UC Berkeley California Journal of Politics and Policy

Title

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Permalink https://escholarship.org/uc/item/2z42z0gj

Journal California Journal of Politics and Policy, 11(1)

Author Wells, David

Publication Date 2019

DOI 10.5070/P2cjpp11142406

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THE CALIFORNIA Journal of Politics & Policy

Arizona: #RedforEd – Governor Ducey Forced to Invest in Education

David Wells Arizona State University

Abstract

The FY2019 budget saw the country's largest movement of teachers descend on the state capital and force Governor Doug Ducey to scramble to save his re-election prospects. Gradually growing through social media, the #RedforEd movement culminated with 50,000 teachers and supporters walking out of classrooms and descending onto the Capitol grounds. Gov. Ducey deftly rose to the occasion from his initial one percent raise to a 20 percent raise by FY2021 before the walkout commenced, moving the pressure to legislators to seal the deal, which they did on May 3, 2018. Stronger revenue growth than prior years enabled the governor and Legislature to find the necessary funds.

Introduction

Governor Doug Ducey's was running for re-election in Arizona. All looked favorable, despite the national mood that was showing more animosity toward a Donald Trump-led Republican Party. Normally in a reliable Republican state with solid economic performance, fairly sound executive management and strong fundraising, the governorgovernor would be well positioned for re-election.

But Governor Ducey wasn't terribly popular entering his election season. the January Morning Consult poll gave Ducey a 42-36 favorability advantage-quite modest with lots of undecided voters. Neighboring Nevada's Brian Sandoval had far better numbers 61-19, for instance (Easely 2018). FiveThirtyEight.com considers Morning Consult to have a 4 point Republican bias, so with that adjustment, Governor Ducey was about even (FiveThirtyEight.com 2018).

Then teachers started showing up at the Capital and by the end of March it was more than two thousand and growing. The governor already had a checkered past on teacher pay, he had led the opposition to an education sales tax hike in 2012, had initially promised a significant boost in teacher pay that when released was actually two percent over five years, and now having been forced by his Republican legislature to make that two percent over two years, he was facing legions of teachers gathering at his doorstep. The governor faced a growing dilemma—how to stem the political resistance and keep to his pledge not to raise taxes.

How the governor pulled that off was the story of the FY2019 legislative session in Arizona.

Arizona's Economy Rises Due to Population Growth

For decades Arizona's growth has been built off population growth, which has taken the form of people from other states moving to Arizona as well as immigrants, legal and unauthorized, coming across the Mexican border. The Pew Hispanic Center estimates that the number of unauthorized immigrants has gone down by more than one-third from its peak in 2007 both due to lessened economic opportunities as well as a number of anti-authorized immigrant legislation that has been passed by the legislature over the last dozen years beyond SB1070 that was signed on April 25, 2010 and subsequently ended up before the U.S. Supreme Court, which struck down most, but not all of the law ((Pew Hispanic Center 2016)). Nonetheless, population growth in Arizona continues to surpass the United States, especially in the most recent years of the economic expansion as shown in Figure 1. But what's most notable in Figure 1 relative to the FY2019 budget is that annual population rates are growing in Arizona both relatively and absolutely compared to the United States as a whole. A key driver of the population growth is migration from outside the state. For 2017, the census estimated the net natural increase at less than 0.4 percent, meaning the rest of the 1.5 percent annual increase came from in-state migrations, including one-fifth from other countries (Fischer 2017). This kind of in-migration adds to the state's labor force and creates the basis for higher state revenues.

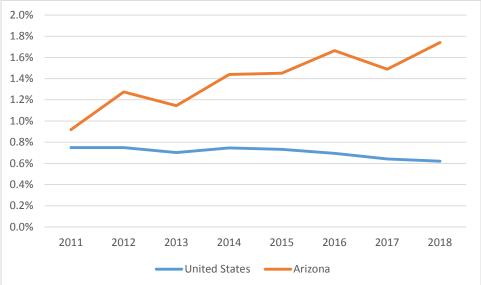
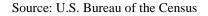


Figure 1. Annual Population Growth, Arizona v. United States



Consequently in 2017 and data through mid-year in 2018 suggest that Arizona's real GDP growth is doing better than in prior years. For 2017 among states in the Southwest, only Nevada grew faster. Results for 2018 through the second quarter, which completed FY2018, show that Arizona again only trails Nevada in growth. Consequently, FY2018 exceeded revenue forecasts and that made optimistic forecasts for FY2019 seem more probable. See Figure 2 and 3 below. Note on Figure 2 years of negative growth need to be subtracted from the positive growth to obtain a cumulative total, so Arizona through the period is actually slightly ahead of Nevada. However, Arizona despite the recent growth and higher population growth still trails the United States as a whole from 2011-2017.

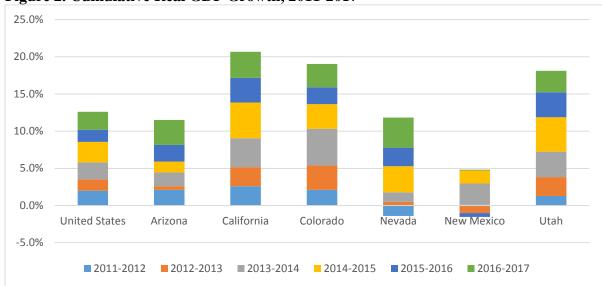


Figure 2. Cumulative Real GDP Growth, 2011-2017

Source: Bureau of Economic Analysis

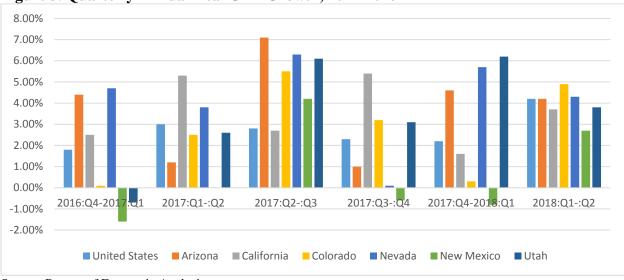


Figure 3. Quarterly Annual Real GDP Growth, 2017-2018

Source: Bureau of Economic Analysis

The Political Landscape

Arizona retained a Republican controlled legislature in the second year of the legislative cycle with a 35-25 Republican majority in the House and a 17-13 majority in the Senate. In the Senate, two moderate Republicans, Bob Worsley of Mesa and Kate Brophy McGee of Phoenix, sometimes side with Democrats or can use their leverage to force changes in bills. One illustration was an expansion of the Arizona empowerment scholarship program, i.e., vouchers, in the 2017 session, where Worsley forced a number of changes including a cap on possible enrollees and a testing requirement in order to receive his support to be the swing vote (Wingett Sanchez, O'Dell and Rau 2017). The norm of operation, however, is that leadership in the Senate and House along with the governor's office develop the ultimate budget compromise, it's quickly sold to Republican lawmakers and brought to a vote. After the governor reveals his budget proposal in January, around mid-March to mid-April after the deadline for bills to pass in at least one chamber occurs, then talks get more serious but pubic information is left to the rumor-mill, even for members. Not until an agreement is reached is everything revealed and the session usually sine die's within a week. However, in 2018 #RedforEd added a new wrinkle that drove the budget's bottom line far beyond what would have normally occurred.

Year	House R	House D	Senate R	Senate D	Governor
2001-02	36	24	15	15	R
2003-04	39	21	17	13	D
2005-06	38	22	18	12	D
2007-08	33	27	17	13	D
2009-10	35	25	18	12	R
2011-12	40	20	21	9	R
2013-14	36	24	17	13	R
2015-16	36	24	17	13	R
2017-2018	35	25	17	13	R

Table 1. Party Control of Legislature, Office of Governor

Source: Arizona Capitol Times, Political Almanac 2017.

The Budget They Thought They Would be Negotiating

After years of tight budgets, a little bit of wiggle room appeared for FY2019 in the initial budgets from the Republican Governor and Republican-controlled Legislature. In an election year, the governor sought to position himself well on the issue of education, an area that had seen growing public concern due to a perceived lack of funding. More robust revenues gave the governor more flexibility than in some past years to fund new initiatives. In addition, by increasing tax enforcement (last year he cut auditors in the Dept. of Revenue with horrendous results), and a few fund sweeps, the governor put forward his agenda. A key initiative was aimed at K-12 designed to forestall a lawsuit over capital funding for schools. The governor proposed to fully fund the District Additional Assistance Program by 2023 with a \$100 million down payment in FY2019. After the governor's proposed budget was released the Arizona Association of School Business Officials dropped out of the lawsuit, though many education groups including Arizona School Boards Association remained (Fisher 2018). The governor and Legislature had already agreed on a 2 percent over 2 years increase in teacher salaries with the second installment built into the FY2019 budget. Republicans did not expect that to draw any more than the usual protest from Democrats, as being too meager.

The latest school funding lawsuit related to capital support for schools, including new construction and repairs. Following the *Roosevelt v. Bishop* (1994) case, the state also took on more responsibility for school repairs and construction as the court found the state was failing to provide a "general and uniform public school system," largely because low income districts are not able to bond and pay for these costs through capital overrides the way wealthier districts can. Glendale recently had to temporarily close two elementary schools due to deferred maintenance issues. They are already a plaintiff in the lawsuit (Rau 2017). Below are the required elements if they were fully funded , not including failures to fund them over the past decade (Wells 2016).

- Building Renewal Funds: \$93 million (based on actual 2007 allocation)
- New School Construction: \$288 million

In FY2017 the budget provided \$15 million. For FY2018, the Legislature moved to increase it, but the amount, \$64 million, was far below what had previously been allocated (Joint

Legislative Budget Committee 2017). The \$100 million improvement in funding the District Additional Assistance formula the governor proposed was clearly trying to move in a direction to deal with the lawsuit.

Going into the session Republicans expected to make some key steps in education funding that would limit criticism and hoped to achieve a relatively quick resolution.

#RedforEd Shakes up the Political Landscape

Though the governor tried to emphasize K-12 education in his State of the State address, a political movement would soon form that fundamentally changed his calculus.

While some can debate how one calculates education spending and average teacher salaries, the perception that's reinforced by reporting is that Arizona teachers are the lowest paid in the country. In politics, perception is reality and suggesting you're 43rd instead of 49th or 50th will not win you converts (Forman 2018a). The Legislature has been diverting now more than \$150 million annually to private schools and a bill that passed the legislature in 2017, SB1431, expanded private school access give credence to the widely held view that Arizona legislators and the governor favor private over public education. While the bill's impact has likely been overstated, its symbolic valuing of private school over public school led to a grassroots organization, SOS-Save Our Schools—which organized a referendum drive to get 90,000 signatures within 90 days after the session concluded. They succeeded and Prop. 305, now having cleared all legal hurdles thrown at it by opponents, made it to the 2018 November ballot for voters to affirm or repeal it.

The governor was on record at Koch Brothers gathering in early 2018 as being all-in to stand up and fight for private school voucher expansion, but that was before the education landscape started changing further (Roberts 2018).

To clear his way for re-election, Gov. Ducey had also been working to remove any possible added education funding tax effort from the 2018 ballot to avoid a situation where he was opposed to a potentially popular tax raising effort to back education. Allegedly he worked with his business community allies to wait, including some of his supporters that had called for raising the state sales tax by an additional 0.9 percent for education (Cano 2017). Meanwhile, as the session began in January 2018, the Arizona Chamber of Commerce was spending more than \$1 million on an ad campaign touting how great Arizona K-12 education is and the added funds going to it without noting that most was due to voter approved Prop. 123 that settled a lawsuit over insufficient and illegal funding amounts (Harris 2018)

All appeared good until West Virginia teachers went on strike for a raise and reverberations came to Arizona. On Wednesday, March 7, using social media as a primary organizing device, thousands of teachers wore red as part of the #RedforEd campaign (Cano and Mendoza 2018). The group, formally called, Arizona Educators United, was growing. By the next Wednesday, when many teachers were on Spring Break, teachers packed a hearing room at the state capital at a bill hearing to expand private school tax credits (Russakoff 2018). The bill passed committee, enraging teachers. On Wednesday, March 21 a couple teachers decided to call in sick and go to the capitol and that spread via social media and 9 schools in one district closed as educators descended on the capital to demand action (Cano 2018a). The growing movement caught legislators' attention, and a bill to extend Prop. 301, a 0.6 percent sales tax for education that was slated to expire in 2021, suddenly found new life and with a required two-thirds vote easily surpassed in the House and Senate and the governor's signature the next day (Cano

2018b). The action was remarkable not only for its speed, but because since voters imposed a two-thirds vote to raise taxes in 1992 that was the first time it had occurred (Safier 2018).

That funding only maintained the status quo and failed to stop the insurgency. On March 28, approximately 2,500 teachers dressed in red shirts marched at the Capitol, this time demanding a 20 percent raise—something that would cost about \$680 million (Cano 2018c). They also wanted more investment to restore prior state cuts since the Great Recession, pay hikes for support professionals including teacher aides, a permanent structure to assure future salary increases, and no new tax cuts. But those aspects got less emphasis in the media.

With this mounting political movement and its popular support, speculation arose that the governor's re-election could be in jeopardy (Forman 2018a). Gov. Ducey ordered his staff to come up with a plan even if it meant working through the weekend. The pressure was mounting. On Wednesday, April 11, the focus was at school sites and "walk-ins," whereby teachers and supporting parents, students and community members lined up outside schools near the entrance. More than 100,000 people participated (Russakoff 2018). The next day Governor Ducey, flanked by Republican legislative leaders, many school superintendents along with some education advocates announced his 20 by 2020 plan. The governor would seek a 9 percent raise for teachers in FY2019 on top of the 1 percent raise he had initiated the prior year and the remaining 10 percent split between FY2020 and FY2021. He would do this without raising taxes or robbing other parts of education funding, including his plan by FY2023 to fully fund the district additional assistance formula with a \$100 million first step in FY2019. (Forman and Giles 2018).

The obvious concern was how was he paying for it? And would that be sustainable? Politically, the plan undercut a pivotal issue for Democrats as they geared for the fall's election. Many education advocates had doubted the governor could come up with such a plan, and Democratic legislative leadership was left in a difficult spot of wanting to support teachers, but not sure how they should respond to the plan. The best they could offer was questions over whether the funding was sustainable (Pineda 2018a). Those questions were not unreasonable.

The governor's press conference had ambiguous revenue sources in a one-page memo touting the education investments and rise in teacher average salaries followed by a short note on the bottom regarding how to pay for it:

Here's How

The state's revenues are on the rise and have been higher than originally projected, combined with a reduction in state government operating budgets through strategic efficiencies, caseload savings, and a rollback of governor's office proposals included in the FY2019 Executive Budget, more dollars are available to invest in two of Arizona's most important priorities: Arizona teachers and Arizona classrooms (Office of the Governor Doug Ducey 2018)

At the press conference, reporters got some additional tidbits of how to pay for what was expected to cost about \$260 million:

- \$109 million in surplus revenues beyond previously anticipated
- Caseload savings from Medicaid, meaning it was coming in at less than had been budgeted

• "...a reduction in state government operating budgets through strategic efficiencies," or as A*rizona Republic* reporter Richard Ruelas put it "small cuts here and there" (Ruelas 2018).

Even though there was no way the governor and Republicans could walk back from the governor's plan once it was announced, movement leaders decided to stay on the offensive and keep up the pressure until the budget was passed while also lobbying for their other demands. The next week walk-ins continued at school sites and Arizona Educators United called for a vote of all school personnel, including classified staff, on a walk-out, or essentially a strike. Based on a prior opinion of the state's attorney general, state law forbids strikes, so technically teachers could be at risk of losing their credentials. When the votes were tabulated, Arizona Educators United and the teacher's union Arizona Education Association announced that 78 percent of school personnel had authorized a walkout. Leaders set the following Thursday, April 26, as when it would commence (Strauss 2018).

Meanwhile with the walkout vote announced, the governor sought to avoid a walkout by putting pressure on the legislature to agree to his plan, even as some grassroots education groups that had initially aligned with the governor's plan pulled out citing insufficient evidence of stable funding. The governor vetoed 10 Republican bills all with the same veto message: "Please send me a budget that gives teachers a 20-percent pay raise by 2020 and restores additional assistance. Our teachers have earned this raise. It's time to get it done." (Forman 2018b)

But alas no agreement occurred in time and on Thursday, April 26, an estimated 50,000 educators and supporters descended on the Capital clad in red shirts with a two mile march and then proceeded to occupy the outside spaces. Signs, speakers and even make shift marching bands took the grounds and planned to keep coming back until a satisfactory budget was completed (White and Cano 2018).

Ironically, the legislators, themselves, had little to do because budget details were being worked on behind closed doors between Republican leadership and the Republican Governor and his staff (Pineda 2018b). While a budget deal was announced with legislative leadership on Friday, April 27, no details were provided and lawmakers had not been briefed, so the walkout continued (Fornan 2018c)

On Monday, April 30, a coalition of education groups led by the progressive Center for Economic Progress affiliated with the Children's Action Alliance and including the Arizona Education Association and some key members of Arizona Educators United held a press conference to announce a ballot initiative that would tax the top 1 percent and raise almost \$700 million annually as a means to provide financial support for higher teacher and support staff pay as well as enhance general operation funding. The move raised questions because it fell short of the nearly \$1 million the movement had been calling to simply replenish prior cut funding. In addition, it led to immediate opposition from Republican-oriented groups such as the Arizona Chamber of Commerce (Cano 2018d).

Finally, in the early morning hours of May 3rd after 12 hours of debate both chambers had passed the budget and sent it to the governor for his signature. Teachers returned to their classrooms on Friday, May 4 (Ruelas, Leingang, et al. 2018). During the walkout, school administrators called off school, so teachers could use sick leave to cover missed days. The walkout was not without controversy, some Republican lawmakers were highly critical and the Republican Superintendent of Public Instruction Diane Douglas called for teachers who walked out to be sanctioned, though the State Board of Education decided against it (Fernandez

Campbell 2018). The final budget left it to local school boards to decide how to disperse the extra money, whether it would be entirely teacher salaries or if the teacher salaries might be somewhat less, so that support staff could also receive raises. Likewise, districts could also give flat raises across the board, so that less experienced teachers who are the greatest source of attrition might be incentivized to stay in the classroom or they could provide percentage increases which meant that more experienced teachers would receive more.

How the Budget Adds Up

Given the rather ambiguous funding from the governor's press conference, how did the governor pay for such a significant unanticipated raise.

Table 2 lays out just the new initiatives in the Dept. of Education budget where the most focus occurred and compares the original executive budget with what was enacted. Here the governor moved from a 1 percent salary increase specifically for teachers to 10 percent if only given to teachers—and somewhat less if shared with support staff. The net added cost of \$240 million would have under the original revenue plan placed the state into deficit and not been sustainable, even if fund seeps were used to meet the initial year.

The bottom part of Table 2 shows that the revenue side improved by nearly \$360 million. Twothirds of this amount came from higher revenues. Those higher revenues included surplus revenues from FY2018 that enhanced the beginning balance by \$160 million and an upgrade in the anticipated revenue growth for FY2019 that added another \$80 million. The remaining funds came from a combination of added fund sweeps and an expected \$18 per vehicle registration fee increase that would assist the Department of Public Safety. Since fees were not taxes, the governor claimed he was still good to his word.

Going forward the state appears to have sufficient funds to meet the rest of the 20 by 20220 plan, as FY2019 should continue to benefit from strong economic growth.

Department of Education	Millions \$	Millions \$	
	Exec. Original	Enacted	
New Initiatives	(Jan.)	(May)	
Decrease deduction from District Additional			
Assistance Formula	\$100	\$100	
Teacher (or staff) Salary Increase	\$34	\$274	
Other initiatives	\$16	\$13	
Total	\$150	\$387	
Difference	\$237		
Total Spending	\$10,144	\$10,389	
Difference	\$245		
Revenue			
Beginning Balance	\$43	\$204	
Base Revenue	\$10,092	\$10,171	
Revenue Enforcement	\$55	\$61	
Fund Sweeps	\$76	\$121	
Fee Increase	\$0	\$72	
TY2017 Internal Revenue Code Conformity		(\$5)	
Total Revenue	\$10,266	\$10,624	
Difference	\$358		

 Table 2. Executive Original versus Enacted Budget: Dept of Education and Overall

Source: Office of the Governor Doug Ducey, Joint Legislative Budget Committee

Conclusion

FY2019 showed the power of social movements to change the trajectory of a state budget and the manner in which social media can provide both a means of communication and organization to a group which was widely dispersed. It also showed how teachers who had been suffering but not organized could be inspired by teachers in West Virginia and Oklahoma who led the way in showing that collective action could make what seemed impossible possible.

The governor just he had done with education lawsuit that he inherited showed a political adeptness in crafting a solution that went a large way to meeting the broader demands of the #RedforEd movement and again doing so without raising taxes-so he kept a campaign pledge.

Not surprisingly, Governor Ducey swept to re-election despite a blue wave in Arizona in November in no small part due to his 20 by 2020 plan. The ballot initiative to better fund education by taxing the top 1 percent got sufficient signatures to qualify for the ballot, but opponents were able to argue its summary language was insufficiently accurate with respect to the impact of the taxation portion of the initiative that the state Supreme Court kicked it off the ballot. So the issue of increasing taxes in Arizona remains.

Superintendent of Public Instruction Diane Douglas, who was thought to be politically weak, proved it by losing in a five-way Republican primary. Then the Democrat Kathy Hoffman

defeated Republican Frank Riggs to become the first Democrat to hold the position of Superintendent for Public Instruction in more than two decades. Hoffman is a teacher and her campaign manager, Noah Karvelis, had been the chief organizer behind Arizona Educators United. So on that front #RedforEd gained an additional advocate within statewide office.

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