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Inslee won't call special session to deal with charter school ruling

By [Jerry Cornfield](#)

Gov. Jay Inslee on Friday told lawmakers he won't summon them for a special session to fix problems with the state charter school law.

But he said he would do so if they agree on a school funding plan that will end the Supreme Court's \$100,000-a-day fine against the state in the McCleary case.

"Our state constitution establishes our public education system as our highest priority, and I believe developing a responsible plan to meet this duty needs to be our primary focus," Inslee wrote in a two-page letter sent to lawmakers Friday.

"As I write this letter, the state has accrued millions of dollars in fines for being in contempt of the Supreme Court's McCleary order. I've heard some say that the fines aren't much compared to the cost of funding basic education. That's true," he wrote. "But I believe those fines cost us in our standing with Washingtonians who expect we will support public education and live by the rule of law."

A group comprised of House and Senate members of both parties will meet Sept. 24 in SeaTac to tackle the court's demand. If an agreement among lawmakers is reached by Nov. 19, Inslee said he would call a special session for them to pass it.

As to the charter school law – which he opposed and the Supreme Court deemed unconstitutional in a Sept. 4 ruling – he said: "I do not believe it is in the best interest of the state to call a special session to attempt to cure the constitutional concerns with the current system."

Continuing, he wrote:

"I opposed the initiative that created charter schools because I did not believe that public money belongs in schools that lack public oversight and accountability. That remains my position," Inslee wrote lawmakers. "We must have accountability for all taxpayer money spent on education, particularly at a time when the Court has ruled that we have consistently failed to adequately fund public schools."

Inslee released the letter shortly after Washington Attorney General Bob Ferguson said he will ask the state Supreme Court to reconsider its ruling invalidating the charter school law approved by voters with passage of Initiative 1240.

Ferguson and Inslee met Friday morning to discuss the attorney general's decision.

A motion to reconsider will be filed by Sept. 24, [according to a press release](#) issued by Ferguson's office.

The Supreme Court, in its 6-3 decision, determined the privately run, publicly funded charter schools do not qualify as common schools, as defined in the state constitution, and thus not entitled to money from accounts earmarked for common schools. Further, the court found the law flawed because charter schools lack elected boards that can be held accountable for how the tax dollars are spent.

Nine charter schools were expecting a payment from the state later this month.

At this point it's uncertain where the money for the schools to operate will come from – though private donors vow to cover the tab if necessary – and in what capacity can the schools operate if the law is erased.

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