

Equity Suit Updates From The Courtroom

DAY 3 - JANUARY 8, 1997

Dr. Carmen Sarnicola of the Clairton School District in Allegheny County was once again on the stand for some concluding questions by attorney Tom Schmidt. Mr. Schmidt asked Dr. Sarnicola questions about a Department of Education publication called "Front Line" which described some of the novel pre-school programs at Clairton. The defense objected to the entering into the record of this publication, saying that it was not a public document in the truest sense. Judge Pellegrini sustained the objection.

Upon cross examination, attorney Sue Forney for the defense asked if a "Declining sense of community " was one of the major reasons for the problems of Clairton. Dr. Sarnicola agreed. He was further queried about statements that he had made at a hearing held by the House Education Committee in 1993 about distressed school districts. Dr. Sarnicola had discussed the reasons that the district was unable to take back the special education programs from the I.U. (Because it would have been less expensive to do so). One reason was the lack of preparedness of his staff. He did ask the Department of Education to help him. They sent him a person to do that Dr. Sansone, who was paid by the Department. He was asked why he had testified yesterday that facilities were lacking when the Clairton Education Center was built. He had not said that according to the defense in his testimony during the House Education Hearing. On redirect, Attorney Schmidt pointed out that in the transcript of the hearing, Dr. Sarnicola had indeed said that very thing a few pages later in the transcript.

The defense asked why teachers had not granted concessions in their bargaining with the elected board. Dr. Sarnicola answered that they did:

No outside negotiators (formerly funds had been spent on attorneys fees)

Elimination of extra remuneration for taking another class period over 5

An increased workload for staff

A concerted effort to work with students and amplify morale

Dr. Sarnicola was asked why he did not make the decisions to eliminate both extra-curricular activities and transportation. He answered that he never would have suggested to the board and the community to eliminate transportation. He could not have suggested that the youngsters walk what he described as very dangerous city crossings down hills and a bridge to get to school . He would not have put their safety in jeopardy. His explanation of the extra curricular activities decision relates to his testimony yesterday about the meaning of these activities to the youngsters in Clairton.

A further set of questions related to Dr. Sarnicola's statements that he found additional bills after he came to Clairton that made his paper fund balance a real deficit. He was asked questions about the annual financial report and the budget figures. It was difficult for the court to discern the numbers from the Annual Financial Report. The figures with brackets, indicating deficits did not seem to show the things that were being looked for. On redirect Mr. Schmidt pointed out that the numbers that were referred to in the AFR as budget numbers, were prepared by the Board of Control before Dr. Sarnicola arrived in Clairton in the middle of October of 1988.

At this point the defense said that it wanted to have Dr. Dean Steinhart's deposition removed from the record because it did not reflect what he had testified to while on the stand. The plaintiffs objected. Judge Pellegrini indicated that the deposition would remain while he would entertain briefs from the counsels.

Mr. Joe Bard, former Commissioner of Basic Education and Deputy Secretary of Education described his background coming from a high school graduating class of 32 in an upstate New York school district . He began with those same 32 kids in kindergarten. He worked as a teacher and as a college administrator and then began work with the Department of Education in 1969. His career took him to the Commissioners job in 1989. He established a rural task force in the early '80s to attend to the problems of rural schools. He began a distance education program so that he could begin to mitigate the problems of lack of courses. He provided federal funds as incentives to school districts and I.U.s to begin to use this new technology. It lasted for a few years and then ceased because equipment became old, costs for training and phone costs and other costs were unable to be borne by local districts after the federal funds dried up.

Mr. Bard spoke of both the advantages and disadvantages of rural schooling- the closeness of the community and the knowledge of the community and yet the isolation, lack of resources and declining economies. He noted that grants are hard to come by because rural schools are less apt to have staff to do it, so they don't send people to meetings and don't have paid staff to write grants. If they do get grants , following years are difficult to keep up the training, the new materials, and other costs once the grants are over. "Good intentions and heroics take you so far," Mr. Bard said in answer to questioning about good things that go on in rural school districts.

Mr. Bard also answered questions about whether money was the only thing that mattered. He answered by saying that it was one component , but an important one. Rural schools sometimes hire less experienced teachers because of the lower salaries. He also indicated that technology was a good thing for schools, but indicated that it was not the "magic bullet" that some people thought.

Mr. John Shropshire, Dean of Enrollment (Admissions) at Clarion University of Pennsylvania testified about the effect that rural curriculum had on the entrance of rural children in Clarion and other colleges with which he was familiar. He talked about the target pool for each school and what those elements, or profile a student needed to get into Clarion.. His school actively seeks rural students and now has the largest number of rural students of all the State University System. 90% of all the students at Clarion are from PA.

He pointed out that higher SAT scores are found in higher wealth districts located in the Eastern Part of the state with exceptions.

Many rural students have not had the advanced placement courses nor the exposure to additional courses as to students in wealthier districts. This may account for problems that they have as freshmen in Clarion and in other schools and that there is great attrition among these students after their first year. He told the court about the many programs run through Clarion for high schools and in freshman year for these students. Although students in rural schools may have high grades, they are sometimes unable to compete with their wealthier brothers and sisters.

He said that there is a correlation between wealth of families and communities and SAT scores.

Attorney for the defense asked Mr. Shropshire where he went to school , whether or not he had a masters degree, what is post baccalaureate work was and where he got is basic education.

Dr. Lanny Ross, former superintendent of the Northern Bedford County Schools was the last witness for the day. Dr. Ross talked about the problems with the market value of properties, the way the State Tax Equalization Board works and how they determine market value. He was certain that farmland and their sale distorted and raised the market value of property. He also said the equalized mil tax effort computation based on market value was flawed. He described the Northern Bedford County School District and its programs, its computerization its extracurricular programs.

He was proud of his district, yet noted that he always s felt that there was not enough to give to the students. He was happy with the outcomes, but knew that the district could do better with increased resources.

There was a resistance to raise taxes for schools because of the nature of the community- farming and retired folks who felt that increased local taxes affected them adversely. There was very little industry in the school district, consequently most folks worked outside the home. There were problems of teen pregnancy and broken families which had to be attended to in the schools. Some of the classes in the primary grades approached 30. He described his nursing, library and other staff for the court. He was particularly disturbed by his inability to have more books in a newly renovated library in the elementary and secondary school. The district has been involved in many distance education courses by satellite and in fact the youngsters did very well in those courses.

The district has a good extracurricular sports program, but no academic extracurricular activities. He described the Juniata College mobile science lab that comes to town for two days a year.

The defense asked many questions about the programs run by the district. The questions took the form of asking about PR pieces and the strategic plan. Dr. Ross replied with answers about the many good programs run by the district in areas such as preschool, science, computers (notably very old technology). He was asked about Link to Learn and how that would effect the way things were going to be done. He was asked about the Link to Learn application and how much money the board was putting into technology over a three year period of time (\$215,000) and how much money Link to Learn would bring to them (\$60,000). The questions about how the district did in the State assessment test was very wide in scope, reviewing scores in the three levels, elementary;, middle and high school. Was Dr. Ross proud of the scores since a large percent of the youngsters seemed to have done well .Dr. Ross pointed out that they did well within their predicted band .

At this point in the trial, Judge Pellegrini asked that an explanation be given about what this predicted band meant. He had heard it in previous testimony. He understood it to mean that certain school demographics were included in a band and what were they and why were they chosen. The defense said that they would try to get the material to the court before too long.

Defense pointed out that there were great increases in state funds over the past five years . The increases in dollars per adm were in the order of 30 %. Dr. Ross said that some those state funds were grants to the districts.

Under redirect. Dr. Ross said that the main reason for the large increases were :

The change in the way special education was funded in 1991-92 so that the district got the money and not the I.U.s

Funds for the ½ of the employer share of pension went to the school district and not to the retirement system (the district then pays the entire employer share).

Dr. Ross was asked who the hero was in the Robin Hood story. He said Robin Hood.

The witnesses for tomorrow are:

Dr. James Goodhart, Superintendent of Reading School District in Berks County

Mr. Peter Miller , Superintendent of the Salisbury Elk-Lick School District in Somerset County

Dr. Woodrow Sites, Superintendent of the Donegal School District in Lancaster County