

## Capital funding for charter schools

By Liv Finne, Director, Center for Education

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### Key findings:

1. On October 25, 2018, the state supreme court held charter schools are constitutional and an equal and integral part of the state public education system
2. Washington state has 12 operating charter schools, serving 3,500 students
3. Charter schools mostly serve low-income families and students of color
4. State Superintendent of Public Instruction Chris Reykdal is proposing capital budget requests for funding public school construction and modernization
5. Superintendent Reykdal says “Equity of Access” to capital funding is his top policy priority
6. Superintendent Reykdal’s proposal includes \$200 million for a new program, the School Preservation Program (SPP)
7. Superintendent Reykdal’s proposal does not extend to charter school families
8. Lawmakers should end Superintendent Reykdal’s policy of discrimination and allow charter school families full, fair and equal access to state capital funding for their public schools

### *Proposal by state school superintendent seeks to deny access to equal funding to charter school families*

#### Introduction

State Superintendent of Public Instruction Chris Reykdal is proposing a two-year capital budget request (for 2019-21) and a ten-year plan for funding public school construction and modernization in Washington.<sup>1</sup> He has announced that “Equity of Access” to capital funding is his top policy priority for school construction and modernization projects.

The Superintendent says the current problem in his education department is inequitable access. As he puts it:

“OSPI’s 2019-21 Capital Budget Priorities:

#### Reality: Equity of Access

Washington does not have a standardized model for funding school construction in an equitable way. This means not all students learn in buildings that are safe, enhance their health and well-being, or meet the needs of today’s students and educators.”<sup>2</sup>

1 “2019-21 Capital Budget Request and 2019-29 Capital Budget Plan,” Office of Superintendent of Public Instruction, September 14, 2018, at <http://www.k12.wa.us/SchFacilities/Programs/pubdocs/2019-2021BienniumCapitalBudgetRequest.pdf>.

2 “OSPI Capital Budget, School Facilities and Organization, 2019-21 OSPI’s Capital Budget Requests, The 2018 WSDDA Conference, November 17, 2018,” by Justin Rogers, Director, School Facilities and Organization, Office of Superintendent of Public Instruction, Page 9. Included as attachment in November 15, 2018 email to author from Justin Rogers, Director, School Facilities and Organization, Office of Superintendent of Public Instruction, “OSPI’s 2019-21 Capital Budget Priorities.”

The Superintendent says his goal is Equity of Access:

“Goal: Equity of Access

Every student should have the opportunity to learn in a facility that:

- Supports their health and safety
- Provides the best educational outcomes

... Regardless of a school district’s ability or inability to raise capital project funds”<sup>3</sup>

Further, the Superintendent defines his long-term goals as:

“1. Every student has the opportunity to learn in a facility that supports their health and safety and provides the best educational outcomes, regardless of a school district’s ability or inability to raise capital project funds.

2. Long-term capital investments in K–12 education should be rooted in sustainable and equitable funding policies.”<sup>4</sup>

Superintendent Reykdal’s policy of “equity,” however, does not extend to charter school families. His capital funding program would deny equal funding to the state’s 12 current charter public schools, and to any future charter schools that may open over the next ten years.

**Background: Charter schools are public schools**

On October 25, 2018, the state supreme court ruled against the WEA teacher union’s

effort to close the state’s charter schools. The court held that charter schools are constitutional and an equal and integral part of the state public education system.

The court also upheld Washington’s charter school law, SB 6194, which the legislature passed in 2016 to provide an endorsement and secure funding of a state charter school ballot initiative approved by voters in 2012.

SB 6194 expressly provides that charter schools should receive state funding for school construction on an equal basis as other public schools, as long as specific appropriations are not drawn from the Common School Construction Fund.<sup>5</sup>

Charter public schools mostly serve low-income families and students of color. Washington state has 12 operating charter schools, serving 3,500 students across the state.

About 60 percent of charter school students come from low-income, minority backgrounds. Three charter schools are in Seattle, one is in Highline, three are in Tacoma, one is in Tukwila, one is in Kent, two are in Spokane and one is in Walla Walla.

In Fall 2019 a new charter school will open in the Skyway/West Hill, a poor neighborhood located in south Seattle. More charter schools are applying to open, including one proposed school in Wenatchee. A total of 40 charter schools are authorized under SB 6194, and already popular demand exceeds supply; about 1,000 students are on charter school waiting lists.

Since 2015, Washington’s charter schools have tripled the number of public school students they serve. Charter schools are making significant progress in helping students catch up in school, even though these students often arrive several years behind in academic learning due to the educational failures of traditional schools in their communities.

3 “OSPI Capital Budget, School Facilities and Organization, 2019-21 OSPI’s Capital Budget Requests, The 2018 WSDDA Conference, November 17, 2018,” by Justin Rogers, Director, School Facilities and Organization, Office of Superintendent of Public Instruction, Page 10. Included as attachment in November 15, 2018 email to author from Justin Rogers, Director, School Facilities and Organization, Office of Superintendent of Public Instruction, “OSPI’s 2019-21 Capital Budget Priorities.”

4 “OSPI’s 2019-21 Capital Budget Priorities,” one-page attachment in November 15, 2018 email to author from Justin Rogers, Director, School Facilities and Organization, Office of Superintendent of Public Instruction.

5 Revised Code of Washington, Chapter 28A.710 Charter schools, Section 230- Facilities, State funding for common school construction, at: <http://app.leg.wa.gov/RCW/default.aspx?cite=28A.710.230>.

Charter schools are popular with parents, particularly with families whose assigned traditional schools are listed by state officials as underperforming. Washington state has 252 schools that state officials have identified as failing on the School Achievement Index.<sup>6</sup>

### **Charter school families are denied access to local levy funds and to capital funding**

A policy of discrimination denies local levy funding and capital funding to families that attend charter public schools, resulting in a disproportionate impact on low-income families and children of color.

As a result, Washington's public charter schools do not receive operating funding from local levies approved by voters to educate all the children in their districts. Washington's public charter schools also are not allowed access to public capital funding for their schools.

The lack of capital funding forces public charter schools to use operating funds to provide students the space and shelter they need to learn safely. They also must raise private funding for their capital needs, an added burden that is not imposed on other public school families.

Washington state's policy of denying funding to public charter schools on a fair and equal basis with other public schools raises serious questions about inequity and and unfair treatment in public education.

### **Superintendent Reykdal's funding plan excludes public charter school families**

Superintendent Reykdal wants to create a new program to achieve Equity of Access to funding, but his proposal excludes assistance for charter school families. He proposes:

"\$200 million in new funding for a School

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6 "How Washington's School Achievement Index became the School Spending Index," by Liv Finne, Washington Policy Center, June 2018 at <https://www.washingtonpolicy.org/library/doclib/Finne-How-Washington-s-School-Achievement-Index-became-the-School-Spending-Index.pdf>.

Preservation Program (SPP)"<sup>7</sup>

This new School Preservation Program (SPP):

"Creates a single state funding stream for school districts to address critical building system replacement and facility modernization needs that they would otherwise not be able to access through School Construction Assistance Program (SCAP);

"Provides funding to school districts that have limited financial resources to make needed school facility building system repairs and replacements;

"Creates a sustainable solution to preserve existing school infrastructure in the state while strengthening the state-local partnership."<sup>8</sup>

Superintendent Reykdal wants to provide \$200 million to the School Preservation Program (SPP) in the next five biennial budgets, for a total of \$1 billion in school assistance over ten years.

These plans, however, do not provide for school space and facility needs for public charter school students. As proposed, charter school families would receive no assistance under this plan.

Public charter schools have been excluded from receiving funding from the School Preservation Program, and from the many other programs supporting the capital needs of Washington's public schools.

### **Conclusion**

Superintendent Reykdal says his long term goal is to give every student in Washington state equal access to state capital funding, so that every student can learn in a facility that is healthy, safe and supports academic learning.

Contrary to this policy goal, however, Superintendent Reykdal wants to prevent

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7 Ibid.

8 Ibid.

charter school students from gaining access to public capital funding for their schools.

Lawmakers will soon consider Superintendent Reykdal's capital funding request in the 2019 legislative session. They can improve on his goal of providing equality and adequacy of school funding for districts in Washington state, by adding what his budget proposal leaves out – equal funding for charter school families.

Lawmakers should end Superintendent Reykdal's policy of discrimination and allow charter school families full and fair access to state capital funding for their public schools, on an equal basis as other public school families, so that all children receive equitable treatment from state education officials.

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