



TEXAS SCHOOL COALITION

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Texas School Coalition Outlines Grounds for Finance Lawsuit *Focus Will Be on Overall Level of Funding for Schools, Not Divisive Issues*

AUSTIN – The Texas School Coalition today released a memo outlining the claims its member districts will make in a lawsuit challenging the constitutionality of the state school finance system.

Members of the 120-member Coalition plan to argue that, in the face of the severe budget cuts and rising academic standards, the school finance system violates the Texas Constitution because it does not provide access to sufficient funding to provide a constitutionally adequate education. They also plan to argue that districts lack meaningful discretion to set their local property tax rates, resulting in a de facto state property tax, which is prohibited by the Texas Constitution.

The Coalition members will not pursue “efficiency” or “equity” claims.

“Successful prosecution of the adequacy and state property tax claims would benefit all Texas school districts,” according to the three-page memo, which was prepared by the Haynes and Boone law firm. Haynes and Boone will represent many Coalition districts.

“Victory on these claims would help assure that all school districts are adequately funded and that districts have available significant additional taxing capacity to provide enrichment programming desired by their constituents on a local basis,” the memo said.

Led by Mark Trachtenberg, Haynes and Boone represented Coalition districts and many other districts in the last round of successful school litigation from 2001-06.

“We believe the focus should be on the State’s severe reductions in funding for public education as a whole, and not on claims and issues that pit some school districts against others,” the memo said.

Haynes and Boone has been in discussions with numerous superintendents and school boards about the coming lawsuit. They anticipate filing the lawsuit by the end of the month or early next month.

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A complete copy of the memo is attached.