closing the achievement gap for at-risk students;

(k) The Washington supreme court recently concluded, in *McLeary v. State*, that "The State has failed to meet its duty under Article IX, section 1 [to amply provide for the education of all children within

its borders] by consistently providing school districts with a level of resources that falls short of the actual costs of the basic education program";

(l) The opportunity to provide education through public charter schools will create efficiencies in the use of the resources the state provides to school districts;

(m) Public charter schools, as authorized in chapter . . . , Laws of 2013 (this act), are "common schools" and part of the "general and uniform system of public schools" provided by the legislature as required by Article IX, section 2 of the state Constitution; and

(n) This initiative will:

(i) Allow a maximum of up to forty public charter schools to be established over a five-year period as independently managed public schools operated only by qualified nonprofit organizations approved by the state;

(ii) Require that teachers in public charter schools be held to the same certification requirements as teachers in other public schools;

(iii) Require that there will be annual performance reviews of public charter schools created under this measure, and that the performance of these schools be evaluated to determine whether additional public charter schools should be allowed;

(iv) Require that public charter schools be free and open to all students just like traditional public schools are, and that students be selected by lottery to ensure fairness if more students apply than a school can accommodate;

(v) Require that public charter schools be subject to the same academic standards as existing public schools;

(vi) Require public charter schools to be authorized and overseen by a state charter school commission, or by a local school board;

(vii) Require that public charter schools receive funding based on student enrollment just like existing public schools;

(viii) Allow public charter schools to be free from many regulations so that they have more flexibility to set curriculum and

budgets, hire and fire teachers and staff, and offer more customized learning experiences for students; and

(ix) Give priority to opening public charter schools that serve at-risk student populations or students from low-performing public schools.

(2) Therefore, the people enact this initiative measure to authorize a limited number of public charter schools in the state of Washington, to be operated by qualified nonprofit organizations with strong accountability and oversight, and to evaluate the performance of these schools and potential benefits of new models for improving academic achievement for all students.

PART II

AUTHORIZING CHARTER SCHOOLS

NEW SECTION. **Sec. 201.** DEFINITIONS--CHARTER SCHOOLS. The definitions in this section apply throughout this chapter unless the context clearly requires otherwise.

(1) "Applicant" means a nonprofit corporation that has submitted an application to an authorizer. The nonprofit corporation must be either a public benefit nonprofit corporation as defined in RCW 24.03.490, or a nonprofit corporation as defined in RCW 24.03.005 that has applied for tax exempt status under section 501(c)(3) of the internal revenue code of 1986 (26 U.S.C. Sec. 501(c)(3)). The nonprofit corporation may not be a sectarian or religious organization and must meet all of the requirements for a public benefit nonprofit corporation before receiving any funding under section 222 of this act.

(2) "At-risk student" means a student who has an academic or economic disadvantage that requires assistance or special services to succeed in educational programs. The term includes, but is not limited to, students who do not meet minimum standards of academic proficiency, students who are at risk of dropping out of high school, students in chronically low-performing schools, students with higher than average disciplinary sanctions, students with lower participation

rates in advanced or gifted programs, students who are limited in English proficiency, students who are members of economically disadvantaged families, and students who are identified as having special educational needs.

(3) "Authorizer" means an entity approved under section 209 of this act to review, approve, or reject charter school applications; enter into, renew, or revoke charter contracts with applicants; and oversee the charter schools the entity has authorized.

(4) "Charter contract" means a fixed term, renewable contract between a charter school and an authorizer that outlines the roles, powers, responsibilities, and performance expectations for each party to the contract.

(5) "Charter school" or "public charter school" means a public school governed by a charter school board and operated according to the terms of a charter contract executed under this chapter and includes a new charter school and a conversion charter school.

(6) "Charter school board" means the board of directors appointed or selected under the terms of a charter application to manage and operate the charter school.

(7) "Commission" means the Washington charter school commission established in section 208 of this act.

(8) "Conversion charter school" means a charter school created by converting an existing noncharter public school in its entirety to a charter school under this chapter.

(9) "New charter school" means any charter school established under this chapter that is not a conversion charter school.

(10) "Parent" means a parent, guardian, or other person or entity having legal custody of a child.

(11) "Student" means any child eligible under RCW 28A.225.160 to attend a public school in the state.

NEW SECTION. **Sec. 202.** LEGAL STATUS. A charter school established under this chapter:

(1) Is a public, common school open to all children free of charge;

(2) Is a public, common school offering any program or course of study that a noncharter public school may offer, including one or more of grades kindergarten through twelve;

(3) Is governed by a charter school board according to the terms of a renewable, five-year charter contract executed under section 216 of this act;

(4) Is a public school to which parents choose to send their children;

(5) Functions as a local education agency under applicable federal laws and regulations and is responsible for meeting the requirements of local education agencies and public schools under those federal laws and regulations, including but not limited to compliance with the individuals with disabilities education improvement act (20 U.S.C. Sec. 1401 et seq.), the federal educational rights and privacy act (20 U.S.C. Sec. 1232g), and the elementary and secondary education act (20 U.S.C. Sec. 6301 et seq.).

NEW SECTION. **Sec. 203.** CHARTER SCHOOL BOARDS--POWERS. (1) To carry out its duty to manage and operate the charter school and carry out the terms of its charter contract, a charter school board may:

(a) Hire, manage, and discharge any charter school employee in accordance with the terms of this chapter and that school's charter contract;

(b) Receive and disburse funds for the purposes of the charter school;

(c) Enter into contracts with any school district, educational service district, or other public or private entity for the provision of real property, equipment, goods, supplies, and services, including educational instructional services and including for the management and operation of the charter school to the same extent as other noncharter public schools, as long as the charter school board maintains oversight authority over the charter school. Contracts for management operation of the charter school may only be with nonprofit organizations;

(d) Rent, lease, purchase, or own real property. All charter contracts and contracts with other entities must include provisions regarding the disposition of the property if the charter school fails to open as planned or closes, or if the charter contract is revoked or not renewed;

(e) Issue secured and unsecured debt, including pledging, assigning, or encumbering its assets to be used as collateral for loans or extensions of credit to manage cash flow, improve operations, or finance the acquisition of real property or equipment: PROVIDED, That the public charter school may not pledge, assign, or encumber any public funds received or to be received pursuant to section 222 of this act. The debt is not a general, special, or moral obligation of the state, the charter school authorizer, the school district in which the charter school is located, or any other political subdivision or agency of the state. Neither the full faith and credit nor the taxing power of the state or any political subdivision or agency of the state may be pledged for the payment of the debt;

(f) Solicit, accept, and administer for the benefit of the charter school and its students, gifts, grants, and donations from individuals or public or private entities, excluding from sectarian or religious organizations. Charter schools may not accept any gifts or donations the conditions of which violate this chapter or other state laws; and

(g) Issue diplomas to students who meet state high school graduation requirements established under RCW 28A.230.090. A charter school board may establish additional graduation requirements.

(2) A charter school board may not levy taxes or issue tax-backed bonds. A charter school board may not acquire property by eminent domain.

NEW SECTION. **Sec. 204.** CHARTER SCHOOLS--APPLICABILITY OF STATE LAWS. (1) A charter school must operate according to the terms of its charter contract and the provisions of this chapter.

(2) All charter schools must:

(a) Comply with local, state, and federal health, safety, parents' rights, civil rights, and nondiscrimination laws applicable to school

districts and to the same extent as school districts, including but not limited to chapter 28A.642 RCW (discrimination prohibition) and chapter 28A.640 RCW (sexual equality);

(b) Provide basic education, as provided in RCW 28A.150.210, including instruction in the essential academic learning requirements and participate in the statewide student assessment system as developed under RCW 28A.655.070;

(c) Employ certificated instructional staff as required in RCW 28A.410.025: PROVIDED, That charter schools may hire noncertificated instructional staff of unusual competence and in exceptional cases as specified in RCW 28A.150.203(7);

(d) Comply with the employee record check requirements in RCW 28A.400.303;

(e) Adhere to generally accepted accounting principles and be subject to financial examinations and audits as determined by the state auditor, including annual audits for legal and fiscal compliance;

(f) Comply with the annual performance report under RCW 28A.655.110;

(g) Be subject to the performance improvement goals adopted by the state board of education under RCW 28A.305.130;

(h) Comply with the open public meetings act in chapter 42.30 RCW and public records requirements in chapter 42.56 RCW; and

(i) Be subject to and comply with legislation enacted after the effective date of this section governing the operation and management of charter schools.

(3) Public charter schools must comply with all state statutes and rules made applicable to the charter school in the school's charter contract and are subject to the specific state statutes and rules identified in subsection (2) of this section. Charter schools are not subject to and are exempt from all other state statutes and rules applicable to school districts and school district boards of directors, for the purpose of allowing flexibility to innovate in areas such as scheduling, personnel, funding, and educational programs in order to improve student outcomes and academic achievement.

Charter schools are exempt from all school district policies except policies made applicable in the school's charter contract.

(4) No charter school may engage in any sectarian practices in its educational program, admissions or employment policies, or operations.

(5) Charter schools are subject to the supervision of the superintendent of public instruction and the state board of education, including accountability measures, to the same extent as other public schools, except as otherwise provided in chapter . . ., Laws of 2013 (this act).

NEW SECTION. **Sec. 205.** ADMISSION AND ENROLLMENT OF STUDENTS.

(1) A charter school may not limit admission on any basis other than age group, grade level, or capacity and must enroll all students who apply within these bases. A charter school is open to any student regardless of his or her location of residence.

(2) A charter school may not charge tuition, but may charge fees for participation in optional extracurricular events and activities in the same manner and to the same extent as do other public schools.

(3) A conversion charter school must provide sufficient capacity to enroll all students who wish to remain enrolled in the school after its conversion to a charter school, and may not displace students enrolled before the chartering process.

(4) If capacity is insufficient to enroll all students who apply to a charter school, the charter school must select students through a lottery to ensure fairness. However, a charter school must give an enrollment preference to siblings of already enrolled students.

(5) The capacity of a charter school must be determined annually by the charter school board in consultation with the charter authorizer and with consideration of the charter school's ability to facilitate the academic success of its students, achieve the objectives specified in the charter contract, and assure that its student enrollment does not exceed the capacity of its facility. An authorizer may not restrict the number of students a charter school may enroll.

(6) Nothing in this section prevents formation of a charter school whose mission is to offer a specialized learning environment and services for particular groups of students, such as at-risk students, students with disabilities, or students who pose such severe disciplinary problems that they warrant a specific educational program. Nothing in this section prevents formation of a charter school organized around a special emphasis, theme, or concept as stated in the school's application and charter contract.

NEW SECTION. **Sec. 206.** CHARTER SCHOOL STUDENTS. (1) School districts must provide information to parents and the general public about charter schools located within the district as an enrollment option for students.

(2) If a student who was previously enrolled in a charter school enrolls in another public school in the state, the student's new school must accept credits earned by the student in the charter school in the same manner and according to the same criteria that credits are accepted from other public schools.

(3) A charter school is eligible for state or district-sponsored interscholastic programs, awards, scholarships, or competitions to the same extent as other public schools.

NEW SECTION. **Sec. 207.** AUTHORIZERS. The following entities are eligible to be authorizers of charter schools:

(1) The Washington charter school commission established under section 208 of this act, for charter schools located anywhere in the state; and

(2) School district boards of directors that have been approved by the state board of education under section 209 of this act before authorizing a charter school, for charter schools located within the school district's own boundaries.

NEW SECTION. **Sec. 208.** WASHINGTON CHARTER SCHOOL COMMISSION. (1) The Washington charter school commission is established as an independent state agency whose mission is to authorize high quality

public charter schools throughout the state, particularly schools designed to expand opportunities for at-risk students, and to ensure the highest standards of accountability and oversight for these schools. The commission shall, through its management, supervision, and enforcement of the charter contracts, administer the portion of the public common school system consisting of the charter schools it authorizes as provided in this chapter, in the same manner as a school district board of directors, through its management, supervision, and enforcement of the charter contracts, and pursuant to applicable law, administers the charter schools it authorizes.

(2) The commission shall consist of nine members, no more than five of whom shall be members of the same political party. Three members shall be appointed by the governor; three members shall be appointed by the president of the senate; and three members shall be appointed by the speaker of the house of representatives. The appointing authorities shall assure diversity among commission members, including representation from various geographic areas of the state and shall assure that at least one member is a parent of a Washington public school student.

(3) Members appointed to the commission shall collectively possess strong experience and expertise in public and nonprofit governance; management and finance; public school leadership, assessment, curriculum, and instruction; and public education law. All members shall have demonstrated an understanding of and commitment to charter schooling as a strategy for strengthening public education.

(4) Members shall be appointed to four-year, staggered terms, with initial appointments from each of the appointing authorities consisting of one member appointed to a one-year term, one member appointed to a two-year term, and one member appointed to a three-year term, all of whom thereafter may be reappointed for a four-year term. No member may serve more than two consecutive terms. Initial appointments must be made no later than ninety days after the effective date of this section.

(5) Whenever a vacancy on the commission exists, the original appointing authority must appoint a member for the remaining portion of the term within no more than thirty days.

(6) Commission members shall serve without compensation but may be reimbursed for travel expenses as authorized in RCW 43.03.050 and 43.03.060.

(7) Operational and staff support for the commission shall be provided by the office of the governor until the commission has sufficient resources to hire or contract for separate staff support, who shall reside within the office of the governor for administrative purposes only.

(8) Sections 209 and 212 of this act do not apply to the commission.

NEW SECTION. **Sec. 209.** AUTHORIZERS--APPROVAL. (1) The state board of education shall establish an annual application and approval process and timelines for entities seeking approval to be charter school authorizers. The initial process and timelines must be established no later than ninety days after the effective date of this section.

(2) At a minimum, each applicant must submit to the state board:

(a) The applicant's strategic vision for chartering;

(b) A plan to support the vision presented, including explanation and evidence of the applicant's budget and personnel capacity and commitment to execute the responsibilities of quality charter authorizing;

(c) A draft or preliminary outline of the request for proposals that the applicant would, if approved as an authorizer, issue to solicit charter school applicants;

(d) A draft of the performance framework that the applicant would, if approved as an authorizer, use to guide the establishment of a charter contract and for ongoing oversight and evaluation of charter schools;

(e) A draft of the applicant's proposed renewal, revocation, and nonrenewal processes, consistent with sections 219 and 220 of this act;

(f) A statement of assurance that the applicant seeks to serve as an authorizer in fulfillment of the expectations, spirit, and intent of this chapter, and that if approved as an authorizer, the applicant will fully participate in any authorizer training provided or required by the state; and

(g) A statement of assurance that the applicant will provide public accountability and transparency in all matters concerning charter authorizing practices, decisions, and expenditures.

(3) The state board of education shall consider the merits of each application and make its decision within the timelines established by the board.

(4) Within thirty days of making a decision to approve an application under this section, the state board of education must execute a renewable authorizing contract with the entity. The initial term of an authorizing contract shall be six years. The authorizing contract must specify each approved entity's agreement to serve as an authorizer in accordance with the expectations of this chapter, and may specify additional performance terms based on the applicant's proposal and plan for chartering. No approved entity may commence charter authorizing without an authorizing contract in effect.

NEW SECTION. **Sec. 210.** AUTHORIZERS--POWERS AND DUTIES. (1)
Authorizers are responsible for:

- (a) Soliciting and evaluating charter applications;
- (b) Approving quality charter applications that meet identified educational needs and promote a diversity of educational choices;
- (c) Denying weak or inadequate charter applications;
- (d) Negotiating and executing sound charter contracts with each authorized charter school;
- (e) Monitoring, in accordance with charter contract terms, the performance and legal compliance of charter schools including, without

limitation, education and academic performance goals and student achievement; and

(f) Determining whether each charter contract merits renewal, nonrenewal, or revocation.

(2) An authorizer may delegate its responsibilities under this section to employees or contractors.

(3) All authorizers must develop and follow chartering policies and practices that are consistent with the principles and standards for quality charter authorizing developed by the national association of charter school authorizers in at least the following areas:

(a) Organizational capacity and infrastructure;

(b) Soliciting and evaluating charter applications;

(c) Performance contracting;

(d) Ongoing charter school oversight and evaluation; and

(e) Charter renewal decision making.

(4) Each authorizer must submit an annual report to the state board of education, according to a timeline, content, and format specified by the board, which 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 overseen by the authorizer, 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: Approved but not yet open, operating, renewed, transferred, revoked, not renewed, voluntarily closed, or 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 section 211 of this act, including an itemized accounting of the actual costs of these services.

(5) Neither an authorizer, individuals who comprise the membership of an authorizer in their official capacity, nor the employees of an authorizer are liable for acts or omissions of a charter school they authorize.

(6) No employee, trustee, agent, or representative of an authorizer may simultaneously serve as an employee, trustee, agent, representative, vendor, or contractor of a charter school under the jurisdiction of that authorizer.

NEW SECTION. **Sec. 211.** AUTHORIZERS--FUNDING. (1) The state board of education shall establish a statewide formula for an authorizer oversight fee, which shall be calculated as a percentage of the state operating funding allocated under section 222 of this act to each charter school under the jurisdiction of an authorizer, but may not exceed four percent of each charter school's annual funding. The office of the superintendent of public instruction shall deduct the oversight fee from each charter school's allocation under section 222 of this act and transmit the fee to the appropriate authorizer.

(2) The state board of education may establish a sliding scale for the authorizer oversight fee, with the funding percentage decreasing after the authorizer has achieved a certain threshold, such as after a certain number of years of authorizing or after a certain number of charter schools have been authorized.

(3) An authorizer must use its oversight fee exclusively for the purpose of fulfilling its duties under section 210 of this act.

(4) An authorizer may provide contracted, fee-based services to charter schools under its jurisdiction that are in addition to the oversight duties under section 210 of this act. An authorizer may not charge more than market rates for the contracted services provided. A charter school may not be required to purchase contracted services from an authorizer. Fees collected by the authorizer under this subsection must be separately accounted for and reported annually to the state board of education.

NEW SECTION. **Sec. 212.** AUTHORIZERS--OVERSIGHT. (1) The state board of education is responsible for overseeing the performance and effectiveness of all authorizers approved under section 209 of this act.

(2) Persistently unsatisfactory performance of an authorizer's portfolio of charter schools, a pattern of well-founded complaints about the authorizer or its charter schools, or other objective circumstances may trigger a special review by the state board of education.

(3) In reviewing or evaluating the performance of authorizers, the board must apply nationally recognized principles and standards for quality charter authorizing. Evidence of material or persistent failure by an authorizer to carry out its duties in accordance with the principles and standards constitutes grounds for revocation of the authorizing contract by the state board, as provided under this section.

(4) If at any time the state board of education finds that an authorizer is not in compliance with a charter contract, its authorizing contract, or the authorizer duties under section 210 of this act, the board must notify the authorizer in writing of the identified problems, and the authorizer shall have reasonable opportunity to respond and remedy the problems.

(5) If an authorizer persists after due notice from the state board of education in violating a material provision of a charter contract or its authorizing contract, or fails to remedy other identified authorizing problems, the state board of education shall notify the authorizer, within a reasonable amount of time under the circumstances, that it intends to revoke the authorizer's chartering authority unless the authorizer demonstrates a timely and satisfactory remedy for the violation or deficiencies.

(6) In the event of revocation of any authorizer's chartering authority, the state board of education shall manage the timely and orderly transfer of each charter contract held by that authorizer to another authorizer in the state, with the mutual agreement of each affected charter school and proposed new authorizer. The new

authorizer shall assume the existing charter contract for the remainder of the charter term.

(7) The state board of education must establish timelines and a process for taking actions under this section in response to performance deficiencies by an authorizer.

NEW SECTION. **Sec. 213.** CHARTER APPLICATIONS--CONTENT. (1) (a) Each authorizer must annually issue and broadly publicize a request for proposals for charter school applicants by the date established by the state board of education under section 214 of this act.

(b) Each authorizer's request for proposals must:

(i) Present the authorizer's strategic vision for chartering, including a clear statement of any preferences the authorizer wishes to grant to applications that employ proven methods for educating at-risk students or students with special needs;

(ii) Include or otherwise direct applicants to the performance framework that the authorizer has developed for charter school oversight and evaluation in accordance with section 217 of this act;

(iii) Provide the criteria that will guide the authorizer's decision to approve or deny a charter application; and

(iv) State clear, appropriately detailed questions as well as guidelines concerning the format and content essential for applicants to demonstrate the capacities necessary to establish and operate a successful charter school.

(2) A charter school application must provide or describe thoroughly all of the following elements of the proposed school plan:

(a) An executive summary;

(b) The mission and vision of the proposed charter school, including identification of the targeted student population and the community the school hopes to serve;

(c) The location or geographic area proposed for the school and the school district within which the school will be located;

(d) The grades to be served each year for the full term of the charter contract;

(e) Minimum, planned, and maximum enrollment per grade per year for the term of the charter contract;

(f) Evidence of need and parent and community support for the proposed charter school;

(g) Background information on the proposed founding governing board members and, if identified, the proposed school leadership and management team;

(h) The school's proposed calendar and sample daily schedule;

(i) A description of the academic program aligned with state standards;

(j) A description of the school's proposed instructional design, including the type of learning environment; class size and structure; curriculum overview; and teaching methods;

(k) Evidence that the educational program is based on proven methods;

(l) The school's plan for using internal and external assessments to measure and report student progress on the performance framework developed by the authorizer in accordance with section 217 of this act;

(m) The school's plans for identifying, successfully serving, and complying with applicable laws and regulations regarding students with disabilities, students who are limited English proficient, students who are struggling academically, and highly capable students;

(n) A description of cocurricular or extracurricular programs and how they will be funded and delivered;

(o) Plans and timelines for student recruitment and enrollment, including targeted plans for recruiting at-risk students and including lottery procedures;

(p) The school's student discipline policies, including for special education students;

(q) An organization chart that clearly presents the school's organizational structure, including lines of authority and reporting between the governing board, staff, any related bodies such as advisory bodies or parent and teacher councils, and any external organizations that will play a role in managing the school;

(r) A clear description of the roles and responsibilities for the governing board, the school's leadership and management team, and any other entities shown in the organization chart;

(s) A staffing plan for the school's first year and for the term of the charter;

(t) Plans for recruiting and developing school leadership and staff;

(u) The school's leadership and teacher employment policies, including performance evaluation plans;

(v) Proposed governing bylaws;

(w) An explanation of proposed partnership agreement, if any, between a charter school and its school district focused on facilities, budgets, taking best practices to scale, and other items;

(x) Explanations of any other partnerships or contractual relationships central to the school's operations or mission;

(y) Plans for providing transportation, food service, and all other significant operational or ancillary services;

(z) Opportunities and expectations for parent involvement;

(aa) A detailed school start-up plan, identifying tasks, timelines, and responsible individuals;

(bb) A description of the school's financial plan and policies, including financial controls and audit requirements;

(cc) A description of the insurance coverage the school will obtain;

(dd) Start-up and five-year cash flow projections and budgets with clearly stated assumptions;

(ee) Evidence of anticipated fundraising contributions, if claimed in the application; and

(ff) A sound facilities plan, including backup or contingency plans if appropriate.

(3) In the case of an application to establish a conversion charter school, the applicant must also demonstrate support for the proposed conversion by a petition signed by a majority of teachers assigned to the school or a petition signed by a majority of parents of students in the school.

(4) In the case of an application where the proposed charter school intends to contract with a nonprofit education service provider for substantial educational services, management services, or both, the applicant must:

(a) Provide evidence of the nonprofit education service provider's success in serving student populations similar to the targeted population, including demonstrated academic achievement as well as successful management of nonacademic school functions if applicable;

(b) Provide a term sheet setting forth the proposed duration of the service contract; roles and responsibilities of the governing board, the school staff, and the service provider; scope of services and resources to be provided by the service provider; performance evaluation measures and timelines; compensation structure, including clear identification of all fees to be paid to the service provider; methods of contract oversight and enforcement; investment disclosure; and conditions for renewal and termination of the contract; and

(c) Disclose and explain any existing or potential conflicts of interest between the charter school board and proposed service provider or any affiliated business entities.

(5) In the case of an application from an applicant that operates one or more schools in any state or nation, the applicant must provide evidence of past performance, including evidence of the applicant's success in serving at-risk students, and capacity for growth.

(6) Applicants may submit a proposal for a particular public charter school to no more than one authorizer at a time.

NEW SECTION. **Sec. 214.** CHARTER APPLICATIONS--DECISION PROCESS.

(1) The state board of education must establish an annual statewide timeline for charter application submission and approval or denial, which must be followed by all authorizers.

(2) In reviewing and evaluating charter applications, authorizers shall employ procedures, practices, and criteria consistent with nationally recognized principles and standards for quality charter authorizing. Authorizers shall give preference to applications for charter schools that are designed to enroll and serve at-risk student

populations: PROVIDED, That nothing in this chapter may be construed as intended to limit the establishment of charter schools to those that serve a substantial portion of at-risk students or to in any manner restrict, limit, or discourage the establishment of charter schools that enroll and serve other pupil populations under a nonexclusive, nondiscriminatory admissions policy. The application review process must include thorough evaluation of each application, an in-person interview with the applicant group, and an opportunity in a public forum including, without limitation, parents, community members, local residents, and school district board members and staff, to learn about and provide input on each application.

(3) In deciding whether to approve an application, authorizers must:

(a) Grant charters only to applicants that have demonstrated competence in each element of the authorizer's published approval criteria and are likely to open and operate a successful public charter school;

(b) Base decisions on documented evidence collected through the application review process;

(c) Follow charter-granting policies and practices that are transparent and based on merit; and

(d) Avoid any conflicts of interest whether real or apparent.

(4) An approval decision may include, if appropriate, reasonable conditions that the charter applicant must meet before a charter contract may be executed.

(5) For any denial of an application, the authorizer shall clearly state in writing its reasons for denial. A denied applicant may subsequently reapply to that authorizer or apply to another authorizer in the state.

NEW SECTION. **Sec. 215.** NUMBER OF CHARTER SCHOOLS. (1) A maximum of forty public charter schools may be established under this chapter, over a five-year period. No more than eight charter schools may be established in any single year during the five-year period, except that if in any single year fewer than eight charter schools are

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established, then additional charter schools equal in number to the difference between the number established in that year and eight may be established in subsequent years during the five-year period.

(2) To ensure compliance with the limits for establishing new charter schools, certification from the state board of education must be obtained before final authorization of a charter school. Within ten days of taking action to approve or deny an application under section 214 of this act, an authorizer must submit a report of the action to the applicant and to the state board of education, which must include a copy of the authorizer's resolution setting forth the action taken, the reasons for the decision, and assurances of compliance with the procedural requirements and application elements under sections 213 and 214 of this act. The authorizer must also indicate whether the charter school is designed to enroll and serve at-risk student populations. The state board of education must establish, for each year in which charter schools may be authorized as part of the timeline to be established pursuant to section 214 of this act, the last date by which the authorizer must submit the report. The state board of education must send notice of the date to each authorizer no later than six months before the date.

(3) Upon the receipt of notice from an authorizer that a charter school has been approved, the state board of education shall certify whether the approval is in compliance with the limits on the maximum number of charters allowed under subsection (1) of this section. If the board receives simultaneous notification of approved charters that exceed the annual allowable limits in subsection (1) of this section, the board must select approved charters for implementation through a lottery process, and must assign implementation dates accordingly.

(4) The state board of education must notify authorizers when the maximum allowable number of charter schools has been reached.

NEW SECTION. **Sec. 216.** CHARTER CONTRACTS. (1) The purposes of the charter application submitted under section 213 of this act are to present the proposed charter school's academic and operational vision and plans and to demonstrate and provide the authorizer a clear basis

for the applicant's capacities to execute the proposed vision and plans. An approved charter application does not serve as the school's charter contract.

(2) Within ninety days of approval of a charter application, the authorizer and the governing board of the approved charter school must execute a charter contract by which, fundamentally, the public charter school agrees to provide educational services that at a minimum meet basic education standards in return for an allocation of public funds to be used for such purpose all as set forth in this and other applicable statutes and in the charter contract. The charter contract must clearly set forth the academic and operational performance expectations and measures by which the charter school will be judged and the administrative relationship between the authorizer and charter school, including each party's rights and duties. The performance expectations and measures set forth in the charter contract must include but need not be limited to applicable federal and state accountability requirements. The performance provisions may be refined or amended by mutual agreement after the charter school is operating and has collected baseline achievement data for its enrolled students.

(3) The charter contract must be signed by the president of the school district board of directors if the school district board of directors is the authorizer or the chair of the commission if the commission is the authorizer and by the president of the charter school board. Within ten days of executing a charter contract, the authorizer must submit to the state board of education written notification of the charter contract execution, including a copy of the executed charter contract and any attachments.

(4) A charter contract may govern one or more charter schools to the extent approved by the authorizer. A single charter school board may hold one or more charter contracts. However, each charter school that is part of a charter contract must be separate and distinct from any others and, for purposes of calculating the maximum number of charter schools that may be established under this chapter, each charter school must be considered a single charter school regardless

of how many charter schools are governed under a particular charter contract.

(5) An initial charter contract must be granted for a term of five operating years. The contract term must commence on the charter school's first day of operation. An approved charter school may delay its opening for one school year in order to plan and prepare for the school's opening. If the school requires an opening delay of more than one school year, the school must request an extension from its authorizer. The authorizer may grant or deny the extension depending on the school's circumstances.

(6) Authorizers may establish reasonable preopening requirements or conditions to monitor the start-up progress of newly approved charter schools and ensure that they are prepared to open smoothly on the date agreed, and to ensure that each school meets all building, health, safety, insurance, and other legal requirements for school opening.

(7) No charter school may commence operations without a charter contract executed in accordance with this section.

NEW SECTION. **Sec. 217.** CHARTER CONTRACTS--PERFORMANCE FRAMEWORK.

(1) The performance provisions within a charter contract must be based on a performance framework that clearly sets forth the academic and operational performance indicators, measures, and metrics that will guide an authorizer's evaluations of each charter school.

(2) At a minimum, the performance framework must include indicators, measures, and metrics for:

(a) Student academic proficiency;

(b) Student academic growth;

(c) Achievement gaps in both proficiency and growth between major student subgroups;

(d) Attendance;

(e) Recurrent enrollment from year to year;

(f) Graduation rates and postsecondary readiness, for high schools;

(g) Financial performance and sustainability; and

(h) Board performance and stewardship, including compliance with all applicable laws, rules, and terms of the charter contract.

(3) Annual performance targets must be set by each charter school in conjunction with its authorizer and must be designed to help each school meet applicable federal, state, and authorizer expectations.

(4) The authorizer and charter school may also include additional rigorous, valid, and reliable indicators in the performance framework to augment external evaluations of the charter school's performance.

(5) The performance framework must require the disaggregation of all student performance data by major student subgroups, including gender, race and ethnicity, poverty status, special education status, English language learner status, and highly capable status.

(6) Multiple schools operating under a single charter contract or overseen by a single charter school board must report their performance as separate schools, and each school shall be held independently accountable for its performance.

NEW SECTION. **Sec. 218.** CHARTER CONTRACTS--OVERSIGHT. (1) Each authorizer must continually monitor the performance and legal compliance of the charter schools it oversees, including collecting and analyzing data to support ongoing evaluation according to the performance framework in the charter contract.

(2) An authorizer may conduct or require oversight activities that enable the authorizer to fulfill its responsibilities under this chapter, including conducting appropriate inquiries and investigations, so long as those activities are consistent with the intent of this chapter, adhere to the terms of the charter contract, and do not unduly inhibit the autonomy granted to charter schools.

(3) In the event that a charter school's performance or legal compliance appears unsatisfactory, the authorizer must promptly notify the school of the perceived problem and provide reasonable opportunity for the school to remedy the problem, unless the problem warrants revocation in which case the revocation procedures under section 220 of this act apply.

(4) An authorizer may take appropriate corrective actions or exercise sanctions short of revocation in response to apparent deficiencies in charter school performance or legal compliance. Such actions or sanctions may include, if warranted, requiring a school to develop and execute a corrective action plan within a specified time frame.

NEW SECTION. **Sec. 219.** CHARTER CONTRACTS--RENEWAL. (1) A charter contract may be renewed by the authorizer, at the request of the charter school, for successive five-year terms, although the authorizer may vary the term based on the performance, demonstrated capacities, and particular circumstances of a charter school and may grant renewal with specific conditions for necessary improvements to a charter school.

(2) No later than six months before the expiration of a charter contract, the authorizer must issue a performance report and charter contract renewal application guidance to that charter school. The performance report must summarize the charter school's performance record to date based on the data required by the charter contract, and must provide notice of any weaknesses or concerns perceived by the authorizer concerning the charter school that may jeopardize its position in seeking renewal if not timely rectified. The charter school has thirty days to respond to the performance report and submit any corrections or clarifications for the report.

(3) The renewal application guidance must, at a minimum, provide an opportunity for the charter school to:

(a) Present additional evidence, beyond the data contained in the performance report, supporting its case for charter contract renewal;

(b) Describe improvements undertaken or planned for the school; and

(c) Detail the school's plans for the next charter contract term.

(4) The renewal application guidance must include or refer explicitly to the criteria that will guide the authorizer's renewal decisions, which shall be based on the performance framework set forth in the charter contract.

(5) In making charter renewal decisions, an authorizer must:

(a) Ground its decisions in evidence of the school's performance over the term of the charter contract in accordance with the performance framework set forth in the charter contract;

(b) Ensure that data used in making renewal decisions are available to the school and the public; and

(c) Provide a public report summarizing the evidence basis for its decision.

NEW SECTION. **Sec. 220.** CHARTER CONTRACTS--NONRENEWAL OR REVOCATION. (1) A charter contract may be revoked at any time or not renewed if the authorizer determines that the charter school did any of the following or otherwise failed to comply with the provisions of this chapter:

(a) Committed a material and substantial violation of any of the terms, conditions, standards, or procedures required under this chapter or the charter contract;

(b) Failed to meet or make sufficient progress toward the performance expectations set forth in the charter contract;

(c) Failed to meet generally accepted standards of fiscal management; or

(d) Substantially violated any material provision of law from which the charter school is not exempt.

(2) A charter contract may not be renewed if, at the time of the renewal application, the charter school's performance falls in the bottom quartile of schools on the accountability index developed by the state board of education under RCW 28A.657.110, unless the charter school demonstrates exceptional circumstances that the authorizer finds justifiable.

(3) Each authorizer must develop revocation and nonrenewal processes that:

(a) Provide the charter school board with a timely notification of the prospect of and reasons for revocation or nonrenewal;

(b) Allow the charter school board a reasonable amount of time in which to prepare a response;

(c) Provide the charter school board with an opportunity to submit documents and give testimony challenging the rationale for closure and in support of the continuation of the school at a recorded public proceeding held for that purpose;

(d) Allow the charter school board to be represented by counsel and to call witnesses on its behalf; and

(e) After a reasonable period for deliberation, require a final determination to be made and conveyed in writing to the charter school board.

(4) If an authorizer revokes or does not renew a charter, the authorizer must clearly state in a resolution the reasons for the revocation or nonrenewal.

(5) Within ten days of taking action to renew, not renew, or revoke a charter contract, an authorizer must submit a report of the action to the applicant and to the state board of education, which must include a copy of the authorizer's resolution setting forth the action taken, the reasons for the decision, and assurances of compliance with the procedural requirements established by the authorizer under this section.

NEW SECTION. **Sec. 221.** CHARTER SCHOOL TERMINATION OR DISSOLUTION. (1) Before making a decision to not renew or to revoke a charter contract, authorizers must develop a charter school termination protocol to ensure timely notification to parents, orderly transition of students and student records to new schools, as necessary, and proper disposition of public school funds, property, and assets. The protocol must specify tasks, timelines, and responsible parties, including delineating the respective duties of the charter school and the authorizer.

(2) In the event that the nonprofit corporation applicant of a charter school should dissolve for any reason including, without limitation, because of the termination of the charter contract, the public school funds of the charter school that have been provided pursuant to section 222 of this act must be returned to the state or local account from which the public funds originated. If the charter

school has commingled the funds, the funds must be returned in proportion to the proportion of those funds received by the charter school from the public accounts in the last year preceding the dissolution. The dissolution of an applicant nonprofit corporation shall otherwise proceed as provided by law.

(3) A charter contract may not be transferred from one authorizer to another or from one charter school applicant to another before the expiration of the charter contract term except by petition to the state board of education by the charter school or its authorizer. The state board of education must review such petitions on a case-by-case basis and may grant transfer requests in response to special circumstances and evidence that such a transfer would serve the best interests of the charter school's students.

NEW SECTION. **Sec. 222.** FUNDING. (1) Charter schools must report student enrollment in the same manner and based on the same definitions of enrolled students and annual average full-time equivalent enrollment as other public schools. Charter schools must comply with applicable reporting requirements to receive state or federal funding that is allocated based on student characteristics.

(2) According to the schedule established under RCW 28A.510.250, the superintendent of public instruction shall allocate funding for a charter school including general apportionment, special education, categorical, and other nonbasic education moneys. Allocations must be based on the statewide average staff mix ratio of all noncharter public schools from the prior school year and the school's actual full-time equivalent enrollment. Categorical funding must be allocated to a charter school based on the same funding criteria used for noncharter public schools and the funds must be expended as provided in the charter contract. A charter school is eligible to apply for state grants on the same basis as a school district.

(3) Allocations for pupil transportation must be calculated on a per student basis based on the allocation for the previous school year to the school district in which the charter school is located. A charter school may enter into a contract with a school district or

other public or private entity to provide transportation for the students of the school.

(4) Amounts payable to a charter school under this section in the school's first year of operation must be based on the projections of first-year student enrollment established in the charter contract. The office of the superintendent of public instruction must reconcile the amounts paid in the first year of operation to the amounts that would have been paid based on actual student enrollment and make adjustments to the charter school's allocations over the course of the second year of operation.

(5) For charter schools authorized by a school district board of directors, allocations to a charter school that are included in RCW 84.52.0531(3) (a) through (c) shall be included in the levy planning, budgets, and funding distribution in the same manner as other public schools in the district.

(6) Conversion charter schools are eligible for local levy moneys approved by the voters before the conversion start-up date of the school as determined by the authorizer, and the school district must allocate levy moneys to a conversion charter school.

(7) New charter schools are not eligible for local levy moneys approved by the voters before the start-up date of the school unless the local school district is the authorizer.

(8) For levies submitted to voters after the start-up date of a charter school authorized under this chapter, the charter school must be included in levy planning, budgets, and funding distribution in the same manner as other public schools in the district.

(9) Any moneys received by a charter school from any source and remaining in the school's accounts at the end of any budget year shall remain in the school's accounts for use by the school during subsequent budget years.

NEW SECTION. **Sec. 223.** FACILITIES. (1) Charter schools are eligible for state matching funds for common school construction.

(2) A charter school has a right of first refusal to purchase or lease at or below fair market value a closed public school facility or

property or unused portions of a public school facility or property located in a school district from which it draws its students if the school district decides to sell or lease the public school facility or property pursuant to RCW 28A.335.040 or 28A.335.120.

(3) A charter school may negotiate and contract with a school district, the governing body of a public college or university, or any other public or private entity for the use of a facility for a school building at or below fair market rent.

(4) Public libraries, community service organizations, museums, performing arts venues, theaters, and public or private colleges and universities may provide space to charter schools within their facilities under their preexisting zoning and land use designations.

(5) A conversion charter school as part of the consideration for providing educational services under the charter contract may continue to use its existing facility without paying rent to the school district that owns the facility. The district remains responsible for major repairs and safety upgrades that may be required for the continued use of the facility as a public school. The charter school is responsible for routine maintenance of the facility including, but not limited to, cleaning, painting, gardening, and landscaping. The charter contract of a conversion charter school using existing facilities that are owned by its school district must include reasonable and customary terms regarding the use of the existing facility that are binding upon the school district.

NEW SECTION. **Sec. 224.** YEARS OF SERVICE. Years of service in a charter school by certificated instructional staff shall be included in the years of service calculation for purposes of the statewide salary allocation schedule under RCW 28A.150.410. This section does not require a charter school to pay a particular salary to its staff while the staff is employed by the charter school.

NEW SECTION. **Sec. 225.** ANNUAL REPORTS. (1) By December 1st of each year beginning in the first year after there have been charter schools operating for a full school year, the state board of

education, in collaboration with the commission, must issue an annual report on the state's charter schools for the preceding school year to the governor, the legislature, and the public at-large.

(2) The annual report must be based on the reports submitted by each authorizer as well as any additional relevant data compiled by the board. The report must include a comparison of the performance of charter school students with the performance of academically, ethnically, and economically comparable groups of students in noncharter public schools. In addition, the annual report must include the state board of education's assessment of the successes, challenges, and areas for improvement in meeting the purposes of this chapter, including the board'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.

(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 public charter schools.

PART III

GENERAL PROVISIONS

Sec. 301. RCW 28A.150.010 and 1969 ex.s. c 223 s 28A.01.055 are each amended to read as follows:

Public schools (~~shall~~) means the common schools as referred to in Article IX of the state Constitution, including charter schools established under chapter 28A.--- RCW (the new chapter created in section 401 of this act), and those schools and institutions of learning having a curriculum below the college or university level as now or may be established by law and maintained at public expense.

Sec. 302. RCW 28A.315.005 and 1999 c 315 s 1 are each amended to read as follows:

(1) Under the constitutional framework and the laws of the state of Washington, the governance structure for the state's public common school system is comprised of the following bodies: The legislature, the governor, the superintendent of public instruction, the state board of education, the Washington charter school commission, the educational service district boards of directors, and local school district boards of directors. The respective policy and administrative roles of each body are determined by the state Constitution and statutes.

(2) Local school districts are political subdivisions of the state and the organization of such districts, including the powers, duties, and boundaries thereof, may be altered or abolished by laws of the state of Washington.

NEW SECTION. **Sec. 303.** A new section is added to chapter 41.32 RCW to read as follows:

This section designates charter schools established under chapter 28A.-- RCW (the new chapter created in section 401 of this act) as employers and charter school employees as members, and applies only if the department of retirement systems receives determinations from the internal revenue service and the United States department of labor that participation does not jeopardize the status of these retirement systems as governmental plans under the federal employees' retirement income security act and the internal revenue code.

NEW SECTION. **Sec. 304.** A new section is added to chapter 41.35 RCW to read as follows:

This section designates charter schools established under chapter 28A.-- RCW (the new chapter created in section 401 of this act) as employers and charter school employees as members, and applies only if the department of retirement systems receives determinations from the internal revenue service and the United States department of labor that participation does not jeopardize the status of these retirement

systems as governmental plans under the federal employees' retirement income security act and the internal revenue code.

NEW SECTION. **Sec. 305.** A new section is added to chapter 41.40 RCW to read as follows:

This section designates charter schools established under chapter 28A.-- RCW (the new chapter created in section 401 of this act) as employers and charter school employees as members, and applies only if the department of retirement systems receives determinations from the internal revenue service and the United States department of labor that participation does not jeopardize the status of these retirement systems as governmental plans under the federal employees' retirement income security act and the internal revenue code.

Sec. 306. RCW 41.05.011 and 2012 c 87 s 22 are each amended to read as follows:

The definitions in this section apply throughout this chapter unless the context clearly requires otherwise.

(1) "Authority" means the Washington state health care authority.

(2) "Board" means the public employees' benefits board established under RCW 41.05.055.

(3) "Dependent care assistance program" means a benefit plan whereby state and public employees may pay for certain employment related dependent care with pretax dollars as provided in the salary reduction plan under this chapter pursuant to 26 U.S.C. Sec. 129 or other sections of the internal revenue code.

(4) "Director" means the director of the authority.

(5) "Emergency service personnel killed in the line of duty" means law enforcement officers and firefighters as defined in RCW 41.26.030, members of the Washington state patrol retirement fund as defined in RCW 43.43.120, and reserve officers and firefighters as defined in RCW 41.24.010 who die as a result of injuries sustained in the course of employment as determined consistent with Title 51 RCW by the department of labor and industries.

(6) "Employee" includes all employees of the state, whether or not covered by civil service; elected and appointed officials of the executive branch of government, including full-time members of boards, commissions, or committees; justices of the supreme court and judges of the court of appeals and the superior courts; and members of the state legislature. Pursuant to contractual agreement with the authority, "employee" may also include: (a) Employees of a county, municipality, or other political subdivision of the state and members of the legislative authority of any county, city, or town who are elected to office after February 20, 1970, if the legislative authority of the county, municipality, or other political subdivision of the state seeks and receives the approval of the authority to provide any of its insurance programs by contract with the authority, as provided in RCW 41.04.205 and 41.05.021(1)(g); (b) employees of employee organizations representing state civil service employees, at the option of each such employee organization, and, effective October 1, 1995, employees of employee organizations currently pooled with employees of school districts for the purpose of purchasing insurance benefits, at the option of each such employee organization; (c) employees of a school district if the authority agrees to provide any of the school districts' insurance programs by contract with the authority as provided in RCW 28A.400.350; (d) employees of a tribal government, if the governing body of the tribal government seeks and receives the approval of the authority to provide any of its insurance programs by contract with the authority, as provided in RCW 41.05.021(1) (f) and (g); ~~((and))~~ (e) employees of the Washington health benefit exchange if the governing board of the exchange established in RCW 43.71.020 seeks and receives approval of the authority to provide any of its insurance programs by contract with the authority, as provided in RCW 41.05.021(1) (g) and (n); and (f) employees of a charter school established under chapter 28A.--- RCW (the new chapter created in section 401 of this act). "Employee" does not include: Adult family homeowners; unpaid volunteers; patients of state hospitals; inmates; employees of the Washington state convention and trade center as provided in RCW 41.05.110; students of

institutions of higher education as determined by their institution; and any others not expressly defined as employees under this chapter or by the authority under this chapter.

(7) "Employer" means the state of Washington.

(8) "Employing agency" means a division, department, or separate agency of state government, including an institution of higher education; a county, municipality, school district, educational service district, or other political subdivision; charter school; and a tribal government covered by this chapter.

(9) "Faculty" means an academic employee of an institution of higher education whose workload is not defined by work hours but whose appointment, workload, and duties directly serve the institution's academic mission, as determined under the authority of its enabling statutes, its governing body, and any applicable collective bargaining agreement.

(10) "Flexible benefit plan" means a benefit plan that allows employees to choose the level of health care coverage provided and the amount of employee contributions from among a range of choices offered by the authority.

(11) "Insuring entity" means an insurer as defined in chapter 48.01 RCW, a health care service contractor as defined in chapter 48.44 RCW, or a health maintenance organization as defined in chapter 48.46 RCW.

(12) "Medical flexible spending arrangement" means a benefit plan whereby state and public employees may reduce their salary before taxes to pay for medical expenses not reimbursed by insurance as provided in the salary reduction plan under this chapter pursuant to 26 U.S.C. Sec. 125 or other sections of the internal revenue code.

(13) "Participant" means an individual who fulfills the eligibility and enrollment requirements under the salary reduction plan.

(14) "Plan year" means the time period established by the authority.

(15) "Premium payment plan" means a benefit plan whereby state and public employees may pay their share of group health plan premiums

with pretax dollars as provided in the salary reduction plan under this chapter pursuant to 26 U.S.C. Sec. 125 or other sections of the internal revenue code.

(16) "Retired or disabled school employee" means:

(a) Persons who separated from employment with a school district or educational service district and are receiving a retirement allowance under chapter 41.32 or 41.40 RCW as of September 30, 1993;

(b) Persons who separate from employment with a school district ~~((or))~~, educational service district, or charter school on or after October 1, 1993, and immediately upon separation receive a retirement allowance under chapter 41.32, 41.35, or 41.40 RCW;

(c) Persons who separate from employment with a school district ~~((or))~~, educational service district, or charter school due to a total and permanent disability, and are eligible to receive a deferred retirement allowance under chapter 41.32, 41.35, or 41.40 RCW.

(17) "Salary" means a state employee's monthly salary or wages.

(18) "Salary reduction plan" means a benefit plan whereby state and public employees may agree to a reduction of salary on a pretax basis to participate in the dependent care assistance program, medical flexible spending arrangement, or premium payment plan offered pursuant to 26 U.S.C. Sec. 125 or other sections of the internal revenue code.

(19) "Seasonal employee" means an employee hired to work during a recurring, annual season with a duration of three months or more, and anticipated to return each season to perform similar work.

(20) "Separated employees" means persons who separate from employment with an employer as defined in:

(a) RCW 41.32.010(17) on or after July 1, 1996; or

(b) RCW 41.35.010 on or after September 1, 2000; or

(c) RCW 41.40.010 on or after March 1, 2002;

and who are at least age fifty-five and have at least ten years of service under the teachers' retirement system plan 3 as defined in RCW 41.32.010(33), the Washington school employees' retirement system plan 3 as defined in RCW 41.35.010, or the public employees' retirement system plan 3 as defined in RCW 41.40.010.

(21) "State purchased health care" or "health care" means medical and health care, pharmaceuticals, and medical equipment purchased with state and federal funds by the department of social and health services, the department of health, the basic health plan, the state health care authority, the department of labor and industries, the department of corrections, the department of veterans affairs, and local school districts.

(22) "Tribal government" means an Indian tribal government as defined in section 3(32) of the employee retirement income security act of 1974, as amended, or an agency or instrumentality of the tribal government, that has government offices principally located in this state.

NEW SECTION. **Sec. 307.** A new section is added to chapter 41.56 RCW to read as follows:

In addition to the entities listed in RCW 41.56.020, this chapter applies to any charter school established under chapter 28A.--- RCW (the new chapter created in section 401 of this act). Any bargaining unit or units established at the charter school must be limited to employees working in the charter school and must be separate from other bargaining units in school districts, educational service districts, or institutions of higher education. Any charter school established under chapter 28A.--- RCW (the new chapter created in section 401 of this act) is a separate employer from any school district, including the school district in which it is located.

NEW SECTION. **Sec. 308.** A new section is added to chapter 41.59 RCW to read as follows:

This chapter applies to any charter school established under chapter 28A.--- RCW (the new chapter created in section 401 of this act). Any bargaining unit or units established at the charter school must be limited to employees working in the charter school and must be separate from other bargaining units in school districts, educational service districts, or institutions of higher education. Any charter school established under chapter 28A.--- RCW (the new chapter created

in section 401 of this act) is a separate employer from any school district, including the school district in which it is located.

PART IV

MISCELLANEOUS PROVISIONS

NEW SECTION. **Sec. 401.** Sections 101 and 201 through 225 of this act constitute a new chapter in Title 28A RCW.

NEW SECTION. **Sec. 402.** If any provision of this act or its application to any person or circumstance is held invalid, the remainder of the act or the application of the provision to other persons or circumstances is not affected.

OVERVIEW OF CHARTER SCHOOL LAW



APRIL 4, 2013

DAVE STOLIER, SENIOR AAG

AILEEN MILLER, AAG

ATTORNEY GENERAL'S OFFICE

I-1240 codified at RCW 28A.710

2

- Voters approved I-1240 in November 2012
- Up to **40** charter schools to be opened over a **5** year period
- States a preference for schools that serve **at-risk** student populations or students from **low-performing** public schools

Charter Schools

3



Charter School Defined

4

A Charter School is:

- A public, common school
- Open to all children free of charge
- Operated by a nonprofit organization
- Governed by a charter school board
- A Local Education Agency
- Exempt from some statutes and rules
- Approved and overseen by an Authorizer

Charter Schools, cont.

5

A Charter School is subject to:

- 5 year contract and its terms
- Annual performance reviews
- Teacher certification and background check requirements
- Supervision of OSPI and SBE

Charter Schools, cont.

6

A Charter School is subject to:

- Safety, parents' rights, civil rights and nondiscrimination laws
- Open Public Meetings Act (RCW 42.30)
- Public Records Act (RCW 42.56)
- Rules and statutes listed in the contract

Charter Schools, cont.

7

There are two kinds of charter schools:

- New charter school
- Conversion charter school

Authorizers

8

POWERS, DUTIES AND PROCEDURES

Entities Eligible to Authorize

9

- School Districts (on application)
- Washington Charter School Commission

School District Authorizers

10

- Must apply to the SBE
- Application must include:
 - Strategic vision and plan
 - Outline of RFP district would issue
 - Draft performance framework
 - Draft renewal, revocation and nonrenewal procedures
 - Statement of assurances
- If approved, may authorize *within* district boundaries

Charter School Commission

11

- Independent state agency

- Mission:

Authorize high quality public charter schools throughout the state with emphasis on opportunities for at-risk students

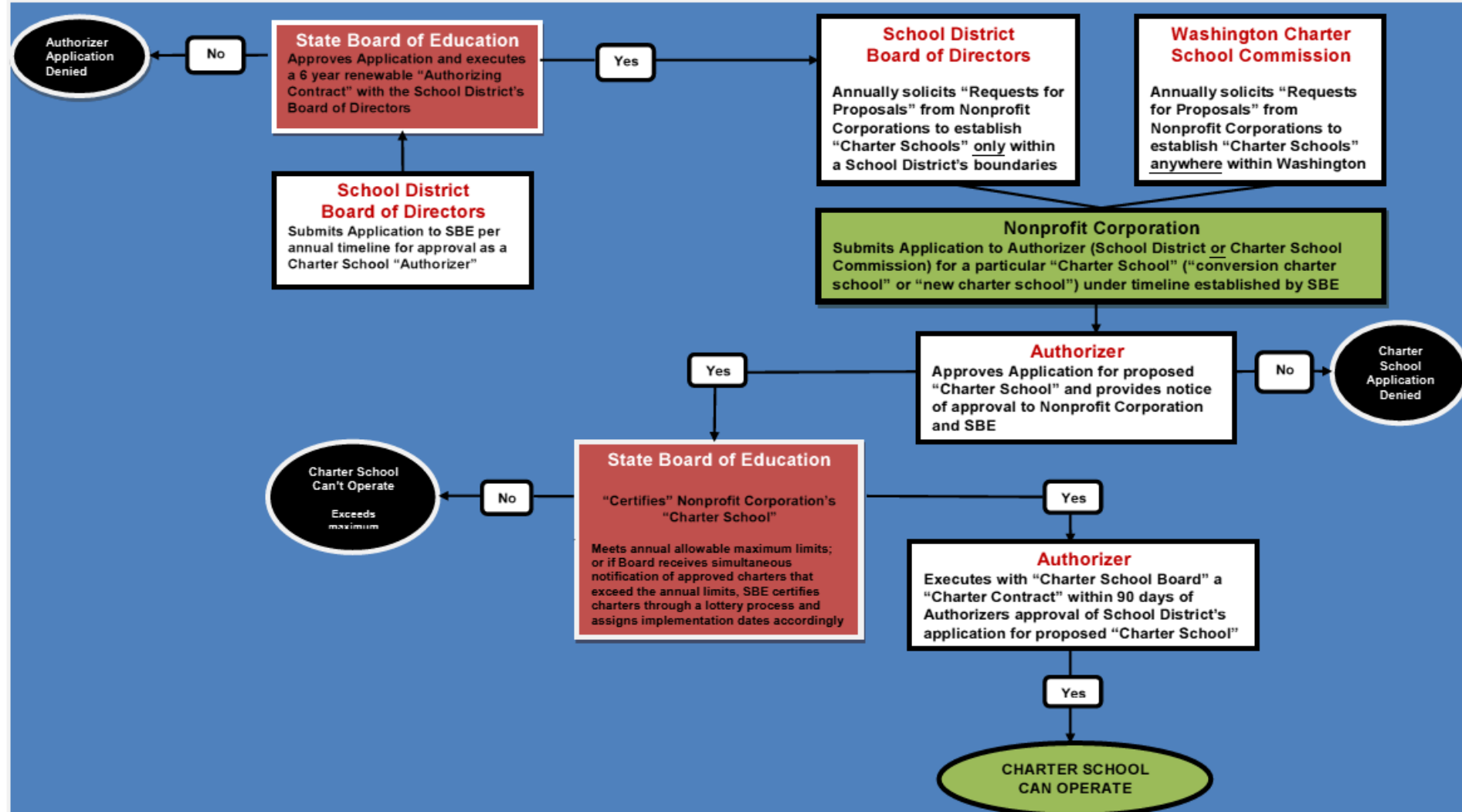
- Authorizes charter schools located *anywhere* in the state
- Ensure highest standards of accountability and oversight
- Manage, supervise and enforce charter contracts
- Collaborate with SBE to issue annual report on state's charter schools

Authorizer Process

12

SBE APPROVAL OF SCHOOL DISTRICT AUTHORIZERS

CHARTER SCHOOL AUTHORIZERS



Authorizer's Powers and Duties

13

- Solicit and evaluate charter applications (annually)
- Approve or deny applications
- Negotiate and execute charter contracts
- Monitor performance and legal compliance
- Make renewal, nonrenewal and revocation determinations
- May delegate responsibilities to employees or contractors

Authorizer's Powers and Duties, cont.

14

Develop and follow chartering policies and practices consistent with national principles and standards (NACSA) in the following areas:

- Organizational capacity and infrastructure
- Soliciting and evaluating charter applications
- Performance contracting
- Ongoing charter school oversight and evaluation
- Charter renewal decision making

Authorizer's Powers and Duties, cont.

15

Standards	A Quality Authorizer ...
<p><i>Proposal Information, Questions, and Guidance</i></p>	<p>Issues a charter application information packet or request for proposals (RFP) that:</p> <ul style="list-style-type: none">- States any chartering priorities the authorizer may have established;- Articulates comprehensive application questions to elicit the information needed for rigorous evaluation of applicants' plans and capacities; and- Provides clear guidance and requirements regarding application content and format, while explaining evaluation criteria. <p>Welcomes proposals from first-time charter applicants as well as existing school operators/replicators, while appropriately distinguishing between the two kinds of developers in proposal requirements and evaluation criteria.</p> <p>Encourages expansion and replication of charter schools that demonstrate success and capacity for growth.</p> <p>Is open to considering diverse educational philosophies and approaches, and expresses a commitment to serve students with diverse needs.</p>

Authorizer's Powers and Duties, cont.

16

Standards

A Quality Authorizer ...

Proposal Information,

Issues a charter application information packet or request for proposals (RFP) that:

States any chartering priorities the authorizer may have established

Guidance

information needed for rigorous evaluation of applicants' plans and capacities; and

Articulates comprehensive application questions to elicit the information needed for rigorous evaluation of applicants' plans and capacities

Welcomes proposals from first-time charter applicants as well as existing school operators/replicators, while appropriately

Provides clear guidance and requirements regarding application content and format, while explaining evaluation criteria

Encourages expansion and replication of charter schools that demonstrate success and capacity for growth.

Is open to considering diverse educational philosophies and approaches, and expresses a commitment to serve students with diverse needs.

Solicitation

17

- Annual Solicitation issued in accordance with SBE deadlines
- RFP must contain:
 - Authorizer's strategic vision
 - Statement of preferences
 - Performance framework for oversight and evaluation
 - Criteria for approval or denial
 - Detailed information on format and content of application

Review and Evaluation

18

- Application review process must include:
 - NACSA consistent practices, procedures and criteria
 - Thorough evaluation
 - In person interview
 - Public Forum to inform stakeholders and provide an opportunity for input

Review and Evaluation, cont.

19

- Application evaluation and approval must be based on:
 - Demonstrated competence in RFP criteria
 - Likelihood of success (open and operate)
 - Documented evidence
 - Transparent policies and practices
- Avoid conflicts of interest (real or apparent)
- Approval can be conditional

Approval or Denial of Applications

20

Authorizer must issue a resolution stating:

- Action taken (approval or denial)
- Reasons for decision
- Assurances of compliance with charter school laws

Post-Approval

21

- Report of action within 10 days
 - Applicant
 - SBE
 - Include resolution
 - Indicate whether at-risk population will be served
- SBE certification
- Contract executed within 90 days
- Notice and copy of contract to SBE within 10 days

Contracts

22

Must contain **performance framework** that includes indicators, measures and metrics for:

- Student academic growth and proficiency
 - Achievement gaps
 - Attendance
 - Recurrent enrollment
 - Graduation rates/postsecondary readiness
 - Financial performance and sustainability
 - Board performance and stewardship
-
- Data must be disaggregated by major student subgroups

Sub-Contracting

23

Authorizer's employees, trustees, agents, and representatives are PROHIBITED from:

simultaneously serving “as an employee, trustee, agent, representative, vendor, or contractor of a charter school under the jurisdiction of that authorizer.”

Sub-Contracting

24

- However, an authorizer may:

“[P]rovide contracted, fee-based services to charter schools under its jurisdiction.”

Distinction:

Individuals v. Entities

- Fees collected must be tracked separately and reported annually to SBE

Oversight

25

- Authorizers must “continually monitor the performance and legal compliance”
- Unsatisfactory performance
 - Notice to charter school
 - Opportunity to remedy
 - Unless immediate revocation is warranted
 - Sanctions
 - Corrective action plan

Annual Report

26

Annual report to SBE must contain:

- Strategic vision for chartering
- Progress towards strategic vision
- Info on schools authorized, including:
 - Academic performance
 - Financial performance
 - Progress based on authorizer's performance framework
- Status of authorizer's charter school portfolio
- Authorizer's operating costs and expenses
- Itemized accounting for purchased services

Additional Reporting Requirement

27

- Commission and SBE
- Issue report to governor, legislature and public at large
- December 1st of each year after charters schools have operated for a full school year
- Compare performance of charter school students with noncharter public school student
- SBE must assess other factors
- After the 5th year – recommendation about whether establishment of additional charter schools should be authorized

Renewal

28

- Authorizer must (6 months before end of contract):
 - Issue performance report; and
 - Contract renewal application guidance

NOTE: Contract may not be renewed if charter school's performance is in bottom quartile of schools on the accountability index absent exceptional circumstances

Revocation

29

- Revocation can occur at any time if charter school:
 - Failed to comply with charter school laws
 - Committed material and substantial violation of the contract
 - Didn't make sufficient progress towards performance expectations
 - Didn't meet generally accepted standards of fiscal management
 - Substantially violated any material provision of an applicable law

Nonrenewal/Revocation

30

- Authorizers must:
 - Develop protocol
 - Give notice nonrenewal/revocation is possible
 - Issue a final written determination
 - Resolution
 - Clearly states reasons for decision

Nonrenewal/Revocation

31

- Charters schools have an opportunity to respond
 - Submit documents
 - Give testimony and call witnesses
 - Be represented by counsel

In event of nonrenewal or revocation, Authorizer must notify SBE of the decision within 10 days

QUESTIONS?

32

***OVERVIEW OF
LEGAL SERVICES AND OPEN GOVERNMENT
RESPONSIBILITIES***



APRIL 4, 2013

DAVE STOLIER, SENIOR AAG

AILEEN MILLER, AAG

ATTORNEY GENERAL'S OFFICE

Legal Services

2

- By law, Attorney General is the legal adviser to state agencies, boards, commissions, and state officials. AGO represents agencies in court and defends lawsuits.
- AGO is organized into 26 legal divisions.
- Education Division assigns an attorney to each education related board and commission to act as general counsel.

AAG Interaction with the Commission

3

- Work through chain of command from administrative staff and then the Commission
- Work with the Commission collectively or through the Chair, since individual members do not speak for the whole Commission
- Role at Commission Meetings

OPEN PUBLIC MEETINGS ACT

Legislative Declaration of Purpose – RCW 42.30.010

4

- Public agencies exist to aid in the conduct of the people's business. Actions are to be taken openly and deliberations conducted openly
- People do not yield their sovereignty to the agencies which serve them
- People do not give public servants the right to decide what is good for the people to know and what is not good for them to know
- People remain informed so they may retain control over the instruments they have created

OPEN PUBLIC MEETINGS ACT ***(RCW 42.30)***

5

- ◆ All ***meetings*** of the ***governing body of a public agency*** shall be open and public (RCW 42.30.030)
- ◆ Minutes must be recorded and are open to public inspection (RCW 42.32.030)

What is a Governing Body?

6

“All meetings of a ***governing body*** of a public agency shall be open and public . . . “

- ◆ Multi-member governing bodies of state and local agencies
- ◆ Subcommittees, if quorum
- ◆ Subcommittee, if delegated final decision-making authority, conducting hearings, or taking public comment or testimony

What Constitutes a Meeting ?

7

“All *meetings* of a governing body of a public agency shall be open and public . . . “

- ◆ A meeting is a gathering where “action” is taken. Any such meeting must be open.
- ◆ “Action” means “the transaction of the official business”

Emails

8

- An exchange of emails among Commission members can constitute a deliberation or discussion and thus, a “meeting” subject to the Open Public Meetings Act.

Wood v. Battle Ground School District (2001).

ACTION

9

- ◆ Public testimony
- ◆ All deliberations
- ◆ Discussions
- ◆ Reviews
- ◆ Evaluations
- ◆ Final action (collective positive or negative decision or final vote by a majority sitting as a body or entity)

Travel & Gathering

10

- “It shall not be a violation of the requirements of this chapter for a majority of the members of a governing body to travel together or gather for the purposes other than a regular meeting or special meeting...PROVIDED, That they take no action as defined by this chapter.” RCW 42.30.070

GIVING NOTICE: REGULAR MEETINGS

11

- ◆ Recurring meetings of the public body
- ◆ Commission must adopt a **regular schedule** of the time and place of meetings for each year
 - ◆ Schedule must be filed with the Code Reviser on or before January 1st of each year.
- ◆ No agenda requirement.

GIVING NOTICE: SPECIAL MEETINGS

12

Written Notice Must:

- ◆ Be given to:
 - ◆ Each member of governing body
 - ◆ Each media entity which has requested notice

- ◆ Be posted on:
 - ◆ Website
 - ◆ Main entrance of principal location (and meeting location, if different)

- ◆ Delivered at least 24 hours in advance

- ◆ Specify the time, place, and business to be transacted (agenda).

FINAL ACTION IS LIMITED TO AGENDA ITEMS

EXECUTIVE SESSIONS

Are authorized for limited, specific topics listed, including:

13

- ◆ Receive and evaluate complaints or charges against a public officer or employee
- ◆ Review performance of an employee
- ◆ Evaluate qualifications of a job applicant
- ◆ Meet with legal counsel relating to potential litigation, litigation & agency enforcement actions
- ◆ Site selection, acquisition, price of real estate
- ◆ Quasi-judicial actions (exempt)
- ◆ Collective bargaining strategy (exempt)

RCW 42.30.110; 140

Going into Executive Session

14

“... [T]he presiding officer of a governing body shall publicly announce the purpose for excluding the public from the meeting and the time when the executive session will be concluded.”

(RCW 42.30.110(2))

Penalties for Violating Open Public Meetings Act

15

- Personal civil liability (\$100/penalty)
- Costs and attorneys fees
- Action taken is null and void
- Media attention (of the bad kind)

To: Smith From: Jones
BCC: Doe

16

Dear Commissioner Smith, in response to your previous email, I have been polling the other trustees over continued viability of the Jet-Diesel Program and whether we need a change of instructors. The Commission needs to show unanimity on the vote at next week's meeting.

Any problems presented by this email? Is it private?

PUBLIC RECORDS

(RCW 42.56)

17

- Any writing containing information relating to (a) the conduct of government, or (b) the performance of any governmental or proprietary function
- Prepared, owned, used, or retained by any agency
- Writing can be in any media or format

Public records definition (cont'd)

18

- The definition is broad enough to encompass anything you prepare or use for Commission business
- Includes email messages
- Includes materials you prepare on personal computer, iPhone, iPad, and voice mail
- Public has right to review and seek copies

Public Policy Strongly Favors Disclosure

19

- The duty to disclose public records is broadly construed
- Exemptions are narrowly construed
- Emails between and among Commission members are public records and must be disclosed unless a specific exemption applies

Some Exemptions

RCW 42.56.230-480

20

- Communications protected by the attorney-client privilege
- Private information in employee personnel files/application materials
- Trade secrets
- Preliminary drafts in which policies are formulated

PROCEDURAL COMPONENTS

21

- Agencies must establish rules that tell public where and to whom requests should be submitted
- Rules must provide for “fullest assistance to inquirers”
- Agencies must also appoint and publicly identify a **public records officer**
 - Name and contact information must be published in the state register

PUBLIC RECORDS

22

- Penalties can range from \$0-\$100 per day/ per record for improperly withheld records.
- Tip I: Assume everything you put in writing even tangentially related to Commission business may be made public at some point.
- Tip II: Keep all Commission-related emails, electronic documents, and hard copy documents in separate easily identifiable folders

EMAIL TIPS

23

- Compose under the assumption that it will be made publicly available
- Don't hit Reply-all to a message sent to multiple Commission members
- If using personal computer, keep Commission business in a separate file

RECAP

24

- AGO –we're here to assist
- Open Meetings—Everything is action
- Public Records—Everything is a public record

QUESTIONS?

25

- OR, COMMENTS??

Washington Charter Schools Law State Board of Education Rule-Making

Jack Archer
Senior Policy Analyst
State Board of Education

Washington Charter School Commission
April 4, 2013

SBE Role for Charter Schools

- I-1240 assigned the SBE major responsibilities for administration and oversight of the charter school law:
 - Approve or deny applications by school districts seeking to be authorizers.
 - Oversee the performance of district authorizers.
 - Establish an authorizer oversight fee.
 - Establish a timeline for charter applications.
 - Ensure compliance with maximum number of charter schools.
 - Report annually on the state's charter schools.
 - After five years, recommend whether the Legislature should authorize additional charter schools.

SBE Duties for Rule-Making

- ❑ Eight sections of RCW 28.710, covering fifteen provisions, identified as requiring rule-making by the SBE, including:
 - Application process and timelines for school districts seeking to be authorizers. (28A.710.090)
 - Formula for authorizer oversight fee (28A.710.110)
 - Oversight of school district authorizers (28A.710.120)
 - Annual statewide timeline for charter applications (28A.710.140)
 - Certification of charter approvals for compliance with limits on number of schools (RCW 28A.710.150)

Completed Rule-Making: School District Authorizer Approval

Rules adopted by the SBE on February 26:

- Establish timeline for authorizer applications to SBE.
- Clarify and supplement the required components of an authorizer application.
- Establish process and criteria for SBE decisions on authorizer applications.
- Set terms of the authorizing contract between the approved school district and the SBE.

School District Authorizer Approval: Timeline

Action	2013 Approvals Only	2014 Approvals And Ongoing
District notice of intent to submit authorizer application	April 1, 2013	October 1, 2013
SBE posts district authorizer application	April 1, 2013	October 1, 2013
Closing date for authorizer applications to SBE	July 1, 2013	December 31, 2013
Closing date for SBE decisions on authorizer applications	Sept. 12, 2013	April 1, 2014

School District Notices of Intent

Twelve districts filed notices of intent by the April 1 deadline to apply to SBE for approval as charter school authorizers in 2013:

Battle Ground

Bellevue

Eastmont

Kent

Highline

Naselle

Peninsula

Port Townsend

Sequim

Spokane

Sunnyside

Tacoma

Proposed Rule-Making

Rules to:

- RCW 28A.710.110 -- Authorizer Oversight Fee
- RCW 28A.710.140 -- Charter Applications
- RCW 28A.710.150 -- Maximum Number of Charter Schools

Authorizer Oversight Fee

RCW 28A.710.110

“The state board of education shall establish a statewide formula for an authorizer oversight fee”

- Applies to all authorizers – school districts and Commission.
- Calculated as a percentage of the state operating funding allocated to each charter school.
- Deducted from the state allocation by OSPI and transmitted to the authorizer.

Authorizer Oversight Fee: Amount

- Capped at 4 percent of each charter school's annual state funding.
- May be on a sliding scale, with the fee percentage decreasing for:
 - ❑ The number of years authorizing, or
 - ❑ The number of schools authorized

Authorizer Oversight fee -- Uses

- May be used exclusively for fulfilling purposes of charter school authorizers under RCW 28A.710.100:
 - ✓ Soliciting and evaluating charter applications
 - ✓ Approving and denying applications
 - ✓ Executing charter contracts
 - ✓ Monitoring the performance and legal compliance of charter schools
- Must be separately accounted for by authorizers and annually reported to the State Board of Education.

Authorizer Oversight Fee -- Considerations

- Should be at level sufficient to support quality authorizing.
- Has to be appropriate to both school district authorizers and the Commission.
- Wide variety in state practices for authorizer funding. No single formula that is “best.”
- Difficulty in identifying reasonable authorizer costs.

Authorizer Oversight Fee – Considerations, cont.

- High expectations for authorizers in Washington's charter law
- Up-front costs to authorizers
 - Negotiating and executing charter contracts
 - Developing charter revocation and renewal processes
 - Developing termination or dissolution protocols.
- The learning curve

Authorizer Oversight Fee – Proposed Rules

- 4 percent oversight fee – maximum allowed by law.
- Sliding scale – 3 percent fee after authorizer has authorized 10 charter schools.
- Periodic review of fee, using data required in the annual reports by authorizers to SBE.

Charter Applications Timeline

RCW 28A.710.140

“The state board of education must establish an annual statewide timeline for charter application submission and approval, which must be followed by all authorizers.”

- Includes two dates called out in other sections:
 - Date by which each authorizer must issue and publicize RFP (28A.710.130)
 - Last date by which authorizers must report action to approve or deny charter applications to SBE (28A.710.150)

Charter Applications – Two Timelines

- As for authorizer approval, a recognition of the need for *two timelines* for charter applications in initial rules:
 - ✓ A shorter timeline, for 2013 applications only.
 - ✓ A longer timeline, for applications in 2014 and all following years.

Charter Applications Timeline -- Considerations

- Adequate time for preparation of charter applications to authorizers.
- Adequate time for authorizer evaluation and decisions on charter applications.
- Adequate time for school startup between charter approval and school opening.

Charter Applications Timeline – “A well planned process”

- No standard timelines to be found in other states’ practices – requirements vary too much.
 - “A well-planned process might include minimum timeframes such as:
 - Three months from release of the RFP to the application deadline;
 - Three months for evaluation of the applications;
 - Nine months, but preferably 12-18 months, from approval to school opening.”
- National Association of Charter School Authorizers*

Charter Applications Timeline – Proposed Rules

Action	Applications in 2013 Only	Applications in 2014 and Ongoing
Last date for all authorizers to issue RFPs (28A.710.130)	September 22, 2013	April 15, 2014
Closing date for charter application submissions	November 22, 2013 (60 days)	July 15, 2014 (90 days)
Closing date for authorizer approval or denial of charter applications	January 22, 2014 (60 days)	October 15, 2014 (90 days)
Last date for authorizer to submit report of action to approve or deny application (28A.710.150)	February 1, 2014 (10 days, per law)	October 25, 2014 (10 days, per law)

Maximum Number of Charter Schools

RCW 28A.710.150

- On receipt of notice that a charter school has been approved, SBE must certify whether it is within the limits on the maximum number of schools allowed.
- *“If the board receives simultaneous notification of approved charters that exceed the annual allowable limits . . . , the board must select approved charters for implementation through a lottery process, and must assign implementation dates accordingly.”*

-- RCW 28A.710.150(3)

Maximum Number -- Lottery Process Proposed Rules

- “Simultaneous notification” means on the same day.
- Charter schools that are not certified as within the limits on the number allowed go into a lottery.
- Lottery to be held at a public meeting, within 30 days of determination the limit has been exceeded.
- Schools not selected through the lottery are certified for operation in the subsequent year.

Proposed Schedule for Rule Making

- ❑ March 14 – SBE approved proposed rules for publication in State Register and public hearing.
- ❑ March – May: Solicitation of public comment.
- ❑ May 8-9 -- Public hearing on proposed rules and rule adoption.

SBE-WCSC Relationship

- Annual report by each authorizer to SBE -- RCW 28A.710.100(4)
- Annual report on charter schools “in collaboration with the commission” – RCW 28A.710.250
- Feedback on SBE rule-making with impact on the Commission.
- Sharing of information and resources.

Appendix: Provisions for SBE rule-making

28A.710.090	Authorizers -- approval	<p>(1) The state board of education shall establish an annual application and approval process and timelines for school district boards of directors seeking approval to be charter school authorizers. The initial process and timelines must be established no later than ninety days after the effective date of this section.</p> <p>(2) At a minimum, each applicant must submit to the state board :</p> <p>(3) The state board of education shall consider the merits of each application and make its decision whether to grant approval within the timelines established by the board.</p> <p>(4) Within thirty days of making a decision to approve an application under this section, the state board of education must execute a renewable authorizing contract with the [school district] . . .</p>
28A.710.100	Authorizers – Annual report	<p>(4) Each authorizer must submit an annual report to the state board of education, according to a timeline, content, and format specified by the board . . .</p>
28A.710.110	Authorizers -- funding	<p>(1) The state board of education shall establish a statewide formula for an authorizer oversight fee, which shall be calculated as a percentage of the state operating funding allocated under section 223 of this act to each charter school, but may not exceed four percent of each charter school's annual funding.</p> <p>(2) The state board may establish a sliding scale for the authorizer oversight fee, with the funding percentage decreasing after the authorizer has achieved a certain threshold . . .</p>
28A.710.120	Authorizers -- oversight	<p>(4) If at any time the state board of education finds that an authorizer is not in compliance with a charter contract, its authorizing contract, or the authorizer duties under section 210 of this act, the board must notify the authorizer in writing of the identified problems, and the authorizer shall have reasonable opportunity to respond and remedy the problems.</p> <p>(5) If an authorizer persists after due notice from the state board of education in violating a material provision of a charter contract or its authorizing contract, or fails to remedy other identified authorizing problems, the state board of education shall notify the authorizer, within a reasonable amount of time under the circumstances, that it intends to revoke the authorizer's chartering authority unless the authorizer demonstrates a timely and satisfactory remedy for the violation.</p> <p>(7) The state board of education must establish timelines and a process for taking actions under this section in response to performance deficiencies by an authorizer.</p>

Appendix: Provisions for SBE rule-making, cont.

28A.710.130	Charter applications	(1) Each authorizer must annually issue and broadly publicize a request for proposals for charter school applications by the date established by the state board of education under section 214 of this act.
28A.710.140	Charter applications	(1) The state board of education must establish an annual statewide timeline for charter application submission and approval or denial, which must be followed by all authorizers.
28A.710.150	Number of charter schools	<p>(2) The state board of education shall establish for each year in which charter schools may be authorized as part of the timeline to be established pursuant to section 214 of this Act, the last date by which the authorizer must submit [the report to the applicant and the SBE of the action to approve or deny a charter application.</p> <p>(3) If the board receives simultaneous notification of approved charters that exceed the annual allowable limits in subsection (1) of this section, the board must select approved charters for implementation through a lottery process, and must assign implementation dates accordingly.</p>
28A.710.210	Charter school termination or dissolution	(3) A charter contract may not be transferred from one authorizer to another or from one charter school applicant to another before the expiration of the charter contract term except by petition to the state board of education by the charter school or its authorizer. The state board of education must review such petitions on a case-by-case basis and may grant transfer requests in response to special circumstances and evidence that such a transfer would serve the best interests of the charter school's students.

Appendix: Frequently asked questions

- How does the SBE's role differ from the Commission's?
- When will the first charter schools be opened?
- Can a charter school be closed for bad performance?
- Can a charter school limit admission based on student residence or characteristics?
- Do charter schools have to meet basic education and accountability requirements?
- Can a private school convert to a charter school?
- How does the law address online charter schools?
- Is Washington's charter school law a "parent trigger" law?
- Must charter school employees be non-union?
- How do I start a charter school?

Chapter 28A.710 RCW Charter Schools Provisions for Rule-Making

RCW	Subject	Provision	Action
28A.710.090	Authorizers -- approval	<p>(1) The state board of education shall establish an annual application and approval process and timelines for school district boards of directors seeking approval to be charter school authorizers. The initial process and timelines must be established no later than ninety days after the effective date of this section.</p> <p>(2) At a minimum, each applicant must submit to the state board . . .</p> <p>(3) The state board of education shall consider the merits of each application and make its decision whether to grant approval within the timelines established by the board.</p> <p>(4) Within thirty days of making a decision to approve an application under this section, the state board of education must execute a renewable authorizing contract with the [school district board of directors] . . .</p>	<p>Public hearing 2/26/13</p> <p>Adopted 2/26/13</p>
28A.710.100	Authorizers – Annual report	<p>(4) Each authorizer must submit an annual report to the state board of education, according to a timeline, content, and format specified by the board . . .</p>	
28A.710.110	Authorizers -- funding	<p>(1) The state board of education shall establish a statewide formula for an authorizer oversight fee, which shall be calculated as a percentage of the state operating funding allocated under section 223 of this act to each charter school, but may not exceed four percent of each charter school's annual funding.</p> <p>(2) The state board may establish a sliding scale for the authorizer oversight fee, with the funding percentage decreasing after the authorizer has achieved a certain threshold . . .</p>	<p>Public hearing scheduled 5/8/13</p>
28A.710.120	Authorizers -- oversight	<p>(4) If at any time the state board of education finds that an authorizer is not in compliance with a charter contract, its authorizing contract, or the authorizer duties under section 210 of this act, the board must notify the authorizer in writing of the identified problems, and the authorizer shall have reasonable opportunity to respond and remedy the problems.</p> <p>(5) If an authorizer persists after due notice from the state board of education in violating a material provision of a charter contract or its authorizing contract, or fails to remedy other identified authorizing problems, the state board of education shall notify the authorizer, within a reasonable amount of time under the circumstances, that it intends to revoke the authorizer's chartering authority unless the authorizer demonstrates a timely and satisfactory remedy for the violation.</p> <p>(7) The state board of education must establish timelines and a process for taking actions under this section in response to performance deficiencies by an authorizer.</p>	

RCW	Subject	Provision	Action
28A.710.130	Charter applications	(1) Each authorizer must annually issue and broadly publicize a request for proposals for charter school applications by the date established by the state board of education under section 214 of this act.	Public hearing scheduled 5/8/13
28A.710.140	Charter applications	(1) The state board of education must establish an annual statewide timeline for charter application submission and approval or denial, which must be followed by all authorizers.	Public hearing scheduled 5/8/13
28A.710.150	Number of charter schools	(2) The state board of education shall establish for each year in which charter schools may be authorized as part of the timeline to be established pursuant to section 214 of this Act, the last date by which the authorizer must submit [the report to the applicant and the SBE of the action to approve or deny a charter application. (3) If the board receives simultaneous notification of approved charters that exceed the annual allowable limits in subsection (1) of this section, the board must select approved charters for implementation through a lottery process, and must assign implementation dates accordingly.	Public hearing scheduled 5/8/13
28A.710.210	Charter school termination or dissolution	(3) A charter contract may not be transferred from one authorizer to another or from one charter school applicant to another before the expiration of the charter contract term except by petition to the state board of education by the charter school or its authorizer. The state board of education must review such petitions on a case-by-case basis and may grant transfer requests in response to special circumstances and evidence that such a transfer would serve the best interests of the charter school's students.	

SBE. 2/28/2013.

**Chapter 180-19 WAC
CHARTER SCHOOLS
(Phase II)**

WAC 180-19-060 Authorizer Oversight Fee. (1) The statewide formula for the authorizer oversight fee transmitted to an authorizer by the superintendent of public instruction, as provided for in RCW 28A.710.110, shall be calculated at four percent of the state operating funding allocated under RCW 28A.710.220, with the fee decreasing to three percent of the state operating funding after an authorizer has authorized ten (10) charter schools.

(2) The Board shall periodically review the adequacy and efficiency of the authorizer oversight fee for the purpose of determining whether the formula should be adjusted in order to ensure fulfilling the purposes of Chapter 28A.710 RCW. In conducting the review, the Board shall utilize the information on authorizers' operating costs and expenses included in the annual report submitted to the Board by each authorizer as set forth in 28A.710.100(4) .

WAC 180-19-070 Charter School - Request for proposals. Each authorizer shall annually issue requests for proposals for charter schools. For the year 2013, a request for proposal must be issued by no later than September 22, 2013. Requests for proposals in all subsequent years must be issued no later than April 15.

WAC 180-19-080 Charter School applications - Submission, Approval or Denial. (1) An applicant, as defined in RCW 28A.710.010, seeking approval must submit an application for a proposed charter

school to an authorizer by no later than July 15 of the year in which the applicant seeks approval; Provided, however, that an applicant seeking approval to operate a charter school in 2014 must submit an application to an authorizer by no later than November 22, 2013.

(2) An authorizer receiving an application for a proposed charter school must either approve or deny the proposal by no later than October 15 of the year in which the application is received; Provided, however, that for applications received in 2013, the authorizer must approve or deny the proposal by no later than January 22, 2014.

(3) The authorizer must provide the State Board of Education with a written report of the approval or denial of an applicant's proposal for a charter school within ten days of such action, but no later than October 25, whichever is sooner; Provided, however, that for proposals for charter schools received in 2013, the report must be received within ten days of the action, but no later than February 1, 2014, whichever is sooner. The notice must comply with the requirements set forth in RCW 28A.710.150(2). The report shall be sent to the board via electronic mail to sbe@k-12.wa.us.

WAC 180-19-090 Board Certification of Charter Schools -- Lottery.

(1) Upon receipt of notice from an authorizer that a charter school has been approved, the chair of the state board of education shall certify whether the approval is in compliance with the limits on the maximum number of charters in RCW 28A.710.150. Certification from the state board of education must be obtained before final

authorization of a charter school. The certification of a charter school shall be posted on the Board's website.

(2) If the board receives notification of charter approvals under this section on the same day, and the total number of approvals exceeds the limits in RCW 28A.710.150(1), the board will select approved charters for certification through a lottery process as follows.

(a) The board shall notify the authorizer that the approved charter school has not been certified by the board for operation and must be selected for certification through a lottery.

(b) Within 30 days after determining that the limit for charter schools has been exceeded, the board shall conduct a lottery, as required by RCW 28A.710.150(3), at a publicly noticed meeting to select and certify approved charters for implementation. The board shall randomly draw the names of charter schools from the available pool of approved charter schools that have not been certified until the maximum allowable total number of charter schools has been selected.

i. A charter school shall be certified by the board for operation commencing in the following school year so long as the total number of charter schools that may be established in any single year under RCW 28A.710.150 is not exceeded.

ii. Once the total number of charter schools that may be established in any single year under RCW 28A.710.150 is exceeded, the Board shall certify a charter school for operation in a subsequent year based upon the charter's selection in the lottery.

WAC 180-19-200 Computation of Time. (1) "Days" means calendar day whenever used in this chapter, unless otherwise specified. The period of time for performing an act governed by this chapter is determined by excluding the first day and including the last day, unless the last day is an official state holiday, Saturday, or Sunday, in which event the period runs until the end of the next business day. (2) If a specific due date is established under this chapter, and that date falls on a Saturday, Sunday, or official state holiday, such period is automatically extended to the end of the next business day.

RCW 28A.710 Timelines for Rules

Rules to RCW 28A.710.090. Charter school authorizers – Approval process Adopted February 26, 2013.

Action	2013 Approvals Only	2014 Approvals And Ongoing
District notice of intent to submit authorizer application	April 1, 2013	October 1, 2013
SBE posts district authorizer application	April 1, 2013	October 1, 2013
Closing date for authorizer applications to SBE	July 1, 2013 (90 days)	December 31, 2013 (90 days)
Closing date for SBE decisions on authorizer applications	September 12, 2013 (72 days)	April 1, 2014 (90 days)

Rules to RCW 28A.710.140. Charter applications – Submission – Approval or denial Approved March 14, 2013 for public hearing.

Action	Applications in 2013 Only	Applications in 2014 and Ongoing
Last date for all authorizers to issue RFPs (28A.710.130)	September 22, 2013 (10 days)	April 15, 2014 (15 days)
Closing date for charter application submissions to all authorizers	November 22, 2013 (60 days)	July 15, 2014 (90 days)
Closing date for authorizer approval or denial of charter applications	January 22, 2014 (60 days)	October 15, 2014 (90 days)
Last date for authorizers to submit report of action to approve or deny charter application (28A.710.150)	February 1, 2014 (10 days, per law)	October 25, 2014 (10 days, per law)

External Users – Directions for creating a SAW Account

1. Go to <https://secureaccess.wa.gov> and click “Do not have an account? Create one” to complete the registration process.
2. After registering and logging into SAW with your new account, click “My Secure Services” then click the “Add a New Service” tab and enter **SP** for the Service Code.
3. Click “Apply”, complete the registration information and click “Register”.
4. Click on the “My Services” tab under “My Secure Services” (you should now see “DIS SharePoint Service Offering” under Service).
5. Click on the new service and enter your SAW username and password in the challenge box. You will be redirected to the top-level DIS SharePoint Service website.
6. Contact SharePoint Site Administrator notifying your SAW Access is set up.



SharePoint User Guide



Foreword

The SharePoint User Guide gives step-by-step instructions for End Users.

Revision History

Date	Description	Version
10/18/2006	Draft SharePoint User Guide.	1.0
10/24/2006	Edited graphics and added additional sections	1.1
10/26/2006	Edited grammar and formatting problems	1.2
11/02/2006	Edited formatting	1.3
11/03/2006	Final Version	1.4



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WHAT IS SHAREPOINT?

SharePoint is a Web-based collaboration tool which allows information sharing and document collaboration. SharePoint lets you create a central location where everyone can share issues, contacts, announcements, Web links, and calendars. Team members can easily create workspaces for meeting discussions, surveys, documents, task lists, and other collaboration needs that increase their productivity.

The DEP SharePoint Home Page is located at <http://sharepoint.dep.state.fl.us> and is accessible inside the intranet or via the internet. Contact your Team Site Administrator for the location of your Team Site.

If you have any questions or problems with SharePoint, please contact the DEP Helpdesk via [email](#) or telephone at (850) 245-7555 or SC 205-7555.

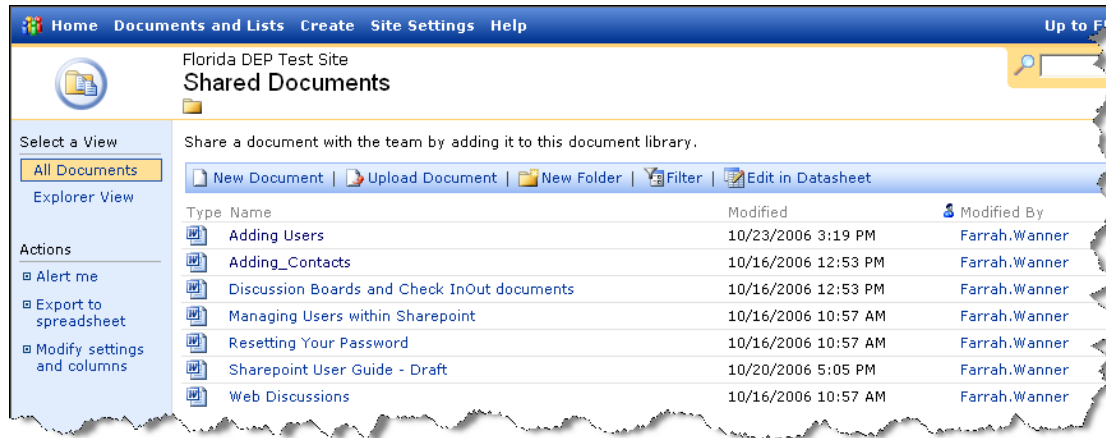


DOCUMENT LIBRARIES

Document Libraries are collections of files that you can collaborate and share with team members. A document library is comprised of files and folders. Files and folders in SharePoint are organized in the same way as they are on your computer's C: drive or a network file share.

SharePoint sites can have one or more document libraries. Any file can be a document; however, document libraries integrate best with Office 2003 documents.

Figure 1: SharePoint Shared Documents



Shared Document Page's Notable Features

Select a View – This area in the top left corner selects all the available formats for listing documents in the library. By default, there are two such formats:

- **All Documents** – Displays one line of text for each document in the library.
- **Explorer View** – Lists the library contents in a format resembling Microsoft Windows Explorer. This is available only on Windows versions of Internet Explorer.
- **Actions** – Additional commands for working within library documents.
- **Alert Me** – The Alert feature sends e-mail notifications to interested team members whenever another member changes some aspect in the Shared Document library.
- **Export to Spreadsheet** – Downloads an Excel query file that points to the library content list. After opening this file in Excel, authorized team members can download, modify or export the content list.
- **Modify Settings and Columns** – Displays a Customization page that modifies the name, description, columns, views and other settings.

Main Document Area – Display a listing of documents in the current open library. To sort on any field, click the field's column heading (that is, click **Type**, **Name**, **Modified**, **Modified By**, or **Checked Out To**). It also provides a toolbar with these links:

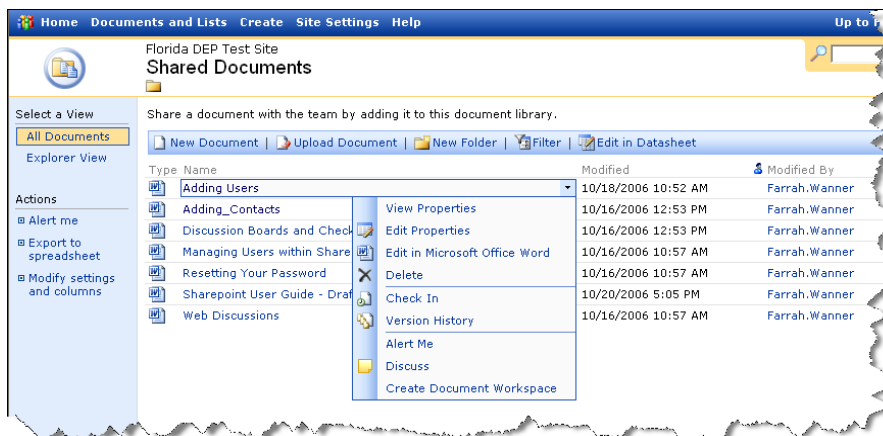
- **New Document** – Downloads a document template to your computer, which the corresponding application then opens with the current library as the default save location. If the library has no defined template, the default is an empty Microsoft Word document.
- **Upload Document** – Displays an Upload Document page that allows you to upload one or more documents from your computer or network drive and adds it to the library.

- **New Folder** – Displays a New Folder page for creating an additional folder within the current open library.
- **Filter** – Refreshes the current Web page, adding selection controls above the selectable column heading. These controls filter the list of documents based on the criteria specified.
- **Edit In Datasheet** – Displays the list of documents as an editable table that resembles a spreadsheet. If Access or Excel 2003 is installed on the user’s computer, this view also provides a task bar for exchanging data with those programs.

Document Options Menu

To display the document options in a shared document library, hover your mouse over the file name and click on the down arrow. The following options are displayed:

Figure 2: Document Options Menu

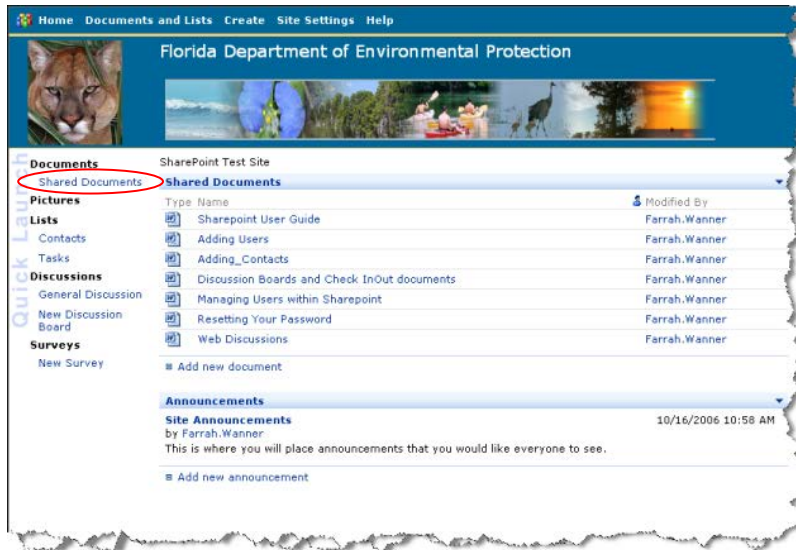


- **View Properties** – Displays all available information about the document.
- **Edit Properties** – Displays a page where you can modify the document’s name or title.
- **Edit in Microsoft Office** – Opens the document for editing in Microsoft Office.
- **Delete** – Deletes the document from the document library.
- **Check-In/Check-Out** – Prevents anyone but you from updating the document (after you select this option, it changes to Check In).
- **Version History** – Displays a history of updates to the document.
- **Alert Me** – The Alert feature of a Team Site sends e-mail notifications to interested team members whenever another member changes some aspect of the selected file.
- **Discuss** – Displays the document, including comments from other team members, and a toolbar that you can use to make comments yourself.
- **Create Document Workspace** – Creates a specialized SharePoint site for the sole purpose of organizing material related to the current document. This option is only available if your account is assigned to the Contributor or Administrator group.

How to Upload a Single Document

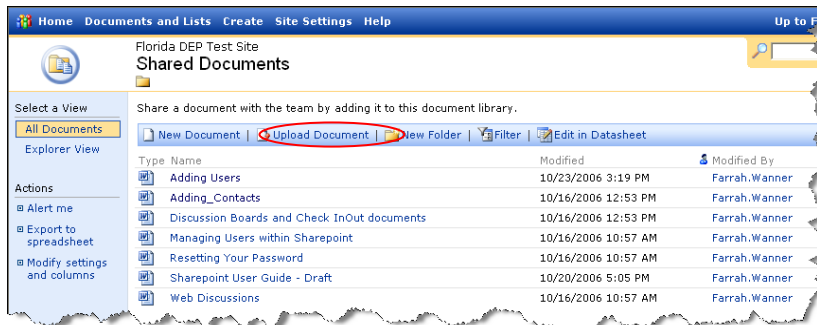
1. From the **Quick Launch** bar on the left hand side of your **Home Page**, select **Shared Documents**.

Figure 3: SharePoint Home Page



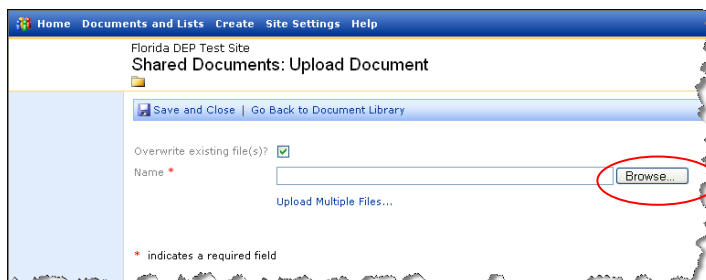
2. Select **Upload Document** from the document library toolbar.

Figure 4: Shared Documents



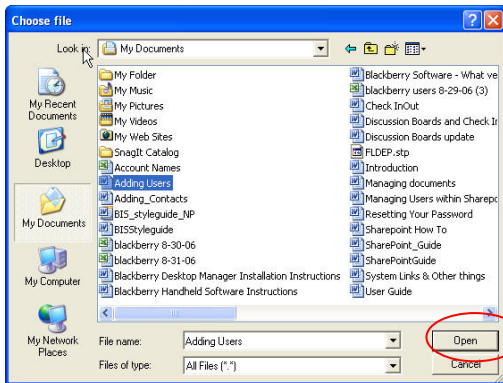
3. Click on **Browse**.

Figure 5: Upload Document



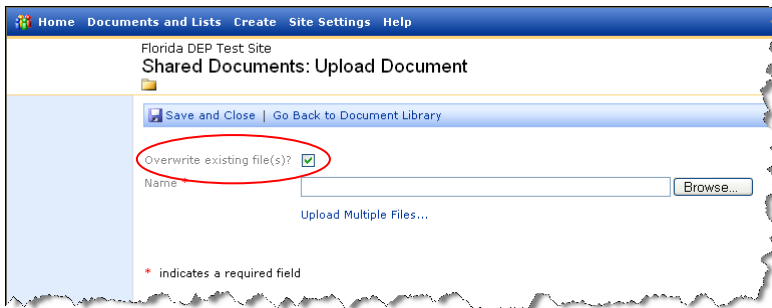
4. Highlight the file you want to upload, and click **Open**.

Figure 6: Browse Files



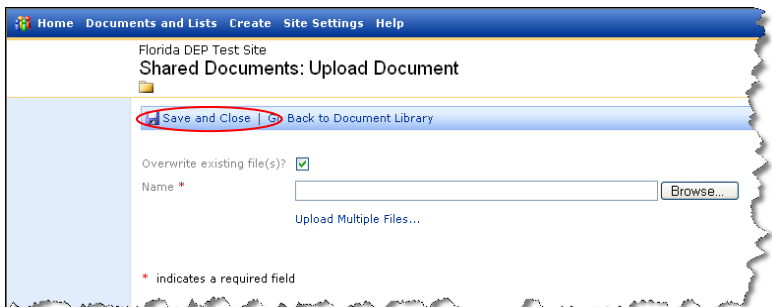
5. Verify that you want to **Overwrite existing file(s)**. If a file of the same name already exists in the document library, you can force the file to be replaced by selecting the checkbox. This will save in **Version History**.

Figure 7: Overwrite Existing Files



6. Click the **Save and Close** button to upload the document to the document library.

Figure 8: Save and Close

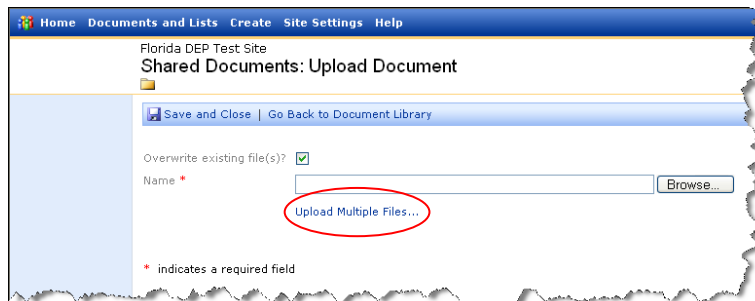


Uploading Multiple Documents

1. From the **Quick Launch** bar on the left hand side of your **Home Page**, select **Shared Documents** as shown in Figure 3.
2. Select **Upload Document** from the document library toolbar as shown in Figure 4.

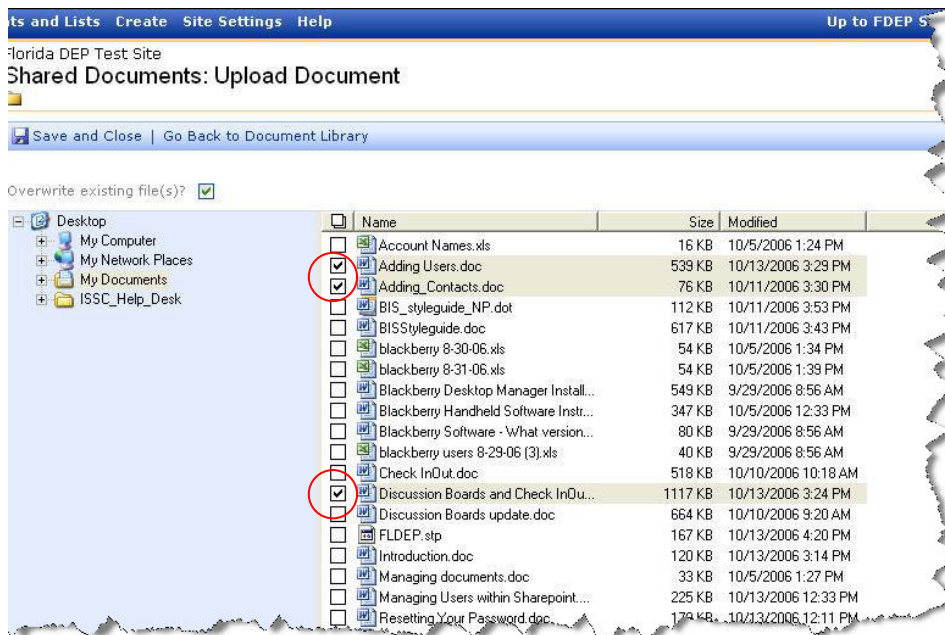
3. Click on **Upload Multiple Files...**

Figure 9: Uploading Multiple Files



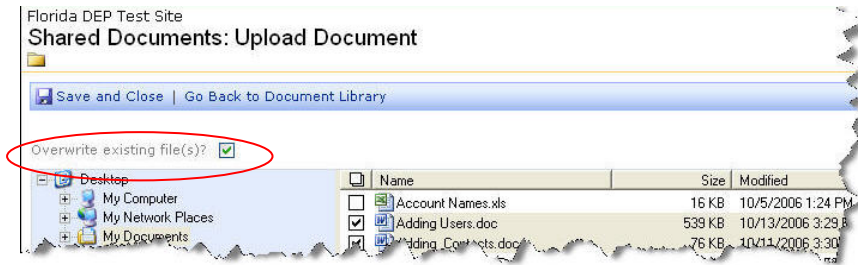
4. This will open the **Explorer View**. Select the location and select the files you want to upload by selecting their corresponding checkbox.

Figure 10: Explorer View – Uploading Multiple Documents



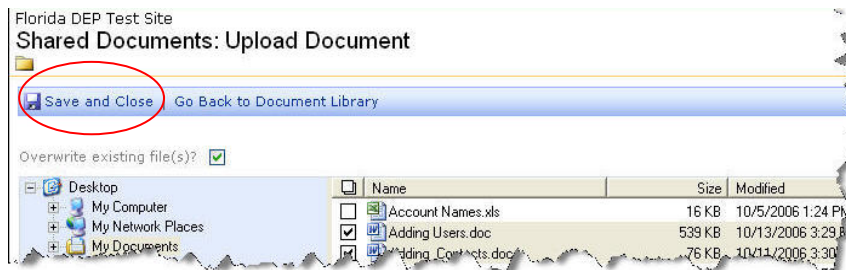
5. Verify that you want to **Overwrite existing file(s)**. If a file of the same name already exists in the document library, you can force the file to be replaced by selecting the checkbox. This will save in **Version History**.

Figure 11: Explorer View – Overwrite Existing Files



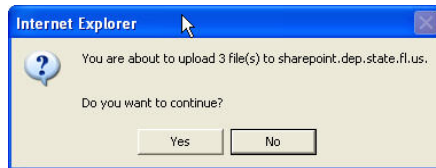
6. Click on **Save and Close**.

Figure 12: Explorer View – Save and Close



7. A Dialogue box will appear confirming your upload. Select **Yes** if you want to execute the upload. Otherwise, select **No** to cancel the upload.

Figure 13: Confirmation of Upload Dialogue Box

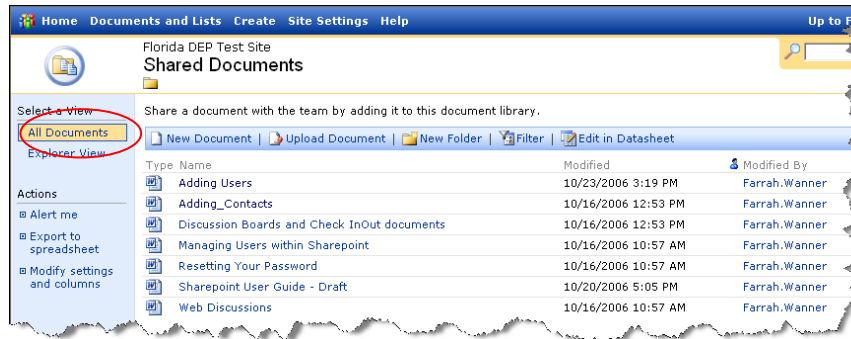


Creating Folders

There are two ways to create a folder in the document library. **All Documents** view:

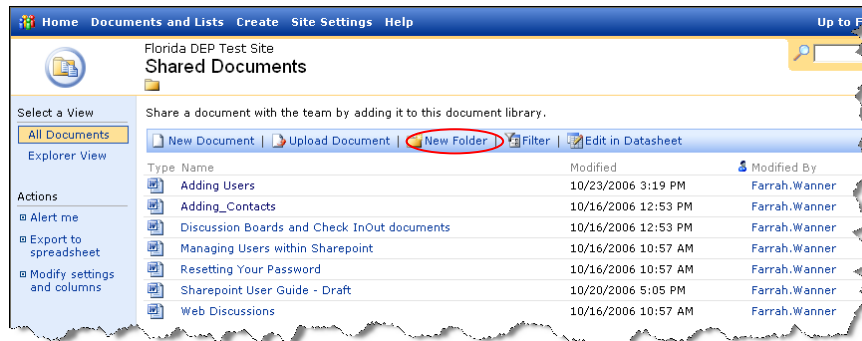
1. From the **Quick Launch** bar on the left hand side of your **Home Page**, select **Shared Documents** as shown in Figure 3.
2. Select **All Documents** under **Select a View** in the left hand navigation bar.

Figure 14: Shared Documents – All Documents View



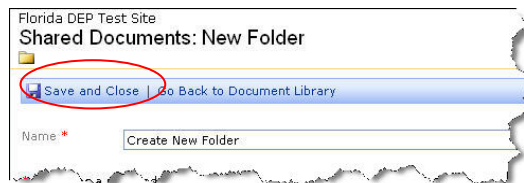
3. Select **New Folder**.

Figure 15: All Documents – New Folder



4. The document library **New Folder** page will be displayed. In the **Name** field, enter a name for the folder you wish to create and then click **Save and Close**.

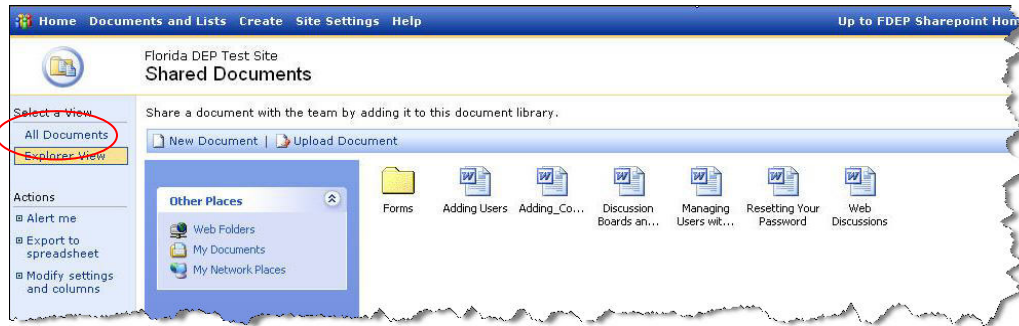
Figure 16: New Folder



Explorer View:

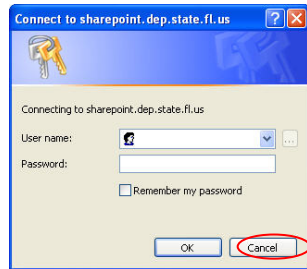
1. From the **Quick Launch** bar on the left hand side of your **Home Page**, select **Shared Documents** shown in Figure 3.
2. Select **Explorer View** under the **Select a View** in the left-hand navigation bar.

Figure 17: Shared Documents – Explorer View



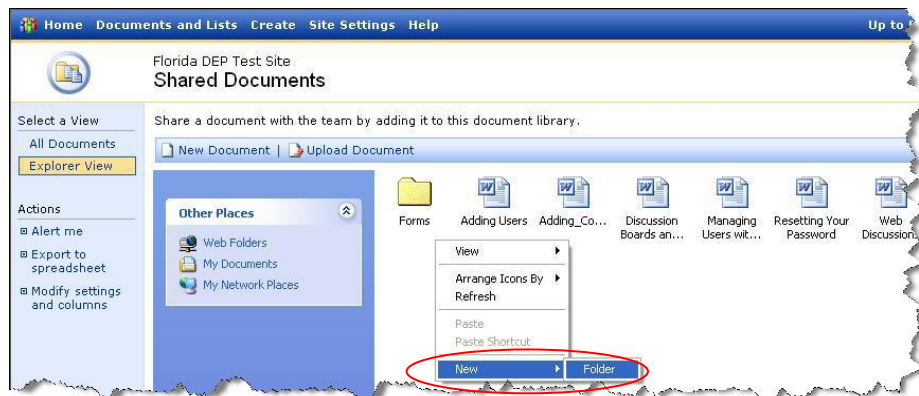
3. Click **Cancel** on the Login window(s) that appear.

Figure 18: Login Window



4. Right click in the area where the other files and documents are listed and from the drop down box select **New → Folder**.

Figure 19: Explorer View – Creating a New Folder



EDITING SHARED DOCUMENTS

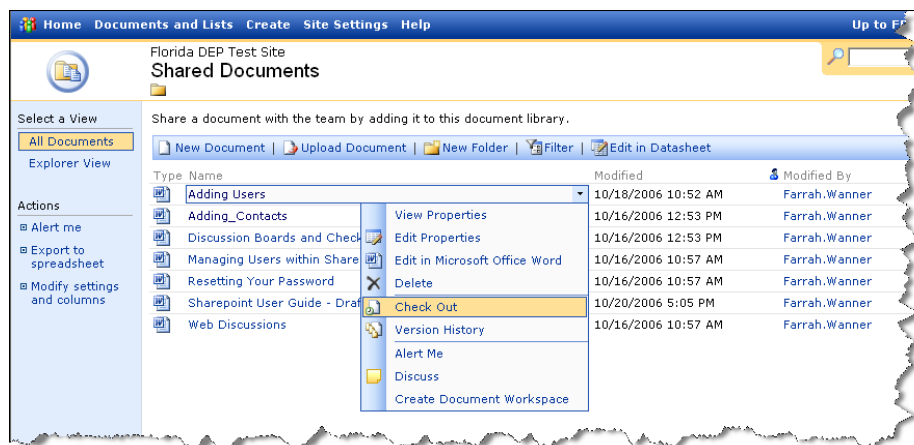
DEP highly recommends **Checking Out** documents before editing them. This prevents other people from editing the same document that you are working on. However, this does not prevent other people from viewing documents that are checked out.

Using Check In / Check Out

To **Check Out** a document in SharePoint:

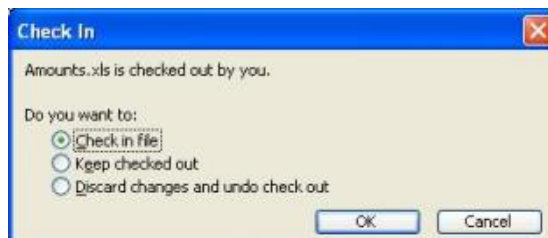
1. Hover your mouse over the file name and click on the down arrow on the file you want to edit, as displayed below. Select **Check Out** from the pull down menu selection.

Figure 20: Document Check Out



2. Once you've completed working on the document and have saved it, check it back in. There are two ways to do this.
 - a. In Microsoft Word, click the **File** Menu and select **Check In**. You will receive this message and have the following options:

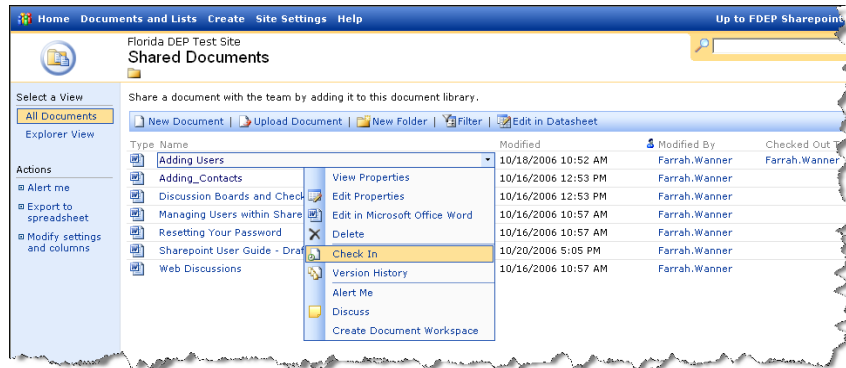
Figure 21: Check In Dialogue Box



OR

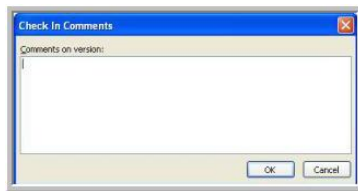
- b. In **Shared Documents**, hover your mouse over the file name you have checked out, and click on the down arrow. Select **Check In** from the pull down menu.

Figure 22: Shared Documents – Check In



- c. You will be prompted for **Check In Comments**. After you enter your comments and click **OK**, the comments will be available for view by other team members.

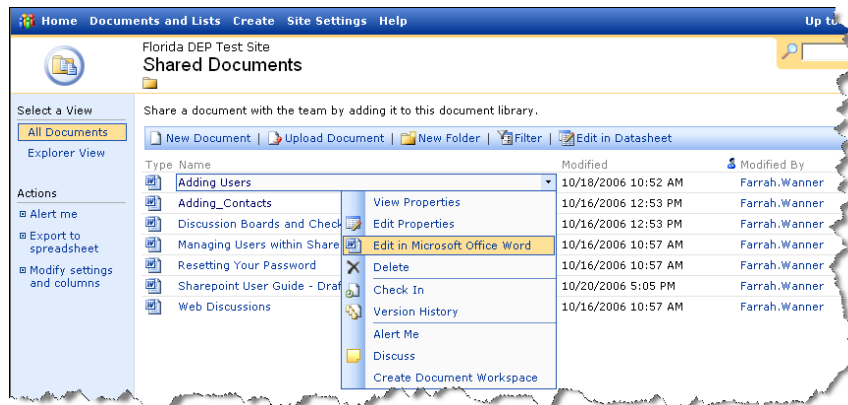
Figure 23: Check In Comments



Editing Documents

1. To edit a shared document: From the **Home Page**, click on **Shared Documents** on the **Quick Launch Bar** as shown in Figure 3.
2. Hover your mouse over the file name you want to edit, and click on the down arrow. Select **Edit in Microsoft Office Word** (Excel, Access, etc) from the pull down menu selection.

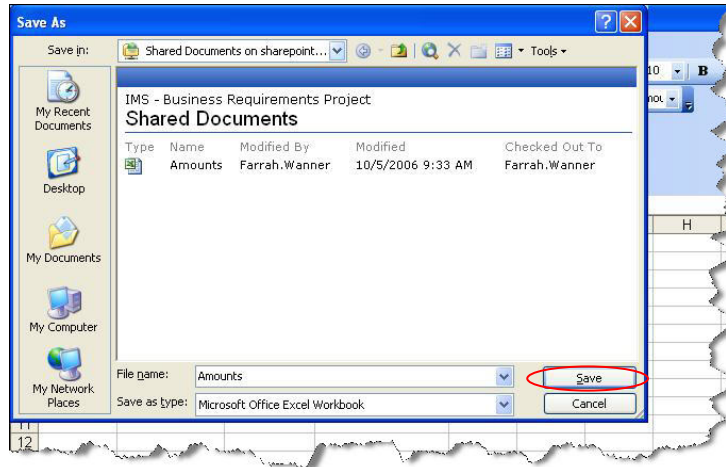
Figure 24: Edit in Microsoft Office



NOTE: If you click directly on the document name or select **View Properties** from the pull down selection, the document will open as **READ ONLY**.

3. Saving changes to shared Microsoft Office documents works the same as with any document stored locally on your hard drive or network drive. Just type **CTRL-S** or click on **File** from the menu bar and select **Save** to save changes.

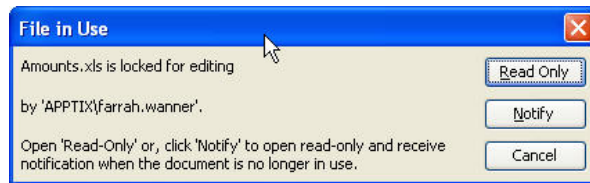
Figure 25: Saving Documents



Editing a Microsoft Excel Document that is Checked Out

If you try to open an Excel document that is already checked out, you will receive the following Dialogue window:

Figure 26: Editing a Checked Out Excel Document



1. **READ ONLY:** Opens a **Read Only** copy – you will not be able to edit and/or save changes to the document.
2. **NOTIFY:** This will open a **Read Only** copy. However, if the document is checked in while you still have it open, a message will appear indicating the document is now available for editing. Click on **Read-Write** which will then allow you to edit and save the changes.

Figure 27: Word File Is Now Available Dialogue Box



3. **CANCEL:** Will not open the document for editing.

Editing a Microsoft Word document that is Checked Out

If you try to open a Word document that is already checked out, you will receive the following dialogue box indicating that **This file is locked for editing.**

Figure 28: Editing a Checked Out Word Document



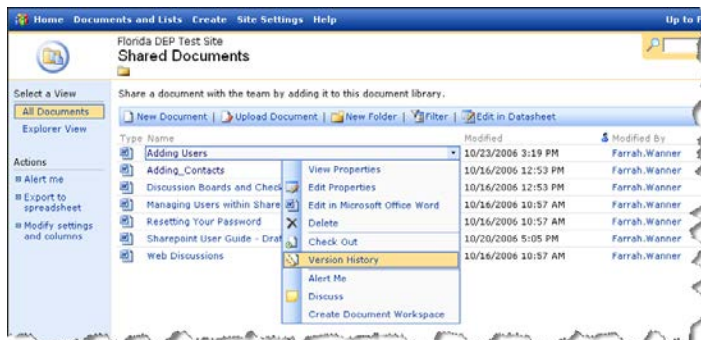
1. **READ ONLY: Opens a Read Only copy.** You will not be able to edit and save changes to the document.
2. **LOCAL COPY: Creates a local copy and will merge your changes later.** Same as Option One; acts as **Read Only.**
3. **NOTIFY: Receive notification when the original copy is available** – This will open a **Read Only** copy. However, if the document is checked in while you still have it open, a message will appear indicating the document **is now available for editing.** Click on **Read-Write**, which will then allow you to edit and save the changes to the document as shown in Figure 27.
4. **CANCEL:** Will not open the document for editing.

Using Document Versions

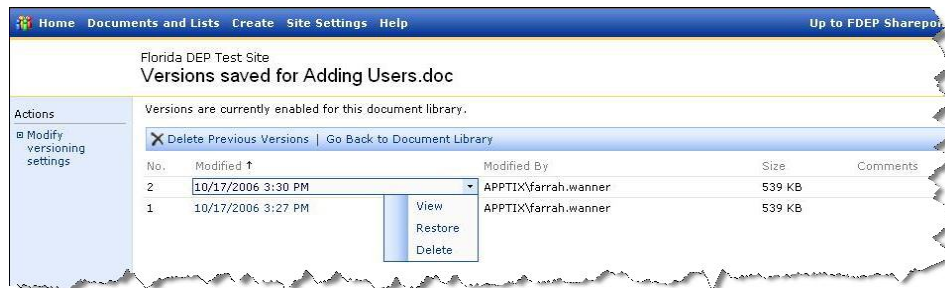
With Document Versions turned on, SharePoint will retain not only the current version of each document, but all historical versions as well. Any team member can then use the following procedure to investigate the version history of a document.

1. From the **Quick Launch** bar on the left hand side of your **Home Page**, select **Shared Documents** as show in Figure 3.
2. Hover your mouse over the file name of the document you select, and click on the down arrow. Click on **Version History.**

Figure 29: Shared Document – Version History



3. The Versions page displays each version of a document in the current library. To work with these versions, hover your mouse over the file name of the document, and select one of these options:

Figure 30: Version History Options

- **View** – Opens the selected document version.
- **Restore** – Creates a new copy of the document version, and makes it the current version (This will increment the current version number by one).
- **Delete** – Removes the version from the library.

WEB DISCUSSIONS

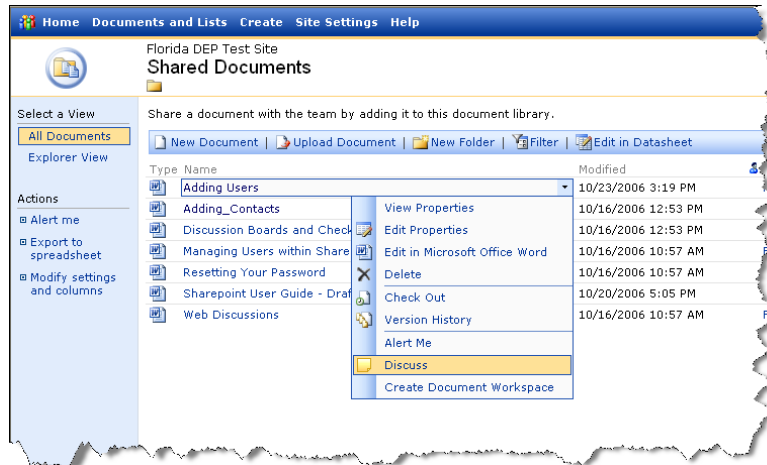
Web Discussions provide a way to add yellow “Sticky Note” to a document and to share those notes with others – all without actually updating the document itself. This is possible because the sticky note information resides in a database on a discussion server. The Discuss option is what most Office applications call Web Discussions. Despite the similarity in names, this option has nothing to do with Team Site Discussion Boards. This is a very useful approach because several people can review and annotate the same document simultaneously and then the document owner can see all their suggestions merged together. There are no concerns about someone accidentally updating the document itself, because no one can update the document at all.

You can navigate to Web Discussions for a particular document two different ways.

Accessing Web Discussions From Shared Documents

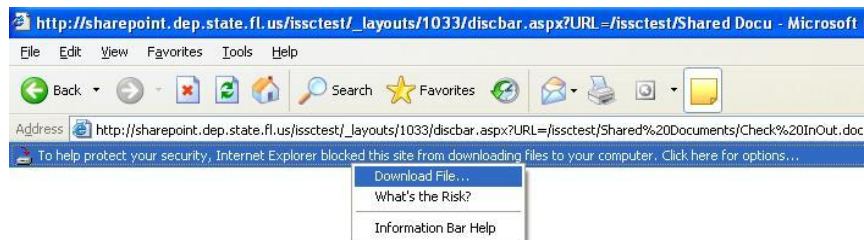
1. Go to the **Shared Documents** page by clicking on the **Shared Document** link on the **Quick Launch** bar as shown in Figure 3.
2. Click on the drop down menu on the file you wish to discuss. Select **Discuss** from the drop down menu selection.

Figure 31: Shared Documents – Discuss



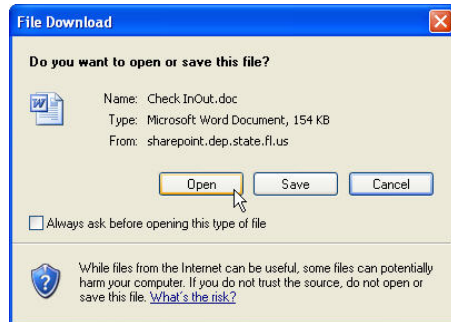
3. Right click on the yellow bar that appears along the top of your screen and select **Download File**.

Figure 32: Blocked Download



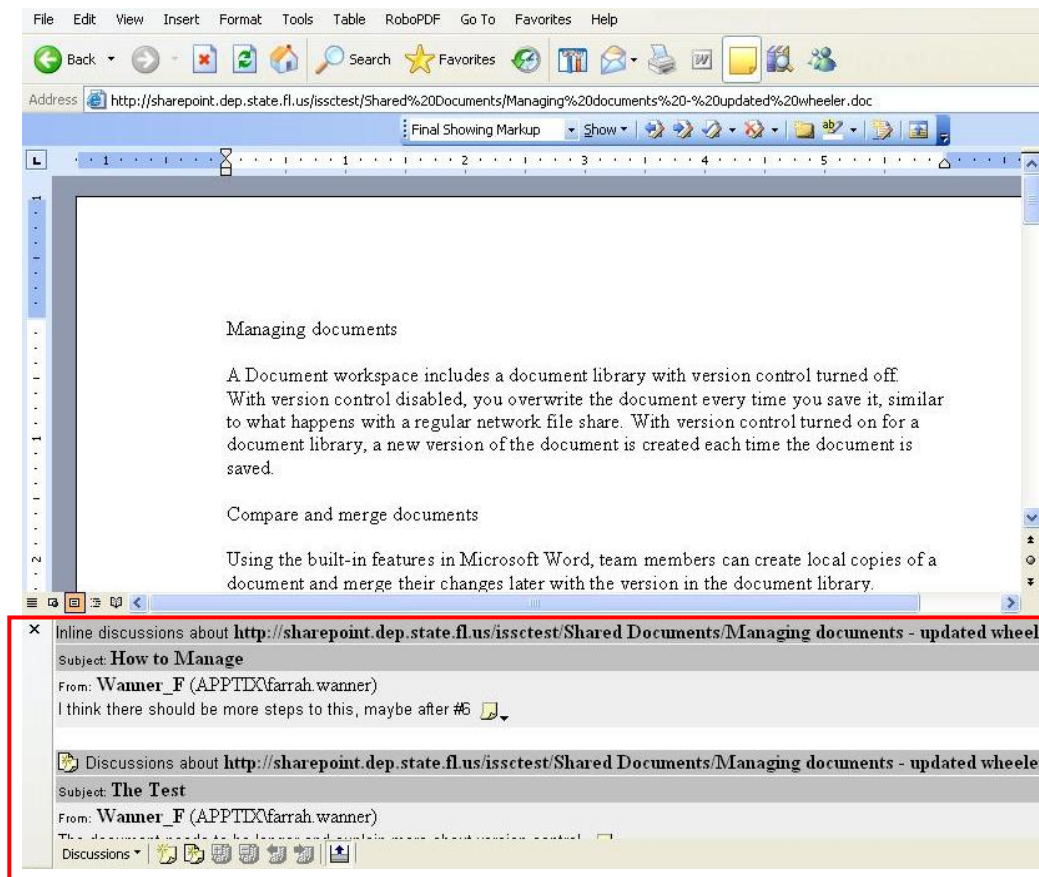
4. The **File Download** dialogue box will appear prompting you with: **Do you want to open or save this file?** Click **Open**.

Figure 33: File Download Dialogue Box



5. The **Discussion Toolbar** will now appear on the bottom of the page.

Figure 34: Discussion Toolbar in Microsoft Word

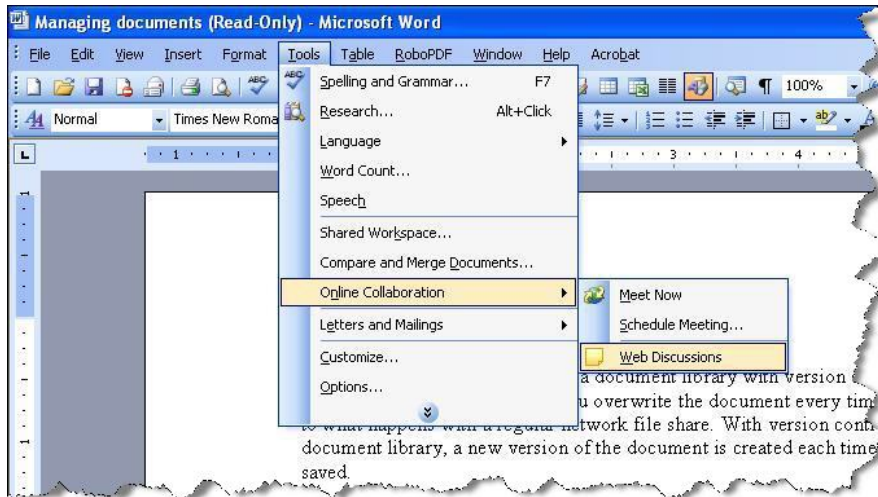


Accessing Web Discussions From Within a Microsoft Office Application

1. Open a document by choosing **Edit in Microsoft Word** (Excel, Access, etc) from the **Shared Documents** page as shown in Figure 24.

2. Click on **Tools** → **Online Collaboration** → **Web Discussions**.

Figure 35: Opening Web Discussions within Microsoft Office



Discussion Toolbar

Discussion Toolbar descriptions: (Note that some buttons might be dimmed, depending on the type of document opened.)

Close – Click this button to close the **Web Discussion Toolbar** within the document.

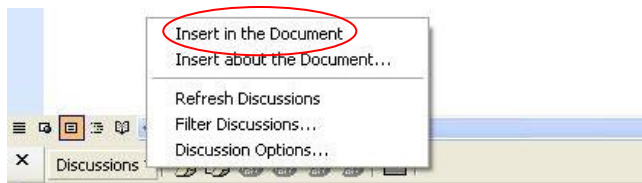
Figure 36: Discussion Toolbar – Close



Discussions – Click the **Discussions** button to display a pull down menu containing the following options:

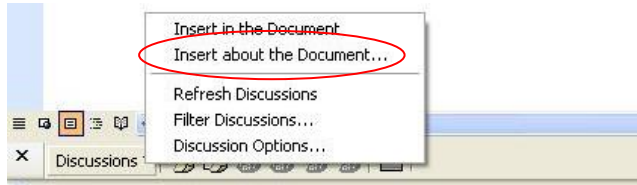
- **Insert in the Document** – Select this option to display or hide all possible locations for inline sticky notes (those that appear inline with the document text). There’s one sticky note location per paragraph. To add text to new or an existing sticking note, click it.

Figure 37: Discussion Toolbar Menu – Insert in the Document



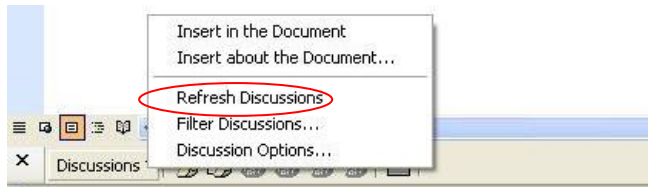
- **Insert about the Document** – Select this option to display an **Enter Discussion** text box where you can enter discussion comments about the document in general.

Figure 38: Discussion Toolbar Menu – Insert about the Document



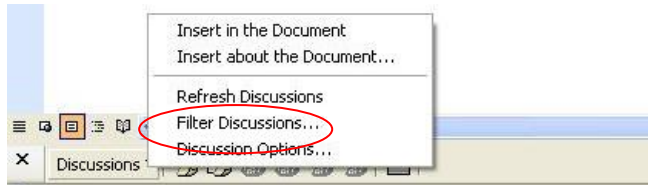
- **Refresh Discussions** – Select this option to retrieve a current set of discussion comments from the discussion server. The display will refresh and now reflect changes other team members might have made.

Figure 39: Discussion Toolbar Menu – Refresh Discussions



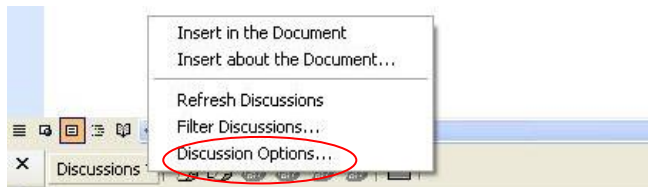
- **Filter Discussions** – Select this option to display discussion comments from only a specific team member, or within a specific time span.

Figure 40: Discussion Toolbar Menu – Filter Discussions



- **Discussion Options** – Select this option to select the discussion server and the discussion fields to display.

Figure 41: Discussion Toolbar Menu – Discussion Options



Insert Discussion in the Document – Click this button to perform the same function as in the **Insert in the Document** menu option as described above.

Figure 42: Discussion Toolbar - Insert Discussion in the Document



Insert Discussion about the Document – Click this button to perform the same function as the **Insert about the Document** menu option as described above.



Figure 43: Discussion Toolbar - Insert Discussion about the Document



Expand all Discussions – Click this button to display the title, text and all other fields for each discussion comment.

Figure 44: Discussion Toolbar - Expand all Discussions



Collapse all Discussions – Click this button to hide the contents of all discussion comments. A sticky note with a plus sign appears in place of each comment. To expand a particular comment, click the plus sign.

Figure 45: Discussion Toolbar - Collapse all Discussions



Previous – Click this button to display the previous comment.

Figure 46: Discussion Toolbar - Previous



Next – Click this button to display the next discussion comment.

Figure 47: Discussion Toolbar - Next



Show/Hide Discussion Pane – Click this toggle button to display or hide the discussion pane.

Figure 48: Discussion Toolbar - Show/Hide Discussion Pane



DISCUSSION BOARDS

Discussion boards provide a forum for topics that interest your team. It is a tool which allows groups to communicate online. Each discussion board has icons for starting, sorting, filtering, switching views, or changing designs. Another feature (Web Discussion) allows users to attach comments to a specific SharePoint page or document.

A discussion board is made up of “forums” – folders containing messages on a particular subject, “threads” – each thread is a series of message about the same topic, and “messages” – each message is an individual contribution to a conversation (like a single e-mail).

Team members have the ability to:

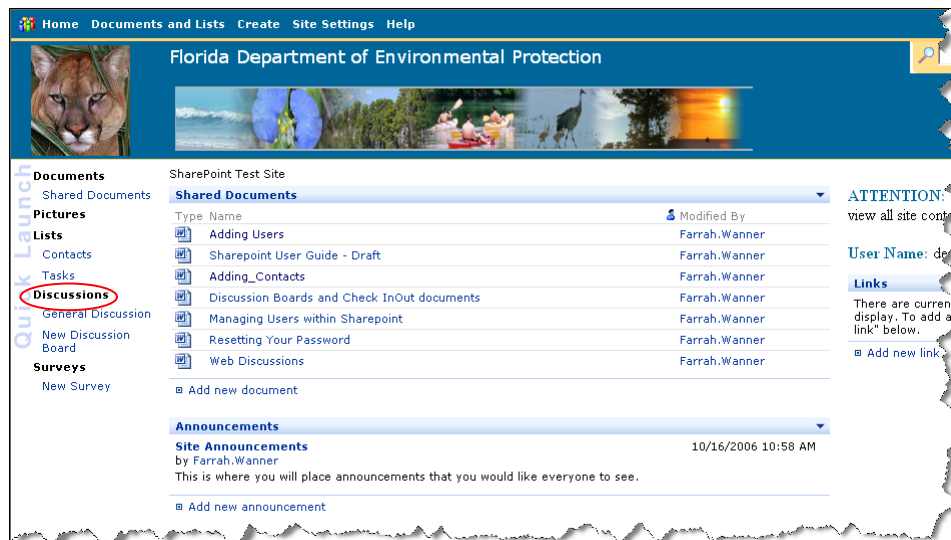
- **Post/Create** new messages.
- **Respond** to an existing message.
- **View** messages in their entirety or in condensed lists.
- **Delete** and remove messages they have created. However, team members are unable to delete/remove messages created/editing by other team members.
- Team members do not have the ability to edit message created by other team members on the board. However they can **Edit** messages/responses created by their selves.

NOTE: The administrator of the site has the ability to purge and edit threads created by any team member, as well as alter discussion board settings, defaults, etc.

To create a new Discussion Board:

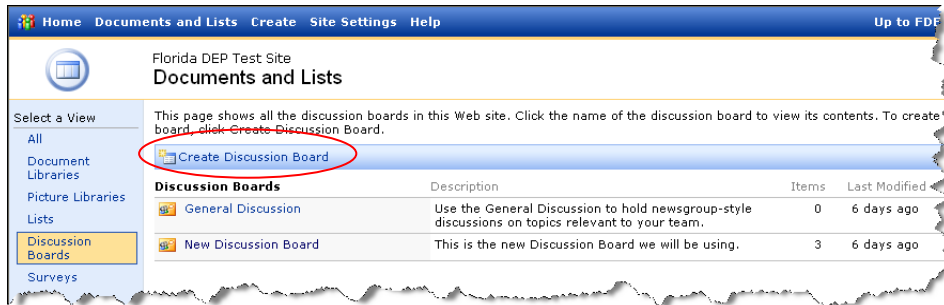
1. From your SharePoint **Home Page**, select the **Discussion** quick link from the **Quick Launch** toolbar.

Figure 49: Discussions



2. Click **Create Discussion Board**.

Figure 50: Create Discussion Board



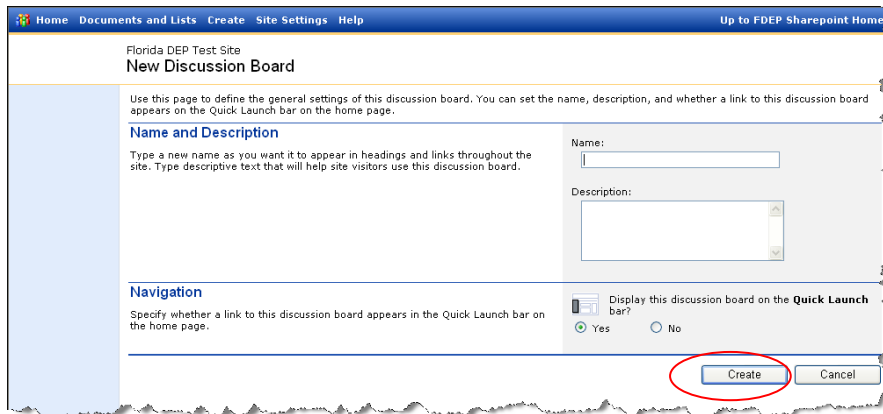
3. Click on **Discussion Board**.

Figure 51: Discussion Board Create Page



4. Enter the **Name** and **Description** of the **Discussion Board** you would like to create, and select if you would like to **Display this discussion board on the Quick Launch Bar**. Click **Create**.

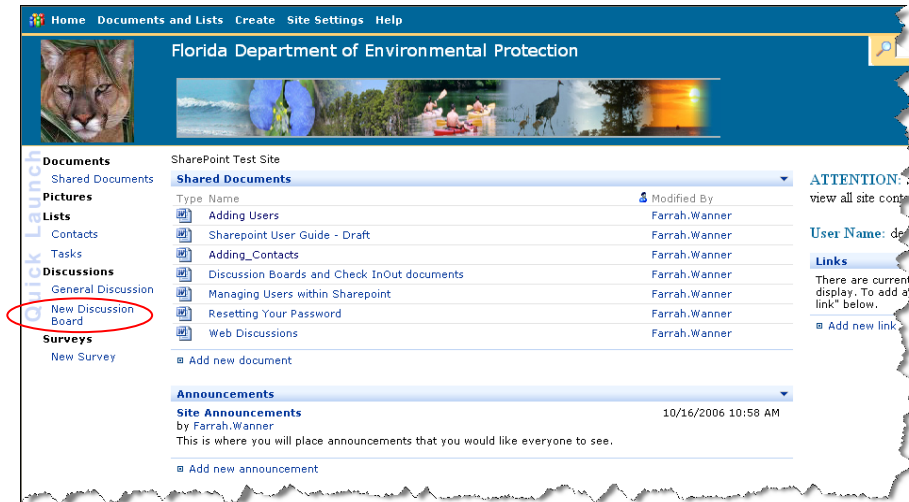
Figure 52: New Discussion Board



To Participate in a Discussion

1. From your SharePoint **Home Page**, select the **Discussion Board** link from the **Quick Launch** toolbar on the left side of the page that you would like to participate in.

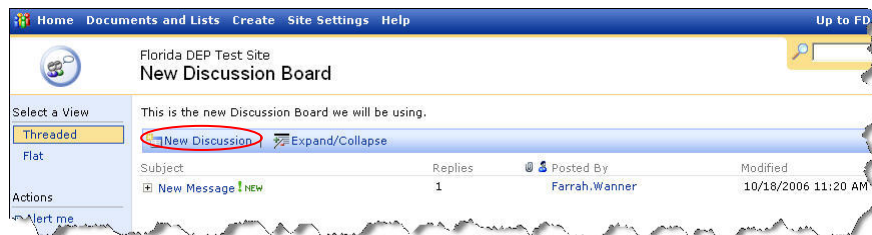
Figure 53: New Discussion Board



You have the option to do one of the following:

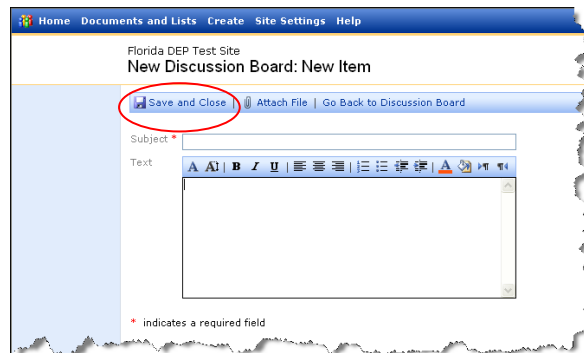
1. Start a **New Discussion** (start your own thread or comment):

Figure 54: Discussion Board



- a. Click on **New Discussion**.
- b. In the **Subject** box, type a title for your comment. This field is required.
- c. In the **Text** box, type your comment. **NOTE:** Team members can also attach files to a Discussion.
- d. Click **Save and Close**.

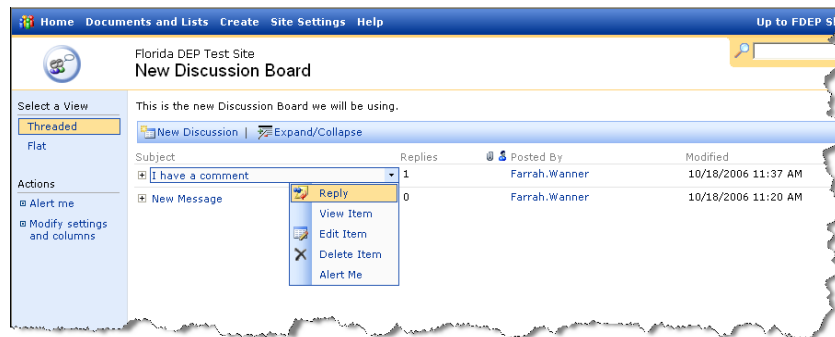
Figure 55: New Discussion Thread



2. **Reply** to an existing comment:

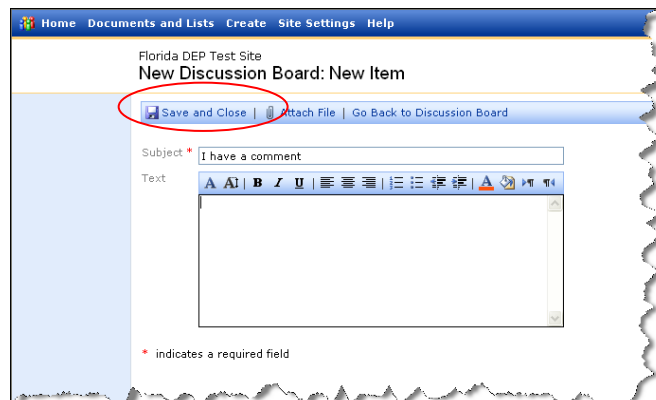
- a. In the **Subject** column, hover your mouse over the discussion comment to which you want to reply. Click the down arrow, and select **Reply** from the pull down menu.

Figure 56: Discussion Board Reply Option



- b. In the **Text** box, type your comment.
- c. Click **Save and Close**.

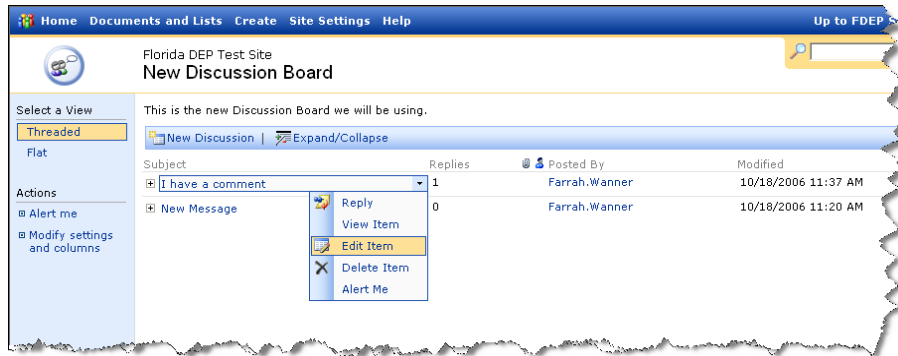
Figure 57: Discussion Board Reply



3. **Edit** your own discussion comment:

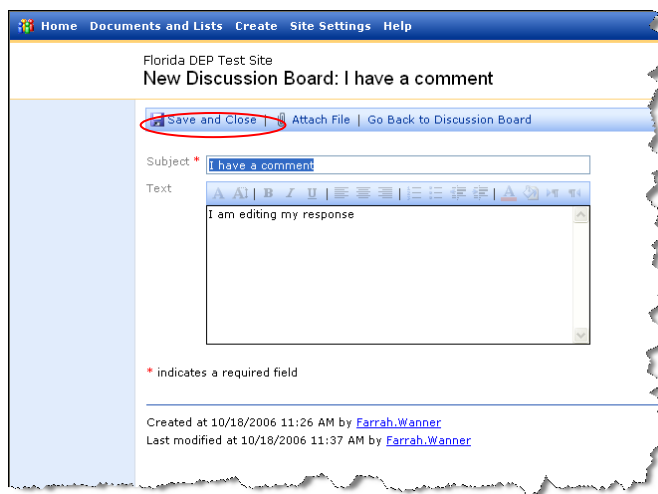
- a. In the **Subject** column, hover your mouse over the discussion comment you'd like to edit. Click the down arrow, and select **Edit Item** from the pull down menu.

Figure 58: Discussion Board Edit Item



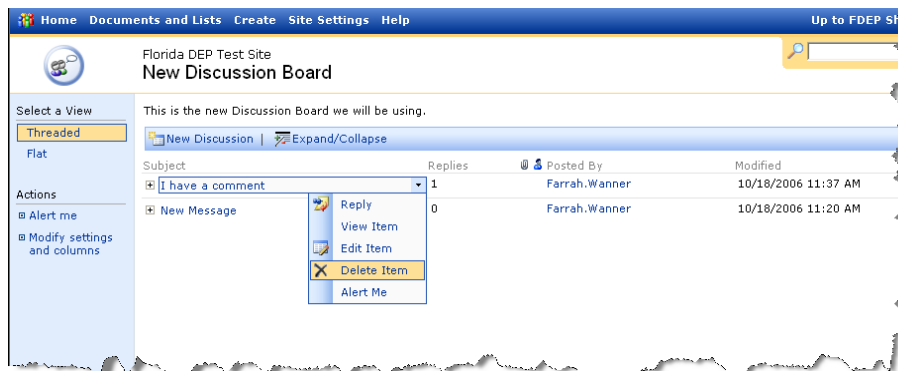
- b. Modify the comment as desired, and then click **Save and Close**.

Figure 59: Discussion Board Edit Message



- 4. Delete a discussion comment.
 - a. In the **Subject** column, hover your mouse over the discussion comment you'd like to delete. Click the down arrow, and select **Delete Item** from the drop down menu.

Figure 60: Discussion Board Delete Item



- b. Click **OK** to confirm that you want to delete the comment.

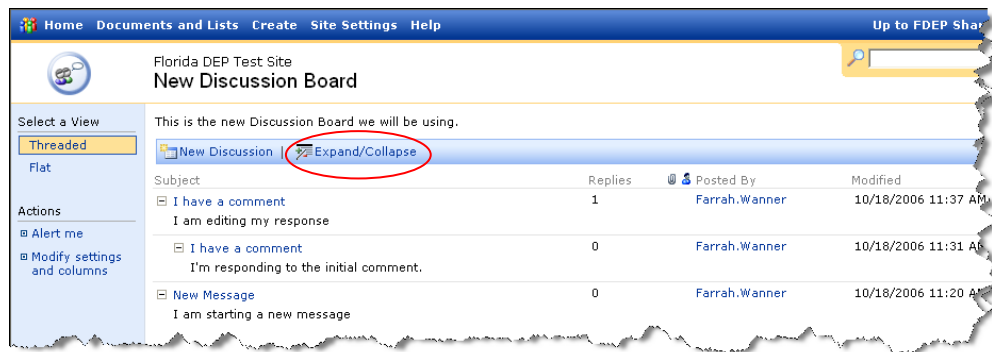
Figure 61: Delete Comment



To View All Comments and Replies in a Threaded View

1. From your SharePoint **Home Page**, select the **Discussion Board** quick link from the **Quick Launch** bar on the left side of the page that you would like to participate in, as shown in Figure 53.
2. Click on **Expand/Collapse**.

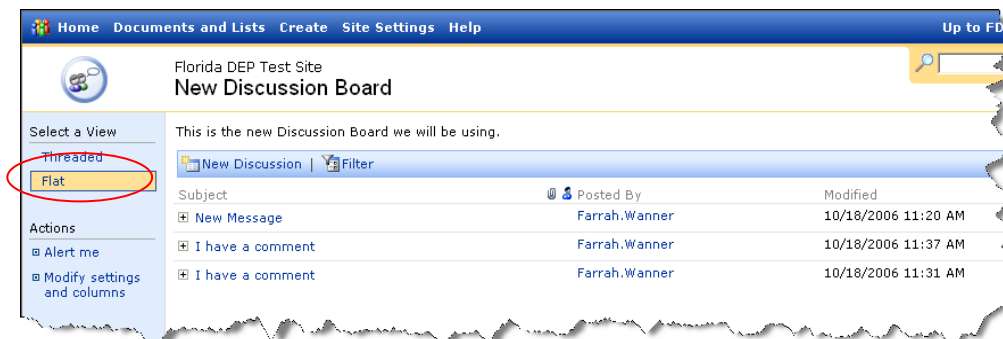
Figure 62: Discussion Board – Seeing all Threads



To View All Comments Sorted by Time Posted

1. From your SharePoint **Home Page**, select the **Discussion Board** quick link from the **Quick Launch** bar on the left side of the page that you would like to participate in, as shown in Figure 53.
2. Under the **Select a View** on the **Quick Launch** bar on the left hand side of the page, click on **Flat**.

Figure 63: Discussion Board – Flat View



ALERTS

The Alert feature of a Team Site sends e-mail notifications to interested team members whenever another member changes some aspect of the Team Site. Each member decides which lists, libraries, or documents they want to receive alerts about.

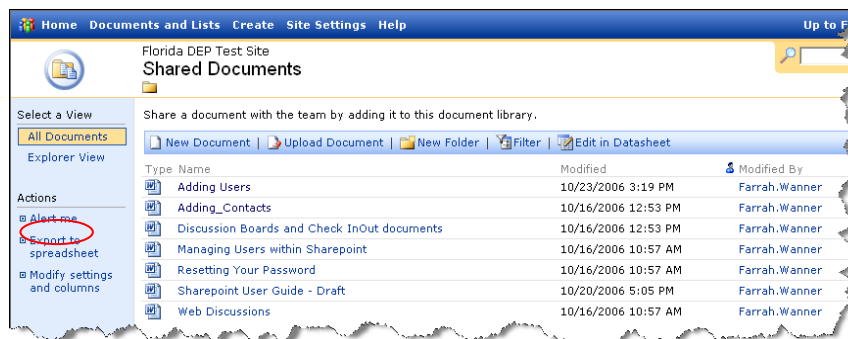
You can specify how frequently you want to receive alerts. You can have them appear immediately, or as daily or weekly summaries. When you no longer need to follow changes for the list, library, item, or file, you can delete your alerts at any time.

Adding an Alert

There are two ways to add an alert: from the **Shared Documents Library** or from the **My Alerts Page**. To add an alert to all Documents:

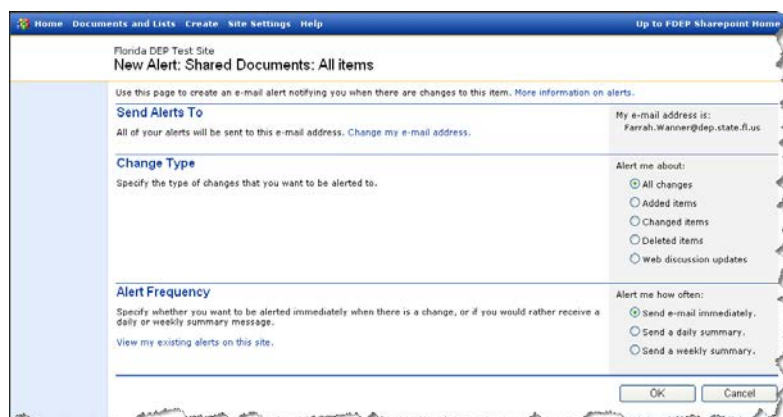
1. From your **Shared Documents** page, under **Actions** on the **Quick Launch** bar, click **Alert me**.

Figure 64: Alert Me



2. In the **Send Alerts To** section, confirm that the destination e-mail address is correct.
3. In the **Change Type** section, specify whether you want to be notified when items have been **Added**, **Changed**, **Deleted**, or click **All Changes** to be notified whenever any type of change occurs.
4. In the **Alert Frequency** section, select the option that reflects how often you want to be notified of changes.
5. Click **OK**.

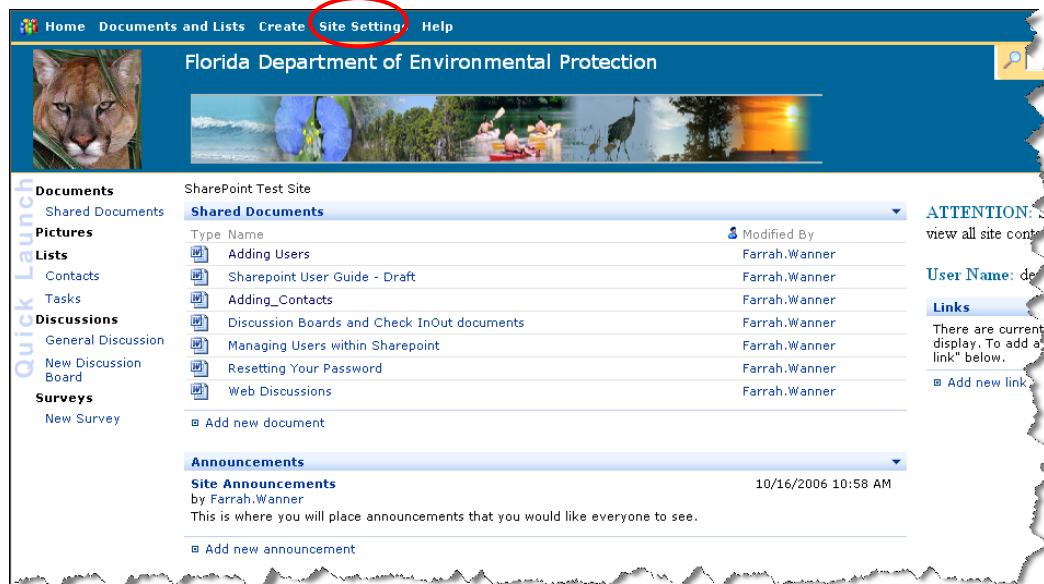
Figure 65: Setting Up New Alert



You can also add an alert to a List or Document Library from **My Alerts Page**:

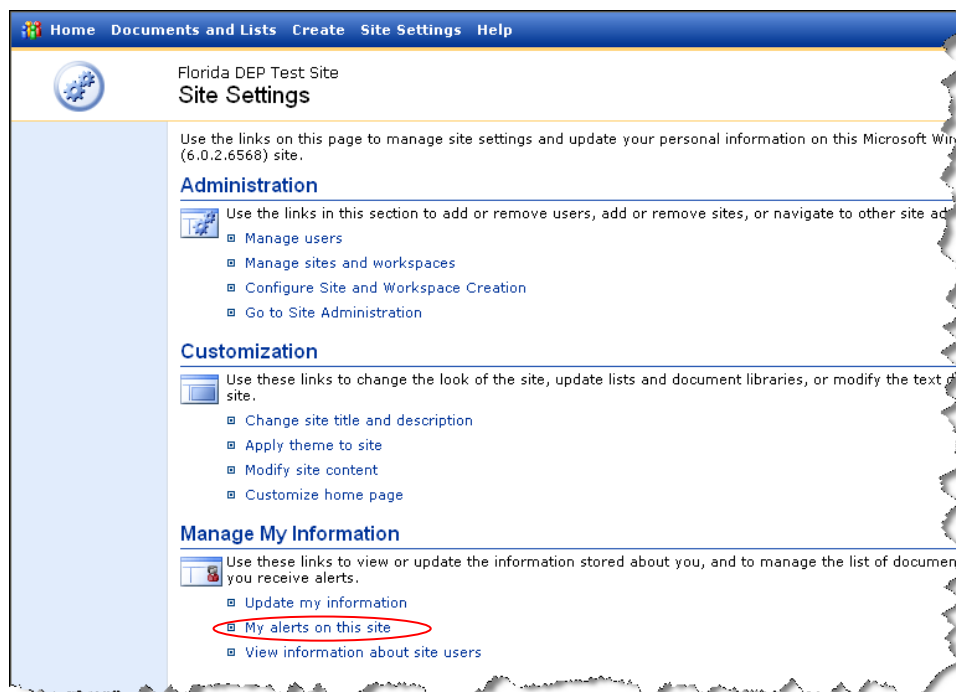
1. From your **Home Page**, click on **Site Settings** on your Main Toolbar.

Figure 66: Site Settings



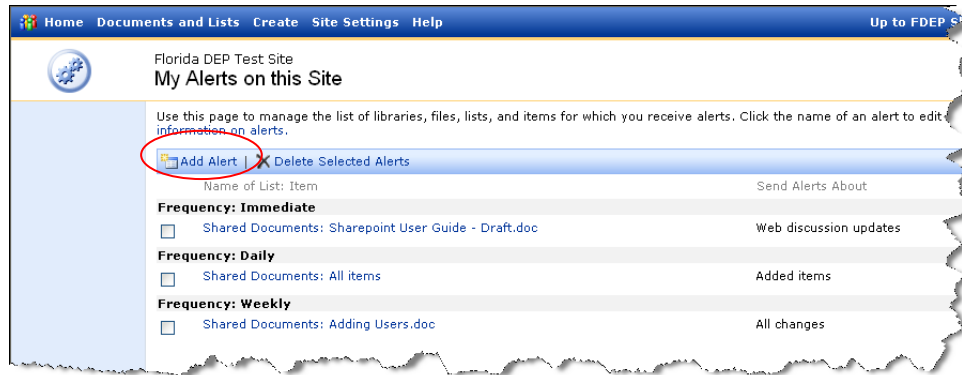
2. Under Manage My Information, click on My alerts on this site.

Figure 67: Manage My Information – My Alerts on this site



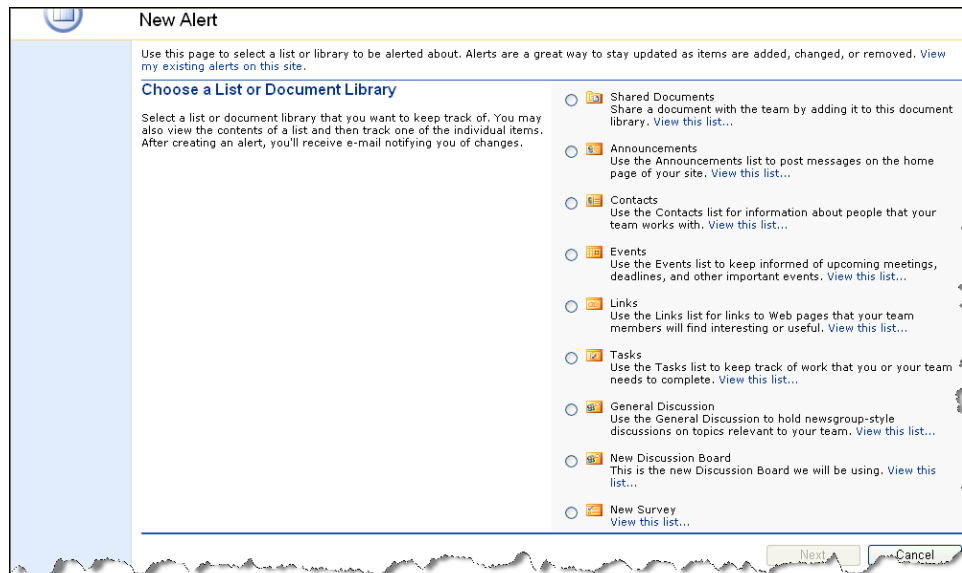
3. Click on **Add Alert** from the Alert Toolbar.

Figure 68: My Alerts on this Site



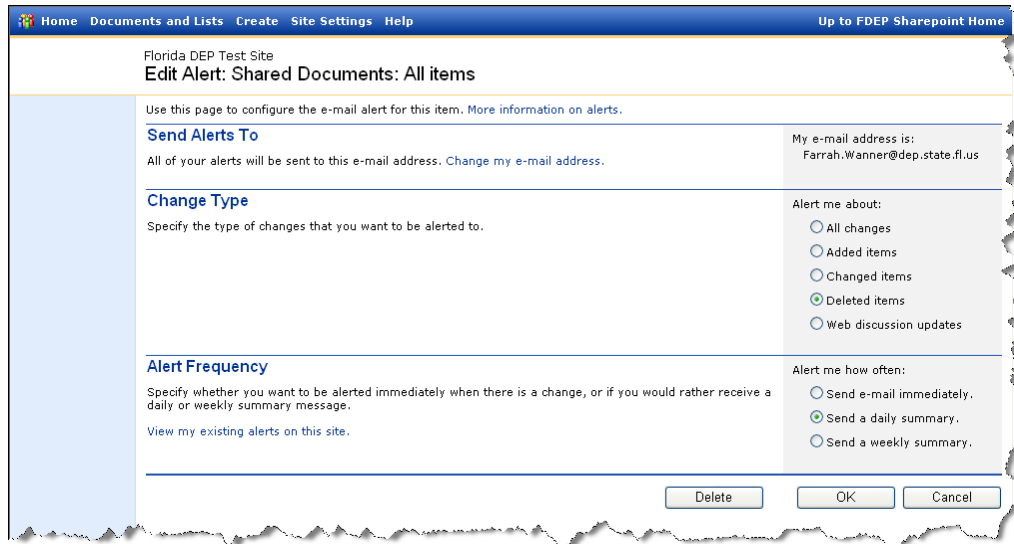
4. Select the list or library for which you wish to receive an alert message. Click the **Next** button at the bottom of the page.

Figure 69: New Alert in List or Document Library



5. Under **Alert Me About**, specify the condition that will generate an alert message:

Figure 70: New Alert Options



- **All Changes** – Whenever someone adds, changes or deletes an item in the list or library.
- **Added Items** – Whenever someone adds an item to the list or library.
- **Changed Items** – Whenever someone changes a list or library item.
- **Deleted Items** – Whenever someone deletes a list or library item.
- **Web Discussion Updates** – Whenever someone comments on a document by using the Web Discussion feature. This option appears only for a document and form library.

If you wish, SharePoint can summarize alert notifications into one daily or weekly e-mail message. To control this, select one of these options under **Alert Me How Often**.

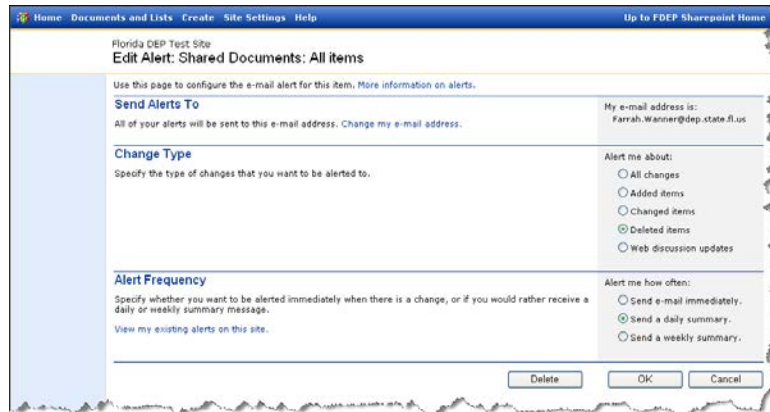
- **Send E-Mail Immediately** – Select this option to receive alert notification individually, as they occur.
- **Send A Daily Summary** – Select this option to receive summarized alerts once a day. The administrator configures the time of day when this occurs.
- **Send A Weekly Summary** – Select this option to receive summarized alerts once a week. The administrator configures the day of the week and the time of day when this occurs.

Managing Your Alerts

1. From your **Home Page**, click on **Site Settings** on your **Main Toolbar** as shown in Figure 66.
2. Under **Manage My Information**, click on **My alerts on this site** as shows in Figure 67.
3. To **Edit** an existing alert, click its name in the **My Alerts On This Site** page. This displays an **Edit Alert** page that resembles the **New Alert** page shown previously.



Figure 71: Editing an Alert

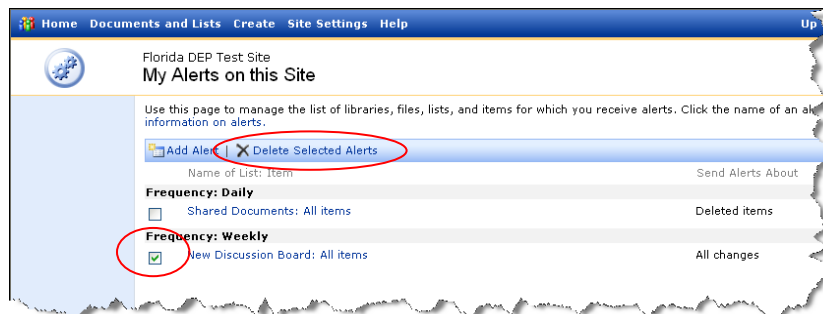


- a. You can either **Edit** the alert by selecting the **Change Type** and/or **Alert Frequency** you want to change, and then click **OK**.

OR

- b. You can **Delete** the alert by clicking on **Delete**.
4. To delete one or more alerts, select the check box for the item. Click the **Delete Selected Alerts** toolbar button.

Figure 72: Delete Selected Alerts



RESETTING YOUR PASSWORD

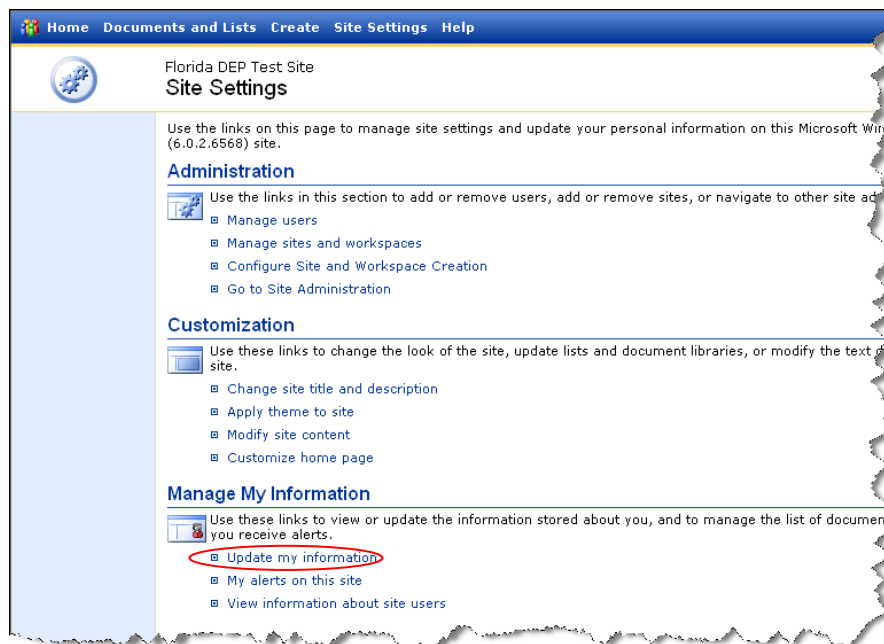
If you can't remember your password or are having problems logging into SharePoint, please contact DEP Helpdesk via [email](#) or telephone at (850) 245-7555 or SC 205-7555.

There are no current requirements for Passwords (i.e. number of characters required, numbers required, etc).

To reset your password from within SharePoint:

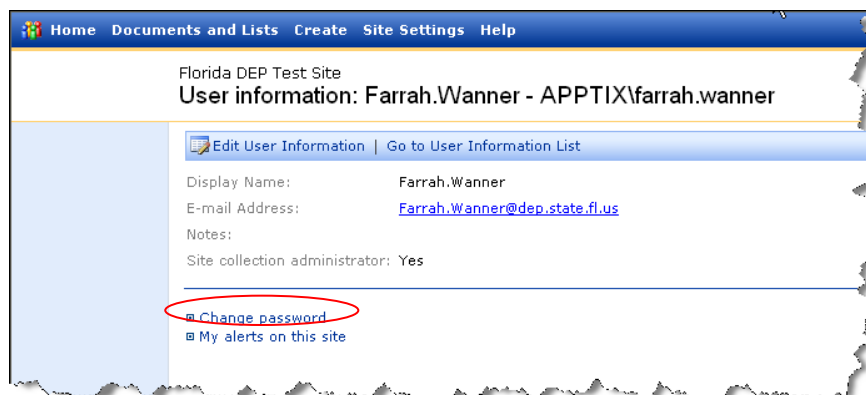
1. From your SharePoint **Home Page**, click on **Site Settings** as shown in Figure 67.
2. Click on **Update My Information** under **Manage My Information**.

Figure 73: Update My Information



3. From the **User Information** page, click on **Change Password**.

Figure 74: User Information



4. Enter your new password twice to confirm it is accurate, and click **OK**.



Figure 75: Change Password

The screenshot shows a SharePoint web page titled "Change Password" for the "Florida DEP Test Site". The page includes a navigation bar with "Home" and "Help" links, and a "Up to FDEP Sharepoint Home" link. The main content area contains the following text and form fields:

Use this page to change the password.

Change Password
Type the new password, and then confirm it in the spaces provided.

User name:
APPTIX\varrah.wanner

New password:
[password field]

Confirm new password:
[password field]

At the bottom right of the form, there are two buttons: "OK" and "Cancel". The "OK" button is circled in red.

Bylaws

of the

Washington State
Board of Education

Adopted January 15, 2009

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ARTICLE I
Name

The name of this agency shall be the Washington State Board of Education.

ARTICLE II
Purpose

The purpose of the Washington State Board of Education is to provide advocacy and strategic oversight of public education; implement a standards-based accountability system to improve student academic achievement; provide leadership in the creation of a system that personalizes education for each student and respects diverse cultures, abilities, and learning styles; and promote achievement of the Basic Education Act goals of RCW 28A.150.210.

ARTICLE III
Membership and Responsibilities

Section 1. Board composition. The membership of the Washington State Board of Education is established by the Legislature and outlined in the Revised Code of Washington (RCW 28A.305.011).

Section 2. Meeting attendance and preparation. Members are expected to consistently attend and prepare for board and committee meetings, of which they are members, in order to be effective and active participants. Members are further expected to stay current in their knowledge and understanding of the board's projects and policymaking.

Section 3. External communication. Members of the Board should support board decisions and policies when providing information to the public. This does not preclude board members from expressing their personal views. The executive director or a board designee will be the spokesperson for the board with the media.

Section 4. Board responsibilities. The board may meet in order to review any concerns presented to the chair or executive committee about a board member's inability to perform as a member or for neglect of duty.

ARTICLE IV
Officers

Section 1. Designation. The officers of the board shall be the chair the vice chair, immediate past chair, and two members at-large.

Section 2. Term of officers. (1) The chair shall serve a term of two years and may serve for no more than two consecutive two -year terms.

(2) The vice chair shall serve a term of two years and may serve no more than two consecutive two-year terms.

(3) The members at-large shall serve a term of one-year and may serve no more than two consecutive one-year terms.

(4) The immediate past chair shall serve a term of one-year.

Section 3. Officer elections. (1) **Two-year positions.** (a) The chair and vice chair shall be elected biennially by the board at the planning meeting of the board.

(b) Each officer under subsection (1)(a) shall take office at the end of the meeting and shall serve for a term of two years or until a successor has been duly elected. No more than two consecutive two-year terms may be served by a Board member as chair, or vice chair.

(2) **One-year position.** (a) The members at-large office positions shall be elected annually by the Board at the planning meeting of the board.

(b) The members of the board elected as members at-large shall take office at the end of the meeting and shall serve for a term of one year or until a successor has been duly elected. No more than two consecutive one-year terms may be served by a board member as a member at-large.

(3) **Vacancies.** Upon a vacancy in any officer position, the position shall be filled by election not later than the date of the second ensuing regularly scheduled board meeting. The member elected to fill the vacant officer position shall begin service on the executive committee at the end of the meeting at which she or he was elected and complete the term of office associated with the position.

Section 4. Duties. (1) **Chair.** The chair shall preside at the meetings of the board, serve as chair of the executive committee, make committee appointments, be the official voice for the board in matters pertaining to or concerning the board, its programs and/or responsibilities, and otherwise be responsible for the conduct of the business of the board.

(2) **Vice Chair.** The vice chair shall preside at board meetings in the absence of the chair, sit on the executive committee, and assist the chair as may be requested by the chair. When the chair is not available, the vice chair shall be the official voice for the board in all matters pertaining to or concerning the board, its programs and/or responsibilities.

(3) **Immediate Past Chair.** The immediate past chair shall carry out duties as requested by the chair and sit on the executive committee. If the immediate past chair is not available to serve, a member of the board will be elected in her/his place.

(4) **Members At-Large.** The members at-large shall carry out duties as requested by the chair and sit on the executive committee.

ARTICLE V Meetings

Section 1. Regular meetings. (1) The board shall hold an annual planning meeting and such other regular and special meetings at a time and place within the state as the board shall determine.

(2) The board shall hold a minimum of four meetings yearly, including the annual planning meeting.

(3) A board meeting may be conducted by conference telephone call or by use of video/telecommunication conferencing. Such meetings shall be conducted in a manner that all members participating can hear each other at the same time and that complies with the Open Public Meetings Act. Procedures shall be developed and adopted in the BOARD PROCEDURES MANUAL to specify how recognition is to be sought and the floor obtained during such meetings.

Section 2. Agenda preparation. (1) The agenda shall be prepared by the executive committee in consultation with the executive director and other staff, as necessary.

(2) Members of the board may submit proposed agenda items to the board chair or the executive director.

(3) In consultation with the executive committee, the board chair or executive director will give final approval of all items and changes that will appear on the agenda at a board meeting.

(4) The full agenda, with supporting materials, shall be delivered to the members of the board at least one week in advance of the board meeting, in order that members may have ample opportunity for study of agenda items listed for action.

(5) Hearings to receive information and opinions, other than those subject to the provisions of Chapter 34.05 RCW relating to adoption of rules and regulations or as otherwise provided by law, shall be scheduled when necessary on the agenda prior to final consideration for action by the board.

Section 3. Board action. (1) All matters within the powers and duties of the board as defined by law shall be acted upon by the board in a properly called regular or special meeting.

(2) A quorum of eight (8) voting members must be present to conduct the business of the board.

(3)(a) Subject to the presence of a quorum, the minimum number of favorable votes necessary to take official board action is a majority of the members present. There shall be no proxy voting.

(b) In order to vote at a meeting conducted by telephone or videotelecommunications conference call, members must be present for the discussion of the issue upon which action will be taken by vote.

(4) The manner in which votes will be conducted to take official board action shall be determined by the board chair, unless a roll call is requested and sustained by one quarter of the voting members who are present.

(5) All regular and special meetings of the full board shall be held in compliance with the Open Public Meetings Act (Chapter 42.30 RCW).

Section 4. Consent agenda. (1) Non-controversial matters and waiver requests meeting established guidelines may be presented to the board on a consent agenda.

(2) Items may be removed from the consent agenda upon the request of an individual board member.

(3) Items removed from the consent agenda shall be referred to a standing committee or shall be considered by the full board at the direction of the chair.

Section 5. Parliamentary Authority. The rules contained in the current edition of *Robert's Rules of Order Newly Revised* shall govern the State Board of Education in all cases to which they are applicable and in which they are not inconsistent with these bylaws, state law and any special rules of order the State Board of Education may adopt.

ARTICLE VI EXECUTIVE COMMITTEE

Section 1. Executive committee. (1) (a) The executive committee shall consist of the chair, the vice chair, the immediate past chair, and two members at-large.

(b) The executive committee shall be responsible for the management of affairs that are delegated to it as a result of Board direction, consensus or motion, including transacting necessary business in the intervals between board meetings, inclusive of preparing agendas for board meetings.

(c) The executive committee shall be responsible for oversight of the budget.

(2) When there is a vacancy of an officer position, the vacant position shall be filled pursuant to the election process in the Board Procedures Manual.

(3) The board chair shall serve as the chair of the executive committee.

(4) The executive committee shall meet at least monthly.

(5) The executive committee shall assure that the board annually conducts a board review and evaluation.

ARTICLE VII Committees

Section 1. Designation. (1) Responsibilities of the board may be referred to committee for deeper discussion, reflection and making recommendations to the whole board. Rule changes should be discussed in committee before recommended language is referred to the board for discussion and possible vote.

(2) The board chair shall appoint at least two board members to each committee to conduct the business of the board.

(3) Appointments of non-state board members to a state board committee shall be made by the board chair in consultation with the committee chair(s) and the executive director, taking into consideration nominees submitted by board members, and identified groups or organizations.

(4) Board members of committees of the board shall determine which board member shall chair the committee.

(5) Each committee will be responsible for recommending to the budget process costs associated with responsibilities of the committee.

ARTICLE VIII Executive Director

Section 1. Appointment. The board may appoint an executive director.

Section 2. Duties. (a) The executive director shall perform such duties as may be determined by the board and shall serve as secretary and non-voting member of the board. The executive director shall house records of the board's proceedings in the board's office and the records shall be available upon request. The executive director is responsible for the performance and operations of the office and for staff support of board member duties.

(b) The board shall establish or modify a job description for the executive director, as needed.

Section 3. Annual evaluation. (a) The board shall establish or modify the evaluation procedure of the executive director, as needed,

(b) The annual evaluation of the executive director shall be undertaken by the board no earlier than one year after the job description or evaluation tool is established or modified. Subsequent to the evaluation, the chair, or chair's designee, will communicate the results to the executive director.

Section 4. Compensation and termination of the executive director. The rate of compensation or termination of the executive director shall be subject to the prior consent of the full board at the planning meeting.

ARTICLE IX Amending Bylaws

Section 1. Amending bylaws.

(1) These bylaws may be amended only by a two-thirds affirmative vote of the board members.

(2) All members shall be given notification of proposed amendments to the bylaws at the meeting preceding the meeting at which the bylaws are to be amended.

(3) The board shall review the bylaws every two years.

Section 2. Suspending bylaws. These bylaws may be suspended at any meeting only by a two-thirds affirmative vote of the voting board members present at the meeting.