



PROGRAM REPORT



The Public Interest
Law Center of
Philadelphia

November, 1996

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RECLAIMING THE DREAM Philadelphia's Fight for Education Reform

August 20, 1996 - Education reform in our City schools took a giant leap toward racial equality this summer, due largely to the efforts of Michael Churchill and Tom Gilhool of the Law Center. After a 19 day trial, Judge Doris Smith of the Commonwealth Court found that the Philadelphia School District lacked adequate funding to support programs to end racial differences in educational opportunities and directed the state to pay the School District an additional \$45 million *this year alone*.

Judge Smith also ordered the State to increase future funding to the School District and directed the District to cooperate with the Pennsylvania Intergovernmental Cooperation Authority to assure proper fiscal management.

This case is unprecedented in Pennsylvania. Even though the Commonwealth Court has determined that de facto segregation has existed in our schools for over twenty years, this is the first case in which a school district has actually been ordered to remedy the situation. Significantly, Judge Smith concluded that Philadelphia lacks sufficient available funds to implement the desegregation remedies. At the same time, the Commonwealth claims that it has no obligation to provide the necessary funding to Philadelphia's 214,000 schoolchildren.

While Judge Smith's order is substantially less than the \$430 million needed to bridge the gap in per pupil spending between city and suburban schools, it is substantially more than

the State is willing to provide. This dispute will be resolved by the state Supreme Court, which is like to render a decision this winter.

PROGRAM REPORTS

Environmental Update:

The Law Center has filed an action challenging the proliferation of waste treatment facilities in a predominantly minority community in Delaware County. This action, brought by Jerry Balter against the Pennsylvania Department of Environmental Protection on behalf of a group of residents of the City of Chester, charges the DEP with violating their civil rights by permitting the construction of more waste treatment facilities in that community than anywhere else in the county. The Justice Department has filed an amicus brief in support of this claim. This case is receiving national attention and is expected to be precedent-setting in the area of environmental justice.

continued

Upcoming Events:

Fair Funding Luncheon
Thursday, Nov. 21, 1996
12:00p.m. to 1:30 p.m.

Join the Public Interest Law Center and state legislators for lunch to discuss the topic of education reform and the Law Center's efforts to obtain fair funding for our public schools. For more information call Heather Bendit at 627-7100.

PROGRAM REPORTS, Continued

Housing Update:

The Law Center continues its fight for fair housing for all citizens. This summer, Karen Black took a major area property owner to court for violating the Fair Housing Act after extensive testing confirmed that two large apartment complexes owned by that individual discriminated against families with children. The Law Center also obtained a consent decree in another case which halted the racially discriminatory leasing practices of the owner of 13 properties in Delaware County. Management of the properties has been turned over to an independent company and leasing practices will be monitored by the court for the next two years.

Over the summer, our law center interns were sent to investigate complaints from African American tenants at a major suburban apartment complex that they are being harassed by property man-

agement, the security guards and by the local police. The Justice Department has expressed interest in our findings.

Police Update:

We have received a number of complaints of police harassment of transsexuals and of witnesses to the harassment in the Center City area and have been conducting an investigation to determine further action. **The highly trained staff of the Police Misconduct Hotline may be reached at (215) 627-3651, 24 hours a day, 7 days a week.**

Persons with Disabilities:

The Law Center achieved a significant victory this summer in its fight to secure for persons with disabilities state of the art alternatives to lifetime institutionalization. In July, Judith Gran secured an agreement with the state of Tennessee which provides for all residents of one state institution to be placed in community residences when called

for by independent professional judgment; the agreement also provides for a comprehensive community planning process. A similar settlement was reached in September with respect to all other institutions in Tennessee. Due to our remarkable successes in these cases, the Law Center has been asked by advocacy groups in Florida and Montana to seek closure of institutions and the development of community support services in those states.

In September, the Law Center succeeded in persuading a federal judge to halt efforts by the Florida state legislature to dry up support for retarded persons living in group homes.

United Way 1996 Campaign

**Support Our Efforts
Through The United Way!**

We appreciate your Specific
Care Pledge Code # 00572

NEXT MONTH: Watch for an update on our community policing project and an important announcement regarding our work in Tennessee on behalf of persons with disabilities. We will also spotlight an important victory which protects the First Amendment rights of residents of Tennessee state institutions.



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