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## ACLU/BRADFORD PLAINTIFFS STATEMENT ON COURT OF APPEALS 6-9-05 RULING

PRESS STATEMENT  
June 7, 2005

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The ACLU and the Bradford plaintiffs are pleased with today's ruling from the Court of Appeals, which rejected the State's efforts to terminate our education reform lawsuit and which will allow continued efforts to ensure constitutionally-adequate educational opportunities for the children of Baltimore City. The State asked the high court to strike down the Circuit Court's prior rulings, going back to 2000, on a variety of grounds. The high court rebuffed this attempt, finding that the determinations were not properly appealed. As a result, Judge Kaplan's principal determinations remain binding and operative law. These determinations include declarations that, among other things:

- the State is violating Baltimore City students' constitutional rights to an adequate public school education,
- state funding is not constitutionally adequate and substantial additional state funding is required, and,
- full and timely increases in funding under Maryland's "Bridge to Excellence" or "Thornton" act is required;
- the court should retain jurisdiction until funding is adequate, to ensure full phase-in of the Thornton formula.

The appellate court's ruling thus preserves the lower court's authority to monitor and potentially intervene in the distribution of funds to Baltimore City schools.

Although the high court's opinion left the majority of the Circuit Court's determinations intact, the court did uphold the state law governing the quick paydown of the city school deficit. Although we are disappointed by this portion of the ruling, the Bradford plaintiffs have always agreed that it is important that the school system pay off its deficit and live within its means—we were concerned only that paying down the deficit on an accelerated schedule would use funds that were needed for programs for children. We continue to believe that a 2-year paydown of the accumulated deficit should not take precedence over the adequacy of the education offered to the students.

The ACLU will continue to advocate for the constitutionally adequate funding for Baltimore City students that the Circuit Court has determined is necessary. It is now up to the State and the City to live up to their obligations under the constitution and the law. The Governor and legislature must continue to fund Thornton in increasing amounts each year and the Baltimore school system must make sure that the money it receives nets maximum educational results for the children of Baltimore.

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