

Tom Horne  
Superintendent

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## ARIZONA DEPARTMENT OF EDUCATION

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### **HORNE WINS FLORES CASE**

PHOENIX -- Arizona Schools Chief Tom Horne announced today that the United States Supreme Court has dealt a major blow to the plaintiffs in the 17 year old Flores case. Today's decision reverses the trial court and the 9<sup>th</sup> circuit in the case of Horne vs. Flores and vindicates Superintendent Horne's strategy for educating English Language Learners.

Horne added: "The U.S. Supreme Court has taken a major step to stop federal district judges from micromanaging the state's education systems. We the people should rule ourselves through our elected representatives and should not be ruled by an aristocracy of lifetime federal judges. By its ruling, the U.S. Supreme Court reaffirmed this important principle."

The court accepted Horne's argument that the issue should not be financing (mistakenly focused on by the district court and the 9<sup>th</sup> circuit) but whether Arizona is taking appropriate action to teach students English. This can easily be shown by the most recent statistics demonstrating that in the last two years the state more than doubled the percentage of students reclassified as English proficient from 12% to 28.6%. This is a result of a new program of four hours of intensive English instruction per day, implemented two years ago.

The U.S. Supreme Court accepted Horne's argument that Arizona's compliance with No Child Left Behind is "probative" (provides evidence) that the state is in compliance with the Equal Opportunity Act.

The U.S. Supreme Court also stated: "The record strongly suggests that some state officials have welcomed the involvement of the federal court as a means of achieving appropriation objectives that could not be achieved through the ordinary democratic process." This is a reference to the Governor (Napolitano) and Attorney General who opposed the Supreme Court's considering this case. Horne was defending the taxpayers and brought this case to the U.S. Supreme Court.

Horne also called attention to the great work of his attorney Eric Bistrow, and legislative leaders who intervened in the case.

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