

EXECUTIVE SUMMARY

Our nation has long aspired to provide educational opportunity to all of our children. Over the years, the capacity of the public schools to educate the country's students has grown enormously. But the work is not done. In spite of steady improvements in the overall caliber of our nation's public schools and the educational attainment of many high school graduates, wide achievement gaps persist between poor and minority students, on the one hand, and their peers in other groups. The reasons for these achievement gaps are clear: currently, the vast majority of poor and minority schoolchildren who have enormous extra learning needs attend schools that actually receive less funding and have fewer qualified teachers, larger classes, inferior facilities and poorer program offerings than schools attended by more affluent white students.

Over the last 15 years, states have invested in reforms to raise standards for all children and in assessment systems that attempt to measure school and student success. But inequitable state education finance systems continue to deprive many poor and minority children of the tools necessary to meet standards. These fiscal inequities, which have stymied education reform for decades, are finally on the verge of being dismantled. Lawsuits challenging state methods for funding public schools have been launched in almost all of the states, and in recent years these cases have been phenomenally successful. Since 1989, plaintiffs have prevailed in 21 of the 28 (75 percent) highest state court cases that have been based on "adequacy claims" that all students must be provided the resources they need for a meaningful education and in meeting the challenging new state standards.

This movement to ensure adequate funding for a quality education began more than 30 years ago. Tying together and advancing a century of opportunity-oriented reforms, it has developed into the most vital present-day education rights movement. The courts' rulings, based on their states' constitutions, have revived and enhanced the principles of the American public school tradition and established education as a child's inviolable right. Education adequacy cases have also reinforced the standards movement. By strengthening and highlighting the educational standards designed by state lawmakers, promoting dialogue with state legislatures and education departments, and, most importantly, ensuring that schools have the resources and instructional capacity to provide all of their students, even those with more extensive educational needs, with the opportunity for a quality education, these cases are pressing states to fulfill the promise of standards-based reform.

DEFINING ADEQUACY

While the term "education adequacy" seems to connote a very minimal sense of what a basic education should be, courts have arrived at an understanding of "adequate" that, in essence, means a basic "quality" education that provides students with the essential skills they need to function productively in contemporary society. There is a virtual consensus among the many state courts that have dealt with this issue that

- The constitutional standard for a basic quality education is an education that prepares students to (1) function productively as capable voters, jurors and civic participants in a democratic society; and (2) compete effectively in the economy.
- The types of knowledge and skills that students need to be effective citizens and workers are (1) sufficient ability to read, write, and speak the English language and sufficient knowledge of fundamental mathematics and physical science to enable them to function in a complex and rapidly changing society; (2) sufficient fundamental knowledge of geography, history, and basic economic and political systems to enable them to make

informed choices with regard to issues that affect them personally or affect their communities, states and nation; (3) sufficient intellectual tools to evaluate complex issues and sufficient social and communication skills to work well with others and communicate ideas to a group; and (4) sufficient academic and vocational skills to enable them to compete on an equal basis with others in further formal education or gainful employment in contemporary society.

- The essential resources students need to acquire this knowledge and these skills are (1) qualified teachers, principals and other personnel; (2) appropriate class sizes; (3) high-quality early childhood and preschool services; (4) adequate school facilities; (5) supplemental programs and services for students from high-poverty backgrounds including summer and after school programs; (6) appropriate programs and services for English language learners and students with disabilities; (7) instrumentalities of learning including, but not limited to, textbooks, libraries, laboratories and computers; and (8) a safe, orderly learning environment.

ADEQUACY'S LESSONS FOR NATIONAL AND FEDERAL POLICY

The adequacy movement has much to contribute to the national and federal policy conversations. The cases provide broad and balanced data on a wide range of educational policy issues; they test opposing views among experts in the crucible of trial; and they constitute a practical laboratory for implementing remedies in a sustained manner, with extensive oversight and evaluation. These pragmatic analyses have shown us that meeting higher proficiency goals requires states, localities and the federal government to sustain a comprehensive educational enterprise. This enterprise must include adequate systemic funding based on actual costs and an accountability system to ensure effective spending that includes rigorous standards, multiple measures of school quality and student achievement, accurate information, and building instructional capacity in low performing schools in order to achieve permanent school improvement. ~~The role of state and federal education policy should be to support and "incentivize" this full agenda.~~