

State lawmakers should end funding discrimination against charter school families

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Key findings

1. **In 2018, the state supreme court ruled that charter schools are an integral part of Washington's public education system.**
2. **More than 3,500 students, mostly from minority, immigrant and low-income families, attend 12 public charter schools in Washington state.**
3. **Charter schools are popular; 1000 students are currently on charter school waiting lists.**
4. **Unfortunately, Washington state denies charter school families access to local levy public school funding.**
5. **Local levy funding is \$2,295 per student on average, about 17 percent of operating revenue for most public schools.**
6. **Lawmakers should adopt a policy of equity and give charter school families access to the same local levy funding provided to other public school students.**

Introduction

Voter-approved public charter schools are the most innovative and fundamental reform in Washington state public education in a generation. Charter schools are publicly funded schools that are open to all students, accountable to the public, and given the flexibility they need to meet the education needs of their students.

Applying to a charter schools is voluntary for families, and their high level of community engagement is popular with parents. Charter school teachers have freedom to help their students without interference from school district bureaucracies and restrictive union rules. Also, union membership is voluntary; charter school teachers can join a union if they wish but are not compelled to do so.

Washington state, however, maintains a policy of funding discrimination against charter school families. Charters receive state and federal funding on an equal footing, but they are denied their share of local levy funding. The money involved is significant; local levies provide \$2,295 per student on average, about 17% of operating revenue for most schools, but zero for charter schools.

This Legislative Memo describes Washington's charter school program, describes the success and popularity of charters nationally, summarizes the legal and political attacks on charters, reviews the policy of funding discrimination, and recommends equity-based solutions that will provide fair treatment for all students.

Background

In 2012, voters passed Initiative 1240, making Washington the 42nd state to allow the opening of innovative charter public

schools.¹ The powerful WEA union sought to kill the idea, filing two lawsuits in an effort get charters shut down.

In 2016, lawmakers passed bi-partisan legislation, which Governor Inslee allowed to become law without his signature, to provide state funding for charter schools.² In 2018, the state supreme court resolved the union-backed legal challenge by ruling that charter schools are part of Washington's public education system.³

Local funding denied

While state lawmakers provided charter school families with their fair share of education funding, school district administrators continue to deny access to local funding.

The funding denied to charters is on average about \$2,300 per student, but in wealthy districts it can be much more. In Seattle, local taxpayers supplement the schools with about \$4,000 per student, on top of state-provided funding. Seattle officials deny access to this money to students attending the city's three charter public schools which are located in the poorest neighborhoods. Charter school families in Seattle must pay the school tax just like everyone else, but their children are not allowed to benefit from the resulting levy revenue.

In Tacoma, local taxpayers provide about \$3,000 per student, but members of the school board prevent Tacoma families attending the city's three public charter schools from having a share in levy revenues.

Charter schools are popular

Overall, more than 3,500 students, mostly from minority, immigrant and low-income families, attend 12 public charter schools across the state. Other communities served by charters are Spokane, Kent, Highline and Tukwila. Most charter schools fill up quickly and have waiting lists.

In 2019, a new charter school will open in Skyway/West Hill, a poor neighborhood in south Seattle, and education leaders have applied to open four more schools to serve families in Wenatchee and Federal Way.

In four years, enrollment in Washington's charter schools has tripled. State law authorizes up to 40 charter public schools to open. The popular new schools are expected to meet the learning needs of some 1,000 students currently on charter school waiting lists.⁴

A popular alternative for families assigned to failing schools

The primary factor that accounts for the popularity of charter schools is that they provide a positive alternative for families whom administrators have sent to one of 252 state-identified failing public schools. State data show that, each year, public officials assign about 54,000 students to these low-performing schools.⁵

Given the low standards and high drop-out rate at these schools, parents are willing to switch, even knowing their children will be denied a share of the education funding that is due them.

1 Initiative Measure No. 1240, "An act relating to public charter schools," filed May 31, 2012, at [sos.wa.gov/_assets/elections/initiatives/FinalText_274.pdf](https://sos.wa.gov/assets/elections/initiatives/FinalText_274.pdf)

2 "Concerning public schools that are not common schools," Senate Bill 6194, passed April 1, 2016 with no signature from Governor Inslee. Accessible at <https://app.leg.wa.gov/bills/summary?BillNumber=6194&Year=2015>. Revised Code of Washington Chapter 28A.710 CHARTER SCHOOLS at <https://app.leg.wa.gov/RCW/default.aspx?cite=28A.710>.

3 *El Centro de la Raza et. al. vs. State of Washington*, No. 94269-2, October 25, 2018 at <https://www.courts.wa.gov/opinions/pdf/942692.pdf>.

4 "Why nearly 1,000 families are clamoring to get into Spokane's charter schools," by Wilson Criscione, *The Inlander*, July 5, 2018 at <https://www.inlander.com/spokane/why-nearly-1000-families-are-clamoring-to-get-into-spokanes-charter-schools/Content?oid=10731058>.

5 "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>.

The success of charter schools nationally

Nationally, charter public schools are common and non-controversial. Most are enthusiastically supported by local education officials and do not face hostile union opposition as in Washington state.

About 7,000 public charter schools serve over 3.2 million students in 44 states. They are so popular that enrollment has nearly tripled in ten years.⁶ They are an integral part of public education in most large, urban school districts.

For example, in the Los Angeles Unified School District, the nation's second-largest, one in five students now attends a public charter school.⁷ In the District of Columbia, 47 percent of students attend a public charter school.⁸ In New Orleans, 98 percent of students attend a charter school, and by 2020 the district will be all-charter.⁹

A recent poll shows strong support for school choice: 65 percent of voters say access to charter schools, magnet schools and career academies is a very important priority for them, and charter schools are particularly popular with minority parents and young people.¹⁰

Conclusion

As in other states, public charter schools in Washington are popular and successful. Washington's policy of unequal treatment in funding, however, introduces inequities that discriminate against charter school students, and disproportionately harm low-income, immigrant and minority families.

The disparity is greatest in wealthy school districts, like Seattle, where taxpayers are providing more money than ever for public education but where school officials are denying a share of this funding to charter schools in the community. Families lose out on thousands of dollars in publically-funded resources because school board members do not permit them to participate. Although their children are not allowed to benefit, these families are required to pay all the taxes imposed by the school district,

The policy of discrimination also undermines Washington's paramount duty under the constitution to make ample provision for the education of every child living within its borders. An inclusive funding policy would make sure all public school students, including those attending a public charter school, receive their fair share.

Charter school families have survived extensive legal and political attacks against their schools. Now that union opposition to their schools has abated somewhat, lawmakers should end the widespread inequities in local school funding.

Lawmakers should adopt an education funding policy based on equity and inclusion to ensure that charter school children are allowed to participate in a fair and equal share of public funding on the same basis as students attending other public schools.

6 "National Charter School Facts, 2016-17," National Alliance of Public Charter Schools, at <https://data.publiccharters.org/>

7 Los Angeles Unified School District enrolls about 600,000 students. Of this number, 138,000 students select a public charter school. See: "About Charter Schools," Los Angeles Unified School District, at <https://achieve.lausd.net/Page/1816>.

8 "Quick Stats: Public Schools in the District of Columbia, 2017-18 Enrollment Audit Report," Office of the State Superintendent of Education at <https://osse.dc.gov/page/data-and-reports-0>.

9 "Following New Orleans's lead on charter-school education," by Emily Langthorne, The Washington Post, July 1, 2018 at https://www.washingtonpost.com/opinions/following-new-orleanss-lead-on-charter-school-education/2018/07/01/560814ae-7ae8-11e8-80be-6d32e182a3bc_story.html?utm_term=.3b67def8391b.

10 "National Education Polling Results," The Berenson Group, August 2018, at <http://dfer.org/wp-content/uploads/2018/08/DFER-Berenson-Interested-Parties-Memo-FIN.pdf>.

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