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How Much School Funding Is Enough?

Nearly every state has faced legal battles over school funding. In November, the political battle moves to Mississippi, where voters face two competing (and confusing) ballot questions on the issue.

“They say money can’t fix everything,” said Billy Joe Ferguson, superintendent of the Carroll County School District in Mississippi. “But I’ve never had any money, so I wouldn’t know.”

Ferguson says his school district, with a little over 1,000 kids, doesn’t have enough money to run effectively. So he officially retired two years ago so the county wouldn’t have to pay for his \$80,000 salary and started collecting his \$18,000-a-year pension while still going to work every day.

This issue, money in education, is precisely what Mississippians will be heading to the polls to vote on Nov. 3. Initiative 42 is a ballot measure that would change Mississippi’s state Constitution to promise an “adequate and efficient system of free public schools.” Currently, Mississippi’s constitution says nothing about the quality of public education. The ballot measure would also give a court oversight to enforce the requirement.

It looks like a straightforward issue: Advocates argue that Mississippi’s poor education record means more money is essential. Opponents argue that the measure is too far-reaching.

The debate comes from the Mississippi Adequate Education Program (MAEP), which the Mississippi legislature passed in 1997. MAEP is a formula that establishes “adequate current operation funding levels necessary for the programs of each school district to meet a successful level of student performance,” according to the Mississippi Department of Education’s website. The department gives schools annual letter ratings. A school providing an adequate education has been deemed by the legislature to be any with a C-rating or above.

The exact MAEP formula is complex but essentially works like this: The Department of Education looks at expenditures of C-rated schools from the previous year, and it averages that amount among the districts and then divides by the number of students in a school. (That’s the “adequate” per pupil funding.) It also allocates additional money to districts based on their number of free-lunch participants.

But because Mississippi’s legislature doesn’t have a legal obligation to fund MAEP, it’s has only been fully funded twice in the 18 years since the law passed, and according to a judge in a recent lawsuit over the state’s education funding.

The lawsuit — brought by former Gov. Ronnie Musgrove, who pushed for passage of MAEP — wanted to hold state lawmakers accountable for not funding MAEP. Hinds County Chancery Judge William Singletary ruled that “MAEP should be annually funded to the fullest extent possible,” but he wouldn’t issue an order because of an addendum to the law, passed in 2006, that offers the alternative to ‘phase in’ full funding over four years. The MAEP hasn’t been fully funded since 2008.

Conflicts over state education budgets aren’t unique to Mississippi. More than 40 states have faced

school funding lawsuits. Most recently, Kansas is in the middle of rewriting its school funding formula after a court ruled that the current system doesn't meet the required legal standard; and a similar ruling in Washington state resulted in tuition cuts at state universities and an additional \$1.3 billion for K-12 education.

Opponents of Initiative 42 feel like proponents aren't considering the financial implications of the ballot measure.

"Our public schools aren't doing their job," said Grant Callan, president of Empower Mississippi, a group opposed to Initiative 42. "Our schools very often aren't up to par — there's no debate about that. But Initiative 42 is ultimately saying that more money is going to solve the problem, without thinking about the practical implications for the rest of the state."

If Initiative 42 passes, the legislature has pledged to fully fund the MAEP to avoid judicial action.

"If that happens, it'll mean an 8 percent cut across other state agencies. What will that mean for Medicaid? What will that mean for corrections? For our roads and bridges?" Callan said.

But it's not just the money that bothers the measure's opponents — it's the judicial oversight, which they say is an example of overreaching government.

"If you don't like the way your state legislatures are handling the budget, then you can vote them out. We see this measure as taking power away from the citizens since it gives one judge in Hinds County [where Jackson is located] more power than their own elected officials," Callan said.

That's where the alternative to Initiative 42 comes in. Introduced by state Rep. Greg Snowden, Initiative 42A makes no mention of judicial oversight or adequate funding and reads: "The Legislature shall, by general law, provide for the establishment, maintenance and support of an effective system of free public schools."

Calling Initiative 42 a "lawsuit hand grenade," Snowden wanted to write something that kept the authority within the state legislatures.

"You don't measure success by how much money you're throwing at something," Snowden said. "If you're going to insert a standard for our schools, let's make it an effective one that focuses on output. We can't allow things to be litigated that don't need to be litigated."

In order for either Initiative 42 or 42A to pass, a majority must first vote 'Yes' on the first ballot question to change the state constitution. Then, a majority must choose either 42 or 42A, and that majority must also represent 40 percent of the total votes cast in the election.

If that sounds confusing, that's because it is, said Patsy Brumfield, a spokesperson for 42 For Better Schools. "We feel 42A was only created to confuse people so they would end up not voting for Initiative 42," she said.

For lawmakers like Snowden, Initiative 42 would put an unnecessary strain on legislatures to fulfill financial promises that are impossible.

"The recession hit and we had to make sacrifices," said Snowden. "We're finally back to pre-recession levels, and we've been steadily increasing school funding."

But, according to Ferguson, that hasn't been enough for Carroll County School District to pay for what it needs.

“We have to be innovative. Our teachers use a lot of workbooks and materials from the Internet since we don’t have textbooks for the students to take home, and they don’t do a lot of complaining. But still — the average book in our library is 25 years old, 101 of our computers still use Windows XP and 40 percent of our bus fleet is more than 15 years old.”

There aren’t any projections for how the election will turn out, but Ferguson isn’t hopeful because of the convoluted language on the ballot and the stipulations needed for Initiative 42 to pass.

In one sense this debate is simply a disagreement about how to fund schools. Some also describe this as an example of how Mississippians are divided about how to try to improve the state.

“It’s become a battle for the heart and soul of Mississippi,” Brumfield said.

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