

No. 14-0776

IN THE SUPREME COURT OF TEXAS

MICHAEL WILLIAMS, COMMISSIONER OF EDUCATION, IN HIS OFFICIAL CAPACITY;
GLENN HEGAR, COMPTROLLER OF PUBLIC ACCOUNTS OF THE STATE OF TEXAS, IN
HIS OFFICIAL CAPACITY; THE STATE BOARD OF EDUCATION; AND THE TEXAS
EDUCATION AGENCY

APPELLANTS/CROSS-APPELLEES

v.

CALHOUN COUNTY INDEPENDENT SCHOOL DISTRICT, ET AL.,
APPELLEES/CROSS-APPELLANTS/CROSS-APPELLEES,

v.

TEXAS CHARTER SCHOOLS ASSOCIATION, ET AL. AND JOYCE COLEMAN, ET AL.,
APPELLEES/CROSS-APPELLANTS,

v.

THE TEXAS TAXPAYER & STUDENT FAIRNESS COALITION, ET AL.; EDGEWOOD
INDEPENDENT SCHOOL DISTRICT, ET AL.; AND FORT BEND INDEPENDENT SCHOOL
DISTRICT, ET AL.,

APPELLEES/CROSS-APPELLEES.

On Direct Appeal from the 200th District Court of Travis County, Texas
Trial Court Cause No. D-1-GN-11-00313

**AMICUS BRIEF OF ZAAKIR TAMEEZ AND AMY FAN, STUDENTS, IN SUPPORT OF FORT
BEND INDEPENDENT SCHOOL DISTRICT, ET AL. APPELLEES**

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Zaakir Tameez and Amy Fan respectfully file this Amicus Curiae Brief under Texas Rule of Appellate Procedure 11, in support of the Fort Bend Independent School District, ET Al. Appellees, for this Court to receive, and would show this Honorable Texas Supreme Court as follows:

IDENTITY OF PARTY

Zaakir Tameez is a Class of 2015 member of Carnegie Vanguard High School in the Houston Independent School District (HISD). Amy Fan is a Class of 2016 member of Bellaire High School in HISD as well. Both, in collaboration from other public school students¹, directly experience the impact of Texas school funding. Zaakir Tameez is also the founding Speaker, and Amy Fan is the second Speaker, of the HISD Student Congress. The HISD Student Congress is a high school student-run, student-led organization that gives student input on education policies at local and statewide levels. The organization represents the 215,000+ students of HISD and boasts a membership of over 400 high school students. The two authors of this brief are acutely aware of high school issues because of their school experience and their leadership in this organization.

¹ Students and Student Congress members Juliana Elise Dunn, Kate Ham, Uyiosa Elegon, Precious Cheray Robinson, Amber Farias, David Valerio, Aviance Obie, and Raquel Douglas greatly assisted the authors in the writing, research, and preparation of this brief. They are a diverse group of Houston students from seven public high schools of ranging quality: The High School for the Performing and Visual Arts, Energy Institute High School, Scarborough High School, Debakey High School, Carnegie Vanguard High School, Bellaire High School, and Westbury High School.

INTEREST OF THE AMICUS CURIAE

In April 2015, the authors of this brief visited the Texas State Capitol with 100 high school students to meet with legislators in support of HB 1759, a school finance bill by Texas State Representative Jimmie Don Aycock. Their organization, the HISD Student Congress, was also recognized in the Texas Senate by State Senator John Whitmire and in the Texas House by Rep. Jim Murphy. After Rep. Aycock's unfortunate withdrawal of HB 1759, the authors organized a letter-writing campaign to encourage legislators to increase school funding to pre-2011 levels. When the State Legislature failed in its constitutional duty to fund adequate, suitable, and efficient free public schools, the authors decided to file an amicus curiae brief with the Texas Supreme Court on the matter of school finance in a last-ditch effort to help public schools. Their objective is to provide much-needed and sorely-missing student voice to the case.

The entirety of this brief is written by students, for students, who received no fee for its preparation, filing, or service.

ISSUES PRESENTED

1. Decreasing Class Size
2. Improving Teacher Quality
3. Enhancing Enrichment Programs
4. Innovating College and Career Readiness Programs

SUMMARY OF ARGUMENT

The task before the Texas Supreme Court is monumental. The School Finance Case pending before it involves billions of dollars and impacts the lives of five million Texan children. The decision requires reading thousands of pages of legal documents, listening to countless hours of oral arguments, and mulling over voluminous pieces of data. For that reason, we keep this amicus curiae brief succinct and fresh.

This case about public schools sorely lacks the input of public school students. Although this Court has heard testimony from multitudes of “educators, parents, business and industry representatives, and employers²,” students have never been asked what they thought about the condition of their schools.

By the time we graduate, we will have spent approximately 16,000 hours inside the classroom. We have witnessed the highs and lows and ins and outs of a Texas education. Our brief aims to shed light on what we have experienced all our lives. It will address a question we feel is nagging in the back of everyone’s mind: *what would schools do with more money?*

We are a voice for the five million Texan children who remain unheard. We hope the Texas Supreme Court, the Legislature, and readers find our brief helpful. We urge the Court to consider our voices. The stakes are simply too high.

² State Appellant brief – Pg12

School districts lack the necessary resources to correct the deficiencies in education that we face. With more funding, our schools would be able to provide their students with adequate resources, decrease class sizes, enhance enrichment programs, improve teacher quality, and innovate college and career readiness programs. Many consider these educational inputs “extras”, but we argue that these five objectives are vitally necessary in Texas, especially for our classmates who are English Language Learners or in poverty. In the following pages, we demonstrate why.

We students implore the Court to preserve the district court’s (Judge Dietz) ruling and declare the current school finance system unconstitutional.

ARGUMENT

I. Underfunded schools lack the resources to fulfill the “issues presented” to improve public education.

Many adults base their knowledge of public education on what they see on paper. Oftentimes, these adults don't have kids who attend public schools and don't really know what's going on. As high school teenagers, we have a unique perspective. While we don't always understand the political, economic, and legal origins of what we witness as students, we really know the issues inside the school and classroom; we experience them every day. We began our research for this brief by identifying, researching, and discussing schools we feel are representative of the underprivileged schools in Texas. Some of our collaborators attend these schools; other schools we visited or have friends who are enrolled. For brevity, we describe one high school that encompasses the issues these schools deal with. In this section, we directly relate the main points of our brief to the classroom. We tackle these points one by one in subsequent sections. While we do address some quantitative questions, we focus on putting a human face and an insider perspective to the numbers.

Robert E. Lee High School is located at the cross streets of Richmond Ave. and Beverly Hill Blvd. in Southwest Houston. The surrounding neighborhood consists of dense enclaves of low income apartments, convenience stores, Mexican and Halal groceries, food trucks, and bus stops. The service industry dominates this

part of Houston. There is high demand for unskilled labor and high availability of low cost apartments. Combined with Houston’s position as a primary destination for immigrants to the United States, this neighborhood and many others attract large numbers of immigrants and their families who often speak solely their native language.

A. As students, we know that class sizes matter.

In the 2013-14 school year, Lee was about 75% Hispanic and nearly 100% economically disadvantaged. One-third of the approximately 1,400 students were English Language Learners³. Many students were recent immigrants and did not speak English at all. Presented with these extra challenges, Lee did not receive the funding it needed to provide its students the chance they need to succeed in America. We spoke with Principal Jonathan Trinh about the struggles Lee High School faces as a consequence of the Texas formula funding that does not provide ELL students with sufficient resources:

“Our ELL students need more support in term of smaller class size to have more interaction and face time with their teachers. They need even more time in English classes with double and triple blocks requiring additional ESL trained English Language Arts, Reading, and Intervention teachers. [All of this requires funding.]”

³http://www.houstonisd.org/cms/lib2/TX01001591/Centricity/domain/21231/school_profiles/Lee_HS.pdf

Decreasing class sizes is especially important for our ELL peers, because language classes require much more individualized attention, and for ELL students, every class feels like a language class.

B. As Texans, our naïve lack of appreciation for enrichment programs is both morally wrong and economically impractical.

In order to provide students extra assistance in English, Principal Trinh has had to cut language, art, and extracurricular programs at Lee. The school only offers Spanish because a large proportion of their students can test out, meaning he can hire fewer teachers. The principal would love to offer Mandarin, Hindi, or French, but there simply isn't enough money for these languages, increasingly important in the 21st century economy to be part of the curriculum. Lee doesn't have a band, orchestra or any sort of other musical outlet for students. Many students at Lee in fact have a passion for music yet have no way to express this passion, as the school can't afford the instruments or the extra teacher. Others would love to become a mathlete or chess aficionado, but again, the money isn't there. As a result, many funnel their boredom, frustration, and stress into alcohol, drugs, and gangs.

All high school students possess ambition, optimism, creativity, and grit. But at Lee, their aspirations are stunted due to lack of funding. ELL students not only lack the opportunity to participate in enrichment programs but also often a serious chance at learning English and avoiding exploitation in the workforce after graduation. While Lee is working hard and concentrating its limited budget on

providing what it can for its ELL students, these same students still have difficulty overcoming the language barrier because of large class sizes, a lack of enrichment programs, and a limited teacher hiring pool. Committed to providing ESL assistance to ELL students in all subjects, in 2014 Lee began hiring only ESL certified teachers. Unfortunately, these teachers are hard to find even right here in Texas.

C. Many teachers in Texas are alternatively certified in their subject, and lack the academic experience necessary to be truly qualified to teach us.

Mr. Edgardo Figueroa teaches English for Newcomers at Lee. All of Mr. Figueroa's students come to him having never spoken English, and some unable to read or write in their native language. He accommodates them as much as he can, but with 220 students and about 32 per class, there's only so much he can do. What has helped, he says, is the training he received through his ESL certification program. ESL trained teachers employ strategies such as the use of pictures to help students connect key words or concepts in English to their native language, in addition to many others. Teacher certification, however, is expensive and grossly underfunded in Texas.

D. All students should have the opportunity to succeed via higher education or vocational schooling.

Students' struggles are not for lack of trying. In our conversation with Mr. Edgardo Figueroa, we learned a story of his to illustrate this point:

“In one class I had a Mexican student and a Chinese student who

became very good friends. In order to communicate with each other they had to use the little English they had learned, always practicing the skills they learned in class. When they didn't know English words for what they had to say, they used Google Translate.”

These students deserve to dream big and have a fighting chance. Although some may not be the best academically, often due to English skills and difficult home lives, all should have access to vocational and technical schooling. Those who are capable of college-level work should be encouraged to apply and be assisted in the application process by college readiness programs. Many of our peers, who did not grow up in stable family environments and lacked access to quality counseling, were never introduced to four year residential colleges, two year associates degree programs, or even summer internships and academic camps. Texas children are being deprived of this information because of the State's dismal effort in providing school districts the funding to build quality college and career readiness programs. These programs are essential in building an educated citizenry for the preservation of freedom and democracy as the Texas constitution prescribes⁴.

⁴ “Sec. 1. SUPPORT AND MAINTENANCE OF SYSTEM OF PUBLIC FREE SCHOOLS. A general diffusion of knowledge being essential to the preservation of the liberties and rights of the people, it shall be the duty of the Legislature of the State to establish and make suitable provision for the support and maintenance of an efficient system of public free schools.”

II. Decreasing class size

Supreme Court Justices are like anybody else; they want the best for their kids: great teachers, individualized attention, and a wholesome education. But most schools in our state lack the means to give Texas' five million children the class sizes and teachers they deserve.

Most students in Texas today really struggle. Only a handful come from privileged backgrounds with two parent homes, college educated families, tutors, summer camps, and access to the best extracurricular activities and schools, both public and private. Many of the authors of this brief have grown up dealing with gang violence, bullying, mental illness and trauma, transportation difficulties, raising extra cash for our families, and even learning English. The more fortunate authors of this brief have witnessed the struggles of our friends and classmates over the course of our years in Houston's public schools. The vast majority of Texas' five million children have to deal with tests most adults never faced because of Texas' changing circumstances.

Many of us struggle with abusive and mentally ill parents, deal with moving from home to home, sleep each night hungry, or grow up with a deficit for having learned English later than our peers. As students who have spent almost our entire lives in urban public schools, we know firsthand that the hardships of life we see in the movies are more common in reality than they seem. Inside the public school

classroom, a teacher has to educate anywhere from sixteen to sixty students, a majority of whom carry the heavy baggage of poverty and require individualized instructional attention, friendly adult mentorship, and support from someone who cares. For teachers, the struggle is real.

From the nation's most selective colleges to the local Catholic elementary, independent private schools advertise their small class sizes. This factor is a selling point for well-off parents who want the best for their kids, but isn't available for those less fortunate. Since smaller class sizes provide students individualized attention, lighten the burden on teachers, and prevent children from falling through the cracks, this Court should consider the tangible benefits of increasing funding for schools.

A. A smaller student-teacher ratio ensures that each student receives lots of attention, in class as well as privately.

One of our student authors recalls her Spanish class of only sixteen students:

This student participated in lively class discussions in Spanish, and her teacher was able to grade her essays very quickly. The teacher was able to devote more time to each individual student, meaning that they could receive more feedback. With smaller classes, students could also form tight knit study groups that work together better, and as a result, learn more.

The larger the class, the harder a teacher works to claim the whole class's attention. Consider another student author's account of her high school biology class

that barely fit in the classroom.

There were students sitting on the floor because the class was so big. The teacher's well-constructed lectures failed to grab kids' attention because of the added distractions of a large class. Additionally, the teacher frequently had to slow down the lecture to assist students who were falling behind, because there were simply too many to handle after school or at lunch, leaving the rest of the students disinterested in the class.

And with the large populations of Special Ed students, ELL students, and low income students in our schools, a teacher's job is as hard as ever.

B. As fewer teachers are forced to take on more students, their jobs are harder than ever before.

Think about all of the extra grading English teachers must do because their class size increased from twenty to thirty or, even worse, because they had to take on an extra class. This may cut out the teacher's off period—used for grading, preparing lessons, and tutoring students—and, most importantly, leaves them less inclined to give assignments that require specific, individual, feedback. Particularly in English, essays are crucial for developing students' writing skills, but the teacher knows that she can only stay up late for so many nights and ignore her two children for so long. She will likely resort to completion grades and workbook assignments, that offer little to no feedback for her students. Time is an expense for teachers, and many can't afford it. Here are a student's thoughts after being in a class with many

completion grades and fill-in-the-blank worksheets:

It's unhelpful to learn from a teacher who essentially serves as a worksheet grader, akin to the answer key at the back of a textbook. Worse, it's demotivating for us to spend hours on an assignment knowing that the teacher can only afford to spend a few minutes (if even that) checking for completion before putting a grade on it. It's also demotivating for teachers to spend hours grading assignments that don't require any of their expertise.

Good feedback is essential for students to learn from their mistakes.

C. Having adequate class sizes (such as the 22:1 ratio from the TEA) ensures the rising tide of new students do not fall through the cracks.

With the state's changing demographics, we need more teachers and better facilities. In 2012, over 10,000 teacher jobs were lost as on average over 83,000 new students enrolled over the 4 years prior⁵. Without legislation, these numbers will continue to increase. Students and teachers both enjoy higher quality teaching. The stronger bond the student develops with the teacher, the more he or she will be motivated to learn.

The year after the budget cuts in 2011, the number of waivers granted shot up to a record 8,600.8 Schools know the power of small class sizes but are forced to

⁵ Children at Risk Study: Texas Public Education Cuts: Impact Assessment Executive Summary – Pg2 <http://childrenatrisk.org/wp-content/uploads/2012/08/Full-Report-Doing-More-With-Less-Public-Education-in-a-New-Fiscal-Reality.pdf>

cope with overcrowding. Over 60% of the districts that requested waivers in 2011-12 recognized financial hardship as the problem⁶.

Imagine being in large classes your entire life, in a school that doesn't have the financial resources to offer tutoring or summer school. Your parents don't have a high school education and are too busy to help you. There are few resources available to you; the costs of tutors, testing prep or online classes, and review books are too steep.

The students who need the most help are essentially on their own.

More individualized attention in Texas public schools should not be a luxury for the wealthy and well-connected. Large classes subtly convey to children that the school doesn't care about them as an individual. This, fortunately, is not the case: instead, the issue is a lack of funding from the State. Every student wants a teacher to care about him or her. The State Legislature should not impede.

III. Enhancing enrichment programs

Enrichment programs such as physical education, robotics, drama, and music are often the first to get slashed when budget cuts take place. These programs are underappreciated and frequently ignored by politicians, but teenagers know the value of enrichment programs in their career prospects, bridging socioeconomic gaps, and keeping students busy in the summer. For brevity, we focus on the impact of art

⁶ Dietz Findings of the Fact C.3.c.ii. Districts have been forced to seek class size waivers in record numbers – Pg155

education (music, drama, and visual art) and demonstrate that increased school funding would greatly improve Texas public schools.

A. Arts education helps students build skills that are necessary in the Texas job market.

Arts education does not provide students with knowledge solely focused on the arts. In music classes, students are often strengthening their math skills during music theory lessons. Visual arts teachers encompass a great deal of social, cultural, political, and economic history teachings in their classes. In theater classes, students very often act in plays that center around historical events also taught in history classes. Creative writing students deeply analyze a plethora of famous literary works that students also visit in English classes.

B. Arts education effectively bridges the achievement gap between students of low and high socioeconomic status by motivating students to come to school and learn⁷.

We interviewed one student who described his transformative experience with music education:

“During my 7th grade year, my home life was quite a wreck. My parents argued almost daily for hours at a time and I was constantly severely bullied by an older sibling. I could never focus at home so I rarely did my homework. For months during my fall semester, I came to school every day feeling mentally drained and distant from my classmates and teachers. Because of my daily lack of focus in class, my fall semester

⁷ <http://files.eric.ed.gov/fulltext/ED435581.pdf>

grades suffered. My home life was no different my spring semester, but my first period class was changed to an orchestra class. Since my middle school ran on a 4-period per day, block schedule, I began every other school day with an orchestra class. The class added something new, interesting and challenging to my life and I began to notice my focus and attentiveness in my other core classes skyrocket. Because of this, I was able to complete homework at school, the same day it was assigned and my grades got way better. Some of my grades in certain subjects improved by a whole letter grade.”

We have to confess: most of us do not wake up in the morning excited to attend school and learn math. Many of us attend school because we look forward to ROTC, band, or orchestra, and while we’re there, we might as well learn math too. That mindset is useful to understand arts education as a pragmatic method of retaining students, boosting grades, and improving education for all.

In an effort to provide their children with a well-rounded, meaningful education, wealthy parents can enroll their students in arts programs external to the public education system. These programs are often quite costly. Because of this, children who have parents that can afford art programs are able to reap the many benefits of arts education while their peers of lower household income statuses have no chance at doing the same. Many students of low income households have parents that are unable to afford to pay for arts programs. These students are left to choose from a very tiny pool of community funded summer programs. If Texas’s public

schools were funded adequately, they would have enough money to allocate to summer arts programs.

Enrichment programs such as arts education are vital for students to live multidimensional, fulfilling lives both in school and afterwards in the workforce. The opportunities, lessons, and skill-building that enrichment programs provide is unmatched by standardized test preparation and rote memorization. We encourage the justices to remember their time as children, and reflect on what role music, drama, art, and sports played in their lives as kids. While it may not have affected academic performance directly, it surely had an overall impact in their development and got them where they are today. No Texan should be restricted from these activities as a child today because of a lack of funding. No child should be left behind.

IV. Improving Teacher Quality

Teachers are the foundation of education. It is imperative that Texas recruits talented and highly effective teachers, because great teachers makes a great education. With increased funding, school districts can encourage proper certification that will help teachers perform their best and raise base teacher salaries in addition to merit pay incentives that will help recruit the best and brightest teachers.

A. Great teachers make a great education, so hiring effective teachers

should be a top priority.

Students know what makes a good teacher. We are willing to bet most justices of this Court can remember their good and bad teachers from high school to this day. They are the ones—not the officials or administrators—who directly interact with kids and have the potential to control how much a student learns. They are the ones we need to invest in.

Quality teachers are essential for disadvantaged students. Too many kids come to kindergarten without the ability to read; from a young age, the gap has already formed between lower and higher income students. Many economically disadvantaged kids “enter school without knowing basic colors, numbers, animals, the alphabet, how to turn a page, or in which direction to read.”⁸ These kids have parents that are either too busy or incapable to teach them how to read and write. Over 20% of Texas children live in families where the head of the household doesn’t have a high school education.⁴ Now that responsibility falls heavily on teachers. If an unqualified teacher does a poor job of teaching a student how to read, that student can have literacy problems affecting them for the rest of their education. ELL kids, special education kids, and low income kids from violent neighborhoods especially need the best help they can get, and their families are counting on their public education system.

⁸ Fort Bend ISD brief – Pg128

In low income, urban areas, bilingual teachers are in very high demand. Imagine your family just immigrated to Texas and the only language you know is Spanish. With all of your classes taught in English, it is inevitable that you fall behind. Texas has seen its immigrant population explode in the past few years, and it will continue to grow. This will be the fate for many children desperate for a proper education, and it will be even worse for those who are older and try to learn English. Education is the foundation for one's career success, but if teachers do not have bilingual training, many students cannot even participate. For example, Fort Bend ISD claimed that despite all of their efforts, they still lack enough bilingual-trained teachers⁹. Increasing student literacy will improve test scores and guarantee a more competent workforce for the future of Texas.

B. Teacher quality has been decreasing for decades as a result of alternative certification.

Because of the intense strain on schools to accommodate Texas's growing population, school districts are now forced to hire alternatively certified teachers as opposed to properly trained educators. As a result of the State Legislature's actions, schools are forced to serve their students an inadequate education from inadequate teachers. The alternative certification program has become increasingly more popular that it even rivals the traditional certification program. In 1980, 80% of

⁹ Dietz Findings of the Fact – Pg197

teachers possessed traditional certification. In recent years, more than 40% of new entrants to the profession obtained alternative certification¹⁰. One history teacher we interviewed recalls her alternative training program as a waste of time. For students, this is frightening.

In addition, many economically disadvantaged schools are hiring more novice teachers, many of whom are getting certification while still on the job. Teaching is an art best learned by practice and experience, but if too many teachers are hired with no proper training and no experience, then the students are served an injustice. Students cannot wait for their teachers to play catch up. We lose our motivation when we see that our teachers are unqualified and ill-prepared for the job.

C. Texas teacher salaries are no longer competitive on the job market.

Everyone's heard the saying, "those who can, do; those who can't, teach." While incredibly offensive, it sadly holds some truth in 2015 Texas. Teaching is unfortunately not a well-respected profession in our culture. Teacher jobs are simply not competitive anymore. Texas teacher salaries have consistently been one of the nation's lowest. Why would a college graduate go into teaching when more lucrative jobs are available? This is especially true for graduates who specialized in math or the sciences, as STEM jobs are in high demand. In addition, the issues presented in this brief—overcrowding classes, less control over curriculum, overworking and

¹⁰ Dietz Findings of the Fact – Pg148

fatiguing teachers, unmotivated students, etc.—are big deterrents for the teaching profession. And without the proper training to work with special education and ELL students, teachers work long hours yet struggle to bring students up to the incredibly high state standards.

Consider one student's chemistry department.

Her school has a magnet program that makes the school attractive to teachers, but even the most funded of schools see the effects of the job competition. The student had a second-year chemistry teacher. As the year went on, the teacher grew increasingly frustrated that the students were not learning as fast as she imagined. She was tired every day because she had a six year old daughter to mother in what little spare time she had with teaching over six classes with thirty students each. By the end of the year when everyone had lost enthusiasm, she was so disappointed by the final exam grades that she quit the job and enrolled in graduate school at Rice University.

The new teacher—as inexperienced yet bright eyed as the last—faced the same struggles with the following grade. The student rumor is that she reportedly left the school crying and never came back during second semester, leaving the school to hire yet another teacher impromptu. The other departments joke that the chemistry position has not held a teacher for longer than two years.

Texas is already considered one of the least competitive states for teaching jobs. Teaching is an art for those who can do and shouldn't be actively discouraged.

By raising teacher pay, the profession would be competitive. By increasing standards for teacher certification and teacher training, the profession would be well-respected and recruit people qualified to confront the problems mentioned in this brief.

V. Innovating College and Career Readiness Programs

As students, we see the importance of being self-sufficient to contribute to society as an educated citizen when we get older. However, Texas high school students are not being prepared to enter the job market. In a society in which having a bachelor's degree or basic vocational training is becoming necessary to secure a career, college and career readiness needs to be a priority in Texas public schools. An adequate system of education cannot have high school students that are still unable to read and write proficiently, especially when that exact requirement is embedded into the Texas Education Code.

A. Skilled trade workers are a necessity in today's job market, yet trade schools are rarely ever advertised or represented as options to high school students.

The majority of unfilled positions in Texas cannot be filled by people that only have high school diplomas. IT technicians and electricians are in demand more than ever, but there are not enough people with degrees to fill those positions is nowhere near the demand.

One of the authors, who was self-motivated enough to seek trade-learning opportunities, had this to say about these programs:

I have been involved in many trade-learning and college prep programs. I have met so many students that would not have a path to follow in either college or their careers if it weren't for programs like these. College prep programs specifically geared towards industries that need new workers are surprisingly effective in garnering interest among high school students. I have known a girl go from being undecided to being a geology major after being in a petroleum engineering college prep program. I have seen a boy aggressively pursue architecture programs and scholarships after being able to explore the field in a trade program during high school. A close friend of mine is excitedly pursuing a career in IT after graduating from a dual-credit program that had a focus on IT professions. I have witnessed how college and career readiness programs not only give students the ability to go on to be successful but also give them the drive and determination to stay in school and excel.

B. Even if a student is high achieving, they may be underprepared for college if they go to an underfunded, low performing school.

Many students realize they received an inadequate education when they arrive at college. Children who were successful in Texas high schools are often taken aback at how difficult college is, and how much smarter their new peers are. Many feel like they do not belong and subsequently drop out.

Here's an account from a high school graduate from the class of 2014 who was beyond confident about starting college:

I had been ranked 3rd in my high school class, and had been in the dual credit program offered at my school. The school was urban, low-

funded, and low-performing, but being able to start at the University of Houston made me believe that I was finally escaping the culture of poverty and complacency that seems to be almost celebrated at those types of schools. I knew that I wouldn't have to face as many difficulties as my peers who were minorities, but I had my own struggles to face in my low income household. When I began classes, I was upset and confused by what I discovered. My grades were much lower than they had ever been, and I had no idea how to deal with the extreme work load that I now had to deal with. I learned that I had no idea how to study and that I didn't even know who to ask for help.

Her story is the story of too many Texas teenagers who graduate and go off to college, only to find that the relative ease of their high school experience did little to nothing to help them in college.

HISD's college graduation rate is 11%. Most of these kids who don't graduate from college are from underserved communities and don't feel like they belong in college compared to their more affluent peers. When low-income public school Texan kids are barely getting a fraction of the college and career preparations that their private school peers are able to afford, not only is it harder for them to succeed, but it's also harder for them to believe they can succeed. A student cannot go out and try to get ahead when they believe the system is already set against them. The low-income students that make up 60% of this state's public school system need their hope renewed.

A students making minimum wage after earning nothing more than a high school diploma is not making nearly enough to support themselves or any family they may have in the future. Without ways for them to get job training in school, as many of them cannot afford it themselves, they will probably end up on some form of government assistance.

C. Existing college prep programs are limited in their capabilities due to a lack of funds.

The choice between expanding to more students and offering SAT and ACT prep materials is the kind of choice that some very effective, school-funded college prep programs have to make.

HISD currently has a college preparatory program called EMERGE that helps high achieving, low-income, students apply to college, and mentors them throughout the process. Many of our authors are in or have through this program. Here is an account from one student:

Each student had a program manager who was in charge of guiding anywhere from 12 to 23 students through the program. Throughout the year, we had meetings about being college ready and received help through the college application process, including test prep, college essay help, managing deadlines, and handling interviews. EMERGE also provided mentoring and highlighted successful students who had come from underprivileged backgrounds to show the fellows that they too could overcome the circumstances that they had been born in. As a result, as a first-generation college student growing up in a single-

parent household, I ended up getting a full ride to Williams College, where I will be attending this fall.

However, HISD has 9,000+ high school graduates every year, and EMERGE only reaches 100 seniors. Even then, EMERGE's funding is from private foundations and philanthropic grants. In a district with students that are 85% economically disadvantaged, it's simply bad planning to deprive them of college and career readiness.

This is part of a systemic issue in the State of Texas: great ideas, but poor funding. As students, we have seen firsthand the programs that can help us succeed. We know what works, we know it will help, and we know it is needed. Our politicians, however, have yet to act. Paying for students while they're in school is smarter than paying when they're on the streets. Educating our citizenry is vital to protecting our democracy. Leveling the playing field is our moral obligation to create a society where everyone has a chance to succeed.

The best motivation for children is to know that someone cares about us, that someone wants us to succeed. When that support network isn't present in our families, the next place most students look is to other adults in their lives. At school, this means teachers, coaches, counselors, and principals. In the State, this means legislators, governors, and Supreme Court justices. We are counting on the justices as our hope for a better future. Above all else, students need hope: hope that they

can live a better life than their parents, hope that they can really have a chance, hope that they, too, matter.

These past few sections detail methods to instill that hope again.

CONCLUSION

The authors respectfully pray that the Texas Supreme Court would preserve the district court's (Judge Dietz) ruling and declare the current school finance system unconstitutional.

Respectfully submitted,



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CERTIFICATE OF SERVICE

I certify that a true and correct copy of the above has been served electronically through the electronic filing manager; in the alternative, it has been served by fax, or by email, as permitted under TEX. R. APP. P. 9.5(b) (1) – (2) and TEX. R. CIV. P. 21(a)(1) - (2) on this the 4th day of September, 2015:

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As required by Texas Rule of Appellate Procedure 9.4(i)(2), (3), I certify that this computer generated brief has 7320 words in the document, having relied on Microsoft Word 2013.

A handwritten signature in black ink, reading "Zaakir Tameez". The signature is written in a cursive style with a large initial "Z".

Zaakir A. Tameez