

# THE McCLEARY DECISION



In January 2012, the Washington State Supreme Court upheld the lower court decision that found the state has not complied with its constitutional duty to make ample provision for education of all students in Washington state.

However, the Court also found in the *McCleary* decision that reforms enacted by the Legislature in 2009-10 (ESHB 2261 and SHB 2776) were the right reforms to get us back on track, once those reforms are fully funded.



In 2009 and 2010 House Democrats led the effort to make sweeping changes to how the state funds its public K-12 schools. By enacting HB 2261 and HB 2776 the Legislature fundamentally changed a 30-year-old school finance system that was broken beyond repair.

Prior to enacting these two finance reform bills Washington state had 14 complicated and unconnected formulas to drive funding to schools. Each of the formulas had been amended and piecemealed over time, resulting in many inconsistencies among and between districts. The reforms enacted in 2261 and 2776 provide a cohesive, student-focused funding system that is transparent and easy to understand.

**To fully meet our *McCleary* obligation, we must invest an additional \$4.5 billion into basic education by the 2018-19 school year. To meet that goal, we need allocate about \$1.3 billion this session to avoid falling behind on our promises to students, parents, and teachers.**

## Key findings in the *McCleary* decision

- **Opportunity to learn** – The state must provide an opportunity to obtain basic knowledge and skills needed to compete in today’s economy – it does not reflect a right to a guaranteed educational outcome.
- **Legislature defines “basic education”** - The program of basic education is not etched in constitutional stone. The legislature has an obligation to review the program as the needs of students and the demands of society evolve, but cannot make reductions for financial reasons.
- **Funding, not process** – Some lawmakers have argued that *McCleary* requires us to fund education before funding other programs. This is not what the court said. The Legislature is under no obligation to fund education before other needs like healthcare, prisons, and higher education.

## What is Basic Education?



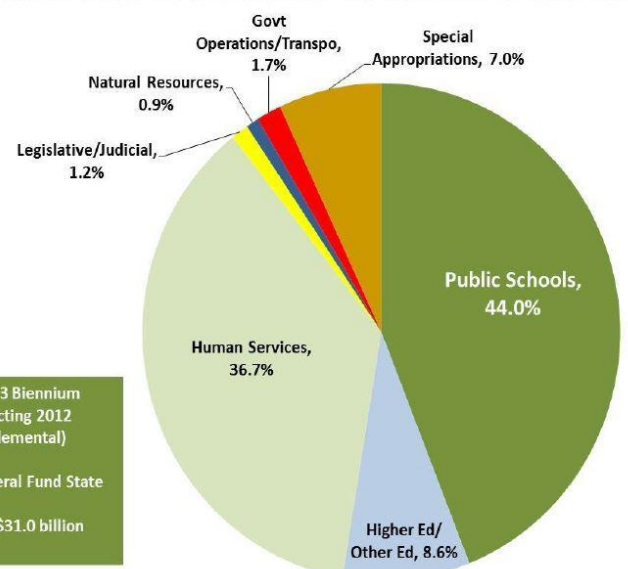
In 2009, the Legislature enacted sweeping education reform with **HB 2261**, which redefined what is considered “basic education.” The elements that make up basic education – the parts of education that the state must pay for – are general apportionment, special education, learning assistance for low-income students, institutional education for juvenile offenders, pupil transportation, and transitional/bilingual education. **HB 2261** also created a new funding methodology based on the “prototypical school” model.

The following year, the Legislature enacted **HB 2776**, which set forth in statute baseline funding values for the prototypical school formula; implemented the new pupil transportation formula in 2011; and adopted a schedule for enhancements of funding for K-3 class size, full-day kindergarten, and maintenance, supplies, and operating costs. By the 2018-19 school year, the Legislature will need to provide an additional \$4.5 billion to fully comply with the *McCleary* decision

## Prototypical School Model

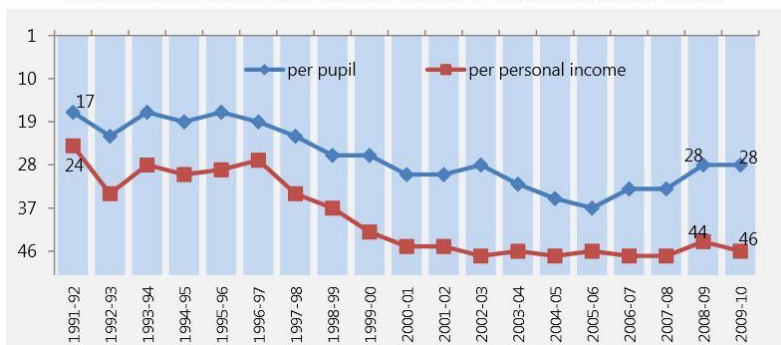
Beginning with the 2011-12 school year, funds are allocated to school districts based on a "prototypical school" funding formula. The formula assumes certain class sizes at various grade levels and provides allocations for other building-level staff (principals, librarians, counselors, aides) for elementary, middle, and high schools. The formula contains allocations for maintenance, supplies, and operating costs and district-wide staff and central administration. The formula drives dollars to school districts, but districts make decisions about staffing and resource allocation among schools at the local level.

44 percent of general state funding goes to support K-12 public schools



2011-13 Biennium  
(reflecting 2012 supplemental)  
Near General Fund State  
Total: \$31.0 billion

WASHINGTON'S RANK AMONG THE STATES IN K-12 PUBLIC SCHOOL SPENDING



Source: US Census Bureau