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## **EPLC EDUCATION NOTEBOOK**

**Friday, September 20, 2013**

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The EPLC Education Notebook (current and past editions) also is available by visiting the EPLC website at <http://www.eplc.org/category/education-notebook/>.

### ***Jan Bissett***

After a long illness, Jan Bissett died on September 6. Her obituary simply reads, "She retired from the House of Representatives after thirty years of service."

This brief reference to her career in the Pennsylvania House of Representatives, like she would do herself, so understates the significant and long-lasting contributions she made to state education policy in Pennsylvania.

I had the privilege to work with her throughout my 24 years in the Legislature (1975-1998) while she served in various positions as a staff member of the House Education Committee. She enabled me and countless other legislators of both parties who served on the Committee, or otherwise had a particular interest in one or more education policy issues, to be better informed and more effective in our work. By leaders and rank and file members of both parties, she was respected as one of our greatest assets when drafting and debating education policy matters.

Her work touched citizens, especially students, in significant and lasting ways. The list of budgets, formulas, and other legislation that was influenced by her work is too long to cite in detail, but I want to give her a special nod for her work on what became the Early Intervention Services Act of 1990 — a law that continues to annually provide services to many thousands of infants and preschoolers, and their families.

Jan staffed more than 100 hours of public hearings that made the case for legislative action, and then wrote much of the language that became law and continues to serve many today. The beneficiaries of the early intervention services directed by the law can give best testimony to how this one piece of her professional career has made a difference in the lives of tens of thousands of Pennsylvanians.

This is but one example of how her unheralded public service has had such an enormous impact for good. Despite Jan's passing, the results of her work will be felt for generations.

Ron Cowell

## [PENNSYLVANIA POLICYMAKERS](#)

The Pennsylvania **House of Representatives** and **Senate will return to Session on Monday, September 23.**

### [Special Education Funding Commission](#)

On August 22, in Allentown, the **Special Education Funding Commission** conducted its **fifth public hearing.**

The Commission was formed by [Act 3 of 2013](#) with the purpose of developing a funding formula for the distribution of any future increase in special education funding. It must issue a report no later than November 30, 2013. Any formula recommendations would not go into effect until approved by the General Assembly.

The Commission received testimony from a panel of parent/advocates; the Alliance of Approved Private Schools; the Disability Rights Network; and the Pennsylvania State Education Association.

Within her written testimony **Diane Perry** spoke of her son, David, and his experiences through their district's special education services. She described the most difficult task throughout his education was fighting to make sure he received the necessary supports and services written in his IEP, and seeing other parents unable to receive those supports. She opined that a very successful model is the co-teaching model where a regular education teacher and special education teacher are in one room teaching all students. She said that David's inclusion into general education benefited him, but she advocated against the insistence he enter the lifeskills program once he approached the transition age of 14. She went on to describe his successes and achievements that she attributed to the district allowing him to continue his general education and elective classes rather than being placed in the lifeskills program.

**Nan Porter**, Alliance for Approved Private Schools vice president, described Pennsylvania's approved private schools (APSs). All of the disabilities of the children who attend the 32 APSs are significantly severe and complex, reflecting the third tier of Act 3. Enrollment in an APS is determined by the student's Individualized Educational Program (IEP). Porter described the funding formula established by [Act 70 of 2004](#): 125% multiplied by the percentage increase of the Commonwealth Special Education appropriations. Because the State special education budget line item has remained flat-funded since FY 2009-2010, so too has funding for the APSs. The Alliance expressed concern with the Act 3 provisions. If the proposal holds the current line item at level funding and creates a separate line item for a new formula proposed by the Commission, the Alliance would need to amend its funding formula too.

**Robyn Oplinger** testified on behalf of the Disabilities Rights Network (DRN) as the senior advocate of the children's team, and also as a parent of a student with special needs. Oplinger spoke in more detail about the transition period Perry mentioned in her testimony. According to Oplinger, the transition programs are often failing the students they are required to support. DRN has seen instances of families persuaded to accept a diploma for their son or daughter before the age of 21; many IEPs lacking true, meaningful goals and services because districts lack the funding for program development; and other inadequacies with work based learning opportunities. The broader issues she described in her testimony are due to insufficient funding. She encouraged the Commission to use as a model for a high quality program the Lehigh University's program for students with disabilities, now ended, and a similar program currently developing in the Lehigh Valley.

**Michael Crossey**, a special education teacher, spoke on behalf of the Pennsylvania State Education Association (PSEA) where he serves as president. Crossey noted while it is not the Commission's charge to find funds for special education and all students, it is difficult to design an equitable formula for

distribution of funds without taking that funding level into account. Crossey criticized the current system that incentivizes charter schools to diagnose students as special education. School districts must pay charter schools more than they receive from the state per student. He said moving to a formula based on specific factors should help this discrepancy in funding for special education students in traditional public schools and those in charter schools. A solution supported by PSEA that would address the financial incentive structure and ensure service quality for students attending charter and cyber charter schools would be to assign the Intermediate Unit of the student's residence responsibility for providing special education services. The district of residence would pay for the services while the charter school would receive only the amount required for regular education tuition.

Find the **written testimony** of the August 22 hearing on Representative O'Neill's webpage dedicated to the work of the Funding Commission, [here](#). A **video recording** of the hearing can be found on Senator Browne's webpage, [here](#).

The Commission held a subsequent hearing on September 4 in State College that focused specifically on charter and cyber charter schools. The Commission heard from three panels representing charter and cyber charter schools, the Pennsylvania Association of School Business Officials, and parents and advocates. To view the **written testimony** and a **video recording** of the September 4 hearing, [click here](#).

The Commission is scheduled to meet again September 26 in Reading.

## **STATE BOARD OF EDUCATION**

The 316<sup>th</sup> meeting of the State Board of Education (SBE) was held in Harrisburg September 11 and 12.

On September 12 the Board voted to **approve the final-form regulation of Chapter 4** (Academic Standards and Assessment).

- The final-form regulations **would eliminate the State's strategic planning requirement**. No longer would schools be required to submit yearly strategic plans to the Department of Education.
- The regulations would amend the high school graduation requirements by **eliminating the culminating graduation project** requirement; reducing the number of **Keystone Exams from 10 to five**; eliminating the requirement that the Exams are factored as one-third of a student's course grade, instead **requiring the keystones to act as a standalone graduation requirement**; and would **extend the date upon which the Exams would begin to act as graduation requirements** from the Class of 2015 to the Class of 2017.

The **Class of 2017** would be required to pass the three **Algebra I, Biology, and Literature** Keystone Exams (or comparable assessments) to graduate. The **Class of 2019** would be required to pass **those three as well as a fourth Composition** Keystone Exam. The **Class of 2020 and beyond** would be required to **also pass a fifth Civics and Government** Keystone Exam. The Composition and Civics and Government Exams would only be implemented based on available state funding. Five additional Exams may in the future be made available to schools for voluntary use.

- Under the final-form regulations, Pennsylvania would adopt new academic standards which are to be called the **PA Core Standards**. These would replace the previously approved (2010) Common Core Standards.

## **Legislative Review Process – Next Steps**

Before the Chapter 4 final-form regulations are made law they must continue through the legislative review process. The regulations that were approved by the Board on September 12 will now be transmitted to the Office of the Budget, the Office of General Counsel and the Attorney General. They will then be submitted to the House and Senate Education Committees, and then to the Independent Regulatory Review Commission (IRRC) followed by the PA Bulletin for a 30-day public comment period.

Keep in mind it was at this point in May when the Governor requested a delay of further action and the Board withdrew the regulations from the Governor's Offices to address mounting concerns presented in [House Resolution 338](#).

It is also important to note that when the House and Senate Education Committees are considering final-form regulations they have the option to do nothing, submit Committee or individual letters, or conduct a formal vote to approve or deny the regulations. While any of these actions would not prevent the SBE from moving the process forward by sending the regulations to the IRRC, it is possible that a letter or negative vote may give the IRRC additional considerations.

**Also, on September 12, the Board voted** to deny the application of the Porter Township Initiative Independent School District for transfer from the East Stroudsburg Area School District to the Wallenpaupack Area School District; and to approve the authorization for the Ad Hoc Committee on Dating Violence Education to utilize up to \$5,000 from the State School Fund to support the dating violence education report required by [Act 104 of 2010](#).

**The next meeting of the State Board will be November 13 – 14 in Harrisburg.** This will be the last meeting of 2013.

The **2014 schedule** is as follows:

January 8 – 9  
March 12 – 13  
May 14 – 15  
July 9 – 10  
September 10 – 11  
November 12 – 13

## **PENNSYLVANIA BULLETIN**

On September 14 the Department of Education (PDE) posted in the Pennsylvania Bulletin the index calculation required by the Taxpayer Relief Act. The **Act 1 Index for Fiscal Year 2014-15 is 2.1%**. This means that school boards may not raise property taxes above 2.1% without applying to PDE for an exception or receiving approval via voter referendum.

The base index is calculated by averaging the percent increases in the Pennsylvania statewide average weekly wage and the Federal employment cost index for elementary/secondary schools. The base index for FY 2013-14 was 1.7%.

## **PENNSYLVANIA DEPARTMENT OF EDUCATION**

- At the request of Governor Corbett, **Acting Secretary of Education Dr. William Harner resigned on August 26**. Harner, former superintendent of the Cumberland Valley School District, was nominated acting secretary following the resignation of Ron Tomalis in June.

Following Harner's resignation, Governor Corbett appointed Executive Deputy Secretary **Carolyn Dumaresq** to serve as **Acting Secretary of Education**, effective immediately. Dumaresq is a former

math teacher who served various leadership and administrative roles including superintendent at two school districts in the midstate. Early in her career, she had worked in the Department of Education (PDE) from 1976 to 1983. During her career Dumaresq has served as executive director of the Pennsylvania State Education Association, as well as president of the Pennsylvania Association of School Administrators.

Among her numerous awards and recognitions from leadership, women's, and other education organizations, Dumaresq received in 2008 EPLC's Ed Donley Leadership Award, which recognizes "dedicated service to children, commitment to stronger educational opportunities for all, and hard work to improve the effectiveness of local, state, and national education policy."

- Governor Corbett on August 29 announced that **Pennsylvania will apply for \$52.5 million through the federal Race to the Top – Early Learning Challenge Grant program**. The Department of Education and Department of Public Welfare will work with the early learning community to write the State's grant application, which will be submitted mid-October. The award announcements are expected in December.
- On September 18, **Acting Secretary of Education Carolyn Dumaresq** provided for the media a **demonstration of the new School Performance Profile**, which is Pennsylvania's new accountability system. The School Performance Profile was developed in response to [Act 82 of 2012](#), and is a component of Pennsylvania's No Child Left Behind waiver.

The Profile will provide a building level score as a part of the Educator Effectiveness System and serve as a resource for the public across the state. The building level data will be broken down into five tabs: fast facts; scoring; academic performance; school supports; and will allow for comparisons within or between Local Education Agencies.

The academic performance score is comprised of indicators of academic achievement (40%), indicators of closing the achievement gap for all students (5%) and for historically underperforming students (5%), indicators of academic growth/PVASS (40%), other academic indicators (10%), and extra credit for advanced achievement (up to seven points).

A school's academic performance score will count for 15 percent of each teacher and principal's evaluation under the new Educator Effectiveness system beginning with the 2013-2014 school year for classroom teachers and 2014-15 for specialists and principals.

Dr. Dumaresq announced the **system will go live on September 30** at [www.paschoolperformance.org](http://www.paschoolperformance.org). To view the demonstration pages, [click here](#).

## **[EPLC NEWS](#)**

- **Registration is now open** for the **Third Annual Arts and Education Symposium**. This year's Symposium, hosted by EPLC and the Pennsylvania Arts Education Network, will take place on **Wednesday, October 30** from 8:00 AM – 5:15 PM at the State Museum in Harrisburg. For more information about the sessions and speakers, and to register, [click here](#). Arts and education advocates, lawmakers, school district teachers and administrators, artists, and representatives of cultural organizations and museums are encouraged to attend. Act 48 credit is available.
- EPLC and the PA Cable Network (PCN) have partnered to produce "**Focus on Education**", a monthly program focusing on education issues in Pennsylvania. "Focus on Education" is **broadcast on PCN at 9:00 p.m. on the 2<sup>nd</sup> Wednesday of every month now through December**. It is re-broadcast several times during the remainder of the month.

The September episode which aired September 11 discussed **Parents as Advocates for Children and Education**. The taping of this episode will soon be made available on the [PCN web site](#).

The first episodes aired from February to June and covered school safety issues, student testing, the work of school boards, how public education is funded in Pennsylvania, and the school dropout crisis.

To learn more, visit [PCN's "Focus on Education" web page](#).

## **ANNOUNCEMENTS**

Now available online is **The History of School Funding in Pennsylvania, 1682-2013**, a monograph commissioned by the Pennsylvania Association of Rural and Small Schools (PARSS), written by Jan Bissett and Arnold Hillman. This is an **updated version of the 2001 publication** of the same name. To read the monograph, [click here](#). For additional copies of the booklet, contact Arnold Hillman at [arnold@parss.org](mailto:arnold@parss.org).

## **DATEBOOK**

- Education Voters PA, Education Matters in the Cumberland Valley, and the Keystone State Education Coalition are organizing a **Pennsylvanians Want a School Funding Formula press event** for **Monday, September 23** at 11:30 AM in Harrisburg. Sign up to join, [here](#).
- The **House Education Committee** will hold an informational briefing presented by the Pennsylvania Department of Education regarding Pennsylvania's No Child Left Behind waiver on **Wednesday, September 25** at 9:30 AM in Harrisburg.
- The **Special Education Funding Commission** will conduct a hearing on **Thursday, September 26** in Reading.
- PCN and the Pennsylvania Legislative Services (PLS) are sponsoring the first **Capitol All Stars Softball Game** on **Monday, September 30** from 5:30 PM – 8:30 PM at Metro Bank Park in Harrisburg. The charity game will feature legislators from both sides of the aisle coming together as East and West teams. Proceeds will benefit Feeding Pennsylvania and Hunger-Free Pennsylvania. General admission is a \$5 ticket donation or 5 non-perishable food items.
- The **Center for Safe Schools' Safe Schools Conference** will be held **October 1 – 2** in Grantville. Attendees will hear about the latest research in school safety and violence prevention, and learn about effective program models and best practices. The conference is designed as a professional development opportunity for school administrators, student support personnel, teachers, school nurses, SAP team members, school resource officers, local law enforcement and other community partners. For more information and to register, [click here](#). Register before September 28 to receive a discounted rate.
- The **House Education Committee** will hold a public hearing on **Wednesday, October 2** at 9:00 AM in Harrisburg to discuss [HB 1512](#) (teacher preparation and certification process) and [HB 1623](#) (teacher preparation programs and the use of Praxis exams).

- The **Pennsylvania State Interagency Coordinating Council (SICC) for Early Intervention** will hold a meeting on **Thursday, October 3** from 12:00 PM – 3:00 PM at PaTTAN Harrisburg. PaTTAN offices in Pittsburgh and King of Prussia will be video conference sites.
- **October 7** is the **last day to register to vote** in Pennsylvania before the November 5 general election.
- The **Pennsylvania Humanities Council** will host an awards ceremony and reception on **Monday, October 7** from 5:00 – 7:00 PM in the Capitol Rotunda in Harrisburg. Awards to be presented are the Champion of the Humanities Award, the Distinguished Service to the Humanities Award, and the Humanities Partner Award. General admission tickets must be purchased no later than Friday, September 20. For more information, [click here](#).

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