CCSBLC
Meeting Agenda

Agenda
Wednesday, September 28, 7:00 p.m.

1. Welcome & Introductions
   Bill Wood, CCSBLC Chair

2. Act 55 and Title XI
   Amy T. Brooks, Wisler Pearlstine
   1. Act 55 of 2022 (School Code Bill)
   2. Title IX Federal Regulation Changes

3. Legislative Update – Mary Jeanne Curley
   1. Legislative Activity
   2. Upcoming Meetings & Events
   3. Legislative Priority Survey

4. Roundtable Discussion – Bill Wood
Amy T. Brooks, Partner
Wisler Pearlstine, LLP

Amy T. Brooks, the Firm’s Administrative Partner, is a member of the Education Law practice group. Her practice focuses on advising school administrators regarding legal issues in student services and special education.
Calendar – Session Days

Senate:
- **October** 17, 18, 19, 24, 25, 26
- **November** 15

House:
- **October** 24, 25, 26
- **November** 14, 15, 16

Last Session Day – November 20
HB 2524 – Vexatious Requestor
House Bill 2524 provides a process for agencies to seek relief from vexatious requestors. A vexatious requestor is defined as an individual whose sole intention in filing a request is to annoy or harass a local agency. In order to merit relief from such a requestor, a local agency shall be required to demonstrate clear and convincing evidence that a requestor’s sole intentions are to annoy or harass the local agency.

A local agency would be permitted to petition the Office of Open Records for relief; the petition would be submitted under penalty of 18 Pa.C.S. § 4904 (relating to unsworn falsification to authorities), be provided to both the Office of Open Records and the requestor alleged to be vexatious and shall detail the conduct which the local agency alleges demonstrates vexatiousness. Such information would include, as appropriate:

1. The number of requests filed;
2. The total number of pending requests;
3. The scope of the requests;
4. The nature, content, language, or subject matter of the requests;
5. The nature, content, language, or subject matter of other oral and written communications to the local agency;
6. Conduct that the local agency alleges is placing an unreasonable burden on the local agency;
7. Conduct that the local agency alleges is intended to harass the local agency;
8. Any other relevant information.

Passed the House; Amended in Senate Education; First consideration in Senate; Set on Senate Calendar October 17

HB 1813 – Military Families
House Bill 1813 allows a parent or guardian, who is an active duty member of the military, to establish residency for purposes of enrollment by providing the school district with a copy of their military order to transfer. The parent or guardian must provide the school district with proof of residence no later than 10 days after the arrival date specified in the military order.

Passed the House; Amended in Senate Education; First consideration in Senate; Set on Senate Calendar October 17
SB 1278 – Parent Notification of Changing Student Physical and Mental Health Services

Senate Bill 1278 provides the governing body of a school entity shall adopt a policy or modify an existing policy for notifying a student's parent or legal guardian when there is a change in the student's services or monitoring related to the student's mental, emotional or physical health or wellbeing and the school's ability to provide a safe and supportive learning environment for the student for the 2022-2023 school year and each school year thereafter. Provides school personnel must remain neutral and use existing, familiar and well-defined constitutional framework applicable to religious beliefs in public schools for matters relating to sexual orientation and gender identity to prevent government endorsement of beliefs about sexual orientation and gender identity in public schools.

Provides First Amendment speech protections for students and public employees applicable to religious speech shall be applied identically to protections for speech regarding sexual orientation and gender identity. Provides instruction by school personnel or third parties on sexual orientation or gender identity is not age-appropriate for students in a pre-kindergarten program or in kindergarten through fifth grade and therefore may not occur and may not occur in sixth through 12th grade in a manner that is not age-appropriate or developmentally appropriate in accordance with state standards.

Provides limitations on restrictions. Provides at the beginning of the school year, each school entity shall notify parents and legal guardians of each health care service offered at the student's school and the option to withhold consent or decline any specific service. Provides consent to a health care service does not waive the parent or legal guardian's right to access the student's educational or health records or be notified about a change in the student's services or monitoring. Provides for survey requirements for students and the private right of action. If a part of this act is found invalid, all valid parts that are severable from the invalid part shall remain in effect. If a part of this act is invalid in one or more of its applications, the part remains in effect in all valid applications that are severable from the invalid applications. Effective July 1, 2022, or immediately, whichever is later.

Passed the Senate; Referred to House Education.
Legislative Update

SB 1277 – Parental Notification

Senate Bill 1277 provides the governing body of a school entity shall develop and make public policies that provide parental notification of instructional materials and books containing sexually explicit content and include information, guidance, procedures and standards relating to: directly identifying specific instructional materials and books within libraries of the schools containing sexually explicit subjects and content that are used by or made available to students at schools in the school entity; ensuring parental notification of specific sexually explicit content prior to student exposure; and permitting the parent or legal guardian of a student to review instructional materials that contain sexually explicit content and require the school entity to provide, as an alternative, nonexplicit instructional materials and related academic activities to the student, if requested by the parent or legal guardian, or review a book from the school library containing sexually explicit content that the student wishes to view and prevent the student from viewing the book if requested by the parent or legal guardian. Does define or provide criteria for determining sexually explicit content. Effective in 60 days.

Passed the Senate; Referred to House Education.

SB 1130 – Broadcast of a Meeting

Senate Bill 1277 provides a definition of "authorized telecommunications device," provides for a method of remote public comment to be provided in the public notice of meetings, and requires meeting minutes to include a statement disclosing the availability of a broadcast of a meeting and the acceptance of remote public comment. Provides if a board or council of a political subdivision or of an authority created by a political subdivision adopts rules for remote public comment, in the event that remote public comment cannot be received by the manner advertised or by a contingency plan, official action of a matter shall be postponed until the next advertised meeting. Provides a board or council of a political subdivision or an authority may adopt rules governing the broadcast of a meeting. Further provides for local broadcast rules. Effective in 60 days.

Reported as amended from Senate State Government Committee; First Consideration; Set on Senate Calendar for October 17.
SB 139 – 9/11 Observance

Senate Bill 139 provides for a moment of silence on the September 11 anniversary. Requires each school entity to conduct a moment of silence during instructional hours for students and faculty to observe the anniversary of September 11, 2001. The Department of Education (PDE) shall establish a model curriculum for instruction on the events of September 11 no later than 12 months after the effective date and the curriculum shall be posted publicly on PDE's website. Effective immediately. (Prior Printer Number(s): 116)

Voted favorably from Senate Education; First and second consideration; Referred to Senate Appropriations.
CCSBLC ROUND-TABLE DISCUSSION