

THE UNANIMOUS CALL FOR STUDENT SERVICES FUNDING

Testimony Before the Basic Education Funding Commission (BEFC)
November 16, 2023

My name is Dr. Adam Oldham, and I am here today as a full-time high school counselor, as the chair of government relations for the Pennsylvania School Counselors Association (PSCA), and as a representative of the newly formed **Pennsylvania Coalition of Student Services Associations**.

This coalition represents every student services association in Pennsylvania:

- Pennsylvania School Counselors Association (PSCA)
- Association of School Psychologists of Pennsylvania (ASPP)
- Pennsylvania Association of School Social Work Professionals (PASSWP)
- Pennsylvania Association of School Nurses and Practitioners (PASNAP)
- PSEA Department of Pupil Services (PSEA-DPS)
- Pennsylvania Association of Pupil Services Administrators (PAPSA)
- Pennsylvania Association of Student Assistance Professionals (PASAP)

Today, I am here to deliver a unified message from the 10,000+ school counselors, school psychologists, school social workers and home and school visitors, and school nurses currently working across the Commonwealth - **Pennsylvania must provide specific and guaranteed funding for student services professionals and programs.**

It is the law in Pennsylvania that “each school entity shall prepare a written plan for the implementation of a **comprehensive and integrated K-12 program of student services** based on the needs of its students.”¹

While there are many needs that students experience, let me state plainly the harrowing reality we face, from the mouths of our own students on the Pennsylvania Youth Survey²:

- Almost 70% of Pennsylvania students report moderate or high levels of depression.
- One in four students report feeling like a failure.
- One in five students report seriously considering suicide.

Recognizing that students may experience barriers that limit their ability to fully engage with learning and their school experience, student services professionals are employed to address student developmental needs throughout their enrollment in school. Developmental services include **[school] counseling, psychological services, health services, home and school visitor services and social work services** that support students in addressing their academic, behavioral, health, personal and social development needs.³

While school entities are required to deliver comprehensive and integrated student services, **no specific funding stream exists to support these operations.**

¹ 22 Pa. Code Chapter 12.41.a

² PA Commission on Crime and Delinquency (2019). 2019 PA Youth Survey (PAYS) Statewide Report Highlights

³ 22 Pa. Code Chapter 12.41.b(1)

Complicating this matter further, Pennsylvania also has **intentionally unclear role definitions of the different student services professions**, which is the direct result of state action in the mid-2000s, when previous regulations around student services, then called pupil services, were substantially changed. I'd like to quote directly from the regulatory paperwork⁴ that explains the state's perspective at that time on this change:

*The State Board [of Education] believes that Chapter 7 [Pupil Personnel Services] as it currently exists is too detailed and prescriptive for today's educational environment. The regulations...**limit flexibility provided to school districts and other educational entities in the planning, implementation and administration of cost effective, comprehensive student services programs.***

*By consolidating the regulations...schools would be provided additional flexibility to deliver a comprehensive program of student services to their students. **Depending upon implementation on the local level, this might lead to improving the scope and quality of services provided to students while also providing cost savings.***

"This **might** lead to improving the scope and quality of services provided, while also providing cost savings."

What does the scope and quality of services provided look like in 2023?

In some schools, school counselors are performing the work of a school social worker, school psychologists are performing the role of a school counselor, and in far too many schools, **student services professionals are performing the role of the "other duties as assigned utility player."** We cover classes when there aren't any building substitutes. We monitor hallways and cafeterias. We are split We are tasked with administering state PSSAs and Keystone exams. All at the expense of time working with our students.

We have schools like the Wilkes-Barre SD, where the student to school counselor ratio can be as high as 900 students, or the SD of Philadelphia, where budget restraints limit each school of up to 799 students to a single school counselor, who also serves as the school attendance officer and is responsible for truancy intervention⁵.

Role ambiguity among student services professions has led to **vastly different expectations of service** from one school district to another, and a lack of school district accountability to deliver these services has resulted in inequities that disproportionately affect marginalized communities.

As far as cost savings go, **student services are often on the table in discussions about cost savings and cuts**, and are often cut first when school districts are faced with budgetary constraints⁶. These are the cost savings we've experienced in the years since regulatory change.

While it is true that it saves a school district money when they aren't required to employ school counselors, school psychologists, or school social workers, in light of the intense and pervasive student needs we are experiencing today, **are these really the kind of cost savings we can continue to justify?**

⁴ 35 Pa.B. 6510

⁵ Commonwealth Court of Pennsylvania (2023). Memorandum Opinion. *William Penn SD et al. v PA Department of Education et al.* <https://pubintlaw.org/wp-content/uploads/2023/02/02.07.23-Memorandum-Opinion-Filed-pubintlaw.pdf>

⁶ PSEA (2022). Brief for the petitioners as amicus curiae <https://pubintlaw.org/wp-content/uploads/2016/08/22.07.01-PSEA-Amicus-Curiae-Brief-refiled-and-redacted-pubintlaw.pdf>

When a 12-year-old in West Philadelphia dies after an apparent asthma attack because her school did not have a full-time school nurse on duty,⁷ **are we satisfied with cost savings?**

When approximately 40,000 Pennsylvania students experience homelessness each year⁸, and yet the majority of Pennsylvania school districts do not employ a school social worker, **are we satisfied with cost savings?**

When a struggling 5th grade student named Phillip was unable to find a school counselor at the end of the day because that counselor was dealing with an influx of students, and so Phillip tragically went home and ended his life⁹, **are we satisfied with cost savings?**

Our students deserve to go to school where student services professionals are available and accessible, because the stakes truly can be life and death.

The call for more student services professionals **has been loud and clear for many years.**

In 2017, the Pennsylvania Department of Education stated in their state plan for the implementation of the Every Student Succeeds Act¹⁰:

*School counselors are a critical part of Pennsylvania's vision to help all students translate their interests and aspirations into tangible college and career plans and choices. **However, many school counselors are stretched thin, juggling several responsibilities and significant caseloads, and are often isolated in their work.***

In 2018, the Pennsylvania School Safety Task Force¹¹, formed in the aftermath of the Parkland school shooting, which engaged with almost 1,000 Pennsylvanians in the creation of their final report, said:

Every Task Force meeting included requests from multiple participants to increase the number of both physical and mental health professionals in schools. Task Force participants specifically requested additional nurses, social workers, psychologists, and school counselors in schools to help meet students' needs."

In 2022, a special report from then Pennsylvania Attorney General Josh Shapiro's office¹² said:

*Understanding there is an acute need to improve students' mental health, and that schools are one of the best places to provide support before mental health problems escalate, **the Office of Attorney General has called for increasing the number of mental health counselors in schools every year since the Safe2Say Something program launched in 2019.***

⁷ NBC Philadelphia (2013). Lack of school nurse led to daughter's asthma death. <https://www.nbcphiladelphia.com/news/local/lack-of-school-nurse-led-to-daughters-asthma-death-father/1974173/>

⁸ PA Department of Education. <https://www.education.pa.gov/K-12/Homeless%20Education/Pages/Reports.aspx>

⁹ Philadelphia Tribute (2019). Legislators introduce 'Phillip's law,' named for 11 year old who took his own life. https://www.phillytrib.com/news/local_news/legislators-introduce-phillips-law-named-for-11-year-old-who-took-his-own-life/article_2d321c4e-7b17-5c88-beb6-88764f9bc3af.html

¹⁰ PA Department of Education (2017). Every Student Succeeds Act, PA Consolidated State Plan. <https://www.education.pa.gov/Documents/K-12/ESSA/Pennsylvania%20Consolidated%20State%20Plan.pdf>

¹¹ PA Office of the Auditor General (2018). PA School Safety Task Force Report. <https://www.education.pa.gov/Schools/safeschools/resources/Pages/School-Safety-Task-Force-Report.aspx>

¹² PA Office of the Attorney General (2022). Special report on student mental health. https://www.attorneygeneral.gov/wp-content/uploads/2022/04/OAG_Special_Report_on_Student_Mental_Health.pdf

Earlier this year in 2023, our now Governor Josh Shapiro, in his budget address, told us again why this call matters, and cited Pennsylvania students when he did it¹³:

*Since we launched the [Safe2Say Something] program five years ago, we've received over 100,000 tips – but most of the tips weren't about violence. **75 percent are from kids reaching out with mental health issues for themselves and their friends.***

*I've been to their schools. **I've asked these students what they need – and they're very clear. Students want someone who can help them.***

Finally, also earlier this year in 2023, the Commonwealth Court of Pennsylvania found the existing system of school funding unconstitutional, and stated the call as clear as crystal¹⁴:

*The Court heard extensive credible testimony from educational professionals and experts as to **how other professional staff... such as [school] counselors, social workers, nurses, [and] psychologists... help students succeed. There was evidence that low income students often require more support, so an adequate number of counselors [and other student services professionals] is needed to meet those needs.***

*While it is true that there was testimony that several of the districts have **some** of these personnel, there was also testimony that it was **the bare minimum required by law, of an insufficient quantity to actually meet student needs.***

“Bare minimum and insufficient” can no longer be an acceptable standard for our students.

So Pennsylvania requires student services in our schools, student needs are higher than ever before, and there have been repeated calls by the public and multiple state agencies calling for more student services professionals.

In addition to recognizing the great needs our students are experiencing, we also know from research that student services professionals **make a substantial contribution** to student success and the school environment. For example:

School districts with lower school-counselor-to-student ratios produce **higher graduation rates, higher college entrance and persistence rates, lower chronic absenteeism rates and fewer suspensions**¹⁵.

One cost-benefit analysis found that school nursing services prevented an estimated **\$20 million** in medical care costs, **\$28.1 million** in parents' productivity loss, and **\$129.1 million** in teachers' productivity loss.¹⁶

¹³ Governor Shapiro's Budget Address (2023). <https://www.governor.pa.gov/newsroom/governor-shapiros-2023-budget-address-as-prepared/>

¹⁴ Commonwealth Court of Pennsylvania (2023). Memorandum Opinion. *William Penn SD et al. v PA Department of Education et al.*

¹⁵ American School Counselor Association (2019). *Measuring the impact of school counselor ratios on student outcomes.*

¹⁶ Wang, L.Y., Vernon-Smiley, M., Gapinski, M.A., Desisto, M., Maughan, E., & Sheetz, A. (2013). Cost-Benefit Study of School Nursing Services. *JAMA Pediatrics*, 168(7), 642–648. doi:10.1001/jamapediatrics.2013.544

School psychologists **help schools successfully improve academic achievement, promote positive behavior and mental health, support diverse learners, create safe and positive school climates, strengthen family-school partnerships, and improve school-wide assessment and accountability.**¹⁷

Why then, in light of all of this, do our schools still lack enough student services professionals?

Two words for far too many years have kept Pennsylvania from delivering the supports we know promote student success - **unfunded mandate**.

The Commonwealth Court has shown that student services professionals are **a key metric of the equity of opportunity**, and unsurprisingly, schools with adequate funding are more likely to have appropriate student services staffing than schools with inadequate funding.

Considering the Commonwealth Court ruled that the existing system of funding inequity is both unconstitutional and deprives students of access to opportunity and the equal protection of law, **student services are a mandate that must be funded**.

Then Attorney General Shapiro in 2022 echoed this sentiment in an amicus curiae brief his office filed in support of the petitioners in the school funding lawsuit¹⁸:

*The evidence shows that certain districts **are unable to hire an adequate number of schools counselors and social workers** to meet the needs of their students. **No one can seriously dispute that...access to counselors and mental health resources...are necessary elements of a thorough and efficient education.** Yet the evidence demonstrated that Petitioners and other public school districts **lack the resources to provide these necessary elements**.*

We unanimously agree – **student services are necessary elements of a thorough and efficient education**, and many school districts lack the resources to provide them.

One strategy of funding to increase the number of student services professionals in our schools is the use of year-to-year grant funding, and examples of this include uses of the School Safety and Security Funds via the Pennsylvania Commission on Crime and Delinquency (PCCD)¹⁹, or the ESSER/ARP funds²⁰ that were provided during the pandemic.

To help school districts identify uses for state safety and security grants, the PCCD School Safety and Security Committee produced a set of Behavioral Health and School Climate criteria²¹ to establish a “baseline” for what safe, secure learning environments look like. The best practices identified in these criteria for behavioral health include appropriate ratios for school counselors, school nurses, school psychologists, and school social workers.

¹⁷ National Association of School Psychologists (2021). *School psychologists: Improving student and school outcomes* [Research summary].

¹⁸ PA Office of the Attorney General (2022). Brief for the petitioners as amicus curiae. <https://www.attorneygeneral.gov/wp-content/uploads/2022/05/2022-05-17-William-Penn-v.-PDE-Shapiro-Amicus-Brief.pdf>

¹⁹ <https://www.pccd.pa.gov/schoolsafety/Pages/School-Safety-and-Security-Grants-Program.aspx>

²⁰ <https://www.education.pa.gov/Schools/safeschools/emergencyplanning/COVID-19/CARESAct/Pages/default.aspx>

²¹ PCCD (2021). Baseline criteria – PCCD school safety and security committee. Behavioral health and school climate. <https://www.pccd.pa.gov/schoolsafety/Documents/Assessment%20Criteria/Behavioral%20Health%20Baseline%20Criteria.pdf>

In May 2023, this committee updated their baseline criteria, **which removed these ratios for student services professionals from both the Level I and Level II baseline**²². What were the baseline criteria that were removed?

- School entity has at least one full-time school counselor for each level (elementary, middle, high)
- School entity has at least one full-time school nurse
- School entity has at least one full-time school psychologist
- School entity has at least one full-time school social worker

While I find it unbelievable that we as a Commonwealth, in the face of such pervasive student needs, cannot commit ourselves to such minimum expectations for the availability and access to student services, I understand why this committee had to remove these criteria from their description of baseline. **The PCCD School Safety and Security Committee monitors and facilitates the distribution of year-to-year grants, not the Basic Education Funding allocation.**

And yet, when PCCD surveyed schools across Pennsylvania as part of Act 55 in 2022, the number one resource identified **by a WIDE margin** to improve mental health in our schools **was additional funding to hire staff**²³.

Grant funds are not a sustainable source of funding for student services professionals.

This is explained clearly in the opinion of the Commonwealth Court's decision²⁴:

*Some districts also took advantage of the ESSER funds to fill some of their staffing gaps. For instance, Otto-Eldred SD hired a social worker and two behavior specialists using ESSER funds. William Penn SD was able to afford to put a counselor in each of its schools with ESSER funds. **However, the ratio of students to counselors at William Penn SD will still be between 320:1 to 350:1. Its ratio of students to psychologists is even higher – 830:1. Until ESSER funds became available, the ratio of students to social workers at William Penn SD was 2,500:1.***

***Any effect of the hiring may also be short-lived.** Dr. Becoats testified he is not sure William Penn SD will be able to maintain some of the staff it hired with ESSER funds once those funds expire in a few years. Districts across the state faced a similar situation in 2011 when an influx of federal stimulus expired, causing the state to cut BEF funding.*

Perhaps cognizant that history could repeat itself, the Department [of Education] and President Pro Tempore admonished districts to avoid using ESSER funds for recurring costs.

*Notwithstanding, some districts still **felt they had no choice** if they were to meet the immediate needs of their students, especially in the wake of the COVID pandemic.*

²² PCCD (2023). Crosswalk of Revised vs. Original Behavioral Health Baseline Criteria

<https://www.pccd.pa.gov/schoolsafety/Documents/CROSSWALK%20-%20Revised%20vs%20Original%20SSSC%20Behavioral%20Health%20Baseline%20Criteria%20Standards.pdf>

²³ PCCD (2022). FY22-23 school mental health survey results.

[https://www.pccd.pa.gov/schoolsafety/Documents/School%20Mental%20Health%20Survey%20Aggregate%20Data%20and%20Findings%20\(September%202022\).pdf](https://www.pccd.pa.gov/schoolsafety/Documents/School%20Mental%20Health%20Survey%20Aggregate%20Data%20and%20Findings%20(September%202022).pdf)

²⁴ Commonwealth Court of Pennsylvania (2023). Memorandum Opinion. *William Penn SD et al. v PA Department of Education et al.*

As an alternative to hiring certified student services professionals, many districts utilize grant funding to contract with community-based providers of student services, such as school-based counseling or social work services. Chapter 12 says explicitly that “school entities **may supplement, but may not supplant**, student services through school based, school linked, or coordinated services provided by locally available social and human services agencies.”²⁵

As well, Chapter 12 explicitly states that “persons delivering student services **shall be specifically licensed or certified as required by statute or regulation.**”²⁶ This is not always the case with contracted services, which suffer from higher turnover than certified student services professionals, **who are both highly qualified to provide services to students, and are a source of consistency year-to-year for students, families, and school communities.**

Consider the examples of Greater Johnstown SD, William Penn SD, and Panther Valley SD as referenced in the Commonwealth Court’s decision²⁷:

*Greater Johnstown SD **cannot afford to hire any licensed social workers.** It used grant dollars obtained through its Communities and Schools Program **to bring in six non-licensed staff** for its three buildings instead.*

*While Ms. Harbert was superintendent [of the William Penn SD], the district employed two social workers. They supported students in 11 school buildings, making the ratio of students to social workers 2,500:1. Using **one-time ESSER dollars, William Penn entered into a short-term contract with a mental health counseling service to provide support to its students, but those supports will only be accessible for the next two years.***

*Through a grant organized with a local hospital, St. Luke’s, Panther Valley SD offers support services of a social worker once per week to the neediest students in the district. **Panther Valley does not employ any truancy officers or other staff dedicated to addressing attendance.***

I would like to cite one final story from the Commonwealth Court’s decision regarding Panther Valley SD, and their use of community-based funding²⁸:

With the help of additional funds from St. Luke’s and a local business, Ametek Corporation, Panther Valley is now offering the support of a family development specialist for the 2021-22 school year. This new role, which is in place at the elementary school, was created to bolster the social and communication skills of the younger students transitioning from online schooling during COVID to in person, live classroom learning.

*Although this program was very successful, Superintendent McAndrew said **it would be cut because the local business was sold and could not help fund the position in the future, meaning this specialist, who had built a rapport with and earned the trust of the students, will be one more person leaving those students.***

²⁵ 22 Pa. Code Chapter 12.16

²⁶ 22 Pa. Code Chapter 12.41.e

²⁷ Commonwealth Court of Pennsylvania (2023). Memorandum Opinion. *William Penn SD et al. v PA Department of Education et al.*

²⁸ Ibid.

Creative, innovation-focused funding, even when school districts are able to do it (which not every community can), is not the same thing as consistent, certified student services professionals. **“One more person leaving” cannot be an acceptable standard for our students.**

In closing, every Pennsylvania school is required to design and implement a comprehensive and integrated plan of student services, but the state stops short of fully defining or funding these services.

Mental health distress is at an all-time high for our students, and yet student services professionals are often the first items cut when the budget gets tight.

Despite the years-long call by schools, families, professional organizations, and even the state itself for more student services professionals in our schools, there are fewer school counselors working in our schools today than there were in 2010²⁹. Two of the petitioner school districts in the funding lawsuit had principals also serving as school psychologists³⁰. And despite the state’s own guidance to avoid using one-time grant funding to hire more staff, limited grants have been the only solution yet offered to school districts.

“Bare minimum, insufficient, and unfunded” are words that this Commission must remedy through a fair and equitable funding formula.

Until Pennsylvania makes these words a piece of ancient history, we will continue to rob our students of a true and honest opportunity to pursue their American Dream, and we rob ourselves of the great benefits we all receive when our children reach their maximum potential as healthy, productive adults.

What we as the collective body of student services associations are here to say today is this - **student services ARE basic education in Pennsylvania. It’s time we start funding them that way.**

²⁹ PSCA (2023). PA School Counselor Staffing Report.

https://www.paschoolcounselor.org/files/ugd/102df7_c7b278a29d5243768d6c312a346f9f16.pdf

³⁰ Commonwealth Court of Pennsylvania (2023). Memorandum Opinion. *William Penn SD et al. v PA Department of Education et al.*

PENNSYLVANIA COALITION OF STUDENT SERVICES ASSOCIATIONS

To the co-chairs of the Basic Education Funding Commission, Representative Mike Sturla and Senator Kristin Phillips-Hill, and to all members of the Commission:

Pennsylvania stands to deliver one of the most impactful decisions to affect our children in the history of the Commonwealth – establishing an adequate funding structure that provides all children a thorough and efficient system of public education.

Consistently for years, student services professionals – school counselors, school nurses, school psychologists, and school social workers – have been recognized as an invaluable component to student health, wellness, and success. At the same time, consistently for years, the need for appropriate staffing of these roles has been highlighted through community feedback, from state government reports and statements of state officials, and most recently through the decision of the Commonwealth Court:

*While it is true that there was testimony that several of the districts have some of these personnel, there was also testimony that it was **the bare minimum required by law, of an insufficient quantity to actually meet student needs, or was funded through outside sources or one-time ESSER funds, which districts have been cautioned against using for such purposes.** (William Penn SD et al. v PA Department of Education, 2023)*

While student needs have always demanded adequate student services staffing, these needs have never been greater in the aftermath of a global pandemic which disrupted the lives of our students, their families, and the communities in which they live in ways we will feel the effects from for years to come.

Unfortunately, because not all schools have appropriate staffing ratios for student services professionals, students have been shortchanged of the services that are known to effectively support student success – success that is clear and measurable in school districts with adequate staffing and resources.

We, as a coalition of the professional student services associations in Pennsylvania, call on the Basic Education Funding Commission **to ensure that funding for student services professionals** is included in the outcome of the Commission's work.

Funding for student services must be delivered in such a way that school districts feel comfortable hiring student services staff, as districts hesitate to use one-time grant funding for recurring staffing expenses. While community partnerships can also be valuable sources of support for students, not all schools and communities have access to such partnerships. Inadequate staffing levels also lead to increased levels of professional burnout and can cause professionals to leave the profession or change to a different type of practice, further exacerbating service delivery issues and highlighting the need to adequately staff our schools to preserve the investment Pennsylvania makes in student services.

Furthermore, to address student mental health needs, the Commonwealth must invest in efforts to attract and retain student service practitioners. Pennsylvania took an important step a little more than a year ago with the creation of the PA HELPS grant program, but that alone is not enough to repair the pipeline of student service professionals. We must collectively think about the students currently in high school, engage their interest in these professions now, and possibly incentivize their future service in schools given the vast need that exists.

Using Pennsylvania's existing data on school staffing and school enrollment, it is possible to identify the schools that need additional funding for student services professionals. It is not a question of whether student services staffing is inequitable, or of where the inequity is taking place. The question before the Commission is how much longer we will wait to do something about it.



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PENNSYLVANIA COALITION OF STUDENT SERVICES ASSOCIATIONS

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All student services associations, representing over 10,000 student services professionals working in Pennsylvania have joined together to deliver a unified message to the Basic Education Funding Commission - through a joint letter and testimony delivered on 11/16/23.

Pennsylvania must provide specific and guaranteed funding for student services professionals and programs.

Student services are basic education in Pennsylvania, and any improvement to the school funding formula must ensure all students get adequate and equitable access to student services!

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