



EDUCATION LAW CENTER

February 2020

Advocating for a Strong Education Budget

Gov. Wolf will deliver his annual budget address on Feb. 4. We hope it will speak to the urgent needs facing Pennsylvania's students, classrooms, and schools, as well as early childhood programs. Along with other members of the statewide [PA Schools Work](#) campaign, ELC continues to call on Pennsylvania officials to commit to major new investments in basic education, special education, and career and technical education.

ELC also joined with disability partners across the state in a letter asking the governor to propose [significant, sustained increases in basic and special education funding](#). ELC's advocacy for fair funding received radio, print, and television media coverage across the state, including from [PBS39](#) in Bethlehem and [WESA](#) in Pittsburgh.

Training Advocates on Special Education Funding

ELC and The Arc of Pennsylvania led funding advocates across the state in a presentation and discussion about special education funding on Jan. 14. Sponsored by [PA Schools Work](#), the webinar had about 100 attendees. You can [listen to the archived webinar here](#) or [download the slide presentation](#).

What is Special Education Funding (SEF)?

State funding for specific programs and services to enable students with disabilities to better access the general education curriculum

- Premise: with appropriate supports, students with disabilities can and should be educated with non-disabled peers
- Provides school districts supplemental resources to basic ed funding to support students with disabilities
- Public schools must provide needed educational services to students at no cost to parents

Funding Needed to Remediate Toxic Schools

ELC applauds one component of Gov. Wolf's budget proposal announced in advance this week: a [\\$1 billion grant fund](#) for lead and asbestos remediation in schools. The state's broken education funding system has left school districts across the state with aging facilities plagued with toxins – and lacking the resources to address the critical health concerns posed to students, parents, teachers, and staff.

We have joined with parents, students, educators, and legislators in urging the state's General Assembly to provide emergency funding to address the school facilities crisis, including at a [Harrisburg rally](#) in December.

Update on School Funding Litigation

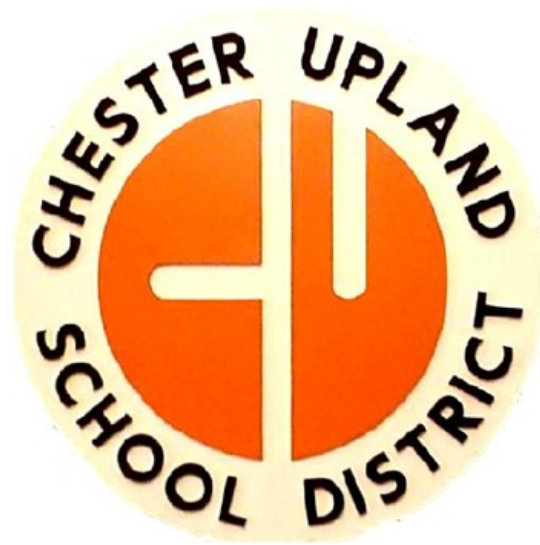


At a January 29 press briefing, attorneys from ELC and the Public Interest Law Center joined William Penn School District Superintendent Jane Ann

Harbert in updating reporters about the status of our landmark [school funding case](#) in PA Commonwealth Court. Discovery is nearing conclusion, and a trial is [tentatively scheduled](#) for fall 2020. Our presentations highlighted the profound level of education underfunding and inequity in the state.

The entrenched constitutional issues with Pennsylvania's funding system will not be resolved by the kinds of incremental increases adopted in recent state budgets. We will continue to make the court and the public aware of the need for action to address the state's inadequate and inequitable funding system.

Chester Upland Parents Want a Say in Recovery Plan



ELC, along with Public Interest Law Center, filed a [petition to intervene](#) on Jan. 31 in *In Re: Appointment Of A Receiver For The Chester Upland School District*, a case pending in the Delaware County Court of Common Pleas. ELC filed the petition on behalf of parents of students in Chester Upland School District and the Delaware County Advocacy and Resource Organization (DCARO), which advocates for parents and students with disabilities in the district.

The petition responds to a revised financial recovery plan that proposes conversion of all Chester Upland K-12 schools to charter schools. While the revised plan evaluates potential cost savings, it fails to consider whether the conversion will improve or imperil the education of students or how it will impact students with disabilities. Parents and students who will be directly affected currently lack any seat at the table. In addition, Chester's largest existing charter school, Chester Community Charter School, exhibits lower achievement scores compared with district schools in math, English, and science. ELC is hopeful that intervention will be granted and parent voices heard.

Glen Mills Case Moves Forward

Our [class action suit](#) filed with Juvenile Law Center and Dechert LLP challenging horrific abuse and deprivation of education suffered by boys at Glen Mills Schools is now moving forward with discovery.

Following a recent favorable ruling where the U.S. district court [denied](#) nearly all of the multiple motions to dismiss filed by defendants, a scheduling order was issued this month setting deadlines for discovery and class certification.



Glen Mills Schools, a residential facility located in Delaware County, now faces increased pressure in the midst of [multiple new individual lawsuits](#). We are hopeful that this next stage of the litigation will lead to meaningful remedies for the physical, emotional, and educational harm youth suffered, as well as robust statewide accountability by Pennsylvania’s agencies that are charged with ensuring the safety, well-being, and education of children and youth placed in residential facilities.

Supporting Students' Call for Adequate Mental Health Supports

ELC submitted [written testimony](#) to the School District of Philadelphia Board of Education on Jan. 30 in support of Youth United for Change’s “Mental Health Campaign Platform.” Our testimony highlights the importance of mental health services and the critical role the district plays in ensuring that schools across the city are healthy and supportive environments for all students and that schools connect youth to mental health services.

In Pittsburgh, Democratic Contenders Questioned on Education



Attorneys Cheryl Kleiman (*left*) and Hetal Dhagat joined with education justice advocates from across the country to hear from Democratic presidential candidates at the [2020 Presidential Public Education Forum](#) in Pittsburgh. The candidates spoke on a range of key education equity issues facing students and public schools, including fair funding, students' rights, and dismantling the school-to-prison pipeline. Special thanks to our partners at One PA and Education Rights Network who helped make our participation possible.

ELC Welcomes New Administrative Assistant



ELC is thrilled to announce that Melissia McKittrick has joined our team as our new administrative assistant in the Philadelphia office. Melissia brings over 15 years of administrative and office management experience to the position. Before coming to ELC, Melissia spent seven years with Equal Measure, a Philadelphia-area nonprofit consulting firm.

Spring Interns Join ELC's Ranks

We welcome a new team of interns in our Philadelphia office:

- Sona Sosa is a third-year law student at Temple University Beasley School of Law. Her previous work includes editing and drafting music contracts and music distribution deals, as well as extensive research on the Lanham Act and Older Americans Act

reauthorization.

- Allie Robinson is a third-year law student at Temple. She has interned at Philadelphia Legal Assistance, Philadelphia VIP, Pennsylvania Health Law Project, Community Legal Services, and the Philadelphia District Attorney's office.
- Alexis Caris is a second-year law student at Penn Law. She spent her 1L summer at the Women's Law Project and focuses her pro bono work on family law in the Custody and Support Assistance Clinic at Philadelphia Legal Assistance.
- Sarah Best is a second-year law student at Penn Law. Prior to law school, she taught high school math for five years in charter and traditional public schools in Memphis and Nashville.
- Lelosa Aimufua is a senior at Swarthmore College, majoring in political science and education and minoring in Black studies. She is captain of the varsity volleyball team, an editor for the student publication Voices, an admissions fellow, and president of Athletes for Diversity and Inclusion.
- Lindsey Darling is a sophomore at Temple majoring in Communication & Social Influence, interning as part of her pre-law class. Lindsey is currently exploring stand-up comedy and is a brand ambassador for Live Nation Entertainment.

What We're Reading...

- [Five of the country's most economically segregated school district borders are in Western PA](#), by Sarah Schneider for WESA
- [Reformers must stop whitewashing 'choice,'](#) by Andre Perry in The Hechinger Report
- [States are burying damning data about school funding](#) by Ary Amerikaner in The New York Times



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