



2014 Resolution on the *McCleary* School Funding Decision and school funding proposals entertained during the 2015 Legislative Session

DRAFT

Adopted on September 10, 2014

WHEREAS the Washington State Constitution establishes, as the paramount duty of the state, to make ample provision for the education of all children residing within its borders; and

WHEREAS no other state constitution contains language stronger in its establishment of the state's role and responsibility in funding public schools; and

WHEREAS Theodore L. Stiles, an early justice of the Washington State Supreme Court, observed in 1913 that "No other state has placed the common schools on so high a pedestal"; and

WHEREAS in 2012, the Washington State Supreme Court held that the state was in violation of its Constitutional duty to make ample provision for the education of all students, and ordered the Legislature to demonstrate "real and measurable progress" towards full Constitutional compliance by 2018; and

WHEREAS the Supreme Court has since determined that the Legislature has not demonstrated real and measurable progress toward Constitutional compliance, nor has it responded sufficiently to a Court order to produce "a complete plan for fully implementing the program of basic education for each school year between now and the 2017-2018 school year"; and

WHEREAS the Legislature has urged the Court to not intervene in legislative policymaking and has asked for additional time to resolve 'legitimate policy disagreements' within its body concerning the method for satisfying its constitutional obligation to make ample provision for public schools; and

WHEREAS while policy-makers in our system of government may desire and benefit from additional time to resolve policy disagreements, such delays in implementing Constitutionally-guaranteed programs and services have real and measurable consequences for the students of Washington state public schools; and

WHEREAS the State Board of Education upholds the statutory goals of the program of basic education as the ultimate consideration upon which all major school funding decisions should be based, including the state's responsibility to provide students the opportunity to become responsible and respectful global citizens, to contribute to their own economic well-being and that of their families and communities, to explore and understand different perspectives, and to enjoy productive and satisfying lives; and

WHEREAS the statutory goals of the program of basic education also clearly articulate the state's obligation to uphold high expectations for all students, and give all students the opportunity to achieve personal and academic success; and

WHEREAS the State Board of Education discussed this issue at its meeting on September 10, 2014.

THEREFORE, BE IT RESOLVED that the Washington State Board of Education, in view of its statutory responsibility to provide strategic oversight of the public education system, suggests the following guiding principles to the Legislature in the performance of its duties to ensure that ample provision is made for all students residing within its borders, in a general and uniform system of public schools:

1. Any consideration of delaying the timeline for compliance with *McCleary* orders should be weighed against the consequences those delays will have on entering cohorts of kindergarten students and their opportunity to ultimately realize the goals of the program of basic education.
2. The Board affirms that there can be no credible plan to make ample provision for public schools that does not involve new revenue to the state budget.
3. Proposals to increase funding for public schools by decreasing funding in other state programs should be viewed not merely through the lens of Court compliance, but also in view of the ultimate impact on students and their families. Radically scaling back social service programs, or early and higher education programs, may help narrowly satisfy Court compliance requirements but may also severely compromise progress towards the goals of the program of basic education.
4. A comprehensive school funding solution should include a substantial increase in the state funding share accompanied by some additional clarity on the intended limits of local levy authority or spending. However, proposals that seek to merely exchange taxing

authority between the state and local governments in a revenue neutral way, such that overall funding to public schools remains roughly constant while only the source of revenues changes, are highly unlikely to materially improve outcomes for students and families. What is needed is not different dollars; what is needed is more dollars.

5. The Board further affirms that a comprehensive statewide accountability program continues to be an essential element to any significant *McCleary* investment in public schools. In addition to school-level accountability, such a system should include explicit goals for student outcomes at a system-wide level, as well as self-imposed, reciprocal elements of accountability for the Legislature in the event that it cannot fulfill its duties under law, even as schools and students are expected to fulfill theirs.

6. The Board affirms that Washington's system of public schools has the potential to be the best in the world, and could potentially serve as a case study of best practice public education for other states and nations. The Board urges the Legislature to embrace this challenge, and to process all school funding decisions with the success of each student in mind.