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PA Supreme Court sets argument date for fair education funding lawsuit

Harrisburg, Pa.—The Pennsylvania Supreme Court announced on Wednesday that it will hear oral argument for Pennsylvania’s landmark education funding lawsuit on September 13, 2016, in its Philadelphia courtroom.

The lawsuit, *William Penn School District vs. Pennsylvania Dept. of Education*, seeks to remedy decades of inequitable education funding that have robbed children of the resources they need to succeed. It argues that the state’s system of funding public education is so inadequate and unequal that it violates state constitutional provisions requiring a “thorough and efficient system of public education” and equal treatment under the law.

The suit was filed in November 2014 by a broad-based coalition of parents, school districts and non-profit organizations that have seen firsthand the devastating impact of these failures in classrooms and in children’s lives. The plaintiffs include: six school districts – William Penn, Panther Valley, Lancaster, Greater Johnstown, Wilkes-Barre Area and Shenandoah Valley – the Pennsylvania Association of Rural and Small Schools (PARSS), and the NAACP Pennsylvania State Conference. The Public Interest Law Center and the Education Law Center of Pennsylvania are representing these plaintiffs.

The plaintiffs are asking the Pennsylvania Supreme Court to permit a full trial in this case by reversing a 2015 Commonwealth Court decision that dismissed the case as raising a political question. This reversal would allow the plaintiffs to present evidence that the state General Assembly has violated the Pennsylvania Constitution by failing to adequately and equitably fund Pennsylvania’s public schools.

“We are pleased that the Court will hear argument in September on the need to enforce the Constitution’s requirement that every child receive a quality, adequately funded, public education. Our inadequate, inequitable funding system leaves children without the most basic resources they deserve, and that they need to become productive members of society,” said Michael Churchill, of counsel for the Public Interest Law Center.

“After years of insufficient funding for our classrooms, protracted stalemates and in the absence of any method for linking school spending to state standards, court enforcement of the constitution is the only way we can guarantee that all children in Pennsylvania will have adequate resources to learn regardless of where they live and what school they attend,” said Deborah Gordon Klehr, Executive Director of the Education Law Center.

“We are confident that the courts will step in where the General Assembly has failed and begin upholding this important constitutional requirement.”

In the absence of judicial oversight, the Commonwealth has underfunded rural, suburban, and urban schools all over the state for many years. According to the petition filed by the plaintiffs, the General Assembly has adopted state standards that define the academic content children must learn but has failed to provide the funding necessary to give students an opportunity to meet those standards. As a result, students in underfunded schools struggle academically and fail to meet state standards. While Pennsylvania recently adopted a school funding formula – which the attorneys for the plaintiffs acknowledge is a step in the right direction – only a small fraction of education dollars will be driven through that formula and state funding remains wholly inadequate to meet the needs of students.

If the plaintiffs win at the Pennsylvania Supreme Court, the case will return to the Commonwealth Court for a full trial on the merits.

All case documents can be viewed here: <https://edfundinglawsuit.wordpress.com/>

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The Education Law Center of Pennsylvania 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 or follow on Twitter @edlawcenterpa.

The Public Interest Law Center 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.pubintl.org or follow on Twitter @PubIntLawCtr.