

Abbeville

v.

The State of South Carolina, et al.

**Abbeville v.**

**The State of South Carolina, et al.**

**The purpose of providing a public education is to benefit not just the individual receiving it, but also the public at large.**

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# **The South Carolina Constitution mandates:**

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**“The General Assembly shall provide for the maintenance and support of a system of free public schools open to all children in the state.”**

**S.C. Constitution Act XI, §3**

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**Abbeville v.**

**The State of South Carolina, et al.**

**We hold today that the South Carolina Constitution's education clause requires the General Assembly to provide the opportunity for each child to receive a minimally adequate education. (emphasis added)**

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# **Abbeville v. The State of South Carolina, et al.**

**We define this minimally adequate education required by our Constitution to include providing students adequate and safe facilities in which they have the opportunity to acquire:**

- the ability to read, write and speak the English language, and knowledge of mathematics and physical science;**
- a fundamental knowledge of economic, social, and political systems, and a history of governmental processes; and**
- academic and vocational skills.**

# Abbeville v. The State of South Carolina, et al.

Abbeville provides a template:

“The provisions of the Constitution shall be . . . construed to be **mandatory** . . .” Second, “since the education clause uses the term ‘shall,’ **it is mandatory.**”

**Key Idea: The General Assembly must provide South Carolina’s children educational opportunities.**

# Do We Need A Lawsuit?

# What Do The Test Results Show?

❑ Below basic percentages 2003 PACT scores

Allendale  
49% Math  
57% Eng.

Dillon 2  
38% Math  
42% Eng.

Florence 4  
48% Math  
50% Eng.

Hampton 2  
59% Math  
54% Eng.

Jasper  
54% Math  
53% Eng.

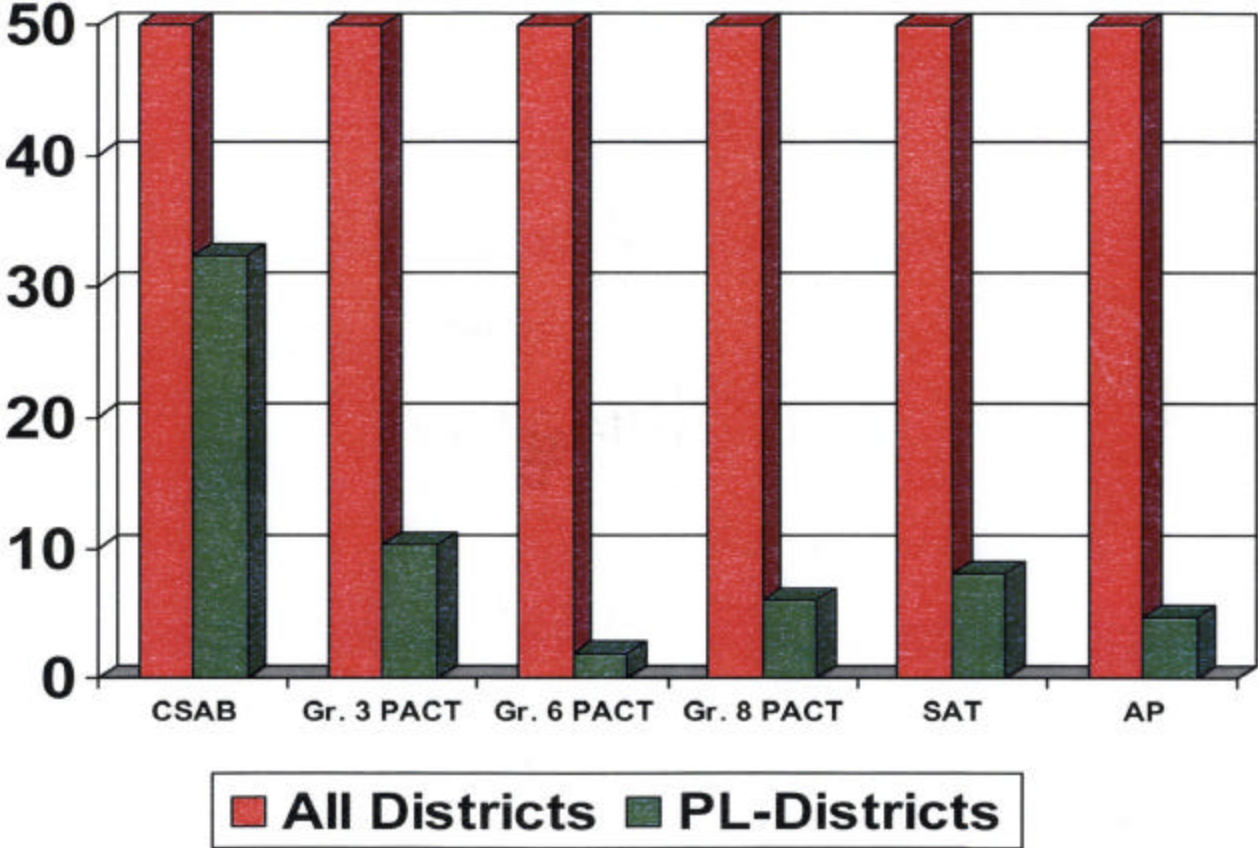
Lee  
51% Math  
51% Eng.

Marion 7  
52% Math  
54% Eng.

Orangeburg 3  
44% Math  
44% Eng.



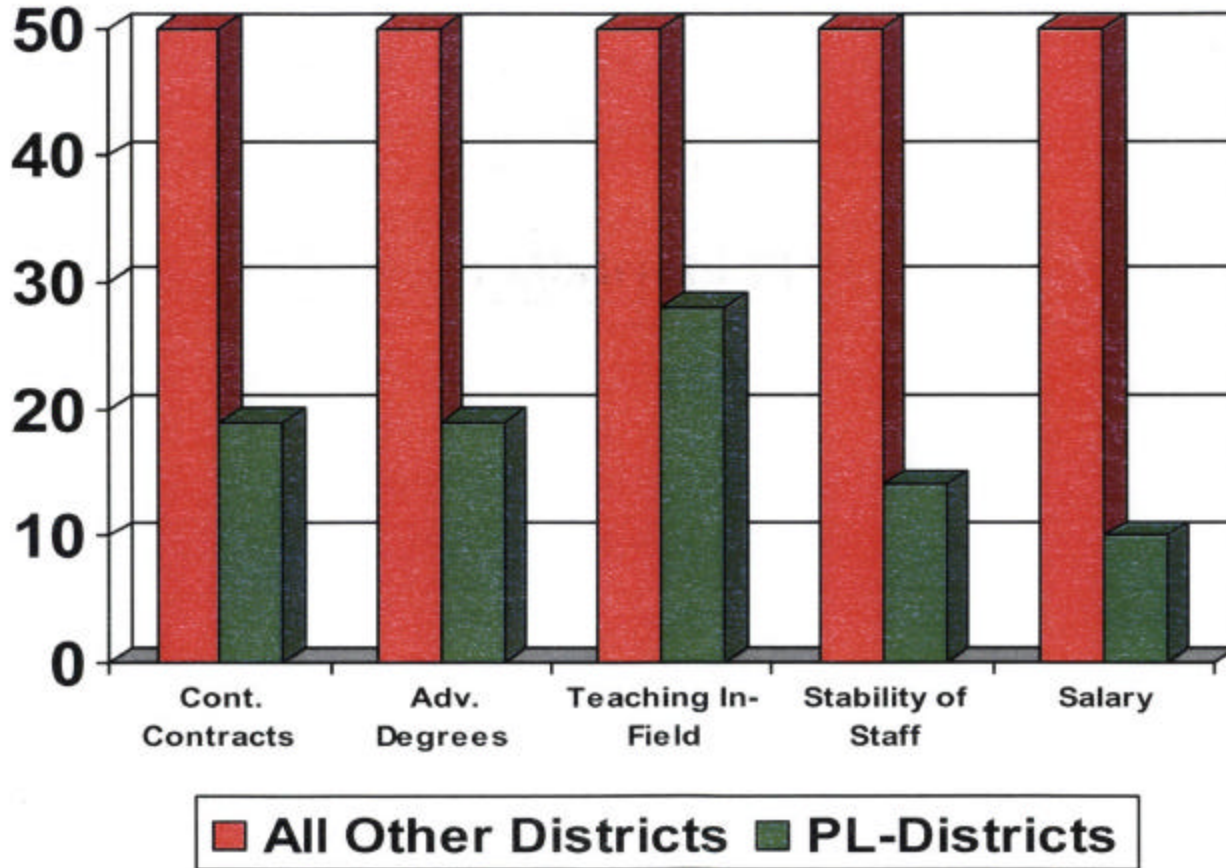
# Comparison of Test Data By Percentile



Note: Pact = 2002

CSAB, SAT, AP = 2001

# Elementary School Teachers by Percentile



# Are Children Receiving the Opportunity for an Adequate Education?

## ❑ Drop out rates:

Allendale  
60%

Dillon 2  
43%

Florence 4  
66%

Hampton 2  
54%

Jasper  
61%

Lee  
67%

Marion 3  
44%

Marion 4  
44%

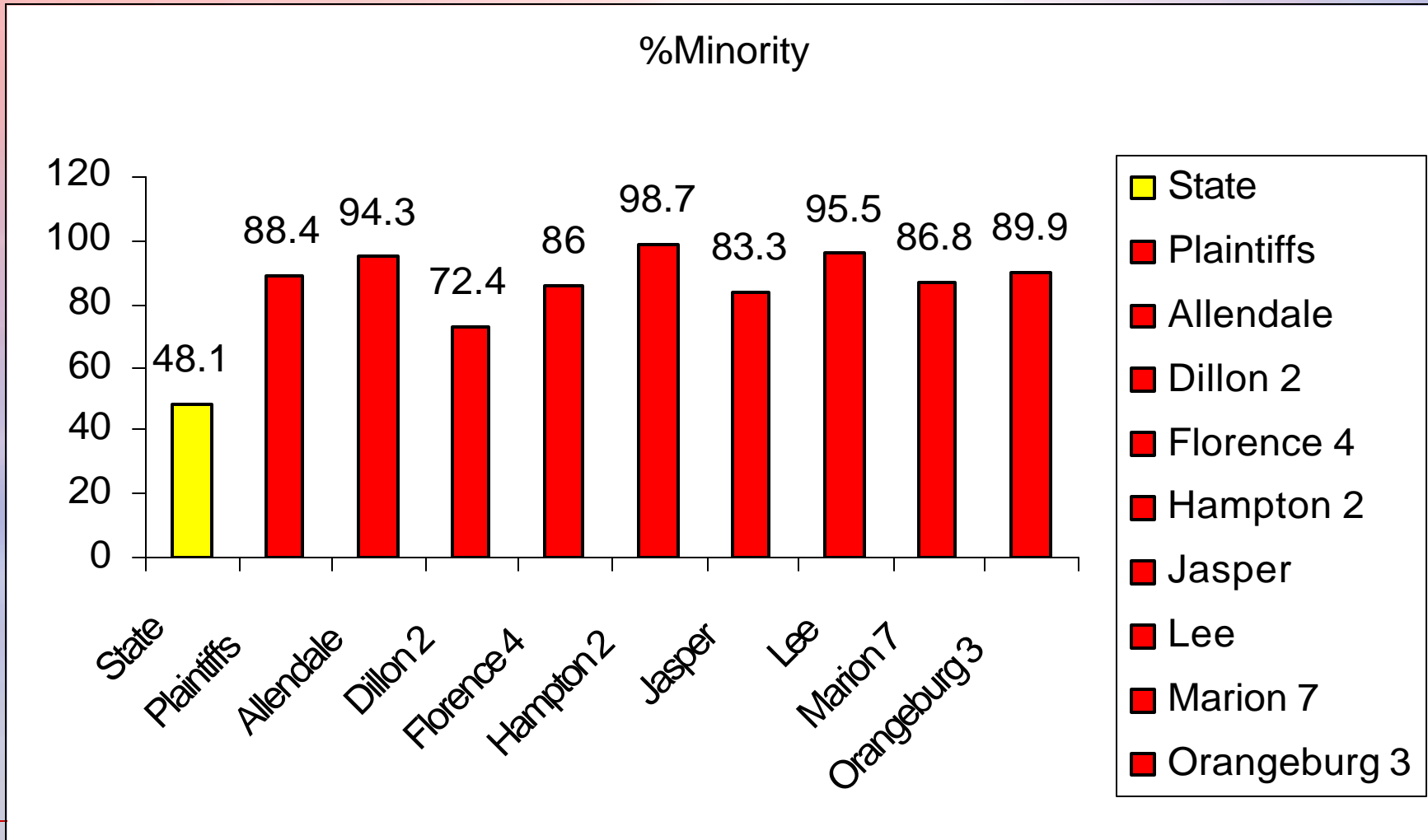
Orangeburg 3  
48%

# Who Are The Plaintiffs?



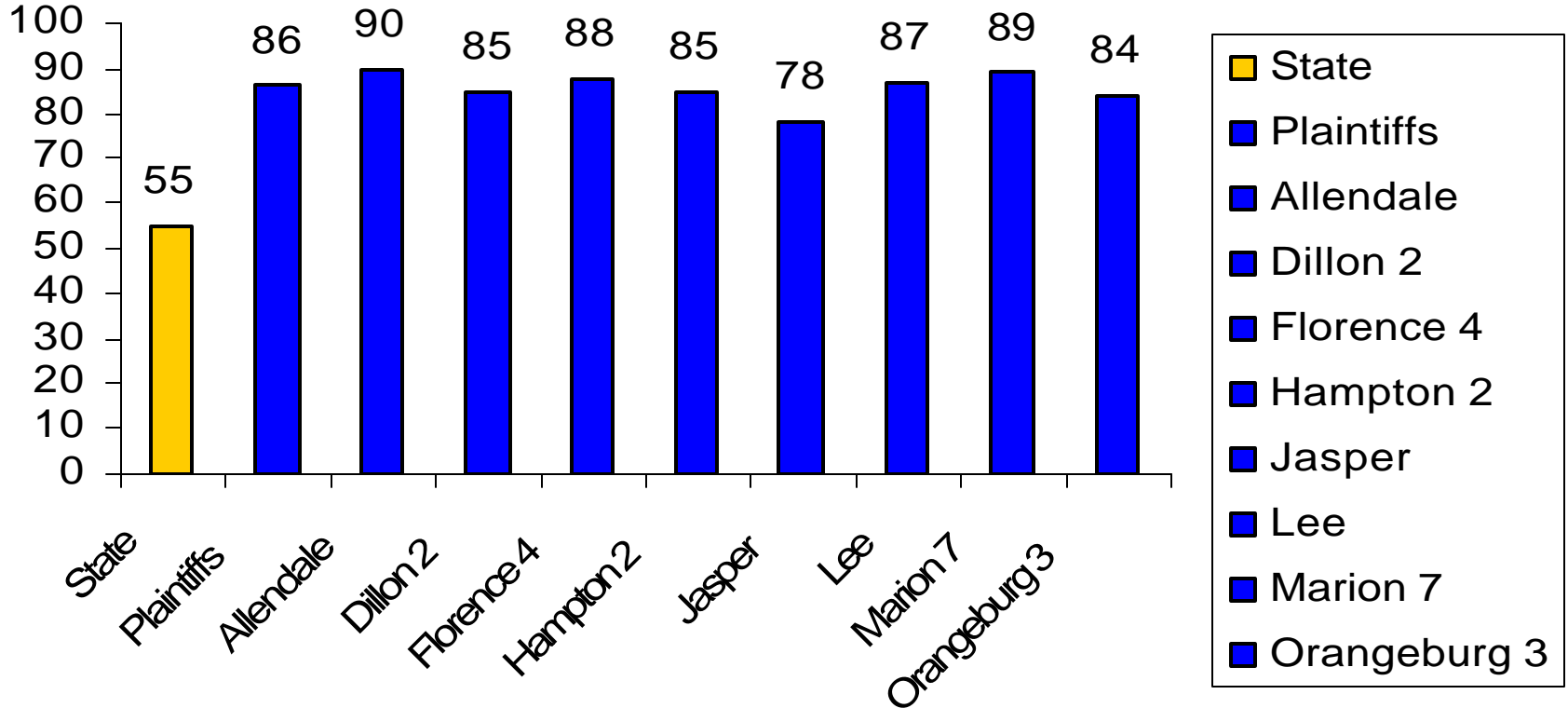
**H. Gregory Hawkins, Ph.D**

# The Plaintiffs are:

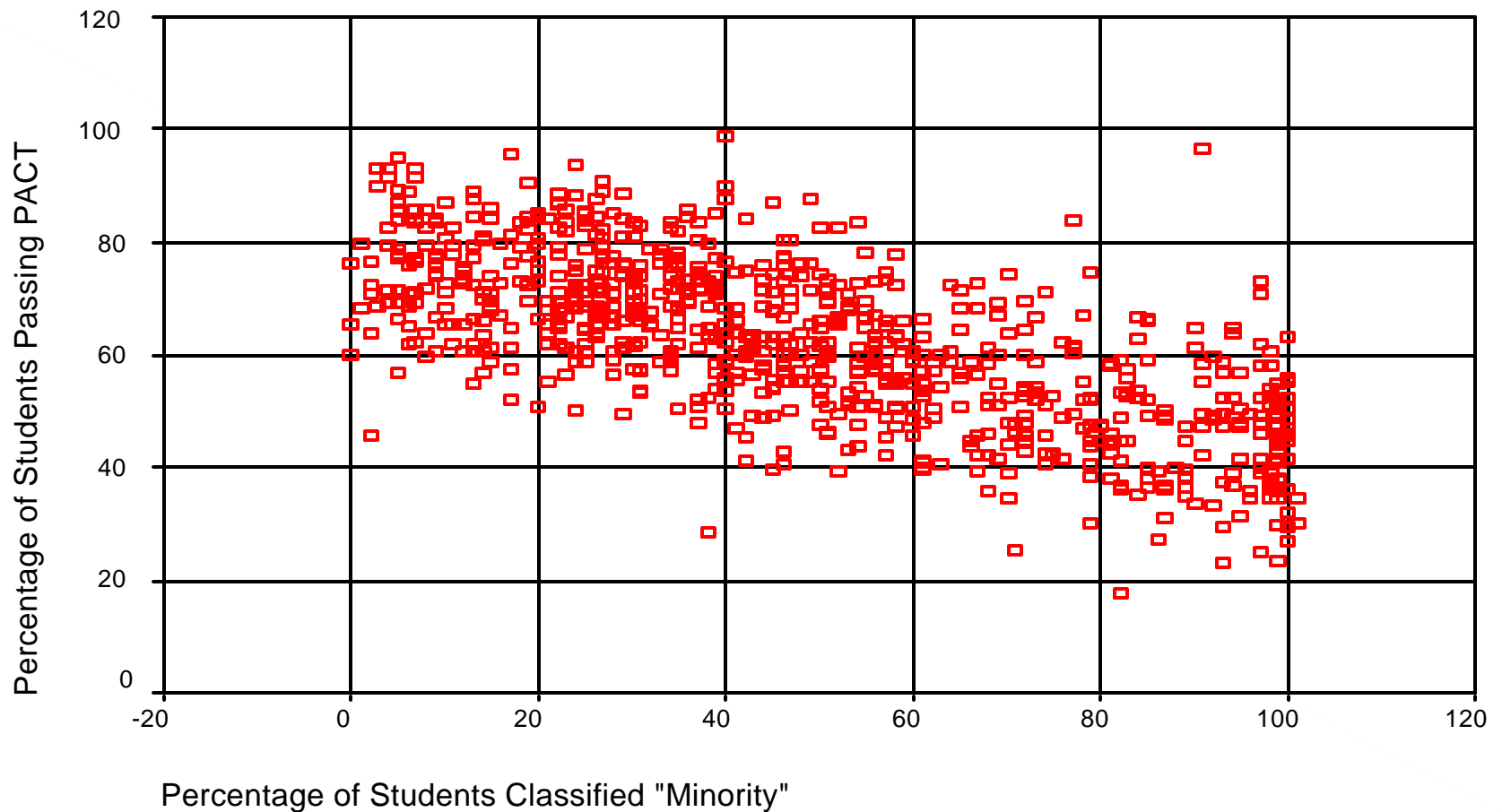


# The Plaintiffs are:

Free Reduced

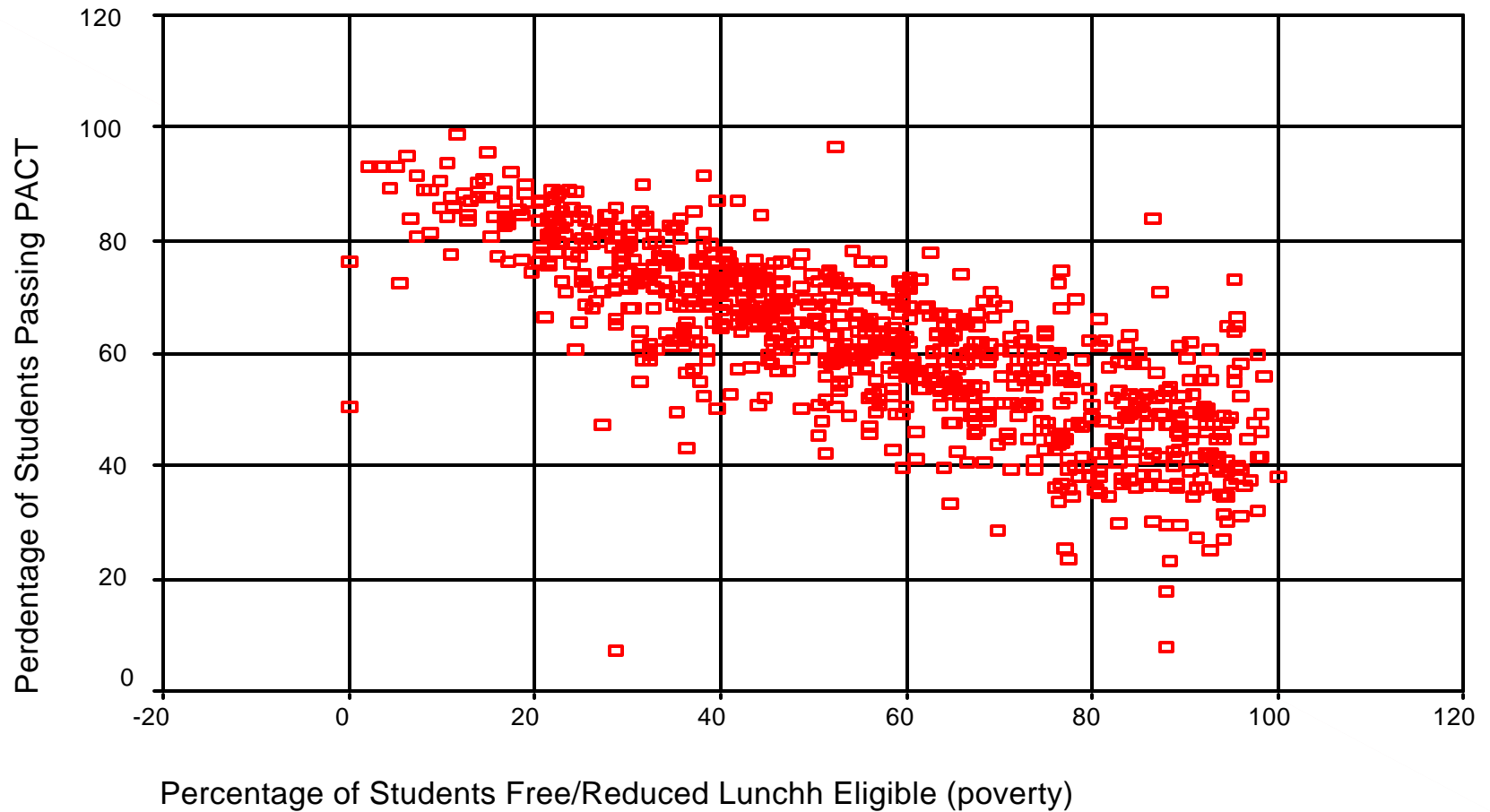


# UNDERSTANDING "POOR" PERFORMANCE: PACT Scores and Poverty





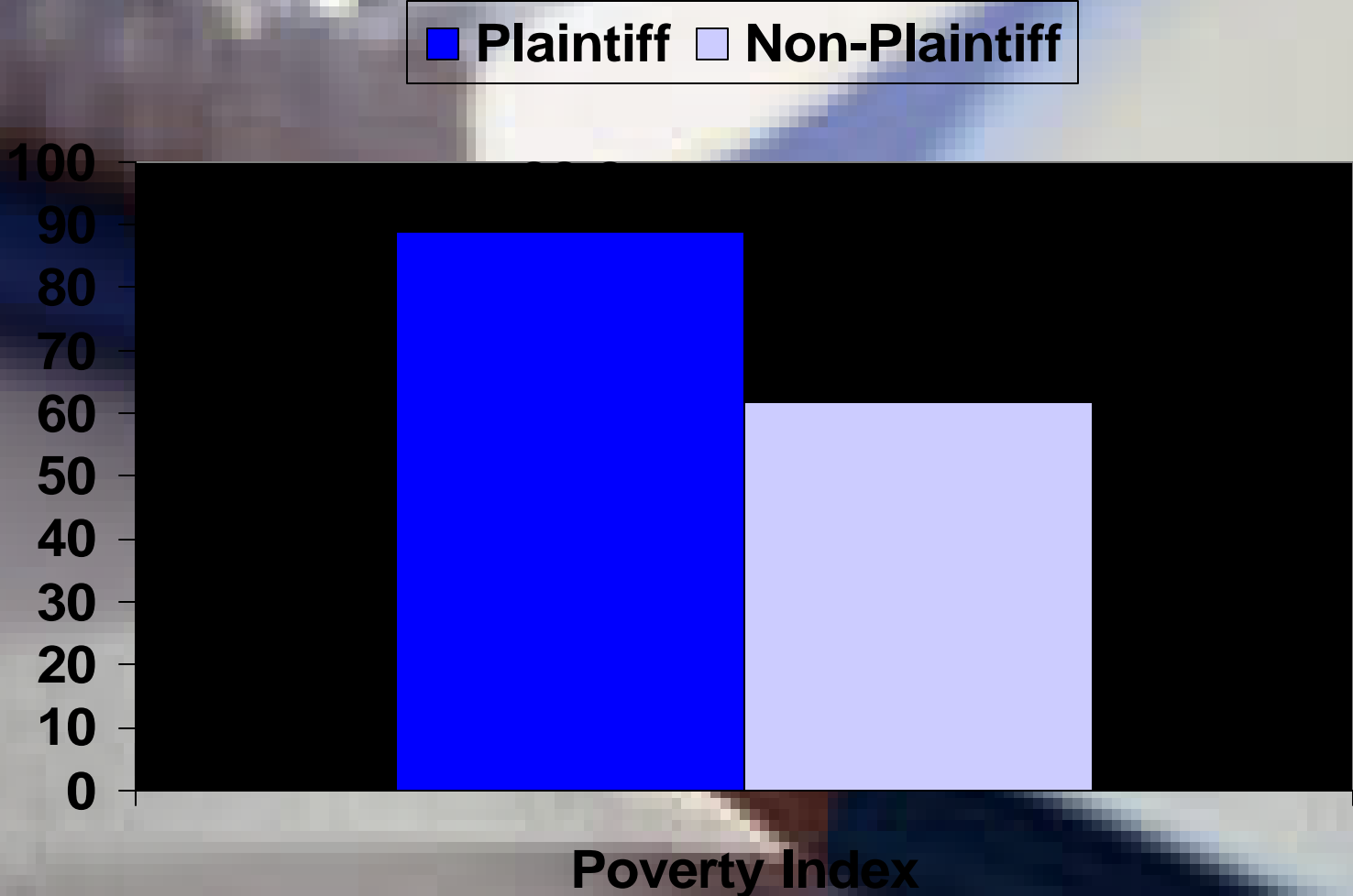
# UNDERSTANDING “POOR” PERFORMANCE: PACT Scores and Poverty



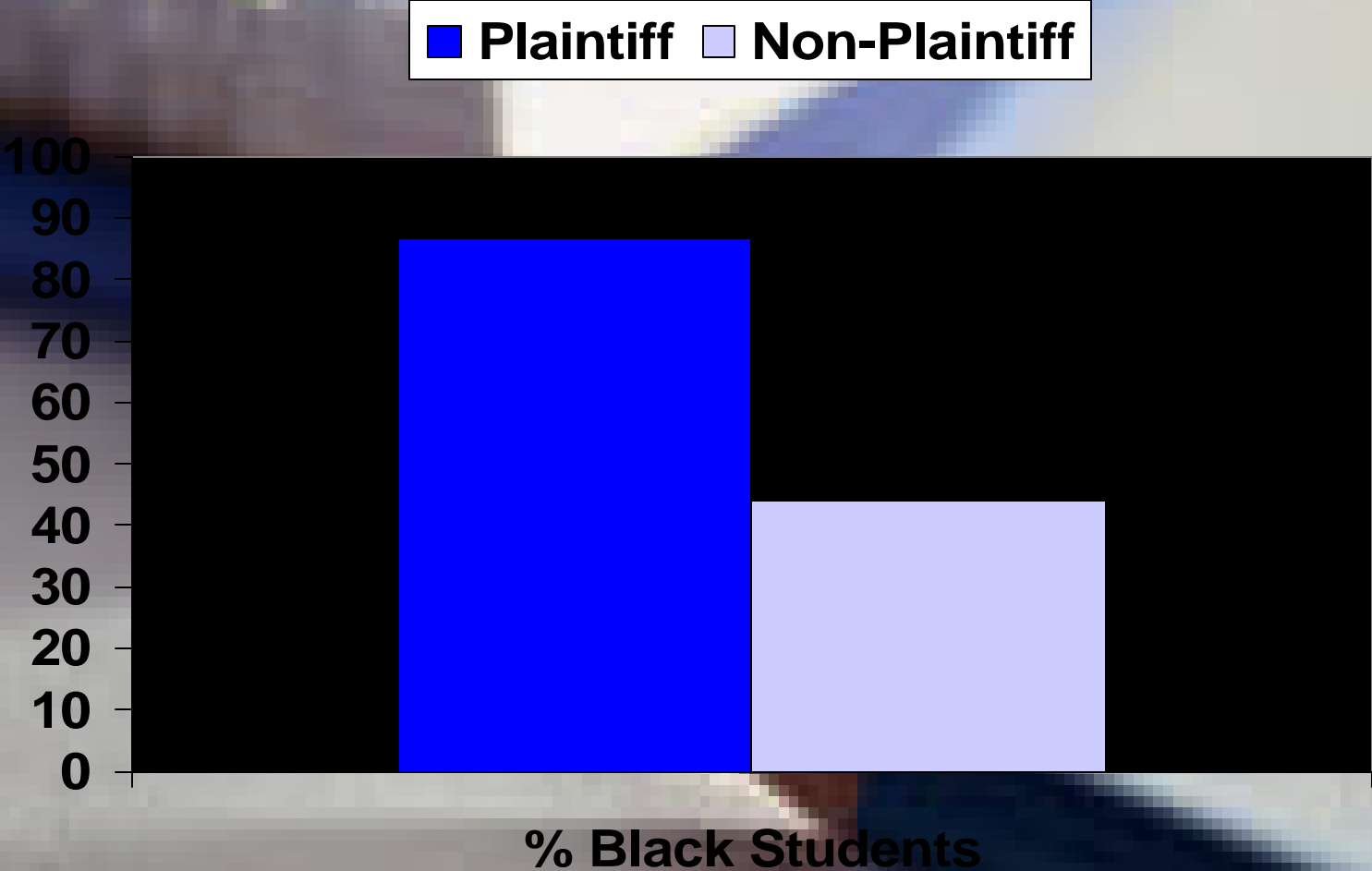


**Dr. Linda Darling-Hammond**

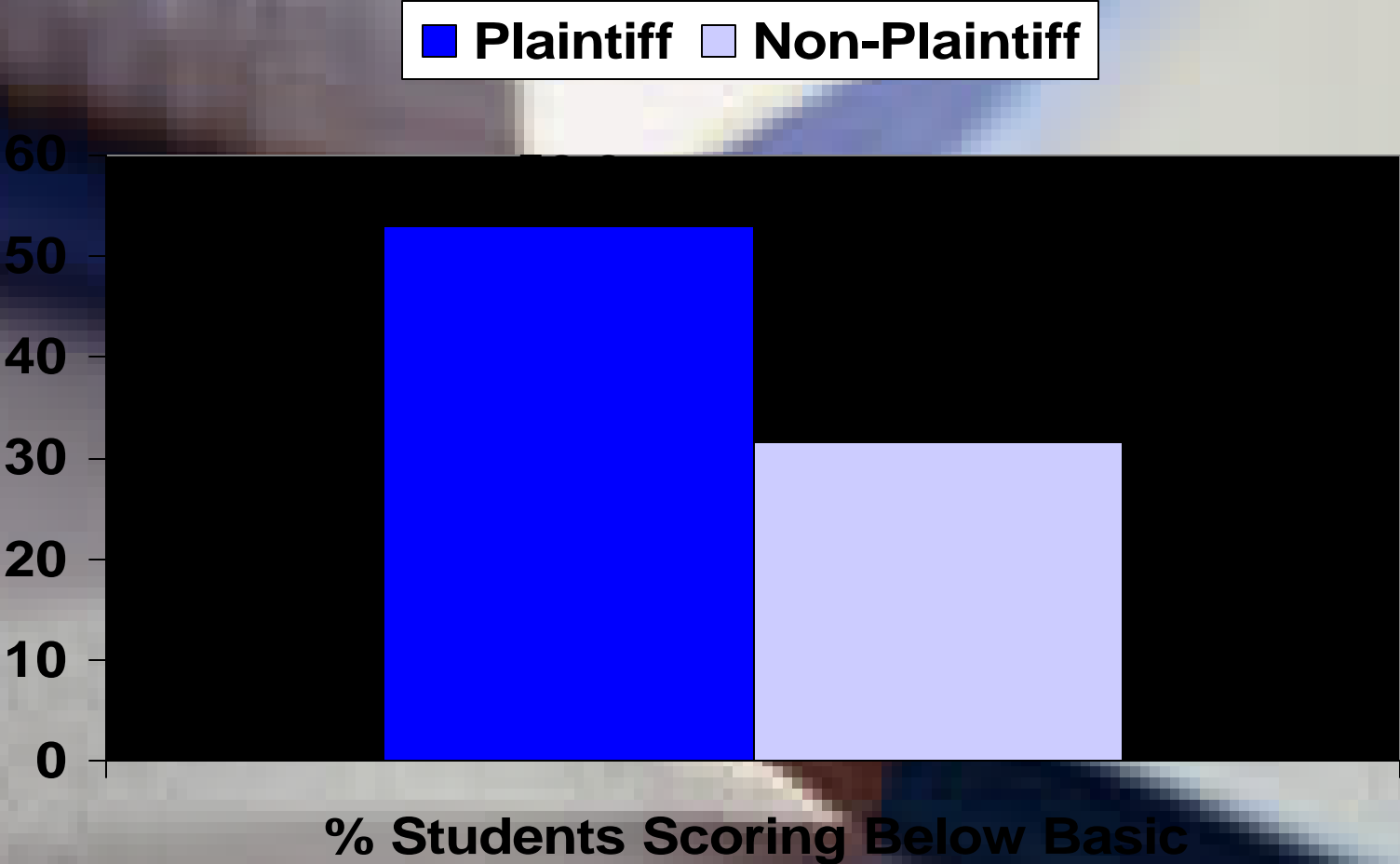
# Student Characteristics and Teacher Qualifications For Plaintiff & Non-Plaintiff Districts



# Student Characteristics and Teacher Qualifications For Plaintiff & Non-Plaintiff Districts



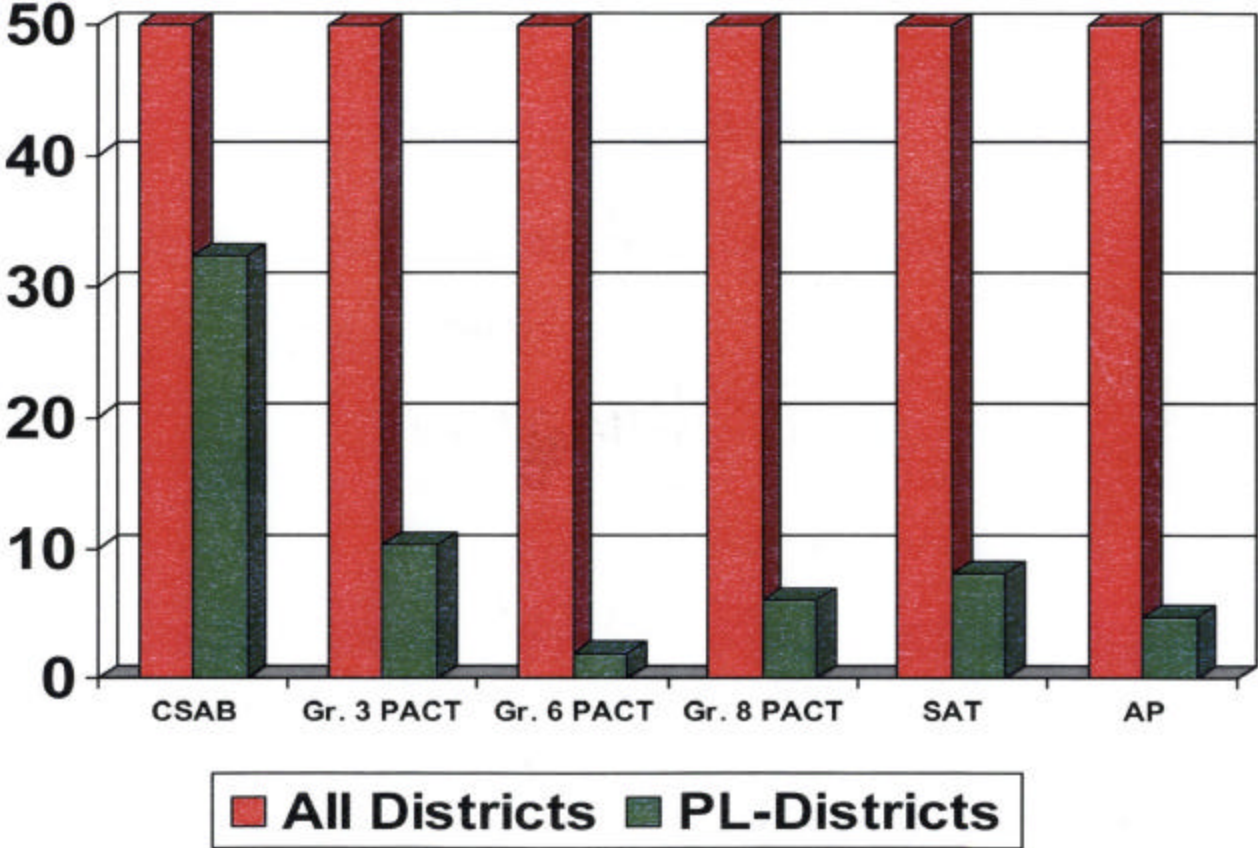
# Student Characteristics and Teacher Qualifications For Plaintiff & Non-Plaintiff Districts





**Dr. Lorin Anderson**

# Comparison of Test Data By Percentile



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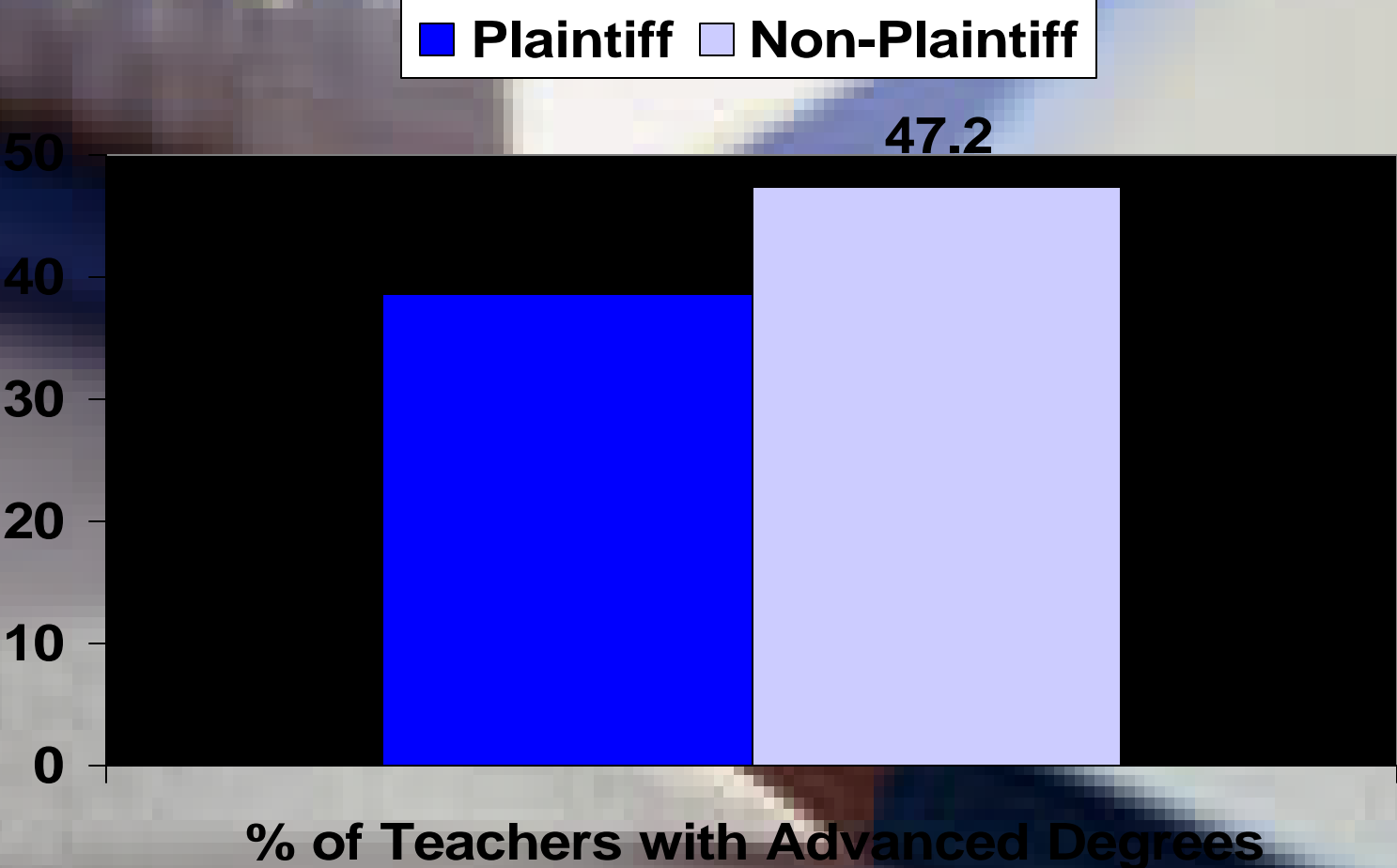
# Teacher Quality



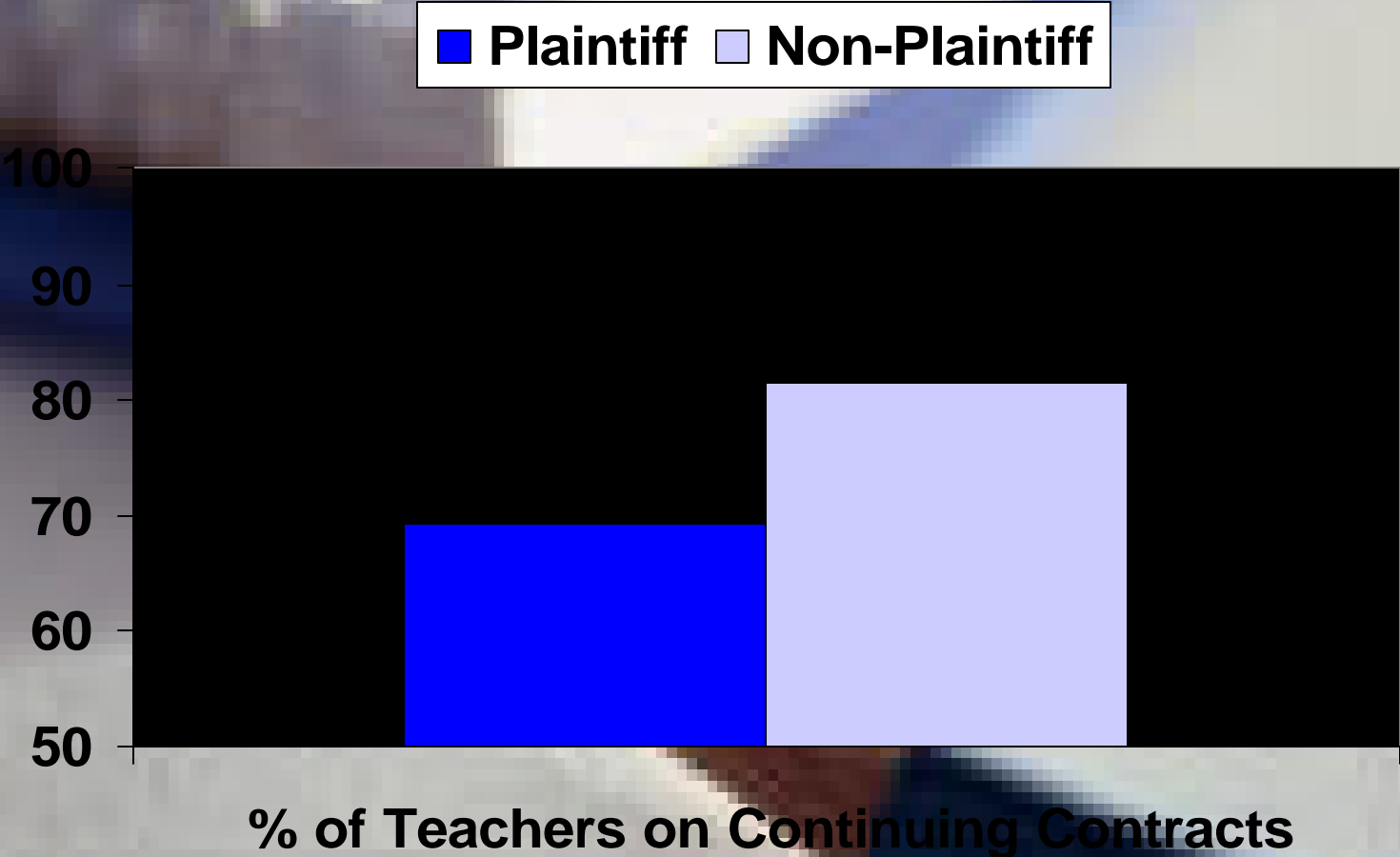


**Dr. Linda Darling-Hammond**

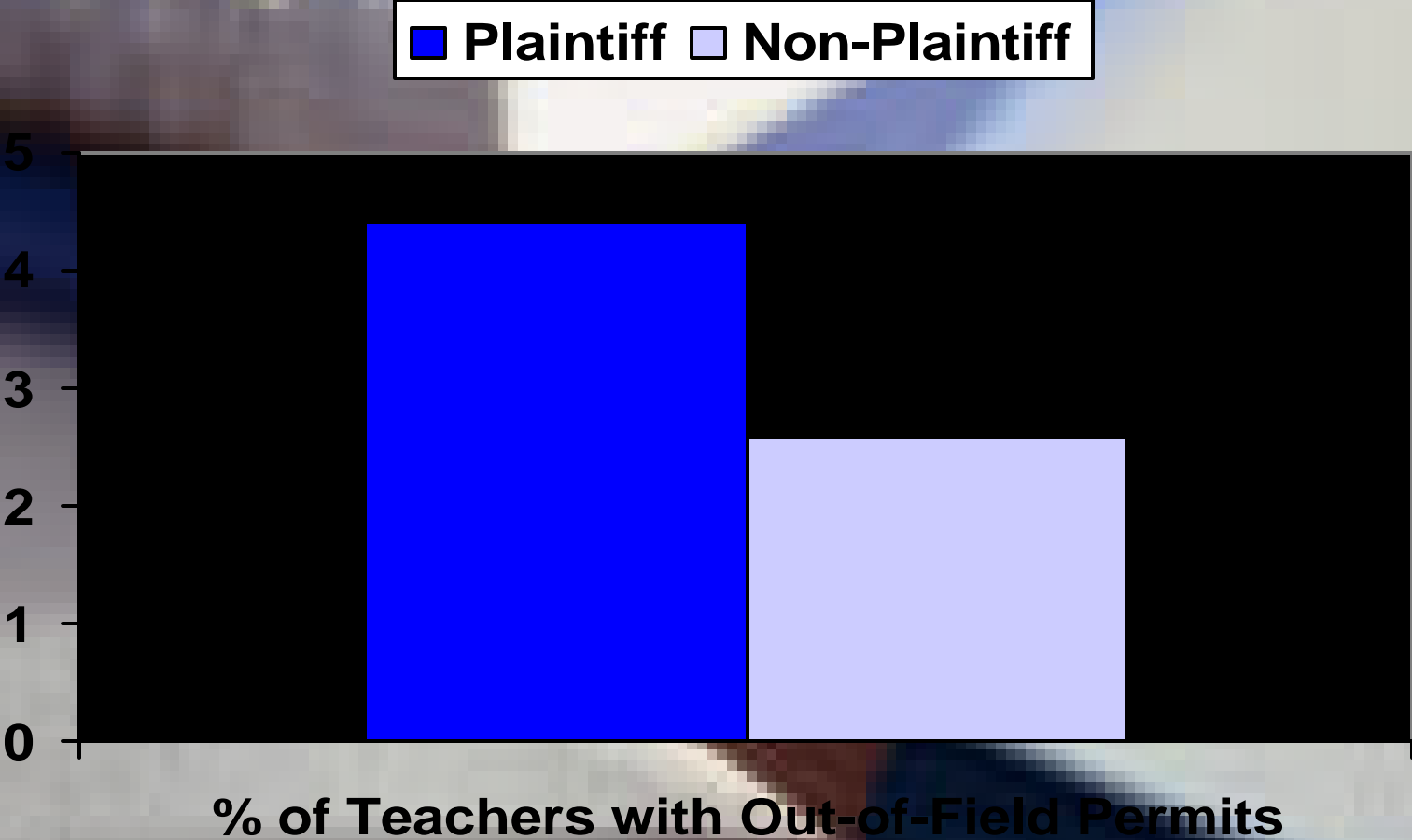
# Student Characteristics and Teacher Qualifications For Plaintiff & Non-Plaintiff Districts



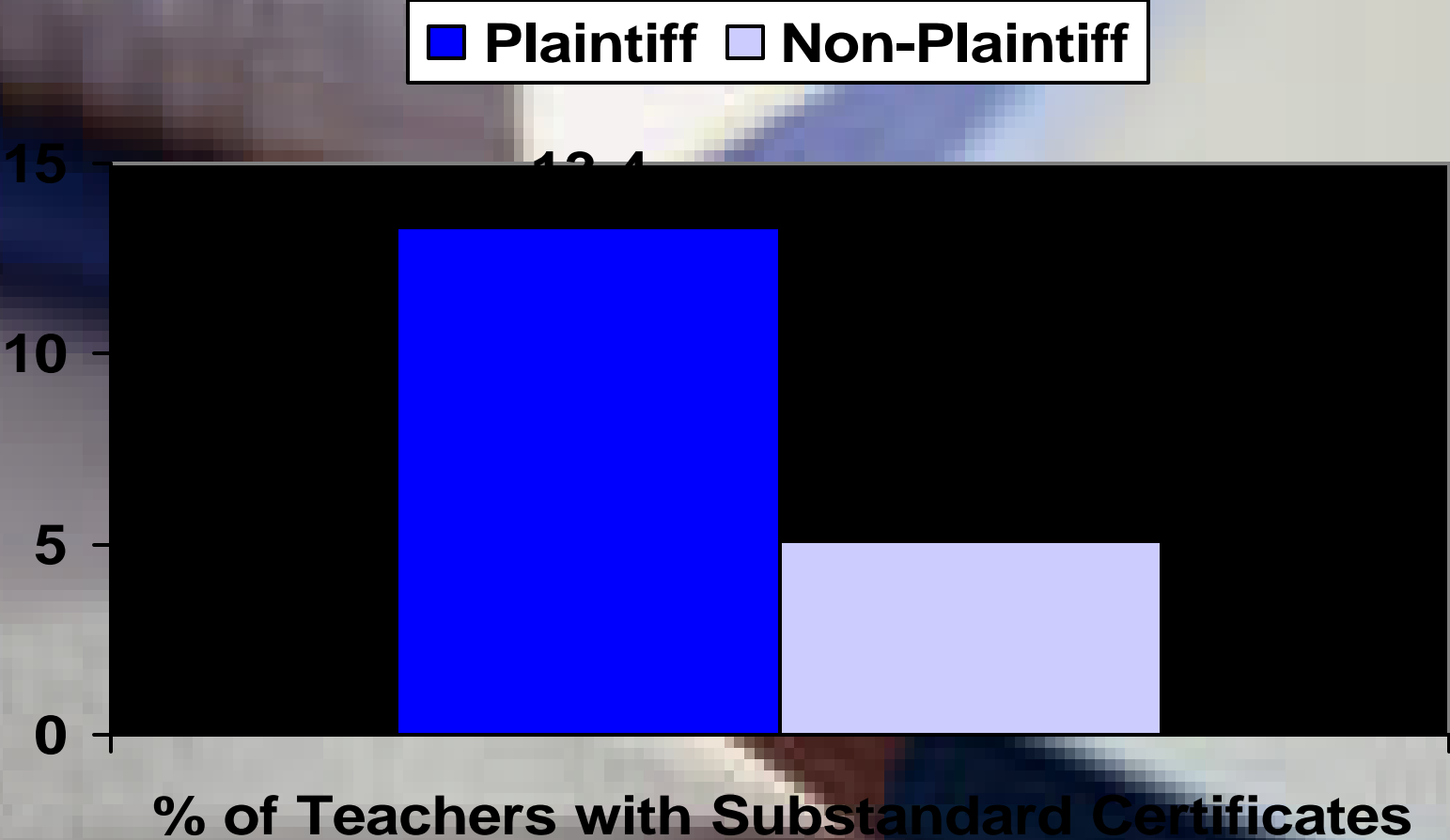
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# Student Characteristics and Teacher Qualifications For Plaintiff & Non-Plaintiff Districts





**Result to Business**



**Don Herriott**

# Pathways

## Success for *Every Student* in the 21<sup>st</sup> Century Workplace

- 1) While only 32 percent of our ninth graders will pursue a two-year degree or certification, the majority of jobs-65 percent- will require one;
- 2) Another 28 percent of our ninth graders will pursue a four-year degree, yet only 20 percent of jobs will require one; and
- 3) The final 40 percent of our ninth graders will pursue an “unskilled” job-because they either drop out of high school or simply lack the skills needed for employment-but only 15 percent of jobs available will be considered “unskilled.”

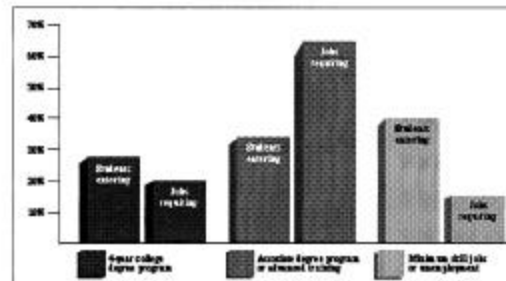
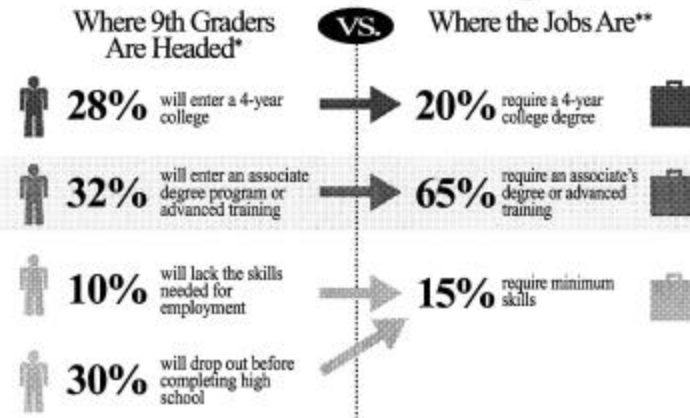
These figures reflect an enormous mismatch of education and workplace needs that our state simply cannot afford, a gap that is growing daily.



# Pathways

## Success for *Every* Student in the 21st Century Workplace

### The Workforce Gap



\*Source: 1998-1999 State Department of Education Special Survey sent to each high school, 1985-1999 State Department of Education Enrollment Data, and 1989-1999 High School Completer Data.

\*\*Source: Carol D'Amico, *Workforce 2020: Work and Workers in the 21st Century*. Task Force believes jobs requiring a 4-year college degree could be higher than 20 percent.

## Roche Carolina's Hiring Efforts for 20 Job Openings

1,474	Applications Received
1,200	High School Graduates
737	Signed Up for Testing
549	Showed Up for Testing
63	Passed Test
44	Interviewed
18	Began Program
14	Completed Program

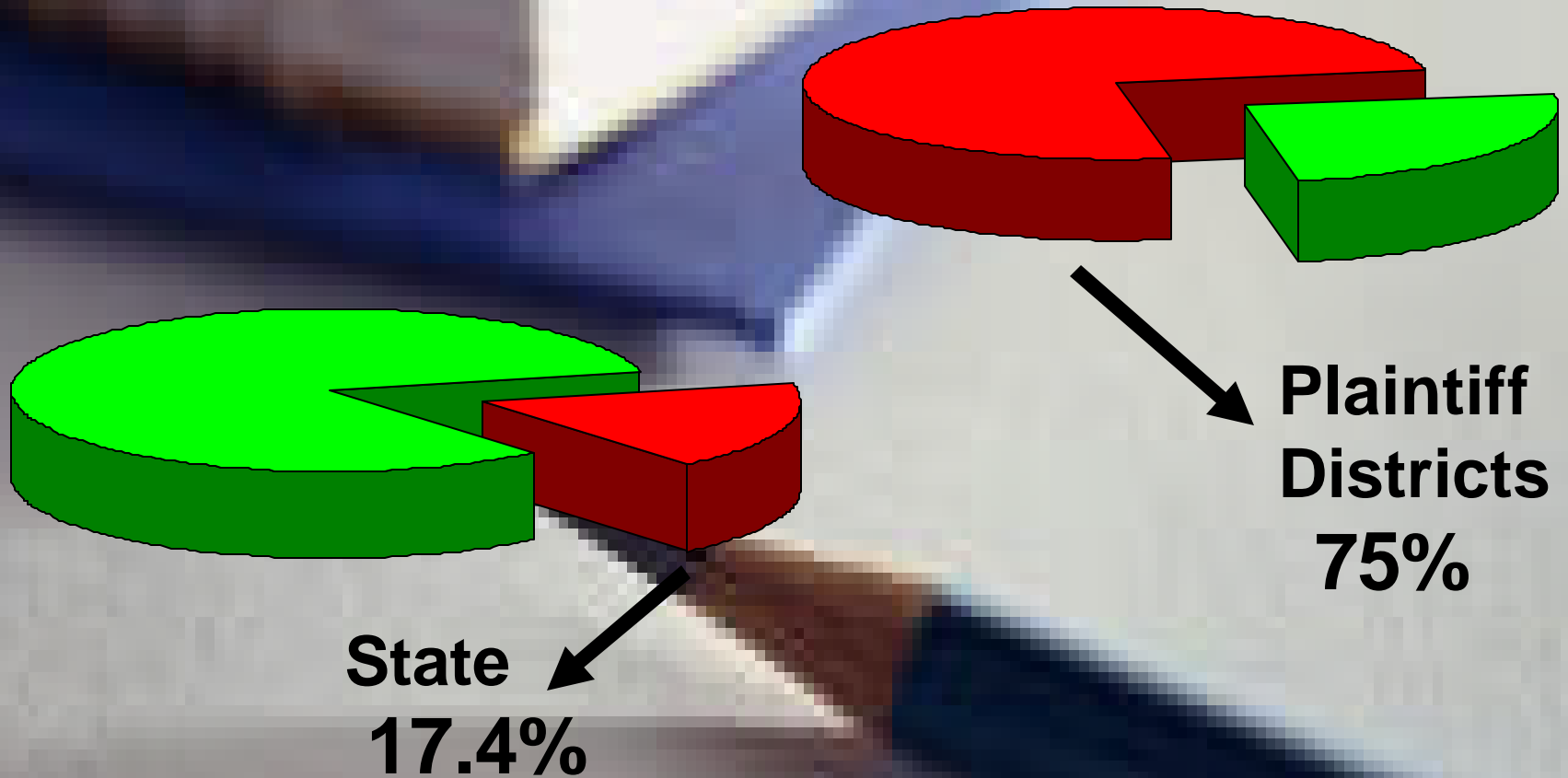


**Some Say Let's  
Wait and See**



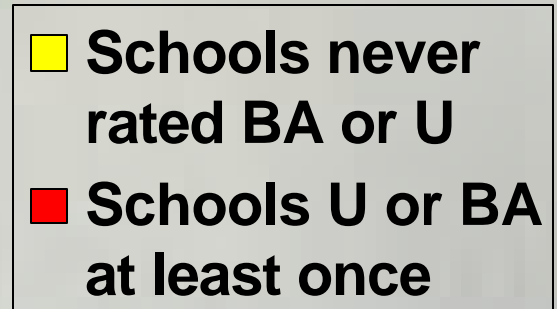
**John Suber**

# Percentage of Schools Unsatisfactory and Below Average State vs. Plaintiff Districts, 2003



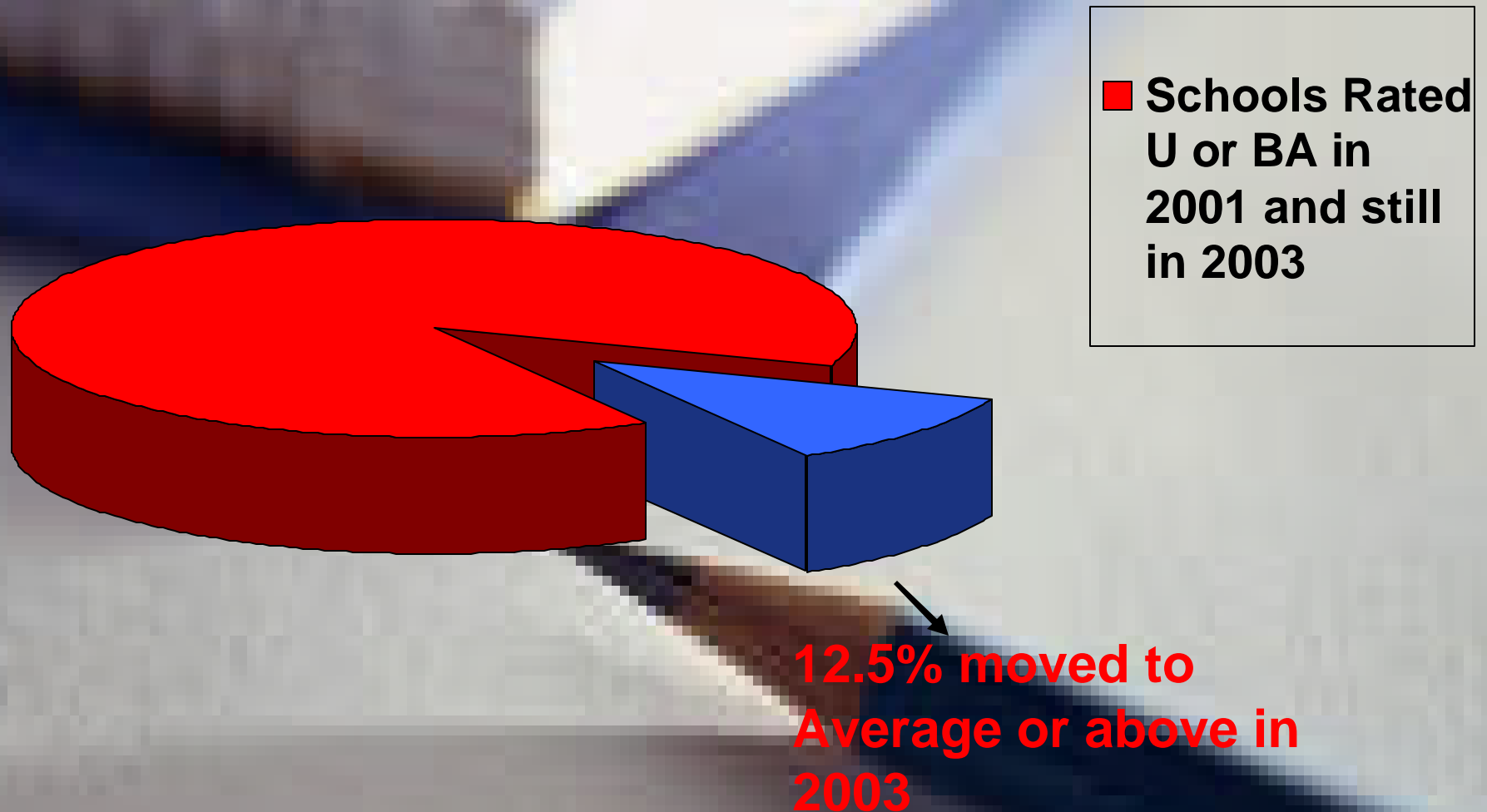
# Percentage Schools in Plaintiff Districts Rated Unsatisfactory or Below Average 2001 to 2003

**79% of schools in plaintiff districts ranked U or BA 3 years in a row**



**87% of schools in plaintiff districts rated U or BA at least once over three years**

# Percentage Schools in Plaintiff Districts Moving out of Unsatisfactory or Below Average Ratings between 2001 and 2003





**What has happened  
historically?**





**Walter Edgar, Ph.D.**

# Mayfield Report to the South Carolina House and Senate, 1897

**The promises to the people to give them good schools should be redeemed, and to do so the State should at this session make provision for State aid sufficient to bring up all of the country schools to a standard sufficient to meet the requirements of the people.**

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# Governor Ransome J. Williams, 1947

**The children of South Carolina are her most valuable investment and priceless resource. They are the very foundation of our future, and we can make no better investment than to see that the children of our State are kept healthy, and are properly educated to cope with the problems of tomorrow. I need not call to your attention the gravity and the immensity of the problem of education.**

# **Brown v. Board of Education**

## **347 U.S. 483 (1954)**

**Today, education is perhaps the most important function of state and local governments. . . . It is required in the performance of our most basic public responsibilities, even service in the armed forces. It is the very foundation of good citizenship. Today, it is a principle instrument in awakening the child to cultural values, in preparing him for later professional training and helping him to adjust normally to his environment. In these days, it is doubtful that any child may reasonably be expected to succeed in life if he is denied the opportunity of an education.**

# Thomas Jefferson, 1786

**No other sure foundation can be devised for the preservation of freedom and happiness... The tax which will be paid for this purpose is not more than the thousandth part of what will be paid to kings, priests and nobles who will rise up among us if we leave the people in ignorance.**

# Thomas Jefferson, 1816

**If a nation expects to be ignorant and free, in a state of civilization, it expects what never was and never will be.**

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The time has come for the dream of those courageous parents who signed the petition in *Briggs v. Elliot* to be realized in South Carolina.

- If not now, when?
- If not us, who?

The majesty of law, the glory of the Constitution requires us to do our duty here and now.

**"Let justice roll down like waters and righteousness like an ever flowing stream."**

Let South Carolina Realize Her Dream...

That No Child Be Cast Aside

That No Child Be Left Behind

That All Her Children Be Provided  
The Opportunity to Reach Their God  
Given Destiny

Let South Carolina Realize Her Dream.