

EDUCATION JUSTICE

“EQUITY” AND “ADEQUACY” CASES: LIABILITY RULINGS BY STATE

States and Cases in which Plaintiffs Prevailed:

Alabama^o: Opinion of the Justices, 624 So.2d 107 (Ala. 1993)

Alaska: Kasayulie v. State, 3AN-97-3782 Civ. (Alaska Super., September 1, 1999); Moore v. State, 3AN-04-9756 Civ. (Alaska Super., June 21, 2007) Each case settled without an appeal to the state supreme court.

Arizona^o: Roosevelt Elem. Sch. Dist. v. Bishop, 877 P.2d 806 (Ariz. 1994); Cave Creek Unified Sch. Dist. v. Ducey, 308 P.3d 1152 (Ariz. 2013)

Arkansas: Lake View Sch. Dist. v. Huckabee, 91 SW.3d 472 (Ark. 2002) and Dupree v. Alma Sch. Dist., 651 SW 2d 90 (Ark. 1983)

California^{*}: Serrano v. Priest, 557 P.2d 929 (Calif. 1976)

Connecticut^{*}: Horton v. Meskill, 376 A.2d 359 (Conn. 1977); Sheff v. O’Neill, 678 A.2d 1267 (Conn. 1996)

Idaho: Idaho Schools for Equal Educational Opportunity v. State (ISEEO V), 129 P.3d 1199 (Idaho 2005)

Kansas^{*}: Montoy v. State, 120 P.3d 306 (Kan. 2005) (Montoy II); Gannon v. State, 319 P.3d 1196 (Kan. 2014)

Kentucky: Rose v. Council for Better Education, 790 S.W.2d 186 (Ky. 1989)

Massachusetts: McDuffy v. Secretary, 415 Mass. 545 (1993); Commonwealth v. Dedham, 16 Mass. 141 (1819)

Missouri^o: Committee for Educational Equality v. State, No. CV190-1371CC, slip op. (Cir. Ct. Cole County January 1993) (not appealed); but, see, separate case Committee for Educational Equality v. State, 294 S.W.3d 477 (Mo. 2009)

Montana: Columbia Falls Elem. Sch. Dist. v. State, 109 P.3d 257 (Mont. 2005); Helena Elem. Sch. Dist. v. State, 769 P.2d 684 (1989)

Nebraska^o: Douglas County Sch. Dist. v. Heineman, (Dist. Ct., Douglas County 2004)
(denying state's motion to dismiss equity claim; case settled on eve of trial)

New Hampshire: Claremont v. Governor, 703 A.2d 1353 (N.H. 1997) (Claremont II)

New Jersey*: Abbott v. Burke, 575 A.2d 359 (N.J. 1990); Robinson v. Cahill, 303 A.2d 273 (N.J. 1973)

New Mexico*: Zuni Public Sch. Dist. v. State, CV-98-14-II (Dist. Ct., McKinley County Oct. 14, 1999) (not appealed)

New York*: Campaign for Fiscal Equity (CFE) v. State, 801 N.E.2d 326 (N.Y. 2003)

North Carolina*: Hoke County Bd. of Educ. v. State, 599 S.E.2d 365 (N.C. 2004)

North Dakota: Bismarck Public Sch. Dist. v. State, 511 N.W.2d 247 (N.D. 1994)

Ohio: DeRolph v. State, 677 N.E.2d 733 (Ohio 1997)

Oregon: Pendleton Sch. Dist. v. State, 200 P.3d 133 (Or. 2009) (finding funding unconstitutionally low but denying relief)

South Carolina*: Abbeville v. State, --- S.E.2d ----, 2014 WL 5839956 (S.C. 2014)

Tennessee: Tennessee Small School Sys. v. McWherter, 851 S.W.2d 139 (Tenn. 1993)

Texas*: Edgewood Independent Sch. Dist. v. Kirby, 777 S.W.2d 391 (Tex. 1989)

Vermont: Brigham v. State, 692 A.2d 384 (Vt. 1997)

Washington*: McCleary v. State, 269 P.3d 227 (Wash. 2012); Seattle School Dist. v. State, 585 P.2d 71 (Wash. 1978)

West Virginia: Pauley v. Bailey, 324 S.E.2d 128 (W.Va. 1984)

Wyoming: Campbell County v. State, 907 P.2d 1238 (Wyo. 1995); Washakie County Sch. Dist. v. Herschler, 606 P.2d 310 (Wyo. 1980)

States and Cases in which Defendant States Prevailed:

Alabama^o: Ex parte Governor Fob James et al, 836 So.2d 813 (Ala. 2002)

Arizona^o: Crane Elem. Sch. Dist. v. State (2006) (appellate court granted state's motion for summary judgment, supreme court denied review, all unpublished)

Colorado*: Lobato v. State, 304 P.3d 1132 (Col. 2013)

Florida*: Coalition for Adequacy and Fairness in School Funding v. Chiles, 680 So.2d 400 (Fla. 1996)

Georgia: McDaniel v. Thomas, 285 S.E.2d 156 (Ga. 1981)

Illinois: Committee for Educational Rights v. Edgar, 672 N.E.2d 1178 (Ill. 1996); Lewis E. v. Spagnolo, 710 N.E.2d 798 (Ill. 1999)

Indiana: Bonner v. Daniels, 907 N.E.2d 516 (Ind. 2009)

Louisiana: Charlet v. Legislature of the State of Louisiana, 713 So.2d 1199 (La. 1998); Jones v. State Bd. of Elem. and Secondary Educ. (BESE), 927 So.2d 426 (La. App. 1 Cir. Nov. 4, 2005)

Maine: School Administrative Dist. No. 1 v. Commissioner, 659 A.2d 854 (Me. 1995)

Michigan*: Milliken v. Green, 212 N.W.2d 711 (Mich. 1973)

Minnesota: Skeen v. State, 505 N.W.2d 299 (Minn. 1993)

Missouri^o: Committee for Educational Equality v. State, 294 S.W.3d 477 (Mo. 2009)

Nebraska^o: Gould v. Orr, 506 N.W.2d 349 (Neb. 1993); Nebraska Coalition for Educational Equity and Adequacy v. Heineman, 731 N.W.2d 164 (Neb. 2007)

Oklahoma: Fair Sch. Finance Council of Oklahoma v. State, 746 P.2d 1135 (Okla. 1987); Oklahoma Education Association v. State, 158 P.3d 1058 (Okla. 2007)

Oregon: Olsen v. State, 554 P.2d 139 (Or. 1976); Coalition for Equitable School Funding v. State, 811 P.2d 116 (Or. 1991)

Pennsylvania*: Marrero v. Commonwealth, 709 A.2d 956 (Pa. 1998); Pennsylvania Association of Rural and Small Schools v. Ridge, 737 A.2d 246 (Pa. 1999)

Rhode Island: City of Pawtucket v. Sundlun, 662 A.2d 40 (R.I. 1995)

South Dakota: Davis v. State, 804 N.W.2d 618 (S.D. 2011)

Virginia: Scott v. Commonwealth, 443 S.E.2d 138 (Va. 1994)

Wisconsin: Vincent v. Voight, 614 N.W.2d 388 (Wisc. 2000)

States in which there have been no Court Rulings:

Delaware	Mississippi*
Hawai'i	Nevada
Iowa	Utah

* Further decisions or a new case or cases are pending in this state

⊖ Different cases with different outcomes in this state

Last updated January 7, 2015 by Molly A. Hunter, Director, [Education Justice](#)