

For Immediate Release  
September 24, 2020

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## **NEW CLASS ACTION LAWSUIT FIGHTS CALIFORNIA’S EFFORT TO WITHHOLD MILLIONS FROM HUNDREDS OF GROWING PUBLIC SCHOOLS**

*Lawsuit urges Governor Newsom and State Legislature to fully fund the education of every student, including thousands enrolling in non-classroom based public schools*

SACRAMENTO, Calif. – Today, three public school leaders are taking the lead in a class action lawsuit that will impact thousands of students in California. The lawsuit filed today challenges the state for breaking its agreement with public schools by changing the rules on how children are funded at charter schools after enrollment decisions were made. In doing so, California is now refusing to fund newly enrolled students at any of the hundreds of non-classroom based public charter schools in the state.

Leaders from [The Classical Academies](#), [Springs Charter Schools](#) and [The Learning Choice Academy](#) are joining a coalition challenging [SB-98](#) and [SB-820](#)—California’s new state funding laws which do not provide funding for all growing public schools. Combined, schools represented in the lawsuit have welcomed over 2,000 unfunded new students representing \$20.9 million in withheld state funding. These school systems represent a small portion of the 310 non-classroom based schools in California—many of which are growing this year. In California, a school is considered [non-classroom based](#) if more than 20 percent of learning happens off campus. Such schools provide families with a range of options from fully virtual to a hybrid of on-campus and at-home learning all done with the support of teachers.

“Schools that are best serving families in a time of unprecedented challenges are being left behind by the state. We must correct the inequities and injustices the state has created by limiting opportunities for California’s students,” said Cameron Curry, CEO of The Classical Academies. “In a year where every school is a non-classroom based school, how can California justify not fully funding the education of students enrolled in a non-classroom based program? This is rewarding public school districts for failing to adequately serve students.”

The statewide battle to ensure all students are funded began in July when families with children at four growing public school organizations across the state filed a lawsuit, [Samaiya Atkins v. State of California](#) challenging the constitutionality of SB-98, the state’s original budget deal. As written, SB-98 withheld funding for any growing public school potentially resulting in over \$542 million in public funding being withheld from students. SB-820 was intended to correct this problem. However, SB-820 fails to fund actual enrollment at growing public schools. In addition, the legislation will not fund any new students at non-classroom based public schools. The existence of a global pandemic and economic challenges do not suspend the state’s contractual, constitutional and statutory obligations to educate all students.

“California is failing to fulfill a basic promise to its students: a fully funded public school education. By funding only some public school options, the state is shutting out families from what is best for their child. That’s not right,” said Margaret Fortune, president and CEO of Fortune School, one of the four plaintiffs in the July lawsuit. “Today’s announcement is a message to Sacramento: We will not stop fighting until every child’s education is funded.”

The new plaintiffs are joining the Fund All Kids coalition ([www.fundallkids.org](http://www.fundallkids.org)) which believes SB-820 doesn't go far enough. The state's actions allow schools declining in enrollment to keep funding for students who are no longer attending these schools, while failing to fund schools that are growing. California's 310 non-classroom based schools served 195,000 students in the last school year, representing 29 percent of the statewide total enrollment in public charter schools.

### **About The Classical Academies**

The Classical Academies is an organization of award-winning, tuition-free, Certified California Public Charter Schools serving North San Diego County since 1999. With over 5,500 students in grades TK-12, the schools are making a tremendous impact as they reinvent public education. The Classical Academies serves students from 39 cities across San Diego. Students have the option of attending class on campus 2 - 4 days per week. In addition, The Academies provide CIF sports, musical theater, clubs, class trips, field trips, music, and more.

[www.classicalacademy.com](http://www.classicalacademy.com)

### **About Springs Charter Schools**

Springs Charter Schools are tuition-free, public schools of choice serving more than 8,000 California school children and their parents. Many Springs parents choose to homeschool full-time, while others choose two to five days per week of a blended model that includes classroom instruction with home study. Springs serves students in student centers in the Counties of Riverside, San Bernardino, San Diego, Orange and Los Angeles.

[www.springscharterschools.org](http://www.springscharterschools.org)

### **About The Learning Choice Academy (TLC)**

TLC is a public hybrid homeschool. We incorporate both school and parent involvement in educating students. Families can choose between a 100% homeschool program, or a hybrid program, with 3 days at school and 2 days at home.

[www.learningchoice.org](http://www.learningchoice.org)

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