



EDUCATION EQUALITY

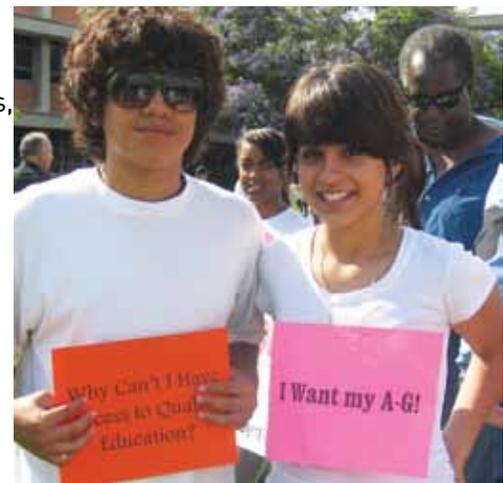
Education Equality is California's Future

Over the past decade the spending gap between California schools and schools in the rest of the United States has increased with California schools spending \$2,856 less per student in 2010 to 2011.

Schools are cutting or reducing instructional time, after-school programming, and summer school due to reduced funding, as well as staffing which results in the highest students per school staff ratio in the country. Students lack access to and guidance from staff, so they fail to receive the proper instruction and assistance they need. The fact that wealthy neighborhoods can contribute private funds to individual schools further exacerbates inequality. High-poverty schools and schools with a high concentration of students on the federal free-reduced lunch program have much less capacity to generate donations than low-poverty schools.

In addition to soliciting donations, schools have increasingly called upon parents to pay for services and programs, furthering inequalities. This results in high-poverty schools being unable to maintain services for their students. It makes education a commodity for sale, rather than a right for all, and it disadvantages students whose families cannot afford to pay. This highlights the need for reform, to ensure that the state provides public schools with the resources necessary to help all children – regardless of their socioeconomic status, race, or national origin – to achieve their full potential.

Our state constitution guarantees each K-12 student the right to educational equality, which includes the right to quality textbooks, teachers and facilities. It also includes the right for all students, regardless of color or income, to access curricular opportunities that prepare them for college and career. California's education spending ranks near the bottom on a national scale. There is a need for educational reform to ensure the state provides public schools the resources necessary for students to realize their full potential.



Students, teachers and school officials rally at the San Diego Unified School Board meeting, at which the Board adopted the A-G curriculum.

Basic Necessities of Education

The ACLU, as part of a large coalition of civil rights groups, sued the State of California in 2000, in *Williams v. State of California*, alleging that California was negligent in assuring equal access to public education, as public schools serving the poor children and children of color were lacking in basic resources.

Parents, students and teachers argued that the state was failing to provide thousands of public school students, particularly those in low-income communities and communities of color, with the basic necessities required for an education. The ACLU argued that this violated the state constitution and state and federal requirements that all students be given equal access to education without regard to race, color, or national origin.

On August 13, 2004, a settlement was reached with the state that required all California public schools to adhere to cleanliness and functionality standards, and required all public school students to have qualified teachers and instructional materials. It took steps to make sure that students have qualified teachers and that schools deliver these important resources to students.



The ACLU continues to educate the public about the Williams' victory and to monitor schools for compliance. We provide speakers to present Know Your Rights sessions and have all the necessary complaint forms.

Our Efforts at Ending Educational Inequality: *Doe v. State of California*

- Across California, public schools are charging fees to students to obtain assigned materials in courses for academic credit, despite California law being clear that such fees are illegal.
- Schools often resort to such fees to help cover budget shortfalls over which they have little control, since public education funding is largely controlled by state government.
- The California ACLU affiliates filed suit in Los Angeles County Superior Court against the state to require it to properly enforce the free schools guarantee of the California Constitution. After negotiations, the parties preliminarily agreed to a settlement.
- In addition, the Legislature approved AB 165 to establish enforcement mechanisms:
 - 1) An administrative complaint and review process
 - 2) A requirement for auditors to certify that no illegal fees have been charged and the state to withhold certain administrative funds from school districts until illegal fees have been reimbursed.
- Unfortunately, after Governor Brown took office, the state declined to finalize the settlement. Governor Brown recently vetoed AB 165. Litigation is ongoing.