



# CHESTER COUNTY LEGISLATIVE UPDATE

February 2023

# CCSBLC

## Meeting Agenda

### Agenda

Wednesday, January 25, 6:30 p.m.

1. Welcome & Introductions  
Bill Wood, CCSBLC Chair
2. Legislative Update – Mary Jeanne Curley
3. Roundtable Discussion – Bill Wood
4. Adjournment – Mary Jeanne Curley



# Commonwealth Court William Penn School District, et.al. vs. PDE, et.al.

Question was “whether the investment the Commonwealth of PA has made in its system of public education complies with the PA Constitution?”

The petitioners are a collection of six PA school districts, parents, students/ former students, and two organizations who asserted a constitutional challenge to the Commonwealth’s system for funding public K-12 education.

The court recognized that our schools require adequate funding to meet our constitution's mandate.



# Commonwealth Court Decision

Judge Jubelirer's decision is that there is a requirement, imposed by the Constitution, that every student receive a meaningful opportunity to succeed academically, socially, and civically, which requires that all students have access to a comprehensive, effective, and contemporary system of public education.

The judge also declared that the respondents have not fulfilled their obligations to all children under the Education Clause in violation of the rights of Petitioners;

- Students who reside in school districts with low property values and incomes are deprived of the same opportunities and resources as students who reside in school districts with high property values and incomes.
- As a result of these disparities, Petitioners and students attending low-wealth districts are being deprived of equal protection of law

# Commonwealth Court Next Steps

Judge declared that “It is now the obligation of the Legislature, Executive Branch, and educators, to make the constitutional promise a reality in this Commonwealth.”

1. Will there be an appeal to the Supreme Court?
2. How will Governor Shapiro respond in his budget address?
3. What is the best way to move forward with this positive outcome?
4. Many varying responses coming forward
  - some using it as a benchmark for privatization; some looking for a quick solution (BEF)

# PA House of Representatives

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Special Elections – Democrats are now in the majority at 102

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Speaker of the House?

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House Education Committee?

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**302 CoSponsorship  
Memos**

**Education  
Bills  
This Session**

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**21 Bills Filed**

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**2 Bills Passed the  
Senate**

# Education Bills - Filed

**SB 196 - (PLS Summary) (PN 173) The Public School Web Accountability and Transparency (SchoolWATCH) Act** provides within 90 days of the effective date, the Department of Education (PDE) shall publicly post on its website financial information for the public school entity from the most recent school year, a link to the most recent reports the school filed with PDE, a link to the school's website, and a statement instructing the public to contact a public school for access to a union contract. PDE shall post the information in a public and accessible manner. Effective immediately.

**SB 227 - (PLS Summary) - (PN 196) Joint Resolution proposing an amendment to the constitution**, prohibiting the passage of unfunded directives from the General Assembly concerning education passed through legislation. Requires new mandates enacted by statute, regulation or executive order that establish new education programs to provide for the program's implementation through the necessary funding. Constitutional amendments require approval in two consecutive legislative sessions and then approval by the voters through a referendum.

## **SB 263 - (PLS Summary)**

(PN 226) Amends the Public School Code establishing **the Military Education Scholarship Account**. The scholarship account program is established within the Department of Education (PDE) to approve or deny applications from eligible individuals to receive financial assistance; provides details for applying and receiving approval. Grant amounts are contingent upon the student's disability. Provides accountability over schools participating in the scholarship program. Resident school districts shall provide adequate information to PDE of and provide transportation for the grant awardee. Effective in 60 days.

(PN 226) Amends the Public School Code, providing for the Military Education Scholarship Account and imposing penalties. Establishes the Military Education Scholarship Account within the Department of Education (PDE). Provides for application requirements, application forms and review and approval by PDE. Directs the State Treasury to administer the Military Education Scholarship Account. Provides for terms of agreement, termination, automatic termination, number of separate agreements and explanations. Provides that the secretary shall deposit a grant for that school year in the Military Education Scholarship Account of the eligible student. Directs the Treasury to deposit the money for each grant in quarterly installments under a schedule determined by the Treasury. Identifies qualified education expenses. Directs the Treasury to develop a system that enables a parent to pay for services provided by participating entities under the program by electronic money transfer. Provides for the source of payment. Directs the Office of the Auditor General to conduct audits on the accounts. Provides for penalties from the Treasury if the money in the Military Education Scholarship Account is used for expenses other than a qualified education expense. Establishes accountability standards for participating entities. Effective in 60 days.



# Legislative Update – PA Senate

**SB 84 (Sponsors: Phillips-Hill & Schwank)** – This bill passed unanimously in the Senate on January 18. Protecting the First Amendment Right to Freedom of Religious Expression - Amends the Public School Code of 1949 to repeal the provision prohibiting public school teachers from wearing religious garb or insignia while in the performance of their duties. Currently, Section 1112 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, a public school director can be held criminally liable for failing to enforce this prohibition.

In the case *Nichol v. Arin Intermediate Unit 28* in the United States District Court, W.D. Pennsylvania held that Arin Intermediate Unit 28's religious affiliations policy violates the Free Exercise of Religion and Free Speech Clauses of the First Amendment to the United States Constitution. The teacher was suspended pursuant to the Garb Statute and Arin's religious Affiliations policy from her job as an instructional assistant for refusing to comply with her supervisor's request that she remove or conceal a small cross she regularly wore on a necklace. As a result of the ruling, the plaintiff was rehired with back pay. Based on this decision, Section 1112 is no longer warranted.

**SB 114 (Brooks)** – This bill passed unanimously in the Senate on January 18. Firefighter Training Pilot Program for High School Students - Amends the Public School Code of 1949 to establish a pilot program to provide fire training to secondary school students through institutions of higher education. This bill would create a pilot program for community colleges and universities in the PA State System of Higher Education (PASSHE) to give interested high school students training in firefighting. This legislation passed the Senate unanimously in April 2021, but was not considered by the full House before the close of session.

As documented in the SR 6 report, Pennsylvania is facing a severe shortage of volunteer firefighters, with the current number of volunteers down to less than 15% of the number of volunteers in the 1970s. By encouraging school districts to partner with institutions of higher education, we can help recruit and retain firefighters at a time when first responders are desperately needed. This legislation would award three grants of \$150,000 each, which would be distributed to three community colleges or PASSHE schools in the Commonwealth, one in the eastern, central, and western parts of the state. The grants will be used to establish fire training programs for students in high school during the school year, with the hope they will remain firefighters for years to come.



## CCSBLC ROUND-TABLE DISCUSSION

1. Commonwealth Court Decision - Fair Funding
2. Charter/Cyber Charter School Reform
3. School Vouchers/School Choice
4. General School District Legislative Advocacy
5. Open Discussion

# 2023 Session Days PA House and Senate

February 21, 22, 23 – (House Only)

February 27, 28, March 1 – Both Chambers

**March 6, 7 (Governor's Budget Address), 8 – Both Chambers**

April 24, 25, 26 – Both Chambers

May 1, 2, 3 - Both Chambers

May 8, 9, 10 (Senate Only)

May 22, 23, 24 (House Only)

June 5, 6, 7 - Both Chambers

June 12, 13, 14 (House Only)

June 19, 20, 21, 22, 23 – Both Chambers (Senate only on 23)

June 26, 27, 28, 29, 30 – Both Chambers

# CCSBLC Calendar

1. Wednesday, March 22 (Virtual)
2. Thursday, April 20 - \*8:30 a.m. – 10:30 a.m.  
(Legislative Breakfast at the TCHS Brandywine Campus in Downingtown)
3. Wednesday, May 24 (Virtual)
4. Wednesday, June 28 (In Person)
5. July - No meeting - Legislature Not in Session.
6. August - No meeting - Legislature Not in Session.

