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INSIGHT ON DIVERSITY

Addressing the Financial Problems of Phila.'s School District

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Special to the Legal

I'm using this month's "Insight on Diversity" column to talk about an issue that, while certainly relevant to the diversity discussion, should be important to all of us. Philadelphia's public education system is in serious financial trouble. Again. With a \$304 million deficit, the school system faces its worst budgetary crisis since 1991 and, as usual, it's not clear when a workable solution will be proposed, much less implemented. The city's schools and the children they are supposed to educate are just too important to be left dangling in the wind while our leaders decide who pays. It is time to solve this problem now, and the organized bar needs to lend its voice and our profession's expertise to the effort.

It's not news that Philadelphia's school district has struggled with funding issues for years. A history of chronic budget difficulties led to a state takeover of the schools and the establishment of the School Reform Commission in 2002. I think it's fair to say that, for the most part, the more things have changed, the more they have remained the same. The district's financial difficulties have continued over the past decade, exacerbated by the 2008 recession and the deep cuts in state aid that followed.



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You don't have to do much research to figure out how serious the school district's problems are this time around. The so-called "doomsday budget" that the SRC recently passed will make what already has been a difficult situation to manage close to impossible. Under this budget's terms, each individual school stands to lose as much as a quarter of its operating budget. After years of reform efforts aimed at reducing them, class sizes would be allowed to grow to the maximum allowable, which will limit the amount of individual attention that can be given to each student and make it that much harder to maintain the kind of environment where effective teaching can take place. The district also would drastically cut funding for after school and summer programs — programs for which funding already had been reduced substantially. And there will be deep cuts in personnel, which will make it harder for the administrators and teachers who remain and put capable and experienced

people out of jobs when they could be contributing to the region's economy.

All of this is happening, of course, at a time when we can least afford to shortchange our children and their aspirations. To compete in the economy of the 21st century, the next generation of Philadelphians will need to adapt to rapid technological advances. They will need the reading and analytical skills necessary to make sense of large amounts of unfiltered and often conflicting sources of information on any variety of subjects. Because their world will be smaller, they will need either to know more than one language to succeed or, at the very least, to develop the capacity to appreciate the cultures of our neighbors and our trading partners. They will need to be innovators who have the intellectual curiosity to continue the search for solutions to the problems, like global warming, that our generation will leave them to solve.

Philadelphia's schools cannot consistently provide the kind of education its children will need to compete in this rapidly changing world if the district is forced to lurch annually from crisis to crisis because it cannot count on receiving enough money to fund its operations. To a lot of people, budget "reform" only means budget cuts. But at some point, school rescue plans that rely almost exclusively

on budget cuts become counterproductive because they begin to hurt the quality of the educational experience the district can offer to its students.

Partisan bickering and political short-sightedness should not blind policy makers at the state and local level from recognizing the seriousness of the school district's problems. Not taking effective action on these issues today is making a choice about the kind of Philadelphia we are leaving our children and grandchildren. Philadelphia must either commit itself to guaranteeing all of its children the kind of schools that can produce a new generation of leaders, or face a continuing decline in stature and diminished opportunities for its citizens.

I feel comfortable writing about this in a column that's supposed to be about diversity because of the role our educational system traditionally has played in creating opportunities for people from diverse backgrounds to succeed. Education — particularly public education — has done more to promote equal opportunity than any other vehicle for personal growth and accomplishment. *Brown v. Board of Education* and the enforcement of that decision through the courts brought an end to segregated school systems that denied students of color access to the full benefits of public education. The enactment of federal and local laws designed to increase access and the efforts of responsible officials, administrators, teachers and parents helped to create genuine opportunity for many students who would not have had access to decent educations in the past. These changes in elementary and secondary education, coupled with higher

education's commitment to attracting more diverse student populations, led to greater diversity in our universities in general and in our professional schools in particular. When we think about the legal profession, we have to admit that we still have a long way to go before we can call ourselves truly diverse. But we have made progress, and our public schools are a big part of the reason for that progress.

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Even though the nation's public schools have struggled with all kinds of issues, they still can have a meaningful impact on the lives of their students. I know this because I saw it growing up. My mother taught music in the New Orleans public school system, whose problems have rivaled Philadelphia's over the years. While teaching at pretty tough high schools, there was never enough in terms of funding for them and she used her own records and music books to teach classes. But she didn't seem to mind, because she loved music and loved teaching children to be able to appreciate the sounds of their own voices.

If my mother ever had any doubts about the public schools' ability to awaken musical talent in her students, I never saw them. Every year, I watched my mother

and her friends who also were teachers take an interest in the lives of their students that went beyond the walls of the school house. Her choruses performed spirituals and popular music, but they also did pieces from Bach, Handel and Mozart. Some audiences were surprised that her students could appreciate what they were singing, much less perform the works with the requisite discipline and maturity. She was proud of her students and they were proud of themselves, and that made all of the difference.

With the right people, that kind of magic — the magic that can only come from a good education — can happen anywhere. We need to make sure it continues to happen here, in Philadelphia.

I know that some of us live in the suburbs or have chosen to send our kids to private schools. I have no standing to criticize these choices, and wouldn't, even if I did. I would only say that these family choices don't excuse lawyers who may live outside the city but still practice in Philadelphia from our share of responsibility for the future of the city's schools. Lawyers and their firms have become important contributors to Philadelphia's economy. But we are — or should want to be — more than just another industry. To continue to earn our place in this community, we must do our share as a profession to keep the city and its most important institutions alive and well.

No group of people has a more direct interest than we do in helping to make sure that the school district's funding crisis is resolved in a manner that fortifies the system against continued

financial vulnerability. There are a lot of lawyers in this town who are themselves products of Philadelphia's public school system, and they have made their mark as lawyers, judges and other public officials. Philadelphia needs to continue to harvest lawyers from its school system, lawyers who will be dedicated to the city and its future. We want these lawyers, moreover, to be representative of the city's rich diversity and to have that diversity be a permanent part of our legal community at all levels. The lawyers I know who grew up in Philadelphia and who attended public schools here are justifiably proud of the institutions that gave them the academic foundation they needed to succeed as attorneys. I know that they and those who have benefited from their contributions want to see this tradition of excellence continued.

Philadelphia law firms need the benefits that only a quality public school system can provide. Corporate law firms, like the one where I work, thrive when there are successful businesses to represent. If the city is to keep the businesses it has and continue to have the opportunity to attract new ones, Philadelphia needs a strong public school system. A strong public school system also helps to support the institutions of higher education in Philadelphia that have become an important sector of our local economy and incubators for innovation and new talent.

Indeed, our law offices, public and private, do their best work for clients when we have smart and educated people as support personnel. This is true for any good business, of course, but it's especially true of our profession, where economic success

depends on the quality of our analysis and our ability to communicate effectively on behalf of our clients. As every lawyer knows (and any sensible lawyer would admit), the quality of a law firm's work product is the result of more than just the contributions of individual lawyers. We do our best work when everyone who touches our product is capable of making contributions of substance to the work. And in our world, this means a law firm has to have sharp people at every level who appreciate complexity, can communicate well and think critically about what it is we're trying to accomplish. In other words, we need people with good, solid educations who are capable of growth and prepared to grapple with the new challenges life in our profession will inevitably bring.

So, it's clear that Philadelphia's lawyers have a stake in helping the school district to weather this crisis and similar crises in the future. It's not in our interest to sit on the sidelines. Some lawyers are already involved as individuals. We should be proud, for example, that a lawyer chairs the SRC and that other lawyers serve and have served as SRC members. Indeed, Philadelphia's lawyers have assisted the district in many ways. These individual contributions are important and should be appreciated. But we need to become involved as a profession, to leverage the weight of our history with the city and our contributions to its economy and governance in support of the city's children.

Accordingly, Philadelphia's organized bar should start by formally calling for our state and city governments to do whatever is necessary to provide adequate and sustainable sources of

funding for Philadelphia's schools now and in the future. If we lawyers have skills that can help solve the district's immediate problems, then we should offer them, and then stay involved until the crisis is remedied. We should visibly support reasonable legislative efforts on the state and local levels that are intended to bring an end to the district's financial insecurity. We should work toward these goals in cooperation with political leaders who are committed to making genuine progress in this area, and with other members of Philadelphia's business and professional communities who share our vision of a sustainable future for Philadelphia's public schools. But we have to start by saying, publically and as a profession, that we believe there is no greater state or local government priority than ensuring a sustainable future for quality public education in Philadelphia. We need to stand up for the importance of public schools, and then we need to back up our words with whatever assistance we can offer.

I know that our state and city governments face other serious problems and that resources are scarce. But, this will always be a problem and, in the end, it can't be an excuse for inaction, at least not any more. Philadelphia's children need our help and involvement, and the city's future depends on maintaining a viable school system that can mold leaders and innovators. For these future leaders and for ourselves, we must offer what we can. •