



# “EQUITY” AND “ADEQUACY” SCHOOL FUNDING LIABILITY COURT DECISIONS

March 2010

Plaintiff Victory (27)	State Defendant Victory (20)	No Court Decision (6)
Alaska	Alabama	Delaware
Arizona <sup>†</sup>	Arizona <sup>†</sup>	Hawaii
Arkansas	Colorado <sup>‡</sup>	Iowa
California	Florida <sup>*</sup>	Mississippi
Colorado <sup>‡</sup>	Georgia	Nevada
Connecticut	Illinois <sup>*</sup>	Utah
Idaho	Indiana	
Kansas	Louisiana	
Kentucky	Maine	
Maryland	Michigan	
Massachusetts	Minnesota	
Missouri <sup>◇</sup>	Missouri <sup>◇</sup>	
Montana	Nebraska	
New Hampshire	Oklahoma	
New Jersey	Oregon	
New Mexico	Pennsylvania	
New York	Rhode Island <sup>*</sup>	
North Carolina	South Dakota <sup>*</sup>	
North Dakota <sup>**</sup>	Virginia	
Ohio	Wisconsin	
South Carolina		
Tennessee		
Texas		
Vermont		
Washington <sup>*</sup>		
West Virginia		
Wyoming		

This chart reflects the highest state court's decisions or un-appealed lower court decisions. Follow up compliance decisions are not included.

\*New cases are pending in Florida, Illinois, Rhode Island, South Dakota, and Washington

\*\*In the 1994 equity case, three of the five members of the North Dakota Supreme Court found that the state's education finance system violated the equal protection provisions of the State Constitution. However, because the state constitution requires a "super majority" vote of the state Supreme Court (at least four justices) to invalidate any statutory scheme, the court did not declare the system unconstitutional. Plaintiffs achieved substantial reforms through a settlement in a follow up litigation brought in 2003 and settled in 2007.

<sup>†</sup>Arizona plaintiffs won a capital funding case in 1994; they lost an at-risk funding case in 2006

<sup>◇</sup> Missouri plaintiffs won a new funding system in a 1993 case before the Circuit Court, which went un-appealed; in 2009, the state Supreme Court denied plaintiffs' claim that changes in the system had rendered it unconstitutional..

<sup>‡</sup>State defendants prevailed in an equity case in 1982, but in 2009, the state Supreme Court upheld plaintiffs' right to proceed to trial on an adequacy claim.