

The uncertain future of charter schools | Jerry Cornfield

by JERRY CORNFIELD
Bonney Lake-Sumner Courier-Herald Columnist
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Try as it might, Washington just can't get this charter school thing down right.

For years, backers of this privately run, publicly funded model of educating endured rejection by voters worried that diverting public dimes in this manner might sink the state's school system.

The mood turned in 2012 when billionaire believers of this education alternative put serious amounts of their money into helping pass Initiative 1240. An alliance of national experts hailed the measure as one of the best written charter school laws in the nation.

Until Friday.

That's when the state Supreme Court, in a 6-3 decision, struck down the law as unconstitutional and began the countdown to the legal extermination of nine charter schools serving 1,200 students.

So now what?

The Washington Charter School Commission held a special meeting Wednesday for commissioners to ponder the path of what-ifs ahead of them. "We need to remain focused," executive director Joshua Halsey said before the meeting. "These are real schools. These are real kids that are being impacted by the decisions made by adults."

Conversations are already occurring on how to keep schools open and fix the law.

But first, the Attorney General's Office and lawyers for initiative backers will try to convince the Supreme Court – or at least a majority — to reconsider and retreat from its original decision. That motion must be filed within 20 days of the ruling.

Because it's highly probable the court won't change its mind, the state's attorneys also will ask justices to provide enough time for the commission to extricate the public's fingers from these operations.

That also will give founders of the schools a chance to take their next step, which presumably will be to become private schools for the foreseeable future.

On that point, the Washington State Charter School Association, a private group which raised hundreds of thousands of dollars to assist the schools, is making sure money won't be an issue. Its leaders vow to drum up the estimated \$14 million needed to keep every school open through June.

Meanwhile, figuring out how to legitimize charter schools will be much harder as it will require action by lawmakers.

Republicans in the House and Senate want to move swiftly to carve out a spot in state law for charter schools and spell out where funding for them will come from. Seattle Rep. Eric Pettigrew wants to act quickly along those lines as well.

They want Gov. Jay Inslee to call a special session for that purpose but as of Wednesday morning he had not indicated what he wants to do. Democratic leaders in the two chambers have been silent on the situation too. Without their buy-in, it's a cinch this will be a debate left for the 2016 legislative session.

Jim Spady, a charter school supporter who has been on the front lines of this civic war since 1994, vowed the court action won't be the last word. "We are going to do whatever it takes," declared Spady, an executive of Dick's Drive-in. "We are having charter schools in Washington state. They are here. They are working. We haven't come this far to be sidetracked."