



Press Advisory

For Immediate Release

January 27, 2016

Contact: Isabel Alegria, ialegria@publicadvocates.org, 415-431-7434, 510-541-5428

John Affeldt, jaffeldt@publicadvocates.org, 415-625-8484

Major School Funding Lawsuits Move Forward

CA Court of Appeal Hears Oral Arguments in Constitutional Challenge to State's Education Finance System

WHAT: Oral arguments in *CQE v. State of California* (and the related case, *Robles-Wong v. CA*) and media availability following the hearing with organizational plaintiff spokespersons and attorneys.

WHERE: California State Court of Appeals, 350 McAllister St., Fourth Floor, San Francisco, CA

WHEN: January 27, 2016 - 2:00 PM (PST)

WHO: Plaintiffs in the case include the Campaign for Quality Education (CQE), Alliance of Californians for Community Empowerment (ACCE), Californians for Justice (CFJ), San Francisco Organizing Project/Peninsula Interfaith Action (SFOP/PIA), and PICO California, plus more than 20 individual students and parents. Present for the media availability following the hearing:

- John Affeldt, Managing Attorney, Public Advocates, Inc.
- Vivian Richardson, Board Chair of ACCE; Anakaren Alcocer, ACCE Director of Internal Initiatives.
- Pecolia Manigo – Associate Director, Bay Area Parent Leadership Action Network (PLAN) (a member of the CQE Coordinating Committee).
- Saa'un P. Bell – Statewide Communications Director, Californians for Justice.
- (Available by phone only) Araceli Orozco, Individual Plaintiff.

Plaintiffs are represented by Public Advocates Inc., a San Francisco-based public interest law firm that also served as a lead counsel in *Williams v. California* and *Serrano v. Priest*, along with Arnold & Porter, and Munger, Tolles & Olson LLP, two prominent national law firms serving as pro bono counsel.

BACKGROUND

A major constitutional challenge to California's education financing system is set to move forward today with a hearing before a 3-judge panel of the California Court of Appeal. The justices will hear oral arguments for their consideration of the case. A decision is expected within 90 days.

Campaign for Quality Education v. California is a lawsuit filed on behalf of California’s public schools students who are not receiving an education that prepares them to succeed once they’ve graduated from school because of lack of adequate state funding.

On July 12, 2010, a coalition of groups and individuals representing thousands of low-income students and parents from across California sued the State of California, calling on the State to live up to its constitutional responsibility and “provide all California public school students with a new school finance system that sufficiently and equitably supports its public schools, so that every child has a reasonable opportunity to obtain a meaningful education that prepares them for civic, social, and economic success in the 21st century.”

The complaint in *CQE v. California* makes two main legal claims under the Education Clause of the California Constitution, which are under review on appeal:

- 1) that the State’s school funding system prevents schools from providing children with their fundamental right to obtain an education that enables them to participate fully in our society’s economic and civic life, and
- 2) that the school funding system violates the State’s duty to “keep up and support” a system of common schools by failing to support the delivery of the State’s adopted academic standards to students.

In the lawsuit, plaintiffs asked the court to declare the State’s current funding system unconstitutional and to order that a new one be created that aligns to the actual costs of preparing students for college and careers and to individual student needs.

The lawsuit highlights the huge achievement gaps low-income students, English Learners and students of color suffer compared to their peers in California and the huge gaps all California students suffer compared to their peers in other states. In the five years since the complaint was filed, California students continue to lag behind their peers in nearly every other state on national math and reading assessments. The first round of the state’s new achievement test released last Fall shows California’s neediest students suffer from even larger achievement gaps under the state’s new Common Core standards than existed under the prior academic standards.

These persistent gaps are not surprising given the State’s continued failure to invest the necessary resources in public education. Despite the passage of the finance reform Local Control Funding Formula in 2013—which only seeks to return the state to its pre-recession level of education spending when California ranked 44th in per pupil spending. As a result of its underinvestment, California continues to rank dead last in the nation in teacher to student ratios and last or close-to-last in other staff to student ratios.¹

The Court of Appeals has consolidated the appeal of *CQE v. California* with a similar appeal in the *Robles-Wong v. California* case, filed in May 2010 by the California School Boards Association, the Association of California School Administrators, the California State PTA, and a number of individual plaintiffs. The two lawsuits are based on similar legal theories and share the same goal—to ensure California’s students are supported by the State’s school finance system so that they acquire a quality education and graduate college and career ready.

Click [here](#) for a copy of the complaint; click [here](#) for a copy of the appellate brief. Click [here](#) for a copy of **The Basics: CQE v. State of California School Funding Lawsuit**. For more information, please visit www.publicadvocates.org

¹ Jonathan Kaplan, “California’s Support for K-12 Education Ranks Low by Almost Any Measure,” California Budget & Policy Center, November 2015, at [insert link].