

A DIALOGUE FOR CHANGE: Public Engagement & School Reform

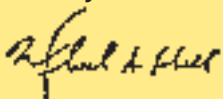
Letter to Our Readers

With this issue, *ACCESS Quarterly* enters its third year of publication, and today, the critical need for a national movement to achieve effective education finance reform is greater than ever. Since *ACCESS* began, our network has grown to include over 1,500 attorneys, policy makers, researchers, advocates, and educators in all 50 states who are working to promote fairness, equity, and high standards for all of the nation's public school students.

In February, nearly 100 of you came together at our third annual conference. One of the most popular discussions was our "Roundup from the States," during which one theme quickly emerged: while budget crises threaten education funding in almost every state, the grassroots momentum to preserve funding and continue reform has also grown.

Through our conferences, networking, bi-weekly e-mail updates, and this newsletter, *ACCESS* hopes to continue to allow you to share strategies that will keep this much-needed momentum alive. We describe one of these strategies, public engagement, in this issue.

Sincerely,

A handwritten signature in black ink, appearing to read "Michael A. Rebell".

Michael A. Rebell

CFE/*ACCESS* Executive Director

Widespread recent concern about Americans' civic apathy has led policy makers and advocates to develop new strategies to foster democratic participation. Most notably, "public engagement"—an effort to promote broad-based public dialogue on significant public policy issues—is now often used to attain critical input in crafting reform proposals and changing policies. Public engagement offers great promise for rekindling civic participation and promoting vital institutional reform—especially for public education.

A range of public engagement techniques have been used to resolve environmental controversies, to improve community-police relations, and to mediate racially-charged disputes. Their most extensive application, however, has been in educational settings, particularly in public school districts. Local schools remain one of the few institutions in which citizens can deliberate face-to-face on important issues and in which most people feel that they have a fundamental stake. Because, at its heart, public education is one of society's core democratic institutions, it is crucial to involve a broad range of stakeholders—students, parents, teachers, administrators, public officials, and community members—in identifying problems and proposing effective solutions.

Elected leaders increasingly recognize that while they can make decisions without input from the public, it is often difficult to carry them out without its support. The public "buy in" that results from meaningful public engagement helps to bridge this

disconnect between policy makers and constituents. In the advocacy arena, public engagement has strengthened plaintiffs' efforts in education finance lawsuits in a number of states and has fueled advocates' legislative reform efforts in many others.

Not only is education finance litigation compatible with open deliberative decision-making, it is substantially bolstered by it, as it both strengthens the positions presented to the courts and facilitates the political constituency-building that is crucial to effective long-term reform. Experiences in Kentucky, New York, Washington, and other states indicate that public engagement can lead to substantive agreements on fiscal and educational issues. The record also shows that court-ordered remedies developed without strong public input often have little lasting impact.

Based on the experiences of advocates in many states, we have developed a three-part framework for effective public engagement that includes: (1) a commitment to principled goals; (2) decision-making based on open-ended dialogue; and (3) use of effective advocacy strategies as described below.

1. PRINCIPLED GOALS

The premises of the standards-based reform and adequate education movements, based in part on the common American values of equal educational opportunity and the "American dream," provide a significant, principled goal that can motivate a broad-based civic mobilization and can frame an effective advocacy strategy. Rather than focusing on limited, piecemeal

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reform efforts, public engagement should concentrate on generating the political will and strategies needed to achieve these larger societal commitments, especially for students of color and those from low-income communities who have historically been excluded from these “common” national goals.

2. OPEN-ENDED DIALOGUE

While a significant common cause like improved educational opportunity can motivate large numbers of people to “show up” at an initial public engagement event, people must feel their efforts are worthwhile if they are to *continue* to devote their time and energy to ongoing activities. Thus, public engagement must be a genuine decision-making process—not mere window-dressing for decisions that have already been made. There can be no pre-ordained outcomes for public engagement sessions convened to explore in an intensive, deliberative fashion, specific school reform policies and strategies. The entire process must be open and transparent so that participants can understand from the outset their critical role in the broader overall strategy. These strategies, along with a commitment to engaging a broad, diverse range of school and community stakeholders, are necessary to build the level of trust needed to accomplish meaningful change.

3. EFFECTIVE ADVOCACY STRATEGIES

Successful public engagement-based advocacy initiatives have successfully employed a variety of strategies to promote effective open-ended dialogue. Bearing in mind that any effective advocacy effort must be tailored to a specific situation, there are several common steps that successfully link public engagement to successful reform strategies.

Use successful methods. Public engagement strategies that have worked include: (1) periodic **conferences** representing a broad range of stakeholder groups to *brainstorm, plan, and revise* goals and strategies; (2) **community forums** and **focus groups** to gain public response and input; (3) multiple-session **working groups** at the school or community level to test out proposals emerging from the process; (4) **interactive events** for specific stakeholder groups (e.g., students) to both educate and gain important group-specific feedback; and (5) efforts to use public engagement as a springboard for **future community-planned organizing and action**.

Work with allies. Establish collaborations with groups pursuing similar goals. Alliances both attract a broader range of participants to public engagement events and, just as importantly,

LITIGATION

Kansas: Court Remands Funding Case for Trial

On January 24, 2003, the Kansas Supreme Court reversed a lower court’s dismissal of *Montoy v. State*, a constitutional challenge to the state’s school funding system. The Court remanded all three of plaintiffs’ claims to the trial court for further proceedings. Plaintiffs are asking the courts to find that the current system violates the state constitution’s education article, its equal protection clause, and its substantive due process provision. Plaintiffs seek a funding system based on the actual costs of educating children in school districts across the state.

Kentucky: New Funding Suit Filed

On January 16, 2003, nearly 13 years after the landmark *Rose v. Council for Better Education* decision and Kentucky’s adoption of ambitious education reforms, 16 students and their parents have filed a new school funding lawsuit. In *Young v. Williams*, plaintiffs are asking a state court to declare the current funding system unconstitutional and mandate adequate and equitable funding among school districts. In related developments, both the State and the Council for Better Education have conducted studies to cost-out adequate funding; separately, advocates are calling for changes to the state’s tax structure.

New York: CFE Case Reaches Final Appeal

In May 2003, the N.Y. Court of Appeals heard arguments in the final appeal of Campaign for *Fiscal Equity v. State*, focusing its questioning on remedial orders in other states. Plaintiffs asked the 6-judge panel to reverse a lower court’s ruling that students are entitled to only an 8th-grade level of skills, declare a high school diploma as the constitutional standard for a “sound basic education,” and order statewide funding reforms. A decision is expected by July.

North Carolina: Supreme Court to Hear *Leandro*

The North Carolina Supreme Court has agreed to hear the appeal in *Hoke County v. State* (the *Leandro* case), bypassing the intermediate appellate court. Oral argument is scheduled for September 2003.

Ohio: *DeRolph* Coalition Returns to Court

With education budget cuts looming, the Ohio Coalition for Equity & Adequacy of School Funding returned to court in March 2003 to seek enforcement of its recent victory in *DeRolph v. State*. In December 2002, the Ohio Supreme Court ruled the State’s school funding system unconstitutional and ended jurisdiction. The Coalition is asking the trial court to rule on the State’s compliance, and the State has asked the Supreme Court to prohibit trial court action.

West Virginia: Judge to Reconsider *Tomblin* Dismissal

In January 2003, a West Virginia circuit court judge dismissed the long-standing *Tomblin v. State Board of Education* (formerly, *Pauley v. Kelly*), a state constitutional challenge to the State’s school finance system. At plaintiffs’ request, the judge agreed to reconsider this decision and scheduled a hearing for July 2003.

ADVOCACY

Pennsylvanians “Stand for Children” at Capitol

Good Schools Pennsylvania, a statewide education advocacy organization, recently spearheaded an ambitious and dramatic effort called “Stand for Children,” in which volunteers are traveling to Harrisburg to maintain a constant daily presence at the state legislature during its current session, which runs from January to June 2003. The goal of the initiative is to lobby legislators on for quality educational opportunities for every Pennsylvania child. A broad range of groups—representing a number of faith-based organizations and places of worship, college students, and public school stakeholders—has successfully registered and brought out large numbers of volunteers to Harrisburg since the start of the legislative session.

Rural Trust Holds National Conference

In early March, the Rural School and Community Trust brought together over 80 advocates, attorneys, researchers, and policy makers from 30 states to discuss challenges faced by rural schools and develop strategies for effective reform efforts. At the conference, held in Hot Springs, Arkansas, the Rural Trust introduced its new report, *Why Rural Matters 2003*, which ranks each state according to the importance and urgency of rural school reform. The report is available at ruraledu.org/streport/pdf/WRM_2003.pdf.

Proposed school district consolidation was a major focus of discussion at the conference. Rural Trust speakers and a panel of advocates and journalists discussed the consequences of consolidation, including failure to realize promised cost-savings and harmful effects on children removed from their local communities. Other sessions addressed the

impact of No Child Left Behind on rural schools, small schools’ cost-effectiveness, place-based education, and long-distance learning techniques.

Revenue Shortfalls Threaten Nation’s Schools

Public schools across the country will continue to face the fallout from severe state revenue shortfalls in the year ahead. For the current fiscal year and the coming year, 2003-2004, state revenues will come up short by about \$100 billion nationwide, the worst budget crisis since World War II.

While education was spared last year from most state budget cuts, expected gaps in fiscal year 2003-2004 will be too large to overcome without either raising taxes or impacting both education and health care. Teachers have been cut in many states and layoffs are threatened next year in many more. Many districts are reducing or eliminating summer school, and some rural districts are considering 4-day weeks.

In New York, a March 2003 report released by the Alliance for Quality Education, a statewide coalition of education advocates, found that proposed budget cuts in that state would disproportionately affect the poorest districts. The report found that schools designated as in “need of improvement” under the federal No Child Left Behind Act would have their budgets cut by 45% more than other districts. The full report, *Separate and Unequal*, is available at allianceforqualityeducation.org/reports.html.

Elsewhere, demonstrations against proposed education budget cuts have become commonplace in many state capitals; only a handful of states, however, are considering major tax increases.

POLICY/RESEARCH

State Policy: *Governing* Examines States’ Tax Systems

In February 2003, *Governing*, a monthly magazine for state and local government officials, reported the results of its annual “Government Performance Project.” The Way We Tax: A 50-State Report concludes that most state tax systems are out-of-date, inadequate, and unfair. The report cites structural flaws—including the lack of balance between income, property, sales, and business taxes—as partially responsible for enormous current state budget shortfalls. The full report and individual state report cards are available at governing.com/gpp/2003/gp3intro.htm.

Alaska: Legislature Releases Cost Study

In January 2003, Alaska’s state legislature released a cost index based on the relative costs of four essential areas of school spending—personnel, energy, supplies and materials, and travel—in various regions of the state. The State commissioned a nationally-known education finance research organization to conduct the study, with the goal of updating the geographic cost of education index developed in 1998. Unlike recent

costing-out initiatives, this study was not intended to determine the cost of providing an “adequate” education in Alaska, nor did it address cost differences associated with student need.

Minnesota: Fed Supports Early Childhood Funding

A new report advocating extensive public funding for early childhood education comes from an unusual source: the Federal Reserve Bank of Minneapolis. In *Early Childhood Development: Economic Development with a High Public Return*, two Fed economists argue that the public return on early childhood development is much greater than state-subsidized ventures like private businesses and stadiums. The report contends that well-funded early childhood development programs could reduce grade retention and discipline problems in schools, diminish crime, increase earnings and related tax revenues, and produce a more educated workforce. The authors propose a one-time investment of \$1.5 billion which, if properly managed, could fund high-quality pre-school programs for all low-income children in Minnesota for the foreseeable future. The report is available at minneapolisfed.org/pubs/fedgaz/03-03/earlychild.cfm.

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substantially increase the impact of proposals and policy positions that are adopted as a result of these events.

Use the media effectively. Be acutely aware of both the pitfalls and the possibilities of media attention. Specifically, develop a clear media strategy to generate favorable publicity for your cause in a way that is faithful to your principled goals and the process of open-ended dialogue.

Engage politicians without politicizing process. If public engagement events become politicized, the trust and candor needed for candid, open-ended decision-making can be undermined. Strong working relationships must be forged with local or statewide decision-makers, but this should ordinarily be done after basic reform positions have been developed through an open public engagement process.

Consider impact on existing institutions. An education reform campaign based on public engagement can both encourage and threaten school boards, advocacy groups, legislatures, and executive agencies. Clear decisions need to be made, therefore, about the extent to which a public engagement-based advocacy campaign seeks to change or challenge these institutions. When possible, these institutions and groups should be meaningfully included in your advocacy coalition, with attention paid to ensuring they do not undermine your goals or the positions adopted from public engagement.



The positive experience with public engagement in many states shows that participatory democracy can work in the 21st century. Public policy need not be determined solely through superficial sound bites or through backroom political deals. When a broad range of people is inspired to engage in serious dialogue, the solutions they develop together can have a major impact on the development of meaningful education reforms.



ACCESS News

National Conference: Reform Strategies in Tough Fiscal Climate

In February 2003, ACCESS held its third annual conference in Alexandria, VA. The two-day meeting, co-sponsored by the National School Boards Association, was attended by nearly 100 attorneys, policy makers, advocates, and researchers from 27 states.

U.S. Senator Christopher Dodd (D-CT), a longtime Senate supporter of public education, delivered a keynote address discussing educational resource inequities and the federal No Child Left Behind Act. Dodd also touted the "Student Bill of Rights" legislation that he and U.S. Representative Chaka Fattah (D-PA, 2nd) introduced last year.

Sessions at the conference focused on effective reform strategies, including public engagement, "costing out", and development of sound communications strategies. Speakers included Wendy Puriefoy of the Public Education Network, Beth Olanoff of Good Schools Pennsylvania, Abdi Soltani of Californians for Justice, Greg Malhoit of the Rural Trust, communications strategist Douglas Gould, Rutgers University professor Steven Barnett, and Columbia University professors Gary Natriello and Jeffrey Henig.

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