

## **Gwinnett County Public Schools Statement on Legal Action Contesting the Constitutionality of the Georgia Charter Schools Commission**

The Gwinnett County Board of Education voted today to move forward with legal action to contest the constitutionality of the Georgia Charter Schools Commission. We firmly believe that the Georgia Charter Schools Commission is unconstitutional.

This is not an anti-charter school lawsuit. The Gwinnett County Board of Education already has approved two successful charter schools—a start-up charter, New Life Academy of Excellence, and a system charter, the Gwinnett School of Mathematics, Science, and Technology. In addition, two more system charter schools are in the planning and approval process.

We do not believe the Charter Schools Commission has standing under the state Constitution to manage and control local schools. The Constitution clearly establishes that public schools are to be under the governance and control of elected local boards of education.

We do not believe the Commission has the constitutional authority to establish a state-wide independent school system, as it is doing in authorizing its own charter schools.

We also do not believe the Commission has the constitutional authority to direct local dollars to the operation of Commission-approved charter schools.

The Board's decision to pursue this legal action was precipitated by the state's unconstitutional erosion of local control of the public schools. Compounding this fundamental concern is an

inflated funding formula that redirects a disproportionate share of local tax dollars to the education of students in Commission charter schools, and that is not consistent with current charter school law.

The Georgia Charter Schools Commission does not represent Gwinnett taxpayers, and Gwinnett citizens have no voice in a matter of such gravity. Our state has in place an appropriate process—a referendum of the people – that would allow for changes to the Georgia Constitution regarding the governance of local schools. Absent that process, changes to provisions in the Constitution are not legal.

In governing our schools, the Gwinnett County Board of Education has consistently acted in the best interest of its students. The vote to file this lawsuit reflects the Board’s commitment to uphold its sacred responsibility to the students and citizens of Gwinnett County. We turn to the courts to address the constitutionality of the Georgia Charter Schools Commission and trust the courts to apply the laws of the state of Georgia in determining the legal use of tax dollars in educating students and preserving local control of the public’s schools.