

# VLR Kauffman Keynote

And speaking of the long fight, it is now my distinct pleasure and honor to introduce your keynote speaker for today, Albert Kauffman. Al Kauffman is a professor of law at Saint Mary's University School of Law, where he teaches courses in constitutional law, education law, voting rights law, and state and federal procedure. My, that is a lot.

Kauffman spent the majority of his career as a civil rights litigator specializing in the education, voting, and employment rights of Latinos. For nearly 20 years, Kauffman was the senior litigating attorney for the Mexican-American Legal Defense and Educational Fund in San Antonio. And I learned a little bit from Al this morning that he was also argued Edgewood I and II. And he was very careful to tell me he won both of them.

As a MALDEF attorney, Kauffman was the lead attorney for plaintiffs in the Texas School finance cases, for Latino plaintiffs in the Texas Higher Education system finance and desegregation case, and in litigation challenging the state's use of the Texas Assessment of Academic Skills Test for Graduation from Texas High Schools. I don't believe I've ever said the word Texas that many times in a sentence before. He has also litigated affirmative action cases, local and state voting rights cases, employment discrimination, immigration, and hospital admission policy cases.

After MALDEF, Kauffman served as a senior legal and policy advocate associate for the Civil Rights Project at Harvard Law School, where he was also a lecturer. While there, he wrote about civil rights issues implicated by a variety of topics, including voting rights, the No Child Left Behind Act, affirmative action, and public schools student assignment systems. Kauffman was part of a small team of experts involved with passing both the Texas Top 10% rule for admission to public universities and the recent changes to admission and scholarship criteria for public graduate and professional schools.

Texas lawyer selected Kauffman as one of the 25 greatest lawyers for the 25-year period from 1985 to 2010. It is an honor to be in your presence. Let's give it up for our keynote speaker, Al Kauffman.

[APPLAUSE]

ALBERT KAUFFMAN: Well, thank you very much for the fine introduction. And thank you for inviting me here to speak to you. I will say that of those 25 greatest lawyers, I was the poorest. So I guess maybe I wasn't one of the greatest lawyers. I always had a great, great career, though, with MALDEF. And I tried at least to do good.

So I want to thank you very much for the invitation to be here. The Virginia Law Review, Sydney Stanley has been very helpful to me trying to get here. I'm going to make these remarks in honor of some of my teachers and mentors in school finance. Dr. Albert Cortez was a graduate of high school in Edgewood in 1967. And he went on to be one of the experts for the plaintiffs in four of the Edgewood cases. So, and he knows school finance in and out. And he's also my *tocayo* in Spanish. It means we have the same name. And a very good friend.

Dr. Jose Cardenas was the superintendent of the Edgewood district when they began to think about supporting the Rodriguez lawsuit. And then, he went on to form an organization focused on trying to do something about the tragedy of Rodriguez, so the Intercultural Development Research Associates. And those of you who want to have any sort of increased knowledge of Latino education issues should check out the IDRA website.

Mr. Jimmy Vasquez was the superintendent of Edgewood when we did the Edgewood case. And Edgewood, of course, was the subject of Rodriguez and also the named plaintiff in our lawsuits. And he is one of the best speakers I've ever seen. And he was the soul of our lawsuit. And this very day, they're naming a building for him in the Edgewood school district, the James Vasquez Center. And I'm so sorry I couldn't be there, but what a great guy.

And a guy named Craig Foster ran something in Texas called the Equity Center. And basically, school districts began to realize they were sort of out-informed by the state, some people in the state. So they decided to develop their own group. So they have an organization of low-wealth school districts. And Craig Foster was the developer of that. And he was probably our main statistical witness in our Edgewood case.

So I'm going to talk a little bit about Rodriguez, generally, to criticize it. I think probably most people here agree with that but maybe not everyone. I'm going to compare it to what we did in Edgewood, which was the state court case about the same subject, about the Texas School finance system. Talk a little bit about what I call intractable problems, some of the issues in school finance that will remain with us forever. And I'll do a little bit of a comparison of Justice Powell and Justice Mauzy.

I appreciate the introduction and the frank remarks about Justice Powell. And Justice Mauzy was the one who wrote the Edgewood cases. And looking at the two of them, I think is very important.

So let's talk a little bit about Rodriguez. So some of you knew your constitutional history. Some don't. But Rodriguez was done in 1973. And that was the same year as a rather important case called Roe v. Wade. You remember that. We just had the 50th anniversary of Roe v. Wade. So clearly, the Supreme Court was in the middle a lot of issues.

You might not know it's also the same year they decided White v. Register, which was the first case where the US Supreme Court decided that it was against the law to discriminate against areas because of voting rights. And they found that multi-member districts, in that case in Texas, very specific facts were unconstitutional in that area. And that began a whole host of litigate-- thousands of cases-- on White v. Register.

And then, there is Swann v. Charlotte-Mecklenburg. Anybody who's done school desegregation work, that was the first time that the US Supreme Court had said that a district court had the equitable power to require busing. And it was a strong-- basically, they were frustrated with the intransigence of all the people in the southern districts. And they came down on them and said that district courts have the equitable power to basically force the school districts to abide by the law, which is something of a shock. A little bit of my background, by the way, related to-- I grew up in Galveston, Texas. I went to segregated public schools my whole time. I graduated in 1965. Never went to school with an African-American. We had a separate African-American school eight blocks away called Central High. And we never knew them. And they never knew us. So and we grew up within blocks of each other. So it wasn't a big urban area. We were all in the same little city. And we still didn't know each other.

That-- I also taught school in Mississippi in 19-- I guess in 1970 in a school district that had been segregated until 1970 when the Department of Education said you don't integrate this year, we're going to cut off all your federal funds. And we're going to come after you with all our DOJ lawyers. So finally, they did it. For the first time, they were integrated in 1970. So a little bit of that background I think does matter here.

I appreciate the background about Powell. A few things about Rodriguez. I mean, you can read the case of course, but there's some that really bothered me. One is so much of their analysis of the facts relied on what happened in Connecticut and California, which had nothing to do with Texas. Texas has its own world.

I teach at St Mary's Law School. We're right across the street from the Edgewood School District. We live in that area. We know them. And it's a whole different world in Texas.

We have over 1,000 school districts. There are some very rich districts, some very poor districts. But they vary in size. There's some very rich big districts. There's some very poor big districts. There's some very rich poor little districts. There's some very poor little districts.

So if you have 1,000, and you're a good lawyer, the way Justice Powell was, you can cherry pick. You can find exceptions. But the general patterns were clear. And he basically ignored them.

So the findings-- education is not a fundamental right. You know, we all know that's wrong. But let me just say this for those of you who may be just beginning your Cahn law studies-- education is not in the US Constitution. Let me give you some other terms not in the US Constitution-- privacy, contraception, marriage. None of those things are in the Constitution. Somehow they found them. Thank God they found them. But they would not want to find education.

Then, wealth is not a suspect category. Now, that one I probably understand where they went with that one a little bit more than other areas because it is hard to define that. But Justice Marshall defined it very well. He just said, if you live in a poorer than average school district, and your district doesn't have enough to provide you with a decent education, then you're in the class. And made perfect sense to me but not to all the rest.

Now, then you remember they admitted in Rodriguez that if they applied strict scrutiny, that Texas would lose. And the person who argued the case for Texas, Charles Allen Wright, who was a professor at my law school, UT, he convinced them that if they went with the plaintiffs, they were going to open the doors to the end of the world as we know it. He convinced them the federal courts would take over every school district, would take over every state, and did a very good job. And I think Powell believed him. But that was where they came from.

So he convinced the court somehow that the tax system and local control were sufficient interest-- local interest, state interest-- to support the school finance system under rational basis analysis. Well, if you know anything about school, certainly, if you know about Texas schools, that's all imagination. There's no real local control. School districts get to select the superintendent, and they get to fire the football coach, at least in Texas. I don't about your states.

So-- I mean, I love school districts. I represented them. I worked in them. But that's just the way it is. They don't have much power. They never did. They didn't in 1973. They didn't in 1989. And they don't now.

In fact, the states have much more central control now than they've ever had before because of the testing revolution. And by the way, my state governor, George Bush, learned about testing from Ann Richards, a Democrat Governor. George Bush picked it up as a Republican governor. And then he brought us the No Child Left Behind Act. So we all believe in that. So that was their rational basis.

The Marshall dissent is just genius. And I appreciate already some quotes from it. Let me just say, you can tell that he was the only one on there who knew how to try a case. And he was the only one on there who actually knew what happened when you're a poor person in a poor district. So God bless him.

By the way, I've been reading-- one other thing I liked about this sort of presentation is I get to read a lot. So I went back and read every word of Rodriguez, even the footnotes, which I hadn't done in about 20 years. And I'm so glad I have it. It just causes me real pain.

Anyway, so let's go ahead and talk a little bit about the facts of Rodriguez. So they did a lot of comparison comparing of Edgewood and Alamo Heights. So these are both school districts in my home county, Bear County. They're about five miles away from each other. And they are completely different worlds.

At the time, Alamo Heights was like 82% white. Edgewood was about 2% white. Alamo Heights, very wealthy houses, wealthy businesses, et cetera. Edgewood basically had nothing.

So those are both in the same county. And indeed, the plaintiffs did a lot about comparing the two. And it's very important to do that because there's no way you can say that these people in the same county had the same educational opportunities, just no way.

And they did a lot of statistics in the case. I'm not going to read the numbers to you. But Alamo Heights had twice as much money per student as Edgewood. And they had a lower tax rate. So that was sort of the guts of the case as it was in our Edgewood case. High taxes, low revenues. Low taxes, high revenues. It's a great deal if you can do it.

And by the way, also, in Marshall's dissent, he talked about the politics behind it. And basically, those who have privileges like that do not want to give them up. So every time there was an effort to do a lot in the legislature or in our litigation, the wealthy districts and their very good lawyers and very good senators stopped it. And it wasn't until the Supreme Court finally took it on that we finally did something about it.

Now, there's another-- there's also a lot of-- I mean, just when you read it, I would just loved to have cross-examined Powell. I just didn't get a chance to do it. And that's why I was so sorry Marshall wasn't at the argument. I could just imagine the colloquy between the two of them.

But he said, well, there's no proof that money really matters to education. I mean, education is very important, but there's no proof that just because you have more money you can have a better education. So why is all the complaining about money for God's sakes?

Well, because it does matter, of course. We all-- anybody who's ever been to a school, everybody who's ever tried to buy a house, go to school, hire a teacher knows this, but he didn't know it. Because one-- some people had written had written studies showing-- and indeed, the statistics are hard. Those of you who's ever done educational research, I know some real educational research is here. It's hard to do it. There's so many variables.

And if you've ever taken a statistics course, it's very hard to control for everything. So when we did the Edgewood case, we tried to do all these cross correlation tables. And the correlation's a little bit, yeah, 0.3, 0.4, 0.5. It's very hard to show any one particular variable matters.

But nevertheless, Powell said no proof that money, more money gives you better education. He said, there's no proof that more poor people live in poor districts because he looked at New Jersey for God's sakes. You know, Newark, I guess had lots of poor people but was very wealthy. In Texas, there's almost a perfect correlation between poor people and poor districts. There's almost a perfect correlation between Latinos living in poor districts.

And there were two at the time-- we did the case-- there were two African-American districts in Texas. They were also both very poor. So we all know that, but he didn't. And he relied on-- like, one was a Harvard Law Review note he relied on. I mean, if one-- if you're a law student, don't put that in your

papers. Your professor is going to see through that. At least, I hope so, and not let you get by with it. But Powell did it.

OK, so those things about education not a fundamental right and wealth is not a suspect category caused real damage. And just-- you know, I lived it because this happened in 1973. I was in law school. I remember reading the case. And I said, my goodness, this is really not a good thing.

Now, I come from Texas, the state of LBJ, so that's not exactly what I said, but I'll fill in the details since I'm being taped. But I didn't say, my goodness, and I didn't say this is certainly inequitable. But anyway, I read the thing, and that's one reason I wanted to be a lawyer. It's just so bad.

But between Rodriguez-- the record in Rodriguez was in 1969, 1970. And Edgewood, which is 1989, there was no real improvement. I mean, the system didn't get any better. The system remained bad.

And so as we did the state case in Edgewood. And again, it's easy for me to say because I did that case, so I know a lot about that one. And I read Rodriguez several times as I was preparing it because I said, you know, there's so many holes in this record. We're going to do better.

And not only did I read it, but Dr. Albert Cortez read it. And IDRA and Dr. Jose Cardenas read it. And Craig Foster, our expert, read it. And they knew where the holes were. So we filled all the holes.

We did not let them get by with the sample of 100 districts of the 1,000 in the state. We did every district. We didn't let them get by with saying, well, this is just a small district. This is a big district. We cut it every way you could. And we put all the people in all the school districts in all the computer wizardry and came up with about 200 or 300 exhibits showing poor districts had less. Rich districts had more.

And I had this expert, Craig Foster, who was very elegant in his language and would say this is support for the proposition that there is an inequity among the distribution of the tax rates among poor versus rich districts. And if you analyze it in quartiles or in deciles. And I said, the poor have more? No, poor have less. Rich have more? Yep, rich have more. OK. So that was my dedication to the lawsuit. That's the only thing I did. But, OK, and Albert Cortez talked about the history of it. He talked about bilingual education, et cetera.

So what did we look at? We looked at every district. We had maps of districts.

Now, every state has their anomalies. Texas-- we love Texas-- had maybe more. We have counties with 500 people, with maybe 500 students-- 200 students-- and one district-- all over Texas there were these examples. There was a district in Kleberg County-- I know I have somebody from the valley; she might get this-- which is where the King Ranch is.

And the Santa Gertrudis school district had a tax rate of \$0.10. That's \$0.10 on a \$100 value. The Kingsville district was in the same county, and they had a district of \$1-- 10 times as high.

Kingsville spent \$3,000 a student. Santa Gertrudis spent \$10,000 a student-- in the same damn county. And to make it worse, Santa Gertrudis didn't even have a high school. They had to send their kids to Kingsville to high school.

Santa Gertrudis basically was a tax haven. Tax havens were one of the major reasons for the Texas school finance system. And of course, this was in Rodriguez, as well as when we did our case. Basically, the people who owned oil or lots of cattle-- and then, if you have more oil and cattle than kids, you basically had a tax-haven district. And they existed all over the state.

So we put on maps. We had hundreds of maps of all the counties and the obvious distributions. Now, the Mexican-Americans race case, let me just say that I know dropped the ball on this. And I think the people in Rodriguez did, as well. We put on some record on it. The fact is, Mexican-Americans live in the poorest

districts. And that was true at the time of Rodriguez. They just didn't develop that case that much but looked at it this way--

If you look at all the 100% of districts, you look at the poorest 5%, they're 95% Mexican-American, in a state that, at the time, was 30% Mexican-American students. So they were almost all Mexican-American. And the other 5% were some African-Americans who lived in those districts. There was almost no white people in the poorest 5%.

In the richest 5%, there were about 20% Mexican-American and-- again, compared to 30% for the state. But those people were basically farm workers or oil-field workers, in these super-wealthy districts. But basically you had 95% in the poorest. Also, 85% of the kids in the poorest districts were poor. And we had examples of that.

So we didn't have the other distributions that Powell played games with in the opinion. Because 85% of the people in the poorest districts were poor. They were on reduced-cost lunch. "Compensatory education" is the language we use for it. And in the richest districts, only about 20% were poor.

So it's all there. And so we developed this. And I think we proved that. But the problem with the Mexican-American issue is-- and it's one of the what I call "intractable problems," and also with African-Americans-- and I'm not sure it's a problem; it's a reality-- is that there are a lot of minority kids in large, urban districts that are not poor.

So indeed, if you really take money from the rich to give to the poor-- by the way, Albert Cortez and I designed the first Robin Hood plan in Texas. I'm glad to talk to you about that if you're interested in Robin Hood. If you really want to do that, you could conceivably hurt the wealthy districts.

And I know she talked about Justice Powell. He was very concerned about that. He was worried that the state of Virginia would have to have everybody at the level of Arlington, Virginia-- very concerned about that. I guess he was on the board of education in Richmond. He was on the State Board of Education in Virginia. And he was very concerned about that.

He said, I'm worried about their taking money away from the minority kids in the rich district. Well, minority kids get to be used as excuses for all sorts of inequities. I mean, not only are they treated badly; they're used as excuses. And that's what happened in this case. So he was very concerned about it.

Let me tell you one more thing I think. And I'm sitting here at the University of Virginia. By the way, y'all have a nice law school. It's not as nice as Saint Mary's. I will tell you that. And we do accept transfers. I have some applications. Beautiful place.

He was concerned that this theory of equality among school districts could even be applied to higher education and that someone might want to challenge the University of Virginia-- god forbid. I expect-- any moans, here? --the University of Virginia, to try to take money away from the University of Virginia, to give it to poor universities in the state. So he said, where does this stop, this equality [LAUGH] STUFF? You never know where it's going to end. We'll all end up in hell, I'm sure.

But he was very concerned with that. And let me say this. I think he was right about that, because I filed a lawsuit in MALDEF to try to equalize funding in higher education, and we indeed did take money away from the wealthier, Anglo universities and send it to the poor, Latino and African-American universities. So it did happen.

And I think maybe he was prescient. He saw that coming. But he's very concerned about it. So all those things were concerned.

Now then, there also-- and I appreciate the candor of your remarks. Thank you very much. He was also concerned literally about the communist influence-- that if the federal courts took over, that was central control, and that would have a system where the state would control everything that happened in schools. And god knows where that would end. Then the US courts would control everything that happened in schools. That was a great concern.

Well, anybody who knows anything about education knows that's sort of the way it's happening now. And thanks to my governor, Governor Bush, the federal government has more control over state curriculums than they ever have before, because of all the testing.

But he was concerned about it. But I mean, going as far as communism was a little crazy. There was a book out, I guess, in the '60s and '70s, about something about "what Ivan knows that Johnny doesn't." I'm sure I got the wrong name. But basically they were worried that the Russian education system was better than the United States system. We need to maybe learn from them-- before they decided that it was a terrible system.

But the fact is, our system now is much closer to the way the Russian system used to be. In Texas, everything you study in every year is basically controlled by the state, because either directly by curriculum or indirectly by test. So maybe he was prescient, and I saw something about that.

Let me talk to you a little bit about funding. And this is another thing we looked at, as we developed Edgewood, but it was the weakness in the Rodriguez lawsuit, and it's the weakness in the Edgewood lawsuit as well.

They talk-- you know, you can pick apart parts of the system of school finance. You can look at what they call the "state foundation programs," here. And basically, the states do a pretty good job, up to a certain low level, on equalizing revenues.

The problem is, once you get above that, it's completely unequal. So in Texas, once you're above the state system, it was based on wildly varying tax rates-- wildly varying revenue streams. So anytime you got outside the state system, anytime you get to an area where the state isn't sort of guaranteeing some revenue, it's completely inequitable. And of course, at the time of Rodriguez-- they didn't even think about this-- buildings were all done locally.

So, to put it in some perspective, getting into some of the facts in Edgewood-- Edgewood could raise \$2 a student for every \$0.01 tax rate. Let me put this in perspective. The states were spending about \$3,000 a student. Edgewood could raise \$2 for every \$0.01 tax rate. So, for \$1, they could raise \$200. Again, \$3,000 they needed was the average for the state.

So they could raise nothing. So when it got to buildings, they had no potential. They had no ability to raise money.

So that's where it hits you-- of buildings, and also in extra programs in-- "enrichment programs" was the little euphemism they used-- basically, giving wealthy districts the ability to have more than poor districts. That was true at the time of Rodriguez, and they never really noticed it. So.

So let me give you an example. I did I did argue these cases-- real proud of it. Everybody has their one or two good days, and I had one good day when I argued Edgewood won. And we won-- 9 to 0, by the way, because it was six Democrats and three Republicans and all went together. This is a bipartisan effort.

And I argue this. And I think maybe this brings it to bear. I said, let's say that you have two superintendents. You have Mr. Vasquez, who's the superintendent of Edgewood, and you have Mr.

Power. I'm not making this stuff up. The name of the superintendent of Highland Park-- very wealthy district-- was Mr.-- Dr. Power.

OK, Dr. Power versus Mr. Vasquez. And each one of them wants to have a program for dropouts. And it would cost \$500 a student. In Edgewood, you need to have a tax rate of \$2.50, when the average rate was \$1, just to afford this new dropout program. In Highland Park, you could do that same dropout program for \$0.05 tax. So, 50 times as high for Edgewood to raise the money as for Highland Park. Who has local control? I mean, who has the ability to come up with the new programs for their kids? Obviously, Dr. Power did, but Mr. Vasquez didn't. So that was one of the bases for our case.

OK, let's talk a little bit about the differences here. I talked about Justice Powell. I want to talk about my buddy Justice Mauzy for a second. Justice Mauzy wrote the Edgewood I opinion.

Justice Mauzy was a labor lawyer, and his law firm represented the African-American plaintiffs in the Dallas desegregation case-- *Tasby versus Estes*, for those of you who know your desegregation law. And his firm fought that case out for 30 years. So that was his perspective.

He was a union guy. He was a desegregation guy. And he wrote the Edgewood opinion. And I think the comparison to Justice Powell, I think, is important because it certainly affected the way they looked at these cases.

So what did we get from Edgewood? Basically, in my mind, we reversed *Rodriguez* in Texas, because we based it on the state constitution. Some of you know, some of you don't, that every state has its own education clause. They all put high duties on the legislature to come up with a system.

In Texas, it's called-- you have to have an efficient system of school finance. And we used that to create our case, and that's what we won on.

Local control. Again, Justice Mauzy, by the way, in addition all the other background, was the chair of the Senate Education Committee in Texas legislature. He knows how you run districts. He actually-- born and grew up in a fairly wealthy district in Dallas, but he knew about local control, and we convinced that court that a good, fair, equitable system would not destroy local control; in fact, it would enhance it.

So, exactly the opposite of the things that Justice Powell and his majority made up. He said, look, money makes a difference. Now, again if you've ever worked in a school, you just have to realize that, that, if you have smaller classes, more teachers, more highly qualified teachers, more master's-degree teachers, new curriculums, new computers, better buildings, better security, better playgrounds, it matters.

Now, the problem is, there are exceptions. There are some districts that are quite poor and do exceptional things. I have a sister-in-law who's a principal in La Encantada, "the enchanted school district," which is on the border between Mexico and Texas-- La Encantada Elementary. They can see the wall from their school.

And they have a lot of-- "recent immigrants," I will say-- recent-immigrant students, and they do very well. They're always recognized in the Texas system, because she's a super good principal and they have a good district supporting her.

But, in general, the poor districts had less and had less quality. So we convinced them that money does make a difference. Here's a few more things that I think came out in the case which I think are important for those of you who maybe are from some urban-studies or development background.

This a cycle of poverty. And we had witnesses that explained this. If you have a poor district with high tax rates and old buildings and a bad reputation for schools, you don't attract upper-class housing. You don't attract good businesses. Because who would want to take a school and put a new office there? Or who



would want to move their plant there, or who would want to open their office building there? Who would want to move their employees there?

So you cannot attract the upper-income housing, the more expensive housing, the better property. And therefore, those districts stay poor, and the other districts get richer. So there's a clear cycle of poverty. And in addition, let's just talk about-- again, I am Texan. I grew up there, and I understand this pretty well. Clearly, there's a history of discrimination against Mexican-Americans in Texas-- just no doubt about that. And that was one of the reasons for the Texas system.

Now, as I said, there are a lot of exceptions. There are a lot of wealthy districts that have some Mexican-Americans. But basically, when people in Texas talked about poor districts, they had a face of a brown, Mexican-American face. And I know I have Patty Rodriguez here. I'm not going to point out. She was one of the plaintiffs! Her father was one of the plaintiffs in the Rodriguez case.

That was the image they had of poor districts. And there was a lot of old-style racism. Their problem is, they don't belong here in the United States. They have families that are too big, and they don't care about education.

So that was an underlying factor in how these systems developed. Another one is just-- let me see. I think I'm about out of time. Just a few more minutes in the end-- was a story I like, because I like country music. I'm from Texas, after all. I also like conjunto music, but that's a separate story. OK.

So, country music. There was a battle on division of property. And the way these school districts happen in Texas was, local politics within the counties. The legislature would eventually pass a law saying, this is the Edgewood district and this is the San Antonio, this is the Alamo Heights district.

But there was a battle in the county. And they had a battle between a railroad line and public housing project-- one of the first public housing projects. It was in San Antonio-- Henry B. Gonzalez. OK.

So we had it. They fought over this. And what happened is, San Antonio had the political power, so San Antonio got the railroad line-- which, of course, was good property that you could tax and no kids.

Edgewood got the public housing project, which had no taxable property and lots of kids to educate.

So those are the sort of local battles that ended up in this crazy system. And the country-music line is, "we got a divorce, and she got the mine, and I got the shaft." So [LAUGH] that was sort of what happened to Edgewood.

So those battles went on all around the state. We had white districts that were insular, surrounded by poor districts-- Highland Park, where Governor Clements came from, and I forgot-- all the wealthy people have come from Highland Park-- is surrounded by the Dallas school district. If there were equity in school finance that would not-- they would take the advantages away from Highland Park. And what they're concerned about is, it could lead to consolidation, which is one of the real fears. Consolidation is sort of the third rail of politics in this area.

So-- final observations. We have more kids, thank goodness. Texas-- we're growing pretty fast. We have more responsibilities for schools. And thank goodness, my son teaches special education, for-- when I was growing up, special-education kids were never even allowed in the school, either physical or mental disabilities.

So they have to take these responsibilities. There are more bilingual-education kids. There are more cultures. There are more diversity.

Those all cost money, and you're going to need more money every year. And people don't want to pay taxes. So you've got a real problem here.

There's also this challenges from the alternative schools, I call them-- choice voucher-- I know one of your sessions is on that. And the fact is, the public schools don't really have enough, and to take money away from them really doesn't make much sense. On the other hand, they can straighten up their acts, and maybe a little competition will do them some good.

On the other hand-- end with a positive note-- we a lot more about kids. We a lot more about how kids learn. We have a lot more special programs to help kids with special needs. And I see a bright future there.

So thank you all very much. I appreciate it. Look forward to the [? debate. ?]

[APPLAUSE]