

For Immediate Release

Monday, November 20, 2023

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**Civil Rights Organizations File Brief Urging Maryland Appellate Court to Defend Public Education for Baltimore City Schoolchildren**

On Nov. 13, 2023, the Legal Defense Fund (LDF), ACLU of Maryland, and the law firm BakerHostetler filed an appellate brief in *Bradford v. Maryland Board of Education* on behalf of Baltimore City Public Schools (BCPSS) families, urging the state appeals court to reverse an earlier decision and remand the case for further proceedings. The motion comes after the Circuit Court granted summary judgment to the State of Maryland in March, ruling against children attending BCPSS.

The Circuit Court’s decision earlier in the year holds that the Maryland Constitution “only requires an effort by the State to at most provide a basic education,” and limited access to the courts to enforce that right. The ruling departs from previous decisions, where the courts—and the State itself—have repeatedly recognized that the State of Maryland has chronically underfunded BCPSS. As a result of the decision, thousands of children in Baltimore City schools, and generations of families, will continue to attend schools that do not provide an adequate education, to which they have a right to under the Maryland Constitution.

“We urge the Appellate Court of Maryland to reverse the Circuit Court’s decision and remand the case to be heard further in order for Baltimore City schoolchildren attending public schools to access an adequate, equitable education—a right that for generations of BCPSS families has been denied,” said Arielle Humphries, LDF Assistant Counsel. “In the latest decision in *Bradford*, the lower court failed to acknowledge the responsibility that the State of Maryland has to guarantee every Baltimore City child’s constitutional right to an education that is adequate by contemporary standards—a ruling that deviates from decades of set precedent. We will continue the fight for BCPSS children to finally get the educational opportunities they deserve.”

The brief argues that the March decision wrongly interprets and applies the constitutional requirement of the State of Maryland to provide an adequate education for BCPSS children. If the decision is left to stand, over 76,000 Baltimore City schoolchildren will be left to attend unsafe, depreciated facilities that lack the resources to afford them a meaningful educational opportunity.

“With the new Blueprint plan, it’s easy to forget that tens of thousands of Baltimore students still attend school facilities with significant health and safety issues, such as inadequate HVAC systems and leaking roofs,” said Frank Patinella, Senior Education Strategist with the ACLU of Maryland. “Studies have shown that poor facility conditions affect the physical well being and academic outcomes of students — and funding in the Blueprint plan can not be spent on fixing facility issues. This is part of why the Bradford lawsuit matters so much.”

“We are proud to be working with LDF and the ACLU on behalf of Baltimore schoolchildren in this historic case. We join them in urging the Appellate Court to ensure that those children can learn in safe and modern facilities and receive the education to which they are entitled under Maryland’s constitution,” said Beth McCallum, a partner at BakerHostetler.

In the decades-long case, parents of Baltimore City school children seek to hold the Maryland State Board of Education accountable for its severe underfunding of Baltimore City Public Schools and its failure to provide a constitutionally-adequate education for their children. In 1996, 2000, 2002, and 2004, Maryland Courts repeatedly found that the education provided to Baltimore City schools was constitutionally inadequate—yet, the structural inequity for students in Baltimore City has never been fully addressed and has compounded over time. By the State’s own calculation, the estimated gap between what the State should have provided since 2017 and what it has provided is more than 1/3 of a billion dollars per year.