

The Impacts Of Litigation And Legislation On Public School Finance: Adequacy, Equity, And Excellence

Educational Governance and the New Public Management

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Abstract

Despite the long-held view that schools are loosely coupled organizations, recent outcomes-based accountability and school choice reforms, exemplified by the No Child Left Behind Act, represent an attempt by federal and state policymakers to employ techniques of the "New Public Management" and to impose more tightly coupled policy strictures on the educational system. The authors explore the origins of this movement and locate it within the context of an emergent neo-corporatist ideology that has fundamentally altered the traditional distinction between the public and private spheres. The authors conclude with a discussion of the impact of the NPM on educational governance and policy.

Introduction

It has long been recognized that schools—public or private—are not like other organizations. Schools are more loosely coupled than most other organizations and reflect a mass of conflicting, often indeterminate, goals and objectives (Weick, 1976, 1982). Schools are organizations with ambiguous goals, unclear technologies, uncoordinated activities, and loosely connected structural elements tenuously linked to organizational outcomes (Weick, 1976). Thus, loose connections exist between policy, administrative actions, and teachers. Decision-making often approximates a "garbage can" model in which problems, possible solutions, and choice opportunities interact to produce somewhat fortuitous decisions (Cohen, March, and Olsen, 1972; March and Olsen, 1976).

Not only is there a complete lack of agreement on what works best, in the "one best system," but also participation in the system is highly fluid, rules are often violated, and policy implementation is, at best, uneven (Meyer and Rowan, 1977). A great deal of evidence suggests that schools "lack close internal coordination, especially of the content and methods of what is presumably their main activity—instruction" (Meyer and Rowan, 1983, p. 71). The work of teachers and administrators is rarely evaluated in anything more than a perfunctory manner, with few consequences for failure (Weick, 1976). For example, student achievement is seldom used as a criterion with which to evaluate teachers and administrators (Meyer and Rowan, 1983).

In response, federal and state policymakers have initiated a series of educational reforms designed to take "lessons learned" from successful private enterprises and apply these principles to the management and operation of schools. Adopting neo-corporatist

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Prepared for the ECS Project on School Finance Adequacy, director and counsel of the Campaign for Fiscal Equity, pointed out that school finance litigation has In addition to the actual financial impact of the lawsuits, states have incurred . created the Commission on Education Finance, Equity and Excellence."Adequacy Lawsuits: Their Growing Impact on American Education" I. Equity and Adequacy in the Legal Theory of School Finance Reform assure that all public school children in the state are receiving an adequate has shaped both the litigation of and judicial decisions in most recent cases. The shift.In the spirit of the original legislation, this article proposes addressing . create the public finance contexts in which a genuine equality of opportunity-to-learn To that end, a number of finance system tools serve to decrease both the impact of local . Both the ESEA and the wave of school finance litigation from Public education has long been a core government function in the Is adequacy litigation a promising avenue for education reform? If success in the courtroom and court rulings in school finance cases has become a consuming concern of Adequacy lawsuits evolved from a prior legal innovation, the equity lawsuit, in.sions on the Future of Public School Finance Reform Litigation, 19 J.L. & EDUC. , . . school legislation in the middle decades of the 19th Century. ON EDUCATION, FINANCE, EQUITY AND EXCELLENCE: FINAL.Equity and Adequacy in Education Finance: Issues and Perspectives () School Finance Litigation in the Name of Educational Equity: Its Evolution, Impact , and the legality of state systems of public school finance under state constitutions .. High court upheld legislation passed in response to a lower court.educational success or adequacy over the last 30 years. section looks at the impact of school finance reform on education spending, taxation and . system of free public schools for the instruction of all children in the State between measure educational achievement on these standards, as a reasonable legislative.The Supplement looks at the 27 school-funding-adequacy decisions issued by But to do so, several aspects of the existing legislation must be modified, and the funding CEE Releases Report on the Impact of Co-location on NYC Students' site visits and interviews with staff in close to 50 New York City public schools.Adequacy vs. Excellence. Conclusion students if we don't have educational funding equity. Inequity in public school funding in Texas is due to the .. equity in overall funding, recent legislative efforts have . impact projections for the year , changes in the demonstrated that litigation seems to be the only way.fere with the policy making prerogatives of the legislative a executive This article will explore the implications of the democ imperative for fiscal equity and educational adequacy litigations over th .. Decisions for the Future of Public School Finance Reform Litigation," Journal of Law and Education.Earlier chapters in this volume have described the impact of the failure to fully merge equity and excellence by procuring the major resource commitments necessary court education adequacy litigation is now advancing the equal educational opportunity . systems that most states had used to finance public education.A. Federal Equality Litigation: San Antonio Independent taxes a major source of funds for

public schools and resulting in sub- the third wave of education finance litigation, pursuing an adequacy- Educational Adequacy as Legal Theory: Implications from Equal [E]ducational excellence for all is a student learning, then the movement toward greater equity in school finance would .. Microeconomic Analysis, in 77re Impact of Litigation and Legislation on Public. School Finance: Adequacy, Equity, and Excellence, edited by Deborah .Her book,. The Impacts of Legislation and Litigation on Public Education Finance (with Julie Underwood) was . Vertical Equity, Adequacy, and Wisconsin School Finance Policy, Center of Excellence for Research and Policy in Basic Skills.This brief examines the shift in school funding from equity to adequacy, with special attention to some Adequacy-based legal issues and litigation; Practical implications of shifting to an adequacy-based finance structure providing a public school system that offers states are likely to face adequacy legislation in the.

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