

FundOurSchoolsPA.org is a project of Education Law Center - PA and Public Interest Law Center.

Historic PA school funding lawsuit now slated to go to trial on Nov. 12 in Harrisburg!

Every child in Pennsylvania has the right to a public education that prepares them to succeed in the 21st century. But our legislative leaders in Harrisburg have created a school funding system where the students who need the most get the least, because of where they live.

It's wrong. It's unconstitutional. And this fall, school districts and parents are taking the state to court.

William Penn School District et al. v. Pennsylvania Department of Education et al.

In 2014, six Pennsylvania school districts – William Penn, Greater Johnstown, Lancaster, Panther Valley, Shenandoah Valley, and Wilkes-Barre Area – along with the Pennsylvania Association of Rural and Small Schools, the NAACP-PA, and a group of public school parents filed suit in Pennsylvania Commonwealth Court against state legislative leaders, state education officials, and the governor for failing to uphold the General Assembly's constitutional obligation to provide a "thorough and efficient" system of public education and violating the Constitution's equal protection clause.

This case is currently slated to go to trial in Commonwealth Court Nov. 12 in Harrisburg.

How did we get here?

Pennsylvania is more reliant on local property taxes to fund schools than all but five other states, with only 38% of total school funding coming from the state level, compared to an average of 47% in other states. Even with high tax rates, property taxpayers in lower-wealth school districts – from big cities to shrinking small towns – cannot generate sufficient school funding. With such a low state contribution, these districts struggle to meet the needs of their students, who are more likely to live in poverty or speak English as a second language.

"The General Assembly shall provide for the maintenance and support of a thorough and efficient system of public education to serve the needs of the Commonwealth."

— ARTICLE III, SECTION 14,
CONSTITUTION OF THE
COMMONWEALTH
OF PENNSYLVANIA

An expert report prepared for the court found that public schools need at least \$4.6 billion in additional funding to be able to give their students a shot at reaching state academic standards, according to "adequacy" benchmarks that are in the Pennsylvania School Code. Underfunded districts are in all corners of the state – urban, suburban and rural:

- 86% of Pennsylvania students attend schools that don't receive adequate resources for education
- 277 of the state's school districts are underfunded by more than \$2,000 per student.



Students who need the most get the least

Low-wealth districts have \$4,800 less to spend per student than wealthy school districts. This gap, one of the widest in the country, continues to grow.

Half of Pennsylvania's Black students and 40% of the state's Latino students attend schools in the bottom 20% for local wealth. This inadequate, inequitable school funding system keeps our whole state from thriving but is especially harmful to students in these under-resourced low-wealth districts.

Why does funding matter?

In Pennsylvania, local wealth determines which students get what they need, and which students do not – the quality and experience level of teachers; the number of counselors, nurses, librarians, and reading specialists. It's computers and STEM labs. Art and music. Smaller class sizes and extra help for students who are struggling to learn.

Differences in resources make a big difference in educational outcomes. In Pennsylvania, local wealth impacts everything students need in school to reach their potential.

What is the goal of the lawsuit?

The school districts, organizations, and parents who filed the lawsuit are asking the court:

- to declare the current school funding system unconstitutional;
- to order the state legislature to create and maintain a funding system that provides students with the resources they need to meet state academic standards and prepares them for life after graduation.

Ensuring that every student can receive a quality public education, whether or not they live in a wealthy community, will require billions more dollars over time in state support for public schools, fairly distributed according to district needs.

What can I do?

We MUST raise awareness of the school funding problem and let our elected officials know the toll that underfunding takes in our communities and the lifelong struggles it imposes on our schoolchildren.

We need to demonstrate broad public support for the lawsuit. We are looking to the court to rule in favor of Pennsylvania public schoolchildren, but we also need to make sure elected leaders in Harrisburg hear regularly and passionately from constituents about the need to prioritize children.

It is time to step up the pressure.

“There were only two guidance counselors for about 1,000 students. The district could not provide students with remedial help, and summer school was only available for students who failed a subject. When my son needed academic support his school couldn't provide, I had to hire a math tutor at my own expense, but I couldn't afford to continue it.”

– TRACEY HUGHES,
WILKES-BARRE PARENT AND ONE OF
THE LAWSUIT PETITIONERS

**TAKE
ACTION**

Join us: Sign up for email alerts to keep up with the lawsuit.

Support the lawsuit: Ask your organization to endorse the lawsuit – go to tiny.cc/SupportLawsuit.

Write a letter to the editor: Tell your local paper your story about how the state legislature's failure to adequately and equitably fund schools affects your community.

Go to Harrisburg: The trial is expected to continue through much of the fall. Plan to attend the trial for a day and participate in other fair funding activities.

Write your state legislator: Go to tiny.cc/PAfunding to send a message expressing your support for a school funding system that works for all Pennsylvanians.