

## SUPREME COURT RULES ON SCHOOL FUNDING LAWSUIT

The Oregon Supreme Court issued its decision 1/23/09 in the school funding lawsuit - *Pendleton v. State of Oregon*.

Three years ago seven Oregon public school students and 18 school districts sued the State of Oregon, seeking a declaratory judgment that the Oregon Constitution requires that the legislature fund the Oregon public school system at a level sufficient to meet a quality education. They asked the court to find a Constitutional right to a quality education and to direct the legislature to pay to meet those quality education goals.

**"In conclusion, we agree with the plaintiffs that Article VIII, section 8... directs the legislature to provide funding sufficient for the public schools to meet quality goals established by law".** So says Chief Justice Paul DeMuniz, writing on behalf of the entire Oregon Supreme Court.

"We allowed the plaintiffs' petition for review and now conclude that the **legislature has failed to fund the Oregon public school system at the level sufficient to meet the quality education goals established by law and that plaintiffs were entitled to a declaratory judgment to that effect.** However, we also conclude that, in adopting Article VIII, section 8, Oregon voters did not intend to achieve the level of funding required in that constitutional provision through judicial enforcement. Consequently, we affirm in part and reverse in part the decision of the Court of Appeals and the judgment of the trial court." (emphasis added)

It is now the job of the legislature to meet its sworn obligation to uphold the Constitution and meet the quality education needs of all Oregon students. The 2009 legislative session is under way and we will see if they make progress on that obligation.