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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 **House of Representatives** and **Senate** will reconvene in voting session on **Monday, February 3** at 1:00 PM.

Pennsylvania Budget Watch

Governor Corbett will deliver his **Budget Address** to a joint session of the General Assembly on **Tuesday, February 4** at 11:30 AM. The Governor has discussed a few details of his anticipated budget message, including a couple of items related to education.

While presenting Governor's Awards for Excellence in Academics to two Red Lion Area schools on January 28, Governor Corbett announced that he will propose the creation of a new competitive grant program called the **Governor's Expanding Excellence Program**. According to a [press release](#), the initiative "would provide **competitive funding to schools that have attained a 90 or higher on the School Performance Profile** and are willing to **analyze and share best practices** that have proven to raise student achievement. Grant recipients will be responsible for supporting schools across the state that strive to replicate these strategies and techniques." Governor Corbett also announced that he intends to ask the Legislature to include in the budget \$1 million for the initiative.

On January 30, Governor Corbett previewed his plan to **increase the Pennsylvania Pre-K Counts program by \$10 million**, which would help to supplement a \$51.7 million Race to the Top Early Learning Challenge grant awarded to Pennsylvania in December 2013.

House of Representatives

- The **House Education Committee** held on January 27 an informational briefing about the **Special Education Funding Commission's final report and recommendations**.

The Commission was created through [Act 3 of 2013](#) with the purpose of developing and recommending a funding formula for the distribution of any future increase in special education funding. The co-chairmen of the Commission, **Representative Bernie O'Neill** (R-29) and **Senator Pat Browne** (R-16), described the responsibilities of the Commission to the members of the Education Committee, some of whom were also on the Commission.

The Commission was charged with reviewing and making recommendations related to special education funding; issuing a report of its findings and recommendations; drafting proposed legislation based on its findings; and developing a special education formula as well as identifying factors that may be used to determine the distribution of a change in special education funding.

The Commission was instructed to determine a description of and parameters for three cost categories to be factors for a funding formula. Additional weighting factors considered were market value/personal income aid ratio, the equalized millage rate, and geographic price differences.

Senator Browne described the survey the Independent Fiscal Office (IFO) conducted to collect data to determine the weights for each category. He then described in a series of steps how the recommended formula and calculations would work:

1. Calculate the weighted student count for each school district.
2. Adjust weighted student count for rural and small school districts.
3. Add the school district's weight in (1) and adjustment in (2).
4. Multiply the sum in (3) by the school's market value/personal income aid ratio and its equalized millage multiplier.
5. Prorate funding. Multiply the product in (4) for each school district by the amount of funds to be distributed and divide by the sum of the products for all districts.

For charter school funding, the Commission recommends the same basic funding principles, with an adjustment for local cost differentials, and substantiation by charters for costs in category two and three – the middle range and most intensive categories.

The Commission recommends changes to the Contingency Fund as well, suggesting it be an independent line item and renamed "Extraordinary Cost Fund." The distribution of funds for students costing between \$75,000 and \$100,000 would consider market value/personal income aid ratio, while relative wealth would not be considered for students receiving \$100,000 or more in services. The Extraordinary Cost Fund would also have a funding cap for the largest school district (Philadelphia).

With the recommendation to factor student count into funding distribution, both Representative O'Neill and Senator Browne cited over-identification as an area that should be monitored by the General Assembly and the Department of Education.

Per the Act, the General Assembly shall consider and take action to enact the formula recommended by the Commission into law.

[Click here](#) for the briefing materials distributed at the meeting.

➤ During the week of January 27, the **House of Representatives** took action on the following legislation:

- [House Resolution 620](#) sponsored by **Rep. Jerry Stern** (R-80) designates **January 2014** as “**School Director Recognition Month**” in Pennsylvania. Local school districts and their governing boards were established by the General Assembly more than 150 years ago. HR 620 was **adopted** unanimously on the uncontested calendar.
- [Senate Bill 437](#) sponsored by **Sen. Mike Folmer** (R-48) would allow the Department of Education to issue **military science teaching certificates** to individuals who have a valid military science certificate or endorsement issued by a branch of the United States Armed Forces. The certificate would allow an individual to teach military science and Junior Reserve Officer Training Corps (JROTC) courses only. SB 437 **passed** the House on January 27 by a vote of [198-0](#).

Prior to the passage in the House the bill was reported as committed from the House Appropriations Committee. [Click here](#) to read the **fiscal note**. SB 437 has now been presented to the Governor for his approval.

- [House Bill 1718](#) sponsored by **Rep. Ryan Aument** (R-41) would amend the Public School Code to add an article titled the **Online Education Initiative**. Under the Online Education Initiative, the Department of Education (PDE) shall establish a central online clearinghouse that catalogs approved online courses for students enrolled in grades six through 12. The clearinghouse would be accessible to school entities, nonpublic schools, home education programs, and the general public. PDE must develop the application and application process by which providers may submit their online course offerings for inclusion in the clearinghouse. The bill outlines the approval process, and provides for two reports to be submitted by the Secretary of Education to the Governor and Education Committees. It clarifies that the Initiative would not prevent a school entity from establishing and offering its own online course or program, nor would it require a student to participate in an online program.

On January 29 the House **adopted five amendments** to HB 1718:

- **Rep. Mike Carroll** (D-118) amendment **replaces language requiring** each school entity to provide online courses **with language allowing** each school entity to provide online courses. ([196-0](#))
- **Rep. James Roebuck** (D-188) amendment changes the criteria that an online course must meet for inclusion in the clearinghouse by **removing the provision** requiring the school entity that designed the course to have **scored at least an 80 on the Pennsylvania School Performance Profile** for the school year preceding the application. ([196-0](#))
- **Rep. Steve McCarter** (D-154) amendment clarifies that **nothing in the Article would prevent** a school entity or personnel from **supplementing** an online course; **providing assistance**, tutoring or enrichment to a student enrolled in an online course; **using the content of an online course in instruction** delivered by school district personnel; or **monitoring a student’s progress** and attention to instruction in an online course. ([196-0](#))
- **Rep. Ryan Aument** (R-41) amendment adds language **requiring PDE to assist** school districts declared to be in **financial recovery status** by facilitating the districts’ search for low-cost or no-cost online course options. Also adds language **requiring a course provider to provide** the school entity, nonpublic school, or home education program with **information regarding refund policies** and the process for contesting payment amounts. ([193-3](#))
- **Rep. Bernie O’Neill** (R-29) amendment outlines the **implementation schedule** the Department must adhere to in establishing the clearinghouse. ([196-0](#))

➤ The **House State Government Committee** met on January 28 and considered [House Bill 1471](#) sponsored by **Rep. John McGinnis** (R-79). HB 1471 would require the State Employees’ Retirement

System (SERS) and **Public School Employees' Retirement System (PSERS)** to **include in their annual financial reports a mark-to-market balance sheet** using the actual values of assets and liabilities. Currently, the estimated unfunded liability is calculated according to actuarial accrued liabilities. The bill was **reported as committed** by a vote of [13-12](#), with Republican Representatives George Dunbar and Jerry Knowles voting negative along with all Democratic members.

Representative McGinnis said the current calculation assumes assets will earn 7.5 percent rate of return each year without deviation. A mark-to-market balance sheet will show the actual assets in place to provide taxpayers with a full understanding of the underfunding of the two pension systems.

Minority Chairman Mark Cohen and others commented that the actual returns of the systems on average are ahead of the assumed rate of return.

An **amendment** sponsored by **Rep. Mary Jo Daley (D-148)** that would also require a detailed explanation of the purpose behind the inclusion of the report and an explanation of how it differs from generally used practices **failed** by a vote of [12-13](#). A motion to table the bill in order to gather more information also failed.

[Senate](#)

➤ The **Senate Appropriations Committee** on January 27 reported the following legislation:

- [Senate Bill 1000](#) sponsored by **Sen. Joseph Scarnati (R-25)** would amend the Public School Code to establish a **rural regional community college for underserved counties**. The legislation provides for the powers and duties of the Secretary of Education, which **includes designating the nonprofit to consult with when determining the counties to be served**. A board of trustees, whose composition and duties are outlined in the bill, must submit within one year of its initial meeting a proposed regional community college plan to be approved by the Secretary. **Resident and nonresident students shall have a separate schedule of tuition and fees** determined by the board. A community college established by SB 1000 may award any type of diploma, technical or career training certificate or degree not to exceed the level of an associate of arts or sciences degree. SB 1000 was unanimously **reported as committed**. [Click here](#) to read the Committee's **fiscal note**.

[Senate Bill 1205](#) sponsored by **Sen. Mike Folmer (R-48)** would amend the Public School Code to **simplify the process a college must follow in order to become a university**. A college that is authorized to confer bachelor's degrees may be designated a university if the institution submits a notarized affidavit to the Department of Education. The bill provides for the contents and submission of the affidavit, and the review process for the Department. SB 1205 was unanimously **reported as amended**. [Click here](#) to read the Committee's **fiscal note**.

The **amendment** sponsored by **Sen. Jake Corman (R-34)** that was unanimously adopted adds language that allows the affidavit process to pertain to an institution that may not satisfy certain provisions but does **provide a specialized type of educational program** that would be enhanced by having the university designation.

[House Bill 1559](#) sponsored by **Rep. Frank Farina (D-115)** would amend the Public School Code to require each school entity's **professional development plan** to include four hours of training in **youth suicide awareness and prevention** every five years for educators in buildings serving students grades six through 12. School entities shall also adopt a suicide awareness and prevention policy. The Department of Education in consultation with the Department of Health shall develop recommended training guidelines and materials. HB 1559 was

unanimously **reported as amended**. [Click here](#) to read the Committee's **fiscal note**.

The **amendment** sponsored by **Sen. Jake Corman** (R-34) that was unanimously adopted **revises the implementation dates and effective dates** and makes other technical changes.

➤ During the week of January 27, the **Senate adopted the following resolutions**:

- [Senate Resolution 286](#) sponsored by **Sen. Mike Folmer** (R-48) designates the week of **January 26 through February 1, 2014**, as "**Catholic Schools Week**" in Pennsylvania. The week is designated nationally as School Choice Week.
- [Senate Resolution 288](#) sponsored by **Sen. Shirley Kitchen** (D-3) designates the month of **February 2014** as "**Black History Month**" in Pennsylvania. This month is also observed nationally. Since 1976, every U.S. President has designated February as Black History Month.

PENNSYLVANIA DEPARTMENT OF EDUCATION

The **Pennsylvania Department of Education (PDE)** has **denied all six of the cyber charter applications** submitted in November 2013 by hopeful operators.

According to [Education Week](#), PDE believed that "five of the six proposed schools were too closely tied to for-profit companies poised to receive contracts from the new schools." [Newsworks](#) reports that the rejection letters noted application deficiencies in the following areas:

- application requirements
- governance
- sustainable support
- use of physical facilities
- technology
- curriculum
- special education
- English as a second language
- assessment and accountability/school improvement
- finance
- professional development/teacher induction

There are [14 existing cyber-charter schools](#) in Pennsylvania, serving roughly 35,000 students and costing taxpayers more than \$350 million annually. Last year, eight cyber schools submitted applications to the Department and all were denied approval.

ANNOUNCEMENTS

The chairman of the House Education Committee, **Representative Paul Clymer** (R-145), announced on January 23 that after 34 years of service he **will not seek re-election** at the end of his current legislative term.

EPLC NEWS

➤ **Registration is open for EPLC's 2014 Education Issues Workshops for Legislative Candidates, Campaign Staff, and Interested Voters!** The day-long, non-partisan program is intended to provide information about the important education issues that will be key topics for voters and candidates in

the 2014 Pennsylvania Campaign. Workshops will be held in Harrisburg, Monroeville (Pittsburgh region), and Philadelphia. [Click here](#) for registration information. **Register now – space is limited.**

- Shortly after Governor Corbett’s Budget Address on February 4, EPLC will be hosting **policy forums in Pittsburgh (February 13), Philadelphia (February 24), State College (February 26), and Harrisburg (February 27) to discuss the proposed 2014-15 budget** and the Governor’s proposals for education. [Click here](#) for more information about the policy forums. Space is limited for each event and an RSVP is required. Anyone wishing to receive an invitation should inquire by contacting staff@eplc.org or 717-260-9900.
- EPLC’s monthly education program on PCN – **Focus on Education** – begins again in February with initial broadcast set for Sunday, February 9 at 3:00 p.m. The February show will discuss the **Governor’s proposed 2014-15 budget for education.**

In 2014, Focus on Education will be broadcast on the 2nd Sunday of each month, February to June and September to December. PCN will typically re-broadcast each episode throughout the month. Additionally, each episode is archived and available “on demand” on [PCN’s Focus on Education website](#).

The monthly show is an opportunity to get the name of your organization or cause in front of a statewide audience that has an interest in education issues. Introductory rates are available for a limited time now for **sponsorships for one-month, three-months, or six-months.** For more details, and to subscribe to your sponsorship for one or more monthly shows, please email Ron Cowell at cowell@eplc.org.

- You can find on the EPLC website a list of confirmed **2014 gubernatorial candidates**, and links to information about their **plans, if elected, for education and arts and culture** in Pennsylvania. The list will be updated as more information becomes available. [Click here](#) to visit the resource page.

DATEBOOK

- The **Philadelphia Business Journal** and **WHYY** will be hosting a **2014 Gubernatorial Forum** for Journal subscribers and WHYY members on **Tuesday, February 4** from 8:30 AM – 10:30 AM in Philadelphia. [Click here](#) for more information.
- The **House Education Committee** will meet on **Wednesday, February 5** at 9:00 AM in Harrisburg to consider [HB 1930](#) (GED completion legislation) and [HB 1931](#) (secondary school diploma affordability and accessibility).
- The **State Interagency Coordinating Council (SICC) for Early Intervention** will meet on **Thursday, February 6** from 12:00 PM – 3:00 PM at PaTTAN Harrisburg. The PaTTAN offices in Pittsburgh and King of Prussia, as well as Intermediate Units 6, 17, and 19 will be video conference sites. For more information about SICC, [click here](#).
- The **Education Policy and Leadership Center** will host an **Education Policy Forum** on the Governor’s State Budget Proposal for Education on **Thursday, February 13** in Pittsburgh. For details, see “EPLC NEWS,” above.
- The **House and Senate Appropriations Committees** will hold **budget hearings** in Harrisburg throughout the month of February. [Click here](#) for a list of hearing dates and times scheduled for education-related agencies (**February 13, 18, 20, 24, 26**).

- The **Pennsylvania Budget and Policy Center** will host its **Annual Budget Summit** on **Thursday, February 20** from 9:00 AM – 4:00 PM in Harrisburg. The Summit will provide an in-depth look at the Governor’s spending plan and an update on the federal budget – and what it means for communities and families across Pennsylvania. Register [here](#).

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