



## **St. Cloud NAACP (Unit #4054)**

*February 12, 2019*

St. Cloud NAACP has initiated a suit to enforce the education clause of the Minnesota's Constitution. Our complaint seeks to foster fundamental change for the children that Minnesota's public schools have been leaving behind for far too long. Many are students of color, lower income students, English language learners, first generation students and students with the reading disability called dyslexia.

In 1993, the Minnesota Supreme Court held that Minnesota's constitution requires the state to fund public education at levels required to meet all state standards. A year ago, the Supreme Court reaffirmed that holding. Despite those holdings, Minnesota has failed to take the necessary decisive action to direct adequate funding to the programs and initiatives which will meet the educational needs of the students Minnesota is leaving behind. To meet its constitutional obligation, Minnesota must increase its funding, but it must also assure that those funds are directed to programs and initiatives that actually work.

Minnesota's testing results show that when children get behind, they stay behind and begin to become disconnected from the education system that is leaving them behind. Minnesota has failed to respond to this simple fact. In 2004, Governor Pawlenty's School Funding Task Force warned that:

For large proportions of students to achieve at the Minnesota academic standards level, school funding will have to be directed to provide (1) earlier- in-the-life-of-a-student instruction primarily in the form of greater individualized instruction in the primary grades (kindergarten through 3rd grade) and (2) extended school day, school year, and school career exposure to systematic instruction.

Yet, very little has been done to heed that warning. Minnesota has abdicated its responsibility to allocate more funds, but its failure runs deeper than that. More funding must be directed to better teaching, individualized support, early interventions, staff development, parent involvement, and curriculum that works. More must be done to attract teachers of color and other properly trained teachers to work with the children Minnesota is leaving behind. Minnesota has to stop being comfortable with leaving children behind.

Fixing Minnesota's broken system means funding the true cost of meeting state standards for the children we are now leaving behind. The 2004 School Funding Task Force emphasized this simple fact:

Minnesota must adopt a learning-linked funding system that provided funding based on the actual cost of meeting state standards. ... {A learning linked funding system] should take into account the added costs included with relevant characteristics of each student (e.g., disabilities, poverty, school readiness, English language learners, and student mobility).

Our litigation is not a criticism of the teachers, board of education, or its superintendent. The state must give them the resources that they need to do their job the way the constitution and state law required. Minnesota does not base its education budget on the cost the programs required to meet mandated state standards. A glaring example of this fact is that the cost of mandated special education alone, costs \$1.5 billion per biennium more that the funding provided to districts for special education. The underfunding in St. Cloud is manifested by these and other facts:

- Minnesota annually leaves the St. Cloud District with a **\$12 million special education funding deficit**. That deficit subtracts from the school district's ability to provide all students with the education that they deserve.
- Although St. Cloud's English language learner and free and reduced lunch demographics are comparable to the Minneapolis school district, its funding is not. If St. Cloud received the same funding per pupil as the Minneapolis school district St. Cloud would have **\$30 million per year in additional funding**.
- The average special education student in St. Cloud is **underfunded by \$5700 per student**. The average special education student in neighboring districts is underfunded by \$3700. These funding rules are slanted and irrational, and harm the districts with the greatest needs the most.
- Minnesota provides **no funding for mandated dyslexia education** to St. Cloud, but the estimated cost of meeting state mandated dyslexia education is over one million dollars. Over 70% of struggling readers have some level of dyslexia, yet the State has no effective program to assure that all students with dyslexia receive appropriate instruction.
- St. Cloud's **funding deficit in English Language Learner programs** mandated by the State is significantly greater than \$1 million. Minnesota's underfunding of the LEAPS initiative is slanted and irrational and harms the districts with the greatest need the most.

Our litigation seeks more funding, but also assurance that the additional funding will be directed to programs that work for the children Minnesota is leaving behind. Further contact, NAACP-Denise Fale (leango@aol.com), Jerry Von Korff 320-251-6700 (Rinke-Noonan).