

# Equity Suit Updates From The Courtroom

DAY 2 - JANUARY 7, 1997

Dr. Edward Vollbrecht of Everett School District in Bedford County was cross examined by the defendants. The questions related to the scores on the state assessment tests, the achievement scores by the students of the school district, and the salaries of teachers in the school district. The defense questioned the decision of the school district in spending funds on extracurricular activities and not on books and materials for the libraries. The questions related to transportation for extra curricular activities, why revenues increased over the years from the state and class size in all of the school districts. The defense pointed out the small class sizes in some of the schools in the district. The attorneys asked Dr. Vollbrecht if students were able to go onto college from Everett and whether the district was maintaining a mandated set of courses so that youngsters could graduate and could go on to further education.

Dr. Vollbrecht answered those questions in the affirmative. He did point out that there were problems of low expectations and self esteem among the youngsters. When asked if his own child was going to the Everett Schools he said yes. "He is getting a minimum education."

Mr. Macdonnell, the attorney for the intervenor group asked Dr. Vollbrecht questions related to special education costs for the 1650 students of the district in comparison to the Lower Merion School District. The costs in Lower Merion were about 7 times more than Everett even though the district only had 3.5 more students. There were also questions about counting students and how the number of special education students were arrived at.

Dr. Dean Steinhart, the former chairman of the board of control of the Clairton School District, who is actually a witness for the defendants was called to the stand by the plaintiffs. He was asked about the reasons for Clairton going distressed he said:

They were unable to meet their bills

They were unable to meet their payroll

Their deficit was over 2% of their assessed value of their property

The Department of education advanced payments to the district to cover some of the immediate debt. The district was 2.3 million dollars in debt. The town had 25% unemployment, the city of Clairton itself was in distress, there was not police force. The city was made up of mostly older citizens and folks in poverty. Most of the middle class had moved to neighboring areas. The assesment of property had gone down from 100 million dollars to 23 million dollars in about 20 years leaving the tax base very low and the rate of collection about 10-13 % less than the state average.

Dr. Steinhart said that he was forced to make the "hard cuts" even after the first board of control's actions. He said the local school board did not submit balanced budgets to the state and that triggered some of the warnings of a distressed school district. The district had been under scrutiny of the state since the end of the first board of control in 1988. The cuts in the district were:

Elimination of transportation

No advanced classes

elimination of extracurricular activities ( picked up by a local group of residents)

4 year old kindergarten

elimination of certain teaching positions

Elimination of certain administrative positions

holdup on purchases of many items

The state participated in the extra funding over the next few years and was able with "conservative budgeting" to come up with a fund balance. Some of the activities were now restored. According to Dr. Steinhart, the Administration and School Board could not deny the kids a basic education. He said that the new formula for special education was also a major reason for the deficit. He had to restore fiscal integrity so that the district could borrow money.

On cross examination by the defendants Dr. Steinhart said that while teacher salaries were high in his own experience, they were the lowest in Allegheny County. The School district did meet minimum requirements of the state even after the cuts. There was also discussion about the reasons for the deficit which Dr. Steinhart attributed the former board's inability to make the hard decisions. They refinanced a bond issue which gave them a "Balloon Payment". On redirect, Mr. Schmidt , attorney for the plaintiffs asked what the reimbursement was for the balloon payment. Dr. Steinhart said, all but about 400,000 dollars.

Mr. Roger Tachoir, a math teacher for 27 years in the school district of Clairton was asked to describe the district , its current status and the way it was 27 years ago. Mr. Tachoir is actively involved in the effort to raise funds for both academic and extracurricular activities not funded by the district. The academic portion relates to students going to courses at the Allegheny Community College. According to Mr. Tachoir, the staff took a freeze in salaries when the district went distressed and also agreed to teach more periods in the day at the high school and perform more duties than previously. He now teaches 6 periods a day all differing preparations. He says that the pace of teaching is slower now than it had been and even slower since handicapped youngsters now make up a large part of some of his classes.

The district had to bring back almost all of its students from intermediate unit classes. They are now included. This also reduced expenditures for the district. The school building, renovated in the late 1980s did not have enough rooms for handicapped youngsters. There are a few computers in the building and they are not always accessible because of space, scheduling and lack of staff. This is also true of the libraries because there are two libraries , elementary and secondary and only one librarian. Almost all of the staff are at the maximum of teaching time. There are classes at the elementary level and some at the secondary school that are large.

Cross examination of Mr. Tachoir centered about teacher negotiations and how much money the teachers proposed as a raise before the distress and board of control. Cross also involved a listing of programs that were in the district, contained in the strategic plan.

There were a number of programs that had been dropped and a number that were still there. Mr. Tachoir pointed out that there were no

science labs for his own son who is a student at Clairton because of scheduling and a lack of space. Mr. Tachoir was asked why he sent his daughter to a Catholic high School . He said that because of the opportunities there for her to go to college and it was her choice. The cost of sending her to Catholic school was discussed. It was pointed out in redirect that the parents aren't the only people paying for the operation of the school and that each year the parish and the diocese present funds to the school beyond tuition. On redirect Mr. Schmidt asked Mr. Tachoir to figure out how much the \$250 per semester for Allegheny Community College came out to per year in terms of time. It was decided that it cost \$10,000 for 45 hours for 20 students at the Community College and about \$8,000 for 135 hours in Clairton for the course. This did not include other costs other than salaries for Clairton

Dr. Carmen Sarnicola, the former Superintendent of the Clairton School District was then called to talk about the district, its history and the problems of finance. Dr. Sarnicola told about his entry into Clairton in 1988. He found a district was suffering from economic deprivation, fiscal problems and program deficiency. He said that the board had brought him in to upgrade the curriculum with advanced courses, programs for preschoolers, teacher training , computerization and to make the youngsters competitive with other students. He found this to be a daunting task, . Within 2 months of his arrival, after he was told that he had a \$354,000 fund balance , he found that bills had not been paid from the previous year's budget for many items related to the school building that had just been opened. He believes that he was in debt about \$800,000 when he walked through the door. He lost a psychologist , a guidance counselor and many other staff members during his tenure.

He did go out and get private and public funds for many pre school and remedial programs in the district. They were beginning to show some success. The youngsters were looking to the school for the help that they couldn't get in the community. When athletics was dropped from the budget during the initial budget cut, he believed many of the youngsters, who stayed in school because of athletics would leave. He was grateful for the community people, whom he encouraged to be involved in the district for raising funds to keep some of the athletic and extracurricular programs. Dr. Sarnicola was adamant about the deficit and the need to submit an unbalanced budget. There was nothing that he could do , in good conscience, to stop that process, The youngsters needed those programs.

He explained that he did all that so that he could forestall and then remediate the problems.

Tomorrow's witnesses will be:

Dr.Sarnicola, on cross examination and redirect

Mr. Joe Bard, former Commissioner of Basic Education

Mr. John Shropshire, Dean of Admissions at Clarion University in Clarion PA.