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BALTIMORE CITY PARENTS AND STUDENTS ASK STATE'S HIGHEST COURT TO UPHOLD EDUCATION FUNDING DECISION

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ANNAPOLIS -- Parents of at-risk children in Baltimore City Schools today asked the Maryland Court of Appeals to reject an appeal from the State of Maryland and uphold the Baltimore City Circuit Court's August 2004 ruling that would restore funding to Baltimore City classrooms this school year. The trial court's decision in the ACLU's education adequacy case, *Bradford v. State Board of Education*, highlighted that Baltimore City schoolchildren are still not receiving a constitutionally "adequate" education and outlined several options to return \$30-45 million to the schools, the amount determined to have been cut from students' programs in school year 2004/20005 as Baltimore City Public Schools attempted to address a fiscal shortfall.

Circuit Court Judge Joseph H.H. Kaplan ruled as early as 1996 that the City children were not getting an adequate education as judged by the State's own standards. Increased State funding to City schools resulted in improved test scores and other indicators. But last year's City school system budget crisis caused sharp cutbacks in spending. As a result, the ACLU charged, children in the classroom were being negatively impacted.

Baltimore City school children remain in limbo as the parties apparently refuse to comply with Judge Kaplan's ruling while awaiting the outcome of today's hearing in the State's highest court.

In a courtroom packed with Baltimore City parents and students, ACLU pro bono attorney Elizabeth B. McCallum of Howrey Simon Arnold & White argued that students have been shortchanged as the lack of funding has rolled back educational opportunities for Baltimore City students. Warren Weaver who argued on behalf of the Baltimore City Board of School Commissioners, detailing the state's underfunding of the school system. Legal briefs for the City of Baltimore also supported the position of the plaintiffs.

Ramona Piskor, mother of a now-10th grader and a plaintiff in the case, noted, "We've been pushing for 10 years to get resources to make Baltimore City schools good learning environments for our children. The cutbacks this year went too far, and we hope the judges will understand that and support us."

Joining in support of the plaintiffs in Friend of the Court (*amicus curiae*) briefs filed with the Court are a number of high-profile parties with long-time interests in education reform and

funding. Dr. Alvin Thornton, Associate Provost of Howard University and esteemed Chair of the “Thornton” Commission (whose recommendations led to the Bridge to Excellence in Public Schools Act) joined with the Maryland League of Women Voters, the Maryland Education Coalition, and the American Association of University Women (MD) to ask that the Circuit Court’s ruling and student’s state constitutional rights to an adequate education be upheld.

The National School Boards Association, and several other national organizations, argued in their Friend-of-the-Court brief that Maryland’s ruling was well within the court’s authority, citing 23 other states where judges have ruled for the plaintiffs and are interpreting the states’ constitutions to uphold funding plans to bring those school systems to constitutional adequacy.

The needs of minority and special needs children was emphasized in an amicus brief filed by the Maryland State Conference of NAACP Branches, the Caucus of Black School Board Members, and the Latino Coalition for Justice. Their brief notes the “achievement gap” for these students and the additional resources that are necessary for students to reach state standards.

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