



THE BASICS:

CQE v. State of California School Funding Lawsuit

What is the *CQE* case about?

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 it to live up to its constitutional obligation and “provide all California public school students with a new 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.”

In 2011, the Superior Court in Alameda dismissed the case and plaintiffs appealed. The Court of Appeals consolidated the appeal of *CQE v. California* with that of a similar case, *Robles-Wong v. California*. That case was originally filed in May 2010 on behalf of the California School Boards Association, several school districts, and individual parents and students. The two lawsuits are based on similar legal theories and share the same goal: to ensure that the school finance system California employs results in a quality education that prepares students to graduate college and pursue a career.

Why does the *CQE* case matter?

There are more than six million public school children—one in eight students nationwide—in California today. The State is failing to provide far too many of them the education they need to succeed in the 21st century. California ranks close to the bottom nationally in terms of per pupil spending, staffing, infrastructure and test scores. The state’s investment failure not only

threatens the future of those children, it endangers California’s economic, civic, and social well-being. This failure is not merely a critical public policy issue; it is a violation of those children’s rights under the California Constitution.

Key Definitions:

CQE: Campaign for Quality Education is a statewide alliance of grassroots, civil rights, policy and research organizations committed to educational equity for everyone served by California’s public schools.

Robles-Wong v. California: This case and the *CQE* case have been consolidated together on appeal. Both cases address California’s school funding system.

LCFF (Local Control Funding Formula): Enacted in July 2013, this school funding law promises additional resources for high-need students.

What is the State of California doing wrong?

First, 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. Second, 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-adopted academic standards to students. These are the two legal claims being reviewed by the California Court of Appeals.

What are the CQE plaintiffs asking for?

The current school system is grossly underfunded. Schools lack the resources necessary to ensure that every child has a quality opportunity to learn. *CQE* is asking 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 delivering state standards to all of California's diverse students and preparing them for college and careers.

What is the status of the case now?

The *CQE* case is currently on appeal and the Court of Appeals will hear oral arguments from the plaintiffs and the State on January 27, 2016 at 2 p.m. in San Francisco. Then the court will issue a decision within 90 days deciding whether the case against the State can move forward to trial.

Doesn't the state's new school funding reform, the Local Control Funding Formula (LCFF) fix the problems raised by the CQE case?

No. The Local Control Funding Formula only seeks to return the state to its 2007-08 level of education spending, adjusted for cost of living increases. Even with LCFF, California's per pupil spending remains among the lowest in the nation (42nd). 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

In the five years since the *CQE* case was filed, California students continue to lag behind their peers in nearly every other state on national math and reading assessments. Among fourth graders nationally, the average 2013 score in California was lower than those in 41 states in reading and 42 states in math.² In addition, the first round of the state's new achievement tests, released last Fall, shows that more than half of all California students perform below the state's new Common Core standards in Math and English Language Arts.³ California's neediest students suffer from even larger achievement gaps than when the lawsuit was first filed.

[For more information visit our website.](#)

¹ Jonathan Kaplan, "California's Support for K-12 Education Ranks Low by Almost Any Measure," California Budget & Policy Center, November 2015. www.nationsreportcard.gov/math_2013

² www.nationsreportcard.gov/reading_2013

³ www.edsource.org/smarter-balanced-results/index.html