

# Charter school decision puts Running Start in jeopardy | Bellevue College's program not at risk

by [ALLISON DEANGELIS](#), Bellevue Reporter Reporter  
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The state attorney general has asked the Washington Supreme Court to reconsider its Sept. 4 ruling on charter school legislation that would bring the constitutionality of popular programs like Running Start into question.

The 6-3 decision overturned I-1240 and ruled that privately operated, publicly funded charter schools created under the initiative do not qualify as common schools under the state Constitution and therefore cannot receive public funding.

“The decision not only invalidates Initiative 1240, but also unnecessarily calls into question the constitutionality of a wide range of other state educational programs,” the statement said. “These important programs range from Running Start to Washington State Skills Centers that provide career and technical education to high school students.”

Under the state constitution, programs like Running Start are not considered “common schools” because they do not have elected school boards.

Despite the threat to Running Start programs throughout the state, Bellevue College’s program is considered safe, as it reportedly does not receive state funding.

“Actually, Bellevue College does not receive funding from the state from the Running Start program, so this will not impact us,” said Bellevue College’s Vice President of Institutional Advancement Gayle Barge.

Initiative 1240 passed with 50.7 percent of the vote in 2012, making Washington the 42nd state to approve charter schools.

The measure provided for the opening of as many as 40 charter schools within five years. The first opened last fall. This school year, eight more have opened, with classes beginning over the past few weeks.

The schools, located in Seattle, Tacoma, Kent, Highline and Spokane, are committed to remaining open for the year, even if that means relying on public donations, according to Randy Dorn, the state superintendent of public instruction.

“As we wait for a final judgment by the courts, I’m committed to ensuring that the education of the nearly 1,200 children enrolled in approved charter schools is not interrupted,” he said.

His office will work with educators across the state, including school district leaders, to help assure that charter school students will continue to receive appropriate education,” wrote state Superintendent of Public Instruction Randy Dorn in a public letter.

The charter school law was challenged by the League of Women Voter of Washington, the Washington Education Association, the Washington Association of School Administrators and others. The plaintiffs argued that the lack of local elected governing bodies and the funding implications violated state law.

In her majority opinion, Chief Justice Barbara Madsen cited precedent from 1909 in ruling that charter schools are not common schools because they are controlled by a charter school board — not by local voters. She further rebuffed an argument from the state that the charter schools could be paid for from the general fund rather than money specifically intended for public schools, because the state doesn’t segregate the funds and thus doesn’t have a way to ensure restricted money isn’t spent on charter schools.

Attorney General Ferguson previously announced that he would file a motion to challenge the ruling by Sept. 24.

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