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Shawn Vestal: Washington Supreme Court's late work on charter schools gets low grade

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In January 2014, Spokane Public Schools approved the first charter school in the state, Pride Prep. A couple of months later, a challenge to the voter-approved law establishing charter schools went to the state Supreme Court.

By September 2014, Spokane's second charter school, Spokane International Academy, was authorized. A month later, the state Supreme Court heard oral arguments in the challenge.

This March, Spokane Public Schools had a lottery for its two charter schools, and students learned who got in and who didn't. Meanwhile, the justices deliberated.

In mid-August, the first charter schools opened in Seattle. Here, classes began at the Spokane International Academy and Pride Prep within the past two weeks.

And still the justices deliberated.

Or maybe they didn't. Maybe they were busy with other hearings and other rulings. Maybe they were polishing their arguments and straightening their margins. What we know is that the justices had 11 months after oral arguments to come to a ruling. Enough time for entire schools to go from concept to reality, and enough time for the court to produce one 20-page ruling undermining those schools, long after the last minute.

And now hundreds of students and their families are in limbo.

As our educational organizations and judicial institutions wrestle with the major questions of the day, they keep pinning parents and students to the mat with a seemingly basic consideration: Will there be school tomorrow?

Sorry to be so mundane. So little-picture. But it has been a disorienting and distressing few months for parents, a time in which everyone, from the teachers union to the school board to the Legislature to the Supreme Court, seems to have downgraded day-to-day considerations in favor of the big picture: Are charter schools constitutional? Is the Legislature doing its job? Does Spokane Public Schools really want to pay burger-flipping wages to classroom assistants? How can lawmakers boast about their "historic" increase in education funding with straight faces, as though their historic failures of previous years did not exist?

Enormous questions, all.

But, also, you know, forgive us for asking and everything, but here at the bottom of the hill where everything rolls down, we've simply been wondering: Will there be school tomorrow?

Last spring there was the one-day teachers walkout – leading to canceled classes and rescheduled makeup time. This summer came the stalemate between the Spokane Education Association and the school district, which hung the prospect of a strike over the first week of classes. The news that the strike had been probably averted came the day before it was to begin.

I support the teachers on the issues. They have been pushed against a wall by repeated failures upstream. But there has been a faint, and sometimes not-so-faint, tendency to be dismissive about concerns over scheduling and stability and missed classes. We've been told that missed days resulting from a walkout or strike would be just like "snow days" – a preposterous and tone-deaf comparison. I must have heard 50 times, during the walkout, that the "real issue" was not the inconvenience to families, though it seemed like a real issue in my family. One teacher wrote to insist that the inconvenience was really just an "inconvenience."

Of course, the school board was also willing to hang the possibility of a strike over the heads of parents and children, though it's impossible to say what occurred at the negotiating table. We do know this, though: Both sides were willing to press the matter beyond the last minute. And when it came to the walkout last May, the district – while decrying the disruption – could surely have taken some steps that might have eased it.

Now, egregiously, comes the Supreme Court to announce – at 5 p.m. on Friday, the time in the PR cycle reserved for the burying of embarrassing news – that the charter schools students are already attending are unconstitutional.

It's a big, big question. It would have been rash to expect a hurried-up decision, and I'm not saying the justices got it right or wrong. But they could have weighed in last month. Or two months ago. Heck, a panel of such accomplished and experienced jurists might have managed the job three months ago – eight months after they heard arguments in the case – if they'd paid the slightest bit of attention to the importance of one tiny little question of no constitutional consequence.

Will there be school tomorrow?

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