



**Testimony of the
Pennsylvania State Education Association (PSEA)**

**Public Hearing Regarding
Challenges Facing Public Education**

**Presented to the
House Appropriations
and Education Committees**

November 17, 2023

**By
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Good morning, Chairman Harris, Chairman Schweyer, and members of the House Appropriations and Education Committees. My name is Rachael West, and I am the Treasurer of the Pennsylvania State Education Association (PSEA). Thank you for the opportunity to share PSEA's perspective regarding the needs, challenges, and priorities facing public education. Today, I intend to focus on the quality of school life and the concerns I frequently hear from PSEA members.

First, I want to acknowledge the significant work the House of Representatives has done in this legislative session to advance meaningful solutions to address the educator pipeline and support working Pennsylvanians. PSEA very much appreciates that this chamber has prioritized **important workforce initiatives such as student-teacher stipends, Grow Your Own programs, scholarships for aspiring educators, OSHA protections for public sector employees, paid family leave, and a long overdue increase in the minimum wage**, to name a few. If enacted, these proposals will undoubtedly help the education workforce and incentivize others to consider public education a viable career path. Thank you to all who have supported these efforts. Please know that PSEA remains committed to seeing these solutions enacted and will continue to advocate for their consideration in the Senate.

To strengthen public education in Pennsylvania and better provide for students' academic and social-emotional needs, we must stabilize and support Pennsylvania's education workforce. Most of the proposals that policymakers have considered this session have focused on attracting aspiring educators to enter the profession, which makes sense given that rebuilding the pipeline will require a sustained, long-term approach. However, the most important part of solving the teacher shortage is ensuring we maintain the quality, experienced educators we have today.

Educator burnout is more than just an occasional rough day or putting in extra hours from time to time. Instead, burnout is the byproduct of a prolonged period of working in unpredictable, high-stakes conditions and with misaligned passion and purpose.

Overwhelmed, understaffed, overworked, underpaid, unsafe, unappreciated, under-resourced, and unsupported are the daily sentiments I hear from educators. Therefore, efforts to address the educator shortage must also improve their working conditions. We have a lot of work to do to turn the tide.

Those who do not work in public schools do not understand all the work that goes into providing students with a high-quality educational experience. In addition to providing direct instruction to students, classroom teachers need time to plan lessons and prepare instructional materials; time to grade and provide meaningful feedback on students' work; time to communicate with parents; time for extracurricular activities like clubs, sports, and afterschool events; time to serve on school committees; time to learn and develop their professional practice; time to collaborate with colleagues; time to complete administrative duties; time to eat lunch; and so on. That is under ideal conditions. This doesn't account for the fact that **students' academic and social-emotional needs have dramatically increased since the pandemic.** More students need individualized

academic and behavioral interventions, and school employees are pressed to fill the gaps without adequate staffing and resources. Who could forget the toxic federal testing mandate that sucks the joy from teaching and learning? The punitive nature of standardized testing is hanging over everyone's heads.

Unmanageable class sizes, caseloads, and staffing ratios were present before the pandemic, but they have reached crisis levels in the wake of the pandemic. The staffing shortage negatively impacts every aspect of teaching and learning. I frequently hear from members who say the shortage has forced them to regularly put in hours well beyond their contractual workday because they are expected to do more and more. Some may point out that many other professionals work more than 40 hours per week and do not enjoy summers off. However, studies show that Pre-K-12 employees have much higher stress and burnout levels than those in other professions,ⁱ and they receive much lower pay than those in the private sector. **Many educators feel they need more professional autonomy and involvement in decision-making. They need more community support and parental engagement. They don't feel respected or supported in their classrooms and workplaces. These factors have contributed to growing numbers of educators and support staff leaving employment, and more still who have indicated they intend to leave soon—well before retirement age.**

The most time-sensitive staffing need is providing substitute coverage. The substitute shortage has disrupted the academic process and fueled burnout among school employees. PSEA members are frustrated by a lack of certainty in their professional lives, as administrators often pull dually certified educators from their preferred content areas or grade levels to cover vacancies elsewhere in the district. Students might have as many as seven substitutes in a single day. Teachers wish they could focus on preparing and delivering high-quality and engaging lessons. They worry their instruction suffers when they are constantly pulled in different directions and are expected to do more without additional resources and support. Educators also need more predictability in their daily schedules. Due to a lack of day-to-day substitutes, they are forced to give up their planning periods to cover vacancies or non-instructional duties. Certified school nurses are pulled from the health room to cover cafeteria duty, creating a potentially dangerous situation for students with urgent or complex health needs. School psychologists act as testing machines, completing seemingly endless student evaluations and corresponding reports and documentation which are mandated within tightly prescribed time frames. There's no one to substitute when they're absent, so taking a sick day means they must use their personal time to keep up with their ever-growing caseloads and avoid being out of compliance. These realities have been demoralizing for educators.

Act 91 of 2021 provided essential provisions for substitute teacher coverage, which many schools have utilized and relied upon to keep schools operating as the shortage has worsened. Those provisions expired at the end of the 2022-23 school year, and legislation to authorize their extension has stalled alongside other provisions necessary to fully implement the 2023-24 state budget.

PSEA urges lawmakers to immediately reauthorize the Act 91 substitute flexibility provisions, which would:

- **Allow subs to be called regardless of order** – Permanently eliminate the sunset on allowing administrators to call retirees or non-annuitants without regard to order.
- **Remove cap on prospective educator subs** – Extend for three years the ability of future educators enrolled in a teacher preparation program to substitute without any cap on the number of days. To ensure the quality of the student teaching experience, those completing their internships could substitute for up to 10 days.
- **Remove cap on teacher subs waiting on certification/tests** – Permanently eliminate the sunset on allowing those who have completed their teacher prep program but have not received their certification or whose testing has been delayed to substitute for longer than 20 days.
- **Extend classroom monitor permits** – Extend the classroom monitor permit program for three years. The data from PDE’s report on the program indicates that schools in certain regions still need classroom monitors for coverage.

Extending the provisions of Act 91 will serve as a critical bridge during the staffing crisis. Still, we must focus on comprehensively rebuilding and stabilizing the educator workforce. The role of a substitute is to provide continuity in instruction and school operations when a permanent staff member is absent. Ideally, each school building should employ at least one full-time substitute who is fully qualified (*i.e.*, certified) to ensure continuity for students and the larger school community when there are temporary absences or vacancies.

Improving staffing levels will relieve the stress and strain that school employees are experiencing while also providing a tremendous benefit for students. More certified educators will allow students to enjoy smaller class sizes and individualized instruction. More paraprofessionals will ensure that students with special needs receive the services they require and deserve. A more diverse education workforce will improve student outcomes, as research shows a diverse teaching staff results in smaller gaps in test scores and more parent engagement among communities of color.ⁱⁱ Hiring more certified school nurses, psychologists, counselors, and social workers will enhance the availability and delivery of comprehensive student services, ease the burden of immense caseloads, and allow other professionals to focus on their respective roles, responsibilities, and areas of expertise.

The grief, isolation, and trauma caused by the pandemic have exacerbated mental health concerns for students and school employees alike. **Students deserve access to a full complement of diverse, qualified educators to meet growing and increasingly complex needs.** There is no denying the overwhelming impact of ensuring every student feels supported by at least one adult in school. School employees genuinely desire to develop meaningful connections with students and help them navigate challenges to succeed in school and life. However, a safe and supportive

learning environment also requires a safe and supportive working environment. School employees should have the capacity to support students without becoming unduly distracted from their primary job responsibilities and personal time or jeopardizing their health and well-being. Until these conditions exist, we will continue to see widespread vacancies, frequent turnover, and general dissatisfaction across the educator workforce.

Another concern I hear too frequently is that school employees feel unsafe in their work environments. While well-intentioned, intruder drills remind us of the tragedies our nation has endured. Forcing students to constantly ring the doorbell to reenter locked classrooms after trips to the restroom is inefficient but necessary. Ensuring the safety and well-being of all students, under all circumstances, is always top of mind for school employees, and that's a tremendous responsibility to bear. PSEA appreciates the General Assembly's ongoing commitment to the School Safety and Security Grant Program, which has allowed schools to make progress in making facilities and operations more secure. However, that progress has been incremental, and school employees carry the burden of glaring vulnerabilities in their school buildings. This weighs heavily on them. **Please invest more in the School Safety Grant Program so that schools can accelerate physical security improvements.**

Unsurprisingly, teaching and learning in facilities with health and safety hazards are more challenging. PSEA members frequently cite environmental hazards in the workplace, including mold, lead, asbestos, exposure to chemicals, poor ventilation and indoor air quality, inadequate climate control, and buildings that are structurally deficient or in complete disrepair. In many schools, critical maintenance and renovation needs have languished for decades, and public school employees feel powerless to address unsafe teaching and learning environments. **Extending Occupational Safety and Health Administration (OSHA) protections to public employees in Pennsylvania would provide a mechanism to report unsafe conditions.** OSHA regulations have protected private sector workers for over half a century, and it is time for Pennsylvania to join most other states in adopting rules to ensure that public workplaces provide reasonable and adequate protection for employees' lives, safety, and health.

Safe and healthy school facilities are conducive to higher student achievement, employee morale, and staff retention. PSEA was encouraged when, earlier this year, the House approved a **Public School Facility Improvement Grant Program to support school maintenance projects.** Pennsylvania has lacked a school construction reimbursement program since 2016, which has delayed or restricted districts from making substantive improvements to their buildings. PSEA believes **House Bill 1408 puts Pennsylvania on a solution-minded path to addressing school facilities.**

PSEA members **describe violent and threatening student behavior as ongoing and pervasive.** School staff endure physical injuries and mental harm due to a rise in negative student behaviors across all grade levels and among general education and special education populations alike. **The reasons for these behaviors vary, but generally, they indicate unmet needs.** In cases where students exhibit violent or

highly disruptive behaviors, **schools often lack the resources to provide appropriate placements in-house or with outside agencies.** Thus, a small percentage of students with the most severe needs do not receive adequate support. **Students with IEPs are significantly underserved in this regard.** Special education has always been fraught with the challenges of implementing highly technical federal (IDEA) and state (Chapter 14) regulations, and **state investments in special education have been inadequate.**

To make matters worse, **some of the most severe shortages exist among those certified in special education, paraprofessionals, and other specialized instructional support personnel.** These shortages should be no surprise when considering that a teacher's aide in a special needs classroom faces some of the most challenging work imaginable. Their jobs require enormous compassion and often involve students with severe physical and intellectual disabilities. They are punched, kicked, or bitten. That same teacher's aide could work at Sheetz or Wawa and get a raise. Or consider that a school social worker is subject to the same physical threats and could shift to private practice, where he would enjoy a higher salary, an adequate workspace (an office with a door), flexibility in scheduling, and control over his caseload.

Public schools—especially those most underfunded—cannot compete for caring and qualified personnel in the current labor market. For these reasons, **lawmakers must enact a \$20 minimum wage for education support professionals and a \$60k minimum salary for professional educators. Increasing wages and salaries specifically for the education sector serves to recruit and retain caring and qualified individuals to perform necessary functions in schools.**

Unless and until we stabilize the educator workforce, students and staff will continue to suffer as disruptions persist and behaviors worsen. Failing to invest in our students and education workforce creates a vicious cycle where unmet student needs fuel concerns about school climate and safety, causing school employees to quit at alarming rates. One of PSEA's local associations recently conducted an informal survey of its members, and 711 educators responded:

We have 356 teachers retiring within the next five years. We are short teachers now.

- *86% of teachers do not feel behavioral support for disruptive students from the administration.*
- *40% do not feel safe.*
- *60% feel the needs of students with IEPs are not being met (e.g., shortage of teachers, special ed teachers being used to fill in or sub).*
- *37% are seeking employment elsewhere.*

These responses are incredibly troubling. Fortunately, there are strategies that schools can use to improve school climate, a term that refers to the quality and character of school life. School climate reflects norms, goals, values, interpersonal relationships, safety, teaching and learning practices, and organizational structures. Climate is measured based on students', parents', and school employees' perceptions of a local

school environment.ⁱⁱⁱ Efforts to improve school climate must be integrated with other school-based initiatives, such as multi-tiered systems of supports (MTSS). MTSS is an evidence-based, tiered framework designed to help schools identify struggling students and intervene quickly. MTSS focuses on the "whole child," which means the framework supports academic growth, behavioral health concerns, and social-emotional needs.

The tiers of support are a vital element of MTSS models, and support intensifies from one level to the next. Tier 1 interventions are universal, preventative practices used school-wide with all students. A student receiving small group interventions (Tier 2) may need to move up to one-on-one help (Tier 3). **MTSS is a proactive approach, and when implemented with fidelity, it is highly successful.** Before the start of the school year, PSEA members, via their local associations, plan for the implementation of MTSS and collaborate to create tiered interventions. Many resources and technical assistance are available through PDE, PaTTAN, PCCD, and Intermediate Units, and implementers' forums are held at the state level throughout the year. **Unfortunately, the full force of MTSS has not been realized in many schools as implementation tends to sputter after Tier 1 due to inadequate investments and dwindling staff capacity.** The MTSS process is not only complex, but it's also a considerable amount of work that requires sustained buy-in from educators and administrators.

The School Mental Health Grant program administered by PCCD provides a menu of allowable uses—and corresponding assessment criteria based on best practices^{iv}—for improving student behavior, preventing violence, reducing unnecessary disciplinary actions, increasing student *and school employee* access to trauma support services and mental healthcare, and promoting a climate of greater productivity, inclusivity, safety, and learning. These grant funds can supplement school spending on mental and behavioral health initiatives. Like the design of the School Safety and Security Grant Program, all school entities are eligible to draw down funds and have the flexibility to decide what behavioral health and school climate initiatives to prioritize from the menu of allowable uses. The School Safety and Security Committee adopted baseline criteria to help inform school officials regarding services and programs, training, and policies/procedures that are in place in each school.^v The criteria provide a strong foundation upon which additional improvements can be made. **Looking forward, PSEA urges lawmakers to increase and sustain funding for School Mental Health Grants** so schools can maintain and accelerate their efforts to implement critical mental and behavioral health supports and improve school climate. **PSEA urges lawmakers to immediately authorize the distribution of School Mental Health Grants for the 2023-24 fiscal year. Continued inaction will force schools to eliminate much-needed, highly effective programs.** Consider these examples:

A school district employs a full-time school social worker and a full-time school psychologist. The school social worker currently meets with 76 students on an individual basis and participates on all three buildings' Student Assistance Program teams. In addition, the school social worker is the designated Homeless Liaison as well as the Foster Care Point of Contact. The district also contracts with the County Developmental and Behavioral Health Services Agency for

school-based mental health counseling. Referrals to these resources have increased significantly since the onset of the COVID-19 pandemic. Through PCCD grant funding, the district added a part-time licensed counselor to provide mental health education to staff, students, families and individual and group services to those in need. This position is at stake if the district does not receive any mental health funding dollars this year.

A district budgeted \$100k for additional mental health subsidy. The district needed to add an autistic classroom for two kindergarten students needing extra attention this year. This district has been able to support students' mental health needs in various ways with the funding it has received. Specifically, it added a licensed school social worker at the elementary campus, partnered with Communities in Schools of PA to add site directors at two schools, and contracted a mental health clinician through REACH Counseling Services. The district will not be able to sustain these supports without additional funding.

A district implemented a contracted counseling program facilitated by Angelus Therapeutic Services. It has been so successful and beneficial to students that districts from Allegheny County have visited to view the program. The visiting districts were so impressed with the program that they referenced the district in a nationwide collaborative group they belonged to, and districts from California even came to view the program. The need for this program arose during COVID and was made possible by the state-funded mental health dollars. Since the program is so successful, the school board has (mostly) committed to funding the program locally if state grants disappear. However, as the legislature can understand, funding a \$100,000+ program internally would mean the district would have to make cuts elsewhere. This would probably result in personnel or program cuts, but the district was banking on using state mental health dollars to continue this program.

Another strategy that **policymakers should consider is a full-service community schools model at the state level.** Like MTSS models, community schools focus on supporting the "whole child" through the lens of local needs and available community resources. A key distinction is that community schools serve as hubs of activity where educators, students, families, and community partners collaborate to provide a range of academic, health, and social support services. Importantly, **community schools are designed to ensure educators have a voice in decision-making.** Although the grant programs and best-practice criteria mentioned earlier have been beneficial, school officials often make decisions in a vacuum regarding whether and how to implement specific programs and supports, which frustrates educators because their valuable insights and suggestions about how to address students' needs are often not considered. Administrators dictate curriculum changes, interventions, school procedures, and staff training without seeking educator input, and educators are directed to carry out the bulk of the work. Community schools address this deficiency by providing a structure in which multiple stakeholders are responsible for implementation and problem-solving. Another notable feature of community schools is that they feature

a full-time community school coordinator. This role eases the burden on administrators to facilitate communication, provide technical assistance, and coordinate the work. Should policymakers enact a community schools model at the state level, **Pennsylvania could take advantage of the US Department of Education's Full-Service Community Schools Grants**, which has helped expand the model in rural, suburban, and urban areas nationwide. The program was funded at \$150 million in the 2023 fiscal year. That level of funding should be increased or at least maintained in 2024.

In addition, I would be remiss if I didn't mention collective bargaining rights, which guarantee public school employees a voice in determining the terms and conditions of employment. Act 195 of 1970, the Public Employee Relations Act (PERA), outlines the scope of public sector bargaining in Pennsylvania, defining mandatory, permissive, and prohibited subjects of bargaining. This law outlines the right of employees to democratically determine whether to organize, their right to representation, the appropriate composition of bargaining units, unfair labor practices that may not be committed by employers and unions, grievance and arbitration processes, and more. The general framework of the grievance process is outlined in Act 195, and more specific procedures are bargained into collective bargaining agreements (timelines, steps, limitations, etc.). Grievances are the mechanism to address contract violations. Grievances must be based in the collective bargaining agreement (CBA), past practice, and sometimes laws or policies. Grievances may or may not resolve contractual disputes to the satisfaction of the parties and can lead the parties to negotiate contractual language in the future. **School employees seek to improve their working conditions and students' learning conditions by exercising these rights. There are, however, many limitations to collective bargaining**, namely the fact that decisions related to allocating scarce resources, such as personnel costs, are inherently political. In addition, policymakers may be shocked to learn that **unless safety-related terms have been bargained into a CBA by an employer and its employees, school employees have no recourse to address dangerous working conditions. Especially in the school setting where employees' working conditions are students' learning conditions, it is unthinkable that safety is permissive and not mandatory in the bargaining process.** Therefore, school employees are not always successful in bargaining provisions to ensure that school employers afford reasonable precautions to protect health and safety.

The Pennsylvania Public School Code outlines issues for professional employees such as furloughs, demotions, sabbaticals, paid sick leave, bereavement leave, etc. **PSEA urges lawmakers to consider enhancing School Code rights to improve school employees' safety, employment protections, and overall quality of life.** For example, under Section 1154, professional employees and temporary professional employees are afforded only ten paid sick days per school year. Unless a local association successfully bargains for more paid leave, professional employees can only hope those ten days are sufficient to cover time off due to their own illness or that of an immediate family member. Or perhaps an educator is just simply feeling burned out and needs to take a mental health day to recover. The School Code stipulates that the

employer may require the employee to furnish a doctor's note to verify their illness. Given the state of our public schools, such limitations lack compassion and common sense. It is also important to remember that education support professionals do not enjoy such protections under the School Code, leaving it all to the bargaining process.

In addition, PSEA urges lawmakers to modernize the definition of “professional employe” under Section 1101(1) of the Public School Code. The current definition of “professional employe” was enacted in 1971, over half a century ago. Modernizing this definition is necessary to capture various professionals working in positions that did not exist 50 years ago. Examples of professionals that are not currently listed in the definition of “professional employe” include:

- **CSPG 201 – School Social Worker** – PDE certificate exists, but not listed in the current definition
- **CSPG 1 – Appropriate Certification in Pennsylvania: Occupational Therapist**– PDE only requires licensure; PDE certificate does not currently exist
- **CSPG 1 – Appropriate Certification in Pennsylvania: Physical Therapist**– PDE only requires licensure; PDE certificate does not currently exist
- **CSPG 203 – Behavior Analyst** – PDE requires the Board-Certified Behavior Analyst certificate or PA Behavior Specialist license; PDE certificate does not currently exist
- **CSPG 202 – Orientation and Mobility Specialist**– PDE only requires licensure; PDE certificate does not currently exist
- **CSPG 86 – School Speech and Language Pathologist** —PDE certificate exists, but not listed in the current definition
- **CSPG 81 – School Psychologist** —PDE certificate exists, but not listed in the current definition
- **CSPG 78 – Instructional Technology Specialist** —PDE certificate exists, but not listed in the current definition

Current law does not guarantee protections or rights to professional staff who are employed in positions that are not explicitly listed in the current definition of “professional employe.” Many individual employers have nonetheless recognized these individuals as professionals and granted them realignment rights, sabbatical leave rights, transfer-between-entity rights, or other Article XI-style rights since they are also subject to the same countless requirements and responsibilities as those who are employed in positions that are explicitly captured in the current definition of “professional employe.” Where PDE certification doesn’t exist, these individuals are governed by their respective professional licensing boards. They are considered “professional employes” under Act 195. **In every other context, these individuals are considered professionals**, except in the definition of “professional employe” in section 1101 of the Public School Code. Lawmakers can demonstrate their recognition and appreciation of these professionals’ essential roles and valuable contributions to public education by modernizing this definition.

Finally, we must not forget that in 2017, the General Assembly passed Act 55, which permits school employers to furlough professional employees for unspecified "economic reasons" and eliminates seniority as the sole factor in determining furlough order. See 24 P.S. §§ 1124(a)(5) and 1125.1. These types of misguided policies have contributed to the shortage crisis and growing cynicism and professional dissatisfaction across the educator workforce, especially among experienced educators. **Going forward, lawmakers must carefully consider all existing and future education policies through the lens of rebuilding and retaining a stable and healthy education workforce. PSEA urges lawmakers to prioritize the policies and investments that school employees say are needed to improve student outcomes and quality of life in schools.**

ⁱ <https://www.nea.org/nea-today/all-news-articles/make-educator-well-being-priority-now>

ⁱⁱ <https://www.brookings.edu/articles/prioritize-educator-diversity-to-address-racial-injustices/>

ⁱⁱⁱ <https://safesupportivelearning.ed.gov/school-climate-improvement>

^{iv} <https://www.pccd.pa.gov/schoolsafety/Pages/Assessment-Criteria.aspx>

^v <https://www.pccd.pa.gov/schoolsafety/Pages/Revised%20Baseline%20Criteria%20Standards.aspx>