

SUPREME COURT OF PENNSYLVANIA

William Penn School District v. Pennsylvania Department of Education

170 A.3d 414 (Pa. 2017) · No. 46 MAP 2015 · Decided September 28, 2017

SUMMARY

This is the dissenting opinion in the Pennsylvania Supreme Court case concerning a constitutional challenge to Pennsylvania's public-school funding system. Chief Justice Saylor would have affirmed dismissal of the claims, concluding that the Education Clause claim presented a nonjusticiable political question and that the Equal Protection Clause claim failed to state a viable cause of action.

CASE DETAILS

COURT	Supreme Court of Pennsylvania
WRITING FOR THE COURT	Chief Justice Saylor
JURISDICTION	Pennsylvania
DECIDED	September 28, 2017
DOCKET	46 MAP 2015
DISPOSITION	affirmed
PROCEDURAL POSTURE	Appeal from the Commonwealth Court's order sustaining preliminary objections in the nature of a demurrer and dismissing a petition for review seeking declaratory and injunctive relief in the Commonwealth Court's original jurisdiction.
STANDARD OF REVIEW	De novo review of the legal sufficiency of the petition and the sustaining of preliminary objections in the nature of a demurrer; the court asks whether the law establishes with certainty that relief is unavailable.
PRECEDENTIAL VALUE	dissenting
PARTIES	William Penn School District, Panther Valley School District, The School District of Lancaster, Greater Johnstown School District, Wilkes-Barre Area School District, Shenandoah Valley School District, Jamella and Bryant Miller, parents of K.M., a minor, Sheila Armstrong, parent of S.A., a minor, Tyesha Strickland, parent of E.T., a minor, Angel Martinez, parent of A.M., a minor, Barbara Nemeth,

parent of C.M., a minor, Tracey Hughes, parent of P.M.H., a minor, Pennsylvania Association of Rural and Small Schools, National Association for the Advancement of Colored People—Pennsylvania State Conference v. Pennsylvania Department of Education, Joseph B. Scarnati III, in his official capacity as President Pro Tempore of the Pennsylvania Senate, Michael C. Turzai, in his official capacity as Speaker of the Pennsylvania House of Representatives, Tom Wolf, in his official capacity as Governor of the Commonwealth of Pennsylvania, Pennsylvania State Board of Education, Pedro A. Rivera, in his official capacity as Secretary of Education

TOPICS

constitutional law

equal protection

municipal law

administrative law

judicial review of agency action

PRACTICE AREAS

constitutional law

education law

civil rights

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municipal law

QUESTIONS PRESENTED

1. Whether claims alleging that Pennsylvania's public-school funding system violates the Education Clause present a nonjusticiable political question.
2. Whether statewide academic standards, standardized testing, and a costing-out study provide judicially manageable standards for evaluating compliance with the Education Clause.
3. Whether the Education Clause confers a fundamental constitutional right to education that triggers strict scrutiny under Pennsylvania's equal-protection guarantee.
4. Whether appellants' Article III, Section 32 equal-protection claim is legally sufficient under rational-basis review.
5. Whether the Commonwealth Court properly sustained respondents' demurrers and dismissed the petition.

HOLDINGS

1. The dissent would hold that claims challenging the adequacy and distribution of public-education funding under the Education Clause are political questions committed to the General Assembly and are not subject to judicial intervention.
2. The dissent would hold that the reasonable-relation standard does not independently test whether the General Assembly has fulfilled its affirmative Education Clause obligations; it concerns whether government action falls within the authority granted by the Constitution.
3. The dissent would hold that the Pennsylvania Education Clause imposes a duty on the Legislature but does not confer a fundamental constitutional right to education upon individuals for purposes of triggering strict scrutiny.

4. The dissent would hold that appellants failed to state a viable equal-protection claim because the funding system's treatment of poorer districts is rationally related to legitimate governmental interests.

KEY QUOTATIONS

“these issues are within the exclusive province of the legislative branch.” (at 20)

“such matters are “exclusively within the purview of the General Assembly’s powers, and they are not subject to intervention by the judicial branch of our government.”” (at 31)

“the Education Clause imposes an obligation on the Legislature, but it does not confer a fundamental constitutional right upon individuals capable of triggering strict scrutiny within an equal protection context.” (at 42)

FACTUAL BACKGROUND

Pennsylvania public schools are funded through local, state, and federal sources, with local property-tax revenue supplying the largest share. Because property wealth varies substantially among districts, wealthier districts can raise more local revenue, while poorer districts often have higher tax effort but substantially less revenue and lower per-pupil spending. A state costing-out study estimated that the average spending level was below the amount needed to meet state academic standards, and appellants alleged that funding reductions, limits on local tax increases, and disparities in district resources impaired students' ability to satisfy statewide educational standards.

PROCEDURAL HISTORY

Appellants, including school districts, parents, and education organizations, challenged Pennsylvania's public-school funding system under the Education Clause and Article III, Section 32 of the Pennsylvania Constitution. The Commonwealth Court, sitting en banc, sustained respondents' demurrers and dismissed the petition as presenting nonjusticiable political questions. The matter was appealed to the Supreme Court of Pennsylvania, which had exclusive appellate jurisdiction. In this dissent, Chief Justice Saylor would have affirmed the Commonwealth Court.

DISPOSITION

affirmed

CASES CITED

- Gresik v. PA Partners, 613 Pa. 303, 33 A.3d 594 (2011)
- Small v. Horn, 554 Pa. 600, 722 A.2d 664 (1998)
- Baltimore & Ohio Railroad Co. v. Department of Labor & Industry, 461 Pa. 68, 334 A.2d 636 (1975)
- William Penn School District v. Pennsylvania Department of Education, 114 A.3d 456 (Pa. Cmwlth. 2015) (en banc)
- Baker v. Carr, 369 U.S. 186 (1962)
- Sweeney v. Tucker, 473 Pa. 493, 375 A.2d 698 (1977)

- Robinson Township v. Commonwealth, 623 Pa. 564, 83 A.3d 901 (2013)
- Danson v. Casey, 484 Pa. 415, 399 A.2d 360 (1979)
- Marrero v. Commonwealth, 559 Pa. 14, 739 A.2d 110 (1999)
- Teachers' Tenure Act Cases, 329 Pa. 213, 197 A. 344 (1938)
- Pennsylvania School Boards Association v. Commonwealth Association of School Administrators, 569 Pa. 436, 805 A.2d 476 (2002)
- Reichley v. North Penn School District, 533 Pa. 519, 626 A.2d 123 (1993)
- Ehret v. School District of Kulpmont, 333 Pa. 518, 5 A.2d 188 (1939)
- School District of Philadelphia v. Twer, 498 Pa. 429, 447 A.2d 222 (1982)
- Marbury v. Madison, 5 U.S. (1 Cranch) 137 (1803)
- Veith v. Jubelirer, 541 U.S. 267 (2004)
- Rodriguez v. San Antonio Independent School District, 411 U.S. 1 (1973)
- Hancock v. Commissioner of Education, 822 N.E.2d 1134 (Mass. 2005) (plurality)
- Idaho Schools for Equal Educational Opportunity v. Evans, 850 P.2d 724 (Idaho 1993)
- Plyler v. Doe, 457 U.S. 202 (1982)
- Driscoll v. Corbett, 620 Pa. 494, 69 A.3d 197 (2013)
- School District of Wilkinsburg v. Wilkinsburg Education Association, 542 Pa. 335, 667 A.2d 5 (1995)
- D.P. v. G.J.P., 146 A.3d 204 (Pa. 2016)
- Commonwealth v. Bell, 512 Pa. 334, 516 A.2d 1172 (1986)
- W. Mifflin Area School District v. Zahorchak, 607 Pa. 153, 4 A.3d 1042 (2010)
- Harrisburg School District v. Zogby, 574 Pa. 121, 828 A.2d 1079 (2003)
- Pennsylvania Turnpike Commission v. Commonwealth, 587 Pa. 347, 899 A.2d 1085 (2006)
- Pacific States Telephone & Telegraph Co. v. Oregon, 223 U.S. 118 (1912)
- Kramer v. Workers' Compensation Appeal Board, 584 Pa. 309, 883 A.2d 518 (2005)
- Mazur v. Trinity Area School District, 599 Pa. 232, 961 A.2d 96 (2008)
- Wright v. Council of City of Emporia, 407 U.S. 451 (1972)
- Papasan v. Allain, 478 U.S. 265 (1986)
- United States v. Comstock, 560 U.S. 126 (2010)
- National Railroad Passenger Corp. v. Boston & Maine Corp., 503 U.S. 407 (1992)
- Appeal of Rolling Green Golf Club, 374 Pa. 450, 97 A.2d 523 (1953)
- Price v. Smith, 416 Pa. 560, 207 A.2d 887 (1965)