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Media Contacts:

Heidi Vega, Arizona School Boards Association
hvega@azsba.org or (o) 602.254.1100 (c) 602.339.6215

Sheenae Shannon, Arizona Education Association
sheenae.shannon@arizonaaea.org 602.407.2308

Public education plaintiff group files capital lawsuit against Arizona Legislature

PHOENIX – Public education plaintiffs hosted a press conference Monday, May 1, at Landmark Elementary School in the Glendale Elementary School District, to speak out against the Arizona Legislature for turning its back on public school districts, and ignoring the obligation to adequately fund the capital needs of public schools under a 1998 court ruling.

Some background: Tim Hogan, attorney for the Arizona Center for Law in Public Interest, sued the state over the same issue in 1994, successfully arguing that relying on local taxpayers to pay the bill by passing bonds to cover school-maintenance costs put schools in low-income areas at a disadvantage, which violates the state Constitution. A settlement agreement in 1998 included \$1.3 billion in one-time money to bring buildings to state standards, and about \$200 million a year to schools for soft capital for necessities such as textbooks, buses and technology. Since then, the Legislature has gradually continued to axe the program. Even after the Great Recession the cuts continue to increase year after year.

Attorneys representing the plaintiff group include Hogan and Mary R. O’Grady from Osborn Maledon, who filed the lawsuit on behalf of public school districts across the state. The plaintiff group includes the Arizona School Boards Association, Arizona Education Association, Arizona School Administrators, Arizona Administrators School Business Officials, Elfrida Elementary School District, Chino Valley Unified School District, Crane Elementary School District, Glendale Elementary School District and private citizens, Kathy Knecht who resides in the city of Peoria and Jill Barragan who resides in city of Laveen.

Instead of prioritizing public education for funding, the Legislature has cut \$4.56 billion dollars to public schools since 2009. And those cuts have never been restored. These cuts don't account for the effects of inflation or growth in the student population. And while the dollars are gone, the needs and services these funding sources paid for continue to exist across the state. State leaders have ignored this obligation far too



long, they have lost this fight once, and it is time to step up and adequately fund public schools according to the law.

Media packet can be downloaded: <http://azsba.org/advocacy/legal/>