

POLITICS NORTHWEST

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Supreme Court finds Legislature in contempt on education funding

Posted by Joseph O'Sullivan

The Washington state Supreme Court is holding the Legislature in contempt for not making enough progress toward fully funding public education but, for now, won't issue sanctions.

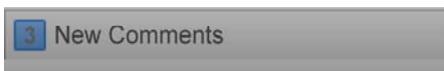
In an order Thursday in the landmark McCleary school-funding case, the court said it won't issue any sanctions until at least the close of the 2015 legislative session. After that, action could be swift.

“On the date following adjournment of the 2015 session, if the State has not complied with the court’s order, the State shall file in the court a memorandum explaining why sanctions or other remedial measures should not be imposed,” reads the order, which was signed by Chief Justice Barbara Madsen.

The decision was unanimous. Read the order for yourself [here](#).

The case is named after parents Stephanie and Matthew McCleary, the lead plaintiffs in a lawsuit filed in 2007 in King County. In 2012, the Supreme Court ruled in their favor and ordered the state to increase education spending enough to fulfill the Washington state Legislature’s own definition of what it would take to meet the state constitution’s requirement of providing a basic education to all Washington children.

Tom Ahearne, attorney for the plaintiffs, said he was happy with the court’s decision. Even though it doesn’t



force the Legislature to resolve the issue this year like the plaintiffs had asked, Ahearne says the court's ruling asserts that they can and will punish the Legislature in the future.

Ahearne said he didn't know whether or not the Legislature will obey the ruling, but he's optimistic.

"I am confident that more legislators than before are going to try to accomplish it rather than put it off," Ahearne said Thursday morning.

Requests seeking comment to the state Attorney General's Office, which represented lawmakers before the court, were not immediately returned.

Rep. Chad Magendanz, the ranking Republican on the House Education Committee, said this was the ruling lawmakers were hoping for.

"We've always been under the assumption we were going to show some substantial remedies [to funding] this cycle," he said Thursday morning.

Magendanz said the ruling is "certainly more incentive to be done on time."

"We will make it work," he said.

In its 2012 ruling, the court set a 2018 deadline to comply, which also matched what the Legislature had promised, recognizing that it likely would take more than one legislative session to come up with the additional money, estimated at between \$3.5 billion to \$7 billion per two-year budget period. The money would go, among other things, toward school-bus transportation, smaller class sizes, schools' daily operating costs and supplies such as paper and books.

State lawmakers added some of that money into its 2013-15 budget — an approximately \$1 billion increase for education — but the justices in January said lawmakers weren't moving fast enough and ordered them to submit a complete plan by the end of April for how they would meet the 2018 deadline.

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