

## Supreme Court of Pennsylvania



## Appeal Docket Sheet

Docket Number: 39 MAP 2024

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October 6, 2026

## CAPTION

Pennsylvania School Boards Association, Inc., School District of Pittsburgh, Central Bucks School District, and Upper Darby School District, Appellees

v.

Dr. Carrie Rowe, Acting Secretary of Education of the Pennsylvania Department of Education, and the Pennsylvania Department of Education, Appellants

## CASE INFORMATION

Initiating Document: Notice of Appeal

Case Status: Active

Journal Number: J-94-2025 November 19, 2025

Case Category: Administrative Agency

Case Type(s): Education Department  
Equity

## CONSOLIDATED CASES

## RELATED CASES

## COUNSEL INFORMATION

Attorney: Snyder, Samantha Sachleben

Department of Education

Address: 607 South Dr 3rd Fl  
Harrisburg, PA 17120

Phone No: (717) 787-5500

Receive Mail: Yes

Receive EMail: Yes

Email:

Representing: Dr. Carrie Rowe, Acting Secretary of Education of the PA Dept of Education, and the PA Dept of Edu, Appellant

Pro Se: No

IFP Status:

Attorney: Anzalone, Elizabeth Ann

Pennsylvania Department of Education

Address: Pa Department Of Education  
607 South Dr 3rd Fl  
Harrisburg, PA 17120-0600

Phone No: (717) 787-5500

Receive Mail: Yes

Receive EMail: Yes

Email:

Representing: Dr. Carrie Rowe, Acting Secretary of Education of the PA Dept of Education, and the PA Dept of Edu, Appellant

Pro Se: No

IFP Status:

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## COUNSEL INFORMATION

Attorney: Howell, Thomas Paul  
 Pennsylvania Governor's Office of General Counsel  
 Address: Governor's Office Of General Counsel  
 30 N 3RD St Ste 200  
 Harrisburg, PA 17101  
 Phone No: (717) 783-6563  
 Receive Mail: Yes  
 Receive EMail: Yes Email:  
 Representing: Dr. Carrie Rowe, Acting Secretary of Education of the PA Dept of Education, and the PA Dept of Edu, Appellant  
 Pro Se: No  
 IFP Status:

Attorney: Montgomery, Virginia Lee Cortes  
 Pennsylvania Department of Education  
 Address: Pa Dept Of Education  
 607 South Dr Fl 3  
 Harrisburg, PA 17120  
 Phone No: (717) 787-5500  
 Receive Mail: Yes  
 Receive EMail: Yes Email:  
 Representing: Dr. Carrie Rowe, Acting Secretary of Education of the PA Dept of Education, and the PA Dept of Edu, Appellant  
 Pro Se: No  
 IFP Status:

Attorney: Fitzgerald, Mark William  
 Fox Rothschild LLP  
 Address: 980 Jolly Road, Suite 110  
 Blue Bell, PA 19422  
 Phone No: (610) 397-7981  
 Receive Mail: Yes  
 Receive EMail: Yes Email:  
 Representing: Upper Darby School District, Appellee  
 Pro Se: No  
 IFP Status:

Attorney: Levin, Michael Ira  
 Levin Legal Group, P.C.  
 Address: 1301 Masons Mill Business Park  
 1800 Byberry Rd  
 Huntingdon Valley, PA 19006-3525  
 Phone No: (215) 938-6378  
 Receive Mail: Yes  
 Receive EMail: Yes Email:  
 Representing: Pennsylvania School Boards Association, Inc., Appellee  
 Pro Se: No  
 IFP Status:

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## COUNSEL INFORMATION

Attorney: Romberger, Karl A., Jr.  
 Sweet, Stevens, Katz & Williams LLP  
 Address: 331 E Butler Ave  
 New Britain, PA 18901-5258  
 Phone No: (215) 345-9111  
 Receive Mail: Yes  
 Receive EMail: Yes Email:  
 Representing: Central Bucks School District, Appellee  
 Pro Se: No  
 IFP Status:

Attorney: Weiss, Ira  
 Weiss Burkardt Kramer LLC  
 Address: 445 Fort Pitt Blvd Ste 503  
 Pittsburgh, PA 15219-1308  
 Phone No: (412) 391-9890  
 Receive Mail: Yes  
 Receive EMail: Yes Email:  
 Representing: School District of Pittsburgh, Appellee  
 Pro Se: No  
 IFP Status:

Attorney: Gilsbach, Timothy Edward  
 Fox Rothschild LLP  
 Address: 980 Jolly Road, Suite 110  
 Blue Bell, PA 19422  
 Phone No: (610) 397-2206  
 Receive Mail: Yes  
 Receive EMail: Yes Email:  
 Representing: Upper Darby School District, Appellee  
 Pro Se: No  
 IFP Status:

Attorney: Harr, Annemarie Kennedy  
 Weiss Burkardt Kramer LLC  
 Address: 445 Ft Pitt Blvd Ste 503  
 Pittsburgh, PA 15219  
 Phone No: (412) 391-9890  
 Receive Mail: Yes  
 Receive EMail: Yes Email:  
 Representing: School District of Pittsburgh, Appellee  
 Pro Se: No  
 IFP Status:

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## COUNSEL INFORMATION

Attorney: Kramer, Jocelyn Perry  
 Weiss Burkardt Kramer LLC  
 Address: 445 Fort Pitt Blvd Ste 503  
 Pittsburgh, PA 15219-1308  
 Phone No: (412) 391-9890  
 Receive Mail: Yes  
 Receive EMail: Yes Email:  
 Representing: School District of Pittsburgh, Appellee  
 Pro Se: No  
 IFP Status:

Attorney: Musial, James J.  
 Levin Legal Group, P.C.  
 Address: 1800 Byberry Rd Ste 1301  
 Huntingdon Valley, PA 19006  
 Phone No: (215) 938-6378  
 Receive Mail: Yes  
 Receive EMail: Yes Email:  
 Representing: Pennsylvania School Boards Association, Inc., Appellee  
 Pro Se: No  
 IFP Status:

Attorney: Petersen, Allison S.  
 Levin Legal Group, P.C.  
 Address: 1301 Masons Mill Business Park  
 1800 Byberry Road  
 Huntingdon Valley, PA 19006  
 Phone No: (215) 938-6378  
 Receive Mail: Yes  
 Receive EMail: Yes Email:  
 Representing: Pennsylvania School Boards Association, Inc., Appellee  
 Pro Se: No  
 IFP Status:

Attorney: McClam, John P.  
 Dechert LLP  
 Address: 2929 Arch St  
 Philadelphia, PA 19104  
 Phone No: (215) 994-2046  
 Receive Mail: Yes  
 Receive EMail: Yes Email:  
 Representing: J.N., et al., Council of Parent Attys and Advocates, Inc., Education Law Center, Juvenile Law Center, Amicus Curiae  
 Pro Se: No  
 IFP Status:

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## SUPREME COURT INFORMATION

Appeal From: the order of the Commonwealth Court dated May 16, 2024 at No. 409 MD 2023  
 Appeal Filed Below: 5/20/2024 12:00:00AM

Probable Jurisdiction Noted: June 14, 2024 Docketed Date: May 30, 2024  
 Allocatur/Miscellaneous Granted: Allocatur/Miscellaneous Docket No.:  
 Allocatur/Miscellaneous Grant Order:

## FEE INFORMATION

| Fee Dt     | Fee Name                                | Fee Amt | Receipt Dt | Receipt No | Receipt Amt |
|------------|-----------------------------------------|---------|------------|------------|-------------|
| 05/30/2024 | Notice of Appeal                        | 90.25   |            |            |             |
|            | Reason Waived: Collected on Temp Docket |         |            |            |             |

## INTERMEDIATE APPELLATE COURT INFORMATION

Court Name: Docket Number:  
 Date of Order: Rearg/Recon Disp Date:  
 Rearg/Recon Disposition:  
 Judge(s):  
 Intermediate Appellate Court Action:  
 Referring Court:

## AGENCY/TRIAL COURT INFORMATION

Court Below: Commonwealth Court of Pennsylvania  
 County: Division: Commonwealth Court of Pennsylvania  
 Date of Agency/Trial Court Order: May 16, 2024  
 Docket Number: 409 MD 2023  
 Judge(s): Ceisler, Ellen OTN:  
 Cohn Jubelirer, Renee  
 Covey, Anne E.  
 Fizzano Cannon, Christine  
 Wallace, Stacy  
 Wojcik, Michael H.  
 Wolf, Matthew S.  
 Order Type: Order

## ORIGINAL RECORD CONTENT

| Original Record Item | Filed Date    | Content/Description |
|----------------------|---------------|---------------------|
| Part(s)              | June 20, 2024 | 39                  |

## Record Remittal:

## BRIEFING SCHEDULE

|                                                                                                           |                                                     |
|-----------------------------------------------------------------------------------------------------------|-----------------------------------------------------|
| <b>Appellant</b>                                                                                          | <b>Appellee</b>                                     |
| <b>Dr. Carrie Rowe, Acting Secretary of Education of the PA Dept of Education, and the PA Dept of Edu</b> | <b>Central Bucks School District</b>                |
| <b>Brief</b>                                                                                              | <b>Brief</b>                                        |
| Due: August 5, 2024                                                                                       | Due: September 9, 2024                              |
| Filed: August 5, 2024                                                                                     | Filed: September 4, 2024                            |
|                                                                                                           | <b>Pennsylvania School Boards Association, Inc.</b> |

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## BRIEFING SCHEDULE

## Appellant

**Dr. Carrie Rowe, Acting Secretary of Education of the  
PA Dept of Education, and the PA Dept of Edu  
Reply Brief**

Due: September 23, 2024      Filed: September 18, 2024

**Reproduced Record**

Due: August 5, 2024      Filed: August 5, 2024

## Appellee

**Pennsylvania School Boards Association, Inc.  
Brief**

Due: September 9, 2024      Filed: September 4, 2024

**School District of Pittsburgh  
Brief**

Due: September 9, 2024      Filed: September 4, 2024

**Upper Darby School District  
Brief**

Due: September 9, 2024      Filed: September 4, 2024

## SESSION INFORMATION

Journal Number: J-94-2025  
Listed/Submitted Date: November 19, 2025  
Consideration Type: Oral Argument Supreme Ct.

## DOCKET ENTRY

| Filed Date                       | Docket Entry / Representing                                                    | Participant Type                             | Filed By                                                                                                                                      |
|----------------------------------|--------------------------------------------------------------------------------|----------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------|
| <b>May 20, 2024</b>              | <b>Notice of Appeal</b>                                                        | Appellant                                    | Dr. Carrie Rowe, Acting Secretary of Education of the PA Dept of Education, and the PA Dept of Edu                                            |
| <b>May 20, 2024</b>              | <b>Jurisdictional Statement</b>                                                | Appellant                                    | Dr. Carrie Rowe, Acting Secretary of Education of the PA Dept of Education, and the PA Dept of Edu                                            |
| <b>May 23, 2024</b>              | <b>Praecipe for Appearance</b><br>Pennsylvania School Boards Association, Inc. | Appellee                                     | Musial, James J.                                                                                                                              |
| <b>May 30, 2024</b>              | <b>Case was transferred from 149 MT 2024</b>                                   |                                              | Office of the Prothonotary                                                                                                                    |
| Comments:<br>Pleadings Perfected |                                                                                |                                              |                                                                                                                                               |
| <b>May 31, 2024</b>              | <b>No Answer Letter to Notice of Appeal &amp; Jurisdictional Statement</b>     | Appellee<br>Appellee<br>Appellee<br>Appellee | School District of Pittsburgh<br>Upper Darby School District<br>Pennsylvania School Boards Association, Inc.<br>Central Bucks School District |

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## DOCKET ENTRY

| Filed Date                                                                                                                                                                                       | Docket Entry / Representing                                              | Participant Type | Filed By                                                                                           |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------|------------------|----------------------------------------------------------------------------------------------------|
| June 14, 2024                                                                                                                                                                                    | Probable Jurisdiction Noted                                              |                  | Dreibelbis, Amy                                                                                    |
| Comments:<br>AND NOW, this 14th day of June, 2024, probable jurisdiction is noted.                                                                                                               |                                                                          |                  |                                                                                                    |
| June 14, 2024                                                                                                                                                                                    | Order Exited                                                             |                  | Office of the Prothonotary                                                                         |
| June 20, 2024                                                                                                                                                                                    | Commonwealth Court Record Received                                       |                  | Commonwealth Court of Pennsylvania                                                                 |
| July 1, 2024                                                                                                                                                                                     | Designation of Contents of Reproduced Record                             | Appellant        | Dr. Carrie Rowe, Acting Secretary of Education of the PA Dept of Education, and the PA Dept of Edu |
| July 29, 2024                                                                                                                                                                                    | Application for Extension of Time to File Brief - First Request          | Appellant        | Dr. Carrie Rowe, Acting Secretary of Education of the PA Dept of Education, and the PA Dept of Edu |
| July 30, 2024                                                                                                                                                                                    | No Answer Letter to Application for Extension of Time to File Brief      | Appellee         | Pennsylvania School Boards Association, Inc.                                                       |
| July 30, 2024                                                                                                                                                                                    | No Answer Letter to Application for Extension of Time                    | Appellee         | School District of Pittsburgh                                                                      |
| July 30, 2024                                                                                                                                                                                    | No Answer Letter to Application for Extension of Time to File Brief      | Appellee         | Upper Darby School District                                                                        |
| July 30, 2024                                                                                                                                                                                    | Order Granting Application for Extension of Time to File Appellant Brief |                  | Dreibelbis, Amy                                                                                    |
| Comments:<br>AND NOW, this 30th day of July, 2024, Appellants' application for extension of time is GRANTED. Appellants' Brief and Reproduced Record shall be filed on or before August 5, 2024. |                                                                          |                  |                                                                                                    |
| July 30, 2024                                                                                                                                                                                    | Order Exited                                                             |                  | Office of the Prothonotary                                                                         |
| August 5, 2024                                                                                                                                                                                   | Appellant's Brief                                                        | Appellant        | Dr. Carrie Rowe, Acting Secretary of Education of the PA Dept of Education, and the PA Dept of Edu |

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## DOCKET ENTRY

| Filed Date                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             | Docket Entry / Representing                                                                                                                        | Participant Type                             | Filed By                                                                                                                                      |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------|
| <b>August 5, 2024</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  | <b>Appellant's Reproduced Record Filed</b>                                                                                                         | Appellant                                    | Dr. Carrie Rowe, Acting Secretary of Education of the PA Dept of Education, and the PA Dept of Edu                                            |
| <b>September 4, 2024</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               | <b>Joint Appellee's Brief</b>                                                                                                                      | Appellee<br>Appellee<br>Appellee<br>Appellee | School District of Pittsburgh<br>Upper Darby School District<br>Pennsylvania School Boards Association, Inc.<br>Central Bucks School District |
| <b>September 18, 2024</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | <b>Appellant's Reply Brief</b>                                                                                                                     | Appellant                                    | Dr. Carrie Rowe, Acting Secretary of Education of the PA Dept of Education, and the PA Dept of Edu                                            |
| <b>November 20, 2024</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               | <b>Dispositional Memo Order</b>                                                                                                                    |                                              | Per Curiam                                                                                                                                    |
| Comments:<br>AND NOW, this 20th day of November, 2024, oral argument is GRANTED, LIMITED to the following questions: <p>a. Whether the Department of Education's understanding of IDEA, a federal law, must be promulgated as a state regulation?</p> <p>b. Whether the Department's amendment to its IDEA Model Policy was consistent with 24 P.S. §13-1301 and 22 Pa. Code §11.12 where both provisions require, rather than restrict, the provision of educational services?</p> <p>c. Whether the Department's Model Policy and interpretation of IDEA are already codified in Pennsylvania law, where IDEA's implementing regulations are incorporated in 22 Pa.Code §14.102?</p> |                                                                                                                                                    |                                              |                                                                                                                                               |
| <b>November 20, 2024</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               | <b>Order Exited</b>                                                                                                                                |                                              | Office of the Prothonotary                                                                                                                    |
| <b>June 13, 2025</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | <b>Praecept for Appearance</b><br>Dr. Carrie Rowe, Acting Secretary of Education of the PA Dept of Education, and the PA Dept of Edu               | Appellant                                    | Montgomery, Virginia Lee Cortes                                                                                                               |
| <b>June 16, 2025</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | <b>Praecept for Withdrawal of Appearance</b><br>Dr. Carrie Rowe, Acting Secretary of Education of the PA Dept of Education, and the PA Dept of Edu | Appellant                                    | DiRito, Sarah Marie Castillo                                                                                                                  |

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## DOCKET ENTRY

| Filed Date                | Docket Entry / Representing                                                                        | Participant Type | Filed By                 |
|---------------------------|----------------------------------------------------------------------------------------------------|------------------|--------------------------|
| <b>September 17, 2025</b> | <b>Acknowledgement of Argument Notice</b>                                                          |                  |                          |
|                           | Pennsylvania School Boards Association, Inc.                                                       | Appellee         | Levin, Michael Ira       |
|                           | Upper Darby School District                                                                        | Appellee         | Gilsbach, Timothy Edward |
|                           | School District of Pittsburgh                                                                      | Appellee         | Harr, Annemarie Kennedy  |
|                           | School District of Pittsburgh                                                                      | Appellee         | Kramer, Jocelyn Perry    |
|                           | Central Bucks School District                                                                      | Appellee         | Romberger, Karl A., Jr.  |
| <b>September 17, 2025</b> | <b>Acknowledgement of Argument Notice</b>                                                          |                  |                          |
|                           | Dr. Carrie Rowe, Acting Secretary of Education of the PA Dept of Education, and the PA Dept of Edu | Appellant        | Howell, Thomas Paul      |
| <b>November 18, 2025</b>  | <b>Praecept for Appearance</b>                                                                     |                  |                          |
|                           | Dr. Carrie Rowe, Acting Secretary of Education of the PA Dept of Education, and the PA Dept of Edu | Appellant        | Anzalone, Elizabeth Ann  |
| <b>November 19, 2025</b>  | <b>Argued</b>                                                                                      |                  |                          |
|                           | Dr. Carrie Rowe, Acting Secretary of Education of the PA Dept of Education, and the PA Dept of Edu | Appellant        | Howell, Thomas Paul      |
|                           | Pennsylvania School Boards Association, Inc.                                                       | Appellee         | Levin, Michael Ira       |

## CROSS COURT ACTIONS

Docket Number: 149 MT 2024  
Docket Number: 409 MD 2023