

POSITION REGARDING THE SUPREME COURT'S RULING

The Washington State Charter School Commission (Commission) is profoundly disappointed with the Supreme Court's decision to overturn the Charter Schools Act. While the decision itself is disappointing to the Commission and the voters who passed this initiative, the 1,200 students and families who are directly impacted are our first priority. The children and families who chose to attend these schools deserve the stability and high-quality education that they signed up for when they began the school year in lawfully authorized public charter schools. The Charter Schools Act was designed to provide all families throughout Washington with high-quality educational options. Unfortunately, the Court's decision has eliminated many educational options for families. As such, we urge the Court to allow these children to finish out the 2015-16 school year at the public charter schools that they have been attending before the Court issued its opinion. During this time, these schools should receive public funding in order to fully deliver on the promise of providing a high-quality education to all of their students.

The Charter Schools Act directed the Commission to prioritize the approval of qualified charter schools who serve at-risk youth. The Commission has authorized and provides oversight to seven public charter schools who are implementing focused programs designed to improve the educational outcomes for all student, especially at-risk youth. The importance of educational stability is well recognized and it is particularly important for at-risk youth or youth who have experienced uncertainty or other trauma in their lives, as is the case for many of the students who are enrolled in our public charter schools. An unexpected or unwanted change in educational placement can result in loss of educational progress and is associated with poor school performance. Some studies indicate that students report changing schools as being as stressful as the hospitalization or incarceration of a parent. This stress is compounded when the children have other life stressors, such as homelessness, poverty or disruption in the home. Educational stability and continuity can significantly increase a child's likelihood of success in school and life.

The Commission has a legal and moral obligation to fulfill the mandate of the voters by authorizing and providing oversight to high-quality public charter schools. It established a strong system of authorization, oversight and accountability for Washington's public charter schools. This system was created in collaboration with national stakeholders, such as the National Association of Charter School Authorizers, and with the help of Washington's traditional public education sector, including the Office

of Superintendent of Public Instruction, the State Board of Education and school districts. In all, the Commission established a transparent and accountable system for public charter schools to be authorized and operate in Washington, and acted by the will of the people to begin to build this new sector of public education.

The charter schools currently operating represent years of preparation, planning and community engagement. This was not an overnight process of submitting an application and receiving approval to commence operations. These public charter schools, staffed by dedicated individuals, have immersed themselves in the communities they serve, asking what *the community* would like to see in a public school. The fact that these schools are open *at full capacity*, most with students on waiting lists, is a testament not only to the hard work of the school's staff and board members, but to the communities' desire for public school options.

In addition to engaging communities, these schools have complied with the rigorous reporting requirements of the Commission. Before any school was authorized to open, it was required to complete over 30 preopening conditions over the course of 10 months *and* engage in a preopening site-visit with Commission staff. This high level of oversight and accountability assured the Commission and families that their school was ready to open and serve students. All schools have completed their preopening conditions; all schools *have been* serving students.

The Commission believes that it is the will of the people that public charter schools remain an option in the public education landscape of Washington. The people have spoken through the initiative process; the people have spoken through their enrollment in these schools. By wholly invalidating the Charter School Act, the Court has turned a cold shoulder to the will of the people, and has provided no option for 1,200 public school students currently enrolled in public charter schools but to return to the traditional schools that were not meeting their needs. The Court should allow these schools to stay open and receive public funding throughout the 2015-16 school-year so that Washington's lawmakers can fix this law. During this time, the Commission itself would remain operational to provide oversight and continue to ensure the highest level of accountability for these schools. By taking this action the Court would send a clear message to Washington's students and families, including the underserved and underrepresented communities, that their State is working to create an educational system centered on high-quality public school options that reflect the needs of all students.