

CCSBLC September 2024 Meeting
September 25, 2024
In-Person Meeting

Attendees:

Bill Wood (Chairperson, Avon Grove), Holly Charest (Coatesville), Caryn Ghayeb (Downingtown), Samantha Jouin (Great Valley), Ethan Cramer (Kennett Consolidated), Dr. Nick Rotoli (Owen J. Roberts), Matt Hurley (Octorara), Jennifer Kehs (Oxford), Dan Wisner (Phoenixville), Maryann Piccioni (Tredyffrin/Easttown), Jody Allen (Unionville-Chadds Ford), Alex Christy (West Chester), Melissa Smith (CCIU)

1. Chairperson Bill Wood of Avon Grove opened the meeting at 7:02 p.m.
2. Melissa Smith, CCIU assistant director of communications, marketing, and engagement, provided a legislative update as follows:
 - a. Overview of the current PA General Assembly
 - i. Senate: 28 Republicans – 22 Democrats; President Pro Tempore: Kim Ward, District 39 (Western PA)
 - ii. House of Representatives: 102 Democrats – 101 Republicans; 2 vacancies in Philadelphia recently filled by Democrats in September 17 special election; Speaker of the House: Joanna McClinton, District 191 (Philadelphia/Delaware County)
 - iii. Pennsylvania is the only state where party control is split between the two chambers.
 - iv. November 2024 Elections: All 203 House seats are up for re-election and Half (odd # districts) of the Senate is up for re-election.
 1. In Chester County, Senate seats up for election are Comitta and Kane. All current Chester County House incumbents are seeking re-election.
 2. Don't foresee significant swings in either chamber.
 - v. The 2023-24 session will close at the end of the calendar year. Any bills that have not crossed the line will be cleared out and will have to be re-introduced in the next session.
 - vi. Only 11 scheduled session days remain for the House and the Senate with only one House Education Committee meeting currently scheduled for September 30. Unlikely that we'll see many more bills move through.
 - b. 2024-25 Budget Highlights
 - i. Budget passed July 11, 2024. Total budget is \$47.6 Billion with K-12 education comprising \$11 Billion. K-12 saw an increase of \$1.1 Billion with an \$811 million increase in total basic education funding – the largest single-year investment in Commonwealth history.
 1. \$225 million through the **Basic Education Funding (BEF)**
 2. Tweaks to the BEF formula, as recommended by the BEF Commission, to **improve predictability of BEF subsidies** (incorporating three-year averages of formula factors for poverty, concentrated poverty, median

household income, and number of households). “Hold harmless” continues, but with the base year reset to 2022-23 (\$7.87 billion compared to the current base of \$5.88 billion (2014/15 allocation with adjustments)).

3. \$526 million in additional payments to districts through the **Ready-to-Learn Block Grant**: \$494 million in **adequacy supplements** (close to 350 districts with larger levels of poverty) and \$32 million in **tax equity supplements** (50 districts with a local tax effort rate >66th percentile).
 - a. Intended as an initial investment toward bringing the Commonwealth into compliance with its constitutional mandate of a thorough and efficient system of public education, as confirmed by the Commonwealth Court last year. Each year, the previous year’s allocation becomes part of the foundation amount for the next year.
 4. \$60 million in “**hold harmless**” relief supplements to districts - prorated to school districts based upon how much more funding they would stand to gain if the entire basic education funding appropriation was distributed using the formula; In subsequent years, the hold harmless relief funds are included in the base amount.
 5. \$100 million in **reimbursements** to districts with students enrolled in cyber charter schools - Section 2591.1 relates to commonwealth reimbursements for charter schools and cyber charter schools. There has been no funding appropriated for this since 2010/11. A new reimbursement formula is established for the 2024/25 fiscal year and each year thereafter that prorates funding appropriated for cyber charter transition to school districts based upon their share of total cyber charter tuition costs. The Governor and Democrats in the Legislature were unsuccessful, however, in obtaining caps on cyber charter tuition.
 6. Significant increases in funding for **special education** and **career and technical education** - \$100M increase for special ed; \$30M increase for CTE.
- c. Act 55 of 2024: Omnibus Bill
- i. Previously [SB700](#), Act 55 of 2024 covers a lengthy list of school code amendments, including:
 1. Paid media advertisements (pp. 5-6)
 2. Nonpublic school safety grants (pp. 7-8)
 3. Noncitizen teachers (pp. 7-8)
 4. Career and technical certificate pathways (pp. 9-11)
 5. Assessment of basic skills (p. 11)
 6. Student teacher stipends (pp. 12-14)
 7. School safety and mental health grants (pp. 14-16; 18-19)
 8. Safety and security reporting requirements (pp. 16-17)
 9. On-duty security personnel (pp. 19-22)

10. Vision screenings (pp. 22-24)
 11. Drug and alcohol recovery schools (pp. 24-25)
 12. School entity partnership grants (pp. 27-32)
 13. Talent recruitment grants (p. 32)
 14. Charter school entity reforms (pp. 32-45)
 15. Cyber charter reforms (pp. 45-49)
 16. Schools-to-Work Program extension (p. 50)
 17. Scholarship tax credits (pp. 51-60)
 - a. Increased caps on tax credits available under EITC and OSTC by 14%. This was the outcome rather than inclusion of the proposed voucher program.
 18. Career and technical education payments (pp. 72-73)
 19. Feminine hygiene products (p. 81)
 - a. Ms. Caryn Ghrayeb shared links to the [funding allocations](#) and [guidelines](#) associated with this component of the school code.
 20. Intermediate unit funding (p. 81)
 21. Financial recovery/financial watch (pp. 81-82)
 22. Cyber charter transition payments (pp. 82-83)
 23. Ready-to-Learn Block grants (pp. 85-99)
 24. School Environmental Repairs Program (pp. 99-102)
- ii. Charter School Reforms
1. Enhancements in **charter school entity transparency and accountability**.
 - a. Charter school administrators are required to file and statement of financial interest, cannot earn compensation from another charter school entity, cannot serve as a voting member of the board, and must avoid conflicts of interest in selecting contracts.
 - b. A charter school board must have at least five nonrelated voting members.
 - c. A charter school is required to complete a certified audit each year.
 - d. School districts are required to submit their charter school tuition calculation forms to PDE to post online.
 2. **Paid media advertising:** Prohibits paid media advertisements by or on behalf of a public school entity, including school districts, from advertising tuition or other expenses as “free.” Any reference to such costs must indicate they are covered by taxpayer dollars.
 - a. By August 1, 2025, each public school entity shall report to PDE its total expenditures for paid media advertisements and sponsorships of public events.
- iii. Cyber Charter Reforms
1. A revision to the formula for calculating **cyber charter school tuition for special education students** (estimated to save \$70 million a year statewide).

- a. Under previous law, the special education add-on tuition rate for charter school students was determined by dividing the resident school district's special education expenditures (net of deductions) by **16% of the school district's average daily membership**.
 - b. The school code bill changes the calculation to use THE LESSER of 1) prior formula or 2) dividing resident school district's special education expenditures by **actual special education average daily membership**. In 2024-25, cyber charter tuition payments for July through December will be based on the existing rate, while payments for January through June will be based on the revised rate.
 2. Cyber charter schools are to be provided with **reasonable access to facilities** for standardized testing (a rental fee may be charged).
 3. Requires cyber charter schools to conduct **real-time in-person or online wellness checks of students** at least once during any week that includes at least three full or partial days of instruction.
 - a. A cyber charter school shall ensure that each enrolled student is able to be visibly seen and communicated with in real time by a teacher, administrator or other representative of the cyber charter school, either in person or via electronic means, in order to ensure the well-being of the student and verify participation in the educational program. The requirement under this subsection may be satisfied by students turning on a webcam during synchronous online instruction.
 4. **School Safety and Security Training:** A Cyber Charter School may waive or provide an alternative training opportunity to address the in-person training requirement for any employee not physically located in the Commonwealth and exclusively provides instruction remotely.
 5. **Cyber Charter School compliance** with expanded list of existing PA school code regulations (e.g. attendance officers, home and school visitors, exceptional students, educator effectiveness rating tool)
 6. **Cyber charter transition payments:** Amends Section 2591.1 to require that each school district with residents enrolled in a cyber charter school receive a proportional amount of money appropriated for cyber charter transition.
 - a. Note: In 2024-25, this appropriation is \$100 million, per the appropriation act.
- iv. School Safety and Mental Health Grants
1. **\$100M in school safety and mental health grants and \$20.7M for targeted school safety grants.**
 2. Upon valid application, each school district to receive \$100,000 plus an additional amount based on 2022-23 adjusted average daily

membership (charter and cyber charter, IUs, CTE receive \$70,000) – NON-COMPETITIVE!

3. Desire all school entities, at minimum, meet a basic, Level 1 [standard of safety](#) (physical and behavior health) for students and staff. If baseline criteria is met, school entity shall be eligible to expend funding for activities outlined in [Section 1306-B\(j\)](#).
 - a. Expanded list now includes “school security personnel” and lockable cell phone bags.
4. Targeted grants shall be used to “fund programs that address school violence by establishing or enhancing school security, including costs associated with the training and compensation of school security personnel.”
5. Sampling of approved uses:
 - a. Conflict resolution or dispute management, including restorative justice strategies
 - b. School-wide positive behavior support
 - c. School-based diversion programs
 - d. Research-based violence prevention programs
 - e. System for management of student discipline
 - f. Staff training programs
 - g. Training and compensation of school counselors
 - h. ACE screenings
 - i. Trauma-informed approaches
 - j. Programs designed to reduce community violence
 - k. Expanding telemedicine delivery of school-based mental health services
 - l. Community partnerships for at-risk school-age students
 - m. Coordinating local and county mental health services for school employees or students
 - n. Cell phone lockable bags
 - o. Training and compensation of school security personnel
- v. Student Teacher Support Grant Program
 1. **Quick reminder:**
 - a. \$10,000 to student teachers who meet program requirements.
 - b. An additional \$5,000 is available to student teachers working in high-need areas which attract few student teachers or have a high rate of open positions.
 - c. A grant payment of \$2,500 may also be available to the student teacher's cooperating teacher.
 2. **Doubled stipend budget to \$20M for 2024-25** - Brings the two-year total to \$30M, which is still below the \$45M needed to fund all applications for 24/25
 3. **Tweaks to program:**

- a. Allows PHEAA to establish alternative methods for paying grant awards (other than through the school entity)
 - b. Expands eligibility to teachers in Pre-K programs
- d. Additional Enacted Legislation
 - i. [Act 25 of 2024: 9/11 Remembrance](#) - Mandated moment of silence during instructional hours; PDE to identify a model curriculum.
 - ii. [Act 33 of 2024: Free Credit Monitoring](#) – Breach involving first/last name and SSN, bank account or driver’s license, entity must provide access to one independent credit report and credit monitoring services for 12 months.
 - iii. [Act 67 of 2024: School Residence Disputes](#) – Cannot disenroll student until all possible appeals exhausted or court enters an order.
 - iv. [Act 68 of 2024: Solar for Schools Grants](#) – Cover the purchase and installation of equipment, permit fees, energy storage, utility interconnection and any other approved costs. Responsibility of Department of Community and Economic Development.
 - v. [Act 72 of 2024: Anti-SLAPP Protections](#) – Protections against lawsuits meant to silence public expression.
 - vi. [Act 82 of 2024: National Guard or Reserve Parent Student Support](#) – Extend same student supports for those in an active-duty family if resulting in transfer.
- e. Legislative Status
 - i. Due to limited number of scheduled session days left, there are not many bills expected to cross the line; however, there is one that has bipartisan support and could possibly cross.
 - ii. [SB 801 \(Aument, A. Williams\): Literacy Achievement for all Pennsylvanians](#)
 - 1. Passed the Senate 48-1 in June; however, sits in the House Education Committee (w/mirror HB998) and is not currently on the 9/30 agenda.
 - 2. Review:
 - a. Professional development and applied practice in structured literacy - To be developed by PDE with openness to multiple service providers
 - b. Evidence-based reading curricula (K-3 aligned with science of reading) - PDE would develop and maintain a list of approved curricula; informed by reading leadership council and identified criteria
 - c. Universal screening - To be conducted 3x per year from K through 3rd grade; PDE to develop list of approved screeners
 - d. Intervention plans - PDE to develop a list of intervention approaches in consult with council
 - e. Grant funding to be appropriated for the support of initial implementation
- f. Newly Introduced Legislation
 - i. Unlikely to get through the process before the end of session, but sharing to see what is currently catching the ears of legislators seeking re-election.

- ii. **SB1318: Cursive Handwriting** - Requires each student to receive cursive handwriting instruction by the end of fifth grade.
- iii. **HB2362: Minimum hourly wage for education support professionals** - Provides educational support professionals should receive a minimum hourly wage of at least \$20 per hour or a living wage
- iv. **HB2493: Instructional Certificate Grade Spans and Age Levels** - The grade span and age levels for instructional certificates after December 31, 2027 shall be: early childhood (Pre-K-5th; ages 3-10); elementary/middle (4th-8th; ages 9-14); secondary (6th-12th; ages 11-21); specialized areas (Pre-K-12th; ages up to 21).
- v. **HB2550: Holocaust, Genocide & Human Rights Violations Instruction** - Beginning with 2025-26 school year, each school entity shall offer instruction in the Holocaust, genocide and human rights violations to students.
- vi. **HB2567: Computer Science Education** – Statewide computer science education program; Require each public high school to offer at least one computer science course
- vii. **HB2572: Tuition Assistance for Inactive Educators**
- viii. **HB2581: School Administrators Rights** – Adjustments to Act 93 agreement to include processes for performance evaluation and arbitration of disputes or grievances, and compensation alignment. An administrator shall not be compensated at a rate less than that administrator would receive as a teacher in the district.

g. Federal Updates: Title IX 2024 Rule

- i. ***An institution may not exclude, segregate, deny benefits to, or otherwise treat differently based on sex unless expressly authorized by a Title IX exception.***
- ii. **Initial Rule issued in May 2020:**
 - 1. Detailed grievance process to be used in all cases involving “sexual harassment”
 - 2. Title IX prohibits discrimination “based on sex,” but the law does not define “sex”
 - 3. OCR has also long prohibited harassment and most different treatment of students based on LGBTQI+ status, including transgender status and sexual orientation status. The exceptions? It has long been unclear how the prohibition on discrimination based on sex applies to access by transgender students to: Locker Rooms, Restrooms, and Other Similar Facilities, Athletic Teams, and Single-Sex Classes
- iii. **Updated Rule issued in April 2024 with August 1, 2024 effective date:**
 - 1. Detailed grievance process to be used in all cases involving “sex discrimination” including “sex-based harassment,” LGTBQIA+ changes, pregnancy & parenting rules
 - 2. The 2024 Rule explicitly says that “sex” under Title IX includes sexual orientation and gender identity status

3. Continues to allow separation between males and females in certain contexts, including athletics, but creates a new “de minimis harm” test for most separation. This new test applies to bathrooms and locker rooms, classes, dress and grooming codes, etc. Says exclusions based on gender identity in these contexts is always more than a de minimis harm and is prohibited by Title IX.
- iv. Title IX Injunctions in place across 27 states, not including Pennsylvania. The injunction from Kansas included three voluntary membership associations: Young America’s Foundation, Female Athletes United, and Moms for Liberty.
 1. The Kansas court's decision enjoined enforcement of the 2024 regulations against **any school attended by a member’s child**, even if the school is in a state where the 2024 regulations are not enjoined.
 2. Approximately 1,000 schools, colleges, and universities are listed, including around 300 public schools and 100s of schools in Pennsylvania.
- v. There is an established precedent in Pennsylvania:
 1. In *Doe v. Boyertown Area School District*, the Third Circuit upheld a school district's policy allowing transgender students to use bathrooms and locker rooms that correspond to their gender identity (*Doe v. Boyertown Area Sch. Dist.*, 897 F.3d 518, 521 (3d Cir. 2018))
 2. The Pennsylvania Human Relations Act (PHRA) and its regulations lawfully prohibit discrimination in schools based on gender identity and expression and sexual orientation, and all PA public schools, including charter schools, remain liable under these provisions to prevent discrimination against LGBTQ+ students (Education Law Center, Aug. 9, 2024, <https://www.elc-pa.org/wp-content/uploads/2024/07/2024-07-Title-IX-Rule-Challenges-ELC-Analysis.pdf>)
 3. Chairperson Wood indicated he would be willing to share Avon Grove’s solicitor’s perspective on how these precedents can support a district’s stance.

3. Member Discussion:

a. Proposed Transportation Bill

- i. Chairperson Wood revisited a conversation introduced at last meeting. Per June meeting, Ms. Caryn Ghayeb mentioned that Senator Comitta has inquired with the Superintendents on what the largest priority would be in terms of a transportation bill that would reduce the amount of mileage we would have to transport children to non-public schools. For example, should we reduce the mileage to 5 miles outside of the district? Should we measure from the child's home to the school? Should it only be reserved for students that are on free and reduce lunch? Should crossing state lines be restricted?
- ii. Chairperson Wood shared an appreciation for the data shared and has passed it along to Representative Paul Friel who is a part of a House Education

subcommittee looking at this issue. Once he is able to aggregate the information he will share with the council.

b. Social Media

- i. Ms. Samantha Jouin shared Great Valley's experience regarding student-created social media accounts impersonating Great Valley staff and associated media coverage. She inquired if there might be legislation that could help dissuade students and parents from anything similar in the future. In speaking with legislators, there was a bill in consideration around cyber bullying becoming a responsibility of parents after some time. North Carolina has a law against student bullying of teachers.
- ii. Senator Carolyn Comitta has indicated an interest in helping identify possible legislation and has requested gaining additional support from districts and other P-groups (e.g. PASA). Seeking legislation to provide some jurisdiction for districts to address student behavior. Request Council members to continue the conversation with their legislators and bring this to a priority. Consider garnering student leadership support.
- iii. Chairperson Wood added some information surrounding potential angles and indicated that a challenge is around this happening off-campus and often not on student-owned devices. One way around it could potentially be mirroring some of the existing terroristic threat legislation which is based on a substantial disruption to school environment – could this be expanded to other areas? Potential challenge in proving substantial disruption.
- iv. Inquiry around Code of Conduct, but that does not cover off-campus behavior. Discussion on ways to continue to provide warnings and reminders to students throughout the school year.
- v. Ms. Ghrayeb raised a similar concern surrounding social media accounts for school clubs and oversight.

c. Phoenixville

- i. Mr. Dan Wiser mentioned two items being considered at Phoenixville: 1) PASD is looking to remove the Per Capita tax – wanting to ensure other districts do not currently push this tax; 2) Renaissance Academy, a charter school within PASD, needs to go through their charter renewal and Mr. Wiser inquired on Council experience in going through the process (Chairperson Wood offered to provide

4. Ms. Smith shared a reminder of the 2024-25 CCSBLC Meeting Schedule

- a. VIRTUAL: Wednesday, October 23, 6:30 p.m.
- b. No Meeting in November (post elections; limited legislative movement)
- c. No Meeting in December (no legislative movement)
- d. VIRTUAL: Wednesday, January 22, 6:30 p.m.
- e. IN-PERSON: Wednesday, February 26, 7:00 p.m.
- f. VIRTUAL: Wednesday, March 26, 6:30 p.m.
- g. LEGISLATIVE BREAKFAST: Wednesday, April 9, 8:30 a.m.
- h. VIRTUAL: Wednesday, May 28, 6:30 p.m.

i. VIRTUAL: Wednesday, June 25, 6:30 p.m.

5. The meeting was adjourned at 8:32 p.m.