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Governor Mike Huckabee

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COMMENTARY ON LEGISLATIVE EDUCATIONAL REFORM

Governor Mike Huckabee

We came into the 2003 legislative session in Arkansas with the opportunity to make historic changes in our system of public education. Unfortunately, the Legislature failed the test. I realize change is never easy. And I didn't fool myself into believing the changes in the public schools that must occur as a result of the Arkansas Supreme Court's ruling in the *Lake View*¹ case would come without a herculean effort. From the moment the ruling came down in November 2002, I've been painfully aware that the necessary restructuring of this state's system of public education might result in the loss of cherished traditions, school mascots and identities.

But as I reminded the Legislature in my State of the State address back on January 14, there's a parallel in Arkansas history to the changes we must make. More than three decades ago, I was entering the ninth grade in my hometown of Hope when we consolidated a former all-black high school with our almost all-white high school. I was one of the members of the student council who spent that summer holding meetings with student councilmembers from the all-black school in an attempt to ease the transition. The courts had ruled that this country could no longer tolerate a second-rate education for its African-American students. Here was the reality of the situation, a reality that really didn't sink in for me until years later: white students like me didn't have to experience nearly as much change as the black students. The black students were the ones who were called on to abandon their schools. They lost their mascots. They lost their traditions. They left the campuses with which they had long been familiar. In essence, they started all over again. I don't think those of us who are white fully appreciated the pain and sacrifice black families went through so their children and grandchildren could have a better life.

It wasn't easy. Those black families, however, wanted to ensure a quality education for those who came after them. They wanted their children and grandchildren to have opportunities they never had. I don't want to equate our current education reform efforts in Arkansas with the incredible sacrifices faced by those who broke the shackles of segregation in the South. But I still believe there's a parallel here we should ponder. To do what the Supreme Court has ordered, we asked some Arkansans to give up a little of what they've been accustomed to receiving. It hasn't been an easy pill for everyone to swallow. I was prepared for negative reactions. Yet I had hoped our legislators would have the courage to lead. I had hoped they would have

1. *Lake View Sch. Dist. No. 25 of Phillips County v. Huckabee*, 351 Ark. 385, 94 S.W.3d 340 (2002).

the nerve to say we'll follow the law as interpreted by the Arkansas Supreme Court. As officeholders, we can't allow some negative phone calls from home to deter us from our mission at a time like this. On January 14, I was hopeful we had embarked on a landmark mission that would result in a better school system for Arkansas children. I would learn the hard way that a majority of legislators are thinking about the next election much more than they're thinking about the next generation.

I had hoped—perhaps naively—that the members of the 84th General Assembly would understand the implications of the *Lake View* case. We can't afford as Arkansans to tell ourselves that minor modifications will satisfy what we're under a court order to fix. In his 1923 inaugural address, Governor Thomas McRae had this to say: "Many of the school districts have inadequate equipment and unsuitable buildings, and no funds with which to provide them. Many of those that have good buildings are so involved in debt for them that when they pay the interest, there is no money left to pay the teachers. Never before in the history of our state have the people been so interested in education as now."

Governor McRae made those statements eight decades ago. All the governors who have followed him have made similar comments about our schools. All of them talked in their State of the State addresses about their constitutional responsibility to provide an adequate education for the children of this state. Still, we've made only minor adjustments through the years. My dream was that this General Assembly would not just be another footnote in the pages of Arkansas history. I had dreamed it would do more than give lip service to the issue of education reform. I had dreamed its members would step up and fulfill the constitutional mandate for a quality education for every boy and girl in Arkansas. I had dreamed they would rise to the occasion. But during the regular session of 2003, there were few profiles in courage. The dream turned into a nightmare.

Months after the *Lake View* ruling, it doesn't seem to have sunk in yet that the Supreme Court is demanding the most dramatic changes in Arkansas public education in our lifetimes. In essence, local control of public schools was eliminated when the high court issued its November 21, 2002 ruling. It's simply not realistic to pretend we can continue to exist under the current structure. There are times in the life of every institution when it must take steps to reinvent itself. For the institution of public education in Arkansas, this is one of those times. For the first time, the state rather than local school districts is being held directly responsible for all aspects of our children's education. The status quo isn't an option.

Let me quote from the Arkansas Supreme Court ruling: "We rejected the argument of local control . . . It is the General Assembly's constitutional

duty, not that of the school districts, to provide equal educational opportunity to every child in the state.”²

Those who claim they'll maintain local control will do so in clear defiance of the court. Please understand that I was long a proponent of local control. If a school district could meet the standards and its citizens were willing to support their schools with locally approved millages, I felt the state should keep its hands off. The *Lake View* ruling forced me to abandon that position. I didn't suddenly wake up one morning and decide I was going to craft a plan to make as many Arkansans as possible angry at me. I was a defendant in the *Lake View* case. I lost.

I read the *Lake View* ruling when it was issued. I read it again. Then, I read it a third time. It was written in language laymen could understand. The Arkansas Supreme Court told us that we don't spend enough money on our public schools and what we do spend isn't spent fairly. The court gave us until January 1, 2004, to fix the problems. It told us that we could no longer cheat children out of a quality education because of where those children live. Every child in every district is entitled to the same quality education, no matter how much it costs the taxpayers. Just sixteen days before that ruling, the voters of Arkansas had placed the mantle of leadership squarely on my shoulders for another four years. I took an oath to uphold the Constitution of the State of Arkansas, and our highest court has told us in no uncertain terms it's the duty of the state to ensure equal educational opportunities for all students. The 135 legislators bear the same responsibility I bear. All officeholders must realize this isn't a matter of what we like or might want. It's a matter of complying fully with the orders of the court. And it's not a question of just spending more money on public education. If all you do is pour more gas into the same old vehicle, you really haven't improved your mode of transportation. You need a more modern vehicle.

I'll admit there are things we probably wouldn't have tried to address as a state absent the Supreme Court ruling. The court, though, was direct and forceful when it declared that the state hasn't fulfilled its constitutional duty to provide the children of Arkansas with a “general, suitable and efficient” system of funding its schools. It's not as if we've ignored public education in Arkansas in recent years. In 1998, the state began a journey down the road to education reform with the Smart Start initiative. Elementary schools strengthened their efforts and placed a stronger focus on reading and math skills from kindergarten through the fourth grade. Two years later, this intense focus on reading and math skills was expanded to grades five through eight with the Smart Step initiative. On January 8, 2002, I unveiled the Next Step initiative, which was designed to build on the success of

2. *Lake View Sch. Dist. No. 25 of Phillips County v. Huckabee*, 351 Ark. 31, 70, 91 S.W.3d 472, 499 (2002).

Smart Start and Smart Step. In the lower court ruling in the *Lake View* case, Judge Collins Kilgore acknowledged some of our accomplishments. But he said we must do more—much more.

In addition to the *Lake View* ruling, we must meet the mandates of President Bush's No Child Left Behind program, which will force states to spend more money in return for the federal dollars they receive. The federal law requires states to test students in the third through the eighth grades in reading and mathematics each year, beginning in the fall of 2005. Schools that fail to improve after two years must provide transportation costs to transfer students to better-performing schools. After six years, underperforming schools could be forced to shut down and reopen with new staff. The National Conference of State Legislatures has estimated the federal legislation could cost \$7 in state money for every \$1 in new federal funding.

Arkansas is far from the only state to have faced a court mandate to reform its system of public education. Since 1989, twenty-one states have had their school funding systems declared unconstitutional based on "adequacy" clauses in their constitutions. In Wyoming, lawmakers appointed a group of school experts to determine what constitutes an adequate education and how much funding would be needed to meet those requirements. Ohio based its reforms on what was done in successful school districts and defined an adequate education as one that meets the performance levels of those districts. In New Jersey, the state looked at costs and needs, based in part on the demographic differences among school districts.

One thing I've fought all year is the inflamed rhetoric of those who claim we're somehow trying to destroy life in rural Arkansas. I hope most Arkansans can see through this rank demagoguery. It's a ruse. Allowing a child to attend a high school large enough to have a broad curriculum does nothing to adversely affect the child's ability to enjoy life in rural Arkansas. To the contrary, a quality education will enhance children's lives and therefore enhance the quality of life in the rural areas where they live. The child who receives a first-class education will be able to earn more as an adult and therefore be able to devote additional time and money to churches and community organizations in the rural areas that child will continue to cherish. It has been a lengthy public education process. But we must overcome people's inherent fear of change.

Earlier this year, I was wrapping up a one-hour call-in program on the Arkansas Radio Network when I took a call from a girl in Gillett named Heather. Gillett, a farming community in southeast Arkansas, is one of those Arkansas places I love to visit. I've spoken at the Gillett High School graduation ceremonies. I've attended the Gillett Coon Supper and even taken the governor of a neighboring state there with me. I've often fished and hunted ducks in the area. Heather had this to say: "I'm a student from a small school and our test scores are high and we're successful. Why would

you want to close something like that? Why fix something that isn't broken?"

I explained to Heather that I have no intention of changing the things in this state that aren't broken. But those high schools that aren't able to offer a full, rich curriculum simply won't be able to exist if we're to comply with the orders of the court. I desperately want Heather and all the students like her across this state to have access to an education that will allow them to compete with anyone in the world. That should be our gift to the children of Arkansas. But I must continue to fight the misconceptions that are exacerbated daily by the demagogues. For example, a lot of people don't realize that all schools serving students from kindergarten through the eighth grade will remain intact under our plan. Only about ten percent of Arkansas students might have to change schools. We must let the people of this state know that the "C word" is curriculum rather than consolidation. Every student in Arkansas deserves access to foreign languages, calculus, advanced placement courses, quality art programs, topnotch music programs and the like. We have to ensure that every student who wants to succeed has that opportunity. The Arkansas Supreme Court has told us it's more than a goal; it's a constitutional obligation. The child in Eudora is entitled to the same education as the child in Rogers.

I'm often asked how much money our plan will save. There's no doubt we'll be able to transfer money now spent on duplicative administrative efforts into the classroom. Frankly, though, the issue is about more than saving money. It's about providing children the education they deserve. If people are focused solely on saving money, they're focused on the wrong thing. The reason we need high schools of a certain size is so those high schools can offer all of the programs I talked about every year to every student who desires access. We must give Arkansas students the type of education they'll need to survive in the competitive world economy in which we now find ourselves. That has nothing to do with saving money. If saving money is our only goal, we're as sadly misguided as those who simply want to maintain the status quo.

I'm also asked about the sports programs that might cease to exist. Anyone who knows me knows I enjoy sports. Sports are a vital part of the overall school experience and help increase community involvement in the public schools. Here's what I don't want to see: I don't want to see a kid who was a sports hero at age seventeen but isn't qualified for a successful life after school. I don't want to see an adult who's left with nothing but memories of what he used to be. I don't want to see someone who still has his letter jacket but can't afford to make payments on the family car because we didn't prepare him properly in school. That's one of the saddest things I can imagine. I think there are a lot of Arkansans who get it. But they're scared to speak out because of the intensity of the rhetoric from those who

support the status quo. I hear from them, though. They write me. They send me e-mails. They come up to me at public events.

For instance, I received a letter from a public school teacher who wrote that she's a "longtime independent who has been openly critical" of me and my administration. As a critic, the teacher said her correspondence had been difficult to write. But she went on to say: "You're doing the right thing. Don't let the doubters wear you down." She has been a teacher for twenty-nine years. She said she's tired of watching governors and legislators "mortgage our children's future." Then, she added, "In today's world, a child without a decent education is a liability to himself and to society at large, and we can't send him out to plow the back forty acres anymore. . . . We can and should expect more of ourselves and our students. How can the responsible adults in Arkansas be so shortsighted? How can a legislature respond to such faulty reasoning?"

I also received correspondence from a prominent university official in our state who believes the large percentage of Arkansas students who enter college requiring remediation has created a massive inferiority complex among our students. That university official wrote, "There have been times—many times—when I've been so frustrated that I've felt the only alternative is to scrap the whole thing and start over. Finally, with the governor's plan, I've found hope. In the basic elements, I believe it's a brilliant concept. It allows quality to be the driver. If small districts measure up, they'll survive and prosper. But the time will finally come to an end when an entire state looks the other way when we see educational shortcomings that are robbing our students of the opportunity to break the cycles of ignorance and poverty."

He added this: "Please don't be swayed by those who believe that incremental change or delayed action will bring about the desired results. This is our chance to finally get it right. So my advice, for what it's worth, is to greet the anti-reformers in the hallways of the Capitol, smile at them, be gracious, hear the arguments and then think only of the children throughout the state."

To those students across this state who have been called on by administrators and parents to rally against reform, let me make clear that we're not going to tear down your schools. It's all about opportunity—the opportunity for a child to come from anywhere in Arkansas and compete against students from anywhere else. I'm sorry that every school doesn't measure up. Our test scores reflect that fact. Let me share one more e-mail I received. It was from a thirteen-year-old student who participated in a rally at the state Capitol. He wrote this: "Schools in Arkansas have had a lifetime to provide a better education to us. Our school is lacking so many, many things. Some seniors in our school don't know simple math and writing skills. Yet they still graduate. Students are pushed through our system. It's getting worse. I don't want to graduate knowing I had a chance for a better education.

You'll get a lot of resistance. But unlike the governors before you, you must finish the job and put our schools back on track. I trust you with the task at hand. I trust that you'll do what it takes. Because when I grow older, I want to be proud I received my education in Arkansas."

We can't afford to continue to fail as we failed in the 2003 regular session of the Arkansas Legislature. We have an obligation to that thirteen-year-old boy and all the boys and girls like him in the seventy-five counties of Arkansas. We must somehow find the resolve to do what's necessary so another Arkansas governor won't be talking decades from now about how we failed to live up to our constitutional duty to provide an adequate education for our children. Finally, we have a chance to do it right. A year after the *Lake View* ruling, though, the question remains this: Do we have the political courage?

