



The Education Policy and Leadership Center

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EPLC EDUCATION NOTEBOOK

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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/>.

PENNSYLVANIA POLICYMAKERS

The Pennsylvania **Senate** and the **House of Representatives** will reconvene in voting session on **Monday, March 11** at 1:00 PM. Between now and March 11, the House and Senate Appropriations Committees will be conducting their annual budget hearings with state agencies and departments. Be sure to check our "Datebook" section of the Notebook for upcoming budget hearings. As in the past, the Notebook will provide timely summaries of those hearings pertaining to education-related matters.

Senate

➤ On February 12, the **Senate Education Committee** approved the following bills:

- [Senate Bill 193](#) (**Sen. Patricia Vance**, R-31) would amend the Public School Code of 1949 to require all **school nurses** who are not **Cardiopulmonary Resuscitation** (CPR) certified by a Department of Health-approved certifying agency by July 1, 2013, to complete CPR training within one year. Persons hired for the position of school nurse after July 1, 2013 must be CPR-certified or complete CPR certification through a Department of Health-approved certifying agency within one year of the hire date. School nurses must complete CPR recertification within the time frame established by the approved certifying agency. SB 193 awaits further action by the Senate.
- [Senate Bill 267](#) (**Sen. Stewart Greenleaf**, R-12) would amend the Public School Code of 1949 to include **educational reasons** among the list of **valid excuses** for students being absent from school. Under current law, a child may be excused from attending school on a temporary basis for any "mental, physical, or other urgent reasons." This bill would codify what is current practice in most school districts. SB 267 awaits further action by the Senate.

- [Senate Bill 360](#) (**Sen. Bob Mensch**, R-24) would create an act establishing the **Pennsylvania Community College Affordability Task Force** within the Department of Education, which shall examine and make recommendations regarding the viability and sustainability of the current community college funding model, accessibility of community college services across this Commonwealth, and the long-term affordability and accessibility of a community college education for residents of this Commonwealth. The task force should also consider the various components of the community college mission, including open access and workforce development. The task force shall report its findings within 180 days after its first meeting. The bill provides for composition of the task force and duties of the Department. The Committee approved unanimously an amendment that would add two community college faculty members to the task force. SB 360 awaits further action by the Senate.
- [Senate Bill 443](#) (**Sen. Andrew Dinniman**, D-19) would amend the Public School Code of 1949 to **eliminate partisan school board elections**. Under SB 443, **school directors** would be elected at the **November municipal election** starting in 2015. Election winners would be seated in December. The number of signatures that a candidate would need on their nominating papers would be determined by the size of the school district. Nomination papers for the office of school director would be filed in the same manner as nominations of candidates by political bodies or independent candidates, as provided for in the PA Election Code, without regard to political party membership. In short, party affiliation would not be disclosed. SB 443 awaits further action by the Senate.
- [Senate Bill 470](#) (**Sen. Pat Browne**, R-16) would establish a **Legislative Commission on Special Education Funding to develop a formula** for the distribution of any increases in special education funding above the 2010-2011 funding level. In determining the factors used in the special education formula, the Commission may use three cost categories of special education students based on the range of student service needs; determine a weighted special education student count based on the average of the three most recent school years for each category with parameters to limit over identification of students; and make adjustments for market value/personal income aid ratio, equalized millage rates, and geographic price differences in each school district. The special education formula developed by the Commission would not go into effect unless the formula is approved by an act of the General Assembly.

The Commission, a twelve member panel, must issue a **report** of its findings to the Governor and Legislature **no later than September 20, 2013**. In addition, the Commission is charged with receiving public input and gathering information on charter and cyber charter school funding reimbursement related to special education students and to draft proposed regulations and legislation based on its findings.

SB 470 would establish **new accountability requirements** for school districts serving special education students including new requirements for special education plans filed with the Department of Education (PDE). The bill would require the **Special Education Contingency Fund** to remain in effect to meet the needs of extraordinary special education expenses not anticipated through the special education funding formula. School districts and charter and cyber charter schools would continue to apply for these resources within PDE. The use of these funds would be documented in an annual report to the General Assembly. SB 470 would also establish, to the extent that funds are appropriated by the General Assembly, a **competitive grant program** for school districts and charter schools that meet certain criteria with respect to providing instruction to special education students in a regular classroom, meeting state reading and math standards for special education students and implementing programs or services that serve as a model of excellence for meeting high standards for inclusion and student achievement through quality special education. SB 470 was re-committed to the Senate Appropriations Committee on February 13.

- [Senate Bill 442](#) (**Sen. Andrew Dinniman**, D-19) was pulled from the agenda to clarify some issues. SB 442 would amend the Public School Code of 1949 to **exempt school or school system leaders** from **continuing education requirements** if their school or school district

makes **Adequate Yearly Progress (AYP)** or shows growth under the **Pennsylvania Value Added Assessment System (PVAAS)** for three consecutive years.

- On February 13, the **Senate Committees on Education and Veterans Affairs and Emergency Preparedness** held a joint hearing on the matter of **School Emergency Plans and Security Measures**. Testifying before lawmakers were several school superintendents, the Secretary of Education, and individuals representing the following organizations and agencies: Center for Safe Schools, Pennsylvania Emergency Management Agency (PEMA), Pennsylvania State Police, Chiefs of Police Association, Pennsylvania Sheriffs Association, Pennsylvania State Education Association (PSEA), and the Pennsylvania School Boards Association (PSBA).

The school superintendents' panel testified on a variety of issues including: the need for comprehensive school security plans, the ability to hire retired state police as armed guards, and the value of school resource officers. They also discussed other school safety techniques including building retrofits and redesign with safety in mind and utilizing the latest in technology to promote safe environments. Also underscored was the need for collaboration with local law enforcement and social service agencies, more intensive and independent school safety audits, creation of a statewide standard response protocol for schools to utilize common crisis plans, common language, and common practices. The school leaders also emphasized the need for staff training with particular attention paid to handling students with special needs in crisis situations.

Secretary of Education Ronald Tomalis stressed that there is not one single solution that will protect against all threats and the goal should be to improve the ability of schools to determine and implement strategies that best protect their students.

Glenn Cannon, Director of the state's **Emergency Management Agency (PEMA)**, discussed the legal requirements of school districts to collaborate with local law enforcement in developing a disaster and emergency response plan and emphasized the need for continued collaboration with community emergency organizations. **Colonel Frank Noonan**, Commissioner the **Pennsylvania State Police (PSP)**, shared how PSP enhances school safety through planning and consulting with PDE and the Center for Safe Schools, intelligence analysis and information sharing, Community Service Officer assignments, school resource officer assignments, risk and vulnerability assessments, and active shooter/hostile intruder community exercises.

Lawmakers also received testimony from individuals representing local police enforcement who agreed with many of the points made by other panelists. **Robert Martin, Susquehanna Township Police Chief** and Past President of the Chiefs of Police Association, offered a unique recommendation to require schools to be on the regular foot patrols of law enforcement.

Mike Crossey, President of the **Pennsylvania State Education Association (PSEA)**, shared PSEA's plan called "Solutions That Work," which outlines the need for "a multi-pronged, sustainable approach to ensuring safe learning environment for students and educators on an ongoing basis." The plan recommends greater access to mental health services for students, greater coordination between schools and law enforcement and social service agencies, alternative placements for disruptive students, and bullying prevention measures. Also on the same panel as Crossey was **Joseph Zupancic** representing the **Pennsylvania School Boards Association**. Zupancic submitted a number of possible legislative solutions, one of which is to clarify that school boards can discuss security and safety measures in executive session.

[Click here](#) to read the testimony and to access video and audio accounts of the hearing.

[House of Representatives](#)

- On February 6, the **House Education Committee** held an informational meeting on **transitioning to the [Keystone Exams](#)** with Carolyn Dumaresq, Deputy Secretary for Elementary and Secondary Education (PDE). Dumaresq provided the Committee with a brief overview of the Keystone Exams initiative which began in 2009. She explained that Keystone Exams are **rigorous end-of-course**

tests that have the broad support of many stakeholders such as legislators, the business community, and higher education. The keystones are linked to Pennsylvania Common Core State Standards. Three exams are currently being administered in Algebra I, Literature, and Biology. The Keystone Exams will be Pennsylvania's graduation requirements. Beginning with the **class of 2017, students must demonstrate proficiency** on the **Algebra I, Literature, and Biology Keystone Exams to graduate**. Students will be offered multiple opportunities to take the keystones throughout their schooling experience.

Dumaresq also discussed the **timeline for implementing the exams**. She noted the challenges of raising the academic bar for students and increasing the rigor of the state assessment system which resulted in the Department's decision to provide districts with additional time to adjust their curricula. Therefore, the keystones were not administered in 2012, but will be this year. When asked if the U.S. Department of Education approved the Keystone Exams as a **replacement to the PSSAs** and if they are in compliance with "No Child Left Behind" requirements. Dumaresq said "we have received approval from them about a month ago; we are putting out an announcement as soon as we get confirmation that we can adjust what we call the AMOs (annual measurable objectives), because of the rigor of this test we want to reset that scale and we asked for permission from them and they are looking at our request."

Additional questions about the Keystone Exams were asked at a subsequent hearing with Dr. Dumaresq on February 13. Members wanted to know who decides when the next round of exams is rolled out and what the subject matter will be. Dumaresq replied that "it begins with the legislature appropriating funds in order to develop and administer the test. What we have ready for the next two which would be the end of the five for graduation requirements, should the legislature appropriate the money to do that, would be writing/composition test and a civics test." Additional questions were asked about the benefits of moving from the PSSAs to the Keystone Exams and the status of the "No Child Left Behind" (NCLB) waiver. Dumaresq reiterated earlier testimony describing the keystones as an end-of-course exam that is closer to instruction and far more rigorous than survey type tests. On the subject of the NCLB waiver, she stated they are working very hard to meet the deadline for submitting the state's waiver request to the federal Department of Education.

[Click here](#) for a video account of the informational meeting.

- On February 11, the **House Education Committee** reported the following bills:
 - [House Bill 2](#) (**Rep. Bernie O'Neill**, R-29) is identical to [Senate Bill 470](#) (**Sen. Pat Browne**, R-16). It too would establish a **Legislative Commission on Special Education Funding to develop a formula** for the distribution of any increases in special education funding above the 2010-2011 funding level. Please see the SB 470 summary for additional details. HB 2 was re-committed to the House Appropriations Committee on February 13.
 - [House Bill 555](#) (**Rep. Justin Simmons**, R-131) would require each school district to include the **Megan's Law** website on any transportation-related communication distributed to students, parents and the public. Each school district would be required to provide a link to the Megan's Law website on its district homepage. The link must be prominently displayed on the homepage, regardless of whether the district transports students. The Committee adopted an amendment that would extend the provisions of the bill to apply to charter, cyber charter schools, Intermediate Units, and vocational and technical schools. HB 555 awaits further action by the House.
 - [House Resolution 53](#) (**Rep. Gary Day**, R-187) would establish a **select committee** to investigate and to make recommendations concerning **safety and security in public and nonpublic schools and institutions of higher education** in the Commonwealth. The select committee must submit a report of its findings and recommendations for any appropriate legislation to the House of Representatives no later than September 30, 2013. HR 53 awaits further action by the House.
- On February 13, the **House Education Committee** held an informational meeting with Carolyn Dumaresq, Deputy Secretary for the Office of Elementary and Secondary Education (PDE), on the

implementation of the state's teacher effectiveness system and the adoption of the **new performance profiles** (state report cards). Dumaresq provided a brief history and overview of past and present educator evaluation systems. In the past, prior to the enactment of [Act 82 of 2012](#), educator evaluations were based solely on subjective classroom observation that had no ability to include student performance or other qualitative measures into the evaluation. In 2010, Pennsylvania began to develop a new teacher evaluation system with a grant from the Gates Foundation to conduct a small pilot program. The pilot program grew in 2011 from five local education agencies (LEAs) to 120 LEAs. Since 2012, 290 LEAs are voluntarily participating in the final phase of the pilot program. Since Act 82, PDE has been working towards implementing the rating system for teachers that is scheduled to begin in July 2013. The system consists of both evidence from observation, as well as multiple measures that include both student achievement and growth. Key components and relative weights for the evaluation system breakout in the following manner:

- Observation Data- 50%
- Building Level Data-15%
- Teacher Specific Data-15%
- Elective Data- 20%

[Click here](#) to view charts and other attachments included in Dumaresq's testimony that further explain these components. To read her written testimony, [click here](#).

Deputy Secretary Dumaresq was joined by **Dr. Michele Sellitto** and **Bob Shinskie** of PDE to share a demonstration of the **School Performance Profile** website. The purpose of the School Performance Profile is provide the building level scores which account for 15 percent of every teacher and principal's evaluation beginning in the 2013-2014 school year. It is also designed to inform parents and the general public about the performance of their schools and to be able to compare how well they are performing against the rest of the state. Asked what are the next steps for the teacher evaluation and the School Performance Profile, Dumaresq said that the PDE will begin to develop the system for use in the 2013-2014 school year, using 2012-2013 data as a baseline.

[Click here](#) for additional information on PDE's teacher effectiveness project.

PA DEPARTMENT OF EDUCATION

On February 1, the Pennsylvania Department of Education released the list of **low-achieving schools** in which students, who live within the schools' boundaries, may be eligible to apply for a scholarship through the **Opportunity Scholarship Tax Credit** program. The Opportunity Scholarship Tax Credit program was created by the General Assembly last year and provides low and moderate income students in low-achieving schools the opportunity to obtain a scholarship to attend a participating public or nonpublic school.

The list of schools contains the lowest 15 percent of elementary schools and the lowest 15 percent of secondary schools based on combined math and reading scores on the Pennsylvania System of School Assessment (PSSAs) from the 2011-2012 school year. The list includes 406 school buildings in 71 school districts. For the 2013-2014 school year, students who live within the attendance boundaries of one of these schools may be eligible for a scholarship if their household's annual income is no greater than \$75,000, plus \$12,000 for each dependent member of the household. The maximum scholarship award available to non-special education students is \$8,500 and the maximum for a student receiving special education services is \$15,000.

[Click here](#) to view the list of low achieving schools. For more information about the Opportunity Scholarship Tax Credit program, visit the Department of Community and Economic Development's website at: www.newpa.com/ostc

EPLC NEWS

- **EPLC**, in cooperation with the **Pennsylvania Cable Network (PCN)**, is producing a monthly series of hour-long programs dedicated to raising awareness about current education issues that affect Pennsylvania's students and taxpayers, and ultimately, the future of our workforce and communities. The first show of "**Focus on Pennsylvania Education**" was broadcast on PCN on February 13. It looked at **school violence and safety issues** in the first half-hour, and then panelists in the second half-hour discuss whether school staff should have the right to carry guns. **The monthly show will be broadcast on PCN at 9:00 p.m. on the 2nd Wednesday of every month**, now through June, and then again this fall in September through December. PCN typically repeats the broadcast at later times each month. The March show will look at the issue of Student Testing. To learn more, visit <http://pcntv.com/new-series-focus-on-education/>.
- **EPLC**, with the cooperation of the **Pennsylvania School Boards Association (PSBA)** and the **Pennsylvania Association of School Business Officials (PASBO)**, will conduct its last in a series of full-day workshops for **2013 Pennsylvania School Board Candidates in Monroeville on February 23**. Incumbents, non-incumbents, campaign supporters and all interested voters are invited to participate in this workshop. Registration is \$45 and includes coffee and donuts, lunch, and materials. For additional details and registration information, please visit the [EPLC web site](#).

ANNOUNCEMENTS

- **Jen Smeltz** will serve as **Executive Director of the Senate Education Committee** under **Majority Chairman Mike Folmer (R-48)**. Smeltz is filling the position previously held by Dave Transue.
- **Arlene Ackerman, former Superintendent of the Philadelphia School District (2008-2011), died on February 2**. Ackerman, who began her career as a teacher in 1968, often referred to herself as a "warrior for children." Among her many accolades, she was named the top urban schools chief by the Council of Great City Schools in 2010. U.S. Education Secretary Arne Duncan released the following statement: "America's educators have lost a leader, and I have lost a friend and mentor. Whether in Philadelphia, San Francisco, or Washington, Arlene Ackerman cared deeply about America's urban schools and students. As a young superintendent in Chicago, I looked up to Arlene and learned a lot from her tenacity, courage and commitment to children."
- **Shippensburg University President William Ruud** has accepted a new position as the President at the University of Northern Iowa. He has been the President at Shippensburg University since 2007. Ruud will begin his new post on June 1.

DATEBOOK

- **Tuesday, February 19** is the **first day to circulate and file nomination petitions for school board candidates** and other positions to be on the ballot for the May Primary Election. Petitions are due on Tuesday, March 12.
- The **Senate Appropriations Committee** will hold a budget hearing with the **Governor's Office/Governor's Budget Office/Executive Offices** in Harrisburg on **Tuesday, February 19** at 9:30 AM.
- The **Senate Appropriations Committee** will hold a budget hearing with the **Independent Fiscal Office--Economic Outlook and Revenue Overview** in Harrisburg on **Tuesday, February 19** at 3:00 PM.
- The **Pennsylvania Budget and Policy Center** will hold its annual **Budget Summit** featuring an in-depth look at the Governor's budget proposal and an update on the federal budget — and what they mean for communities and families across Pennsylvania -- on **Thursday, February 21** in Harrisburg from 9:00 AM-3:00 PM. [Click here](#) for details and registration.

- The **Senate Appropriations Committee** will hold a budget hearing with **State Employees' Retirement System (SERS)/Public School Employees' Retirement System (PSERS)** on **Wednesday, February 27** in Harrisburg at 9:30 AM.
- The **Pennsylvania Association of Career and Technical Administrators** will hold an Education and Workforce Development Symposium on "**Preparing Students for the Workforce of Tomorrow**" in Hershey **February 26-27**. [Click here](#) for additional information and registration details.
- The next meeting of the **State Board of Education** will be Harrisburg on **March 13-14**. Agenda to follow.

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