

FOR IMMEDIATE RELEASE

JULY 12, 2010

Contact Wynn Hausser, 415-431-7430, x304, 650-619-1032 (m)

GRASSROOTS COALITION SUES CALIFORNIA OVER SCHOOL FUNDING
Says State Violating Fundamental Right to Education by Shortchanging Students

Oakland—A coalition of grassroots groups and individuals representing thousands of low-income students and parents from across California is suing the State of California over a school funding system that the Governor’s own Committee on Education Excellence said is *“not equitable;...not efficient; and...not sufficient for students who face the greatest challenges.”*

The lawsuit calls 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.”

Plaintiffs in the case include the **Campaign for Quality Education (CQE)**, **Alliance of Californians for Community Empowerment (ACCE)**, **Californians for Justice (CFJ)** and **San Francisco Organizing Project (SFOP)**, plus more than 20 individual students and parents. They are represented by **Public Advocates Inc.**, a San Francisco-based public interest law firm and advocacy group that also served as a lead counsel in *Williams v. California* and *Serrano v. Priest*, as well as **Howard Rice**, and **Munger, Tolles & Olson LLP**, two prominent national law firms serving as *pro bono* counsel.

“Since California was founded, our constitution has recognized public education as the State’s highest and most necessary duty. We’re filing this suit to force the State to live up to its founding promise to invest in our most valuable asset—the human potential of Californians,” said John Affeldt, managing attorney at Public Advocates. “With funding for education at historic lows, we’re bleeding away tremendous reserves of student potential and with it the future prosperity and well-being of the state.”

—MORE—

The complaint makes two main legal claims under the California Constitution: 1) that the State's school funding system fails to provide children with an opportunity to obtain a meaningful education, in violation of the Education Clause, and 2) and that it violates the equal protection clauses.

"We're asking the court to declare the current funding system unconstitutional and to order that a new one be created," said Howard Rice partner Marty Glick. "Our funding system must be aligned to the actual costs of preparing students for college and careers and to individual student needs."

Plaintiffs point to past efforts to craft solutions, like funding reforms that might have developed from the Quality Education Commission or the promised "Year of Education" that fell short for lack of leadership, or, most recently, from a bill vetoed by Governor Schwarzenegger in October, AB 8 (Brownley).

"For almost a decade, student and parent groups have tried to fix this broken school finance system by meeting with legislators and supporting school finance reform legislation," said Jeremy Lahoud, a leader in the Campaign for Quality Education coalition and Executive Director of co-plaintiff Californians for Justice. "Unfortunately, our efforts have been ignored, vetoed, or left stuck in the short-sighted paralysis that has overtaken Sacramento. We can't wait any longer. We're losing a whole generation."

The suit points to the fact that more than half of California students fail to achieve proficiency on the State's content standards. Nearly one in three fails to graduate high school. California students, including white and middle income students, lag behind their peers in nearly every other state. California's per pupil spending is among the lowest in the nation (47th), and, with recent budget cuts, the level of spending and staffing in California has dropped to historic 40-year lows compared to national averages.

"We have to sue. Not only are we losing teachers and seeing class sizes skyrocket, but districts are eliminating librarians, nurses, school psychologists, core courses in art, music, PE, and electives." said Giselle Quezada from ACCE. "Support for our schools

needs to be kept at the level required for a high quality education, and not just during good economic times.”

This lawsuit is similar to *Robles-Wong v. California*, filed in May by the California School Boards Association, the Association of California School Administrators, the California State PTA, and a number of individual plaintiffs. Today’s case is being filed in the same Superior Court in Alameda County and will likely be heard before the same judge.

“Our lawsuit and *Robles-Wong* have similar goals and present similar legal theories, and we are united in our commitment to secure a new funding system,” said Munger, Tolles & Olson partner Rohit Singla. “Our clients filed their own suit because it allows grassroots community members and their constituents—primarily low-income parents and students—an independent voice so that they will have a direct say in their and their children’s future.”

In addition, today’s suit goes beyond the prior one by injecting the issue of preschool. The suit asserts that the State undermines many low-income students’ right to an education when it fails to offset the adverse effects of poverty on learning by providing them with quality preschool opportunities. Currently only 12% of the state’s 4-year olds are enrolled in the State Preschool Program, a program found to produce substantial gains in children’s language, math and literacy development.

Also, the CQE lawsuit—unique among funding suits filed nationally—argues that the State must undertake other reforms, maintaining that California still lacks: 1) an adequate data system to ensure dollars are spent on programs and policies that provide the greatest access to a meaningful education and 2) an adequate system for ensuring the most important element in student learning—well-prepared, effective teachers—are available to all students, particularly those in the neediest schools.

“I deserve a quality education. All kids in California do. We are the future,” said Arianna Antone-Ramirez, a youth leader from Plaintiff SFOP.” I hope the court won’t let the State give up on me and my dreams and the future of all California’s students.”

Organizational Description and Spokespeople

The Alliance of Californians for Community Empowerment (calorganize.org) is a statewide community organization working in eleven counties throughout California to develop community leadership, increase civic engagement in historically marginalized-neighborhoods, and move people into action in order to impact local and state policy and budgets to improve the lives of low-income, working families and people of color in California. **Contact: Amy Schur, 213.804.3161.**

Californians for Justice (caljustice.org) is a statewide, grassroots organization dedicated to building power in communities that have been pushed to the margins of the political process. **Contact: Jeremy Lahoud, 562.208.9572.**

The Campaign for Quality Education (quality-education.org) is a statewide alliance of grassroots, civil rights, policy and research organizations committed to educational equity for all communities served by California's public schools. **Contact: Jeremy Lahoud, 562.208.9572.**

Howard Rice (howardrice.com) is a San Francisco law firm with leading national and international practices, representing entities and individuals across a comprehensive range of practice areas. **Contact: Deborah Douglas, 415.677.6633.**

Munger, Tolles & Olson LLP (mto.com) was founded with the belief that a law practice of the highest quality could be established in a creative and stimulating environment. Today, MTO's 185 lawyers are known for trying bet-the-company cases and negotiating deals that shape our corporate landscape. **Contact: Rohit Singla, 415.512.4000.**

Public Advocates Inc. (publicadvocates.org) is a non-profit law firm and advocacy organization that challenges the systemic causes of poverty and racial discrimination by strengthening community voices in public policy and achieving tangible legal victories advancing education, housing and transit equity. **Contact: John Affeldt, 415.595.9563.**

San Francisco Organizing Project (sfop.org) is a non-profit, nonpartisan, grassroots coalition of leaders from over 30 congregations and schools in 17 different neighborhoods across San Francisco. Representing 40,000 families, SFOP works to create innovative solutions to the problems facing San Francisco by engaging families, youth, and seniors in public life to create a safe, healthy, and livable city for everyone. SFOP is an affiliate of the PICO National Network (piconetwork.org), a non-partisan, multi-cultural collaboration of more than 50 organizations in 17 states across the country. **Contact: Andrea Marta, 415.699.9259.**

Media Kit

The following documents are available for review at fairschoolsnow.org

- *CQE et.al. v. California* complaint
- Attorney Statements
- Plaintiff Statements

Video

CQE, et al. v. California: The Grassroots Speak

In a four minute video compiled from dozens of “video postcards” submitted from around the state, California’s parents and students speak out about the broken school finance system that has failed a generation and why they have come together to participate in a historic lawsuit, *CQE et.al. v. California*.

The source “video postcards” from students and parents (1-3 minutes each), including some from individual plaintiffs and plaintiff organizational members are also available.

See www.youtube.com/user/C4QE

Additional contacts

For information about how this lawsuit fits in a national context, contact the following.

- ⇒ Michael Rebell, Executive Director, Campaign for Educational Equity
mar224@columbia.edu, 917-576-7301 (m)
- ⇒ David Sciarra, Executive Director, Education Law Center
dsciarra@edlawcenter.org, 973-624-1815 x16 (o) 973-902-2138 (m)
- ⇒ Molly A. Hunter, Director, Education Justice, Education Law Center
MHunter@edlawcenter.org 973-624-1815, x19 (o) 973-342-7921 (m)

For information on CQE-sponsored legislation, Assembly Bill 8 (Brownley), which would have established a blueprint for new California school finance legislation but which was vetoed by Governor Schwarzenegger in October 2009, contact

- ⇒ Julia Brownley, California Assembly Education Chair, 916-319-2041.

To speak to a school district representative, contact the following.

- ⇒ Jan Christensen, Superintendent of Schools Redwood City School District,
jchristensen@rcsdk8.net, 650-423-2200