



**House Education Committee
Informational Hearing on Level Up Funding
August 10, 2023 at 1:00pm
140 Main Capital**

1:00pm Call to Order
Committee Member Introductions
Opening Remarks

1:10pm Panel #1

Kristen Haase, Sr. Policy Fellow & ELD teacher at Carter & MacCrae, Lancaster

Dan Urevick-Ackelsberg, Sr. Attorney, Public Interest Law Ctr.

Afia Lewis, Teach Plus Sr. Policy Fellow & 6th grade teacher, William Penn SD

1:40pm Panel #2

Dr. Keith Miles, Superintendent, Lancaster SD

Mr. Matt Przywara, Assistant Superintendent, Lancaster SD

Mr. Stephen Rodriguez, Superintendent, Pottstown SD

2:10pm Closing Remarks/Adjournment

All times are approximate and include time for questions.

Additional Testimony Submitted:

Dr. John W. Zesiger, Superintendent, Moshannon Valley SD



WRITTEN TESTIMONY OF KRISTEN HAASE
TEACH PLUS SENIOR POLICY FELLOW AND SCHOOL DISTRICT OF LANCASTER TEACHER
BEFORE THE PENNSYLVANIA HOUSE EDUCATION COMMITTEE

Thursday, August 10, 2023
Harrisburg, PA

Chair Schweyer, Chair Topper, and Members of the House Education Committee:

Thank you for holding a hearing on the important topic of Level Up and allowing me to provide testimony today. My name is Kristen Haase, and I teach English Language Development to the multilingual learners of Carter & MacRae Elementary School in the School District of Lancaster. I am also a Senior Policy Fellow with Teach Plus, a national non-profit organization whose mission is to empower excellent, experienced, and diverse teachers to take leadership over key policy and practice issues that advance equity, opportunity, and student success. Through Teach Plus, I've had the opportunity to bring my expertise as an educator to discussions about education policy and to build relationships with legislators in both houses and from both parties over the past two years.

I have been a part of the School District of Lancaster as a teacher as well as an assessor of reading for over 20 years, but I live just five miles away in Manheim Township, where my son is a rising ninth grader. The disparities in education funding I've seen across these two school districts, separated by just five miles, have opened my eyes to the need for programs like Level Up that level the playing field between underfunded and affluent districts.

Manheim Township is a small, wealthy community whose schools are frequently rated on national best-of lists from U.S. News and World Report and Newsweek. The district recently completed construction of a new \$43.6 million middle school building, which my son got to attend the past two years. The middle school has a black box theater, state-of-the-art science labs, Smartboards in every classroom, and a TV projection room with tens of thousands of dollars of equipment. When my son recently went on a field trip to Washington, DC, the school chartered buses with air conditioning and bathrooms on board so they could travel in comfort. Everything about my son's educational environment and experience signals to him, "You matter. Your future matters. Your dreams matter. Your education is important and worth investing in."

In my district, we have to budget and save for every repair. We still have buildings without air conditioning, which become stiflingly hot and dangerous on hot days, and overcrowded schools that use trailers to service ELD students or to provide counseling services. When I started my career teaching English Language Development 20 years ago, my classroom was a maintenance closet, and even today, two of my ELD colleagues teach out of the library and the other two of us share a classroom because there's no space for us to have our own classrooms. If we get to go on field trips, which my students have to pay out-of-pocket for, we aren't taking charter buses; we are riding on yellow school buses without air conditioning or seat belts.

These inequities would seem unfair even if our districts were serving similar populations. However, the needs of students in my district are much greater than those of students in Manheim Township. In Manheim Township, 29% of students are economically disadvantaged, 14% require special education services, and 4% are English language learners. In SDoL, 88% of our students are economically disadvantaged, 19% require special education services, and 20% are English language learners. This is not coincidental: the 20% of all school districts that are considered Level Up districts serve 58% of the state's economically disadvantaged students, 64% of its English language learners, and 35% of its students with disabilities. In other words, the students with

the greatest needs in our commonwealth are disproportionately concentrated in the districts with the fewest resources relative to student need.

I work with multilingual learners, and the research is very clear that my students can be successful, but that they do require additional resources to help them succeed. In my school, we have over 100 English language learners, many of whom are newcomers to the country who speak little to no English, and some of whom also have moderate to severe disabilities including autism. If you have ever learned another language, you know it takes years to master. You also understand the importance of quality teaching and resources in order to be fluent. At Carter, we recently lost a part-time ELD teacher and now have only four ELD teachers to support all of our students, many of whom need hours and hours of individualized support to learn English. Without enough staff to provide this support, my students, who are smart and eager to learn, will not be able to even access the curriculum to learn the other critical academic skills they need to succeed when they leave us. As the fair funding lawsuit found, my students, who need the most, get the least because of where they live.

I know this committee has also held hearings on the teacher shortage, which is something that keeps me up at night. I want to be clear that while all districts in Pennsylvania are experiencing greater staffing challenges than they have in the past, the teacher shortage cannot be separated from our inequitable school funding system. The research of Dr. Ed Fuller from Penn State University as well as Research for Action clearly demonstrates that it is poor and underfunded districts that are experiencing the greatest shortages, the highest percentages of emergency-certified and underprepared teachers, the highest student-to-teacher ratios, and the highest teacher attrition rates. Without adequate resources, underfunded districts like mine can't afford to hire enough teachers, can't afford to pay competitive salaries, and can't afford to offer the type of teacher working conditions that attract and retain teachers. And research tells us that teachers are *the* most important in-school factor that affects student achievement. We have five open ELD positions that have not been filled, and how can we be expected to compete in a tight labor market given these disparities?

The students and staff of the School District of Lancaster are capable, but they need resources—time, money, and personnel—to be successful. We deserve a level playing field to compete, and that's all we're asking for. Level Up has been an important step toward equity over the past two years, finally acknowledging the needs of the 100 most underfunded districts and the reality that we will never reach adequacy with incremental annual increases to basic education funding alone. Critically, support for Level Up has been bipartisan the past two years, partly because there are Level Up districts all over Pennsylvania, not only in Democratic urban areas but also in suburban and rural communities across the commonwealth.

I have had the opportunity to meet with lawmakers from both sides of the aisle, and I believe them when they say that they genuinely care about every single student in Pennsylvania. It breaks my heart that \$100 million of Level Up funding that was already appropriated and approved with bipartisan support in both chambers is now in jeopardy because of politics. I call on leaders and members in the House and Senate to stop playing politics with my students' futures and release the Level Up funds to create a level playing field for all students in Pennsylvania. Please send my students the same message my son receives: "You matter. Your future matters. Your dreams matter. Your education is important and worth investing in."

Thank you for your time and consideration.



Action Access Progress

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PublicInterestLawCenter 
@PubIntLawCtr 

**Testimony of Dan Urevick-Ackelsberg
Senior Attorney, Public Interest Law Center
August 10, 2023**

Chairman Schweyer, Chairman Topper, and Members of the Committee:

I am an attorney at the Public Interest Law Center. Along with my colleagues at the Public Interest Law Center, the Education Law Center, and O'Melveny and Myers, I had the privilege to represent the six school districts, statewide organizations and families that won the school funding trial.

The Commonwealth Court's holding made plain what our Constitution requires: As the Court wrote, the duty "imposed by the Constitution is that every student receives a meaningful opportunity to succeed academically, socially, and civically, which requires that all students have access to a comprehensive, effective, and contemporary system of public education." *William Penn Sch. Dist. v. Pennsylvania Dep't of Educ.*, 294 A.3d 537, 964 (Pa. Commw. Ct. 2023).

And the Court explained *why* the system was unconstitutional. It was not about funding for funding's sake, but it was about *funding*. The funding to provide the necessary resources so that low-wealth school districts can have the staff, technology, curricula, and facilities that make up that contemporary, effective education for their students.

Much of the Court's decision was based upon the Commonwealth's own laws and statistics, including Level Up. The Court noted that Level Up combines both the fair funding and special education formulas' definitions of need to determine which districts are spending the least in the state relative to those needs. And in its decision, the Court used the Level Up formula as a practical way to do precisely that. It found, for example, that relative to its students' needs as identified by Level Up, the School District of Lancaster was spending the 28th least in the Commonwealth.

All told, the Court found that Level Up itself helped credibly "establish the existence of inadequate education funding in low wealth districts like Petitioners, a situation known to the Legislature." *William Penn Sch. Dist. v. Pennsylvania Dep't of Educ.*, 294 A.3d 537, 910 (Pa. Commw. Ct. 2023).

What does inadequate education funding mean? At its core, it means that educators lack the resources they need to allow all children to live up to their potential, in conditions that befit their dignity. It means insufficient numbers of teachers, counselors, tutors, and specialists. It means two classes taught at once by the same teacher at the same time. It means that when COVID hit, some schools went without remote devices for each student for a year. It means buildings with insufficient heat, unacceptable air quality, looming asbestos, aging boilers and electrical systems, and students learning in hallways and closets.

And we know that the stories of our school districts were not unique. From Allentown, to Scranton, to Erie, to Reading, to everywhere in between, in districts big and small, the stories are all the same. And they have a common culprit: we have not adequately funded our schools.

In 2017, the Supreme Court ruled for the Petitioners and sent the case back to Commonwealth Court to conduct discovery and hold a trial. When it did so, it acknowledged that you all have a tough job, stating that there are surely “many competing and not infrequently incompatible demands [you] face to satisfy non-constitutional needs, appease dissatisfied constituents, and balance a limited budget in a way that will placate a majority of members in both chambers despite innumerable differences regarding policy and priority.” *William Penn Sch. Dist. v. Pennsylvania Dep't of Educ.*, 170 A.3d 414, 464 (Pa. 2017). But a thorough and efficient system of public education is a constitutional command. And the reason why there was to be a trial is because courts have a responsibility “to monitor the General Assembly’s efforts in service of its mandate and to measure those effects against the constitutional imperative, ensuring that non-constitutional considerations never prevail over that mandate.” *Id.* Those efforts were measured at trial. They were found unconstitutional.

When we won the lawsuit, we recognized that all of you, on both sides of the aisle, had a serious task ahead of you. We didn’t create a huge school funding hole in a year, and we won’t climb out of it in one year. But schools are unconstitutionally underfunded this year. The constitutional rights of children are being violated this year. And that is especially so for the very schools and students that make up Level Up districts. And so a down payment needs to be made on fixing that system this year.

Testimony of Dan Urevick-Ackelsberg
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As you know, the school funding decision was not appealed. In her recent decision denying post-trial relief, the Court explained one final time what that means:

Having faced the “formidable challenge” given to the Court by the Supreme Court head on, this Court now tasks Respondents with the challenge of delivering a system of public education that the Pennsylvania Constitution requires – one that provides for every student to receive a meaningful opportunity to succeed academically, socially, and civically, which requires that all students have access to a comprehensive, effective, and contemporary system of public education

William Penn Sch. Dist. v. Pennsylvania Dep’t of Educ., No. 587 M.D. 2014, 2023 WL 4285737, at *6 (Pa. Commw. Ct. June 21, 2023).

We look forward to working with each of you to make this system of public education work for each child. This year, that means funding for Level Up as the first installment in a long overdue payment. Next year, it must mean a system that begins providing adequate funding for all.

Testimony of Afia Lewis
Teach Plus PA Senior Policy Fellow and William Penn School District Teacher
Thursday, August 10, 2023
Harrisburg, PA

Chair Schweyer, Chair Topper, and Members of the House Education Committee:

Thank you for the opportunity to testify on this critical topic. I am a Teach Plus Senior Policy Fellow and a 6th grade teacher at Ardmore Elementary School in the William Penn School District. I have been an educator for over 20 years. I also serve on the Pennsylvania State Education Association Educational Justice Committee.

As a teacher in one of the underfunded districts that was a plaintiff in the recent fair funding lawsuit, I was heartened by the recent Commonwealth Court decision that declared our current education funding system unconstitutional, and I'm eagerly awaiting the Basic Education Funding Commission's forthcoming work to comprehensively redesign our educational system to be both adequate and equitable. I was also encouraged to see that although the Commission's work will stretch into next budget season, the General Assembly made a down payment toward fixing our unconstitutional system by not only increasing basic education funding, but also investing \$100 million toward Level Up. While Level Up is not a permanent solution to our system's equity problem, it is the first meaningful step the legislature has taken in recent years to acknowledge and address the needs of districts like mine that are furthest from adequacy under the current system.

Every morning when my students enter my classroom, I see their unbridled potential: their curiosity, their eagerness to learn, their dreams of becoming future scientists, artists, leaders, and entrepreneurs. Every day, I do my best with the inadequate resources I have, to give them the great educational opportunities they need and deserve.

And every day, I am confronted by the gap between what my students deserve and what our broken school funding system provides.

As a Teach Plus Policy Fellow, I've also had the opportunity to work with teachers from all over Pennsylvania, many of whom are also from underfunded Level Up districts like mine. Underfunding isn't only an urban problem; there are Level Up districts in rural areas and in suburban communities like mine. And it isn't a Democratic or Republican problem; Republican lawmakers represent as many Level Up districts as Democratic lawmakers do. I've learned that while every district has its own unique circumstances, underfunding causes similar challenges all across the commonwealth. In a [report](#) my Teach Plus working group completed last school year based on focus groups with over 100 teachers across Pennsylvania, we found that underfunding leads to crumbling school infrastructure, negatively impacts student and teacher mental health, hinders districts' ability to recruit and retain educators, and limits academic opportunities and resources.

In my district and other Level Up districts, underfunding means outdated and sometimes unsafe school facilities that hinder learning. In my colleagues' schools in Philadelphia and Scranton, schools have been closed for weeks and months due to asbestos, lead, and other hazards. With more resources, instead of interrupted learning and fear that coming to school could literally be killing us, students and staff could feel confident that our buildings and classrooms were designed to support their learning, ensure their safety, and foster connection and creativity. Our schools would be equipped with air conditioning and proper ventilation, be free of hazardous materials, and have 21st-century technology, lab equipment, and sports facilities.

In my district and other Level Up districts, underfunding means insufficient guidance counselors and other mental health staff at a time when student mental health is at a crisis point. With more resources, we could afford to hire sufficient mental health professionals to meet the American School Counselor Association's recommended ratio of one counselor for every 250 students. Having additional mental health support would

mean that traumatized students who are currently struggling to stay afloat in our classrooms could get the individualized support they need to recover and thrive academically and socially.

In my district and other Level Up districts, underfunding means we are unable to compete with wealthier districts to attract and retain great teachers. A worsening teacher shortage has intensified competition between districts for a shrinking supply of educators, and underfunded districts are fighting a losing battle, unable to offer competitive salaries and forced to increase class sizes and caseloads as vacancies increase. With more resources, my district could increase teacher pay, fill vacant positions, hire more specialized teachers, lower class sizes, and reduce educator workloads. Since we know teacher quality is the most important in-school factor affecting student achievement, being able to recruit and retain more highly-qualified educators would mean we would see more students meeting grade-level standards, graduating, and attending college—with positive ripple effects on our entire community and economy.

Finally, in my district and other Level Up districts, underfunding means we are unable to provide our students with equal academic opportunities to those provided in wealthier neighboring communities. With more resources, we could update our textbooks and other instructional materials, provide tutoring for any student who needs extra help to reach grade level, and offer more AP, dual enrollment, and career-and-technical education classes to help our students prepare for college and career and compete in a global economy. Most importantly, fixing our state's unconstitutional school funding structure would show my students, who can see for themselves the inequities of our current educational system, that they matter and that their futures are important.

There has been a great deal of discussion about opportunities for students in so-called “failing schools” this budget season. However, if the General Assembly provided my school with adequate funding to provide equal academic opportunities, as the courts have said they are constitutionally obligated to do, these discussions would be moot. It is unacceptable for Level Up funding, which was already passed with bipartisan support, to sit idly in the Treasury while my students are getting ready to come back to school for another year in an unconstitutional system. My students' future is not a game. We have the resources, and it's urgent that we get them to the students who need them the most.

I know that with adequate and equitable funding, my students' potential and possibilities are limitless. This must be the year, first with Level Up funding and later through the Basic Education Funding Commission, to finally give them the resources they deserve.

Thank you for your time and for this opportunity.

Dr. Miles

Good afternoon Mr. Chairman and members of the committee. My name is Dr. Keith Miles, and I am the superintendent of the School District of Lancaster.

Our school district was one of six school districts, seven parents, the Pennsylvania Association of Rural and Small Schools and the NAACP Pennsylvania State Conference to win a historic victory in Commonwealth Court, when a judge ruled that Pennsylvania's school funding system is unconstitutional and harms school districts with the most need.

Districts like ours.

About 90 percent of our students come from economically disadvantaged families, which research shows has an enormous impact on school readiness. Approximately one in five of our students speaks a language other than English, which is more than seven times the average of the other districts in our county.

As a district, we are committed to closing these gaps, as we believe every child deserves an excellent education. And we recognize that the cycle of poverty perpetuated by inadequate education creates a financial burden on taxpayers that grows over time.

But it takes resources, often in the form of skilled professionals, to do this work. Our district spends \$6.5 million on early childhood education to close school readiness gaps, \$3 million on extended day, after school

and summer programs to close learning gaps, \$3 million on social work and community schools to support our students and families who are under-resourced, and nearly \$3 million on college and career supports, including school-to-work programs and college advising to close postsecondary gaps.

We spend \$11.5 million annually on our programs for English Language Learners, more than the entire basic education funding subsidy for ten of our neighboring school districts in Lancaster County.

These investments, which together total more than \$20 million, are essential, in high demand, and in some cases insufficient.

Yet we have been chronically underfunded—by tens of millions of dollars over the past decade—according to the Legislature’s own formula for school district need.

We are reaching the upper limit of our local taxing capacity, and our tax base has not grown meaningfully over the past 15-20 years.

Only Level Up funding—a critical \$6 million over the past two years—has made a difference. For us to sustain and grow this unique and critical work with our students, we need that continued support.

We call on the legislature to once again appropriate Level Up resources to the neediest school districts to help address the worst inequities in our school funding system.

Thank you.

Matt Przywara

Hello. My name is Matt Przywara, and I am the assistant superintendent at the School District of Lancaster. Among my responsibilities is the oversight of finance and operations, as I was previously the CFO in the district for 16 years.

Today I want to illustrate our annual struggle with a structural deficit caused by expenses that rise faster than our tax base can keep pace, causing disproportionately high real estate tax rates which is exacerbated by the inadequate funding from the state.

Our expenses continue to rise in the form of human capital resources. We are a service driven organization that relies on the many talents of our educators and support staff in our schools. Our students are in need of far greater services than that of our neighboring peers and that is why we need to invest more each year into our people and programs at the local level. We are a transparent and value driven organization that is very mindful of any additional burden we place on our local community for taxes. We are outpaced on the amenities our close peers have such as state of the art facilities, instructional resources and athletic fields all of which are critical to an educational experience our students should expect to compete for opportunities for college and career.

Our local tax revenue is largely static. Our district is landlocked, with a dwindling amount of space to add new development that would grow our tax base. At the same time, more than a quarter of a billion dollars in

property value in our district—30 percent of all properties—are tax-exempt, including hospitals, colleges, churches, and economic development projects. Though we receive voluntary payments from some of these owners, it is tens of millions of dollars less than their full property-tax bills would be.

The upshot of all of this is a disproportionately high millage rate for our homeowners that raises far less revenue than lower rates in more affluent districts.

For example, in 2021-22 the New Hope-Solebury School District, on the New Jersey border near Doylestown with just over 1,300 students, has a local tax rate that generates more than \$30,141 in local revenue per student. When you add in the district's BEF per student of \$990 per student they generate more than \$31,000 in combined state and local revenue per student.

By comparison, in the School District of Lancaster, our tax rate only generates \$9,611 per student from our local revenue. With the additional state funding (including Level Up) of \$6,500 per student, we are only able to generate a combined total of \$16,000 per student. The disparities in this example are one of many when you compare the importance of adequate funding for schools in the Commonwealth.

As my colleague Dr. Miles noted early, nearly 90% of our students are economically disadvantaged, and one in five students, or nearly 2,000, speak a language other than English.

In New Hope School District, 10% of students are economically disadvantaged. About 25 kids speak a language other than English.

Only through funding mechanisms like Level Up can we provide our students the resources they need to access the education they deserve.

The significance of Level Up Funding transcends improved infrastructure and enhanced academic experiences. It addresses a deeply rooted issue of equity, aiming to counteract the cycle of disadvantage that has perpetuated for far too long. By channeling additional resources and making them sustainable to districts like ours, the initiative acknowledges that every child, regardless of their ZIP code or background, deserves an equal chance at success. This not only benefits the students directly but has a ripple effect that reaches families, communities, and the Commonwealth at large.

Thank you.



MOSHANNON VALLEY SCHOOL DISTRICT
DISTRICT OFFICE

Dr. John W. Zesiger, Superintendent

August 10, 2023

Pennsylvania House Education Committee Members:

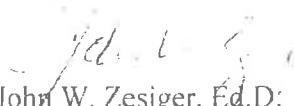
Moshannon Valley is a small rural district in Clearfield County and has been a Level Up recipient twice totaling nearly \$300,000. I believe that my district is now one or two positions out of being on the list for this year and hope you might consider expanding the list to include those who are right on the bubble and have been a past recipient. In a community where a mill tax increase generates \$27,000 we have utilized our Level-Up Funding in the following ways:

1. With an identified special education population over 26% it has permitted the addition of another special education teacher to provide more manageable caseloads;
2. For the past 4 years, we have had a College & Career Counselor through an AmeriCorps-type Program with Franklin and Marshall College and Level-Up funding has paid the portion of that expense for the position that our Title IV funds do not cover;
3. Originally hired through a 2-year PCCD grant. Level-Up funding has permitted the District to cover the salary and benefits of our district social worker now that grant funding ended.

None of these supports would be able to be attained through our regular revenues and Level-Up has provided supports that reach all 800 of our students and many of our most vulnerable families.

Please consider communities like Moshannon Valley who do not have the economic resources to make up for the under funding that currently exists.

Respectfully,


John W. Zesiger, Ed.D.