COMPARISON COPY OF PROPOSED AMENDED PETITION FOR REVIEW

Pa.R.C.P. 1033(d)(1)(ii): this comparison copy of the proposed amended pleading identifies the changes from the Petition for Review filed in this matter by striking through the material to be deleted and underlining the material to be added. If there is a discrepancy between the clean copy and this comparison copy, the clean copy of the proposed Amended Petition is the controlling document. Pa.R.C.P. 1033(d)(2). Exhibit page images that are unchanged from the filed Petition are identified below and are reproduced in the clean copy; they are not reprinted image-by-image in this comparison copy.

Note: The clean copy adds a Notice to Plead directed to the Amended Petition for Review, on its own captioned page before the Amended Petition. Its text appears below as added (underlined) material. The caption on that page is the same as the Amended Petition caption that follows.

NOTICE TO PLEAD

To: Kevin R. Bradford, Esquire
Senior Deputy Attorney General
Pennsylvania Office of Attorney General
Civil Litigation Section
1600 Arch Street, Suite 300
Philadelphia, PA 19103
Counsel for Respondent Joshua D. Shapiro, Governor of Pennsylvania

Thomas R. DeCesar, Esquire
Conor T. Daniels, Esquire
Marie A. LaRosa, Esquire
K&L Gates LLP
17 North Second Street, 18th Floor
Harrisburg, PA 17101-1507
Counsel for Respondent Kim L. Ward, President Pro Tempore of the Pennsylvania Senate

Jason M. Staloski, Esquire
Office of Chief Counsel, Democratic Caucus
Pennsylvania House of Representatives
620 Main Capitol Building
Harrisburg, PA 17120

Matthew S. Salkowski, Esquire
Pennsylvania House of Representatives
Democratic Caucus, Office of Chief Counsel
Harrisburg, PA 17111

Tara Lynn Hazelwood, Esquire
621 Main Capitol Building
Harrisburg, PA 17120

Counsel for Respondent Joanna E. McClinton, Speaker of the Pennsylvania House of Representatives

You are hereby notified to file a written response to the enclosed Amended Petition for Review within thirty (30) days from service hereof, or a judgment may be entered against you.

You have been sued in court. If you wish to defend against the claims set forth in the following petition, you must take action within thirty (30) days after service of this petition by entering a written appearance personally or by attorney and filing in writing with the court your defenses or objections to the claims set forth-herein. You are warned that if you fail to do so the case may proceed without you and a judgment may be entered against you by the court without further notice for any money claimed in the petition or for any other claim or relief requested by the petitioner. You may lose money or property or other rights important to you.

YOU SHOULD TAKE THIS PAPER TO YOUR LAWYER AT ONCE. IF YOU DO NOT HAVE A LAWYER, GO TO OR TELEPHONE THE OFFICE SET FORTH BELOW. THIS OFFICE CAN PROVIDE YOU WITH INFORMATION ABOUT HIRING A LAWYER. IF YOU CANNOT AFFORD TO HIRE A LAWYER, THIS OFFICE MAY BE ABLE TO PROVIDE YOU WITH INFORMATION ABOUT AGENCIES THAT MAY OFFER LEGAL SERVICES TO ELIGIBLE PERSONS AT A REDUCED FEE OR NO FEE.

DAUPHIN COUNTY LAWYER REFERRAL SERVICE

213 North Front Street

Harrisburg, PA 17101

(717) 232-7536

A V I S O

USTED HA SIDO DEMANDADO/A EN CORTE. Si usted desea defenderse de las demandas que se presentan más adelante en las siguientes páginas, debe tomar acción dentro de los próximos treinta (30) días después de la notificación de esta Demanda y Aviso radicando personalmente o por medio de un abogado una comparecencia escrita y radicando en la Corte por escrito sus defensas de, y objecciones a, las demandas presentadas aquí en contra suya. Se le advierte de que si usted falla de tomar acción como se describe anteriormente, el caso puede proceder sin usted y un fallo por cualquier suma de dinero reclamada en la demanda o cualquier otra reclamación o remedio solicitado por el demandante puede ser dictado en contra suya por la Corte sin más aviso adicional. Usted puede perder dinero o propiedad u otros derechos importantes para usted.

USTED DEBE LLEVAR ESTE DOCUMENTO A SU ABOGADO INMEDIATAMENTE. SI USTED NO TIENE UN ABOGADO, LLAME O VAYA A LA SIGUIENTE OFICINA. ESTA OFICINA PUEDE PROVEERLE INFORMACION A CERCA DE COMO CONSEGUIR UN ABOGADO.

SI USTED NO PUEDE PAGAR POR LOS SERVICIOS DE UN ABOGADO, ES POSIBLE QUE ESTA OFICINA LE PUEDA PROVEER INFORMACION SOBRE AGENCIAS QUE OFREZCAN SERVICIOS LEGALES SIN CARGO O BAJO COSTO A PERSONAS QUE CUALIFICAN.

DAUPHIN COUNTY LAWYER REFERRAL SERVICE

213 North Front Street

Harrisburg, PA 17101

(717) 232-7536

IN THE COMMONWEALTH COURT OF PENNSYLVANIA

~~Kenneth V. Krawchuk;~~

KENNETH V. KRAWCHUK and

~~Roberta L. Krawchuk;~~

ROBERTA L. KRAWCHUK,

~~Petitioners~~

Petitioners,

~~v. DOCKET NO.: _____~~

v. No. 441 MD 2026

~~Joshua D. Shapiro, Governor of Pennsylvania, in his official capacity;~~

JOSHUA D. SHAPIRO, Governor of Pennsylvania, in his official capacity;

~~Kim L. Ward, in her official capacity as President Pro-Tempore of the Pennsylvania Senate;~~

KIM L. WARD, in her official capacity as President Pro-Tempore of the Pennsylvania Senate; and

~~Joanna E. McClinton, in her official capacity as the Speaker of the Pennsylvania House of Representatives;~~

JOANNA E. McCLINTON, in her official capacity as Speaker of the Pennsylvania House of Representatives,

Respondents.

~~PETITION FOR REVIEW IN THE NATURE OF AN ACTION FOR DECLARATORY JUDGMENT AND INJUNCTIVE RELIEF~~

AMENDED PETITION FOR REVIEW IN THE NATURE OF AN ACTION FOR DECLARATORY AND OTHER RELIEF

~~Petitioners, Kenneth V. Krawchuk and Roberta L. Krawchuk; hereby file this Petition for Review in the Nature of an Action for Declaratory and Injunctive Relief against the above-named Respondents, and in support thereof, respectfully aver as follows:~~

Petitioners, Kenneth V. Krawchuk and Roberta L. Krawchuk, hereby file this Amended Petition for Review in the Nature of an Action for Declaratory and Other Relief against the above-named Respondents, and in support thereof aver as follows:

PARTIES

~~1. Petitioners Kenneth V. Krawchuk and Roberta Krawchuk are adult native residents and taxpayers of Montgomery County in the Commonwealth of Pennsylvania. They jointly pay state and local taxes that support the public education system challenged in this action. Attached hereto as Exhibit I is their joint 2026 school tax payment receipt. Their three children and two of their grandchildren currently attend or have attended public schools in Pennsylvania. The Petitioners therefore have a direct and substantial interest in ensuring that the Commonwealth provides a thorough and efficient system of public education as required by Article III, Section 14 of the Pennsylvania Constitution.~~

1. Petitioners Kenneth V. Krawchuk and Roberta L. Krawchuk are adult residents and taxpayers of Montgomery County in the Commonwealth of Pennsylvania. They jointly pay state and local taxes that support the public education system challenged in this action. Attached hereto as Exhibit I is their joint 2026 school tax payment receipt (as filed; parcel number and mailing address appear redacted on the face of the filed exhibit). Their three children and two of their grandchildren currently attend or have attended public schools in Pennsylvania. Their grandson I.L.I.C.L. is sixteen years of age and attends school in the Centennial School District in Bucks County, Pennsylvania. Alternatively, and without abandoning the interest alleged above,

Petitioners invoke the taxpayer exception to traditional standing recognized in In re Application of Biester, 409 A.2d 848, 852 (Pa. 1979), and Consumer Party of Pennsylvania v. Commonwealth, 507 A.2d 323, 329 (Pa. 1986). They contend that they have standing under that exception as taxpayers who pay the state and local taxes that support the public-education system challenged in this action.

~~2. Respondent Joshua D. Shapiro, the Governor of the Commonwealth of Pennsylvania, is the chief executive officer of the Commonwealth and is responsible for signing legislation into law that will provide for a thorough and efficient system of public education. He is also responsible for ensuring that the laws of Pennsylvania, including the Pennsylvania Constitution, are faithfully executed.~~

2. Respondent Joshua D. Shapiro, the Governor of the Commonwealth of Pennsylvania, is the chief executive officer of the Commonwealth and is responsible for ensuring that the laws of Pennsylvania, including the Pennsylvania Constitution, are faithfully executed, and for approving or vetoing legislation presented to him.

~~3. Respondent Kim L. Ward, is the President Pro-Tempore of the Pennsylvania Senate, which shares the responsibility with the Pennsylvania House to pass legislation that will provide for a thorough and efficient system of public education.~~

3. Respondent Kim L. Ward is the President Pro-Tempore of the Pennsylvania Senate, which shares with the Pennsylvania House of Representatives the legislative power of the Commonwealth, including legislation affecting the system of public education.

~~4. Respondent Joanna E. McClinton is the Speaker of the Pennsylvania House of Representatives, which shares the responsibility with the Pennsylvania Senate to pass legislation that will provide for a thorough and efficient system of public education.~~

4. Respondent Joanna E. McClinton is the Speaker of the Pennsylvania House of Representatives, which shares with the Pennsylvania Senate the legislative power of the Commonwealth, including legislation affecting the system of public education.

~~5. Petitioners name the Governor and the presiding officers of each house because Article III, Section 14 assigns the duty to the General Assembly, and because the relief sought — legislation establishing Education Savings Accounts, a Scholastic Standards Board, and an orderly end to local operating monopolies — can be enacted only by statute. The Department of Education, the Secretary, and the State Board administer the current School Code; they cannot grant the statutory relief requested. Petitioners therefore sue the officers with authority to enact that relief.~~

5. Petitioners name the Governor and the presiding officers of each house in their official capacities because Article III, Section 14 of the Pennsylvania Constitution assigns to the General Assembly the duty to provide for the maintenance and support of a thorough and efficient system of public education, and because the Governor participates in the enactment of laws. Petitioners seek a judicial declaration of constitutional rights and duties. Alternatively, to the extent such relief is legally available, Petitioners seek a general order directing the responsible Respondents to remedy the constitutional violations established in this action, leaving the selection of constitutionally adequate means to the political branches and without prescribing any particular legislative program. Any such compliance-directed relief is requested only to the extent of each Respondent's official authority. Petitioners recognize that the President Pro-Tempore of the Senate and the Speaker of the House possess only the official authority of those offices and do not, acting alone, enact legislation. Petitioners do not by this Amended Petition seek an order

compelling any Respondent to draft, introduce, debate, vote upon, enact, sign, or report on any particular statute or program.

~~JURISDICTION~~

JURISDICTION AND VENUE

6. This Court has original jurisdiction over this matter pursuant to 42 Pa.C.S. § 761(a)(1), which grants the Commonwealth Court exclusive original jurisdiction over civil actions against the Commonwealth government, including ~~its executive~~ officers acting in their official capacities.

~~VENUE~~

7. Venue is proper in Dauphin County, the seat of state government.

STATEMENT OF FACTS

~~8. Article III, Section 14, (the education clause) of the Constitution of the Commonwealth of Pennsylvania states that "[t]he General Assembly shall provide for the maintenance and support of a thorough and efficient system of public education to serve the needs of the Commonwealth." It is crystal clear that Respondents directly and solely bear the responsibility and the constitutional duty to provide for a thorough and efficient system of public education.~~

8. Article III, Section 14 of the Constitution of the Commonwealth of Pennsylvania provides: "The General Assembly shall provide for the maintenance and support of a thorough and efficient system of public education to serve the needs of the Commonwealth."

~~9. Recent PSSA results show that more than 50% of students are not proficient at grade level in reading and approximately two-thirds are not proficient at grade level in math, with proficiency rates declining 5–10% since 2019. Attached hereto as Exhibit A are the most-recent PSSA results plus historical trends.~~

9. The current statutory structure relies heavily on local school-district organization with guaranteed public funding. Petitioners aver that, despite high expenditures and decades of effort, statewide outcomes reflected in Exhibits A, F, and G demonstrate persistent inadequacy and inefficiency relative to Article III, Section 14.

9.10. Recent statewide assessment results show that a large share of Pennsylvania public-school students are not proficient at grade level. Attached as Exhibit A are summaries of recent Pennsylvania System of School Assessment (PSSA) and Keystone Exam results and historical trends. Among other figures reflected in Exhibit A, for the 2024–25 school year statewide PSSA English Language Arts proficiency was reported at 49.9% and Mathematics proficiency at 41.7%.

~~10. The worst district has 4 out of 5 students lacking proficiency in both subjects; even in the best districts, 1 out of 5 students are not proficient. Attached hereto as Exhibit A are the most-recent PSSA results of the failing schools.~~

~~11. Per the 2024 Keystone Exam, there are many schools that had zero students who were proficient in either reading or math. Attached hereto as Exhibit F are the most-recent PSSA and Keystone results of the failing schools.~~

10.11. Proficiency rates vary widely among districts and schools. Even higher-performing districts leave substantial shares of students below proficiency, while many lower-performing schools report single-digit or near-zero proficiency in one or more core subjects. Attached as Exhibits A and F are summaries of statewide and school-level patterns drawn from publicly reported assessment data.

~~12. The average annual per-pupil expenditure in Pennsylvania public schools is approximately $24,000, significantly higher than the average tuition at non-elite private schools~~

~~(approximately $11,000). Attached hereto as Exhibit G are the most-recent educational cost estimates~~

11.12. Public per-pupil spending in Pennsylvania is high relative to many non-elite private-school tuition levels. Attached as Exhibit G are educational cost estimates drawn from publicly reported sources.

~~13. Administrative staffing in public schools has increased substantially (approximately 40% since 2000) while student enrollment has declined (approximately 7.7%). Attached hereto as Exhibit B are the most-recent trends in the number of administrative personnel and the most-recent trends in the number of students.~~

12. Over a multi-decade period, administrative and other non-teacher professional staffing in public schools has increased while student enrollment has declined. Attached as Exhibit B are summaries of those trends from publicly reported sources.

~~14. A 2002 Standard & Poor's study found that over one-third of the best-performing schools receive below-average funding, while one-third of worst received above-average funding. This clearly indicates that funding is neither the cause of, nor the solution for, the failing school system. Attached hereto as Exhibit H is reporting by Education Week on the study showing how school funding is often inversely related to school performance.~~

13. A 2002 Standard & Poor’s analysis, as reported contemporaneously in Education Week, described thatobserved that many higher-scoring Pennsylvania districts had below-average spending and that many higher-spending districts had below-average scores, suggesting that additional spending alone does not ensure that all students meet standards. In addition to pointing out that school performance often is inversely related to funding, the analysis went on to

say that more fundamental and perhaps structural changes may be needed. Attached as Exhibit H is that reporting.

14. Over a multi-decade period, administrative and other non-teacher professional staffing in public schools has increased while student enrollment has declined. Attached as Exhibit B are summaries of those trends from publicly reported sources.

~~15. Curriculum standards and oversight lack sufficient statewide consistency and mechanisms to ensure a thorough education. The State Board's Master Plan for Basic Education is purely advisory and has no force or effect. The curriculum is left adrift with no mechanism to ensure it is correct, useful, or even followed.~~

~~16. The current structure that Respondents have provided for relies on local monopolies with guaranteed public funding. Perhaps not surprisingly, the 500 local monopolies have been demonstrating for decades that they cannot be relied upon to be thorough and efficient. Instead, the result has been decades of persistent inefficiencies and inadequate educational outcomes, despite high expenditures and whatever efforts may have been made to remedy these problems. Failed schools, even ones unable to produce a single proficient student, never go out of business — they just keep on not educating children year after year.~~

14. The current statutory structure relies heavily on local school-district organization with guaranteed public funding. Petitioners aver that, despite high expenditures and decades of effort, statewide outcomes reflected in Exhibits A, F, and G demonstrate persistent inadequacy and inefficiency relative to Article III, Section 14.

~~17. In William Penn School District v. Pennsylvania Department of Education, 587 M.D. 2014 (Pa. Cmwlth. Feb. 7, 2023), this Court identified seven constitutional deficiencies of the current system, including inadequate and inequitable funding, lack of thoroughness and~~

~~efficiency, and failure to provide equal access and opportunity. Respondents have made no significant measurable progress toward remedying any of the deficiencies, in spite of this Court's order to do so.~~

15. In William Penn School District v. Pennsylvania Department of Education, 294 A.3d 537 (Pa. Commw. Ct. 2023) (single-judge opinion) ("William Penn (2023)"), the Commonwealth Court, after trial, entered declaratory relief concerning Article III, Section 14 and related equal-protection holdings, and afforded the Executive and Legislative Branches the first opportunity to devise a remedial plan. William Penn (2023) did not order creation of an Education Savings Account program, a statewide standards board of the kind described in Exhibit E, dissolution of local school boards, or enactment of any particular statute. Petitioners cite William Penn (2023) as persuasive authority regarding the meaning of Article III, Section 14; it is not binding precedent of the Supreme Court of Pennsylvania in this separate action.

16. In William Penn School District v. Pennsylvania Department of Education, 170 A.3d 414 (Pa. 2017) ("William Penn II"), the Supreme Court of Pennsylvania held that claims under Article III, Section 14 are justiciable. Petitioners rely on William Penn II for the proposition that this Court may adjudicate whether the Commonwealth's system of public education complies with Article III, Section 14.

17. Petitioners aver that the Commonwealth's present system of public education, as reflected in the facts and exhibits above, does not provide the thorough and efficient system required by Article III, Section 14.

~~18. There are approximately 500 private schools in Pennsylvania which charge a wide range of tuition. The fact that these schools exist in direct competition with the "free" public school option shows the demand is strong for alternatives to the system of public education.~~

~~19. The harm wrought by the lack of a thorough and efficient system of public education is difficult to overstate. It is colossal and irreparable. It is broad, deep, continuing, and cumulative. Not only have Petitioners been harmed, but the harm affects every citizen of the Commonwealth and even beyond. Every taxpayer is harmed by the inefficiency. Billions of taxpayers' dollars are wasted annually, robbing taxpayers of the ability to put these dollars to more beneficial use for themselves. Every parent is harmed. In addition to paying the taxes to support the failed public system, parents with the means to do so may shoulder the additional burden of paying private school tuition or homeschooling their children. Parents without such means may suffer with the knowledge that their children are not receiving a thorough education to adequately prepare them for adulthood. But the gravest harm is the routine and ongoing denial of children's constitutional right to a thorough education.~~

18. Attached as Exhibits C, D, and E are illustrative descriptions of possible legislative approaches (an orderly phase-out of local operating monopolies; education savings accounts; and a scholastic standards board). Those exhibits are offered solely as nonbinding policy examples of how the political branches might choose to remediate a constitutional deficiency if one is declared. They are not requested as court-ordered programs, and Petitioners do not ask this Court to compel Respondents to enact them.

19. Throughout history, the great importance of an educated citizenry has been emphasized, including by our republic's Founding Fathers and Pennsylvania's own Thaddeus Stevens. The harm wrought by the lack of a thorough and efficient system of public education is difficult to overstate. It is extremely serious and irreparable. It is broad, deep, continuing, and cumulative. Every taxpayer of the Commonwealth is harmed, as billions of dollars are spent annually on a system that fails to deliver the thorough and efficient education the Constitution

requires. But the gravest harm is the routine and ongoing denial to our grandson I.C.L. and all of Pennsylvania's children of the constitutional right to a thorough education.

COUNT I

Violation of Article III, Section 14 of the Pennsylvania Constitution

~~20. Petitioners re-allege and incorporate by reference paragraphs 1-19 as if fully set forth herein.~~

19.20. Petitioners incorporate paragraphs 1 through 181 through 19 as if fully set forth herein.

20.21. Article III, Section 14 requires the General Assembly to provide for the maintenance and support of a thorough and efficient system of public education to serve the needs of the Commonwealth.

~~21. The failures cited clearly show that the current system of public education that Respondents have provided for is neither thorough nor efficient and does not serve the needs of the Commonwealth as is required by Article III, Section 14.~~

21.22. The facts set forth above, including the assessment outcomes, cost, and staffing patterns reflected in Exhibits A, B, F, G, and H, show that the present system is neither thorough nor efficient within the meaning of Article III, Section 14.

~~COUNT II~~

~~22. Petitioners re-allege and incorporate by reference the foregoing paragraphs 1-21 of this Petition as if fully set forth here.~~

~~23. Because of their continuing failure to provide for a thorough and efficient system of public education that serves the needs of the Commonwealth, Respondents stand in violation of Article III, Section 14, of the Pennsylvania Constitution.~~

22.23. Respondents, in their official capacities, stand in violation of Article III, Section 14 because of the continuing failuretheir continuing failure to provide for a thorough and efficient system of public education as required by that provision.

23.24. Petitioners are entitled to a declaratory judgment so stating. Alternatively, to the extent such relief is legally available, Petitioners request that the Court direct the responsible Respondents to remedy the constitutional violations established in this action, leaving the selection of constitutionally adequate means to the political branches and without prescribing any particular legislative program. Petitioners do not seek a mandatory injunction compelling Respondents to draft, enact, or implement any particular remedial statute or program, including the illustrative concepts in Exhibits C, D, and E, and do not seek an order requiring any Respondent to take a legislative act beyond that Respondent's official authority.

~~COUNT III~~

~~24. Petitioners re-allege and incorporate by reference the foregoing paragraphs 1-23 of this Petition as if fully set forth here.~~

~~25. Even allowing for a reasonable time period to implement remedies for the deficiencies cited in William Penn, the lack of any meaningful progress by now surely places Respondents squarely in violation of this Court's orders in that case.~~

~~COUNT IV~~

~~26. Petitioners re-allege and incorporate by reference the foregoing paragraphs 1-25 of this Petition as if fully set forth here.~~

~~27. Because of the extreme and ongoing harm being inflicted by Respondents' failure to provide for a thorough and efficient system of public education, it is urgent that the failed system be replaced with one that actually is thorough and efficient as soon as may be possible.~~

~~28. Respondents have been demonstrating that they lack either the knowledge, or the motivation, or both to comply with this vitally important mandate of the Pennsylvania Constitution. There is no reasonable expectation that a solution will be forthcoming within the foreseeable future. Therefore, Petitioners believe that these dire circumstances justify and require extraordinary injunctive relief.~~

~~29. Petitioners seek injunctive relief to compel all changes to the Pennsylvania education system that are required to best fulfill the constitutional mandate.~~

~~30. Petitioners seek an injunction compelling the dissolution of the local monopolies (see Exhibit C).~~

~~31. Petitioners seek an injunction requiring Respondents to establish an independent Pennsylvania Scholastic Standards Board (PSSB) to professionally create and actively maintain a core curriculum of a minimum set of factual knowledge and skills that will enable children to succeed as adults. The PSSB will also be responsible for the creation and maintenance of a battery of achievement tests that will provide a standard measure of students' progress and, therefore, also an objective measure of both teacher and school performance (see Exhibit E).~~

~~32. Petitioners seek an injunction requiring Respondents to implement a universal Education Savings Account (ESA) program with full school choice (see Exhibit D). Petitioners aver that this structure is a constitutionally adequate means of curing the deficiencies identified by this Court in William Penn, which are:~~

~~a. Adequate funding. Scholarship funds equal to the median amount parents actually paid the previous year will be deposited to each child's ESA. (Funding for the first year will be $11,500.)~~

~~b. Equal protection. Funding follows the child, eliminating wealth-based disparities.~~

~~c. Equal access. Every child can attend any school of choice.~~

~~d. Thorough education. Market competition and parental choice drive quality at the lowest cost.~~

~~e. Efficient education. Private schools deliver better educational outcomes at roughly half the cost.~~

~~f. Clear academic standards. An independent Pennsylvania Scholastic Standards Board (PSSB) will establish and maintain a core curriculum with standardized testing.~~

~~g. Facilities, staffing, and resources. Sale of school buildings to private operators provides modern facilities or they may build their own. The most effective teachers will be hired and rewarded.~~

PRAYER FOR RELIEF

WHEREFORE, Petitioners respectfully request that this Court:

A. Assume original jurisdiction over this matter;

~~B. Declare that the current system of public education fails to satisfy the thorough and efficient requirements demanded by Article III, Section 14 of the Pennsylvania Constitution because it is neither thorough nor efficient and therefore does not serve the needs of the Commonwealth;~~

B. Declare that the current system of public education fails to satisfy the thorough and efficient requirements of Article III, Section 14 of the Pennsylvania Constitution;

~~C. Declare that Respondents stand in violation of Article III, Section 14, of the Pennsylvania Constitution because of their decades-long and continuing failure to provide for a thorough and efficient system of public education;~~

C. Declare that Respondents stand in violation of Article III, Section 14 of the Pennsylvania Constitution because of their continuing failure to provide for a thorough and efficient system of public education;

~~D. Declare that Respondents remain out of compliance with this Court's judgment and orders in William Penn School District v. Pennsylvania Department of Education, in that the seven constitutional deficiencies identified in that case have not been remedied;~~

D. Alternatively, to the extent such relief is legally available: Direct the responsible Respondents to remedy the constitutional violations established in this action, leaving the selection of constitutionally adequate means to the political branches and without prescribing any particular legislative program;

~~E. Enjoin Respondents from continuing the current failing system and order that its local monopolies be phased out (as described in Exhibit C);~~

~~F. Order the implementation of a universal state-subsidized Education Savings Account program (as described in Exhibit D), putting parents in control of their children's educations with full school choice, as Petitioners' proposed remedy for the William Penn deficiencies;~~

~~G. Order the creation of an independent Pennsylvania Scholastic Standards Board (as described in Exhibit E) to create and maintain a statewide core curriculum that all schools should teach, and to provide standardized testing to measure student outcomes and school performance;~~

~~H. In view of the lack of any discernible progress toward providing for a thorough and efficient system of public education or toward curing the constitutional deficiencies as ordered years ago in William Penn, enter a declaratory judgment and injunctive relief requiring Respondents to develop and submit to the Court, within a reasonable court-imposed hard~~

~~deadline (e.g., 180 days), a comprehensive package of legislation that implements E, F, and G above; such legislation to be signed into law immediately upon court approval;~~

~~I. Order that Respondents report to this Court every 30 days regarding progress toward compliance;~~

~~J. Retain jurisdiction to monitor compliance with any orders issued and to enter such further relief as may be necessary;~~

~~K. Award costs and attorney fees; and~~

E. Award costs of suit and filing costs to the extent permitted by law; and

~~L.~~ F. Grant such other relief as the Court deems just and proper.

Petitioners expressly do not request an order compelling Respondents to enact, implement, or supervise any Education Savings Account program, scholastic standards board, dissolution or sale of school districts or school property, or any other particular legislative program, whether or not described in Exhibits C, D, or E. Nothing in this Prayer requests a fixed judicial deadline, a mandatory vote, signature, or appropriation, or the joinder of additional respondents. If a declaratory judgment is entered, Petitioners reserve the right to apply later, on reasonable notice, for supplemental relief under 42 Pa.C.S. § 7538.

~~Dated: September 21, 2026~~

Dated: _____

Respectfully submitted,

_____

Kenneth V. Krawchuk, Petitioner

[Address]117 West Avenue

[City, State ZIP]Elkins Park, PA 19027

[Telephone]215-572-9248

[Email]Ken@KenKrawchuk.com

_____

Roberta L. Krawchuk, Petitioner

[Address]117 West Avenue

[City, State ZIP]Elkins Park, PA 19027

[Telephone]215-572-9248

[Email]Ken@KenKrawchuk.com

~~ORDER~~

~~AND NOW, this _____ day of _____, 202_, upon consideration of the Petition for Review in the Nature of an Action for Declaratory Judgment and Injunctive Relief filed by Petitioners, any responses thereto, and the record in this matter, it is hereby ORDERED as follows:~~

~~1. This Court assumes original jurisdiction over this matter pursuant to 42 Pa.C.S. § 761(a).~~

~~2. The Court hereby DECLARES that the current public education system of the Commonwealth of Pennsylvania does not satisfy the thorough and efficient requirements of Article III, Section 14 of the Pennsylvania Constitution because it is neither thorough nor efficient and therefore does not serve the needs of the Commonwealth.~~

~~3. The Court further DECLARES that Respondents stand in violation of Article III, Section 14, of the Pennsylvania Constitution for failure to provide for a thorough and efficient system of public education.~~

~~4. The Court further DECLARES that Respondents also have not remedied the deficiencies identified in William Penn School District v. Pennsylvania Department of Education, 587 M.D. 2014 (Pa. Cmwlth. Feb. 7, 2023) and therefore stand in violation of this Court's orders in William Penn.~~

~~5. Respondents are hereby ENJOINED from continuing the current system of local public-school monopolies. The system shall be phased out in accordance with the process described in Exhibit C to the Petition (or such similar process as the Court may later approve).~~

~~6. Respondents are hereby ORDERED to enact and implement a universal Education Savings Account (ESA) program with full school choice, substantially in the form described in Exhibit D to the Petition (or such similar form as the Court may later approve), which shall remedy the seven deficiencies cited in William Penn.~~

~~7. The General Assembly is hereby ORDERED to establish an independent Pennsylvania Scholastic Standards Board (PSSB), substantially in the form described in Exhibit E to the Petition (or such similar form as the Court may later approve), to create and maintain a statewide core curriculum and standardized achievement testing.~~

~~8. Within one hundred eighty (180) days of the date of this Order, Respondents shall develop and submit to this Court a comprehensive package of legislation, to be enacted into law upon Court approval, that fully carries out orders 5, 6, and 7 above.~~

~~9. Respondents shall report progress on writing and passing the required legislation to this Court at every 30-day interval.~~

~~10. This Court retains jurisdiction over this matter to monitor compliance with this Order and to enter such further orders as may be necessary or appropriate.~~

~~11. Petitioners' request for costs and attorney fees is deferred pending further proceedings.~~

~~12. The Court grants such other and further relief as it deems just and proper.~~

~~BY THE COURT:~~

~~_____, Judge~~

VERIFICATION

~~I, Kenneth V. Krawchuk; verify that the statements made in the foregoing PETITION FOR REVIEW IN THE NATURE OF AN ACTION FOR DECLARATORY AND INJUNCTIVE RELIEF are true and correct to the best of my knowledge, information, and belief. I understand that false statements herein are made subject to the penalties of 18 Pa.C.S. § 4904, relating to unsworn falsification to authorities.~~

~~I, Roberta L. Krawchuk, verify that the statements made in the foregoing PETITION FOR REVIEW IN THE NATURE OF AN ACTION FOR DECLARATORY AND INJUNCTIVE RELIEF are true and correct to the best of my knowledge, information, and belief. I understand that false statements herein are made subject to the penalties of 18 Pa.C.S. § 4904, relating to unsworn falsification to authorities.~~

We, Kenneth V. Krawchuk and Roberta L. Krawchuk, verify that the statements made in the foregoing Amended Petition for Review are true and correct to the best of our knowledge, information, and belief. We understand that false statements herein are made subject to the penalties of 18 Pa.C.S. § 4904, relating to unsworn falsification to authorities.

Date: _____

_____

Kenneth V. Krawchuk

Date: _____

_____

Roberta L. Krawchuk

CERTIFICATE OF COMPLIANCE

~~I certify that this filing complies with the provisions of the Public Access Policy of the Unified Judicial System of Pennsylvania: Case Records of the Appellate and Trial Courts that require filing confidential information and documents differently than non-confidential information and documents.~~

I certify that this filing complies with the provisions of the Case Records Public Access Policy of the Unified Judicial System of Pennsylvania that require filing confidential information and documents differently than non-confidential information and documents. See Pa.R.A.P. 127. This public filing refers to a minor only by initials (I.L.I.C.L.) and does not include the minor's address or date of birth. Exhibit I as attached is the exhibit as filed with the original Petition; parcel and mailing fields appear redacted on that exhibit.

Date: _____

_____

Kenneth V. Krawchuk, Petitioner

_____

Roberta L. Krawchuk, Petitioner

CERTIFICATE OF SERVICE

~~I hereby certify that on September 21, 2026, a true and correct copy of the foregoing PETITION FOR REVIEW IN THE NATURE OF AN ACTION FOR DECLARATORY AND~~

~~INJUNCTIVE RELIEF was served upon the following parties via certified mail, return receipt requested, and by electronic delivery where permitted:~~

I hereby certify that on _____, 202__, a true and correct copy of the foregoing Amended Petition for Review was served upon the following by [method of service]electronic service through the Court's PACFile system:

~~1. Joshua D. Shapiro, Governor of Pennsylvania, 225 Main Capitol Bldg., Harrisburg, PA 17120~~

~~2. Office of General Counsel, Commonwealth of Pennsylvania, 333 Market Street, 17th Floor, Harrisburg, PA 17101~~

~~3. Dave Sunday, Attorney General of Pennsylvania, Office of Attorney General, 16th Floor, Strawberry Square, Harrisburg, PA 17120~~

~~4. Senator Kim L. Ward, President Pro Tempore, Senate Box 203039, 292 Main Capitol, Harrisburg, PA 17120-3039~~

~~5. State Representative Joanna E. McClinton, Speaker, 139 Main Capitol, P.O. Box 202191, Harrisburg, PA 17120-2191~~

~~Service was made in accordance with Pa.R.C.P. 400 and 42 Pa.C.S. § 7540 (notice to Attorney General required for constitutional challenges).~~

Joshua D. Shapiro, Governor of Pennsylvania

225 Main Capitol Bldg.

Harrisburg, PA 17120

Senator Kim L. Ward, President Pro Tempore

Senate Box 203039

292 Main Capitol

Harrisburg, PA 17120-3039

Speaker Joanna E. McClinton

c/o Jason M. Staloski, Esquire

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_____

Kenneth V. Krawchuk, Petitioner

_____

Roberta L. Krawchuk, Petitioner

EXHIBITS

The following exhibits are attached to and made part of this Amended Petition:

~~Exhibit A – PENNSYLVANIA SYSTEM OF SCHOOL ASSESSMENT (PSSA) AND KEYSTONE EXAM RESULTS – STATEWIDE PROFICIENCY RATES AND HISTORICAL TRENDS~~

Exhibit A – PSSA and Keystone Exam Results – Statewide Proficiency Rates and Historical Trends (factual support)

~~Exhibit B – TRENDS IN ADMINISTRATIVE AND PROFESSIONAL STAFFING VERSUS STUDENT ENROLLMENT~~

Exhibit B – Trends in Administrative and Professional Staffing Versus Student Enrollment (factual support)

~~Exhibit C – PROCESS FOR PHASING OUT THE MONOPOLIES~~

Exhibit C – Process for Phasing Out the Monopolies (ILLUSTRATIVE POLICY EXAMPLE ONLY — NOT REQUESTED AS A COURT-ORDERED PROGRAM)

~~Exhibit D – EDUCATION SAVINGS ACCOUNTS~~

Exhibit D – Education Savings Accounts (ILLUSTRATIVE POLICY EXAMPLE ONLY — NOT REQUESTED AS A COURT-ORDERED PROGRAM)

~~Exhibit E – THE PENNSYLVANIA SCHOLASTIC STANDARDS BOARD~~

Exhibit E – The Pennsylvania Scholastic Standards Board (ILLUSTRATIVE POLICY EXAMPLE ONLY — NOT REQUESTED AS A COURT-ORDERED PROGRAM)

~~Exhibit F – EXTREMELY LOW-PERFORMING SCHOOLS~~

Exhibit F – Extremely Low-Performing Schools (factual support)

~~Exhibit G – EDUCATIONAL COST ESTIMATES~~

Exhibit G – Educational Cost Estimates (factual support)

~~Exhibit H – FUNDING INVERSELY RELATED TO SCHOOL PERFORMANCE~~

Exhibit H – Funding Inversely Related to School Performance (factual support)

~~Exhibit I – JOINT 2026 SCHOOL TAX PAYMENT RECEIPT FOR KENNETH V. KRAWCHUK AND ROBERTA L. KRAWCHUK~~

Exhibit I – Joint 2026 School Tax Payment Receipt (as filed; factual support for taxpayer status)

Exhibit page images: The content of Exhibits A through I attached to the filed Petition is unchanged. Those pages are reproduced in the clean proposed Amended Petition. Exhibits C, D, and E are the same filed exhibit pages, with the added captions appearing in the clean copy that identify them as illustrative policy examples and not requested decrees. Exhibit I appears as filed, including redactions already present on the filed face. Because those exhibit images are unchanged, this comparison copy identifies them here rather than reprinting each image.