

CLIENT NEWS BRIEF

California's Constitution Does Not Mandate a Specific Quality Level of Education or Minimum K-12 Education Funding

In *Campaign for Quality Education v. State of California* (2016) 246 Cal.App.4th 896 (*Campaign*), the California Court of Appeal held that the "free school guarantee" enshrined in California's Constitution does not require the Legislature to provide a set minimum quality of education, or level of funding, for public schools.

In *Campaign*, student advocacy groups and non-profit organizations representing low-income and minority families filed suit in 2010 in hopes of securing a judicial declaration that the Legislature denies students access to a quality education by underfunding certain public schools. The trial court dismissed the plaintiffs' case, which the plaintiffs appealed.

While the court of appeal agreed with plaintiffs in their assertion that "the provision of a quality education for all public school students is an important goal for society," the court disagreed that the state's Constitution provides the right to a certain quality of education. Upholding the trial court's dismissal of the case, the appellate court determined that the plain text of the free school guarantee lacks qualitative and financial benchmarks that the court could enforce. Correspondingly, there is no "magic level" of education funding that the state is legally bound to provide. The *Campaign* court explained that it is the Legislature's prerogative to set school funding levels and courts are obliged to defer to its decisions in this regard.

In reaching its decision, the court of appeal analyzed the language of California's Constitution and unequivocally found that it "speaks only of a general duty to provide for a system of common schools." The court reasoned that this "*does not*" require the attainment of any standard of resulting educational quality."

The court found no right to a particular quality of education and declared itself powerless under the state Constitution to conform the Legislature's budgetary actions, concluding that plaintiffs' remedy "lies squarely with the Legislature, not the Judiciary." *Campaign's* holding is thus unambiguous: Courts should "not entertain claims of educational malfeasance" stemming from "issues [regarding] the quality of education and the academic results produced."

Despite these pronouncements, *Campaign's* plaintiffs have expressed their intent to ask the California Supreme Court to review the decision. We will keep you updated on any further developments in this case.

If you have questions regarding this decision or students' educational rights, please contact the authors of this Client News Brief or one of our [nine offices](#) located statewide. You can also visit our [website](#), follow us on [Facebook](#) or [Twitter](#), or download our [Client News Brief App](#).

May 2016
Number 34



Sloan R. Simmons
Co-Chair, Litigation Practice Group
Sacramento Office
ssimmons@lozanosmith.com



Carey Hawkins Ash, Ph.D.
Associate
Sacramento Office
cash@lozanosmith.com



As the information contained herein is necessarily general, its application to a particular set of facts and circumstances may vary. For this reason, this News Brief does not constitute legal advice. We recommend that you consult with your counsel prior to acting on the information contained herein.