



Chapter 28A.710 (Charter schools)

Some Questions for Policy

1. Under our law, eligible authorizers of charter schools are (1) a state agency created for that purpose and (2) school district boards of directors that have been approved as authorizers by the State Board of Education. Should other entities be eligible authorizers as well?
2. Is the authorizer application process in RCW 28A.710.090 and implementing WACs too lengthy, burdensome, and difficult? How much of a hindrance are these provisions to willing districts becoming authorizers? Should it be changed to make it easier for districts to become authorizers? Or should the present provisions be maintained to help assure quality authorizing?
3. RCW 28A.710.090 requires that within 30 days of making a decision to approve an application from a school district the SBE must execute a renewable authorizing contract with the district, with an initial term of six years. The statute, however, makes no provision for how or on what basis the authorizing contract should be renewed. Should this gap in the charter school law be filled by amendment to this statute, or by clear delegation of rule-making authority to the SBE?
4. RCW 28A.710.110 requires the SBE to establish a statewide formula for an authorizer oversight fee, calculated as a percentage of the state operating funding to each charter school under the authorizer's jurisdiction. In rule, the SBE set the fee at the statutory maximum 4 percent of each charter school's annual funding, dropping to 3 percent after an authorizer has authorized 10 schools. Does the oversight fee adequately and efficiently compensate the authorizer for the costs of carrying out its duties? Should the formula be changed? Should authorizers' costs be funded through an appropriation from the state general fund, rather than through such a fee?
5. RCW 28A.710.150 requires the SBE to certify whether an approved charter school is within the limits on the number of charter schools that may be established in any year, and that if the Board receives "simultaneous notification" of approvals that exceed the annual allowable limits, it must select approved charters for implementation through a lottery process. The provision seems to create an incentive for charter applicants to get their applications in early, and for authorizers to approve applications early, in order to avoid the lottery process. Should this provision be changed so that there is not a "race to the finish line" for charter approvals?
6. The text of RCW 28A.710.220 has given rise to a question about when a new charter school that is not authorized by a school district is first eligible to receive local levy monies. Does this need clarification in the law? Should funding be made available to charter schools for start-up costs?
7. RCW 28A.710.230 provides that charter schools are eligible for state matching funds for common school construction, but as another part of the law prohibits a charter school board from issuing tax-supported bonds, a charter school has little if any means of accessing state matching funds for the construction, renovation or lease of facilities in which to operate. Should this problem be addressed? Should the state provide other means of assistance to charter schools for facilities?