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Court-Ordered Spending Brings More of the Same

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Attorneys advocating increased public school spending for poor children spent years arguing an equity case. Their contention was that children in poor communities are treated inequitably because the tax base generates inadequate school funding--a violation of the equal-protection provisions in some state constitutions.

But state judges typically found no language requiring equity and advocates had to shift their legal premises. Their new focus: the *adequate* education required by at least some state constitutions. The standards movement in education played a role in their reasoning: If states require students and schools to reach specific performance targets, they should provide the level of funding necessary to achieve those targets.

The adequacy argument seems reasonable except for a key point made by Lew Solmon ("Fatally Flawed", *Education Week*, June 17, 1998): Many state constitutions call for a "thorough and efficient" education, not an "adequate education."

Will suits calling for more funding now be brought on grounds that public education should become more thorough and efficient?

As yet no one has filed such a suit but funding adequacy proponents should not be underestimated. Who would have predicted that they could prevail in suits that seek *equity* by relying on a legal premise of *adequacy* derived from constitutions that require *efficiency*.

How adequacy is determined

In practice, only a small number of consulting firms in the United States perform funding adequacy studies. The two most prominent are Denver's Augenblick & Myers (A&M) and Management Analysis and Planning (MAP) headed by James Guthrie of Vanderbilt and Richard Rothstein of the Economic Policy Institute. They estimate schooling costs through either the *Successful Schools* approach or the *Professional Judgment* approach.

The *Successful Schools* approach identifies schools that have performed well--on a state test, for example--and then compiles those schools' expenses. Not surprisingly, schools identified by this means typically stand out more for their high socioeconomic status and other demographics than for anything they do programmatically.

The selection process skews the results.

By failing to control for advantages that are known to influence test scores, A&M and MAP tend to identify schools that have lavish resources and ignore ones that may be far more efficient. Schools with high numbers of disadvantaged students are not often among those with the highest exit scores; but when they use effective methods, their gains can be exceptional.

The *Professional Judgment* approach used by A&M and MAP brings together experts who are familiar with schooling costs and asks them how much it will take to bring a school district to a threshold level of quality--a minimum score on a state high school exit examination, for example. The group then renders an opinion as to the cost of labor, materials, supplies, services, and so on and sums them.

Experts in such matters can disagree substantially depending on their academic and professional perspective. A&M and MAP, however, rely exclusively on public school professionals. Their choice makes some sense: school personnel are the individuals most intimately familiar with what it takes to run a public school. But school personnel are hardly impartial. They tend to see funding needs in the way their institution sees it, and they may be the direct or indirect beneficiaries of any increases that result from their testimony.

Why more money doesn't yield better results

Advocates of increased spending often bristle when they hear the argument "how money is spent is more important than how much is spent." It is an uncomfortable truth but one that has been validated repeatedly. Schools that are simply given more money typically spend in the same old ineffective ways: raising teacher salaries and benefits (regardless of productivity), lowering class size, building more facilities, and so on. Given a windfall and the usual political pressures, the easy road for school districts is to give teachers and administrators what they want, build showpieces, and otherwise spend the money in ways that have

little impact on student achievement. By contrast, actions that could improve student achievement can be less expensive but are typically far more difficult to undertake. For example, instituting more effective accountability for learning and linking it to teacher and administrator pay or offering higher salaries for teachers in hard-to-find subject matter areas.

If the windfalls generated by equity suits could be coupled to changes in how schools do their business, *then* funding adequacy suits might actually improve student achievement. Otherwise they will likely bring more of the same.

The Education Consumers Consultants Network is an alliance of experienced and credentialed educators dedicated to serving the needs of parents, policymakers, and taxpayers for independent and consumer-friendly consulting. For more information, contact J. E. Stone, Ed.D., at (423) 282-6832, or write: professor@education-consumers.com