



**TESTIMONY OF THE
PENNSYLVANIA SCHOOL BOARDS ASSOCIATION
BEFORE THE SENATE EDUCATION COMMITTEE
ON
EDUCATION INNOVATION and REFORM**

Lena Hannah
School Board Director
South Fayette School District

Introduction

Good morning Chairman Martin, Chairwoman Williams and other distinguished attendees. Thank you for inviting the Pennsylvania School Boards Association (PSBA) to present testimony today regarding education reform. My name is Lena Hannah and I consider myself fortunate to be a current school board member in the South Fayette School District. Over an 11-year span I have been serving my community as a school director. While this year was like no other because of the pandemic, I know I was right where I wanted and needed to be. It would be disingenuous of me to say that early on, up until school opened that there weren't days that I was overwhelmed, challenged, exhausted and quite honestly afraid. The decisions I would be making as a lay person and not a medical expert, left for many sleepless nights. They weren't normal decisions that board members have to make, who at times can be controversial ones. They were decisions that could change the lives of students, staff, teachers, administrators, parents and quite frankly the list goes on and on. Yet, like the other 4,499 board members who volunteer their time, we made those decisions in partnership with our district's administrators and staff as things were constantly changing, sometimes on a daily basis, surrounded by uncertainty.

Also, during that time there were days where I was hopeful, proud, brave, and determined. Collectively we had to find our resolve, our grit, our fortitude and push on. Our students, parents and staff depended on us in ways we never thought imaginable. So, we did. We developed pandemic response teams in multiple categories from health and safety, to custodial and grounds,

to technology, curriculum, to name a few all lead by district administrators at various levels. With one overarching and encompassing team lead by our Superintendent. We reached out to the community and had physician partners, parents, teachers who joined in and we planned and met and planned and met and planned and met some more. Trying to cover all basis and scenarios, in an ever-moving environment.

In addition to being a school board member, I am fortunate to have an incredible job that puts me in direct connection with both school districts and legislators. As an Advocacy Ambassador for PSBA I have had the distinct honor and privilege of working closely with school districts and legislators in a 6-county radius. Serving 99 school districts is a daunting task, but not in the way that one would think. I have become acutely aware that each school district is unique and has special qualities that make it important to its community and the students and families that it serves. I get to showcase those gems, bring them into the spotlight that they so richly deserve.

This is the where the legislators come in both figurately and literally. If you are a legislator in my territory more than likely you have visited one or more of your school districts in person.. Prior to COVID, you would have seen firsthand as we toured school buildings and CTC facilities, students engaging, in digital and virtual classrooms, in maker spaces, where students are hands on creating and designing things for today and for their world tomorrow. You would have seen them running computer and electrical cable, using a simulator to drive a piece of heavy equipment, and teaching myself and legislators how to lay bricks in the CTC programs that we visited. You would hear from superintendents how they partnered with a local trucking company to help students get their CDL license the same time they are getting their high school diploma. You would have seen students engaged in coding as young as kindergarten and one of the only districts in the country that has computational thinking curriculum in grades K-12. You would be blown away by students, being able to choose between a 12 - program pathway of studies from business, to medical, to even undecided allowing for flexibility, interest and passion. That same district even provides a shirt for your newborn right at the local hospital with a packet of information and drives a van in the summer months through its communities to help and encourage students to read. You would also have seen a district working a freight farm to provide lettuce for their local food bank, to one providing mental health services, through a student focused partial program, that partners with a local clinic that allows them to receive the mental health supports they need along with the academic rigor they so desire during the school day. You would see students being fed on the weekends through numerous backpack programs throughout my region and superintendents that worry if they have to call a snow day that some of their students will be cold and hungry and that is something that keeps them up at night!

What you see now is how district's pivoted and adapted. The buses that were once being used to drive students to school were now driving meals to their homes or stops. More and more students were being fed and district personal stepped up to the plate without hesitation. Buses were also being used as "hot spots" themselves so students could upload their assignments. The students were still coding all the while learning a new learning management system with their teacher as well! The mental health program continued in one of my districts in person and the other virtually. Focusing in on parent virtual meetings and services available. One of my districts went as so far to set up mock classrooms in their most vulnerable student's homes, by bringing in student desks to simulate a classroom. Another literally implemented a program they had be

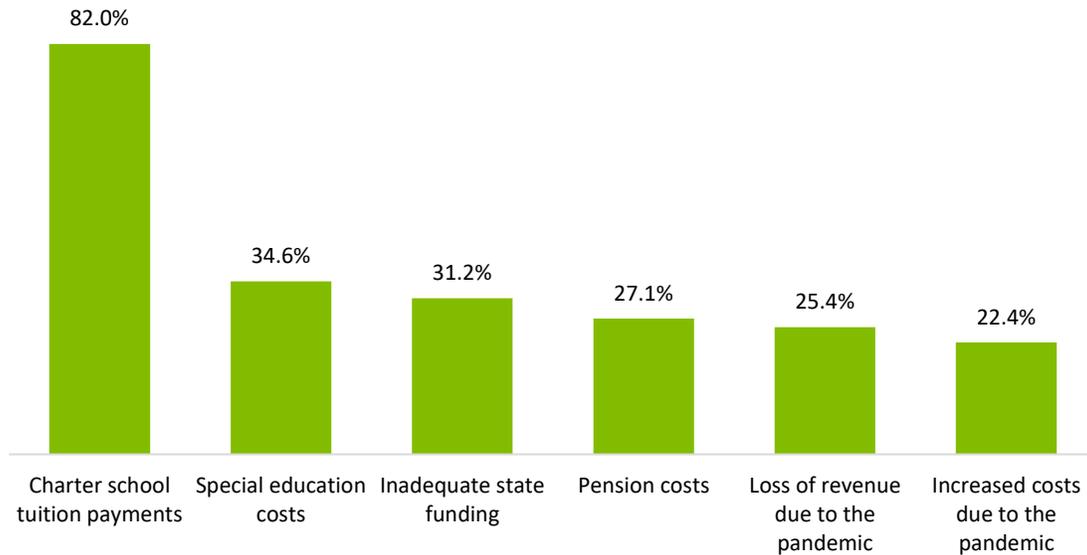
working on for the past 7 years, 3 changing the culture of thinking and 4 years around education modernization without missing a beat or day. These are just a few examples of how districts in the south west of Pennsylvania have managed and rose above the pandemic.

The COVID-19 pandemic highlighted the critical role schools play in our communities, and I believe our schools and students have risen to the challenge during this crisis. We have seen more innovation than ever before, due in great part to the pandemic, and I believe we will continue to change as we move into the end of this school year and look to the next. Innovations in the delivery of curriculum is an area that we expect to see the most significant developments as we now can host online, asynchronous and in-person learning that can be tailored to students' needs.. Districts need the flexibility that COVID 19 had afforded them with various learning models and platforms. When preparing for this testimony I spoke with and received information from various superintendents from my region, unequivocally this was a topic high on the list. Respectfully, long gone are the days when Flexible Instruction Days (FID) are the standard of flexibility, we know we can do more and tailor student learning even more given the chance, funding, and flexibility. The seat time and the required hours at all levels, should be explored and assessed to provide the flexibility needed to educate the students of today. Further innovation will take place as we deal with learning losses that may have occurred over the past year. Schools have plans to implement diagnostic testing, tutoring, virtual meetings or phone calls with parents and students to determine needs related to learning loss. They will provide expanded summer education and tutoring programs, increase assistance from teachers and paraprofessionals, and increase training and supports for teachers, g and much more. Over the long-term, schools are looking toward other curriculum and academic changes to ensure our students' learning is on track.

Systemic Budget Pressures – Driving District Budgets

PSBA has released its annual State of Education report, which for 2021 focuses entirely on the pandemic's impacts on public education and includes information collected through a survey sent to all 500 school districts, as well as data available from sources such as the Pennsylvania Department of Education. Each year, the State of Education survey includes a question concerning the top budget pressures facing school districts in order to gain insight into the areas causing the most financial pressure on their budgets. Although the top four budget pressures have been the same in each of the five annual surveys, it is of note that an overwhelming number of school districts identified mandatory charter school tuition payments as one of their biggest sources of budget pressure this year.

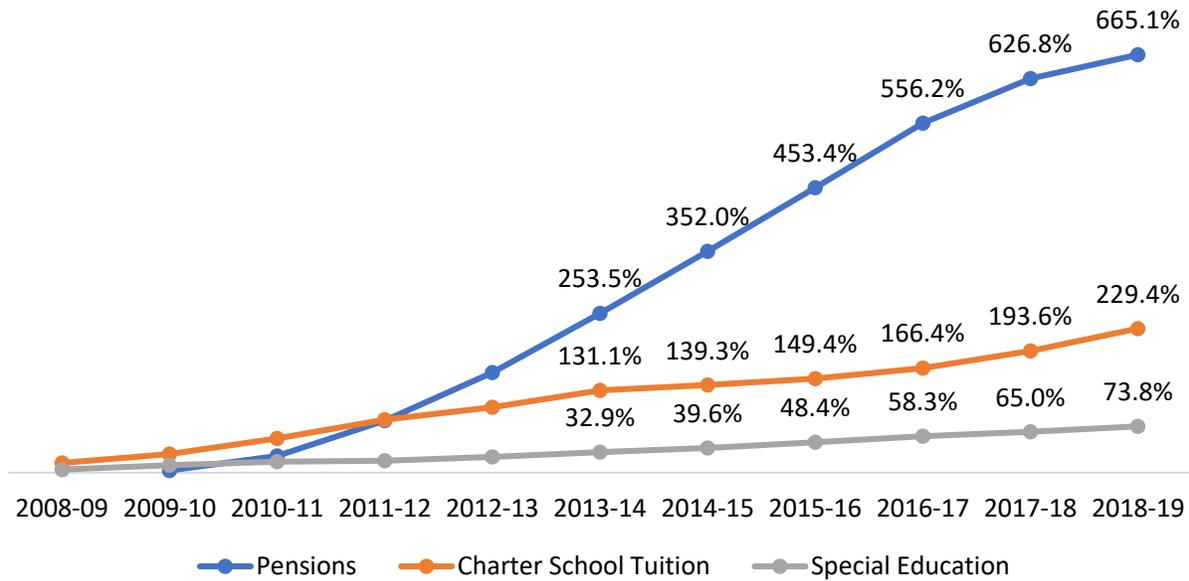
Top Budget Pressures



While always a significant issue for school districts, the pandemic-induced mass exodus of students to cyber charter schools has further elevated the issue of charter school funding. At the start of the 2019-20 school year, 38,600 students were enrolled in a cyber charter school. However, by the start of the 2020-21 school year, that number had grown to 60,900 – a 58% increase. That increase in enrollments will conservatively lead to an estimated \$335.5 million increase in charter school tuition payments for school districts on top of the typically expected increase of at least \$125 million this year. Just sharing information from one of my school districts stresses the impact, they went from a \$300,000 in charter cost to a \$1,300,000 in charter cost.

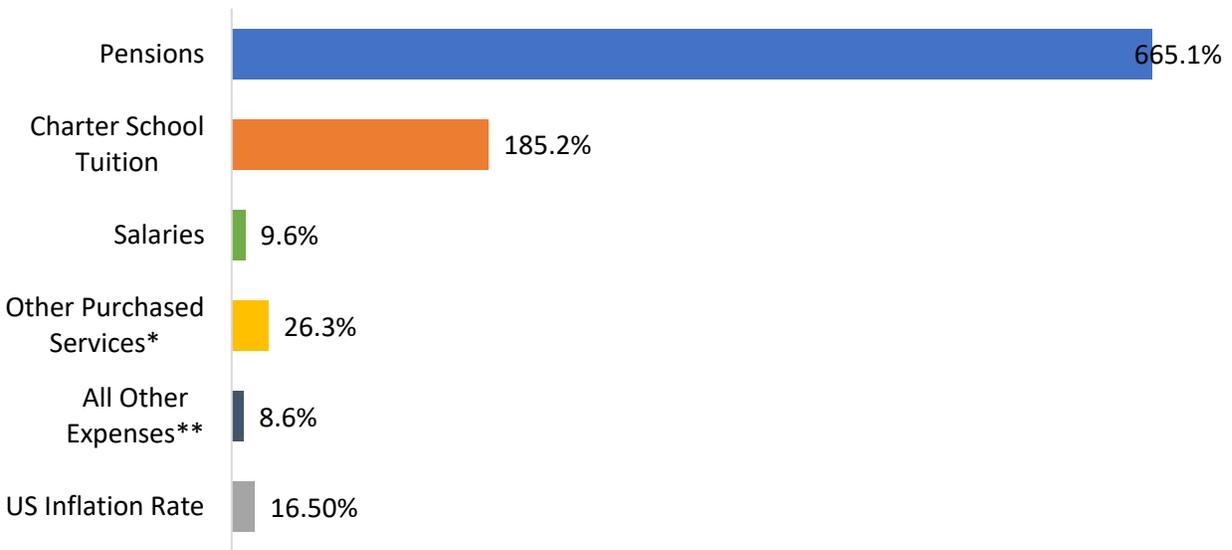
Public school leaders are grateful for, and applaud, the significant federal stimulus funding being provided to public education in response to the pandemic as it will help school districts deal directly with the costs of the pandemic and reduce the catastrophic budget shortfalls that were anticipated. However, school districts also realize that this is one-time funding and that it will not resolve systemic funding concerns such as payments to charter schools and increases in mandated costs. Systemic budget pressures come primarily from increases in mandated costs which are beyond school districts' control, especially pensions, special education and charter school tuition. Since the 2007-08 school year those three specific mandated costs have increased by a combined \$6.8 billion.

Mandated Cost Increases from 2007-08



Aside from increases in those mandated costs, school districts have been doing an admirable job of controlling their expenses.

Growth in Expenses 2008-09 to 2018-19

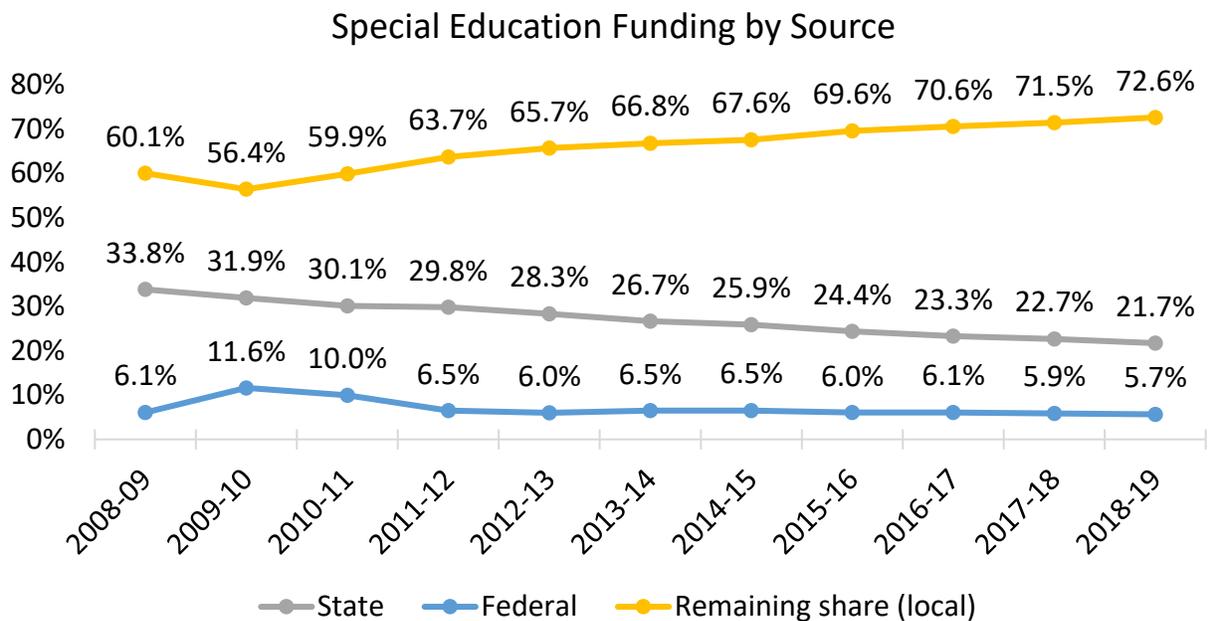


* These include outside educational services, transportation, food services, liability insurance, and other tuition payments

** These exclude fund transfers and debt service payments

State funding to assist with paying for these mandates has failed to keep pace. Although the state is statutorily required to contribute roughly half of school district pension contributions, the state's share of special education and charter school costs have declined. Ten years ago, state

funding for special education represented one-third of school district expenditures for special education. But by 2018-19, that share had shrunk to less than 22%.



The state also no longer provides any reimbursement to help school districts pay for charter school tuition – the program was defunded in 2011-12.

As mandated costs rise, school districts are forced to rely on local sources of funding, such as property taxes, to make up the difference. But in areas where property values and income levels are low or other challenges exist, this presents exceptional difficulties. One districts shared, they would normally get around \$68,000 in EIT and only received \$7,000 during the October, November and December months from 4,300 tax payers? The pandemic was far reaching and impacted many areas of districts budgets. Where additional local revenues are not an option or are insufficient, school districts are forced to look at cuts in order to balance their budgets, which has a direct impact on students.

Recommendations

PSBA believes there are many ways in which the General Assembly can continue to support public schools during this crisis and into the future. While not all are the subject matter of this committee, we mention them because they will assist schools in operating more efficiently and allow them to be more innovative, thus saving taxpayer resources and strengthening educational opportunities:

Permanent Mandate Waiver Program – As public schools and the General Assembly are faced with the significant economic impacts of COVID-19 we need solutions which provide savings and flexibility without the need for new or additional state appropriations. One specific

reform that PSBA's members are asking for is broad, permanent relief from mandates that consume much of their budgets and can stifle innovation.

Public school leaders fully supported including the temporary mandate waiver program as part of the emergency pandemic legislation in Act 13 of 2020 which received unanimous support in the Legislature. However, the waiver provisions in Act 13 were only available for April, May, and June of 2020, and school leaders need a permanent solution that will continue in future years. Therefore, PSBA urges the Legislature to permanently reinstate a mandate waiver program like the highly popular and successful one which operated in Pennsylvania from 2000 to 2010 - such as the proposal introduced in Senate Bill 73 by Senator Wayne Langerholc.

Charter School Reform – The current charter school funding formula was established in 1997 under the state's Charter School Law and has not been changed in the 24 years since it was first created. Because the tuition rate calculations are based on the school district's expenses and not the charter's, they create wide discrepancies in the amount of tuition paid by different districts for the same charter school education. This results in drastic overpayments to charter schools, especially when it comes to special education and cyber charter tuition payments. PSBA once again urges the Legislature to help save taxpayer dollars by adopting charter school funding reforms that are predictable, accurate and reflect the actual costs to educate students in regular and special education programs, and in cyber charter schools. We specifically recommend:

- Applying a tiered special education funding system for charter school students that more accurately reflects the actual costs of providing special education.
- Applying a statewide tuition rate of no more than \$9,500 for all students enrolled in a cyber charter school.
- Formalizing and expanding deductions school districts use when calculating their charter school tuition rates in recognition of the revenues and expenditures which should not be part of the tuition rate calculation. Specifically, school districts should be able to deduct:
 - Expenditures for charter school tuition from the prior year with a corresponding deduction from the school district's average daily membership used to calculate charter tuition rates.
 - Expenditures for tax assessment and collection.
 - Grants, gifts, and donations made specifically to the district.
- Addressing the charter school law dealing with payments sent to charters and ensuring that the charter school student accounting requirements are enhanced. A direct and efficient process needs to be established to evaluate payments, confirm that they are correct and quickly settle disputes.

Additionally, PSBA recommends that the Legislature enact policy reforms which ensure that charters schools are subject to the same accountability, transparency and ethical standards as traditional public school districts.

Advertising/Public Notice Reform - Another helpful reform which would provide the cost savings and efficiencies that our members are asking for is to address the antiquated law which only allows advertising/public notice requirements to be fulfilled by publishing in printed newspapers of general circulation. A popular innovative solution would be to provide local

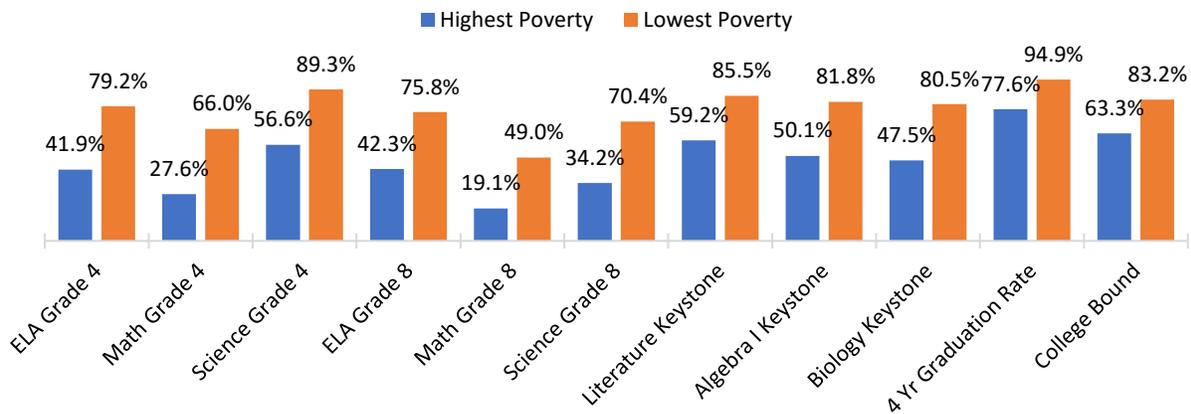
governments, including school districts, with a flexible menu of print and online options to use in complying with advertising/public notice requirements. Such a solution would not only modernize our advertising requirements, but also provide much needed savings to local governments and school districts.

PSBA and its members fully support the goal of advertising requirements – keeping the public informed and ensuring transparency. However, the current mandate in law is expensive and inefficient and was created long before the internet changed the ways that people receive information. Additionally, as more newspapers reduce their print publications or move to phase them out altogether, it is becoming very difficult to comply with this mandate. Providing flexibility to meet advertising requirements would not only improve efficiency, increase readership, and reduce costs but also increase transparency by making notices searchable and available to a broader readership online. PSBA has worked with Senator DiSanto to introduce SB 252 and Representative Ortity to introduce House Bill 955.

Community/Innovation Schools - PSBA commends Senator Langerholc and Senator Browne for their support of the community engaged school model and their willingness to sponsor legislation that would begin to foster this concept in Pennsylvania via Senate Bill 351. This innovation is supported by PSBA as an evidence-based solution to improving student performance in struggling schools. It is supported by many providers and groups that implement community school programs across Pennsylvania. We are excited to see that many of our school districts have already begun reaching out to use the community school approach. The metrics we have seen concerning this type of approach are very encouraging, unlike other approaches such as vouchers or education savings accounts for which many studies show lackluster results at best.

Poverty impacts student performance and contributes to barriers that impact students’ daily lives as seen in the State of Education report graph below. Lower student performance on standardized tests and other academic measures is clearly shown to be related to high poverty rates in these school communities. The barriers in these communities include a limited access to technology at home, lack of access to medical and mental health care, a lack of permanent housing and food insecurity.

Achievement Gap - Highest vs. Lowest Poverty School Districts

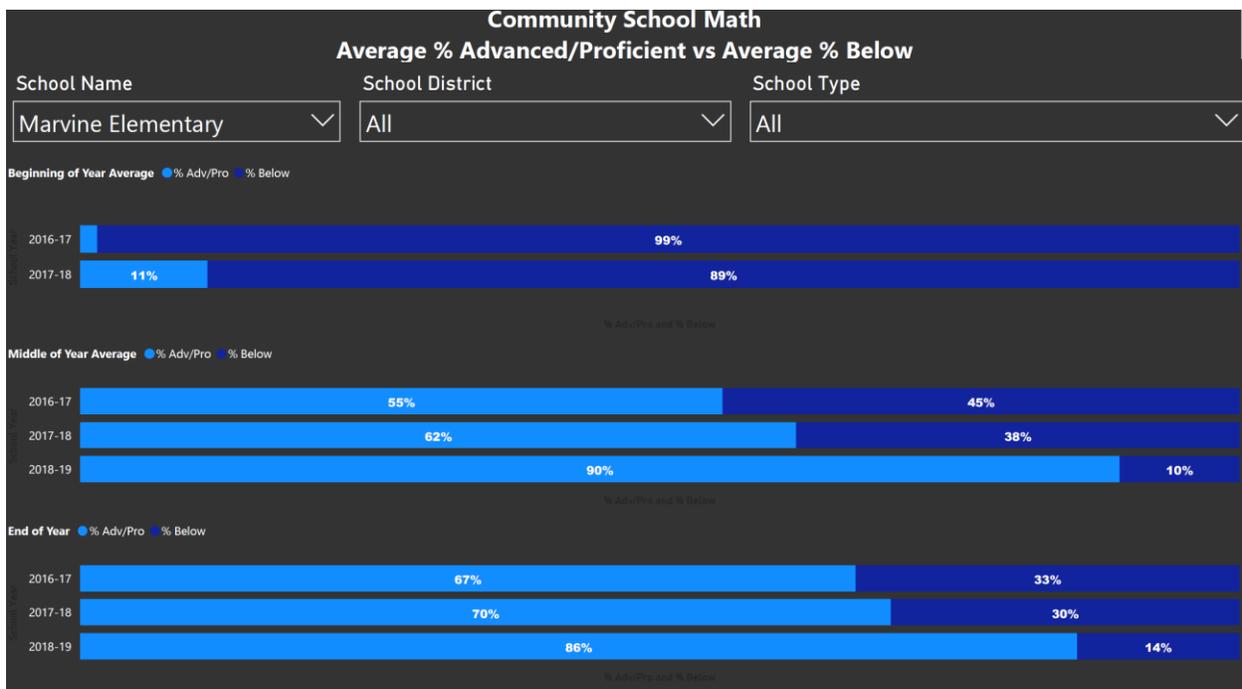


(2018 State of Education report – PSBA)

Community schools, or innovation schools, focus on developing full-service schools that are community hubs targeted at addressing these barriers head on. These schools concentrate on partnering with the community to address their challenges by becoming the center that provides the resources the community needs to make education once again a priority. Regional United Way organizations, local governments, businesses and especially families who have a stake in the public school community develop the approach in concert with school administration and invest together to address student needs.

Community/innovation schools place students at the center of all this planning and begin to address the barriers to their learning through a results-oriented plan. These schools may deploy services for students that include consistent tutoring, in-school healthcare services that cover families, counseling for students and families, employment assistance for students and families, mentor program for students and families as well as college and career prep. Linking students and their families to medical and mental health care and supporting families via parent education, counseling, food banks and employment begins to address the obstruction to learning that poverty creates.

While these services go beyond the typical scope of our public schools and contain additional costs, they are desperately needed in our struggling school districts. This approach does not base its results on the feelings of participants but is designed to focus on metrics that align with research on the factors that promote education success. In Marvin Elementary, a Bethlehem School District community school, we have seen measurable improvement in Math and Literacy scores.





School Construction Funding - School districts have an obligation to provide facilities that are constructed and maintained to meet the educational and safety needs of their students and staff. In turn, the state has a responsibility to help districts pay for needed construction and renovation projects. However, for years school districts have faced a two-fold obstacle in meeting their obligation — inadequate or nonexistent state funding, and an overly complicated state approval process for school construction projects, known as PlanCon.

As a result of the work of many stakeholders, [Act 70 of 2019](#) was enacted to modernize and simplify the PlanCon process. It also creates a project building maintenance and repair grant program to be used for smaller maintenance and modernization projects as well as health and safety upgrades, emergencies, and other approved projects. Unfortunately, the new PlanCon program remains unused and unfunded. A moratorium that began in 2016 and continues today on accepting school projects for reimbursement has left districts and taxpayers left to carry the full financial burden.

Many schools across the state are struggling with a variety of facility maintenance, upgrades and construction needs. Some are dealing with lead and asbestos removal, while others are dealing with leaking roofs, failing mechanical and electrical systems, and crumbling infrastructure. Many growing school districts also need to address overcrowded classrooms and school security issues. However, without state reimbursement for construction and renovation projects, most of these projects will go unfulfilled due to funding limitations. The 2019 State of Education report finds that 50% of responding school districts postponed a school construction or renovation project due to the lack of state reimbursement.

Liability Protection – Despite all of the planning and preparation by public schools to educate students during a public health crisis in accordance with state and federal guidance, there is no guarantee that schools can prevent any and all potential exposure to COVID-19 in schools.

School leaders need limited liability protections in order to shield taxpayers from frivolous or opportunistic lawsuits alleging exposure to COVID-19. Such lawsuits could increase local taxes and lead to further school budget cuts which would have a severely negative impact on the opportunities and education that students will receive.

School districts are not asking for broad tort reform or a permanent change to the state's sovereign immunity law. What they need is a temporary grant of immunity for actual or potential COVID-19 exposure in the school setting, unless such exposure is the result of gross negligence or willful misconduct on the part of public schools or school officials.

With the prospect of costly litigation hanging over every decision made by school boards and administrators in reopening and operating schools and school programs, we need a law that will provide limited protections so that our schools are not worrying about being financially crippled or shut down as long as schools do their best to implement the state and federal guidance.

PSBA is encouraged the House Bill 605 was passed by the House and is moving to the Senate for consideration, and that Senator Baker has introduced Senate Bill 273.

Conclusion

Public school districts are creative and when given the opportunity will utilize cost saving measures that benefit our students and taxpayers. Providing opportunities for cost savings and increased efficiencies in public schools is vital, especially as they struggle during a pandemic to ensure that Pennsylvania students are provided with a world class education despite the significant financial and logistical barriers that school districts face. Conversations like the one we are engaged in today are important in advancing much needed new legislative policy initiatives and reforms which will provide financial relief and flexibility to public schools. PSBA would like to offer our support and assistance in continuing these efforts.

On behalf of PSBA, I want to thank you for your attention to, and support for, our public schools, and for this opportunity to provide input. I will be happy to take any questions.