1. Policy Recommendation: Expand family access to charter schools

Charter schools are public schools that operate free from many of the restrictions placed on other public schools. With this local autonomy, teachers and principals in charter schools are able to create customized educational programs that better meet the needs of children, especially those living in underserved communities.

Another key difference between charter schools and traditional public schools is that children are not assigned to charter schools based on zip code. Parents voluntarily enroll their children in a charter school, while most public school children are assigned to a school by the central school district office, with little choice or input from parents.

Charter schools are popular with parents

The innovative and high-performing programs offered by public charter schools make them popular with parents. Charter schools are the most rapidly expanding school choice innovation in public education since a public school teacher proposed the idea in the early 1990s. Today, there are 6,700 charter schools across the country serving nearly three million students.¹ Last year, enrollment at charter schools jumped by 14 percent nationwide.²

Research shows children attending charter schools are more likely to graduate from high school and to enroll in college.³ In

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² Ibid.
2015, the CREDO research group at Stanford University found that learning gains in urban charter schools are dramatic. Urban charter schools add the equivalent of 28 days of additional learning in reading and 40 days of additional learning in math every year. For low-income and minority students the gains are 44 extra days of learning in reading and 59 extra days in math. A recent study from Vanderbilt University shows that students attending charter high schools are more likely to stay in college and to experience higher earnings in their mid-twenties.

In 2012, Washington became the first state to legalize charter schools by passing a citizen’s initiative, Initiative 1240. Then, in September 2015, Washington became the only state to have its charter schools defunded by state supreme court ruling, which held charter schools cannot receive revenue from the state General Fund.

In 2016, the legislature passed a law which funds charter schools from the Opportunity Pathways Account. Governor Jay Inslee,

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while not an active supporter of charter schools, agreed to let the bill become law without his signature.

Washington has eight charter schools, located in Seattle, Highline, Kent, Tacoma and Spokane. The schools are oversubscribed and must maintain waiting lists of families seeking to enroll. Two-thirds of the 1,200 students attending these schools come from low-income families and 70 percent are minority students.

Many parents in Washington, particularly in underserved communities, regard charter schools as offering a better option for learning than their local public school.

Current state law limits the number of charter schools to no more than 40, in a public system of more than 2,000 schools. Forty charter schools are insufficient to meet current demand from families, let alone the increasing needs of underserved families in the future.

**Repeal the cap on charter schools**

Lawmakers should dramatically increase, or better yet, repeal, the artificial limit on the number of public charter schools that can serve children in the state.

Given their popularity with parents, and the bipartisan support behind passage of the charter school law, lifting or removing the limit is well within the ability of the legislature. Expanding family access to charter schools is part of fulfilling the state’s paramount constitutional duty to provide for the education of all children living within the state.9

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2. **Policy Recommendation: Expand access to family choice in education**

Over the past 20 years, officials in more states have recognized that parents need greater family choice in public education, because it improves learning outcomes for children. United States Senator Tim Scott (R-SC) summarized the commonsense reasons for giving parents more options in the education of their children:

“We know that when parents have a choice, kids have a better chance. There is an education crisis in American and too many children are being left behind simply because of their zip code.”

Helping parents get involved in making education decisions is the purpose of school choice programs. These programs provide a variety of ways, including scholarships, vouchers, tax-credit programs, Education Savings Accounts, charter schools and online learning, that give parents the means to decide how their children are educated.

**Family choice in education is common in other states**

Family choice programs are now common across the country. Twenty-four states and the District of Columbia operate 51 family choice learning programs that fund the education of more than 300,000 students. Under these programs families direct the public education funding to which they are entitled to the private school of their choice. Family choice programs include directing funding to public schools as well – the key is that parents, not central office bureaucrats, direct resources in the best interest of children.

Parent choice in education improves public schools by giving administrators a strong incentive to serve the needs of families first, ahead of vested political interests in the system.

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The education monopoly provides less service at higher costs

Without incentives, school districts often provide less service at higher costs, and suffer recurring union strikes, because the career professionals know the education monopoly will protect the flow of funding, even when schools fail to educate students.

Top-down efforts at school accountability have not worked. Accountability measures are routinely manipulated to create the appearance of improvement, when in reality the rigor of academic learning standards is being reduced. For example, in August 2015 members of the State Board of Education lowered the standard for passing state tests in English and math from a 3 to a 2.5, backing away from the promise to make all students “college and career ready.”

Family choice creates accountability

Family choice in education creates real accountability. Parents think carefully about the learning needs of their children, and cannot be gamed, threatened or silenced. School choice allows parents assigned to low-performing schools the option of sending their children to an alternative school or online program that meets their needs and, most importantly, to direct their children’s public education funding to where it will do the most good.

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3. Policy Recommendation: Allow Washington parents access to state-funded Education Savings Accounts (up to $9,000 per child)

In Nevada, Governor Brian Sandoval and state lawmakers have enacted one of the most forward-looking education funding reforms in the country, centered on family-based Education Savings Accounts.12

This progressive program gives parents access to a state-funded Education Savings Account (ESA) for families that want one. The program is 100 percent voluntary. Parents are not required to take any action if they choose not to, and all children retain the right to attend a state-funded public school.

Voluntary ESAs open new learning opportunities

Under the voluntary ESA program, parents can arrange for their children to receive instruction from licensed private schools, other eligible institutions, online programs and accredited tutoring companies and non-profits. The public funding which their children receive is placed in an account devoted solely to education. Parents in Nevada who request an ESA receive about $5,000 per child. The liability for taxpayers is limited; parents are responsible for any education expenses beyond the amount provided by the ESA.

Parents who are not interested in an ESA do not need to do anything. Their children can still attend public schools for free. Nevada is the fifth state to provide parents with a voluntary ESA program, but it is the only universal program in the nation, open to all families upon request on an equal basis.

Lawmakers in Arizona, Tennessee, Florida and Mississippi

also offer parents Education Savings Accounts. These programs are not universally available, however. Instead they offer voluntary participation to families with students attending failing public schools, students with disabilities, students in foster care and students from active-duty military families. In addition, Arizona offers access to ESAs to families living on Indian reservations.

**Avoiding the constant conflict and politics in public education**

Parents are the primary educators of children. The presence of parents in the life of a child is permanent and ongoing, while teachers and administrators have a transitory relationship with students.

Public education in Washington state is complex and rife with conflict and politics. It is important for state policymakers to recognize, and respect, the role of parents in directing the education of children. Parents are primarily concerned about the long-term welfare of their children, not with the latest union strike that has closed the local public school.

Critics of family choice in education say parents cannot be trusted with too great a voice in public education. Yet parents make all the important decisions about nutrition, health care and development in the life of a child. In public education, however, the choices of parents are severely limited by lawmakers and administrators. Wealthy families have access to a range of educational opportunities for their children that are not available to most families.

**ESAs level the playing field**

Education Saving Accounts offer a way to level the playing field, by providing low-income and working families access to the same opportunities enjoyed by upper-income households, and to escape being restricted to a choice of one – the local public school monopoly – based solely on zip code.
4. Policy Recommendation: Simplify school spending with “fund the child” budgeting

The funding of public education in Washington state is hopelessly complex, with the result that the public, and many policymakers, have no idea how much school districts spend to educate children. The result is that only 60 cents of every education dollar reaches the classroom, less than half of school employees are teachers and, in the confusion, the public is prevented from holding education officials accountable.

The people of Washington state need a clear and transparent measure of whether state officials are fully funding public schools. Current measures are so twisted and unclear that the public is uninformed about how much the state, local and federal taxpayers provide to fund the K-12 schools.

A better measure of school funding

A better measure of funding schools is called “fund the child,” which has revitalized schools across the country. This approach has proved successful in public schools in Cincinnati, Baltimore, San Francisco, Houston, St. Paul and Oakland, and there are pilot programs to test the idea in Boston, Chicago and New York City.

Under this system, school funding is measured by the cost of funding each child, which is expressed in a set dollar amount. The individual student grant follows the child to the public school of the family’s choice.

Funding for each child can include a dollar multiplier to assist children who require more resources, such as disabled children, children with limited English proficiency and poor children. For example, the typical student may receive $13,000 a year in funding for education, while a disabled student would receive $26,000.
Showing how much lawmakers provide to each child

Devoting these dollars to local schools allows principals to decide how best to educate children. It also allows the public, including parents, teachers and child advocates, to know just how much lawmakers are providing for each child, and to compare this amount with what they provided in past years. A clear, per-student method of funding would show whether the legislature is fulfilling its constitutional duty to provide for the education of every child living in Washington.
5. Policy Recommendation: Shift from funding staff ratios to funding children’s needs

Currently, Washington lawmakers allocate funding to the schools based on the number of teachers and defined classroom sizes, in addition to other staff ratio formulas. Education money is spent according to a pre-set salary grid, and the system blindly pays teachers based on seniority and training credits, not on teaching skill.

In this system, no account is taken of actual student needs, nor does it show respect for the best-performing teachers. It also does not weed out ineffective teachers. Under staff ratio funding bad teachers and good teachers are paid the same. If parents complain, bad teachers are simply re-assigned to another classroom or another school, an administrative round-robin called the Dance of the Lemons.

Reducing the control of central bureaucracies

Staffing ratios are controlled by central bureaucracies. Local principals have little flexibility in directing public resources in ways that benefit students. As a result, principals are tangled in a thicket of budgeting and staffing rules. Principals in Washington public education control less than five percent of the money their schools receives.

Researchers at the legislature’s Joint Legislative Audit and Review Committee (JLARC) reported that:

“In most cases, central administrators determine the number of certificated and classified staff assigned to individual schools. Almost 96 percent of districts responding to JLARC’s survey said that central administrators determine whether to hire additional teachers and 89 percent said central administrators determine the number and type of classified
staff employed at each school.”

**Focusing on students**

Shifting to student-focused funding would ensure that every student receives the resources his or her local school requires to provide a high-quality education. It would be fair to students because it would give principals control over hiring and teacher assignments in a way that weeds out bad performers and ensures that every teacher has the skill and experience to meet the learning needs of children.

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Chapter 5: Education Policy

6. Policy Recommendation: End the restrictive Prototypical School Model

In the McCleary lawsuit, executives at the WEA union sued the state, saying lawmakers had not provided enough funding for public schools under the Prototypical School Model, a funding approach enacted by the legislature in 2009 under bill HB 2261.14

The bill defined the official meaning of “basic education” by mandating precise staffing ratios and creating twenty work categories, like “media specialist,” “social worker,” and “technology staff.” The authorizing law provided that every school district had to hire a set number of employees in each category for every 1,000 students.

Teachers must join the union or face termination

The prototype school concept is unproven and expensive. It serves the interests of the union because it requires the hiring of a certain number of staff, regardless of the real needs of students. Under Washington’s monopoly school system every new teacher must join the union and pay monthly dues or face termination.

Public charter schools and private schools, however, do not use strict employee categories or prototypical models and in general they produce better learning outcomes for children. Charter and private school administrators realize there is no such thing as a prototypical child, and they assign teachers and other professional staff based on the individual needs of students.

In public charter and private schools there is no requirement that teachers and other staff join the WEA union and pay dues each month, allowing them to avoid much of the politics and controversy associated with unions. Instead, they focus on the craft of teaching.

Overreach in the controversial *McCleary* case

The state supreme court agreed with the union in the *McCleary* case and ruled the state had failed to fully fund education based on the Prototypical School Model. The court was accused of overreaching in the controversial case, seeking to act as lawmakers as well as judges. Still, in the effort to satisfy the court, lawmakers enacted massive increases in education spending, without fundamentally changing the way money is spent.

The legislature increased school funding by $4.7 billion, from $13.5 to $18.2 billion, over two budget cycles. This permanently increased school funding by one-third, raising the spending to $9,024 per student. Counting local and federal spending, total per-student spending rose to almost $13,000 a year, a remarkable 33 percent increase and the highest in state history.\(^\text{15}\)

**Increases in education spending since 2001**

The graph illustrates the dramatic increases in education spending since 2001, in an effort to gain improvements for children by adding money to school district budgets.

**The rise in per-student education spending in Washington state, combined state, local and federal sources, 2001-2017 (enacted)**


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Although lawmakers have increased public education spending dramatically, the *McCleary* decision has not succeeded in reforming the way public money is spent. Higher funding based on the Prototypical School Model and strict staffing ratios has not improved the quality of schools for students, although it has boosted the finances and power of WEA union executives. The public school drop-out rate remains high, academic achievement is flat, and Washington’s achievement gap between minority and white students remains a significant problem.

**Improving the way public money is spent**

Ending the restrictive Prototypical School Model would allow improvements in the way public money is spent for the benefit of students. It would stop the practice of simply adding money to a flawed system while hoping against hope for better results. Meeting the real needs of real students, not their perceived “prototypical” needs, would lead to higher-quality public schools and better learning outcomes for students.
7. Policy Recommendation: Repeal life-time tenure rules and certification limits that keep the best teachers out of public schools

Washington state law bars any person from teaching in a public school without a formal teaching certificate (the prohibition does not apply to private schools). Yet, a Harvard Graduate School of Education study shows that a formal teaching credential “matters little” in raising student achievement.\(^{16}\)

Teaching certificates do not guarantee teacher quality

The study found that the teacher’s mastery of lesson subject matter is far more important to student learning than a state-issued certificate. In theory, an official certificate is supposed to guarantee teacher quality. In the real world of classrooms and children, however, there is a marked difference between checking off certificate requirements and being a good teacher.

The legislature has granted private schools the advantage of hiring based on quality and experience rather than paper credentials. Members of religious orders are often skilled and caring teachers, and are not required to have a state-issued certificate. Many private schools hire faculty who hold doctorate degrees or are experienced business professionals, but never completed state certificate requirements. These are not elite schools; they are often located in low-income neighborhoods and their teachers take on the noble work of educating the hardest-to-teach students.

Effective teachers raise student achievement

In addition, teacher tenure laws grant automatic lifetime employment to public school teachers after three years, making it

\(^{16}\) “Photo Finish: Teacher certification doesn’t guarantee a winner,” by Thomas J. Kane, Jonah E. Rockoff and Douglas O. Staiger, Education Next, 2008, at educationnext.org/photo-finish/.
nearly impossible to fire a bad teacher in a public school. Private schools, in contrast, are legally permitted to hire and fire staff at will, allowing private schools to dismiss poor performers and continuously improve teacher quality.

Research shows that an effective teacher in the classroom is more important than any other factor, including smaller class size, in raising student achievement. A good teacher can make as much as a full year’s difference in the learning growth of students. Students taught by a high-quality teacher three years in a row score 50 percentile points higher on standardized tests than students of weak teachers. The research also shows that students taught by a weak teacher two years in a row may never catch up.

The research shows the best teachers have:

- Mastery of the subject matter;
- Five years or more of teaching experience;
- Training in content knowledge and high levels of classroom competency;
- Strong academic skills, intellectual curiosity and an excitement about learning for its own sake.

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18 Ibid.
Creating renewed respect for teachers

Teachers should be hired based on a knowledge and a sense of excitement about the subject they will present to students. Teachers who show results, regardless of certification status, should be rewarded and encouraged. Teachers who do not should be asked to find other work, regardless of artificial certification and tenure rules.

Lawmakers can level the playing field by letting public schools be managed as well as their private-sector counterparts. Repealing lifetime tenure rules and ending the limits on teacher hiring would allow public schools to compete for the best teachers, while drawing new talent into the profession. The result would be renewed respect for teachers, because they had clearly earned their position, and, most importantly, a better learning environment for public school students.

Additional Resources


PAUL GUPPY | Vice President for Research

Paul Guppy is a graduate of Seattle University and holds graduate degrees from Claremont Graduate University and the London School of Economics. He worked for 12 years in the U.S. Congress as a Chief of Staff and Legislative Director. He writes extensively on tax policy, public finance and other issues. He is a frequent commentator on radio and TV news programs, and in newspapers across the state.

LIV FINNE | Director, Center for Education

Liv Finne is a graduate of Wellesley College and Boston University Law School. She is retired from civil litigation practice and is a partner in the small business she owns with her husband. She is the author of An Option for Learning: An Assessment of Student Achievement in Charter Public Schools; and An Education Reform Plan: Eight Practical Ways to Improve Public Schools. She is the founder and primary author of Washington Policy Center’s widely-read education blog.
Chris Cargill graduated from Gonzaga University with a degree in broadcast communications and political science. He worked as a TV news producer for 10 years and is an ex-officio member of the Spokane Valley Chamber of Commerce and the Tri-City Regional Chamber of Commerce. He has served on the Spokane Regional Transportation Commission Advisory Committee and currently serves on the Spokane Mayor’s Advisory Council on Small Business. He is the author of numerous policy studies on Eastern Washington issues and is a frequent guest host and commentator on news radio stations.

Jason Mercier is a graduate of Washington State University and serves on the board of the Washington Coalition for Open Government and Candidate Verification. He is also an ex-officio member of the Tri-City Regional Chamber of Commerce. He worked with lawmakers to create the state’s renowned budget transparency website www.fiscal.wa.gov. In 2010, Governor Gregoire appointed him to the state Fiscal Responsibility and Reform Panel. He has testified numerous times before legislative committees on government reform issues, and his commentary and op-eds appear regularly on T.V., radio and in newspapers around the state.
Todd Myers holds a Master’s degree from the University of Washington, and he served as Director of Public Relations for the Seattle SuperSonics and the Seattle Mariners. He served on the executive team at the Washington State Department of Natural Resources and is currently a member of the Puget Sound Salmon Recovery Council. Todd is one of the nation’s leading experts on free-market environmental policy. He is the author of *Eco-Fads: How the Rise of Trendy Environmentalism Is Harming the Environment*, and is a commentator for energy and environmental policy for *The Wall Street Journal*.

Bob Pishue graduated from Central Washington University with a degree in economics. He worked at the Washington Research Council where he produced policy briefs on initiatives and referenda. He worked for eight years as Information Technology Manager and Human Resources Manager for a Bellevue-based retailer. For three years he was Director of the Coles Center for Transportation at WPC and was a major contributor to this Policy Guide. He now works at INRIX company.
ERIN SHANNON | Director, Center for Small Business and Labor Reform

Erin Shannon holds a degree in political science from the University of Washington. She served as Public Relations Director of the state's largest small business trade association, and was the spokesperson for several pro-small business initiative campaigns. Erin has testified numerous times before legislative committees on small business issues. Her op-eds appear regularly in newspapers around the state, including *The Seattle Times* and *The Puget Sound Business Journal*, and she has appeared on several national radio and T.V. programs including Fox News, CNN Money, and “Stossel with John Stossel” on the Fox Business Channel. She is the director of WPC’s Olympia office.

DR. ROGER STARK | Director, Center for Health Care Reform

Dr. Roger Stark is a retired physician and a graduate of the University of Nebraska’s College of Medicine. He is a co-founder of the open heart surgery program at Overlake Hospital and he has served on the hospital’s governing board and as Board Chair for the Overlake Hospital Foundation. He is the author of two books, including *The Patient-Centered Solution: Our Health Care Crisis, How It Happened, and How We Can Fix It*. Dr. Stark has testified before Congress on the Affordable Care Act and he speaks frequently on health care issues to civic groups across the state. He currently serves on the Board of the Washington Liability Reform Coalition and is an active member of the Woodinville Rotary.
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The 5th edition of the Policy Guide for Washington State provides updated information and insight about a range of important issues, including budget and taxes, environment, agriculture, health care, education, small business and transportation.

Typical users of the Policy Guide are state lawmakers, public agency managers, city and county officials, reporters for print, broadcast and online media, and the general public. News organizations commonly use Washington Policy Center research when covering public issues.

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