



WASHINGTON STATE
Charter School Commission
STUDENTS • INNOVATION • TRANSPARENCY

PRINCIPLES OF SERVICE

Washington State Charter School Commission

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PURPOSE

The Washington State Charter Schools Commission (Commission) Principles of Service describes the actions of Commissioners (and Commission staff) in performance of their official duties. The Commission plays a unique and important role in meeting the growing and diverse needs of Washington’s students through the development and support of charter public schools. In doing so, Commissioners hold special positions as trustees of public funds and sentinels for high-quality educational opportunities. Commissioners are not motivated by personal interests or those of a specific constituency. Instead, Commissioners serve for the singular purpose of improving Washington’s education in its entirety by ensuring every student has access to a high-quality education without regard to his or her zip code or household income. As the truest citizen-servants, Commissioners abide by a stringent code of ethics and avoid even the appearance of a conflict of interest. The following Principles of Service memorialize the standards that guide each Commissioner in fulfilling his or her public duty. To ensure constant and unwavering integrity of the Commission as a whole, the Commission is committed to holding individual Commissioners accountable for adherence to these Principles of Service. The violation of any of these Principles of Service may result in private or public censure or reprimand by the Commission or the referral to appropriate officials for removal from office.

MISSION STATEMENT

The mission of the Commission is to authorize high quality charter public schools and provide effective oversight and transparent accountability to improve educational outcomes for at-risk students.

EQUAL OPPORTUNITY

The Commission does not discriminate on the basis of race, color, creed, national or ethnic origin, gender, sexuality, religion, disability, age, political affiliation or belief, genetic information, veteran status, or citizenship status in the conduct of its programs and services. Any individual requesting additional information regarding the nondiscrimination policies or practices of the Commission shall contact the Commission’s office at 360-725-5511 or in writing at charterschoolinfo@k12.wa.us or 1068 Washington St SE, Olympia, WA 98504.

DESCRIPTION OF ROLES AND RESPONSIBILITIES

The Commission is a state-level charter school authorizer whose primary focus is the authorization and oversight of charter public schools. Commissioners uphold a professional decorum in the conduct of all official activities. The authority of the Commission is vested in the Commission as a whole and not in its individual members. No Commissioner has authority apart from the Commission. The Commission sets the overall policy and direction of the agency and holds the Executive Director accountable for the implementation of the same. The Executive Director is responsible for holding Commission staff accountable to the policy and direction of the agency.

GENERAL DECORUM

Commissioners will maintain the highest degree of professionalism and respect for others while serving the Commission. Commissioners will attend all required functions and meetings unless excused by the Commission Chairperson. Commissioners will arrive on time to perform their duties. As public officers, Commissioners will speak politely, respectfully, and courteously. Commissioners will refrain from using language that may be perceived as abusive, inappropriate, or offensive. In so doing, a Commissioner will be especially mindful of his or her public role and the greater risk of the misperception of language through the loss of context.

Commissioners will respect the office of the Commission Chairperson and accept the role and rulings of the presiding officer during meetings. During debate, Commissioners will confine their remarks to the matter at hand, will seek to understand during discussion, will refrain from attacking the motives of other members, and will not speak adversely on prior actions of the Commission not currently pending.

USE OF RESOURCES AND STAFF

Commissioners will utilize the resources of the Commission only for his or her official Commission duties to further the Commission's mission and purpose. This includes, but is not limited to, the use of information technology resources, goods or services purchased by the Commission, or the use of Commission staff. Commissioners are especially mindful of Commission staff's duty to fulfill the mission and purpose and broadly implement the policies of the Commission. As such, Commissioners will refrain from making personal requests of Commission staff or directing Commission staff to handle specific matters unless approved by the Commission Chairperson. A Commissioner may request specific resources to assist him or her in carrying out his or her official duty, and upon approval of the Commission Chairperson, Commission staff will procure the requested resource in a manner consistent with applicable laws and regulations. When requesting the procurement of resources, Commissioners will balance his or her need with the Commission's fiduciary duty to account for the use of public funds.

CODE OF ETHICS

Commissioners will adhere to all state laws governing the conduct of public officers, including the Ethics in Public Service Act codified as Revised Code of Washington (RCW) 45.52. The Ethics in Public Service Act prohibits Commissioners from engaging in certain activities and avoiding certain circumstances. Individual Commissioners are subject to personal liability for the violation of the provisions in the Ethics in Public Service Act.

CONFLICT OF INTEREST POLICY

1. Purpose

The Washington State Charter School Commission (Commission) believes a culture of ethics, integrity, and transparency strengthens our relationships with our contractors, partners, community, and each other. As such, it is the policy of the Commission that all employees and members shall act in a manner that reflects the highest standards of ethical conduct, in keeping with the Commission's role and responsibility to the people in Washington State; and comply with laws, regulations and Commission policy. The

Commission further recognizes that statutorily and as a regulatory agency, these standards require avoidance of both real and perceived conflicts of interest.

This policy supplements but does not replace any applicable state and federal laws governing conflicts of interest applicable to the Commission. Information on issues related to state ethics, including interpretations and clarifying examples of the Revised Code of Washington (RCW) and the Washington Administrative Code (WAC), is available at www.ethics.wa.gov.

2. Conflicts of Interest

A conflict of interest is any activity that may conflict with the proper discharge of a Commissioner's or employee's official duties. A personal interest in the outcome of a decision made as a Commissioner or employee could represent a conflict situation. The interest could be an outside activity, relationship, business, or other interest that would or could impact the Commissioner's or employee's ability to make decisions on behalf of the State. Commissioners and employees may not have financial or other personal interests, or engage in business or professional activities, that conflict with the performance of their official duties.

No tangible outcome is needed for there to be a conflict of interest. Therefore, Commissioners and employees should avoid situations that may or could invite a conflict of interest or give the appearance of a conflict, or which undermines the public's confidence in the Commission's role. Commissioners and employees are responsible for disclosing any potential conflicts of interest, whether real or apparent. By disclosing any potential conflict of interest, whether real or apparent, the Commissioner or employee may recuse themselves or the Commission may take other steps to screen an individual from the transaction.

The following are types of conflicts that should be avoided and/or disclosed:

2.a Activities Incompatible with Public Duties

Commissioners and employees are prohibited from engaging in activities and having interests that "conflict with the proper discharge" of their "official duties." RCW 42.52.020. These may include, but are not limited to, activities such as outside employment (including self-employment), volunteering, serving on boards or commissions, holding or running for political office, and lobbying (when those activities conflict with job duties).

An example of an activity incompatible with public duties would be a Commissioner or employee serving on the board of a Commission-authorized charter school. The Commission's core responsibilities are as a regulatory entity that oversees the schools that it authorizes. As such, all of the Commission's regulatory and most of its policy determinations either have the potential to, or will directly, impact the charter school. Thus, serving on, or working for, both the Commission and a Commission-authorized charter school board would create a real and apparent conflict of interest.

This type of conflict would not only violate the ethics act, but is explicitly prohibited by the Charter Schools Act, RCW 28A.710.100(6).

2.b Financial Interests and Beneficial Interests

Commissioners and employees are prohibited from having a beneficial interest, directly or indirectly, in a contract, sale, lease, purchase, or grant that the Commission is involved in, supervises, or authorizes, in whole or in part. RCW 42.52.030. This provision not only prohibits acceptance of anything of economic value from someone who may benefit from a contract, sale, lease, purchase, or grant, but also prohibits Commissioners and employees from participating in Commission transactions with organizations in which the Commissioner or employee is an officer, agent, employee, or member. Transaction is broadly defined to include, among other things, applications, requests for rulings, contracts, and claims, which are currently or could in the future be subject to Commission action.

- An example of prohibited activity under these provisions would be a Commissioner or employee whose outside business engages in business transactions with a charter school authorized by the Commission (e.g. sells textbooks for the school). Similarly, Commissioners and employees are prohibited from consulting for or otherwise receiving compensation from an actual or potential applicant while they are serving as a Commissioner or employee. Notably, the individual Commissioner or employee need not personally receive financial or other beneficial interest; violation occurs if the entity with which they are associated received such a benefit.

2.c Assisting in Transactions

Commissioners and employees are prohibited personally, and through their business entities, from assisting others, directly or indirectly, in a transaction involving the State. RCW 42.52.040. As noted above, transaction is broadly defined. This prohibition takes on particular import in the context of prospective charter school operators since the Charter Schools Act itself also requires the Commission to avoid apparent conflicts of interest. In order to preserve the integrity of the application process that assures a level playing field for all prospective charter school operators, individuals who are interested in starting a charter school should be directed to Commission staff whose official duties include provision of prospective applicant assistance. Commissioners and employees who are approached by prospective applicants seeking guidance or support should direct the individual to appropriate Commission staff.

2.d Special Privileges

Commissioners and employees are prohibited from using their position to secure special privileges or exemptions for themselves, or other outside parties. RCW 42.52.070. Special privileges violations frequently align with some of the other prohibitions of the ethics laws. For example, if a Commissioner or employee were to personally participate in a transaction that the Commission oversees, were to assist a third party with such a transaction, or failed to recuse themselves from a transaction involving a conflict of interest, then they may also be found to have secured special privileges to themselves or a third party.

- An example of a stand-alone special privileges violation would be the securing of a job for a family member, or exempting someone from a requirement that is otherwise applicable to other entities that the Commission regulates. In order to avoid the appearance of securing special privileges, Commissioners or employees who have

been employed by an applicant within the last five years should recuse themselves from the vote for that applicant or participation in the application evaluation.

2.e Compensation for Official Duties or Nonperformance

Commissioners and employees are prohibited from receiving any compensation, gift, reward, or gratuity from a source for performing or omitting to perform any official duty, unless otherwise authorized by law. RCW 42.52.110.

- An example of this prohibited activity is when a Commissioner is offered to have a trip paid for by a charter school or charter school supporting agency/organization. On the other hand, compensation for voting or refraining to vote in a particular way would fall within the nonperformance component of this prohibition.

2.f Gifts

Commissioners and employees are prohibited from soliciting or receiving, directly or indirectly, anything of economic value as a gift, gratuity, or favor if it could be reasonably expected to influence the vote, action, or judgment of the officer or employee, or be considered a reward for action or inaction. RCW 42.52.140-.150. The Commission is a regulatory agency; as such, the only items that Commissioners and employees may “receive, accept, take, or seek, directly or indirectly” from an individual or entity that it regulates or that seeks to provide goods or services to the Commission are:

- Unsolicited advertising or promotional items of nominal value, such as pens and note pads;
- Unsolicited tokens or awards of appreciation in the form of a plaque, trophy, desk item, wall memento, or similar item;
- Unsolicited items received by a state officer or state employee for the purpose of evaluation or review, if the officer or employee has no personal beneficial interest in the eventual use or acquisition of the item by the officer's or employee's agency;
- Informational material, publications, or subscriptions related to the recipient's performance of official duties;
- Food and beverages consumed at hosted receptions where attendance is related to the state officer's or state employee's official duties; [and]
- Admission to, and the cost of food and beverages consumed at, events sponsored by or in conjunction with a civic, charitable, governmental, or community organization.

RCW 42.52.150(2). It is not unusual for Commissioners and employees to receive invitations to a variety of events or activities. In such circumstances it is necessary to determine whether participation in the event or activity is authorized or prohibited. This determination will be highly fact specific. For example, if food is being served it will be necessary to determine whether it qualifies as a hosted reception. A hosted reception is a social event involving a diverse group of people. A diverse group of people means a group that includes individuals from a variety of sectors, not simply those that are regulated by the Commission or seek to provide goods or services to the Commission. In order to qualify as a hosted reception, any food served must be in the form of light refreshments or hors d'oeuvres, not a sit-down meal.

2.g Use of Public Resources for Political Campaigns

No Commissioner or employee can use public resources, directly or indirectly, for the purpose of assisting a campaign for election of a person to an office. This includes campaigns for elective office as well as ballot propositions, regardless of whether the use is in support of, or in opposition to, the campaign. Commissioners and employees who witness public resources being used for a political campaign in violation of the law are required to report it. Not doing so may also be considered a violation. RCW 42.52.180.

Commissioners and employees may not engage in political activities and may not solicit or accept contributions for a political purpose during working hours or on state-owned or leased property. This prohibition is broad and precludes any use of public resources including, but not limited to, use of stationery, postage, machines, and equipment, use of state employees of the agency during working hours, vehicles, office space, publications of the agency, and clientele lists of persons served by the agency. RCW 42.52.180(1).

- This provision does not preclude Commissioners and employees from assisting in a campaign during “nonworking” hours. WAC 292-110-020. The default definition of working hours is Monday through Friday from 8:00 a.m. to 5:00 p.m. or any other time when the Commissioner or employee is actually working. Working or not, the limitation on use of public resources remains.

3. Scenarios

The following scenarios are designed to assist Commissioners in applying this conflict of interest policy to situations they may face as they fulfill their duties:

Example 1: Assisting in transactions or securing special privileges

- You are at a reception unrelated to charter schools. Upon learning that you are a Commissioner, an individual approaches you and says that they would like to open a charter school. Even though you are at a reception unrelated to charter schools, the individual approaching you is doing so because you are a Commissioner. An appropriate response would be to direct them to the Commission’s website or staff. Other action, such as referring them to resources or providing suggestions, could create a perceived, if not real, conflict of interest by assisting the individual in navigating the application process, securing special privileges, or both.

Similarly, a Commissioner who receives information from a prospective school could result in the Commissioner gaining knowledge or receiving information not properly submitted through the application process.

Example 2: Gifts

- You are invited to the ribbon cutting at one of the new, Commission-authorized charter schools. The charter school invites a number of people to view the facility including state officers and employees who participate in regulatory matters, customers, and officials from

other governmental entities. In the evening, at the conclusion of the tour, the charter school provides food and beverages, including substantial hors d'oeuvres. There are some tables where guests may be seated but most people stand. This event is a hosted reception. It is a social event that involves a diverse group of people and does not involve a sit-down meal. Even though some tables and chairs are provided, it is not a regular meal where people sit down and eat. Accordingly, attendance at this event would not violate the gift prohibition. However, while attending the event, you should be careful not to engage in conversations or conduct that might create a real or perceived conflict, particularly relative to interactions with representatives of the new charter school.

4. Disclosure

Prior to the Commission taking action on a matter in which a Commission member has or may have a conflict of interest, the interested Commission member shall disclose such interest to the other Commission members and all material facts relating thereto. Any member of the Commission or the public can identify a potential conflict.

5. Determination of Potential Conflict of Interest

Commission members will complete a conflict of interest disclosure statement annually during their tenure on the Commission. The first conflict of interest disclosure statement shall be completed within one week of their appointment date.

If there is a disagreement about whether there is a conflict of interest or disagreement regarding how to handle the conflict, the matter shall be reconciled by Commission vote at a Commission meeting.

The Commission may seek an advisory opinion from the Executive Ethics Board regarding questions concerning ethical standards or potential conflicts of interest.

Upon the Commission's determination that a conflict of interest or the appearance of a conflict of interest exists, the Commissioner will:

- Recuse her/himself from discussing the subject matter;
- Recuse her/himself from voting on the subject matter; and
- Refrain from attempting to influence Commissioners in their discussion and vote on the subject matter.

The prohibition on discussion shall not prohibit the Commissioner from providing their general expertise on the subject matter.

SERVICE TO OTHER CHARTER AUTHORIZERS

Charter schools serve as laboratories of innovation. The free exchange of ideas, methods, and practices allow charter schools to quickly adapt to meet the changing needs of their students and communities. Similarly, charter school authorizers benefit from sharing their skills and experiences with other charter school authorizers to develop best practices that encourage the proliferation of high-quality charter

schools. With prior approval from the Commission Chairperson, Commissioners may assist charter school authorizers outside Washington in the development, evaluation, and analysis of policies and practices of charter authorizing and the review of charter petitions. Any opinion expressed by a Commissioner in his or her service to other charter authorizers will reflect the individual opinion of the Commissioner rather than the Commission as a whole. Given the Commission's unique role as an independent state-level authorizer, Commissioners shall not provide assistance to other charter school authorizers in Washington. Additionally, a Commissioner may obtain knowledge or relationships through his or her service to charter school authorizers in other states that may require his or her recusal of future matters before the Commission in accordance with the Commission's Conflict of Interest Policy.

COMMUNICATIONS POLICY

Article I

The purpose of this section is to promote equal access to Commissioners in a manner that will ensure cohesiveness, transparency, and equity.

Article II

1. Role of the Executive Director. To promote consistency and objectivity, the Executive Director or his or her designee shall respond to communications, including emails, telephone calls, and in-person inquiries, on behalf of the Commission. The Executive Director, in consultation with the Commission Chairperson, shall keep Commissioners informed of all pertinent matters in a timely manner.

2. Role of Commissioners. To ensure that Commissioners are able to fairly consider all issues, Commissioners shall direct stakeholders seeking to provide information or communications to the Executive Director so that the Executive Director may transparently disseminate pertinent information to all Commissioners and the general public.

3. Interaction with the Media. The Executive Director, Commission Chairperson and/or their designee are the official spokespersons for the commission, and will utilize approved messages when interacting with media. Other Commissioners, who are approached by media, shall seek guidance from the Executive Director prior to addressing the media. A Commissioner may address the media in his or her personal capacity and will ensure the media recognizes that his or her statements do not reflect the opinion or position of the Commission.

4. Speaking Engagements. Commissioners shall inform the Commission Chairperson prior to accepting a speaking engagement that may be reasonably perceived as relating to his or her role as a Commissioner. Such speaking engagements include, but are not limited to, school commencement speeches and presentations at education-related conferences.

5. Written Communications. The vast majority of written communications of Commissioners, including emails between Commissioners and between Commissioners and staff, are public documents. As public documents are available for public inspection upon request, Commissioners will ensure that all written communications embody the decorum of the office they represent. Accordingly, all written

communications will reflect respect and civility and refrain from foul, abusive, or generally inappropriate language.

5. Recusal. Any Commissioner who communicates with only one party of an issue outside the presence of the other party and fellow members of the Commission regarding an issue that is or will be before the Commission for a vote shall recuse himself or herself from voting on the matter.

POLITICAL ACTIVITY

Commissioners are responsible for complying with applicable federal and state law when engaging in political activities. Commissioners are permitted to express his or her opinions on political subjects and candidates and to take an active part in political campaigns; however, in so doing, Commissioners will refrain from any action or speech that directly or indirectly indicates he or she is doing so in his or her official capacity as a Commissioner. As such, Commissioners will refrain from:

- Engaging in political activities during Commission meetings or other official events;
- Wearing Commission name badges or other identification as a Commissioner during the activity;
- Identifying himself or herself as a Commissioner rather than his or her personal capacity;
- Testifying before political bodies, such as the Washington Legislature as a Commissioner rather than in his or her personal capacity; and
- Representing that his or her views reflect that of the Commission, its Commissioners, or staff.

PER DIEM

Commissioners are entitled to receive a per diem and reimbursement of travel expenses in the same manner as other public officials as authorized in RCW 43.03.050 and 43.03.060. All travel expenses incurred by Commissioners while on official business will be reimbursed in accordance with the Commission's Travel Policy. While Commission staff will assist Commissioners in claiming appropriate per diem and travel reimbursements, it is the responsibility of each Commissioner to complete all required paperwork and ensure his or her travel expenses are incurred in a manner consistent with the Commission's Travel Policy.

PROFESSIONAL DEVELOPMENT

Commissioners may engage in activities, courses, and conferences for the purpose of expanding knowledge, skills, or competencies directly related to their official duties. The Commission Chairperson may allow Commissioners to participate in professional development activities at the expense of the Commission. The Commission Chairperson will provide written approval to the Executive Director for the

participation of Commissioners in professional development activities. In evaluating the participation of Commissioners in a particular activity, the Commission Chairperson will consider:

- Availability of funds;
- Location of the activity;
- Availability of activity;
- Relationship of the activity to the Commission’s official duties;
- Needs of the Commission; and
- Equity of professional development activities amongst Commissioners.

Generally, Commissioners are encouraged to participate in professional development activities that specifically relate to charter school authorizing rather than general charter school or education activities. Commissioners should limit their participation in professional development activities to one out-of-state activity per calendar year and should refrain from a second out-of-state professional development activity until all Commissioners have had the opportunity to participate in an activity.

SOLICITATIONS AND ENDORSEMENTS

The Commission will not, except only in limited circumstances approved by the Commission Chairperson, solicit, hold meetings with, or otherwise engage vendors to provide goods or services to the Commission or state charter schools. Instead, the Commission shall procure goods and services only through established methods of procurement consistent with state purchasing law and regulations and Commission policy. If a Commissioner is contacted by a vendor or other outside party intending to provide goods or services to the Commission or state charter schools he or she will refer the vendor or other outside party to the Executive Director to determine if the good or service would be advantageous to the Commission or state charter schools and, if so, procurement through required laws, regulations, and policies. Commissioners will not encourage the Commission or state charter schools to utilize particular vendors prior to the implementation of procurement methods required by laws, regulations, and policies.

Commissioners will not endorse any activity, product, service, event, individual, or organization of a commercial nature, nor will Commissioners take any action or inaction to imply endorsement of any activity, product, service, event, individual, or organization of a commercial nature. Prohibited actions that could imply endorsement include, but are not limited to, providing quotes, letters of support, or communicating Commission use of a product or services. The Commission may vote to endorse or support, meetings, conferences, commissions, seminars, or courses provided for educational purposes at no cost to the attendee. Commissioners are encouraged to support non-profit advocacy work that is consistent with the mission and purpose of the Commission, including, but not limited to, Charter Public Schools Week and National School Choice Week.

OPEN RECORDS

The Commission and its Commissioners will comply with all state laws and regulations regarding public access to agency records. Commissioners who receive a request for Commission records will immediately forward the request to the Executive Director for the coordination of the agency's response. The Commission's agency rules (108-50) describe the process that Commissioners and staff must comply with when a request for public records is received.

OPEN MEETINGS

The Commission and its Commissioners will comply with all state laws and regulations regarding the conduct of public meetings. Commission staff is responsible for ensuring that all Commission meetings are conducted in accordance with the Washington's Open Public Meetings Act, RCW 42.30. However, Commissioners will not take any action to subvert the requirements of the Open Public Meetings Act or the Commission's compliance with applicable law. Accordingly, Commissioners will not gather a quorum to discuss official matters outside of an official public meeting, utilize an executive session to discuss matters not authorized for discussion in an executive session, discuss matters in an executive session that were not disclosed as a reason for executive session, or publically disclose matters discussed by the Commission in executive session.

ANNUAL REPORTING

Commissioners will complete all public reporting required by law. They will also annually file a Personal Financial Affairs Statement (F1) with the Public Disclosure Commission (PDC) by the deadline established by the PDC.