LITIGATION AND OTHER CONSIDERATIONS IN SCHOOL FINANCE REFORM IN OHIO

by Sandra K. McKinley*

INTRODUCTION

School finance litigation has dotted the legal landscape for over forty years with the stimulus of such litigation lying with *Brown v. Board of Education* and its allusion to equal educational opportunity for all children. By 2005, 45 states have engaged in some form of school finance litigation. Delaware, Hawaii, Mississippi, Nevada and Utah have experienced no litigation and Indiana filed but withdrew the suit before a decision could be reached.[1]

In the last fifteen years, the focus of school finance litigation has centered on the concept of adequacy. As indicated in *DeRolph II* by Ohio Supreme Court Justice Resnick, adequacy means that students should have access to a high quality education.[2] Michael Griffith, Education Commission of the States educational researcher, reported that 32 adequacy cases have been filed with the plaintiffs winning in a majority of cases. New York, Kansas, Massachusetts, Montana and Arkansas represent yet the latest round of states where the respective courts have upheld the claims made by the plaintiffs.[3]

According to Griffith, winning in court may have less long-term value than anticipated. He details the high cost of winning in New York City - 14 billion over a three year period; Arkansas – an additional 847.3 million per year. These sums were to be awarded to the plaintiffs to improve education in the case of New York by court order and in Arkansas as a result of the work of a study commissioned by the state.[4] Further, in addition to the monetary judgments sometimes ordered by the court, as well as the cost of litigation, Griffith argues that the litigation may hinder reform and improvement efforts by policymakers by forcing them to delay reform efforts or changes until after the suit has ended or that mandates may limit funding changes.[5]

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[1] Michael Griffith and Molly Burke, ECS State Notes, February 2005 *School Funding Adequacy Decision,*.1.

[2] *DeRolph v. State, 78 Ohio St. 3d 193 (1997) @261*.

[3] Griffith, Ibid.

[4] Michael Griffith, ECS Policy Brief, *School Finance Litigation and Beyond, 1*.

[5] Ibid.

Griffith cites Ohio, as a state where the *DeRolph* litigation appeared to delay needed change; He states:

> In 1991 a school finance adequacy lawsuit, *DeRolph v. State* was filed against the state of Ohio. The case was active for 12 years and resulted in three different rulings from the state's Supreme Court that deemed the school funding system was unconstitutional. While some changes were made to the funding system including increased per-pupil spending and additional resources for school building projects, the litigation did not bring about either the funding adequacy that many school districts wanted or the reduction in local property taxes that groups sought. Indeed, the litigation may have made state policy makers reluctant to address needed changes to the school funding system until the outcome of the case was determined. During the 1990's when many states implemented major changes to school funding systems- most due to the strong performing economy- Ohio made less significant change to its system. Because the lawsuit did not succeed in prompting major change, in 2003, Governor Taft created a Blue Ribbon Task Force on Financing Student Success. Over the 12 years of the lawsuit, however, the state lost valuable time for reforming it's funding.[6]

A researcher for the ACCESS project sponsored by the Campaign for Fiscal Equality of New York countered the arguments raised against litigation. According to Nelly Ward, " This legitimate criticism fails to acknowledge, however, the long–term inaction by lawmakers that necessitates most adequacy lawsuits and the improbability that these law makers would act more quickly or at all, absent a legal mandate".[7]

The fight over school funding reform in Ohio has been long and tenuous, not unlike the experience of many other states. However, the degree of political animosity and partisanship that have built up over roughly a fifteen year period dealing with the issues inherent in the numerous *DeRolph* decisions have arguably created a state of siege where the mandates of the court have been ignored. After four Supreme Court decisions in which the state school funding system has been declared unconstitutional, the mandates of *DeRolph I, II,* and *IV,* have not been carried out. Although more operating and building construction funds have been provided to the schools, --"…in adjusted -

[6] Ibid.

[7] Nelly Ward, ACCESS memorandum, *ECS Covers the National Education Adequacy Movement, April 27 2005.*

inflation dollars funding for schools has increased 40.2 percent since 1996" [8]-- the mandate for a complete systematic overhaul of the system issued in *DeRolph I*[9] has not been attempted by the legislature. Other dictates of the *DeRolph II* court concerning a "thorough and efficient" education for every school age child in the state and resolving the over reliance on property tax to fund schools have not received due consideration by the General Assembly.[10]

Further, the Ohio Coalition for the Equity and Adequacy of School Funding, the plaintiffs in the school funding lawsuit against the state, filed a writ of certiorari with the United States Supreme Court to enforce the remedy phase in the Ohio court system.[11] The action was taken by the Coalition after the majority in *DeRolph IV* [12] refused to retain jurisdiction of the case and the majority in *DeRolph V*[13] refused to allow any court jurisdiction over the matter. Coalition attorney for the plaintiffs decrying the action of the Ohio Court declared:" Where there is a right, there is a remedy".[14] William Phillis, Executive Director of the Coalition, poignantly framed the argument around the deprivation of the due process rights of the school children of Ohio. He stated:" For the 1.8 million school children of Ohio, it means that educational deprivation of declared constitutional proportions will continue on a daily basis".[15]

In October 2003, the U.S. Supreme Court denied the writ of certiorari. In a sense October 2003 truly represented a watershed for the Coalition and the other educational and grass roots organizations associated with the *DeRolph* litigation for so long. In short, the rule of law had not been obeyed in terms of enforcement of a remedy under *DeRolph*, yet, the system had been declared unconstitutional no less than four times. The Court in *DeRolph V* had indicated that the litigation was over unless of course, new litigation was initiated. "…It

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[8] *Dayton Daily News*, February 2005.

[9] *DeRolph v. State* (1997),78 Ohio St. 3d193@212.

[10] *DeRolph v.State* (2000), 89 Ohio St.3d1.@ 1,37.

[11] U.S. Supreme Court refuses to hear Ohio school-funding case, October 20,2003, Available from http//www. dispatch.com/news-story.

[12] *DeRolph v. State* (2002), 93Ohio,St.3d_@3.

[13].The State ex rel.*State v. Lewis*, 98,Ohio St.3d_.

[14] Speech given by Nicholas Pittner at the September 27, 2004, *DeRolph* School Funding Conference, sponsored by the Ohio Coalition for Equity and Adequacy of School Funding.

[15] News Release, Ohio Coalition, October 29, 2003 available from ohiocoalition@1@sbcglobal.net,1.

does seem likely that further litigation will be forthcoming in the area of school, even though it apparently will be under a name other than *DeRolph*".[16]

The paper will identify the current strategies being pursued by the Ohio Coalition representing approximately 500 school districts, grass roots organizations, and state educational organizations to continue the path to school reform mandated by the Ohio Supreme Court in *DeRolph I, II,* and reaffirmed in *DeRolph IV*. Also, it will relate the progress and efficacy of the current direction of utilizing both tools of public engagement and activity centered on the passage of a constitutional amendment. Given the political scandals that have surfaced over the past two years, some update to what has previously been written in an earlier publication *Journey to Adequacy* appears necessary.

PHILOSOPHICAL AND POLITICAL CONSIDERATIONS UNDERLYING THE DEROLPH DISPUTE

In an earlier publication, I gave considerable space to identify several issues that separated the Supreme Court justices and illustrated these differences by selecting passages depicting diverse perspectives of the justices on the issues. As I related for those purposes, the justices served as representatives of the larger society who held opinions on these issues. Further, those issues such as thorough and efficient, adequate education, separation of powers, over reliance on property taxes, local control and complete overhaul of the system were at the core of the decisions handed down in *DeRolph I, II,* and *IV*. [17] The opposing parties to the *DeRolph* dispute have not sought common ground on these issues.

Add to the mix the long reign of one party controlling all three branches of state government for over a decade and the *DeRolph* Saga becomes a bit easier to understand. In the November 2004 elections, the Republicans also played a pivotal role in handing national leadership to their party, but also followed suit by retaining huge majorities in both houses of the legislature. The Governor, of course, had won reelection in November 2002.

THE 2004 SUPREME COURT ELECTION

In a state where Supreme Court justices are elected, hard fought battles for all open seats are launched by both parties with record numbers of dollars spent to obtain the available seats. For instance, in the election of 2000, four million dollars was raised by an issues advocacy group sponsored by the Ohio Chamber of Commerce in the hopes of unseating Justice Alice Robie Resnick. the author of *DeRolph II*. Although the attempt was unsuccessful, the advocacy group, Citizens for a Strong Ohio, as a result of a Franklin County Court order, was

[16] Ibid, 10.

[17] Sandra McKinley, "The Journey to Adequacy: The *DeRolph* Saga," *Journal of Education Finance*, to be published, Spring 05.

forced to release the names of the donors in January 2005. The Ohio Chamber of Commerce was the leading contributor with a $200,000 donation followed closely by the American Insurance Association at $185,000.[18]

The stakes were just as high for both political parties in 2004 not only because four Supreme Court seats were open, but also because the issues related to insurance, tort reform and workers compensation rivaled school funding for importance to the special interest groups and voters.[19] Incumbents Chief Justice Thomas Moyer and Justice Paul Pfeifer and Justice Terrence O'Donnell beaten by Resnick in the infamous 2000 race, but later appointed by Governor Taft to fill a vacancy, all won reelection. In addition, Toledo Appeals Judge Judith Lanzinger won the fourth seat vacated by retiring Justice Sweeney over the Democratic challenger.[20] The Republicans now represented a 6-1 majority on the Court with Justice Resnick residing as the lone Democrat. The 2004 Supreme Court election clearly cemented one party rule in the State and any chance for the court to take a more activist position in working with the legislature to implement the rule of law spelled out in *DeRolph I* and *II*.

SCANDAL IN STATE GOVERNMENT

Scandals and squabble among the Republican leadership began to surface in 2004 with Speaker of the House Larry Householder being investigated for his alleged campaign fundraising tactics, money laundering, tax evasion, and mail fraud violations. To make matters worse, the probe was prompted by Secretary of State Kenneth Blackwell who alerted the federal U.S. attorney regarding the alleged violations. Blackwell also called for the resignation of Householder.[21]. In like manner, it was reported that Householder was attempting to destroy Blackwell's political career by leading an effort to defeat Blackwell's plan to repeal the temporary penny –per dollar sales tax engineered by Governor Taft.[22]

The events of 2005, however, would far and away overshadow any political infighting or maneuvering on the part of the leadership. A primary incident revolved around the actions of a prominent Republican fundraiser who persuaded the Director of the Ohio Bureau of Workers' Compensation to invest 50 million dollars in his rare coin operation. After an accounting investigation,

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[18]Jon Craig, "Funders of election attack ads revealed", Columbus Dispatch, A1.

[19] Ibid.

[20] Columbus Dispatch, October 22,2004,D 8.

[21] Jon Craig and Lee Leonard, Householder urged to make things right, *The Columbus Dispatch* 23, May 20.

[22] "Householder strategy document disparages Blackwell, Taft", *The Columbus Dispatch*, 25 April 2004.

it was revealed that the coin dealer had lost millions. The bad news did not stop with this transgression; rather the Director of Workers Compensation also lost for the Bureau 225 million dollars in a hedge fund operated by one of his political cronies. In addition, numerous other "favors" to political associates were granted by the coin dealer and operatives in the hedge fund business. The shocking statement in the *New York Times* sadly characterizes to a degree Ohio politics. According to Paul Krugman, " Ohio State government today is a lot like Boss Tweed's New York".[23] Unfortunately, five of the present Supreme Court members have had to recluse themselves from any cases involving the coin scandal since the dealer contributed to the campaign of each of the five.[24]

INCREASED PARTICIPATION BY "GRASS-ROOTS" SCHOOL FUNDING REFORM GROUPS

Despite the election results and other political activities, those who believed that the courts and the legislature as well as the Governor had not obeyed the mandates of *DeRolph I* and *II* were beginning to surface prior to the election as members of several political action groups such as the Fair Taxation and Equal Education Task Force and Ohio Fair Schools Campaign. During the months prior to the election *Project Chalkboard* sponsored by the Fair Taxation and Equal Education Task Force planned with school districts across the state a series of activities to bring attention to the school-funding crisis. in Ohio. The culminating activity involved the groups converging caravan style on the State House grounds displaying a huge chalkboard with the message "Fix School Funding Now."[25] The Ohioans for Education Justice was organized in the spring of 2000 as a political action committee to raise funds to disseminate information regarding the importance of the common school and its link to democracy and the apparent danger of its demise unless the school-funding situation is rectified in the state. During the November 2004 election, the group used an email strategy to forward campaign information from the organization's central website.[26]

COALITION ACTIVITIES AFTER REJECTION OF THE WRIT OF CERTIORARI

That period after the October denial by the Supreme Court to review the writ of certiorari in many respects represented a watershed for the Coalition. Since

[23]Paul Krugman, "What's the Matter With Ohio?

[24] Ibid.

[25] Telephone Interview with William Phillis, Executive Director, Ohio Coalition for Equity and Adequacy of School Funding., January 2005.

[26] Ibid.

1991, the leadership had been totally immersed in litigation. During the period, the Supreme Court had ruled four times that the method of funding schools in the state was unconstitutional. Yet, by *DeRolph IV*, the court had ruled that it would no longer retain jurisdiction and that the Coalition could pay its own attorney fees.[27] The political and philosophical composition of the Court had changed with the 2002 election and the outcome may have caused the Coalition to reassess its strategies.

In November 2003, during a speech at the Ohio School Board Association conference, Executive Director William Phillis spoke regarding the status of school reform in Ohio and assured the audience that significant gains for children had been made in the then twelve year litigation process. He reminded them that *DeRolph I* and *II* produced significant case law that placed responsibility for securing a "thorough and efficient system of schools on the state.[28] He warned that the strong case law would bode well in future litigation.[29] Dr. Phillis' parting words to the group made clear the long-term direction of the Coalition:

> "The Coalition is alive and well and will continue to be a viable statewide education organization committed to a complete systematic overhaul of the school funding system".[30]

During the same speech, Dr. Phillis also made a point to emphasize the direction of the Coal ion in "engaging the public in constant dialogue regarding the need for school finance reform and the purpose of public education. According to Phillis, "The education community has won in the court, now we must win in the court of public opinion."[31]

He related that the communication process had already begun with the superintendent membership of the Coalition in the development of a strategic plan. He added that while the plan was being developed, Coalition members would hold informational meetings across the state. Interestingly, a survey given to the superintendents in conjunction with the development of the plan revealed that the superintendents placed a very high priority on ongoing litigation.[32]

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[27] *DeRolph v. State* (2002) 89 Ohio St. 3d 2.

[28] Speech given by William Phillis at the OSBA Capital Conference Status of School Funding Reform in Ohio,November 2003, Columbus Ohio.

[29] Ibid.

[30] Ibid.

[31] Ibid.

[32] Ibid.

For the time being, the Coalition has sought to achieve the mandated changes of *DeRolph I* and *II* without initiating new litigation. However, the Coalition is keeping a very close eye on a federal lawsuit *Doe v. Ohio* involving the rights of special education students for two reasons. In the first place, The Coalition filed the original suit—*Thompson v. Ohio* in January 1991 in Perry County Common Pleas Court on behalf of many parents, students, and community members over violations similar to those espoused in *DeRolph*. Since the defendants were able to remove the Thompson case to federal court, due to some federal claims made by the Coalition in the suit, the Coalition asked the federal judge for permission to remove them from Thompson. On December 19, 1991, the Coalition filed *DeRolph v. Ohio* in Perry County Common Pleas Court citing violations that related to the State not Federal Constitution. On August 27, 1993, the Ohio Legal Rights Service and "John Doe" by and through his parents petitioned the Federal Court to allow them to intervene as Plaintiff in *Thompson v. Ohio*. Since the case now involved only the legal rights of special education child, [33] hence the case became John Doe. The second reason for continuing interest in the case involves the intent of the Coalition to file in July or August an amicus brief in support of the Plaintiffs in Doe v. Ohio.[34]

CURRENT DIRECTION OF COALITION ACTIVITIES

Among Steering Committee members, the Coalition has immersed itself in creating two projects that can indeed have the potential of arousing public sentiment as referred to by Chief Justice Moyer in *DeRolph I*.[35] Moyer emphasized if the public wants the system changed then it would let the legislature know through such arousal.[36] Although different, both projects have the potential of getting grass roots involvement in school finance reform. They are Ohio Public School Dialogue and a Constitutional Amendment.

OHIO PUBLIC SCHOOL DIALOGUE

A recent group, Ohio Public School Dialogue, formed by the Coalition and operating as a 501C 3 nonprofit organization, (application still pending) has joined forces with a consultant group to create a public engagement process to be used ultimately in all of the school districts in the state. The unique project uses three learning maps or tools to stimulate discussion by a cross -section of

[33] R.Fisher, "DaleR. *DeRolph*,et.al:Historical Review of Issues and Events,.39-42.

[34] Nicholas Pittner, lead attorney for the Coalition,Telephone interview by author, 13 July 2005.

[35] *DeRolph I* @283.

[36] Ibid.

the community in a series of meetings sponsored by participating school districts regarding core issues affecting public education, including school funding and the necessary resources to provide an adequate education. The project has been field-tested at three different school districts. It is expected that in the near future the project will be used in school districts across the state to allow persons within the district to engage in meaningful dialogue about public education in small group settings with trained facilitators.[37]

COALITION INVOLVEMENT WITH FLANNERY INITIATIVE PETITION

Bryan Flannery, former state legislator, spearheaded a drive in 2004 to propose legislation by initiative petition that would establish a process each biennium to determine the cost of a quality education for regular education, special education, vocational, gifted, disadvantaged and other special needs students. The proposed law was intended to shift responsibility for a "thorough and efficient" education to the state. The local share would be limited to twenty mills. Further, no district would be required to lose funds due to hold harmless provisions.[38]

During the spring and summer months of 2004 Coalition Executive Director Phillis and Flannery began deliberations to gain the support of the Coalition for the initiative petition. Interestingly, while some of the grass roots groups previously mentioned endorsed the petition, the major educational organizations of the state did not throw their support behind the effort.[39] The combined efforts of Flannery's supporters and those of the Coalition were not sufficient to obtain the required number of 100,000 signatures for the proposed law to be submitted to the legislature for enactment. It fell approximately 10,000 votes short. [40]

CONSTITUTIONAL AMENDMENT

In the early days of January 2005, the Coalition still working with Flannery began to carefully weigh the merits of a constitutional amendment. Several subcommittees within the steering committee were established to consider the provisions of such an enactment. In addition, Phillis in his online communications to steering committee members, superintendents and other

[37] A proposal by Ohio Public School dialogue to engage Ohioans in discussion about the resources needed to provide an adequate education for all of the state's public school children.

[38] Initiative Petition, "Flannery Education Act", Certified by the Attorney General August 35,2004.

[39] Phone Conversation with William Phillis, March 14, 2005.

[40] Ibid.

"interested persons" began to adopt the position that it was time for a change in the Ohio Constitution. He argued that in view of the intransigence of the state legislature despite four Ohio Supreme Court decisions and three constitutional provisions to assume responsibility for a thorough and efficient system of education, a constitutional amendment was still necessary. He stated that it was time to compel the state to ensure high quality educational opportunities for all, "it is time to put some "teeth" in the Constitution.[41] The direction that the Coalition intended to go with an amendment was made crystal clear by Phillis:

> At this point in Ohio's history, a comprehensive constitutional amendment that nails down state responsibility for providing each school child high quality educational opportunities as an entitlement is essential.[42]

At this writing, the Coalition Steering Committee, after more than forty drafts and in collaboration with the grass roots organizations and Brian Flannery, have completed a final draft of the Educate Ohio Amendment to submit to the state attorney general for placement on the November 2005 ballot provided that approximately 350,000 signatures are obtained prior to the election.[43] The professional educational organizations have not thrown their support behind this endeavor. The essential provisions of the amendment parallel the aggressive position assumed by the Coalition regarding the need for a constitutional amendment declaring the fundamentality of education for every school- age child in Ohio. They are:

1. Creation of a. constitutional commission (Ohio Educational Opportunities Commission) charged with the responsibility for determining biennially the components for high quality educational opportunities for public school students at teach instructional level and type—regular, special and vocational education, gifted, disadvantaged and other special needs students. The commission would be comprised of individuals, a majority of whom would be appointed by the Governor;

2. Delegation of responsibility to the state board of education to determine the cost of such types and levels of education within a fifteen month period; and;

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[41] Ohio Coalition for Equity and Adequacy of School Funding Communication, "It is time to put some" teeth in the Constitution" .February 21, 2005

[42] Ibid.

[43] Phone conversation with William Phillis, March 14, 2005.

3. Reduction of all real property tax millage levied by local districts to fifteen-mills with inclusion of hold harmless provisions for the districts.[44]

It is clear that the strategies of the Coalition have changed from those of litigation to arousal of the public sentiment that Chief Justice Moyer argued was the tipping point that would cause the legislature to bring about change in education.[45] The strategies and rhetoric of Dr. Phillis are designed in all likelihood to state unequivocally that the Coalition will stay the course to ensure that the mandates of *DeRolph I* and *II* are met. Further, it seems possible that the Coalition envisions a continuous advisory and monitoring role for itself to maintain high quality educational opportunities for Ohio's school-age children.

In a sense, it may be the best of all times or perhaps the worst of all times to begin a new strategy. On the one hand, the political winds at any level of state government are not shifting in favor of the Coalition and thus, from that perspective, it is the worst of times for the group. Nonetheless, on almost any economic measure, Ohio is lagging behind. According to an article in *the Columbus Dispatch*, Ohio has lost 5,100 economic jobs during the past year, the state's unemployment rate is one half a point higher than the national average and has had more young college graduate leave the state than enter since 1995[46] In the same article, a representative of an economic consulting firm provided an interesting perspective: "…Improving education in the state can do the most to improve Ohio's economic future.[47]

Another disconcerting development is the record number of levies – over 600—during 2004-2005 school year that local districts have had to place on the ballot to balance the budget.[48] In August 2004, only 15.5 percent of the issues, other than renewals passed.[49] Further, 62 percent of school levies failed on the February ballot.[50] Parallel with these developments, the state will take

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[44] Educate Ohio, Constitutional Amendment,(working draft prepared by the Ohio Coalition for Equity and Adequacy of School Funding.

[45] *DeRolph I* @283.

[46] Mark Niquette,Ohio's economy:How bad is it?, Columbus Dispatch, retrieved @ www.dispatch.com/news/01/23/05.

[47] Ibid.

[48] Online memorandum, August 4,2004, from E&A Coalition Available from ohiocoalition 1@sbcglobal.net.

[49] Ibid.

[50] "State has failed to address its education woe, Columbus Dispatch, March 12,2005, retrieved http//www.dispatch.com/editorials.

more than $425 million from public districts for charter schools.[51] Another set of figures reported by the Education Tax Institute reported that while Ohio's state-levied taxes by the legislature ranked at the 34th spot in the nation, Ohio local taxes rank as the 9th highest.[52] The data provided herein may provide partial explanation for the criticism leveled by some over the partnership between the state and local governments in terms of levying taxes to provide services.

The foregoing examples illustrate at the very least the appropriateness of dialogue regarding the need for education and its cost. Such a role will naturally occur for the Coalition as it plans public engagement activities that permit ordinary citizens to discuss their views regarding the purposes of education and the ideals that they hold for it.

This strategy may be the best that can be hoped for given the political realities existing in Ohio. The strategy for taking the case for good schools to the public may yield greater benefits toward meeting *DeRolph I* and *II* than can be achieved in the courtroom.

While special masters and judges have issued compliance orders in several states to provide a sound basic education such as in North Carolina or New York and in Kansas where the Kansas Supreme Court the task is met with great resistance from those antitax forces who believe it is the responsibility of the legislature to make decisions about the quality of education.[53] The Coalition is aware that with the current Supreme Court it is highly unlikely that the Court would offer guidance or mandates to the legislature regarding remedy. According to Dr. Phillis:

> "If a constitutional amendment forces the legislature to obey the rule of law rather than a mandate from the Court so be it since the outcome means a quality education for every school age child in Ohio."[54]

CONCLUSION

Ironically, the political conditions existing in the state make Moyer's statement regarding the need for involving the public in any discussions regarding adequacy seem prophetic. In short, in view of the failure to reach accord on major issues on the part of any branch of the state government, it appears time to take the issue regarding education to the people. According to Moyer's definition, adequacy requires consensus as to the purposes of education is to

[51] Ibid.

[52] ETPI, Education Tax Policy Institute "Facts and Figures," 2.

[53] Denise Farney, "States Resist Court- Ordered School Funds, "*Wall Street Journal*, March 7, 2004.

[54] Phone Interview with William Phillis, March 14, 2005.

serve - plainly a function legislative in nature.[55] Further, he maintained that public sentiment is the final determiner of the actions taken in regard to a state educational system.[56] "In truth, we well may have lost sight of what higher purposes education is to serve. We must retrace our political and historical roots to those core values of liberty and equality so necessary to a republican and virtuous government", according to Kern Alexander.[57]

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[55] *DeRolph I* @278.

[56] *DeRolph I* @283

[57] Kern Alexander and Richard G. Salmon, *Public School Finance* (Boston) Allyn and Bacon, 1995.

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