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"a much better investment than housing them in the jail system."

Other State Results

Although Oregon schools have a strong legal argument, it's unclear exactly what they can hope to get out of the lawsuit. In states where similar lawsuits have prevailed, plaintiffs have spent years pushing for stiffer remedies from state courts that appear reluctant to dictate budget increases to legislatures, according to studies by the National Center on Education Finance. Here are some examples of the mixed results in state cases:

- In New York a school funding lawsuit has been going on for more than a decade. This March, a New York appeals court ruled that the state was underfunding New York City schools by \$4.7 billion but held that only the Legislature could determine the level of

equate and mandated that schools meet a list of academic standards. Another lawsuit, still seeking adequate funding, was filed in 2003.

- In Wyoming in 1995, a court ruled the state school funding inadequate and required that the Legislature have a rational basis for setting its school funding levels.

- In North Dakota this year, school districts agreed to stay a lawsuit if the Legislature agreed to give \$60 million more to schools.

- In New Jersey, a long-running case has forced more programs for high-need districts and recently compelled the state to come up with \$5.3 billion in needed school construction funding.

- In California in 2004, the state settled a school funding lawsuit by agreeing to provide monitoring, programs and about a billion dollars in new funding for high-need schools.

Just suspending the kicker tax break refund for big corporations and the wealthiest 20 percent would generate about \$800 million this year.

school funding, leaving the outcome confused.

- In Arkansas a lawsuit threatened to shut down state government funding and forced the Legislature to increase school funding 14 percent this year.

- In Kansas a court threatened to close all schools unless the state properly funds them. The case went to the state Supreme Court, which will consider in August whether to force the state to spend up to a half billion dollars more on schools.

- In 1979 the West Virginia Supreme Court upheld an adequate funding lawsuit but left it up to the Legislature to determine how to implement adequate education.

- In the mid 1980s, a Kentucky court ruled state education funding was inad-

Firestone said she hopes the lawsuit in Oregon goes faster than those in other states. The court could rule on motions for summary judgement by the end of the summer, or the case could take three to five years to resolve, she said.

Oregon's case has a leg up on other states because the state has Measure 1 and already has documented exactly how much it has underfunded education through reports by the Oregon Quality Education Commission, revealing how the Legislature has stiffed its kids \$1.8 billion in school funding. The Legislature's own commission warned that the result of continued underfunding "will be an inadequate school system, a burden on the state economy, and the loss of our status as a high quality-of-life state."

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