Chapter 4: Public Education: Investing in Our Future

Public education is one of the most critical functions of state and local government. Since the days of Thomas Jefferson, when the radical idea of a free public education system swept across America, education has defined the future of Americans and built a middle class.[1] In Texas, sixty percent of local property tax revenue supports over 1,037 independent school districts and more than one-third of the state's revenue pays for pre-kindergarten through 12th grade education.[2] Texas' current tax system, however, does not raise the revenue necessary to meet the increasing costs of providing a 21st Century education to the state's 4.3 million public school students. The state's over-reliance on the local property tax has placed tremendous pressure on communities to cover the state's obligation to provide a basic education. Furthermore, it puts a particular strain on communities along the Border with low property values. As a result of these issues, important gains in education that were established from the equity principles of Robin Hood school finance plan are in danger of being lost.

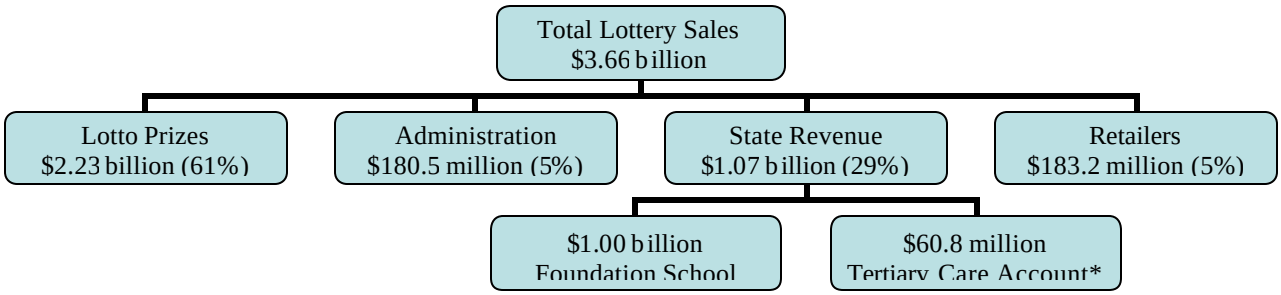
Financing Public Education

Article VII, Section 1, of the Texas Constitution defines the state's obligation to provide a system of public schools:

> A general diffusion of knowledge being essential to the preservation of the liberties and rights of the people, it shall be the duty of the Legislature of the State to establish and make suitable provision for the support and maintenance of an efficient system of public free schools.[3]

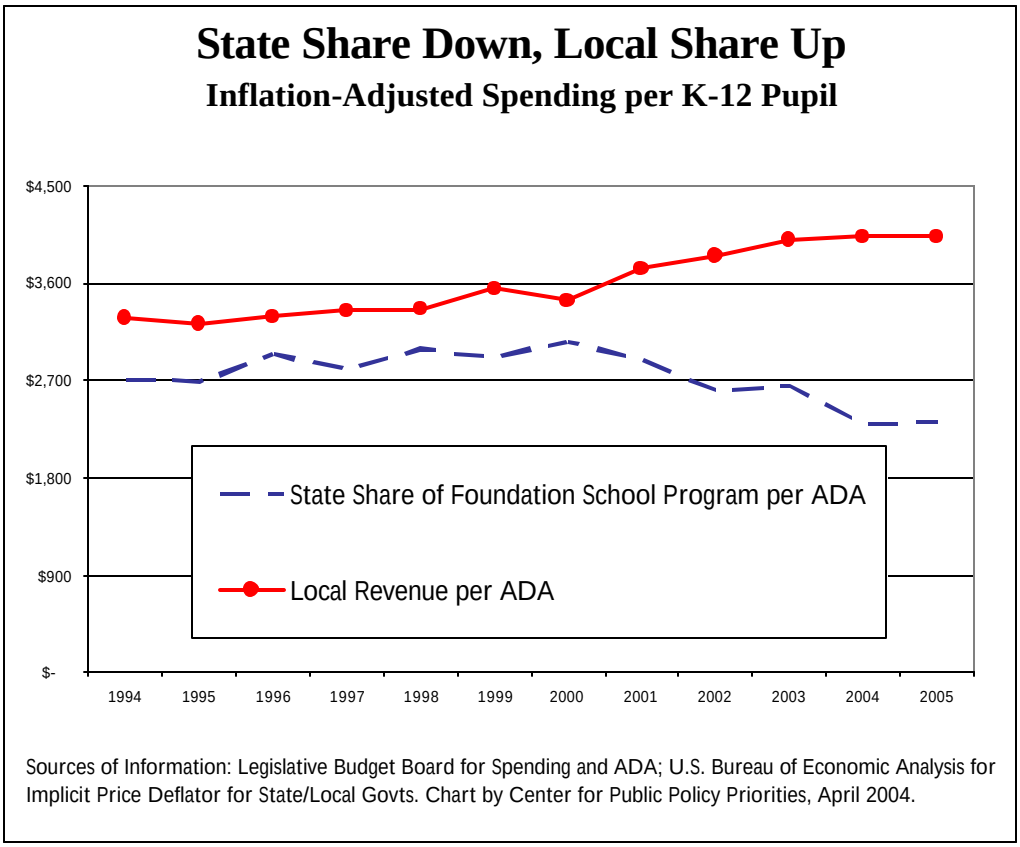
Inherent in this provision is the state's obligation to finance public schools in Texas. The state portion for education is paid from the General Revenue Fund with a small portion coming from the Lottery and various special school funds. The General Revenue Fund is comprised of revenue raised by the state from the state sales tax (57.5 percent), the motor vehicle sales and rental taxes (9.7 percent), the motor fuels tax (10.5 percent), the franchise tax (6.4 percent), the insurance tax (4.1 percent), "sin" taxes (cigarette, tobacco, and alcohol, for a total of 3.8 percent), a tax on gas and oil production (5.5 percent), and other minor taxes (2.6 percent).[4] While the net proceeds from the Lottery are dedicated to public education, they account for less than 3 percent of the approximately $30 billion spent on public education by the state.[5] The chart below, *Texas Lottery Expenditures, 2005*, demonstrates how money collected from the Lottery is spent:

Texas Lottery Expenditures, 2005



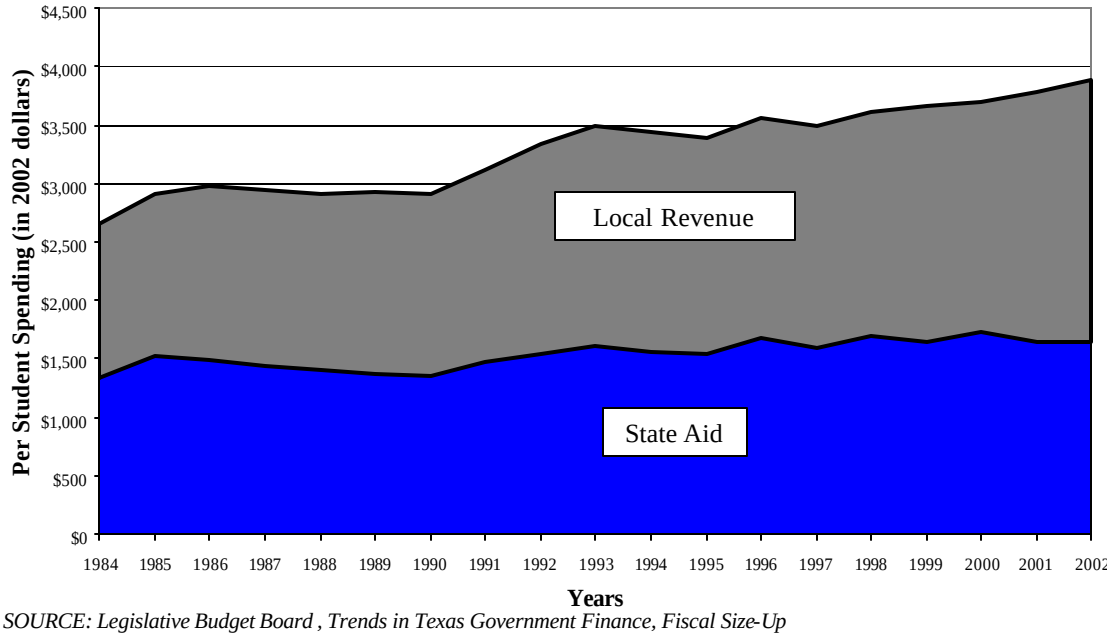
NOTE: Unclaimed lottery money is dedicated to the Tertiary Care Account which funds indigent healthcare.
SOURCE: Texas Lottery Commission

While the state's appropriations to public education have increased over time, most of the increases in public education spending have come from local tax revenue, which is entirely funded by the school district property tax.[6] As the chart below, *State Share Down, Local Share Up*, shows, a result of the increased burden on local property taxpayers to support public education is that the state's share of education funding has significantly declined and local school boards have had to raise property taxes to meet their needs. In 1985, the state share was 52.2 percent of local and state education spending.[7] Almost twenty years later, the state share is projected to comprise only 36.4 percent in 2006 and 34.4 percent in 2007 of state and local revenue for Texas public schools.[8]



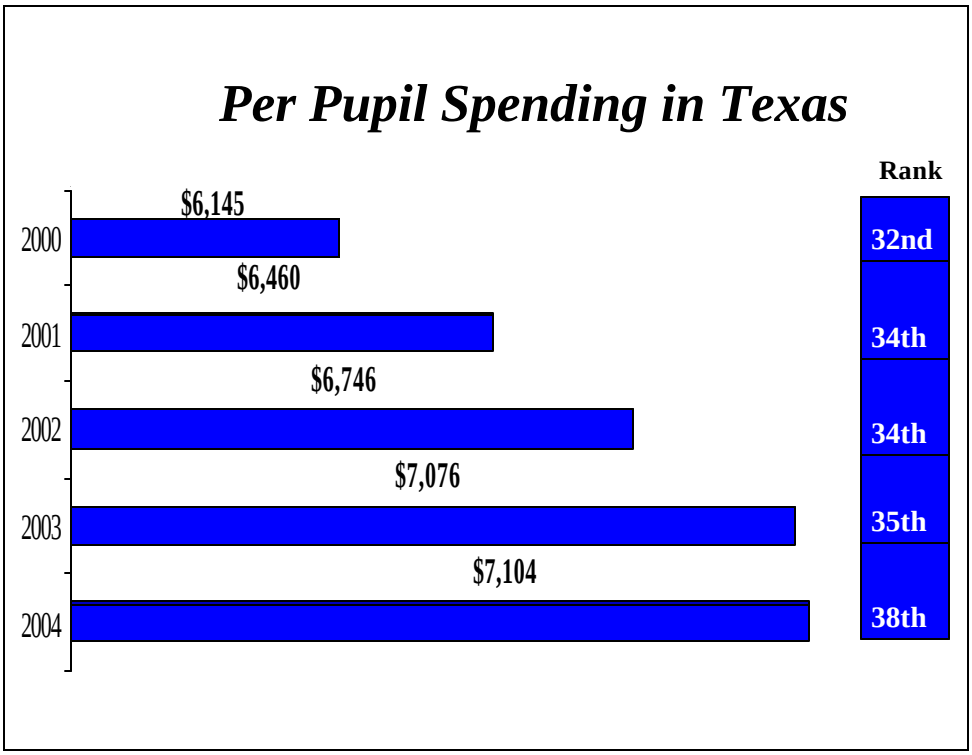
Although total spending has increased significantly in the past 20 years, per student spending adjusted for inflation has increased more slowly. As the chart, *Per Student Spending Adjusted For Inflation and Enrollment Growth,* on the following page demonstrates, the state share of inflation-adjusted per student spending has essentially remained flat since 1996.

Per Student Spending Adjusted for Inflation and Enrollment Growth



SOURCE: Legislative Budget Board , Trends in Texas Government Finance, Fiscal Size-Up

Compared to the nation, Texas ranks low in per pupil spending on education. As the chart, *Per Pupil Spending in Texas,* shows, in 2003-04, Texas dropped from 35th to 38th among the 50 states. The same year, Texas spent over $1,000 less per pupil than the national average.[9]



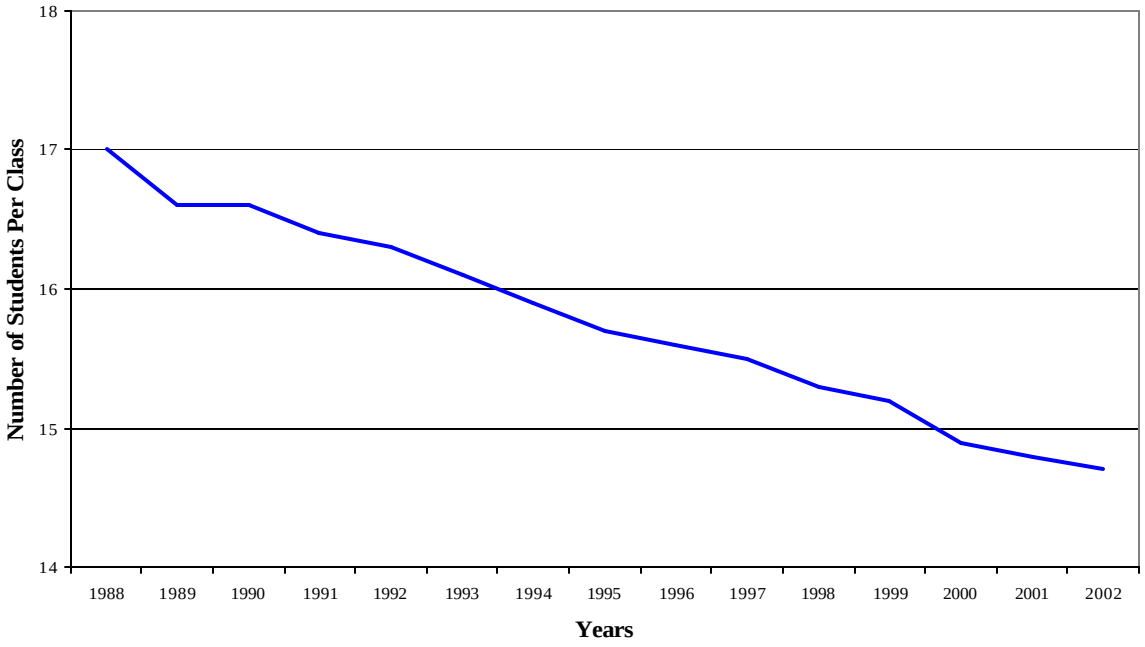
SOURCE: U.S. Census, Annual Survey of Local Government Finances, Public Education Finances

Rising Costs of Education

There are various uncontrollable factors that contribute to the rising cost of public education in Texas. Texas ranks first among the 50 states and the District of Columbia in the number of students enrolled in public schools.[10] Yearly, approximately 80,000 new students enrolled in Texas public schools at a cost of approximately $1.8 billion more a biennium.[11] However, yearly projections have been and are expected to continue experiencing skewed fluctuations due to the 45,000 students displaced by Hurricane Katrina into Texas public schools.

Accountability standards and high academic expectations also contribute to the rising cost of education. The chart below, *Texas' Student-to-Teacher Ratio*, shows that the student-to-teacher ratio in public schools has declined from seventeen students per teacher in 1988 to less than fifteen students per teacher in 2002. The state requires that grades kindergarten through fourth grade are limited to 22 students a class.[12] In order for school districts to provide smaller classes, they must provide additional classrooms and hire additional teachers. By Texas' failure to raise this revenue, it is cheating students out of the standards and benefits of smaller class size.

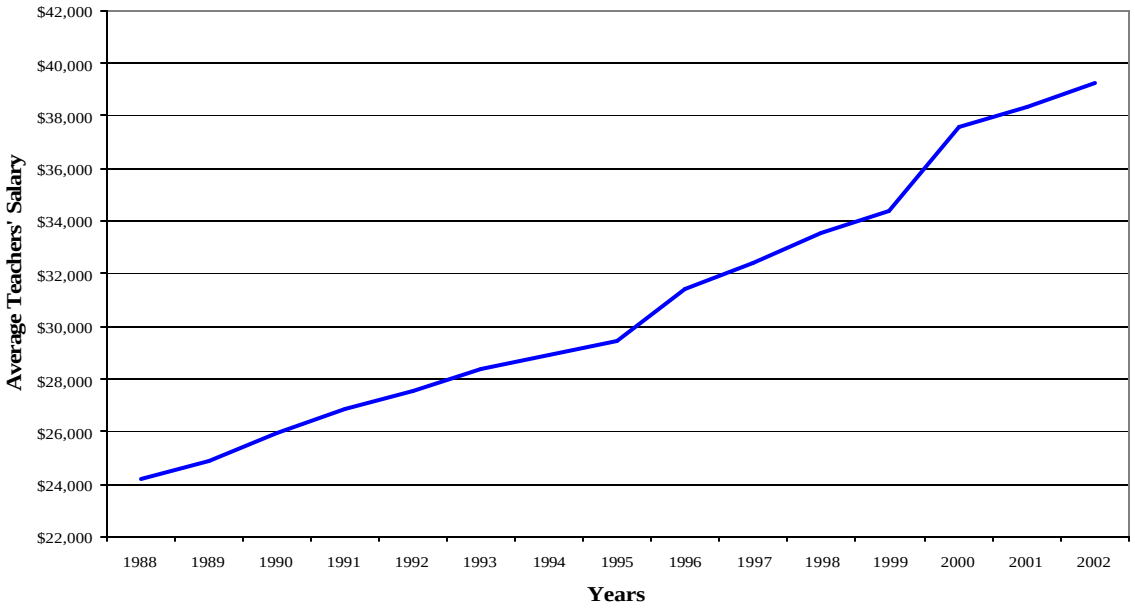
Texas' Student-Teacher Ratio



SOURCE: Texas Education Agency, Snapshot: School District Profiles

The need for increased teachers' salaries also contributes to the rising cost of education. Districts must offer attractive salaries in order to compete with the private industry for the limited pool of teachers and staff. As the chart *Texas' Average Teachers' Salary* shows on the following page, average teachers' salaries have steadily increased in Texas since the late 1980s.

Texas' Average Teachers' Salary



SOURCE: Texas Education Agency, Snapshot: School District Profiles

Even with the increases, however, Texas' average teachers' salaries still rank below the national average, especially when benefits are included. In 2003, Texas' average teacher salary was approximately $6,100 less than the national average.[13] It would cost over $3.5 billion a biennium for Texas to reach the national average. Comparing average teacher salaries to earnings in the private sector places Texas at the bottom at 50th in the nation for 2003-04.[14] Many school districts face competition with the private sector in their efforts to attract educated and talented people to the teaching profession.

Early Childhood Education and Dual Language Immersion

In addition to quality teachers, poll after poll shows that registered voters in Texas want public schools to have rigorous academic programs, technology and modern facilities, small classes and well-rounded programs.[15] For instance, research shows that children who receive an early childhood education have better attendance in school, less need for remediation, higher scores on standardized tests, are more likely to graduate from high school, and have lower unemployment rates than children who do not participate in an early childhood program.[16] However, a Paso del Norte Health Foundation study conducted in 1999-2000 estimated that 30 percent of the children in the birth to 5 years age group in El Paso County are cared for in some kind of early care and education setting.[17] Most of the remaining 70 percent are cared for informally by a stay-at-home parent, grandparent, relative or neighbor, which does not provide the educational environment for school readiness. The state, therefore, has compelling reasons to increase the number of children enrolled in programs such as Head Start and to encourage the development and enrichment of young children at home and in other setting.

As the chart below, *2004-2005 First Grade Enrollment*, shows, the first grade enrollments for the three largest school districts in the state -- Houston, Dallas and Ft. Worth Independent School Districts -- were each over 55 percent Hispanic.[18] Approximately 40 percent of each of these classes were classified as Limited English Proficient.[19] The data for these school districts represents a growing statewide trend that will pose significant challenges to educators of children who must learn in a language other that which is spoken primarily in the home.

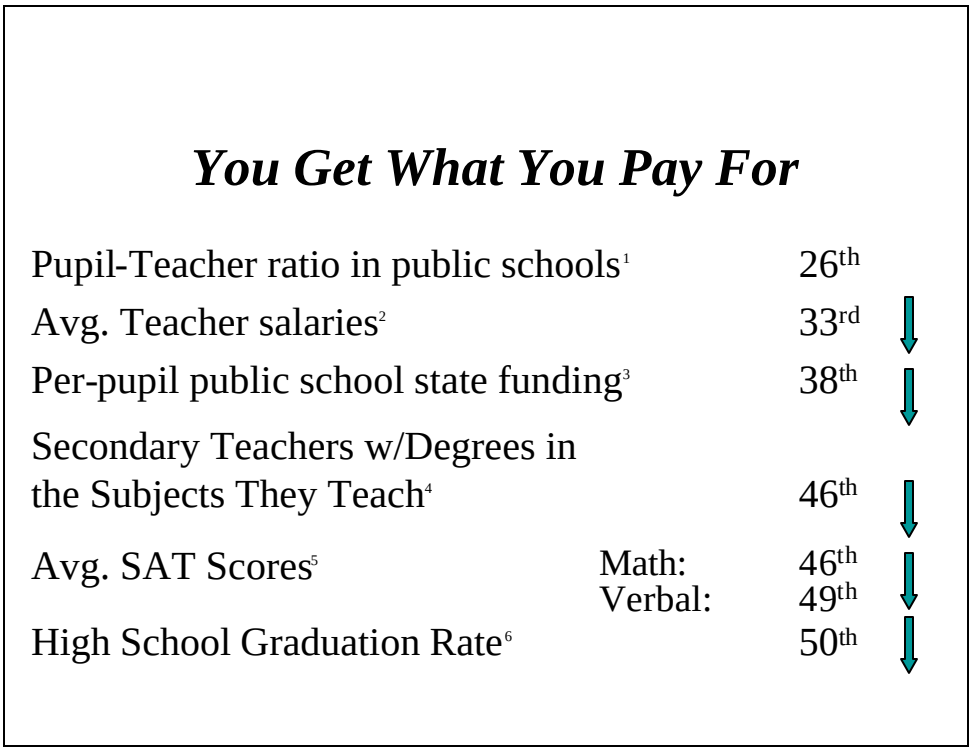
2004-2005
First Grade Enrollment

	Houston	Dallas	Ft.Worth
African American	27%	25%	25%
Hispanic	62%	68%	58%
Asian/Pacific Islander	3%	1%	1%
White	8%	5%	16%
Limited English Proficient	45%	48%	43%
Economically Disadvantaged	86%	89%	80%

Source: Texas Education Agency

Dual language immersion programs provide instruction in both English and the native language of the non-English speaking students. These programs promote bilingualism, biliteracy and grade-level academic achievement by placing both native English-speaking and non-English speaking students together in one classroom. In a study by Wayne Thomas and Virginia Collier, 700,000 records of students in various bilingual education programs were examined. The study found that those students who received grade-level cognitive and academic instruction in both their first and second languages for many years were succeeding at the end of high school.[20] In fact, non-native English speakers in dual-language programs were found to out-perform native English speakers in standardized tests by the eighth grade.[21]

In order for Texas to provide an education that prepares its students to compete in the new knowledge-based 21st Century economy, then it must find ways to improve education outcomes. However, all of these demands add to the cost of providing a quality education and create enormous pressure on school districts' budgets each year. As the chart, *You Get What You Pay For*, on the following page shows, currently, Texas ranks 50th in the nation for the percentage of population that are high school graduates. In addition, Texas also ranks 46th in math and 49th in verbal when compared to average national SAT scores.[22] The arrows represent rankings were Texas has declined year to year. As a result of these poor academic indicators, the economy is negatively impacted because companies that want well-educated, skilled workers will not locate in a state where high school students do not graduate or perform well on the SAT.



SOURCES: [1] Texas Comptroller of Public Accounts, *Where We Stand* 2003; [2]National Education Association, 2004-05; [3]U.S. Census. *Per Pupil State Funding 2003-2004;* [4]Quality Counts 2005, *Education Week;* [5] The College Board, 2004; [6] U.S. Census, *Educational Attainment in the United States, 2004*

Disparities in Public Education

Property-Wealthy and Property-Poor Districts

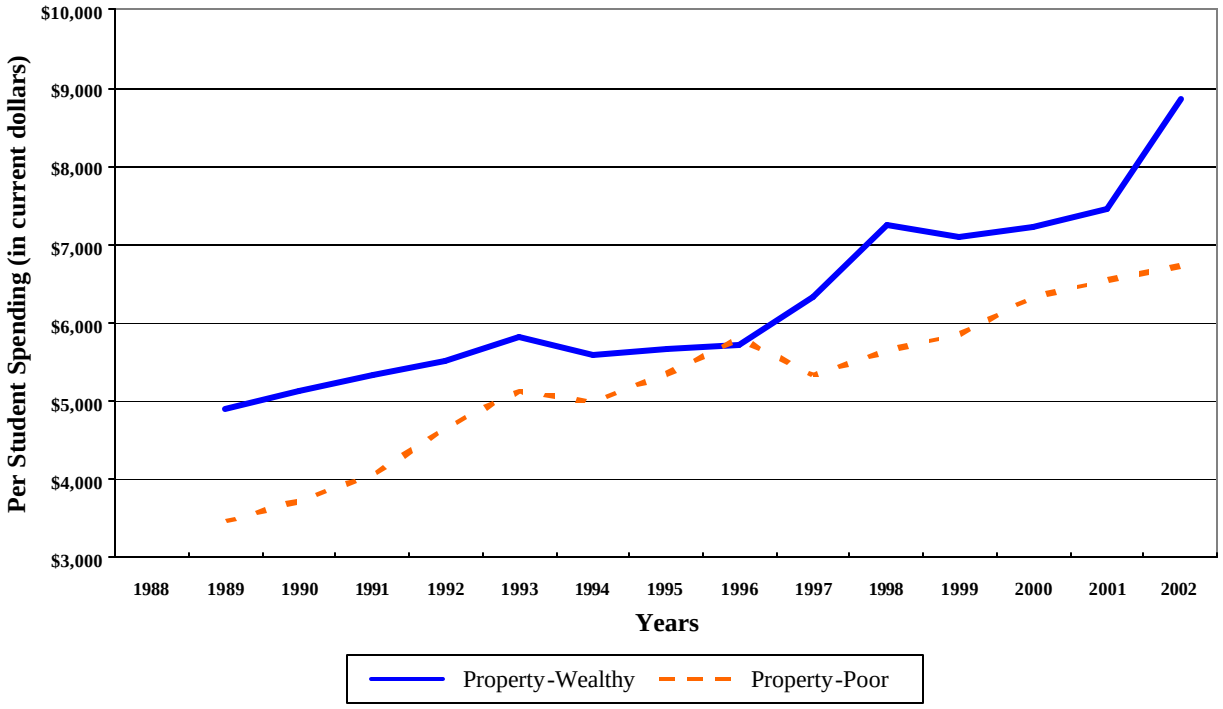
Despite the ongoing need for more money faced by all school districts, districts in property-wealthy areas of the state continue to receive higher revenue for public education than property-poor districts. Different communities across Texas can raise vastly different amount to support their local public schools because the value of property varies greatly throughout the state. The state's school finance system, commonly referred to as Robin Hood, addresses this issue through recapture of local revenues from a small number of the state's wealthiest school districts for redistribution to property-poor districts. The Robin Hood school finance system was the result of a series of law suits initiated against the state, know as the *Edgewood* decisions, which forced the Texas Legislature to revise the school finance system.

The wealth level of a school district is based on its total property value divided by the district's weighted average daily attendance. Weighted average daily attendance (WADA) is the value of a student after applying the state's cost of education adjustments for special programs such as bilingual education, special education, gifted and talented programs, and career and technology classes, as well as adjustments for the extra costs of smaller school districts.

Property-wealthy districts, referred to as Chapter 41 districts because of the state statute establishing their status, are school districts whose property wealth exceeds $305,000 per weighted student.[23] These districts are subject to the recapture provisions of Robin Hood, which require them to share revenue derived over this wealth limit with property-poor districts or the state. Property-poor districts, or Chapter 42 districts, are school districts whose property wealth are less than $305,000 per weighted student. These districts receive state aid through Robin Hood.

In these decisions, the Texas Supreme Court determined that at a minimum, "districts must have substantially equal access to similar revenues per pupil at similar tax effort."[24] The Texas Supreme Court found that the plan before them in *Edgewood IV*, the current Robin Hood plan, which allowed wealthy districts to have $600 more per weighted student than property-poor districts was acceptable. As the chart *Per Student Spending* shows, despite equitable funding principles which narrow the disparities in revenues that exist among school districts, property-wealthy districts continue to afford higher per-pupil spending levels than property-poor districts. Commonly referred to as the "spending gap," wealthy districts are estimated to actually spend over $1,000 more per student today. When multiplied by the number of students in a class or a school, this amount equals $30,000 more that can be spent per classroom or $900,000 more per elementary school.

Per Student Spending



SOURCE: Texas Education Agency, Snapshot: School District Profiles

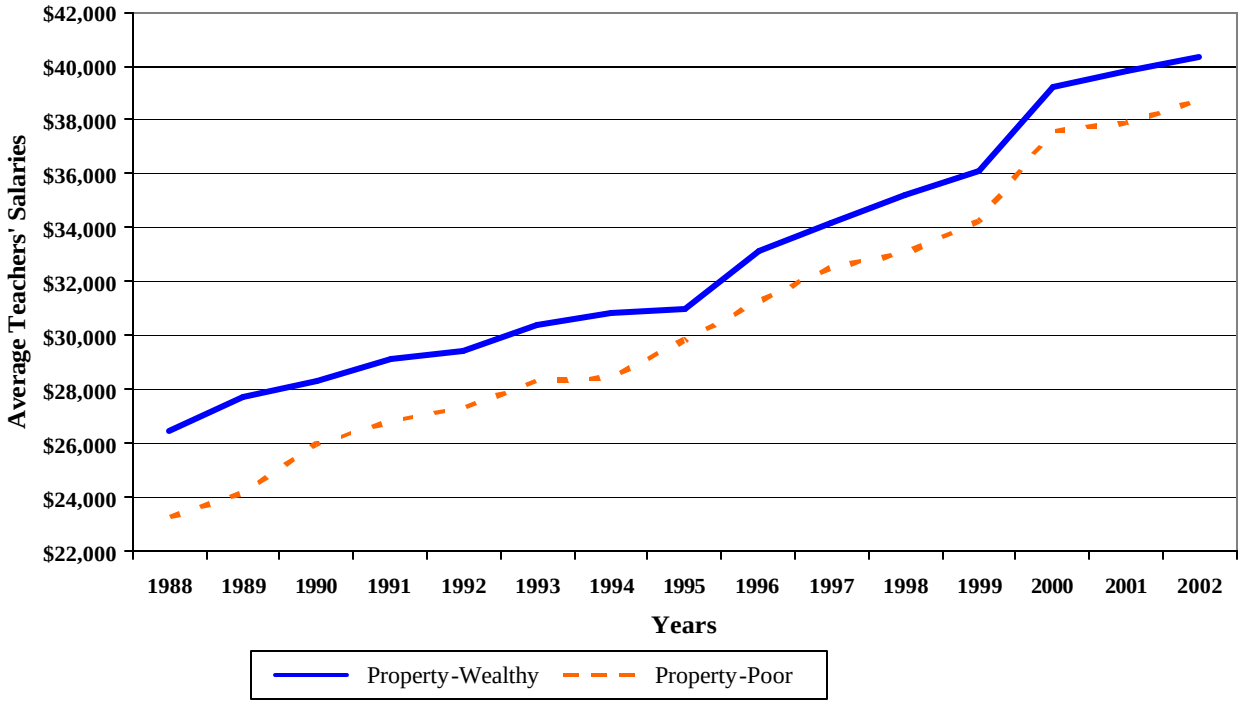
In order to make up for the lack of state support, many school districts have gradually raised their local tax rates to the maximum of $1.50 per $100 of property valuation. In 2001, a coalition of property wealthy and property poor school districts sued the state, alleging that they were forced to adopt this rate in order to meet state requirements and that the local property tax had become a state property tax, which is prohibited by the Texas Consitution.[25] Other districts joined the suit, alleging that the state had failed to support an adequate level of spending. They point to the provision in the Texas Consitution that requires the state to "make suitable provision" for an education system that ensures "a general diffusion of knowledge."[26]

On November 22, 2005, the Texas Supreme Court, in a 7-1 opinion, found that the school finance system had evolved into an unconstitutional state property tax and gave the Texas Legislature a deadline of June 1, 2006 to correct the constitutional violation. The Court's warning that "strutctural changes, and not merely increased funding are needed in the public education system to meet the constitutional challenges that have been raised" will require the Legislature to consider both new revenue and new revenue sources other than the property tax to fund education.[27]

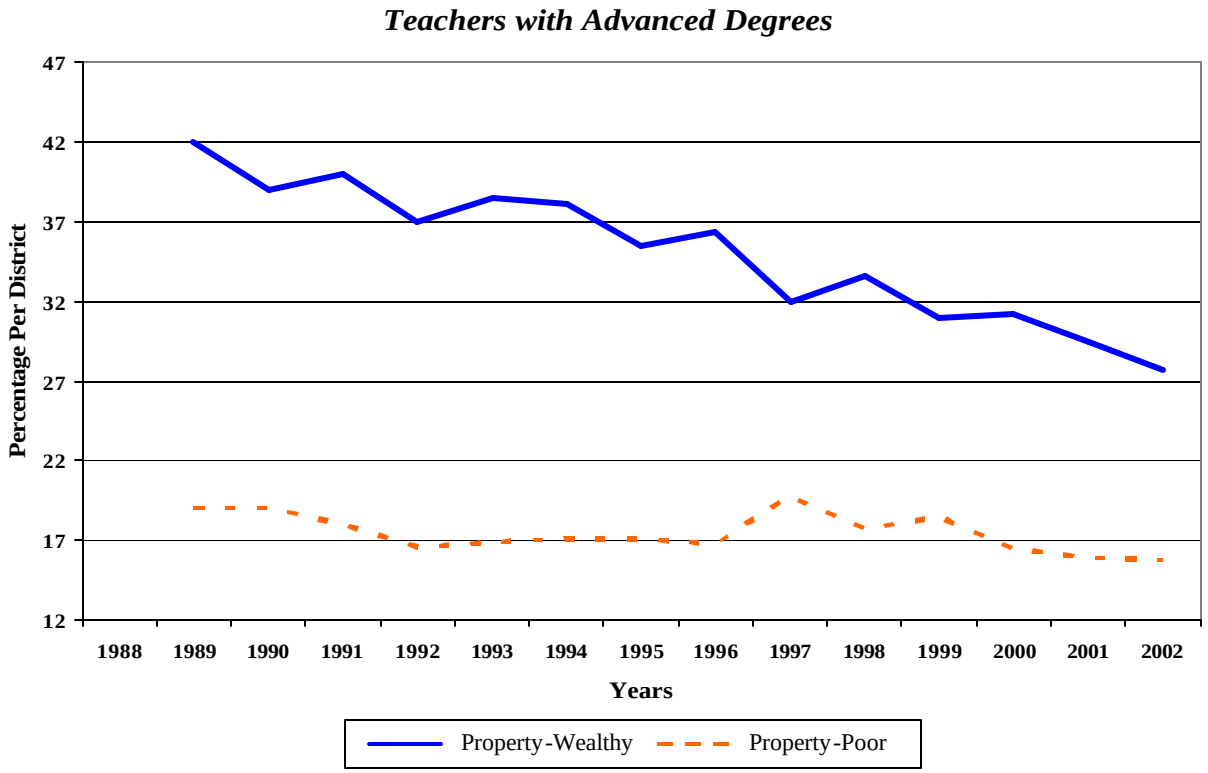
The Impact on Public Education

Funding disparities have a huge impact on teacher and student performance. As the charts *Average Teachers' Salaries* and *Teachers with Advanced Degrees* show, the extra money allowed under the current "spending gap" provides property-wealthy districts with the opportunity to pay their teachers more, which means that they can also afford to hire teachers with advanced degrees.

Average Teachers' Salaries

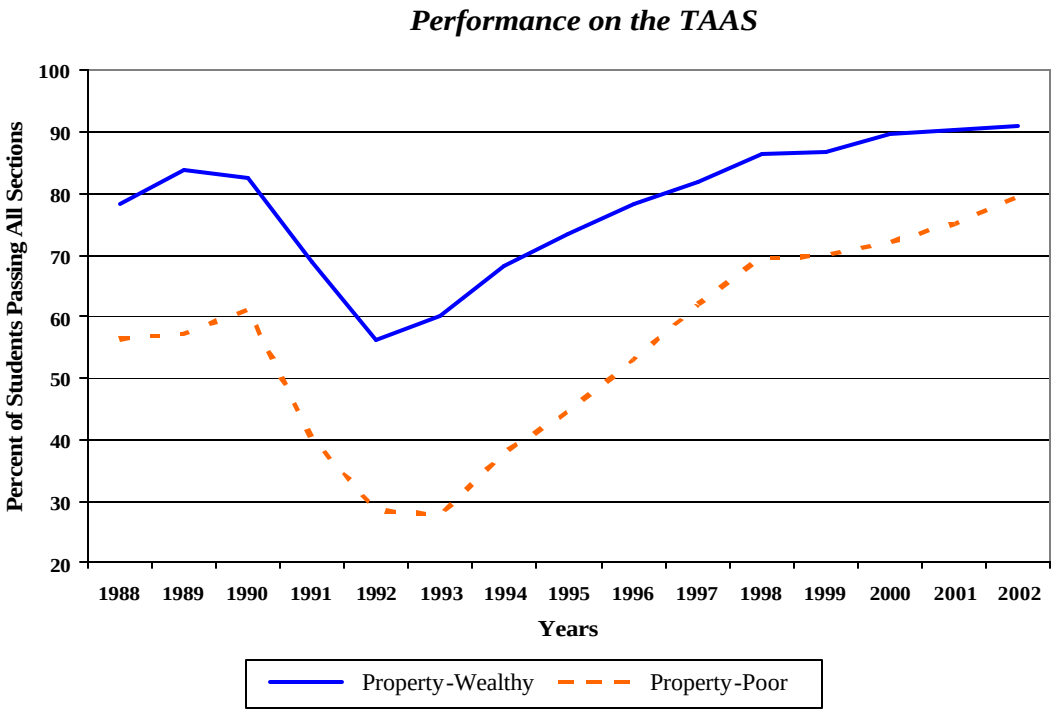


SOURCE: Texas Education Agency, Snapshot: School District Profiles



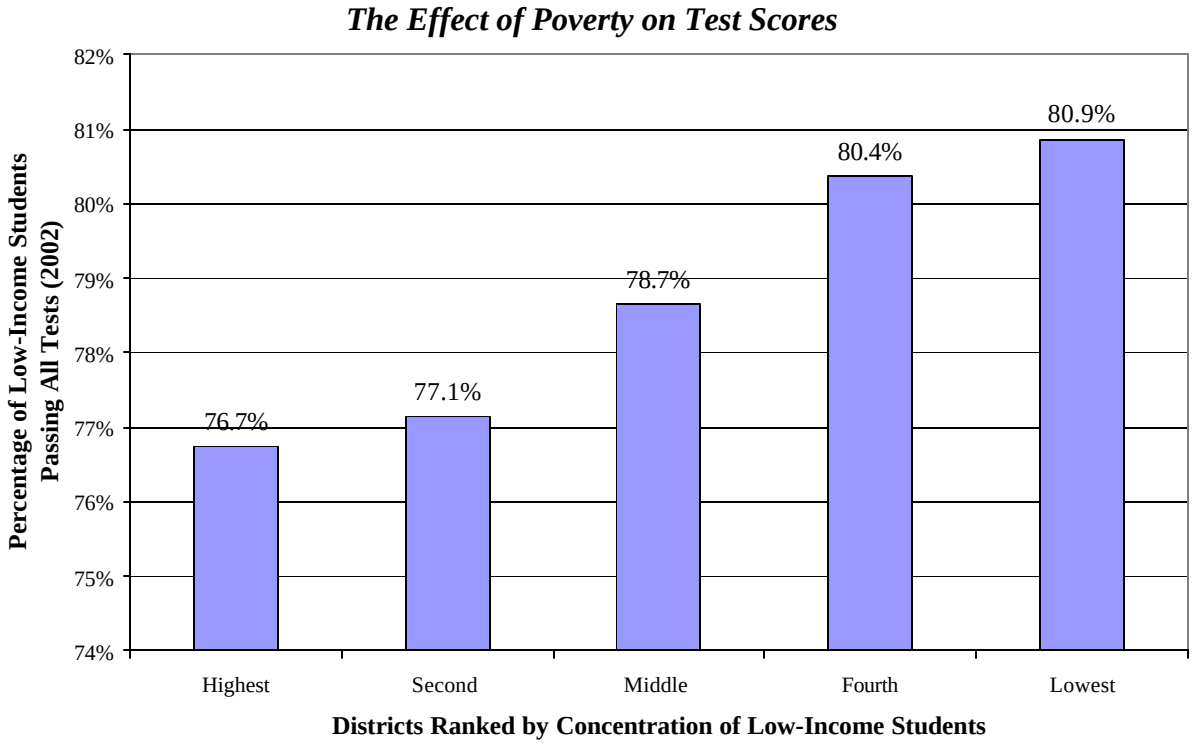
SOURCE: Texas Education Agency, Snapshot: School District Profiles

Because higher revenue provides property-wealthy districts the opportunity to supply their schools with greater academic resources, these districts also enjoy greater educational outcomes. As the chart *Performance on the TAAS* on the following page shows, when compared to students in property-poor districts, students in property-wealthy districts performed better on the Texas Assessment of Academic Skills (TAAS). The large decline in the passage rate from 1990-1994 can be attributed to the transition for the students from the Texas Educational Assessment of Minimal Skills to the TAAS. This same result can be expected for the transition from the TAAS to the Texas Assessment of Knowledge and Skills, which was first administered in Spring 2003.



SOURCE: Texas Education Agency, Snapshot: School District Profiles

Family poverty, more than any other factor, appears to determine educational outcomes. The chart *The Effect of Poverty on Test Scores* on the following page examines TAAS scores for Texas school districts according to the percentage of low-income students in the district. The lower the concentration of low-income students in the district, the higher the percentage of students that passed all sections of the TAAS. The higher the concentration of low-income students in the district, the lower the percentage of students that passed all sections of the TAAS.



SOURCE: Texas Education Agency, Snapshot: School District Profiles

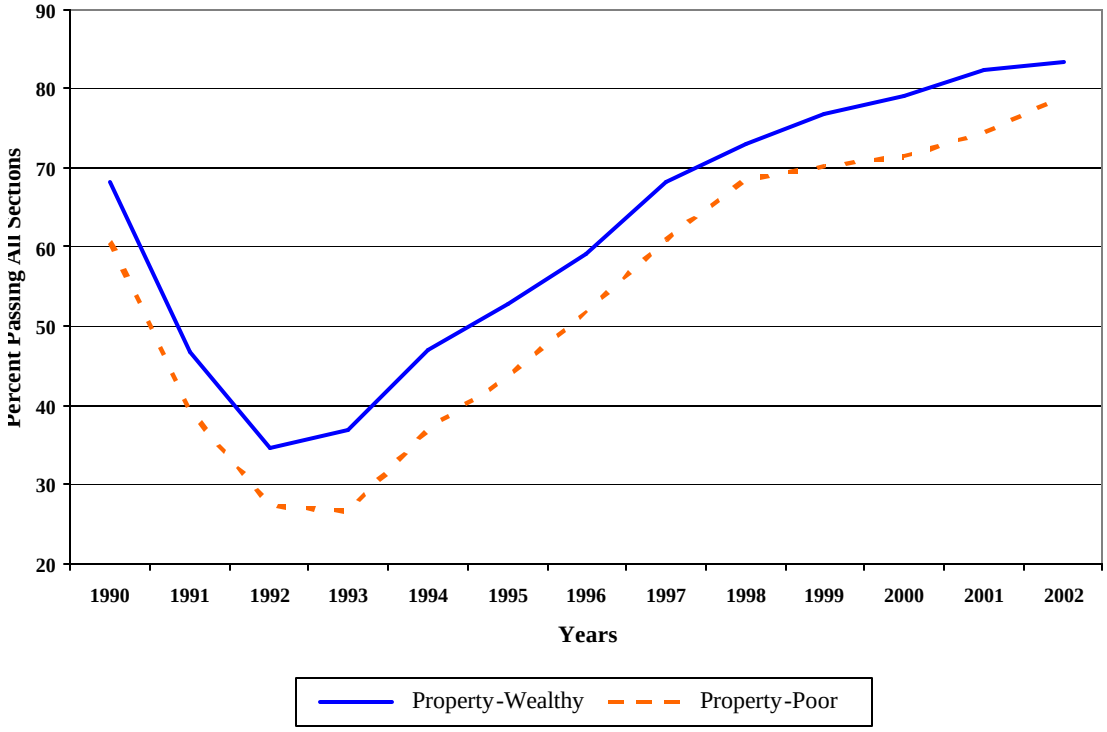
Districts with high concentrations of low-income students need additional financial resources for the educational challenges they face, such as providing more instruction time, recruiting and training highly-effective teachers, and purchasing the most up-to-date school materials. Yet according to a study by The Education Trust, Texas was named one of 25 states nationwide where the school districts with the highest poverty rates get less funding than the school districts with the lowest poverty rates.[28]

This fact is significant for schools in the Borderlands region since the area is comprised of a much higher percentage of low-income students than the average Texas school district. The two Education Service Centers that serve most of the Borderlands region include Region 1 (Cameron, Hidalgo, Jim Hogg, Starr, Webb, Willacy, and Zapata counties) and Region 19 (El Paso and Hudspeth counties). Since the mid-1990s, more than 80 percent of the students in Region 1 were considered "economically disadvantaged," as were at least 70 percent of the students in Region 19, compared to a statewide average of less than 50 percent. Students are reported as economically disadvantaged if they are eligible for free or reduced-price meals through the federal school lunch program, which requires a family income of under 185 percent of the federal poverty level for a family of four.

The chart *Hispanic Students' Performance on the TAAS* further illustrates the effect of district property-wealth on education. Hispanic students in property-wealthy districts have consistently performed better on the TAAS test than Hispanic students in property-poor districts. The large

decline in the passage rate from 1990 to 1994 can be attributed to the transition for the students from the Texas Educational Assessment of Minimal Skills to the TAAS.

Hispanic Students' Performance on the TAAS



SOURCE: Texas Education Agency, Snapshot: School District Profiles

The Root of the Problem: Disparities in Property Values and Revenue

As stated earlier, different communities across Texas can raise vastly different amounts to support their local public schools because the value of property vary greatly throughout the state. The table below, *Property Wealth Comparisons*, shows the difference between what property-poor and property-rich districts can yield per penny per WADA.

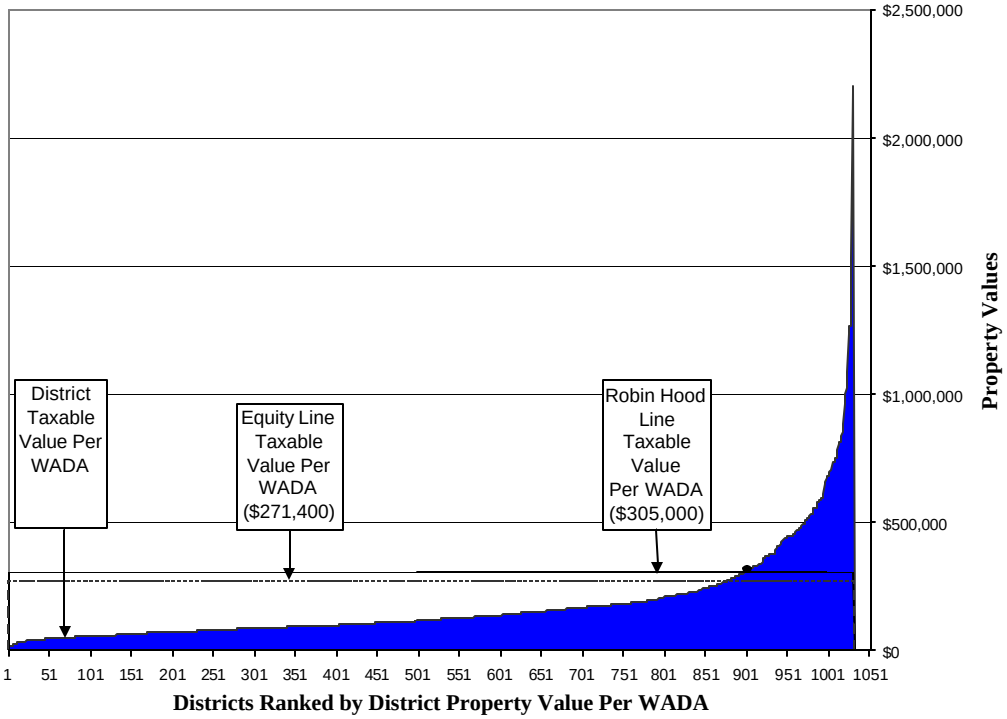
Property Wealth Comparisons

Yield Per Penny Per WADA	898 Property-Poor Districts	133 Property-Wealthy Districts
Low	$1.24	$30.88
Median	$12.03	$51.56
High	$30.40	$247.98

The "richest" wealthy district with $247.98 per penny per WADA raises seven times the amount of money with one penny than the "richest" poor district can with $30.40 per penny per WADA. This vast difference is why property-poor districts must rely on money from the state tax base to fund their schools. The chart on the following page, *Property Values for Texas*

School Districts, ranks all Texas school districts from the poorest to the richest according to their property value per weighted average daily attendance.

Property Values for Texas School Districts



SOURCE: 1) TEA DPV Data (2002); 2) TEA PEIMS Ethnicity and Economic Data (2002-03); 3) Equity Center WADA Data (2003-04) 4) Comptroller's Annual Property Tax Report (2001).

The mountain that forms begins with the school district that has almost no property value per student and ends with the school district that has almost $2.3 million per one student. The dotted line is the equity line or $271,400 per WADA. The state sends money to each district below the equity line so that they at least receive the same revenue yield per penny of tax effort as if they had a property value of $271,400 per student. The table *Taxable Property Value Per Pupil 2002-2003* compares property values per pupil between school districts in the Borderlands and property-wealthy districts throughout the state.

Taxable Property Value Per Pupil 2002-2003

Property Poor		**Property Wealthy**	
Brownsville	$ 77,922	Alamo Heights	$ 728,467
Edgewood	$ 54,101	Coppell	$ 584,878
Edinburg	$124,947	Eanes	$ 845,655
El Paso	$154,040	Highland Park	$1,269,197
Harlingen	$134,214	Miami	$2,595,008
McAllen	$181,847	Plano	$ 535,408
Mission	$ 67,805	Richardson	$ 457,360
San Elizario	$ 27,078	Round Rock	$ 375,622
Ysleta	$ 99,860	Spring Branch	$ 377,669

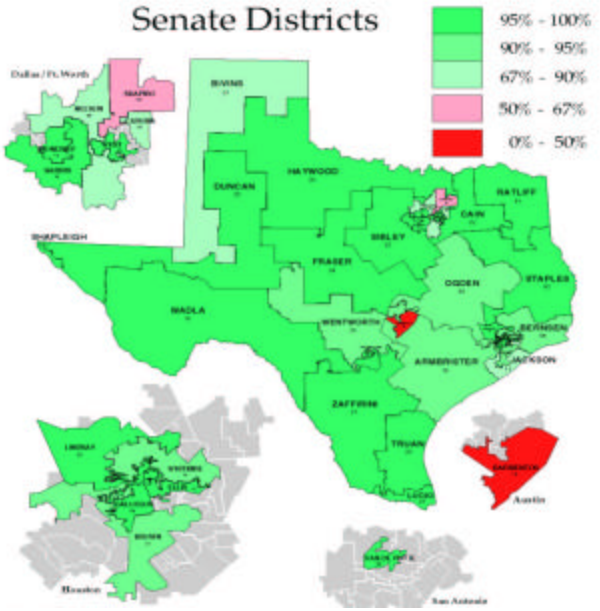
SOURCE: Texas Education Agency, Academic Excellence Indicator System District Reports, 2002-2003, http://www.tea.state.tx.us/perfreport/aeis/2003/index.html

With a taxable value of $1,190,769, the Highland Park community raises $126.00 per student for each penny of tax dollars, while San Elizario raises only $2.70 per student. While a penny of tax effort in Highland Park will buy each of their students a software program, San Elizario can only buy a student his lunch with the same penny of tax effort. The Robin Hood system helps ensure that every community in this state willing to make the tax effort to have excellent public schools has the same ability to do so as any other community willing to make the same effort. The current system guarantees equal funding for equal tax effort, regardless of local property wealth. If the Robin Hood system is replaced with one that limits state aid, but allows communities to fund their local schools with extra money raised only from the local tax base, only the wealthier communities will be able to afford to enrich their schools.

The Majority of Students Benefit from Robin Hood

The map below shows the percentage of students that live in property-poor districts throughout Texas. The lighter shaded areas of the map receive money from Robin Hood, while the darker shaded areas in the Dallas and Austin area contribute money to the state through Robin Hood. The majority of Texas students, approximately 3.7 million, benefit from Robin Hood school; only 490,000 students attend a school that does not need funding from Robin Hood. In other words, nine in ten Texas students, or 88 percent, receive state aid from Robin Hood. In fact, nearly half of the students who would benefit from the elimination of Robin Hood live in only five school districts – Austin, Plano, Richardson, Round Rock and Spring Branch Independent School Districts.[29]

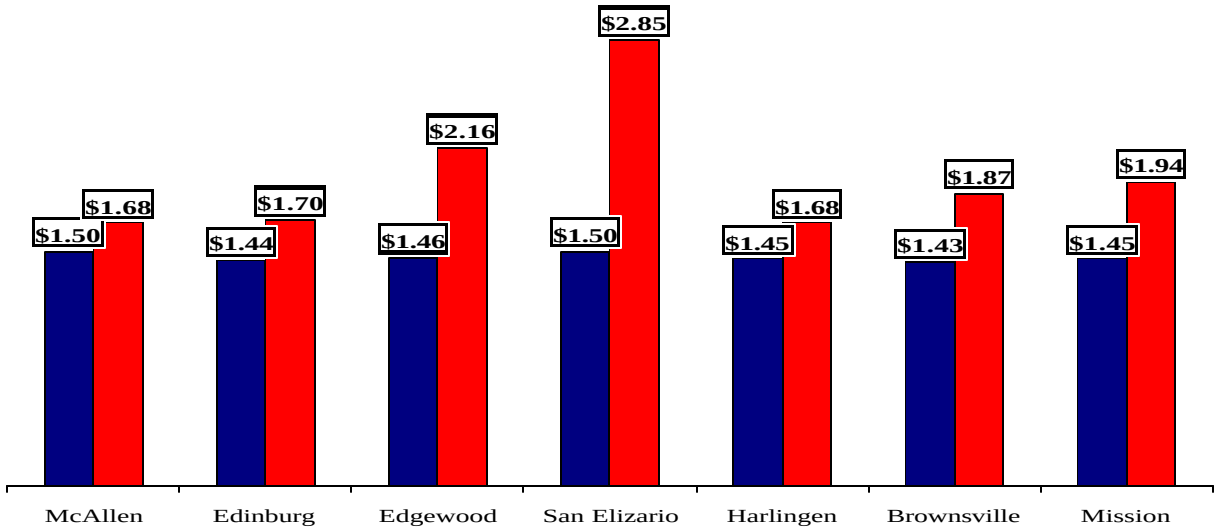
Percent of Students in Property-Poor Districts, 2000-01



SOURCE: Equity Center

If the Texas Legislature eliminates the recapture provisions of Robin Hood, approximately 867 school districts that currently benefit from Robin Hood would lose more than $940 million in funding or $230 per weighted student.[30] The property-wealthy districts, on the other hand, would receive an additional $1,969 per student and could reduce their property taxes by an average of 42 cents.[31] The chart *Property Tax Increases Needed if Robin Hood Was Eliminated* shows the local property tax increases that would be needed if school districts in the Borderlands lost the money they currently receive from Robin Hood.

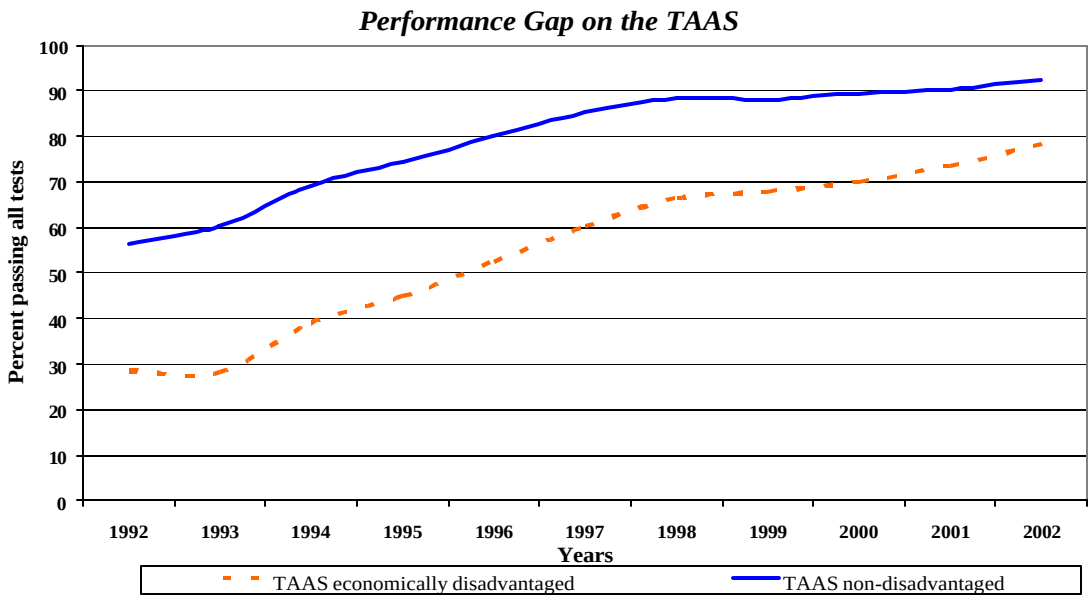
Property Tax Increases Needed if Robin Hood Was Eliminated



SOURCE: Equity Center

Conclusion: Equity in Education Works for All Texans

Increased funding provided through Robin Hood has helped property-poor districts reduce class sizes, pay for quality teachers, and implement the latest technology to improve education standards in their schools, just as wealthy districts have done. Districts with low property wealth, like those in the Borderlands, receive state aide that enables them to compete with all but the wealthiest school districts in the state. Just as Robin Hood has helped narrow the gap in school funding between poor and rich schools, it has narrowed the performance gap as well. The chart *Performance Gap on the TAAS* illustrates this point.



SOURCE: Texas Education Agency, Snapshot: School District Profiles

Since 1992, the performance gap between economically disadvantaged students and non-disadvantaged students has been closing. The gap that continues to exist, however, indicates that more resources are needed to further boost these students' performance in school. With extra effort, every student, regardless of economic status, can learn and succeed. Equitable school funding helps ensure that factors such as a child's race, language, family income, and where she resides are not barriers to a great education.

This is especially significant in light of future trends in public education. Hispanics, comprising 41.7 percent of the student population, surpassed Anglos during the 2001-02 school year as the largest ethnic group enrolled in Texas public schools.[32] By the year 2040, the state demographer predicts that Hispanics will comprise 66.3 percent of the public school enrollment in Texas.[33] Further, enrollment in selected school programs is also expected to increase by the year 2040. Bilingual education programs will increase by 187 percent, Limited English Proficiency classes will increase by 188 percent and the number of economically disadvantaged students will increase by 120 percent.[34]

The educational attainment levels of Hispanics in Texas show, however, that in 2000 only 49.3 percent of the Hispanic population were high school graduates. Because of this significant projected impact on population, the state demographer has stated that,

> *[i]f the current relationships between minority status and educational attainment, occupations of employment, and wage and salary income do not change in the future from those existing in 1990, the future workforce of Texas will be less educated, more likely to be employed in lower-level state occupations, and earning lower wages and salaries than the present workforce.*[35]

In fact, Dr. Murdock predicts that if these current trends continue, then the average income of Texas households will decline from $5,115 by 2030.[36] In order to ensure Texas' future prosperity, the state must continue to provide public schools with the resources to meet the needs and successes of all students.

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[1] Lipscomb and Bergh, *The Writings of Thomas Jefferson*: *Memorial Edition*, (Washington, D.C., 1903-04), Volume 2, pp. 204, 206; Volume 13, p. 399. Online. Available: http://etext.virginia.edu/jefferson/quotations/jeff1370.htm. Accessed: May 2, 2006.

[2] Legislative Budget Board, *Fiscal Size-Up: 2006-07 Biennium*, pp. 171 & pp. 177 (December 2005). Online. Available: http://www.lbb.state.tx.us/Fiscal_Size-up/Fiscal_Size-up_2006-2007_0106.pdf. Accessed: April 6, 2006.

[3] Section 1, Article VII, Texas Constitution.

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