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Connor J. Fewell

Ohio University - Athens Campus

Michael E. Hess

Ohio University - Athens Campus

Charles L. Lowery

Ohio University - Athens Campus

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Twenty Years in the Trenches: A Fight for Equitable and Adequate School Funding in Ohio

About the Author(s)

Connor Fewell holds a B.S.Ed. in Adolescent to Young Adult Integrated Language Arts from Ohio University and an M.Ed. in Critical Studies in Educational Foundations from Ohio University. His research interests include social justice, democratic leadership, qualitative research, educational policy, global citizenship, and comparative international education.

Dr. Michael E. Hess is an Assistant Professor of Educational Studies at Ohio University and holds the B.A. in Social Sciences from Shawnee State University and the M.Ed. in College Student Personnel from Ohio University, with the Ph.D. in Cultural Studies from Ohio University. His major research interests include social justice, rural Appalachia, democratic leadership, place-based education, qualitative research methodologies, and international service learning.

Dr. Charles L. Lowery is an Assistant Professor of Educational Administration at Ohio University and holds the B.A. in Spanish from the University of Texas at Tyler. He holds the M.Ed. in Educational Administration from Stephen F. Austin State University where he also earned the Ed.D. in Educational Leadership. His major research interests include moral literacy in leadership and spiritual metaphors of leadership for P20 educational settings.

Keywords

advocacy, educational leadership, equity, foundation model, school funding, single-case study

Cover Page Footnote

We owe the deepest respect and appreciation to William L. “Bill” Phillis, the Executive Director of the Ohio Coalition for Equity and Adequacy of School Funding. Without his participation, this work would not be possible. Without his continued voice in the fight for school funding reform, the dawn of a new day for education in Ohio fades.



TWENTY YEARS IN THE TRENCHES: A FIGHT FOR EQUITABLE AND ADEQUATE SCHOOL FUNDING IN OHIO

Connor J. Fewell, Ohio University-Athens Campus
Michael E. Hess, Ohio University-Athens Campus
Charles L. Lowery, Ohio University-Athens Campus

Abstract

This single case study examined the perceptions of William L. “Bill” Phillis, the Executive Director of the Ohio Coalition for Equity and Adequacy of School Funding, concerning an unconstitutional funding model, subsequent sociopolitical barriers, and their impact on students and school districts from underprivileged socioeconomic background within the context of the *DeRolph v. State of Ohio* legal battle. This research adds to the extant literature on the educational implications of the property tax and foundation model of school funding. As well, we discuss William’s insights regarding the politics, nature, and development of the current state of public school financing in Ohio.

There were four emergent themes: sociopolitical sentiment and rhetoric, the plight of poorer districts, seeing a shared vision, and constitutional language and responsibility. Key findings from the study provide awareness to foster civic responsibility to effect change for inequitable and inadequate funding formulae, to encourage politicians to abandon political agendas over constitutional will, and for educators and students alike to continually advocate for a reformed system of school funding. These findings are especially relevant among under-resourced districts such as those in Appalachian Ohio.

Keywords: advocacy, educational leadership, equity, foundation model, school funding, single-case study

Introduction

The Ohio Coalition for Equity and Adequacy of School Funding, maintained by current Executive Director William L. Phillis, was founded in 1990 with the intent to act as “a vehicle to take all actions needed to reform the school finance system of Ohio” (Phillis, 2005, p. 314). When the school funding debate in Ohio reached a boiling point, the Coalition recruited Phillis in 1992 to serve as its Executive Director, where he remains as of 2018. This study examines the perceptions of Phillis, concerning an unconstitutional funding model, subsequent sociopolitical barriers, and their impact on students and school districts from underprivileged socioeconomic backgrounds within the context of *DeRolph v. the State of Ohio*. To accomplish this, we investigate Phillis’ insights regarding the politics, nature, and development of the current state of public school financing in Ohio. There were four emergent themes: sociopolitical sentiment and rhetoric, the plight of poorer districts, seeing a shared vision, and constitutional language and responsibility.

Background of Study

The Ohio Constitution of 1851 places the task of securing an equitable and adequate system of school funding on the state. Specifically, in Article VI, Section II, it states, “The General Assembly shall make such provisions, by taxation, or otherwise, as, with the income

arising from the school trust fund, will secure a thorough and efficient system of common schools throughout the state.” In 1991, The Coalition filed the *DeRolph v. State of Ohio* funding case in the Perry County Court of Common Pleas. In 1997, after years of debate and appeals, the Ohio Supreme Court releases an initial ruling on *DeRolph*, ordering a “complete, systematic overhaul” of the funding system. However, in 2000, 2001, and 2002, The Supreme Court continually found the funding system unconstitutional, essentially giving us the *DeRolph* Saga: *DeRolph I*, *DeRolph II*, *DeRolph III*, and *DeRolph IV*, where we remain to this day. The case, named after student Nathan DeRolph, was crafted on the belief that the state was failing to provide a “thorough and efficient system of common schools,” as mandated by the Ohio Constitution in 1851, given the state’s massive reliance on local property taxes to secure school funding. The Ohio Supreme Court has deemed school funding in Ohio unconstitutional. Specifically, school systems operating in areas with elevated property value can inherently generate increased opportunities for students while districts with lesser property values are incapable of generating equitable revenue and opportunity.

William Phillis and the Good Fight

William Phillis, known to most as Bill, began his career as a high school teacher in Richmond Dale, Ohio, and quickly climbed the administrative ladder, securing the position of high school principal five years later and local superintendent three short years after that. Phillis would logically work his way into increasing positions of influence, such as county superintendent for Columbiana County Schools, assistant superintendent for the Ohio Department of Education.

Phillis’ twenty-year sentiment surrounding *DeRolph* holds that “the state had neglected and continues to abrogate its responsibility to adequately fund the public education system, and therefore the system is grossly inadequate and inequitable” (Phillis, 2005, p. 313). Given that in 2002, the Supreme Court of Ohio terminated its jurisdiction with *DeRolph*, the result of this termination is the current, ongoing debate over which branch of government should be accountable for manufacturing and implementing a complete and systematic overhaul of Ohio’s school funding system. The absence of an equitable and adequate system of school funding continues to deprive children of equitable educational opportunity. For twenty years, the voice of William Phillis, his work with The Coalition, and the change he represents have been significantly misconstrued and largely ignored. We must continue the discourse on Phillis’ beliefs, aspirations, and the prospect of future school funding in Ohio as a whole, in order to continue to move towards the future Phillis’ work has sought to birth, for perhaps “a new day is dawning” (McKinley & Phillis, 2008, p. 329).

While the state continues to argue that great strides have been made in securing a constitutionally sound framework for school funding, The Coalition and Phillis maintain that “the system has not been overhauled [and] the use of local property taxes to fund schools has not diminished” (McKinley & Phillis, 2008, p. 328). Phillis’ twenty-year fight is both admirable and socially just. Continually representing the voices of underserved districts from inside the trenches of the legislature, Phillis’ actions embody the widely held notion “no institution is arguably as significant in the lives of each American as the public education system” (Cuatto, 2003, p. 220). This study sought to reveal Phillis’ perspectives as to the politics, nature, and development of the current state of public school financing in Ohio.

Exploring these facets of Phillis’ career and attitude will afford researchers, educators, citizens, and students alike an inside-out perspective of the *DeRolph* case from the hero who has pioneered the fight for equitable school funding in Ohio. Most importantly though “is the fact

that the *DeRolph* cases were the impetus for significant changes to Ohio's school finance system—changes that would inevitably affect the present and future prospects of students throughout the state” (Obhof, 2005, p. 84). The issues of funding present in the *DeRolph* case are not exclusive to its respective plaintiffs, defendants, schools, locale, or government. These issues are systemic and can be seen in various states across the nation. To explore these issues, we provide an overview of the Foundation Model as a framework for funding public education as well as court cases that share similar concerns with *DeRolph*.

The Foundation Model

Anderson, Augenblick, and Myers (1997) examined the positives and negatives of various frameworks, such as the foundation model, reward-for-effort model, expert design approach, and successful schools approach. Anderson, Augenblick, and Myers argue “every state includes in its constitution an ‘education clause’ establishing the state’s role in maintaining a public schooling system” (p. 64). This assertion validates Phillis’ continued fight, seeing as bringing *DeRolph* to a definitive close is only possible if the state of Ohio reimagines and restructures its system of funding to secure “a thorough and efficient system of common schools” (OH Const. art. VI, §2, 1851). However, while we recognize other models also hold inequalities and inequities, this research focuses on the Foundation Model in order to contextualize the study.

Anderson, Augenblick, and Myers (1997) stated, “A foundation program requires all districts to tax local property at least at a specified minimum rate and guarantees each district a minimum per-pupil revenue” (p. 65). While this framework guarantees a minimum amount of revenue, it lends itself to inequity and inadequacy between districts containing properties with significantly less value and those containing properties of significantly higher value. Phillis’ fight is about the re-examination of this model in light of the *DeRolph* case. Anderson et al. acknowledged, “In a state with a strong commitment to education funding, foundation funding levels must be frequently re-examined by the legislature or risk becoming outdated, that is, the foundation revenue level may no longer reflect a realistic estimate of the cost of providing an ‘adequate’ education” (p. 65).

Derisma (2013) argued, “Yearly school budgets and funding sources need to be stable and predictable so that teacher placements and educational services are not interrupted” (p. 122). This results in the Foundation Model being the widest used model (Gold, Smith, Lawton, & Hyary, 1992). Income and sales tax revenue will fluctuate with recessions, such as seen in 2007-2009. These methods of revenue are effectively unstable, or at least as compared to property value. Derisma noted those in opposition to such a framework hold that “to create an equitable system within a state, the respective state governments would need to allocate a foundational amount of funding to each district” (p. 123).

Key Court Cases

A struggle for equity and adequacy in school funding presents itself in various states across the nation. Multiple critical cases exist which examine the inequities of a Foundation Model of funding, such as *Rose v. Council for Better Education* out of Kentucky, *Abbot v. Burke* out of New Jersey, *Rodriguez v. San Antonio ISD* and *Edgewood v. Kirby ISD* out of Texas, and *Serrano v. Priest* out of California. The following section offers a review of Texas and California, as these two cases paved the way for multiple cases to come, and pose-striking similarities to *DeRolph*.

Rodriguez v. San Antonio ISD

As noted, “*Rodríguez et al. v. San Antonio ISD*, a class-action suit, was a 1971 landmark case in which a federal district court declared the Texas school-finance system unconstitutional” (Orozco, 2010, para. 1). Reflecting efforts made by Phillis and The Coalition, *Rodríguez et al. v. San Antonio ISD* parents of the respective students found inspiration from the School Improvement League, which was a San Antonio based organization determined to reduce racial inequities without legal means, and formed the Edgewood District Concerned Parents Association determined to reduce financial inequities in the surrounding schools. On July 10, 1968, capitalizing on their rights, “Rodríguez and seven other Edgewood parents filed on behalf of Texas schoolchildren who were poor or resided in school districts with low property-tax bases” (Orozco, 2010, para. 1). A few short months later, in early January 1969, Rodríguez was granted the hearing she desired, forming her case around the notion that “the Fourteenth Amendment to the Constitution made education a ‘fundamental right’” (Orozco, 2010, para. 2).

The court found Rodríguez’s claim to be valid, causing the state to appeal and effectively placing the case under the jurisdiction of the United States Supreme Court. Just as the Ohio Supreme Court terminated its jurisdiction with *DeRolph* in 2002 and placed the responsibility of securing an equitable and adequate system of funding on the state, of which has yet to be implemented, on “March 21, 1973, the Supreme Court ruled five to four against Rodríguez, stating that the system of school finance did not violate the federal constitution and that the issue should be resolved by the state of Texas” (Orozco, 2010, para. 3).

Serrano v. Priest

An early instance of the legal battle for the equity and adequacy of school funding occurred in California. In the Los Angeles County School District, plaintiffs and their parents based filed suit around three claims, one of which noted that “as a direct result of the financing scheme [property tax model], educational opportunities made available to children attending public schools in certain districts were substantially inferior to educational opportunities made available to children in other districts” (Durbin, 1972, p. 163). These claims echoed those of Phillis and The Coalition. Comparable to the Ohio Constitution, the California Constitution stated, “The Legislature shall provide for a system of common schools by which a free school shall be kept up and supported in each district at least six months in every year” (CA Const. art. IX, §5).

The plaintiffs believed the current system of funding to be unconstitutional, given the aforementioned criteria. As Durbin (1972) noted, after deeming the plaintiffs claim to be valid and irrefutable, the California Supreme Court found that “in today’s society education plays such an indispensable role that it must be considered fundamental in nature” (p. 177), and if “narrowly interpreted, the decision prohibits the state from financing public elementary and secondary education by a tax scheme based upon the valuation of real property within the school district” (p. 191).

Clearly, Phillis is not an isolated case. However, his advocacy is preeminent in the state of Ohio. Just as the battle for educational equity continues across the country, so too does it in Ohio—a battle still spearheaded by Phillis and The Coalition. Bringing a voice to Phillis and examining his twenty years spent in the trenches can shed light on the downfalls in the legislature and provide answers to inform future education funding reform, the hope that is central to Phillis’ impassioned fight.

Methodology

Research Design

This qualitative study is a single-significant case. Patton (2015) defines this as "one in-depth case that provides a rich and deep understanding of the subject and breakthrough insights, and/or has distinct, stand out importance" (p. 273). Due to Phillis' involvement with *DeRolph*, he represents a high-impact case. Patton argues high-impact cases are important given "the impacts illuminated and the significance of the case to a field, problem, or society" (p. 274).

Participant Selection

This study used single-significant-case-sampling. As the sole participant, Phillis is a key player in *DeRolph* and the discourse surrounding the case. This research collected data that illuminate Phillis' unique involvement with *DeRolph*. Therefore, a single-significant-case design was appropriate.

Data Collection and Analysis

Data collection included two semi-structured interviews, an interview schedule, and audio recordings. A semi-structured interview afforded the researchers the "flexibility to decide the range and order of questions within a guide or framework" (Wellington, 2015, p. 141). Interviews were audio recorded and transcribed verbatim. ATLAS.ti was used in the coding and thematic analysis.

The data were analyzed in two parts. The first part was a primary analysis, whereby the researcher grouped Phillis' responses into sets of categories, or codes, that arose from the context in which they were used. The primary analysis allowed for the development of headings that encompassed a wide range of data, and "once all the material relevant to a heading is brought together, it should be possible to notice potential ways or organizing the material under a single heading into a more detailed set of sub-categories" (Miller, 2000, p. 115). After the initial analysis, a second analysis was performed that sorted out the content from the chaos. Classification and thematic coding on a secondary scale are necessary as "distinguishing signal from noise results from immersion in the data, systematic engagement with what the data reveal, and judgment about what is meaningful and useful" (Patton, 2015, p. 552). Every effort and precaution was taken in order to elicit the richest insight into Phillis' storied narratives of his experiences with *DeRolph* and the fight for equitable funding.

Results

The researchers identified four emergent themes that provide insights to Phillis' case. The themes were: Sociopolitical Sentiment and Rhetoric; The Plight of Poorer Districts; Seeing A Shared Vision; and Constitutional Language and Responsibility.

Sociopolitical Sentiment and Rhetoric

Sociopolitical sentiment and rhetoric was a major factor in the discourse surrounding *DeRolph* and Phillis' perceptions of the proceedings. Consistently, Phillis voiced a significant amount of preoccupation with fighting political agenda while simultaneously voicing a desire and need for a reformed system of school funding. While Phillis did not view this as the sole deterrent to a reformed system of funding, he persistently noted that "fear mongering" and a climate of fear projected onto the citizenry by politicians was a primary tactic for the diversion of interest away from undergoing the processes needed to establish and implement a reformed, adequate, and equitable system of school funding. As he noted,

All during these proceedings, Voinovich [former Ohio Governor 1991-98] and others were sending messages that we've done more for education than anybody else. The day after the decision, Voinovich and the speaker of the House and the president of the Senate

had a news conference in which they were saying such wild things as ‘This will cost 25 billion dollars. This is a veiled tax raising threat. The court is way off base.

Later, Phillis also made an interesting remark regarding Governor Taft's, Ohio Governor from 1999-07, attempts to mask this "behind the scenes" political turmoil from the public eye when he asserted with a tone of frustration,

Governor Taft called my office one morning and he said, "You know, there's been a lot of bad blood. A lot of rhetoric back and forth. Let's see if we kind of get together and get this thing resolved." Now I knew what Taft was doing because he was about ready to have a news conference. It must have been the second decision [*DeRolph II*] because he said, "I don't want to have the rancor that was there with the first decision. The rhetoric and the rancor." He wanted to be able to say to the media that he had called the Coalition and extended the olive branch.

For Phillis, the importance of illuminating the underlying sociopolitical sentiment and rhetoric surrounding *DeRolph* has implications in current educational debates as well. He went on to say,

Currently, there are those who, in the legislature, that don't really believe in public education. I mean 25 years ago, you couldn't have found any anti-public school legislator but today, a lot of legislators are more interested in the private sector, the charters and the vouchers than the public system. You have that factor. In other words, legislators, some of them just don't really care.

He emphasized the significance of political will in determining the future for an efficient system of school funding. Phillis argues the common citizen should be aware that educational policy often reflects and embodies aspects of educational elitism based on resource allocation and models of school funding. Political agendas often drive the discourse surrounding changes in educational funding models. Reaching a fully reformed funding model will require a paradigm shift in the ideological beliefs of politicians and policymakers regarding the equity and adequacy of school funding.

The Plight of Poorer Districts

To a substantial degree, Phillis commented on what has been interpreted by the research as “the plight of poorer districts.” He framed his discourse around the notion that “the governor’s budget sets up a set of winners and losers among school districts in terms of future funding compared to current funding.” Predominantly, Phillis spoke about the implications the current system of funding has on educational resources and opportunities. Specifically, lower-income districts are affected by property valuations per pupil. He said,

Now the property is unequally distributed among school districts. Some school districts have as low as \$40,000-\$50,000 valuations per pupil whereas other school districts have \$600,000 or \$700,000 per pupil valuation [local property revenue per pupil]. That unequal distribution of wealth among school districts causes a nightmare, I guess you'd say, of trying to get an equal educational opportunity and the state has been unwilling to provide sufficient state resources to overcome the disparities in local property revenue per pupil.

Phillis also commented on the compounding effects that “egregious discrepancies” in school funding have on the poorer districts, including state sales tax, income tax, property values, charter schools, and inconsistencies in school levies. He noted, “As far I'm concerned, it's a perfect storm. [When the state lowers] the income tax, school districts have increased

[spending] demands, the charter schools and the vouchers are taking greater [financial] volumes out of the school districts.”

For Phillis, local districts are forced to make up the cyclical loss of revenue and privileged districts hold an advantage. Phillis stated,

So what happens at the local level is that either they're going to have to raise the taxes, try to get more millage, or cut programs. In many cases, particularly in the Appalachian region, the chances of getting additional levies passed is someplace between nil and none. So it's a matter of cutting programs.

Phillis mentioned that educators and administrators in Appalachian districts are often forced to make do with limited resources once programs are cut. Phillis' comments revealed a dichotomy between the equality and equity of educational resources and programs. He asserts, "In some cases, they wouldn't have art programs. In fact, they had art on the cart programs, where instead of having an art program, an art teacher would go around periodically with their little cart and paint." As we listened to Phillis' insights, we understood that, for Phillis, issues of inequity are consistently overshadowed by a tainted perception of equality. Equality calls for us to provide the same opportunities for all learners whereas educational equity demands we also provide the means through which to help these learners achieve the same opportunities if we want to truly level the playing field. When prompted to comment on why it is difficult for schools to raise additional levies, particularly Appalachian and poorer districts, Phillis mentioned,

Well, obviously people have the income to pay the taxes and in some cases, residents of school districts might dearly love the school. But if it's a matter of paying for food or paying for medicine, if they have to choose between the two, what prevails? Or if they have to choose between higher property tax and medicine and/or food, then to what extent are people going to sacrifice food and medicine for the school levy? So they're stuck between judging on the education of their children versus the well being of their children.

This comment elucidates the resulting social and moral implications of a lack of adequate and equitable systems of school funding.

Seeing A Shared Vision

One of Phillis' passions in fighting for a reformed system of funding for over twenty years was a unified vision with the Ohio Coalition for the Equity and Adequacy of School Funding, affected school districts, and the general citizenry. Phillis continued, "They were attracted to me, the Coalition leadership was attracted to me because they understood my mission and I was attracted to their mission because it was kind of one and the same. So that's kind of how I got involved in the Coalition." Moreover, Phillis offered insights to overcoming the barriers of sociopolitical sentiment and rhetoric. He noted,

I'm saying that it is oftentimes easier for school personnel to lobby local residents for additional revenue than it is for them to lobby the state for additional revenue. They generally like the teachers and the administrators and the board. The people trust the local board members and teachers and administrator a lot more than they trust the state. And so people know that if they vote for a levy, the money is going to be in their school district.

Phillis' comments revealed a passion for civic engagement between residents and school districts. Furthermore, Phillis spoke on the collective power and collective will of educators, administrators, and leaders uniting for this cause. He asserted,

“Thorough and efficient” is a directive from the people of Ohio to the General Assembly. Prior to *DeRolph* people weren't thinking much about thorough and efficient. That

language in the constitution wasn't on the minds of people. In many cases, even school [personnel] didn't know the language was there. I don't know if the legislators understand that or people, in general, understand that. I'm not knocking any other service of the state, but it's interesting to me that when it came to education the people mandated a "thorough and efficient system." The people through the constitution have never mandated welfare services or health services or any other services as far as the constitution is concerned.

Phillis' insights reveal that, above all, education is the greatest ideal shared by the people of Ohio. The magnitude of this vision demonstrates the severity of the need for a reformed, equitable, and adequate system of school funding.

Constitutional Language and Responsibility

A final theme that emerged from the study was Phillis' reliance on constitutional language and responsibility in defining the parameters for a reformed system of funding, noting that Article VI, Section II of the Ohio Constitution mentions the "General Assembly shall make such provisions by taxation or otherwise as will secure a thorough and efficient system of common schools throughout the state." Phillis continued,

There are some keywords in that constitutional language. First of all, "thorough and efficient" means high quality. It means excellence in educational opportunities. Common has to do with students having equal participation. And of course students do not have equal participation in this state, they never had, and hopefully, we will reach the point where they will have.

As this statement illustrates, for Phillis, "efficient" means more than a minimum and speaks to excellence. Phillis remained hopeful that one day we will overcome the political and educational stagnation surrounding *DeRolph* and achieve a system that affords equity and adequacy of opportunities and resources to all learners. Additionally, building off the dichotomy between equity and adequacy, Phillis noted,

Equity has to do with justice and fairness. It has to do with the system, striving for a system of common schools where everybody should benefit equally and have equal access there too. Equality isn't necessarily equity in that if a person is ... If a man and woman want equal pay, that's treating everybody the same. In education, you can't treat everybody the same, so equal dollars per pupil won't work for a kid in a special ed program or even a gifted kid or a disadvantaged kid because equity demands that you would put more money into a disadvantaged kid and a kid with disabilities than a regular kid.

Discussion and Conclusions

The participant of this study offered important insights for politicians, administrators, educators, and citizens related to the current nature of the state of public school financing in Ohio. The legal proceedings discussed in this study are not exclusive to the state of Ohio but are of national concern, as documented in the extant literature. This notion continues to place issues of inadequacy and inequity in school funding at the forefront of educational research and reform. Phillis' perceptions placed a significant emphasis on the barriers to securing a reformed system of funding imposed by political agenda.

Phillis strongly believes these political barriers have played an inherently detrimental role in preventing the discourse and insights offered by *DeRolph* from reaching the state, The Coalition, and the citizenry that many have longed for. This fight for over two decades reflects the prevailing sentiment of the citizens of Ohio, especially those affected by discrepancies in school funding; education is the greatest institution to society and is a constitutional right.

While Phillis was reluctant to offer any specific recommendations, he did allude to the idea that the solution would best be found in the will of the people. As long as the citizens and educators have remained impassioned in the fight, Phillis has as well.

Closely connected to Phillis' status as the voice of the fight manifested by *DeRolph* is his image as an icon of educational activism in Ohio. Phillis' achievements and efforts serve as a continual reminder for all those affected by the inequities of the current system of school funding to pursue their civic duty and stand up for their constitutional rights. Such inequities translate into issues of social injustice, such as the choice between food and medication as opposed to education, particularly as it rests within the context of Appalachian Ohio. Phillis' insights remain applicable to educational issues today.

As mentioned, Phillis intentionally avoided being prescriptive in his solutions and suggestions to issues regarding school funding. However, certain practical implications can be drawn from the findings of this study. Educational leaders and policymakers need to view Phillis as a role model and source of inspiration for sustained advocacy and agency to ensure equitable school funding for the future. While Phillis provides a strong, singular voice in the push for equitable and adequate school funding, he also advocates for collective activism through organizations such as the Ohio Coalition for Equity and Adequacy of School Funding, and the Ohio based Coalition of Rural and Appalachian Schools. These types of coalitions offer a collective voice in advocacy for the general citizenry.

In addition, educational leadership preparatory programs (e.g., superintendent licensure programs) should offer candidates coursework and clinical experiences that expose them to issues of finance and funding with specific attention to inequities and inadequacies in the existing models. Finally, policymakers, at the local, state, and national levels, need to experience first-hand the realities of inequitable schooling for children in Ohio and across the nation. By visiting and becoming intimately acquainted with the circumstances of under-resourced schools in which many teachers work and students learn, they can better understand the impact of the inequity of school funding policies.

As recent political agendas lean towards privatization and "for-profit education," the inequities embodied by *DeRolph* seem to remain entrenched at the national level. William Phillis' work represents a need to bring about change through progressively pursuing reform at the local, state, and, ultimately, the federal level. His work has sought to incite hope that "a new day is dawning" in educational equity (McKinley & Phillis, 2008, p. 329).

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