
Education Committee

SSB 5648

Brief Description: Including state-tribal education compact schools and charter schools as entities able to receive waivers from the state board of education.

Sponsors: Senate Committee on Early Learning & K-12 Education (originally sponsored by Senators Wellman, Randall, Nguyen, Nobles and Wilson, C.).

<p style="text-align: center;">Brief Summary of Substitute Bill</p> <ul style="list-style-type: none">• Adds state-tribal education compact schools and charter schools to the list of entities that may receive basic education waivers from the Superintendent of Public Instruction and the State Board of Education.

Hearing Date: 3/9/23

Staff: Ethan Moreno (786-7386).

Background:

Program of Basic Education.

The state's program of basic education is defined in statute as that which is necessary to provide students with the opportunity to develop the knowledge and skills necessary to meet state-established high school graduation requirements. Those requirements are intended to allow students to have the opportunity to graduate with a meaningful diploma that prepares them for postsecondary education, gainful employment, and citizenship.

The minimum components of the instructional program of basic education include multiple education requirements, including requirements pertaining to instructional hours and days and enrollment ages, student transportation requirements, and statewide salary allocations necessary to hire and retain qualified staff for the state's statutory program of basic education.

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not part of the legislation nor does it constitute a statement of legislative intent.

The Office of the Superintendent of Public Instruction.

In addition to its constitutional charge of supervising all matters pertaining to public schools, the Superintendent of Public Instruction (SPI) and its office have numerous and broad responsibilities prescribed in statute, including making rules necessary for the administration of public education requirements, and distributing legislatively allocated funds to school districts for the operation of the public school system.

The Office of the Superintendent of Public Instruction has waiver authorities and duties prescribed in statute, including determining whether to grant waivers to qualifying school districts for requirements governing the number of annual school days and certain career and technical education course offerings.

State Board of Education.

With origins predating statehood, the 16-member State Board of Education (SBE) is comprised of five members elected by geographic regions by school directors, one member elected by private school directors, seven members appointed by the Governor, the Superintendent of Public Instruction, and two student members.

The SBE has various duties and powers prescribed in statute, including providing advocacy and strategic oversight of public education and establishing high school graduation requirements or equivalencies.

The SBE is also charged with administering certain waiver provisions, including:

- authorizing school districts, charter schools, and state-tribal education compact schools to grant student emergency waivers from credit and subject area graduation requirements; and
- adopting rules that permit school districts to waive up to two credits for individual students based on a student's circumstances and applicable requirements.

Basic Education Waivers.

In accordance with criteria adopted by the SBE, the SPI may grant waivers to school districts from basic education requirements. The waiver or waivers must be deemed as necessary to implement a local plan to provide all students of the district with an effective education system that is designed to enhance the educational program for each student. The local plan may include alternative ways to provide effective educational programs for students who experience difficulty with the regular education program.

Additionally, the SBE may grant waivers to school districts from statutes or rules relating to the length of the school year, student-to-teacher ratios, and other administrative rules that may need to be waived for a school district to implement a restructuring plan for its educational program or that of individual schools within the district. The SBE was previously authorized to grant basic education waiver requests from school districts seeking to delay implementing 24-credit graduation requirements, but the waiver authorization period has expired.

Charter Schools.

Charter schools are privately run public schools that operate according to the terms of renewable five-year charter contracts that establish the roles, powers, responsibilities, and performance expectations of the parties to the contracts. Charter schools are alternatives to traditional public schools and are operated and funded separately from the traditional public school system.

Charter schools are required by law to be tuition-free and open to all children and may offer any program or course of study that any other public school may offer.

While charter schools are subject to numerous statutory provisions governing their establishment, operation, and oversight, they are exempted from most statutory and rule-based requirements governing traditional public schools.

State-Tribal Education Compact Schools.

The SPI may enter into state-tribal education compacts and has the authority to receive applications for state-tribal compacts, approve or disapprove compacts, and execute compacts.

Schools that are subject to a state-tribal education compact must operate according to the terms of the compact. State-tribal education compact schools are generally exempt from all state statutes and rules applicable to school districts and school district boards of directors. This exemption does not apply to statutes and rules made applicable in the compact or to specifically delineated statutory requirements.

Summary of Bill:

The list of education entities that may receive basic education waivers from the SPI is extended to include state-tribal education compact schools and charter schools. The waiver or waivers must be deemed as necessary to implement a local plan to provide all students with an effective education system that is designed to enhance the educational program for each student. The local plan may include alternative ways to provide effective educational programs for students who experience difficulty with the regular education program.

Additionally, the list of education entities that may receive waivers from the SBE for statutes or rules relating to the length of the school year, student-to-teacher ratios, and other administrative rules that may need to be waived to implement a restructuring plan for its educational program is extended to include state-tribal education compact schools and charter schools.

Appropriation: None.

Fiscal Note: Available.

Effective Date: The bill takes effect 90 days after adjournment of the session in which the bill is passed.