

**IN THE COMMONWEALTH COURT OF PENNSYLVANIA**

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**WILLIAM PENN SCHOOL DISTRICT, et. al.,  
Petitioners,**

**V.**

**THE PENNSYLVANIA DEPARTMENT OF EDUCATION, et. al.,  
Respondents.**

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**REDACTED BRIEF OF AMICUS CURIAE THE PENNSYLVANIA STATE  
EDUCATION ASSOCIATION (“PSEA”), IN SUPPORT OF THE  
PETITIONERS**

Refiled pursuant to Order of Court dated June 24, 2022

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## **I. Statement Of Interest of Amicus Curiae<sup>1</sup>**

The Pennsylvania State Education Association (“PSEA”) files this brief in support of the position of Petitioners, William Penn School District, *et al.* PSEA is a nonprofit corporation and labor organization representing over 177,000 individual members, most of who are employees of the public school districts of the Commonwealth. PSEA has over 1,000 affiliated local associations, almost all of which are certified as exclusive-bargaining representatives of the employees of public school districts of the Commonwealth. PSEA and its local associations share the primary goals of: (i) protecting and advancing the welfare of our members; and (ii) promoting the educational welfare of Pennsylvanians by delivering the best possible educational programs and most effective learning environments to all students in the Commonwealth. In pursuit of those goals, PSEA has participated as amicus curiae before this Honorable Court and before other state and federal courts in cases that present important issues impacting our members and the students they serve. PSEA has developed a reputation for comprehensive and expert research in the fields of education and labor law.

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<sup>1</sup> No party to this case has paid, in whole or part, for the preparation of this brief.

**II. [REDACTED] Position of Amicus Curiae, PSEA**

PSEA knows public school educators and the school districts for which they work. PSEA tracks, compiles, and analyzes the comprehensive statistics on educators and their school districts that are gathered and published by the Department of Education (“PDE”). [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

- [REDACTED]

- [REDACTED]  
[REDACTED]  
[REDACTED]

- [REDACTED]  
[REDACTED]

- [REDACTED]  
[REDACTED].

PSEA believes the quality and quantity of human educational resources available to teach and support students is the most significant determiner of educational outcomes. [REDACTED]

[REDACTED]

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School districts have three principal sources of funds: (i) local tax revenue (real estate and local income taxes); (ii) state subsidy; and (iii) federal assistance.

Not surprisingly, there is a substantial difference between the household income and wealth of districts in the 1<sup>st</sup> (wealthiest) [REDACTED] and those in the 5<sup>th</sup> (poorest)

[REDACTED] districts in the 1<sup>st</sup> [REDACTED] have significantly more dollars of local revenue per student available to fund their public schools. [REDACTED]

[REDACTED]

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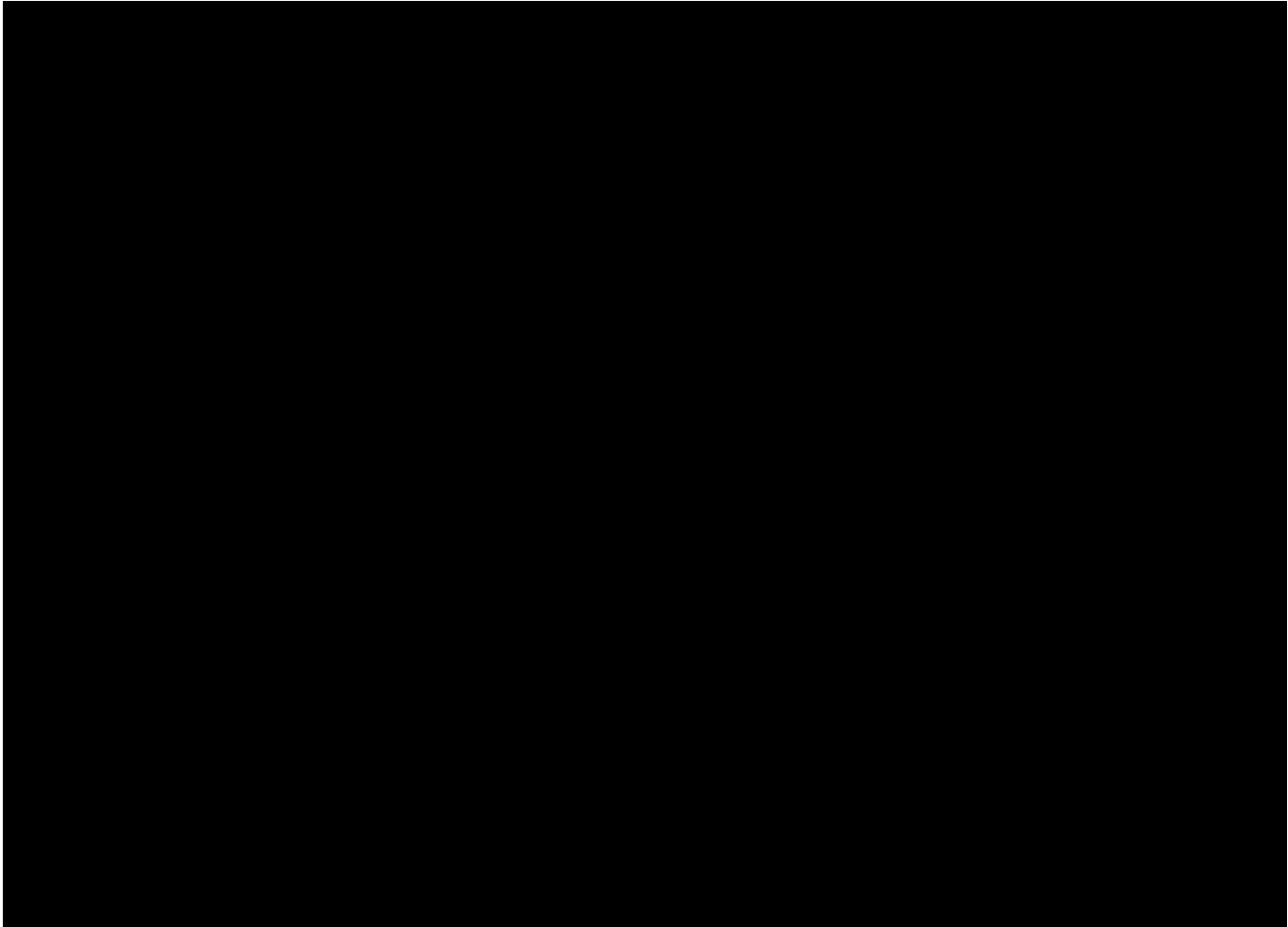
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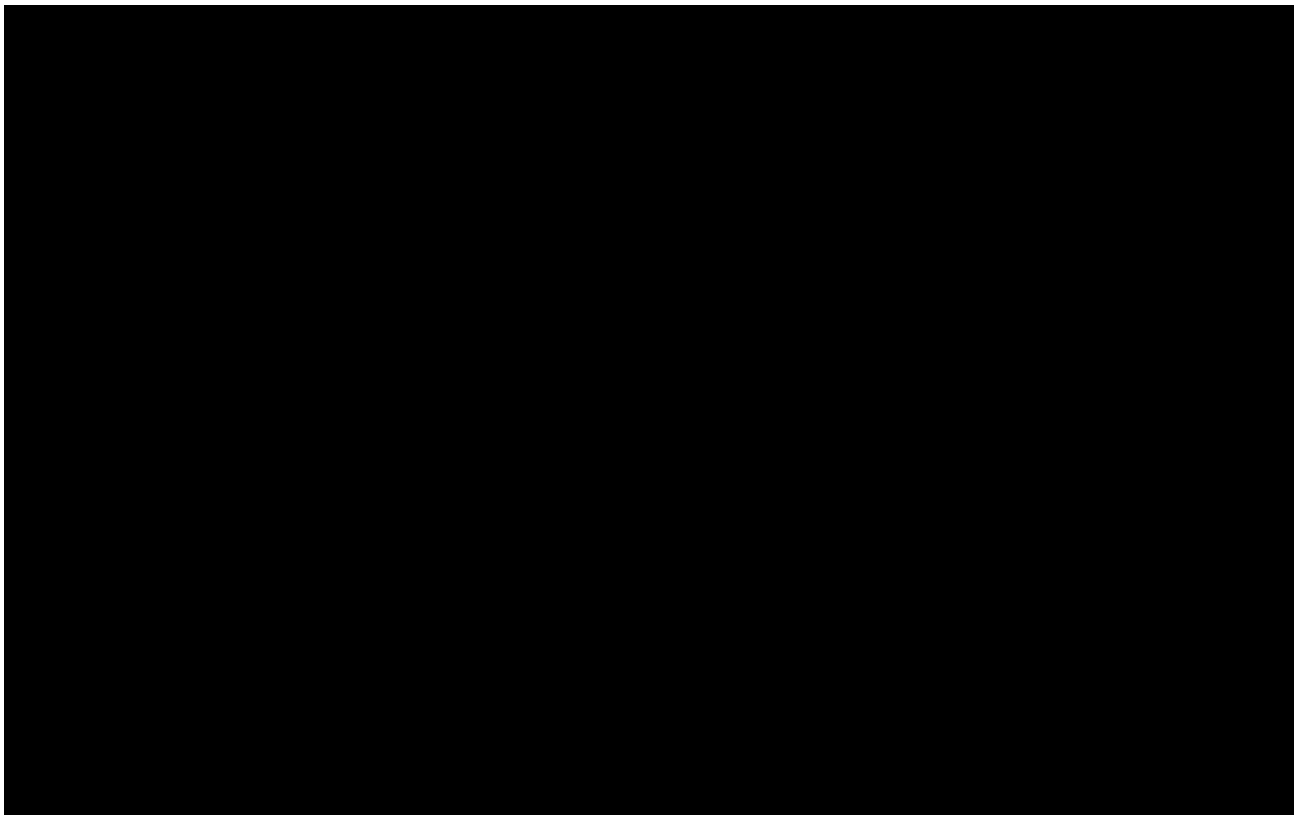
The addition of state subsidies to local budgets increases the funds available for education. If the state funding formula were perfectly aligned and funded, state subsidy money would bridge that gap and equalize the resources available for education from the wealthiest to the poorest school districts. It does not. [REDACTED]

[REDACTED]

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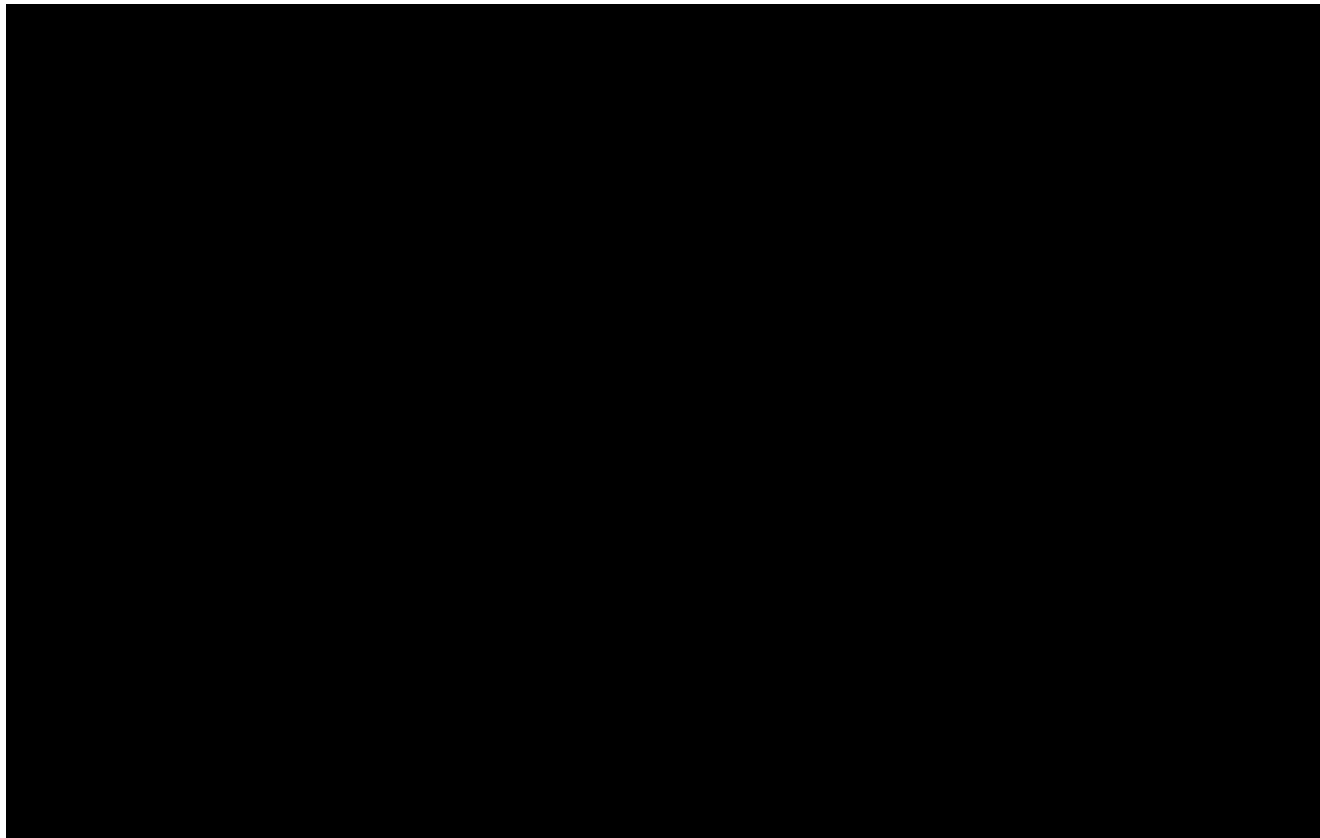
[REDACTED]. Counselors, social workers, nurses, psychologists, and instructional aides are as important to the delivery of a thorough and efficient 21<sup>st</sup> Century education as classroom teachers. Indeed, changes in the education of children with special needs, coupled with the increasing socialization demands placed on public schools, have heightened the necessity for non-classroom professionals and para-professionals. This is particularly true in low-income school districts. Many of their students arrive at school with more challenging home situations, and larger learning gaps, requiring more resources [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]



When budgets are built, and staff is slashed to meet those budgets, these critically important (but non-mandated) personnel are the first to go. [REDACTED]

[REDACTED]

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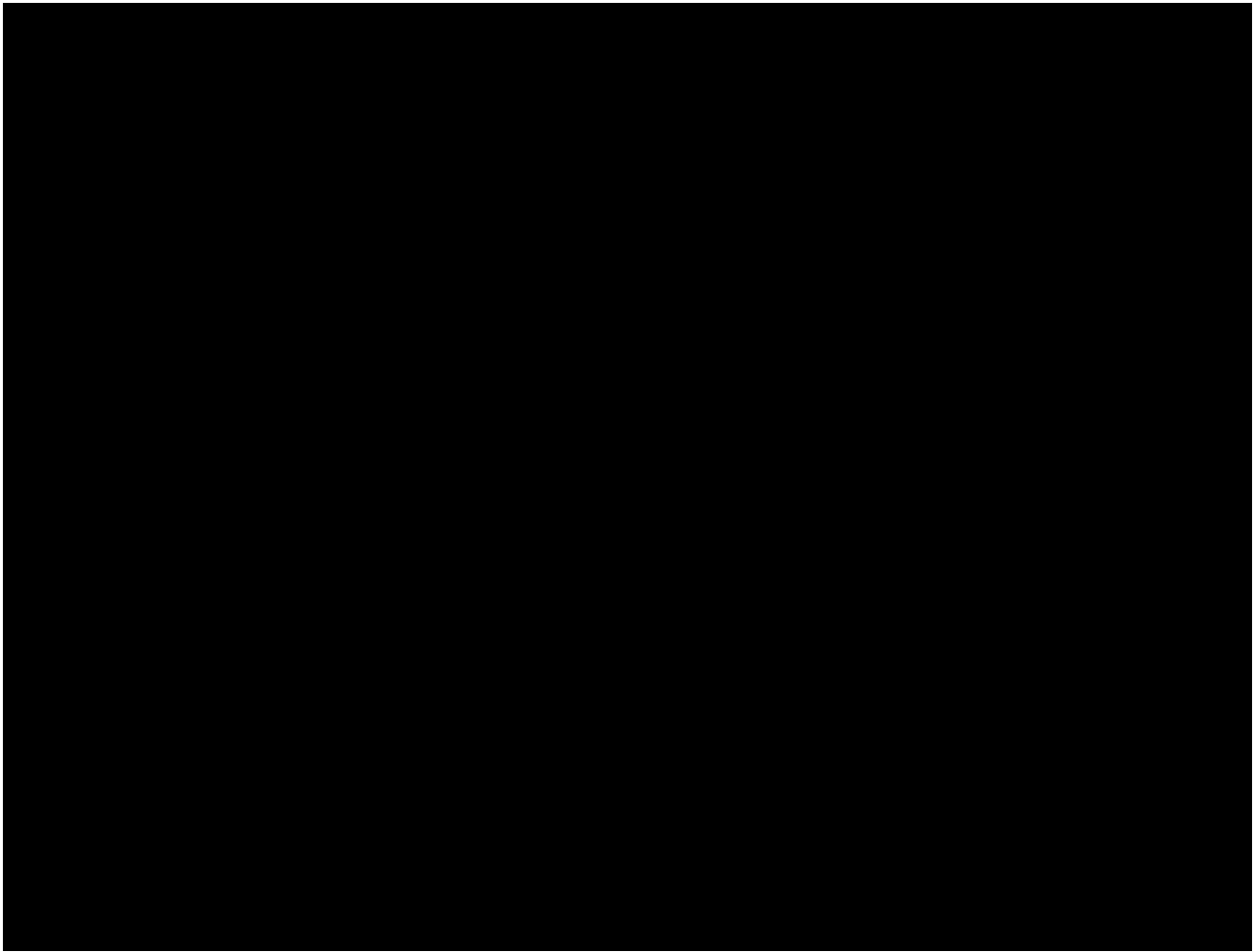
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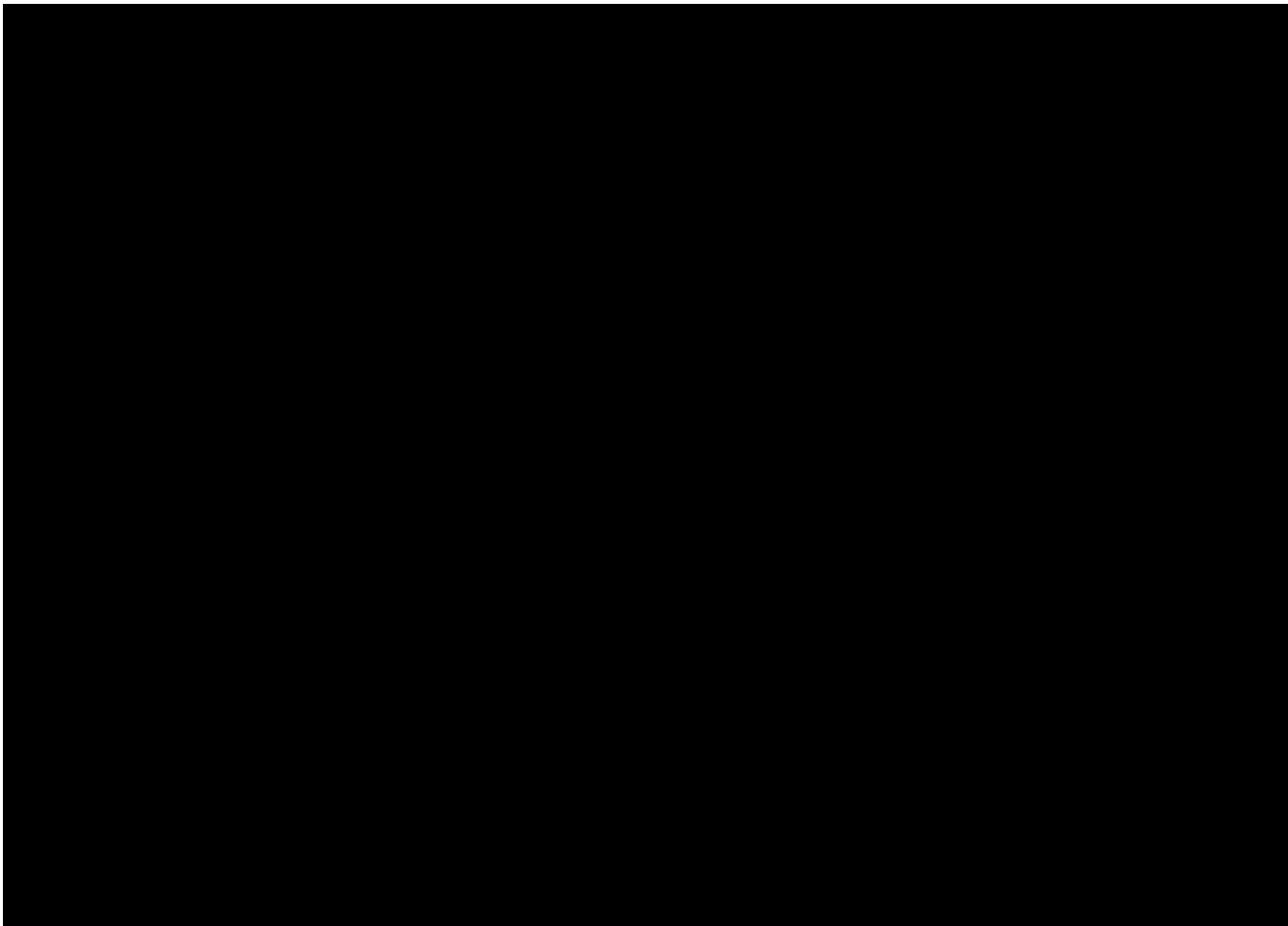
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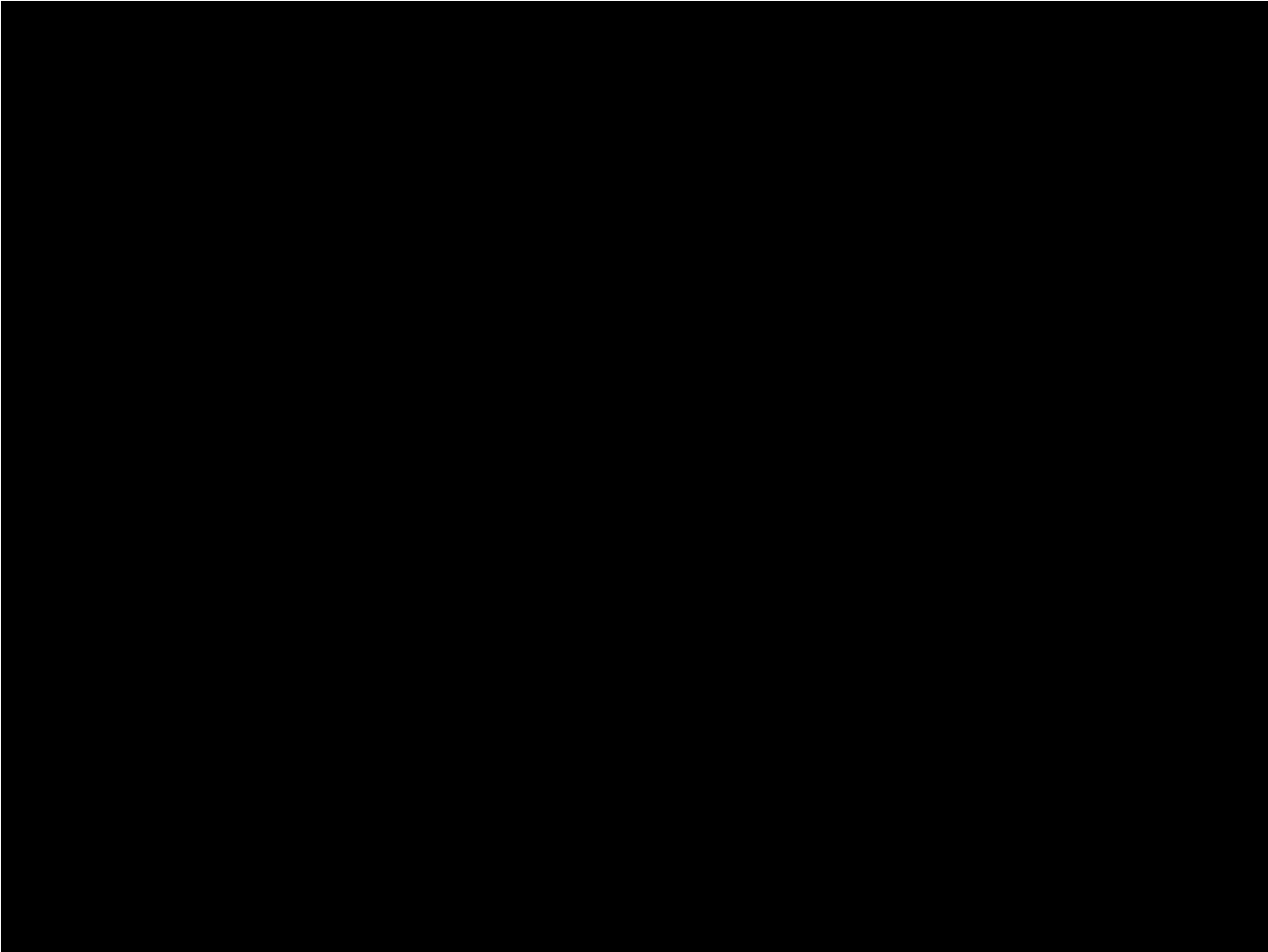
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[REDACTED]

The current funding system does not provide either a thorough or an efficient system of public education to the students, families, or communities that are currently ill-served by the lowest income, lowest wealth school districts. It is not their fault – but it is their burden. [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

The framers of the Constitution, speaking for the People, directed the General Assembly to provide a thorough and efficient system of public education to the People of the Commonwealth. In an era of widening wealth and income gaps, the General Assembly has demonstrably failed. This Court should grant the relief requested by the Petitioners and direct the General Assembly to fulfill its Constitutional duty.

Respectfully Submitted,

Dated: July 1, 2022

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## CERTIFICATE OF COMPLIANCE

I certify that this filing complies with the provision of the *Case Records Public Access Policy of the Unified Judicial System of Pennsylvania* that requires filing confidential information and documents differently than non-confidential information and documents.

Submitted by: Killian & Gephart LLP

Signature: /s/ Thomas W. Scott  
Name: Thomas W. Scott, Esq.  
ID: 15681

**CERTIFICATE OF WORD COUNT**

The undersigned, hereby certifies that the Redacted Brief of Amicus Curiae the Pennsylvania State Education Association (“PSEA”), In Support of The Petitioners does not exceed the 7000-word limit established in Rule 531(b)(3) of the Rules of Appellate Procedure.

Dated: July 1, 2022

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## **APPENDIX REDACTED**

The Appendix attached to the initial filing is redacted in its entirety.

**CERTIFICATE OF SERVICE**

I hereby certify that on this date a true and correct copy of the foregoing Redacted Brief of Amicus Curiae has been served upon all the parties listed in the UJS Portal Web System, PACFile eService, pursuant to Pa.R.A.P. 121.

Date: July 1, 2022

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