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Pennsylvania's Governor asks court to expedite school funding lawsuit
Meanwhile Pa. Legislators waste time in attempt to delay the case

HARRISBURG – Today Governor Wolf [filed a response](#) in Pennsylvania's school funding lawsuit, urging the court to ensure the case moves toward trial expeditiously, acknowledging that all previous motions to dismiss this matter have been "foreclosed by the Supreme Court's [September, 2017] opinion." The Governor further requested that the Commonwealth Court "enter an order setting the deadline for answers to the Petition for Review so that the parties may swiftly undertake discovery and move this matter toward a resolution."

"We are pleased that the Governor is standing with Pennsylvania's school children who have languished in underfunded schools for far too long," said Maura McInerney, Legal Director of the Education Law Center. "By opposing further delay, the Governor acknowledges that our children need and deserve prompt justice to remedy the inequity and inadequacy of Pennsylvania's broken school funding system."

Meanwhile, Senator Scarnati, who recently called the entire case moot, went even further today, [arguing for the first time](#) that Pennsylvania's chronic underfunding of school districts causes no harm to the petitioners. In his [filing](#), Senator Scarnati appeared to blame local communities and school districts themselves, based on what he termed a "reality," that "school districts have broad discretion in deciding how to spend the funds that they receive."

"Anyone who doubts that low-wealth schools and their students are suffering from this state's lack of investment needs only to visit one. The harm caused is obvious: crumbling buildings, overcrowded classes, and a lack of technology that does not befit the dignity of the children of this Commonwealth," said Dan Urevick-Ackelsberg, of the Public Interest Law Center. "We and our clients are eager to move this case forward as quickly as possible because every day the legislature delays through its legal objections is a day in which hundreds of thousands of students across the Commonwealth remain in grossly underfunded schools. The legislative leaders should be ashamed that they are denying reality, and wasting the time of our children, who will not get a second chance at the education they deserve once this case has been tried."

Finally, in [his own filing](#), Speaker Turzai acknowledged that the Supreme Court’s September decision means the case must go on, particularly Petitioners’ claim under the State’s Education Clause. He did reiterate, however, his objection to Petitioners’ equal protection claim, making the same argument that was forcefully rejected by the Supreme Court: that Pennsylvania’s gross disparities from school district to school district may be excused by the desire for local control of education.

The Commonwealth Court has scheduled oral argument on the issues of mootness and the question of outstanding preliminary objections for the first week of March in Philadelphia. An exact date has yet to be determined.

The lawsuit – *William Penn School District, et al. v. Pennsylvania Dept. of Education, et al.* – was filed in 2014 on behalf of parents, school districts, and statewide organizations in response to the failure of Pennsylvania’s legislature to adequately and equitably fund public education and provide students with the resources they need to succeed academically. The petitioners in the case are six families, six school districts – William Penn, Panther Valley, Lancaster, Greater Johnstown, Wilkes-Barre Area and Shenandoah Valley – the Pennsylvania Association of Rural and Small Schools, and the NAACP of Pennsylvania. In the fall of 2017, in a landmark ruling, the Pennsylvania Supreme Court determined there are judicially manageable standards for courts to review school funding issues. The state’s highest court remanded the case to Commonwealth Court for a full trial.

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The Education Law Center-PA (“ELC”) is a non-profit, legal advocacy organization dedicated to ensuring that all children in Pennsylvania have access to a quality public education. Through legal representation, impact litigation, trainings, and policy advocacy, ELC advances the rights of vulnerable children, including children living in poverty, children of color, children in the foster care and juvenile justice systems, children with disabilities, English language learners, LGBTQ students, and children experiencing homelessness. For more information visit <http://www.elc-pa.org/> or follow on Twitter @edlawcenterpa.

The Public Interest Law Center uses high-impact legal strategies to advance the civil, social, and economic rights of communities in the Philadelphia region facing discrimination, inequality, and poverty. We use litigation, community education, advocacy, and organizing to secure their access to fundamental resources and services in the areas of public education, housing, health care, employment, environmental justice and voting. For more information visit www.pubintlaw.org or follow on Twitter @PubIntLawCtr.