



April 24, 2018

Hon. Doug Ducey  
Governor State of Arizona  
State Capitol  
1700 W. Washington, 9<sup>th</sup> Fl.  
Phoenix, AZ 85007

**Subject: Arizona K-12 Education Funding**

Your Honor:

It is with all due respect that we bring forth a cause for action to resolve the problematical situation with funding education in Arizona. It should be noted that we previously brought forth substance to this issue in 2016 and revised in 2017 as contained in our prospectus: Arizona Education on the Environment K-12 Initiative. <sup>1</sup>

For more than 30 years, Arizona has been in a constant entanglement over education. Unfortunately while unattended, it has culminated into the current situation before you. Many teachers, staff and parents have demonstrated peacefully by scheduled walk-ins for better wages and conditions to no avail. Your office has opted in for a tiered 20% raise over three years without a formal plan or means of the State to provide such. This process excludes support staff and other necessities, e.g., maintenance; to properly fund education and is not even remotely or in part sustainable.

As such, Arizona educators, support staff, and even parents have provided notice of a walk-out on Thursday April 26, 2018 of which to obtain needed funds for decent living wage/salaries, and funds to support the educational process for our K-12 students in the Amount of \$1-B.

The concerns before you are not political issues and not to be considered as such. It is not a matter of being a republican, democrat, conservative or liberal, nor a subject of entitlement. It is a substantive issue of our K-12 students... precious children's human, civil, constitutional and statutory rights to have quality education that is complete, not biased or prejudicial, one that is fair and just and to be taught by those that are dully qualified and equally compensated for their labors. The State of Arizona is legally, ethically and morally obligated to do so without hesitation. This has not been the case and positive change is on the fore.

---

<sup>1</sup> Arizona Education on the Environment K-12 Initiative, December 2017

Funding for education is embodied in our State Constitution:

### **Permanent state school fund; source; apportionment of state funds**

**A.** A permanent state school fund for the use of the common schools shall be derived from the sale of public school lands or other public lands specified in the enabling act approved June 20, 1910; from all estates or distributive shares of estates that may escheat to the state; from all unclaimed shares and dividends of any corporation incorporated under the laws of Arizona; and from all gifts, devises, or bequests made to the state for general educational purposes.

**B.** The rental derived from school lands, with such other funds as may be provided by law shall be apportioned only for common and high school education in Arizona, and in such manner as may be prescribed by law. <sup>2</sup>

Additionally, there is a source of revenue towards maintenance and upkeep of schools provided in our State Constitution:

### **Source of revenue for maintenance of state educational institutions**

The revenue for the maintenance of the respective state educational institutions shall be derived from the investment of the proceeds of the sale, and from the rental of such lands as have been set aside by the enabling act approved June 20, 1910, or other legislative enactment of the United States, for the use and benefit of the respective state educational institutions. In addition to such income the legislature shall make such appropriations, to be met by taxation, as shall insure the proper maintenance of all state educational institutions, and shall make such special appropriations as shall provide for their development and improvement. <sup>3</sup>

The Arizona Revised Statutes Title 15 on Education has relevant parts in re to teachers' salaries, inflation adjustments, school funding formulations, etc. <sup>4</sup>

In an expanded view, the United Nations has its points on one's standard of living, work as well as education rights. The United Nations Declaration of Humans Rights states: <sup>5</sup>

### **Article 25**

**1.** Everyone has the right to a standard of living adequate for the health and well-being of himself and of his family, including food, clothing, housing and medical care and necessary social services, and the right to security in the event of unemployment, sickness, disability, widowhood, old age or other lack of livelihood in circumstances beyond his control.

---

<sup>2</sup> Arizona State Legislature website. Arizona Constitution Art. 11 Education Sec. 8

<sup>3</sup> Arizona State Legislature website, Arizona Constitution Art. 11 Education Sec. 10

<sup>4</sup> Arizona State Legislature website, ARS Title 15

<sup>5</sup> United Nations Declaration of Human Rights, United Nations General Assembly Paris France, December 10, 1948 (General Assembly resolution 217 A)

## Article 26

1. Everyone has the right to education. Education shall be free, at least in the elementary and fundamental stages. Elementary education shall be compulsory. Technical and professional education shall be made generally available and higher education shall be equally accessible to all on the basis of merit.
2. Education shall be directed to the full development of the human personality and to the strengthening of respect for human rights and fundamental freedoms. It shall promote understanding, tolerance and friendship among all nations, racial or religious groups, and shall further the activities of the United Nations for the maintenance of peace.
3. Parents have a prior right to choose the kind of education that shall be given to their children.

It is truly sad...even a pathetic disarray of affairs that the State of Arizona places greater emphasis and importance on the variety of sports teams, recreation and entertainment over that of K-12 education.

The State really has no choice but to move forward and provide the much needed and necessary funds for education, it is imperative that she do so forthwith to prevent further harm and correct the past and present dismal course of action harming the *totality* of our education system. It is relatively surprising that no one has presented a mandamus action or lawsuit as of yet.

Please take notice that there exists a serious issue with how funds are in part calculated for disbursement to school districts and schools. Lower income areas and schools that are racially unequal with lower performing students receive less funding over that of higher income areas and schools with predominately white or higher performing students. This was due in part to programs, e.g., Race to the Top and No Child Left Behind, as well as performance based testing results, i.e., AzMERIT.

Congress had removed many federal educational programs through the Every Student Succeeds Act, including but not limited to the two examples presented herein.<sup>6</sup> It should be noted that the Act made no mention about Common Core. The Arizona Department of Education voted to remove Common Core on October 26, 2015. It was finally resolved by Diane Douglas, Superintendent of Public Schools on January 22, 2018, not to utilize the standards any longer in Arizona.

The State has refused to repeal Common Core but there remain a slew of constant entanglements over it still yet. Where did the \$50-M go that was received from the Federal government for Common Core? Many are in want and actually utilizing parts or portions of standards and or its teaching methodologies. Is this because they are in fear of having to pay the funds back, or do not understand the facts?

Why are teaches denied the ability to teach classes, (e.g., financial math) as they are informed that there is not a Common Core standard to bench mark against for the class?

---

<sup>6</sup> Every Student Succeeds Act, One Hundred and Fourteenth Congress, January 6, 2015

These lower income, racially unequal and lower performing schools and more specifically each individual student has the unalienable right to an education that is equal, fair and just; and not to be tested against a standard that is made to project towards lower funding when such better/equal funding is needed even more so for the proper tools to build the schools and students up. This is discrimination, a violation of their Civil, Constitutional and Human Rights as a class as well as individuals.

### **RESOLVE:**

1. Take the time to meet with teachers and support staff, their union, the Arizona Education Association and openly Communicate, Cooperate and Collaborate with them to reach an amicable resolution before April 26<sup>th</sup>.
2. Provide funding at \$1-B for teachers, support staff, school maintenance, supplies, lunch programs, etc. (What was really done with the funds removed from schools over the past ten years?)
3. Allow individual teacher tax credit of \$1,000 for the purchase of school supplies.
4. Provide better financial assistance for professional education, especially for masters or PhD. programs. Build a working program with Universities to achieve higher degree at lower tuition costs.
5. Provide funding for support staff so that they too may obtain a better education either in education or outside.
6. Provide funds for additional professional school counselors to help prevent tragic events, provide grief counseling and mental health needs.
7. Provide funds so that class size can be reduced to a ratio of 23 /1.
8. Replace AzMERIT bench marking for performance based funding for schools and make a new formula for funding school districts and schools. Return the right of students.
9. Bring testing to Arizona and not waste \$170-M on AzMERIT testing.
10. Repeal Common Core and ensure that its mirage of influence is not utilized in Arizona Schools.

### **FUNDING:**

Arizona schools have lost funding over the past ten years in spite of a rebounding economy. Where have the withdrawn funds gone to? Funding increase will have a hard time catching up let alone supply the needs to date, and for the future. It is not realistic to believe that it will be truly sustainable.

Comments have been made by special interest groups to support their cause towards legalizing marijuana, a known unlawful schedule 1 narcotic (Title 21 USC Chapter 13) for what is termed recreational use. The State cannot supersede Federal law by an enactment of which to make what is currently unlawful, then legal by the ballot box or the legislative process.

Their interests are purely selfish and greedy to accommodate their own personal desires and place no real intent on helping to resolve educational funding, or to protect our children. It is

unconscionable to consider such an immoral act to fund education when we have a duty to prevent exposure to such harmful elements as drugs. We have a continuing duty to prevent such social and cultural exposure that would damage the learning environs.

It would also be unwise to take funds from State Medicaid known as the Arizona Health Care Cost Containment System or AHCCCS, or the Arizona State Children's Health Insurance Program (Arizona CHIP) and transfer it to education.

**What to do:**

1. Increase the sale and lease of State lands as provided by law for education.
2. Place needed and necessary fees on sports teams and events, entertainment and recreation.
3. Negotiate with casinos for a larger portion of proceeds from gambling towards education.
4. Increase percentage of the Arizona Lottery share towards education.
5. Create Arizona Lottery games with all proceeds going towards education.
6. Change tax schedules for large corporations.
7. Change trade tariffs with other States and Mexico that are equitable.
8. Place a \$0.05 tax upon single use plastic items, e.g., bags, cups, bottles Styrofoam trays, and aluminum cans and paper bags. All proceeds to go to education not retailer.

It is our hope that this data is received favorably of which to fund education, provide a decent salary for teachers and support staff, to maintain schools, provided needed books and supplies and meals for K-12 students. It would take a minimum of five years to even consider a new funding process as sustainable and most likely ten years out.

There was no real news today on any progress towards resolving this issue before a scheduled walkout on Thursday. The teachers and support staff may very well suspend activities to protect student interests because they care; but the ball is still in your court to open negotiations. The outcome is to benefit the students, our precious children in the long run, not to cause continual harm.

We hope that you agree, what is your answer?

Sincerely,

*Brad Follett*

Brad Follett  
Founder – Earth Month  
President–Earth Month Network, Inc.  
44871 W. Buckhorn Tr.  
Maricopa, AZ 85139  
bradf@earth-month.org  
www.Earth-Month.org

Copy:

Arizona House of Representatives  
House Members  
House Wing  
1700 W. Washington St.  
Phoenix, AZ 85007

Arizona State Senate  
Senate Members  
Senate Wing  
1700 W. Washington St.  
Phoenix, AZ 85007