



For Immediate Release

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Plaintiffs in Lawsuit Defending CA Students’ Constitutional Right to Quality Education Decry CA Supreme Court Refusal to Hear Their Appeal

San Francisco – Parents, students and education advocates committed to ensuring that every student in California has a Constitutional right to a quality education decried the CA Supreme Court’s refusal today to hear Campaign for Quality Education (CQE) v. California and a related companion case, Robles-Wong v. California. In April, the First District Court of Appeal affirmed a dismissal of the cases by a lower court saying there was no state constitutional guarantee of any level of educational quality or minimum level of funding to support education. Plaintiffs appealed to the CA Supreme Court.

Public Advocates Managing Attorney and CQE counsel, John Affeldt said about the order, “Unfortunately, the Court’s action today leaves in place a lower court ruling that renders hollow the constitutional right to an education in our state. We and our community partners will continue to fight to ensure that a public education in California is one that prepares all students for college, career and civic participation.”

In a 4-3 vote, the California Court Justices denied the plaintiff’s petition for review. Justices Mariano-Florentino Cuellar and Goodwin Liu wrote lengthy dissents.

Justice Liu noted that “The high courts in more than two-thirds of the states have addressed these issues over the past three decades in cases arising under the education clauses of their state constitutions. A substantial majority of these courts have decided it is their duty to resolve the constitutional issues. . . . Yet this court today decides that the issues presented do not merit our review.” Justice Liu added that “We should not leave the schoolchildren of California to wonder whether their fundamental right to education under our state Constitution has real content or is simply hortatory.”

In his dissent, Justice Cuellar concluded that “It is especially important for California’s highest court to speak on this issue. Our state educates one-eighth of all public school students in the country. . . . Many of those kids who come from low-income families find themselves concentrated in particular schools or districts that, despite the best intentions, fail to deliver an

education remotely worthy of the students they are serving. These realities make it all the more critical that the representative branches play the crucial role that belongs to them, but with greater clarity about the scope of the right to education — clarity only this court can provide.”

The lawsuits have called into question the state’s system for financing public schools in California as well as the quality of the education that is provided to more than 6 million students in the state’s schools. Currently, California’s public schools hover near the bottom nationally in per-pupil spending, staff-to-student ratio and student achievement.

Plaintiffs in the lawsuit—representing thousands of parents, students and education advocates—include the Campaign for Quality Education (CQE), Alliance of Californians for Community Empowerment (ACCE), Californians for Justice (CFJ), PICO California and Faith in Action Bay Area, plus more than 20 individual students and parents. Plaintiffs in *Robles-Wong v. California* include school districts, the CA Schools Board Association, the Association of CA School Administrators, the PTA, individual students and the CA Teachers’ Assn.

For a copy of the order, click [here](#)

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