

## **From the Desk of Fr. Phil ...**

### **My Brief in Support of Amendment 2:**

#### **First principles:**

1. Parents are the primary educators of their children. A child's education is the purview of the parents, not the property of the state, the school district, or of any institution.
2. There is no absolute, immutable legal, moral, or philosophical principle that establishes that any government entity should have a legally mandated and enforced geographic, fiscal, and practical monopoly over children's education. Consequently, a child's education is not owned by the state or a school district. Nor is it owned by any institution, its employees, or managers.
3. It is a false claim that "public money", should never go to private citizens or private institutions. No one who is saying such an absurd thing actually believes it. Social Security, Medicare, Medicaid, farm subsidies, student loans, Pell grants, etc. are all examples of public money going to private citizens who then use those funds at various and numerous non-government, private institutions.
4. All of the above examples show us tremendous flexibility in how individuals and families actually use government funds to meet a variety of needs in their living arrangements, healthcare, education, and work-related needs. We all accept this flexibility because they serve various public goods that are ordered to the citizens who receive them.
5. I have lived in Illinois, Missouri, Ohio, Michigan, and Kentucky. Kentucky is the only state that doesn't legally allow any form of educational choice and flexibility in its education policy. I can assure you all those other states I've lived in were not educational hellholes or backwaters of education.
6. I am a product of both private and public schools. I received a great education in both and had wonderful and inspiring teachers in both environments. I also grew up in a state (Illinois) that had educational choice and lots of public policy flexibility in its approach to education, which benefited ALL the institutions engaged in the work of education.
7. 48 states have some combination of educational choice programs and charter schools, as well as public policy environments that favor flexibility and innovation. Kentucky has none of that due to prejudicial provisions currently in our state constitution. That lack of public policy flexibility is a wet blanket on educational flexibility and innovation. This lack of mechanisms for flexibility and innovation is something that tends to benefit the economic and managerial incumbents of a rigid system, not its students.
8. Amendment 2 is not about money; it is about removing unjust constitutional prohibitions that prevent the right ordering of the citizen and students to their needs.

#### **Facts:**

Amendment 2, if passed, would give the General Assembly, the elected representatives of the people, the ability to explore ways to improve our education system in Kentucky. That is all this amendment does.

It DOES NOT create a voucher system.

It DOES NOT defund public education.

It DOES NOT even reduce funding for public education.

Amendment 2, if it passes, would amend just 7 sections of the constitution. Of the 7 changes 5 of these sections have remained unchanged since 1891, when this version of our constitution became law. A sixth has not changed for more than a hundred years and the 7th was amended in 1953.

### **Reflections:**

It's odd to me that many people think the ONLY appropriate thing to consider concerning education is more money for a rigid, one-size-fits-all, mandatory, geographic system—a system that appears to struggle more each year to meet basic educational benchmarks. When you keep doing the same things repeatedly, and benchmark achievements keep declining, perhaps it is time to consider there is a STRUCTURAL problem with the way we approach education policy.

There should be educational policy flexibility to explore and address structural problems with the way in which we provide education to children. Continuing narrow government monopolies over education is not the way forward. Such monopolies have repeatedly shown themselves incapable of addressing the structural issues affecting education.

It's interesting to note that so many people who would oppose monopolies in other areas of enterprise consider monopolies mandatory in education.

The fact that we are currently prohibited from even experimenting with educational structures is revealing. Students Do Not benefit from a public monopoly on education and one-size-fits-all structures and institutions.

### **Analogy:**

One of the meme-based "arguments" making the rounds in opposition to Amendment 2 is that "public money shouldn't go to "private institutions." By "public money" and institutions people mean, of course, government money and government institutions.

Let's examine that claim.

For example, student loans are "government money." Their subsidized interest rates are taxpayer funded. Pell Grants are government money. You are free to use student loans or Pell Grants to attend UK or Asbury College, as you see fit. One is a government institution, the other is a "private", i.e., non-government institution. No one has a problem with that.

Farm subsidies are government money. Those subsidies are given to private individuals and corporations to meet a public good—to keep farms in business, to support essential agricultural production, and to work toward keeping food prices low. No one thinks we should collectivize and nationalize farms because they receive public money.

Social Security and Medicare are public money. As are all pensions and insurance benefits received from a taxpayer funded job. These are public monies that go to private individuals (citizens) to use as they see fit and live where they prefer.

No one believes there should be geographically mandated retirement homes-for those receiving public money for their retirement and healthcare-where they should be mandated to live to utilize those benefits.

I doubt anyone thinks you should be prohibited from using Baptist Health or St. Joseph Hospital in Lexington, or St. Elizabeth's in Northern KY, or University of Cincinnati-all private institutions-with your SS and Medicare benefits. Meadowview and Flemingsburg Hospital are private institutions as well, owned and operated by a FOR-PROFIT corporation.

Should you have to use ONLY your private funds, not money from Social Security benefits or Medicare (government money), to engage the services of these "private", i.e. non-government institutions? No one thinks that, and with good reason.

All the above-mentioned institutions receive boatloads of public money through grants, federal and state subsidies, direct appropriations from the state and federal governments, various forms of tax preferment, and, of course, through Medicare and Medicaid. No reasonable person has any problem with that.

On the flip side, no one thinks you should be MANDATED to use any of these facilities based solely on your geography. If the Soc. Sec. and Medicare administrators mandated, you could only use the hospitals in your geographic area for your healthcare-and you were prohibited from using another hospital for your medical needs-none of us would think that mandate to be just or wise.

No one has an issue with public money going to private citizens for their use in serving their retirement or healthcare needs. We clearly understand the benefit attaches to, and follows, the person.

**Conclusion:**

If you think the use of your Soc. Sec. and Medicare benefits should go with you to choose where and how to be treated, what's wrong with having a choice about how and where to be educated? If you think you should have some autonomy as to where and how you receive your healthcare, just apply those very same principles to education.

Amendment 2 is not about money; it is about removing unjust constitutional prohibitions that prevent the right ordering of the citizen and students to their needs.