



Education-Related Ballot Questions: 2008

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Introduction

2008 saw voters in 15 states weigh in on a variety of issues pertaining to state-level education policy.

Selected Highlights

Finance:

State funding for education: 13 states

Alabama voters decided to reestablish the state's rainy day education account, while voters in **Montana** and **New Mexico** approved additional funding for higher education. Raising revenue for education through various forms of gambling was decided on in five states; Voters in **Arkansas**, **Colorado**, **Maryland** and **Missouri** approved these measures, **Maine** voters did not. **Oregon** voters rejected a measure that would have changed the way lottery funds are distributed between education and public safety programs.

Other Issues:

Voters in **Oregon** rejected measures that would have required that teacher raises be based on classroom performance instead of seniority, and limited the amount of time non-English speaking students could be taught in a language other than English. Voters in **Louisiana** have chosen to impose term limits on state boards and commissions, many of which pertain to education.

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

State	Issue	Status
Alabama	Expands the Education Trust Rainy Day Account	Approved by voters
Arkansas	Authorizes lotteries to fund scholarships and grants	Approved by voters
California	Community College Governance, Funding Stabilization, and Student Fee Reduction Act	Rejected by voters
Colorado	Distributes gaming tax revenue for student financial aid and classroom instruction at community colleges	Approved by voters

State	Issue	Status
	Requires severance tax revenues to be credited to a new trust fund for college scholarships	Rejected by voters
	Requires revenue that the state would otherwise be required to refund be transferred to the state education fund	Rejected by voters
	Prohibits discrimination or preferential treatment on the basis of race, sex, color, ethnicity or national origin in public education	Rejected by voters
Florida	Authorizes counties to levy a local option sales tax to supplement community college funding	Rejected by voters
Georgia	Authorizes local boards of education to use tax funds for redevelopment purposes and programs	Approved by voters
Louisiana	Establishes term limits for public boards and commissions	Approved by voters
Maine	Authorizes gambling revenues for education	Rejected by voters
Maryland	Authorizes gambling revenues for education	Approved by voters
Missouri	Authorizes gambling revenues for education	Approved by voters
Montana	Levies six mills for the support, maintenance, and improvement of the Montana university system	Approved by voters
Nebraska	Prohibits discrimination or preferential treatment on the basis of race, sex, color, ethnicity or national origin in public education	Approved by voters
New Mexico	Increases the size of school boards in school districts with a population greater than 200,000	Approved by voters
	Allows school elections at same time as nonpartisan elections	Approved by voters
	Approves \$140.133 million bonds for higher education	Approved by voters
Oregon	Requires teacher raises based on classroom performance, not seniority	Rejected by voters
	Creates a new fund, which would change way lottery proceeds are distributed between education and public safety programs	Rejected by voters
	Prohibits teaching non-English speaking public school students in a language that is not English for more than one to two years	Rejected by voters
South Carolina	Authorizes funds for teacher post-employment benefits to be invested in equity securities	Rejected by voters

State Profiles

Alabama

[Statewide Amendment Number One](#)

Proposes to expand the education trust fund rainy day account within the Alabama trust fund, and to establish the general fund rainy day account within the Alabama trust fund.

Status: Approved by voters (Unofficial)

Arkansas

[Proposed Constitutional Amendment No. 3](#)

Authorizes the general assembly to establish, operate and regulate state lotteries to fund scholarships and grants for Arkansas citizens enrolled in certified two-year and four-year colleges and universities in Arkansas.

Status: [Approved](#) by voters (Unofficial)

California

[Proposition 92](#)

The Community College Governance, Funding Stabilization and Student Fee Reduction Act would:

- Establish in state constitution a system of independent public community college districts and Board of Governors
- Requires minimum levels of state funding for school districts and community college districts to be calculated separately, using different criteria and separately appropriated
- Allocate 10.46% of current Proposition 98 school funding maintenance factor to community colleges
- Set community college fees at \$15/unit per semester; limits future fee increases
- Provide formula for allocation by Legislature to community college districts that would not otherwise receive general fund revenues through community college apportionment.

Status: [Rejected](#) by Voters

Colorado

[Amendment 46](#)

Prohibits Colorado governments from discriminating against or granting preferential treatment to any individual or group on the basis of race, sex, color, ethnicity or national origin in public employment, public education or public contracting. Makes exceptions for federal programs, existing court orders or other legally binding agreements and bona fide qualifications based on sex.

Status: Rejected by voters (Unofficial)

[Amendment 50](#)

Would authorize extension of casino hours of operation, addition of games and increase of maximum bet. Would adjust distributions to current gaming fund recipients for growth in gaming tax revenue due to voter-approved revisions in gaming; would distribute 78% of the remaining gaming tax revenue from this amendment for student financial aid and classroom instruction at community colleges according to the proportion of their respective student enrollments.

Status: Approved by voters (Unofficial)

[Amendment 58](#)

Would eliminate a credit against the severance tax on oil and gas for property taxes paid by oil and gas producers and interest owners; would reduce the level of production that qualifies wells for an exemption from the tax; would require the tax revenues to be credited to the severance tax trust fund, the local government severance tax fund, and a new trust fund for college scholarships, native wildlife habitat preservation, renewable energy and energy efficiency programs.

Status: Rejected by voters (Unofficial)

[Amendment 59](#)

Proposes an amendment to the Constitution concerning the manner in which the state funds public education from preschool through 12th grade for the 2010-11 state fiscal year and each state fiscal year thereafter, requiring that any revenue that the state would otherwise be required to refund pursuant to the constitutional limit on state fiscal year spending be transferred instead to the state education fund.

Status: Rejected by voters (Unofficial)

Florida

[Local Option Community College Funding](#)

Proposes amending the state constitution to require that the legislature authorize counties to levy a local option sales tax to supplement community college funding. Voter approval required to levy the tax. Approved taxes would sunset after five years and may be reauthorized by the voters.

Status: [Rejected](#) by voters (Unofficial)

Georgia

[Amendment 2](#)

Proposes to amend the state constitution to authorize community redevelopment and authorize counties, municipalities and local boards of education to use tax funds for redevelopment purposes and programs.

Status: [Approved](#) by voters (Unofficial)

Louisiana

[Amendment One](#)

Provides for term limits for members of the state boards of:

- Elementary and Secondary Education
- Regents
- Supervisors for the University of Louisiana System
- Supervisors of Louisiana State University and Agricultural and Mechanical College
- Supervisors of Southern University and Agricultural and Mechanical College
- Supervisors of Community and Technical Colleges.

Provides that a person who has served for more than two and one-half terms in three consecutive terms may not be appointed or elected to the succeeding term. Provides for a limit on service on more than one such board or commission. (Also pertains to additional non-education related boards and commissions.)

Status: Approved by voters (Unofficial)

Maine

[Question 3](#)

Would authorize the establishment of a casino in Oxford County, with revenue from related taxes being distributed among various state programs and entities, including:

- A Maine resident student loan repayment fund or similarly established fund
- The University of Maine
- A Maine prepaid college plan
- The Maine Community College System
- Local schools
- The Finance Authority of Maine for its NextGen First Step Grant program to assist residents in saving for college tuition.

Status: Rejected by voters (Unofficial)

Maryland

[Question 2](#)

Authorizes state to issue up to five video lottery licenses for the primary purpose of raising revenue for education of children in public schools, pre-kindergarten through grade 12, public school construction and improvements, and construction of capital projects at community colleges and higher education institutions.

Status: [Approved](#) (Unofficial)

Missouri

[Proposition A](#)

Would amend various aspects of state laws relating to gambling, including creating a new specific education fund. Gambling tax proceeds generated as a result of this measure would flow into the Schools First Elementary and Secondary Education Improvement Fund.

Status: [Approved](#) by voters (Unofficial)

Montana

[LR-118](#)

Levies upon the taxable value of all real estate and personal property subject to taxation six mills for the support, maintenance and improvement of the Montana university system. The funds raised from the levy must be deposited in the state special revenue fund.

Status: [Approved](#) by voters (Unofficial)

Nebraska

[Measure 424](#)

Prohibits the state from discriminating against, or granting preferential treatment to any individual or group on the basis of race, sex, color, ethnicity, or national origin in public employment, public education or public contracting.

Status: Approved by voters (Unofficial)

New Mexico

[Amendment 2](#)

Amends constitution to increase the size of certain school boards to nine members and conduct the election by mail-in ballot or as otherwise provided by law.

Status: Approved by voters (Unofficial)

[Amendment 4](#)

Amends constitution to allow school elections to be held at the same time as non-partisan elections.

Status: Approved by voters (Unofficial)

[Bond Question D](#)

Authorizes the issuance and sale of higher educational and special schools capital improvement and acquisition bonds in an amount not to exceed \$140,133,000.

Status: Approved by voters (Unofficial)

Oregon

[Measure 60](#)

Prohibits giving pay raises to a public school teacher based on seniority, requiring that pay raises be based on the teacher's classroom performance. Directs school districts that are laying off teachers to keep the teachers who are most qualified to teach specific subjects.

Status: Rejected by voters (Unofficial)

[Measure 62](#)

Amends the Constitution to create a new public safety fund, which would receive 15% of lottery proceeds for law enforcement and related programs, including grants to counties to fund early childhood programs for children who are at risk.

Status: Rejected by voters (Unofficial)

[Measure 58](#)

Prohibits teaching non-English speaking public school students in a language that is not English for more than one to two years.

Status: Rejected by voters (Unofficial)

South Carolina

[Amendment 2](#)

Amends constitution to provide that the funds of any trust fund established by law for the funding of post-employment benefits for state employees and public school teachers may be invested and reinvested in equity securities subject to the same limitations on such investments applicable for the funds of the various state-operated retirement systems.

Status: [Rejected](#) by voters (Unofficial)

Sources

- Project Vote Smart: <http://www.vote-smart.org/index.htm>
- Ballotpedia: http://ballotpedia.org/wiki/index.php/Education_initiatives
- Initiative and Referendum Institute: [http://www.iandrinstitute.org/BW%202008-1%20Preview%20\(v4%2010-24\).pdf](http://www.iandrinstitute.org/BW%202008-1%20Preview%20(v4%2010-24).pdf)
- State Secretary of State Web sites
- ECS State Policy Database:
<http://www.ecs.org/ecs/ecscat.nsf/WebTopicView?OpenView&count=300&RestrictToCategory=State--Ballot+Initiatives>

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