FOURTH WAVE OF SCHOOL FINANCE CASES

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FIRST-THIRD WAVES

• Federal Equal Protection Claims
• State Equal Protection/Education Clause Claims
• State Adequacy Claims

Texas Taxpayer & Student Fairness Coalition v. Williams
FAIR FUNDING: WHY IS IT SO “HARD” IN TEXAS PROPERTY WEALTH PER PUPIL

GAP
$1,010,403

Poorest
$76,068

Wealthiest
$1,086,471
TExAS FUNDING POLICIES VALUE SOME STUDENTS MORE THAN OTHERS

In Texas, some children are considered more valuable than others.

Texas schools in 2013 have an estimated $1,098 gap per student in how much money they have to spend to educate our children.

$5,617 PER STUDENT
Poorest 100 school districts

$6,715 PER STUDENT
Richest 100 school districts

The 103 richest school districts still have about $27,450 more to spend per classroom on teachers, curriculum, books, technology tools and supplies.

$140,425 PER CLASSROOM
Poorest 100 school districts

$167,875 PER CLASSROOM
Richest 103 school districts

It doesn’t have to be this way.
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THE END RESULT: TEXAS STUDENTS ARE NOT READY (ACT/SAT SCORES)

Source: TEA State Academic Performance Report, 2013-14
At/above criterion, SAT: 1110; ACT: 24
Adequacy: Low Income, EL, Special Ed
- Eq Prot/ Fundmtl Right: Low income, EL
- Due Process: Low Income, EL, Special Ed
- "Sufficient Education" Incl:
  - State Expectations
  - Multicultural Education
  - State duty to monitor expenditures
  - Teacher Evaluations- value-added models
  - State Accountability- grading system
FOURTH WAVE: SCHOOL FINANCE PLUS
SILVER V. HALIFAX CO. BD. COMM’RS

- Grounded in State Education Clause: Sound Basic Education
- Adequacy: all students; at-risk students
- Efficiency: Tri-District
- Segregated School Districts
  - funding
  - facilities
  - teacher quality
  - discipline
  - support programs
  - extracurricular/ co-curricular activities
  - achievement
  - stigmatization

9 yoa Larry Silver: wonders aloud to his mother why he has to attend the “worse” school, and why he cannot go to the school with ample textbook and new buildings ¶218
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