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Lawsuit fights for rural school funding

Advocates: ‘Our students have a right to spend their time in places that are modernized and conducive to learning’

True North Organizing Network Director of Organizing Amy Campbell-Blair addresses a crowd at a press conference outside the Alameda County Courthouse. (Photo credit: Alex Akamine for Chloe Jackman Photography, courtesy of Public Advocates)

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This week, civil rights law firm Public Advocates, along with Morrison & Foerster, announced that they have filed a complaint against the state of California on behalf of advocates for equitable funding for rural schools. The lawsuit expressly names, among schools from throughout the state, Del Norte Unified School District as an exemplar of a low-wealth impacted school district.

“Since 2008, in study after study researchers have confirmed that wealthier districts receive more state bond funds than low-wealth ones and disproportionately benefit from the Program’s first-come, first-served application system,” said John Affeldt, managing attorney from Public Advocates, in a press release issued Thursday afternoon. “... California has been a national leader in equitably funding school operating budgets, but not so with its capital finance system. This system, which gives more to those who have more, is an embarrassment

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to California values. It's past time for a major equity overall."

At a news conference held Thursday morning, plaintiffs spoke about a "landmark constitutional lawsuit challenging California's discriminatory school facility funding system."

North Coast education

Amy Campbell-Blair, organizing director for the plaintiff organization True North Organizing Network, an Indigenous-led advocacy group representing the needs of rural and tribal communities on the North Coast, spoke at the news conference.

"We live in a county of California that has less than 30,000 folks living there," Campbell-Blair said. "Like many other Californians, we struggle with housing prices and providing citizens with access to adequate health care providers. But that isn't our entire story. We're also home to the tallest trees in the world, the redwoods, some of the most pristine rivers in the U.S., and four federally recognized tribes whose people have been in this area since time immemorial.

"Another unique thing about our county is that about 80% of our land is not privately owned, but either publicly managed or tribally managed reservation land. I truly believe that we have a responsibility to maintain and fight for the public stewardship of that land that we live on and near — not just for ourselves, but so that others from other parts of California and the entire world can also enjoy the beauty and benefits that come from preserving our old growth groves and clean rivers that create clean air, that provide ecological diversity and crucial habitat, provide carbon stores to help climate change, to only name a few benefits.

"But one of the difficult consequences of this is that we don't have a large tax base to draw from when it comes to raising resources to provide services to our local people. What does this have to do with school facilities? Our low tax base means we have less bonding capacity to raise local funds, to maintain safe, welcoming and accessible schools."

Campbell-Blair noted that Del Norte County's 11 local schools are, on average, more than 60 years old and oftentimes in disrepair.

"I've been told by our school district leaders that with the limited funds that they have access to for facility needs, they need to prioritize keeping weather out before they can focus on other issues," Campbell-Blair said. "But why should our district have to make that choice? … School is mandatory, and our students have a right to spend their time in places that are modernized and conducive to learning. All we are asking for is that the bond money that was approved by voters last fall be more equitably distributed and not just go to wealthier districts that are more capable of passing local bond measures."

"At Bess Maxwell Elementary, built in 1956, paint peels to expose rust and 30-year-old portables serve as classrooms," True North Organizing Network Organizing Director Amy Campbell-Blair said. "Across the district, broken tiles create tripping hazards, gopher holes on fields cause student injuries, and the district can only afford to triage emergencies rather than make permanent fixes. In some cases, entering these school buildings feels more like stepping into a prison that feels dull, cold and unsafe. Don't abandon our kids just because we're poor, more isolated, and easier to forget. Our schools should be welcoming environments where students thrive." (Photo credit: Alex Akamine for Chloe Jackman Photography, courtesy of Public Advocates)

Complaint

The complaint, “Miliani, et al. v. the State of California,” outlines ways in which public school funding continues to privilege wealthy districts, while often ignoring communities that are most in need, a violation of the state’s Constitution, Public Advocates says, as adjudicated in the landmark “Serrano v. Priest” case.

“Plaintiffs in this case seek relief because State funding for modernization of aging school facilities, administered through California’s School Facility Program (“SFP”), provides more funding to wealthy districts based on their local wealth, enabling them to meet local funding requirements more easily, which in turn qualifies them for more state bond matching funds,” the complaint filed in Alameda County Superior Court reads. “SFP also uses a first-come, first-served process that favors wealthier districts with the advantage of well-funded managers and consultants. As a result, the quartile of students in the lowest-wealth districts have received nearly 60% less in SFP modernization funding per student than the quartile of students in the highest-wealth districts since 1998.”

The complaint continues: “Students in lower-wealth districts, disproportionately populated with English learners, and Black, Latine and Indigenous students, receive significantly less state funding for modernizing facilities than their counterparts in whiter, wealthier communities. It is, district wealth, not student need, that too often dictates whether students have access to safe, functional facilities. The SFP impermissibly favors district wealth, not student need, in the process of allocating capital funding needed for students to have access to safe, functional facilities.”

The lawsuit follows a February 2024 letter from Public Advocates demanding “that the California state leaders reconsider and revamp the State’s present system of bond funding for public school facility modernization during this legislative term and implement a revised nondiscriminatory funding structure.”

Campbell-Blair said that the True North Organizing Network had first become involved in the efforts to secure a more equitable funding structure for California Public Schools before Proposition 2 (also known as Assembly Bill 247) made its way through the state Legislature.

“We worked really hard to try to change the language of the original bond measure before it was actually approved and then passed to raise awareness of the disparity in the actual funding formula,” Campbell-Blair told the Times-Standard by phone Thursday afternoon. “And because that did not succeed … this was the next step in making sure that the stories of our family were heard not just in Del Norte County but … (as) part of a statewide effort in solidarity with other districts and communities in California.”

Campbell-Blair stressed that the suit was very important to her personally and professionally, as a mother of two Del Norte County public school students, and said that True North Organizing Network, which represents communities in Del Norte and Humboldt counties, was committed to see the lawsuit through and educational funding disparities redressed.

The entirety of the complaint can be read at https://tinyurl.com/yphznsyp.

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