



Does the Pa. school consolidation law need an overhaul?

Summary: A study by an education advocacy group called EdBuild examined the consolidation laws of the 50 states and the ways in which the composition of school districts can be altered. Given past experience, consolidations in Pennsylvania seem very unlikely.

The U.S. Census of Local Governments shows that from 1952 to 2012 the number of school districts in the nation decreased from 67,355 to 12,880 (81 percent) through consolidation (this will be used as the blanket term for consolidation, merger, annexation, etc). Much of the decrease came between 1952 and 1972 when the total count of school districts fell by 51,574.

In 1952 there were 15 states, including Pennsylvania, which had at least 2,000 school districts each, with 57,262 school districts total. Two decades later the total in those states had fallen to 10,341 and only four (California, Illinois, Nebraska and Texas) maintained more than 1,000 districts at that point. Only California and Texas had more than 1,000 districts as of the 2012 census.

Compared to earlier decades, the pace in school district consolidation has slowed considerably. Since 1992 the only significant decreases in school districts (at least 20 percent between census years) occurred in Arkansas, Minnesota, Montana, Nebraska and Oregon.

In Pennsylvania, school district consolidation was driven by two acts of the General Assembly in the 1960s. Those led to the reduction in the number of districts from 2,506 to 528 by 1972, eventually working down to 501. The current statutory language on “combination of school districts” permits two or more school boards to pass resolutions indicating a desire to combine. That is followed by an application to the state Board of Education which then approves or denies the application with recommendations. The Central Valley School District combination between the Monaca and Center school districts a decade ago was carried out under this language and brought the state’s district count to the current 500.

That is the lone example of a voluntary consolidation to date. The EdBuild study noted that three districts in Allegheny County (Clairton, Carlynton and Moon) that wished to consolidate in the years 2011 through 2014 could not find a willing district to go along with the request. Allegheny County has two districts where part of the education program has been shuttered and students assigned to different districts. This occurred in the Duquesne School District and more recently in the Wilkinsburg School District. These occurred outside of the current combination law. Where Pennsylvania's financial recovery statute (Act 141 of 2012) mentions consolidation it refers to intra-district functions rather than consolidating a financially troubled district with a solvent one.

The study presents a typology of the 50 states based on whether existing state laws have provisions for mandatory consolidation that can be carried out by state directive, voluntary consolidation that can be carried out by school districts either through their boards or voter approval and if incentives are offered by states to districts that do consolidate.

Hawaii has one statewide school district and Maryland has countywide districts but no language in state law on either mandatory or voluntary consolidation, so both are omitted. Of the 48 remaining states, one state, South Carolina, has language in state law pertaining to mandatory consolidation only. There are eight states that have mandatory consolidation provisions but also permit voluntarily consolidation. That leaves 39 states, including Pennsylvania, where consolidation is an entirely voluntary matter with no mandatory consolidation language in state law. In states with pure or mixed voluntary consolidation there is involvement by either the voters of each affected district, the school boards of each affected district or both, along with some state-level education official or board.

Where there is mandatory consolidation language on the books it is usually predicated on enrollment (South Dakota), academic performance (Oklahoma) or finances (Kentucky and Washington) or some combination of those factors.

Of the 39 states that are purely voluntary consolidation states, 21 of these offer incentives for consolidation or enhanced state aid to consolidated districts, often for a limited period of time. Pennsylvania maintains small district assistance if a district received it prior to a consolidation for a period of five years for the new consolidated district. In Ohio state aid is guaranteed for three years and, in some instances, debt may be canceled, according to the study.

Over the years there have been suggestions that Pennsylvania transition to countywide districts like Maryland, West Virginia and Florida. A 2007 study that examined the optimal size for a school district in Pennsylvania found that economies of scale were achieved when districts reached around 3,000 pupils. Currently 323 districts have an enrollment less than that. Not long after the study the governor at the time suggested a reduction to 100 districts with a mixture of countywide and multi-municipal districts, a plan that that did not go very far.

The Allegheny Institute has looked at the consolidation issue. A priori arguments for consolidation include potential cost savings, economies of scale, enhanced educational offerings and elimination of duplicative functions.

On the other hand, few consolidations occur because there are deep seated local objections and serious economic reasons for not pursuing consolidation. First, there are union contract differences (including pay scales, work rules, pension and other benefits) that can lead to impossibly difficult mergers of the workforces. Second, school board membership post-consolidation could be extremely problematic, particularly if the districts are very different in size. Third, there may be different tax rates and debt levels that could and likely would be an impediment. And fourth, for many communities, the schools can be and often are a source of local identity and pride, especially with athletics and team loyalty.

Those obstacles to consolidation have been in play and have largely forestalled voluntary consolidations. And they will be in the forefront in any debates over proposed legislation to mandate consolidations.

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