

Court to quiz Legislature on school funding delays

Justices want state's lawyers to explain lack of progress

By DONNA GORDON BLANKINSHIP, Associated Press

Published: September 1, 2014, 6:01 AM

2

SEATTLE — The Washington Supreme Court is marking the beginning of school with a mandatory assembly for the Legislature on education finance.



The court has ordered lawmakers to come to court on Wednesday to explain why they haven't followed its orders to fix the way Washington pays for public education.

Lawmakers, the governor and others say the court needs to be patient and give the Legislature more time to fulfil the orders in the 2012 McCleary decision.

Thomas Ahearne, the attorney for the coalition that sued the state over education funding, says the Legislature has made so little progress toward meeting the goal that only more pressure from the court will make it happen.

The McCleary decision said lawmakers are not meeting their constitutional responsibility to fully pay for basic education and they are relying too much on local tax-levy dollars to balance the education budget.

The court commended the Legislature for passing some reforms in the K-12 system and for starting to pay for them. The McCleary decision orders the Legislature to finish paying for the reforms, which may add more than \$4 billion to the state's biennial budget, according to some government estimates.

The Legislature was given until the 2017-18 school year to fix the problem.

Among the reforms awaiting payment:

- All-day kindergarten in every school.
- More instructional hours for high school students to help them earn 24 credits to graduate.
- Pupil transportation fully supported by state dollars.
- A new formula for school staffing levels.
- Smaller classes in the lower grades.
- More state support for school equipment and supplies.

The Legislature has been making yearly progress reports — three since 2012 — on its efforts to fulfill the McCleary decision, and each time, the court's response has been that lawmakers aren't doing enough.

And every year Ahearne has called on the court to punish the Legislature for dragging its feet.

In June, the Supreme Court ordered the state of Washington to show why the justices should not take the actions Ahearne has called for, including:

- A freeze on state spending until the McCleary ruling is fulfilled.
- The sale of state property to pay for education.
- Reversing education cuts in the state budget.

A flood of briefs have been filed in the case. The opinions range from suggestions to hold the Legislature in contempt to giving lawmakers more time, to not putting education spending ahead of other needs such as health care for kids.

The superintendent of public instruction has chimed in. A group of former governors filed their own brief and several advocacy groups have expressed their concerns.

The Legislature, represented by the state attorney general's office, argues that they're making progress, and they have a plan to make even more progress during the next budget session, which begins in January.

More Like This



Add a comment...

Comment



Ed Rutledge · Top Commenter · Vancouver, Washington

Local Repubs will tell us we can fund the McCleary order AND build a whole new commuter bridge across the Columbia all with no tolls, no fees and no new taxes.

Crooks and liars.

[Reply](#) · [Like](#) · Yesterday at 9:02am



Elect Jim Moeller

The legislature cannot fund the McCleary decision without raising taxes - on someone. Despite the imaginations of my Republican friends 3-4 BILLION dollars cannot be found in the seat cushions or gleaned from transportation "reforms" as they are not funding streams that can be counted on in the future. For every increase by 1 cent in the sales tax the legislature raises about 1 billion dollars - it's not hard to do the math. The Washington Budget and Policy Center also has some ideas about funding <http://budgetandpolicy.org/reports/a-parmount-duty-funding-education-for-mccleary-and-beyond/> I think it's time to go beyond the slogans and sound bites and address the problem NOW instead of kicking the can down the road.

[Reply](#) · [Like](#) · Yesterday at 8:52am



Roger Neilson · Top Commenter · Works at Mostly in and for US Army

So, the organization you linked to seems to think the solution is finding a way to get rid of the I-747 annual 1% cap on property tax increases, and allow them to rise at 6% plus annually, as was the case before 2001. Do you support this? If so, how do you propose to bypass the initiative?

[Reply](#) · [Like](#) · 18 hours ago



Jim Moeller · Top Commenter · Clark College -- Vancouver, Washington · 128 followers

Roger Neilson: That's one idea. Another might be to tie I-747 to the state inflation rate (I actually support this) that would allow local governments to adjust their budgets according to the real cost of goods and services and not, as we say "Rob Peter to pay Paul. Also, an initiative requires a simple majority to be amended after 2 years - the same as any other bill. However, none of this addresses the immediate concern of 3-4 BILLION dollars of funding for education and McCleary.

[Community guidelines](#)
(/guidelines/)

[BLOGS \(HTTP://BLOGS.COLUMBIAN.COM\)](http://blogs.columbian.com)

