

## Defining basic education as a fully-funded per-student grant is the best way for lawmakers to respond to the *McCleary* decision

By Liv Finne, Director, Center for Education

January 2017

### Introduction – The *McCleary* decision’s definition problem

The state supreme court ruling in the 2012 *McCleary* case has placed Washington state on a path of uncertainty over spending increases for K-12 schools. Today’s political court has doubled-down on the mistakes made by Judge Doran in the late 1970s.

Doran was the judge who demanded that state lawmakers enact a definition of “basic education,” which the legislature then drafted and passed into law. Judge Doran required “basic education” to be funded by the state, and “enhancements to education” to be funded by local levies. This created a word game in state education policy, because no one is ever sure which lessons taught in schools are “basic” and which are “enhancements.” The students certainly don’t know, and the teachers often don’t know either.

In 2012, the *McCleary* judges compounded Doran’s error.

The way to correct this problem, created by the judiciary, is for the legislature to abolish the false and ambiguous distinction between “basic” and “enhanced” education in state law. Up until 1978, no such distinction existed, and the idea hasn’t worked since then.

The 2017 Legislative Session provides the legislature and the governor the opportunity to correct the mistakes made by the judiciary.

### Defining basic education as a per-student, state-funded grant

Right now the meaning of “basic” education is a complex, shifting formula of the costs for providing salaries, benefits, and staff for an ever-expanding list of education programs. The only limit to this vague definition of “basic” is the human imagination,

since every increase in spending is promoted politically as “for the children,” without regard to the rising burden state lawmakers place on business owners, homeowners, the elderly, workers, and other taxpayers.

### How it would work

To solve this problem, lawmakers should simplify school finance by combining all state education money into one fully-funded grant for every child in public education. The state would provide additional money for special-needs students. The student-based education grant would provide a clear definition of “basic education” in terms of a concise dollar amount. The legislature would increase this per-student amount each year to provide more money for schools.

### Initial funding

The fully-funded per-student grant would show, in plain dollar terms, that the legislature is meeting its constitutional duty to provide ample funding for the education of every child living in Washington. It would meet the court’s requirement that the legislature fully fund “basic education,” because “basic” would be defined in clear, per-student terms, not as a vague list of programs and salary grids.

The initial, fully-funded state basic education grant might be around \$10,000 per student, about what the state provides now. The dollar definition of “basic” would increase each year based on changes in enrollment, inflation, and other needs as identified by lawmakers.

The per-student grant definition of state-funded “basic education” would replace the current definition created by HB 2261 and other bills. School districts could continue to seek local levy money as they do now, but by definition these additional funds would be

identified as “enhancements,” since all “basic education” funding would, by definition, be provided by the state per-student grant.

### **Losing the public messaging debate**

Washington Policy Center has observed that lawmakers often lose the public messaging debate when it comes to education funding. The media do not report how much money the state is providing to schools now and seldom report the recent large increases in state education spending. This is partly because information on school spending is difficult to find and understand, especially because citing \$18.2 billion per biennium for education provides no context the average taxpayer can understand.

Surveys show most people think schools are getting only \$4,000 per student and are underfunded. When informed that schools get more than \$10,000 per student in Washington, from all sources, they quickly start asking what school administrators are doing with all that money.

### **Education funding policy is overly complicated**

The funding of public education in Washington state is hopelessly complex, with the result that the public, and many policymakers, have no idea how much school districts spend. The result is that only 60 cents of every education dollar reaches the classroom, less than half of school employees are teachers and, in the confusion, the public is prevented from holding education officials accountable for managing public money. The people of Washington state need a clear and transparent measure of whether state officials are fully funding public schools.

If the legislature defined the state basic education program in terms of a student education grant, the state’s dollar commitment would be clear. Such a definition would inform the public of how much the state is providing in terms people could understand.

### **Responding to the McCleary ruling**

This would provide an effective response to Washington’s political supreme court, where judges claim schools are underfunded, while calling for the state to provide a “Cadillac” level of expensive new services and higher staffing levels (but not always more teachers) for public schools.

Defining basic education in terms of a student education grant would answer the court’s demand for a “consistent and reliable revenue source” for education. The source would be the state General Fund, which receives the bulk of tax revenues collected by the state.

### **Conclusion**

Defining “basic education” as a per-student dollar amount would serve the public interest by providing several benefits to school children, parents, and taxpayers. It would provide a clear, understandable definition of “basic.” It would provide a reality check on the escalating political demands for ever-increasing spending in education, which are pushed regardless of the real needs of students and schools.

It would provide the media with an easy-to-identify education spending level to report to the public. It would shift the focus of the public education debate from, “Why aren’t schools getting more money?” to “Why aren’t school officials spending the per-student grant more effectively?”

Best of all, it would encourage parents and the general public to become more engaged in public education. Instead of fretting about how to put political pressure on the legislature, parents, teachers, and the public could join together in a united effort dedicated to a single purpose – “How can we as a school community come together to make the best use of each student’s basic grant to ensure every child receives a top-quality public education?”

This collaborative approach would reduce conflict, strikes, and politics in the management of public schools and enhance community cooperation to the benefit of all school children.

*Liv Finne is  
Washington Policy Center’s  
director of the Center for  
Education.*

*Nothing here should be  
construed as an attempt to  
aid or hinder the passage of  
any legislation before any  
legislative body.*

*Visit [washingtonpolicy.org](http://washingtonpolicy.org)  
to learn more.*