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FOCUS

The newsletter of the Pennsylvania and Delaware Branch of the International Dyslexia Association

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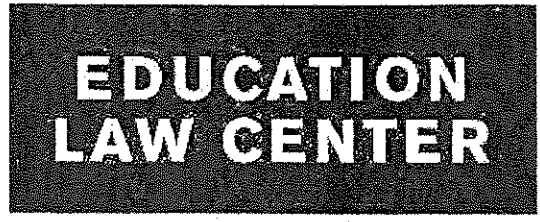
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With Future of Pennsylvania's Schools in the Balance, Lawsuit Seeks to Compel State to Increase Funding and Implement a more Equitable Distribution System

By Michael Churchill, Sonja D. Kerr, Jonathan Holin,
Public Interest Law Center of Philadelphia



**PUBLIC INTEREST LAW
CENTER OF PHILADELPHIA**
AFFILIATED WITH THE LAWYERS COMMITTEE FOR CIVIL RIGHTS UNDER LAW



Pennsylvania schools spend widely different amounts to provide their students with the skills they need to flourish as adults: the range is from \$9,800 to \$27,000 a year. State appropriations account for a lower percentage of the total cost of education than in almost any other state in the country – approximately 34% – making districts highly dependent upon the local wealth of their community. The result is widespread inequity and insufficient resources in rural, urban and even many suburban schools. Students face larger class sizes and fewer support services than they need.

Six school districts and seven parents, along with the Pennsylvania Association of Rural & Small Schools (PARSS) and the NAACP Pennsylvania State Conference have filed a lawsuit in Commonwealth Court challenging the state's school funding system as violating the state Constitution.

Represented by the Public Interest Law Center of Philadelphia, the Education Law Center-PA, and a national private firm, the petitioners allege that state officials have adopted an irrational school funding policy that has failed to deliver adequate resources to students and discriminates against children based on the wealth of the communities in which they live.

Specifically, the lawsuit is against legislative leaders, the Governor and other state officials for failing to “maintain and support” a “thorough and efficient” public education system that gives every child in Pennsylvania the essential resources needed to meet state-imposed academic standards – enacted to enable students to successfully transition into college or careers – and for violating the state's equal protection clause.

The lawsuit notes that the General Assembly directed a statewide study to determine the basic cost per pupil necessary to provide an education that enables students to meet the state's academic standards and assessments.

That “Costing Out Study” reported that 95 percent of Pennsylvania's school districts required additional funding in the amount of \$4.4 billion. In response, the General Assembly passed a bill in 2008 to establish funding targets for each school district totaling \$2.4 billion and a formula for distributing education funds in accordance with need.

However, in 2011 the legislature abandoned that formula, cut funding to school districts by more than \$860 million and passed legislation that severely restricts communities from raising funds locally. As a result of these slashes to education funding and the continuing rise in costs to meet state academic standards, the dangerous gap between the costs needed by school districts and the resources available to them has widened.

These funding cuts have had a disastrous effect on students, school districts – especially less affluent ones – teachers and Pennsylvania's future. Figures from the 2012-13 school year indicate that more than 300,000 of the approximately 875,000 students tested cannot meet state standards in reading, math or science.

Due to insufficient funding, many school districts have been unable to provide the basic elements of an adequate education, such as appropriate class sizes, sufficiently experienced and effective teachers, up-to-date books and technology, adequate course offerings, sufficient administrative staff, academic remediation, counseling and behavioral health services and suitable facilities. As a result of the inadequate funding to school districts and increasing state requirements like the Keystone Exams, many students in Pennsylvania will leave high school without a diploma.

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(Future of PA Schools, continued from page 4)

The lack of adequate funding from the state and unusually high reliance on local taxes under the current financial arrangement has created gross funding disparities among school districts, disproportionately harming children who reside in districts with low property values and incomes. This funding imbalance is not justified by any difference in student needs. On the contrary, districts with the largest numbers of students with high-cost needs, like English-language learners and students living in poverty or with disabilities, receive the fewest resources to prepare them for success. In addition, many low-wealth districts actually have higher tax rates than property-rich districts, yet some of these districts are so poor that they're simply unable to raise enough money to improve education without more assistance from the state.

For example, Panther Valley School District, a low-income district and one of the Petitioners in this lawsuit, raised only about \$5,646 locally per student for the 2012-13 school year, while Lower Merion School District raised four times that amount, despite having half the tax effort of Panther Valley's.

Although the state has made some effort to close the gap, and contributes twice as much to Panther Valley as it does to Lower Merion, Panther Valley is still left with less than half of the combined state and local funding of Lower Merion: \$12,022 per student versus \$26,700. That amount is simply not enough to provide each Panther Valley student with an adequate education. The Costing Out Study showed that Panther Valley School District needed \$13,427 per student based on 2005-06 costs, and over the past nine years those costs have consistently increased.

Given the state's failure to address the long-term education funding needs of students and the ongoing harm that failure has inflicted on children throughout Pennsylvania, the petitioners are asking the court to declare the existing school financing arrangement unconstitutional and to direct the legislature to enact a financing system which will enable students to meet state educational standards—no matter where they live.

For more information and case materials, visit www.edfundinglawsuit.wordpress.com or search Commonwealth Court Docket No. 587 M.D. 2014.

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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.

Calendar of Events

JUNE

Delaware Valley Friends School Admissions Open House, June 17, 7pm. Featuring a panel of DVFS Alumni. Contact Kathy Barry at Kathy.barry@dvfs.org to register.

Wilson Foundations Level 3 Workshop, June 22, 9am-3pm, AIM Academy. Contact kkeesey@aimpa.org.

Delaware Valley Friends School Summer Academic Program, June 29-July 31, 8:30am – 12:15pm. A five-week day program for grades 6 to 11 featuring one-on-one instruction in reading and writing, small group math instruction, an introduction to various assistive technologies, and a group art class.

For more information, www.dvfs.org/summer, or Kathy Barry at 610-640-4150 x 2160.

The Quaker School at Horsham Summer Enrichment Program, June 29-July 31, Contact: Jennifer Gallagher, jgallagher@quakerschool.org.

JULY

Wilson Foundations Level 1 Workshop, July 1, 9am-3pm, AIM Academy. Contact kkeesey@aimpa.org

Wilson Foundations Level 2 Workshop, July 2, 9am-3pm, AIM Academy. Contact kkeesey@aimpa.org

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