

State mandate

Justice delayed is justice denied

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Plus interest.
Plus attorney's fees.
That, in short, is the 17-year story of 84 suburban school districts' lawsuit against the state of Michigan. The districts contended that the state began shorting them in the late 1970s on many mandated expenses, chiefly special education.

On June 10 the state Supreme Court finally said yes, the state owes some money. Maybe plus interest. Certainly plus attorney's fees. The end of the trail is in sight.

The law — namely Sec. 29 of the Headlee amendment to the state constitution — is written in plain English. It says that what the state mandates, the state must pay for. Voters adopted it in 1978.

It shouldn't have taken 17 months or 17 weeks or 17 days to decide. But three governors fought the suit to the final bell of the last round.

Attorneys have a month to submit briefs and rebuttals on how much money should be paid back and who should receive it. It's complicated. Logically, as Dick Headlee said in an interview, the money should go back to the taxpayers, because they had to pay extra property taxes to make up the state's "shortfall" as the state whacked its share of special ed funds from 29 percent of the total to 6 percent.

Unfortunately, many of those taxpayers of 17 years ago are dead, retired, moved to other states during the four-year recession, or are otherwise untraceable. Alternatively, the parties could consider a schedule of state makeup payments that would reduce future local property taxes. We don't know and can't predict how that will turn out.

To state government, the court decision is potentially a budget buster. So the victorious school districts may have to resist the temptation to ask for a pound of flesh and a quart of blood and, instead, cut a deal for less than 17 years of back payments.

We hope, at this extremely late date, that the parties can agree mutually on some money figures that will a) compensate local schools and b) teach the state a lesson that the Headlee amendment isn't so difficult to figure out.

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Looking to the future:

■ There are, by Headlee's count, 450 local government claims against the state for reimbursement for mandated services gathering dust. A Local Government Claims Commission hasn't met since 1985. Now that the Supreme Court has arrived at a common sense interpretation of the law, Lansing can begin to deal with some of the claims.

■ Special education has suffered the same fate as welfare, disaster relief and agricultural programs: No matter how much money the government estimates will be needed, eligible people want to claim the benefit.

Thus, in 1975, special education services went to fewer than 150,000 pupils out of 2.1 million, or 7 percent. By 1995, we had more than 194,000 of our 1.6 million kids in special ed, or nearly 12 percent.

In part it's good news because more babies are being kept alive, though some may have disabilities. And in part, it's because parents are demanding extra attention for slow learners. They are guaranteed service under federal and state laws, and they can demand hearings and court action to enforce those rights — with the local district paying all legal costs.

So our lawmakers and educators will have to start by assuming that a bunch of cheats are milking the system but that there must be smarter, cheaper ways to deal with learning problems. The professional journals are full of ideas and should be gleaned for those that will work in Michigan.

We congratulate attorney Dennis Pollard and the local school districts for their perseverance in fighting the good, long battle against the forces of delay. May they also win interest and attorneys' fees.

A wing and a prayer



Home support: Frederick Street in Farmington has 6 homes with red and white ribbon in support of the Detroit Red Wings injured in last weekend's accident in Birmingham.

LETTERS

Not all access is equal

I am writing to you as a concerned parent, teacher and citizen. The school board appears to be moving toward a cookie-cutter educational philosophy. It also seems to confuse the words access, equity, and community benefit. It has voted to either eliminate or weaken programs that were created to take care of the differing needs of our children. The Early-Five's program that once existed at Alameda and Fairview for kindergarten children with late birthdays is gone. The Delta program, which gives extra challenge to our brightest children during class time that covers material they have already mastered, is being changed so that it will serve more students than those it was designed to help. With the exception of the Gill year-round program, sibling priority is being phased out of all other schools. The reason that I am concerned by these moves is that all children are not the same.

Is there equal access to a school program when there are not enough seats for all children who would benefit from the program? Is there equity in delivering specialized instruction such as reading recovery to only those who have the greatest need and not to all who have need? Is it equitable to only deliver programs to those who win a lottery? There is currently a lottery for Alameda first grade, Highmeadow Common Campus, and the international High School. There may also be a lottery for Gill year-round school. Denying sibling priority at these schools does not increase access or equity. Only more similar programs can do that. The removal of sibling priority will actually reduce access to programs and facilities (e.g. the Harrison High pool) by children whose families cannot tolerate dividing children between schools.

If the school board were truly interested in equity, educationally sound practices and community benefit rather than politics and reelection, it would stop trying to force all children into the same mold by crying "access." It would enhance and expand programs that address the varying needs of different children. There will not be "equal access" to appropriate education in Farmington until there are enough programs to take care of all of our children's needs.

La Vonda Ramey
Farmington

field, representing a new constellation."

A flag of this design flew over Fort McHenry during the War of 1812 and inspired Francis Scott Key to compose "The Star Spangled Banner."

In 1959, the U.S. flag contained 49 stars when Alaska joined the union and in 1960, the current flag with 50 stars became the nation's official flag. This was the year Hawaii achieved statehood.

June 14 was officially designated Flag Day in 1941 by presidential proclamation. This is fitting and proper. Every state in the union and every country in the world has its own flag. Why? I think it is because the flag is a non-verbal symbol of a state or a nation. It crosses all language barriers. It conquers illiteracy. It speaks to all who observe. A person of one country recognizes another country by its flag even if they cannot communicate verbally.

The flag is not just a piece of cloth. It is the heart and soul of a nation. When the flag waves in the breeze, it is the heart of the nation. When a flag is still, it is the soul of a nation quietly yet deeply expressing the beliefs of its people.

The flag represents the feeling of home. It is wonderful and consoling to come home again. The United States flag is the first symbol to greet the traveler as we return from far-flung destinations.

The United States of America flag, my flag, your flag, our flag.

"Long may it wave, o'er the land of the free and the home of the brave."

Elaine Mazany Simpson
Farmington

Supporting the shed

I support and endorse Herman Meinke's ongoing horticultural research projects using the back yard shed as a solar energy research structure. The height restriction should be waived in this instance, as the work is important to the future health of the environment and the health of people who will benefit from better quality food.

Historically, individuals with creative ideas and dedication, who work independently, are responsible for many more important discoveries than the highly funded research and development projects sponsored by big companies.

The development of new horticultural methods such as the ones pursued by Herman Meinke, may be of great benefit to our diet and our future health, and he should be allowed to continue his work.

Cheryl Ellis
Farmington Hills

COMMUNITY VOICE

QUESTION:
Where's your favorite golf course?

We asked this question at an Optimist Club-sponsored golf outing at Glen Oaks.



'Schuss Mountain... because it's the most beautiful course in northern Michigan.'

Dennis Fitzgerald
Farmington Hills



'Indian Springs... because I've managed and excellent person.'

Earl Friedman
Farmington Hills



'I think I like the Links at Pinewood, Walled Lake.'

Sharon Hain
Commerce Township



'Black Wolf Run, Kohler, Wisconsin; designed by Peto Dye.'

Mike Duff
Farmington Hills

TURNING BACK THE PAGES

This week in history as reported in past editions of the Farmington Observer and the Farmington Enterprise.

40 YEARS AGO — JUNE 20, 1957

Residents of Kendallwood Subdivision were assured by Farmington Township officials and the Thompson-Brown Company that water and sewer treatment facilities will be operated and maintained despite cancellation of the existing contract between the township and developers.

The total assessed valuation for the City and Township of Farmington set a record at \$67,841,525.

25 YEARS AGO — JUNE 21, 1972

Development of cluster housing was a certainty on 22 acres of Drake Road, north of Freedom after a 4-0 vote by Farmington City Council.

Farmington City Manager Robert Deadman will also assume his old duties as public safety director to lend his experience to the department while newly-named Deputy Director Daniel Byrnes will oversee the day-to-day operations.

2 YEARS AGO — JUNE 19, 1995

Farmington Public Schools officials were all smiles after a stellar performance on the Comprehensive Tests of Basic Skills, which was given third, fifth and eighth-graders. Increases were reported in all three areas, including reading where more than half of all Farmington schools scored 15 points above the national average.

After an ambitious fund-raising campaign, the groundbreaking ceremonies for a \$1.6 million expansion were being planned at the Farmington Family YMCA. Members raised \$500,000 while corporate and individual contributions totaled about \$600,000.

Love that flag

On June 14, 1777 John Adams introduced a resolution before the Continental Congress. It stated that "the flag of the United States be 13 stripes alternate red and white; that the union be 13 stars, white in a blue

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— Philip Power