



### Education-Related Ballot Questions: 2006

By Kyle Zinth

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#### Introduction

2006 saw voters in 15 states decide a wide variety of education policy issues. Thirteen state elections decided various aspects of school finance, including authorizing bond sales, increasing taxes, requiring state funding of schools and changing the management of the state's public school trust fund. Eight states saw voters decide policies in other areas. These proposals include overturning legislation mandating school consolidation and banning in-state college tuition for undocumented immigrants and affirmative action at state institutions.

#### Selected Highlights

##### Finance:

Voters in **Michigan** rejected an education funding guarantee, while voters in **Nevada** approved a measure requiring the legislature to fund public education before any other part of the state budget for two years. All districts in **Alabama** will be required to have at least 10 mills of property tax allocated for public education. Two proposals modeled after the "65% solution" were rejected by voters in **Colorado**. Voters in **Wyoming** voted to create a permanent fund for higher education and equalize school funding in all districts, while voters in **Nebraska** approved a measure to create an early childhood endowment fund.

##### Other Issues:

**Arizonans** voted to deny in-state tuition and other education services to undocumented immigrants, and **Michigan** voters approved a measure banning affirmative action. **Nebraska** voters repealed legislation pertaining to school district consolidation. **South Dakota** voters rejected a measure that would have prohibited schools boards from establishing the start of a regular school term prior to the last day of August.

Listed questions include enacted legislation being presented to the public for approval and initiatives placed on the ballot through the petition process. Following the summary table below are brief profiles of each question along with links to text when available. Additions and corrections are welcome.

#### Summary Table

	Issue	Status
Alabama	Requiring every city and county school system to have at least 10 mills of property taxes allocated for public education.	Approved
	Providing for the election of the Macon County board of education.	Approved
Arizona	Banning in-state tuition for undocumented immigrants	Approved
	Decreasing community college taxing	Approved

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	Increasing tobacco tax for education	Approved
<b>California</b>	Constructing and renovating of public libraries	Rejected
	Providing universal preschool	Rejected
	Authorizing the sale of \$10.4 billion in bonds for education	Approved
	Authorizing a \$50 annual land parcel tax for education	Rejected
<b>Colorado</b>	Requiring districts to spend 65% of funds on classroom instruction (Constitutional amendment)	Rejected
	Requiring districts to spend 65% of funds on classroom instruction (Adopt as statute)	Rejected
<b>Hawaii</b>	Requiring governor to select board of regents candidates from a pool proposed by the board of regents	Approved
<b>Idaho</b>	Increasing state sales tax for education funding	Rejected
	Advisory vote asking voters if the state should keep property tax relief adopted in August 2006	Approved
<b>Louisiana</b>	Authorizing investment of state-funded postsecondary endowments in stocks	Approved
	Defining inapplicability of laws requiring increased expenditures by local boards	Approved
	Granting parish authority to East Baton Rouge parish	Approved
<b>Michigan</b>	Prohibiting affirmative action	Approved
	Guaranteeing educational funding	Rejected
<b>Nebraska</b>	Retaining or repealing district consolidation legislation	Repealed
	Creating an early childhood education endowment fund	Approved
<b>Nevada</b>	Determining election and appointment of board of regents	Rejected
	Requiring state funding of public schools	Approved
<b>North Dakota</b>	Changing management and distribution of common schools trust fund	Approved
<b>Ohio</b>	Authorizing additional gambling in the state, with a portion of proceeds going for higher education scholarships.	Rejected
<b>Rhode Island</b>	Authorizing sale of bonds for construction and renovations	Approved
<b>South Dakota</b>	Prohibiting early school start date	Rejected
<b>Wyoming</b>	Equalizing funding in all districts	Approved
	Creating permanent fund for higher education	Approved

# State Profiles

## Alabama

### [Amendment Number Two](#)

If approved, would require every city and county school system in the state to have at least 10 mills of property taxes allocated for public education.

**Status:** [Approved](#) by voters.

### [Amendment Number Three](#)

If approved, would amend the state constitution to provide for the election of the Macon County board of education from four single-member districts and the county at large, and to provide for staggered six-year terms of office.

**Status:** [Approved](#) by voters.

## Arizona

### [Proposition 300](#)

If approved, only U.S. citizens or legal residents would be eligible:

- To participate in adult education classes offered by the state department of education
- For classification as an in-state student or county resident for community college or state university tuition purposes
- For waivers, grants or any other financial assistance paid in whole or part with state funds
- For child care assistance from the Arizona Department of Economic Security.

State agencies would be required to report statistics regarding the number of people denied participation in the above programs due to citizenship or immigration status. (See also: [legislative analysis](#).)

**Status:** [Approved](#) by voters.

### [Proposition 101](#)

If approved, would amend the state constitution to remove unused taxing capacity and reset each taxing entity's limit to the actual tax levy of that county, city, town or community college district in 2005.

Beginning in 2007, the new levy limit would increase by 2% per year, plus any new construction. (See also: [legislative analysis](#))

**Status:** [Approved](#) by voters.

### [Proposition 203](#)

If approved, would increase taxes on cigarettes and other tobacco products and allocate the resulting revenue to programs and services provided to preschool children and their families for the purpose of assisting child development by providing education and other support, including parent and family support programs, child care, preschool, health screenings and access to preventive health services. At least 40% of funds would be required to be provided to families with incomes that are less than 100% of the federal poverty level. Also would establish an early childhood development and health board and regional partnership councils for each region of the state.

**Status:** [Approved](#) by voters.

## California

### [Proposition 81](#)

If approved, would provide for a bond issue in an amount not to exceed \$600 million to provide for the construction and renovation of public library facilities in order to expand access to reading and literacy programs in the state's public education system and to expand access to public library services for all residents of California.

**Status:** [Rejected](#) by voters.

### [Proposition 82](#)

If approved, would establish voluntary preschool education for all 4-year olds. The program would be funded by a 1.7% tax on individual income over \$400,000 or couples' income over \$800,000. All revenue would be required to be spent on the new preschool program.

**Status:** [Rejected](#) by voters.

### **Proposition 1D**

If approved, would authorize \$10.4 billion in state general obligation bonds to provide aid to school districts, county superintendents of schools, county boards of education, the California Community Colleges, the University of California and the California State University to construct and modernize education facilities.

**Status:** [Approved](#) by voters.

### **Proposition 88**

If approved, would provide additional public school funding through the use of an annual \$50 tax on most parcels of land in the state. Funds must be used for class size reduction, textbooks, school safety, Academic Success facility grants and data system to evaluate educational program effectiveness.

**Status:** [Rejected](#) by voters.

## ***Colorado***

### **Amendment 39**

If approved, would amend the state constitution to require districts to spend at least 65% of their operational expenditures on classroom instruction beginning in the 2007-08 school year. Districts spending less than 65% would be required to increase spending on the specified items by two percentage points each year until the threshold is met. Districts would be authorized to request a one-year waiver from the spending requirement. The legislature would be authorized to sanction any school district that failing to comply with the spending requirement.

**Status:** [Rejected](#) by voters.

### **Referendum J**

If approved, would amend state statutes to require districts to spend at least 65% of their operational expenditures on classroom instruction beginning in the 2007-08 school year. Districts spending less than 65% would be required to increase spending on the specified items by two percentage points each year until the threshold is met. Districts would be authorized to request a one-year waiver from the spending requirement. The legislature would be authorized to sanction any school district that failing to comply with the spending requirement. Districts would be required to adopt an annual budget report, in a standard format, for public inspection, and would be allowed to hold elections to exempt them from these requirements.

**Status:** [Rejected](#) by voters.

(Note: Items identified as "classroom expenditures" differ between the two proposals. From: [ballot analysis](#).)

## ***Hawaii***

If approved, would require the governor select board of regents candidates from a pool of qualified candidates screened and proposed by a candidate advisory council for the board of regents of the University of Hawaii as provided by law.

**Status:** [Approved](#) by voters.

## ***Idaho***

### **Proposition 1**

If approved, would increase state funding for local public schools by either raising the sales tax by 1% or through an alternative source identified by the legislature. Would create the local public schools investment fund to support students in the classroom, improve local schools and require an annual accountability report from local school boards on use of increased revenues.

**Status:** [Rejected](#) by voters.

### Advisory Vote

Advisory vote asking voters if the state should keep the property tax relief adopted in August 2006, reducing property taxes by approximately \$260 million and protecting funding for public schools by keeping the sales tax at 6%.

Status: [Approved](#) by voters.

## **Louisiana**

### Ballot # 9

If approved, would amend constitution to provide that no law – unless enacted by two-thirds of the elected members of each house of the legislature – requiring increased expenditures for any purpose will be applicable to a city, parish or other local public school board. Provides exceptions to such a prohibition.

Status: [Approved](#) by voters.

### Ballot # 10

If approved, would permit up to 35% of state-funded permanently endowed funds of a public or private college or university to be invested in stocks.

Status: [Approved](#) by voters.

### Ballot # 8

If approved, would grant the Central Community School System in East Baton Rouge parish the same authority granted parishes, including the purposes of certain funding including funds for school books and instructional materials and the raising of certain local revenues for the support of elementary and secondary schools.

Status: [Approved](#) by voters.

## **Michigan**

### Michigan Civil Rights Initiative

If approved, would prohibit the University of Michigan, other state universities, the state and all other state entities from discriminating against or granting preferential treatment based on race, sex, color, ethnicity or national origin.

Status: [Approved](#) by voters.

### Educational Funding Guarantee

If approved, would require the state to provide annual funding increases equal to the rate of inflation for public schools, intermediate school districts, community colleges and higher education. Would require the state to fund any deficiencies in the school aid fund from the general fund. Relates to base funding for school districts with declining enrollment. Reduces and caps retirement fund contributions.

Status: [Rejected](#) by voters.

## **Nebraska**

### School Consolidation Referendum

Gives voters the choice of repealing or retaining a 2005 bill ([LB 126](#)) passed by the legislature requiring the assimilation of Class I school districts (those operating elementary schools only) into K-12 school districts.

Status: [Repealed](#) by voters.

### Amendment 5

If approved, would amend state constitution to create an early childhood education endowment fund and allocate \$40 million of perpetual school funds to the endowment. The \$40 million would be subject to reversion to the common schools if the annual income from \$20 million of private funds is not committed to the endowment fund by July 1, 2011.

Status: [Approved](#) by voters.

## **Nevada**

### **[Assembly Joint Resolution #11](#)**

If approved, would amend the state constitution to provide for the election of certain members of the board of regents and the gubernatorial appointment of certain members. Specifies the number and terms of the members.

**Status:** [Rejected](#) by voters.

### **[Ballot Question # 1](#)**

If approved, would amend the state constitution to require the legislature to fund the operation of the public schools for K-12th grades before any other part of the state budget for the next two years.

**Status:** [Approved](#) by voters.

## **North Dakota**

### **[HR 3037](#)**

If approved, would amend the state constitution regarding distributions from and management of the common schools trust fund and the trust funds of other educational or charitable institutions. The measure would require that the permanent trust funds be managed to preserve their purchasing power, to provide stable distributions to fund beneficiaries and to benefit fund beneficiaries. The measure changes trust fund distributions from interest and income earned by a fund to distributions based on a fund's average value; requires that all revenue produced by a trust fund be deposited in the fund and provides for paying the costs of administration.

**Status:** [Approved](#) by voters.

## **Ohio**

### **[State Issue 3](#)**

If approved, would amend state constitution to permit up to 31,500 slot machines at seven horse racing tracks and at two Cleveland non-track locations. It would also allow expanded gaming in the four Cuyahoga County locations, pending approval of county voters. Thirty percent of revenues would go to the Ohio board of regents for college scholarships and grants to eligible students and administration of the program.

**Status:** [Rejected](#) by voters.

## **Rhode Island**

### **[Question 4](#)**

If approved, would allow the state to issue general obligation bonds, refunding bonds and temporary notes up to \$65 million for the construction of a new college of pharmacy building at the University of Rhode Island and \$7.7 million for renovations to the former Department of Children, Youth and Families facilities at Rhode Island College.

**Status:** [Approved](#) by voters.

## **South Dakota**

### **[Measure 3](#)**

If approved, would amend state law to prohibit local school boards from establishing the start of a regular school term prior to the last day of August.

**Status:** [Rejected](#) by voters.

## **Wyoming**

### **[Amendment B](#)**

The state's Supreme Court has determined that school funding must be equalized among all school districts. If approved, would repeal the current limitation on the amount of property tax revenues that may

be redistributed by the state through the school foundation program account from school districts with greater property tax revenues to other school districts in the state.

**Status:** [Approved](#) by voters.

### **Amendment C**

If approved, would amend state constitution to authorize the establishment of a permanent fund for higher education and the investment and use of earnings from such funds. The permanent funds would be created for two purposes: (1) higher education scholarships and (2) improving the quality of higher education.

**Status:** [Approved](#) by voters.

### **Sources**

- ECS State Policy Database:  
<http://www.ecs.org/ecs/ecscat.nsf/WebTopicView?OpenView&count=300&RestrictToCategory=State--Ballot+Initiatives>
- Project Vote Smart: <http://www.vote-smart.org/index.htm>
- State Secretary of State Web sites.

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