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978-1-107-01692-7 - Equality in Education Law and Policy, 1954–2010

Benjamin Michael Superfine

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## EQUALITY IN EDUCATION LAW AND POLICY, 1954–2010

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.

Benjamin Michael Superfine is an associate professor in the College of Education at the University of Illinois at Chicago (UIC). Superfine received his J.D. and Ph.D. in Education Foundations and Policy from the University of Michigan. Before joining UIC, Superfine practiced law at Dow Lohnes PLLC in Washington, D.C. His work has been published in leading educational and legal journals, including the *American Educational Research Journal*, *American Journal of Education*, *Cardozo Law Review*, *Educational Policy*, *Kentucky Law Journal*, *Missouri Law Review*, *Review of Educational Research*, and *Teachers College Record*. Superfine was awarded the Steven S. Goldberg Award for Distinguished Scholarship in Education Law from the Education Law Association for his first book, *The Courts and Standards-Based Education Reform*. He was a States’ Involvement in Federal Education Policy Fellow and is currently the Director of the UIC Research on Urban Education Policy Initiative.

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*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