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EDUCATION, A FUNDAMENTAL RIGHT AND A NECESSARY INVESTMENT

The U.S. Department of Justice states, "the link between academic failure and delinquency, violence, and crime is welded to reading failure." Over 70% of inmates in America's prisons cannot read above a fourth-grade level.

In 2011, NAACP published a report titled "Misplaced Priorities: Over Incarcerate, Under Educate" finding "... there is no greater threat to civil rights accomplishments than the state of our country's education system and its impact on young African American youth. Failing schools, college tuition hikes, and shrinking state education budgets are narrowing the promise of education for young people all across the country."

To address this issue in Pennsylvania, in 2014, NAACP PA State Conference joined as a Petitioner in the case of William Penn School District et al. v. Pennsylvania Department of Education et al. This lawsuit was filed against state legislative leaders, state education officials, and the Governor for failing to uphold the General Assembly's constitutional obligation to provide a "thorough and efficient" system of public education.

After years of litigation, on February 7, 2023, President Judge of the Commonwealth Court Renée Cohn Jubelirer agreed and found that a comprehensive, effective, and contemporary public education is a fundamental right guaranteed by the Pennsylvania Constitution for all students, but that fundamental right has been denied in low-wealth districts; and that across each measure of inadequacy or inequity, Black and Latino students were disproportionately impacted.

As found during litigation, in most districts across Pennsylvania, the shortfalls in education adequacy are increasing over time. Now is the time that the state must invest in the education of all our students, regardless of wealth. As Benjamin Franklin said, "An investment in knowledge pays the best interest." As stated by Dr. Kelly, the interest gained by providing all students a meaningful opportunity to meet state standards is that they become college and career ready, and they succeed as productive citizens.

This is not about different learning ability. The court found that "all witnesses agree that every child can learn. It is now the obligation of the Legislature, Executive Branch, and educators, to make the constitutional promise a reality in this Commonwealth."

Education increases employability and reduces violence. Continued litigation of this issue serves only to waste time and resources.

Therefore, NAACP PA State Conference calls upon Governor Josh Shapiro and the State legislature to promptly follow the court's order for "... the Executive and Legislative branches of government and administrative agencies with expertise in the field of education, (at) the first

opportunity, in conjunction with Petitioners, to devise a plan to address the constitutional deficiencies identified.”

NAACP PA State Conference directs each Unit of the NAACP PA State Conference to contact their local representatives to seek a commitment to contribute to a productive educational plan to address the constitutional deficiencies identified in the 786-page decision.

NAACP PA State Conference thanks the Education Law Center – PA, the Public Interest Law Center, and O’Melveny & Myers LLP for their legal advocacy for Education Equity.