



Protect all children's right to a quality public education

Issue Overview

On September 8, 2006 the Supreme Court of New Hampshire handed down an important decision regarding public education in NH. In Londonderry School District v. State of NH, the Court found that “the state has failed in its duty to define a constitutionally adequate education, failed to determine the cost of an adequate education, and failed to satisfy the requirement of accountability.” The Court ruled that the legislature must define the components of an adequate education by June 30, 2007, or the Court will take further action.

During the 2007 Legislative Session NH approved a new definition of adequacy and now it will be undertaking the costing of that definition and creating an aligned funding system.

It should be made clear that the Supreme Court's decision does not explicitly object to particular funding methods for NH's educational system. It objects to funding methods, which are implemented in the absence of a clear definition of adequacy. This year is a unique opportunity to talk about the heart of the matter- the future of public education in NH, and the future of our state's children.

Since the 1997 Claremont II decision, the State has still not developed a definition of an adequate education which means it is impossible to accurately develop a cost



for providing an adequate education and that leads to state's chronic under funding of education. State adequacy aid has fluctuated since its inception in 2000, when a total commitment of \$824 million was made. The amount actually peaked in 2004 at \$895 million, including the statewide property tax, but then fell to \$804 million in 2005. The 2006 level of \$835m is a reduction from the \$859 m districts were entitled, and scheduled, to receive. The lack of

a consistent, principled approach to the distribution of state adequacy aid is a direct result of the state failing to realistically define, and thus determine, how much adequacy actually costs.

Recent legislative efforts have further eroded the state's commitment to public education, blurred the already incomplete definition of adequacy and ignored the increasing costs of state and federal mandates. In fact the most recent revisions eliminated a clear definition of adequacy and has fueled the growth of a new class of plaintiff school districts.

Proposed Solution

The focus of the court's recent decision is not about funding mechanisms; nor should our conversation be. It is about the legislature's moral and constitutional obligation to support quality education by defining it,

The 2008 Priorities for New Hampshire's Children

NH CAN is a statewide, nonpartisan network of nearly 100 child-serving organizations working to improve the health and well-being of New Hampshire's children by driving governmental policy, changing budget priorities, and inspiring community action. Each year, NH CAN develops a collective set of Priorities for New Hampshire's Children, a child-centered plan of action for the legislature, state leaders, state agencies, social service providers, schools, communities and families. The Priorities for New Hampshire's Children reflects the consensus of nearly 100 partner organizations, and creates a common call to action that can be shared across our state.

funding it for all children and ensuring it is delivered.

We must:

- Oppose any constitutional amendment that seeks to limit the right of any child to receive a constitutionally adequate education.
- Support the costing of the definition at a realistic and defensible dollar amount.
- Support a funding system that delivers those resources to all children in a sustainable fashion.
- Support targeting of additional aid for those students and schools in greatest need of adequacy.

Call to Action

This issue impacts all public school children in New Hampshire, now and in the future, over 200,000 children in grades K-12 in 2007.

All children statewide are affected, and support from every sector of the state is essential. Broad support will allow a more comprehensive and coordinated effort to impact the legislative process, evaluate possible solutions, extend the awareness of the significance of this debate and maintain its strong commitment to fight for constitutional adequacy and equity for all children.

Specific suggested actions:

- Monitor legislative efforts aimed at reducing and/or diverting public funds from public schools.
- Recognize and applaud efforts to define adequacy at a reasonable level and ensure a high quality education for all children



regardless of town of residency.

- Actively oppose legislation that will have the effect of weakening our state's public education system.
- Support public engagement and legislation to maintain the constitutional right of all students to a high quality education sufficiently funded by the state with a reliable source of revenue (e.g. Citizen Voice Fund the Gap Information).
- Strongly advocate on behalf of the poor and moderate citizens in our communities.
- Evaluate possible legislative actions.

Find Out More

- The New Hampshire School Administrator's Association is the lead NH CAN partner for this Priority. The School Administrators Association website has publications and links to helpful resources, online here: <http://www.nhsaa.org/>
- New Hampshire General Court. You can follow the progress of the bill, or find contact information for your local representatives by going to <http://www.gencourt.state.nh.us/house/default.htm>.
- Children's Alliance of New Hampshire: You can download copies of the complete Priorities for New Hampshire's Children, additional fact sheets, and information about the New Hampshire Child Advocacy Network at the Children's Alliance website, www.childrennh.org. You can also track the progress of all the Priorities-related bills, as well as contact your local representatives, under the "Get Active" link.



NH CAN is a project of the Children's Alliance of New Hampshire

For more information on the *2008 Priorities for New Hampshire's Children*, please visit www.ChildrenNH.org

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