

RICHARD ELFER | McCleary decision puts lawmakers on notice

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The McCleary versus the state of Washington decision of Jan. 5, 2012, set the stage. According to the state constitution, "It is the paramount duty of the State to make ample provision for the education of all students residing within its borders."

What will the state Legislature do? Will it obey the state Supreme Court's decision to follow the state constitution's declaration to support and uphold K-12 education as the paramount duty of Washington's legislature, or will lawmakers avoid following that prioritization from the McCleary decision?

School district superintendents are pleased by the court's decision to enforce compliance to the constitution in his State of Education address recently. Doing so means the state will have to increase educational funding by at least \$1 billion for the 2013-15 biennium.

The court unanimously declared that the state's paramount duty means "first and highest priority, before any other state programs or operations." Finally, someone has forced the lawmakers to set priorities.

The state Legislature has allowed politics to get in the way of obeying the law. Not putting education as the paramount duty of the state has set a very bad example for Washingtonians. If the Legislature won't keep the law, why should the citizens obey it? The state must change its ways.

As we have heard so often, no one is above the law, especially the state's senators and representatives. If the Legislature wants to change the intent of the constitution, then they should move toward passing constitutional change. Since that option is not politically viable, the only solution in this legislative session is to make funding education the No. 1 priority. Other programs must either be cut and/or taxes raised to pay for them. State government must become accountable.

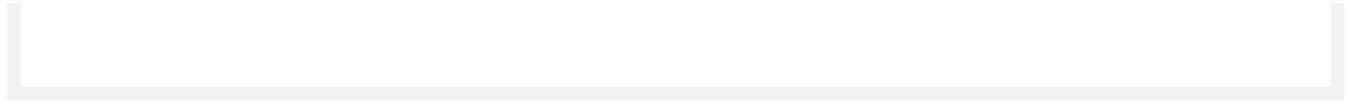
The reason this decision is so difficult to obey is that we citizens will also have to face reality. Constituents want more services without paying the cost of those increased services. This issue can no longer be kicked down the road for future lawmakers to decide on. Legislators must do what they have been elected and sworn to do: obey the constitution. They have a difficult task: figuring out how to fulfill this obligation and please their constituents at the same time.

Obeying the McCleary decision will force the Legislature to put other priorities in secondary positions. Cities in Washington desperately need help in funding repair of the infrastructure: roads and bridges, sewers, and water. They're in poor condition, and the longer we wait to fix them the more it will cost the taxpayers. Student costs for college have also soared. The McCleary decision does not cover these costs, yet the future generation of workers needs to be educated. Other priorities, such as dealing with costs of our criminal system, and with our social services must somehow be addressed with the reshifting of resources brought on by McCleary.

The only solution to this funding crisis is for Republicans and Democrats to work together for the good of the state. Any unwillingness to compromise will mean gridlock and stagnation. The time has come for the state Legislature to step up and act courageously. The McCleary decision could actually break the deadlock of partisanship in the government.

As a former K-12 teacher, I believe that fully funding education is a long-term solution not only for public schools, but also for other important priorities. It's going to force us all to make decisions about the role of government. Perhaps that clearer focus will cause us to work together in the other areas of need in this state.

The constitution says it is "The paramount duty of the State to make ample provision for the education of all students residing within its borders." The only solution is for our lawmakers to follow the direction of the state Supreme Court. My advice to our legislators: "Do the right thing."



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