

In Our View: Lawmakers' Report Card

Supreme Court will decide if Legislature passed, failed in funding education

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How are Washington legislators like third graders? (No cheap shots, please.)



Now that their year is over, a report card will determine whether they can pass ahead or must instead repeat and improve their work.

That report card will be issued by the Supreme Court of Washington, which in 2012 upheld the ruling in the so-called McCleary case that the Legislature had failed in its paramount duty to consistently provide local school districts with the means to fully fund basic education. And in the three-plus years since the high court's opinion, justices have become increasingly impatient, going so far as to hold the Legislature in contempt last fall.

Now that the Legislature has adjourned and the 2015-17 budgets are set, will lawmakers get a passing mark, or be sent to the equivalent of the principal's office? A draft report card issued last week makes it seem likely that the best they can hope for is an "incomplete."

In 39 pages, the draft "2015 Report to the Washington State Supreme Court" outlines \$2.9 billion in additional spending on K-12 public education, bringing the total outlay to \$18.2 billion for the biennium. Of that increase, \$1.3 billion goes to program enhancements, with another \$618 million set aside for state-funded pay raises.

Though initially there was talk of new taxes, legislators got lucky. A consistently improving economy pumped lots of money into the state's bank accounts. In the end, legislators were able to both give more money to schools and hold off on tax hikes.

According to the draft report, the Legislature now reckons it fully funds materials, supplies and operating costs. The new budget also contains enough money to fully implement all-day kindergarten statewide by fall 2016. And there is some money to begin reducing class sizes in kindergarten through third grades, beginning with schools that serve the most impoverished families.

But legislators kicked some of their duties down the road. Although not part of the McCleary decision, voters in 2014 passed Initiative 1351, which mandates smaller class sizes in all grades. The initiative included no funding mechanism, and will be very expensive to implement. Many teachers will need to be hired, and some districts, including most of the ones in Clark County, will be faced with building facilities to house all of the new, smaller classes. Lawmakers postponed the law for four years.

A bigger sticking point may be school districts' reliance on local levies. The McCleary case was filed in 2007, and the plaintiffs won it in 2010. A look at some of the disparity in local school districts that year illustrates the problem with levies. The funding is very uneven. Vancouver Public Schools received \$9,697 per student that year, including \$1,744 from a local maintenance and operations levy. The adjoining Battle Ground School District got \$8,593 per student, including \$1,078 from a voter-approved M&O levy. Evergreen, the county's largest district by enrollment, finished somewhere in between, with \$9,082 per student, including \$1,542 from its levy. Those inequities continue today.

These vexing inequalities were the subject of "several proposals" and "much discussion," the report to the court notes, but in the end, nothing was accomplished.

The final report will soon be in the hands of the Supreme Court justices, who will no doubt look carefully at what's been accomplished. It's clear there won't be straight A's on this report card. But will the overall grade be high enough to pass?

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