

MISSOURI NATIONAL EDUCATION
ASSOCIATION, REBEKA MCINTOSH, and
KIMBERLY DUVALL,

Plaintiffs,

v.

STATE OF MISSOURI,

Serve: Attorney Gen. Andrew Bailey
Office of the Attorney General
227 East High St.
Jefferson City, MO 65102

MICHAEL KEHOE in his official capacity
as Governor of Missouri,

Serve: Office of the Governor
State Capitol, Room 216
201 W Capitol Ave.
Jefferson City, MO 65101

ANDREW BAILEY in his official capacity
as Attorney General of Missouri,

Serve: Office of the Attorney General
227 East High St.
Jefferson City, MO 65102

VIVEK MALEK in his official capacity
as Treasurer of Missouri,

Serve: Office of the Treasurer
301 West High St., Room 780
Jefferson City, MO 65101

MISSOURI OFFICE OF ADMINISTRATION,
and KENNETH ZELLERS in his official
capacity as Commissioner of the
Missouri Office of Administration, and

Serve: Office of Administration)
State Capitol, Room 125)
201 W Capitol Ave.)
Jefferson City, MO 65102)
)
MISSOURI EMPOWERMENT)
SCHOLARSHIP ACCOUNTS BOARD,)
)
Serve: MO Scholars Board)
Office of the Treasurer)
301 West High St., Room 780)
Jefferson City, MO 65101)
)
Defendants.)

**VERIFIED PETITION FOR DECLARATORY JUDGMENT
AND INJUNCTIVE RELIEF**

Plaintiffs Missouri National Education Association, Rebeka McIntosh, and Kimberly Duvall (“Plaintiffs”) state the following for their Verified Petition for Declaratory Judgment and Injunctive Relief against Defendants State of Missouri, Governor Michael Kehoe, Attorney General Andrew Bailey, Treasurer Vivek Malek, the Office of Administration and Commissioner of Administration Kenneth Zellers, and Missouri Empowerment Scholarship Accounts Board (“Defendants”).

Preliminary Statement

1. Plaintiffs Missouri National Education Association, its Vice President Rebeka McIntosh, and its member Kimberly Duvall bring this Verified Petition for Declaratory Judgment and Injunctive Relief, challenging the constitutionality of two appropriations in House Bill No. 12 (103rd General Assembly) purporting to authorize the expenditure in fiscal year 2026 of over \$50 million in general revenue funds and another \$1 million in dedicated administrative and marketing funds for private K-12 school scholarships.

2. As explained more fully below, the General Assembly has far overstepped its authority and violated five provisions of the Missouri Constitution by using an appropriations bill to construct out of whole cloth a scheme to divert general revenues to what are essentially vouchers for the payment of private school tuition for elementary and secondary school students.

3. The \$51 million appropriation works an end run around the General Assembly's 2021 enactment of a comprehensive statutory framework awarding tax credits to Missouri taxpayers who make charitable donations to designated "educational assistance organizations" ("EOs") which, in turn, award "empowerment" scholarships ("ESAs") to families in accordance with strict eligibility criteria, to enable them to attend private schools. See e.g. H.B. 349 (101st General Assembly, effective August 28, 2021), codified at Sections 135.712-.719, RSMo. and 166.700-.720, RSMo.

4. By law, the tax credits were capped at \$75 million in 2024, subject to adjustment each subsequent year based on the prior year increase or decrease of funds distributed to public schools under the foundation formula. Section 135.713.3, RSMo. (as amended by S.B. 727, 102nd General Assembly, effective August 28, 2024).

5. The tax credits awarded to participating taxpayers in each of the prior years of the program have come nowhere near the allowable cap – meaning that substantial opportunities remain under existing law for taxpayers to make additional donations for the purpose of educational scholarships, and obtain tax credits in exchange.

6. Notwithstanding this existing capacity under current law to make additional scholarships available to students, the General Assembly manufactured, in the guise of an appropriation, a brand new voucher program for \$51 million in scholarships (\$50

million from general revenues and \$1 million from dedicated administrative/marketing funds) enabling students to attend private schools. Nowhere in the substantive laws of Missouri are there any guidelines or eligibility criteria for the distribution of \$51 million in vouchers.

7. Defendant Missouri State Treasurer Vivek Malek, who along with Defendant Missouri Empowerment Scholarship Accounts Board is charged with distributing the \$51 million of general revenue and administrative/marketing funds, has stated publicly that the appropriation will enable 6,000 students (more than twice the number who benefitted in fiscal 2025) to receive scholarships in fiscal 2026. See <https://missouriindependent.com/2025/06/04/new-funding-for-private-school-vouchers-will-set-precedent-for-future-missouri-budgets/>, a true and accurate copy of which is attached hereto as Exhibit A.

8. Defendant Malek has stated publicly that he hopes that the tax credit program will eventually sustain the private school scholarship program, but until it does, he intends to request additional general revenue appropriations in future years to enable the students who receive scholarships in fiscal 2026 to continue receiving such scholarships through their high school graduation. *Id.*

9. Plaintiffs seek a declaratory judgment that the \$51 million appropriation is unconstitutional and any expenditures made therefrom or contracts made for the purpose of spending those funds are *ultra vires* and void; and a temporary restraining order and preliminary and permanent injunctions against the expenditure of any of said appropriation.

Parties

10. Plaintiff Missouri National Education Association (“Missouri NEA”) is a membership organization with approximately 28,000 public educator members. Missouri NEA is a non-profit corporation organized under Missouri law, with its principal place of business in Cole County, Missouri.

11. Plaintiff Rebeka McIntosh (“McIntosh”) is a member and currently the elected Vice-President of Missouri NEA, and she will become the President of Missouri NEA on August 1, 2025. McIntosh is a resident of Boone County, Missouri, a retired elementary school teacher previously employed by the Grandview C-4 School District, and a Missouri taxpayer.

12. Plaintiff Kimberly Duvall (“Duvall”) is a member of Missouri NEA, a resident of Jackson County, Missouri and a Missouri taxpayer. Duvall is employed as a teacher in the Blue Springs R-IV School District and serves as the elected President of the Blue Springs National Education Association. Duvall has a child who has a disability and who attends the Blue Springs R-IV School District. Duvall is concerned that the unauthorized appropriation of general revenues for private school scholarships will inevitably impair the ability of public school districts to adequately serve their students, including students with disabilities like her child.

13. The vast majority of Missouri NEA’s educator members reside in and pay taxes to the State of Missouri. Missouri NEA has associational standing to bring suit on behalf of its many members who reside in and pay taxes to the State of Missouri and therefore have standing to sue in their own right; the interests that Missouri NEA seeks to protect are germane to its members’ purposes; and neither the claims asserted, nor the

relief requested requires the participation of its thousands of individual members. See, e.g., *E. Mo. Coal. of Police v. City of Chesterfield*, 386 S.W.3d 755, 759 (Mo. 2012).

14. Defendant State of Missouri, through the General Assembly, is charged with the duty of making the laws and complying with, among other things, the requirements of Article III, Sections 23, 36, and 39(4) and Article IV, Sections 15 and 23 of the Missouri Constitution. The State of Missouri, through the General Assembly, is sued here for adopting an appropriation bill which violates the foregoing Constitutional provisions. The General Assembly is located in Cole County, Missouri.

15. Defendant Michael Kehoe is the Governor of Missouri, charged with signing or vetoing legislation and with the duty to ensure that the Constitution and laws of Missouri are faithfully executed. He is sued in his official capacity for authorizing, carrying out, and/or ratifying the unlawful actions alleged in this Verified Petition. The Office of the Governor is located in Cole County, Missouri.

16. Defendant Andrew Bailey is the Attorney General of Missouri, charged with the duty to defend State statutes from Constitutional challenge. He is sued in his official capacity for authorizing, carrying out, and/or ratifying the unlawful actions alleged in this Verified Petition. The Office of Attorney General is located in Cole County, Missouri.

17. Defendant Vivek Malek is the Treasurer of Missouri, charged generally with the duty to receive, invest, and hold revenues “for the benefit of the respective funds to which they belong” and “disburse them as provided by law.” Mo. Const. art. IV, Section 15. The Treasurer is charged specifically with implementing the provisions of the Missouri Empowerment Scholarship Program under Sections 135.712-.719, RSMo. and 166.700-.720, RSMo. He is sued in his official capacity for authorizing, carrying out, and/or

ratifying the unlawful actions alleged in this Verified Petition. The Office of the Treasurer is located in Cole County, Missouri.

18. Defendant Missouri Office of Administration (“OA”) is the Executive Department established by the Missouri Constitution to implement the State budget and oversee State expenditures, including the processing of warrants and certification of payments after ensuring that the proposed expenditure is “within the purpose as directed by the General Assembly of the appropriation and that there is in the appropriation an unencumbered balance sufficient to pay it.” Mo. Const. art. IV, Section 28. The Office of Administration is located in Cole County, Missouri.

19. Defendant Kenneth Zellers is the Commissioner of OA, and his Office is located in Cole County, Missouri. He is sued in his official capacity for authorizing, carrying out, and/or ratifying the unlawful actions alleged in this Verified Petition.

20. Defendant Missouri Empowerment Scholarship Accounts Board (“MO Scholars Board”) is established by Section 135.715.3, RSMo. to assist the Treasurer with implementing the provisions of the Missouri Empowerment Scholarship Program. The MO Scholars Board is sued in its official capacity for authorizing, carrying out, and/or ratifying the unlawful actions alleged in this Verified Petition. The MO Scholars Board has its office in Cole County, Missouri.

Jurisdiction and Venue

21. The Court has jurisdiction over this action pursuant to Article V, Section 14 of the Missouri Constitution and Section 527.010, RSMo.

22. Venue is proper in this Court pursuant to Section 508.010.2(1), RSMo., because Defendants are the State and its agencies and officers sued in their official capacities whose offices are located in Cole County, Missouri.

Facts

A. The Missouri Empowerment Scholarship Program

23. In 2021, the General Assembly adopted and the Governor signed H.B. 349, establishing the “Missouri Empowerment Scholarship Accounts Program” (“MO Scholars Program”), which is now codified at Sections 135.712 - .719 and 166.700 - .720, RSMo.

24. The MO Scholars Program permits Missouri taxpayers to make a contribution to a non-profit “educational assistance organization” (“EAO”) and then apply the full amount of that contribution as a tax credit against up to 50% of their state tax liability. Section 135.713.1 & .2, RSMo. Unused tax credits may be carried forward four years but not sold or transferred. Section 135.713.2, RSMo.

25. The Treasurer certifies whether organizations qualify as EAOs, limits the number of EAOs to ten or eleven statewide depending on aggregate donation levels, and assures that they are distributed geographically and based on population criteria. Sections 135.712.2(1) & 135.715.2, RSMo.

26. The EAOs provide the Treasurer with a receipt for each donation, and the Treasurer certifies the amount of the taxpayer’s tax credit. Sections 135.714 & 135.713.2, RSMo.

27. EAOs must demonstrate their financial accountability by submitting to the Treasurer annual audit financial statements as well as filing with the Treasurer a surety

bond payable to the state in the amount of expected contributions. Section 135.714.1(8) & (16), RSMo.

28. The EAOs make grants (“ESA scholarships”) to families of “qualified students” in order of priority: students who previously received scholarships, then their siblings, then students with Individualized Education Plans (“IEPs”), then students who are eligible for free or reduced lunch and who live in an unaccredited or provisionally accredited school district, then students who are eligible for free lunch, then students who are eligible for reduced lunch, then military dependents, then “all other qualified applicants.” Section 135.714.1(4), RSMo.

29. The amount of the ESA scholarship is a percentage of the “state adequacy target,”¹ based on the student’s category of need. Section 135.714.1(6), RSMo.

30. ESA scholarships may be used at “qualified schools,” defined as public or charter schools, private schools, or public or private virtual schools, or for “family-paced education.” Section 166.700(8), RSMo.

31. “Qualified schools” need not alter their “creed, practices, admissions policy, or curriculum” in order to accept scholarships. Section 166.720.3, RSMo.

32. Students receiving ESA scholarships must receive education in language arts, math, social studies, and science; and may use the scholarship for expenses like

¹ The “state adequacy target” (or “target”) measures per pupil expenditures by the 25% of school districts classified by the Missouri Department of Elementary and Secondary Education (“DESE”) as “performance districts” based on their annual performance report. Sections 163.011(13), (18), RSMo. When first calculated in 2005, the target was \$6,117. Rudi ’splains it: The State Adequacy Target • Missouri Independent, a true and accurate copy of which is attached hereto as Exhibit B. For fiscal 2025, the target was increased to \$7,145, to be phased in over two years. *Id.* During the past 20 years, inflation has increased by 65% while the state adequacy target has increased by only 17%. *Id.*

tuition or fees, books, therapies, account management fees, fees for summer and after-school education programs, tutoring, or computers. Section 166.705.1, RSMo.

33. ESA scholarships are renewable annually, until the student completes high school. Section 166.705.2, RSMo.

34. EAOs must ensure that students receiving ESA scholarships take annual achievement tests, and the EAOs must submit the scores to the Treasurer and the Missouri Department of Elementary and Secondary Education (“DESE”) along with other student data including grade level, gender, family income level, race, graduation rates, and college attendance. Section 135.714.1(9), (12), (13), & (14), RSMo.

35. The Treasurer is required to conduct or contract for annual audits of parents, students, and vendors participating in the program. Section 166.710.1, RSMo. The Treasurer may remove parents or students from the program, and such decision is appealable to the Administrative Hearing Commission. Section 166.710.2, RSMo.

36. The Treasurer must publish test and graduation results via a public website that aggregates data by the students’ grade level, gender, family income, race, and number of years of participation in the program. Section 135.714.3, RSMo. The Treasurer is also required to post on its website the number of students awarded ESA scholarships each year, the number of ESA scholarship recipients enrolled in each qualified school, and data such as students’ eligibility for free and reduced lunch, and IEPs. Section 135.714.4, RSMo.

37. The ESA program was initially limited to students in charter counties and cities with at least 30,000 residents. See Section 135.713.3, RSMo. (as enacted by H.B. 349, 101st General Assembly, effective August 28, 2021). This geographical restriction

was removed in 2024, and an initial \$50 million cap on tax credits each year was increased to \$75 million, which the Treasurer is required to adjust each year based on the increase or decrease of funds distributed to public schools under the foundation formula during the previous year. Section 135.713.3, RSMo. (as amended by S.B. 727, 102nd General Assembly, effective August 28, 2024).

38. The Treasurer is required to develop a procedure for allocating tax credits to EAOs on a first come first serve basis, and reallocate unused tax credits to try to ensure greatest use of tax credits possible. *Id.*

39. In the four years since the establishment of the MO Scholars program, donors have not come anywhere near exhausting the applicable cap on available tax credits for ESA scholarships.

40. The Treasurer is required to promulgate rules on certain topics, Section 166.710.4, RSMo., and the Treasurer and the Department of Revenue are authorized to make rules on other topics. Section 135.719.1, RSMo. The Treasurer's rules for the program can be found at 15 CSR 50-5.010 – 50.5.050.

41. The Treasurer is permitted to delegate its authority under the ESA statute to the MO Scholars Board, which is established by the law. Sections 166.710 & 135.715.3, RSMo. The Treasurer serves as the chair of the MO Scholars Board, whose other members include the Commissioners of Administration, Education and Higher Education; members appointed by the Senate, House, and Governor; and a seventh member who is an EAO employee appointed by the other six. Section 135.715.3, RSMo. The MO Scholars Board shall assist the Treasurer with the duties assigned to that office and with collaborating with DESE. *Id.*

42. The number of students receiving scholarships was 1,360 in 2022-2023; 1,992 in 2023-24; and 2,677 in 2024-25.

https://treasurer.mo.gov/Content/MOScholars_Information/StuAwardYTDbyEAO.xlsx.

The Treasurer's Office has not reported the number of students receiving scholarships in 2024-25.

43. The total amount of scholarships paid out to schools cumulatively through June, 2024 was \$33.8 million.

https://treasurer.mo.gov/Content/MOScholars_Information/DistroAmtbySchool.xlsx. The Treasurer's Office has not yet reported the cumulative amount of scholarships paid out to schools through 2024-25.

44. Importantly, the money for ESA scholarships comes from donations that taxpayers make to EAOs, and EAOs then remit to families. The donated funds never come into the custody of the State, and the State does not select scholarship recipients.

45. The money for administering the ESA program at the State level, and for marketing the program to families, comes from a 4% fee on the donations, which EAOs pay into the "Missouri Empowerment Scholarship Accounts Fund" (hereafter "ESA Fund"). Section 135.716.6(1), RSMo. The ESA Fund "shall consist of moneys collected under this section." *Id.* (emphasis added).

46. Moneys in the ESA Fund "shall be used solely by the state treasurer for the purposes of sections 135.712 to 135.719." Section 135.716.6(1), RSMo. More specifically, the ESA Fund is to be used by the Treasurer for "marketing and administrative expenses or the costs incurred in administering the program, whichever is less." Sections 135.715.4 and 135.716.7, RSMo.

47. The ESA Fund has received approximately \$1.3 million through the 4% administrative fee through fiscal 2024. See p. 3 on each of <https://treasurer.mo.gov/bank/FundReport/2022/2022%20-%20FiscalYearEndFunds.pdf>, <https://treasurer.mo.gov/bank/FundReport/2023/2023%20-%20FiscalYearEndFunds.pdf>, and <https://treasurer.mo.gov/bank/FundReport/2024/2024%20-%20FiscalYearEndFunds.pdf>.

48. Until now, the only other revenue paid into the ESA Fund besides the 4% fee was an initial \$1 million supplemental appropriation in HB 3014 (2022) for the latter part of fiscal year 2022. Section 14.317 of that bill appropriated \$1 million from the general revenue to the ESA Fund. Section 14.320 then appropriated \$1 million from the ESA Fund for “personal service and/or expense and equipment” – not to exceed 2.67 FTEs. <https://house.mo.gov/billtracking/bills221/hlrbillspdf/3014S.05T.pdf>.

B. HB 12, the Fiscal 2026 Appropriations Bill

49. HB 12 dramatically changes the landscape. Section 12.190 of that bill appropriates \$50,000,000 in general revenue funds to the ESA Fund., <https://documents.house.mo.gov/billtracking/bills251/hlrbillspdf/0012H.06T.pdf>, at p. 9. Section 12.185 appropriates \$51,048,917 from the ESA Fund, “***For the purpose of awarding scholarship accounts to qualified students as defined in Section 166.700(9), RSMo., in an order consistent with the prioritizations delineated in Section 135.714.1(4), RSMo., in amounts authorized by the formula created under***

135.714.1(6), RSMo., through agreements outlined in Section 166.705.”² *Id.*

(emphasis added).

50. The Missouri Empowerment Scholarship Act, Sections 135.712 - .719 and 166.700 - .720, RSMo., does not authorize distribution of general revenues for scholarships, either by EAOs or by the State itself. No other Missouri statute provides this authority either.

51. The Missouri Empowerment Scholarship Act designates a 4% administrative fee paid by EAOs on taxpayer donations as the revenue source for the ESA Fund, which revenues are to be used by the Treasurer for “marketing and administrative expenses or the costs incurred in administering the program, whichever is less.” Sections 135.715.4 and 135.716.7, RSMo.

52. The Treasurer’s rules for the MO Empowerment Scholarship program contain no guidelines for the distribution of general revenue moneys by the ESA Fund for the purpose of scholarships. 15 CSR 50-5.010 – 50.5.050.

53. HB 12 itself purports to require the Treasurer and MO Scholars Board to distribute \$51,048,917 from the ESA Fund (\$50 million in general revenue funds and \$1 million in dedicated administrative/marketing funds) in accordance with four isolated provisions of the Missouri Empowerment Scholarship program statutes. <https://documents.house.mo.gov/billtracking/bills251/hlrbillspdf/0012H.06T.pdf>, at p. 9.

The appropriation directly conflicts with the underlying statutory framework, which must

² Presumably the difference between the two appropriations (\$1,048,917) represents the anticipated balance in the ESA Fund as of June 30, 2025. The balance in that Fund as of June 30, 2024 was \$1,306,450. <https://treasurer.mo.gov/bank/FundReport/2024/2024%20-%20FiscalYearEndFunds.pdf>. The Fund likely had \$257,533 in administrative and/or marketing expenses during the 2025 fiscal year, leaving a balance of \$1,048,917 as of June 30, 2025.

be read together as a whole and which does not authorize the distribution of general revenues or dedicated administrative/marketing funds for student scholarships.

54. In short, the General Assembly, through the guise of an appropriation statute, has purported to authorize the Treasurer and MO Scholars Board to disburse \$51 million (\$50 million in general revenue funds and \$1 million in dedicated administrative/marketing funds) for vouchers for K-12 students to attend private schools – without undertaking the political work of adopting general legislation authorizing such disbursement.

55. The General Assembly lacks the authority to confer such power on the Treasurer and the MO Scholars Board. The legislature's attempt to empower Executive officers and boards to shower taxpayer funds on families to use at private schools is unconstitutional.

56. On information and belief, once the Governor signs HB 12 and the new State fiscal year begins on July 1, 2025, the Treasurer will submit a warrant to the Commissioner of OA for the certification and transfer of the \$50 million appropriation of general revenue money to the ESA Fund, the Commissioner of OA will certify the transfer, and the transfer will take place.

57. On information and belief, once the ESA Fund receives the \$50 million transfer of general revenues, the Treasurer or the MO Scholars Board will submit one or more warrants to the Commissioner of OA for the certification and payment to EAOs of the \$50 million in general revenue funds and some or all of the \$1,048,917 in dedicated administrative/marketing funds remaining in the ESA Fund, for the purpose of student scholarships; the Commissioner of OA will certify said payments, and the payments will

be executed. This belief is supported by the Treasurer's statements to the media that there are already "6,000 students ready to participate in the coming year, and he expects more to sign up." That compares to 2,700 students who participated this past year. <https://missouriindependent.com/2025/06/04/new-funding-for-private-school-vouchers-will-set-precedent-for-future-missouri-budgets/>, attached as Exhibit A.

58. On information and belief, the Treasurer and/or the MO Scholars Board already have entered into or will enter into contracts with EAOs, governing the distribution and intended use of the \$51,048,917 appropriation from the ESA Fund set forth in HB 12.

Count I: Single Subject Violation Under Article III, Section 23

59. Paragraphs 1-58 are realleged and incorporated herein.

60. Article III, Section 23 of the Missouri Constitution states:

No bill shall contain more than one subject which shall be clearly expressed in its title, except bills enacted under the third exception in section 37 of this article and general appropriation bills, which may embrace the various subjects and accounts for which moneys are appropriated.

61. "[T]o keep the narrow exception for 'general appropriations bills' from swallowing the broad prohibition [in Article III, Section 23] against bills containing multiple subjects, this Court has long recognized that this exception in article III, section 23 'limits appropriations bills **to appropriations only**.'" *Planned Parenthood of St. Louis Region v. Dep't of Social Services*, 602 S.W.3d 201, 207 (Mo. banc 2020) (cleaned up) (emphasis in original).

62. "[A]ny bill that purports to combine appropriations with the enactment or amendment of general or substantive law necessarily contains more than one subject in violation of article III, section 23." *Planned Parenthood*, 602 S.W.2d at 207.

63. Through the appropriations in HB 12 for the ESA program, the General Assembly impermissibly attempted to amend the ESA statute to permit the transfer of general revenues into the ESA Fund and the transfer of general revenues and dedicated administrative/marketing funds out of the ESA Fund for purposes of ESA scholarships.

64. The ESA program does not authorize scholarship monies to flow through the State. It only authorizes taxpayers to make donations directly to EAOs (which in turn are to award scholarships to students), in exchange for a tax credit for up to 50% of their state tax liability.

65. Under the authorizing statutes, the ESA Fund consists of “moneys collected under this section” – meaning the 4% fee owed by EAOs on donations they receive. Sections 135.715.4 & 135.716.6(1), RSMo. Moneys in the ESA Fund are to be used by the Treasurer “for marketing and administrative expenses or the costs incurred in administering the program, whichever is less.” Sections 135.715.4, 135.716.6(1), & 135.716.7, RSMo.

66. HB 12 impermissibly purports to amend Sections 135.715 and .716, by permitting general revenues to flow through the ESA Fund for purposes of awarding scholarships, and by allowing funds dedicated for administrative and marketing expenses to be diverted for scholarships.

67. Plaintiffs McIntosh and Duvall are Missouri taxpayers. They, and Plaintiff Missouri NEA as the associational representative of its thousands of members who are Missouri residents and taxpayers, have standing to seek a declaratory judgment and injunction against an unconstitutional expenditure, regardless of the magnitude of the impact on their individual tax liability. *Mo. Outdoor Advertising Comm. v. Mo. State Hwy*

& *Transp. Comm.*, 826 S.W.2d 342, 344 (Mo. 1992) (associational standing); *Eastern Missouri Laborers Dist. Council v. St. Louis County*, 781 S.W.2d 43, 46-47 (Mo. 1989) (taxpayer standing).

68. “When considering a motion for a [temporary restraining order or] preliminary injunction, a court should weigh ‘the movant's probability of success on the merits, the threat of irreparable harm to the movant absent the injunction, the balance between this harm and the injury that the injunction's issuance would inflict on other interested parties, and the public interest.’” *State ex rel. Dir. of Revenue v. Gabbert*, 925 S.W.2d 838, 839 (Mo. 1996).

69. Plaintiffs are likely to succeed on the merits of their claim that the appropriations to the ESA Fund in HB 12 violate the single subject mandate of Article III, Section 23 of the Missouri Constitution. *Planned Parenthood*, 602 S.W.2d at 207; *State ex rel. Davis v. Smith*, 345 Mo. 1069, 1973 (Mo. 1934); *State ex rel. Hueller v. Thompson*, 316 Mo. 272, 277-78 (Mo. 1926).

70. Any transfer of the \$50 million appropriation to the ESA Fund and any expenditures from the \$51 million appropriation out of the ESA Fund for purposes of scholarships would be unauthorized by law. Any contract between the ESA Fund and an EAO or other third party for the purpose of funding scholarships would be *ultra vires* and void. *State ex rel. State Highway Comm’n v. County of Camden*, 394 S.W.2d 71, 76 (Mo. App. S.D. 1965).

71. Plaintiffs will suffer irreparable harm unless the Court issues a temporary injunction prohibiting the transfer of the \$50 million appropriation to the ESA Fund and the further expenditure of the \$51 million appropriation by the ESA Fund for the purpose of

awarding scholarships. Once the unlawful appropriations are disbursed to private entities or individuals, it will be difficult if not impossible to claw those funds back to the Treasury where they belong.

72. “[B]eing subject to an unconstitutional statute, ‘for even minimal periods of time, unquestionably constitutes irreparable injury.’” *Rebman v. Parson*, 576 S.W.3d 605, 612 (Mo. 2019), *quoting Elrod v. Burns*, 427 U.S. 347, 373 (1976).

73. The harm to Plaintiffs if temporary injunctive relief is not granted far exceeds the harm to the Defendants from delaying expenditures of the disputed appropriation pending final resolution of this litigation.

74. The public interest favors entry of a temporary injunction against the transfer of the disputed \$50 million appropriation to the ESA Fund and the further expenditure of \$51,048,917 out of the ESA Fund for scholarships pending trial.

75. Plaintiffs have no adequate remedy at law beyond this action for declaratory injunction for challenging these unconstitutional appropriations. *Rebman*, 576 S.W.3d at 612.

76. It is clear beyond a reasonable doubt that the General Assembly would have passed HB 12 without the appropriations for the ESA Fund that violate Article III, Section 23 of the Missouri Constitution, and that those appropriations are not essential to the efficacy of the bill. *Planned Parenthood*, 602 S.W.3d at 212. Accordingly, the Court should sever from the remainder of HB 12 the \$50 million appropriation to the ESA Fund and the further appropriation of \$51 million out of the ESA Fund for purposes of scholarships.

**Count II: Appropriations Impermissibly References Other Laws
To Fix Their Purpose, in violation of Article IV, Section 23**

77. Paragraphs 1-76 are realleged and incorporated herein.

78. Article IV, Section 23 of the Missouri Constitution provides in pertinent part, “Every appropriation law shall distinctly specify the amount and purpose of the appropriation **without reference to any other law to fix the amount or purpose.**” (emphasis supplied).

79. Section 12.185 of HB 12 violates Article IV, Section 23 because it impermissibly refers to isolated sections of the Missouri Empowerment Scholarship Act (Sections 135.714.1(4) and (16), 166.700(9), and 166.705, RSMo.) to fix the purpose of the \$51,048,917 appropriation, notwithstanding the fact that the underlying statutes do not authorize the expenditure of general revenues or dedicated administrative/ marketing funds for scholarships.

80. Any expenditures of the \$51 million out of the ESA Fund for purposes of scholarships would violate Article IV, Section 23. Any contract between the ESA Fund and an EAO or other third party for the purpose of funding scholarships would violate Article IV, Section 23, and would therefore be *ultra vires* and void. *Camden*, 394 S.W.2d at 76.

81. Plaintiffs are likely to succeed on the merits of their claim that the appropriations into and out of the ESA Fund in HB 12 violate Article IV, Section 23 of the Missouri Constitution.

82. For the reasons set forth in paragraphs 71-75, Plaintiffs will be able to establish irreparable harm if a temporary injunction does not issue, which far exceeds any harm to Defendants from delaying expenditures of the disputed funds pending final

resolution. Plaintiffs will be able to show that the public interest favors entry of a temporary injunction, and that they have no adequate remedy at law.

83. It is clear beyond a reasonable doubt that the General Assembly would have passed HB 12 without the appropriations for the ESA Fund that violate Article IV, Section 23 of the Missouri Constitution, and that those appropriations are not essential to the efficacy of the bill. *Planned Parenthood*, 602 S.W.3d at 212. Accordingly, the Court should sever the \$51 million appropriation out of the ESA Fund from the remainder of HB 12.

**Count III: Payment of Claims Against State Under
Unauthorized Contracts in Violation of Article III, Section 39(4)**

84. Paragraphs 1-83 are realleged and incorporated herein.

85. Article III, Section 39(4) of the Missouri Constitution provides in relevant part:

The general assembly shall not have the power:

* * *

(4) **To pay or to authorize the payment of any claim against the state** or any county or municipal corporation of the state **under any agreement or contract made without express authority of law**;....

(emphasis supplied).

86. Any transfer of the \$50 million appropriation to the ESA Fund and any expenditures from the \$51 million appropriation out of the ESA Fund for purposes of scholarships would be without express authority of law and therefore would violate Article III, Section 39(4) of the Missouri Constitution. Any contract between the ESA Fund and an EAO or other third party for the purpose of funding scholarships would violate Article

III, Section 39(4), and would therefore be *ultra vires* and void. *Camden*, 394 S.W.2d at 76.

87. Plaintiffs are likely to succeed on the merits of their claim that the appropriations involving the ESA Fund in HB 12 violate Article III, Section 39(4) of the Missouri Constitution.

88. For the reasons set forth in paragraphs 71-75, Plaintiffs will be able to establish irreparable harm if a temporary injunction does not issue, which far exceeds any harm to Defendants from delaying expenditures of the disputed funds pending final resolution. Plaintiffs will be able to show that the public interest favors entry of a temporary injunction, and that they have no adequate remedy at law.

89. It is clear beyond a reasonable doubt that the General Assembly would have passed HB 12 without the appropriations for the ESA Fund that violate Article III, Section 39(4) of the Missouri Constitution, and that those appropriations are not essential to the efficacy of the bill. *Planned Parenthood*, 602 S.W.3d at 212. Accordingly, the Court should sever the \$50 million appropriation to the ESA Fund and the further appropriation of that \$51 million out of the ESA Fund from the remainder of HB 12.

Count IV: Violation of Article IV, Section 15,
Restricting the Powers of the Treasurer

90. Paragraphs 1-89 are realleged and incorporated herein.

91. Article IV, Section 15 of the Missouri Constitution requires the Treasurer to hold all revenue collected “**for the benefit of the respective funds to which they belong.**” (emphasis supplied).

92. The statutes governing the MO Scholars Program create the ESA Fund, “which shall consist of moneys collected under this section” (meaning the 4% fee on

taxpayer donations to EAOs), and specifies that such moneys are “to be used by the state treasurer for marketing and administrative expenses or the costs incurred in administering the [tax credit] program, whichever is less.” Sections 135.715.4 and 135.716.6 and .7, RSMo.

93. HB 12 goes much further than that, requiring the Treasurer to deposit general revenue moneys to the ESA Fund and expend those moneys from the ESA Fund, not for the statutorily-authorized purposes of marketing or administrative expenses, but for the unauthorized purpose of student scholarships.

94. Any transfer of the \$50 million appropriation to the ESA Fund and any expenditures from the \$51 million appropriation out of the ESA Fund for purposes of scholarships would go beyond the permissible scope of the Treasurer's duties prescribed by Article IV, Section 15 of the Missouri Constitution. Any contract between the ESA Fund and an EAO or other third party for the purpose of funding scholarships would violate Article IV, Section 15, and would therefore be *ultra vires* and void. *Camden*, 394 S.W.2d at 76.

95. Plaintiffs are likely to succeed on the merits of their claim that the appropriations involving the ESA Fund in HB 12 violate Article IV, Section 15 of the Missouri Constitution. See *Farmer v. Kinder*, 89 S.W.3d 447, 454 (Mo. 2002).

96. For the reasons set forth in paragraphs 71-75, Plaintiffs will be able to establish irreparable harm if a temporary injunction does not issue, which far exceeds any harm to Defendants from delaying expenditures of the disputed funds pending final resolution. Plaintiffs will be able to show that the public interest favors entry of a temporary injunction, and that they have no adequate remedy at law.

97. It is clear beyond a reasonable doubt that the General Assembly would have passed HB 12 without the appropriations for the ESA Fund that violate Article IV, Section 15 of the Missouri Constitution, and that the appropriations are not essential to the efficacy of the bill. *Planned Parenthood*, 602 S.W.3d at 212. Accordingly, the Court should sever the \$50 million appropriation to the ESA Fund and the further appropriation of that \$51 million out of the ESA Fund from the remainder of HB 12.

Count V: Appropriations Not Authorized By Law
In Violation of Article III, Section 36

98. Paragraphs 1-97 are realleged and incorporated herein.

99. Article III, Section 36 of the Missouri Constitution provides in pertinent part:

All revenue collected and money received by the state shall go into the treasury and the general assembly shall have no power to divert the same or to permit the withdrawal of money from the treasury, **except in pursuance of appropriations made by law.**

(emphasis added).

100. The \$50 million and \$51 million appropriations for the ESA Fund set forth in HB 12 were not made “by law,” because they violate the single subject requirement of Article III, Section 23.

101. The ESA Fund appropriations in HB 12 were also not made “by law” because they specify their purpose by impermissibly referring to four isolated portions of the MO Scholars authorizing statutes in violation of Article IV, Section 23, when the underlying statutes do not authorize the use of general revenues or dedicated administrative/marketing funds for scholarships.

102. The appropriations were not made “by law,” because they purport to authorize payments for scholarships pursuant to contracts or agreements that are not authorized by any general statute, in violation of Article III, Section 39(4).

103. The appropriations were likewise not made “by law,” because they purport to authorize the Treasurer to hold general revenues in the ESA Fund for purposes other than those specified in the MO Scholars statutes, in violation of Article IV, Section 15.

104. For the foregoing reasons, any transfer of the \$50 million appropriation to the ESA Fund and any expenditures of the \$51 million out of the ESA Fund for purposes of scholarships would violate Article III, Section 36. Any contract between the ESA Fund and an EAO or other third party for the purpose of funding scholarships would violate Article III, Section 36, and would therefore be *ultra vires* and void. *Camden*, 394 S.W.2d at 76.

105. Plaintiffs are likely to succeed on the merits of their claim that the appropriations involving the ESA Fund in HB 12 violate Article III, Section 36 of the Missouri Constitution.

106. For the reasons set forth in paragraphs 71-75, Plaintiffs will be able to establish irreparable harm if a temporary injunction does not issue, which far exceeds any harm to Defendants from delaying expenditures of the disputed funds pending final resolution. Plaintiffs will be able to show that the public interest favors entry of a temporary injunction, and that they have no adequate remedy at law.

107. It is clear beyond a reasonable doubt that the General Assembly would have passed HB 12 without the appropriations for the ESA Fund that violate Article III, Section 36 of the Missouri Constitution, and that those appropriations are not essential to the

efficacy of the bill. *Planned Parenthood*, 602 S.W.3d at 212. Accordingly, the Court should sever the \$50 million appropriation to the ESA Fund and the further appropriation of \$51 million out of the ESA Fund from the remainder of HB 12.

WHEREFORE, Plaintiffs respectfully request that this Court:

A. Award Plaintiffs such temporary injunctive relief as may be necessary to avert irreparable injury during the pendency of this action and to preserve the possibility of effective final relief;

B. Enter judgment declaring that those provisions of HB 12 appropriating \$50 million in general revenues to the ESA Fund and the further expenditure of \$51 million out of the ESA Fund for student scholarships are unconstitutional because they violate Article III, Sections 23, 36, and 39(4) and Article IV, Sections 15 and 23 of the Missouri Constitution;

C. Sever the \$50 million appropriation from the Treasury to the ESA Fund and the further appropriation of \$51 million out of the ESA Fund for the purpose of student scholarships from the remainder of HB 12;

D. Award Plaintiffs a permanent injunction prohibiting Defendants from transferring the \$50 million in general revenues from the Treasury to the ESA Fund and prohibiting Defendants from spending any of the \$51 million out of the ESA Fund for purposes of scholarships, including by executing or performing contracts for such expenditure; and

E. For such other relief as is just and proper.

Respectfully submitted,

SCHUCHAT, COOK & WERNER

/s/ Loretta K. Haggard

Loretta K. Haggard (MBE 38737)
Christopher N. Grant (MBE 53507)
555 Washington Ave., Suite 520
St. Louis, MO 63101
(314) 621-2626
Fax: (314) 621-2378
lkh@scwattorney.com
cng@scwattorney.com

MISSOURI NATIONAL
EDUCATION ASSOCIATION

/s/ Daniel J. Bryar

Daniel J. Bryar (MBE 71815)
955 Gardenvue Office Parkway
St. Louis, MO 63141
(573) 508-8531
daniel.bryar@mnea.org



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New funding for private school vouchers will 'set precedent' for future Missouri budgets

Gov. Mike Kehoe's request for \$50 million in state funds for MOScholars was hotly discussed during legislative session, and if funded, sets up future debates

BY: **ANNELISE HANSHAW** - JUNE 4, 2025 7:00 AM



Gov. Mike Kehoe announces a plan to give state funding to the MOScholars program during his State of the State speech Jan. 28 in the Missouri House chamber (Annelise Hanshaw/Missouri Independent).

Gov. Mike Kehoe's first budget proposal launched a tug of war between public-school advocates and those hoping to use state funds for private education. Both sides ultimately came away with what they wanted – but neither expects this to be the final showdown.

State Treasurer Vivek Malek, who oversees the state's tax-credit scholarship program, told The Independent in an interview last

Exhibit A

week that he expects to more than double the number of scholarships administered by MOScholars in the upcoming school year.

Those students would have a “reasonable expectation,” he said, to be funded through graduation. And if donor funds continue to come up short, state funds would be required to support them.

In January, Kehoe laid out a budget that did not fully fund public education while giving state funds for private-school scholarships.

His request cut back \$300 for the formula that determines state aid for public schools, contrary to the state education department’s recommendation. But he added a \$50 million appropriation to the State Treasurer’s budget to help fund private-school scholarships through the MOScholars program. This windfall **was not part of the treasurer’s initial** request.



📷 State Rep. Betsy Fogle, a Springfield Democrat, speaks May 9 at a news conference about the budget, surrounded by other members of the Democratic caucus. (Rudi Keller/Missouri Independent)

“The governor made a policy or a budgetary decision to invest in one form of education and not fully invest in the other,” said state Rep. Betsy Fogle, a Democrat from Springfield and ranking minority member of the House Budget Committee.

The House kept the governor’s recommendations, and the Senate flipped the two priorities: restoring full funding to public schools but axing the \$50 million for MOScholars.

In May, state lawmakers reached an agreement to fund both and are awaiting the governor’s signature.

But the infusion of funds to MOScholars is likely to create more need in the program.

Malek said he expects to use the \$50 million to offer more scholarships than the current pot of donations could provide. There are 6,000 students ready to participate in the upcoming year, and he expects more to sign up. This past year, 2,700 students received scholarships.

Malek hopes to make MOScholars self-sufficient, with enough donations to meet demand. But until then, he will request funds to, at a minimum, sustain aid for students already enrolled.

“I’ll be working through the years to make sure the tax credits are still utilized and nobody is depending on a direct appropriation from (general revenue),” he said.

Fogle told The Independent that the \$50 million did not appear to be a one-time request.

“The \$50 million that was put in general revenue was done, in part, because the tax credit program wasn’t very popular, and donors weren’t giving to that,” she contends. “And the governor wanted to figure out another solution to privatizing education.”

MOScholars currently operates through taxpayer-directed spending, where state funds are given to scholarship organizations through donations that receive a 100% tax credit. The program has [faced issues funding scholarships](#) each fall with the majority of donations coming at the end of the year.

An additional \$50 million – more than double the amount of donations received last year – would solve the funding lag, Malek said.

“Our calendars were misaligned, so now we will be opening (enrollment) up for next year, starting early in the fall so that people can sign up for next year’s academic school year,” he said. “This will give us the flexibility of doing that, which was not possible before.”

The program has a \$75 million expandable cap thanks to a [large education package](#) passed last year.

State Rep. Stephanie Hein, a Springfield Democrat, said during debate in April that she wondered why the legislature expanded the donation limit from \$50 million to \$75 million when there have been \$23.4 million in donations in 2024.

In 2023, donations **totaled \$16.6 million.**

“Donors just are not that excited to give to this program, even at a 100% tax credit,” she said.

The program is in its infancy, with just three years of scholarships completed. The increased funding could help grow MOScholars to meet outsized demand – or it could create dependency on general revenue.

Hein said this problem would be exacerbated by tax cutbacks planned by Republican state lawmakers.

“We are setting a precedent,” she said. “And if we eliminate state income taxes, tax credits go away and we are going to be on the hook with (general revenue) to cover this program.”

Even if the appropriation is signed by the governor, it might face legal challenges as some question the constitutionality of using general revenue for MOScholars.



📷 State Treasurer Vivek Malek speaks during the Disability Advocacy Day rally in the Missouri State Capitol Wednesday (Annelise Hanshaw/Missouri Independent).

The 2021 law that established MOScholars prescribes that scholarships are funded by tax-deductible donations to educational assistance organizations, which are nonprofits that apply to administer the scholarships.

But 2% of donations are directed to an account dubbed the “Missouri Empowerment Scholarship Accounts Fund” overseen by the Treasurer’s Office. The fund is “to be used by the state treasurer

for marketing and administrative expenses or the costs incurred in administering the program.”

Some believe the law does not authorize the program to use general revenue. Fogle expects legal “challenges that argue that directly appropriating tax dollars to private schools is unconstitutional.”

“The direct appropriation of general revenue is a completely different foundation than the tax credit,” she said. “There are people on both sides of the aisle, whether they’re voting in favor of it or not, who have considerable doubts and concerns.”

Malek did not speculate on the possibility of a lawsuit.

“We will deal with it and when that happens, we will defer that to our general counsel, the attorney general,” he said. “I cannot predict which course it will take.”

Malek says MOScholars is “another tool” for educating children, in addition to the public school system.

“I don’t see why people would be nervous. This is not taking away any funding dollars from our traditional educational institutions,” he said.

As State Treasurer, Malek was not part of the governor’s decision on public-education funding and considers himself a “big proponent of public schools.”

“My focus was just for the MOScholars program,” he said. “We need some help to strengthen this program... and I’m glad that need was listened to.”



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ANNELISE HANSHAW



Annelise Hanshaw writes about education — a beat she has covered on both the West and East Coast while working for daily newspapers in Santa Barbara, California, and Greenwich, Connecticut. A born-and-raised Missourian, she is proud to be back in her home state.

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Lawmakers negotiating Missouri budget add \$300M to public schools spending

BY RUDI KELLER

May 8, 2025



Missouri governor's plan for \$50 million for private schools axed by Senate committee

BY RUDI KELLER

April 16, 2025

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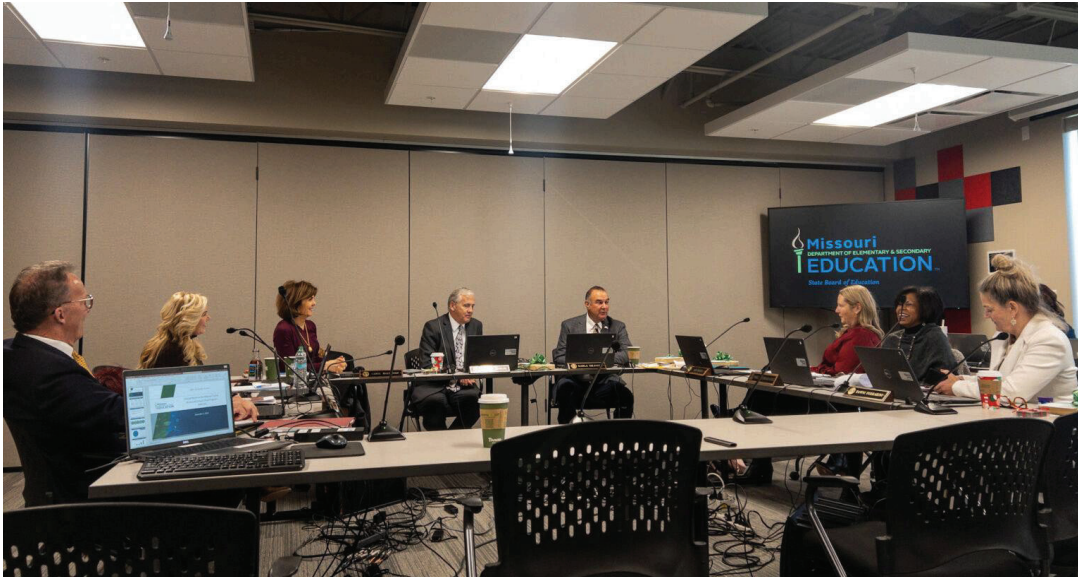
COMMENTARY

Rudi 'splains it: The State Adequacy Target

The most important element for setting state school funding has an odd name. Let's look at why it is called that and how it works.

RUDI KELLER

FEBRUARY 18, 2025 5:55 AM



Governor-elect Mike Kehoe talks with the State Board of Education meeting during its December meeting (Annelise Hanshaw/Missouri Independent).

Only someone schooled in sarcasm pushes themselves away from a banquet table, pats their stomach and exclaims, “That sure was adequate!” when they have consumed a fine meal.

Something adequate is acceptable, but it's not something you go out of your way for. But adequate is what state law directs the legislature to attain in funding public schools.

Exhibit B

Since the 1970s, [the equation](#) that determines how much each school district is due from the state has been called the foundation formula. Each step in the formula is designed to send state money where it is most needed.

Every equation starts somewhere, and these days the foundation formula starts with the State Adequacy Target. That number, once determined, becomes the base for other calculations leading to a district's actual state allocation.

But what in the world is the State Adequacy Target? And why is that the name?

Well, I'm here to tell you in the first of a series of occasional columns I call "Rudi 'splains it."

As I near the 40th anniversary of the day I first walked into the Capitol Building as a student reporter, I want to share some of the knowledge absorbed by osmosis over the years. I will use this space to clarify the sometimes difficult issues we write about.

I chose the State Adequacy Target for this first effort because it is at the center of one of the biggest budget questions facing lawmakers this year. To fund it as designed next year will cost \$4.3 billion, including \$300 million tied to an increase in the adequacy target that Gov. Mike Kehoe doesn't want to spend.

Budget battle brewing over Missouri Gov. Mike Kehoe's school funding proposal



The debate over how much to spend on public schools could turn into the first big disagreement between Gov. Mike Kehoe and the GOP-dominated Missouri General Assembly. Kehoe, a Republican who took office in January, refused to recommend a \$300 million boost to public school funding in his first budget proposal. But education advocates in ... Continue reading

 Missouri Independent

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Instead, after saying the money was a “liability that was imposed by an administrative body” in his [State of the State address](#), Kehoe said he wants to rewrite the formula.

I’ll admit Kehoe’s words bothered me when I heard them. The “administrative body” he referred to is the State Board of Education, made up of political appointees, executing a state law written in the political crucible of the General Assembly and requesting an amount as directed by that law.

Whether to [fulfill the request](#) in appropriations is also a political decision.

Now, back to my subject.

To answer my second question first, the snarky answer is that it is named State Adequacy Target because they had to call it something. In previous iterations of the formula, the figure the equation started with was alternately called the State Expenditure Factor and the Guaranteed Tax Base.

The State Expenditure Factor was in a [bill passed in 1977](#) that created the first formula with a multi-line calculation. The Guaranteed Tax Base was the term [used in 1993 in the Outstanding](#)

[Schools Act](#), which combined a revised formula with an income tax increase dedicated to public education.

The State Expenditure Factor was a simple calculation of all the money spent by school districts two years previously divided by the number of students. That formula was intended to put a base under every district's funding.

The Guaranteed Tax Base was designed to allow every district in the state to have as much money per student as the local tax rate would raise in districts in the 90th percentile of property wealth. Voting for a higher local tax rate, up to a ceiling, would draw more money from the state.

Reassessment had the same result, sometimes increasing the amount required by the formula by as much as \$300 million in a single year by the early 2000s.

The [current formula](#), written in 2005, is when the State Adequacy Target appeared.

To understand how the name was chosen, you have to understand the context for both the 1993 and 2005 revisions. In January 1993, just at the start of Democratic Gov. Mel Carnahan's first term, Cole County Circuit Judge Byron Kinder ruled that the formula written in 1977 didn't meet the state's [constitutional obligation to educate young people](#).

"The court determines and declares that the General Assembly must provide adequate funds to establish and maintain a system of public education at the elementary and secondary level providing a general diffusion of knowledge and intelligence at the level necessary in this era to preserve the rights and liberties of the people," Kinder wrote, echoing the Constitution.

In his ruling, Kinder wrote that an over reliance on local revenues produced a statewide system of schools that [ranged "from the golden to the God-awful."](#)

That spurred the 1993 formula revisions.

In 2005, as it is now, the question was how much the formula should cost. Maybe the drafters of the 2005 formula didn't have Kinder's ruling in front of them when they changed Guaranteed Tax Base to State Adequacy Target, but the same education organization that won the 1993 ruling was again in court, challenging the new formula on the basis of adequacy.

Missouri wasn't alone. Lawsuits starting in the 1980s had resulted in rulings against funding systems in a number of states.

So that's where the name came from. Now, how does it work?

Every year, the state's 516 school districts are evaluated under the Missouri School Improvement Program. Their score is a snapshot of student performance in end-of-course exams and statewide standardized tests along with an assessment of district continuous improvement plans.

The amount spent per pupil in districts that do well, known as performance districts, become the basis for setting the adequacy target. The calculation is done every two years. If the adequacy target increases, it is phased in during the two years until the next recalculation.

The most recent version of the program, called MSIP 6 by the Department of Elementary and Secondary Education, was introduced in 2022. It has been lauded as “[more rigorous](#)” than in the past, when more than 200 districts were rated as performance districts.

The smaller number making that mark now tend to be those with higher per-pupil spending. The two-year phased-in increase was \$770, to \$7,145 from \$6,375. It had been unchanged for four years.

That 12% jump is the biggest two-year increase since the formula was written in 2005, resulting in an initial adequacy target for fiscal 2007 of \$6,117.

The adequacy target today is 17% more than where it started. General inflation since 2005 is 65%.

I've seen governors run for re-election touting their record for always fully funding the formula. And I've seen governors struggle during recessions to avoid cutting foundation formula funding to slow state spending.

There are some features of the current formula that distort it and make it more expensive than it might otherwise be. But changing those features will be a political decision.

Right now, Missouri holds a historically high fund balance in general revenue, so the question for budget writers isn't whether the money is available.

This year, unlike many I have seen, whether the state spends enough money to be adequate is a purely political question.



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RUDI KELLER  

Rudi Keller covers the state budget and the legislature. A graduate of the University of Missouri School of Journalism, he spent 22 of his 32 years in journalism covering Missouri government and politics for the Columbia Daily Tribune, where he won awards for spot news and investigative reporting.

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Missouri school funding task force turns its attention to property tax inequities

BY ANNELOISE HANSHAW

June 23, 2025



New funding for private school vouchers will 'set precedent' for future Missouri budgets

BY ANNELOISE HANSHAW

June 4, 2025

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