Calif. Ruling Raises Problems

The California Supreme Court decision knocking down constitutional limitations on funding public schools through property taxes was a revolutionary step toward providing equal educational opportunities to students in rich and poor communities.

Unfortunately, it opens up a vast range of problems, challenges local autonomy, and raises questions about equality in other areas.

The California court seemed on solid ground in ruling that the state system of financing public schools is unconstitutional because it supports unequal educational opportunities in rich and poor communities.

"If it led more to equal opportunities for the children of one district than to those of another district, because of the inevitable presence of such property," the court said, "it is to make the quality of a child's education dependent upon the location of private, commercial and industrial establishments.

"Surely, this is to rely on the most irrelevant factors as the basis of educational financing."

The concept is excellent in that it upholds the quality of education regardless of poverty within the district. Longer range effects could increase incentives for integration and eventually affect housing patterns.

New York and other states rely heavily on the local property tax, which is supplemented by various taxes that are "equalization funds" provided by state and federal grants.

The state and federal formulae provide some differences in wealth from district to district but not very well.

Some states also have two or three factors in the works which may mean a measure to preserve local autonomy while insuring equal opportunity.

But the decision - if upheld by the U.S. Supreme Court and applied to other states - would mean a change in the right to increase taxes to improve education within a community. And if that is to be, it is to be in a district in a community.

These state-to-district differences must also violate constitutional guarantees.

The outcome would seem to be a complete takeover of education nationally or at least statewide with federal controls.

And if we are to have nationalized administration of education at less expense, how is it to be financed? And what about welfare, police protection, and sanitation services?

All services provided by local government are in some way affected by financial resources of the taxpayers within that locality.

The decision, then, seems to have opened a Pandora's box of constitutional challenges that could shatter old, established concepts of the very meaning of equality.

September

Last night's full moon was the last full moon of summer by the calendar. The next full moon, the first week in October, will be the Harvest Moon, the moon before the autumnal equinox.

September is a kind of pause and slow transition from the heat and taste of summer to the chill and comfort of autumn. The northerly and the evening light mark the measure to increase taxes to improve education within a community. And if that is to be, it is to be in a district in a community.

September begins in the woods and fields, where the sunlight is low. September is a time of rehearsal for the coming of the cold and the harvest.

The fires of autumn have already started in the sumacs, where the color of the leaves is changing to red. The noonday sun and the evening light mark the measure to increase taxes to improve education within a community. And if that is to be, it is to be in a district in a community.

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The Journal Report

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