



LEAGUE OF WOMEN VOTERS® OF WASHINGTON

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2018 ISSUE PAPER – EDUCATION

Priority Statement: Ensure the State follows through with its promise of fully funding education. Support professional development for Civics teachers.

LWVWA positions on Education Funding are:

- The state has the responsibility for amply funding education. (K-12 – 2)
- All programs mandated by the legislature should be fully funded by the state. (K-12 - 3)
- Maintenance and operation costs of local school districts should be fully funded by the state. The state should also contribute to the costs of in-service training. (K-12 – 4)

Legal Background:

- Article IX, Section 1, WA State Constitution: It is the paramount duty of the state to make ample provision for the education of all children. The courts have defined Paramount as superior to all others and Ample as more than adequate.
- 1977 Doran decision: The legislature must define and fully fund basic education through regular and dependable tax sources and must not rely on local excess levies for that funding.
- 1983 Doran decision expanded and clarified the state's responsibility for basic education to include Special Education, Remediation, Bilingual and Transportation.
- 2010 Erlick decision (McCleary) ordered the State to fully fund the actual costs of providing all children with an education with stable and dependable State sources – and to proceed with real and measurable progress.
- 2012 Supreme Court upheld the McCleary decision and ordered the Legislature to fund education as mandated in HB 2261 and HB 2776 by 2018.
- 2013 & 2014 Supreme Court ordered the Legislature to produce a detailed plan to fund education with stable state funding.
- 2014 Supreme Court held the State in contempt, and 2015 Supreme Court issued a sanction of \$100,000 a day penalty until the Legislature produces the Court-ordered plan.
- On October 6, 2016 Supreme Court continued the contempt and sanctions and ordered the Legislature to fully implement its program of basic education by September 1, 2018, and that the remaining details of that program, including funding sources and the necessary appropriations for the 2017-2019 biennium, are to be in place by final adjournment of the 2017 legislative session.
- On October 24, 2017 Supreme Court will hold a hearing on the 2017-19 Legislative reports.

Legislative History:

- HB 1209 (1993) defined Basic Ed., set standards, and required assessments.
- HB 2261 (2009) defined Basic Ed. and set up a new funding formula.
- HB 2776 (2010) set up timelines to fund Basic Education by 2018.
- The 2013-15 Budget increased the Education funding, but the Court-ordered detailed plan to fully fund Education by 2018 was not produced.
- The 2015-17 Budget increased Education funding but again the Court-ordered plan was not produced, and the amount of the sanction was not appropriated and held in a segregated account.
- The 2017-19 Budget increased Education funding by about \$1.8 billion, \$7.3 billion over four years, so the Court-ordered full funding by September 1, 2018 was not accomplished.

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