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PROJECT NARRATIVE

WASHINGTON CHARTER LAW HISTORY AND CONTEXT

The charter school movement and its goal to improve education has faced significant challenges over the short history of charter schools in Washington state. The charter school movement began in 1996 when a statewide ballot initiative was defeated. In 2000 and again in 2004 similar voter initiatives were again defeated.

It was not until 2012 that Initiative 1240 was approved by voters. The initiative passed by a narrow 50.69% majority vote illustrating the contentiousness of charter schools in Washington. Initiative 1240, codified into law under chapter 28A.710 of the Revised Code of Washington (RCW), allowed up to 40 charter schools to open over a five-year period. In passing Initiative 1240, Washington became the 42nd state in the nation to allow charters—over 20 years after Minnesota passed the nation's first charter school law.

However, the first challenge to the Charter School Act was filed in King County Superior Court during the summer of 2013. All parties involved in the case moved for summary judgment, which was granted. The court held that charter schools did not satisfy the definition of "common school" under Washington's Constitution. Article 2, Section IX of Washington's Constitution identifies common schools as a specific type of public school and limits revenue from "the common school fund" to be used by common schools. The court granted judgment in the State's favor on all remaining issues and found that the unconstitutional provisions were severable.

All parties sought and were granted direct review by the Washington state Supreme Court (Supreme Court). Supreme Court arguments were held on October 29, 2014. Almost a year later, on September 4, 2015, the Supreme Court held that the provisions of the Charter School

Act that defined charter schools as "common schools" violated Article 2, Section IX. In reaching this conclusion, the Supreme Court stated that local voter control is necessary in order to qualify as a common school; charter schools were governed by a non-profit board and, thus, not subject to local voter control. The Supreme Court also held that the Charter School Act funding mechanisms unconstitutionally shifted common school funds to charter schools. Further, the Court found that invalid provisions of the Charter School Act were so integral that they could not be severed; therefore, the entire Charter School Act was unconstitutional.

Nine charter schools in Washington were open and serving students when the state Supreme Court found the Charter School Act unconstitutional. This forced each charter school to scramble in order to find funding to remain open for the remaining months of the school year. Fortunately, charter schools were able to work closely with Office of Superintendent of Public Instruction (OSPI) to explore options that would allow the charters to remain open and serve students through the remaining months of the school year. Most charter schools found a district partner, Mary Walker School District (MWSD), and advocated for OSPI to modify several agency rules through emergency rule-making that allowed six charter schools to contract for educational services with MWSD to provide Alternative Learning Experiences (ALE) to the former charter school students. Without OSPI's willingness to act quickly and in the best interest of students, all nine charter schools would have been forced to either close their doors or continue operations without a known funding source.

Under the banner of *Act Now For Washington Students*, charter school advocates launched a grassroots effort aimed at getting the state legislature to act to save charter public schools. This led to a bipartisan vote in the legislature to keep Washington's public charter schools open and serving students.

Washington's legislature convened in January, 2016 and charter school advocates, leaders, parents, and students rallied in hopes that the legislature would act to establish a new charter school law. These advocacy efforts worked, and on April 3, 2016 Engrossed Second Substitute Bill (ESSB) 6194 became law. ESSB 6194 (Charter School Act) allows for the operation of all authorized charter schools throughout the state starting in the 2016-17 school year. In addition, the Charter School Act restored the Washington State Charter School Commission (Commission), as the only statewide authorizing body. In addition to the Commission, Spokane Public Schools, the only Washington State Board of Education (SBE) approved district charter school authorizer, was also provided an opportunity to continue its charter school authorizing practices.

With the new Charter School Act, more than 1,100 students who are currently enrolled in former public charter schools in Western Washington and Spokane will be able to continue their educational pursuits at their charter school of choice. Additionally, with the enactment of the Charter School Act, parents and advocates from West Seattle to Yakima to Walla Walla and elsewhere in the state can continue to pursue new, innovative, high-quality and accountable schools for their diverse communities.

There are several changes contained within the Charter School Act that create obstacles for charter schools in Washington. First, the Act does not authorize charter schools to access local levy tax revenue. This creates a significant financial challenge for charter schools because it results in a net loss of up to 28% of anticipated revenue when compared to their traditional district counterparts. Second, by charter schools losing their status as common schools, there are multiple state processes that must be adjusted to accommodate charter schools' new distinction. For example, for districts that provide legally required services to some special education

students for which the costs far exceed state and federal funding, districts can apply for relief from the state through the School Safety Net Program. Currently, the funds available through Safety Net are only available to common schools, which creates additional financial challenges for charter schools. Additionally, although the Charter School Act provides for state matching construction support to charter schools seeking to build or renovate a suitable building for school use, and the primary source of state construction funding comes from the common school funded budget accounts. Unfortunately, the Supreme Court’s ruling prohibits charter schools from accessing common school funds.

It is within this still nascent, yet strong and determined charter sector that OSPI, in collaboration with SBE, the Commission, and the only school district authorizer, the Spokane Public Schools, applies for this CSP grant. Having come through a great school year start by opening eight new charter schools in August 2015—then enduring the unexpected Supreme Court ruling, closing out all Washington charter school contracts and transitioning schools from charters into contracted ALE programs, passing a new charter law, and now transitioning the schools from ALEs back into charter schools—demonstrates evidence of the collaborative efforts, collective grit, resilience, and determination of OSPI, the charter schools, authorizers, parents, students, an innovative district, legislators, and charter advocates. As such, there is a strong likelihood that OSPI, charter schools, and authorizers will meet and exceed the grant objectives and improve educational results for students in Washington.

1. ABSOLUTE PRIORITIES

Absolute Priority 1--Periodic Review and Evaluation.

Every five years, a charter school’s performance is assessed using the Performance

28A.710.190 requires that: (1) *A charter contract may be renewed by the authorizer, at the request of the charter school, for successive five-year terms.* (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 the 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.*

Per RCW 28A.710.100 Charter School Authorizers—Power and Duties, chartering authorizers are responsible for: (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*

Per RCW 28A.710.160-170, authorizers in Washington must utilize a charter contract and Performance Framework to evaluate the success of a charter school. *Performance Framework* refers to the Academic, Operational and Financial Frameworks, which provide the indicators, measures and targets that will be used by the authorizer to evaluate the performance of each school. The Spokane Public Schools district authorizer has modeled its charter contract and Performance Framework after the Commission's documents, so they are similar in nature.

Per RCW 28A.710.170, (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.

Per statute, the Academic Performance Framework (APF) includes indicators and measures set forth by RCW 28A.710.170 and allows authorizers to evaluate charter school academic performance. This framework answers the evaluative question: Is the academic program a success? A charter school that meets the standards in this area is implementing its academic program effectively and student learning, the central purpose of every school, is taking place. For each framework measure, a charter school receives one of four ratings: *Exceeds Standard, Meets Standard, Does Not Meet Standard, or Falls Far Below Standard*. The required Academic Performance Framework indicators and measures are noted above.

All three Performance Frameworks represent an annual review of school progress and a source of information used by the authorizers to make decisions involving corrective action, renewal, modification, revocation, and/or termination of a charter school. Annual school site

visits verify operational compliance and adherence to the schools' academic model and essential terms.

Absolute Priority 2—Charter School Oversight.

AP2(a)(1): Legally-Binding Charter Contract.

Each charter school in Washington operates according to the terms of a required Charter Contract. Per ESSB 6194 Sec. 116., RCW 28A.710.160 and 2013 c 2 s 216: *(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. The contract must establish the terms by which the charter school agrees to provide educational services that, at a minimum, meet basic education standards, in return for a distribution of public funds that will be used for the purposes established in the contract and in this and other applicable statutes. The charter contract must clearly set forth the academic and operational performance expectations and measures by which the charter school will be evaluated and the administrative relationship between the authorizer and charter school, including each party's rights and duties. A charter school may not operate without an executed charter contract and completion of all pre-opening conditions per RCW 28A.710.160. (See Appendix 20 for a Sample Charter Contract and Appendix 11 for Charter Law requiring contract—ESSB 6194, and Appendix 6 for Pre-Opening Conditions.)*

AP2(a)(2): Annual, Timely, and Independent Audits.

Per ESSB 6194, Sec. 104, charter schools must: *(2)(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. Annually, each charter school is required to undergo two audits, an independent financial audit of the non-profit and an*

accountability and financial statement audit by Washington’s State Auditor’s Office.

Additionally, charter schools are required to contract for an independent performance audit after their first full year of operation and then every three years thereafter. This new requirement results in Washington charters undergoing three audits after their first full year of operation.

AP2(a)(3): Demonstrates Improved Student Academic Achievement.

All Washington charter schools annually commit to meeting specific academic targets as

AP2(b): Increased Student Academic Achievement for Renewal.

Per Washington charter law, *(1) An authorizer may revoke a charter contract at any time,*

Washington state’s Charter School Act is clear, charter school student academic

of the National Association of Charter School Authorizers (NACSA), are primed to further

2. COMPETITIVE PREFERENCE PRIORITIES

Competitive Preference Priority 1—High-Quality Authorizing and Monitoring Processes

CPP1(a): Authoring Process with Clear Criteria for Evaluating Charter Applications.

The charter authorizers' New School Application and authorizing processes, particularly the Commission's, have gone through a number of iterations since their inception three years ago. As a brand new agency in 2013, the Commission collaborated regularly with NACSA in the development, implementation, and evaluation of its first new charter school application process.

The Commission continued to refine the New School Application process and increase Commission involvement through 2015, resulting in Commission staff leading the New School Application evaluation teams and drafting recommendation reports for the Executive Director to review and submit directly to the Commissioners. The Commission and the Spokane district authorizer now conduct all aspects of the solicitation process, except for NACSA's support of the due diligence reports.

The Commission's New School Application process includes early notification of application release and timelines, a New School Application RFP (see Appendix 2), a three-hour applicant information webinar, a Notice of Intent to Apply, a full-day application training for potential applicants, vetting of external evaluators, a scoring rubric evaluator training, an external review process led by Commission staff, an external due diligence review for existing charter school operators, a half-day applicant Capacity Interview inclusive of an applicant Performance Task, Public Forums for each applicant to obtain community input, written

recommendation reports to the Commissioners, and finally Commissioner approval/non-approval decisions, and, if necessary, a procedural appeal process.

Within 90 days of approval, all authorized charter schools must execute a charter contract with its charter authorizer. Antecedent to the charter contract becoming effective and prior to school opening, each school must complete all *Pre-Opening Conditions* as specified in the Charter contract (see Sample Charter Contract in Appendix 20). The Spokane Public Schools has modeled its application and monitoring processes after the Commission's creating coherence across authorizer processes.

Per RCW 28A.710.130, (1)(a) *Each authorizer must annually issue and broadly publicize*

The 2016 New School Application and process includes all the required elements of the RCW and the following:

- A modified Application that emphasizes cultural competence, cultural inclusivity, and cultural responsiveness;
- New requirements for existing non-profits regarding their financial history and viability;
- An Application Scoring Rubric adjusted to create greater alignment with Commission expectations;
- A Performance Task developed and added as a component of the Capacity Interview;
- Commission staff led evaluation teams;
- Recommendation reports submitted to the Commissioners;
- Initiated Commissioner participation in the Public Forums; and
- Applicant engagement in planning and conducting of Public Forums.

(See New Charter School Application in Appendix 2).

Indicative of Washington's rigorous charter school application process are the number of applications and approvals over the last three solicitations. As developers learn the rigorous nature of high-quality charter schools in Washington, some have shared that they have decided to take more time for their application development and submit at a later date when they are ready to meet the standards. In an effort to assist with the submission of high-quality applications, the Washington State Charter Schools Association (WSCSA) has developed a leadership center designed to help potential leaders work in partnership with communities to design high-quality school models.

CPP1(b): Differentiated Review of Charter Petitions.

For applicants who already operate one or more schools, including charter management organizations (CMOs) and educational management organizations (EMOs), the Commission New School Application specifically requires:

1. A detailed description of the organization's growth plans and capacity to successfully support and execute that plan, including business plans to support anticipated growth.
2. Using the application *Portfolio Summary Template*, provide all requested school profile information for each of the organization's schools.
3. Disclosure regarding any schools that have been closed or non-renewed or charters that have been revoked.

Additionally, the Commission developed policy which requires operators that have already been authorized to open one school to successfully execute its legal obligations to the satisfaction of the Commission before any subsequent new schools may open.

CPP1(c): Standards and Formalized Process that Measure and Benchmark Authorizer Performance.

As evidence of Washington's standards and formalized process regarding the performance of the authorized public chartering agency, the Charter School Act (ESSB 6194) reenacted and amended Sec. 112. RCW 28A.710.120 and 2013 c 2 s 212) and states:

- (1) The state board of education is responsible for overseeing the performance and effectiveness of all authorizers approved under RCW 28A.710.090.*
- (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 state board of education 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 these principles and standards constitutes grounds for revocation of the authorizing contract by the state board of education, 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 RCW 28A.710.100, the board must notify the authorizer in writing of the identified problems, and the authorizer must have reasonable opportunity to respond and remedy the problems.*
- (5) If, after due notice from the state board of education, an authorizer persists 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.*

As evidence of Washington's charter authorizer requirements for annual dissemination of performance of its portfolio of charter schools, the Charter School Act states:

- (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 a report on the performance of the state's charter schools during 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 state board of education. 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 other 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 charter public schools. (ESSB 6194, Sec. 125. RCW 28A.710.250 and 2013 c 2 s 225)

Competitive Preference Priority 2—One Authorized Public Chartering Agency Other than an LEA, or an Appeals Process.

CPP2(a): One Authorized Public Chartering Agency.

The Washington State Charter School Commission (Commission) is an independent state agency that is statutorily required to authorize and provide effective oversight to high-quality charter public schools throughout Washington state (ESSB 6194 Sec. 107, RCW 28A.710.070 (1)). As the only statewide charter school authorizer, the Commission—along with its mission to authorize high-quality public charter schools and provide effective oversight—ensures transparent accountability to improve educational outcomes for at-risk students. The Commission was established in April 2013 and, per the Charter School Act (RCW 28A.710.070), was tasked with the following:

- Develop, negotiate, execute, manage, and enforce CHARTER CONTRACTS (maximum

- Develop a TERMINATION PROTOCOL AND ASSOCIATED DUE PROCESS for use when nonrenewal or revocation is indicated.

The Commission is governed by 11 Commissioners (3 members appointed by the

Additionally, the Commission *has* an established application appeals process and solicitation protest procedures (see p. 8-9, Commission New School Application in Appendix 2), which utilizes an external, neutral expert source to review application appeals and make approval or non-approval recommendations to the Commissioners to act upon.

CPP2(b): Application Appeals Process. Not Applicable

In Washington, Local Education Agencies (LEAs) are NOT the only authorized public chartering agencies; the Commission serves as the authorized statewide public chartering agency. Furthermore, LEAs must apply and successfully complete a rigorous application process with the SBE in order to become charter school authorizers.

3. INVITATIONAL PRIORITY

Public Reporting of Charter School Demographics.

Pursuant to RCW 28A.710.040(2)(f), the charter school shall publish annually for delivery to the Commission and each parent with children enrolled in the school a school performance report in model form under RCW 28A.655.110. The school performance report shall include, but is not limited to:

- A brief statement of the mission of the school and the school district;
- Enrollment statistics including student demographics;
- Expenditures per pupil for the school year;
- A summary of student scores on all mandated tests and interim assessment measures;
- A concise annual budget report;
- Student attendance, graduation, and dropout rates;
- Information regarding the use and condition of the school building or buildings;
- A brief description of the learning improvement plans for the school;
- A summary of the feedback from parents and community members obtained under RCW 28A.655.115; and
- An invitation to all parents and citizens to participate in school activities.

Additionally, all charter schools' academic performance levels on the state Achievement Index (AI) is annually reported on the SBE AI webpage. This information is available and accessible to anyone who chooses to access it.

4. SELECTION CRITERIA

A: Educationally Disadvantaged Students.

Assisting Educationally Disadvantaged Through Subgrant.

The Charter School Act (ESSB 6194 Sec 107, RCW 28A.710.070) requires that the Commission approve and provide oversight to high-quality charter schools, *especially schools that are designed to expand opportunities for at-risk students, and to ensure the highest standards of accountability and oversight for these schools.*

The term "At-Risk" aligns with the federal definition of "Educationally Disadvantaged" as evidenced below:

"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 Washington definition of 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.

Table 2 below provides the Academic Achievement of Educationally Disadvantaged students in Washington.

	2011-12	2012-13	2013-14	2014-15* SBAC
Reading	3 rd : 56.5	3 rd : 61.4	3 rd : 59.7	3 rd : 36
Free and Reduced Lunch	8 th : 53.9	8 th : 53.1	8 th :60	8 th : 41.2
Math	3 rd : 52.9	3 rd : 52.2	3 rd : 48.9	3 rd : 41.5
Free and Reduced Lunch	8 th : 40.8	8 th : 38.9	8 th :40.9	8 th : 30.2
Reading	3 rd : 28.6	3 rd : 41.3	3 rd : 44.6	3 rd : 19.2
ELL	8 th :12.3	8 th :15.1	8 th :22.1	8 th : 10.8
Math	3 rd : 33.2	3 rd : 36.1	3 rd : 38	3 rd : 28.7
ELL	8 th :16.5	8 th :17.4	8 th : 18	8 th : 11.7
Reading	3 rd : 37.6	3 rd : 37.3	3 rd : 37.8	3 rd : 26.7
Special Education	8 th : 23.2	8 th : 22.9	8 th :29.1	8 th : 19.1
Math	3 rd : 34.8	3 rd : 35	3 rd : 34.2	3 rd : 29.3
Special Education	8 th : 13.3	8 th : 12.4	8 th : 14.4	8 th : 10.1

Table 3 below demonstrates that overall charter schools in Washington serve a higher percentage of educationally disadvantaged students than the state percentage.

Charter School	Charter	Special	English	Free and
First Place	107	11%	15%	99%
Excel	137	13%	13%	53%
Destiny	180	22%	1%	83%
Rainer Prep	168	8%	30%	75%
Soar	84	12%	5%	69%
Summit Olympus	101	14%	5%	70%
Summit Sierra	124	13%	17%	60%
Spokane International Academy	156	6.2%	2%	56%
Pride Prep	151	13%	0%	57%
State Enrollment	1,070,756	13%	10%	45%

In Washington, per the OSPI Report Card, African American, Latino, and Native American students in special education and on free and reduced lunches are scoring between 15-20 % lower on state assessments. Washington’s public charter schools are helping to close the education achievement gap. More than two-thirds of students in public charter schools (68%) are from low-income families and more than 70% are students of color. According to mid-year

assessment results, students at Washington’s public charter schools are making impressive gains in reading and math, with some already having grown multiple grade levels in half a school year.

Encouraging Innovative Approaches.

The New Charter School Application for both of Washington’s charter school authorizers already have criteria in which schools must address how they will identify and meet the learning needs of educationally disadvantaged students (including ELL students and students in special education, 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, and students who are members of economically disadvantaged families).

The New School Application, also used as the CSP subgrant application, includes specific criteria for applicants to address student recruitment and enrollment and describes a plan for outreach, engagement, models, services, and strategies specifically designed to serve at-risk students and improve their outcomes. Additionally, the application requires that services are culturally inclusive and provide for equal access to interested students and families. (For more description, see Selection Criteria D and Appendix 2: New School Application.) While Washington charter school performance data is not yet available for schools in their planning and initial implementation years, subgrant applications will be scored based on the extent to which the applicant provided research-based and proven best practice models and strategies to serve educationally disadvantaged students.

B: Vision for Growth and Accountability.

B(1): State Level Plan/Strategy Overview: OSPI Priorities.

OSPI is charged with overseeing K-12 public education in Washington state. Led by

OSPI is uniquely poised to support the development of high-quality charter schools during the project period. This is evidenced in vision and priorities, organizational structure, and available staff and resources. Additionally, OSPI and SBE have established a strong working relationship with charter school authorizers, the Commission and Spokane Public Schools, and strives to integrate input from the charter sector when developing policy, agency rules, resources, and support that impact charter schools. This was evidenced in OSPI's extensive technical assistance and rule-making in the transfer of six out of nine charters to ALEs in a relatively short period of time.

OSPI's vision is that: *Every student is ready for career, college, and life.* The OSPI mission *to provide funding, resources, tools, data, and technical assistance that enable educators to ensure students succeed in our public schools are prepared to access post-secondary training and education, and are equipped to thrive in their careers and lives* aligns to the overarching grant goal to increase the number of high-quality public charter schools in Washington.

Embedded in OSPI's mission and vision are OSPI's top five priorities. The following

OSPI's Top Five Priorities

1. Increase basic education funding.

Because of inadequate state funding, Washington's school districts must pay for a portion

As noted earlier, Washington's new Charter School Act prevents charter schools from

charter schools throughout the nation rely on philanthropic support in order to balance budgets,

2. Improve academic achievement for all students and reduce dropout rates.

In 2011, Washington's extended graduation rate, which includes those students who take

Improved student achievement and reduced drop-out rates are shared goals between OSPI

3. Improve our statewide assessment system.

Washington state began using the Smarter Balanced Assessments in the 2014-15 school

Concerns have been expressed about the number of tests high school students take. In

All charter students in Washington take the same Smarter Balanced state assessments as

4. Expand CTE and STEM opportunities.

Career and Technical Education (CTE) programs and Science, Technology, Engineering,

Several Washington charter school models also focus on STEM programs as

provides computer science courses to middle school student, the first school to do so in

5. Promote early learning opportunities.

OSPI has increased the number of schools offering full-day kindergarten and has

While sharing OSPI's early learning priority, Washington currently has two elementary

Role of the SEA for Charter School Growth and Accountability.

OSPI and SBE have been actively engaged in shaping education reform in Washington. In addition to the above named priorities, the SEA has taken a lead role in the Smarter Balanced Assessment (OSPI was the administrative state for the Smarter Balanced Assessment Consortium) and has actively engaged teachers and principals in the Common Core State Standards adoption and development of classroom-based and interim assessments and the teacher/principal evaluation system, among other reform initiatives. The SBE has, in collaboration with OSPI, developed the Achievement Index. The Washington State Achievement Index (AI) is designed as a unified state and federal system intended to meaningfully differentiate among schools. It is a snapshot of a school's performance based on statewide assessments. Via the AI, anyone can compare how a school performs in reading, writing, math, science, and graduation rates. Per law, the charter authorizers utilize the AI as an

indicator in the Academic Performance Framework that measures charter school academic success.

- Provide a fair and consistent measurement of Washington’s public schools.

While OSPI, SBE, and charter authorizers currently share a strong and genuine collaborative relationship and are committed to high-quality public schools for all students, OSPI supervises all public schools in the state, SBE approves and provides oversight to school district authorizers, and the Commission authorizes and provides oversight to charter schools anywhere in the state. The Charter School Act provides distinct roles and responsibilities for OSPI, the Commission, and SBE.

More specifically, the Charter School Act tasks OSPI with, among other things:

- Housing the Commission for *administrative* purposes only (ESSB 6194 Sec. 107);
- Deducting *the oversight fee from each charter school's distribution under RCW 28A.710.220 and transmit the fee to the appropriate authorizer* (ESSB 6194 Section 111);

- Reconciling the allocation *amounts distributed in the first year of operation to the amounts that would have been distributed based on actual student enrollment and make adjustments to the charter school's distributions over the course of the second year of operation* (ESSB 6194 Section 122);
- Transmitting to each charter school an amount calculated as provided in this section and based on the statewide average staff mix factor for certificated instructional staff, including any enrichment to those statutory formulae that is specified in the omnibus appropriations act (ESSB 6194 Section 128);
- Making distributions under this section, separately calculate and distribute to charter schools moneys appropriated for general apportionment under the same ratios as in RCW 28A.150.260 (ESSB 6194 Section 128); and
- Making distributions... in accordance with the applicable formulae for categorical programs... and any enrichment to those statutory formulae that is specified in the omnibus appropriations act, separately calculate and distribute moneys appropriated by the legislature to charter schools... (ESSB 6194 Section 128).

The Charter School Act tasks the Commission as an independent state agency with:

- A mission to authorize high-quality charter public schools throughout the state, especially schools that are designed to expand opportunities for at-risk students, and to ensure the highest standards of accountability and oversight for these schools (ESSB 6194 Section 107); and
- Each authorizer must continually monitor the performance and legal compliance of the charter schools under its jurisdiction, including collecting and analyzing data to support

ongoing evaluation according to the performance framework in the charter contract (ESSB 6194 Section 118).

(See Selection Criteria F for specific SBE tasks.)

Projected Number of High-Quality Charter Schools in Washington.

While OSPI expects slow growth of charter schools, given the political climate in Washington, OSPI also expects only high-quality charter schools will be authorized in Washington. Table 4 below provides State projections for the number of existing and expected high-quality charter schools in Washington.

Table 4: Existing and Projected Number of High-Quality Charter Schools in WA State						
	2014-2015	2015-2016	2016-2017	2017-2018	2018-2019	
<i>Projected # of new school applicants</i>	8	0	–	4	6	
<i>Projected number of newly authorized charter schools</i>	2	0	3	3		11
<i>Projected # of new charters to open</i>	1	8		3	3	14
<i>Total number of high quality charters at completion of grant period</i>	1	8	8	11	14	14
**Note: Because of the Supreme Court decision, new school solicitations did not occur in 2015-2016. Per the 2016.						

Key Actions and Supports.

Key actions and supports provided to the charter schools by OSPI include, though are not limited to: information dissemination, fund allocations directly to authorized schools and district authorizers, federal and state specific program management and fund allocation via the OSPI’s iGrants system (see further evidence described in Selection Criteria G(2)(i)(ii)), and training and ongoing technical assistance for all programs, compliance monitoring, and, where appropriate,

corrective action. Regarding the state and federal Consolidated Program Review (CPR) monitoring visits, OSPI has established that it will put charter schools on the CPR cycle after their first full year in operation as a charter school. CPR monitors multiple federally funded programs under the Elementary and Secondary Education Act (ESEA) and fulfills OSPI's compliance monitoring requirements under Federal regulations (34 CFR 80.40). The CPR process consists of an OSPI team reviewing school districts' and charters' federal and selected state programs. The monitoring activities are designed to focus on the results of the charter's efforts to implement the requirements of state and federal law.

Currently, OSPI, SBE and the State Auditor support charter schools in the same manner it supports all traditional public schools and districts in the state. Per Objective 3 (see Selection Criteria B), a key activity for OSPI is to support high-quality charter schools by collaborating with the state charter authorizers to differentiate its training programs and provide specific and targeted technical assistance as needed, in order to better onboard new charter schools. The state, through OSPI, supervises school district and charter school budgeting, accounting, and financial reporting to provide consistent financial management and accountability. The State Auditor conducts regular examinations of school districts' finances to ensure sound accounting practices and compliance with state and federal fiscal policy.

As noted earlier, OSPI's strong commitment to supporting charter school students was demonstrated last November 2015 when the final Supreme Court ruling came down and Washington charter schools had but just a few weeks to "shut their doors". After several weeks of uncertainty, a local school district in Washington, the Mary Walker School District (MWSD), offered to contract with the charter schools to provide ALE to the schools' students. OSPI assisted this effort by amending regulations, assisting in the enrollment transfers of the students,

responding to funding questions, and providing extensive technical assistance to all parties so that these schools would remain open as contracted ALE program operators. Students did not miss a single day of school during this transition.

In support of the above noted intentional state education reform efforts and in direct support of the overarching goal to increase and sustain high-quality charter schools in Washington state and improve outcomes and increased opportunities for all students, OSPI is pursuing CSP funding to provide increased support for the following three strategic objectives and activities.

Objectives and Key Activities.

CSP Objective 1: Increase and sustain the number of new, high-quality charter schools in Washington state through subgrants for planning, program design, and implementation.

Activities:

Activity 1.1: Subgrant Competition

Activity 1.2: Grant-related Technical Assistance

Activity 1.3: Subgrantee Monitoring

Activity 1.4: Dissemination of Best and Promising Practices

Activity 1.5: Charter Subgrant and CSP Grant Reporting and Evaluation

Objective narrative: All charter schools are already in the OSPI EDS system for enrollment, assessment, and apportionment. Ideally having New School Applications and CSP subgrants go through the OSPI iGrants system allows for a seamless apportionment and reporting system. For a more complete description of these activities, see Selection Criteria D.

CSP Objective 2: Enhancing capacity of charter school leaders and board members at new and

Activities:

Activity 2.1: Develop and implement charter board governance technical assistance and training to assist charter boards as they carry out their missions and visions regarding a high-quality charter school.

Objective narrative: The ability of a charter school to carry out its mission and vision depends on the strength of its organizational foundation. A critical element in this foundation is the charter school board itself. The board carries the mission of the school into the community and brings the views of the community into the school.

Like other organizations, charter schools often face challenges in building effective boards of directors. Many charter schools report serious difficulty in creating and operating good working boards. Tensions among board directors, conflict between board and staff, and non-functioning boards are among the problems that have plagued charter schools in many places. The non-profit world is rich with workshop opportunities and guides on non-profit board effectiveness. Local district boards of education are able to draw upon state and national school board associations for consultation and instruction. However, there is little specific guidance on the development and effectiveness of charter school boards. Therefore, through this activity, OSPI, SBE and charter school authorizers will develop a series of guidance documents, trainings, and add capacity to provide technical assistance to charter school boards of directors regarding how the board can prepare and sustain itself as an autonomous public school board. The resources will be culled from the best non-profit, district, and private school governance training and resources.

<p>Objective 3: Increase the quality of the state’s charter school authorizer infrastructure through technical assistance, training, and access to necessary resources.</p>
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Activities:

Activity 3.2: Increase OSPI and charter authorizer capacity for onboarding new schools and their leaders and staff in programmatic requirements, fiscal management, and reporting.

Objective narrative: The charter sector in Washington is nascent. OSPI, SBE, charter authorizers, and new charters are building the plane while it is in the air. While OSPI has extensive experience in supporting and providing training and technical assistance to established and mature schools and districts, both OSPI and authorizers have learned that new start-up charter schools have very different onboarding and technical assistance needs. Additionally, questions have arisen regarding how to best conduct state and federal program compliance in a nascent sector. Last year, the Commission partnered with OSPI in the planning and provision of OSPI program, apportionment enrollment, data systems, assessment, and other trainings and webinars, which in many cases aligns with the charter contract’s Pre-Opening Conditions. The Commission has a strong and genuine working partnership with Spokane Public Schools, a district authorizer, and, as such, includes the Spokane district authorizing staff and its authorized charter schools in any and all trainings it schedules and conducts (See Appendix 4 for the *New School Orientation Guidebook* for the OSPI and Commission training calendar on page 37). The CSP grant staff will work in collaboration with authorizers and the charter schools to develop and conduct charter school trainings, onboarding events, and provide TA that supports their new school efforts.

Application Requirement iv: Logic Model.

The Logic Model demonstrates how OSPI developed and represents its Theory of Action for achieving CSP grant objectives and meeting performance measures. The CSP Logic Model in Appendix 15 is inclusive of: available resources, key activities critical to the grant, outputs (performance measures), outcomes which represent results of the performance measures, and impacts which represent system changes over time. As such, the OSPI CSP Grant Logic Model meets Application Requirement iv: to provide a complete logic model (as defined in 34 CFR 77.1) for the project. Additionally, the logic model serves as the basis for the OSPI CSP Management Plan.

Performance Measures.

Washington state proposes ambitious and achievable CSP Performance Measures as described in Table 5, which delineates the targeted outputs and outcomes for each CSP Project Activity identified in the Logic Model, including the baseline data and proposed performance targets. The Performance Measures are identified as output, outcome, GPRA, or GEPA focused per the Logic model.

Important to note: Due to the Supreme Court ruling, charter schools in Washington have not been operational as a charter school for a full year. While the schools did remain open through this past school year as school district-contracted ALE programs, state assessment, Achievement Index rating, and Performance Framework results data is not yet available to establish a baseline for charter school performance and/or performance ratings. All measures are new measures. Additionally, “high-quality seats” are defined by the Achievement Index results for each school. Schools in the “Good”, “Very Good” and “Exemplary” tiers are considered “high-quality seats”.

Schools in the “Fair”, “Underperforming” and “Lowest 5%” tier are considered “low-quality seats”. See Table 5 below for the Washington CSP Performance Measures.

Table 5: Washington CSP Performance Measures			
Activity	Performance Measure	Baseline Data	Performance Targets
<u>Activity 1.1:</u> Implement Subgrant Competition	1.1 (output) # of CSP subgrant applicants	0 for 2015-2016	11 in 2016-2017 14 in 2017-2018 17 in 2018-2019
	1.2 (output) # of CSP subgrant awards	0 for 2015-2016	11 in 2016-2017 14 in 2017-2018 9 in 2018-2019* (* # decreases because 8 of the schools are currently existing schools and may only apply for the 2-year implementation grant.)
	1.3 (GPRA) # of high-quality charter schools in WA	9 at the start of 2015-2016	8 in 2016-2017 11 in 2017-2018 14 in 2018-2019
<u>Activity 1.2:</u> Grant-related Technical Assistance	1.4 (output) # of CSP subgrants continued to completion	0 for 2015-2016	Maintain at 90% or above
<u>Activity 1.3:</u> Subgrantee Monitoring	1.5 (outcome) # of high-quality charters in Washington	0 for 2015-2016 (*data not available for ½ year of operation)	8 in 2016-2017 11 in 2017-2018 16 in 2018-2019
<u>Activity 1.4:</u> Dissemination of charter best and promising practices	1.6 (output) % of school specific models/best practices that demonstrate best and promising practices based on student achievement	0 for 2015-2016	8 in 2016-2017 10 in 2017-2018 13 in 2018-2019
	1.7 (outcome) # of charter school/district collaborations	0 in 2015-2016	3 in 2016-2017 5 in 2017-2018 6 in 2018-2019
<u>Activity 1.5:</u> Charter subgrant and CSP grant reporting and evaluation	1.8 (output/GEPA) % of CSP subgrantees serving a higher average % of educationally disadvantaged students than the resident district of the charter	0% for 2015-2016	At least 95% each year
	1.9 (outcome) # of high-quality charter seats in Washington	0 for 2015-2016 (*data not available for ½ year of operation)	1318 (70% of total Charter enrollment) for 2016-2017 2472 (75% of total Charter enrollment) for 2017-2018 3528 (80% of total Charter enrollment) for 2018-2019
	1.10 (GPRA) Annual CSP performance report documenting federal cost per student	N/A	Annually - complete and on-time submission of CSP Annual Report
<u>Activity 2.1:</u> Develop and	2.1 (outcome) % of charter	0 in 2015-2016	8 in 2016-2017

Table 5: Washington CSP Performance Measures			
Activity	Performance Measure	Baseline Data	Performance Targets
implement Board governance training for all charter board members	schools with 100% compliance per charter contract and governance areas (Operational Framework)		11 in 2017-2018 14 in 2018-2019
<u>Activity 3.1:</u> Strengthen the	3.1 (output) # of charter authorizers accessing available supports	0 for 2015-2016	2 in 2016-2017 3 in 2017-2018 3 in 2018-2019
	3.2 (output) # of new charter authorizers	2 for 2015-2016	2 in 2016-2017 3 in 2017-2018 3 in 2018-2019
<u>Activity 3.2:</u> Increase OSPI and charter authorizer capacity for onboarding new schools, their leaders and staff, via PD and TA	3.3 (output) % of charter schools meeting Pre-Opening Conditions and annual Operational and Financial Performance Framework expectations, as a result of grant TA	0 for 2015-2016	100 % in 2017-2018 100% in 2018-2019 100% in 2019-2020
	3.4 (output) # of subgrantee/non-subgrantee accessing grant TA opportunities	0 for 2015-2016	Maintain at 100% 11 in 2016-2017 14 in 2017-2018 17 in 2018-2019
	3.5(outcome) % of charter administrators, board members, staff, operations managers reporting an improvement in their policies, practices and procedures as a result of grant TA	0 for 2015-2016	Via survey results, maintain at/or above 95% annually for each: School leaders, board members, staff, Operations Managers
GPRA measure that speaks to the percentage of 4 th and 8 th grade charter students at/or above proficiency level on the state assessment in math and reading	3.6 (Impact) % of 4 th and 8 th grade charter students at/or above proficiency level on the state assessment in math and reading	0 for 2015-2016 (*Data unavailable)	4 th Reading 60% in 2016-2017 65% in 2017-2018 75% in 2018-2019
			4 th Math 60% in 2016-2017 65% in 2017-2018 75% in 2018-2019
			8 th Reading 60% in 2016-2017 64% in 2017-2018 68% in 2018-2019
			8 th Math 50% in 2016-2017 58% in 2017-2018 67% in 2018-2019

B(2): Quality of Plan to Close Academically Poor-Performing Charter Schools.

Due to the 2015 Supreme Court 2015 ruling, the Commission and the Spokane Public Schools district authorizer had to implement their charter closure protocols for each school. As

such, the authorizers became familiar with and developed processes that ensured adherence to applicable laws, policies, and procedures that govern the closure of a school, inclusive of student records and assets transfer.

In Washington, it is the charter authorizers' responsibilities to develop due process

C: Past Performance. Not Applicable.

Washington state's public charter schools were created in 2012 with the passage of Initiative 1240, which allowed up to 40 charter schools to open over a five-year period. After the November 11, 2015 Supreme Court ruling that the 2012 Charter School Act was unconstitutional, the *Act Now For Washington* charter school advocates launched a grassroots effort aimed at getting the state legislature to act to save charter public schools. This then led to a bipartisan vote in the legislature to keep Washington's public charter schools open and serving students. This new charter law was enacted on April 3, 2016 and technically made all pre-existing charter schools "new" schools starting a new 5-year contract in 2016.

D: Project Design. Quality of Plan to Increase in High-Quality Charter Schools.

D(1)(i): Subgrant Competition.

Washington state charter authorizers already have a strong and comprehensive New School Application process, which includes applicant and evaluator trainings, webinars, processes, timelines, the application, scoring rubric, and other resources. OSPI (Washington's SEA) proposes to utilize the Commission's current New Charter School Application process for awarding CSP subgrants. The Commission application process has gone through a number of iterations over the past three years and is now a comprehensive and rigorous solicitation that results in the approval of only high-quality charter schools in Washington. As such, OSPI plans to capitalize on this existing process and add the necessary CSP subgrant elements. This will accomplish a number of efficiencies, such as streamlining the application process for applicants and authorizers, and the utilization of the OSPI existing and proven grants system for state and federal grants management.

OSPI plans to consider CSP subgrant applications for design, planning, and implementation at the same time the authorizers consider applications for new schools. (Note: Washington schools are not yet eligible for expansion or dissemination grants.) Applicants would complete *optional* CSP subgrant criteria on the new charter school application, indicating if they are applying for a three-year planning and implementation grant or just the two-year implementation grant, as well as complete any additional CSP grant criteria. The evaluators will score the applications in their entirety. The CSP grant Project Director will designate the necessary CSP staff or knowledgeable OSPI staff to be an evaluator(s) on the authorizers' new school application evaluation team(s) for the three years of the CSP grant. This will allow for

one review of the new school application while at the same time evaluating and scoring the required federal CSP subgrant criteria.

Essentially, once a new school application is approved by the charter authorizer, the CSP Project Director and team would simply need to initiate the CSP grant award process. This again, accomplishes a number of efficiencies.

1. OSPI can utilize the existing new schools application documents and process for the CSP subgrant solicitation. The Commission application already contains all the required federal application elements.
2. OSPI staff becomes familiar with charter school applicants and schools. This is critical because the new school applications, enrollment, allocations, etc., will already be entered into the OSPI EDS and iGrants systems. As well, the new charter law requires that the Commission's administrative services be housed under OSPI. The state charter authorizers and OSPI will have increased opportunities for collaboration and streamlining charter school support efforts.
3. OSPI collaborates with authorizers and utilizes the Commission's New School Application evaluators and process so as not to duplicate efforts (i.e. spend time and costly resources to solicit, train, and pay grant reviewers).
4. Utilizing the authorizer new schools application process provides an opportunity to build partnership and capacity for both the authorizers and the OSPI.

Washington has a robust and comprehensive application process. In addition to these steps, which are fully delineated in the New Charter School RFP (Appendix 2), the Commission provides full-day trainings and half-day webinars for both the applicants and the scoring

evaluators. A scoring rubric (Appendix 2) was developed specifically for evaluator scoring. The scoring rubric ratings are: Exceeds, Meets, Partially Meets, or Does Not Meet.

Given the nascent nature of charter schools in Washington, the new school application and CSP subgrant grant is not a competitive process. School applications are judged on their own merits and quality of responses to the application criteria. State law limits the number of new charter schools to eight new schools per year for a maximum of 40 schools in a five-year period. Given the current scenario of three new schools in 2017-2018, there does not seem to be a need for concern that we will overrun the yearly limit.

Schools may apply for a subgrant for the year prior to opening the charter school (3-year planning and implementation award) or in the fall opening of the school (2-year implementation award). Given the September 2015 Supreme Court ruling, all former charter schools that started their first year of operation in August 2015 are technically *new* charter schools with a brand new 5-year contract for 2016-2017, thus these schools are eligible for the two-year implementation grant.

As noted earlier, charter schools in Washington will apply for their CSP subgrant through the new school application cycle, which is aligned to and meets the federal CSP subgrant expectations and definitions in the Non-Regulatory Guidance. Schools would be notified of their award in August, in time to receive funds aligned to OSPI's school year state and federal funding cycle. The 2016 application timeline for the news schools application and CSP subgrant process is noted in Appendix 16. This timeline comprehensively lists all dates in the process. All dates will be updated annually for each new application cycle. The timeline of actual subgrant activities is outlined in Appendix 17: Washington State CSP Management Plan.

For more specific information on the solicitation process, see CPP1 (page 9) and the New Schools Application in Appendix 2. The application RFP is a comprehensive document which outlines the complete application process, the application eligibility criteria, submission instructions, application requirements, cover pages, certifications and assurances, selection criteria and evaluation rubric (Appendix 2).

D(1)(ii) Anticipated Award Distribution.

OSPI is requesting a total of \$9,550,000 to cover CSP planning and implementation subgrants over the three-year grant period. This equates to 11 planning and design one-year grants, 14 year-one implementation grants, and 14 year-two implementation grants, for a total of 14 new two- or three-year subgrant awards. Schools may receive up to \$585,000 for two-year implementation awards, or \$785,000 per three-year planning and implementation award. The award amounts will be distributed over the two- or three-year grant period. The planning and design one-year grant amounts are based upon the average awards charter schools in Washington received via their non-SEA CSP awards. The amount is designed to support charter schools during their planning and design year to onboard staff earlier, provide earlier and more intensive professional development, and purchase curricular and assistive technology as they prepare to implement their educational program. Year two and three grants are based upon the projected loss of local levy tax revenue and the costs associated with first and second year charter schools. As stated earlier, charter schools in Washington no longer have access to local levy tax revenue, but a long-term solution is actively being sought. Despite these efforts, it is highly likely that charter schools for at least the next three year will need to supplement their budgets with grants, donations, and awards to offset the local levy tax revenue. See Table 6 below for the projected number of subgrants the SEA expects to award during the project period and the average size of

those subgrants. This will be Washington's *first* CSP grant award, thus there is no previous subgrant data to report.

Table 6: Projected Number of Washington CSP Subgrant Awards				
Award Type	Planning and Design	Year 1	Year 2	Total
Amount	\$ 200,000/ 1 year only	\$305,000	\$280,000	\$785, 000 (Not to exceed \$800,000)
2016-2017	3 schools = \$600,000	8 schools = \$2,440,000	0	\$3,040,000
2017-2018	3 schools = \$600,000	3 schools = \$915,000	8 schools = \$2,240,000	\$3,755,000
2018-2019	5 schools = \$1,000,000	3 schools = \$915,000	3 schools = \$840,000	\$2,755,000
Total Funds Awarded	2,200,000	4,270,000	3,080,000	\$9,550,000

Technical assistance for potential subgrant applicants will be offered on the east and west sides of the state in conjunction with the standard New School Application training. This half-to-full day CSP subgrant training will be conducted on day two of the application training. Once an applicant has been awarded a CSP sub grant, OSPI will offer iGrants assistance, budget and programmatic training, and technical assistance, as it does with all of its state and federal programs (See Appendix 4 for New Schools Orientation Guide).

D(2): Process for Monitoring CSP Subgrantees.

The SEA proposes a two tiered monitoring process, as it does with all other state and or federal grants to schools: Fiscal and Programmatic monitoring. The programmatic monitoring automatically includes a process for grant renewal based on the schools’ performance and site visit.

CSP Subgrant Monitoring.

The OSPI grants management staff provides monitoring of all state and federal grant allocations. This process includes, but is not limited to:

- Program and Fiscal Grants Analysts review and approves each subgrant budget in iGrants prior to release of grant funds.
- Mid-year fiscal Desk Review protocols include review of subgrantee expenditure documentation and requests, inventory, amounts reported (allocations, cash receipts, monthly and total expenditures, and current accruals and obligations), and financial transparency compliance.
- Timely drawdown of subgrant funds is monitored on a quarterly basis at minimum.
- Budget revisions are reviewed and approved through iGrants.
- School Finance and Operations are reviewed as part of the Year 2 Implementation site visit.
- Authorizer charter school concerns and any corrective actions required are reported to the subgrantee's fiscal manager.
- Also see Appendix 5 for Site Visit Guide.

CSP Subgrant Programmatic Monitoring.

Elements of OSPI programmatic monitoring include:

- Annual Performance Evaluation: A Renewal Proposal is required the first CSP subgrant award year. The renewal proposal describes the subgrantee's progress toward their grant project goals and objectives, reporting on grant expenditures, and school operations. Proposals that do not meet a minimum score are revised to expectations with assistance from the CSP Project Director and charter authorizers before grant funds can be fully released.
- A Year 1 Implementation Site Visit by the CSP Project Director or OSPI CPR staff includes review of progress toward Grant Project Goals, observation of the educational

program, demonstration of statutory compliance, discussion of eligibility for and receipt of federal funds/programs, awareness of CSP grant requirements, and adherence to CSP certifications and assurances.

- The Final CSP Subgrant Report is a programmatic monitoring element. The report includes final reporting of expenditures, EDGAR-compliant asset inventory, and progress toward Grant Project Goals and project objectives, including educational outcomes.
- Programmatic monitoring through review of charter documents and performance data is also routine.
- Any complaints, concerns, or findings brought to the attention of either charter authorizers or OSPI are investigated by OSPI and reported to the subgrantee and their authorizer, along with any suggested TA and/or corrective actions required.

E: Dissemination of Information and Best Practices.

State Level Plan/Strategy to Disseminate Information about Charter School Best Practices.

E(1): SEA as a Leader in Charter School Information and Research Dissemination.

Distribution efforts, at minimum, will include posting of best practice, success stories, research articles, case studies, and other resources on the OSPI and authorizer websites. The OSPI website home page has a *Features* and *What's New* section for current and new information.

The same information will be disseminated via the Commission quarterly newsletter and the WSCSA website. As noted earlier, all Washington state public schools and districts receive regular updates and program information from Bulletins, Memorandums, Program specific newsletters, list serves and i-Grants. OSPI will also add a *Charter School Resources and Information* webpage to its website. The SBE already has a charter school and authorizer

webpage and posts authorizer application information, annual charter reports, charter rules, and various other charter documents and information.

Additionally, the following are specific examples of how OSPI, the SBE and authorizers will disseminate best or promising practices of charter schools to each LEA in the State.

- OSPI will invite and encourage charter schools to present at OSPI's annual Best Practice Conference in October and the Early Literacy Conference in April each year.
- As the charter sector grows and as the schools have data to demonstrate the effectiveness of their best practice and school models, OSPI will invite and encourage LEA site visits to the charter schools.
- Charter schools will be invited and encouraged to present at the Rural Alliance Annual Conference in Spokane. Just this last February, the Summit Public Charter Schools presented their innovative *Base Camp* and individualized learning model at the conference. Three Washington and two out-of-state small rural school district superintendents have subsequently registered their staff for this intensive summer professional development. This is a positive step towards one of the State's goal to increase district /charter collaboration. Via this district's Innovative District Collaboration in Washington grant, more districts (LEAs) and charter schools will be invited to attend the Rural Alliance Conference and other district initiatives to learn about and build partnerships with charter schools.
- The Commission's website already posts charter school annual reports and applications for each school. These documents describe the educational program design and essential elements of the school model and school progress based on these models. As the charter sector grows, and as the schools have data to demonstrate the effectiveness of their

models, the Commission will post school best practices. The Commission website is also populated with up-to-date relevant and easily accessible information, such as a charter school information page, application timelines, school openings, monitoring and reporting requirements, charter applications and school models, and other communication documents about charter schools in Washington.

- OSPI will support and collaborate with the Commission and the Spokane Public Schools district authorizer in their continued partnership with the University of Washington Center for Reinventing Public Education (CRPE) to identify and research district /charter collaborations and best practice in Washington charter schools to be disseminated via CRPE research articles and studies.
- Charter schools will present their individualized education strategies and best practice models at the State and National Charter Schools Conference, which is open to all districts and schools.
- The Commission and charter schools will present lessons learned and best practice models at the NACSA Annual Conference.

E(2): SEA Information and Research Dissemination on Best Practice Related to Charter School Discipline and School Climate.

OSPI staff align their program goals with 14 research-based performance indicators. These indicators include Kindergarten Preparedness, ELA, Math and Science Assessment, Student Growth percentiles for 4th and 6th grade, Algebra and Math 1 high school credit, Statewide Assessments for graduation, Dual Credit Programs, SAT and ACT, Post-secondary enrollment and remediation, Financial Aid for College, Post-secondary Persistence, Graduation

Rates, 9th Grade Course failure, Discipline and Attendance. The charter school Academic Performance Framework indicators are strongly aligned to many of these indicators.

The SEA proposes to analyze and post charter school discipline data (suspension and

OSPI Data Collection and Reporting Capacity.

OSPI and the SBE collect a great deal of data about Washington students, schools, districts, and operations.

- School Report Card: is a parent-friendly resource for data on student demographics, student performance, and school staff in our state.

demographics, enrollment information, schedules, grades, and program participation.

F: Oversight of Authorized Public Chartering Agencies.

F(1): SEA Strategy for Monitoring and Holding Accountable Authorized Public Chartering Agencies.

OSPI's strategy to monitor, evaluate, assist, and hold accountable authorized public chartering agencies rests with the SBE. The law tasks the SBE with:

- Establishing *an annual application and approval process and timelines for school districts seeking approval to become charter school authorizers* (RCW 28A.710.109);
- Establishing *a statewide formula for an authorizer oversight fee* (RCW 28A.710.111);
- *Overseeing the performance and effectiveness of all authorizers approved under RCW 28A.710.090.5.* (RCW 28A.710.112);
- *Within thirty days of making a decision to approve an application from a school district, the state board of education must execute a renewable authorizing contract with the district. The initial term of an authorizing contract shall be six years. No approved entity may commence charter authorizing without an authorizing contract in effect.* (RCW 28A.710.090(4); and
- Establishing an annual statewide timeline for charter application submission and approval or denial that must be followed by all authorizers (RCW 28A.710.114).

F(1)(i): Charter Petitions with Evidence-Based Models with Focus on Educationally Disadvantaged Students.

By utilizing a charter school authorizer’s New School Application process, OSPI will ensure that charter school authorizers are approving charter schools that incorporate evidence-based models and practices that focus on racial and ethnic diversity in student bodies with respect to educationally disadvantaged students. In addition to focusing on racial and ethnic diversity in student bodies, authorized charter schools must describe their planned educational model that ensures the academic success of educationally disadvantaged students. Once operational, a charter school demonstrates the success of its plan via the Academic Performance Framework indicators, inclusive of the SBE Achievement Index that provide disaggregated data for all subgroups by subject.

As noted earlier, Washington charter law tasks authorizers with authorizing high-quality schools, especially schools *that are designed to expand opportunities for at-risk students, and to ensure the highest standards of accountability and oversight for these schools*. Thus, new charter school applications specifically include application elements that address: the incorporation of evidence-based school models and practices, models and practices that focus on racial and ethnic diversity in student bodies, and diversity in student bodies with respect to educationally disadvantaged students (see Appendix 2 for evidence of these application elements in the New School Application and Selection Criteria A: Educationally Disadvantaged Students).

F(1)(ii): Establishing Measurable and Operational Performance Expectations for Charter Schools (consistent with high-quality definition).

Washington authorizers have established measureable academic and operational performance expectations for all charter schools, which are in alignment with state charter law, OSPI program requirements, and are consistent with the definition of *high-quality charter school* as defined in the New School Application. As noted in Absolute Priority 1, the Performance

Frameworks, in this case specifically, the Academic and Operational Performance Frameworks, have indicators, measures, and targets that help determine a charter school's progress and success on an annual basis. In addition to determining a charter school's progress, the indicators, measures, and targets in the Academic Performance Framework provide the necessary data to determine a *high-quality charter school* (increased student achievement (proficiency), graduation requirement, post-secondary enrollment, evidence of closing the achievement gap in each of the subgroups, including educationally disadvantaged students, and attendance retention rates). Finally, the Washington Academic Performance Framework measures and reports on the academic growth of students that attend a charter school. Washington does allow for alternative charter schools and virtual charter schools, though there is no funding for charter schools that include pre-kindergarten. Oversight for both alternative and virtual charter schools would be the same as for all charters. Per

A virtual charter school must first receive OSPI approval prior to submitting a new school application and is subject to OSPI online provider monitoring and oversight in addition to the authorizer oversight. (See Absolute Priority 1 for more information.)

F(1)(iii): Annual Public Reports on Charter School Performance.

The SBE is required by law to produce and disseminate an annual report on the state's charter portfolio. This report is based on the reports submitted by each authorizer, as well as any additional relevant data compiled by the SBE. RCW 28A.710.005 r

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reviews of each charter school utilize the three Performance Framework's indicators, measures, and compliance with the charter contract. The Commission also conducts annual site visits of

each charter school to ensure operational compliance and adherence to the proposed school models. The Commission monitors a charter school's progress towards its identified organization and financial goals and makes determinations for renewal, modifications, or revocations based on these annual school reviews. For more information on how the state provides, on an annual basis, public reports on the performance of their portfolios of charter schools, see Competitive Preference Priority 1(c).

F(1)(iv): Supporting Charter School Autonomy and Holding Charter Schools Accountable (Charter Contract and Performance Framework).

While holding charter schools accountable for results and meeting the terms of their charters or performance contracts is a balancing act. In Washington, the Performance Framework and charter contract are the most important tools that authorizers and charter schools utilize as they collectively strive to create student-centered, academically rigorous, fiscally sound, and organizationally vibrant public charter schools. The authorizers look to the Performance Framework as a tool to "ensure the highest standards of accountability and oversight" RCW 28A.710.180(1) and engage in continuous learning and compliance conversations with charter schools. Charter schools might also view the Frameworks as a critical self-evaluation tool for both continuous improvement and compliance. As such, it is a tool for charter school planning, implementation, self-evaluation, authorizer monitoring, and continuing improvement. As is the case with all tools, the tools themselves don't transform environments, tool users do.

The Commission operates through the belief that expectations of charter schools need to

and viability, and compliance with state and federal regulations. It was designed to treat all

F(2): State Level Plan/Strategy to Monitor, Evaluate, Assist and Hold Accountable

F(2)(i): Seeking and Authorizing Charter School Applications From Developers with the Capacity to Develop High-Quality Charter Schools.

For more narrative on how OSPI plans to ensure that Washington authorized public chartering agencies are seeking and approving charter school petitions from developers that have the capacity to create charter schools that can become high-quality charter schools, see Competitive Preference Priority 1 (a) and (b).

F(2)(ii): Monitoring Charter Schools (on an annual basis and in-depth 5-year review).

OSPI, in conjunction with SBE, ensures that Washington authorized public chartering

Per statute, charter authorizing agencies must monitor, in accordance with charter

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

Additionally, RCW 28A.80.19.210 requires that each charter authorizer must submit an annual report to the SBE. This report must include, among other criteria, student achievement on indicators in the Academic, Operational, and Financial Performance Frameworks the authorizer has chosen to include in its Performance Framework. For more narrative, see Absolute Priority 1.

F(2)(iii): Increased Student Academic Achievement as a Key Indicator for Renewal or Revocation.

Washington uses increases in student academic achievement as one of the most important factors in renewal decisions, revoking, or encouraging the voluntary termination of charters held by academically poor-performing charter schools. Charter renewal decisions are based on a comprehensive set of academic, operational and financial indicators, which are established in law and set forth in the charter contract and three Performance Frameworks. The Performance Framework indicators align with OSPI performance indicators (i.e. attendance, discipline), the SBE Achievement Index, and state and federal safety, civil rights, and program requirements. The Academic Performance Framework indicators, measures and targets (see Appendix 3) are rigorous and set to achieve academically high-quality charter schools. Per statute,

performance falls in the bottom quartile of schools on the SBE Achievement Index under RCW

F(2)(iv): Ensuring Accountability During New State Assessment Transitions.

OSPI, SBE and the Commission commit to ensuring the continued accountability of charter schools during any transition to new state assessments or accountability systems, including those based on college- and career-ready standards. At present, the Smarter Balanced Assessment is the Washington state assessment and there are no plans to change. In the unlikely event of a new state assessment, OSPI will support charter schools in the transition to a new assessment with training and technical assistance, as it would support all other schools and districts in the state.

G: Policy Context for Charter Schools.

G(1)(i): Charter Flexibility and Exemption From State and Local Rules.

Charter schools in Washington are provided a great degree of flexibility under the state's charter school law. The extent to which charter schools in the state are exempt from state or local rules that inhibit the flexible operation and management of public schools is evidenced in ESSB 6194 Section 104 which reads:

- (2) A charter school 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). And,*
- (3) Charter public 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 [noted above]. For the purpose of allowing flexibility to innovate in areas such as scheduling, personnel, funding, and educational programs to improve student outcomes and academic achievement, 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 (Except as provided otherwise by this chapter or a charter contract, charter schools are exempt from all school district policies).

In Washington, public charter schools are allowed to be free from many regulations so

G(1)(ii): Charter Autonomy.

The extent to which charter schools in Washington state have a high degree of autonomy, including autonomy over the charter school’s budget, expenditures, staffing, procurement, and curriculum is evidenced as follows. Charter schools are independent from the public school district system; they have greater autonomy and flexibility in the way they operate. They are free to:

- Develop their own academic program

The combination of freedom and accountability for success allows charter schools to

G(2)(i): Informing and Access to Federal Funds and Application Requirement iia: Federal Funds and Programs.

OSPI's process for annually informing each charter school about federal funds that charter schools are eligible to receive and federal programs that charter schools may participate is evidenced as follows:

OSPI disseminates all state and federal program eligibility and application information to all schools annually per federal application due dates and regularly released Memorandums and Bulletins. Program-specific listservs and iGrants group email announcements are also strategies for dissemination. Such announcements are usually, but not always, directed to the following staff:

- Superintendents or School Leader
- District Fiscal Officer
- Grants Administrator
- Grant Writers
- iGrants District Administrator

iGrants is the OSPI federal grant management application within the Educational Data System (EDS) through which the charters will apply for the subgrants, submit budgets, budget revisions, and complete reporting requirements. Claims for funds are also in the EDS system, though handled through a separate process with OSPI grants management staff.

All charter schools are considered districts (LEAs) for the purpose of state and federal funds eligibility and program participation. As such, they are automatically entered into the iGrants system, the state Educational Data System (EDS) and OSPI's Memorandum/Bulletin distribution list, in the same manner as any other public school or district in Washington. Each

school can add staff to or delete staff from the distribution lists. The iGrants group email feature pulls names from the contacts tab on required pages. If a person is listed in more than one of the categories listed above, that person will receive multiple copies of emails sent from iGrants. Additionally, charter authorizers and the WSCSA also disseminate program information as available.

G(2)(ii): Charter Schools Receiving Commensurate Share of Federal Funds and

Application Requirement iib: Federal Funds and Programs.

By law (more fully described in Selection Criteria B(1)), OSPI must annually ensure that each charter school in the state receives, in a timely fashion, the school's commensurate share of federal funds. In Washington, OSPI allocates these funds by formula each year, with charter schools receiving funds based upon the projected annual enrollment of the school for the first year of operation of the school. In their second year of operation, charter schools receive funds based upon actual student enrollment that is calculated on a monthly basis, which aligns to how all traditional public schools receive state and federal funds. This will facilitate charter schools' enrollment adjustments during times of expansion.

The OSPI Apportionment and Financial Services (AFS) section provides fiscal management technical assistance and support to charter schools. Commission and school district authorized charters are in the OSPI fiscal /apportionment system which provides direct apportionment of school funds to the charter school. Since they are already in the OSPI fiscal/apportionment system, OSPI will also allocate all CSP subgrant funds directly to the charter schools via the iGrants system.

G(3): Charters Considered to be LEAs and Application Requirement ii: IDEA Compliance.

ESSB 6194 Section 102 provides evidence that charter schools are considered to be LEAs under State law. *A charter school established under this chapter:*

(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), the McKinney-Vento homeless assistance act of 1987 (42 U.S.C. Sec. 1143132et seq.), and the elementary and secondary education act (20 U.S.C.33Sec. 6301 et seq.)

Since charter schools are considered LEAs in Washington, OSPI's plan to ensure charter schools will comply with sections 613(a)(5) and 613(e)(1)(B) of IDEA (20 U.S.C. 1400, et seq.), the Age Discrimination Act of 1975 (42 U.S.C. 6101, et seq.), title VI of the Civil Rights Act of 1964 (42 U.S.C. 2000d, et seq.), title IX of the Education Amendments of 1972 (20 U.S.C. 1681, et seq.), and section 504 of the Rehabilitation Act of 1973 (29 U.S.C. 794), include annual (and periodic) state and federal program requirement training, technical assistance, and regularly scheduled CPR (Consolidated Program Review) monitoring visits to ensure program compliance.

Specifically for charter schools, the Charter School Act (ESSB 6194 Section 104, RCW 28A.710.040), states: *(2) A charter school 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).

Per RCW 28A.710.170, the charter contract and the charter Operational Performance Framework, are additional methods of ensuring that all public charter schools comply with Washington state and federal civil rights laws, including Chapters 28A.640 and 28A.642 RCW and Chapter 392-190 WAC. OSPI Civil Rights staff have provided onboarding training to ensure charter schools understand their civil rights obligations and responsibilities. Additionally, identification of the OSPI required Civil Rights Coordinator and Harassment and Bullying School Coordinators are part of the Commission Pre-Opening Conditions prior to the start of school.

Collaborative efforts between OSPI, the Commission, Spokane Public Schools district authorizer, and WSCSA's *True Measure Collaborative* (a Special Education Collaborative) ensure charters are provided resources and technical assistant in order to remain in full compliance of sections 613(a)(5) and 613(e)(1)(B) of the Individuals with Disabilities Education Act (IDEA) (20 U.S.C. 1400, et seq.), is evidenced as follows:

- OSPI includes charter schools in its annual special education monitoring and will monitor a charter school for compliance as it does all other schools and districts.
- As a result of the Supreme Court decision, six of the nine open charter schools in Washington contracted with the Mary Walker School District to provide ALE to their enrolled students. This allowed these schools to remain open through the remainder of the school year, while the new law was drafted, debated, and passed. Each of these ALE programs had a special education review every other month (and in some cases every month) to ensure compliance and to provide technical assistance and support. Charters in Washington are providing innovative and educationally sound instructional services to their students who have an IEP.

- The Washington State Charter School Association, in conjunction with the Puget Sound Educational Service District and SENECA, has developed the *True Measure Collaborative*, a Washington state charter school special education collaborative. The membership fee for Washington charter schools provides for special education technical assistance, training and assistance, and assistance in filling special education related services and certificated staff positions and school job sharing.

Lastly, OSPI has procedures for resolving special education complaints. Any individual or organization who believes a district, OSPI, or any other educational entity governed by IDEA has violated Part B of IDEA, the regulations implementing Part B, or corresponding state regulations may file a written complaint with the Office of Superintendent of Public Instruction, Special Education. The procedures are contained in the state regulations and information regarding state complaints is maintained on the OSPI website. 34 CFR §§300.151 – 300.153; WAC 392-172A-05025–05045.

5. APPLICATION REQUIREMENTS

- Disseminating Best Practice.** See Selection Criteria E.
- Federal Funds and Programs.** See Selection Criteria G(2)(i).
- IDEA Compliance.** See Selection Criteria G.
- Logic Model.** See Selection Criteria B.
- Lottery and Enrollment Preferences.** See Application Requirements.

In addition to requiring the school to describe its lottery process in the new school application, the Charter School Act (ESSB 6491) states that: *if capacity is insufficient to enroll all students who apply to a charter, the charter school must grant an enrollment preference to siblings of enrolled students, with any remaining enrollments allocated through a lottery. A*

charter school may offer, pursuant to an admissions policy approved by the Commission, a weighted enrollment preference for at-risk students or to children of full-time employees of the school if the employees' children reside within the state.

(4) The enrollment 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.

- vi. **Objectives.** See Selection Criteria B.
- vii. **Revolving Loan Fund.** Washington state law does not currently allow for a revolving loan fund. Thus, the SEA will not reserve a portion of its grant funds to establish a revolving loan fund.
- viii. **Waivers. Application Requirements. Not Applicable.** The SEA has no waivers for consideration under Section 5204(e) of the ESEA.