



For Immediate Release
Tuesday, October 15, 2019

Contact:
Phoebe Plagens
212-965-2236 / pplagens@naacpldf.org
Meredith Curtis Goode
443-310-9946 / media@aclu-md.org

**Legal Team Representing Parents and Students in Baltimore
Urge Kirwan Commission to Address Systemic Underfunding**

BALTIMORE –The legal team representing concerned parents and students in Baltimore City [has written](#) to members of the Kirwan Commission urging them to directly and fully address racial and wealth inequities. The Maryland Constitution requires the Kirwan Commission to allocate adequate funding to the Baltimore City Public School System (BCPSS), and similarly situated jurisdictions. Yet, proposed changes to the plan are insufficient to address the systemic underfunding in the district. According to the state Department of Legislative Services, the gap between what was judged by the State to be required for BCPSS to provide a quality education and what was actually funded – was \$342 million in FY 2017. Over time, Baltimore City students have been deprived of over \$2 billion in constitutionally-required funding.

Baltimore City parents and students are represented in the historic *Bradford v. Maryland State Board of Education* lawsuit by the NAACP Legal Defense and Educational Fund, Inc. (NAACP LDF), the American Civil Liberties Union (ACLU) of Maryland, and BakerHostetler. Since the recession in 2008, Maryland stopped adjusting the Thornton formula for inflation, which led to millions in lost funds for low-wealth districts like Baltimore City, where the cumulative effect of generations of underfunding requires systemic investment to constitutionally address.

“The Kirwan Commission should recognize and be guided the reality that the Maryland Constitution explicitly requires the State to provide all students – including those in Baltimore – an adequate education,” said Ajmel Quereshi, Senior Counsel, NAACP Legal Defense Fund. “The Commission’s work is a chance to correct over a decade of unconstitutional underfunding.”

The *Bradford* plaintiffs and legal team welcome the Kirwan Commission’s Formula Workgroup’s stated commitment to addressing disparities by reshaping educational services, focusing on early learning, and accounting for inflation in funding projections. However, more intentional investment is needed to address racial and wealth gaps.

“The Kirwan Commissioners empowered to create a new education system in Maryland must understand that education is a state constitutional right for all our children,” said Dana Vickers Shelley, Executive Director of the ACLU of Maryland. “The Black and Brown children who have been failed by the State of Maryland for generations must have their education needs fully addressed in the new Kirwan plan so they, too, can realize their dreams.”



The *Bradford* plaintiffs are represented by Elizabeth B. McCallum from BakerHostetler; Ajmel Quereshi and Cara McClellan from the NAACP Legal Defense and Educational Fund; and Deborah Jeon from the ACLU of Maryland.

See an interactive timeline, videos, and legal documents for *Bradford v. Maryland State Board of Education*: <https://www.aclu-md.org/bradford>

###

Founded in 1940, the NAACP Legal Defense and Educational Fund, Inc. (LDF) is the nation's first civil and human rights law organization and has been completely separate from the National Association for the Advancement of Colored People (NAACP) since 1957—although LDF was originally founded by the NAACP and shares its commitment to equal rights. LDF's Thurgood Marshall Institute is a multi-disciplinary and collaborative hub within LDF that launches targeted campaigns and undertakes innovative research to shape the civil rights narrative. In media attributions, please refer to us as the NAACP Legal Defense Fund or LDF.

Follow LDF on [Twitter](#), [Instagram](#) and [Facebook](#).