

How WEA union executives almost killed charter schools

POLICY NOTE

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Key Findings

1. Governor Inslee's decision to let a charter school funding bill become law without his signature overturned a controversial state supreme court decision that sought to close charter schools to children.
2. The initial attack came from executives at the state's powerful WEA teacher union, who said they have opposed allowing children to attend charter schools ever since voters passed a charter school law in 2012.
3. Child advocates and charter school supporters held "Save Our Schools" rallies at the state capitol to garner support for a funding bill.
4. The Speaker of the House reversed an effort by the head of the House Education Committee to suppress the charter school bill, and allowed the funding measure to come to the House floor for a vote.
5. The funding bill passed with support from both Democrats and Republicans in the House and the Senate.
6. Current charters will remain open, and new public charter schools are scheduled to open in West Seattle, South Seattle and Walla Walla, starting in 2017.

On Friday, April 1st, teachers, parents and students across the state were relieved to learn that Governor Inslee had decided not to veto a bipartisan bill to save Washington's public charter schools. The governor didn't sign the bill either. In a rarely-used procedure, he said he would allow the bill to become law without his signature. As the constitutional deadline for vetoing bills passed on midnight Saturday, child advocates and school reformers across the state breathed a collective sigh of relief.

Governor Inslee's action (or inaction) overturned a controversial state supreme court decision that sought to close charter schools. The surprise court decision, announced after the school year had already started, set off a furious seven-month scramble to save these innovative public schools. They made it, by the skin of their teeth.

That raises the question of how Washington's charter schools came to be endangered in the first place. After all, the state charter school law, one of the best in the country, had been enacted by popular initiative in 2012. And charter schools are popular with parents; the schools are oversubscribed and must maintain waiting lists of families.

The attack came from executives at the state's powerful WEA teacher union, who said they had opposed charter schools from the beginning. They led the political campaign against the initiative and, having lost at the ballot box, took their opposition to the courts. Here is how events unfolded.

- November 6, 2012 – Voters pass Initiative 1240, making Washington the 42nd state to allow children to attend a public charter school.
- April 4, 2013 – The newly-appointed Charter School Commission begins reviewing and approving applications to open new public schools.
- July 3, 2013 - WEA union executives file a lawsuit in King County Superior Court to overturn the Initiative and stop new schools from opening. The case is WEA v. State of Washington.
- December 12, 2013 - Judge Jean Reitschel rules against the union, upholding the voter-passed law. WEA executives say they will appeal.
- September 2, 2014 – The state's first charter school opens in Seattle.

- August 2015 - Eight more public charter schools open in Seattle, Highline, Tacoma, Kent and Spokane to help families in underserved areas.
- September 4, 2015 – After the school year started, the state supreme court issues a 6-3 ruling that cuts off state funding, threatening the new public schools with closure.
- November 17, 2015 – Education advocates at the Washington Charter School Association announce an effort by teachers, parents and students to ask the legislature to identify alternative funding for public charter schools.
- November 19, 2015 – Charter school teachers, parents and students hold a rally in Olympia to express support for their public schools. The same day, teachers and administrators testify before a Senate Ways and Means Committee hearing on the educational benefits of charter schools.
- November 20, 2015 - The state Attorney General asks the court to use the standard 30-day review period to reconsider the controversial decision. Former Attorneys General of both parties also ask for reconsideration. The court declines, letting its earlier ruling stand.
- November 23, 2015 – Washington Policy Center analysts contact Governor Inslee’s staff to ask whether he would sign or veto legislation to provide alternative funding for public charter schools. The inquiry goes unanswered.
- January 8, 2016 - Senator Litzow (R-Mercer Island) and Senator Mullet (D-Issaquah) introduce a bill, SB 6194, that proposes alternative funding for charter schools.
- January 12, 2016 – Governor Inslee delivers a major policy address, noting “every single child deserves a great education in our public schools,” but he makes no mention of the pending closure of the state’s public charter schools.
- January 12, 2016 – The Senate Early Learning and K-12 Education Committee holds a public hearing on SB 6194.
- January 14, 2016 - Members of the committee send SB 6194 to the full Senate with a “do pass” recommendation.
- January 20, 2016 – The full Senate passes SB 6194 by a bipartisan vote of 27-20.
- February 19, 2016 – The House Education Committee holds a public hearing on SB 6194.
- February 25, 2016 – House Education Chair Rep. Sharon Tomiko Santos (D-Seattle) announces she had removed SB 6194 from the list of bills to be considered, effectively killing the legislation. She prevails as a deadlocked 10-10 vote in committee fails to overturn her decision. One committee member is out sick that day.
- February 25, 2016 – Despite Rep. Santos’ decision, child advocates and charter school supporters hold a “Save Our Schools” rally under the Capitol Dome.
- March 8, 2016 - Charter school families hold an outdoor rally in Olympia.



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- March 8, 2016 – In an unusual move, House Speaker Frank Chopp reverses Rep. Santos' decision and resurrects SB 6194 from the Education Committee, scheduling the bill for a vote by the full House.
- March 9, 2016 – SB 6194 passes the House by a bi-partisan vote of 58-39. Ten Democratic members join all the Republicans in passing the bill.
- April 2, 2016 – SB 6194 becomes law at midnight without the governor's signature, as his deadline to veto the measure passes without action.
- April 4, 2016 – Education advocates announce that three new public charter schools will open to serve children in West Seattle, South Seattle and Walla Walla, starting in 2017.

It was a close call. And Washington charter schools may not be out of the woods yet. WEA union executives and their union allies say they will continue to try to close charter schools to children. During House floor debate Rep. Patty Kuderer (D-Medina) said she expects more challenges against charter schools adding, "In fact I suspect the lawsuit will be filed before the ink is even dry..."

Such mean-spirited opposition probably won't succeed. Charter schools are popular, and are particularly suited to helping children in underserved communities. Nationally, 6,800 public charter schools serve nearly three million students. Last year, charter school enrollment jumped 14 percent nationwide. The rising demand is all the more impressive because local charter schools are chosen by parents; children are not assigned by zip code, as at traditional public schools.

WEA union executives say they will not soften their opposition. They say they don't want families to have access to public charter schools and that the schools must close, but with the vigilance and collaboration of teachers, parents, students and child advocates, Washington charter schools will continue to help deserving public school families for years to come.

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