

EDUCATION LAW CENTER

ABBOTT V. BURKE: EQUITY AND ADEQUACY FOR ALL

Abbott v. Burke "may be the most significant education case since the Supreme Court's desegregation ruling nearly 50 years ago." New York Times, February 2002

Abbott is "one of the most remarkable and successful efforts by any court in the nation to cut an educational break for kids from poor families and generally minority-dominated urban neighborhoods." New Jersey Lawyer, October 2001

Education Law Center (ELC) served as attorneys for the plaintiff-class of over 300,000 school-age children and 60,000 preschoolers in the Abbott v. Burke case. These predominately low-income and minority students and youngsters attend public schools and preschools in 31 poor urban communities across New Jersey.

In the landmark *Abbott IV* (1997) and *Abbott V* (1998) rulings, the New Jersey Supreme Court ordered a set of education programs and reforms widely recognized to be the most ambitious and comprehensive in the nation. The Abbott "education adequacy" framework includes:

- Rigorous content standards-based education, supported by per-pupil funding equal to spending in successful suburban schools
- Universal, well-planned and high quality preschool education for all three- and four-year olds
- Supplemental ("at-risk") programs to address student and school needs attributed to high-poverty, including intensive early literacy, small class size and social and health services
- Accountability measures to sustain education ensure effective and efficient use of funds to enable students to achieve state standards
- New and rehabilitated facilities to adequately house all programs, relieve overcrowding, and eliminate health and safety violations
- State accountability for effective and timely implementation

Abbott's goal is to give every child the opportunity to attain "his or her own place as a contributing member in society with the ability to compete with other citizens and to succeed in the economy." *Abbott IV* (1997).

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Education Law Center advocates on behalf of public school children for access to an equal and adequate education under state and federal laws. ELC works to improve educational opportunities for low-income students, and students with disabilities, through litigation, policy advocacy, research, and constituency building.

ELC provides direct legal representation to low-income students and students with disabilities to secure education rights under state and federal laws. ELC served as counsel to the plaintiff school children in the Abbott v. Burke case, and now works to ensure effective and timely implementation of the Court-ordered Abbott programs and reforms.

Founded in 1973, ELC is nationally recognized for advancing the goal of equal education opportunity for all children, especially for those attending schools in high poverty communities. While primarily serving New Jersey's public school students, ELC provides assistance and support to advocates and lawyers seeking to advance education rights in states across the nation.

STARTING AT 3 Securing the Legal Right to Preschool Education

"Starting at 3" is an Education Law Center initiative to promote and support legal advocacy establishing the right to preschool. The project collects and disseminates research, information and strategies on how to establish and secure a legal right to preschool through legislation and/or court decree, and provides direct technical assistance to attorneys and advocates involved in legislative advocacy and litigation asserting the right to early education. The project is funded by the Pew Charitable Trusts.

For more about the project, please visit the "Starting at 3" website at www.startingat3.org, or contact: Ellen Boylan, Project Director, eboylan@edlawcenter.org; (973) 624-1815, ext. 42.

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