

## 2018 ELECTION RESULTS: OUTLOOK FOR EDUCATION POLICY<sup>1</sup>

### KEY TAKE AWAYS

- Democrats have won control of the House for the 116<sup>th</sup> Congress starting January 2019. Based on current races that have been called, Democrats will hold 225 seats having gained 30 seats and Republicans will hold 197 seats, with 13 seats remaining undecided.<sup>2</sup> Rep. Nancy Pelosi (D-CA) is likely to be elected Speaker of the House by her colleagues; however, she could face a challenge for the gavel. Rep. Bobby Scott (D-VA) is likely to chair the House Education and the Workforce Committee, unless he should choose to chair the House Judiciary Committee.
- In the Senate, Republicans will hold at least 51 seats in the 116<sup>th</sup> Congress, with three seats remaining undecided as of November 8. It is likely once the undecided seats have been called that Republicans will increase their majority in the Senate. This will likely mean that at least some Senate committees will see an increase in Republican membership with the potential for a decrease in Democratic membership. We are not expecting significant change regarding the Senate agenda as the Senate's leadership and the leaders of the Senate Health, Education, Labor and Pensions (HELP) Committee are likely to remain the same.
- At the state level, there are 19 newly elected governors, based on current races that have been called, with one race undecided in Georgia. This will have further ripple effects as many of these governors appoint new state education officials. Based on current races that have been called, Democrats have picked up seven governorships, meaning the state governors are divided 26 Republicans to 23 Democrats. Democrats now control both state legislative chambers (upper and lower chambers) in 18 states and Republicans control both legislative chambers in 30 states. Minnesota is the only state with a divided state legislature.
- A divided<sup>3</sup> Congress could have several implications: it is likely to mean more oversight of the Administration by the House, and will likely deepen the stalemate in Congress on major issues leading up to the 2020 Presidential election. It is conceivable, however, that the divided Congress could lead to more bipartisan activities across the Senate and House, and discrete opportunities could even emerge where House Democrats and President Trump work together, such as on infrastructure, vocational education/apprenticeships, early childhood education, or paid family leave.

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<sup>1</sup> The election results contained in this memo are based on information available as of 11:00 am on November 8.

<sup>2</sup> For the purposes of this memo, election results are based on results according to the *New York Times*.

<sup>3</sup> A divided legislature is one in which one chamber is controlled by Republicans and the other chamber is controlled by Democrats.

**116<sup>TH</sup> CONGRESSIONAL OVERVIEW**

Unlike the last two years, the House and Senate will be divided in the 116<sup>th</sup> Congress with Democrats controlling the House and Republicans controlling the Senate. This likely means that we will see two very different agendas between the House and the Senate. The House is expected to focus on oversight of the Trump Administration, while also serving as a barrier to implementation of the President’s agenda. To achieve this, the House will likely introduce its own marker bills, so that House Democrats can be on the record with alternative priorities and approaches. The Senate is likely to stay the course in terms of key education priorities and could take a more bipartisan approach; however, even this could be a challenge as the 2020 Presidential election race gains momentum.

**U.S. SENATE OUTLOOK**

**KEY TAKEAWAYS:**

- Republicans will remain in control of the Senate with their majority likely to increase depending on the outcome of three undecided races. Republicans will need to

<i>Pre-Midterm Elections</i>			<i>Post-Midterm Elections*</i>		
Repub.	Dem.	Indep.	Repub.	Dem.	Indep.
51	47	2	51	44	2
Majority:		<b>REPUBLICANS</b>	Majority:		<b>REPUBLICANS</b>
* 3 races remain to be called.					

continue to work across the aisle with Senate Democrats to pass legislation, as they still will not have the votes needed to break a Senate filibuster with only Republican support (60 votes). However, Republican control of the Senate (and the elimination of the 60-vote requirement for some nominations) means that President Trump needs only Senate Republicans to confirm executive branch nominations and federal judicial appointments, as well as Supreme Court nominees.

- Senate leadership is not expected to change with Senator Mitch McConnell (R-KY) as the Majority Leader and Senator Chuck Schumer (D-NY) as the Minority Leader. This will also likely hold true regarding the current leadership of the Senate HELP Committee and the Senate Labor, Health and Human Services, Education, and Related Agencies (Labor/HHS) Appropriations Subcommittee (as described below).
- As the leadership of the Senate and the education authorizing and appropriations committees is expected to be the same in the 116<sup>th</sup> Congress, we are not likely to see a big shift in the Senate agenda or the priorities of the committees. This likely means that the reauthorization of the Higher Education Act (HEA) will continue to be a key point for discussion in the Senate HELP Committee, while the Committee looks to make progress on issues where members can potentially achieve bipartisan support (as described below). Progress could be limited by a stalemate that will likely emerge leading up to the 2020 Presidential elections, particularly in the Senate HELP Committee where a number of Democratic members may have Presidential aspirations.

**SENATE HELP COMMITTEE MEMBERSHIP AND PRIORITIES TO LOOK MUCH LIKE THIS CONGRESS**

In the 116<sup>th</sup> Congress, the Senate HELP Committee is likely to continue with its current leadership of Senator Lamar Alexander (R-TN) as Chairman and Senator Patty Murray (D-WA) as Ranking Member. Additionally, the Committee, as of now, will likely see at least one new Republican Committee member as Senator Orrin Hatch (R-UT) is retiring from the Senate. All other Republican members of the Committee

were not up for re-election in 2018. Given that Senate Republicans are expected to hold a larger majority of seats in the 116<sup>th</sup> Congress, additional new Republican Committee members could also be possible. On the opposite side of the aisle, the membership of the Senate HELP Committee is not expected to change as every Democratic or Independent member that was seeking re-election in 2018 won, including Senators Robert Casey (D-PA), Bernie Sanders (I-VT), Tammy Baldwin (D-WI), Chris Murphy (D-CT), Elizabeth Warren (D-MA), and Tim Kaine (D-VA); however, Democrats could lose a seat on the Committee due to the change in Senate majority seats held by Republicans. A formal announcement will likely come before the end of the year regarding committee leadership, with new Committee members being announced as early as next year. Since the Committee membership is likely to remain relatively stable, this means that outreach to committee members could be happening now to ensure your organization's education priorities receive attention in the new Congress.

Key to understanding the agenda for the Senate HELP Committee in the 116<sup>th</sup> Congress is to look at the education priorities for Chairman Alexander. It is notable that Chairman Alexander, at the start of the new Congress, will only have two years of eligibility remaining to serve as Chairman of the Committee prior to being term-limited due to Republican Senate party rules. He is likely to continue to work in the next Congress on the reauthorization of HEA, which he previously identified as one of his key priorities. Progress on the reauthorization of HEA in the Senate has been stalled following hearings earlier this year; however, a number of bipartisan proposals have emerged around Free Application of Federal Student Aid (FAFSA) simplification and student loan reform, which could serve as a starting point for negotiations to get underway on a reauthorization bill.

Key questions remain though as to whether Ranking Member Murray and Democratic members of the Committee will want to move forward with bipartisan negotiations on the HEA reauthorization bill. This is based on concerns with the Trump Administration's implementation of the Every Student Succeeds Act (ESSA) and the Administration's approach to rewriting regulations on Title IX (sexual misconduct), borrower defense (allows students who have been defrauded by their college to seek loan forgiveness), and gainful employment (requires career programs and for-profit schools to prove their graduates are employed in positions that will allow them to successfully pay off their student loans), among other regulations.

In addition, there are many education issues currently or soon to be pending reauthorization, like the Education Sciences Reform Act (ESRA), the Individuals with Disabilities Education Act (IDEA), and even Head Start. Given the potential stalemate in Congress, and the 2020 Presidential election cycle, we may instead see the Senate HELP Committee work to make early progress on proposals where they might be able to reach bipartisan agreement, such as ESRA reauthorization.

### **SENATE LABOR/HHS APPROPRIATIONS SUBCOMMITTEE LIKELY TO REMAIN UNCHANGED, OVERALL FUNDING LEVELS TO BE DEBATED POSSIBLY IMPACTING EDUCATION FUNDING**

The leadership of the full Senate Appropriations Committee with Senator Richard Shelby (R-AL) as Chairman and Senator Patrick Leahy (D-VT) as Ranking Member – as well as the leadership of the Labor/HHS Subcommittee with Senator Roy Blunt (R-MO) as Chairman and Senator Patty Murray (D-WA) as Ranking Member – is likely to remain unchanged going into the 116<sup>th</sup> Congress. Regarding Subcommittee membership, Republican Senator Cindy Hyde-Smith (R-MS) will have a runoff election, but it is likely that she will retain her seat. Republican membership of the Subcommittee could also increase due to a potential increase in the Senate Republican majority. On the Democratic side of the aisle, we likely will not see a change in membership as the Democratic members who were up for re-election won

their races, including Senators Tammy Baldwin (D-WI), Chris Murphy (D-CT), and Joe Manchin (D-WV). Given this, we are not likely to see a significant swing in priorities among Subcommittee leadership or members in the 116<sup>th</sup> Congress. This could mean that we see continued support by Subcommittee leadership for increased or level funding for the National Institutes of Health, Title I funding for disadvantaged students, IDEA, Career and Technical Education (CTE), Title IV - Student Support and Academic Enrichment Grants, early childhood education programs, and Pell Grants.

Despite membership of the Senate Labor/HHS Subcommittee and member priorities being expected to remain consistent in the 116<sup>th</sup> Congress, it remains to be seen whether Republican and Democratic members will be able to work as closely together as they did during the fiscal year (FY) 2019 appropriations process. This will ultimately impact whether members from both of sides of the aisle can reach an agreement on a final FY2020 Labor/HHS Appropriations bill. The primary factors that could impact the ability to reach a bipartisan agreement will include broader appropriations issues, including (1) whether an agreement on overall spending levels for FY2020 can be reached, and (2) whether bipartisan efforts break down early after the election given the possibility of a lame duck session fight over FY2019 funding for a border wall, which could include a partial government shutdown.<sup>4</sup>

## U.S. HOUSE OF REPRESENTATIVES OUTLOOK

### KEY TAKEAWAYS:

- Democrats will be in the majority in the House of Representatives in the 116<sup>th</sup> Congress and will set the agenda. It is expected Rep. Nancy Pelosi (D-CA) will be selected as Speaker of the House

when leadership elections take place, possibly as early as November. Due to current Speaker of the House Paul Ryan's (R-WI) retirement from Congress, Republican leadership will most likely transition to Rep. Kevin McCarthy (R-CA), who currently serves as the House Majority Leader; however, this could change as there could be a number of individuals vying for the position among Republican members.

- Current Ranking Member of the House Education and the Workforce Committee, Rep. Bobby Scott (D-VA), is anticipated to be named Chairman of the Committee. Key priorities for him as Chairman could include oversight of the Administration and the U.S. Department of Education (USED); greater investigation into monitoring and accountability for student subgroups; and, potential reauthorization of the HEA.
- Under Democratic leadership, the House will likely pursue legislation regarding campaign finance reform, immigration reform, gun background checks, lowering prescription drug prices, and infrastructure. As part of their infrastructure plan, Democrats could work for a school construction fund<sup>5</sup>.

<i>Pre-Midterm Elections*</i>		<i>Post-Midterm Elections^</i>	
Republicans	Democrats	Republicans	Democrats
235	193	197	225
Majority:	<b>REPUBLICANS</b>	Majority:	<b>DEMOCRATS</b>
* 7 seats were vacant going into the election			
^ 13 races remain to be called.			

<sup>4</sup> It is important to note that the Labor/HHS Appropriations bill has already been signed into law for FY2019, so a partial shutdown during a lame duck session will not impact funding for the U.S. Departments of Labor, Health and Human Services, and Education.

<sup>5</sup> <https://democrats-edworkforce.house.gov/media/press-releases/on-anniversary-of-brown-democrats-unveil-legislation-to-invest-in-schools-create-jobs>

## **EDUCATION COMMITTEE SEES LIKELY LEADER IN SCOTT, SIGNIFICANT OVERSIGHT OF ADMINISTRATION EXPECTED**

It is anticipated current Ranking Member of the House Education and the Workforce Committee Bobby Scott (D-VA) will be selected as Chairman of the Committee, replacing Rep. Virginia Foxx (R-NC) who is expected to serve as Ranking Member. However, if offered the opportunity to chair the House Judiciary Committee there is a chance Rep. Scott may not accept the Education and the Workforce Committee chairmanship. If so, Rep. Susan Davis (D-CA) may be selected as Chairwoman, as she is the most senior Democratic member after Rep. Scott. While unconfirmed, there are often leadership shuffles that result in unexpected chair selections.

Committee Republicans lost seven of their current colleagues due to retirement or re-election loss: Reps. Todd Rokita (R-IN), Luke Messer (R-IN), Tom Garrett (R-VA), Dave Brat (R-VA), Jason Lewis (R-MN), Karen Handel (R-GA), and Lou Barletta (R-PA). Reps. Rokita, Messer, and Garrett retired from Congress, while Reps. Brat, Handel, and Lewis lost their bids for re-election. Rep. Barletta unsuccessfully ran for the Senate and his former seat was redistricted in Pennsylvania. Other new Republican members may be added after Committee assignments are finalized; however, they will face an overall reduction in their membership due to being in the minority.

For Democrats, the 116th Congress will bring about a notable number of new faces and perspectives to the Committee. Due to their retaking of the majority, Committee Democrats will have new members added to their ranks. One potential add is the newly elected former Connecticut Teacher of the Year Jahana Hayes; however, this will not be confirmed until later this year or early next year. Due to not seeking re-election, Reps. Jared Polis (D-CO) and Carol Shea Porter (D-NH) will not be returning to the Committee.

In regards to potential Committee actions, based on Rep. Scott's statements during hearings and forums, it is expected that he will lead the Committee in efforts to increase oversight of the Administration and of USED<sup>6,7,8</sup>; to improve efforts on racial equity by monitoring state accountability plans and supports for student subgroups<sup>9,10</sup>, as ESSA continues to be implemented; and, to introduce a comprehensive reauthorization of HEA<sup>11</sup>. Further, given forthcoming actions from the Trump Administration regarding Title IX (sexual misconduct) regulations and school safety, it should be expected that Rep. Scott will lead the Committee in addressing both of these areas with oversight activities. Lastly, Rep. Scott has already introduced legislation that addresses child care affordability, and he will most likely pursue a reintroduction in some form of his "Child Care for Working Families Act<sup>12</sup>."

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<sup>6</sup> <https://democrats-edworkforce.house.gov/media/press-releases/over-150-democrats-call-on-devos-to-release-more-information-about-the-departments-failure-to-faithfully-implement-the-public-service-loan-forgiveness-program>

<sup>7</sup> <https://democrats-edworkforce.house.gov/media/press-releases/scott-statement-on-material-errors-in-education-departments-recommendation-to-recognize-troubled-college-accreditor->

<sup>8</sup> <https://democrats-edworkforce.house.gov/media/press-releases/scott-repeats-call-for-hearings-to-examine-troubling-state-of-education-in-puerto-rico-and-us-virgin-islands-one-year-after-hurricane-maria>

<sup>9</sup> <https://democrats-edworkforce.house.gov/media/press-releases/in-secretary-devos-first-appearance-before-the-committee-democrats-look-for-answers-on-conflicts-of-interest-support-for-profit-colleges-and-attacks-on-civil-rights>

<sup>10</sup> <https://democrats-edworkforce.house.gov/media/press-releases/-scott-and-murray-on-the-rollback-of-civil-rights-for-students-with-disabilities-students-of-color->

<sup>11</sup> <https://democrats-edworkforce.house.gov/media/press-releases/all-17-committee-democrats-unveil-debt-free-college-plan>

<sup>12</sup> <https://democrats-edworkforce.house.gov/media/press-releases/scott-polis-murray-casey-introduce-comprehensive-child-care-and-early-learning-bill-to-ensure-families-have-access-to-affordable-high-quality-child-care>

## DELAURO LIKELY TO LEAD LABOR/HHS APPROPRIATIONS SUBCOMMITTEE, PROPOSED INCREASES FOR EARLY CHILDHOOD AND PELL GRANTS EXPECTED

It is anticipated current Ranking Member of the House Labor/HHS Appropriations Subcommittee Rosa DeLauro (D-CT) will be selected as Chairwoman of the Subcommittee. Current Subcommittee Chairman Tom Cole (R-OK) will most likely serve as Ranking Member.

While no current member of the Subcommittee lost their race, membership will change as Republicans will be forced to surrender seats to the Democrats. Such new Democratic additions will not be determined until later this year or early next year when committee assignments have been finalized.

Given the Appropriations Committee will most likely be led by current Ranking Member Nita Lowey (D-NY), Rep. DeLauro will likely work with her to push for a fair share of funding for the Labor/HHS Subcommittee, as she often protested the lack of an increase in the FY2019 House Labor/HHS Appropriations bill compared to other bills<sup>13</sup>. Under her leadership, Rep. DeLauro will likely work to increase appropriations for programs such as Pell Grants, Title X (family planning), and early childhood education programs<sup>14</sup>; and will most likely include a ban on federal funds authorized under ESSA from being used to purchase firearms or firearms training for school personnel in a FY2020 House Labor/HHS Appropriations bill, leading to negotiations with the Senate and Administration<sup>15</sup>.

### ELECTION IMPACT AT THE STATE LEVEL

The 2018 election cycle involved state elections across 2/3 of the states, and resulted in new state governors being elected in the majority of states where elections were held. These changes will have further ripple effects as new governors in many states appoint new state board of education members, new chief state school officers, and/or other early learning and higher education leaders (See the attached chart summarizing state gubernatorial and other elections in each state). Given the primary role of the state in education – as a matter of state constitutional law, the recent devolution in federal law (such as in ESSA), and the fact that education spending generally constitutes a large part of state budgets – we can expect that education issues will be on the agenda in many states in the state transitions and into the first 100 days in office.

### GOVERNORS AND STATE LEGISLATURES

#### KEY TAKEAWAYS:

- There were 36 gubernatorial elections that resulted in 19 new governors, based on current races that have been called. The race remains undecided in Georgia, regardless of the outcome a new governor will be elected (See the attached chart summarizing state gubernatorial and other election in each state). Seven states elected a Democrat where the governor’s seat had previously been held by a Republican

Pre-Midterm Elections			Post-Midterm Elections*		
Repub.	Dem.	Indep.	Repub.	Dem.	Indep.
33	16	1	26	23	0
* 1 race remains to be called.					

<sup>13</sup> <https://democrats-appropriations.house.gov/news/press-releases/delauro-statement-at-full-committee-markup-of-fy-2019-labor-hhs-education>

<sup>14</sup> <https://democrats-appropriations.house.gov/news/press-releases/delauro-statement-at-full-committee-markup-of-fy-2019-labor-hhs-education>

<sup>15</sup> <https://democrats-appropriations.house.gov/news/press-releases/lowey-delauro-statement-on-secretary-devos-considering-using-federal-funds-to>

(ME, MI, NM, IL, NV, KS, and WI). Republicans picked up one seat that was previously held by an Independent in Alaska.

- Democrats now control both state legislative chambers (upper and lower chambers) in 18 states, where they previously held 14. Overall, Republicans now control both legislative chambers in 30 states, down from 31 states. Prior to the election, four states had a divided state legislature, whereas now Minnesota is the only state with a divided state legislature. Nebraska is the only state with one legislative chamber which is considered a nonpartisan body.<sup>16</sup>
- Education issues also played a role in spurring educators to run for office themselves. According to the National Education Association (NEA), 554 educators were running for state legislative seats, the vast majority of them as Democrats.

Education issues were a part of the debate in every state, and played a larger role in specific states. Among the education issues most raised in state campaigns were school funding and finance systems, teacher pay and quality, and workforce preparation, as well as charter schools and school choice. This was based in part on teacher strikes and other events earlier this year in several states. Examples of state gubernatorial races that focused significantly on education issues include:

- The race for Wisconsin governor focused heavily on education in the battle between two-term Republican Governor Scott Walker and Democratic challenger Tony Evers, who is serving his third term as Wisconsin's education superintendent. With Evers's victory, education priorities could include investing substantial state funding in early childhood, elementary, secondary, and higher education, and cutting tuition at technical colleges<sup>17</sup>.
- ESSA state plans were a campaign issue in a few states,<sup>18</sup> including New Mexico. Michelle Lujan, the Democratic candidate for Governor, and now Governor-elect, called for eliminating the A-through-F grading system and getting rid of the PARCC test,<sup>19</sup> both prescribed in the state's approved ESSA plan. Lujan may also push for universal preschool, among other education priorities.
- In the Ohio's Governor's race, both candidates ran on the need to reduce the focus and amount of high-stakes testing in K-12 education.<sup>20,21</sup>
- In Colorado, Democratic Congressman Jared Polis won his race against Republican State Treasurer Walker Stapleton to be the state's next governor. Jared Polis made education issues, specifically early childhood education, a centerpiece of his campaign. Polis, who received an endorsement from Colorado's largest teachers union, campaigned on providing funding for full-day preschool and full-day kindergarten throughout the state within 2 years of his election. He said he would fund both programs through the state's existing per-pupil funding formula.<sup>22</sup>
- In Michigan, Gretchen Whitmer is the newly elected governor, who campaigned on promises to boost school funding across the state, to hold low-performing charter schools run by for-profit companies accountable, and to provide universal preschool.

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<sup>16</sup> It is important to note that prior to the election a "minority-led coalition controlled the Senate," in New York. New York, "has long been numerically a Democratic chamber, but a Republican-led coalition [including Republicans and Democrats,] held power...the reverse occurred in the Alaska House where a small group of renegade Republicans had allied with Democrats to lead the chamber. Tuesday's results mark the end of the Democratic-led coalition [in Alaska]." <http://www.ncsl.org/research/elections-and-campaigns/statevote-2018-state-legislative-races-and-ballot-measures.aspx>

<sup>17</sup> <https://tonyever.com/plan/>

<sup>18</sup> <http://blogs.edweek.org/edweek/campaign-k-12/2018/10/midterm-essa-governor-state-chief-2018-devos.html>

<sup>19</sup> <http://www.newmexicansformichelle.com/policy/a-new-direction-for-new-mexico-s-public-schools>

<sup>20</sup> <https://www.mikedewine.com/education/>

<sup>21</sup> <https://cordrayforohio.com/issues/supporting-ohios-students/>

<sup>22</sup> <https://www.newamerica.org/education-policy/edcentral/election-2018-key-gubernatorial-races-focus-ece/>

- In Illinois, J.B. Pritzker, a billionaire philanthropist who has funded early childhood education efforts nationally and in Illinois, took on incumbent Republican Governor Bruce Rauner. With Pritzker's win, we could possibly see efforts in Illinois to boost early childhood education funding, including potentially expansion of universal preschool and birth to three services.

## CHIEF STATE SCHOOL OFFICERS AND STATE BOARDS OF EDUCATION

### KEY TAKE AWAYS

- Of the 19 states that elected new governors, based on current races that have been called, six new governors will be appointing a chief state school officer and 13 new governors will be appointing new state board of education members.
- Seven states directly elected new chief state school officers or state superintendents of education (AZ, CA, GA, ID, OK, SC, and WY). The majority of state chiefs elected were Republicans. In Arizona and California, the races remain undecided.
- Eight states held elections for their statewide school board: Alabama, Colorado, Kansas, Michigan, Nebraska, Ohio, Texas, and Utah.

As noted above, voters in seven states selected their chief state school officer often called the state superintendent of education. However, in six of those elections, Republicans currently hold the office and, in five states, Republicans will continue to do so after Election Day. In Arizona, the race remains undecided with Frank Riggs, the Republican candidate and former U.S. Congressman from California, holding a slight lead over the Democratic candidate, Kathy Hoffman, who was new to politics, but had been a speech pathologist and worked in special education.

Some of these races were not highly competitive, for example in Wyoming, Jillian Balow, the current State Superintendent, ran unopposed. In South Carolina, Israel Romero, the Democratic candidate, withdrew a few weeks before the election. Even in Georgia, which had a competitive governor's race, Republican Richard Woods, the incumbent state superintendent, defeated his Democratic opponent.

In California, where the race was highly competitive, the two candidates were both Democrats; however, the candidates represented two divergent wings of the Democratic Party. Candidate Tony Thurmond was endorsed by the California Democratic Party, the California Teachers Association, and U.S. Senator Kamala Harris (D-CA). His opponent, Marshall Tuck, previously served as an executive for the Partnership for Los Angeles Schools – a network of charter schools – and had the endorsement of former Obama Education Secretary Arne Duncan and former Democratic Congressman George Miller.<sup>23</sup> The race remains undecided with Tuck holding a narrow lead over Thurmond in this race.

## STATE EDUCATION BALLOT INITIATIVES

### KEY TAKE AWAYS

- There were approximately 20 statewide education ballot initiatives. The majority were bonding measures to increase state funding for education programs. Additionally, there were a few bonding measures supporting funding for school infrastructure.
- The majority of statewide education ballot initiatives were approved, including those specific to increasing funding for education.

<sup>23</sup> [https://ballotpedia.org/California\\_Superintendent\\_of\\_Public\\_Instruction\\_election,\\_2018](https://ballotpedia.org/California_Superintendent_of_Public_Instruction_election,_2018)

There were a limited number of state ballot initiatives related to education (See the attached table for a summary of approximately 20 such efforts). The majority of state education ballot initiatives increased education funding (both K-12 and higher education funding) by either approving state bonding authority or increasing taxes. The type of taxes used to raise revenue varied: property, income, gas, and gambling.

A few ballot measures received national attention, including:

- In Arizona, Proposition 305 – the Expansion of Empowerment Scholarship Accounts Referendum – was not agreed to and effectively repeals AZ Senate Bill 1431 (SB 1431). The bill was designed to make all K-12 students eligible to apply for an Empowerment Scholarship, which would essentially provide state tax-funded vouchers to allow students to pursue private or home-based education choices. Republican Governor Ducey, who won re-election, signed the bill in April, which also had the support of most Republicans in the state legislature. When the bill passed, USED Betsy DeVos described the bill as a big win for students and parents. Those in opposition, including both candidates for State Superintendent (Riggs and Hoffman) and the Arizona PTA, claimed that it would take money away from public education.<sup>24</sup>
- In South Carolina, Amendment 1 would have changed how the state selects its state superintendent for education. Currently, the state superintendent is directly elected and this will continue in South Carolina, as the ballot initiative was rejected.
- In Massachusetts, Question 3 – the Gender Identity Anti-discrimination Veto Referendum – was adopted. The initiative supported a 2016 state law that prohibited discrimination based on gender identity in public places, including school bathrooms.

For more information, please contact Scott Palmer, Jennifer Castagna, Kristin Herrmann, or Sean Worley at 202-689-2961.

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**EDUCATIONCOUNSEL**

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<sup>24</sup> [https://ballotpedia.org/Arizona\\_Proposition\\_305,\\_Expansion\\_of\\_Empowerment\\_Scholarship\\_Accounts\\_Referendum\\_\(2018\)](https://ballotpedia.org/Arizona_Proposition_305,_Expansion_of_Empowerment_Scholarship_Accounts_Referendum_(2018))

**APPENDIX**

**APPENDIX A. GUBERNATORIAL AND STATE EDUCATION CHIEF RACES – RESULTS AT A GLANCE<sup>25</sup>**

On November 6, 2018, more than 2/3 of states held elections for governor. Depending on each state’s governance structure, some gubernatorial elections may mean new appointments for the state board of education and/or chief state school officer, and some states may be holding independent elections for one of those offices. The chart below summarizes the governance structure and elections across the states, including results for both governor and state chief (if applicable).

State	Gubernatorial Candidates	Gubernatorial Result	Chief State School Officer	State Board of Education <sup>26</sup>	Chief State School Officer Result
<b>Alabama</b>	Kay Ivey (R)* Walt Maddox (D)	Kay Ivey (R)*	Appointed by the board	Elected	Appointed by the board
<b>Alaska</b>	Mike Dunleavy (R) Mark Begich (D) Bill Walker (I)*	Mike Dunleavy (R)	Appointed by the board	Appointed by the governor	Appointed by the board
<b>Arizona</b>	Doug Ducey (R)* David Garcia (D)	Doug Ducey (R)*	Elected • Frank Riggs (R) • Kathy Hoffman (D) • Matthew Harris (D)	Appointed by the governor	Not Called
<b>Arkansas</b>	Asa Hutchinson (R)* Jared Henderson (D)	Asa Hutchinson (R)*	Appointed by the board	Appointed by the governor	Appointed by the board
<b>California</b>	John Cox (R) Gavin Newsom (D) <i>Outgoing incumbent: Jerry Brown (D)</i>	Gavin Newsom (D)	Elected • Marshall Tuck (D) • Tony Thurmond (D)	Appointed by the governor	Not Called
<b>Colorado</b>	Walker Stapleton (R) Jared Polis (D) <i>Outgoing incumbent: John Hickenlooper (D)</i>	Jared Polis (D)	Appointed by the board	Elected	Appointed by the board
<b>Connecticut</b>	Bob Stefanowski (R) Ned Lamont (D) <i>Outgoing incumbent: Dan Malloy (D)</i>	Ned Lamont (D)	Appointed by the board	Appointed by the governor	Appointed by the board

<sup>25</sup> This table was created by EducationCounsel based on information from a number of sources, including, but not limited to, the National Governors Association, the Education Commission of the States, the Council of Chief State School Officers, the National Association of State Boards of Education, and the *New York Times*, among other sources.

<sup>26</sup> Due to length, results of states board of education races are not reported here.

\* Incumbent candidate

State	Gubernatorial Candidates	Gubernatorial Result	Chief State School Officer	State Board of Education	Chief State School Officer Result
<b>District of Columbia</b> (mayoral election)	Muriel Bowser (D)* Dustin Canter (I) Martin Moulton (Lib.) Ann Wilcox (STG)	Muriel Bower (D)*	Mayor appoints the superintendent and chancellor	Elected	Appointed by the Mayor, most likely Democrat
<b>Florida</b>	Ron DeSantis (R) Andrew Gillum (D) <i>Outgoing incumbent: Rick Scott (R)</i>	Ron DeSantis (R)	Appointed by the board	Appointed by the governor	Appointed by the board
<b>Georgia</b>	Brian Kemp (R) Stacey Abrams (D) <i>Outgoing incumbent: Nathan Deal (R)</i>	Not Called	Elected <ul style="list-style-type: none"> <li>Richard Woods (R)*</li> <li>Otha Thornton (D)</li> </ul>	Appointed by the governor	Richard Woods (R)* -
<b>Hawaii</b>	Andria Tupola (R) David Ige (D)*	David Ige (D)*	Appointed by the board	Appointed by the governor	Appointed by the board
<b>Idaho</b>	Brad Little (R) Paulette Jordan (D) <i>Outgoing incumbent: C.L. "Butch" Otter (R)</i>	Brad Little (R)	Elected <ul style="list-style-type: none"> <li>Sherri Ybarra (R)*</li> <li>Cindy Wilson (D)</li> </ul>	Appointed by the governor	Sherri Ybarra (R)
<b>Illinois</b>	Bruce Rauner (R)* J.B. Pritzker (D)	J.B. Pritzker (D)	Appointed by the board	Appointed by the governor	Appointed by the board
<b>Iowa</b>	Kim Reynolds (R)* Fred Hubbell (D)	Kim Reynolds (R)*	Appointed by the governor	Appointed by the governor	Appointed by the governor, most likely Republican
<b>Kansas</b>	Kris Kobach (R) Laura Kelly (D) Greg Orman (I) <i>Outgoing incumbent: Jeff Colyer (R)</i>	Laura Kelly (D)	Appointed by the board	Elected	Appointed by the board
<b>Maine</b>	Shawn Moody (R) Janet Mills (D) <i>Outgoing incumbent: Paul LePage (R)</i>	Janet Mills (D)	Appointed by the governor	Appointed by the governor	Appointed by the governor, most likely Democrat
<b>Maryland</b>	Larry Hogan (R)* Ben Jealous (D)	Larry Hogan (R)*	Appointed by the board	Appointed by the governor	Appointed by the board
<b>Massachusetts</b>	Charlie Baker (R)* Jay Gonzalez (D)	Charlie Baker (R)*	Appointed by the board	Appointed by the governor	Appointed by the board

\* Incumbent candidate

State	Gubernatorial Candidates	Gubernatorial Result	Chief State School Officer	State Board of Education	Chief State School Officer Result
<b>Michigan</b>	Bill Schuette (R) Gretchen Whitmer (D) <i>Outgoing incumbent: Rick Snyder (R)</i>	Gretchen Whitmer (D)	Appointed by the board	Elected	Appointed by the board
<b>Minnesota</b>	Jeff Johnson (R) Tim Walz (D) <i>Outgoing incumbent: Mark Dayton (D)</i>	Tim Walz (D)	Appointed by the governor	No board	Appointed by the governor, most likely Democrat
<b>Nebraska</b>	Pete Ricketts (R)* Bob Krist (D)	Pete Ricketts (R)*	Appointed by the board	Elected	Appointed by the board
<b>Nevada</b>	Adam Laxalt (R) Steve Sisolak (D) <i>Outgoing incumbent: Brian Sandoval (R)</i>	Steve Sisolak (D)	Appointed by the governor	4 elected, 3 appointed by the governor	Appointed by the governor, most likely Democrat
<b>New Hampshire</b>	Chris Sununu (R)* Molly Kelly (D)	Chris Sununu (R)*	Appointed by the governor	Appointed by the governor	Appointed by the governor, most likely Republican
<b>New Mexico</b>	Steve Pearce (R) Michelle Lujan Grisham (D) <i>Outgoing incumbent: Susana Martinez (R)</i>	Michelle Lujan Grisham (D)	Appointed by the governor	Elected (advisory only)	Appointed by the governor, most likely Democrat
<b>New York</b>	Marc Molinaro (R) Andrew Cuomo (D)*	Andrew Cuomo (D)*	Appointed by the board	Appointed by the state legislature	Appointed by the board
<b>Ohio</b>	Mike DeWine (R) Richard Cordray (D) <i>Outgoing incumbent: John Kasich (R)</i>	Mike DeWine (R)	Appointed by the board	11 elected, 8 appointed by the governor	Appointed by the board
<b>Oklahoma</b>	Kevin Stitt (R) Drew Edmondson (D) <i>Outgoing incumbent: Mary Fallin (R)</i>	Kevin Stitt (R)	Elected <ul style="list-style-type: none"> <li>Joy Hofmeister (R)*</li> <li>John Cox (D)</li> <li>Larry Huff (I)</li> </ul>	Appointed by the governor	Joy Hofmeister (R)*
<b>Oregon</b>	Knut Buehler (R) Kate Brown (D)*	Kate Brown (D)*	Governor acts as chief	Appointed by the governor	Governor acts as chief
<b>Pennsylvania</b>	Scott Wagner (R) Tom Wolf (D)*	Tom Wolf (D)*	Appointed by the governor	Appointed by the governor	Appointed by the governor, most likely Democrat
<b>Rhode Island</b>	Allan Fung (R) Gina Raimondo (D)*	Gina Raimondo (D)*	Appointed by the board	Appointed by the governor	Appointed by the governor, most likely Democrat

\* Incumbent candidate

State	Gubernatorial Candidates	Gubernatorial Result	Chief State School Officer	State Board of Education	Chief State School Officer Result
<b>South Carolina</b>	Henry McMaster (R)* James Smith (D)	Henry McMaster (R)*	Elected <ul style="list-style-type: none"> <li>Molly Mitchell Spearman (R)*</li> <li>Israel Romero (D)<sup>27</sup></li> </ul>	Appointed by the state legislature	Molly Mitchell Spearman (R)*
<b>South Dakota</b>	Kristi Noem (R) Billie Sutton (D) <i>Outgoing incumbent: Dennis Daugaard (R)</i>	Kristi Noem (R)	Appointed by the governor	Appointed by the governor	Appointed by the governor, most likely Republican
<b>Tennessee</b>	Bill Lee (R) Karl Dean (D) <i>Outgoing incumbent: Bill Haslam (R)</i>	Bill Lee (R)	Appointed by the governor	Appointed by the governor	Appointed by the governor, most likely Republican
<b>Texas</b>	Greg Abbott (R)* Lupe Valdez (D)	Greg Abbott (R)*	Appointed by the governor	Elected (chief serves as executive secretary)	Appointed by the governor, most likely Republican
<b>Utah</b>	No election in 2018	No election in 2018	Appointed by the board	Elected	No election in 2018
<b>Vermont</b>	Phil Scott (R)* Christine Hallquist (D)	Phil Scott (R)*	Appointed by the governor	Appointed by the governor	Appointed by the governor, most likely Republican
<b>Wisconsin</b>	Scott Walker (R)* Tony Evers (D)	Tony Evers (D)	Elected <ul style="list-style-type: none"> <li>No election in 2018</li> </ul>	No board	A special election will be held to fill the vacancy left by Evers
<b>Wyoming</b>	Mark Gordon (R) Mary Throne (D) <i>Outgoing incumbent: Matthew Mead (R)</i>	Mark Gordon (R)	Elected <ul style="list-style-type: none"> <li>Jillian Balow (R)*</li> </ul>	Appointed by the governor	Jillian Balow (R)*

\* Incumbent candidate

<sup>27</sup> Israel Romero (D) unofficially withdrew from the election, however his name still appeared on the ballot

APPENDIX B. SUMMARY OF EDUCATION-RELATED STATE BALLOT INITIATIVES AND RESULTS

State	Education Ballot Initiative	Result
Alabama	<p><b>Alabama Amendment 3, Amendment to adjust the Alabama Board of Trustees Membership for University of Alabama</b></p> <p>If adopted, the amendment would remove the State Superintendent of Education from the board of trustees, and would align board of trustees districts with congressional districts. Further, a previous age limit of 70 for board members would be removed.<sup>28</sup></p>	Adopted (60.3% - 29.7%)
Arizona	<p><b>Arizona Proposition 305, Expansion of Empowerment Scholarship Accounts</b></p> <p>If adopted, the proposition would expand eligibility for education Empowerment Scholarship Accounts to increase the number of eligible students enrolled in kindergarten through twelfth grade. Greater funding will be provided for low-income students. The Empowerment Scholarship Account is essentially a state tax-funded voucher program that allows students to pursue private or home-based education choices.<sup>29</sup></p>	Rejected (32.8% - 67.2%)
Colorado	<p><b>Colorado Amendment 73, Establish Income Tax Brackets and Raise Taxes for Education Initiative</b></p> <p>If adopted, a tax bracket system will be adopted, as opposed to the current flat tax rate. Further, the amendment would raise taxes for individuals earning more than \$150,000 per year from 4.63 percent to between 5.00 and 8.25 percent. The amendment also raises the corporate income tax rate. The amendment would also create the “Quality Public Education Fund,” which would be used to increase the statewide base per-pupil funding and increase spending for special education, preschool, English language learners, and gifted programs.<sup>30</sup></p>	Rejected (44.5% - 55.5%)
Florida	<p><b>Florida Amendment 7, First Responder and Military Member Survivor Benefits, Supermajority Board Votes for College Fees, and State College System Amendment</b></p> <p>If adopted, the amendment has three components that would be implemented. Related to education, the amendment would require a nine-member vote of the board of trustees and a 12-member vote of the board of governors to increase a college fee for any public institution of higher education. Further, the amendment would place the current structure of the state’s system of higher education within the Florida constitution. Any amendment to the state constitution requires a 60 percent supermajority vote for approval.<sup>31</sup></p>	Adopted (65.8% - 34.2%)

<sup>28</sup> [https://ballotpedia.org/Alabama\\_Amendment\\_3,\\_Board\\_of\\_Trustees\\_Membership\\_for\\_University\\_of\\_Alabama\\_Amendment\\_\(2018\)](https://ballotpedia.org/Alabama_Amendment_3,_Board_of_Trustees_Membership_for_University_of_Alabama_Amendment_(2018))

<sup>29</sup> <http://www.azed.gov/esa/>

<sup>30</sup> [https://ballotpedia.org/Colorado\\_Amendment\\_73,\\_Establish\\_Income\\_Tax\\_Brackets\\_and\\_Raise\\_Taxes\\_for\\_Education\\_Initiative\\_\(2018\)](https://ballotpedia.org/Colorado_Amendment_73,_Establish_Income_Tax_Brackets_and_Raise_Taxes_for_Education_Initiative_(2018))

<sup>31</sup>

[https://ballotpedia.org/Florida\\_Amendment\\_7,\\_First\\_Responder\\_and\\_Military\\_Member\\_Survivor\\_Benefits,\\_Supermajority\\_Board\\_Votes\\_for\\_College\\_Fees,\\_and\\_State\\_College\\_System\\_Amendment\\_\(2018\)](https://ballotpedia.org/Florida_Amendment_7,_First_Responder_and_Military_Member_Survivor_Benefits,_Supermajority_Board_Votes_for_College_Fees,_and_State_College_System_Amendment_(2018))

State	Education Ballot Initiative	Result
Georgia	<p><b>Georgia Amendment 5, School Sales Tax Referendums</b></p> <p>If adopted, the amendment allows a school district or districts with a majority of enrolled students within a county to call for a referendum to levy a sales tax for education purposes. The sales tax would be one percent and would last for a maximum of five years, where revenue would be divided between schools districts within the county.<sup>32</sup></p>	Adopted (71.1% - 28.9%)
Maine	<p><b>Maine Question 4, University of Maine System Bond Issue</b></p> <p>If adopted, the measure would authorize a \$49 million general obligation bond for construction and remodeling of existing and new facilities within the University of Maine system. The bonds are intended to expand the system’s workforce development capacities and attract and retain students. Eligible projects would need to be matched by other public or private funds. Approval decisions for projects would be maintained by the University of Maine system board of trustees.<sup>33</sup></p>	Not Called
Maine	<p><b>Maine Question 5, Community Colleges Bond Issue</b></p> <p>If adopted, the measure would authorize \$15 million in general obligation bonds for the renovation and expansion of instructional laboratories, information technology infrastructure, and heating and ventilating systems for Maine’s seven community colleges.<sup>34</sup></p>	Not Called
Massachusetts	<p><b>Massachusetts Question 3, Gender Identity Anti-discrimination Veto Referendum</b></p> <p>If adopted, the referendum supports upholding Massachusetts Senate Bill 2407, a bill to prohibit discrimination based on gender identity in public places. The bill was signed into law in 2016.<sup>35</sup></p>	Adopted (67.2% - 32.8%)
Maryland	<p><b>Maryland Question 1, Gambling Revenue Dedicated to Education Lockbox Amendment</b></p> <p>If adopted, the measure would amend the Maryland constitution to dedicate certain revenue from video lotteries to education as supplementary funding through 2023. Starting in 2020, \$125 million would be allocated, and amounts would increase through 2023. Such supplemental funding would be used for providing high-quality early childhood education programs, career and technical education programs, dual enrollment programs, educator professional development, and the maintenance, renovation, and construction of public schools.<sup>36</sup></p>	Adopted (87.7% - 12.3%)

<sup>32</sup> [https://ballotpedia.org/Georgia\\_Amendment\\_5,\\_School\\_Sales\\_Tax\\_Referendums\\_Amendment\\_\(2018\)](https://ballotpedia.org/Georgia_Amendment_5,_School_Sales_Tax_Referendums_Amendment_(2018))

<sup>33</sup> [https://ballotpedia.org/Maine\\_Question\\_4,\\_University\\_of\\_Maine\\_System\\_Bond\\_Issue\\_\(2018\)](https://ballotpedia.org/Maine_Question_4,_University_of_Maine_System_Bond_Issue_(2018))

<sup>34</sup> [https://ballotpedia.org/Maine\\_Question\\_5,\\_Community\\_Colleges\\_Bond\\_Issue\\_\(2018\)](https://ballotpedia.org/Maine_Question_5,_Community_Colleges_Bond_Issue_(2018))

<sup>35</sup> [https://ballotpedia.org/Massachusetts\\_Question\\_3,\\_Gender\\_Identity\\_Anti-Discrimination\\_Veto\\_Referendum\\_\(2018\)](https://ballotpedia.org/Massachusetts_Question_3,_Gender_Identity_Anti-Discrimination_Veto_Referendum_(2018))

<sup>36</sup> [https://ballotpedia.org/Maryland\\_Question\\_1,\\_Gambling\\_Revenue\\_Dedicated\\_to\\_Education\\_Lockbox\\_Amendment\\_\(2018\)](https://ballotpedia.org/Maryland_Question_1,_Gambling_Revenue_Dedicated_to_Education_Lockbox_Amendment_(2018))

State	Education Ballot Initiative	Result
Missouri	<p><b>Missouri Proposition C, Medical Marijuana And Veterans Healthcare Services, Education, Drug Treatment, and Public Safety Initiative</b></p> <p>If adopted, the initiative would legalize the purchase of marijuana for medical purposes, impose a 2 percent sales tax on all marijuana purchases, and allocate revenue from the sales tax toward veterans' services, drug treatment, early childhood education, and law enforcement.<sup>37</sup></p>	Rejected (43.2% - 56.8%)
Montana	<p><b>Montana LR-128, Property Tax for State University System Measure</b></p> <p>If adopted, the measure would renew a \$6 million tax on real estate and personal property to provide funding for the Montana University System through 2028. Funds must be used "for the continued support, maintenance, and improvement of the Montana University System."<sup>38</sup></p>	Adopted (61.3% - 38.7%)
New Jersey	<p><b>New Jersey Public Question 1, School Projects Bond</b></p> <p>If adopted, the measure approves a \$500 million general obligations bond for project grants related to vocational schools, college career and technical education, school water infrastructure, and school security. Of the bond, \$350 million would be for career and technical education grants and school security project grants, \$100 million for school water infrastructure grants, and \$50 million for college career and technical education grants.<sup>39</sup></p>	Adopted (52.2% - 47.8%)
New Mexico	<p><b>New Mexico Bond Question B, Public Libraries Bond</b></p> <p>If adopted, the measure would authorize the sale and issuance of \$12.9 million in bonds for academic, public school, tribal, and public libraries. Funds from the bonds could be used for print, non-print, and electronic resources; collaborative resources; broadband internet equipment; and furniture.<sup>40</sup></p>	Adopted (68.7% - 31.3%)
New Mexico	<p><b>New Mexico Bond Question C, School Buses</b></p> <p>If adopted, the measure would authorize the sale and issuance of \$6.1 million in bonds to purchase school buses and to equip school buses with air conditioning.<sup>41</sup></p>	Adopted (68.8% - 31.2%)
New Mexico	<p><b>New Mexico Bond Question D, Higher Education, Special Schools, and Tribal Schools Bond</b></p> <p>If adopted, the measure would authorize the sale and issuance of \$136.2 million in bonds for institutions of higher education, special schools, and tribal schools.<sup>42</sup></p>	Adopted (65.8% - 34.2%)

<sup>37</sup>

[https://ballotpedia.org/Missouri Proposition C, Medical Marijuana and Veterans Healthcare Services, Education, Drug Treatment, and Public Safety Initiative \(2018\)](https://ballotpedia.org/Missouri_Proposition_C,_Medical_Marijuana_and_Veterans_Healthcare_Services,_Education,_Drug_Treatment,_and_Public_Safety_Initiative_(2018))

<sup>38</sup> [https://ballotpedia.org/Montana LR-128, Property Tax for State University System Measure \(2018\)](https://ballotpedia.org/Montana_LR-128,_Property_Tax_for_State_University_System_Measure_(2018))

<sup>39</sup> [https://ballotpedia.org/New Jersey Public Question 1, School Projects Bond \(2018\)](https://ballotpedia.org/New_Jersey_Public_Question_1,_School_Projects_Bond_(2018))

<sup>40</sup> [https://ballotpedia.org/New Mexico Bond Question B, Public Libraries \(2018\)](https://ballotpedia.org/New_Mexico_Bond_Question_B,_Public_Libraries_(2018))

<sup>41</sup> [https://ballotpedia.org/New Mexico Bond Question C, School Buses \(2018\)](https://ballotpedia.org/New_Mexico_Bond_Question_C,_School_Buses_(2018))

<sup>42</sup> [https://ballotpedia.org/New Mexico Bond Question D, Higher Education, Special Schools, and Tribal Schools \(2018\)](https://ballotpedia.org/New_Mexico_Bond_Question_D,_Higher_Education,_Special_Schools,_and_Tribal_Schools_(2018))

State	Education Ballot Initiative	Result
Oklahoma	<p><b>Oklahoma State Question 801, Allow Certain Voter-Approved Property Taxes to Fund School District Operations Amendment</b></p> <p>If adopted, the measure would amend the Oklahoma state constitution to permit certain local voter-approved property taxes to be used to fund school district operations, as well as construction. The state constitution already allows for levies for construction.<sup>43</sup></p>	Not Called
Rhode Island	<p><b>Rhode Island Question 1, School Buildings Bond Measure</b></p> <p>If adopted, the measure would authorize \$250 million in bonds over five years, with no more than \$100 million issued in any one year. Bonds will be used to fund school housing aid and the school building authority capital fund.<sup>44</sup></p>	Adopted (76.4% - 23.6%)
Rhode Island	<p><b>Rhode Island Question 2, Higher Education Facilities Bond Measure</b></p> <p>If adopted, the measure would authorize \$70 million in bonds for higher education facilities, divided between the University of Rhode Island Narragansett Bay Campus (\$45 million) and the Rhode Island College School of Education and Human Development (\$25 million).<sup>45</sup></p>	Adopted (58.9% - 41.1%)
South Carolina	<p><b>South Carolina Amendment 1, Appointed Superintendent of Education Measure</b></p> <p>If adopted, the measure would relegate the position of state superintendent of education to a governor-appointed position rather than an elected position, as it is currently. The appointment would be subject to approval by the South Carolina state senate and would take effect on January 1, 2023.<sup>46</sup></p>	Rejected (41.5% - 58.5%)
Utah	<p><b>Utah Nonbinding Opinion Question 1, Utah 10 Cents per Gallon gas Tax Increase for Education and Local Roads</b></p> <p>If adopted, the vote expresses public support for a 10 cent per gallon gas tax. If the increase is approved by the Utah state legislature, the revenue would be used to fund local road construction and maintenance. Previously allocated funds for such construction and maintenance would then be available for education.<sup>47</sup></p>	Rejected (33.9% - 66.1%)

<sup>43</sup> [https://ballotpedia.org/Oklahoma State Question 801, Allow Certain Voter-Approved Property Taxes to Fund School District Operations Amendment \(2018\)](https://ballotpedia.org/Oklahoma_State_Question_801,_Allow_Certain_Voter-Approved_Property_Taxes_to_Fund_School_District_Operations_Amendment_(2018))

<sup>44</sup> [https://ballotpedia.org/Rhode Island Question 1, School Buildings Bond Measure \(2018\)](https://ballotpedia.org/Rhode_Island_Question_1,_School_Buildings_Bond_Measure_(2018))

<sup>45</sup> [https://ballotpedia.org/Rhode Island Question 2, Higher Education Facilities Bond Measure \(2018\)](https://ballotpedia.org/Rhode_Island_Question_2,_Higher_Education_Facilities_Bond_Measure_(2018))

<sup>46</sup> [https://ballotpedia.org/South Carolina Amendment 1, Appointed Superintendent of Education Measure \(2018\)](https://ballotpedia.org/South_Carolina_Amendment_1,_Appointed_Superintendent_of_Education_Measure_(2018))

<sup>47</sup> [https://ballotpedia.org/Utah Nonbinding Opinion Question 1, 10 Cents per Gallon Gas Tax Increase for Education and Local Roads \(2018\)](https://ballotpedia.org/Utah_Nonbinding_Opinion_Question_1,_10_Cents_per_Gallon_Gas_Tax_Increase_for_Education_and_Local_Roads_(2018))