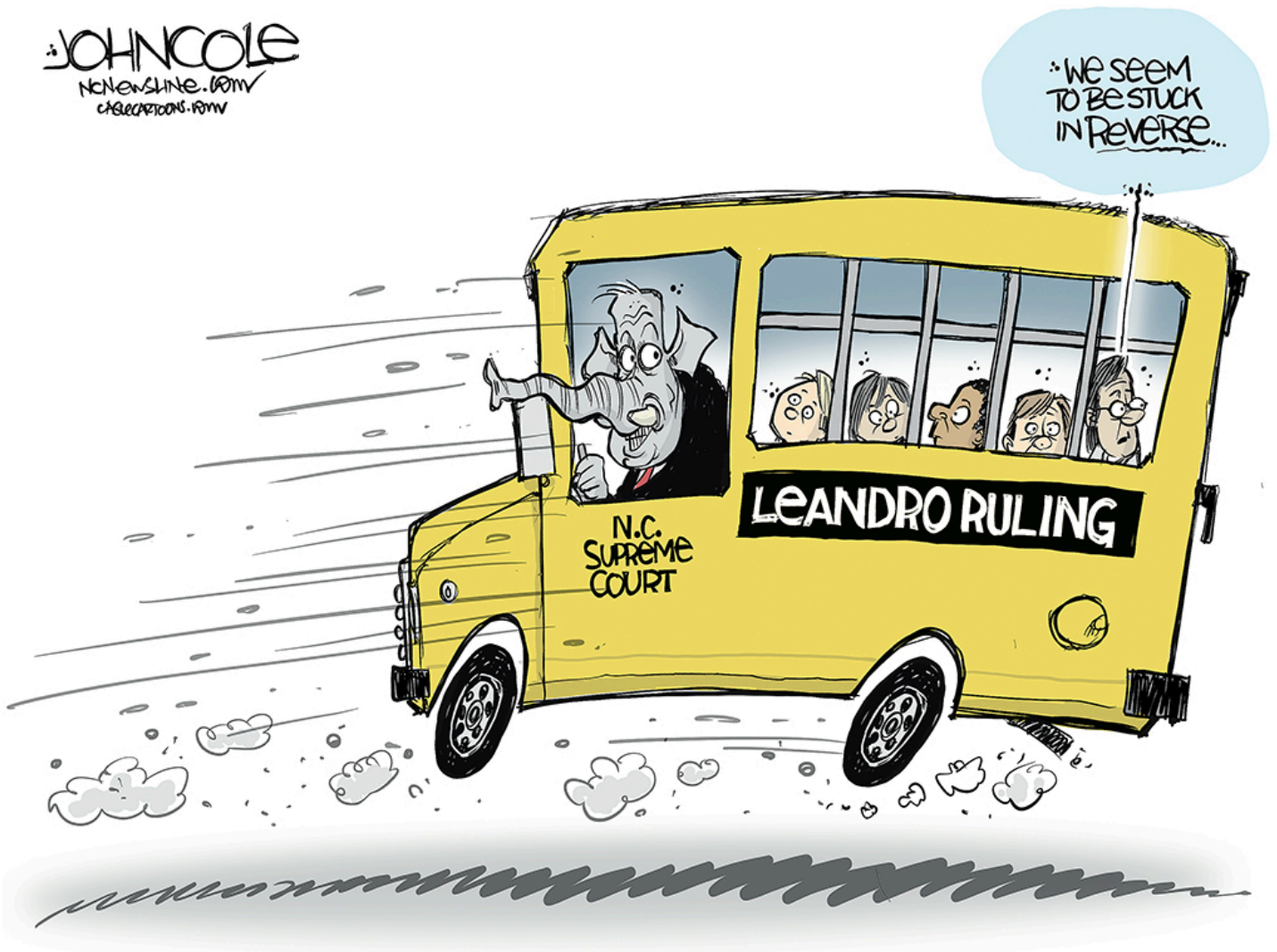


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Leandro? Nothing to see here, folks. Look away (please!)

By Dr. Jonathan Sher

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On Feb. 22, the North Carolina Supreme Court allowed a “do-over” hearing in the already-decided — seemingly resolved — Leandro case. At risk is every child’s constitutional right to receive a “sound, basic education” in this state.

It had taken 30 years, numerous trials, mountains of evidence, bipartisan negotiations and favorable decisions by four previous sets of N.C. justices to reach this pinnacle of hope for the state’s children and young people. That hope could be dashed, very soon, by the new Republican majority on the court.

The February hearing never should have happened. Already-defeated legal issues arose again from the case crypt in an attempt to overturn the N.C. Supreme Court’s ruling in 2022. Yet, it happened because of an ideological alliance between the Republican leaders of the General Assembly and the Republican justices.

This unprecedented “do-over” lawsuit was brought by Sen. Phil Berger Sr. to be decided by Justice Phil Berger Jr. and his court cronies. The younger Berger didn’t even have the decency and common sense to recuse himself from Daddy’s case, trusting the other Republican justices to back up his arrogance. It was a new low point for — and perversion of — the maxim that “justice is blind.” On Feb. 22, these justices appeared to be deaf and dumb, too.

There was a public demonstration outside the court building during the hearing. Protesters — and the “I Am Leandro” campaign — are calling for the full implementation of the 2022 Supreme Court decision in favor of the “Leandro Comprehensive Remedial Plan.” That includes finally using all the surplus state funds already allocated for this purpose. This investment would raise North Carolina’s education funding from an abysmal 49th in the nation all the way to a not-so-lofty 42nd.

The Leandro Plan is the best path available toward reversing the sad reality that nearly half of today’s students across the state did not pass grade-level tests in such basics as reading and math. It is a far better — and more realistic — path than the one already chosen by the Republican-majority General Assembly, i.e., siphoning off public money to subsidize private schools.

Private schools have always existed and many are very good. There are not, and never will be, enough good private schools to enroll and educate North Carolina’s 1.5 million students. Helping the wealthy at the expense of everyone else is not social justice.

The action has now shifted to behind-the-scenes deliberations and influencing. Silence must be music to the ears of the Republican justices as they prepare their ruling. They don’t want spotlights shining on them — and on what their negative ruling on Leandro will mean for children and young people, as well as the state’s economy and quality of life.

By contrast, what would be ideal for the enormous number of potential Leandro beneficiaries is to use this time before the ruling to try to positively influence at least two of the Republican justices. These justices must be shown that this is their career- and legacy-defining moment.

Influencing their choices is far more likely to occur if individuals, families, organizations and the media (including social media) continue to raise their voices and keep these justices in their headlights and their headlines. This has to happen now. Protesting after the ruling will be too little too late.

Leandro is not yesterday’s news. Instead, it is the future of North Carolina’s children and young people — their lives and life chances — that is at stake right here, right now. This is the time to speak up and fight for them, not to stay silent and look away.

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