

## Missouri Fiscal Equity Plan

Charter schools are mis-funded and schools that serve children most in need are often most likely to fail in states without strong funding mechanisms and strong laws to protect them and ensure quality. Despite contrary belief, most states do not provide equitable funding streams to public charter schools. Language in statutes addressing charter school operating funds is often deliberately vague. This behavior leads to loose interpretation by those making financial awards to charter schools. While some charter schools carefully monitor every dollar they receive to ensure complete delivery of what they are entitled to, others receive and utilize their funds without realizing they have been shortchanged by those controlling the purse strings.

The ultimate goal of this fiscal equity campaign is to organize and file concurrent lawsuits in three states, Connecticut, Georgia and Missouri that will challenge the way in which these states provide funding to charter schools and to ensure that these schools receive every dollar they are entitled to. In order to maximize the exposure of these efforts, the launch date(s) will take place at the same time the state legislatures within these states are convening.

### Launch

Lawsuits will be filed on the same day in all three jurisdictions. Rallies and press conferences that will draw attention to these efforts will also take place (where possible) on the same day. Seeking to maximize pressure on legislators and to highlight to the general public how important legislative action is to this problem, both the rallies and press conferences will take place on the steps of the State House in each respective jurisdiction. In the event that the starting dates of the legislatures vary, a median date will be selected and will coincide with the day that all three lawsuits are filed. Rally would be comprised of disenfranchised charter school parents, staff and students demanding the rightful monies they need in order to perform their basic duties. (Where possible, a rally date that would not conflict with a school day would be sought in order to minimize negative feedback on students missing out on their education. Another approach to this would be to have parents speak to the fact that they are there to represent themselves and their children who are being educated today at school XYZ.) Participants would be bussed to the State Capitol and provided with placards proclaiming the message that will be selected for the campaign. Each group of 25 or 50 participants would be tasked to a rally captain who would structure proper chants and messaging at appropriate times. Rally captains would be supervised and prepared for this event by a Rally Coordinator. Speakers should include: the President/Chairman of the Parents for Progressive Education; one or more legislators in support of the campaign; one or more disenfranchised charter school parent or student. Remarks will focus on the primary goal of receiving the same level of funding that other public schools already get. No one is asking for anything unreasonable. Fair is fair and this campaign is not centered on any

outlandish requests for funding. Remarks should also highlight the need for consistent and above board behavior on all charter school related issues. The viability of these schools is evident and being treated as second-class experiments harms not only the students within the schools, but also the communities that house these schools and their families.

### Legal Foundations and Why

Initial research efforts into this campaign focused exclusively on identifying constitutional provisions that would indicate that charter schools were not being properly funded. None of the background conducted yielded a definitive stance on this issue and we were forced to re-examine our approach and utilize a different strategy. Working with Gibson, Dunn and Crutcher, LLP, a firm founded in 1890, we laid out our goals and shared the strategies we were utilized for these efforts. They agreed to join our efforts and re-visit the issues anew in the hopes of discovering a more concrete approach to our legal strategy. It was after this that we came to the conclusion that we had to approach our campaign from a statutory perspective. Identify what the statute reads on what schools are entitled to and how they receive it. Once done, individually poll, survey and question schools to ensure whether they are receiving their funds in the way that is mandated by statute. (Please see research component for a more in-depth explanation of this strategy) CER will provide continuous support and necessary research to counsel. CER will introduce legal team to plaintiffs and have them receive a walk through of what lawsuit will entail directly from the attorneys in order to offset any concerns or hesitation they may have. Plaintiffs will be more confident once they have formulated a relationship with the professionals who will be advocating on their behalf.

Other charter groups across the country would also be involved via legal means. Some groups might file amicus briefs, hold conferences and spur their own legal efforts modeled on the approach we utilize.

### Research

CER will conduct in-depth and individual research via surveys and phone calls to all charter schools in Missouri. Our primary objective is to identify egregious displays of funding discrepancies to schools. Once such examples are found, we shall share them with counsel and demonstrate to schools and parents how this an unfair practice and why it plays a role within our legal efforts.

Also, an existing lawsuit is ongoing in Kansas City, Missouri that addresses many of the same issues we're focusing on. A summary of the lawsuit will be obtained and shared with counsel so that they may glean perspective on strategies and judicial response to certain actions thus far. The KCMSD lawsuit will serve as a barometer to our efforts so that our legal team knows the lay of the land as they commence their efforts in Missouri.

### Local Entity

Our non-profit entity on the ground will provide the public face for these efforts. The new entity is made up of Tim Barton, Mike Miroslaw and David Ferdman. It is called Parents for Progressive Education and will be chaired by Tim Barton. The board will discuss the necessary staffing plans and create job descriptions for managers and other needed staff for efforts. Hiring of staff should follow soon after an approved plan is in place. It is of vital importance to have teams in both locales due to the disparate geography of both charter school cities. The entire day-to-day operation of these efforts will commence from and be reported back to the local entity. All local support will be run through them and they in turn will be provided with any level of reinforcement necessary to ensure proper execution on the ground. It is imperative that the local entity be completely in charge of this campaign. All call inquiries and media requests may potentially be screened by CER but will be addressed locally by the forces on the ground. Parents for progressive Education will also be the primary point of contact to schools and parents in the neighborhoods. Their knowledge of the communities they serve is a great asset and will be extremely useful in terms of complimenting the grassroots and legislative efforts this campaign requires.

### Grassroots Efforts

CER will identify like-minded established local associations and grassroots organizations in St. Louis and Kansas City. Participating in meetings with said groups will yield additional help in the form of possible new supporters and with a potential pool of grassroots advocates to assist with our on the ground efforts. These partnerships may also yield potential plaintiffs as seen below.

Once our multi-state lawsuit is launched, grassroots groups will need to be educated on how to amplify the message that the lawsuit seeks to make in pursuit of equitable funding. A strong grassroots organization will play a crucial role in our legislative component of this plan.

Grassroots coordinators will organize meetings of residents in targeted areas. Working with schools, we will distribute proper invitations to parents in order to make them aware of our efforts (insofar as certain schools may have to take a more hands off approach to this campaign). The grassroots component will also assist in the organization and success of the kick-off rally.

A successful grassroots effort will yield a better-educated network in the regions we are working in for our lawsuits. These networks will demonstrate support for campaign and increase pressure on legislators for action

### Plaintiffs

Meetings will take place at schools that are engaged and interested in our efforts to illustrate our findings to parents. At these meetings, we will identify parents and students who would potentially serve as able plaintiffs. Personal experience stories would be collected and utilized in the compilation of our marketing efforts at a later date. CER will identify and interview parents and students who would serve as potential plaintiffs. We will track testimony regarding inequitable funding and link Gibson, Dunn and Crutcher with these potential plaintiffs. Final participants would be selected by the Board of Parents for Progressive Education. A "What to Expect" guide would be compiled for participating families and all parties will receive media training from CER. Talking points to be utilized by plaintiffs would be developed by Parents for Progressive Education and CER. Continued support to plaintiffs would be provided by both organizations through the life of the lawsuit. We will begin the lawsuit with a minimum of ten definitive plaintiffs from Kansas City and ten from St. Louis. Each pool should mirror the current demographic composition of the charter school population within each city.

### Legislative Campaign

CER will research and identify legislators who are sympathetic to charters. We will approach these legislators with our efforts and ask them to assist us in identifying other like-minded colleagues of theirs in order to bulk up our network of support.

Once identified, we will meet with and brief all sympathetic legislators and their staff on issues of funding discrepancies and provide them with toolkits of the issues involved and how the schools in question are being affected. If they know about the legal challenges ensuing in other states, their efforts are much more likely to gain traction since no one person will feel like they are going at it alone on a moot effort.

An inevitable but desirable byproduct of our lawsuit will be corrective legislative action initiated by the states in which we file lawsuits. Lawmakers are aware of how long it may take to successfully execute a lawsuit. However, in filing suits, we are demonstrating how seriously we are taking the issue. Pressure will be exerted on lawmakers pressing them to get involved. CER will provide model legislation to willing advocates that includes ironclad provisions to ensure equal funding for charter schools. We will meet directly with legislators to provide them with our research analyses and policy recommendations that will strengthen their charter school law.

CER will also organize instructional seminars for legislators in lawsuit states to hear from legislators in states where funding streams truly follow children. First-hand accounts of what it took to create these good laws is necessary to demonstrate to law makers how important taking a stand in their state will be to the educational futures of the children involved.

Lastly, we will schedule and participate in meetings between constituents and legislators so that lawmakers will be able to hear firsthand from plaintiffs and other affected parties. Legislators need to see and hear from the faces and mouths of those who elect them. All politics is local and law makers must experience and empathize with the plight of parents who want more for their children, with the struggle of schools who are trying to do it all with not enough funds and with the success stories of students who are thriving within these schools despite the obstacles. Establishing these connections will tie legislators into our issues in a holistic manner.

### Communications and Marketing

CER will formalize an extensive media and marketing campaign that may include but is not limited to: Billboards, Bus Ads, Website and Blog, Newspaper Op-Eds and Letters to the Editor and collateral pro-lawsuit materials to distribute in neighborhoods and businesses. Marketing campaign would also entail an expanded meeting schedule to disseminate information and solicit new supporters. Collateral materials such as posters, placards and law signs would be distributed to supporters.

Billboards in targeted communities with a motto along the lines of: "Why do I deserve less?" with children's faces on them and a line stating: "Voice your support for full and equal charter school funding", would be a preliminary shot across the bow from our efforts. The same message would be replicated and utilized on bus shelter and bus ads, a website and other collateral materials to be distributed throughout our targeted communities.

Editorial Board Meetings would be set up so that students, parents, educators, and legislators could sit with writers and editors to state their reasons for involvement within this effort. Human-interest stories that are culled and developed from our efforts would also be shared with reporters in the hopes of providing perspective to someone hearing about our efforts for the first time.

In the technological world in which we live, a website will be created to provide background on our efforts, enlist new supporters and solicit feedback from individuals on how they heard about our efforts and whether they're willing to sign on as volunteers for neighborhood work and rallies. A blog component would also be part of this plan. Hearing from other affected families and schools in lawsuit states and beyond would assist all facets of our communications and marketing plan.

We would also establish relationships with businesses on the ground in our targeted areas to advertise our programs through their marketing as well as hiring them to provide services to our effort. The events we hold will occur in

communities, taking advantage of community businesses such as restaurants, printers, entertainment service and even ay care providers.

Polling will also play a role in our efforts. It is important to survey public opinions on charter schools in the areas we are working in. What do people know? What are there opinions of them? Do they believe that charter schools receive equal funding? The data gathered would be utilized within our legislative and grassroots activities to demonstrate to community leaders and legislators what the public thinks versus what is actually transpiring.

## Proposed Timeline

### **October:**

- Discuss state staffing plans with Board
- Prepare and post job descriptions for Managers of day-to-day efforts in Kansas City and St. Louis
- Share results of funding research with attorneys and with school leaders and parents. Highlight and substantiate with evidence major funding discrepancies.
- Conduct meetings at individual schools to share relevant findings (*possibly November*)
- Identify vocal allies at meeting sites and solicit various opinions and perspectives from those in attendance. (*possibly November*)
- Obtain most current status update of KCMSD (Kansas City Missouri School District) Lawsuit. Assist counsel with obtaining relevant information on this case from participants on the ground.

### **November/December:**

- Interview and identify parents and students to serve as potential plaintiffs
- Select participants to be face of the lawsuit in both St. Louis and Kansas City
- Prepare "What to Expect" guide for participating families
- Commence media training efforts for participants
- Establish talking points for parents and students (plaintiffs)
- Identify and partner with local associations and grassroots organizations
- Participate in meetings and get-togethers of said groups and invite them and their members to our meetings
- Enlist help of groups to assist with our efforts
- Provide continued assistance to our legal team and local counsel
- Introduce plaintiffs to legal team; have plaintiffs receive walk-through of lawsuit from attorneys involved

- Conduct polling on charter school opinions
- Finalize all research and needed information for lawsuit
- Conduct research on and identify sympathetic Missouri legislators
- Brief legislators on their staff on funding discrepancies
- Provide information toolkits on issues involved and how they are affecting the schools in question
- Research and identify media outlets to utilize in Missouri
- Formalize media and marketing plan
- Construct website with blog functions as a tool for communication within efforts
- Identify newspapers to place Op-Eds and LTE's in
- Identify potential billboards and bus ads to purchase
- Print and publish materials to drop in targeted neighborhoods and businesses
- Expand meeting schedule; Conduct Parent Power Type meetings to disseminate information and solicit new supporters

**January:**

- File lawsuit on first day of Missouri legislative session (1/8/2008)
- Prepare logistics for participants and plaintiffs for State House rally
- Stage press conference
- Execute drop of pro-lawsuit materials at pre-designated places
- Distribute posters, lawn signs and placards for supporters
- Launch website and initiate letter writing (grassroots action) campaign
- Schedule and participate in meetings between constituents and legislators
- Encourage feedback from supporters on blog; invite schools to share their stories via the same medium