



Students **Matter**

Promoting Access to Quality Public Education Through Impact Litigation, Communications & Advocacy

Martinez v. Malloy

Why Connecticut?

High quality public schools across Connecticut—including magnet, traditional, and charter schools—are demonstrating what works. Yet State laws restrict access to and expansion of these quality public school options, forcing thousands of students to attend chronically failing schools.

Connecticut's actions have exacerbated one of the largest educational opportunity gaps in the country. Tens of thousands of Connecticut students currently languish on waitlists for high-quality public schools and are denied access to even a minimally adequate education.

EXTREME ACHIEVEMENT GAP

On the 2015 National Assessment of Educational Progress (NAEP), Connecticut's low-income students scored approximately **three grade levels lower** than their non-low income peers on all measures.

What laws does the case challenge?

Martinez v. Malloy, filed by a group of Connecticut public school students and their parents in August 2016, challenges State laws and policies that harm students by limiting access to—and expansion of—established, proven, and high-quality public schools:

FIRST, Connecticut has instituted a moratorium on new magnet schools, despite the fact that Connecticut's magnet schools consistently outperform inner-city traditional district schools.

SECOND, Connecticut's laws prevent high-performing charter public schools from opening or expanding in the State, even as Connecticut's few charter public schools consistently outperform inner-city traditional district schools.

THIRD, Connecticut's inter-district Open Choice enrollment program penalizes school districts that accept students from inner-city school districts, thus dooming the very program designed to provide underserved students with quality public school options.

What rights do students have?

The plaintiffs in *Martinez v. Malloy* are seeking federal affirmation and

EGREGIOUS WAITLISTS

For the 2013-2014 school year, **20,000 students** applied for just **5,000 seats** in the Magnet-Open Choice Lottery operated by the Greater Hartford Regional School Choice Office.

enforcement of their fundamental right to education. Connecticut's laws and policies violate students' due process and equal protection rights under the Fifth and Fourteenth Amendments to the U.S. Constitution.

What would the case accomplish?

A ruling in favor of plaintiffs in the case would expand access to high quality public schools for all Connecticut students and eliminate the need for school waitlists.

The State could accomplish this goal in different ways, such as: dramatically improving the chronically underperforming schools that are perpetuating the educational opportunity gap in the first place, and/or ensuring that all students trapped in chronically failing schools have meaningful school choice options (e.g., charter schools, magnet schools, high-performing traditional district schools).



Students Matter

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Impact Litigation + Communications

A national nonprofit organization founded in 2011, Students Matter promotes access to quality public education through impact litigation, communications and advocacy. Students Matter fights for education equality in the court of law and in the court of public opinion, where students' rights and voices matter most.

By simultaneously using litigation to challenge the laws and practices preventing students from obtaining a quality education, while influencing the tide of public opinion through a media and organizing campaign, Students

Matter creates both the opportunity and the demand for meaningful and sustainable policy transformation.

Advocacy

In order to help lawmakers translate our victories in the courtroom to lasting positive change for students in the classroom, Students Matter works with diverse coalitions of organizations and individuals to identify and advocate for the commonsense policies proven to serve students, especially in low-income communities. Students Matter believes all students can learn, and all students deserve equal access to a high-quality public education.

"[The trial court's decision in *Vergara*] presents an opportunity for a progressive state with a tradition of innovation to build a new framework for the teaching profession that **protects students' rights to equal educational opportunities** while providing teachers the support, respect and rewarding careers they deserve... Every state, every school district needs to have that kind of conversation."

— Former U.S. Secretary of Education
Arne Duncan

CASES

Vergara v. California

PLANTIFFS: California public school students

GOAL: Ensure all students have equal access to effective teachers

CHALLENGED LAWS: California's quality-blind teacher tenure, dismissal and "last in, first out" layoff laws

RESULT: June 2014 trial court decision finding all of the challenged laws unconstitutional and super-majorities of better-informed California voters supporting pro-student changes to the laws

Doe v. Antioch

PLANTIFFS: California teachers, parents and taxpayers

GOAL: Ensure school districts follow existing state law and evaluate educators' performance in the classroom in a fair and consistent way

CHALLENGED PRACTICES: Collective bargaining agreements in 13 school districts across California, which expressly violate the state's teacher evaluation law — The Stull Act — which requires school districts to evaluate the performance of teachers using multiple measures of performance, including

student progress toward academic standards, as measured by standardized tests

Martinez v. Malloy

PLANTIFFS: Connecticut public school students and their parents

GOAL: Expand access to high-quality public schools and eliminate the need for school waitlists

CHALLENGED POLICIES: Moratorium on magnet public schools, effective caps on the expansion of charter public schools, and financial penalties for traditional district schools accepting students through the Open Choice enrollment program