



# The Courts and Standards Based Reform

*Benjamin Michael Superfine*

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Since the desegregation of public schools in the 1950s, the concept of standards-based reform has become a central topic within educational policy. Every American state is now required to enact standards-based reform policies while shifting responsibility away from the government and holding schools more accountable for their students performance. The Courts and Standards-Based Education Reform positions itself at the center of the long standing dispute between law, education, and public policy and analyzes the courts growing role in educational policy. Benjamin Superfine contends that the courts are a strong force in determining education policy, and have been placed in the position to decide some of the most contentious and important issues facing education law as the standards-based reform movement has grown. Such major cases addressed by the courts, in light of standards-based reforms, include the No Child Left Behind Act of 2001, and school finance reform litigation. As the courts continue to rule in cases that challenge fundamental aspects of U.S. educational policy, Superfine provides a new approach that can be used in the application and rulings of standards-based reforms.

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