

Draining the School-to-Prison Pipeline

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"Draining the School-to-Prison Pipeline" is a monthly publication addressing issues of community school reintegration, sharing practical recommendations to support returning students, tracking relevant public policy and legislation, and addressing racial and other inequities in Pennsylvania's educational system.

Pennsylvania's School Funding Trial: The "Need to Know"

The trial over school funding for Pennsylvania students is set to begin on November 12, 2021 in Commonwealth Court. The plaintiffs in this suit -- six school districts, four parents, and two statewide organizations -- contend that Pennsylvania's current system of school funding violates the Pennsylvania Constitution and denies some students the opportunity to receive an adequate education. The suit names as defendants the Governor, legislative leaders, the Secretary of Education, and the State Board of Education.

The lawsuit asks the court to find Pennsylvania's current funding structure unconstitutional for two reasons. First, the current system does not meet the General Assembly's constitutional obligation to "provide for the maintenance and support of a thorough and efficient system of public education." As a result of an irrational method of school funding, some school districts across the Commonwealth cannot provide their students with the fundamental elements of a quality education, such as sufficient numbers of qualified teachers and staff, appropriate class sizes, suitable facilities, and up-to-date text books and technology.

Second, the plaintiffs argue that Pennsylvania's current system of school funding is inequitable: it widens resource disparities and discriminates against students living in districts with low wealth, in violation of the equal protection provisions in the Pennsylvania Constitution. If the plaintiffs' case is successful, the General Assembly would be compelled to allocate more funds to low-wealth school districts, ultimately minimizing disparities in test scores and graduation rates that are rooted in resource inequities.

The case is *William Penn School District, et al. v. Pennsylvania Department of Education, et al.* The plaintiffs are represented by the Education Law Center, the Public Interest Law Center, and O'Melveny.



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Grow Your Knowledge

Check out this podcast presented by [appeal.org](https://theappeal.org) on the school to prison pipeline and its effect on low income black and brown students.
<https://theappeal.org/justice-in-america-episode-28-school-to-prison-pipeline/>

SPOTLIGHT SERIES

Our Spotlight Series highlights individuals and organizations that are doing innovative and important work on the issues of community school reintegration, dismantling the school-to-prison pipeline, and addressing bias in education.



In this month's Spotlight Series, we are shining a light on Paige Joki, a staff attorney at the Education Law Center (ELC). ELC is at the forefront of state-based efforts to improve school funding equity and secure essential resources for all students. Their strategies include litigation, policy development, capacity building, communications, data analysis and research. As counsel in the fair funding trial, ELC is a leading voice in the work to achieve adequate and equitable state funding for Pennsylvania's schools.

At ELC, Paige represents students, conducts trainings, and works to address the individual and systemic educational barriers facing students in Pennsylvania. She is responsible for leading the Education Law Center's Philadelphia-based Black Girls' Education Justice initiatives. Paige joined ELC's staff in 2017 as an Independence Foundation Public Interest Law Fellow, with a specific focus on eliminating barriers to quality education for students experiencing homelessness in the Philadelphia region.

From Policy to Practice

Pennsylvania students deserve quality education regardless of their zip code. Below are four practical suggestions for ways to get involved and support fair funding for Pennsylvania schools.

1) Learn about how your local school district receives and allocates its funding. You can do this by attending school board meetings and asking questions about school funding such as: *"How much of the budget will be allocated toward behavioral and educational interventions?"*

2) Increase awareness of the importance of fair funding. You can do this by writing to the editor of your local newspaper to ensure that your community is aware of its place in the education equity divide, and why it is important for all Pennsylvanians to address the funding disparity.

3) Advocate for equitable school funding by joining like-minded advocates. You can do this by joining the PA Schools Work campaign, a non-partisan coalition of teachers, school administrators, school board members, parents, community organizations, and advocates for children from across Pennsylvania whose mission is to ensure that every student in Pennsylvania has access to an adequately funded public school.

4) Advocate for a state budget that provides for equitable funding for Pennsylvania schools. You can do this by contacting your local and state legislators, explaining your concerns, and demanding budgetary action.

The Road from Our Reality to Our Responsibility

Every issue of this digest addresses issues of racial disparity and other inequities in the systems of education, juvenile justice, child welfare, and behavioral health by identifying systemic barriers, introducing evidenced-based research for dismantling current practice, and creating a blueprint for structural change and empowerment.

How Centuries of Racist School Funding Practices Flowed into the School-to-Prison Pipeline of Today.

The Founding Fathers considered public education critical to sustaining the then-fragile democracy of the nation and ensuring the competence of its participants. Through that belief, the emergence of a public-school system bloomed. States entering into the union were offered incentives such as a land grant that provided them a substantial amount of federal acreage if they agreed to use a portion of that land to build a public school. While these schools were in theory available to children of any race, in most parts of the country white residents prevented Black families from accessing any formal education, and Southern legislatures made it illegal to teach an enslaved person to read or write.

Following the Civil War, and with the passing of Jim Crow laws, came the *de jure* segregation of public establishments, including public schools. Black students were not allowed to attend the same school as their white peers. Black students in the rural south -- where the largest population of African Americans in the U.S. lived at the time -- were most impacted by segregated schools. Federal educational funding was funneled to white schools with little or no funding allotted for schools that educated Black students. Those schools experienced deficits such as having only one teacher for an entire K-8 school, hand-me-down textbooks previously used at the white schools, and physical buildings in disrepair. Black teachers received less training and were severely under compensated compared to their white counterparts.

Though the Supreme Court ruled in 1954 in *Brown v. Board of Education of Topeka* that segregated schools were inherently unequal and a violation of constitutional rights, Black and Brown students today still feel the impact of generations of school segregation. Across the United States, schools with 90% or more students of color spend \$733 less per student per year than schools with 90% or more white students. (6). Black students often continue to attend schools with teachers who have fewer qualifications and experience, and lower salaries compared to white teachers. Black students also spend less time in the classroom than their white peers due to inequitable student discipline practices: Black students are twice as likely as their White peers to be suspended, and Black students are more than twice as likely as their White peers to receive a referral to law enforcement or be subject to a school related arrest.

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