

## Adequacy Without Equity: The Anatomy of a School Finance Lawsuit



School finance lawsuits are the norm in our nation. All but two states have faced them. In most of these actions, judges have ruled that existing systems violate their states' constitutions and must be changed so as to provide more equitable and/or adequate funding.

What happens next may or may not address the identified problems. It is also the focus of a new [working paper](#) by [Kendall L. Fujioka](#) and NEPC Fellow [David S. Knight](#), both of the University of Washington. For their study, Fujioka and Knight examined what happened during the 12 years after judges ruled for the plaintiffs in *McCleary v. Washington State*. Although the analysis focuses on the case of a single state, the findings may provide lessons for other jurisdictions undergoing similar processes.

Fujioka and Knight conclude that the suit was successful in that it led to increases in school funding. However, the remedies did not sufficiently address a core issue identified by the suit: equity. As a result, districts that served larger shares of students from low-income families, Hispanic students, Native American students, and students with disabilities received smaller funding increases. The researchers attributed this in part to the narrow scope the legislature gave the committee charged with recommending changes to the state's funding structure. This resulted in a strong focus on a key element: the politically popular change of increasing educator compensation to address cost-of-living increases and within-state differences.

The researchers wrote:

[I]t mattered for policymaking whether the perceived problem of the state's school finance system was a lack of adequate funding in the highest-need districts or, conversely, limited ability among districts to address the rising costs of living coupled with a court mandate and order of sanctions. As the problem definition transitioned from the former to the latter, policy proposals focused on increasing overall funding and ensuring that funds were allocated to areas with higher costs of living.

Of course, many of the states' most marginalized students did not live in such areas.

Fujioka and Knight suggest that future efforts might aim to maintain a clear and consistent focus on defining and explaining the core problems identified by school finance lawsuits. However, such efforts may still need to harness political pressure in order to encourage lawmakers to carry out legislative orders. Had the courts not responded to legislative foot-dragging in the two years after the original ruling—by imposing political pressures in the form of levying fines of \$100,000 per day on the legislature—school funding in Washington might still have been in flux today.

## NEPC Resources on School Finance and Funding

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