Rights, Risk and Resources in Puerto Rico's Public Schools

Constitutional guarantees, school funding equity, and the path to cost-based adequacy

Bruce D. Baker · University of Miami · November 2026

Executive summary

Puerto Rico's constitution promises every person a right to an education directed to the full development of the personality. This report asks three questions about how that promise is kept. What does the law guarantee, and have courts enforced it? Which students are furthest from common outcome goals? And does the public school system put more resources where those students are concentrated? It closes with what the answers imply for estimating the cost of meeting outcome goals, the next step in the framework for evaluating and reforming education finance systems (Baker, Atchison & Levin, 2026).

- **A strong text, a deferential court and a binding fiscal constraint.** Article II, Section 5 states an individual right in the Bill of Rights, modeled on the Universal Declaration of Human Rights. Congress struck the companion guarantee of free elementary and secondary education (Section 20) in 1952. The Supreme Court of Puerto Rico treats Section 5 as justiciable, but in 2018 it upheld school closures under a "direct and substantial interference" test, and no adequacy or equity claim has been brought. Since 2016 a federal oversight board has certified the education budget.
- **Economic disadvantage predicts secondary outcomes strongly; primary outcomes barely track any need measure.** The share of tested secondary students who are economically disadvantaged explains 43% of the variation in school proficiency. Secondary schools at the 90th percentile of need score 1.6 standard deviations below those at the 10th. In primary schools no measure explains more than 4%.
- **Resources are almost flat with respect to need.** Comparing schools of similar size and rurality in the same municipio, total spending per pupil at the 90th percentile of need is 1.02 times that at the 10th; school-site spending 1.05 times; teachers per pupil 1.04 times. Secondary schools are slightly regressive in total spending (0.99). England's comparable spending ratio is about 1.2.
- **Federal relief doubled spending without targeting it.** Total spending per pupil rose from $7,233 in 2019-20 to $15,317 in 2024-25, mostly from federal funds, while enrolment fell by 19%. Progressivity did not change.
- **Poverty weights cannot fix the distribution, because almost everyone is poor.** The middle 80% of schools range only from about 77% to 91% economically disadvantaged. A full additional weight (1.0) per disadvantaged student would require $1.39 billion a year in added spending, 38% of current spending, and raise the total-spending ratio only to 1.06. Allocating on the outcome-based need index reaches England's 1.20 for $924 million, or within the current budget by moving about 20% from the lowest-need tenth of schools to the rest.
- **Puerto Rico's central problem is the level of adequacy, not only its distribution.** At the marginal effects in the best U.S. evidence, closing even half the secondary outcome gap would take about $24,831 more per pupil sustained for four years. That figure lies far outside the range

of the evidence, which is why a cost function estimated on Puerto Rico's own data, with outcomes audited and measured on a common scale, is the essential next step.

1. Framework and why Puerto Rico matters

The framework starts from the purpose of a school finance system: to deliver the resources schools need to give every child an equal opportunity to achieve common, adequate outcome goals (Baker, Atchison & Levin, 2026). It proceeds in steps. Step 1a, risk analysis, asks which student characteristics predict lower outcomes (Outcomes = f(Needs, Context)). Step 1b, resource analysis, asks whether resources rise with those needs after accounting for cost factors that are not need, such as school size and rurality (Resources = f(Needs, Context)). Step 2, cost modeling, estimates what it would cost for schools serving different students to reach a common goal. Legal guarantees frame all three: they define the goal, determine who can enforce it, and shape the fiscal capacity to meet it.

Puerto Rico is a bridge case between the two halves of a comparative project on constitutional education rights covering all 50 U.S. states and 162 countries. Its education clause reads like a postwar national constitution, not a U.S. state education article. Its courts work within U.S. state-court traditions. Its outcomes and spending resemble a middle-income country more than any state. And its public schools form a single statewide district, so every difference between schools reflects central and regional allocation decisions rather than local wealth. The report combines a legal analysis with a school-level risk and resource analysis of the kind applied in this series to Mexico, Brazil, France, Korea, Australia and England.

2. The constitutional right to education

Article II, Section 5 of the 1952 Constitution sits in the Bill of Rights. It gives every person a right to an education directed to the full development of the personality and to strengthening respect for human rights and fundamental freedoms. It requires a free and wholly non-sectarian public system; makes elementary and secondary instruction free and elementary attendance compulsory to the extent the state's facilities permit; and bars the use of public property or funds to support schools other than the state's.

What survives was shaped by what Congress removed. The Constitutional Convention also wrote Section 20, a list of social and economic rights drawn from the Universal Declaration that began with "the right of every person to receive free elementary and secondary education," followed by rights to work, health and social protection. Congress approved the constitution in Public Law 82-447 (July 3, 1952) except for Section 20, and made Section 5 ineffective until it was amended to exempt private elementary schools from compulsory public attendance. The constitution took effect on July 25, 1952; the Section 5 amendment was ratified on November 4, 1952. The deletion of Section 20 is strong evidence of intent against a broad socio-economic floor, and the "facilities" qualifier on compulsory attendance works like the progressive-realization language of international instruments.

Table 1. Coded constitutional record, Puerto Rico

Field	Coding
Provision	Const. P.R. art. II, §5 (Bill of Rights), including a no-aid ("sostenimiento") clause
Adoption	Referendum Mar. 3, 1952; approved with conditions by Pub. L. 82-447, July 3, 1952; in force July 25, 1952; §5 proviso added Nov. 4, 1952
Key phrase	"Toda persona tiene derecho a una educación que propenda al pleno desarrollo de su personalidad"; a system "libre y enteramente no sectario"
Language category (U.S.)	Free/general system clause with an individual-right preamble that no state constitution has
Rights type (international)	Positive right with UDHR-style goals, plus a structural no-aid bar; compulsory schooling qualified "to the extent permitted by the facilities of the state"
Funding requirement	None in the text. Ley 85-2018 requires at least 70% of the department budget for direct school services (art. 2.02) and equity standards per student and per school (art. 2.04(b)(11))
Justiciability	Justiciable; claims decided on the merits under a "direct and substantial interference" standard (2018)
Enforcement category	Right recognized, not enforced (U.S. scheme); justiciable, no systemic ruling (international scheme). Flags: no-aid clause enforced 1994, reversed 2018; special-education remedy since 2002; PROMESA fiscal constraint
Compulsory ages	5 to 18 (Ley 85-2018, art. 1.04(a))
Federal layer	No federal education right (Rodriguez, 1973); Financial Oversight and Management Board certifies budgets (PROMESA, 2016)

Note: Coding follows the language, rights-type, justiciability and enforcement categories used for the 50 states and the international dataset in the author's comparative survey.

3. Judicial enforcement

The Supreme Court of Puerto Rico treats Section 5 as justiciable but has never been asked to rule on adequacy or equity. Its enforcement history runs on two other tracks: the no-aid clause, which it enforced and then set aside, and a long-running supervised remedy for students with disabilities in the trial courts.

Table 2. Principal cases on the right to education in Puerto Rico

Year	Case	Holding and significance
2025	Rosa Lydia Vélez, damages phase (PROMESA Title III)	Federal court authorized the oversight board to offer settlement on about 6,500 pre-2017 damages claims; the monitor's 2023-24 report found 62,005 students without therapies within 30 days of their annual IEP review
2018	Asoc. de Maestros v. Dept. de Educación, 2018 TSPR 150	Reversed a trial ruling striking Alianza charter schools and Libre Selección vouchers; upheld both 5-3 by sentencia, departing from Torres
2018	Meléndez León v. Keleher	Vacated an injunction against nine closures in the Arecibo region; the closures did not "directly and substantially interfere" with the right to education, and Ley 85-2018 gives the Secretary authority over facilities
2002	Rosa Lydia Vélez v. Aponte Roque, K PE 80-1738	Stipulated judgment with 87 stipulations, a court monitor and daily fines (later $11,000) for special-education services; filed 1980, still active
1994	Asoc. de Maestros v. Torres, 137 D.P.R. 528	Struck the private-school voucher component of Ley 71-1993 under the §5 no-aid clause

Note: Both 2018 rulings were issued as sentencias, which under Puerto Rico practice do not set binding precedent.

Three features of this record matter for what comes next. First, the Meléndez León standard is the closest the court has come to an adequacy doctrine. It recognizes a judicially cognizable right but sets a high bar: interference must be direct and substantial. That is nearer the absolute-deprivation reasoning of San Antonio ISD v. Rodriguez than the qualitative "sound basic education" or "thorough and efficient" standards that state courts have used to order school finance reform. A claim built on this report's evidence would have to show that a flat allocation, in a system where high-need secondary schools trail by more than 1.5 standard deviations, amounts to substantial interference with the right.

Second, because both 2018 rulings were sentencias, it is debatable whether the 1994 Torres decision was formally overruled, and Meléndez León is not binding precedent. The doctrine is unsettled. Third, the Rosa Lydia Vélez class action is the Puerto Rican analogue of the long supervised remedies in Kansas and New Jersey: 45 years of monitored compliance with escalating sanctions. It is confined to students with disabilities and grounded as much in federal special-education law as in Section 5, but it shows that Puerto Rico's courts will supervise the department over decades when a claim is framed around specific services.

4. The federal and fiscal overlay

In Puerto Rico, a federal fiscal layer that no state faces limits how far the right can be realized, more than the courts do.

- **No federal floor.** As in the states, Rodriguez (1973) forecloses a federal right to education. Equal protection reaches Puerto Rico (Examining Board v. Flores de Otero, 1976), but Congress may treat Puerto Rico differently from the states on a rational basis (Harris v. Rosario, 1980), and the Supreme Court applied that rule in United States v. Vaello Madero (2022) to uphold excluding Puerto Rico residents from Supplemental Security Income. Federal funding formulas that disadvantage the territory are therefore hard to challenge in court.
- **Fiscal oversight.** Under PROMESA (2016), the Financial Oversight and Management Board certifies Puerto Rico's fiscal plans and budgets, including education. The 2018 consolidation closed about 255 schools in one year, and the department and board were reviewing about 200 more low-enrolment schools in 2025. Any court-ordered or legislated need-based formula would have to fit within, or be written into, a certified fiscal plan; the Rosa Lydia Vélez damages claims have already been drawn into the PROMESA Title III proceedings.
- **Federal money as the margin.** Federal programs, chiefly Title I and pandemic relief, became the largest single source of school funding after 2021 (Section 7). Their distribution, set largely by federal rules, now shapes equity across Puerto Rico's schools as much as Commonwealth policy does.

In the terms of the comparative project, capacity in Puerto Rico has two parts: judicial capacity, which exists but has been exercised deferentially, and fiscal sovereignty, which is formally constrained. The comparative coding should carry a fiscal-sovereignty flag that the existing categories do not capture.

5. Data and methods

The empirical analysis covers Puerto Rico Department of Education (PRDE) public schools from 2019-20 to 2024-25: 854 schools enrolling 235,819 students in the latest year. All data are openly published. PRDE's school profile site reports audited spending per pupil for every school, split into direct school-site spending, regional and central spending allocated to schools, and three funding sources (federal programs, Commonwealth funds and Title I schoolwide funds) that together equal total spending. Outcomes and need come from META-PR, Puerto Rico's state assessment, by school and student subgroup.

Table 3. Data sources

Domain	Source	Level / years	Use
Spending	PRDE Perfil Escolar: spending per pupil by school, spending level and funding source	School; 2019-20 to 2024-25	Resources
Enrolment	PRDE official M1 count	School; 2019-20 to 2024-25	Per-pupil denominators, weights
Outcomes and need	META-PR results by school, subject and subgroup	School; 2018-19, 2021-22 to 2025-26	Risk analysis; need index
Staffing, register	NCES Common Core of Data: teachers FTE, free or reduced-price lunch, locale, grades	School; 2018-19 to 2024-25	Teachers per pupil; FRL
Context	ACS 2019-2023 child poverty (tract, municipio); TIGER/Line	Tract, municipio	Risk candidates

The risk analysis regresses a school proficiency index (the average standardized percent proficient in Spanish, mathematics and English, averaged over 2021-22 to 2025-26) on candidate need measures. It selects measures by forward selection on cross-validated R^2, with folds grouped by municipio and coefficients constrained to the expected sign. The need index is the predicted proficiency shortfall, standardized across students. The resource analysis regresses each log resource measure on the need index with student weights, year effects and school-type indicators, in four nested specifications: need and year (S1); plus enrolment (S2); plus rurality and sparsity (S3); plus municipio fixed effects (S4). Results are summarized as the ratio of predicted resources at the 90th and 10th percentiles of need. A replication package with Python and Stata code accompanies the report.

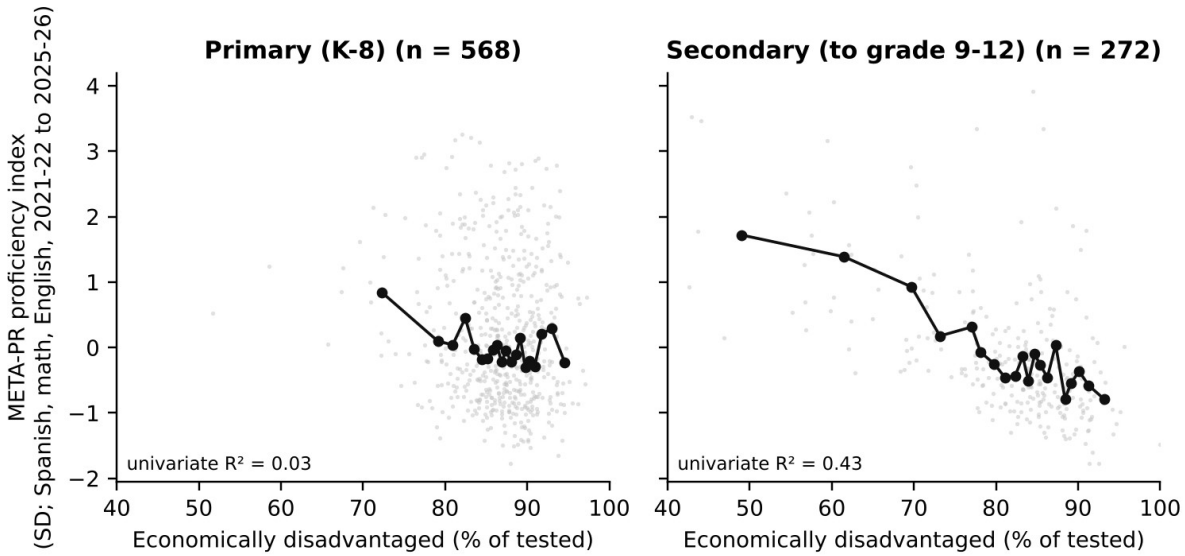
6. Risk: which students are furthest from the goals?

Table 4. Share of variation in school proficiency explained by each candidate need measure (R^2)

Measure	Primary	Secondary
Economically disadvantaged (% of tested)	0.03	0.43
Students with disabilities (% of tested)	0.01	0.13
Hispanic, not Puerto Rican (% of tested)	0.01	0.04
Spanish learners (% of tested)	0.00	0.01
Child poverty, census tract of school	0.00	0.00
Child poverty, municipio	0.01	0.00
Free or reduced-price lunch (% of enrolment)	0.04	0.00
Homeless (% of tested)	0.00	0.00

Note: 568 primary and 272 secondary schools with at least ten students tested; weighted by students tested. Selected models: secondary, economically disadvantaged % and FRL % (cross-validated R^2 0.42); primary, FRL % and disabilities % (0.03).

Figure 1. School proficiency and the share of tested students who are economically disadvantaged, 2021-22 to 2025-26



Note: Each grey dot is a school; black points are means of twenty equal-sized groups of schools, weighted by students tested.

Table 5. Percent proficient by need decile, 2024-25

	Spanish	Mathematics	English	Econ. disadvantaged %
Secondary, lowest-need tenth	73	57	67	58
Secondary, highest-need tenth	35	25	24	92
Primary, lowest-need tenth	63	61	50	76
Primary, highest-need tenth	53	51	40	93

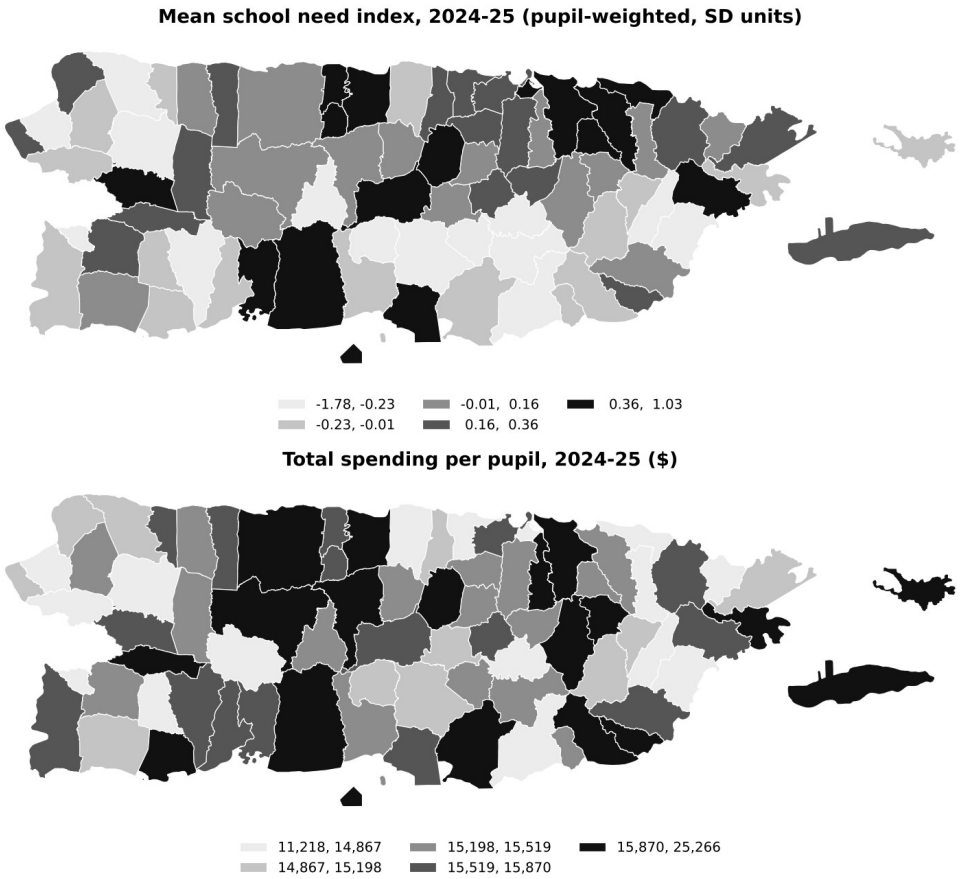
Note: Weighted by students tested; deciles of the need index within phase.

In secondary schools, poverty is the dominant risk, and the gaps are large in absolute terms. Fewer than one in four students in the highest-need tenth of secondary schools is proficient in mathematics or English. Neighbourhood poverty measured around the school explains almost nothing: in a system where 85% of tested students are economically disadvantaged, the students enrolled matter more than the neighbourhood.

Primary results are different. The economically disadvantaged share explains 3% of the variation, and the highest-need tenth of primary schools reports proficiency rates close to the middle of the distribution. Three explanations are possible and none is ruled out here: primary schools are more homogeneous (most are between 80% and 91% disadvantaged); some school results may be unreliable; or primary outcomes depend on factors the data do not capture. That is unusual against other systems; in England, for example, poverty and special educational needs strongly predict primary results. Because accountability ratings, closures and any cost model depend on these results, they warrant an independent audit.

The need index used below applies the secondary model (economically disadvantaged and FRL shares) to every school's own students and is standardized across students, so primary and secondary schools share one scale. The 10th and 90th percentiles of need are -1.15 and 0.87 standard deviations.

Figure 2. Mean school need and total spending per pupil by municipio, 2024-25



Note: Student-weighted means of schools in each municipio, in quintiles. Mona Island is omitted.

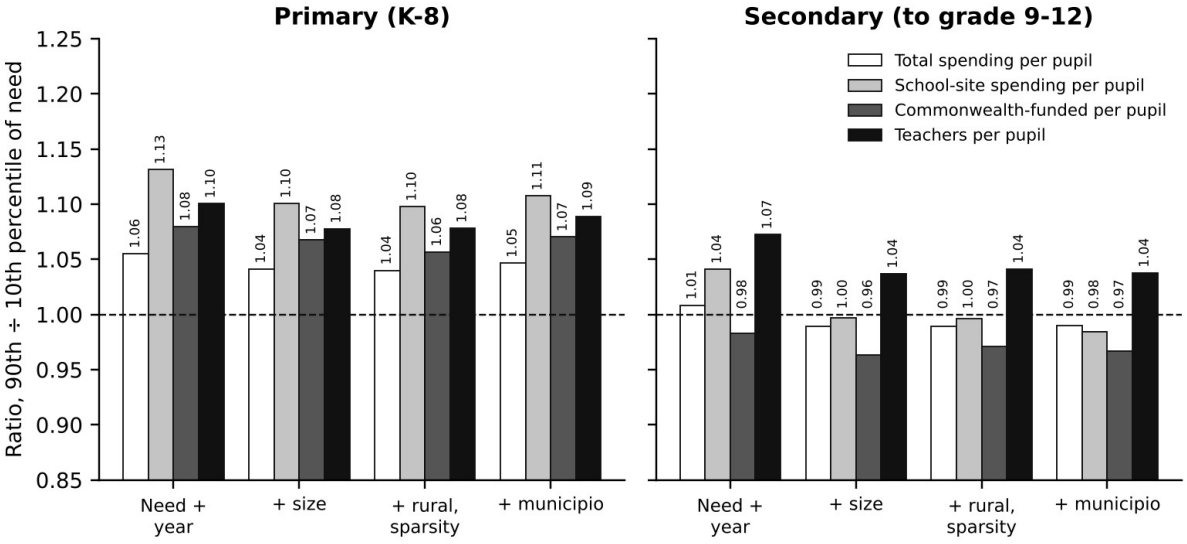
7. Resources: does funding follow need?

Table 6. Ratio of predicted resources at the 90th and 10th percentiles of need (S4)

Resource	All schools	Primary	Secondary	Level 2024-25
Total spending per pupil	1.02	1.05	0.99	$15,317
School-site spending per pupil	1.05	1.11	0.98	$6,949
Federal program funds per pupil	1.01	1.01	0.99	$6,219
Commonwealth funds per pupil	1.01	1.07	0.97	$4,301
Title I schoolwide funds per pupil	1.04	1.06	1.05	$4,797
Personnel spending per pupil	1.02	1.07	0.99	$7,597
Teachers per pupil	1.04	1.09	1.04	10.3 per 100

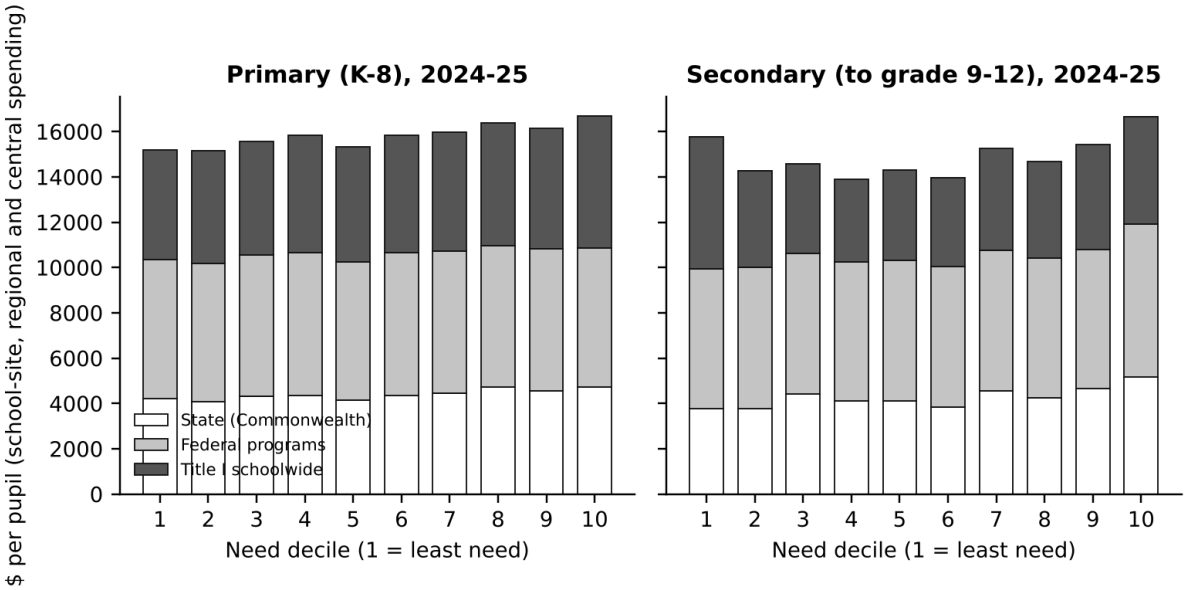
Note: S4 specification: need, year, school type, enrolment, rurality, sparsity and municipio fixed effects; 860 schools, 2019-20 to 2024-25. S1–S4 results for every measure are in the Appendix (Table 9).

Figure 3. Resources at high relative to low need, by phase and specification



Resources barely rise with need. In S4, total spending per pupil at the 90th percentile of need is 2% higher than at the 10th, and school-site spending 5% higher. Primary schools are mildly progressive (1.05 in total spending, 1.11 at the school site, 1.09 in teachers). Secondary schools are not (0.99, 0.98 and 1.04), even though that is where need most clearly predicts outcomes. Without controls for size the ratios are higher, because high-need schools are smaller: the highest-need tenth averages 273 students against 411 in the lowest, and small schools spend more per pupil whatever their students' needs.

Figure 4. Spending per pupil by need decile and funding source, 2024-25

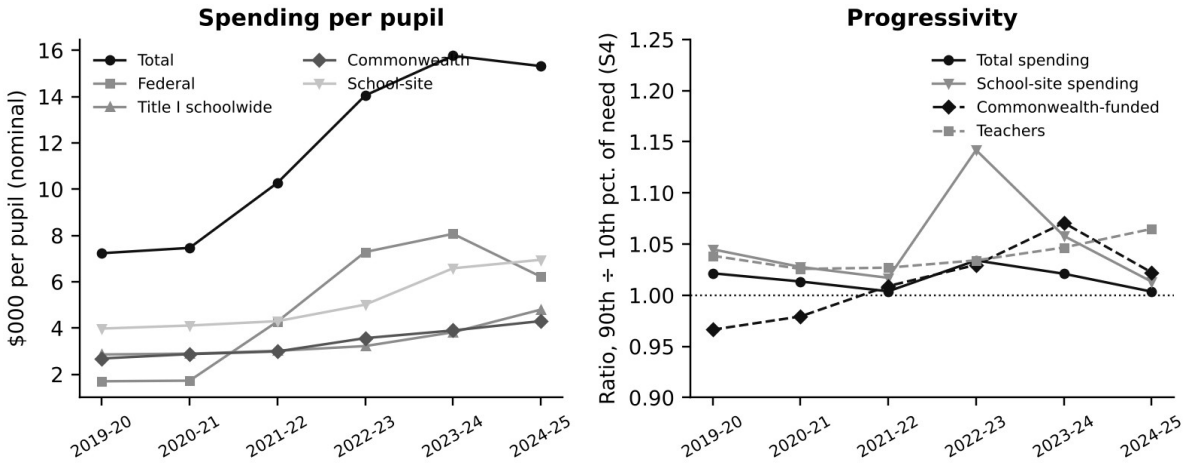


Note: Student-weighted means. Total spending includes regional and central spending allocated to schools by PRDE.

No funding source is meaningfully targeted. Federal program funds, the largest source in 2024-25 ($6,219 per pupil), are spread almost evenly (1.01). Title I schoolwide funds ($4,797) are mildly progressive (1.04). Commonwealth funds ($4,301) are progressive in primary schools (1.07) and

regressive in secondary schools (0.97). Ley 85-2018's requirement of equity standards per student and per school has not produced a need-based distribution.

Figure 5. Spending per pupil and progressivity by year, all schools

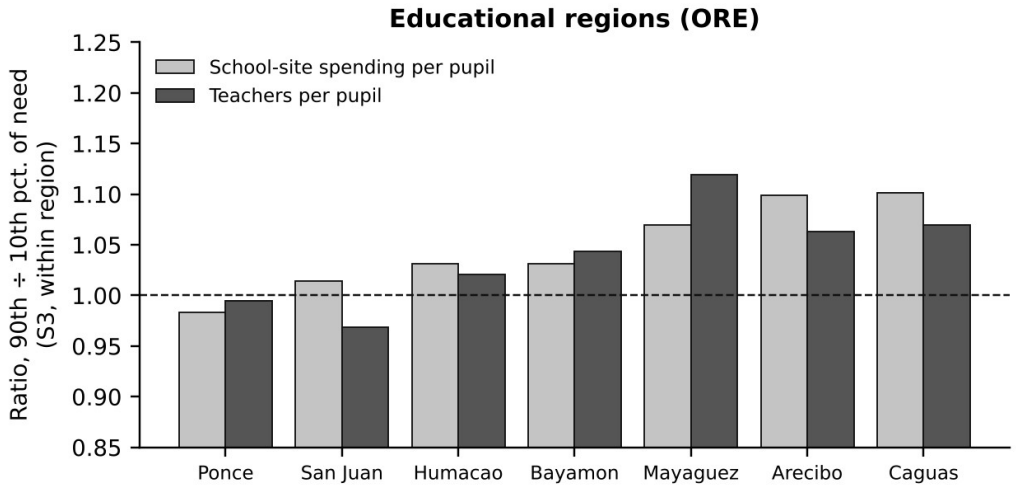


Note: Left, student-weighted mean spending per pupil, nominal dollars. Right, ratio of predicted resources at the 90th and 10th percentiles of need, S4.

Spending more than doubled over six years, from $7,233 per pupil in 2019-20 to a peak of $15,764 in 2023-24, as federal relief arrived and enrolment fell from 292,518 to 235,819. The S4 ratio for total spending was 1.02 in 2019-20 and 1.00 in 2024-25. The largest infusion of resources in the system's recent history was distributed without regard to need.

Within the seven educational regions, the school-site spending ratio ranges from 0.98 (Ponce) to 1.10 (Caguas), and total spending per pupil differs little between regions. Holding need and location constant, vocational schools spend 2.5% less than regular schools and specialized schools 1.3% less. The 14 Alianza (charter) schools report 22% lower total spending, but some operator spending may sit outside PRDE's accounts.

Figure 6. Progressivity of school-site spending and teachers by educational region (S3)



8. From distribution to adequacy: implications for cost modeling

The resource analysis shows that Puerto Rico does not differentiate by need. It does not show how much any school needs. That is the task of cost modeling: estimating the spending required for schools serving different students, at different scales, to reach a common outcome goal. This section draws four implications from the evidence above for how that work should be done in Puerto Rico.

8.1 Setting the outcome goal

A cost model needs a goal expressed in measured outcomes. The current gaps frame the choice. In 2024-25, 57% of students in the lowest-need tenth of secondary schools were proficient in mathematics, against 25% in the highest-need tenth; across all secondary schools, 31% of students were proficient in mathematics and 39% in English. Three kinds of goal are possible: the outcomes currently achieved by low-need schools, which defines equal opportunity within Puerto Rico; a fixed proficiency rate, such as half of students proficient in each subject, which defines adequacy in absolute terms; or a benchmark shared with other systems, which would place Puerto Rico on the cross-national adequacy scale. The choice is a policy and, potentially, a constitutional judgment: Section 5's goal of "the full development of the personality" is broader than any test, but proficiency on META-PR is the measurable core.

8.2 Why poverty weights alone cannot close the distributional gap

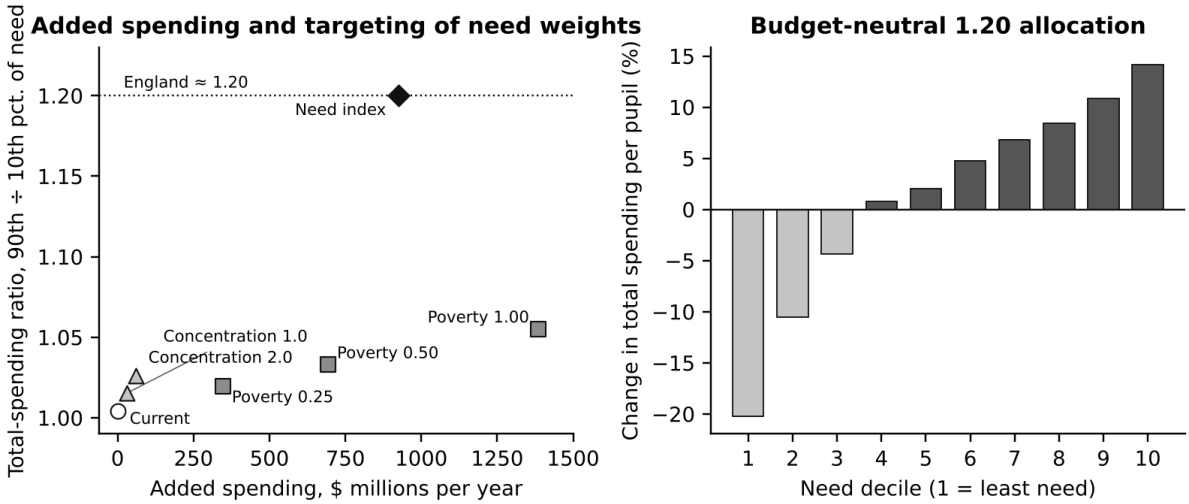
The usual policy response to a flat distribution is a weighted student formula, adding a fixed percentage to the base for each economically disadvantaged student. In Puerto Rico that tool is blunt, because nearly every student is disadvantaged: the share ranges only from about 77% at the 10th percentile of need to 91% at the 90th. The table below simulates add-on allocations to 2024-25 school budgets, using the mean school-site spending ($6,949) as the base, and re-estimates the S4 ratio for each.

Table 7. Need-weight scenarios, 2024-25

Scenario	Added spending per year	% of current total	School-site ratio	Total-spending ratio
Current allocation	—	—	1.01	1.00
Poverty weight 0.25 per disadvantaged student	$346m	9.6%	1.04	1.02
Poverty weight 0.50	$693m	19.2%	1.07	1.03
Poverty weight 1.00	$1,385m	38.4%	1.10	1.06
Concentration weight 1.0 above 86% disadvantaged	$31m	0.9%	1.04	1.02
Concentration weight 2.0	$61m	1.7%	1.06	1.03
Need-index allocation sized to a 1.20 ratio	$924m	25.6%	1.43	1.20

Note: Ratios of predicted spending at the 90th and 10th percentiles of need, S4 specification, 2024-25 cross-section of 853 schools. Add-ons are base × weight × eligible students. The concentration weight applies only to disadvantaged students above the island median share. The need-index allocation adds 0.45 × base per standard deviation of need above the 10th percentile.

Figure 7. Added spending and targeting of need-weight scenarios, 2024-25



Note: Right panel, change in total spending per pupil by need decile when the need-index allocation is made budget-neutral.

A full additional weight per disadvantaged student would require $1.39 billion a year in added spending, 38% of current spending, and lift the total-spending ratio only to 1.06; most of the money would go to schools whose need is about average. Concentration weights are cheap but small. Allocating on the outcome-based need index, which reflects how much poverty predicts lower outcomes, reaches England's 1.20 for $924 million (26% of current spending). Within the current budget the same differentiation would move about 20% of total spending ($3,023 per pupil) out of the lowest-need tenth of schools and add 14% ($2,224) to the highest-need tenth; 59% of schools would gain.

The lesson for cost modeling is that Puerto Rico's weights should be derived from the outcome relationship, not from counts of eligible students. A cost function does exactly that: it estimates how much more it costs to reach the goal as need rises, and the resulting cost index can be used directly as the allocation weight.

8.3 The level of adequacy

Distribution is only half the problem. Even a perfectly targeted formula redistributes a total that may itself be inadequate. The best U.S. evidence on the effect of spending gives a sense of scale. A meta-analysis of credibly causal studies finds that raising spending by $1,000 per pupil for four years improves test scores by about 0.0316 standard deviations on average (Jackson & Mackevicius, 2024). At that rate, closing half of the 1.57-standard-deviation gap between Puerto Rico's high- and low-need secondary schools would require about $24,831 more per pupil sustained for four years, and closing a quarter about $12,416.

These figures should not be read as cost estimates. They extrapolate linear marginal effects far beyond the spending changes the underlying studies observed; they ignore differences in prices between Puerto Rico and the states, where teacher salaries are lower; they treat proficiency-rate gaps as equivalent to scale-score gaps; and they ignore how money is spent. Their value is to show that Puerto Rico's gaps are large relative to anything marginal funding increases have been shown to close, and that a cost estimate must come from a model fitted to Puerto Rico's own schools, with the nonlinearities and efficiency controls that the education cost function framework provides.

8.4 Building a cost function for Puerto Rico

A cost function models spending per pupil as a function of outcomes, student need, input prices and structural cost factors, with controls for inefficiency and with outcomes treated as endogenous. Puerto Rico's data meet some of its requirements well and others poorly.

Table 8. Data requirements for an education cost function, Puerto Rico

Requirement	What is available openly	Assessment
Outcomes	META-PR proficiency rates by school and subgroup, 2018-19 and 2021-22 to 2025-26 (2023-24 covers 693 schools); no scale scores or growth measures published	Weak to moderate. Primary results need an audit; proficiency rates, not scores
Spending	PRDE audited spending per pupil by school, spending level and funding source, about 850 schools, 2019-20 to 2024-25	Strong; allocated central and regional spending follow PRDE's method
Need	Tested-student shares economically disadvantaged, with disabilities, Spanish learners, homeless; FRL; tract child poverty	Moderate. FRL is near its ceiling; the disadvantaged share is the usable measure
Input prices	Single island-wide teacher salary scale; no school-level pay published	Little variation; a comparable-wage index by municipio if labour markets differ
Structural costs	Enrolment, grades, rural zone, distance to nearest schools, island municipios	Strong
Spending variation	With need, size, rurality, sparsity and municipio held constant, residual variation in school-site spending per pupil is about 20% (1 SD)	Sufficient
Instruments	The 2018 consolidation (receiving-school enrolment shocks), federal relief allocation rules, Ley 85-2018 budgeting, 2017 hurricane and 2020 earthquake damage	Promising but untested

Four steps would make a credible model possible. First, publish or obtain school-level META-PR scale scores and, ideally, student-level growth, and audit primary results for reliability. Second, estimate a secondary-school cost function now, where outcomes behave as expected, using the 2018 consolidation and the federal relief allocation rules as sources of variation in spending that are plausibly unrelated to school outcomes. Third, compute a comparable-wage index by municipio from Census data to test whether input prices vary across the island. Fourth, express the resulting cost index as allocation weights and compare the cost of the chosen outcome goal with current spending, school by school.

The model would also connect Puerto Rico to the wider project. Estimating a minimum-education-program benchmark for Puerto Rico, as already done for 162 countries, and placing it on the same national cost and efficiency measures used for U.S. states would put a U.S. jurisdiction directly on the cross-national adequacy scale.

9. Implications for law and policy

- **For courts and litigants.** Section 5 is justiciable, and this report supplies the kind of evidence an adequacy claim would need: large outcome gaps tied to poverty and a resource distribution that does not respond to them. The obstacle is doctrine. Under the Meléndez León standard a claimant would have to show direct and substantial interference with the right, and a court would have to decide whether a systemic failure to differentiate meets that test. Because the 2018 rulings were sentencias, the question remains open.
- **For the legislature and the department.** Ley 85-2018 already requires equity standards per student and per school. Giving that requirement content means adopting explicit need weights derived from a cost model, not from counts of eligible students, and applying them to Commonwealth funds, which are regressive in secondary schools today.

- **For federal funds.** Federal relief more than doubled spending without targeting it. As relief ends, the department should allocate its remaining federal funds, especially Title I, with the same need index, and should not let the end of relief fall hardest on high-need schools.
- **For data.** Primary META-PR results should be audited, and school-level scale scores published, before they are used for accountability ratings, school closures or cost modeling.
- **For fiscal oversight.** Any need-based formula must fit within a certified fiscal plan. Building a cost-based adequacy target into the fiscal plan, rather than treating education as a residual, would align the oversight process with the constitutional right.
- **For comparative coding.** Puerto Rico should be coded "right recognized, not enforced," with flags for the reversed no-aid doctrine, the special-education remedy and the PROMESA fiscal constraint, and included in both the state and international datasets.

10. Limitations

- PRDE allocates central and regional spending to schools by its own method; school-site spending is less affected but excludes some services schools receive.
- Need is measured among tested students, excluding untested grades and alternate assessments; each school is assigned a single need value averaged over 2021-22 to 2025-26.
- Special-education schools, institutes and alternative programs are excluded. Alianza spending may be incomplete. Teacher counts come from CCD fall FTE; spending data are fiscal years.
- The legal analysis relies on published decisions and secondary accounts; the 2018 sentencias, issued without full opinions, carry limited doctrinal weight. Case captions should be verified against the Supreme Court's decision database before citation.
- The scenario and calibration calculations are illustrations of scale, not estimates of cost.

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Appendix

Table 9. Ratio of predicted resources at the 90th and 10th percentiles of need, all specifications

Resource	S1	S2	S3	S4	S4, alt. need
All schools					
Total spending per pupil	1.03	1.01	1.01	1.02	1.03
School-site spending per pupil	1.08	1.05	1.04	1.05	1.09
Federal program funds per pupil	1.01	1.01	1.01	1.01	1.01
Commonwealth funds per pupil	1.03	1.01	1.01	1.01	1.08
Title I schoolwide funds per pupil	1.07	1.03	1.03	1.04	1.04
Personnel spending per pupil	1.04	1.02	1.01	1.02	1.06
Non-personnel spending per pupil	1.01	1.01	1.01	1.01	1.00
Teachers per pupil	1.07	1.04	1.04	1.04	1.08
Primary					
Total spending per pupil	1.06	1.04	1.04	1.05	1.05
School-site spending per pupil	1.13	1.10	1.10	1.11	1.12
Federal program funds per pupil	1.02	1.02	1.02	1.01	1.01
Commonwealth funds per pupil	1.08	1.07	1.06	1.07	1.12
Title I schoolwide funds per pupil	1.06	1.03	1.04	1.06	1.04
Personnel spending per pupil	1.08	1.05	1.05	1.07	1.09
Non-personnel spending per pupil	1.03	1.02	1.02	1.01	1.00
Teachers per pupil	1.10	1.08	1.08	1.09	1.11
Secondary					
Total spending per pupil	1.01	0.99	0.99	0.99	0.99
School-site spending per pupil	1.04	1.00	1.00	0.98	0.98
Federal program funds per pupil	1.00	0.99	0.99	0.99	0.99
Commonwealth funds per pupil	0.98	0.96	0.97	0.97	0.96
Title I schoolwide funds per pupil	1.09	1.05	1.04	1.05	1.05
Personnel spending per pupil	1.02	0.99	0.99	0.99	0.99
Non-personnel spending per pupil	0.99	0.99	0.99	0.99	0.99
Teachers per pupil	1.07	1.04	1.04	1.04	1.05

Note: S1 need + year; S2 + enrolment (quadratic in logs); S3 + rural zone and sparsity; S4 + municipio fixed effects. All include school-type indicators; standard errors clustered by municipio. "Alt. need" uses phase-specific risk models.

Replication. The accompanying Puerto Rico replication package contains the source extracts, Python code for every table and figure, the Stata do-files (pr_panel_setup.do, replicate_ratios.do, replicate_risk.do) and analysis-ready Stata files. The do-file logic was checked against the Python results by an independent re-implementation that reads only the exported Stata files.