

# TEXAS TAXPAYER & STUDENT FAIRNESS COALITION

September 23, 2013

Mrs. Rhonda Porter, Superintendent  
Scurry-Rosser ISD  
10705 S. State Hwy. 34  
Scurry, TX 75158-3163

## REMINDER:

Texas Taxpayer & Student Fairness Coalition Meeting  
September 27, 2013, 2:30 – 3:45 p.m.  
Room C-146, Dallas Convention Center

Dear Mrs. Porter:

As a member of the Texas Taxpayer & Student Fairness Coalition, you are well aware of the successes our Coalition has experienced. First, we prevailed in the District Court trial and the state's school finance system was declared unconstitutionally inequitable and inadequate. In addition, we also prevailed on the issue that the school finance system has created a de facto statewide property tax.

Then, as the legislative session progressed throughout the spring, our victory on the issue of equity became the major driver in school finance decisions. So much so, that the legislature put \$2.4 billion into raising the Basic Allotment from \$4,765 in 2012-13 to \$5,040 in 2014-15. In addition, the legislature put another \$1 billion into the elimination of the Regular Program Adjustment Factor. These actions will result in substantive funding increases in the 2013-14 and 2014-15 school years for most of our members, ranging on average from \$250 to \$340 per WADA over the 2013-15 biennium. In addition, on several occasions, the need to address equity issues was used on the floor of each house as justification for passing the main school finance and appropriations bills.

Your work and willingness to contribute and finance the Fairness Coalition lawsuit are the reason for our success.

But, as you also know, our Fairness Coalition is having to go back to court in January to defend our gains and prove that even though some progress was made, the equity and adequacy gaps are still large and still unconstitutional.

This new retrial at the District Court level does represent an unanticipated expense and is the reason we are asking you and all Fairness Coalition members to contribute an additional \$0.50 per WADA to cover the additional cost.

Obviously, *we need every Fairness Coalition member to participate in this funding request*, but as we promised from the beginning that choice is completely up to you and your Board. Hopefully, you will join us in funding this additional litigation cost. Remember as you visit with your board, because we have prevailed. That means we have the expectation our legal fees will be refunded.

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**Texas Taxpayer & Student Fairness Coalition · 400 W. 15<sup>th</sup> Street, Suite 300 · Austin, Texas 78701**  
**(512) 478-7313 · Fax: (512) 478-6433 · email: [info@equitycenter.org](mailto:info@equitycenter.org)**

*Jerry Vaughn, Taylor ISD - President*  
*Cathy Booth, Nixon Smiley ISD - First Vice-President*  
*Brian Gray, Union Grove ISD - Secretary*

*Berhl Robertson, Lubbock ISD - VP, Litigation*  
*Robert Westbrook, Milano ISD - VP, Finance*  
*Doug Killian, Hutto ISD - VP, Communications*

An invoice for your district is attached. As always, thank you for your help and if you have any questions or need any assistance, please call.

Sincerely,



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Superintendent, Taylor ISD  
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## The Texas Taxpayer and Student Fairness Coalition's Litigation Fact Sheet

At the *Texas Taxpayer & Student Fairness Coalition, et. al. v. Michael Williams, Commissioner, Texas Education Agency* Trial:

- Lawyers and witnesses for the *Fairness Coalition* presented testimony and massive documentation providing the primary sources of data that established facts that the state's school finance system was inequitable and inadequate.
- Data and testimony included nearly 200 specific exhibits, and several days of testimony from our expert witnesses and superintendents.
- Additional testimony and documentation was presented that showed the state's school finance scheme established a de facto statewide property tax.

Accordingly, Judge Dietz issued a verbal ruling on February 4, 2013, that the *Texas Taxpayer & Student Fairness Coalition* plaintiffs were correct and the Texas school finance system was found to be unconstitutional on the grounds that it was inequitable, inadequate, and established a de facto statewide property tax.

Additionally, the *Texas Taxpayer & Student Fairness Coalition's* success in court was viewed as the major driving force behind the school funding actions taken by the Legislature during the 83<sup>rd</sup> regular legislative session. As a result:

- The Legislature increased funding by \$1 billion for the biennium in order to eliminate the Regular Program Adjustment Factor (RPAF).
- Most importantly, the Legislature increased the basic allotment (BA) from \$4,765 to \$4,950 in 2013-14 and to \$5,040 in 2014-15.
- These appropriations changes are projected to deliver average funding gains of almost \$250 per WADA for *Fairness Coalition* districts in 2013-14.
- In 2014-15, the average projected funding increases per WADA over 2012-13 levels for school districts in the *Fairness Coalition* should be nearly \$340.

*The purpose of this template is to provide a "menu" of optional statements for districts to use if your district feels the need to pass a resolution. Since you are already a member of the Texas Taxpayer & Student Fairness Coalition, a resolution to join is not necessary for our records. Simple board action to approve the additional \$0.50 per WADA contribution is sufficient. Your check will provide all the record needed for the Coalition.*

## Resolution

**WHEREAS**, education is a fundamental right of every child in Texas; and

**WHEREAS**, the Texas Constitution requires an efficient system of public free schools that prepares students to become informed citizens and productive members of society; and

**WHEREAS**, the Texas Legislature has set clear requirements for what schools are expected to teach and what students are expected to learn; and

**WHEREAS**, the State has an obligation to maintain and support a school finance system that provides districts the resources necessary to meet these requirements; and

**WHEREAS**, as a result of the broken school finance system, students are being denied educational opportunities as they prepare to compete on a global basis in the world of work and in colleges and universities across the nation; and

**WHEREAS**, the Texas school finance system, even after the actions of the 83<sup>rd</sup> Legislature, remains inefficient, inadequate, insufficient and thus unconstitutional; and

**WHEREAS**, the <INSERT>ISD Board of Education believes it is imperative that its children benefit from the resources of this state to the same extent that other Texas students benefit;

**THEREFORE, BE IT RESOLVED**, that the <INSERT> Independent School District Board of Education authorizes the expenditure of \$0.50 per WADA to join with other members of the Texas Taxpayer & Student Fairness Coalition, together with taxpayers and parents, for the purpose of speaking with one voice in the litigation of public school finance matters essential to the fair treatment of Texas taxpayers and public school children.

*<add signature and date of action lines here as appropriate for your district>*