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From the Los Angeles Times

Charter school lawsuits voided

Judge rejects advocates' efforts to require L.A. Unified to hand over or share school sites. He orders the dispute to arbitration.

By Howard Blume
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Charter school advocates lost an important legal round this week when a judge dismissed two lawsuits that sought to make the Los Angeles Unified School District hand over or share existing school sites. L.A. County Superior Court Judge Robert O'Brien ordered the dispute to arbitration, which is what the district wanted.

But L.A. Unified also faces another legal challenge over charters — this one from a nearly opposite position. The teachers union contends that the school system has unlawfully helped a charter find space at the expense of a regular district school. They want a charter school removed from the campus of the Woodland Hills Academy.

The multiple lawsuits have left hundreds of students in limbo and underscore once more the evolving interaction — and frequent conflict — between the district, traditional schools and charters.

"We're scrounging around for every available space and parking lot to provide to a charter school," said Fredric Woocher, an outside counsel representing L.A. Unified. "We're limited. We're not going to change an entire school's attendance area and bus kids out to another school to make room for a charter."

Charter schools are independent public schools that are freed from many regulations and in turn are expected to improve student achievement.

Two charter school organizations had sued L.A. Unified under voter-approved Proposition 39, which, among other provisions, stipulates that school districts provide facilities for charter students that are "reasonably equivalent."

Last year, 103 charter schools operated within the nation's second-largest school system. An additional 15 are expected to open in the fall. Schools that have converted to charter status have kept their L.A. Unified campuses. But only a handful of start-ups have been allowed to use classrooms at either an existing Los Angeles school or one of the dozens of new ones built in recent years.

The two dismissed lawsuits were filed by Green Dot Public Schools and PUC Schools, growing charter-school organizations based in the Los Angeles area, along with the California Charter Schools Assn. PUC, which opened the first of eight schools in 1999, has never had a district home. Green Dot has some operations on district property.

L.A. Unified attorneys prevailed in court after pointing out in filings that an arbitration process for settling disputes is laid out in the charter schools' petitions, the contracts with the district under which the schools operate. "It's definitely a victory," Woocher said. "It's exactly what we asked for."

But the other side saw a silver lining in the judge's direction that arbitration could begin without the additional step of formal mediation.

"This is an opportunity for charters to make our case to a decision-maker," said Caprice Young, head of the charter association.

The other lawsuit concerns the impending arrival of the Charter High School of the Arts at Woodland Hills Academy, a middle school in the midst of an internal improvement effort.

Woodland Hills, formerly Parkman Middle School, submitted its own charter petition in 2005, part of a plan to turn around declining enrollment. Instead, district officials and leaders of United Teachers Los Angeles worked out a deal to keep the school under district control — by giving the school extra money and freedom.

Principal Allan Weiner insisted that the effort is working and said he expects as many as 150 additional students in the fall. The school has no classrooms to spare, he said.

District officials contend that there's still room at Woodland Hills, at least for next year. And they express confidence regarding their legal position.

Still, the director of the arts charter, Norman Isaacs, worries that L.A. Unified has no contingency plan for his school. As a precaution he's pared down, for now, his planned enrollment by 200. He envisioned the two schools working seamlessly together; instead, a fence will divide the campus, and he's awaiting word on whether a separate bathroom building will be installed in time. That's presuming he gets the space at all. A court hearing is scheduled Aug. 22, not long before the start of school.

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