

FUNDING
NOT FALSE 'REFORMS'



“What we have learned from experience is that this court cannot stand on the sidelines and hope the State meets its constitutional mandate to amply fund education. Article IX, section 1 is a mandate, not to a single branch of government, but to the entire state.”

- Washington Supreme Court decision, Jan. 5, 2012

The end of the beginning



January 5, 2012, was a historic day for public education in Washington. In a clear and unmistakable decision, the state Supreme Court legally affirmed what we have known for years: Public education funding has been woefully underfunded for decades.

The Court also made it clear where the blame lies for this underfunding: The Legislature. Session after session, year after year, our legislators have kicked the can down the road when it comes to fully funding our public schools. Instead of honoring their paramount constitutional duty to “amply fund” public education, politicians in Olympia have done anything and everything but.

In the ruling, the Court has given the Legislature until 2018 to comply with this paramount constitutional duty. The Court has said, “No more delays; no more excuses; no more cuts” to public education.

Every WEA member is the true hero behind this landmark legal decision. Each of you can take credit for the evolution of this result over so many years.

In 2004, delegates at the WEA Representative Assembly made the courageous decision to implement a special assessment to pay for a lengthy and complex legal battle. It was not an easy decision — but you believed the longterm future of our schools and the success of our children depended on WEA forcefully advocating for full funding.

It’s taken eight years for our concerns to be heard and agreed upon. There have been many twists and turns, touch-and-go moments where the final outcome appeared uncertain. Your commitment and your willingness to take on the special assessment sustained our legal team and our Network for Excellence in Washington Schools (NEWS) coalition partners throughout those times.

Thank you.

However, this is not the end. To paraphrase Winston Churchill, “It is not the end. It is not even the beginning of the end. However, it is the end of the beginning.”

Over the coming six years, all of us will need to remain vigilant. Our legislators must, as the Court has insisted, be held accountable. There can be no more delays; no more excuses; no more cuts when it comes to funding for public education.

There will be those who will try and tie “education reform” to this full funding demand of the court. There will be attempts to change the definition of basic education, and to find loopholes in the existing law. We should never underestimate the capability of politicians to find ways to circumvent this decision.

We also need to continue our efforts to strengthen and build partnerships with parents, students, community groups, administrators, school boards and other allies as we press forward with the Court’s 2018 deadline. The NEWS coalition already has more than 300 partners actively involved in promoting our cause. We need to add even more school districts and parent groups to NEWS.

And our message must continue to remain focused. An equal branch of government has ruled for our students and for our public schools; no one can take that away from us. The Legislature is obliged to act. Our concerns about lack of adequate funding and all that implies — large class size, inadequate resources and a systemic failure to educate the whole child — are legitimate and real.

The next six years will be challenging. Achieving full funding will take time. However, that does not mean we are going to sit back and wait for the 2018 deadline. In the words of Judge John Erlick from the original decision, there needs to be “real, measured progress.” The Supreme Court has the same expectation. That’s why it is retaining jurisdiction over how full funding is achieved. We intend to be engaged, every step of the way, pushing the Legislature to move. Both the present and the future of our children depend on our constant and continuing engagement.

This is why each of us needs to remain committed to our ongoing efforts. Our students are counting on us to be their advocates. It is the end of the beginning — but we have a ways to go yet!

Thank you for helping make history — and continuing to do so.

Mary Lindquist, WEA President





A coalition of parents, community groups, educators and school districts, including WEA, fighting for full funding of K-12 public education officially launched as the Network for Excellence in Washington Schools (NEWS) in October 2005. Above: Bainbridge Island teacher David Layton chats with public school supporters at a press conference.

Carrying the torch

“The landmark Washington Supreme Court education funding decision is kind of like a football game,” retired WEA attorney Faith Hanna says. “Lawyers can throw a block or we can open a hole but it’s up to everyone else to take the ball and run with it.”

How we got here is a long story full of trials, perseverance and heroes. In 1889, Article IX of our Washington State Constitution stated, “It is the paramount duty of the state to make ample provision for the education of all children residing within its borders.” No other state in the country has a stronger education mandate in its constitution.

Seattle filed a suit against the state in 1976 where they asked the state to provide the “ample provisions” their schools and students were supposed to receive. A year later, Judge Robert Doran ruled that the Legislature must define basic education and provide a method of sufficiently funding schools. The Basic Education Act of 1977 passed, which created a state education formula, and in 1978, Washington’s Supreme Court affirmed the Doran decision. This 1978 ruling said the Legislature had to provide ample funding for “basic education” as its highest priority and that it had to be done with dependable and regular taxes. As a result of that ruling, the state increased its K-12 funding share to 84.3 percent in 1980.

In a second Doran ruling in 1983, the definition was fleshed out even more to include transportation, special and bilingual education and remedial assistance. We didn’t get everything we

wanted for our students in that ruling, but it was a start. Hanna took a sabbatical from WEA to delve deeper into education funding. She took time to study other states and to learn more about the way public education was funded in Washington with University of Washington Professor Neal Theobald. They wrote an article evaluating the Doran decision’s effect on the state and their conclusion was that the state still was not living up to its paramount duty, especially with regard to minority students and children living in poverty.

WEA’s multi-local strike in the spring of 1991 closed schools across the state as teachers and other school employees demanded higher salaries. The result of that was that then Gov. Booth Gardner established the Governor’s Council on Education Reform and Funding (G-CERF). This group laid the groundwork for major education reform but left out the “F” – the funding that was necessary to implement change.

“Everyone in the state knew that schools were underfunded,” WEA General Counsel Aimee Iverson says. “It was just so hard to prove. The courts typically defer to the Legislature and the legislators were continuously ‘studying’ the issue. This is where (former WEA General Counsel) Jerry Painter always said that Washington leads the nation in the number of studies about education reform.”

No one could truly predict how the courts would handle another challenge with the state about school funding because they are inclined to defer to legislators to solve the funding issue.

We knew that a strong coalition would continue to do this work long after the decision came from the courts.

– Faith Hanna
retired WEA attorney



Faith Hanna



Jerry Painter

See **Vision**, page 6



Key education bills in Olympia

**House Bill 2428,
Senate Bill 6202:**
Charter schools

**House Bill 2427,
Senate Bill 6203:**
Base layoffs
on evaluations

**House Bill 2165,
HB 2334:** Change
teacher evaluations

**House Bill 2309,
Senate Bill 6278:**
Change the rights
of provisional teachers

**Senate Bill 6020,
SB: 6050:** Waive
180-day requirement

House Bill 2231:
Reduce costs by
reducing student
assessments

Senate Bill 6314:
Delink end-of-course
science tests
from graduation
requirements

**House Bill 2543,
Senate Bill 6320:**
Repeal new State Board
of Education graduation
requirements that
contain unfunded
mandates

**House Bill 2493,
Senate Bill 6319:**
Add WEA-appointed
practitioners to the State
Board of Education



Instead of honoring their oath to uphold the Constitution and fully funding public schools, two legislators are pushing failed legislation that does nothing to help our students get the quality education they deserve.

Despite Supreme Court ruling, lawmakers plan additional school cuts

The Washington Supreme Court ruled in January that the state Legislature has failed to fund K-12 public schools as required by the state Constitution.

So how did legislators respond to the court decision?

"Simply protecting basic education does not mean there won't be some significant cuts," Senate Majority Leader Lisa Brown said at an Associated Press event after the court decision.

More cuts to education? How can legislators cut even more from the education budget when the Supreme Court says they're not adequately funding public schools in the first place?

Good question. Although the Legislature has redefined basic education, and even though lawmakers already have cut K-12 education by \$2.6 billion in recent years, the Legislature is poised to cut even more from our classrooms. In December, the governor proposed another \$250 million in cuts to K-12 schools, including cutting four days from the school year and whacking levy equalization funding in half.

The governor wants voters to approve a half-cent increase in the sales tax to prevent some of the new cuts to K-12 and higher education. The

problem? The sales tax is a short-term, partial solution that doesn't address the long-term needs of our schools and students. It raises one-tenth of what already has been cut from K-12.

As an alternative to asking voters to raise the sales tax, lawmakers could close corporate tax exemptions and other loopholes.

"Instead of expecting children, school employees and middle-class families to sacrifice even more, it's time for profitable corporations and the very rich to finally pay their fair share," WEA President Mary Lindquist said.

Rather than complying with the Supreme Court's ruling and funding our public schools, many legislators are ignoring funding. Instead, they're pushing legislation that actually *distracts* from the real issues facing our schools.

Rep. Eric Pettigrew and Sen. Rodney Tom, for example, are promoting charter schools – which would divert scarce resources from existing classrooms. Their charter proposal ignores the hundreds of innovative schools across the state.

See **Landscape**, back cover

Renton teacher Freedom Johnson shares examples of the innovation and creativity already happening in Washington's public schools with news reporters in Olympia.





Dodge, deflect, then duck for cover ...

A new charter schools plan shows the Legislature is resorting to its same tired tactics

Our state's highest court not be more direct: The Legislature has failed in its sworn constitutional duty to amply fund education. The state must provide money to fund the schools we already have.

But this session, we're already seeing the typical legislative responses: ignore the court ruling, duck their personal responsibility, shift the blame to teachers, then add more bureaucratic red tape to make it look like they're doing something. It's a repeat of the exact behavior the state Supreme Court exposed as a failed, decades-long cycle.

Two new deflections already have surfaced: an attempt supported by big-business to suck inadequate school funding away from public schools and into new charter school programs, and yet another straw-man attempt to pretend all our state's education problems can be fixed if only we find new ways to punish more teachers and union members.

"These changes that they're proposing, they're already being done," Speech/Language Pathologist Angela Grissom of Franklin Pierce EA noted.

"When voters turn down charter schools three times within a 15-year period, that really tells you that it's not something the general public wants."

The charter schools diversion is yet another attempt to strip school employees of their union voice and contract rights while ignoring the state's dismal failure to amply fund public schools.

"As they were introducing the bill," observed Grissom, "there weren't any educators. They were all non-educators up there, people trying to promote the charter bill. ... The real question is, 'Where's the money coming from?'"

The state is already turning to more rigorous evaluations to ensure we have great school employees. And charter school

supporters ignore an inconvenient reality: creativity, choice, flexibility and innovation already abound in today's schools, under current laws and in partnership with existing contracts



Top photo: Students excel academically and artistically at the Vancouver School of Arts and Academics. Bottom photo: Students statewide can attend the Washington Youth Academy, a partnership between the Bremerton School District and the National Guard.

*Is the sunrise still dupes
My heart is lonely.*

*WITHOUT ART
Life would
have no
meaning*

*WITHOUT ART
Without art I
Life as we know
The world*

*WITHOUT ART
HAIK
This is harder than
it looked at first
am getting better*

*WITHOUT ART
I fear
world
Du*

*WITHOUT ART
as we know it won't
inspire*

Early members of NEWS, from left to right: Linda Hanson, Washington State PTA; Mike Riley, Bellevue schools superintendent; and James Kelly, Urban League of Metropolitan Seattle.



Meanwhile, school districts were being given huge reform agendas while being forced to cut all kinds of basic education programs.

WEA attorneys knew that mounting another fight to prove that the Legislature was mandating all of the reforms without financial support would cost a lot. WEA President Charles Hasse believed members had the courage and the compassion to step up and fund the lawsuit because they saw the impact of underfunding. He asked for a special assessment at the 2004 WEA Representative Assembly.

Chimacum to join and it was a huge benefit. Their superintendent, Mike Blair, ended up becoming the president of the NEWS coalition and he used his relationship skills to build the network," Hanna says.

Through conversations about her own frustration with school underfunding both as a parent and as a former school secretary, Blair also convinced Stephanie McCleary to be the first parent representative in the lawsuit.

"We had to keep the emphasis on kids and

Stephanie was a real mom with two real kids making their way through the system," Hanna says. "It was a very frightening experience to be out there and she did an absolutely terrific job on the stand and everywhere else we needed her."

Bellevue Superintendent Mike Riley was the first superintendent

"WEA members deserve a lot of credit for the decision they made," Hanna says. "They were willing to put their money where their mouths were."

"It was as important who we went into court with as what we would say," Hanna recalls Painter saying. "We knew that a strong coalition would continue to do this work long after the decision came from the courts."

The relationship building was the groundwork that built the coalition now known as the Network for Excellence in Washington Schools (NEWS). The coalition had to have representatives from urban, rural and suburban school districts. It had to have geographic diversity and no one could be left out. This, Hanna says, is where other heroes helped propel things forward.

"Ann Randall got the Chimacum School District to join us," Hanna says. She says that Randall, a WEA staff member, did not achieve this suddenly or in a vacuum. Randall internalized the importance of building the coalition and decided that in her daily work, it would be important to help move this cause.

Chimacum was also primed to go, Randall says, because they were already part of a group on the Olympic Peninsula called Crossroads. The group, which still meets today, brought together superintendents, local association presidents and anyone else who wanted

to come because they wanted to make sure they took consistent positions on issues such as sustaining adequate and longterm funding.

"Ann's work is an example of what we are going to continue to need going forward," Hanna says. "She talked about the coalition regularly to get

from a larger district to persuade his school board that they needed to be a part of NEWS. Though our members certainly had their differences with Riley, he played a key role in fighting for adequate school funding. Omak's superintendent, Bob Risinger, joined from east of the mountains. Each district and group which joined was one more painstaking step toward forming the coalition.

Christie Perkins and the Special Education Coalition – a group already very experienced at working together as a coalition of their own, lent wisdom and expertise. The Urban League of Metropolitan Seattle joined and their leader, James Kelly, became a passionate and inspirational spokesperson for our students. Roberto Maestas brought El Centro de la Raza. Former WEA research guru Joann Kink Mertens shared her expert analytic skills to help illustrate how much schools had to use levy dollars because the state was not providing. "Jerry was able to pull groups together and overcome distrust," Hanna says. "The PTA wanted to be taken seriously and we wanted them to be a serious part of the coalition. They had a huge interest in school funding."

"We hired Tom Ahearne and Foster Pepper because they had represented us in other lawsuits and were already somewhat familiar with school funding. Tom had two of his own children going through the public school system," Hanna says.

"People like Jerry Painter and Mike Riley did not live to see the results of their labor," Iverson says. "WEA members and staff played an enormous role in getting the decision handed down. Now, it is up to each of us to continue to carry the torch and play a significant role in making sure the state lives up to its obligation to all K-12 students in Washington state."

Audience members get clarification about state education funding at an October 2005 press conference launching NEWS.





Students get a head start on their career goals at the Tri-Tech Skills Center, a branch campus of all Tri-Cities area high schools. Programs are designed in three-period blocks allowing students the extended time to not only learn the theory of a subject but to also get real hands-on experience.

Innovation, from page 5

between districts and the union. Working with funding advocates in the Paramount Duty Coalition, WEA showcased 10 of those innovative schools in two-minute video tours that have been presented to legislators, parent groups and business leaders.

"We know what works," said Fern Tresvan, a dance instructor at the Vancouver School of Arts and Academics. "Good schools need good funding."

At the same time, as educators we know schools can be even better. A continuing frustration for school employees is the layers of bureaucracy and red tape that prevent us from using our best strategies to meet the needs of individual students. There are too many hoops, too much standardized testing, too little time to teach. We know it's critical to provide great teachers, small classes, and an evaluation system that raises the bar for

all teachers and principals. We have too many students who are devastatingly labeled as perpetual failures, and too many high-priced coordinators and administrators and blue-ribbon panels that siphon scarce resources away from classrooms. We need to get the focus back on students.

The solution starts with legislators finally living up to their constitutional oath to provide ample funding for schools and other essential state services. No amount of legislative finger-pointing now can erase that underlying failure.

Creativity, flexibility and choice already are in the offering in Washington's public schools. WEA recently showcased 10 such innovative schools in two-minute video tours. Take the tour yourself at www.WashingtonEA.org/innovate



Scan with your smartphone to stay connected to WEA.

Governance and Administration:

Mary Lindquist, WEA President
Mike Ragan, WEA Vice President
John Okamoto, WEA Executive Director

WEA Communications Staff: Dale Folkerts, Brooke Mattox, David Phelps, Dottie Watson, Eddie Westerman, Linda Woo and Rich Wood

We are interested in your feedback and ideas. Reach Editor Linda Woo at lwoo@washingtonca.org, by mail at P.O. Box 9100, Federal Way, WA 98063-9100, or 253-765-7027.

We 2.0 (ISSN 1544-5283) is published quarterly by the Washington Education Association, 32032 Weyerhaeuser Way S., Federal Way, WA 98001-9687. Subscription cost of \$1.18 is included in annual membership dues. Separate subscription price: \$15.50 annually.

Copyright 2012 by the Washington Education Association.

Periodical nonprofit postage paid at Auburn, WA, and additional mailing offices. POSTMASTER: Send address changes to *We 2.0*, P.O. Box 9100, Federal Way, WA 98063-9100.



Landscape, from page 4

Washington voters have rejected charters three times, and research shows charters do not improve student achievement overall.

Pettigrew, Tom and Superintendent of Public Instruction Randy Dorn have proposed changes to the new teacher and principal evaluation system, which is being piloted

in many districts and will go statewide in 2013. The changes they're proposing show a fundamental lack of understanding about evaluation systems. Tom and Pettigrew want teacher evaluations to determine layoffs, transfers and assignments.

"Legislators are rehashing failed legislation that interferes with the good work we're already doing to strengthen teacher evaluation systems," said Justin Fox-Bailey, president of the Snohomish Education Association. "The Legislature already rejected this proposal last year. Passing it now will derail the progress we've made."

Some of the same legislators who back charter schools and interfering with teacher evaluations also support a state takeover of K-12 employees' health benefits. That's right – they want to eliminate our current system and create a new government bureaucracy that will lower benefits, reduce our choices and increase costs for employees and taxpayers. Instead of saving money as some legislators claim, a takeover will cost the state millions more.

Charter schools, teacher evaluations and a state takeover of our health care may seem like separate issues, yet they're connected. All three proposals are a direct attack on union members and collective bargaining, similar to attacks by

right-wing, anti-worker politicians in Wisconsin and Ohio.

Most charter school employees don't have a collective bargaining agreement, which means they have little say in their working conditions or class sizes.

The proposed changes in evaluations eliminate

due process protections and limit local decision-making, forcing schools from Seattle to Spokane to adopt the same one-size-fits-all approach.

The health care takeover would eliminate our ability to negotiate health insurance at the local level, forcing everyone into the same state-run plan.

So what can you do to protect school funding, collective bargaining and quality education for all children? Hold your legislators accountable. Tell them exactly how their failure to fund public schools affects you and the students in your school district. Call the legislative

hotline at 800-562-6000 and leave a message for your lawmakers. E-mail your legislators at www.OurVoiceWashingtonEA.org, WEA's online political action headquarters, or visit the WEA homepage at www.WashingtonEA.org. For regular legislative updates, follow @OurVoiceWEA on Twitter and Facebook.

Better yet, meet with your legislators in person, either back home or in Olympia. Or invite them to your school.

"It's critical that legislators hear our voices on issues that affect our children, especially school funding," Fox-Bailey said. "Otherwise, they'll continue to change the subject by pushing charter schools and other distractions. They're doing everything they can do avoid dealing with school funding."

*Hold your
legislators
accountable. Tell
them exactly how
their failure to
fund public schools
affects you and the
students in your
school district.*