

The logo for the Education Law Center features the text "EDUCATION" in yellow and "LAW CENTER" in white, both in a bold, sans-serif font. The text is centered within a blue rectangular box, which is itself centered between two horizontal yellow bars.

**EDUCATION  
LAW CENTER**

# SCHOOL FUNDING IN PA - INADEQUATE AND INEQUITABLE

DEBORAH GORDON KLEHR

JUNE 23, 2021

# WHO WE ARE

[Education Law Center-PA \(“ELC”\)](#) is a non-profit, legal advocacy organization dedicated to ensuring access to a quality public education for all children in Pennsylvania.

Through legal representation, impact litigation, policy advocacy, and community engagement, ELC advances the rights of underserved children, including children living in poverty, children of color, children with disabilities, English language learners, children in the foster care and juvenile justice systems, LGBTQ youth, and children experiencing homelessness.

Our priority areas include:

- **Equal Access to Quality Schools**
- **Dismantling the School-to-Prison Pipeline**
- **Adequate & Equitable School Funding**

# MONEY MATTERS IN EDUCATION JUSTICE

We have a broken school funding system that further entrenches inequities and fails to support Pennsylvania's most underserved students.

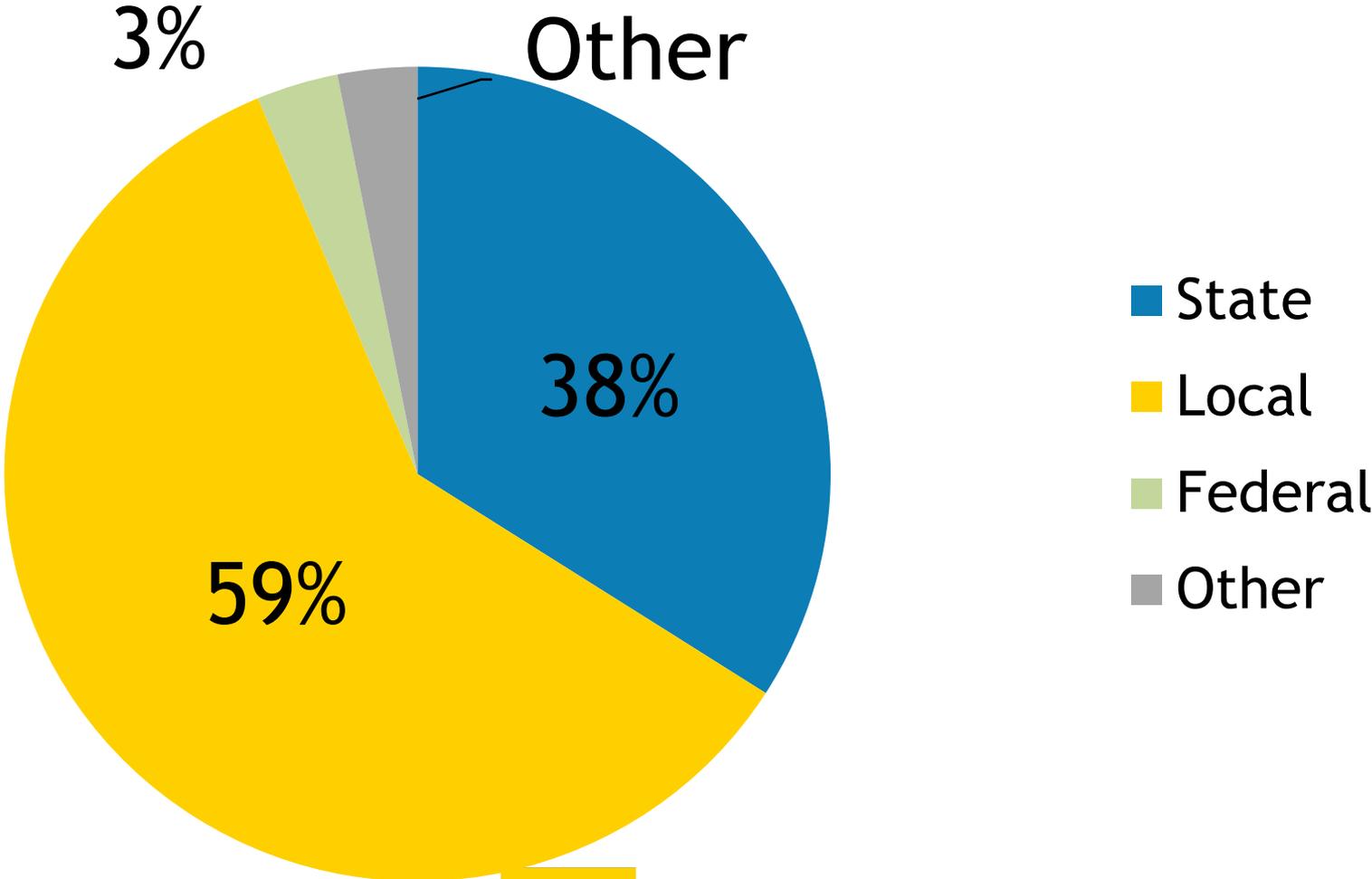
## Inadequate

- PA public schools underfunded by at least \$4.6 billion each year
- PA ranks 45th in terms of state share of basic education funding

## Inequitable

- Largest gap in the nation between wealthiest and poorest districts
- Pennsylvania spends an average of \$4,800 less per pupil on students in low-wealth districts than on students in high-wealth districts, and the average revenue gap between the poorest and richest districts has grown by \$1,000 per student over the past decade.
- PA schools are among the most racially segregated in the nation – and whiter schools receive more funding

# SOURCES OF PENNSYLVANIA EDUCATION FUNDS



# LOCAL EFFORT IS NOT THE PROBLEM: NEW HOPE V. READING

## New Hope-Solebury

- Tax rate: 12.6 mil
- Local revenue per child:  
\$25,504
- State revenue per child:  
\$4,640
- State/local per child:  
\$30,144

## Reading S.D.

- Tax rate: 25.9 mil
- Local revenue per child:  
\$2,542
- State revenue per child:  
\$10,714
- State/local per child:  
\$13,256

**Difference per child = \$16,888**

**Money matters.**

# WHICH DISTRICT NEEDS MORE?

## New Hope S.D.

- **9.7%** Students in Poverty
- **2.8%** English Learners

## Reading S.D.

- **94.7%** Students in Poverty
- **26.3%** English Learners

# HARRISBURG DURING THE LAST SIX YEARS

**Over six years, state appropriates \$698 million increase for K-12 basic education funding**

**Counting inflation, a decrease of \$101 million for the entire state**

**Difference between high-wealth and low-wealth districts increases**

# WHAT THE PANDEMIC REVEALS

## As coronavirus closes schools, wealthier districts send laptops home with students. What about poorer districts?

by Maddie Hanna, Kristen A. Graham and Melanie Burney, Updated: March 18, 2020



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# WHY THIS MATTERS

The Inquirer  
DAILY NEWS philly.com

Friday, June 8, 2018 | Today's Paper

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TOXIC CITY & SICK SCHOOLS

## DANGER: LEARN AT YOUR OWN RISK

By Barbara Laker, Wendy Ruderman, and Dylan Purcell / Staff Writers  
Photos and video by Jessica Griffin / Staff Photographer

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# WHY THIS MATTERS

Statewide PSSA results show our children are struggling:

**8<sup>th</sup> grade Math: 67.5% score below proficient, and 39.7% score below basic.**

**8<sup>th</sup> grade English Language Arts: 41.1% score below proficient,**

**8<sup>th</sup> grade Science: 47.4% below proficient**

Statewide Keystone results show the same:

**34.4% below proficient in Algebra, 27.3% below proficient in Literature, and 36.5% below proficient in Biology.**

# WHY THIS MATTERS

College attendance and graduation rates are much lower for all graduates from low-spending districts.

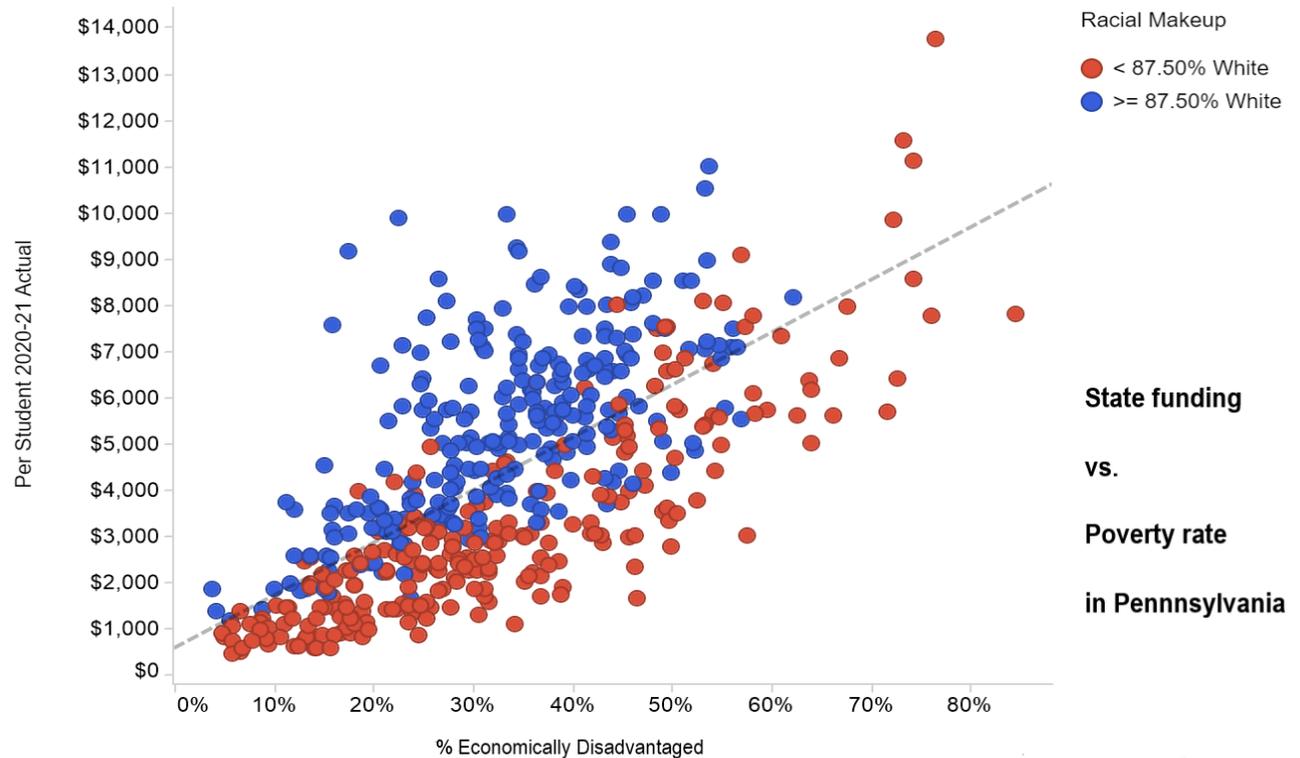
College attendance and graduation of low-income students is higher from high-spending districts than low-spending districts.



# OPPORTUNITY GAPS ABOUND

Multiple studies have shown that Pennsylvania has larger gaps in student outcomes by race and economic background than almost any other state.

# PERPETUATING RACIAL INEQUITY



Source: David Mosenkis, POWER

# THE LONG-TERM PROBLEM

1. The state has no goal to fully fund schools
2. Low relative state contribution
3. Most funding not based on formula
4. Low wealth communities need the most, try the hardest, have the least

Our students do not have what they need and deserve

# Meet our Student Partners!

# WHAT ARE WE DOING ABOUT IT?

- Litigation

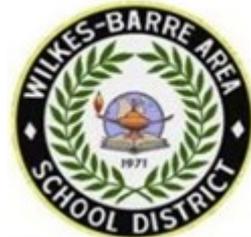
- Policy Advocacy

## *WILLIAM PENN SD ET AL. V. PA. DEPT. OF EDUCATION ET AL.*

- **Filed:** November 2014
- **Court:** Pennsylvania Commonwealth Court
- **Count I:** “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
- **Count II:** Equal Protection



# THE PETITIONERS



Parents in Wilkes-Barre, William Penn, and Philadelphia

# THE RESPONDENTS



# WE ARE ASKING THE COURT TO:

- ✓ Declare that the current system of funding our schools is unconstitutional
- ✓ Order the legislature to cease using an inadequate funding scheme
- ✓ Order the legislature to create and maintain a funding system that will enable all students to meet state academic standards

# LAWSUIT STATUS: WHERE ARE WE NOW?

## **Discovery**

- 100,000+ pages of documents
- 70+ depositions

## **Expert reports & rebuttal reports exchanged**

## **Summary Judgment motions defeated**

- State Board of Ed is an indispensable party
- Parents of graduated students are not mooted out because of “public importance”

## **Trial scheduled: September 9, 2021**

# WE WILL SHOW: RACE & CLASS DISPARITIES



PA's school districts are among the most segregated by race and class of any in the US.

Districts receiving the most revenue are disproportionately white. Districts receiving the least revenue are disproportionately Black and Latinx.

50% of Black students & 40% of Latinx students attend PA's lowest-wealth districts, which are among the state's most underfunded.

One study found that PA school districts with the fewest white students are shortchanged in state funding by almost \$2,000 per pupil, while the districts with the most white students receive about \$2,000 more per pupil than their fair share under the funding formula. [Mosenkis]

# WE WILL SHOW: ALL STUDENTS CAN LEARN & MONEY MATTERS



Poverty, if unmitigated, can have big impact on child development & student achievement.

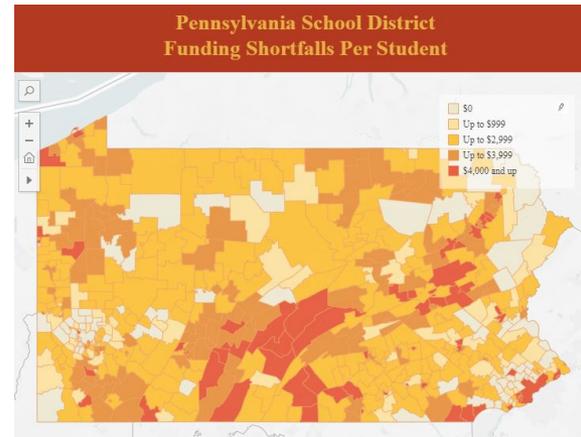
Research is clear that when schools are given resources to counter effects of poverty - **high quality preschool, small class sizes, highly qualified teachers, culturally relevant curriculum, access to counselors, social workers** - academic outcomes improve significantly.

# ADEQUACY GAP IN 2018-19: \$4.6 BILLION

Calculated by Prof. Matthew Kelly of Penn State in an expert report

More than half of all school districts are more than \$2,000 behind per student

Find the gaps in each school district at [FundOurSchoolsPA.org](https://FundOurSchoolsPA.org)



- Lancaster: \$4,510
- Johnstown: \$4,194
- Panther Valley: \$5,961
- Shenandoah Valley: \$7,027
- Wilkes-Barre: \$3,797
- William Penn: \$4,836
- Philadelphia: \$5,583



**“WITH THIS LAWSUIT, WE CAN END THE HUNGER GAMES THAT THE GENERAL ASSEMBLY HAS PUT ON FOR A GENERATION.”**

**-Greater Johnstown School District Superintendent Amy Arcurio**

# WHAT CAN THE LAWSUIT ACCOMPLISH?

Studies show that funding lawsuits:

- Bring about more revenue than a state would otherwise have raised
- Increase academic achievement and lifetime successes

Break political impasse over funding by invoking independent process based on cost analysis

# EDUCATION LAW CENTER-PA

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