

ARTICLE 6 CONSTITUTIONAL STANDARDS: ADEQUACY AND EQUITY (Timeline)

Office of Revisor of Statutes

USD 229

(1994)

- "Through the **quality performance accreditation standards**, the Act provides a legislative and regulatory mechanism for judging whether the education is 'suitable'. These standards were developed after considerable study by educators from this state and others. . . . Hence, the court will not substitute its judgment of what is 'suitable', but will utilize as a base the standards enunciated by the legislature and the state department of education."

Montoy II

(2005)

- Suitable provision for finance "must **reflect a level of funding** which meets the constitutional requirement that '[t]he legislature shall provide for intellectual, educational, vocational and scientific improvement by establishing and maintaining public schools.'"
- "The **equity** with which the funds are distributed and the **actual costs** of education, including appropriate levels of administrative costs, are critical factors for the legislature to consider in achieving a suitable formula for financing education."

Gannon

(2014)

- "**Adequacy** component is met when the public education financing system provided by the legislature for grades K-12 -- through structure and implementation -- is reasonably calculated to have all Kansas public education students **meet or exceed the minimal standards set out in Rose** and presently codified in K.S.A. 2013 Supp. 72-1127." [The Court stated that this test necessarily rejects a legislature's failure to consider actual costs, though actual costs remain a valid factor; and that other sources of revenue, such as KPERS and federal funds, may be considered although "total spending is not the touchstone for adequacy."]
- Court's test for **equity** in K-12 public education is that: "School districts must have **reasonably equal access** to substantially similar educational opportunity through similar tax effort." [The Court further explained that simply put, equity need not meet precise equality standards. Money is clearly not the only variable affecting educational opportunity, but it is one that government can effectively equalize.]