

## Restoring levy equity for charter school families

State ban on local levy funding disproportionately harms low-income, immigrant, and minority families and perpetuates historic inequities in urban schools

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### Key Findings:

1. An inequity in state law denies local levy funds to children who attend public charter schools.
2. Voters intended charter school families to receive funding on the basis of equality, but the levy ban against families was enacted as part of a legislative compromise that saved charter schools in the wake of a hostile state supreme court ruling.
3. Local levies provide, on average, \$2,200 per student, or about 17 percent of the \$12,565, in total per student funding provided each year.
4. Charter schools are effective at teaching at-risk children and offer a popular learning alternative in communities where administrators send children to failing schools based on zip code.
5. The levy ban is targeted disproportionately against children from low-income, immigrant, and urban communities.
6. WEA union executives strongly oppose charter schools, and consider these families as “other” or “less than” and not deserving of receiving equal resources from the community.
7. All families deserve equal treatment. Lawmakers should end this social injustice and ensure that levy funding is provided to all Washington school children on the basis of equality.

### Introduction

In 2012, voters made Washington the 42nd state to allow charter schools as an option for families in the public school system. That year, popular approval of Initiative 1240 gave Washington one of the best charter school laws in the country. Charter schools are popular with parents and research shows they are effective in helping children at greatest risk of falling behind. Attending a public charter school is based on family choice, so these innovative schools offer an effective alternative in communities where administrators send children to failing schools based on zip code.

To secure fairness and social justice in school funding, the voter-approved law provided levy equity for all families. Parents who send their children to a public charter school had equal access to local levy funding that was passed by voters after their school opened.

### State supreme court tries to close schools

In a surprise move, state supreme court Chief Justice Barbara Madsen issued a harsh ruling in the fall of 2015, after the school year had started, ordering all charter schools to close. Responding quickly, lawmakers of both parties passed a bill providing funding for charter schools and allowing them to stay open. Governor Jay Inslee said he would not

sign the bill, but he eventually allowed it to become law without his signature.<sup>1</sup>

As part of the legislative compromise, charter school families received state funding, thus saving their schools from Justice Madsen's order, but they were denied access to their share of local levy funding.

Local levies provide, on average statewide, \$2,200 per student, or about 17 percent of the total \$12,565, in per student funding provided by all state, local, and federal sources. Districts with the most numerous charter schools happen to have higher local levies. For example, in Seattle and Tacoma local levies provide \$3,712 and \$3,056 per student respectively.<sup>2</sup>

### **Restoring levy equity in public schools**

Local levies provide disproportionate funding for children attending urban public schools. This means a top priority for the coming legislative session should be for lawmakers to restore levy equity for charter school families, so all children in Washington receive equal treatment under the law.

Restoring levy equity is a simple matter of fairness. Charter school families vote in local elections, and they pay taxes that fund their local schools. They have as much right as their neighbors to benefit from local public education spending. State lawmakers should resolve this inequity in the law and ensure equal access to school funding for all children.

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1 "Concerning public schools that are not common schools," Senate Bill 6194, passed March 10, 2016, became law without Governor Inslee's signature on April 3, 2016, at [app.leg.wa.gov/bills/summary?BillNumber=6194&Year=2015](http://app.leg.wa.gov/bills/summary?BillNumber=6194&Year=2015).

2 "Workload, Staffing, Finance," Washington State K-12 Finance Data, 2015-16, Legislative Evaluation and Accountability Program Committee (LEAP) and the Office of Financial Management, at [fiscal.wa.gov/K12Districts.aspx](http://fiscal.wa.gov/K12Districts.aspx).

### **New charter schools opening**

Washington now has eight charter schools operating across the state, serving 1,800 students. About two-thirds of students at charter schools are from low-income and minority families.

Six charter schools operate in the Puget Sound area: Summit Sierra in Seattle; Rainier Prep in Highline; Excel Charter in Kent; and SOAR Academy, Destiny Middle School, and Summit Olympus in Tacoma. Two charter schools have opened in Spokane: PRIDE Prep and Spokane International School.

Three new charter schools are scheduled to open the fall of 2017 in the communities of South Seattle, West Seattle, and Walla Walla. The Washington State Charter School Commission is currently considering applications for additional charter schools, up to a maximum of 40 charter schools in the next five years.

### **Better learning options for children**

Charter schools offer many families a better learning option for their children. Washington has 120 schools ranked by state officials as very low-performing schools, so charter schools provide parents with a way to avoid enrolling their children in a failing traditional school.<sup>3</sup> Charter schools give parents an important alternative to failing schools.

Washington's charter schools are living up to the promise of providing children with a high-quality public school education. For example, Rainier Prep Charter is already outperforming neighboring traditional schools in the Highline school district.

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3 "2015-2016 Priority Schools," Elementary and Secondary Education Act reporting, Office of the Superintendent of Public Instruction, at [www.k12.wa.us/ESEA/Schools/PrioritySchools2015-16.aspx](http://www.k12.wa.us/ESEA/Schools/PrioritySchools2015-16.aspx).

Rainier Prep has a diverse population of students, and African-American students are responding particularly well to its math program. About 58 percent of Rainier Prep's fifth-grade African-American students and 76 percent of its sixth-grade African-American students passed the state tests in math last spring. In the neighboring Highline school district, by contrast, the numbers are only 21 percent and 29 percent respectively for similar students.<sup>4</sup>

Spokane is also experiencing testing success at its charter schools. For example, at Spokane International Academy, 62 percent of low-income sixth-graders passed the state test in math, and 72 percent passed the English test. By comparison, only 33 percent of similar students attending the district's schools passed the math exam, and only 42 percent passed the English test.<sup>5</sup>

### **Parents value charter schools**

Washington's charter schools, however, were popular long before their students performed well on state tests. Most of Washington's charter schools had to hold lotteries to select their first students, illustrating how popular charter schools are with parents. Parents value many other factors than test scores when choosing a school. Parents like charter schools for their ability to create small, safe, and nurturing environments.

Parents also like charter schools for treating their children as individuals, with unique strengths and weaknesses. Parents like charter schools for setting high

expectations for learning. Parents like charter schools for the wide variety of innovative education programs they offer.

### **Seeing charter schools families as “less than”**

Union executives and other anti-charter school activists want charter school families to be considered as “other” or “less than” families attending other public schools. These opponents think parents who choose a charter school within the public system are somehow not deserving of equal resources from the community. These activists, which include executives at the powerful WEA union, want to relegate charter school families to second-class status, by denying their children part of the funding that their peers in other public schools receive.

The greatest need for public charter schools is in urban communities with failing traditional schools, so the state ban on local levy funding falls disproportionately on low-income, immigrant and minority families. The levy ban perpetuates historic policies of disparate impact that have led administrators to send low-income, immigrant and minority children living in these communities to low-quality schools in the first place.

### **Conclusion – families deserve equal treatment**

Charter school families deserve equal treatment. Washington's paramount duty, as provided in the state constitution, is to educate every child within its borders, without “distinction or preference on account of race, color, caste, or sex.”<sup>6</sup> This clause requires the state to treat every student in Washington fairly and equally, regardless of who they are or which public school they attend.

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4 “Promising data from charter schools worth a closer look,” editorial, *The Seattle Times*, August 25, 2016, at [www.seattletimes.com/opinion/editorials/promising-data-from-charter-schools-worth-a-closer-look/](http://www.seattletimes.com/opinion/editorials/promising-data-from-charter-schools-worth-a-closer-look/).

5 Ibid.

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6 “Article IX, Education, Section 1, Preamble,” Constitution of the State of Washington, page 36, at [leg.wa.gov/lawsandagencyrules/documents/12-2010-wastateconstitution.pdf](http://leg.wa.gov/lawsandagencyrules/documents/12-2010-wastateconstitution.pdf).

As a result, Washington's current system of funding for charter schools is inequitable. Charter school students are receiving less money than traditional school students. This levy inequity discriminates against charter school students, falls hardest on urban, immigrant, and minority children, and treats charter school families as holding second-class status.

Charter school children deserve equal treatment under school funding laws; they are entitled to levy equity. In the coming legislative session, lawmakers should end this form of social injustice and ensure that local levy funding is provided to all Washington public school children on the basis of equality.

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