

McCleary v. State of Washington

In its [McCleary](#) decision in January 2012, the state Supreme Court said the Legislature has not complied with its constitutional duty to make ample provision for the education of its children. It also said reforms enacted by the Legislature, [House Bill 2261](#) (2009) and [House Bill 2776](#) (2010), would remedy state funding deficiencies if fully funded. The court also said it will retain jurisdiction over the case to monitor implementation of these bills.

Joint Task Force on Education Funding

The [Joint Task Force on Education Funding](#) was established by [House Bill 2824](#) (2012). The task force was charged with making recommendations to the Legislature by Dec. 31, 2012, on how to fulfill the education funding obligations included in [House Bill 2261](#) and [House Bill 2776](#) (see details below).

On Dec. 17, 2012, task force members – including **Reps. Gary Alexander** and **Susan Fagan** – voted on two issues. First, a spending plan – how much money the task force believes is needed to fully fund K-12 education. Second, a funding plan – how the task force would pay for the spending plan. **Reps. Alexander** and **Fagan** voted “no” on both plans. **Rep. Cathy Dahlquist**, ranking member on the House Education Committee and an alternate, non-voting member of the task force, agreed with the votes of **Reps. Alexander** and **Fagan**.

The majority of the task force approved a spending plan that included items outside of [House Bill 2261](#) and [House Bill 2776](#) and beyond the scope of the task force. In contrast, the House Republican alternative plan put forward was focused on fulfilling the constitutional obligation to children and complying with the **McCleary** decision.

The majority of the task force did not submit a recommended funding plan, but did forward a list of tax increases to the Legislature for consideration – ranging from a new tax on capital gains to an increase in the state property tax. The House Republicans submitted an alternative plan that would fund education first, including **McCleary**, and not rely on tax increases.

The House Republican solution

On Dec. 19, 2012, **Reps. Alexander, Fagan** and **Dahlquist** will send out a news release outlining the House Republican solution to fully fund K-12 education in our state. In short, it's legislation called “**Fund Education First.**”

The bill would fully fund K-12 education first, in a separate budget passed before any other appropriations, with existing revenues. The solution would prioritize K-12 education spending and not rely on tax increases. Specifically, it would:

- Fully fund provisions of [House Bill 2261](#) and [House Bill 2776](#) – beginning by fiscal year 2014 and completing by fiscal year 2019.
- Prioritize enhancements by fully funding all-day kindergarten (\$349 million) and one-half of K-3 class-size enhancements (\$575 million) in the upcoming 2013-15 biennium.

- The remaining K-3 class-size enhancements (\$576 million), additional 80 instructional hours for grades 7-12 (\$211 million), and some materials, supplies, and operating costs (\$566 million) – also known as MSOC – would be funded in the 2015-17 biennium.
- The remaining MSOC enhancements (\$989 million) and all pupil-transportation enhancements (\$232 million) would be funded in the 2017-19 biennium.
- For context, in the current two-year budget cycle, 44 percent of the operating budget is dedicated to K-12 education. Under our solution, this number would rise to 47.5 percent in the 2013-15 biennium, 50 percent in the 2015-17 biennium and 51 percent in the 2017-19 biennium.

Our key messages

- **“Fund Education First”** means fully funded, in a separate budget, before any other appropriations, and with existing revenues.
- We have enough money to fully fund education, meet the expectations of **McCleary** and protect our most vulnerable populations.
- If education is our “paramount duty,” then it needs to be our number one budget priority. Our solution ensures this outcome.
- By focusing on all-day kindergarten first, we make sure new funding goes straight to the classroom and impacts student outcomes.
- We need to put our children first and de-politicize this issue. We need to get politics out of our schools by funding education first.
- The Senate Majority Coalition and **Gov. Inslee** have said tax increases are not needed. Nearly 64 percent of voters, including every county, voted for [Initiative 1185](#). There is strong bipartisan opposition to tax increases.
- If Democrats want to argue for new tax increases, let it be for programs that fall below our state’s number one priority: education.

House Bill 2261:

- Established a new prototypical school funding model that will simplify the budgeting process and increase transparency.
- Required a phase-in of smaller classes of 17 students in K-3 by the 2015-16 school year.
- Required increased funding for maintenance and operations, costs the state currently provides about half the funding for.
- Implemented a new pupil transportation funding method.
- Accelerated the workgroups focused on local levy and teacher compensation issues.

House Bill 2776:

- Specified certain funding enhancements and established deadlines for full funding of each of the following areas:
 - Pupil transportation (full implementation by fiscal year 2015).
 - Materials, supplies and operating costs (full implementation by fiscal year 2016).
 - K-3 class-size reduction (full implementation by fiscal year 2018).
 - Full-day kindergarten (full implementation by fiscal year 2018).