

Response to Supreme Court's school decision

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by **Tony Ghazel**

Orcas Island School Board

The Washington Supreme Court continues to be dissatisfied with the legislature's continual failure to comply with the court's order to have a complete plan to fully fund education by 2018. The court, a few days ago, imposed a \$100,000 fine for every day the legislature fails to deliver a complete plan to meet its funding guidelines and timelines, as enacted in ESHB 2261/SHB 2776.

The fine will be deposited in a "segregated account for the benefit of basic education." Here is some background: in 2009 the legislature passed bill ESHB 2261 which is a massive education reform bill that redefines the state's "Program of Basic Education" and the funding amounts and methods needed to fully support it. Full implementation of the bill must be completed by 2018. The second bill, passed in 2010, is SHB 2776 which updated the 2009 bill and added a new formula for the allocation of general apportionment moneys to school districts and specified the cost of such a massive bill.

At the heart of the issue here is that the McCleary family, in 2012, sued the state alleging that the state is not properly funding education and cited the state's constitution, article 9 section 1, which clearly says that the state's paramount duty is to amply fund the education of every child in the state of Washington. The hearing court agreed and eventually the state's Supreme Court heard the case and issued a ruling in January 2014 that the state legislature failed on all counts.

I and many have applauded the court for their ruling and for further willing to "retain jurisdiction" over the case. After the first bill was passed in 2009, the 2010, 2011, 2012 and 2013 legislative sessions came and passed with no considerable funding progress by the legislature compounding more than thirty years of neglect of their constitutional duty.

Fast forward to 2015 where the state legislature just completed it's \$38 Billion biennium budget. This enabled all 295 school districts in the state to adopt their 2015-2016 school year operating budgets by the end of July as mandated by law. In this budget cycle we found a realistic increase in education funding which represented a larger increase than at any time in the previous thirty years.

While crediting the legislature for the progress so far, the court, unfortunately, did not think that this was enough.

As a school board director I am concerned that we still don't have ample education funding but, thankful that the court "retained jurisdiction" and is active in the case and I also applaud the legislature for enhancing education funding last year and again in the current 2015-2016 biennium budget. After a 176 day 2015 legislative session, the longest in history, including three special sessions, it is clear that the task is huge and possibly needs enhanced revenue.

So for now, I prefer that our OISD adopted budget remains intact, that when our children return back to school on September 2nd they can expect robust educational and extra-curricular programs and that we can retain all of our faculty and staff in order to offer these programs.

We have employment contracts in place, classes assigned and children to teach. I would suggest that the court keep the pressure on and that the legislature, sooner than later, continue working and moving us forward in the matter of amply funding basic education.

Our students and staff can't wait any longer.

Tony Ghazel is vice chair of the OISD board, chair of the WSSDA Legislative Committee.