

HB 1591, HB 1079, HB 1195 and HB 1962: to equalize funding and expand learning opportunities for Washington charter school families

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Key Findings

1. **HB 1591 would provide up to \$1,550 per charter school student to partly make up for the denial of local levy funding.**
2. **HB 1079, HB 1195 and HB 1962 would extend the authorization for opening new charter schools.**
3. **Charter schools are widely popular, especially in underserved urban communities.**
4. **Traditional public schools have consistently failed to close the achievement gap among black, and Hispanic children and their white and Asian peers.**
5. **Charter schools offer families assigned to state-identified failing schools a chance to find a better public school for their children.**
6. **Washington's charter schools have delivered on the promise of providing better results for students, especially for minority and low-income students.**
7. **Currently, more than 4,000 students attend 16 public charter schools, with two more charter schools approved to open this fall.**
8. **Washington currently discriminates against charter school families by denying them access to local levy and start-up funding.**

Introduction

In a bipartisan effort, Democrat and Republican lawmakers have introduced bills to equalize funding and expand public charter school opportunities for Washington's students. These bills are:

HB 1591, to reduce local funding discrimination against charter school families by making charter schools eligible for \$1,550 per student.

Three bills, HB 1079, HB 1195 and HB 1962, to extend the authorization period for opening new charter schools by three, four, and five years, respectively.

Background

In 2012 voters passed Initiative 1240, making Washington the 42nd state to allow charter public schools.¹ The election result gave Washington one of the best charter school laws in the country.

In 2016 the legislature confirmed the decision of the voters by passing a bipartisan bill SB 6194, providing authorization for up to 40 new charter schools. Authorization was provided for five years, until 2021.²

Though a strong opponent of school choice, Governor Inslee allowed the bill to become law without his signature. In the years following, 16 public charter schools have opened, serving about 4,000 students in communities around the state. Despite their

1 Initiative Measure No. 1240, An Act relating to public charter schools, passed November 6, 2012, at https://sos.wa.gov/_assets/elections/initiatives/finaltext_274.pdf.

2 Senate Bill 6194, Concerning public schools that are not common schools, passed March 10, 2016, effective date April 3, 2016, at <http://lawfilesexternal.wa.gov/biennium/2015-16/Pdf/Bills/Session%20Laws/Senate/6194-S2.SL.pdf?q=20210128054534>.

popularity, however, state lawmakers allowed the legal authorization to open new charter public schools to expire.

Traditional public schools are failing to close the achievement gap

State data shows that traditional public schools in Washington have consistently failed to educate low-income, black and Hispanic children to the same standard as their white and Asian peers. The poor results indicate a failure in the state's constitutional paramount duty to provide for the education of every child living in the state.³

State education officials usually respond to reported failure by setting new targets for future improvement, while year after year these learning targets are not met. School officials then respond to the new failures by writing new goals. A recent report illustrates the educational inequalities in Washington public schools.⁴

Major findings include:

- Just 41 percent of Washington's high school class of 2017 is expected to earn an educational credential by age 26. Estimated credential attainment for black students (31 percent), Hispanic and Latino students (30 percent), Native American and Indigenous students (18 percent), and students from low-income backgrounds (26 percent) is low. The estimated credential attainment for white students is only 44 percent.
- The high school graduation rate for black students in the class of 2019 (73.6 percent), trails that of white students (82.8 percent).
- Black students in Washington state are 30 percent more likely to be taught by less experienced teachers.

In addition, Washington has 117 state-identified failing public schools, officially labeled "Priority Schools," which fail to educate about 44,000 students each year to the minimum levels set by the state.⁵

Failing public schools are among the lowest five percent of low-income (Title I) schools in the state, based on low academic achievement and lack of student progress. Many of these schools are located in large urban districts, serving mostly low-income, minority children.

Improved learning outcomes show that charter schools offer families assigned to state-identified failing schools a chance to access a better public education for their children.

Charter schools expand learning opportunities for all

In Washington state, charter schools are designed to serve students most at risk of falling behind. Sixty percent of students at Washington's charter schools are low-income, minority children.

Washington's charter schools typically serve a higher proportion of students with special needs than other public schools. In addition, 34 percent of teachers at Washington's charter schools come from racially diverse backgrounds, compared to 11 percent of teachers in Washington's other public schools.⁶

Charter schools are popular

Every year the Washington State Charter School Commission receives many more community applications to open new charter schools than it approves. Most charter schools cannot take all children who apply and must maintain a waiting list. Since approval by

3 "Constitution of the State of Washington, Article IX," November 11, 1889, at <https://leg.wa.gov/CodeReviser/Pages/WAConstitution.aspx>.

4 "Path to 70% Credential Attainment: Recovery and Reimagining, The Credential is Essential," report by Washington Roundtable and Partnership for Learning, January 2021, at https://www.waroundtable.com/wpcontent/uploads/2021/01/WRTPFLL_P270_Jan.2021_Report_FINAL.pdf.

5 "ESEA Priority and Focus Schools, 2017-18," Washington Office of Public Instruction, at <https://www.k12.wa.us/policy-funding/grants-grant-management/every-student-succeeds-act-essa-implementation/elementary-and-secondary-education-act-esea/priority-focus-schools>.

6 "Frequently Asked Questions, Who Teaches at Washington charter public schools?" by Washington State Charter Schools Association, at <https://wacharters.org/get-the-facts/frequently-asked-question/>.

voters, there has been strong and consistent community interest across the state in opening more charter schools.

Since their inception, Washington's charter schools have delivered on the promise of providing better results for students. The Charter School Association reports:

“Washington's charter public schools offer innovative, personalized learning models, and they are delivering promising academic results, high levels of parent satisfaction, and 99% high school graduation rates.”⁷

Washington has approved a total of 18 charter schools, out of a possible 40 that were authorized by law. Sixteen charter schools are now operating in Seattle, Highline, Tukwila, Tacoma, Bremerton, Spokane, and Walla Walla, serving almost 4,000 students. Two more charter schools have been approved to open this fall, one each in Vancouver and Renton.

Charter schools successfully served children during COVID-19 lockdown

In March 2020 Governor Inslee ordered the closing of all schools in response to COVID-19. Later, private schools were allowed to open under health guidelines, but most public schools remained closed to in-person instruction.

Charter public schools proved more adaptable than other public schools in serving students. With less union control and greater flexibility in scheduling, curriculum, and how teachers interact with students, charter schools were more nimble in responding to the health crisis.

The Executive Director of Summit Sierra Charter School in Seattle noted:

“Our school very fluidly moved into virtual school. Being a school that's already one to-one computers, our curriculum already being online and having a platform, we had the tools available and we spent a lot

⁷ Washington State Charter Schools Association, accessed January 27, 2021, at <https://wacharters.org/>.

of time supporting our students socially, emotionally and academically.”⁸

Washington's charter schools have received national recognition for their work. In 2020, Impact Public Schools in Seattle, Tukwila and Tacoma received the national Above and Beyond Award for Outstanding Service During the Pandemic.⁹

Charter families are denied access to equal funding

Despite the success of charters, Washington state officials maintain a policy of funding discrimination against charter school families. Charter schools receive full state and federal funding, but they are denied their share of voter-approved local levy funding.

The amount of money involved is significant. On average, local levies provide \$2,300 per student per year, about 17 percent of operating revenue for most schools. Charter school students receive none of these local funds, although many charter schools are located in some of the state's poorest neighborhoods.

Charter school families are also denied access to capital funding and start-up funding. In fact, most charter schools have to pay market rent on their buildings, an added burden that is unique among public schools.

Due to the state's policy of discrimination, charter school parents vote for local levies and pay local taxes for schools, then find that none of these resources benefit their own children.

Bipartisan support for HB 1591

HB 1591 was introduced by Representative Laurie Dolan (D-Olympia) in the House,

⁸ “From in person to online: See how charter schools made the switch,” Washington State Charter School Association, August 4, 2020, at <https://wacharters.org/2020/08/04/from-in-person-to-online-see-howcharter-schools-made-the-switch/>.

⁹ “Ten Charter Schools Honored with Above and Beyond Award for outstanding service during the COVID pandemic,” National Alliance for Public Charter Schools, May 12, 2020, at <https://www.publiccharters.org/latest-news/2020/05/12/ten-charter-schoolshonored-above-and-beyond-awards-outstandingservice>.

with strong bipartisan support.¹⁰ The two-party support for HB 1591 reflects the similar support the charter school funding bill received in 2016.

Text of the bill to improve charter school funding

HB 1591 would not end all funding discrimination against charter school families, but it would address some of the funding inequities. The bill provides that charter schools could access voter-approved local levy funding for public education up to a maximum of \$1,550 per student. Full equity is an average of \$2,295 per student.

Extending the authorization to open new charter schools

HB 1079, HB 1195 and HB 1962 would extend the authorization period for the approval of new charter schools by three, four, and five years, respectively.¹¹

Every year there are more applications to open charter schools than are approved by the state commission. Every year new community groups and education leaders come forward to open a local charter school. Seeking a teaching position on a charter school faculty is popular with educators, and community interest in charter schools remains high.

With the longest proposed authorization period HB 1962 is the stronger bill because Washington state's experience shows it took ten years to open just 18 public charter schools.

Conclusion

Voters in 2012 and bi-partisan legislators in 2016 passed the charter school law to help children from low-income, minority families attend a high-quality public school. The law reflects the widely-shared value of the people of Washington state that every child should have access to a good education.

Improved graduation rates, higher academic test scores and wider learning opportunities for black and Hispanic students demonstrate the effectiveness of Washington's charter public schools.

As a result, charter schools are popular in Washington's communities. Families that would otherwise be assigned to a state-identified failing school are given a better option. Most charter schools are fully enrolled, and many maintain waiting lists and must conduct yearly lotteries to admit more students.

The current ban on new charter public schools represents the influence of special interests within the system that want to prevent families from having access to learning alternatives. In contrast, the bills to equalize funding and extend authorization would further the public interest by retaining charter schools as a popular choice for families within the state's broader system of education.

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Nothing here should be construed as an attempt to aid or hinder the passage of any legislation before any legislative body.

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10 HB 1591, "Providing access to local enrichment funding for charter schools," Washington state legislature, December 6, 2021, by Rep. Laurie Dolan at: <https://app.leg.wa.gov/billsummary?BillNumber=1591&Initiative=false&Year=2021>.

11 HB 1079, "Concerning the time frame for establishing charter schools," <https://app.leg.wa.gov/billsummary?BillNumber=1079&Initiative=false&Year=2021>, HB 1195, "Extending the time frame for establishing charter schools," <https://app.leg.wa.gov/billsummary?BillNumber=1195&Initiative=false&Year=2021>, 1962, HB "Extending the time frame for establishing charter schools," at <https://app.leg.wa.gov/billsummary?BillNumber=1962&Initiative=false&Year=2021>, Washington state legislature, all introduced by Rep. Laurie Dolan, January 10, 2022.