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**School Funding Case One Step Closer to Hearing by Pennsylvania Supreme Court**  
Commonwealth Court Refuses to Review Whether School Funding Complies with State Constitution

Harrisburg, Pa. – The Commonwealth Court of Pennsylvania today issued an order in the lawsuit challenging the state’s failure to adequately and equitably fund Pennsylvania’s public schools. The lower court interpreted prior state Supreme Court precedent as eliminating any role for the courts in overseeing whether the legislature complies with the state constitution on school funding questions.

Counsel for the petitioners will file an appeal to the Supreme Court of Pennsylvania within the next thirty days. “This is a question of paramount importance to all Pennsylvanians, and we always knew this would ultimately be decided by the Pennsylvania Supreme Court,” said Jennifer Clarke, executive director of The Public Interest Law Center of Philadelphia, a member of the legal team representing petitioners in this case.

The case, *William Penn School District, et al., v. Department of Education, et al.*, was brought by six school districts, seven parents, the Pennsylvania Association of Rural and Small Schools (PARSS) and the NAACP Pennsylvania State Conference last November. The lawsuit alleges that legislative leaders, state education officials, and the Governor violated their constitutional obligation to provide a system of public education that gives all children in Pennsylvania an equal opportunity 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.

After the order was issued, lawyers for the petitioners pointed out that the Commonwealth Court only analyzed the alleged violation of the constitution’s education clause. It did not discuss the second claim in the case: violation of Pennsylvania’s equal protection clause.

“At a time when research and the national press have singled out Pennsylvania as the state with the most unequal funding in the country, we are disappointed that the Commonwealth Court did not address this claim in any meaningful way” said Maura McInerney, senior staff attorney at the Education Law Center-PA. “We believe the Supreme Court will set the law right and recognize that courts have a clear duty to address both claims. Since the earlier cases were decided, the legislature has determined what students need to learn and the cost of providing that education, but they have failed to provide all students with basic resources they need to meet state

standards. Pennsylvania courts are obligated to ensure that our constitution is followed. It's not enough to just 'keep the lights on' in our schools, as the State has argued."

"We all need to remember that right now, students across the state are sitting down to take standardized tests they are not prepared for because their schools have been starved of basic resources like teachers and text books," said Michael Churchill, of counsel at The Public Interest Law Center of Philadelphia. "We will continue to argue, on behalf of all Pennsylvanians, that the courts have a role in protecting our state's constitutional right to a thorough and efficient system of public education and that the legislature does not have *carte blanche* to ignore the funding necessary for students to succeed."

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.

"While this case continues to move through the judicial process, it is now more important than ever for people to call the officials you elected and urge them to pass a budget that reflects the needs of all of our students," said Joseph Bruni, superintendent of the William Penn School District, a petitioner in the case. "Our courts and elected officials need to remember that kids do not get a second chance to go to school again after the legislature has figured out whether or not it wants to pass a budget that truly and equitably funds our schools."

This next stage of the judicial process is expected to continue into 2016.

The order can be viewed here: [www.edfundinglawsuit.wordpress.com](http://www.edfundinglawsuit.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](http://www.pilcop.org) or follow on Twitter @PILCOP1969.

The Education Law Center-PA works to ensure that all children in Pennsylvania have access to a quality public education, including poor children, children of color, children with disabilities, children in the foster care and juvenile justice systems, English Language learners, and other vulnerable children. For more information visit [www.elc-pa.org](http://www.elc-pa.org) or follow on Twitter @edlawcenterpa.