Adequacy Lawsuits: 
Their Growing Impact on American Education 
October 13-14, 2005

Taubman Building, 5th Floor Conference Rooms
J. F. Kennedy School of Government 
Harvard University

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Thursday, October 13

8:00-8:45 Registration and Continental Breakfast

8:45-9:00 Welcome and Opening Remarks
Martin R. West, Harvard University
Paul E. Peterson, Harvard University

9:00-10:30 Panel I. The Origins of Adequacy Litigation

Chair: Paul E. Peterson, Harvard University

Papers:
“The Inadequacy of Adequacy Guarantees: A Historical Perspective”
Joseph P. Viteritti, Hunter College – City University of New York

“When Did Education Become a Civil Right? The 20th Century’s Modifications to State Constitutional Provisions for Public Education”
John C. Eastman, Chapman University School of Law

Discussants: Morton Keller, Brandeis University
John Dinan, Wake Forest University

10:30-10:45 Break

10:45-11:45 Panel II. The Legal Theory of Adequacy: A Current Overview

Chair: Rocco Testani, Sutherland Asbill & Brennan LLP

Michael Heise, Cornell Law School

Discussants: Peter Schrag, Sacramento Bee
Clint Bolick, Alliance for School Choice
11:45-12:45  Panel III. The Politics of Adequacy Litigation

Chair:  Chester E. Finn, Jr., Thomas B. Fordham Foundation

Paper:  “Accountability, Adequacy, and the Impact of No Child Left Behind”
Andrew Rudalevige, Dickinson College

Discussant:  Andrew Rotherham, Education Sector and Progressive Policy Institute

12:45-2:30  Lunch

2:30-3:45  Panel IV. Defining Adequacy

Chair:  James Peyser, New Schools Venture Fund

Paper:  “The Alchemy of ‘Costing Out’ an Adequate Education”
Eric Hanushek, Hoover Institution – Stanford University

Discussants:  James Guthrie, Vanderbilt University
Paul Gazzerro, Standard & Poors School Evaluation Services

3:45-4:00  Break

4:00-5:30  Panel V. The Politics of Adequacy Implementation

Chair:  Kenneth Wong, Urban Education Policy Program – Brown University

Papers:  “Stimulant or Salve? The Politics of Adequacy Implementation”
Frederick Hess, American Enterprise Institute

“The Politics of Not Implementing an Adequacy Judgment: The Case of New York”

Discussants:  Terry Moe, Hoover Institution – Stanford University
Molly Hunter, Campaign for Fiscal Equity
**Friday, October 14**

8:00-9:00  Registration and Continental Breakfast

9:00-10:15  Panel VI. Responding to Adequacy Judgments

  Chair:  David Ellwood, Kennedy of School of Government

  Paper:  “School Finance Judgments and Spending on Education: A Review of the Evidence”
  Christopher Berry, Harris School of Public Policy, University of Chicago.

  Discussant:  Edward Glaeser, Harvard University

10:15-10:30  Coffee Break

10:30-12:00  Panel VII. The Adequacy of Teacher Pay

  Chair:  Ronald Ferguson, Kennedy School of Government

  Michael Podgursky, University of Missouri – Columbia

  Discussants:  Rajashri Chakrabarti, Harvard University
               Caroline Hoxby, Harvard University

12:00-1:15  Lunch

1:15-3:00  Panel VIII. The Relationship between Adequacy and Equity

  Chair:  S. Paul Reville, Rennie Center for Education Research and Policy - Harvard Graduate School of Education

  Papers:  “The Relationship between Adequacy and Equity”
  Richard Briffault, Columbia University School of Law.

  “Massachusetts’ Hancock Case and the Adequacy Doctrine”
  Robert Costrell, Commonwealth of Massachusetts

  Discussants:  David Danning, Massachusetts Teachers Association
               Rob Reich, Stanford University
               Deirdre Roney, Massachusetts Attorney General’s Office
3:00-3:15  Break

3:15-5:00  Panel IX. The Role of the Courts: Opportunities and Limitations

Chair:  John E. Coons, School of Law – University of California, Berkeley

Martha Derthick, University of Virginia
Josh Dunn, University of Colorado at Colorado Springs

“The Judiciary and the Uncertain Future of Adequacy Remedies: A Look to the Past”
Kenneth Starr, Pepperdine University School of Law

Discussants:  R. Shep Melnick, Boston College
Michael Rebell, Campaign for Educational Equity – Teachers College, Columbia University
Al Lindseth, Sutherland Asbill & Brennan LLP