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30 Years Since *Claremont*: The Monumental Ruling and the Work That Remains

The NH School Funding Fairness Project hosted an event on Thursday, June 10 in Concord to mark 30 years since the start of the seminal *Claremont School District v. Governor of New Hampshire* lawsuit. Originally filed by the Claremont, Franklin, Lisbon, Allenstown, and Pittsfield school districts, *Claremont* ultimately established that the State of New Hampshire has a constitutional obligation to provide all children with an adequate public education and to fund that education with taxes that are uniform throughout the state.

Thomas Connair, who was Chair of the Claremont School Board at the beginning of the suit, spoke of joining the board in 1987 and facing a still-too-familiar set of problems. As he recalled, Claremont had the highest property tax rate in the state, seniors on fixed incomes were being priced out of their homes, and yet the schools still could not provide the basics. A young lawyer at the time, Connair saw a constitutional violation in the state's school funding system and led a two-year charge to organize the five districts in filing their lawsuit.

Andru Volinsky, lead counsel for the plaintiff districts, discussed the origins of the case, remarking that 30 years is both "a time to reflect and a time for a call to action." Volinsky recalled illustrative stories that embodied the importance of *Claremont's* ruling and of the work we face in ensuring New Hampshire at long last meets its responsibilities.

Volinsky spoke of "Reading Recovery," a program in Claremont at the time that helped below-grade-level learners catch up in the second grade. The district identified roughly 50 students in need of the program, citing scientific research that stated if those below grade level do not catch up by the second grade they are unlikely to ever do so. However, the district only had money to provide needed services to 30 students. Because the state would not provide extra resources, educators in Claremont were forced to choose 20 students to fail in public education. Volinsky also spoke of Allenstown. At the time the district did not have space in the building and could not afford a portable classroom on the grounds in which to provide necessary one-on-one special education services, so educators were forced to conduct instruction in the bathroom with the stalls still in place. "Elementary students who get special education services, perhaps the most stigmatized students in the school, got their services in the bathroom in our wealthy state through the 1990s. These things still happen today. . . . Over and over we ignore the districts that are failing because they are on the low end of the economic spectrum and don't have a lot of say in the legislature."

Though 30 years have passed since *Claremont* was initiated, much of its promise remains unfulfilled. Molly Horn, who has lived the effects of the *Claremont* lawsuit as both a student at Lisbon High School and now a teacher at Franklin High School, stressed that schools "do the best they can with what they've got." In her 17 years as a Franklin teacher, she's seen too many great teachers lost, either to jobs in higher paying districts or to reductions in

force. Though Franklin teachers' jobs are never "for sure" at any point in the year, she remarked on how so many of her colleagues have "overcome these budget obstacles in creative and innovative ways." But, she continued, "where a student lives shouldn't determine how good their schooling is.[We] fill out our budget requests each year not with what will serve our students best, but with what will keep our spending the lowest . . . communities like Franklin have a very hard time meeting the obligations with the existing resources." Teachers like Horn are often told to offer more electives while facing staff reductions, keep students up to date with technology even though there are no computer teachers, use engaging resources with no budget to procure them, and individualize their teaching despite expanding class sizes. To close, Horn said, "We do the best we can with what we've got, despite there never being enough."

John Graziano, interim Pittsfield School District superintendent, spoke to the challenges his district faced this year in the form of a \$1 million funding shortfall. The FY 2019-2020 state budget had provided one-time aid which allowed the town to cut taxes while keeping the school above water. But without those funds this year, Pittsfield residents were given an impossible choice: raise already astronomical property taxes or cut school funding below even the default budget. Graziano declared, "The fight will continue, and 30 years from now we will remain convicted to this awesome responsibility."

Frank Sprague, current Chair of the Claremont School Board and retired school administrator in Newport and Claremont, spoke to the "ongoing and self-fulfilling prophecy of failure" in property-poor districts. "In the context of real estate, the most important room . . . is the classroom." He observed that employers are well aware of concern for quality public schools when choosing where to locate their businesses and argued that underfunding schools robs those communities of future economic investment. In property-poor districts, Sprague remarked, "we don't have the luxury of making decisions on what will be the best for our students, but must choose what will do the least harm."

John Tobin, *Claremont* lawyer and Chair of the Board of Directors for the NH School Funding Fairness Project, closed out the event by declaring the work isn't over. "This problem continues, and in fact it's worse. The tax rate disparities are worse [and] the spending gaps are worse. What we need to do, ultimately, is change the minds of the people in [the legislature] or change the people in [the legislature]."

The NH School Funding Fairness Project (NHSFFP) is a nonpartisan, nonprofit advocacy organization that educates the public and elected officials about New Hampshire's public school funding system, raises awareness about the inherent flaws of that system, and advocates for lasting solutions to the twin crises of school funding and property taxes. Over the past two years, NHSFFP has delivered presentations on school funding and property taxes to 80 different audiences across the state and was a driving force in persuading the legislature to bolster school funding as part of the FY 2020-21 budget. To learn more, please visit www.fairfundingnh.org.

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