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## **Supreme Court of Texas Upholds School Funding System**

*Opens the door for Texas Legislature to examine "transformational, top-to-bottom reforms"*

**Austin** – The Texas Supreme Court today ruled that the school funding system currently in place in Texas does meet constitutional requirements. In their opinion, the Supreme Court highlighted three major themes: the current system meets constitutional requirements, Texas schools deserve a revamped, nonsclerotic system for the 21st Century, and judicial review is not a license for judicial activism.

**"Nonsclerotic is a legal term that means not hard or insular,"** said Senator Bettencourt. **"I believe the Supreme Court is saying that Texans deserve a system that is not so hard and insular. It is time for the Legislature to look at allowing teacher creativity in the schools again, along with system innovation, and performance based funding."**

In their ruling, the Supreme Court highlighted that judicial review does not amount to judicial activism, and commented, **"The judicial role is not to second-guess whether our system is optimal, but whether it is constitutional...judicial review does not license second guessing the political branches policy choices, or substitute the wisdom of nine judges for that of 181 lawmakers."**

The court battle over school funding has been ongoing since 2012 when then Attorney General Greg Abbott appealed the issue directly to the Texas Supreme Court. Despite a victory before Judge Dietz in 2014, plaintiffs in the case ultimately had their arguments rejected by the State's highest court. **"Finally, the Supreme Court recognizes the obvious that it is high time to get the Courts out of this legislative prerogative,"** added Senator Bettencourt.

**"I look forward to working next session with Lieutenant Governor Dan Patrick, Senate Education Chairman Larry Taylor, and my Senate colleagues, to take a serious look at school funding formulas,"** continued Senator Bettencourt. **"With this ruling the Legislature has a real opportunity to revamp the Texas education system, cut out burdensome and outdated regulations, and bring 21st century best practices into the system to ensure that all Texans receive a quality education."**

Senator Bettencourt currently serves on both the Senate Education and Higher Education Committees.

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