**From:** PSBA Office of Government Affairs
**To:** Terri Birchard
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March 21, 2019

*The Senate and House of Representatives were in session this week and will be in session next week.*

**General Assembly moves variety of PSBA-supported bills**

This week PSBA was successful in supporting action on a variety of bills that have been actively lobbied by the association. Our advocacy work stretched over a variety of issues relevant to our members' interests.
Legislation sought by PSBA includes:

***Public employee pension forfeiture*** - Passed by the Senate and House of Representatives and now headed to Gov. Wolf is **Senate Bill 113** (Sen. DiSanto, R-Dauphin), which amends the Public Employee Pension Forfeiture Act to tighten the rules for forfeiture of pension benefits for public officials or public employees who plead guilty, no contest or are convicted of any job-related felony offense. The governor is expected to sign the bill.

***Tax credits for CTE programs*** - The House passed **House Bill 522** (Rep. Tobash, R-Schuylkill), which would create a tax credit program for businesses that contribute to career and technical education programs and enrollment expansion programs. The bill was amended on the House floor to increase the tax credit amount from $10 million to $15 million.

***Sale of vaping products to minors*** -- The House Judiciary Committee reported out **House Bill 97** (Rep. Rapp, R-Warren), which amends the Crimes Code by adding nicotine products and "electronic nicotine delivery systems" to the sections that currently make it illegal to sell tobacco products to minors and, for students, to use tobacco products on school grounds.

***Flexible instructional days*** -- The Senate Education Committee reported out **Senate Bill 440** (Sen. Phillips-Hill, R- York) amends the School Code to codify a

pilot program that allows schools to use Flexible Instructional Days (FIDs) in the instance of a cancellation. Participation in the program would be optional for districts. The pilot program, which began in 2014, expired at the end of the 2017-18 school year and was extended by PDE into the 2018-19 school year.

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**Charter funding reform efforts underway with PSBA support**

PSBA is working toward meaningful charter school funding reforms, and is urging members to get involved as the progress continues.

First, **Senate Bill 34** (Sen. Judy Schwank, D-Berks) and **House Bill 526** (Rep. Curtis Sonney, R-Erie) support school districts that provide their own high-performing cyber education programs by removing the financial responsibility for resident students who enroll in cyber charter schools instead of the districts' programs. Check out PSBA's website for **bill summaries** and two sample resolutions for school boards to adopt. One is specific to the proposed legislation, and the other addresses the overarching need for cyber charter school funding reform.

- **Sample resolution in support of Senate Bill 34 and House Bill 526**
- **Sample resolution in support of statewide cyber charter school funding reform**

**In addition, PSBA is supporting these legislative proposals that will soon be introduced:**

**Comprehensive reform package -- Sen. Robert Tomlinson** (R-Bucks) is seeking co-sponsorship for a package of bills addressing the growing discrepancies of funding charter schools through school districts. The five-bill package would: 1) implement the Special Education Funding Commission's recommendation to apply the funding formula under Act 126 of 2014 used for school districts to charter schools; 2) removes the across the board assumption of a 16% special education population rate per school district to using the school district's actual percentage of special education population; 3) addresses the calculation of selected expenditures school districts pay to charter schools; 4) re-establish the charter school reimbursement line-item in the state budget; and 5) codifies the Department of Education's past process of determining charter school tuition using actual school district expenditures and allows the department to review school district subsidy deductions.

**Funding Commission -- Sen. Patrick Browne** (R- Lehigh) is seeking co-sponsorship for legislation he will introduce to establish a Charter School Funding Advisory Commission to review and make recommendations concerning charter school funding and related issues.

**Financial and accountability reforms -- Sen. James Brewster** (D-Allegheny) is seeking co-sponsorship for a wide-ranging bill that will include financial reforms, upgrading accountability to students and taxpayers, and reforms to the Charter Appeal Board.

***Stay tuned for other charter school reform measures to be introduced in the General Assembly, and watch for news and updates from PSBA on this issue.***

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## Latest News

## Passed by the House of Representatives

- Online database of articulation agreements
- Employer access to students and school services
- CIP codes/agricultural education
- PASMART online career resources
- Workforce development program inventory and clearinghouse
- Occupational advisory committees
- Local workforce development boards
- CareerBound workforce development program

## Approved by the House Labor and Industry Committee

- Fair share fees and Janus rights

## Approved by the Senate Education Committee

- Updating vocational schools reference
- CPR instruction
- Keystone Telepresence Education Grant Program
- Global Education Task Force

## PSBA News

- PSBA testifies on proposed changes to Chapter 49 regulations
- Proposals for PSBA's 2020 Legislative Platform now being accepted

### Passed by the House of Representatives

#### Online database of articulation agreements

**House Bill 265** (Rep. Staats, R-Bucks) would expand the online database that allows students to check where courses, programs, certificates and diplomas are able to be transferred among public schools and institutions of

higher education. House Bill 265 is now in the Appropriations Committee.

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## Employer access to students and school services

**House Bill 297** (Rep. Mako, R-Northampton) would amend the School Code to require public school entities to provide employers with direct access to school services and students and at least one opportunity to speak directly to students.

PSBA, along with the Pennsylvania Association of Career and Technical Administrators (PACTA), Pennsylvania Principals Association, and Pennsylvania Association of School Administrators (PASA) have expressed significant concerns with the bill because it presents substantial difficulties for schools in complying with the numerous requirements.

The groups sent a **joint letter of opposition** to House Bill 297 because of onerous requirements that grants new rights to employers to recruit and deliver information to all enrolled students in grades 4-12 and provides equal access to schools' employment/placement services and their guidance services. All of this would be done without leaving schools with appropriate discretion in these matters. Depending on its interpretation, and due to its broad and vague language, this bill has the potential to result in intrusions into instructional and administrative time, potential safety concerns and increased costs for schools. The bill was amended on the House floor this week, but the changes made do not adequately address all of the concerns raised.

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## CIP codes/agricultural education

**House Bill 334** (Rep. Grove, R-York) codifies the existing state pilot program to allow a single school entity to apply for the establishment or renewal of a Classification of Instruction Program (CIP) code. The codes are used in career and technical education to support the accurate tracking and reporting of fields of study and program completions activity.

Also, the Commission for Agricultural Education Excellence must issue guidelines to identify the circumstances when a student who successfully completes an academic course may apply the credit toward completion of an agriculture education program. The Department of Education (PDE) must issue guidelines to identify the circumstances when a student who successfully completes a STEM course (science, technology, engineering or mathematics) may apply the credit toward the completion of a course or program offered by a career and technical center.

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## PASMART online career resources

**House Bill 393** (Rep. Harkins, D-Erie) would require the Departments of Education (PDE), Labor and Industry (L&I) and Agriculture to establish an online central clearinghouse as a career resource center to provide information on career pathways, data and statistics on employment

opportunities, postsecondary options and statewide and regional articulation agreements.

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### Workforce development program inventory and clearinghouse

**House Bill 394** (Rep. Mullery, D-Luzerne) would require the Department of Education (PDE) and the Department of Labor & Industry (L&I) to conduct a complete inventory to determine the number and types of existing workforce development programs at both the secondary and postsecondary levels.

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### Occupational advisory committees

**House Bill 395** (Rep. Roebuck, D-Philadelphia) would require CTE programs or a cluster of programs to establish occupational advisory committees. The committees may agree to establish a shared committee to serve multiple school districts or career and technical education centers within the same intermediate unit.

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### Local workforce development boards

**House Bill 396** (Rep. Roebuck, D-Philadelphia) would add at least one administrator from a career and technical center to each Workforce Development Board. The local administrator must be from a Department of Education-approved career and technical education program.

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### CareerBound workforce development program

**House Bill 425** (Rep. Mackenzie, R-Lehigh) establishes a workforce development program called CareerBound. The program would permit trade groups, businesses, and institutions of higher learning to partner with middle and high schools to offer students exposure to an array of school-to-work opportunities.

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## Approved by the House Labor and Industry Committee

### Fair share fees and Janus rights

**House Bill 785** (Rep. Klunk, R-York) amends the Public Employe Relations Act (Act 195 of 1970) to reflect the U.S. Supreme Court's 2018 decision in the Janus v. AFSCME case. The bill would require public employers to annually notify nonunion members that there is no statutory obligation for members to make any payments to an employee organization. Payroll deductions for donations by nonmembers to unions would be prohibited; however, deductions could continue to be made for members of the union. House Bill 785 also repeals the two Pennsylvania laws that authorized the payment of "fair share fees" by nonmembers.

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## Approved by the Senate Education Committee

### Updating vocational schools reference

**Senate Bill 89** (Sen. Hughes, D-Philadelphia) changes multiple references to "vocational-technical schools" in the Public School Code and replaces them with "career and technical schools."

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### CPR instruction

**Senate Bill 115** (Sen. Killion, R-Delaware) requires the Department of Education (PDE) to develop a model curriculum and guidelines for instruction in cardiopulmonary resuscitation instruction (CPR) for students in grades 9-12. The curriculum must include information regarding hands-on training and on the purpose of an automated external defibrillator. The instruction maybe integrated into existing health courses.

A school may use the model curriculum or develop its own. A teacher, instructor or community volunteer may provide the instruction and would not have to be a certified CPR trainer. The person would be subject to required background checks. An individual who in good faith provides CPR instruction would not be liable for any civil damages as a result of any act or omission relating to the instruction.

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### Keystone Telepresence Education Grant Program

**Senate Bill 144** (Sen. Martin, R-Lancaster) establishes the Keystone Telepresence Education Grant, which will give the state's 29 intermediate units access to a maximum of $300,000 in funds to purchase telepresence equipment to support homebound students facing serious medical conditions.

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### Global Education Task Force

**Senate Resolution 34** (Sen. Dinniman, D- Chester) establishes a Global Education Task Force to promote the adoption of models for schools and institutions of higher education as they relate to global education goals, programs and initiatives.  PSBA is among the organizations listed as members of the task force.

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## PSBA News

### PSBA testifies on proposed changes to Chapter 49 regulations

PSBA recently presented testimony to the State Board of Education regarding **proposed revisions** to the Chapter 49 regulations for teacher certification. Representing the association was PSBA Chief Advocacy Officer John M. Callahan, who expressed general support for the draft that updates the regulation to changes in law and current practice and intends to strengthen the quality of teacher preparation programs and support new teachers. PSBA's testimony also addressed specific areas of the proposal regarding professional ethics issues in teacher preparation programs, issues related to student teaching experiences, induction programs for new teachers and the grade and age spans for instructional certificates.

**Click here** to read PSBA's testimony.

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## Proposals for PSBA's 2020 Legislative Platform now being accepted

Your school board is invited to build PSBA's legislative agenda by submitting proposals for consideration for PSBA's 2020 Legislative Platform. With the platform adoption process now open, this is the time to bring this issue up for discussion at your next board meeting so that your items can be drafted, approved and submitted to PSBA by the **June 28** deadline.

Boards should begin by reviewing the current **PSBA 2019 Legislative Platform**. Boards may voice support for the continuation of specific current platform statements, create new proposals, or suggest the amendment or deletion of a current statement. Proposals will be presented to the PSBA Platform Committee on July 27 for consideration. The recommendations of the Platform Committee are then considered by the Delegate Assembly on Oct. 18 for final determination. Click here for **information on the process** and **the guidelines** for submitting platform proposals.

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