

Court finds Washington state in violation on education funding

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On Thursday, the Washington State Supreme Court found that the state is not upholding Article IX, Section 1 of the state constitution, which states, “It is the paramount duty of the state to make ample provision for the education of all children residing within its borders, without distinction or preference on account of race, color, caste, or sex.”

Last year, King County Superior Court Judge John Erlick found, in *McCleary v. Washington*, that the state government is out of compliance with its constitutional paramount duty. He wrote, “State funding is not ample, it is not stable, and it is not dependable.” The state appealed, claiming Erlick overreached a 1978 court ruling on the issue.

Prior to Thursday’s ruling, Governor Christine Gregoire had proposed that the school year be cut by four days, and exhorted voters to pass a proposed three-year 0.5% sales tax increase to “buy back” the days. The court’s order to fully fund basic education throws the school year reduction into question.

“With this court case now, I doubt we’ll be able to do that in any way,” said Rep. Kathy Haigh (Shelton, Democrat) who had supported reducing the school year, ostensibly to save school programs.

“Shortening the school year is basic ed, and therein lies a problem for us,” Gregoire told reporters. She was referring to the fact that the cuts are potentially in violation of the judicial ruling.

The court also retains jurisdiction in the case, to “help ensure progress in the State’s plan to fully implement education reforms by 2018.” The 2018 deadline is based on the timeline set out in the state legislature’s plan for basic education that was approved in 2009. The plan states an intention to redefine basic education and requirements for certification of teachers, and to implement the changes by 2018.

There is also a renewed push to allow charter schools, though the proposition has been voted down at the ballot box three times in the last twenty years. The Washington PTA, however, endorsed the idea last fall. Fred Ordway, the lobbyist for the pro-charter school group League of Education Voters, has indicated that the group will be advocating for legislation in favor of charter schools. The idea already has support from some of the state’s legislators, such as Democratic state senator Jim Kastema of Pullyaup, who told the Olympian newspaper, “I think charter schools’ time has come in Washington.”

With the state legislature returning to Olympia this week to continue work on cutting the state budget, the ruling has opened debate on what other important social programs will be reduced or cut, and provides an excuse to make such cuts even deeper than had originally been discussed.

In her budget proposal late last year, Governor Gregoire had proposed ending the Basic Health Plan, thus eliminating state-subsidized health insurance for approximately 35,000 low-wage workers, to cut \$44 million from the budget. This comes at a time when approximately 14.5% of Washington residents are already totally uninsured, and workplace plans are increasingly unaffordable. In the name of following the court order to increase education funding, this proposal is almost sure to be pushed through.

A proposed bill before the Washington legislature would change the way Medicaid bills from critical access (rural) hospitals are paid. Expected to save \$27 million a year for the state, the impact on available emergency care would be dire in remote areas. Worse still, the cuts in state funds would also result in a reduction of federal matching funds for a combined potential loss of \$54 million.

“We’re talking about a throat-cut,” said Tom Martin, chief executive of Lincoln Hospital in Davenport. Lincoln Hospital is the only health care facility along US Highway 2 between Spokane and Wenatchee in Eastern Washington. As with many rural facilities, it provides both emergency services for such things as car crashes along that 176-mile corridor, and boating accidents, as well as more routine care for the sick and elderly of the area.

Other areas facing state funding cuts are domestic violence shelters and programs for victims of sexual assault, with a proposed 10 and 20 percent reduction, respectively. There has been a dramatic increase in demand for these services of more than 50 percent over the past two years, a byproduct of the economic slump.

This increase in demand is only expected to continue. Natalie Wood, director of programs for Clark County YWCA, stated to the Oregonian newspaper, “As the economy goes down, the need for services generally goes up. The number of people we’ve served and the need for services have increased dramatically.”

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