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WHAT JUDGE BULLOCK SHOULD HAVE LEARNED FROM JUDGE CLARK

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Is it possible to spend *too much* money on education? If the money is spent foolishly, yes. It has happened before in neighboring Missouri, and unfortunately, it may soon happen here in Kansas as well.

In May, Shawnee County District Judge Terry Bullock ruled that Kansas schools are underfunded. Before Judge Bullock made his ruling on the question of school funding—which now rests in the hands of the Kansas Supreme Court—he would have been well-served to review the sad and bitter experience of Missouri.

During the 1980s and 1990s, the people of Kansas City and the state of Missouri wasted a lot of time, money, and hope as the result of a different court case. In response to a desegregation case with roots stretching back decades,¹ federal judge Russell Clark took partial control of the Kansas City Missouri School District (KCMSD) in 1985. Soon it became clear that in the pursuit of excellence, money was no object. Over the next 12 years Judge Clark took a series of actions, such as ordering several tax hikes that increased state and district spending by nearly \$2 billion.

While Judge Clark may have had the right sentiment—an achievement gap he cited between black and white students was and remains a serious social, economic, and moral problem—the means he chose were at best inadequate. As a Cato Institute analysis² of the Kansas City experiment revealed, misspent money is indeed of little value.

Clark's rulings resulted in an ambitious program to provide everything a teacher, administrator, or school advocate could want, and more. Per-pupil spending rose to exceed that of the other 279 largest districts in the country, when adjusted for cost-of-living. Reducing the ratio of students to instructional staff, a common goal of education advocates, was pursued vigorously. As a result of Clark's work, the ratio went to 13 to 1, lower than almost anyone would imagine.

The physical plant and curriculum were showered with money. The district erected 15 new school buildings, and renovated another 54. Superb athletic facilities and programs, including an indoor running track and a fencing team led by a former Olympic coach, were established. Experiential learning was enhanced, including even trips to Africa.

The Results of Increased Funding

Sadly, the extra \$2 billion was not effectively used. Some staff enriched themselves. Others, overwhelmed by the new money and frantic purchases, lost control of the finances. New computers become obsolete before they could be installed. Instability reigned in the superintendent's office.



Educational performance, especially the achievement gap, was largely unchanged. Even several years after the end of Judge Clark’s intervention, roughly 25 percent of white students scored proficient or better on standardized assessments. The comparable number for black students was roughly 10 percent.³ Even a score of proficient does not mean outstanding performance; it means a “solid academic performance.”⁴ For almost \$2 billion spent in an extraordinary effort, we should have hoped for more.

Why did the Missouri experiment turn out so badly? While the effort to bring about necessary changes may have been complicated by a history of racial tension, structural constraints doomed the effort from the start. If money by itself could deliver a solid education to all students, it should have done so in the KCMSD. Instead, the failed experiment showed that structures and incentives are even more important than the amount of money.

Incentives Matter

A personnel and financial system with the wrong incentives caused a generation of students to lose out on an opportunity for significant reform.

The money was wasted on a bloated administrative staff. At one point, the district’s administration was up to five times as large, on a proportional basis, as comparable public districts. It was 150 times as large as the city’s Catholic school system.

The money was used to offer amenities and erect new buildings, not reward good teachers. As the Cato Institute analysis concluded, “It was less traumatic to concentrate on what [Plaintiff’s attorney Arthur] Benson called the ‘easy expensive’ things (new buildings, new equipment, busing plans) than to tackle the ‘difficult inexpensive’ things that really make a difference in children’s lives—appointing qualified principals, supervising instructional practices, developing a curriculum, providing incentives, hiring good teachers, and firing bad ones.” In other words, money was spent everywhere—except where it counted.

Wasted opportunities are not just a problem in Missouri. Too often, schools in Kansas and across the country are structured in ways that inhibit innovation, treat poor and excellent teachers alike, and focus on the wants of adults rather than the needs of children.

This year, everyone is waiting to hear what the Kansas Supreme Court has to say. The funding question is sure to dominate next year’s legislative session. Judge Bullock did not heed the lessons of Judge Clark. Simply adding more money does little good if the money is not spent wisely. Here’s hoping that the Kansas Supreme Court, the legislature, and the people do remember.

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Notes

[1] Chronology of the Kansas City, Missouri desegregation case, The Western Historical Manuscript Collection in Kansas City. Available at <http://www.umkc.edu/whmckc/Collections/IKC250C.HTM>

[2] Paul Ciotti, *Money and School Performance*, Policy Analysis 298, Cato Institute, March 16, 1998. Available at <http://www.cato.org/pubs/pas/pa-298.html>

[3] Profile for Kansas City schools, Missouri Department of Elementary and Secondary Education, September 2004. Available at <http://dese.mo.gov/planning/profile/apr/ayp048078.html>

[4] John R. LaPlante, “How Good are Public Schools in Kansas?” Flint Hills Center for Public Policy, July 8, 2004. Available at <http://www.flinthills.org/Master%20Articles%20Library/Education/How%20good%20public%20schools%20ks%20-%20laplante.htm>



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