



News & Notes



Advocating School Finance Equity and Adequacy in Texas

Champions of Equity Award Presented to Former State Representative Carter Casteel

Editor's Note: Champions of Equity Awards are presented each year at the Equity Center Annual Meeting to individuals whose contributions to equity in public school finance in Texas are so numerous and so important as to place them among those great Texans who have earned our gratitude and respect.

On May 23, 2005, State Representative Carter Casteel courageously stood before her peers, fully aware of the consequences of what she was about to do.

Harvey Kronberg, Editor of the Quorum Report, told the story like this... "Representative Carter Casteel, a Republican from New Braunfels, got up before the microphone in the House of Representatives and offered up words that likely ended her fledgling legislative career. She introduced an amendment to strip vouchers from a sunset bill on the Texas Education Agency, and she had something to say. Casteel told the chamber she considered long and hard what she should do. Should she represent her own views or the views of a man who had influence, power, and money? Should she represent those who

called and wrote to her office or the views of a man who asked her to vote in favor of choice because he thought it would provide a lifeline to Texas schoolchildren?

"In her heart, Casteel said she knew her choice. As a lawmaker it was her constitutional obligation to educate all children and not to take money away from public education. 'And so I've made a decision and it may send me home. That's alright. I have a wonderful home. I have a wonderful family. That's not why I'm here. I am here to do what's right for public schoolchildren and to make our public school system the best in the nation. It's not to take money away from it so my grandson can go to Sts. Peter and Paul because he's Catholic. I'm here for all children.'"

These last three words—"for *all* children"—lie at the heart of everything the Equity Center stands for. We believe vouchers are an enemy of this principle. The only effective and efficient solution to a failing public school campus is to *fix that campus*. Removing some portion of students from a bad situation does nothing

for the students that are not removed. Plus, there is absolutely no guarantee that the children that are removed will be in a better learning environment. In the end, the only solution is to *fix that campus*. Nothing less will do—and, instead of providing the magic solution to the problem, it appears to us that in the end, vouchers quite likely will just make a bad situation worse.



Carter Casteel

“And so I’ve made a decision and it may send me home. That’s alright... That’s not why I’m here. I’m here to do what’s right for public schoolchildren and to make our public school system the best in the nation. It’s not to take money away from it so my grandson can go to Sts. Peter and Paul because he’s Catholic. I’m here for all children.”

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Champions of Equity Award Presented to Casteel

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A “solution” that is not for all children, isn’t really a solution at all.

Yes, we need to make public education better and then, better again—but we must do it for *all* children. That is the pure essence of what equity is all about... fair treatment for *all* children and not just the lucky few.

And, based upon this principle, the Equity Center’s Board of Directors has unanimously chosen to name Carter Casteel a *Champion of Equity*.

Cary Roberts

Cary Roberts accepted the award on behalf of Carter Casteel. Mr. Roberts is a partner with Ms. Casteel at their Austin lobbying firm. Below are excerpts from his acceptance speech.

“Carter would have been here this morning if she could have been. Thank you so much... those of you who know Carter, know that it’s difficult to overstate her commitment and dedication to public education.



Dr. Wayne Pierce and Cary Roberts

She was a school teacher for 17 years and taught government before going to law school at the age of 40 and becoming a lawyer, then serving on the Comal ISD school board for six years (two years of

that as President) before becoming County Judge in Comal County and then running for the legislature.

“One of the things she quickly found out when she came here to Austin during her first session is that the way she taught government and the way it actually worked were two different things. Carter and I worked for the Texas Association of School Boards

last session with Paul Sadler. Although I’ve been in governmental relations for 20 years, I never had to get directly involved in education before. When I was with Aiken Gump in 1995, we did work for then-Governor Bush to help Paul Sadler with the public education code rewrite. That was enough to have lasted me a lifetime.

“I hope you are all rested up from this session, because in 2009, school finance will be back with a vengeance...”

“I hope you are all rested up from this session, because in 2009 school finance will be back with a vengeance, I’m afraid. And Carter will be back and she’ll be fighting just as hard as she ever did.

I grew up in West Texas in Abilene, born and raised Church of Christ and I didn’t think I’d ever meet people that got to the right of me. But I tell you, they have. Carter said there are people out there who are attempting to dismantle public education, which is democracy’s foundation...

“[Voucher advocate] James Leininger wrote a check for more than one million dollars to beat her [Casteel] by less than 50 votes in the [2006] Republican primary in her district. I had to chuckle when the first voucher vote came up this session. It was an amendment on the budget bill early in the session in the House by Rep. Joe Heflin who took Pete Laney’s place out in West Texas.

“Those who were following the chamber debate were shocked. Carter and I got into gear pretty quick. The final vote was about 123 to 8 or something like that for the amendment which was to *ban the use of public money in any voucher or voucher related program.*”

Editor’s Note: Although Carter Casteel no longer held a public office when this amendment passed, we know she worked as hard as anybody on passing it and felt some great satisfaction when it finally did.

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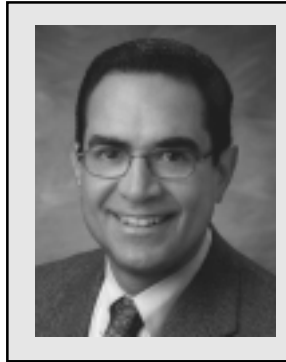
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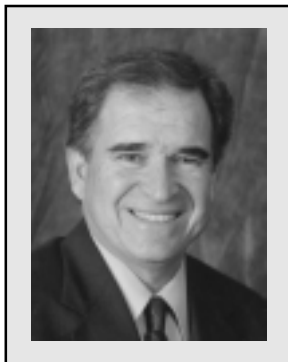
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80th Legislature Largely Quiet on School Finance

Editor's Note: John Hubbard is a Legislative Consultant to the Equity Center on school finance and related public education issues.

The 80th Legislative Session that finished at the end of May will be remembered for a variety of reasons including the ongoing struggle in the House to unseat Tom Craddick as speaker. But it will not be remembered for significant advances in school finance.



John Hubbard

After six sessions with school finance as the most important issue (two regular sessions and four special sessions), the Legislature largely ignored school finance this time around. Why is that? Is it because the Legislature had addressed all the finance problems facing school districts in HB 1 from the 79th Legislature's

third special session? Far from it. Was it because the people of Texas have lost interest in education as an issue and no longer worry about the future for their children? Certainly not. The reason rests with a combination of two factors that combined to largely consign school finance to the far back burner for this year's session.

The first factor that helped minimize any changes to the school finance system this year is simply issue fatigue. Each of the sessions, both regular and special, that attempted to address school finance issues resulted in hundreds of votes by legislators. Each of those votes affected specific programs, groups, or functions of school districts. As a result, every member of the legislature received literally thousands of phone calls, faxes, letters, and had numerous meetings on school finance. Some of these meetings were

technical in nature and dealt with subjects like what impact a change in the CEI would have on a district. Some of the meetings dealt with the political aspects of the provisions in each bill, such as what one political party was trying to accomplish with school finance or what the leadership wanted a specific member to do or how to vote. After dealing with these issues for four years; coming to Austin to attend the sessions; trying to keep businesses at home afloat; and still keep their families happy and together; many legislators were simply tired of dealing with school finance and did not want to think about it any more.

The second factor that helped minimize any changes to the school finance system this year was more political in nature. The one issue that the Legislature had to address in its school finance legislation was the result of the Texas Supreme Court's ruling that the \$1.50 property tax cap was a *de facto* state-wide property tax. Once that issue was addressed it was almost impossible for any Legislator to claim school finance hadn't been fixed or they would risk being seen as ineffective, especially since school finance had been the number one issue in the state for so long. In addition, the general public already saw the Legislature in negative aspects because of all of the special sessions on redistricting and the increased partisan rancor, especially within the House. To admit issues like an outdated CEI formula or inadequate funding for transportation still needed to be addressed would have added to that negative perception in the public and potentially cost some incumbents re-election. Better to declare victory and go home. As a result, school finance was not a major issue for the 80th Legislature.

So what did the Legislature do and what will it do in the near future regarding school finance? Thanks in large part to your influence with your Senators and Representatives and the Equity

Center's effective presence in the Capitol, the Legislature made no serious attempts in the 80th Session to undo the huge equity improvements made relating to the guaranteed yield. As a result, the Legislature made only minor changes including removing both transportation and the New Instructional Facilities Allotment (NIFA) from being included in the calculation of a district's target funding amount.

To admit issues like an outdated CEI formula or inadequate funding for transportation still needed to be addressed would have added to that negative perception in the public and potentially cost some incumbents re-election.

However, the future almost certainly holds more changes. The House has appointed an interim

committee, the House Select Committee on Higher and Public Education Finance, to examine the formulas that are used to fund both state universities and school districts. Items on the table will most likely include a new Cost of Education Index (CEI), changes to transportation funding, and changing the small and mid-size district adjustments just to name a few. The Senate does not currently have an equivalent select committee, but it would not be out of the question to see the Senate Education Committee charged in the interim with reviewing the formulas and making recommendations on how to change them.

All of these reviews could have significant impact on the equity of our school finance system. We will have to be on our guard. We must continue to provide the Legislature with the information they need to safeguard the gains we have made and to ensure further equity gains in the future.

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Mr. Wood and partner Doug Ray also served as counsel to the Alvarado Plaintiff school districts in the *Edgewood* and *West Orange-Cove* school finance litigation. The success of these cases has significantly enhanced the equity of the state's school finance system over the past twenty years. The firm is proud to have played a constructive role in both the legal and subsequent legislative efforts toward that end.

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