



# KNOW THE ISSUES

## What Are School Funding “Adequacy” Lawsuits?

### Historical Background

- Lawsuits challenging state methods of funding public schools have been brought in 45 of the 50 states, and over 20 states are currently involved in active litigation. After the U.S. Supreme Court said that education is not a fundamental right under the federal constitution, in *Rodriguez v. San Antonio*, plaintiffs across the country have sought relief in state courts for states’ failure to provide to all children the opportunity for a quality education.

### From Equity to Adequacy

- In the 1970s and 1980s, most of these cases sought equal funding (“equity”), but the defendant states won about two-thirds of those claims.
- In the late 1980’s, advocates began emphasizing the right to “adequate” schools, arguing that **states have the responsibility to ensure that all children, including those from low-income and minority backgrounds, have the opportunity to receive a quality education.** Since 1989, plaintiffs have won 69% of the cases.

### Why Are “Adequacy” Cases Winning?

- Each state has an education article in its constitution that makes it the duty of the state to provide educational opportunities to its public schoolchildren. In most states, courts have ruled that these education articles require states to provide the resources necessary for an “adequate” level of education to prepare students for citizenship and work.
- In the 15 years, the states have instituted “standards-based reform,” under which they hold students and schools accountable for meeting specified state academic standards. Most states have not provided the resources and funding necessary to do the critical **capacity building** that enables schools to help all students reach these standards.
- Courts often rule in favor of plaintiffs after being presented with evidence of missing resources – such as quality teaching, preschool, reasonable class sizes, decent facilities, and textbooks, libraries, and laboratories – and poor “outputs,” such as low test scores and low graduation rates. In 29 of the 30 states in which courts have considered whether “money matters,” the courts have ruled that it does – **additional money for education, if spent well, leads to higher student achievement.**
- Successful adequacy cases have helped move the ideals of *Brown v. Board of Education* forward, and in many states they have led to better education and the stronger communities and economies that result from good schools