

# Rose at 20

## THE PAST AND FUTURE OF SCHOOL FINANCE LITIGATION

The 1989 *Rose v. Council for Better Education* case is among the most influential and important school finance decisions in American history and represents one of the most important cases ever decided by the Kentucky Supreme Court. In the case, the Supreme Court declared Kentucky's entire system of school finance unconstitutional. Determining that "the General Assembly of the Commonwealth has failed to establish an efficient system of common schools," the Court ordered the Kentucky Legislature to create an entirely new statutory system of common schools in its 1990 legislative session. During that session, the General Assembly of Kentucky acted to meet the Court's mandate by passing the Kentucky Education Reform Act (KERA), which the *New York Times* called "the most sweeping education package ever conceived by a state legislature." KERA greatly increased funding and pioneered many policies that have since been adopted nationally. The Kentucky Supreme Court in the *Rose* decision was one of the first to interpret state constitutional mandates regarding education as imposing a standard of educational quality that legislation must satisfy. Similar cases have been brought since *Rose* in nearly every state, and many courts in other states have adopted the formulation of the Kentucky Supreme Court.

To mark the 20th anniversary of the *Rose* decision, the University of Kentucky's Colleges of Education and Law are hosting an evening to remember this important case, to reflect on its impact on schools both in Kentucky and in other states, and to contemplate *Rose*-inspired school finance suits in the future. The Kentucky Law Journal has assembled a symposium of nationally recognized school finance scholars to anchor the evening's activities, but also on the program are reflections by both political and educational leaders on the impact of *Rose* and the future of KERA and other school reform measures. Also, the Colleges of Education and Law are pleased to introduce their new Deans at the event.

### Program Features:

#### Welcome and Introductions

President of the University of Kentucky, Lee Todd

#### Remarks on Kentucky School Reform

Governor of Kentucky, Steve Beshear

#### Reflections on the *Rose* Case and Subsequent Reforms

Judge Ray Corns, Author of the District Court Opinion

#### Kentucky Law Journal Symposium

Opening Remarks & Moderator  
Kern Alexander, University of Illinois

#### Participants:

William Koski, Stanford University  
William Thro, Christopher Newport University  
R. Craig Wood, University of Florida

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### When:

Wednesday, Oct. 21, 2009  
6:30 P.M. – 9:00 P.M.

### Where:

Brown Hotel  
335 W. Broadway  
Louisville, KY 40202

### Cost:

Free Admission

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