

FOR IMMEDIATE RELEASE
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STATEMENT OF JOHN AFFELDT ON RECENT COURT DECISION IN
LOBATO V. STATE OF COLORADO

Background:

On December 9, 2011 a Colorado District Court ruled in favor of plaintiffs in a state-school funding challenge after a five-week trial. The court recognized Colorado students' constitutional right to an education that prepares them to participate in our democracy and compete in the workforce, and looked to Colorado's academic content standards as the measure of whether the state is providing that constitutionally-required level of education to all students. After hearing extensive evidence, the court concluded that Colorado's school finance system is unconstitutional because it prevents districts from providing a standards-based education to all students. The court enjoined the state's school funding system from continuing to operate until it has been revised to sufficiently fund schools based on what it costs to deliver to all students a standards-based education. The court stayed that injunction until appellate review is completed or until the end of the 2012 legislative session.

Statement:

"The Lobato case has many parallels to the *Campaign for Quality Education* school funding lawsuit in California. Like Colorado, California has established state academic standards that all students must meet, but has failed to establish a school finance system that is designed and funded at a level that enables all students to meet those standards. Like Colorado, the drastic budget cuts over the past four years—totaling approximately \$20 billion cumulatively—have, in Judge Rappaport's words, "made an unworkable situation unconscionable." As in Colorado, California's underfunded school districts are unable to provide their students with the education that is required by the state constitution and necessary for success in our society. If anything, the California constitution is even stronger than Colorado's, because the State Supreme Court here has determined that the right to a high quality public education in our state is a *fundamental* right which can only be impinged by the State for very rare and compelling reasons.

In the face of the plaintiffs' victory in *Lobato*, it's easy to forget that the lower courts initially rejected their lawsuit, just as the trial court has recently done in the *Campaign for Quality Education* suit.

Following in the footsteps of the *Lobato* plaintiffs, the students, parents, and grassroots community organizations who are the plaintiffs in *CQE v. California* will persevere. The wheels of justice sometimes turn slowly, but we will keep fighting to ensure that California lives up to the words of our state's founders and finally designs and funds a public school finance system that enables all students to obtain an education that prepares them for college, career, and a lifetime of civic engagement."

For more information about *Campaign for Quality Education v. California*, visit www.fairschoolsnow.org

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