



# EDUCATION UPDATE

Dear Ed:

In a victory for students across Pennsylvania, the Commonwealth Court [today overruled various preliminary objections](#) to Pennsylvania's [landmark school funding lawsuit](#). The ruling was an important step towards the case will move forward towards a full trial. We want to extend our thanks to all of you who attended [argument on these objections](#) on March 7, braving the snow and rain to show your support.

Among the objections that the Court overruled was that the petitioners had not established that the current scheme caused the injuries they suffered. Ruling that the objection had "no merit," the Court noted the court was already "clearly able to discern" the nature of our clients' claims.

This decision is a clear victory for public school students across the Commonwealth. There can be no doubt that Pennsylvania's schoolchildren continue to suffer extraordinary harm due to severe under-funding and gross inequalities. In the next stage of the case, we will need to address two remaining arguments put forward by legislative leaders before these students can have their day in court.

First, Representative Turzai argued that our clients have failed to state an equal protection claim, asserting that education is not an important or fundamental right. The Court overruled Turzai's objection but allowed for discovery on this issue.

By arguing that education is not an important right, legislative leaders are going against everything families know to be true. In fact, the state Constitution singles out education so that it cannot be treated just as any other service.

Second, Senator Scarnati continues to assert that the entire case is moot, effectively arguing that the new formula has fixed Pennsylvania's chronic school funding problem. The new formula, while an improvement over the old system of distributing state education funding, only applies to increases in funding--a tiny fraction of the total education budget.

Anyone who doubts that low-wealth schools and their students continue to suffer from this state's lack of funding needs only to visit one. The harm caused is obvious. It seems like the only people who can't see that are some members of the legislature.

We look forward to the next few months of discovery. We're going to prove two things that everyone in the Commonwealth should be able to recognize: education is an important right, and a failure to adequately fund it is harming our students.