

Statement Regarding the House Public Education Committee Plan

Before becoming director of the Center for Public Policy Priorities, I was the state district court judge that heard the state's school finance cases from 1989 to 2002, including the *Edgewood* case and the initial phase of the *West Orange Cove* case, which is now pending before the Texas Supreme Court.

Just as there is no such thing as “separate but equal” there is no such thing as “unequal but adequate.” After years of litigation, we ended segregated schools. After years of litigation, we achieved a measure of equity. The increase in equity in the school-finance system has been reflected in the increase in academic achievement of all our children, regardless of their location or their family background. We have made much progress, although there is much more we must do. Now the House Public Education Committee has proposed legislation that would move Texas backwards.

Right now, all school districts are tethered together; to move forward, they must all move. In other words, the interests of all school districts are aligned, as demonstrated by the range of districts that joined together in the *West Orange Cove* case. CSHB 2 splits the herd. A few privileged districts are un-tethered from the rest—free to move over to the high grass, raising large amounts of money to spend only on their own students. The rest of the districts—90% of the students in the state--would be trapped in the short grass, getting enough to keep going from day to day, but never enough to flourish.

The so-called new money in the bill barely covers inflation, much less meets the needs of the system outlined in the district court's most recent *West Orange Cove* judgment. Moreover, CSHB 2 does nothing for funding facilities, one of the key needs outlined by the district court in *West Orange Cove*.

Texas simply cannot afford to raise state taxes only to “buy down” local property taxes. We have to modestly increase state taxes to adequately invest in public education. If passed by the Legislature, CSHB 2 will not solve our litigation problems, and it certainly does not meet the needs of Texas.

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Center for Public Policy Priorities