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In Our View

Proposal would make charter schools accountable to voters

By The Herald Editorial Board

Since the start of the school year, the estimated 1,300 students enrolled in nine K-12 charter schools across the state have lived with the uncertainty of where they will attend school after this year.

As schools prepared to open in September, the state Supreme Court, in a 6-3 decision, ruled that the [citizen's initiative that created the state's charter school system was unconstitutional](#) because the schools were receiving state funds but weren't subject to the oversight of voters. The court cited a 1909 precedent that found that only the voters, through those they elect locally to school boards, had the authority to administer publicly supported "common schools."

Supporters protested that the approval of the initiative ought to serve as adequate voter oversight, but the court denied a request to reconsider its decision in November.

Since then, the [statewide Charter School Commission has begun preparations to shut down](#). One school in Seattle has begun the process to revert to a private school. The eight other schools, including schools in Spokane, Tacoma and Highline, are considering a [contract with a small 500-student public school district near Spokane](#). Two schools might also apply for state funding to serve as home-school centers.

The Legislature begins its session Monday, focused chiefly on correcting the school funding issue for more than a million other of the state's K-12 students, but two Spokane-area senators, [Democrat Andy Billig and Republican Michael Baumgartner, have proposed legislation, Senate Bill 6136](#), that would allow the schools to stay open and provide for the opening of more schools but would make the charter schools accountable to local school district boards.

The move would keep the charter schools as an alternative but would satisfy the court's concern about public accountability. Charter schools would lose the autonomy they now enjoy, but the legislation would give the charter schools more flexibility than allowed alternative schools in most school districts, said Billig in an Associated Press story this week.

Charter school boards would negotiate with their local school district board regarding length of school day, school year and instructional hours, professional development and staffing levels, hiring and firing of charter school staff, curriculum and budgeting decisions. Funding from levies, on a per-student basis, also would be negotiated between the charter school board and school district board.

Charter school proponents may chafe at having to submit to local school district oversight, but the legislation would keep existing schools running and allow more to open. And it would add to school district management duties, but the students in charter schools would be the districts' responsibility with or without the charter schools.

The legislation also honors the voters' will to create the charter school system, albeit with 51 percent approval.

The debate continues as to whether charter schools are as effective in educating students as their supporters claim. In [a Herald guest commentary in November](#), Lew Moore, president of the Washington Research Council, pointed to national research in 2009 that found that for most students, a charter school education was not a significant improvement over a traditional public school education. The exception was for charter schools in urban areas where a majority of students from low-income families, minority students and English-language learners did benefit.

The Senate legislation allows the charter school laboratories of learning to continue and seems to satisfy the constitutional requirement for public oversight of state and local funding.

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