



CHESTER COUNTY LEGISLATIVE UPDATE

May 2021

CCSBLC Meeting Agenda

1. Welcome & Introductions
2. Level Up Resolution
3. Legislative Update
4. Other Noteworthy Items
5. Roundtable Discussion
6. Next Meeting: June 23, 2021



Governor's Budget

\$1.3 billion proposed
increase to BEF

\$200 million proposed
increase to SEF (\$187
million) through the
formula; \$13 million
for the contingency
fund

\$30 million proposed
increase
to early childhood

\$11 million proposed
increase for Early
Intervention

Early Budget

HB 433, **HB 935**, **HB 936**, SB 171, SB 255

Charter School Reform Policy (HB 272)

\$99 Million Savings

- Apply Act 16 SE categories to charter school students/tuition
- SEF Commission recommendation

\$130 Million Savings

- \$9,500 statewide cyber charter tuition rate
- Current range is from \$9,170 to \$22,300

Redirection Process

- Clear timelines and processes in redirection process
- Transparency and fairness for SDs and CSs

Charter School Reform

1. The Governor held several press conferences on charter school reform last week and has been really pushing this lately, interestingly right before the budget. Current proposals out there are:
 1. HB 272 (Rep. Ciresi) and SB 27 (Sen. Williams) – mirror the governor’s reform plan, including:
 1. Establish performance standards that hold charter schools accountable for the educational outcomes of students and a moratorium on new cyber charter schools.
 2. Cap student enrollment in low performing cyber charter schools until outcomes improve.
 3. Require charter management companies be subject to the Right to Know Act, State Ethics Act, and post employee salaries on PDE's website, similar to requirements already in place for public school districts.
 4. Create fair, predictable, and equitable funding for school districts, including in the areas of special education funding and cyber charter tuition payments.

Charter School Reform Savings to Chester County

School District	Linking special education funding to the same tiers that apply to traditional public schools to better reflect educational need	Instituting statewide cyber charter tuition rates	Overall Savings/ Overall Loss
Avon Grove SD	-\$133,938.74	\$211,592.98	\$77,654.24
Coatesville Area SD	\$13,343,617.70	\$1,708,636.93	\$15,052,254.63
Downingtown Area SD	\$450,533.70	\$480,513.71	\$931,047.41
Great Valley SD	\$43,335.39	\$505,182.21	\$548,517.60
Kennett Consolidated SD	\$134,034.76	\$355,231.25	\$489,266.01
Octorara Area SD	\$78,851.70	\$491,554.60	\$570,406.30
Owen J Roberts SD	\$143,037.96	\$699,738.61	\$842,776.57
Oxford Area SD	\$387,871.29	\$503,325.95	\$891,197.24
Phoenixville Area SD	\$274,241.60	\$271,231.34	\$545,472.94
Tredyffrin-Easttown SD	\$12,771.80	\$351,474.39	\$364,246.19
Unionville-Chadds Ford SD	\$163.14	\$470,659.76	\$470,822.90
West Chester Area SD	\$691,384.59	\$820,174.41	\$1,511,559.00
Total Chester County	\$15,425,904.89	\$6,869,316.14	\$22,295,221.03

Charter School Reform

Rep. Topper memo on charter reform. Right now we only have a summary of what the bill will look like, as exact language is not yet available. But based on the memo, Topper's bill looks very different from the governor's plan. Here is the memo Rep. Topper has put out:

The legislation will address several provisions in the Charter School law, including:

- 1. Strengthening the ethical requirements for charter schools.*
- 2. Allowing charter school entities to administer their standardized tests (PSSA, PASA and Keystone Exams) via electronic means.*
- 3. Reinstating the Charter School Reimbursement line-item in the 2021-22 state budget to offset the financial impact that school districts have felt with nearly 170,000 students now enrolled in public charter schools.*
- 4. Encouraging collaboration between school districts, charter schools, career and technical centers, intermediate units and post-secondary institutions by removing structural barriers in the law that stifle the sharing of innovative practices, cost-saving initiatives and professional development/diversification strategies. Standardizing the process for the creation of new charter schools, renewing charter agreements and amending charter agreements. This includes standard applications and timelines to ensure equity and predictability for school districts and public charter schools.*
- 5. Clarifying the enrollment process and procedures to ensure every student in Pennsylvania has equal access to a public charter school, as prescribed in the law.*
- 6. Providing public charter schools with greater autonomy to determine where their students are educated and the configuration of their school buildings.*
- 7. Allowing school districts, brick-and-mortar charter school and regional charter school to implement the lessons learned during the pandemic and offer their students virtual instruction without being required to establish a cyber charter school.*

House Education and House Human Services Committees

Joint hearing on secondary student mental health services

Monday, May 24

HB 404: Children's Mental Health Ombudsman. The bill establishes a statewide children's mental health ombudsman. This ombudsman will have the authority to:

1. advocate on behalf of children with mental health disorders;
2. identify barriers to effective mental health treatment;
3. monitor compliance with laws pertaining to children's behavioral health services; and
4. receive, investigate and attempt to resolve complaints regarding violations by regulated entities and government agencies that may have an adverse effect upon the health, safety, welfare or rights of children.

The ombudsman would receive complaints, and annually provide to the governor and legislature an analysis of patterns in the complaints and make recommendations for legislation, policy or programmatic changes related to the protection of the rights of children with mental health disorders. **This bill has been around for several sessions, and interest in both this bill and in HB 409 is likely sparked by the widespread discussion about the impact of the pandemic on students' mental health.**

HB 409: Mental Health Clearinghouse. The bill would establish a mental health care services clearinghouse to serve as a publicly accessible registry of mental health care resources available across the Commonwealth and to assist school personnel in connecting families to community mental health resources. It also would allow school personnel to learn about and take advantage of existing programs and resources for their schools. **We understand that the introduction of this bill was precipitated by local concerns about the availability of information regarding mental health services and programs. It would place that information in a centralized, accessible place.**

House Education Committee

May 26, 2021

[SB 664](#) **(Corman): Optional Year of Education.** The bill would allow parents the option to have their child repeat a grade level during the 2021-2022 school year due to COVID-19. The bill also would extend that option to parents of special education students, specifically allowing students, who may have reached 21 years of age on or after the issuance of the proclamation of disaster emergency, to continue to be enrolled in school for the remainder of 2021-2022 school year. SB 664 was passed by the Senate, 48-0. It passed out of the House Education Committee; First consideration; laid on the table.

House Education Bills

HB 358: Dual Enrollment. The bill allows charter schools, regional charter schools, cyber charter schools and career/technical schools to offer dual enrollment programs to their students as do school districts under current law. Reported as amended. Passed the House (182 to 19)/Referred to Senate Education.

HB 602: CTE Investment. The bill creates the Career and Technical Education Investment Incentive Program that would provide tax credits to businesses that contribute to career and technical partnership organizations. Business contributions could be used to provide career and technical education scholarships or the purchasing of industry standard equipment. Reported as amended. First and 2nd Consideration; referred to House Appropriations Committee.

HB 1013: High School Transcripts. The bill requires the inclusion of Career Technical Education (CTE) certifications on a student's high school transcript beginning in the 2020-21 school year. Reported as amended. Passed unanimously in the House (201/0); Referred to Senate Education Committee.

HB 1041: Homeschool Students and CTEs. The bill requires a school district to permit a home school student to participate in the district's co-curriculum activities and in area career and technical education programs. Reported as amended. First and second consideration; rereferred to House Appropriations.

House Education Bills

HB 232: Changing a District Name; *amended and approved*. The School Code bill permits a school district to change its name. HB 232 was amended to require a 2/3 vote by a school board to approve a name change. First consideration; Set on the House Calendar.

HB 365: School Code Edits; *approved*. The bill amends the School Code to update outdated terminology regarding students with disabilities to conform with modern usage. *This bill was introduced last session. Passed the House (200 to 1); referred to Senate Education Committee. First and Second Consideration; rereferred to Senate Appropriations Committee.*

HB 416: First Aid Training; *approved*. The bill amends the School Code to require school nurses to complete a Department of Health approved online course of instruction or in-person training for school nurses regarding management of a student with seizures that includes information about seizure recognition, a seizure action plan and related first aid, beginning with the 2021-22 school year. The bill also requires the Department of Health to make available to school staff training via an approved course in seizure recognition for continuing education credit. *Passed the House (201 to 0); Reported from Senate Education Committee; first consideration; set on Senate Calendar.*

HB 412: Substitute Teacher Flexibility; *amended and approved*. The bill amends the School Code to provide school entities with day-to-day substitute teacher by providing that an individual holding a day-to-day substitute permit issued by the Department of Education or by a chief school administrator may serve as a day-to-day substitute in any certificate area for a period not exceeding 20 days of substituting for a professional employee and require a long-term substitute permit issued by the PDE or chief school administrator. The bill also allows an individual holding a day-to-day substitute permit to serve as a day-to-day substitute for more than one professional employee within a school year, even if the individual serves as a substitute for more than 20 cumulative days, and eliminates the sunset date for prospective teachers to substitute teach. As amended in committee, the bill extends the inactive certification to be valid for 180 days. *Passed the House (201 to 0); referred to Senate Education Committee. Reported from SEC; First and Second Consideration; rereferred to Senate Appropriations Committee.*

House Finance Bills

SB 73: School Mandate Waiver Program. The bill would reinstitute the mandate waiver program similar to the program which operated from 2000 to 2010. The program would allow public schools to apply to the Department of Education for a waiver of many state-imposed mandates. PDE can approve a waiver if the public school can prove that its instructional program will improve or the school will operate in a more effective, efficient, or economical manner. The application would require supporting data showing the benefits to the waiver.

Senate Education Bills

March 23, 2021

[SB 83 - \(PN 61\)](#) Fire Education Training Pilot; amended and approved. Amends the Public School Code, in terms and courses of study, establishing the Secondary Education Fire Training Pilot Program to provide high school students with instruction through a partnership between institutions of higher education and school districts or area career and technical schools, or both, to increase the number of individuals capable of becoming volunteer firefighters. Provides for the responsibilities of the state fire commissioner and requirements on selected institutions of higher education related to the pilot program. Establishes a non-lapsing account within the state treasury as the Fire Training fund and provides \$150,000 for each selected institution offering the pilot program.

Provides that the Legislative Budget and Finance Committee shall conduct a survey of volunteer fire companies in the municipalities surrounding the school districts and area career and technical schools that participate in the pilot program to determine whether the pilot program is increasing the number of volunteer firefighters and any additional recommendations. Effective immediately. - The bill was unanimously reported as amended.

A00476 by Brooks, strikes out 2021 as mentioned in the bill and inserts 2022. The amendment was unanimously adopted.

Passed the Senate; referred to House Education Committee.

[SB 224](#) Bartolotta, Camera - (PN 194) Amends the Public School Code, in certification of teachers, repealing certificates issued by other states and providing for out of state applicants for certifications. Provides that candidates from other states seeking Pennsylvania certification must hold a valid and current instructional certification issued by another state or hold a valid certificate issued by the National Board for Professional Teaching Standards. Effective in 60 days. - The bill was unanimously reported as committed. On the Senate Calendar for May 10

First and Second Consideration; rereferred to Senate Appropriations Committee.

Senate Education Bills

March 23, 2021

SB 247: Religious Garb in Schools. The bill would repeal Section 1112 of the Public School Code of 1949, which prohibits a teacher from wearing any garb, mark, emblem or insignia that would indicate he or she is a member of or adherent to any religious order or sect while in the performance of their duties as a teacher. A teacher who violates this ban must be suspended from teaching for a term of one year, or permanently disqualified from teaching after multiple offenses. Furthermore, under current statute, a public school director can be held criminally liable for failing to enforce this prohibition. Passed unanimously in the Senate; referred to House Education Committee.

SB 351: Community Engaged Schools. The bill would create a pilot program in which schools can be designated as a Community Engaged School by the Secretary of Education. The school will then appoint a program manager to implement a community engagement plan and to serve as the point of contact to facilitate the relationship between the school and community. *First and Second Consideration; rereferred to Senate Appropriations Committee.*

SB 381: Substitute Teacher Program. The bill would make permanent the provisions of Act 86 of 2016, created an opportunity for prospective educators to serve as substitute teachers for a limited time by allowing schools, intermediate units and area career and technical schools with the option to utilize individuals training to be teachers to serve as a substitute teacher, provided the individual has valid clearances and at least 60 credit hours. The temporary program is set to expire on June 30.

Passed the Senate; referred to House Education Committee.

Senate State Government

Senate Bill 552 (Sen. Dush, R-Jefferson) – Vexatious requestor: would create a new process by which agencies may petition the Office of Open Records (OOR) for relief from a vexatious requester. Vexatious requesters are individuals who use the RTKL with malicious intent to intimidate, harass, or punish an agency, which results in bogging down the agency and wasting taxpayer resources. Reported from committee on April 27; *First and Second Consideration; rereferred to Senate Appropriations Committee.*

Senate Bill 312 (Sen. Brooks, R-Mercer) Fees for commercial requests: Would permit agencies such as school districts and local governments to charge reasonable fees which can be assessed for the search, review, and compilation of records which are requested for commercial purposes. Currently, the law only allows to charge for duplication and mailing costs. Introduced and referred to Senate State Government Committee. Reported from committee on April 27; First consideration; set on Senate Calendar for May 26.

SB 554 (Sen. Stefano, R- Fayette, Somerset and Westmoreland) Sunshine Act: Would require that agencies make their meeting agendas available to the public. Once the agenda has been finalized and posted for the public, the agency may not take any official action on any item that is not listed on the notice, except in emergency situations or to consider matters that are de minimis in nature. *First and Second Consideration; rereferred to Senate Appropriations Committee.*

Legislative Update

SB1 Excellence in Education for All Act (SCO 670 - Voucher Co-Sponsorship Memo)

- The Excellence in Education for All Act Co-Sponsorship memo
 - Sponsored by Senator Scott Martin, Senate ED Chair
 - Education Opportunity Accounts for PA's most vulnerable students
 - Expansion of the existing EITC/OSTC tax credit scholarship programs
 - Charter school reforms and innovations
 - Equal access to the best public education, regardless of ZIP code
 - Protections for coronavirus learning pods
- Bill is not yet introduced and not yet available to be reviewed
- Still waiting for the bill to be introduced in committee; Bill is expected to move quickly out of committee once introduced.

Other Noteworthy Items

- 2030 Commission on Education and Competitiveness
- Senator Aument (R-Lancaster), Senator Martin, Chair of Senate Education Committee (R- Lancaster), and Vince Hughes, Minority Chair of the Senate Appropriations Committee (D-Philadelphia/Montgomery) are likely to introduce memorandum next week seeking co-sponsorship. The Commission will be chaired by both Republican and Democratic leaders from the House and Senate and will be tasked with re-imagining Pennsylvania's education system for the next decade. While we will hear much more about this in the coming weeks, as of today, most legislators and other education groups are not aware of the plans for the Commission.

Calendar

1. Scheduled Session Days

- ***Senate:***

- ***June:*** 7, 8, 9, 14, 15, 16, 21, 22, 23, 28, 29, 30

- ***House:***

- ***June:*** 7, 8, 9, 14, 15, 16, 21, 22, 23, 24, 25, 28, 29, 30

2. Next CCSBLC Meeting: June 23, 6:30 – 8 p.m. via Zoom

The background is a dark teal color. It features several light gray, semi-transparent speech bubble ornaments hanging from the top. The ornaments are in various shapes: a cloud-like bubble on the left, a rectangular bubble with a tail in the upper center, a large oval bubble on the right, and several smaller, less distinct bubbles in the background. Each ornament is suspended by a thin, light-colored cord.

Closing Comments