

School finance case advances another step

The school finance trial is headed to the Texas Supreme Court.

Attorney General Greg Abbott filed a notice of appeal with the state's top court Wednesday.

"Because this is a critical matter of statewide importance, and because the students, parents, school districts and taxpayers need closure on this matter, we urge the Texas Supreme Court to hear the school finance case at the earliest possible date," Abbott said in a statement.

The Plano school district was among hundreds of school districts that sued state officials over the existing school finance system, which requires property-rich school districts to subsidize property-poor school districts. The lawsuit went to trial Aug. 9 and concluded six weeks later.

Travis County District Judge John Dietz ruled in favor of the school districts Nov. 30. That same day, Abbott issued a statement that an appeal would be forthcoming.

Dietz's ruling states that the system is unconstitutional because it does not provide enough money for all students to have an adequate education, property-poor school districts do not have equal access to facilities and a \$1.50 cap on school district property tax rates for operations denies school districts meaningful discretion in setting tax rates.

Plano Superintendent Doug Otto said Abbott's filing means that the case is closer to reaching the Texas Supreme Court, which has ruled in all school finance cases.

"We'll be there to essentially defend our side, asking the Supreme Court to uphold the trial court's decision," said Otto, who served as president of the Texas School Coalition, a group of 118 that was one of the plaintiffs in the case.

Angela Hale, spokeswoman for the Attorney General's Office, said the notice is the first step in the appellate process. The Attorney General's Office will wait to receive the court records from the Travis County Clerk. The state will submit the appeal to the Texas Supreme Court next month, and the Supreme Court must then decide whether to hear the case. If accepted, Abbott will file briefings on the merits of the case with the court.

The lawsuit is a separate issue from the legislature's work on whether to put more money into the system and whether to change tax laws. The next legislative session begins Jan. 11.

"They're looking at the policy issues," Hale said.

The lawsuit focuses on whether the existing system is constitutional. The Attorney General's Office serves as the state's attorney.

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