

FRANKLIN COUNTY COURT HOUSE

# WHY KENTUCKY STUDENTS ARE SUING THE STATE

CLASSROOMS, COURTS  
& THE CONSTITUTION

THE KENTUCKY STUDENT VOICE TEAM

# **WHY KENTUCKY STUDENTS ARE SUING THE STATE**

**CLASSROOMS, COURTS  
& THE CONSTITUTION**

**BY: THE KENTUCKY STUDENT VOICE TEAM**  
**January 2026**

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“I think this is going to be a very important lawsuit...  
Hopefully, that means the majorities are ready to roll  
up their sleeves and say ‘Our job is to make our public  
schools the very best that they can be.’”<sup>1</sup>

– Kentucky Governor Andy Beshear

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“Observers should make no mistake: should the courts declare the system of common schools in Kentucky to be constitutionally inadequate, the Republican super majorities in the General Assembly stand ready to fulfill their constitutional mandate to reconstruct public education – from the ground up, if necessary – to ensure that Kentucky’s children have access to an education that will prepare them for success.”<sup>2</sup>

– Motion to Dismiss of Speaker of the House  
David Osborne and Senate President Robert Stivers

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# FOREWORD

**BY LUISA SANCHEZ**

Boyle County High School Student  
and KSVT Cross-Organizational Coordinator

I take a deep breath. Then I walk up the granite steps in front of the Franklin County Courthouse to the lectern, where I look out at the gathering crowd. I am part of the Kentucky Student Voice Team (KSVT), a non-profit organization made up of young people and older supporters from across the state. We work together to co-create more just and democratic Kentucky public schools.

Today, we are battling the frigid cold to announce that we are filing a lawsuit against the state. It's called *The Kentucky Student Voice Team v. Commonwealth of Kentucky*. Our organization and thirteen individual student plaintiffs are suing the Commonwealth of Kentucky for violating our right to an adequate education—a right guaranteed by our state Constitution.

Until this moment, I didn't realize I'd be making history. I never pictured youth like myself being at the forefront of change, empowered to make an impact.

But here I am, and I am not alone.

Before we decided to file our lawsuit, KSVT held six public forums across the state in Corbin, Louisville, Bowling Green, Hazard, Lexington, and Owensboro during the 2023-2024 school year. I attended every one.

Over the course of a year, I listened to scores of students, families, and educators share their experiences in Kentucky's public

schools. Once we finished the last forum, it was clear that public education is at a crossroads in Kentucky.

It has not always been this way, but right now, our schools are failing our students. Kentucky's public schools have thousands of hardworking and talented individual teachers and administrators. Many of these professionals are doing their best with the resources they have, but they are working in *a system* that does not come close to meeting the educational standards required by Kentucky's Constitution.

Something has to be done.

Since our founding in 2012, KSVT has been trying to shift public perception about the value of students as partners in improving our schools. When we filed our lawsuit this morning, it was the first time our organization sued the state to get our voices heard.

In the past, we put up signs, wrote stories, spoke to crowds, and led other forms of advocacy. In 2024, I worked with KSVT against a proposed constitutional amendment that would have sent public school dollars to private schools. KSVT partnered with 150 other local organizations in our campaign. As part of our Myth Bus Tour, we took a school bus across the state and held teach-in sessions along the way to explain how diverting funds from our public schools would affect us.

On election night 2024, I witnessed all 120 Kentucky counties vote no on Amendment 2. The result was a powerful sign of Kentucky's support for public education. This tells me it's exactly the right time for students across the Commonwealth to demand that our constitutional rights are upheld rather than violated.

Plus, we already have tremendous support for our mission. Our public forums and research prove this. So today, as I look out at the eager crowd gathered at the foot of the courthouse, I don't feel scared. I feel excited for the changes our lawsuit can bring.

Now I clear my throat, lean toward the mic, and begin my remarks:

*Good afternoon, everyone.*

*We've just left the courthouse where we filed a lawsuit against the Commonwealth of Kentucky for failing to uphold our constitutional right to a quality education.*

*We want to explain why we've taken this step.*

*We are Kentucky students.*

*We are here today because we care about the Commonwealth and our future.*

*We are here because we refuse to accept the status quo when it comes to our education.*

*We are here because we believe the promise of education in Kentucky is too important to be sidelined by inefficiency, inequity, or inaction.*

*As members of the Kentucky Student Voice Team, we represent a statewide coalition of students dedicated to improving our schools through research, policy, and storytelling.*

*We believe in the promise of education as a tool for justice—and we're here to ensure that promise is fulfilled.”*

In this book, you'll learn why the stakes are so high, not just for individual students and families, but for the welfare of Kentucky.



# Rose Revival

SECURING THE RIGHT TO A QUALITY EDUCATION

Powered by:



# **CHAPTER ONE**

# **OUR**

# **COMPLAINT**

Students complain about schools all the time. Too much homework, not enough recess, and way, way too boring. We get it.

Yes, we are filing a complaint. But it isn't that kind of complaint. This kind of Complaint is the one with a capital C, the document plaintiffs file to start a lawsuit.

We are the plaintiffs, and we are filing our Complaint<sup>3</sup> because students across the Commonwealth of Kentucky aren't getting the type of education we're promised by the Kentucky Constitution.

Is this really too much to ask for?

We don't think so.

“My school doesn’t offer a science class for senior year and I have to take that online through a community college program, and that cost me, I think almost a thousand dollars, just to take a core class for my senior year for me to apply to the colleges that I want to apply to. We need quality education, quality teachers, quality resources for all students.”<sup>4</sup>

– High School Student in Western Central Kentucky

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“That would be great to have a teacher who is not only in the classroom but knows what they’re teaching.”<sup>5</sup>

– High School Student in Central Kentucky

### **We filed our Complaint after:**

- interviewing thousands of Kentucky students over the past thirteen years
- surveying over 25,000 middle and high school students through eleven school-based studies
- listening to 2,600 Kentucky residents of all ages share their public school stories with us in 2023-2024

## WHAT THE RESEARCH REVEALS

### THE MAJORITY OF KENTUCKY STUDENTS GRADUATE UNPREPARED FOR CIVIC LIFE<sup>6</sup>

**Many students leave school without knowing:**

- who their elected officials are
- how to participate in their communities
- why voting is important<sup>7</sup>

### THE TEACHER SHORTAGE<sup>8</sup>

**IS HURTING STUDENTS**  
Kentucky's teacher shortage is at crisis levels, hitting hardest where support is needed most:

- students learning to read
- students learning English
- students with disabilities
- high-minority and low-income schools
- students needing mental health support, and students losing access to arts programs

### UNDERFUNDED PRESCHOOL PROGRAMS ARE HURTING VULNERABLE CHILDREN

- Kentucky's preschool program was designed to help low-income and disabled children build a strong academic foundation.<sup>9</sup>
- But funding for each Family Resource and Youth Service Center (FRYSC) that supports preschool childcare for low-income families has declined steeply in real dollars. This leaves thousands of children without vital early learning resources.<sup>10</sup>

### THERE ARE GLARING GAPS IN STUDENT ACHIEVEMENT BY INCOME AND RACE

- Low-income students and students of color consistently score lower in reading, math, and college readiness.
- Gaps start early. By fourth grade, Black students score twenty-five points lower than white students in reading.<sup>11</sup>

After speaking with so many students, teachers, administrators, and community members from across Kentucky, we can't just sit back and let our school system continue to shortchange us. It's not only wrong; it's against the law.

As if that weren't enough, the failure to uphold the Constitution is holding back our state's economy. Too many workers in Kentucky lack the skills to fill today's jobs, and too many young people are graduating high school unprepared to take these jobs.

Do you know that Kentucky has one of the lowest workforce participation rates in the country?<sup>12</sup>

**56%**

of Kentucky employers report moderate to high confidence in the preparedness of recent high school graduates in our state,

**ONLY 12%**

report strong confidence

**14%**

say they have no confidence.<sup>13</sup>

Today, local businesses can't find enough qualified workers. While other states invest in education and build a stronger workforce, Kentucky students like us are being left behind.

## IT'S NOT FAIR

Let's step back in time for a brief moment: it's the 1980s. Kentucky kids are wearing tube socks, listening to Madonna on cassette tapes, and letting Pop Rocks candy explode on their tongues. They are also performing poorly in school compared to their peers nationwide.<sup>14</sup>

A bunch of superintendents from school districts across the Commonwealth are upset.<sup>15</sup> Really upset.

These superintendents see with their own eyes that their students are not receiving an adequate education. Curriculum is outdated. Teachers are underpaid. Classroom sizes are too large. In many classrooms, basic educational materials are not even being provided. As a result, achievement scores are low. Many students are dropping out of high school. Rates of adult illiteracy are shockingly high. Kentucky ranks near the bottom of the pack nationally on almost every educational outcome measure.

The superintendents understand that a major reason for this lack of educational opportunities stems from the way Kentucky schools are funded. At this time, most of the funding for the school districts comes from local property taxes. Because the state is not shouldering its end of the bargain, the vast majority of Kentucky districts simply don't have enough resources to provide students what they need. Of course, the problem is worst in rural and low-income school districts, but even wealthier parts of the state are unable to offer an adequate education. On top of this, a healthy dose of waste, mismanagement, and lack of oversight at the state level isn't making the situation any better.

It doesn't take a genius to see that over time, a system like this becomes a vicious cycle. Low investment leads to poor educational outcomes leads to low economic output. Rinse and repeat. And so, it's at this point the superintendents decide to form a nonprofit called the Council for Better Education (CBE).

In 1985, CBE files a legal complaint. In it, CBE represents students and sixty-six lower-income school districts that are suing the politicians in charge of the Kentucky state government. One of these politicians is John A. Rose, the president of the Kentucky Senate, so the lawsuit is eventually called *Rose v. Council for Better Education*.<sup>16</sup>

In the Complaint, CBE claims that the way Kentucky relies on local districts to fund a large part of public school education is both unjust and also a violation of the Kentucky State

Constitution. The Council argues that according to the state Constitution, the General Assembly has the responsibility of providing an adequate education to all students throughout the commonwealth, no matter their zip code.

A judicial victory is declared when CBE wins the case not once but twice: first, in the Franklin Circuit Court, and then, after the defendants appeal, in the Kentucky Supreme Court.

**The Court later says:**

“The framers of our Constitution intended that each and every child in this state should receive a proper and an adequate education, to be provided for by the General Assembly.”

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**The opinion also states:**

“...[It is] crystal clear that the General Assembly has fallen short of its duty to enact legislation to provide for an efficient system of common schools throughout the state....The common school system in Kentucky is constitutionally deficient.”

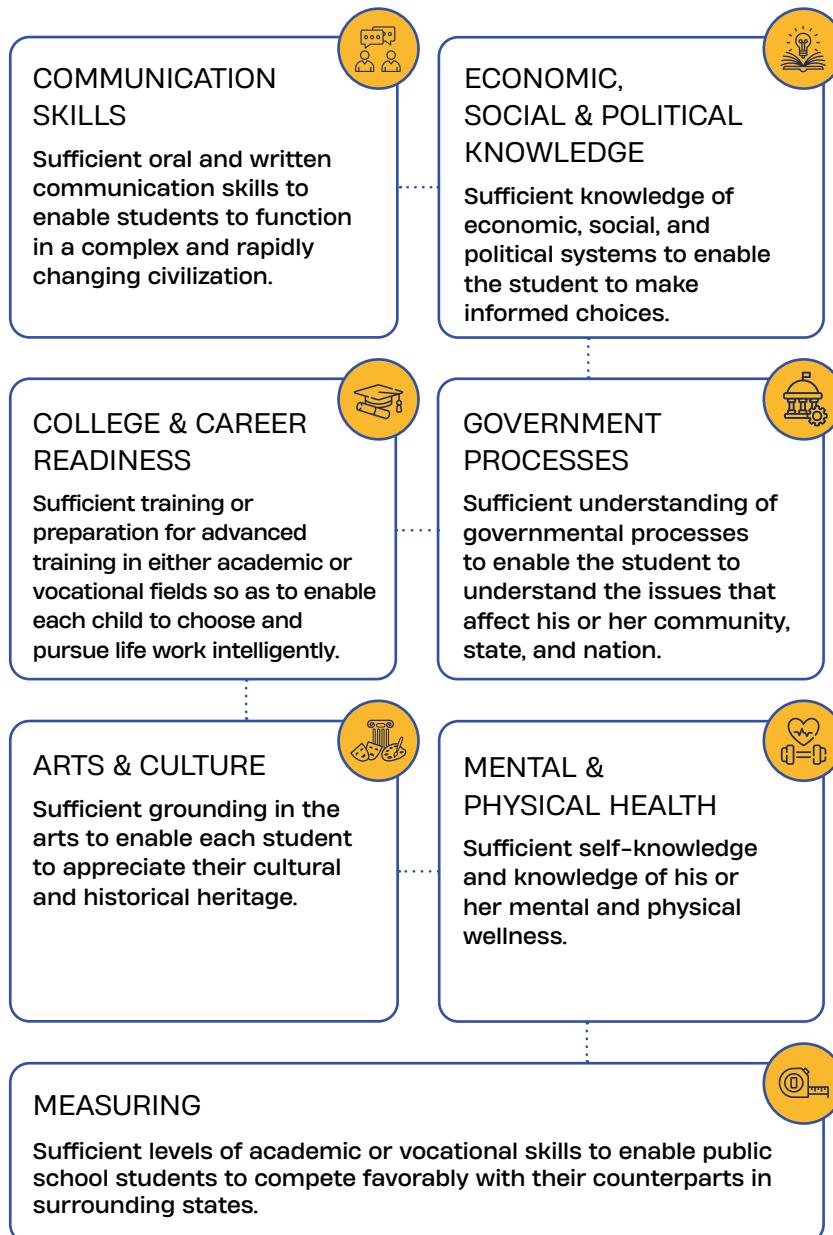
**In its landmark *Rose* opinion,  
the Kentucky Supreme Court writes:**

“Equality is the key word here. The children of the poor and the children of the rich, the children who live in the poor districts and the children who live in the rich districts must be given the same opportunity and access to an adequate education. This obligation cannot be shifted to local counties and local school districts.”

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As part of the process, the chief justice lays out seven core elements every school has to provide in order to give students an “adequate” education. These are the fundamentals students must learn to get a fair shot at succeeding in the world. The chief justice calls these “*capacities*,” and most of them boil down to making sure we actually learn what we need to be informed, engaged citizens, not just robots who can pass a test.

## THE *ROSE* DECISION'S SEVEN CAPACITIES



## INTRODUCING KERA!

The *Rose* case changes everything. It leads to the passage of the Kentucky Education Reform Act (KERA) in 1990.<sup>17</sup> KERA finally provides the tools for the General Assembly to step up and fund schools properly. The state establishes a funding formula called SEEK, which stands for Support Education Excellence in Kentucky. Using this formula, the state promises to contribute a certain amount to every student's education. It also pays more per student in districts with lower property wealth. In this way, the new funding formula is about both dividing the pie more fairly and increasing the amount of pie for everyone.

The state ultimately increases taxes and invests more than one billion dollars in education.<sup>18</sup> As a result, Kentucky public schools see some measurable changes. Here are just a few examples:

### IN THE 1980S

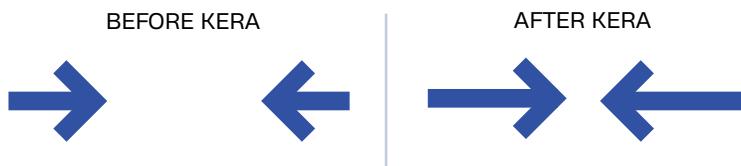
Kentucky students rank nationally in the bottom 25% in virtually every category used to evaluate educational performance.<sup>19</sup>

### KERA PASSES IN 1990.

### BY 2007

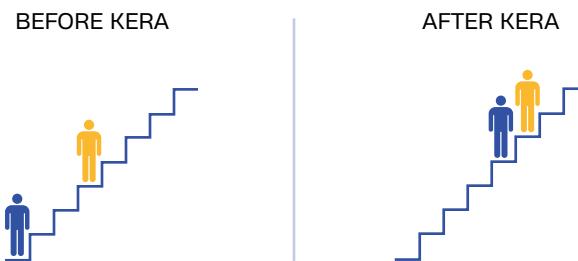
Kentucky students are close to catching up with their peers in other states in several areas, as evidenced by scores on the National Assessment of Educational Progress (NAEP), an evaluation tool known as "the nation's report card."<sup>20</sup>

## SCHOOL DISTRICT SPENDING GAP NARROWS



The gap in spending between the wealthiest and poorest districts decreases.<sup>21</sup>

## PRESCHOOL HELPS CLOSE ACHIEVEMENT GAP



The statewide preschool program helps close the achievement gap between low-income children who participate and their more economically advantaged peers.<sup>22</sup>

As you can see, KERA is working. Schools across the commonwealth improve. Students perform better. Justice, it seems, is finally being served.

## THE BACKSLIDE

In the 1990s, students wear baggy jeans and listen to Nirvana. They also enjoy the benefits of Kentucky's new commitment to fund public education for everyone.

Unfortunately, the progress doesn't hold.

A decade after KERA passes, political will begins to fade. Then, after the Great Recession of 2008, the state starts pulling back even more.

Compared to 2008, Kentucky's public schools now serve far more vulnerable students. And yet, these students are the very ones most often denied the education that the law promises them.

## MORE VULNERABLE STUDENTS IN KENTUCKY PUBLIC SCHOOLS

RELATIVE TO 2008, TODAY THERE ARE:

**82,029** more at risk students eligible for free meals

**34,325**  
more students with limited English proficiency

**4,754**  
more students with severe disabilities

**1,188**  
more students with moderate disabilities

**1,403**  
more students with communications delays

**507** more students receiving home/hospital services<sup>23</sup>

The *Rose* decision, written in 1989, stated that it was “crystal clear” that the commonwealth was violating its obligation to students. Today, it’s once again *crystal clear* that the commonwealth and its leaders are failing to provide all of Kentucky’s public school students with the adequate education we are promised by our state Constitution. Alarmingly, the state’s funding gap is even greater now than it was when the Kentucky Supreme Court declared the system unconstitutional in the *Rose* case.<sup>24</sup>

Today, the state’s failure to adequately fund public education is leaving even more Kentucky students without access to the quality education they are guaranteed under the law.

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“Now, over three decades after Kentucky’s landmark effort to create more equity in education across the commonwealth, that progress has been erased, leaving many thousands of students without the resources they need to get the equal education they deserve. In fact, poorer school districts are arguably even further behind the wealthiest ones than they were prior to the lawsuit that resulted in KERA’s passage.”<sup>25</sup>

– Kentucky Center for Economic Policy

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## WE WON’T SETTLE

Our lawsuit isn’t about a few isolated problems—it’s about fundamental flaws that affect all 634,424 public school students across our commonwealth.<sup>26</sup>

As Kentucky students who care a great deal about the success of our public school system, we refuse to accept one that creates winners and losers based on circumstances we don’t control.

## UNDERSTANDING THE GOVERNMENT PROCESS

Kentucky is one of just 11 states with no civics course requirement.

Half of Kentuckians can't name a local elected official or our three branches of government.

## CHAPTER TWO

# PARTICIPATION NOT REQUIRED

All too often, civics is treated as a footnote in our schools, and it shows.

The fact is, more than one in four Kentucky voters can't even name a single branch of government.<sup>27</sup> This is the result of decades of missed opportunities in civic education.

In *Rose v. Council for Better Education*,<sup>28</sup> the Court defines a constitutionally adequate education as one that prepares students to function in a complex and changing world. By this, the Court means that all of us should be able to understand our government and shape the issues that affect our community, state, and nation. This is exactly what civics education is all about.

Remember those seven things (or “capacities”) that the chief justice in the *Rose* decision writes that Kentucky schools must deliver? The first three are explicitly about civic learning:

1. Teaching us the oral and written communication skills we need to function in a rapidly changing world.
2. Providing us with knowledge of economic, social and political systems so we can make informed choices.
3. Helping us understand how the government works as well as the issues that affect our communities, state and nation.

## BEYOND THE BALLOT: ARE WE PREPARED AS CITIZENS?

With the *Rose* capacities in mind, the Kentucky Student Voice Team (KSFT) recently issued a report called *Beyond the Ballot*<sup>29</sup> which provides some insights into the state of civic education across our commonwealth. The study includes results from our statewide survey of 2,311 students, family members, and educators from a range of geographic and demographic backgrounds. We also conducted forty-three, in-depth interviews where we asked students, families, teachers, and other community members questions about their perceptions of civic education. Here are some typical comments:

“My fourteen-year-old student can’t identify on a map where Canada or Mexico is....They do not know how the government works at the local, state or federal levels....They may not even know what the word ‘treaty’ means.”<sup>30</sup>

– Parent in East Central Kentucky

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“We don’t explain. We just don’t do a good job of teaching kids how to analyze their feelings, their beliefs, their culture, their parents’ beliefs, all the things before they choose to decide how they want to be involved.”<sup>31</sup>

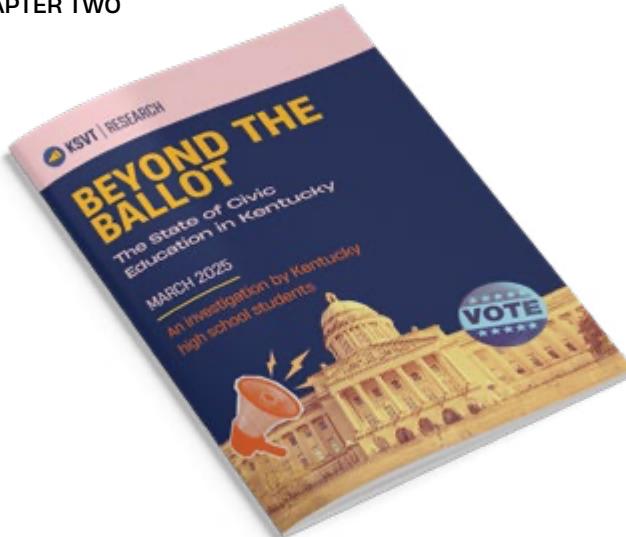
– School Staff Member in Eastern Kentucky

We can't help but notice the shortcuts our schools take to bypass the *Rose* requirements. Our study found that 40% of Kentucky students disagree or are unsure of whether their schools prepare them to engage in civic life beyond voting.<sup>32</sup> We're not saying everyone has to be a policy wonk. But if students aren't equipped to understand how public systems work—or question what happens within them—how are we supposed to fully participate in the world we're graduating into?

Even beyond ballots and bills, this civic preparation gap has real-life consequences. People who don't understand their rights or responsibilities may struggle to advocate for themselves in the workplace. Families unsure how government works are less likely to vote in local elections or navigate public services. Employers across industries—from construction to healthcare to finance—are consistently looking for team players, ethical decision-makers, and critical thinkers. But these are skills rooted in—you guessed it—civics.<sup>33</sup>

## A CIVICS COURSE IN NAME ONLY

While Kentucky technically requires students to meet a “civic literacy” graduation requirement, the reality falls far short of a comprehensive civic education. Students can either take a half-credit civics course or pass an online, 100-question multiple choice exam drawn from the US citizenship test.<sup>34</sup>



The problem is that, according to plaintiffs in our lawsuit, as well as primary source research we conducted for *Beyond the Ballot*, many Kentucky high schools do not offer an in-depth civics course at all.<sup>35</sup> Furthermore, history classes, when taught, often omit post-World War II content and current events entirely.<sup>36</sup> For too many of us, civic knowledge isn't sequenced, supported, or taken seriously.

As for the test itself?

We can take it without any prior instruction. And it is often administered online and unsupervised which means a lot of students will freely Google the answers.<sup>37</sup>

Even among students who do enroll in a civics course, the instruction varies within and across schools.<sup>38</sup> Access to deeper civic content depends heavily on school resources and district wealth.

As it turns out, offering a course and teaching the information so that students can learn it are two different things. Until the state invests in teaching civics, beyond asking students to regurgitate trivia on a test, we will continue to leave school with a false sense of readiness for the years to come. So, even though 40% of Kentucky students don't think their schools prepare them for civic life or are unsure of whether our schools do so, the percentage of students who are *actually unprepared* to be active participants in democracy is likely even higher.

## THE VANISHING CLASSROOM CONVERSATION

Here's another issue civics can't survive without: conversation. The Kentucky Academic Standards for Social Studies currently call for discussion, analysis, systems-thinking, and an inquiry-based process led by student curiosity rather than rote memorization.

Yet across Kentucky classrooms, many of us feel discouraged—even outright blocked—from asking questions about current events, having conversations about injustices, or exploring political realities.

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“The teachers are saying they don’t want to get in trouble for participating in such topics—so they discourage students from participating. Students are told not to discuss certain topics because they are controversial.”<sup>40</sup>

— High School Student in North Central Kentucky

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One major reason stems from 2022, when state lawmakers passed Senate Bill 1, a law that shifted curriculum authority from school-based councils to district superintendents and set new requirements for how teachers may approach current, controversial issues.<sup>39</sup> Under the statute, these discussions must be framed as objective, age-appropriate, nondiscriminatory, and respectful of differing perspectives. In practice, the law has created confusion and caution, leading many teachers to steer clear of vital conversations about history and society that would otherwise help us grapple more deeply with the most pressing issues of the day.

A civic education without nuance, without argument, without acknowledging why people fight for change, doesn't prepare us to participate in democracy or get to know our neighbors who might be different from ourselves.

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“[In terms of getting the chance to learn about other people’s histories,] honestly, I don’t think I had much pressure from the school to really learn about anyone else.”<sup>41</sup>

– High School Student in Western Kentucky

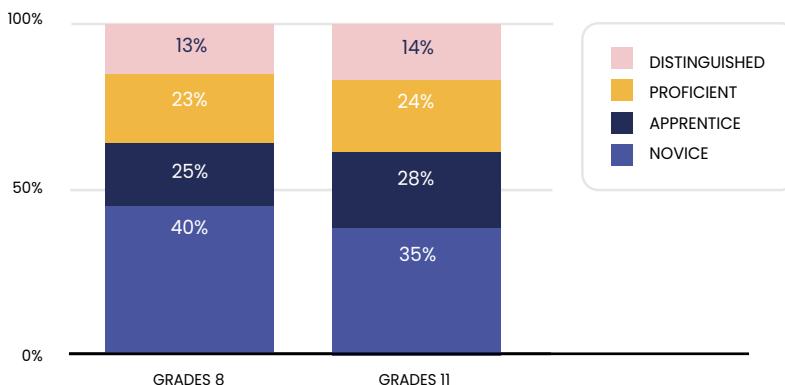
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## **KENTUCKY ISN’T MAKING THE GRADE**

Although civics is just one part of the broader social studies curriculum, the two are closely connected since low performance in social studies often signals missed chances to build students’ civic knowledge and skills. That is among the reasons why it is especially concerning that in 2023-2024, only 35% of Kentucky’s eighth-grade students and 38% of eleventh-grade students scored proficient or better on the state’s social studies exam.<sup>42</sup>

## 2023-4 KENTUCKY SOCIAL STUDIES PERFORMANCE

GRADES 8 AND 11



Note: Totals may exceed 100% due to rounding

In 2023–2024, fewer than four in ten Kentucky students demonstrated proficiency on the state's social studies exam.<sup>43</sup>

## DEMOCRACY REQUIRES PRACTICE

At the risk of stating the obvious, democracy is not something we're supposed to memorize. It's something we're supposed to *practice*.

Certainly, students like us benefit from instruction. However, we also need to argue, reflect, serve, advocate, fail, and try again. We should be able to walk into City Hall and school board meetings as informed citizens who belong there—just as we should know how to weigh in on legislation that affects us, organize around issues we care about, and spot misinformation before it spreads. But this kind of civics exposure is just not happening routinely across Kentucky classrooms.

A student in Southwest Kentucky tells us, "...we're getting ready to vote in this election. And we don't know anything. I'm eighteen. I get to vote."<sup>44</sup>

Another student in Central Kentucky says that at her school, students get the opportunity to engage in service projects through the National Honor Society. But only students with a 3.5 GPA or above are allowed in.<sup>45</sup>

*No wonder we are living in such polarizing times. We are being denied the opportunity to see beyond the surface, explore our world with curiosity, and debate ideas—especially when we disagree with each other. If we don't learn how to do this when we're in school, how can anyone expect us to have civil discussions with people who are different from us when we graduate?*

The real civics test is whether we are equipping *all* students to understand the world as well as to improve it. As the Court recognizes in *Rose*, civics skills are essential for a thriving democracy and a flourishing economy. Without enforcing the law that requires us to genuinely learn and practice these skills, the General Assembly is undermining us and our democracy, not to mention the future workforce of our state.



ACADEMIC SKILLS

Just 29% of Kentucky 8<sup>th</sup> graders test proficient or above in reading.

and just 24% test proficient or above in math.

## CHAPTER THREE

# READING, RITHMETIC, ROADBLOCKS

When it comes to some basic academics, the entire system is failing to deliver what the commonwealth's own Constitution guarantees. We are promised an education that empowers every young person to read critically, think deeply, and express ourselves clearly about the society in which we live.

### GOING BACKWARD

So what unfolds after the *Rose* ruling<sup>46</sup> in 1989 and then the sweeping reforms of the Kentucky Education Reform Act (KERA)<sup>47</sup>?

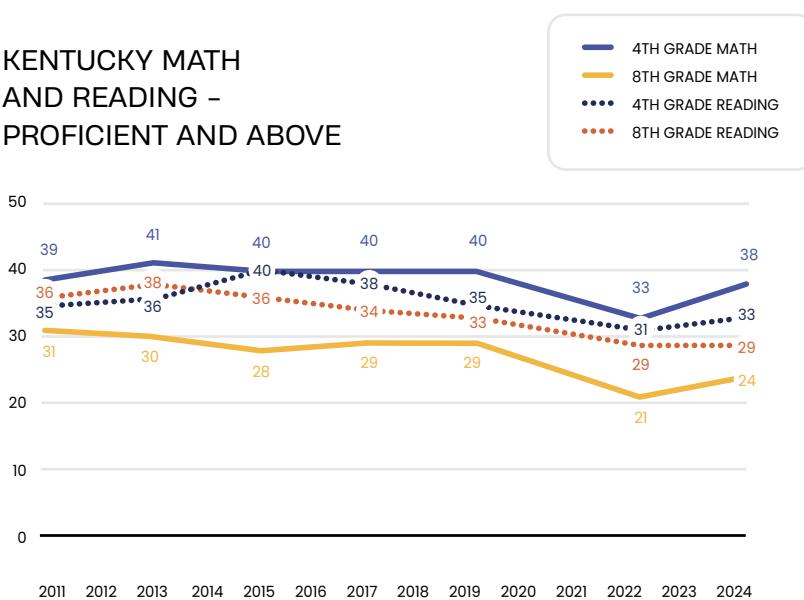
Our public school system begins heading in the right direction and students perform better in reading and math. For a hot minute, Kentucky public schools implement meaningful, forward-looking improvements. Tests even start to show Kentucky students' scores approaching the national average, and even exceeding it in some areas, like reading proficiency!<sup>48</sup>

And then...we stall.

We can tell because every few years, a nationwide test called the National Assessment of Educational Progress—or NAEP for short—is given to students in the fourth and eighth grades across the country. This test aims to measure how well students are doing in academic subjects. This assessment is often called “The Nation’s Report Card” because it helps states compare how their students are performing over time and against national standards.

## KENTUCKY STUDENT PERFORMANCE PEAKS 2011-2015<sup>49</sup>

### KENTUCKY MATH AND READING – PROFICIENT AND ABOVE



What does the nation’s report card show?

### FOURTH-GRADE READING

In 2015, 40% of fourth graders are reading at or above the national proficiency standard.<sup>50</sup> But in 2022, only 31% reach this level. This decline brings Kentucky’s fourth-grade reading proficiency almost back to where it was in 1998, more than two decades ago.

## FOURTH-GRADE MATH

Thanks to Rose and KERA, the percentage of Kentucky fourth-grade students who test proficient or above in math rises steadily, from 13% in 1992 all the way up to a peak of 41% in 2013. But then, growth stagnates.

## EIGHTH-GRADE READING

Between 1998 and 2013, the percentage of Kentucky eighth graders who test proficient or above in reading increases from 30% to 38%. But by 2024, it falls back down to 29%—which is where eighth graders scored over twenty-five years earlier.<sup>51</sup>

## EIGHTH-GRADE MATH

In 2011, 31% of eighth-grade students meet or exceed the national proficiency benchmark. But by 2024, the number drops to just 24%. This sharp decline suggests that students are falling further behind in the skills they need to succeed in high school and beyond.

## THE LITERACY ISSUE NO ONE LIKES TO TALK ABOUT

Today, about 22% of Kentucky adults read below a third grade level.<sup>52</sup> Thousands of adults across the commonwealth struggle with the basic writing and reading comprehension skills that make everyday life—from filling out job applications to reading medication labels—more difficult. That is also to say that these adults are functionally illiterate. They may have trouble reading bank statements, understanding voting materials, school communications, or product labels, and they are less likely to advance in their careers.

Kentucky legislators do recognize reading proficiency as a gateway skill necessary for the academic achievement promised by *Rose* and KERA. It's for this reason that they pass the Read

to Succeed Act in 2022. It guarantees more reading specialists, stronger interventions, and early literacy support for students starting in elementary school.<sup>53</sup>

But the truth is, many school districts don't receive sufficient resources to properly implement Read to Succeed. And when the money doesn't show up, neither do the results.

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“With citing and research, I have no knowledge about that. I've always been confused about how to, like, cite things for an essay or research paper.”<sup>54</sup>

– High School Student in East Central Kentucky

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## WHEN A LIBRARY ISN'T A LIBRARY

If our classrooms lack the human resources to help us improve our literacy, we can probably go to the school libraries to get help with reading, right?

Wrong!

Kentucky law<sup>55</sup> requires every elementary and high school to maintain a library media center, but many of us go to schools where the “library” is just a study area with some very old books. The law also says that the school media centers must have a certified library media specialist, but at too many of our schools, there is no certified librarian in sight.

“I have no idea what it is used for, and I have never seen a student check out a book. I hardly ever see any adults in the library.”<sup>56</sup>

– High School Student in Western Kentucky

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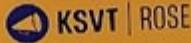
Librarians today not only foster a love of reading in students, but they also teach media and information literacy, which involves knowing how to:

- tell real from fake news online,
- interrogate media messages, and
- avoid the damaging effects of social media on emotional health and well-being.

But too many of us graduate without getting any of this type of instruction at all. In today’s information economy, that is a sign of a high-stakes gap. If we’re serious about preparing young people to participate in our workplace and our world, media and information literacy can’t be optional.<sup>57</sup>

## TEACHING QUALITY

During the 2023-24  
school year, 13% of  
Kentucky teacher  
vacancies went unfilled.



## CHAPTER FOUR

# WHEN THE TEACHERS ARE CHRONICALLY ABSENT

Imagine walking into your junior year math class ready to learn, only to discover there's no qualified math teacher to guide you. This isn't a hypothetical scenario. It's exactly what many of us across the state are experiencing. Someone certified in a completely different subject is teaching our classes, or our teachers leave altogether,<sup>58</sup> and then we are stuck watching videos about the subject matter instead.

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“High teacher turnover is the biggest issue in my school. Most only last a year. My freshman teachers are all gone. Many were not certified.”<sup>59</sup>

– High School Student in Southwestern Kentucky

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Across Kentucky, thousands of students like us attend classes without qualified teachers. Teacher turnover is constant. Our substitutes struggle to cover material they aren't trained to teach. These are educational emergencies that threaten the promise of public education for an entire generation.

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“I feel like Algebra Two is such an important class to take, and we did not have a teacher until about the last two months of school.

We had a guy that was getting his degree in special education online and we...would play math videos from another teacher. Then we had a sub or a guy hired, but he almost hit a student. So then we had to get someone new and we just had to bus over middle school math teachers to teach us. And that was really big because I know that was some people's junior year math, and that was some people's sophomore year of math. And it was really fundamental math because a lot of math builds on Algebra Two.

And actually, currently, we don't have an online science teacher. There's a lot of classes that people are having to take online....We don't have enough teachers or enough reasons for people to teach, and it's becoming an issue.”<sup>60</sup>

– High School Student in Central Kentucky

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When a district can't fill a position with a qualified teacher, it's an administrative challenge as well as a direct violation of our constitutional right to an adequate education.

## A PROMISE ABANDONED

The Kentucky Education Reform Act (KERA) of 1990<sup>61</sup> recognizes that quality teaching is essential. The reforms set standards for teacher quality and crucially, they also establish substantial support systems, including expanded professional development.

In the 1990s, funding for professional development increased dramatically from \$1 per student to \$23 per student, and districts could request up to five additional days of professional development beyond the four days required by law.<sup>62</sup>

But in recent years, the commonwealth has failed to maintain these basic standards. As we state in our Complaint, "Major problems have developed in regard to teacher quality, teacher retention, and teacher professional development."<sup>63</sup>

Our lawsuit emphasizes that this isn't about blaming individual schools or administrators who are doing their best with limited resources. Rather, it's about holding the commonwealth accountable for meeting its constitutional obligation to provide every student with an adequate education—an obligation that cannot be met without qualified teachers in every classroom.

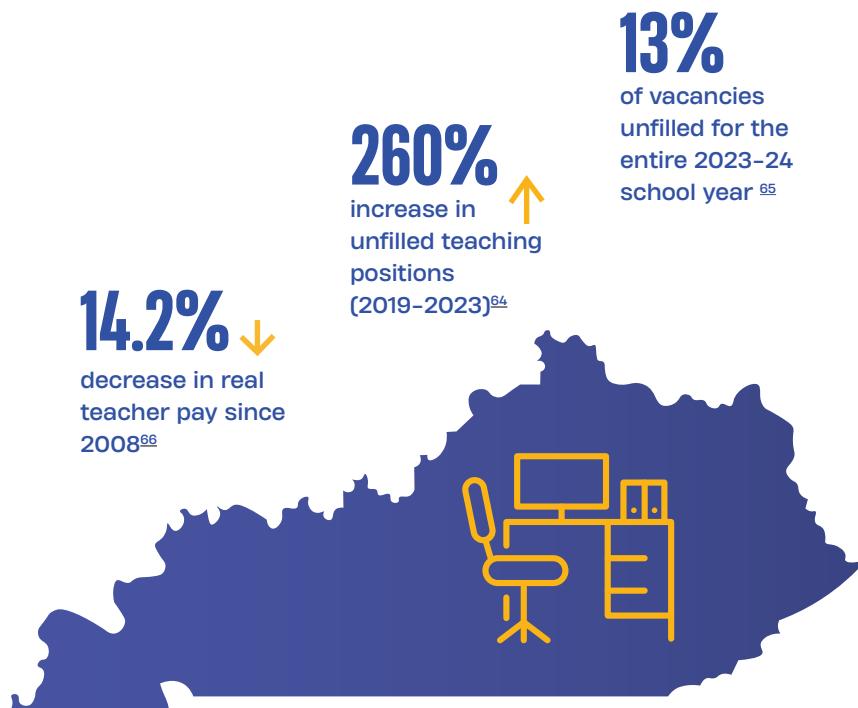
## A CRISIS BY THE NUMBERS

The challenge of staffing our schools in Kentucky is alarming, and the data shows us why.

Thousands of Kentucky students like us are being denied access to qualified teachers in fundamental subject areas.

## KENTUCKY'S TEACHER CRISIS BY THE NUMBERS

Critical shortages in math, science, special education, and world languages



As we mentioned earlier, Read to Succeed guarantees that every elementary school will have highly trained teachers and reading specialists. But without proper funding, schools can't hire the qualified educators needed to fulfill this promise. Similarly, many schools lack certified media librarians—the very people trained to teach us the crucial information literacy and technology skills the law requires us to learn.<sup>67</sup>

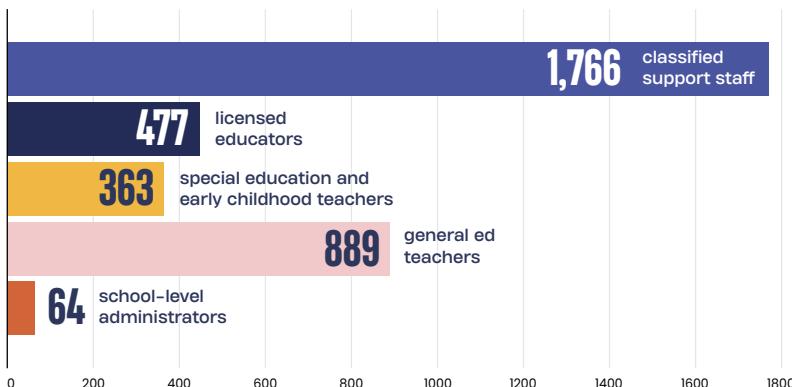
The teacher shortage affects everyone, and it affects some of our most vulnerable students most:

*In Madison County, just seven English language teachers must somehow serve students across eighteen different school buildings. That's a ratio of one teacher for every forty-nine English Learners.<sup>68</sup>*

Special education teachers carry caseloads far beyond maximum levels, while students with disabilities often go without required services because schools can't find enough school psychologists, counselors, occupational therapists, physical therapists, speech therapists, and paraprofessional assistants.

## OUR EDUCATORS ARE ABSENT<sup>69</sup>

# OF VACANT POSITIONS, 2023-2024



Districts are trying to cope, but their solutions often create new problems. Some districts rely on teachers working outside their certification areas or on long-term substitutes. Other districts provide emergency certificates or allow alternatives to certification in core subjects like history and social studies.<sup>70</sup>

And while the state has created alternative certification paths to get more teachers into classrooms, these shortcuts risk compromising educational quality.

Without enough qualified educators, Kentucky can't provide us with the adequate education that the Kentucky Constitution requires. Every unfilled position, every overwhelmed specialist, and every makeshift solution denies students like us the support we need.

## THE REALITY IN THE CLASSROOM

The teacher shortage creates a cascade of consequences that extend far beyond individual classrooms:

- Students who are missing foundational skills in core subjects struggle to advance to higher-level coursework.

- High schools reduce course offerings, limiting college preparation and career exploration.
- Special education students receive fewer hours of mandated services.
- English Learners get reduced access to specialized instruction.
- The remaining teachers face increased workloads, which accelerates burnout and turnover.
- School climate suffers as consistency and institutional knowledge decline.
- The achievement gap widens between well-resourced and under-resourced schools.

The cycle becomes self-reinforcing. As working conditions deteriorate, more teachers leave, creating additional vacancies and further straining the system. What begins as a staffing challenge becomes a structural crisis that undermines the entire educational framework.

## FAILING OUR TEACHERS

Kentucky's teacher shortage doesn't emerge overnight. Instead, it's the predictable result of longstanding policy decisions that slowly undermine the teaching profession's sustainability.

Compensation is declining in real terms, and salaries for Kentucky teachers are failing to keep pace with inflation.

Believe it or not, the purchasing power of Kentucky teachers has actually *decreased*. When adjusted for inflation, Kentucky teachers earned \$13,888 less in 2024-2025 than they did in 2008. That's a 19.8% decline!<sup>71</sup>

“A lot of kids, including myself, have a teacher for a parent. A lot of people think teachers make what they deserve, when in reality, they often struggle to survive and make enough to support their families.”<sup>72</sup>

– High School Student in Eastern Kentucky

It’s no wonder that K-12 school personnel have the highest burnout rate of any profession.<sup>73</sup>

## KENTUCKY TEACHER PAY STINKS<sup>74</sup>



Kentucky's average teacher salary ranks 41st in the nation at \$56,296 (compared to the national average of \$69,597). The starting salary of Kentucky teachers ranks 45th at \$39,204 (compared to the national average of \$44,530).

There are other reasons it's so hard to recruit qualified educators and paraprofessionals in Kentucky:

1. The robust professional development systems established by KERA have withered. Plus, new teachers often lack the mentoring and support they need to succeed in challenging environments.<sup>75</sup>
2. Working conditions continue to erode: as schools face budget constraints, teachers have more students, fewer resources, and they are being asked to take on more and more job responsibilities beyond instruction.<sup>76 77</sup>
3. The profession continues to be devalued: public rhetoric that undermines teacher expertise and autonomy contributes to declining interest.<sup>78</sup>

When you're not making a lot of money and you're dealing with constant stress, loving your students is not really enough.

## A CONSTITUTIONAL QUESTION

In the *Rose* decision, the Kentucky Supreme Court establishes that every Kentucky student has a right to an adequate education. As our lawsuit argues, this right cannot possibly be fulfilled when schools lack qualified teachers in core academic subjects.

The *Rose* decision also recognizes that teachers make the system, and the ruling specifically says that a fair system of education provides certified teachers who are adequately paid.<sup>79</sup>

When we're taught by teachers without subject area expertise, or when we constantly lose teachers throughout the semester, or when special education positions go unfilled for an entire school year, the state is failing to meet its most fundamental constitutional obligation.

## HOW LONG SHOULD WE WAIT?!

For students like us, solutions can't come soon enough. Every day without a qualified teacher is a day we lose learning, and these losses compound over time. We won't get to repeat our education if the system fails us; instead, we'll have to live with the consequences for years to come.

By addressing the teacher shortage as a constitutional crisis rather than merely an operational challenge, our lawsuit offers hope that Kentucky will once again provide the quality education that students like us are promised by our state's Constitution.

## FUNDING DISPARITIES

Since the 1990s, Kentucky's base funding of education has declined by 25%.

 KSVT | ROSE

## CHAPTER FIVE

# "EACH CHILD, EVERY CHILD"

The *Rose*<sup>80</sup> decision includes this critical sentence: “Each child, every child in this commonwealth must be provided with an equal opportunity to have an adequate education.” According to the opinion, the responsibility for the education of every Kentucky student lies with the state and cannot be shifted to local counties or school districts.

What does the court mean by “*Each child, every child*”?

It means the children of the poor and the children of the rich. It means urban students, suburban students, rural students, White students, Brown students, Black students, Asian students, students with disabilities, gifted students, English Learners, immigrant students. It means the state has an obligation to provide ALL students with a quality education.

## THE OPPORTUNITY GAP

You may have heard people talk about the “achievement gap” before. This refers to the persistent disparity in academic performance or educational outcomes between different groups of students, typically defined by socioeconomic status, race, ethnicity, learning ability, or gender.

Well, we're here to say that the so-called "achievement gap" is really an *opportunity gap*.

If some students have certified teachers, AP-level classes, and enrichment programs in the arts, while others don't, what we're talking about here is a gap in *access*.

## WHAT THE CONSTITUTION GUARANTEES VS. WHAT VULNERABLE STUDENTS GET

THE PROMISE	THE REALITY
Oral & written communication skills	High teacher turnover
Appreciation of civic life	Missing or subpar instruction
Broad knowledge of history	Low expectations
Opportunities for postsecondary success	Curriculum gaps

In reality, the "achievement gap" doesn't only impact students from different racial groups; it affects all of the more historically under-resourced populations in Kentucky's public school system, including students from low-income districts, English Learners (EL), and students with disabilities.

Something is wrong with a system that doesn't give students facing more systemic barriers to opportunity what we need to succeed.

In the *Rose* decision, the State Supreme Court emphatically agreed.<sup>81</sup> While the “achievement gap” dramatically narrowed in the decade after the passage of the 1990 *Kentucky Education Reform Act (KERA)*<sup>82</sup>, it is once again widening a disturbing amount.

### **What does the “achievement gap” in our state look like now?**

- It looks like 85% of white students being deemed college or career ready by Kentucky’s standards, while only 69% of Hispanic or Latino students and 66% of Black students reach the same benchmark.<sup>83</sup>
- It looks like only 9% of English Learners (EL) scoring proficient in English—a dramatic indicator that linguistic support systems are not working.<sup>84</sup>
- It looks like 12% of fourth graders with disabilities scoring “at or above” proficiency in reading compared to 37% of fourth-grade students without disabilities.
- And in eighth-grade reading, it looks like 9% of students with disabilities scoring proficient or above compared to 32% of students without disabilities.<sup>85</sup>

It is worth noting that the percentage of students with disabilities who score proficient or above goes down as they progress through school. These numbers have less to do with students’ motivations than what they’re given or denied.

## HOW CAN A HUNGRY STUDENT LEARN?

The *Rose* decision underscores the requirement of the General Assembly to provide all of us with an adequate education. But how can those of us who are hungry learn to read? How can those of us with a parent who just lost their job focus on how to divide by the lowest common denominator?

It's incredibly hard.

This is why KERA includes a statute requiring the creation of Family Resource and Youth Services Centers (FRYSCs, pronounced *frisks*) in or near schools with at-risk students.<sup>86</sup> These centers are supposed to connect students and our families with what we need *outside* of our classrooms so we can actually learn *inside* them. We're talking about things like food on the weekends, clean clothes, transportation, mental health care, counseling, and help applying for college or jobs.

FRYSCs can be especially important for those of us in rural districts, where outside support is further away and harder to find. They are also critical for students without safe and reliable places to live.<sup>87</sup>

The statute says that for a center to get funding, at least 20% of students at each school applying for a center must be eligible for free or reduced-price school meals.

So what does this look like? In the 1991-1992 school year, there are 133 centers, and the state gives about \$200 for each eligible student.

Then, by 2024, there are more than 961 centers all across Kentucky serving students in 1,200 schools.<sup>88</sup>

This sounds like great news, right?

But here's the thing: even though there are many more centers now than when the program first begins, the money each center gets per student isn't keeping up with how much things cost today. Not even close.

If the state were to contribute the same amount as it did in 1991, the first year the program was funded, it would pay about \$454 per eligible student in today's dollars. Yet today the state is only paying about \$210 per eligible student!<sup>89</sup>

*Adjusting for inflation, Kentucky gives less than half of what it allocated per student thirty years ago.*

This is all to say that in many rural and low-income counties, even if the need for a FRYSC is there, the support is not.

When kids are worrying about how to get to school tomorrow, or shivering in class because they have no warm clothes, it's a lot harder for them to learn. The services that these school-based centers provide are lifelines. But in too many Kentucky schools, these lifelines are being cut.

## OUR “RACE TO LEARN” STUDY

It's 2022 and the Kentucky Student Voice Team (KSVT) sets out to understand how race and ethnicity are shaping life inside our public schools. To do that, we survey 10,725 middle and high school students from 114 of Kentucky's 120 counties, and then, we interview 60 more.

What we hear from them is painful and specific.

A student in Northern Kentucky says, “I feel like the school doesn't really care about any student. Moreover, the ones given the least amount of resources are Brown [and] poor people. Issues that affect students heavily outside school, their situation may not be understandable to others with different backgrounds.”<sup>90</sup>

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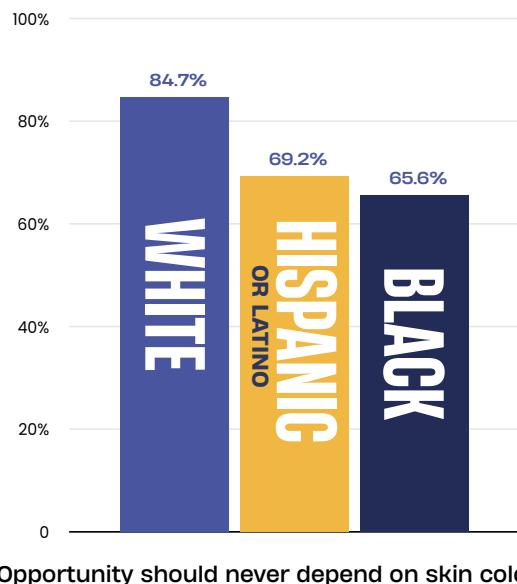
“As a Person of Color, going into a classroom where you don't feel welcome half the time is pretty rough, and I don't think they consider what all we experience outside of school let alone on the inside.”<sup>91</sup>

– High School Student in Eastern Kentucky

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Too many students like us are living these disparities daily. And these patterns persist across Kentucky's urban, suburban, and rural districts from Pikeville to Paducah.

## POSTSECONDARY READINESS BY RACE IN KENTUCKY (2023–2024)<sup>92</sup>



Predictably, the lack of opportunity hits our most vulnerable student populations hardest. This includes students of color, students from low-income families and rural districts, as well as students with disabilities and English Learners. Here, the promise of *Rose* becomes harder to fulfill, because qualified staff, comprehensive curricula, and stable learning environments are often missing entirely.

In many schools with larger populations of these students, teacher turnover is high, morale is low, and students are taught by instructors who are uncertified or unfamiliar with our learning needs. Also, schools with higher percentages of Black and Brown students have *significantly* higher levels of teacher turnover.<sup>23</sup>

This is something that interrupts instruction and cuts us off from forming important relationships.

When teachers leave midyear, or lack experience, or haven't received training on culturally responsive learning, the effect on our learning can be devastating.

## **PATTERNS OF PUNISHMENT AND LOW EXPECTATIONS**

Students aren't always treated as equals. Kentucky students of color—especially Black students—are more frequently suspended, written up, or penalized for subjective behavior.<sup>24</sup>

A student in Northern Kentucky told us, "Regarding the rules being fairly enforced, there have been a few cases involving POC students, primarily Black, in which administration immediately assumed that they were guilty of whatever incident occurred without investigating first. Black students that get into fights are almost always given a more severe punishment, even if they did not start the fight."<sup>25</sup>

When it comes to learning, the problem is that every excessive punishment shortens instructional time, separates us from our peers, and increases our feelings of alienation. It also reinforces the dangerous idea that belonging in school must be constantly earned.

Those of us who are students of color also endure academic and mental health consequences from low expectations. One high school student in Central Kentucky was born in South America and moved to New York in second grade and Kentucky in sixth grade. "When I first moved here, I was automatically placed in the lowest math class, even though I was one of the top math students at my old school," she explains. "I wasn't given a placement test like other students. I had a substitute math teacher for the whole year, so I was falling behind and had to take summer courses to get back on track."<sup>26</sup>

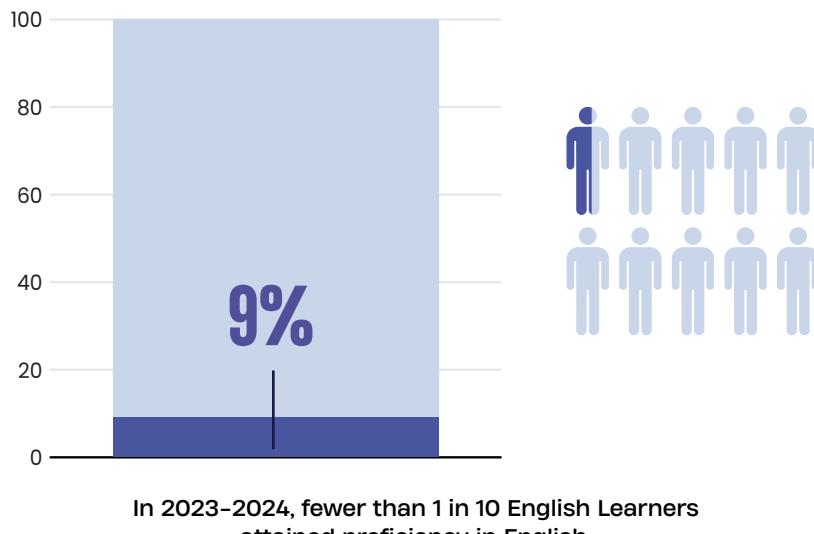
These patterns mirror long histories of racial disparities in American education, and they also reflect what many students like us see as unfair treatment.

## LANGUAGE ACCESS DENIED

In classrooms across Kentucky, a quiet but powerful injustice is playing out every day. Kentucky's 51,167<sup>27</sup> English Learners—students whose first language isn't English—are being left without the tools they need to thrive.<sup>28</sup> In some schools, when students ask for help with understanding a lesson, they are told to look on Google Translate.

In too many Kentucky districts, the support for English Learners isn't there. But when students like us don't have access to translations, trained bilingual educators, or adapted materials, we fall behind.

## ENGLISH LEARNER PROFICIENCY IN KENTUCKY SCHOOLS<sup>99</sup>



## SEPARATE AND UNEQUAL FOR STUDENTS WITH DISABILITIES

Kentucky's students with disabilities are supposed to receive education appropriate to their individual needs delivered by specially trained teachers who understand how to present the state's curriculum to us. According to the Kentucky Department of Education, students with disabilities make up nearly one in five of all Kentucky students. While students with disabilities are just as entitled to an adequate education as any other Kentucky student, far too many of us are denied the services that are legally required, or we are placed in classroom settings that are not suited to meet our needs.<sup>100</sup>

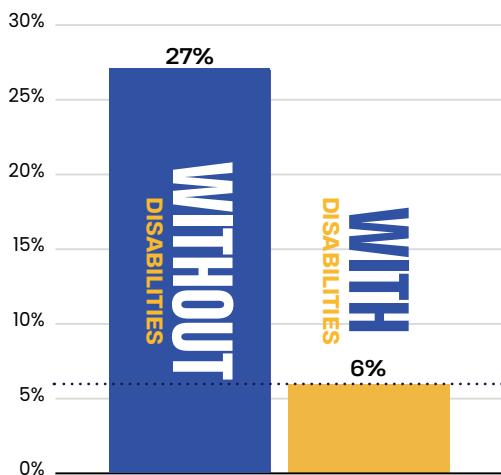
Right now, in classrooms across Kentucky, students with disabilities face a separate and unequal education system that fails us at every turn.

Our schools simply don't have the staff we need and deserve. As a result, we aren't getting the support services legally required in our Individual Education Programs (IEPs). For example, we may not always get the therapies we're supposed to have because there aren't enough speech or occupational therapists available. This also means that some of us are being taught by teachers and paraeducators who lack sufficient training in our specific disabilities and don't have fundamental subject matter expertise despite their special education certification.<sup>101</sup>

*The fundamental issue here in Kentucky is not the lack of **any** training but the absence of the **right** training.*

Paraeducators who work with students with disabilities are only mandated to have two years of higher education in any degree program, and there is no requirement at all for them to have any background in teaching.<sup>102 103</sup> So these people can't always help us learn math or science or reading because they haven't been trained to do so.

## EIGHTH-GRADE STUDENT MATH SCORES ON NATION'S REPORT CARD



In 2023–24, while 27% of 8th graders without disabilities score at or above proficient in math, only 6% of 8th graders with disabilities do.

The impact ripples through the duration of our entire educational journeys, and it's unconstitutional. Kentucky promises *every* child an adequate education. For students with disabilities, this promise remains broken.

## COURSE ACCESS: A PATCHWORK OF PRIVILEGE

Some of us go to Kentucky high schools where students are taking AP Statistics, AP Chemistry, and AP Psychology—and that's just on Monday. But many of us go to high schools where we're taught online or through videos by someone we'll never meet in person, and advanced courses aren't even available.

### MOST KY PUBLIC SCHOOL STUDENTS ARE ECONOMICALLY DISADVANTAGED

	Economically disadvantaged Students	Student Membership	Percent Economically disadvantaged
All Students	388,548	635,563	61.1%
Female	188,701	307,977	61.3%
Male	55,847	327,977	61.0%
African American	55,103	68,938	79.9%
American Indian or Alaska Native	583	882	66.1%
Asian	7,100	13,356	53.2%
Hispanic or Latino	48,038	63,909	75.2%
Native Hawaiian or Pacific Islander	839	1,210	69.3%
Two or More Races	23,720	33,398	71.0%
White (non-Hispanic)	253,170	453,870	55.8%

Source: Kentucky Department of Education / Report Card Dashboard / Students / Student Groups / Table (2023-2024)<sup>104</sup>

**61%**

of Kentucky public school students are considered Economically Disadvantaged (ED). These students are eligible for free or reduced-price meals. All demographics have a majority of students who are ED.

In Kentucky, access often has to do with things we can't control like what advanced courses and electives are offered at school, what's taught well, and what families can afford to pay to supplement what's provided.

A student in Central Kentucky explains how the teacher shortage and teacher quality issues affect AP classes at her school. She says that in her sophomore year, her AP Biology teacher quit, so a physics teacher who had never taught biology before took over the course and struggled with the material. Then her AP Statistics teacher also quit. The same student explains that in AP Language and Composition, none of the teachers actually taught. "They gave us busy-like assignments, like 'Answer these questions on page 200 from the book in 5 sentences or more.' There was no feedback," she says.<sup>105</sup>

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"They gave us busy-like assignments, like 'Answer these questions on page 200 from the book in five sentences or more.' There was no feedback."

– High School Student in Central Kentucky<sup>105</sup>

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## **EQUAL MEANS EQUAL—STILL**

Kentucky's lawmakers have known for decades what the state Constitution requires. They hear it from the courts, educators, and the families who shape public school reforms. And now, they're also hearing it from students like us. We want what generations before us fought to make possible. We might carry smartphones in addition to our protest signs, but we're fighting the same fight our parents and grandparents did for the public education we deserve.



## COLLEGE & CAREER GUIDANCE

Roughly half of Kentucky school districts fall short of having one school counselor/school-based mental health provider for every 250 students.

 KSVT | ROSE

## CHAPTER SIX

# COLLEGE AND CAREER COUNSELING, IF YOU CAN FIND IT

“We have counselors?” asks a high school senior in Eastern Kentucky who has dismissed college as an option. “I’ve heard of the mythical legends of school counselors,” he says, “but I’ve never actually spoken to one.”<sup>106</sup>

A high school senior in Central Kentucky paints a different but equally troubling picture. While her school maintains a college-going culture, the math doesn’t add up when it comes to counselor-to-student ratios. She explains, “Counselors write recommendations for every student and are always open to having one-on-one discussions about college. However, we only have four counselors for our two thousand students, so most students don’t get to know their counselor very well.”<sup>107</sup>

## THE CONSTITUTIONAL PROMISE

In the 1989 *Rose* decision,<sup>108</sup> the Kentucky Supreme Court rules that schools must help get students ready for our futures by providing us with vocational skills and preparing us for the workforce or for college. When the Kentucky Education Reform Act (KERA)<sup>109</sup> passes in 1990, legislators lean into this idea. Lawmakers say our schools should not only help us figure out what we want to do after graduation, but also give us the skills to make those plans a reality. This mandate doesn't just apply to college-bound students either. It's also meant for students heading straight into the workforce.

In 2019, Senate Bill 1 says that counselors should spend 60% of their time in direct service to students.<sup>110</sup> It also sets the goal of one counselor for every 250 students "as funds become available." But the 250:1 ratio muddies the waters because in reality, there are different types of counselors. There are **guidance counselors** trained to help us develop our college and career paths; there are **mental health counselors** who help us navigate anxiety or addiction; and there are **school psychologists** who mostly do diagnostic evaluations and consultations for students with disabilities.

The problem?

*Combining all the types of counselors into one target ratio gives you the idea that 1:250 is a reasonable number, when actually, it isn't.*

You might end up with a school that has a mental health counselor to meet the target ratio but still has no professional to guide students in planning for their careers.

Even if you think 1:250 is a great goal, schools have trouble achieving it. The average ratio remains closer to 350:1.<sup>111</sup> Because of the General Assembly's failure to fully fund its goals, at least

117 Kentucky public schools don't have a single certified school counselor.<sup>112</sup> And roughly half of our school districts fall short of the goal of having one school counselor/school-based mental health provider for every 250 students.<sup>113</sup>

## HELP WITH OUR CAREERS

According to the required academic standards, a school counselor should work with teachers and other school staff to help every single student from sixth through twelfth grade develop something called an Individual Learning Plan (ILP). The ILP is supposed to serve like our own personal GPS for adulthood. The regulation requires that by eighth grade every one of us should have a real road map. The idea is that we shouldn't just say, "I might want to be a nurse or an accountant someday." Instead, we should have an actual goal and a list of exactly what classes and experiences we need to achieve it.<sup>114</sup>

At least, this is how Kentucky students like us are supposed to be planning for our futures. But, as with many other educational requirements codified in the law, what's supposed to happen and what's actually going on are not even remotely the same thing. Without enough counselors, many schools don't bother helping students to create ILPs at all. And when they do exist, the ILP often consists of a digital form students fill out in a few minutes without ever consulting a teacher or counselor first.<sup>115</sup>

*As we plan our futures with little guidance, we're left to question whether our goals are practical or even possible.*

## THE MISMATCH: SKILLS AND NEEDS

The shortage of counselors in our schools harms middle and high school students trying to plan for our futures. And it also hurts high school graduates and the economy of our state.

In the year 2023, only 75% of Kentuckians ages twenty-five to sixty-four are even in the workforce,<sup>116</sup> while at the same time, 64% of Kentucky employers report they can't find skilled workers to fill open positions.<sup>117</sup>

The Career and Technical Education (CTE) program is meant to address this, by equipping students—including those heading to college and those going directly into the workforce—with the skills we need to fill jobs in our state.<sup>118</sup>

CTE instructors collaborate with our school counselors to help ensure our courses both meet state standards and fulfill labor market needs. Career pathways available through CTE include everything from Business Management to Animal Science. The majority of Kentucky high school students enroll in at least one course offered through this program.<sup>119</sup>

After completing several pathway courses, we can take a Career and Education Assessment to demonstrate competence in our chosen field. However, in 2024, only 59% of all students who take the Career and Education Assessment actually pass.<sup>120</sup>

## REAL IMPACT ON REAL STUDENTS

A look at other states shows what's possible when students have enough counselors to help navigate their future plans. More students show up to class, more students finish their technical programs, and more students graduate.

## THE RELATIONSHIP BETWEEN COUNSELOR ACCESS AND STUDENT OUTCOMES<sup>121</sup> A NATIONAL STUDY<sup>122</sup>

COUNSELOR ACCESS/RATIO	OUTCOME IMPROVEMENT
1:250 counselor-to-student ratio in Indiana	<ul style="list-style-type: none"> <li>■ +0.3% attendance</li> <li>■ +18 points math SAT</li> <li>■ +19 points verbal SAT</li> <li>■ +16 points writing SAT</li> </ul>
K-12 schools with counselors in Connecticut	<p><b>69.4%</b> of school districts <b>with</b> elementary counselors report graduation rates &gt; 90%</p> <p><b>45.8%</b> of school districts <b>without</b> elementary counselors report graduation rates &gt; 90%</p>

### OUR CONSTITUTIONAL RIGHT

HIGH SCHOOL SENIORS WHO MEET ONE-ON-ONE  
WITH A SCHOOL COUNSELOR ARE:

**6.8X**

more likely to complete the FAFSA (Free Application for Federal Student Aid)

**3.2X**

more likely to attend college

**2X**

more likely to attend a bachelor's program

KERA put in place seven capacities necessary to provide students like us with the “minimum quality” and “adequate education” required by *Rose*. Capacity Six says the General Assembly must prepare us to “choose and pursue life’s work intelligently.”<sup>123</sup>

But it’s difficult to see how the General Assembly can meet this constitutional requirement without enough dedicated school counselors.

## MENTAL WELLNESS

Nearly 1 in 5 Kentucky high school students report seriously considering taking their own lives.

## CHAPTER SEVEN

# MENTAL HEALTH: OUR SILENT STRUGGLE

It's the early 2020s. Kentucky teens are navigating high school during a mental health crisis. Some are binge-watching Netflix between panic attacks. Others are scrolling through TikTok before dragging ourselves out of bed for school. On the outside, we might look okay. But inside, many of us are silently struggling, isolated and overwhelmed, especially since the COVID-19 pandemic began turning our lives upside down.

School policies aren't keeping up with the massive change in our lives, even though Capacity Five of Kentucky Education Reform Act (KERA)<sup>124</sup> says that every Kentucky student has the right to develop "sufficient self-knowledge and knowledge of their mental and physical wellness." This means that we have a right to not only learn about our mental health, but also to acquire the skills we need to address any mental health problems we might experience.

Unfortunately, for too many of us, these rights exist only on paper.<sup>125</sup> To this day, many of us are crying out for help, but no one seems to be listening.

## PROMISES WITHOUT FOLLOW-THROUGH

In 2019, just before the COVID pandemic, the legislature passes a law requiring public schools to become “trauma-informed.”<sup>126</sup> The goal is to create learning environments where staff are trained to understand how trauma affects students and are equipped to help us cope and succeed.

It matters that the commonwealth names the problem and also approves laws to address it. But without actual support behind these commitments, many of the laws function less as real solutions and more as symbolic gestures. When schools can’t identify our trauma, intervene early, or provide us with basic mental health care, those of us who need help the most often end up underserved or unseen. For students navigating grief, stress, anxiety, or trauma while trying to focus in class, a symbolic gesture isn’t nearly good enough.

We spend thirty-five hours a week in classrooms. Our experiences and problems don’t leave us when we walk into schools. We deserve to learn the skills to manage our mental well-being. These are the very same skills that the Kentucky Supreme Court agrees are part of providing an “adequate” education.

Even in schools that do meet the recommended 1:250 ratio of counselors to students, our counselors are often stretched so thin that their work is limited to class scheduling and college advising. Supporting students’ emotional well-being is not a priority.

## THE WEIGHT WE'RE CARRYING

We are not mincing words. This section of our book is downright scary.

Kentucky students like us are really suffering, and despite the fact that we're entitled to mental health support by law, we're not getting anywhere close to the level we need.

Living through the COVID pandemic only intensified our mental health challenges, and our psychological distress has been getting worse ever since.

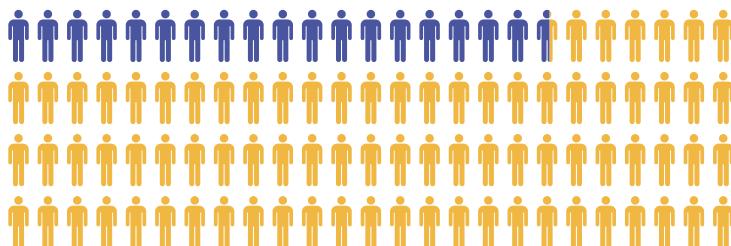
According to a report called *Indicators of Social and Emotional Health and Wellbeing of Kentucky Youth*, the percentage of students reporting serious psychological distress in the 30 days before taking the survey increased from 13.9% in 2012 to 21.7% in 2021. The number of sixth graders who considered attempting suicide in the twelve months prior to taking the survey jumped from 5.8% in 2014 to 9.9% in 2021.<sup>127</sup>

Two years later, the Kentucky Department of Education's *2023 Youth Risk Behavior Survey* asked Kentucky high school students if they have missed one or more days of school *in the past 30 days* due to stress, anxiety, depression, or other mental health struggles. Thirty percent said yes.<sup>128</sup>

## 2023 YOUTH RISK BEHAVIOR SURVEY

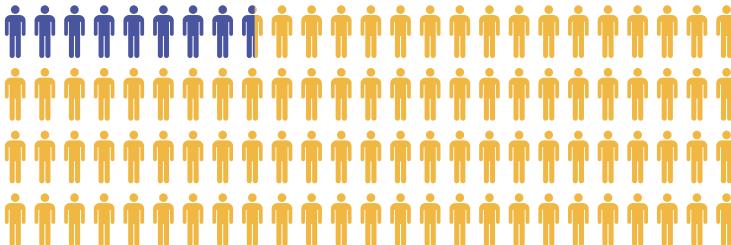
**18.6%**

of Kentucky high school students report that they seriously considered attempting suicide during the twelve months prior to the survey.<sup>129</sup>



**8.6%**

of Kentucky high school students report actually attempting suicide one or more times during the twelve months prior to the survey.<sup>130</sup>



Despite these statistics, students across the state report long wait times—or no access at all—when they try to see a counselor.

## WHEN BULLYING BECOMES THE NORM

In too many Kentucky schools, bullying is overlooked. Many students are in physical fights, verbally harassed, and intimidated on a regular basis. When schools fail to step in, it perpetuates the idea that this kind of behavior is expected.<sup>131</sup>

A student in Central Kentucky puts it plainly: “Our school has normalized bullying....There are mental or physical fights going on all the time that interfere with learning. Occasionally, a student may get suspended, but he will then come back and do the same thing.”<sup>132</sup>

Not all students experience bullying the same way. Young people of color, LGBTQ+ students, and students from immigrant backgrounds often face additional harassment. When schools don’t meaningfully respond, this identity-based bullying becomes an additional barrier to learning and a contributor to long-lasting harm.

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“I have run into a lot of racial situations like stereotyping and name calling and things that have affected my mental health and my ability to focus on learning. For example, freshman year, I was sitting in the cafeteria eating my lunch, and out of nowhere this kid called me a ‘dirty, drug-dealing border jumper.’ I didn’t get any counseling through my school, because mostly the counselors are there to tell us about how to apply to college, not how to deal with racism.”

— High School Student in Central Kentucky<sup>133</sup>

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Kentucky law requires public schools to adopt and enforce behavior policies designed to maintain a safe learning environment for all of us.<sup>134</sup> But many students report that while the rules exist in policy manuals, they are rarely enforced.

## A CALL TO UPHOLD THE CONSTITUTION

We've read the *Rose* decision,<sup>135</sup> and we know the Court agrees that mental and physical wellness are foundational to learning. So we're not asking for a miracle. We're just asking the commonwealth to follow its own rules and fund its own goals.

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“More than 50% of our student body is on free and reduced lunch, and so just that alone, they have so many problems at home that they need to deal with, and then adding on problems at school...you get so overwhelmed....With all these different pressures, we need to have a system where we’re able to release that energy that we have built up and find ways to stress-relieve.”<sup>136</sup>

– High School Student in Central Kentucky

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We want schools where our mental wellness isn’t an afterthought. We need enough counselors to help us plan for our futures *and also* take care of ourselves as we do it. We want a system that proactively helps us improve our mental health, so that we can thrive as students and as human beings.

We can’t wait.

## ARTS APPRECIATION

18.5% of Kentucky schools report offering no visual or performing arts class at all.



KSVT | ROSE

## CHAPTER EIGHT

# THE ESSENTIAL ARTS

When you walk into a Kentucky school, you might see a bulletin board with test scores, a faded poster about the benefits of reading, or a case of athletic trophies.

What you don't always see:

- student art
- a music room with instruments that work
- a stage where a school play is being rehearsed

And yet, the Kentucky Supreme Court states in *Rose* that students have the right to a “grounding in the arts to enable each student to appreciate his or her cultural and historical heritage.”<sup>137</sup> Arts education isn’t a nice-to-have extracurricular. It’s a critical subject, so much so, that its delivery is guaranteed by a constitutional promise.

Kentucky law also requires schools to help students “express their creative talents and interests in visual arts, music, dance, and dramatic arts.”<sup>138</sup>

And the law even mandates that high school students must earn at least one credit in a course that covers the content of Kentucky’s academic standards for visual and performing arts. Alternatively, students can complete a specialized, standards-based course aligned with their Individual Learning Plans.<sup>139</sup> We even

have the option to pursue a particular art form and attain a Seal of Arts Excellence. The Seal is awarded by a local school board to recognize when a student has developed advanced skills in one or more art forms.<sup>140</sup>

In theory, all of this really sounds great. But things look entirely different on the ground. In most schools, most students do not have access to a course that adequately covers visual arts, music, dance and dramatic arts, or that includes all of the content required by the state's Academic Standards for Visual and Performing Arts.<sup>141</sup> In other words, most students are being denied the adequate arts education they are guaranteed by Kentucky's Constitution.

## ARTS AT A SURFACE LEVEL

In many Kentucky schools, arts requirements are technically met—but rarely fulfilled in spirit.

At the elementary level, some schools are lucky enough to have dedicated music or art teachers. However, many others rely on elementary educators whose sole training in arts education is a single three-hour seminar they attended as part of their undergraduate education.<sup>142</sup> The result is hit-or-miss exposure to the arts. For many young students, there is no structured path available to help foster their creative identities.

In order for high school students to fulfill the requirement for one credit of arts/humanities, the state recommends a course called “History and Appreciation of Visual and Performing Arts Survey.” However, nearly one in four Kentucky high schools do not even offer this course.<sup>143</sup>

Students in schools that don't offer this class are able to fulfill the arts credit with other courses. Instead of painting, performing, or composing, some of us can log into online humanities classes that may fulfill the arts requirement. But, these online classes consist of slides or PowerPoint presentations that we can complete in a day or two with little or no teacher instruction.<sup>144</sup>

In most high schools, specialized courses in drama, choir, band, dance, or studio art are rare. And sequential programs that build skills across grade levels are even rarer.

## ARTS EDUCATION BUILDS EMPATHY

Arts education goes beyond helping us develop our artistic literacy, technical skills, and creativity. It also helps us practice empathy. The United Nations Educational, Scientific and Cultural Organization (UNESCO) has long recognized that learning through the arts is a powerful way for young people to appreciate cultural diversity and develop a deeper understanding of perspectives different from our own.<sup>145</sup>

Integrating the arts into school curricula has the potential to improve academic outcomes, and it can also increase our social tolerance and civic participation. As world-renowned architect Frank Gehry and arts advocate Malissa Feruzzi Shriver write in *Time* magazine: “*Our Kids Need Arts Education Now More Than Ever. Here’s What Is Lost Without It*”:

*“...young people who study the arts consistently demonstrate higher levels of empathy, social tolerance and civic engagement. Are any qualities more needed in the United States right now?”<sup>146</sup>*

The arts help us understand each other way better. When students create from personal experience, explore unfamiliar traditions, or step into someone else’s shoes through drama, music, or movement, we develop the emotional awareness and cultural fluency we need to thrive in our diverse world.

“I wish my school knew that even though we are a predominantly White school, I still want to learn about other cultures and experiences. We can all learn to be more empathetic if we were aware of others’ experiences.”<sup>147</sup>

—Western Kentucky High School Student

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When our schools don’t intentionally build respect for diverse cultures, they leave spaces where ignorance can easily turn into cruelty. Our state has an incredibly rich cultural legacy—from Appalachian folk traditions to Black gospel music to global communities that are introducing new art forms across Kentucky. So this is what you call a major missed opportunity. That’s because we can’t appreciate what we’re never taught.

## OTHER BENEFITS OF ARTS EDUCATION

Research shows that participation in the arts boosts student engagement, improves academic performance in related subjects like writing, and supports emotional health.<sup>148</sup>

And that’s not all. A quality arts education can help us process trauma, build confidence, and feel a sense of community. So, arts education and mental health support go hand-in-hand.<sup>149</sup>

When schools neglect the arts, they cut us off from one of the most powerful tools proven to promote our well being.

## MORE THAN A CHECKBOX

It’s a safe bet that many parents would be eager to share their family’s culture and history with their local schools. But few schools engage families or students in shaping cultural arts

programming or policies, even though the lived experiences of local families should help form the foundation.<sup>150</sup>

And how do administrators monitor arts instruction? Not through classroom visits or quality reviews, but through a checkbox.

Literally.

Administrators check a box on a form to confirm that their school offers a single arts course which includes appreciation of their student population's cultural and historical heritage. Believe it or not, all too often, this is the extent of oversight.<sup>151</sup>

But we want schools where creativity is part of everyday learning—where we can express ourselves through art, music, writing, and performance, and where our identities are reflected in what we study. We want classrooms that affirm our stories, showing us that our voices matter and our experiences belong at the center of our education. We want the type of arts and cultural exposure that Kentucky's Constitution affirms and our legal Complaint demands.



FRANKLIN COUNTY COURT HOUSE

## CHAPTER NINE

# WHY THIS IS URGENT

The year is 1891. Horse-drawn carriages clip-clop through Kentucky streets. Plows in the fields are pulled by oxen, not air-conditioned tractors. It's in this year that the framers of the Kentucky State Constitution make a bold promise. They write in Article 183 that "The General Assembly shall, by appropriate legislation, provide for an efficient system of common schools throughout the State."<sup>152</sup>

Nearly a hundred years later, in 1989, the Kentucky Supreme Court writes in *Rose* that because the General Assembly has failed to uphold this Article of the Constitution, the state must overhaul its entire public education system.<sup>153</sup>

And today, more than thirty-five years after *Rose*, Kentucky's students are still waiting for the type of education the Constitution promises. As we've shown you throughout this book, the damage caused by the failure to uphold this promise is too great to deny. It is hurting our well-being, our future prospects, and the civic fabric of our state. We are confident that the majority of Kentuckians agree with us, which is why we are suing and why we won't wait.

## LEGAL SPOTLIGHT

Let's break down the reasons why courts can (and should) get involved with helping Kentucky public school students uphold our constitutional right to an adequate and equitable education:

### 1. THE “WE’VE SEEN THIS MOVIE BEFORE” FACTOR

When lawmakers drag their feet on fixing schools, courts have to step up. Just ask Tennessee and Arkansas.

In *Tennessee Small School Systems v. McWherter*,<sup>154</sup> the Tennessee Supreme Court decides that the way Tennessee pays for public schools is unfair because it does not give all students—especially those in small districts and rural areas—the same chance to get a quality education. So, what does the Tennessee Supreme Court do? It requires the state to fix the system so that all students can have equal educational opportunities.

In *Lake View School District No. 25 v. Huckabee*,<sup>155</sup> the Arkansas Supreme Court finds that Arkansas’s school funding is not good enough or fair for all students. The Court orders changes so every student in the state can get a proper and equal education just as the Arkansas State Constitution requires.

### 2. THE “POLITICS CAN’T OVERRULE RIGHTS” PRINCIPLE

In Pennsylvania, six underfunded school districts plus parents and civil rights groups sue the state in a 2014 case called *William Penn School District et al. v. Pennsylvania Department of Education*. The plaintiffs argue that students in poor areas aren’t getting access to the same resources as students in wealthier areas. In 2015, a lower court dismisses the case, saying that school funding is a political issue that doesn’t belong in court. But in 2016, Pennsylvania’s Supreme Court disagrees with the lower court and orders a trial.

After that, the case faces years of delays. Then in 2023, a judge finally rules, saying that Pennsylvania's unfair school funding system breaks its constitutional promise.<sup>156</sup>

### 3. THE “KENTUCKY STARTED SOMETHING BIG” LEGACY

Remember those seven capacities from *Rose* that define educational adequacy? Courts across America are borrowing our homework! From Kansas<sup>157</sup> to New Jersey,<sup>158</sup> justices are using the *Rose* principles to evaluate whether students in their states are receiving the adequate and equitable education to which they're entitled.

## LEGAL RISKS

These cases from across the country demonstrate how strong judicial oversight can help drive meaningful reform when other civic strategies fail.

When the Council for Better Education sues Kentucky back in 1985, plenty of people say they are reckless. School superintendents who join the lawsuit actually get threatening phone calls telling them to back down. But they stand their ground, win their case, and change education in Kentucky for a generation of students.

Now it's our turn to be brave.

After all, the biggest risk would be doing nothing while another generation of Kentucky students is denied the constitutional right to an adequate education.

With this in mind, here are some questions and answers about the legal risks we're taking and the strategies we're using to minimize them:

## WHAT IF THE COURT TAKES AWAY ROSE'S PROTECTIONS?

Let's squash the rumor before it spreads. We're not asking the Court to change *Rose*, we're simply asking it to enforce the decision.

Our Complaint doesn't stretch the law. It zooms in on the seven constitutional capacities that *Rose* outlines and shows exactly where the state is falling short.

By sticking closely to the original ruling, we're protecting *Rose*'s legacy. We're also giving the Court every reason to act on our behalf. Even if the Court does not agree with our position, there is no reason why they would eradicate this landmark decision that constituted a proud chapter in Kentucky's legal, educational, and political history.

## SHOULDN'T THE LEGISLATURE HANDLE THIS INSTEAD OF THE COURTS?

We know the legal system isn't the first place people think of when they want to improve education.

But history tells a different story. For example, in 1954, *Brown v. Board of Education* doesn't just desegregate schools, it lights a fire under Congress to pass real civil rights laws.

And in 1989, the same thing results in Kentucky after *Rose*. The Court speaks, and the General Assembly responds with groundbreaking reforms that help students across the commonwealth.

We're not trying to bench legislators with our lawsuit<sup>159</sup>—we're inviting them back into the game. Our Complaint provides the constitutional playbook legislators need to make good on Kentucky's promise of providing every student with an adequate education.

## WHY ARE YOU DOING THIS NOW?

Amendment 2, known as the “*Voucher Amendment*,” was on the ballot in the November 2024 election.<sup>160</sup> Had the proposed constitutional amendment passed, it would have allowed the General Assembly to use public school dollars for private education.<sup>161</sup> Its passage would have reshaped the educational landscape in Kentucky, diverting funding from rural schools, increasing segregation, and costing more without requiring public accountability for student performance.<sup>162</sup>

So a month before the election, what does the Kentucky Student Voice Team (KSVT) do? We literally take to the streets. We get on a school bus and hang a blue and yellow sign across the side of it. The sign says “*Public Dollars for Public Schools*.” We ride from Lexington to Frankfort and Louisville on our Myth Bus Tour. At each stop, we give speeches about what the passage of this constitutional amendment would mean for our schools.<sup>163</sup>

Throughout our campaign, we partner with 150 other local organizations that are also concerned about the potential impact of Amendment 2 on Kentucky’s public schools.

On election night, Amendment 2 is defeated in all 120 Kentucky counties, every one of which votes to keep education funds in our public schools. The victory shows us that Kentuckians from across the political spectrum want to fund high-quality public education.

## WHAT IF THE COURT ONLY CARES ABOUT TEST SCORES?

Our Complaint preserves the comprehensive vision of education set out by *Rose*—one that includes media literacy, arts, culture, civics, and health education, beyond only core academics. At trial, we will demonstrate why providing Kentucky students with a holistic education is crucial for constitutional compliance.

## WILL THIS HURT KSVT'S CREDIBILITY OR MISSION?

We've spent over a decade gathering data, uplifting student stories, and building a track record as one of the nation's premier student-led education advocacy teams. This lawsuit doubles down on our mission to co-create more just, democratic Kentucky schools and communities.

Also, we're not going it alone. With respected legal scholars and education equity experts backing our case, and thousands of student voices informing it, this lawsuit strengthens our credibility. If anything, it shows we're willing to walk the talk when our student rights are on the line.

## IS THIS LAWSUIT WHAT KSVT SHOULD BE SPENDING ENERGY ON?

Totally valid question. We've built this case in a way that protects our ability to keep doing everything else we do—from hosting listening sessions to publishing student-led research and reporting on timely education stories.

Thanks to pro bono legal support and strategic partnerships with local and national experts, our costs have stayed low. We aren't diverting funds from other priorities. Instead, we've designed this initiative to bolster them.

## THE PATH FORWARD: SAME FIGHT, NEW TOOLS

In 2025, Kentucky students are showing up with Chromebooks, WiFi logins, and dreams that stretch far beyond the walls of our school buildings. But way too many of us are still stuck in systems built for a different century. Fixing this doesn't just mean adding more money to the same old problems. Instead, it means reimagining the parts of our system that never worked in the first place or are no longer working anymore.

Our Complaint is about making good on the promise of the *Rose* decision, which says every Kentucky child should receive the education they need to grow into the adult they want to be. This includes students who live in every zip code in our state, students who go straight into the workforce, and those who go straight to college after high school.

True, filing a lawsuit isn't exactly playing it safe. But ignoring the problem is the real risk. That's because if we don't act now, we're saying it's okay for another generation to grow up without the tools they need to thrive. We're saying it's normal for some students to get everything and others to go without.

What we are saying is simple. A modern education system that matches the modern world isn't optional—it's required by law. And once again, **the time to protect this right is right now.**



Kentucky Student

# AFTERWORD

BY IVY LITTON

Rowan County High School Student  
and KSVT Policy Team Coordinator

The day we file the lawsuit, we hold a press conference on the steps of the courthouse. In the biting cold, we shovel snow off the steps to prepare, and yet, I'm so excited, it hardly matters. Here it is: my chance to speak—and more importantly, be heard—about the state of education in Kentucky, an issue that matters to me deeply.

But I'm not going to lie: I'm pretty nervous too. *Will my teachers feel that I think poorly of them? Will my principal believe that I find my education so inadequate that I am taking legal action?* Especially with so much anti-teacher rhetoric—in the United States at large and in Kentucky specifically—I'm terrified that my words will be twisted, and my message will be perceived as one of blame and disappointment.

So, it's important to me to mention in my speech, and in every single interaction I have with the press, that the shortcomings in Kentucky's education system are not, and have never been, the fault of teachers.

Fortunately, they hear my message.

After the press conference, my principal sends me a postcard saying how proud of me he is, a simple gesture that means the world, and reinforces in my mind that I'm doing the right thing.

Of course, there are still some people who ask, "Isn't that a

little drastic? A lawsuit?” But we’ve seen it work before with the *Rose* decision in 1989. We’ve seen the establishment of seven key capacities that are the pillars of quality education, and we’ve seen Kentucky become a national leader in education.

Another question that people love to ask is “why now?” In the November 2024 election, when education is on the ballot, Kentucky citizens show up. Every county in the state votes against Amendment 2, a decision that keeps funds in the public schools. To me, this is an indication that there is energy behind protecting and improving Kentucky schools, and above all, that the fight for quality education for every student is truly becoming a nonpartisan issue.

Regardless of their personal values or political leanings, Kentucky’s people are beginning to recognize that the public education system is failing Kentucky students, and as a result, it is failing the commonwealth. I, alongside millions of Kentuckians, want to feel that I can graduate and be successful without having to leave the state. And I want students who choose to stay in Kentucky to have the capacity to contribute to our communities in tangible and meaningful ways. As it stands, we are denying too many of our students the opportunity to grow into critical thinkers, strong communicators, and perhaps most importantly, good citizens and leaders.

Now that we’ve filed our lawsuit, we’re moving on to focus on solutions. The Kentucky Student Voice Team (KSFT) is holding a series of public hearings all across our state with the goal of identifying what’s going right in our schools, instead of focusing on how our schools are failing. Researchers, educators, families, students, and community leaders are sharing their experiences from their time on the front lines of public education. These expert witnesses are providing recommendations on how to build a more efficient and equitable system. Through this process, we hope to highlight pockets of good to serve as examples, and find ways to scale them to benefit all of our students.

The Court's reaffirmation of our constitutional right to a quality education, supported by unrelenting public attention and action, will create an opening for change. From there, it will be up to all of us to define what that change should look like. If you want to get involved and share your voice about what's working in public education, we would love to hear from you.

Finally, let's acknowledge the elephant in the room. I know that lawsuits take time, often years, to reach a resolution. I also understand that I'll have graduated by then, so I won't directly benefit from this effort. But when it feels hopeless, I remind myself that what we are doing has the potential to change the lives of generations of students to come. All of us on the team with younger siblings or friends—and one day even children of our own—recognize the importance of this lawsuit, and the gravity of this action. We are not only advocating for ourselves, but for the future of Kentucky and for the promise of a brighter tomorrow.

Everyone involved with this lawsuit emphatically believes that Kentucky's public schools are well worth fighting for. We hope you do, too.



# ACKNOWLEDGMENTS

This book was born from the collective belief that students—especially those too often unheard—deserve an education that honors their dignity and prepares them for the world they'll both inherit someday and inhabit right now. We are deeply grateful to the many who made it possible:

First, we want to thank every middle and high school member of the **Kentucky Student Voice Team** who hail from all parts of the commonwealth. You repeatedly show what it looks like when young people demand more from our systems and each other. And your heart and hustle have laid the foundation for this work.

We profoundly appreciate our many **senior advisors**, including undergraduates, graduate students, and young professionals, who helped us think deeply, strategize smartly, and navigate this path with the moral clarity we needed, exactly when we needed it.

A special note of gratitude goes to **Shana Burg**—our writing and editing partner and fiercest adult ally on this project: thank you for walking with us every step of the way. You've helped us shape our stories and sharpen our thinking with expertise, unmatched commitment, and more than a few late nights and weekends.

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To **Judith Bradley**, whose insight, sensibility, and sheer knowledge about Kentucky students with different learning styles kept us rooted in the realities we must never ignore—thank you.

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And to our co-founder, board chair, and civil-rights-lawyer in training **Andrew Brennen**: for being one of the original small group of concerned citizens who believes we can change the world, and for showing us that we actually can.

Finally, it must be said that while this book may carry a few specific names, it belongs to a much larger co-generational community of those who hold that young people aren't just the future of Kentucky's public schools and civic life, but very much a part of the present.

Rachel Belin  
KSVT Managing Partner

Luisa Sanchez  
KSVT Cross-Organizational Coordinator



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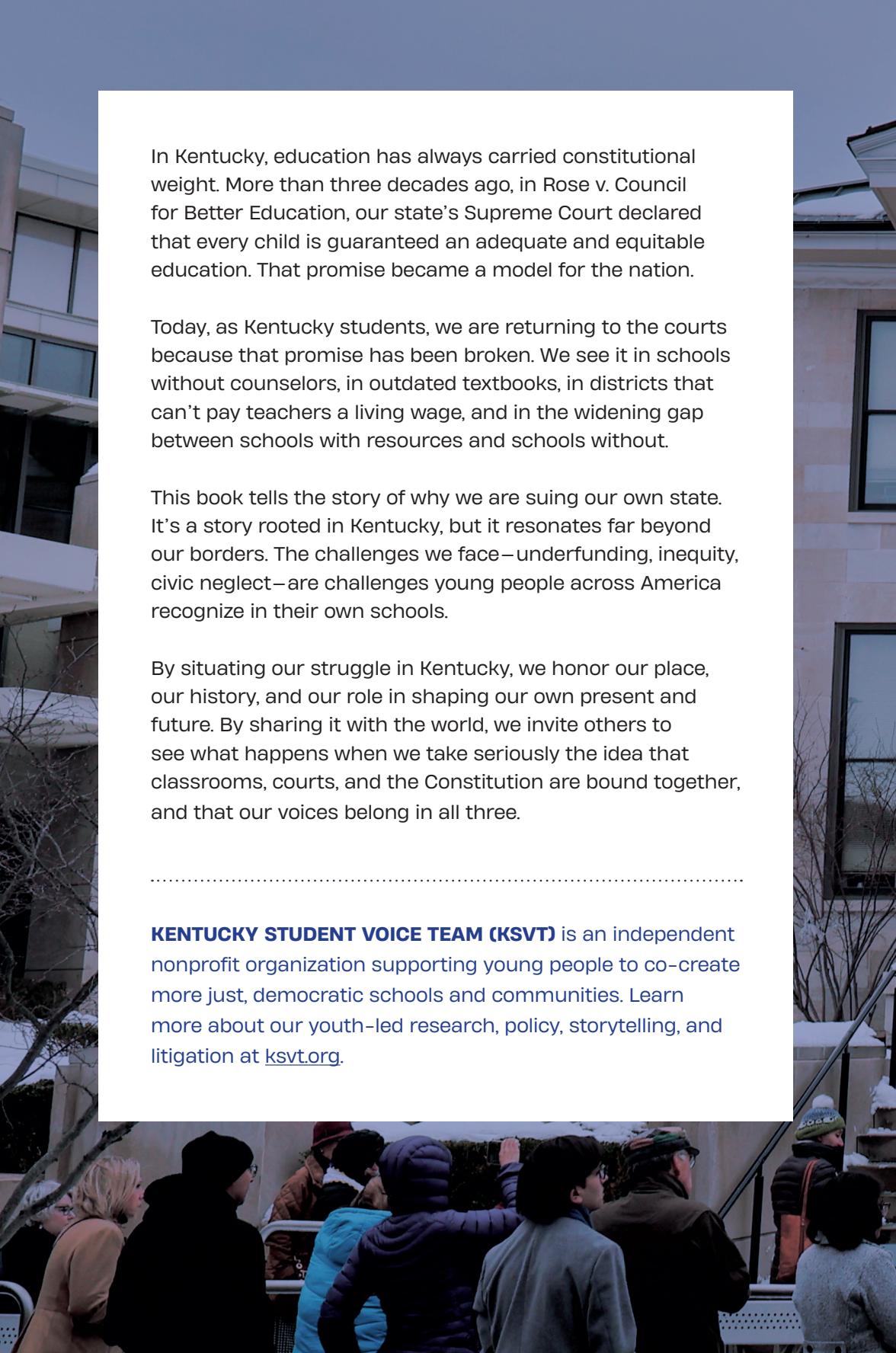
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In Kentucky, education has always carried constitutional weight. More than three decades ago, in *Rose v. Council for Better Education*, our state's Supreme Court declared that every child is guaranteed an adequate and equitable education. That promise became a model for the nation.

Today, as Kentucky students, we are returning to the courts because that promise has been broken. We see it in schools without counselors, in outdated textbooks, in districts that can't pay teachers a living wage, and in the widening gap between schools with resources and schools without.

This book tells the story of why we are suing our own state. It's a story rooted in Kentucky, but it resonates far beyond our borders. The challenges we face—underfunding, inequity, civic neglect—are challenges young people across America recognize in their own schools.

By situating our struggle in Kentucky, we honor our place, our history, and our role in shaping our own present and future. By sharing it with the world, we invite others to see what happens when we take seriously the idea that classrooms, courts, and the Constitution are bound together, and that our voices belong in all three.

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**KENTUCKY STUDENT VOICE TEAM (KSVT)** is an independent nonprofit organization supporting young people to co-create more just, democratic schools and communities. Learn more about our youth-led research, policy, storytelling, and litigation at [ksvt.org](http://ksvt.org).

