

**Federal Way**  
**Public Schools**  
Every Student, a Reader

# **FAIR SCHOOL FUNDING**

**WSSDA 2007 Conference**

# Fair School Funding

**1977 Basic Education Act brought equity to:**

the number of staff positions (units),

but left inequity in terms of dollars allocated each district.

Number of Staff Positions include:

K-3 Certificated Instructional Units      49.00 for every 1000 students

4 –12 Certificated Instructional Units      46.00 for every 1000 students

Certificated Administrative Units      4.00 for every 1000 students

Classified Units (1:59)      16.95 for every 1000 students



# Fair School Funding

1977 Basic Education Act brought equity to:

the number of staff positions (units)

**but left inequity in terms of dollars allocated each district.**

## Dollars Allocated to Units Based on LEAP 2 Documents

Certificated Instructional Allocation: \$32,746 to \$34,612

Certificated Administrative Allocation: \$54,405 to \$80,807

Classified Allocation: \$30,111 to \$35,227



# Fair School Funding

## 2007-09 Operating Budget

### ❑ Certificated Instructional Staff

*Current Gap \$1,991*

*2007-09 Gap \$1,683*

### ❑ Certificated Administrative Staff

*Current Gap \$27,563*

*2007-09 Gap \$25,973*

### ❑ Classified Staff

*Current Gap \$5,136*

*2007-09 Gap \$4,837*



# Fair School Funding

## LEAP Funding Negatively Impacts

### ALL 295 School Districts

*No single district receives the highest funding  
for each type of staff unit*

Every District is Held to the Same Level of  
Accountability For Student Achievement

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## Federal Way Public Schools 2007-08 Example

For Each Certificated Instructional Unit	\$32,746
<i>Everett SD Receives \$1,866 or 5.7% More</i>	<i>\$34,612</i>
For Each Certificated Administrative Unit	\$54,405
<i>Skykomish SD Receives \$26,402 or 48.5% More</i>	<i>\$80,807</i>
For each Classified Unit	\$30,111
<i>Seattle SD Receives \$5,116 or 17.0% More</i>	<i>\$35,227</i>



# Fair School Funding

## Federal Way Public Schools Detailed Example

*Category Units multiplied by Difference Between Highest & Current*

□ CIS:	1018 Units x \$ 1,866 x staff mix 1.48602	\$2.8 M
□ CAS:	84 Units x \$26,402	\$2.2 M
□ CLS:	355 Units x \$ 5,116	<u>\$1.8 M</u>
<b><i>BASIC EDUCATION FUNDING not RECEIVED</i></b>		<b><i>\$6.8 M</i></b>

*<http://www.fwps.org/info/fairfunding/salaryallocationcalculations.xls>*



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LEAP Document 2 has a Ripple Effect

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# Fair School Funding

## LEAP Document 2 has a Ripple Effect

<input type="checkbox"/> Lost Salary Allocation Funding	\$6.8 M
<input type="checkbox"/> Lost Mandatory Benefit Funding	\$1.0 M
<input type="checkbox"/> Lost Special Education Funding	\$1.0 M
<input type="checkbox"/> Lost Local Levy Capacity (minimum)	<u>\$2.1 M</u>

**TOTAL ANNUAL LOST REVENUE**

**\$10.9 M**

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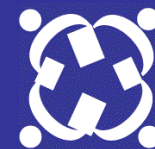
# Fair School Funding

## Resolution #2006-28

**Authorized the filing of a legal complaint,**  
*challenging the constitutionality*  
*of the inequitable funding formulas*  
*for teaching, administrative and classified staff.*

<http://www.fwps.org/info/fairfunding/>

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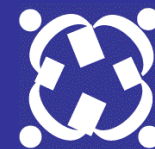
# Fair School Funding

## Judge Heavey's Decision and What's Next

LESTER "BUZZ" PORTER, JR.  
ATTORNEY AT LAW

DIONNE  
& RORICK

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# Five Original Legal Theories

- A. Article IX, Section 1 – Paramount Duty/Ample Funding
- B. Article IX, Section 2 – General and Uniform School System
- C. Article I, Section 12 – Privileges & Immunities
- D. Article I, Section 12 – Equal Protection
- E. Article I, Section 3 – Substantive Due Process



# Paramount Duty/Ample Funding

“The Plaintiffs have failed to prove beyond a reasonable doubt that they are not amply funded.”

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# General and Uniform School System

“[W]ithin a ‘general and uniform system of public schools’ the legislature could constitutionally and rationally create different funding levels that stem from differences in educational costs. However, the disparities in the current system are not based on the cost of providing educational opportunity in any district. . . . The plaintiffs have shown proof beyond a reasonable doubt that school districts are funded at disparate levels; that the different levels are based upon a discredited and unconstitutionally funded system of 30 years ago. There is no rational reason to continue this. **This violates the general and uniform requirement of our constitution.**”

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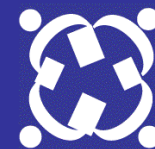
# Equal Protection

“Because of the vested interests in the *status quo*, these disparate, irrational and inequitable salary allocations will continue if not found unconstitutional. This court finds that basing funding levels on salary levels of 30 years ago is arbitrary and wholly irrelevant to the achievement of legitimate state objectives. . . . [T]hey violate the equal protection rights of Federal Way students, teachers and taxpayers.”



# Importance of the Decision

- A. Holds that differences in funding must be based on rational/educational variables
- B. Accepted justiciability of the dispute without a lengthy trial producing evidence linking funding to educational opportunity
- C. Legal theory built on previous school district losses in *Northshore*, *McGowan* and *Brown* cases



# What's Next

- A. State's pending decision to appeal
- B. Legislative remedy
- C. Return to court if remedy unsatisfactory



# Fair School Funding

## Substitute Senate Bill 5135: Equalizing Salary Allocations

- *Sets a Specific Six-Year Time Frame*
- *Addresses All Three Salary Allocations At the Same Time*
  - Instructional (CIS)*
  - Administrative (CAS)*
  - Classified (CLS)*
- *Recognizes Ripple Impact on Levy Base*



# Fair School Funding

## District's Adopting Supporting Resolutions

Anacortes

Bellevue

Central Kitsap

Concrete

Everett

Grandview

Hood Canal

Kiona-Benton

Lake Stevens

Lakewood

Monroe

Newport

Ocean Beach

Peninsula

Port Angeles

Republic

Sedro-Woolley

Shelton

South Kitsap

Southside

Sultan

Sumner

Tahoma

Wenatchee

White Salmon

FW PTSA

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