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## **Testimony of the Education Law Center PA House Democratic Policy Committee Hearing on Fair Education Funding**

August 12, 2019

On behalf of the parents, students, and community members with whom we work, thank you for the opportunity to speak today. My name is Reynelle Brown Staley, and I serve as Policy Director for the Education Law Center – PA (ELC), a statewide education advocacy organization. ELC works to ensure that all of Pennsylvania’s children have access to quality public education. And because money matters in education, that means we fight for fair and adequate school funding. In the courts, we and the Public Interest Law Center are challenging the Legislature’s failure to adequately fund schools and unconstitutional funding disparities that discriminate against students in low-wealth districts. And in legislative fora like this, we fight for urgent legislative action to address the adequacies and inequities of state education funding.

It is no secret that poor, largely Black and Brown communities are being hurt by our current school funding system. For years, students and families in communities like Coatesville, Philadelphia, Reading, and others have been speaking about the crumbling facilities, the inadequate resources, and the resulting poor performance of their schools. Research like our [Money Matters](#) report has shown that rather than directing resources to communities with the greatest need, the state sends proportionally more money to wealthier and whiter school districts. Close to 90% of Basic Education Funding is based not on objective measures of educational need as reflected in the Fair Funding Formula. The Formula reflects the reality that students in poverty and students who are English learners have additional needs and that districts need additional resources when students attend charter schools or communities have limited capacity to raise funds through local taxes. Yet instead of following this type of rational distribution most state education resources are allocated based on past funding decisions that never centered student needs or the interests of historically underserved communities. These are significant issues that must be addressed.

But it’s important to recognize that the Formula alone won’t solve Pennsylvania’s education funding challenges. The Formula is without a doubt a significant legislative accomplishment that moves us towards greater equity in school funding. But for all its successes, the Formula doesn’t ensure that school districts get the amount of funding they need to educate the children they serve. In fact, it was never intended to - as Rep. Oberlander stated during the first hearing of the Basic Education Funding Commission that developed the Formula, the “Commission’s charge [was] not to set a so-called adequacy level of funding.”<sup>1</sup> The Formula merely determines how to divide whatever amount the legislature decides to appropriate in any given year. And the amount

**Ensuring that all of Pennsylvania’s children have equal access to a quality public education.**

that the legislature is currently appropriating for Basic Education Funding – both the money flowing through the formula and the money distributed outside it – is simply inadequate.

Since the adoption of the Formula, school districts – including those that have benefited the most from the Formula’s enactment – have actually seen money flow out of their classrooms, not into them.<sup>1</sup> For sure, some districts would have had more funding at their disposal if all state funds were distributed through the Formula. In fact, Coatesville would get \$4.5 million more in funding next year – the equivalent of the cost of its entire vocational education program – if the formula were the sole means of distributing Basic Education Funding. But at roughly \$500 per student, even an additional \$4.5 million wouldn’t be enough to address the countless ways that chronic underfunding impacts Coatesville students and schools.

Coatesville isn’t alone in needing significantly more money – more money than the formula itself would provide. Underfunding is a chronic issue for school districts across Pennsylvania, and it has real consequences for students. Students are being educated in schools with crumbling facilities, like in Wilkes-Barre where students have to watch out for falling debris<sup>2</sup> and Philadelphia where lead paint and asbestos have received widespread media attention.<sup>3</sup> Students are being educated in schools where textbooks<sup>4</sup> and equipment<sup>5</sup> are older than they are. In communities across the state, our schools need more teaching staff, librarians, guidance counselors, principals, assistant principals, and curriculum specialists. Students go without enrichments (like art and music), remedial classes, special education services, after-school programs, Advanced Placement classes, and SAT preparation courses.

As one superintendent said, “We are criticized for the performance of our students on state assessment scores. Yet it is the state funding system which prevents us from providing basic resources that our educators know our students need.”<sup>6</sup>

Simply put, our neediest districts have not had, and do not have, adequate funding to meet student needs. A drastic boost in state dollars is sorely needed. State funding for classroom expenses – BEF, Ready to Learn Grants, and Special Education – aren’t even keeping up with inflation. Unreimbursed pension costs are rising faster than state increases in these line items. And even with property tax increases year after year, local communities simply can’t generate the funds needed to make up for the state shortfall.

In the words of one superintendent, “we repeatedly have to make choices based on what we can afford during a particular year, rather than on what our students need.”<sup>7</sup> That is unacceptable. Another has stated, “I believe our students have normalized their deprivation. That should not continue.”<sup>8</sup> It is unconscionable that year after year, we allow students in districts across the state to accept inadequate resources and an inferior education and think that this is normal. The General Assembly has the power and the duty to make sure that students receive the high-quality education they deserve. I urge you to exercise that power by dedicating significantly more money to Basic Education in the 2020-21 budget and putting that money through the Fair Funding Formula in a way that accelerates funding to the neediest districts. Thank you.

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<sup>1</sup> Decl. of Mark Andrew Price in Support of Petitioners' Opp'n to Respondent Scarnati's Mootness Application at 8, William Penn Sch. Dist. v. Pa. Dep't of Educ. (Pa. Comm. Ct. 2019) (No. 587 MD 2014).

<sup>2</sup> Decl. of Brian Costello in Support of Petitioners' Opp'n to Respondent Scarnati's Mootness Application at 4, William Penn Sch. Dist. v. Pa. Dep't of Educ. (Pa. Comm. Ct. 2019) (No. 587 MD 2014).

<sup>3</sup> Barbara Laker, Wendy Ruderman, and Dylan Purcell, Danger: Learn at Your Own Risk, PHIL. INQUIRER, May 3, 2018, <https://www.inquirer.com/news/inq/lead-paint-poison-children-asbestos-mold-schools-philadelphia-toxic-city-20180503.html>

<sup>4</sup> Decl. of Jane Ann Harbert in Support of Petitioners' Opp'n to Respondent Scarnati's Mootness Application at 3-4, William Penn Sch. Dist. v. Pa. Dep't of Educ. (Pa. Comm. Ct. 2019) (No. 587 MD 2014).

<sup>5</sup> Decl. of Damaris Rau in Support of Petitioners' Opp'n to Respondent Scarnati's Mootness Application at 3-4, William Penn Sch. Dist. v. Pa. Dep't of Educ. (Pa. Comm. Ct. 2019) (No. 587 MD 2014).

<sup>6</sup> Decl. of Dennis Kergick in Support of Petitioners' Opp'n to Respondent Scarnati's Mootness Application at 5, William Penn Sch. Dist. v. Pa. Dep't of Educ. (Pa. Comm. Ct. 2019) (No. 587 MD 2014).

<sup>7</sup> *Id.* at 2.

<sup>8</sup> Decl. of Jane Ann Harbert in Support of Petitioners' Opp'n to Respondent Scarnati's Mootness Application at 3-4, William Penn Sch. Dist. v. Pa. Dep't of Educ. (Pa. Comm. Ct. 2019) (No. 587 MD 2014).