Educational equality has long been a vital concept in U.S. law and policy. Since Brown v. Board of Education, the concept of educational equality has remained markedly durable and animated major school reform efforts, including desegregation, school finance reform, the education of students with disabilities and English language learners, charter schools, voucher policies, the various iterations of the Elementary and Secondary Education Act (including No Child Left Behind), and the “Stimulus.” Despite such attention, students’ educational opportunities have remained persistently unequal as understandings of the goals underlying schooling, fundamental changes in educational governance, and the definition of an equal education have continually shifted. Drawing from law, education policy, history, and political science, this book examines how the concept of equality in education law and policy has transformed from Brown through the Stimulus, the major factors influencing this transformation, and the significant problems that school reforms accordingly continue to face.

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Equality in Education Law and Policy, 1954–2010

Benjamin Michael Superfine

University of Illinois Chicago
To Alison, Chloe, Estelle, and George
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Frequently Used Abbreviations

ARRA  American Recovery and Reinvestment Act
AYP  Adequate Yearly Progress
CSTP  Cleveland Scholarship and Tutoring Program
ED  U.S. Department of Education
ELL  English Language Learner
ESEA  Elementary and Secondary Education Act
ESRA  Education Sciences Reform Act
Goals 2000  Goals 2000: Educate America Act
HEW  U.S. Department of Health, Education, and Welfare
HQT  Highly Qualified Teacher
IASA  Improving America’s Schools Act
IDEA  Individuals with Disabilities Education Act
IEP  Individualized Education Program
IES  Institute of Education Sciences
KERA  Kentucky Education Reform Act
MCT  Minimum Competency Test
MPCP  Milwaukee Parental Choice Program
NAEP  National Assessment of Educational Progress
NDEA  National Defense Education Act
NEA  National Education Association
OSP  Opportunity Scholarship Program
OTL  Opportunity to Learn Standards
RtI  Response to Intervention
RTT  Race to the Top Fund
SFSF  State Fiscal Stabilization Fund