

PROPOSAL FOR 2013 ASBA ACTION

Compliance with civil rights laws must be a priority for all forms of government. When school districts are compelled or permitted by court order or OCR agreement to undertake certain new activities, the districts must have the financial ability to do so. Failure of a society to ensure that its schools can comply with the requirements of civil rights laws will weaken those schools, in turn weakening that society. Without the funding made possible by A.R.S. §15-910(G), districts would be compelled to fund programs and activities required by court orders and OCR agreements by diverting funds from the regular programs. Enabling compliance with civil rights laws as ordered through the existing statutory mechanism appropriately evidences that civil rights compliance, and compliance with lawful orders, is a priority for public schools. Furthermore, without the special funding mechanism, the need to “borrow from Peter to pay Paul” would result in a dilution of existing services, perhaps even exposing districts to further legal claims of inequity.