

House Bill 1195, to extend the authorization of new charter public schools to 2026

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Key Findings

1. In 2012 voters passed Initiative 1240, making Washington the 42nd state to allow charter public schools.
2. In 2016 the legislature confirmed the decision of the voters by passing bi-partisan bill Senate Bill 6194, providing authorization for up to 40 new charter schools until 2021.
3. Charter schools are popular, especially in underserved urban communities.
4. Traditional public schools have consistently failed to educate low-income, black, and Hispanic children to the same standard as 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.
7. House Bill 1195 seeks to further the public interest by retaining charter schools as a popular choice for families within the state's broader system of education.

Introduction

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 bi-partisan bill Senate Bill 6194, providing authorization for up to 40 new charter schools until 2021.² Though an opponent of charters, Governor Inslee allowed the bill to become law without his signature.

Despite their popularity, state authorization to open new charter public schools has expired. House Bill 1195, introduced by Representative Laurie Dolan (D-Olympia), would extend the authorization to open charter schools in communities that want them to April 2026.³

Traditional public schools are failing to close the achievement gap

Traditional public schools have consistently failed to educate low-income, black and Hispanic children to the same standard as their white and Asian peers.

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://lawfilesex.leg.wa.gov/biennium/2015-16/Pdf/Bills/Session%20Laws/Senate/6194-S2.SL.pdf?q=20210128054534>.

3 House Bill 1195, Extending the time frame for establishing charter schools, sponsored by Representatives Laurie Dolan (D-Olympia), Amy Walen (D-Redmond), Larry Springer (D-Kirkland), Pat Sullivan (D-Kent), Lisa Callan (D-North Bend), Drew Stokesbary (R-Auburn), Mike Chapman (D-Port Angeles), Jeremie Dufault (R-Sunnyside), and John Lovick (D-Snohomish), introduced January 14, 2021, at <http://lawfilesex.leg.wa.gov/biennium/2021-22/Pdf/Bills/House%20Bills/1195.pdf?q=20210128054851>.

Countless reports describing this longstanding and persistent achievement gap in Washington's schools have been submitted to legislative committees, but no effective action has been taken.

State education officials respond to failure by constantly setting new targets for improvement, while year after year these targets are not met. School officials then respond to their latest failure by writing new goals.

A recent report illustrates the educational inequalities in Washington public schools.⁴ Major findings include:

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

In addition, Washington state has 117 state-identified failing schools, euphemistically 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.

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/wp-content/uploads/2021/01/WRTPL_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/school-student-performance/every-student-succeeds-act-essa-implementation/elementary/priority-schools>.

Many of these schools are located in large urban districts, serving mostly low-income, minority children.

Charter schools offer families assigned to state-identified failing schools a chance to find a better public school 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 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 their approval by 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

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/>

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

Washington has approved a total of 19 charter schools, out of a possible 40 that were authorized by law.

Twelve charter schools are operating in Seattle, Highline, Tukwila, Tacoma, Bremerton, Spokane, and Walla Walla, serving almost 4,000 students. Six more charter schools have been approved by the state commission and will open this fall in Renton, Pullman, Wenatchee, Des Moines, and Bellingham. An additional charter school is scheduled to open in Vancouver in 2022.

Charter school families deserve equal funding

When legislators passed SB 6194, they did not provide equal funding to charter school families. Charter public schools are barred from receiving local levy funding, even though participating families pay the same property taxes as everyone else.

Legislators also bar charter public schools from receiving most capital funding and access to buildings and other public facilities that are provided free to other public schools. As a result, charter public schools must pay rent out of operating funds. Overall, charter school families receive about \$3,000 less a year on average per student than other families attending public school.

Still, charter public schools remain popular with parents, especially in underserved urban communities, despite the financial disadvantages imposed by the state education system.

Charter schools have 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 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

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 have clearly demonstrated 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

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-how-charter-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-schools-honored-above-and-beyond-awards-outstanding-service>.

conduct yearly lotteries to admit more students.

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.

Allowing the state charter school law to lapse and restoring the ban that existed before 2012 would represent a failure of education leadership. It would take the state backwards and would primarily harm low-income, minority children living in urban communities.

Bringing back the ban on charter public schools would represent a victory for established special interests, the unions and entrenched officials that so zealously protect the status quo and their own positions of power and influence. In contrast, HB 1195 seeks to 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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