

Chester County School Board's Legislative Council

Meeting Notes – September 23, 2020

Members in attendance:

1. Blake Emmanuel, Co-chair, Phoenixville Area School District
2. Melissa Booth, Co-chair, Owen J. Roberts School District
3. Bill Wood, Avon Grove Area School District
4. Stacy Stone, Tredyffrin-Easttown School District
5. Lisa Bowman, Octorara Area School District
6. Dave Kronenberg, Kennett Consolidated School District
7. Dr. Eric Owens, Oxford Area School District

Absent; Rachel Gibson, Downingtown Area School District; Brian Fox, Octorara Area School District; Erin Talbert, Unionville-Chadds Ford School District; Joyce Houghton, Downingtown Area School District; Wendy Litzke, Great Valley School District; Kate Shaw, West Chester

CCIU Staff in Attendance: Dr. George F. Fiore, Mary Jeanne Curley, Melissa Smith, Tonia Farnum and Anthony Saraceno

1. Blake Emmanuel, Co-chair, called the meeting to order.
2. Dr. George F. Fiore, gave an update about new information from PDE and the Department of Education
 - a. Dr. George F. Fiore informed the members that Chester County is receiving one cloth mask for each student in the county that the CCIU will help distribute these masks among school districts in the county.
3. Mary Jeanne Curley provided the legislative update from the Senate Education Committee
 - a. **SB 1251:** Assessment Testing Select Committee. As introduced, the bill amends the School Code to establish the Assessment Testing Select Committee, comprised of the majority and minority chairs of the House and Senate Education Committees, to study and make findings and recommendations regarding the requirement for and administration of the testing requirements of the Elementary and Secondary Education Act of 1965 during a resurgence of the Pandemic of 2020 in the 2020-2021 school year. The committee would report its findings and any recommendations to the secretary, the Senate and the House of Representatives no later than two weeks after the effective date.
 - b. **SB 1252:** Volunteer Program. The bill amends the School Code to establish the Retired Volunteer Educator Tutor Program. Amends the Public School Code, in intermediate units, establishing the Retired Volunteer Educator Tutor Program for individualized tutoring sessions by retired volunteer educators for students of a school district during a mandated school closure under a disaster emergency to assist students

attending the school district with limited technology resources in their homes and students attending the school district who are identified by the school district as having difficulty with online or distance learning.

- c. **SB 1268: Temporary Nurse Aids.** The bill would amend current state law to allow TNA's hired during the declared emergency to be deemed to satisfy the requirement of completing a nurse aid training and competency evaluation program and placed on the Certified Nurse Aide Registry if they meet a certain level of training, testing and experience.
 - d. **HB 703: School Director Email Addresses.** The bill amends the School Code to require school districts to establish an e-mail address for each school director and post them on the school district's publicly accessible Internet website (in a location and manner that are easily visible and accessible to the public) for use by members of the public, school district staff and students to communicate with individual school directors regarding matters of school district governance.
4. Mary Jeanne Curley continued the legislative update
- a. **HB 2807 - Cyber Charter Enrollments:** Caps cyber charter school enrollment during the current public health crisis and limits cyber charter enrollment to students who were enrolled in cyber charter school as of July 1. (Stalled)
 - b. **HB 2787: Sports in 2020-21:** Amends the School Code by adding a new section providing the governing authority of a school entity or nonpublic school to have the exclusive authority to determine whether to hold school sports activities, including competitions, intramural play and scrimmages and other in-person extracurricular activities during the 2020-21 school year. The bill also requires a school entity to develop an athletic, health and safety plan addressing school sports and other in-person extracurricular activities and provides for the content of the plans. (Vetoed by the Governor on 9/21; House failed to override the veto on 9/23).
 - c. **HB 2788: Option for Additional Year:** Amends the School Code to allow a parent for the 2021-22 school year to elect to have a child repeat a grade level to make up any lost educational opportunities during the 2019-20 and 2020-21 school years, regardless of whether the child met the requirements to be promoted to the next grade level. The bill extends that option to include participation in all academic or extracurricular activities. Schools will be required to create a process for a parent to make the election and to post the process on its publicly accessible website. The bill also provides a twelve-month extension of secondary school attendance, free of charge, for a student aged 20 to 21 before the governor's disaster emergency proclamation or renewal. (Passed the House, 197-5) – Received in Senate Education
 - d. **SB 1216: Certification Flexibility:** Provides temporary certification flexibility for up to one year (expiring June 30, 2021) as follows:
 - i. Allow the Pennsylvania Department of Education (PDE) to issue a temporary certificate to individuals that have completed all of their

teacher preparation requirements except their final assessment (i.e. praxis).

- ii. Allow PDE to issue an exceptional case permit for current educators who are unable to take their assessment to move from an Instructional I certificate to an Instructional II certificate.
- iii. Allow PDE to issue a temporary certificate under limited circumstances for individuals who were seeking to add on a certification (physical education/health, cooperative education and special education are exempted). Individuals will have to provide proof to PDE that their assessment was cancelled.
- iv. Waive requirement for undergraduate sophomores to take the basic skills exam. This test is required for teacher preparation programs.
- v. Extends the deadline for paraprofessionals to satisfy staff development requirements.
- vi. Creates a transition period for the Special Education-PK-8 and Special Education-7-12 certifications.

e. **SB 1216 Amendments:**

- i. **Mandatory non-public school transportation:** There are several amendments drafted to the bill that would mandate school districts provide transportation services to resident non-public school students during the 20-21 school year even if they are not transporting their own students. This transportation would be on the dates/times the non-public school is operating, regardless of whether the school district is in session. The amendment would apply to any districts that transported non-public school students in 2019-20. This new mandate would apply only during this school year and during the COVID-19 disaster emergency.
- ii. **Civil liability:** There are two amendments drafted to the bill that offer school entities immunity from civil liability in a civil suit for exposure to COVID-19 if the school entity complied in good faith with their health and safety plan.
- iii. **Graduation requirements and testing:** There are several amendments that deal with various aspects of these issues, including delaying the Keystone Exams as state or local graduation requirements until 2022-23, allowing the Secretary to waive the NIMS assessment or NOCTI exam and the requirement to include performance data in professional employee evaluations, requiring PDE to apply for a federal waiver from testing for 2020-21 if one is offered and allowing parents to opt their child out of assessments for 2020-21.
- iv. **COVID-19 case timeline:** There is one amendment that prescribes a timeline for the Department of Health/local board or department of health to notify a school entity of any positive or presumptive positive COVID-19 cases in a student, staff member, contractor or volunteer. The school entity must notify all staff, contractors, volunteers and parents of students that work or receive instruction in the building of the positive case within 24 hours from receipt of

the notice. The school entity must provide educational support to students that cannot attend due to a positive or presumptive positive case in the school entity.

- f. **HB 1820** (PN 3951): School Nurse Training. Amends the Public School Code, in school health services, providing that beginning with the 2021-22 school year and each year thereafter a school nurse may 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.
 - i. Possible amendments: an amendment may be offered to the bill that would change the definition of “professional employee” to include those who currently are not part of CBAs, such as social workers, OT and PT providers, etc. (and those who are employed in professional positions that require a State or nationally recognized license or other credential and that the Department of Education has determined and announced in a Certification and Staffing Policy Guideline or relevant document do not require certification under Article XII for public school employment.)
 - ii. Six-Month Age Limit Extension Due to COVID-19
 - iii. Set on the House Calendar for second consideration on 9/29
5. Mary Jeanne Curley gave an update on Early Intervention Funding
 - a. Funding expires on November 30, 2020 since it funded under the Department of Human Services.
 - b. This impacts over 3,000 children in Chester County who qualify for Early Intervention services.
 6. CCSBLC Updates & Questions
 - a. **CCSBLC Meetings**
 - i. Wednesday, October 28, 2020
 - ii. Wednesday, November 25, 2020
 - iii. Wednesday, December 23, 2020
 - b. **Equity Summit**, September 30, 2020
 - i. 6:00 – 8:00 p.m.
 - ii. Heather Bennett, PSBA
 - c. **Legislative Briefing**, March 2021
 - i. March 12, 2021 as a tentative date.
 7. Mary Jeanne Curley reviewed the 2019-2020 Chester County School Board Legislative Priority Survey with CCSBLC members in attendance
 - a. CCSBLC reviewed the questions from last year to see how the survey could be updated for distribution in the 2020-21 school year.
 - b. A draft of a new priority survey will be sent out to CCSBLC members before the next meeting in October to get their feedback. The survey will be finalized at the next CCSBLC meeting.

8. Blake Emmanuel, Co-chair, adjourned the meeting at approximately 7:45 p.m.