

## Relevant Highlights from *Leandro* Rulings

### ***Excerpt from the North Carolina State Constitution***

N.C. Const. art. IX, § 2(1)

“The General Assembly shall provide by taxation and otherwise for a general and uniform system of free public schools, which shall be maintained at least nine months in every year, and wherein equal opportunities shall be provided for all students.”

### ***Definition of a “sound basic education”***

*Leandro v. State*, 346 N.C. 336, 488 S.E.2d 249 (1997)

“We conclude that Article I, Section 15 and Article IX, Section 2 of the North Carolina Constitution combine to guarantee every child of this state an opportunity to receive a sound basic education in our public schools. For purposes of our Constitution, a ‘sound basic education’ is one that will provide the student with at least:

- (1) sufficient ability to read, write, and speak the English language and a sufficient knowledge of fundamental mathematics and physical science to enable the student to function in a complex and rapidly changing society;
- (2) sufficient fundamental knowledge of geography, history, and basic economic and political systems to enable the student to make informed choices with regard to issues that affect the student personally or affect the student's community, state, and nation;
- (3) sufficient academic and vocational skills to enable the student to successfully engage in post-secondary education or vocational training; and
- (4) sufficient academic and vocational skills to enable the student to compete on an equal basis with others in further formal education or gainful employment in contemporary society.”

### ***Resources required for a “sound basic education”***

*Hoke Cty. Bd. Educ. v. State*, No. 95 CVS 1158 (April 4, 2002)

“On remand, this Court has determined from *Leandro* and clear and convincing credible evidence that *Leandro*’s guarantee to each and every child the right to an equal opportunity to obtain a sound basic education requires that each child be afforded the opportunity to attend a public school which has the following educational resources, at a minimum:

First, that every classroom be staffed with a competent, certified, well-trained teacher who is teaching the standard course of study by implementing effective educational

methods that provide differentiated, individualized instruction, assessment and remediation to the students in that classroom.

Second, that every school be led by a well-trained competent Principal with the leadership skills and the ability to hire and retain competent, certified and well-trained teachers, can implement an effective and cost-effective instructional program that meets the needs of at-risk children so that they can have the equal opportunity to obtain a sound basic education by achieving grade level or above academic performance.

Third, that every school be provided, in the most cost effective manner, the resources necessary to support the effective instructional program within that school so that the educational needs of all children, including at-risk children, to have the equal opportunity to obtain a sound basic education, can be met.”

***Importance of early childhood education***

*Hoke Cty. Bd. Educ. v. State*, No. 95 CVS 1158 (Oct. 25, 2000)

“This Court has previously ruled that the right of every child in North Carolina to the opportunity to receive a sound basic education may not be conditioned on age, but it is to be conditioned on the needs of the individual child. The evidence in this record supports this conclusion.

Early childhood intervention is critical for at-risk children so they may have an equal opportunity to participate in obtaining a sound basic education. After examining the evidence and weighing the credibility of the witnesses, the Court is convinced that the most common sense and practical approach to the problem of providing at-risk children with an equal opportunity to obtain a sound basic education is for them to begin their opportunity to receive that education earlier than age (5) five so that those children can reach the end of the third grade able to read, do math, or achieve academic performance at or above grade level (Level III or above). More is needed sooner to give these children a chance to start their education on an equal level with their non at-risk counterparts.”