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Lisa Fontana

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## CALIFORNIA STUDENTS DEMAND BASIC EDUCATION RIGHTS

By Lisa Fontana

**M**ice and roaches scurrying through the classroom, paint peeling off the walls, bathrooms without toilet paper or soap, classroom temperatures reaching 100 degrees because there is no air conditioning, and classrooms without teachers—these conditions are a daily reality for students at Luther Burbank Middle School in San Francisco. Unfortunately, Luther Burbank is only one of 46 California schools named in a landmark education lawsuit that charges the state with renegeing on its constitutional obligation to provide the bare essentials necessary for the education of students. The complaint alleges that officials have violated state and federal requirements that equal access to public education be provided without regard to race, color, or national origin. *Williams v. California*, No. 312236 (Cal. Superior Court, filed May 17, 2000).

The 100 student plaintiffs are represented by the ACLU of Northern and Southern California, Public Advocates, Inc., Mexican American Legal Defense and Educational Fund, and other civil rights groups and cooperating attorneys. The original class action suit was filed on May 17, 2000, a date which marked the 46<sup>th</sup> anniversary of *Brown v. Board of Education*, the 1954 landmark Supreme Court decision that declared racially segregated schools unconstitutional. The complaint in *Williams* was subsequently amended on Aug. 15, 2000 and asserts that students have

a fundamental right to an equal education in California. Specifically, the complaint states that the equal protection clauses of the California Constitution, Cal. Const. art. I, § 7(a) and art. IV, § 16(a), “bar the State from maintaining the public school system in a manner that denies some students an education that is basically equivalent to that provided other students. Students who suffer the educational conditions herein alleged are deprived of their right to the equal protection of the laws of this State.” Through the lawsuit, the plaintiffs seek to hold State officials accountable to their constitutional mandate to provide a free and equal public school education to all California public school children.

In an early response to the lawsuit, the State filed a cross-complaint which blamed individual school districts rather than acknowledging any responsibility on the part of the system as a whole. However, on April 11, 2001, the ACLU landed a substantial victory when a California State Superior Court put off any proceedings on the counterclaim until the *Williams* case is decided.

The 55-page complaint in *Williams* includes some of the experiences of students at various northern and southern California schools. For example, at Bryant Elementary School in San Francisco, there is no school nurse and the water at the school is unsafe for drinking.

“These are schools that shock the conscience, schools where stu-

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***“Today, we are asking this country to reject another system of unequal education, a system that blocks some children from learning and growing to their full potential. The State of California has the resources to provide all children with a good education, and we cannot afford to do anything less.”***

***--Ramona Ripston, Executive Director of the ACLU of Southern California***

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dents can’t learn and teachers can’t teach,” said Mark Rosenbaum, Legal Director of the ACLU of Southern California.

Recently, in his January 29th State of the Union Address, President Bush expressed his support for boosting teacher quality and improving early-childhood education.

Locally, Illinois schools are also struggling to improve teacher quality and formulate standards for teacher accountability. According to a 2001 survey by *Education Week*, Illinois ranks number 15 in improving teacher quality. When ranked according to its standards for accountability in core academic subjects, Illinois came in 22nd in the nation. As a response to *Williams*, educators predict that Illinois school boards will attempt to fill more teacher vacancies and decrease class sizes in schools. The Chicago Public School Board has already responded by recruiting a record 3,000 teachers for the 2001-02 school year.