

Capitolwire: Landmark school funding lawsuit begins Friday.

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An historic lawsuit education funding advocates hope will prove the state's system for funding public schools is unconstitutionally unfair to students in poor school districts begins Friday.

The epic trial is expected to include dozens of witnesses and drag on for months -- lawyers say the trial could last anywhere from six to 10 weeks.

The groups suing say they expect to call upon parents and schools officials from poor districts to describe the impact chronic underfunding has had.

The lawsuit was first filed in 2014 by the Education Law Center and Public Interest Law Center on behalf of parents and [six school districts](#) -- the Greater Johnstown School District in Cambria County, the William Penn School District in Delaware County, the Lancaster School District, the Panther Valley School District in Carbon County, the Shenandoah Valley School District in Schuylkill County, and the Wilkes-Barre School District in Luzerne County.

The Pennsylvania Association of Rural and Small Schools and the NAACP are plaintiffs in the lawsuit, as well.

What's the argument?

The state Constitution says: *"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."*

Lawyers for the school districts involved in the lawsuit say the state's current approach of relying heavily on local property tax to generate school dollars creates tremendous disparities and unfairly short-changes students who live in school districts where the public can't afford to compensate for the lack of state funding.

Pennsylvania ranks 45th in the nation in its state share of costs of K-12 education. While the national median state share is 47%, Pennsylvania contributes only 38%, with the majority of school funding coming from local sources.

Republican lawmakers have said they've taken steps to improve the way schools are funded -- including creating a fair funding formula and asserted that in taking up the case, the judicial system is injecting itself into decisions that should be made by the General Assembly.

According to U.S. Census data, Pennsylvania spent \$16,864 per pupil in 2019.

Just seven states spent more per pupil that year: Massachusetts, New Hampshire, Alaska, Vermont, New Jersey, Connecticut and New York.

But lawyers for the schools suing say that data is misleading because it doesn't reflect the disparities across the state.

"This case is focused on the inequities and the disparities and what is available to children in low wealth districts versus high wealth districts, because our Constitution guarantees that we have a public education system that works for all of our children," said Maura McInerney, legal director for the

Education Law Center. “They may say that what is going on currently is simply good enough. But it is not when you look at the deficiencies in our school and what children are contending with and when you look at the abysmal outcomes in terms of academic achievement, graduation rates, and how that simply perpetuates generations of poverty.”

The state’s wealthiest school districts are spending about \$4,800 more per student than the state’s poor districts and that gap has increased by more than \$1,000 per pupil over the last decade, she said.