LEGISLATIVE OUTLOOK

SOUTHERN ECHO’S VIEW: 2017-2018
INTRODUCTION

• WHAT TO EXPECT: FORECASTING THE BAD
• EDUCATION FUNDING
• ACCELERATED CHARTER FUNDING
• CENSUS AND REDISTRICTING

WISH LIST: ADVANCING PREVIOUS LOSSES
VOTER RIGHTS
IMMIGRATION – SANCTUARY
THE FORECAST

OVER THE PAST YEAR WE SAW A RENEWED FOCUS ON CHANGING THE PUBLIC EDUCATION FUNDING FORMULA AND AN ACCELERATION OF DISTRICT TAKEOVERS...

SIMILAR TO THE WEATHER – WE KNOW – PUBLIC EDUCATION HAS NOT BEEN PROPERLY FUNDED BUT TWICE IN HISTORY.
EDBUILD STATES THAT “MISSISSIPPI’S ‘27% RULE’ CURRENTLY COMMITS THE STATE TO FUNDING 73% OF EACH DISTRICT’S FORMULA AMOUNT, A TARGET THAT FAR EXCEEDS THE NATIONAL AVERAGE OF STATE SHARE OF 46.7%.” THIS STATEMENTS IS ILLUSTRATIVE OF MAJOR CHANGE THAT WOULD EXTINGUISH MAEP.
WHY THE WAY WE VIEW THE EDUCATION POLICY DISCUSSION MATTERS!!!

• WHEN FEDERAL DOLLARS ARE ACCOUNTED FOR, MISSISSIPPI IS NOT REACHING 73% IN ANY YEAR. SUCH A CREATIVE LICENSE WITH THE FACTS IS MISLEADING AND PURPOSELY SHIFTS THE DEBATE TOWARDS A FORMULA THAT WOULD LOWER FUNDING FOR PUBLIC EDUCATION STATE-WIDE.
THE NEGATIVE IMPLICATIONS FOR LOCAL DISPARITY IN FUNDING

• THIS WILL CAUSE A SEVERE BURDEN TO BE PLACED ON SCHOOL DISTRICTS WITHIN COUNTIES AND MUNICIPALITIES WITH LOW PROPERTY TAX BASES. IT WILL ALSO SETUP A FURTHER DIVIDE BETWEEN HEAVILY POPULATED/GROWING COUNTIES AND MUNICIPALITIES AND DECLINING POPULATION/STAGNATE TAX BASES ACROSS THE ENTIRE STATE. MOST MISSISSIPPIANS CANNOT WITHSTAND TAX INCREASES OF THIS MAGNITUDE.
WEIGHTED STUDENT FUNDING. EDBUILD RECOMMENDS THAT MISSISSIPPI DISBURSE THE VAST MAJORITY OF STATE FUNDS FOR EDUCATION THROUGH A STUDENT-CENTERED FORMULA.

\[ \text{TOTAL TARGET FUNDING} = \text{STUDENTS} \times \text{BASE AMOUNT} \times \text{WEIGHTS} \]
WHAT THE FORMULA DISGUISES

• BY MOVING TO FORMULA THERE IS A TENDENCY FOR THE PUBLIC TO GLAZE OVER, PROVIDING THE NECESSARY COVER FOR “SLIGHT” REDUCTIONS, AND MOVEMENT AWAY FROM QUALITY;

• IT ALSO OPENS ALL FLANKS TO HEIGHTENED DISCUSSION AND IMPLEMENTATION OF ACCELERATED CHARTER SCHOOL GROWTH

• FINALLY, IT PITS GROUPS AGAINST EACH IN EVER DECREASING FUNDING POOLS AND DOES NOT ACCOUNT FOR ALREADY CRYSTALLIZED FUNDING DEFICIENCIES
WHAT IT ALL MEANS

• WE CANNOT ALLOW THE FRAME OF EDUCATION TO REMAIN ON FUNDING ALONG

• WE MUST EMPHASIZE THE QUALITY OF EDUCATION FOR EACH STUDENT WITHOUT REGARD FOR GEOGRAPHY

• WE CAN EMPOWER LOCAL COMMUNITY BY FOCUSING THE POLICY DISCUSSION AROUND QUALITY OVER FORMULA
THE FOG OF WORDS IN EDUCATION FUNDING

- MISSISSIPPI HAS ONLY FUNDED MAEP FULLY TWICE IN TWENTY YEARS AND HAVE SPENT $1.9 BILLION LESS THAN MANDATED LEVELS SINCE 2009. THE ASSOCIATED PRESS HAS ADJUSTED FOR INFLATION AND TODAY'S SPENDING IS 12 PERCENT LOWER THAN ITS PEAK IN 2008. IN OTHER WORDS $170 MILLION DOLLARS IN UNDERFUNDING OVER THIS STRETCH OF TIME.

- FURTHER, WHEN FEDERAL DOLLARS ARE ACCOUNTED FOR, MISSISSIPPI IS NOT REACHING 73% IN ANY YEAR. SUCH A CREATIVE LICENSE WITH THE FACTS IS MISLEADING AND PURPOSELY SHIFTS THE DEBATE TOWARDS A FORMULA THAT WOULD LOWER FUNDING FOR PUBLIC EDUCATION STATE-WIDE.
THE COMING STORM

- Watch for an a la carte approach to bringing over recommendations from ED build such as:
  - Establishing an arbitrary implementation period for study of new ways to fund;
  - Changes to student ratio for funding, “equitable student weights”;
  - Funding tied to district success
  - Continued advancement of funding towards segmented groups (cover for charters)
WHERE THESE ACTIONS WILL HAPPEN

APPROPRIATIONS: LAST TERM WE SAW SEVERAL BILLS DO THE FOLLOWING - APPROPRIATIONS FY 2018

HB 1502  THIS IS THE CUMULATIVE FUNDING MECHANISM FOR THE 2018 FISCAL YEAR. IN EARLIER VERSIONS OF THE BILL THE, WHILE IN THE HOUSE APPROPRIATIONS COMMITTEE, ALL MAEP FUNDING FORMULAS WERE OMITTED. HB 1502 PASSED OUT OF HOUSE APPROPRIATIONS ON FEBRUARY 14, 2017 AND PASSED THE FULL HOUSE VIA AN 82-30 VOTE WITH 4 ABSENT OR ABSTAINING.


- PREVIOUSLY, THE HOUSE AND SENATE WERE CONSIDERING A SPECIAL SESSION TO CONSIDER A MAJOR FUNDING CHANGE, WHICH WOULD UTILIZE PORTIONS OF THE EDBUILD RECOMMENDATIONS. EDBUILD’S RECOMMENDATIONS WOULD ESSENTIALLY DISMANTLE MAEP AND SERIOUSLY IMPACT FUNDING IN SCHOOL DISTRICTS ACROSS MISSISSIPPI.
Dyslexia “Scholarship”

HB 1046 School Choice Voucher Cloaked as a Dyslexia Scholarship. On February 28, 2017, the "Mississippi Dyslexia Therapy Scholarship for Students with Dyslexia Program" passed through Senate Appropriations and is now headed for a full floor vote. If passed, HB 1046 will provide vouchers for attendance at public schools, “nonpublic schools”, and potentially schools out of state. In plain language, the voucher will further expand school choice and public school districts will have their budgets further decimated.

- This bill covers students in grade 1 through grade 12 diagnosed with dyslexia to receive comprehensive multisensory dyslexia therapy delivered by holders of an appropriate license in dyslexia therapy issued by the department.
A WORD ON CENSUS AND REDISTRICTING

CONTINUE TO REMAIN VIGILANT AND PUSH FORWARD EVEN IN THE FACE OF ADVERSITY AND NEVER TAKE YOUR EYES OFF OF YOUR NORTHERN STAR. (MY PERSONAL INTERPRETATION OF HARRIETT TUBMAN’S RELENTLESS DRIVE TO DISRUPT AND MANUFACTURE CHANGE)
“if you hear the dogs, KEEP GOING. If you see the torches in the woods, KEEP GOING. If there's shouting after you, KEEP GOING. Don't ever stop. KEEP GOING. If you want a taste of freedom, KEEP GOING.” Harriet Tubman
PROHIBITION TO CHANGES IN PRECINCT BOUNDARIES UNTIL THE LEGISLATURE COMPLETES ITS REDISTRICTING. PRECINCT BOUNDARY CHANGES SHALL NOT BE IMPLEMENTED DURING ANY DECADE AFTER THE LAST DAY OF SEPTEMBER OF THE YEAR ENDING IN EIGHT (8). PRECINCT BOUNDARIES IN FORCE AND EFFECT AT SUCH TIME SHALL REMAIN IN EFFECT AND UNALTERABLE UNTIL THE LAST DAY OF DECEMBER IN THE NEXT YEAR ENDING IN ZERO (0). THIS PROHIBITION SHALL NOT BAR THE CREATION OR MODIFICATION OF SUB-PRECINCT BOUNDARIES. BILL PLACES REDISTRICTING AUTHORITY WITH BOARD OF SUPERVISORS TO ALTER LINES BUT PLACES REDISTRICTING ON HOLD PENDING STATE LEGISLATIVE REDISTRICTING PLAN.

- BASED ON THE LANGUAGE AND TENOR OF THIS BILL, THE STATE PLAN WOULD LARGELY CARVE OUT VOTING DISTRICTS AND LARGELY DIMINISH THE ROLE OF THE BOARD OF SUPERVISORS. IT IS A BAD PLAN WHEN VIEWED THROUGH THE HISTORICAL VOTING PATTERNS IT WILL POTENTIALLY DISRUPT. BY ALLOWING FOR THE CREATION OR MODIFICATION OF SUB-PRECINCT LEVEL BOUNDARIES, IT DOES NOT CONTEMPLATE ON THE GROUND FACTORS, COMMUNITY VOTING PATTERNS, AND THE CHILLING EFFECT OF POTENTIALLY LONG STANDING VOTING PRECINCTS BEING ALTERED OR CLOSED.
MONITORING THROUGH MEDICAID

HB 1090 THE DEPARTMENT SHALL ESTABLISH AND USE A COMPUTERIZED INCOME, ASSET, RESIDENCE AND IDENTITY ELIGIBILITY VERIFICATION SERVICE TO VERIFY ELIGIBILITY, ELIMINATE THE DUPLICATION OF ASSISTANCE, AND DETER WASTE, FRAUD, AND ABUSE WITHIN EACH RESPECTIVE ASSISTANCE PROGRAM ADMINISTERED BY THE DEPARTMENT. LAST YEAR THE STATE LEGISLATURE EMBARKED UPON A CAMPAIGN TO TARGET TANF RECIPIENTS THROUGH DRUG TESTING. HB 1090 FURTHER USHERS IN SIMILAR SEVERE REFORMS. WHILE TITLED “ACT TO RESTORE HOPE OPPORTUNITY AND PROSPERITY FOR EVERYONE (HOPE),” ITS ESSENCE IS ANYTHING BUT HOPEFUL.

• THIS IS A RENEWED ATTEMPT TO CODIFY MONITORING, USE THE GUISE OF TRANSPARENCY TO PENALIZE NEEDY FAMILIES. IF ENACTED IT WILL PROVIDE FOR CENTRALIZED MONITORING BETWEEN MEDICAID AND THE DEPARTMENT OF HUMAN SERVICES. IT WILL ALSO ESTABLISH AND USE A COMPUTERIZED INCOME, ASSET, RESIDENCE AND IDENTITY ELIGIBILITY VERIFICATION SERVICE TO VERIFY ELIGIBILITY, ELIMINATE THE DUPLICATION OF ASSISTANCE, AND DETER WASTE, FRAUD, AND ABUSE WITHIN EACH RESPECTIVE ASSISTANCE PROGRAM ADMINISTERED BY THE DEPARTMENT.

• IF ENACTED IT WILL ALSO MOVE TO A PILOT PROGRAM OF PHOTOS ON EBT CARDS, CONTINUED HOUSEHOLD WORK RESTRICTIONS ON TANF RECIPIENTS AND MORE STRINGENT REPORTING STANDARDS FOR DHS. AGAIN, THE OVERALL TENOR OF THE BILL IS STRUCTURED SUCH THAT DATA COLLECTION AND CENTRALIZATION ARE THE IMPETUS FOR CRACKING DOWN ON NEEDY FAMILIES.
BIG BROTHER IS WATCHING YOU
SB 2710  PROHIBITS THE FORMULATION OF ANY TYPE OF SANCTUARY STATUS. THIS WOULD APPLY TO ANY “STATE AGENCY, DEPARTMENT, POLITICAL SUBDIVISION OF THIS STATE, COUNTY, MUNICIPALITY, UNIVERSITY, COLLEGE, COMMUNITY COLLEGE OR JUNIOR COLLEGE, OR ANY AGENT, EMPLOYEE OR OFFICER THEREOF.” THIS SANCTUARY STATUS BILL FOLLOWS A NEW NEGATIVE TREND IN IMMIGRATION ENFORCEMENT. CURRENTLY WE CAN SEE AND FEEL THE HARSH SHIFT IN POLICY AND IF THIS BILL PASSES, IT WILL FOLLOW THOSE NATIONAL TRENDS.

• THE LIKELY OUTCOMES AT THE GRASSROOTS AND COMMUNITY LEVEL ARE THE CONTINUED RISE IN HOSTILITY TOWARDS IMMIGRANT/MINORITY COMMUNITIES AND THE POTENTIAL_EXPANSION OF AGGRESSIVE POLICING IN COMMUNITIES OF COLOR. THIS WILL HAVE A CHILLING EFFECT STATEWIDE AND AGRICULTURAL INDUSTRY, FISHING INDUSTRY AND OTHER AREAS WITH CONCENTRATED IMMIGRANT COMMUNITIES WILL BE FURTHER PUT AT RISK.

• THIS SHOULD BE A BILL THAT ALL COMMUNITIES RALLY AROUND TO QUESTION ITS TRUE INTENTION AND HOW IT WILL AFFECT ALL BLACK AND BROWN COMMUNITIES IN THE NEAR FUTURE.
WHERE TO PUSH

- LAST TERM THERE WERE GOOD BILLS HIDDEN: ESPECIALLY IN VOTER RIGHTS
KEEP PUSHING THESE FORWARD

• **HB 228** ESTABLISHING EARLY VOTING IN MISSISSIPPI; PASSED THE HOUSE AND SUBMITTED TO SENATE FOR FURTHER ACTION. THE PRE-ELECTION DAY VOTING PERIOD SHALL BEGIN FOURTEEN (14) DAYS BEFORE THE DATE OF EACH PRIMARY, GENERAL, RUNOFF, SPECIAL AND MUNICIPAL ELECTION. HOWEVER, AS OF FEBRUARY 28, IT DIED IN THE SENATE ELECTIONS COMMITTEE.

• **HB 373** ONLINE VOTER REGISTRATION FOR FIRST-TIME VOTERS; PASSED THE HOUSE AND TRANSMITTED TO THE SENATE FOR FURTHER ACTION. VERY GOOD BILL FOR EXPANDING VOTER POOL; ESPECIALLY HARNESSING THE TECH SAVVY OF MILLENNIALS. HOWEVER, AS OF FEBRUARY 28, IT DIED IN THE SENATE ELECTIONS COMMITTEE.
WHY THESE ARE IMPORTANT

- IF WE CAN REALLY PUSH THESE THEY WILL HELP WITH CENSUS/REDISTRICTING, INCREASED VOTER PARTICIPATION, PROVIDE FRANCHISE TO THE COMMUNITY IN BRINGING IN RENEWED VOTERS.
FINAL THOUGHTS

• THERE IS A COMMON THREAD THROUGH THIS DISCUSSION – THE WINDS OF CHANGE ARE BLOWING

• RECOGNITION OF THIS IN EDUCATION, CENSUS, REDISTRICTING AND VOTER RIGHTS PROVIDES A LANE FOR DRIVING THE POLICY DISCUSSION;

• THAT DRIVE NEEDS TO BE FOCUSED AND FUELED THROUGH COMMUNITY, WITH THE PROPER FRAMING

• EVEN IN THE MINORITY WE CAN DRIVE A MESSAGE THAT BUILDS AROUND RENEWED PARTICIPATION AROUND THE IMPORT OF PARTICIPATION – WE CANNOT AFFORD TO SIT THIS OUT AND WE CANNOT AFFORD TO SPEAK ONLY THE MAJORITY FRAMING OF THE ISSUES.

• IF WE ARE STRATEGIC IN DEVELOPING THE MESSAGING THEN EACH OF THE ISSUES IDENTIFIED HERE HAVE A COMMON THREAD [LOCAL, QUALITY, PARTICIPATION, AND UNDERSTANDING = MOMENTUM]
FIN.

• BY: CHARLES IRVIN, JD/PHD
FOR SOUTHERN ECHO, INC
CBIRVIN@IRVIN-LAW.COM
601.589.0235