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School fixes are state problem

By The Denver Post Editorial Board

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The Colorado Department of Labor and Employment has hired extra inspectors to "revisit" 150 public schools to ensure they are safe.

We applaud that necessary, if belated, step. But it also raises the question of who should pay for any necessary repairs.

In some cases, contractors may have to make good on faulty construction. But many of the problems identified in a scorching report by the state auditor last month stemmed from projects whose original designs didn't comply with building codes, lacking such essentials as required sprinkler systems, fire walls or the appropriate number of exits. In most such cases, the taxpayers will have to ante up for costly repairs or remodeling. But *which* taxpayers - state or local?

The Colorado constitution guarantees a "thorough and uniform" education. The state government, recognizing that local resources vary widely between individual school districts, tries to meet that goal by funneling proportionately more state aid per student to poor districts and less to wealthier districts. Overall, the state pays for 64 percent of instructional cost.

In contrast, most capital construction needs are the responsibility of local taxpayers. But there is an exception to that rule. The state settled a 1998 lawsuit by promising to pay \$190 million over 11 years for school construction or repairs in poor districts. But the state is still far short of appropriating even those funds, let alone meeting additional needs of other districts.

So serious is the problem of local school construction and repair that some activists have suggested yet another constitutional amendment earmarking taxes for such school construction. Others talk about filing a new lawsuit over capital construction disparities.

Another lawsuit or constitutional amendment would only worsen the crazy quilt of conflicting mandates that simultaneously limit overall revenues, require specific budget increases, and shift responsibilities back and forth from state to local governments and back again to the state.

We don't need more mandates. We need to clean up our constitution to restore the power to our elected officials to look at the state's overall needs and rationally allocate the state's resources to meet them.

When that day comes, we hope the problem of local school construction and repair is high on the state's agenda. Until then, the state should step up its efforts to help at least the poorest districts build and repair their schools.