

EDUCATION

Unequal funding demonizes public education system

*By Congressman Chaka Fattah (D-Pa.)
Special to Sentinel-Voice*

The mosaic of problems facing our system of public schools is finally taking shape and attention is now shifting towards financing of our schools.

On Dec. 17, 1997, in a 4-1 decision, the New Hampshire State Supreme Court ruled that New Hampshire's system of paying for public education with property tax is unconstitutional because it creates widely unequal tax burdens. This adds New Hampshire to a growing list of state supreme courts, currently 18, who have taken this action, trying to provide all the nation's children with their right to an equal education.

Through our current system of school finance, we are perpetuating a self-reinforcing distribution of opportunity in this country which is fundamentally unequal.

On April 8, 1997, I introduced the Equal Protection School Finance Act (HR 1234) which defines equal educational opportunity as a covered right under the 14th amendment.

The legal battle for school finance equity is being waged at the state level at the moment. Of the 46 suits that have been filed in state courts, 18 have been decided in favor of equity, 18 have been decided against, and 10 are pending. These cases typically take as long as 10 years to be resolved, and the primary roadblock to resolving

them more quickly is the debate over whether or not the right to equal educational opportunity is a fundamental right protected under the equal protection clause of the U.S. Constitution.

The principle that equal educational opportunity is a fundamental right was firmly established in 1954 by the landmark *Brown v. Board of Education* decision of the United States Supreme Court.

"In these days, it is doubtful that any child may reasonably be expected to succeed in life if he is denied the opportunity to acquire an education. Such an opportunity, where the state has undertaken to provide it, is a right which must be made available to all on equal terms."

Many state court decisions have followed the principles established in *Brown v. The Board of Education*. However, a more recent decision, *San Antonio Independent School District v. Rodriguez*, introduced ambiguity into how this principle is to be applied.

Under the particular circumstances of the *Rodriguez* case, the Supreme Court found that the equal protection clause of the Constitution does not apply, and that has provided comfort and cover for findings

in some states that the equal protection clauses of their state constitutions do not apply either.

Passage of the Equal Protection School Finance Act will clarify the intent of the Constitution. It will create a mandate and empower states to equalize school finance and to provide to each child an education worthy of their status as citizens of the United States of America.

Despite the many valiant, and in many cases, effective efforts at school reform underway across the country, still there remains much that is antiquated about the way some of our public schools are managed. The most troubled systems—large urban systems serving predominantly poor students, some of which spend at a rate higher than the national or their state average—were inherited by their current administrators in dilapidated, under-funded condition with outdated instructional systems, inefficient operating systems, and no systems of accountability of any kind.

I mention this to acknowledge that these deplorable conditions exist, (See Funding, Page 13)

NAACP ACT-SO Orientation Meeting

Friday, February 6, 6:30 pm, West Las Vegas Library Theatre, 951 W. Lake Mead Blvd. Introduction of NAACP/ACT-SO program, viewing of the recent national competition, explanation of scholarships & prizes, request for student mentors and actual registration of students in categories.



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Chargers Victorious

Clark High School seniors, Jannell Thomas, second from the left, Marcello Sawyer, center, Jamaal Evans, right, are congratulated by their school advisors, Mrs. Adams and Mr. Thomas, for winning the 1998 African-American History Challenge held last Thursday at television station KLVX channel 10. The annual event is sponsored in part by the Las Vegas Chapter of Jack & Jill of America. Sentinel-Voice photo by Ramon Savoy

Next ABA head: Minority recruitment needed

Special to Sentinel-Voice

NASHVILLE, Tenn. — The future president of the American Bar Association told his constituents Monday that America's lawyers must find a way to increase the number of racial and ethnic minorities attending the nation's law schools.

Speaking to reporters at the ABA's national convention, William Paul, in line to become president of the 346,000-lawyer ABA in 1999, lamented on the "critically low" number of minorities in the legal profession. "And in law schools, it's even worse," he said.

He cited statistical projections indicating that non-Hispanic whites will comprise less

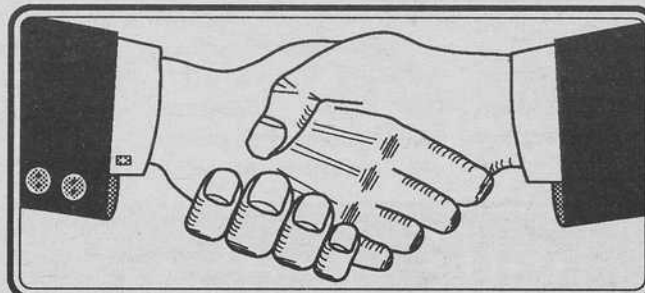
than 50 percent of the nation's population by the year 2050. The ever-decreasing percentage of minority lawyers, therefore, presents "a very, very bad mix for society," he said.

The 67-year-old Oklahoma City lawyer declined to blame the dismal numbers on recent court rulings limiting affirmative-action efforts at state-run law schools, but called their bottom-line impact a "critical problem that must be addressed and reversed."

Paul said he believed he would be the first ABA president with an American Indian heritage.

A great-great-grandmother was a member of the Chickasaw tribe.

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