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Are being taken through September 28

AR Photography 707 Texas Ave Suite 120B Monday-Friday 9-12;1-5

'91 '91 '91 '91 '91 '91 '91 '91 '91 '91 THE NEXT TIME HERBERT WANTS ANOTHER CARD, HE'S NOT GOING TO SAY 'HIT ME.'

School district officials said the were unaware of the shows until complaint was made last week.

## Ruling revives school finance issue, gives legislators year to reform system

AUSTIN (AP) — The Texas school finance system is still unconstitutional despite lawmakers' efforts to reform it, a judge ruled Tuesday. Gov. Bill Clements said the state

would appeal. State District Judge Scott McCown said the \$14 billion-a-year system doesn't give all schools "substantially equal" access to funds for a similar tax effort.

McCown gave lawmakers another year to change the school finance system, which relies on state aid, local property taxes and some federal money. The current system will remain in place this school year.

"In short, what the rich districts spend creates educational opportunities for their children that are denied the children of poor districts,' McCown said.

"Under Senate Bill 1 (the reform plan), the rich districts are left rich,

"I don't agree with his (McCown's) judgment at all," Clements said. "He's a young judge. Perhaps the Supreme Court in its review will re-consider that opinion " consider that opinion." State Education Commissioner

W.N. Kirby said McCown's 52-page opinion doesn't give Texas enough direction on how to fix the system.

Attorney General Jim Mattox said he hasn't decided whether to appeal, but he agreed with Kirby that the court's ruling "offers us no real guidelines.'

Mattox said he would talk to other lawyers in the case and the Texas Education Agency before deciding whether to appeal. Kirby said he would ask Mattox to appeal the ruling.

"It's a big decision for us, because if we're not careful, we can be put back in the same kind of posture that we have been in the past, where the Legislature can use the excuse of not having a final order before they start really trying to adopt a new plan," said Mattox, a Democrat who leaves office in January.

Rick Gray, a lawyer for poor school districts that challenged the school funding system, applauded McCown's ruling. He said the judge did "a very exhaustive, thorough analysis."

"Under Senate Bill 1 (the reform plan), the rich districts are left rich, the poor districts poor"

## — Scott McCown State District judge

"We think it's a great day for all school children and we hope the Legislature will set about the task of fixing the system in the future," Gray said. The school finance plan was

adopted by the Legislature in June.

Lawmakers raised taxes to add \$528 million for public schools in 1990-91, calling it the first step to achieving equity. The legislature also made other reforms, which backers said would improve education, that were not addressed by McCown's ruling

But poor school districts chal-lenged the plan. They argued that it is no different from the old system

scrapped last year by the Texas preme Court on a 9-0 vote.

A House Public Education (a mittee member blamed Clements blocking an alternative finance p which the lawmaker said poorso districts would have accepted. C ents killed that proposal by veto taxes needed to pay for it.

"It's entirely because of & Clements' foot-dragging and the publican legislators who upheld veto that we're back in the again," Rep. Paul Colbert, D-H ton, said. "And we're literally a to turn over the keys of the school room to the courts.

Clements said he wasn't surpris at Colbert's remarks, but ded further comment. Aides said Cle ents, who leaves office in Janua isn't considering calling another cial session on school finance.

McCown said he has "more for the leadership and ability" of next Legislature and governor, a elected in November.

The judge said if the Legislan fails to devise a constitutional sch finance plan by Sept. 1, 1991 would consider stopping the spe ing of state and local tax money ordering how the state should spe school funds.

Education Commissioner Ki noted lawmakers will be looking budget shortages for state sen when they convene in regular sion in January. That means a school finance plan could put money than the current one, he

He said that after McCown's sion, leaders must again examin tions including school district com idation or caps on local spending