

# Equity Suit Updates From The Courtroom

## DAY 9 - JANUARY 16, 1997

The plaintiffs in the case presented a problem to the court about a document that had been delivered to their offices the prior day after trial had ended for the day. This document, described by Attorney Schmidt was a "new" expert witness report using data from the 1994-95 school year. The plaintiffs claim that there had been an agreement that both sides would be using the 1993-94 data, for that was all that was available in pretrial conferences up to the middle of 1996. According to the defense, there was no such agreement, and that the data tape had been delivered to the plaintiffs in December.

Judge Pellegrini asked about the lateness of the delivery and said that he was not aware that a judicial order was promulgated saying the 1993-94 data should be use, but it would be more efficient for both sets of expert witness reports to be using the same data. The plaintiffs produced some communications( not viewed by the court) that they said showed the intent of the agreement. Attorney for the defense said that she would use the 1993-94 data if the judge so deemed. Judge Pellegrini asked if the plaintiffs had the data on tape. Attorney Schmidt said that the tape that had been delivered was never said to be finance information and now appears to be without code or instructions, or ability to have it read.

Judge Pellegrini said that did it really matter that the numbers were slightly different. Plaintiffs answered that probably not, but it would be difficult to cross-examine the state's expert without reviewing the tapes. An agreement was made that if the tapes were accessible to be read and that new charts could be duplicated by the plaintiffs, then the data could be used, if not, the 1993- data could be used.

In another "housekeeping" detail, school profile data will have to made available to plaintiffs in a readable form, so that it can be reviewed for cross-examination.

Dr. Thomas Holtzman, Superintendent of the Susquehanna Township School District in Dauphin County described his school district as both urban and suburban. His residents are both middle to upper middle class about 45% of whom have college degrees and whose household incomes are from \$50,000 to \$120,000. There are very few AFDC children and a few more free and reduced lunch children in the elementary schools. There is continued growth in the district- office buildings, residences, and strip malls. This has been true throughout the decade. They have the lowest millage rate in Dauphin County, where the assessment is at full market value. They have 5 buildings a kindergarten center, early childhood, 1-2, , 3,-5 , 6-8 middle school and a high school .

They have 2843 students in the district.

They have 146 Title I youngsters, most of whom moved out of Harrisburg to live in the district.

86-90% of the students go on to post secondary schools, 64% to 4 year colleges

They had 7 merit semi-finalists

The students go to some of the finest colleges

They are maxed out on some of the national achievement tests and are in the process of changing to a more challenging test

Their class sizes are from 18 students to 22 in early years and 23-25 in grades 3-5

In the high school they have an honors track as well as college prep

There is wide use of computers in the elementary schools, with labs, in which the children can create web pages, do sophisticated research

There libraries are "state of the art with a librarian in each library

They have an extensive business partnership through which computers are donated.

They have a large volunteer program with a coordinator

They have a full extra-curricular program in both clubs, athletic and academic competition

They coordinate a 100 summer camp program

According to Dr. Holtzman, it is important to have a full range of extra curricular programs to have a well rounded education. Most community residents understand that. They support it and find it to be a good use of resources. There is little in the way of drug and alcohol problems, and there are appropriate programs for the youngster. 8% of the students are classified as handicapped, 6% are gifted. The parents in his community are conversant with special education mandates, legalities and rights. The district develops programs with a great deal of input from parents and community residents. There is an extensive strategic plan with 7 task forces and 40 committees that worked on it and continue to work on its implementation.

Most people want their children to go onto college. "We should educate our children with relation to the expectation of their parents." The problems are much tougher to solve in a previous district that Dr. Holtzman was in Washington County . Handling all of the state mandates is more difficult in a poor district. Special education was a burden because of the large numbers of those children in the district. Most mandates are good, but there are onerous ones when they are not backed up with funding. Poorer districts are even more restricted by mandates.

Susquehanna Township Schools share their programs with other districts. They can be a model for some programs.

Attorney Schmidt asked what kinds of teachers Susquehanna hired. Dr. Holtzman answered that they sometimes have 1,700

applications for one job. Many people want to come to the district because of the resources, the kind of community it is, it is safe and a quality district. They have a problem with students from Harrisburg trying to go to the schools. They have many residency documents.

There was a question of the cost of living difference between Harrisburg and Susquehanna Township, exclusive of housing. Dr.

Holtzman said that food is less expensive as are some other basic things in the Township, but that people from Harrisburg shop in the Township.

The defense asked about the fact that Susquehanna Township is slightly above the mean in instructional costs and that their tax effort was lower than the median. Are housing costs higher in Susquehanna Township. The answer was yes. The defense quoted Dr.

Holtzman " Technology can be the great economic equalizer." Dr. Holtzman answered that Technology costs a great deal of money, Link to Learn is really very small, but a step. Technology is changing so rapidly so that it will be hard to keep up. It is not good to borrow for technology.

Dr. John DeFlaminis, Superintendent of the Radnor School District in Delaware County. They 2,900. 85% of the people in the community have college degrees. The average household income is very high. There are 4 schools in the district 2 elementary schools a middle school and a high school. Students are very high achieving.

The average SAT scores under the old norms was 1070

There are very few AFDC children and a few more on free and reduced lunch

92% of students go on to 4 year colleges

They are accepted by the finest colleges in the U.S.

Don't give national tests because the students are always in the 99th percentile

Use tests that are given in the finest private schools

They even do better than the private schools

" "Largest public private school in the state"

11.5 to one classroom teachers to students ( includes specialists)

There is a computer for each classroom

Director of Technology

27% of children are special ed. Mostly gifted 70% of all students

Going into \$32,000,000 building program for high school

Average Teacher salary is \$64,278

Board is frugal and has the taxpayers in mind

57 advanced placement courses

The community plays a big part in the creation of programs. The community is desirous of a large and in dept extra-curricular program. There is a direct relationship between extra curricular activities and academic output. Parents exercise due process rights frequently. This makes special education more expensive. People move into the district because of the scope of the special education program. There are 30% of all students in the district of school age who go to private schools and are in and out of public schools, sometimes depending on the teacher. They have the best and brightest teachers that they can get. They sometimes have 1700 applications for one job. Community expectations are very high. They want a quality education and therefore the spending is high. Staff have extensive background because they do not hire novice teachers, but go for experienced staff. Higher salaries in Radnor drive higher salaries in the area. Therefore negotiations are tough.

Dr. DeFlaminis described one of his former jobs at I.U. 10 in Clearfield County as a poor area with a wealthy State College School District. Dr. DeFlaminis indicated that there were a different set of expectations between those two districts and their parents and community. If a community in I.U. 10 wanted a Radnor program, resources would be important. He said that "in the hollows of central Pennsylvania, there are varying degrees of adherence to mandates. Mandates are a burden on school district. He mentioned non-public transportation, prevailing wage, the new special education formula which has cost an additional 2.8 million dollars since its inception in 91-92. He could cut 2 million dollars out of his budget tomorrow if the mandates were removed. A study was done by the Pennsylvania Economy League to show all of the mandates that are in the school code. Judge Pellegrini would not allow the study in as evidence.

Radnor programs are held up as models to other districts in the state, nation and other countries.

Defense Attorneys asked about hiring older teachers and did more salary mean that younger teachers weren't as good. Dr. DeFlaminis said that there is an art to the science of teaching and that some young teachers had that talent. Money is not the prime determiner, but is one of a number of factors in educational outputs. EQA showed that parental expectations are the prime determiner of whether children go onto college. Defense attorney asked about the remedial programs in Radnor being satisfactory as the regular programs in Harmony. Dr. DeFlaminis answered that "competition in Radnor is fierce."

Dr. Bruce Kowalski is the Superintendent of the Wallingford Swarthmore Area School District in Delaware County. He had been the Superintendent of the Wissahickon School District in Montgomery County until 6 months ago. Wissahickon had major growth in the 14 years that he was there, Wallingford is stable with little growth. Wallingford is a high socio-economic area. The majority of the community is college educated. There is a prestigious university within the school district.

There is a low percentage of AFDC and a higher percentage of free and reduced lunches

90% go on to 4 year colleges, some of the finest in the country

They top out on state and national assessments so they do not use them

They use the ERB assessment for private schools

Their SATs are 1100 on new norm

Their class sizes range from 21-28

They have site based management

Schools can lobby things and one just got a new counselor

Computers have been donated by parents (10s of thousands of dollars in cash register tapes)

Go computers from Unisys

Were awarded "Virtual High School"

They have 3 tracks: academically assisted, Honors Track and Advanced Placement Track

50% of high school kids have advance placement

Full time librarians in all schools

AP courses in all subjects

Special Education is 15% handicapped and 30% gifted

There are many parental demands in Wallingford, both in curriculum for the school and special education. There is a large extra curricular program both in athletics and clubs. Wallingford is competing with the many private schools in the area. There are 1700 applications for each position in Wallingford. He pointed out that all children in Pennsylvania should have the opportunities that the children in Wallingford have. He has traveled around the state, the country and internationally and he has not met a staff person or parent who did not want these kinds of programs for their children. He is certain that if they had a chance they would have these programs. There are some districts in the state, that because of lack of resources, are not providing an effective education. There is a dramatic impact made by mandates. Non public transportation to over 100 private schools. In one case there was more money spent on transporting one child to a school than for the rest of his education.

The special education mandates are sometimes onerous. The paperwork is extreme. To enter and keep account of one gifted child it takes 3/4 of one mile of paper. Wallingford provides benefits to other school districts as a model and a lab for other schools.

Tomorrow's Witness will be

Dr. Helen Sobehart, Acting Superintendent of the Fox Chapel School District in Allegheny County

Monday January 20th will not be a court session day.

The state will begin its case on Tuesday, January 21, 1997

No witness list for January 21, 1997 is available at this time.