

In Our View: Lawmakers, Do Your Job

As school funding debates continue, they should remember their No. 1 priority

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With lawyers from both sides scheduled to appear before the state Supreme Court on Wednesday to present their viewpoints about school funding, it is instructive to revisit the genesis of the issue before the debate took so many twists and turns down the rabbit hole.

In 2012, the Supreme Court unanimously ruled in *McCleary v. Washington* that the Legislature was not living up to its constitutionally mandated “paramount duty” to fully fund public schools. That’s what the Washington Constitution says — that funding basic education is the No. 1 priority for lawmakers.

Because lawmakers had long been falling short of their duty, school districts throughout the state had been forced to increasingly rely upon local property-tax levies to make up for a shortage of state funding. This led to inequities between wealthy school districts from property-rich areas and those in poorer regions of the state. In hearing the original case, justices were told that Carter McCleary, namesake of the lawsuit, and his classmates were deprived of class time because they had to make holiday ornaments as part of a fund-raising effort. Justices also heard tales of school districts having globes so old that the Union of Soviet Socialist Republics still made an appearance long after its demise.

This, in case a reminder was necessary, is unacceptable in public education. The issue isn’t simply one of haves and have-nots, it is a matter of providing all students in Washington with the tools they need to successfully compete in the world when their schooling has been completed.

Since then, the Legislature has managed to obscure the basic facts of the case. There have been assertions that the Supreme Court justices have overstepped their bounds by attempting to influence budget priorities; there have been complaints that the court has violated the separation of powers by overseeing the implementation of its ruling.

The simple solution, of course, would be for lawmakers to do their jobs, a task that largely has been ignored since the 2012 ruling. In 2014, Peter Callaghan, then a columnist for The (Tacoma) News Tribune, had a suggestion for how the justices would respond to legislators if they were not so polite: “Rather than listen to you complain about this court’s order, let us remind you how accommodating we’ve been. We let you decide how to define basic education. We let you determine how much all that costs. We let you create the funding formulas and the timelines. And we gave you six years to do it!”

Now the deadline is two years away — or perhaps one. The fact that the timeline is among the debates to be held this week in the Temple of Justice is an embarrassment for lawmakers, who are arguing that they have until 2018 to devise a plan.

In a court brief filed for this week's hearing, plaintiffs in the case have provided a couple suggested solutions. One is to strike down all state-provided corporate tax breaks if lawmakers do not provide adequate funding by the start of the 2017-18 school year; another is to declare the state budget unconstitutional and call lawmakers back to work. Or, of course, the court could declare that the Legislature has made adequate progress on school funding. Considering that this year's big solution was the formation of a task force — essentially a plan to plan — it is unlikely the court will deem this as adequate.

Regardless of the arguments made in court this week, it is essential for the Supreme Court and the state to focus upon their paramount duty: Providing an adequate education for all Washington students.