



Utah Association of Public Charter Schools [2008 Legislative Report Card Introduction

This “Legislative Report Card” is prepared by the Utah Association of Public Charter Schools (UAPCS) to help charter school board members, staff, parents, and advocates judge the performance of their legislators, and of the legislature as a whole. We are pleased to announce that this year charter school students won funding parity, the arbitrary fixed cap on charter school growth was removed, and that ongoing funding was finally established in statute. These are significant legislative achievements that represent countless hours of work by the Association, charter supporters in the legislature, individual charter schools and other charter advocates, particularly parents.

While we celebrate our success, we are also aware that laws made in one year can be changed or repealed in later years. It continues to be vitally important that charter advocates support legislators and candidates for office who understand that all public school students should be funded equally, no matter which model of public school they attend. We also need to help historically non-supportive legislators understand the principles we stand for, or support candidates for their positions that do understand.

UAPCS is a non-profit organization and does not endorse specific candidates. We do, however, analyze the performance and votes of existing legislators. We encourage charter advocates across Utah to support those legislators and candidates whom they believe best understand charter school principles and who vote to put those principles into law and practice.

BILLS

When grading current members of both the Utah House of Representatives and the Utah Senate, UAPCS considered four bills:

- [H.B. 160](#), by [Becky Lockhart](#) and [Dan Eastman](#): This bill made some technical, but still very important changes in charter school law. First, it clarified that the “[Seven Purposes of Charter Schools](#)” apply to the state’s charter schools as a whole, rather than to each individual school. Second, it correctly changed the structure at the State Office of Education so that the Charter School Director reports to the Charter School Board, rather than to the traditional bureaucracy. Finally, it defined charter schools as public schools “governed by independent boards” and held accountable to a charter.
- [H.B. 472](#), by [Kevin Garn](#) and Dan Eastman: This bill corrected a major flaw in last year’s charter school amendments bill. Under that law, no parent was legally allowed to enroll

in a new charter school as of February 15 of this year, with fixed deadlines for enrollment and acceptance. (Widely known as the “March 31st problem.”) This bill kept that deadline as an “initial” enrollment period, but moved the final deadlines for new charter school enrollment back to June 30 to allow parents the time they need to research schools to make the best choice for their child, and more time for schools to do outreach and marketing.

- [H.B. 278](#), by [Ron Bigelow](#): This was the major charter school funding bill of the year. This bill had four main parts: increasing the enrollment cap for charter schools, granting charter students access to local tax dollars (from property tax), establishing a support center for charter schools, and defining local and administrative dollars to more closely match with school districts. This bill did not receive a vote in the Senate because it was absorbed as part of an omnibus education bill, S.B. 2. For purposes of the report card, we consider the Senate’s vote on S.B. 2 the same as the House’s original vote on H.B. 278.
- [S.B. 36](#), by [Mark Madsen](#) and [Craig Frank](#): This bill allowed charter school students to participate in sports and other extracurricular activities at their local public school if their charter school did not offer such a program. This was an especially important bill for charter high schools, which do not have the size or funding to compete with the extracurricular offerings of large district high schools.

GRADES

UAPCS developed a grading scale based on legislators’ votes on the four considered bills. Legislators who voted FOR each bill received an “A.” Three out of four favorable votes results in a “B,” two out of four, a “C,” and one out of four, a “D.” Zero out of four would have resulted in an “F” but no legislators are in that category.

There is also an Extra Credit category, marked “EC” on the report card. This category gives a bonus (from A to A+, for example) to legislators who sponsored or co-sponsored this legislation, or reduces the grade (from B to C) for legislators who sponsored amendments to these bills that UAPCS considers unfriendly to charter schools.

There were two such amendments to H.B. 278. Voting for, but not sponsoring, such an amendment would have resulted in a stepped down grade (from B to B-), but the amendments passed on voice votes, and there is no way to verify how individual legislators voted.

Some legislators were not present for each vote. For legislators who voted on three of the four bills, we assume that their voting trend would have continued. If a legislator voted favorably on the three votes for which he was present, he earns an “A.” For legislators whose votes were split on the three eligible votes, we considered the overall vote of the bill missed. For example, Carol Spackman Moss voted against H.B. 278 and 160, but voted for S.B. 36. She was absent for H.B. 472 which passed the House unanimously. She receives a grade of C, under the assumption that she would not have been the lone dissenting vote on 472. Legislators who voted

on two or fewer of these bills (like Bud Bowman, who missed much of the session due to health issues) are given a grade of “I.”

When calculating grades, we did not consider committee votes. There were no instances of committee votes being different than ultimate floor votes, and each of our bills that was heard in committee also received a vote on the floor, making committee votes not relevant for the purposes of this report card.

TRENDS

Converting letter grades to a standard “grade-point-average” scale, there are some interesting trends that become apparent when reviewing the list. (Averages do not include grades of “I.”)

- **House and Senate:** The Senate overall is much more inclined to support our legislation than the House. The Senate’s GPA was 3.74, while the House’s was 3.12. While these averages are both solid, and explain why we had such success on our legislative agenda this year, this may indicate that charter supporters should concentrate on strengthening our relationship with House members. Charter advocates may also want to become involved in the campaigns of Representatives with high grades or candidates running for seats currently occupied by those with low grades.
- **Democrat and Republican:** In the House and Senate combined, there is a stark difference between the two parties’ support for charter schools. Republicans’ GPA is 3.6, while Democrats’ is 2.46. UAPCS is concerned by this and will be making efforts this year to meet with Democratic legislators and their leadership to try and build stronger relationships and overcome misconceptions on both sides. It should be noted that some Democrats (Pat Jones, Karen Mayne) receive “As”, while some Republicans (Kory Holdaway, Eric Hutchings) receive “Cs”. UAPCS recommends that charter advocates base decisions of political support on overall legislator and candidate performance as evidenced by these grades and other factors, and not exclusively by party. We hope to build support among House and Senate Democrats in the coming year.
- **Voucher and Charter support:** Perhaps a surprising trend, but one that is worth mentioning given recent political events, is the correlation between support for last year’s school voucher law and support for charter schools. Among legislators who voted for last year’s voucher bill the GPA is an astounding 3.88 on this year’s charter school legislation. Those who voted against vouchers have a GPA of 2.52. UAPCS did not take a position on the voucher bill or the citizens’ referendum. We are aware, however, that there is a move within some parts of the public education industry to “take out” legislators who supported vouchers. It is clear that doing so may also have tremendous negative impact on charter schools and charter students. While some charter advocates may have strong feelings against school vouchers, UAPCS recommends that charter advocates work to support lawmakers with strong charter support, independent of how they voted on last year’s voucher bill.

CONCLUSION

UAPCS was pleased with the success of our key legislative priorities this year. We know, however, that political progress is never permanent. Strengthening support for charter schools in the legislature will likely lead to further progress, while weakening support may mean that our recent accomplishments are undone by future legislatures.

Political conflict is a constant reality in a free society like ours. Many of charter schools' strongest supporters in the legislature have challengers this election year. If those legislators are replaced by others, it may be much more difficult for charter schools to operate and grow.

UAPCS encourages charter advocates to be involved in the political process by voting, attending political party caucuses, and running as delegates to party conventions. The goal of that involvement should be to help charter supporters get elected and stay in office so that good policy will continue to strengthen and expand opportunities for charter school students. We encourage charter school board members, teachers, parents, and other advocates to review the UAPCS Legislative Report Card to find out how their legislator performs on important charter school issues and make their own decisions using that information.

Thank you for your continued support of charter schools and charter students, both present and future, in Utah.