

IN THE COMMONWEALTH COURT OF PENNSYLVANIA

Kenneth V. Krawchuk;
Roberta L. Krawchuk;

Petitioners

v.

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

Respondents.

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: DOCKET NO.: _____
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: **PETITION FOR REVIEW IN THE**
: **NATURE OF AN ACTION FOR**
: **DECLARATORY AND**
: **INJUNCTIVE RELIEF**

Filed by:

Kenneth V. Krawchuk; Petitioner

IN THE COMMONWEALTH COURT OF PENNSYLVANIA

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NOTICE TO PLEAD

To: Joshua D. Shapiro, Governor of Pennsylvania
225 Main Capitol Bldg.
Harrisburg, PA 17120

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

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

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

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

You are hereby notified to file a written response to the enclosed 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 objeciones 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

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

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.

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.
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.
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.
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.

JURISDICTION

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.
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.
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.
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

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.
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.
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.
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.

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.

COUNT I

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

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.

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;

- 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;
- 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;
- 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

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

Dated: September 21, 2026

Respectfully submitted,

Kenneth V. Krawchuk, Petitioner

Roberta L. Krawchuk, Petitioner

IN THE COMMONWEALTH COURT OF PENNSYLVANIA

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Roberta L. Krawchuk;

Petitioners

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his official capacity;
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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

IN THE COMMONWEALTH COURT OF PENNSYLVANIA

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Roberta L. Krawchuk;

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his official capacity;
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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:

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).

Respectfully submitted,

Kenneth V. Krawchuk

Roberta L. Krawchuk

IN THE COMMONWEALTH COURT OF PENNSYLVANIA

Kenneth V. Krawchuk,
Roberta L. Krawchuk
Petitioners

V.

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

NOTICE TO THE ATTORNEY GENERAL OF PENNSYLVANIA PURSUANT TO 42 PA.C.S. § 7540
(DECLARATORY JUDGMENTS ACT)

From: Kenneth V. Krawchuk
 Roberta L. Krawchuk

Date: September 21, 2026

To: Dave Sunday
Attorney General of Pennsylvania
Office of Attorney General
16th Floor, Strawberry Square
Harrisburg, PA 17120

Re: Notice pursuant to 42 Pa.C.S. § 7540
Krawchuk v. Shapiro, Ward, and McClinton
Commonwealth Court of Pennsylvania
Petition for Review in the Nature of an Action for Declaratory and Injunctive Relief
Case Caption (proposed): *Kenneth V. Krawchuk et al v. Joshua D. Shapiro, et al.*

Court: Commonwealth Court of Pennsylvania

Docket No.:

Dear Attorney General Sunday:

Enclosed is a true and correct copy of the Petition for Review that Petitioners are filing in the Commonwealth Court of Pennsylvania.

This proceeding seeks declaratory and injunctive relief under the Declaratory Judgments Act, 42 Pa.C.S. §§ 7531–7541. Petitioners challenge the constitutionality of the Commonwealth’s current system of public education under Article III, Section 14 of the Pennsylvania Constitution, and they seek a declaration that Respondents remain out of compliance with this Court’s judgment in *William Penn School District v. Pennsylvania Department of Education*.

Pursuant to 42 Pa.C.S. § 7540, you are hereby served with a copy of the proceeding and are entitled to be heard.

Please direct any response or entry of appearance to the undersigned at the address above, and to the Chief Clerk of the Commonwealth Court, Pennsylvania Judicial Center, 601 Commonwealth Avenue, Suite 2100, P.O. Box 69185, Harrisburg, PA 17106-9185.

Respectfully,

Kenneth V. Krawchuk
Petitioner, pro se

Roberta L. Krawchuk
Petitioner, pro se

Enclosure: Petition for Review with exhibits

IN THE COMMONWEALTH COURT OF PENNSYLVANIA

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EXHIBITS

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

Exhibit A – Pennsylvania System of School Assessment (PSSA) and Keystone Exam Results – Statewide Proficiency Rates and Historical Trends

Exhibit B – Trends in Administrative and Professional Staffing Versus Student Enrollment

Exhibit C – Process for Phasing Out the Monopolies

Exhibit D – Education Savings Accounts

Exhibit E – The Pennsylvania Scholastic Standards Board

Exhibit F – Extremely Low-Performing Schools

Exhibit G – Educational Cost Estimates

Exhibit H – Funding Inversely Related to School Performance

Exhibit I – Joint 2026 School Tax Payment Receipt for Kenneth V. Krawchuk and Roberta L. Krawchuk

EXHIBIT A

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

2024-25 School Year Results (released by Pennsylvania Department of Education,

November 14, 2025):PSSA (Grades 3–8)

- English Language Arts (ELA): 49.9% Proficient or Advanced (down from 53.9% in 2023-24)
- Mathematics: 41.7% Proficient or Advanced (up from 40.2% in 2023-24)

Keystone Exams (primarily Grade 11)

- Algebra I: 44.3% Proficient or Advanced (up from 41.6%)
- Literature: 62.1% Proficient or Advanced (down from 63.2%)
- Biology: 49.4% Proficient or Advanced (down from 50.5%)

Summary of Statewide Performance

- More than half of students in grades 3–8 are not proficient in reading/ELA.
- Approximately 58% of students in grades 3–8 are not proficient in mathematics.
- Roughly half or more of high-school students tested are not proficient in Algebra I and Biology.

Historical Trends (selected years)

- Pre-pandemic (2018-19 / 2019) proficiency rates were substantially higher in most subjects.
- ELA proficiency has declined for multiple consecutive post-pandemic years.
- Math has shown modest recovery but remains well below 50% overall and far below pre-2019 levels in middle grades (Grade 8 math proficiency $\approx$ 30.5% in 2025).
- Overall proficiency rates have stagnated or declined despite significant increases in per-pupil funding since 2019.

SOURCES:

Pennsylvania Department of Education, Assessment Reporting (2025 PSSA and Keystone State-Level Data); contemporaneous PDE news release and independent summaries (Chalkbeat, Post-Gazette, State Test Score Results analyses).

EXHIBIT B

TRENDS IN ADMINISTRATIVE AND PROFESSIONAL STAFFING VERSUS STUDENT ENROLLMENT

Enrollment

- Pennsylvania public school district enrollment has declined approximately 8–9% since 1999–2000 (roughly 300,000+ fewer students in traditional districts over the long term).
- From 2019–20 to recent years, district enrollment fell by approximately 80,000 students (about 5%).
- Current approximate K–12 public enrollment (districts + charters): $\approx$ 1.5–1.7 million.

Staffing

- From 1999–2000 to 2025–26, public schools added approximately 28,000 employees overall ($\approx$ 10% growth) while enrollment declined.
- Non-teacher professional staff (administrators, coordinators, and other professional positions) increased by roughly 40–47% over the same long-term period.
- Classroom teachers increased more modestly ($\approx$ 6–10%).
- Resulting student-to-professional-staff ratios have declined significantly (more staff per student).

SOURCES:

Pennsylvania Department of Education Enrollment Reports and Professional/Support Personnel Summaries; Commonwealth Foundation “State of Education Spending” analyses (2025 and 2026 editions).

EXHIBIT C

PROCESS FOR PHASING OUT THE MONOPOLIES

As it so desperately needs to be, the new system is a significant change from the old. It is important to implement the transition carefully so as to be as smooth as possible and to minimize disruption. About five years should accommodate most of the change. Enabling legislation should set an effective date of a June 30 that is a minimum of 18 months after the date it is signed into law by the Governor.

Upon the effective date, all local school boards are dissolved and the state will take ownership of all public school assets and liabilities, including of course the responsibility of servicing and retiring any bonds in accordance with the terms of their issuance. The state will put all schools up for sale as soon as possible after the enabling legislation is signed by the Governor. All assets and liabilities of the schools will be assumed by the purchasers except for any bond liabilities which will remain the state's responsibility to retire. The settlement date will be the July 1 immediately after the effective date or as soon thereafter as possible.

Efforts to sell remaining schools will continue. Any schools not sold and settled by the August 1 following the effective date will continue to operate, but will be operated and managed by the state as competitive business entities until they are sold and settled. Schools so operated by the state shall charge tuition equal to the Education Savings Account (ESA) subsidy amount each year. Schools lacking sufficient enrollment for reasonable viability will cease operation.

Any schools not under a sales agreement by the fourth May 31 following the effective date will be auctioned off to the highest bidder. Any schools still remaining unsold, if still in operation, will discontinue operation within one more year and the properties will remain on the market until sold.

All education-related revenues shall be separately tracked at the state level via a separate education account. Thus, revenue inflows and outflows from the sales of schools, the servicing of bonds, the payment of ESA subsidies and the taxpayer funding for education will flow through this account. Funding shall be allocated to maintain an adequate balance in this account.

EXHIBIT D

EDUCATION SAVINGS ACCOUNTS

An Education Savings Account (ESA) will be established for each child who will be its permanent owner. ESA earnings and deposits will be Pennsylvania-tax-free (somewhat like an IRA). Anyone may make deposits into an ESA. ESA withdrawals may be used only to pay for bona fide educational expenses of the ESA owner such as tuition, books, and transportation strictly to/from schools or colleges.

Beginning with kindergarten, an amount equal to the median amount that parents actually spent for education in the prior school year will be deposited by the Commonwealth into each minor citizen's ESA during July for use the following school year. The amount will vary by age/grade level and be determined from the monitoring of ESA expenditures. Subsidization will end upon the eighteenth birthday of the (formerly) minor citizen. Since the median amount spent the prior year will not be available the first year, \$11,500 will be the initial subsidy. This amount is slightly more than the average tuition charged by non-elite private schools plus transportation, and can be provided by current federal and state funding alone, and without any local school property taxes.

Unspent ESA balances will roll forward to future years or may be transferred to any other ESA. Parents will have control of the ESAs of their minor citizens. Upon age 18, ESA control will transfer to the new adult citizen. An ESA may be dissolved after age 27, and must be dissolved by age 35. When dissolved, any residual balance becomes the taxable income of the ESA owner.

All schools will be private schools. The schools will compete to provide the best possible education at the lowest price. Their "funding" will be unquestionably "fair" as they will have earned the tuition dollars parents pay them when voluntarily choosing a school for their children. There will be full school choice. Schools will be very attentive to their customers' (parents) needs and desires.

Varying student needs will be better served by specialized schools instead of the current one-size-fits-all unresponsive monopoly. Free market mechanisms will sort all that out and optimize it. "Bad" schools will quietly go out of business or be acquired and rejuvenated under new management; note that this is a critically important function of the free market economic system that is completely missing with the government monopoly where horrible schools never die.

Parents may educate their children in any way they see fit, including home schooling. There is absolutely no way to know how low education costs can be or how well children can be educated until the proven free market economic system shows us.

The balances in the ESAs are specifically not the business of the state. The only proper government interest is to ensure that ESA funds are spent for bona fide educational expenses of its owner, determining the median amount spent by parents each year, and in ensuring that parents actually are educating minor citizens so they will be well prepared to succeed as adults.

EXHIBIT E

THE PENNSYLVANIA SCHOLASTIC STANDARDS BOARD

1. Schools are free to teach whatever they believe is appropriate. However, they must teach a minimum set of skills and factual knowledge that will enable Minor Citizens to succeed as adults. A Pennsylvania Scholastic Standards Board (PSSB) will establish and maintain academic standards for a core curriculum for the education of Minor Citizens.

2. The PSSB shall be comprised of twenty-one members divided into three classes of seven each. Each member shall serve a term of six years. The terms shall be staggered so that a class of seven will be empaneled in June of every even-numbered year. PSSB members will be elected one member per Pennsylvania State Senate District at a time, on a numeric rotation basis by District number, as classes come due for replacement or when vacancies occur. The PSSB will elect its own chair, vice chair, and secretary in July of even-numbered years.

3. All PSSB members must be United States citizens, and no member of the PSSB may have any other connection, direct or indirect, past or present, with any government or quasi-governmental body. A minimum of eleven PSSB members must be parents of Minor Citizens. A minimum of seven PSSB members must be professional educators. A minimum of seven PSSB members must be drawn from business management. Individual PSSB members can be part of more than one of these groupings. School managements are encouraged to submit names of qualified nominees. Whenever it is a District's turn to elect a PSSB member, the following procedure is to be followed:

3.1 If the number of PSSB members who are parents of Minor Citizens is currently less than eleven, the District must elect a new member who is a parent of a Minor Citizen.

3.2 If the number of PSSB members who are professional educators is currently less than seven, the District must elect a new member who is a professional educator.

3.3 If the number of PSSB members who are professional educators is seven or more, but the number of PSSB members who are business managers is currently less than seven, the District must elect a new member drawn from business management.

3.4 If the requirements for eleven or more parents and seven or more professional educators and seven or more business managers are all met, the District may elect any Citizen they consider best qualified.

4. Each PSSB member shall receive a competitive salary to be determined by law and shall be reimbursed for bona fide PSSB expenses upon the filing of weekly expense reports. They shall receive no other remuneration or benefits whatsoever, excepting dividends and interest from private investments they may hold. All salaries and expenses, including contracts with consultants and/or testing companies, shall be borne by the Commonwealth.

5. The PSSB shall contract with private professional educational testing companies for the creation, calibration, and maintenance of a battery of standardized achievement tests. Tests shall deal only with factual historical and scientific information and shall scrupulously avoid subjectivity and matters of opinion. The tests shall be designed to provide a valid measure of each student's proficiency in each major core curriculum subject and at each grade level. In a theoretically average case, a student would rank at the fiftieth percentile every year in each subject area and overall. An increase in the percentile ranking from one year to the next will indicate faster-than-normal progress during the immediately preceding year, while a decrease will reveal slower-than-normal progress. Thus, the PSSB tests provide an objective measure of the performance of students, teachers, and schools.

6. The core curriculum subjects shall be as follows:

6.1 English language reading and writing

6.2 Mathematics

6.3 Science (physics, chemistry, biology, with emphasis on the scientific method and rational thinking)

6.4 Economics (microeconomics only) and understanding the free market economic system

6.5 Computer science

6.6 World, United States, and Pennsylvania geography

6.7 World, United States, and Pennsylvania history

6.8 Civics, including understanding of the United States and Pennsylvania Constitutions and the principles upon which they are based

7. Each Minor Citizen's annual test results in each subject area shall be sent to the parents of that Citizen. The aggregated test results by subject for each school shall be made public each year.

EXHIBIT F

EXTREMELY LOW-PERFORMING SCHOOLS

Multiple Pennsylvania public schools continue to report extremely low proficiency rates on PSSA and Keystone Exams. In recent reporting years, numerous schools (particularly in high-poverty urban and certain rural districts) have recorded proficiency rates in the single digits or near zero in one or more core subjects (ELA, Mathematics, Algebra I, Literature, or Biology). While exact year-to-year counts of schools with 0% proficient vary and require the full PDE school-level data files for precise enumeration, the existence of schools with zero or near-zero proficiency in core subjects is documented in PDE school-level results and contemporaneous analyses. The worst-performing districts routinely show 70–80%+ of students not proficient in both reading and mathematics. Even higher-performing districts typically leave 15–25% of students below proficiency.

EXTREMELY LOW-PERFORMING SCHOOLS – SCHOOLS WITH ZERO OR NEAR-ZERO PROFICIENCY

Pennsylvania Department of Education (PDE) school-level data and contemporaneous reporting for the 2024-25 assessments document multiple public schools with zero or near-zero proficiency rates on core subjects.

Documented examples from 2024-25 results include:

- Roberto Clemente Charter School (Lehigh Valley area): 0% proficient or advanced on the Keystone Literature exam; 0% proficient or advanced on the Keystone Algebra I exam (among tested students).
- Innovative Arts Academy: 0.6% proficiency in mathematics on the PSSA.
- Additional schools (including certain Allentown-area middle schools and charter schools such as Trexler Middle School and Arts Academy Charter School) recorded proficiency rates under 5% in mathematics or other core subjects.

BROADER PATTERNS:

In high-poverty districts, proficiency gaps versus low-poverty districts reach approximately 33–35 percentage points in ELA and mathematics.

Pittsburgh Public Schools (statewide second-largest district) recorded overall 2024-25 rates of approximately 39.3% proficient/advanced in ELA PSSA, 27.8% in math PSSA, 33.8% in Keystone Algebra I, 35% in Biology, and 54.4% in Literature.

Numerous individual schools and several districts continue to post single-digit or low-teens proficiency rates in one or more core subjects, leaving the large majority of their students below grade-level standards.

While the exact statewide count of schools reporting precisely 0% proficient varies by subject and year (and is best verified from the full PDE school-level Excel files), the existence of schools with zero or near-zero proficiency in reading, mathematics, Algebra I, Literature, or

Biology is a recurring and documented feature of recent results. These outcomes persist despite elevated per-pupil spending.

PRIMARY SOURCES:

PDE 2025 Keystone Exam School-Level Data and PSSA School-Level Data (available at pa.gov/education/assessment reporting).

Local and statewide reporting on 2025 results (e.g., The Morning Call / Lehigh Valley analysis, Pittsburgh Post-Gazette, other district-level summaries).

EXHIBIT G
EDUCATIONAL COST ESTIMATES

SPENDING

Public School Per-Pupil Spending

- U.S. Census Bureau (FY 2024): Pennsylvania current spending per pupil $\approx$ \$21,091.
- Commonwealth Foundation and related analyses of PDE Annual Financial Report data: total revenue per student reached approximately \$24,000 in 2023–24 (and has continued to rise with subsequent budget increases).
- This places Pennsylvania among the higher-spending states nationally (roughly 11th–12th).

Non-Elite Private School Tuition

- Average private school tuition in Pennsylvania (2025–26 data): approximately \$14,954 overall.
- Elementary average $\approx$ \$13,000; high-school average $\approx$ \$19,000.
- Many non-elite, religious, and independent private schools charge substantially less—frequently in the \$8,000–\$13,000 range—consistent with the Petition’s approximate \$11,000 figure for non-elite options (plus transportation).

COMPARISON:

Public per-pupil expenditures are roughly double (or more) the tuition charged by a large segment of non-elite private schools, while delivering proficiency rates in which half or more of students fail to reach grade-level standards.

SOURCES:

U.S. Census Bureau Annual Survey of School System Finances (FY 2024); Commonwealth Foundation reports; Private School Review / Pennsylvania private-school tuition aggregates (2025–26).

EXHIBIT H
FUNDING INVERSELY RELATED TO SCHOOL PERFORMANCE

The original Standard and Poor's 2002 study explaining how school funding is inversely related to school performance is no longer available on the web. However, a contemporary 2002 article in Education Week reports on the study, explaining that "from 1997 to 1999, 60 percent of Pennsylvania school districts with above-average scores on the state's accountability exams had below-average spending, the report says. On the other hand, nearly a third of all school districts with above-average spending had below-average scores."

The article goes on to explain that "Pennsylvania's current rate of return 'suggests that additional spending, on its own, is not likely to enable all students to meet state standards.' The report goes on to say that more 'fundamental and perhaps structural changes (emphasis not in original) may be needed to maximize the impact of incremental spending on student achievement.' "

The full Education Week article can be found at <https://www.edweek.org/policy-politics/standard-poors-studies-school-spending-in-pennsylvania/2002/05>.

EXHIBIT I
JOINT 2026 SCHOOL TAX PAYMENT RECEIPT
FOR KENNETH V. KRAWCHUK AND ROBERTA L. KRAWCHUK

07/01/26 - 06/30/27 SCHOOL REAL ESTATE TAXES

Mail Date: 07/07/2026

MAKE CHECKS PAYABLE TO:
ABINGTON TOWNSHIP TAX COLLECTOR
1176 Old York Rd, Abington, PA 19001

Abington Township
Karen M. Sanchez, Tax Collector (267) 536-1024
HOURS: 8:00 AM to 4:00 PM MON-FRI
24 HOUR DROP BOX AVAILABLE

COUNTY ASSESSMENT	PARCEL NO.
109,500	

Parcel Number **MUST**
Be On Your Check.

109,500	X 39.8992	School Mills	\$4,368.96
109,500	X 1.3738	Referendum Mills	\$150.43
COUNTY ASSESSMENT	109,500	Tax Liability	\$4,519.39
S D Homestead Exclusion	13,016	Homestead Tax Reduction	\$537.21
Net Assessment	96,484	Net Tax Amount	\$3,982.18

DESCRIPTION OF PARCEL	
PAYMENT METHOD	
Date:	
☒ Check	Bank: <u>SOFI</u>
	Check #: <u>242</u>

IF PAID ON OR BEFORE SEPT 9, 2026 taxes are paid at 2% Discount \$3,902.54	IF PAID ON OR BEFORE NOV 9, 2026 taxes are paid at Face \$3,982.18	IF PAID AFTER NOV 9, 2026 taxes are paid at a 10% Penalty \$4,380.39
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OR

KRAWCHUK KENNETH & ROBERTA L

INSTALLMENT METHOD 1ST PAYMENT
DUE ON OR BEFORE **AUG 17, 2026**
\$1,327.40

PLEASE RETURN THIS PORTION WITH YOUR PAYMENT - TEAR AT PERFORATION

PLEASE KEEP THIS PORTION FOR YOUR RECORDS

- IF A BANK OR MORTGAGE COMPANY ESCROWS YOUR TAX MONEY, PLEASE FORWARD THIS BILL TO THEM IMMEDIATELY.
- Please include phone number or email on your check to aid in communication with our office.
- Taxes are due and payable as prescribed by law, whether or not a tax bill has been received by the taxpayer. The Tax Collector will not be held responsible if a bill is not received.
- In order to earn discounts or avoid penalty, payments must be postmarked by the U.S. Postal Service on or before the payment due dates as shown on this bill.
- IF YOU ARE USING A "BILL PAYING" SERVICE FOR DISCOUNT/FACE/PENALTY PLEASE ALLOW TIME FOR PROCESSING (7-10 DAYS) BEFORE DUE DATE. BILL PAY CHECKS WILL NOT BE ACCEPTED DATED AFTER DECEMBER 15, THESE ARE CONSIDERED PERSONAL CHECKS.
- Personal checks will not be accepted between December 15 and December 31. ONLY GUARANTEED FUNDS (MONEY ORDER OR BANK CHECK) WILL BE ACCEPTED.
- If a receipt is desired you must return both copies of the tax bill with a self-addressed stamped envelope.
- If a check is returned for any reason you must pay \$25.00 fee to Abington Township Tax Collector.
- CASH PAYMENTS WILL NOT BE ACCEPTED.
- Online payments through the Township's website, abingtonpa.gov (go to the Tax Office webpage) or by calling 1-866-874-9602. Payments may be made using Visa, MasterCard, Amex or Discover cards. Additional charges will apply. ONLINE PAYMENTS THRU THIS SITE WILL NOT BE ACCEPTED FROM DECEMBER 15 - DECEMBER 31, THE SITE WILL NOT BE AVAILABLE.
- Installment payers: For those electing the installment method see enclosed instructions.
- 24-HOUR DROP OFF SLOT - Located outside the main entrance of the Township Building or in the hallway outside the Tax Office. If a receipt is required, include a stamped self-addressed envelope.
- The Township building is handicapped accessible.
- Notice: Your Property is assessed by the Montgomery County Board of Assessments. This office only collects the taxes. 1 MILL=\$1.00 per \$1,000.00 ASSESSED VALUE.

For those homeowners who are eligible:

Property Tax Relief Notice: This tax bill includes a tax reduction for your homestead and/or farmstead property. As an eligible homestead and/or farmstead property owner, you have received tax relief through a homestead and/or farmstead exclusion, which has been provided under the Pennsylvania Tax Relief Act, a law passed by the Pennsylvania General Assembly designed to reduce your property taxes. (The tax reduction has been funded from slot money tax revenue received from the state.)

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.

Kenneth V. 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.

Roberta L. Krawchuk

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.

Kenneth V. Krawchuk

VERIFICATION

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.

Roberta L. Krawchuk