

Posted on Thu, Dec. 15, 2005

**JOHN LAPLANTE: KANSAS JUSTICES SHOULD LEARN FROM TEXAS COURT**

**BY JOHN LAPLANTE**

One benefit of our federal system is that we can learn a lot simply by looking at what happens in other states. A recent court ruling in Texas offers some points for Kansans as they consider what to do about school funding next year.

On Nov. 22, the Texas Supreme Court ruled that certain parts of the school finance scheme violated that state's constitution. Though much of the 7-1 opinion deals with Texas-specific concerns, it also has some noteworthy findings that apply elsewhere.

The most unusual statement, perhaps, was the one-line observation that "perhaps, as the dissent contends, public education could benefit from more competition, but the parties have not raised this argument, and therefore we do not address it."

It's gratifying to see a high court acknowledge that the concern exists about needing more competition. For as private and public scholarship programs in San Antonio and elsewhere have shown, strengthening the role of competition among schools helps students who leave their old school for more appropriate settings. Equally important, when the incumbent school is forced to respond to competition, the students who remain behind benefit as well.

The Texas court also made news when it discussed an all too frequently held belief about education: The focus on education policy ought to be on spending more money. The court noted that the relationship between results and funding "is neither simple nor direct; public education can and often does improve with greater resources, just as it struggles when resources are withheld, but more money does not guarantee better schools or more educated students."

The court later observed: "The legislature may well find ways of improving the efficiency and adequacy of public education -- ways not urged by the parties to this case -- that do not involve increased funding."

Public education requires money, but as the court suggests, more money alone may not suffice. We need to broaden our search for better education by spending the money in ways that promote competition.

John R. LaPlante is an education policy fellow with the Flint Hills Center for Public Policy in Wichita.