

SB 5442 and HB 1481, to provide fair funding and expand learning opportunities for charter school families

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Key Findings

1. **Washington lawmakers currently discriminate against charter school families by denying them access to local levy, start-up and capital funding.**
2. **Charter schools are widely popular, especially in underserved urban communities.**
3. **Traditional public schools have failed to close the achievement gap between black and Hispanic children and their white and Asian peers.**
4. **Charter schools offer families a chance to find a better public school for their children.**
5. **Washington's charter schools provide better results for students, especially for minority and low-income students.**
6. **Currently more than 4,000 students attend 16 public charter schools, with two more charter schools set to open this fall.**
7. **SB 5442 and HB 1481 would provide up to \$1,550 per charter school student to partly make up for the denial of local levy 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 SB 5442 and HB 1418, to reduce local funding discrimination against charter school families by providing charter schools with fairer funding levels.¹

1 SB 5442, "Providing enrichment funding for charter public schools," Washington state legislature, January 18, 2023, by Senator Mark Mullet, at: <https://app.leg.wa.gov/billsummary?BillNumber=5442&Chamber=Senate&Year=2023>.

SB 5442 would not end all funding discrimination against charter school families, but it would reduce funding inequities. The bill provides that charter schools could access state local effort assistance enrichment grants up to a maximum of \$1,550 per student.

In 2012 voters passed Initiative 1240, making Washington the 42nd state to allow charter public schools.² 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 to authorize for up to 40 new charter schools. Authorization was provided for five years.³

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 popularity, however, state lawmakers allowed the legal authorization for new charter public schools to expire in 2021.

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

2 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.

3 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>.

provide for the education of every child living in the state.⁴

State education officials usually respond to failure by setting new targets for future improvement, while year after year these learning targets are not met. School officials then respond to new failures by writing new goals.

Results from the 2022 Smarter Balance tests show only 34 percent of low-income students passing in English and 21 percent passing in math, as compared to 66 percent of non-low-income students passing in English and 53 percent passing in math.⁵

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.⁶

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.

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.⁷

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 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.”⁸

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. Two more charter schools have been approved to open in fall 2023, one each in Vancouver and Renton.

Charter schools 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.

In the fall of 2020, when enrollment in traditional public schools dropped by three

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

5 “School Report Card, State Total, Student Performance, Assessment, 2022,” Office of Superintendent of Public Instruction, at <https://washingtonstaterreportcard.ospi.k12.wa.us/ReportCard/ViewSchoolOrDistrict/103300>.

6 “ESEA Priority and Focus Schools, 2017-18,” Washington Office of Public Instruction, at <https://www.k12.wa.us/policy-funding/school-studentperformance/every-student-succeeds-act-essimplementation/elementary/priority-schools>.

7 “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/>.

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

percent statewide, enrollment at Washington's public charter schools jumped by 35 percent.⁹

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.”¹⁰

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.¹¹

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 and other local revenue provide \$2,700 per student per year, about 15 percent of operating revenue for most schools.¹² 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.

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 bills to equalize funding would further the public interest by retaining charter schools as a popular choice for families within the state's broader system of education.

9 “How is School Enrollment in Washington State Shifting during COVID-19?” by Sivan Tuchman and Georgia Heyward, Center for Reinventing Public Education, University of Washington, January 2021, at <https://crpe.org/how-is-school-enrollment-in-washington-state-shifting-during-covid-19/>.

10 “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/>.

11 “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/>.

12 “Workload, Staffing, Finance, Statewide, 2021-22,” K-12 Public Schools: District Staffing and Finance Data, Washington State Fiscal Information, at <https://fiscal.wa.gov/K12/K12FinanceStatewide/>.