
Education Committee

HB 1661

Brief Description: Requiring an independent study to identify the cost of basic education.

Sponsors: Representatives P. Sullivan, Santos, Upthegrove, Walsh, Quall, Ormsby, Miloscia, Conway, Schual-Berke, Simpson and Darneille.

Brief Summary of Bill

- Directs the Washington State Institute for Public Policy to study four cost scenarios for the state to deliver a basic education as defined by the state Constitution, statute, and court decisions.
- Requires in interim report by January 15, 2008, and a final report by November 1, 2008.

Hearing Date: 2/2/07

Staff: Barbara McLain (786-7383).

Background:

Article IX, section 1 of the state Constitution states that it "is the paramount duty of the state to make ample provision for the education of all children residing within its borders[.]" Section 2 of Article IX requires the Legislature to "provide for a general and uniform system of public schools." These provisions are typically referred to as the state's obligation to provide a "basic education."

There have been a number of court cases since the 1970's regarding the state's obligations under Article IX. In a 1977 case known as *School Funding I*, Judge Doran found that the state had neither defined nor fully funded basic education. The Legislature enacted the Basic Education Act (BEA) that same year. The state Supreme Court affirmed Judge Doran's decision in 1978. The current educational program defined by the BEA is comprised of: 1) four basic education goals; 2) specified program requirements such as instructional hours, a 180-day school year, and instruction in the Essential Academic Learning Requirements; and 3) distribution of resources as

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specified in statute and the omnibus appropriations act, including staffing ratios, salaries, and non-salary costs.

In a subsequent 1982 court case (*School Funding II*), Judge Doran held that the state's obligations are not restricted to the formulas and ratios found in the BEA statutes but also include the statutory programs of special education, bilingual education, remedial education, some but not all pupil transportation, and vocational education. The omnibus appropriations act includes funding formulas and methodologies for each of these programs.

Summary of Bill:

The Washington State Institute for Public Policy (Institute) must conduct a detailed study of the cost for the state to deliver, through the K-12 public school system, a basic education as defined by state statutes, the state Constitution, and various court decisions.

The Institute's study must examine four scenarios:

1. based on the current definition of basic education;
2. where the definition would include average class sizes and average salaries for certificated instructional staff at or near the median compared to other states;
3. where the definition would include average class sizes and average salaries for certificated instructional staff in the top 10 percent compared to other states; and
4. where the definition would reflect a level of resources equal to the state with the top performing students, as measured by the National Assessment of Educational Progress.

The Institute is allowed to contract with outside sources for portions of the study, but must maintain control and responsibility for the study as a whole. A progress report is due by January 15, 2008, and a final report is due by November 1, 2008.

Appropriation: None.

Fiscal Note: Available.

Effective Date: The bill takes effect 90 days after adjournment of session in which bill is passed.