

CSBA's Education Legal Alliance

Fighting for public schools for over 30 years



// Who we are

The California School Boards Association's Education Legal Alliance (ELA) is a consortium of school districts, county offices of education and Regional Occupational Centers/ Programs that have voluntarily joined together for the past 30 years to create a powerful force to pursue and defend a broad spectrum of statewide public education interests before state and federal courts, state agencies and the Legislature.

// What we do

- » Initiate civil litigation and administrative actions
- » File amicus briefs and letters with state and federal courts to support school districts and county offices of education in their litigation
- » Analyze and challenge legislation and regulations
- » Provide updates on ELA cases to CSBA and ELA members

// How we work

An advisory committee of experienced school law attorneys assists in providing legal analysis and recommendations for ELA involvement to a broad-based Steering Committee consisting of school board members, superintendents and statewide education leaders.

// Recent activities

The ELA continues its long-standing practice of protecting Proposition 98 through a lawsuit filed on Sept. 23, 2024, against the State of California and the Director of the Department of Finance (DOF). The lawsuit challenges language in the 2024 Education Budget Trailer Bill (Senate Bill 153) that would allow DOF to artificially lower allocations to Prop 98 in certain years when tax receipts are delayed. This could result in the establishment of a lower baseline and ultimately lower funding for schools indefinitely.

Amicus Support: The ELA's amicus work ensures courts understand the impact their decisions will have on local educational agencies, including:

- » *O'Connor-Ratcliff v. Garnier*: Supporting appellant school board members' appeal to the U.S. Supreme Court, the ELA urged the Court to overturn the Ninth Circuit Court of Appeals decision that board members' use of their private social media to communicate with the public on matters related to their public office "constitutes state action" and is subject to First Amendment restrictions. The ELA argued that board members use of social media was not a "state action" because it was not supported, funded, directed or used with the involvement of the school district the board members represented.
- » *Legislature of California v. Weber (Hiltachk)*: Protecting LEAs by filing an amicus brief in support of blocking the placement of the Taxpayer Protection Act (TPA) initiative measure on the November 2024 ballot. The TPA proposed extensive constitutional changes that would have fundamentally revised California's basic governmental framework.
- » *Visalia USD v. Public Employment Relations Board*: Supporting LEAs by emphasizing the errors in PERB's decision that reversed 13 years of precedent that held that an employee's status as a union officer "without more" is not sufficient to demonstrate the employee engaged in protected activity and supported a district in its decision to terminate a poorly performing employee.

THANK YOU for your support!

Your annual contribution to the Education Legal Alliance ensures that we can continue this vital work. For more information about your membership, please contact the CSBA Legal Department at **(800) 266-3382** or legal@csba.org.

