



# PROGRAM REPORT

## HARRISBURG: *PHILADELPHIA'S KIDS ARE WORTHY*

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A confrontation is looming with the state over whether Philadelphia schools will receive the resources needed to improve the academic performance of the City's 215,000 schoolchildren.

### LINE IN THE SAND

Appearing before the City Council budget hearings, the Superintendent of Philadelphia Schools advised that the School District will make no more cutbacks in programming and will be forced to close its doors in March of 1999 if no additional money is received from the state by then.

For its part, the state contends that Philadelphia is fairly funded at the state level and that any problems are due to poor fiscal management.

Throughout the controversy one fact is clear: **The Philadelphia School District is expected to educate its students for \$2,000 less per student than the average suburban school district, a difference of \$430 million per year.**

### OUR CHILDREN ARE WORTHY

As City Council President John Street has stated, the issue is whether Philadelphia's students are worthy of a decent education.

The state has failed to provide an explanation as to why Philadelphia should be required to do more with less money than suburban districts. Instead, the state's answer has been to look to the City of Philadelphia.

Clearly, this ignores the fact that Philadelphia is already the highest taxed jurisdiction in the state. Moreover, the City's budget and five year plans allocating tax revenues to City services have been

approved by the state-controlled PICA (Philadelphia Intergovernmental Cooperation Authority) Board.

For over six years the Law Center and its clients have been at the center of the effort to make sure that the School District spends its limited resources effectively. We have also worked hard to bring additional resources to the School District to enable it to improve academic performance by reducing class size, retraining teachers, establishing full-day kindergarten and pre-school programs, provide sufficient text books, etc.

### STAND AND DELIVER

We are now litigating three separate lawsuits in our attempt to require lawmakers in Harrisburg to address Philadelphia's needs, instead of simply avoiding them.

Our strategy is to bring all stakeholders and decision-makers to the table and to frame the issues so that they must be resolved.

In 1992, the Law Center intervened in the long running school desegregation suit on behalf of ASPIRA, a group working with Hispanic students, and several other community and children's advocacy groups. Their goal was to focus the City's attention on its failure to provide an adequate education to its minority students attending segregated schools. The suit became pivotal in placing public school reform at the center of public attention.

Our next step was to reach a consensus of stakeholders about what elements were needed to promote educational achievement.

We then turned to the issue of whether the state should pay for these improvements. That case is on appeal to the state Supreme Court.

Our second lawsuit squarely addresses the state's school funding scheme, which leaves the Philadelphia school district chronically underfunded. In the spring of 1997 we filed *Marrero v. Commonwealth* on behalf of several parents and students. This case charges the state with failing its *constitutional* obligation to provide a thorough and efficient system of public school education.

In a decision which is contrary to those reached in at least 16 other states, the Commonwealth Court rejected this case as raising an inherently *political* issue, and ruled that the public school funding is a legislative function not subject to review by the courts. Ultimately, the state Supreme Court will decide this issue.

In the meantime, the School District and the City of Philadelphia have joined forces with parents and community groups represented by the Public Interest Law Center to bring a civil rights lawsuit in federal court. The suit charges the state with providing more financial support to white school districts than to minority school districts even when they have the same percentage of students in poverty.

### LEVELING THE PLAYING FIELD

Pennsylvania's Constitution guarantees an effective education for *all* children. For Philadelphia's schoolchildren, this has turned out to be an empty promise. Although the Philadelphia school district is the largest in the Commonwealth, last year it ranked last in per student expenditures

out of all 62 school districts in the Delaware Valley. Neighboring suburban school districts spent an average of \$8,187 per pupil, while Philadelphia spent \$6,261. This gap widens each year.

The *Marrero* case calls for an end to this discriminatory funding scheme, so that Philadelphia's children can have a brighter future. With additional resources, the school district can provide smaller classes, teacher training, librarians and music teachers, full-day kindergarten, science and computer labs - the fundamentals of an effective education. In the long run, the payoff will be seen in a better trained work force and a healthier economy for the Delaware Valley.

This work has received generous support over the past three years from the William Penn Foundation and the Alexis Rosenberg Foundation.

### LAW CENTER UPDATES

We are pleased to welcome Mark Dichter of Morgan, Lewis & Bockius, Clifford Haines of Litvin, Blumberg Matusow & Young, former Chancellor of the Philadelphia Bar Association, and Roland Morris of Duane, Morris & Heckscher to the Board of Directors. We are proud to have these distinguished members of the Bar join the organization and look forward to working with them.

We are also pleased to announce that we recently received an \$8,000 grant from the Civil Justice Foundation, to help support our environmental justice work in Chester, Pennsylvania.



**PUBLIC INTEREST LAW  
CENTER OF PHILADELPHIA**

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***NEXT MONTH:***

***Update on Special Education***