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*****EMBARGOED until 10:00 a.m. on November 10, 2014*****

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Parents and School Districts File Suit against Pennsylvania State Officials for Failing to Maintain a Fair and Adequate System of Public Education

Harrisburg, Pa. – Today six school districts, seven parents, the Pennsylvania Association of Rural and Small Schools (PARSS) and the NAACP Pennsylvania State Conference filed a lawsuit in Commonwealth Court against legislative leaders, state education officials, and the Governor for failing to uphold the General Assembly’s constitutional obligation to provide a system of public education that gives all children in Pennsylvania the resources they need to meet state-imposed academic standards and thrive in today’s world. The Public Interest Law Center of Philadelphia and the Education Law Center-PA are representing the petitioners.

According to the complaint, state officials have adopted an irrational school funding system that does not deliver the essential resources students need and discriminates against children based on where they live and the wealth of their communities.

“My child is in classes with too many other students and she has no access to tutoring services or support from paraprofessionals, but our elected officials still expect and require her to pass standardized tests,” said Jamela Millar, parent of 11-year-old K.M., a student in the William Penn School District. “How are kids supposed to pass the tests required to graduate high school, find a job and contribute to our economy if their schools are starving for resources?”

The plaintiff school districts represent the interests of children from across the state including those in rural, urban, and suburban areas. They include the William Penn School District, the Panther Valley School District, the School District of Lancaster, the Greater Johnstown School District, the Wilkes-Barre Area School District and the Shenandoah Valley School District. The seven parent plaintiffs are filing on behalf of their children enrolled in one of these districts or the School District of Philadelphia. The NAACP and PARSS are filing on behalf of their members. PARSS members include small and rural public school districts and Intermediate Units.

“Pennsylvania’s state constitution tells us that the buck stops with the state Legislature when it comes to public education. State officials know exactly what needs to be done, but they refuse to do it. We are asking the Court to step in and solve this problem for the future of our children and our Commonwealth,” said Jennifer R. Clarke, executive director of the Public Interest Law Center of Philadelphia. “There is no second chance for children—they cannot go through school all over again.”

According to the complaint, the General Assembly has decided what content children need to learn to obtain a quality education, and they know how much it costs for children to acquire that



knowledge. But, state officials have failed to ensure that students in all districts have adequate resources to meet these proficiency standards, such as the Keystone graduation exams. The most recent figures from the 2012-2013 school year show that fewer than half of the state's students were able to pass the Keystone graduation exams and that three-quarters of school districts operated one or more schools that could not meet targets for proficiency on the Pennsylvania System of Standardized Assessment (PSSA) exams.

“We’ve had to lay off teachers, support staff, guidance counselors, social workers, reading specialists and coaches,” said Joseph Bruni, superintendent of the William Penn School District, one of the petitioners in the case. “Classrooms are overcrowded and we had to cut the number of classes we offer children each day. Even though our dedicated teachers and staff are working harder than ever, our children are paying the price and being improperly labeled as failures because the state is not fulfilling its responsibility.”

In 2011, the Legislature stopped using a funding formula and stopped making any efforts to close funding gaps. School districts therefore are forced to rely heavily on local property taxes, meaning students in low-wealth districts do not have access to the same resources as their peers in wealthier areas. This creates gross disparities and discriminates against students on the basis of where they live: per pupil spending ranges from as little as \$9,800 per student in districts with low property values and incomes to more than \$28,400 per student in districts with high-property values and incomes.

“Pennsylvania’s current practices are denying too many districts the resources they need to teach our kids,” said Joseph Bard, executive director of PARSS. “For example, kids in small, rural areas of the state are legally entitled to the same education as kids in sprawling suburban areas, but we give the Legislature an F in making that happen.”

Hundreds of thousands of students across the state lack basic supports and services such as functioning school libraries, up-to-date textbooks, reasonable class sizes, guidance counselors, regular access to school nurses, vocational education and college prep classes, and academic tutoring programs, among others. Students living in poverty and English language learners in particular face significant challenges without these types of resources.

The plaintiffs are asking the Court to hear from parents, educators and school board members about the impact of the unfair and underfunded system on students. The complaint alleges the Court has the duty to determine whether or not the legislature is supporting a “thorough and efficient system of public education,” as mandated by the state constitution based on the legislature’s own standards. Petitioners are asking for a court order that will force the legislature to comply with the state constitution and ensure all students receive access to a high-quality public education.

“Students and teachers are making concerted efforts to ensure that students acquire needed skills in reading, math and science—but without basic services, too many students now face insurmountable and illegal disadvantages,” said Maura McInerney, senior staff attorney for the Education Law Center-PA. “Our state provides a smaller share of the cost of education than



almost all of the other states in the country, and our students and our economy are suffering because of it. We cannot afford to ignore this problem.”

The petitioners are urging parents and citizens to call on their elected officials to fix this problem immediately, noting the legal process will take time and the Legislature has the power and responsibility to implement changes now.

For more information and case materials, visit www.edfundingslawsuit.wordpress.com.

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The Public Interest Law Center of Philadelphia uses high-impact legal strategies to improve the well-being and life prospects of vulnerable populations by ensuring they have access to fundamental resources including a high-quality public education, access to health care, employment, housing, safe and healthy neighborhoods and the right to vote. For more information visit www.pilcop.org or follow on Twitter @PILCOP1969.

The Education Law Center-PA works to ensure that all of Pennsylvania’s children have access to quality public schools, including poor children, children of color, children with disabilities, children in the foster care system, English Language learners, and other vulnerable children. For more information visit www.elc-pa.org or follow on Twitter @edlawcenterpa.