



January 15, 2016

*The House of Representatives was in session this week and is now adjourned until Monday, Jan. 25. The Senate will return to Harrisburg on Tuesday, Jan. 19. Gov. Wolf is scheduled to deliver his 2016-17 state budget address on Tuesday, Feb. 9.*

#### **House amends, passes Fiscal Code bill**

### **STATE BUDGET**

This week with a vote of [111-81](#), the House passed an amended version of [House Bill 1327](#), a bill that would add language to the Fiscal Code to implement the 2015-16 partial state budget as enacted last month under [House Bill 1460](#), now **Act 10A of 2015**. The bill must now be returned to the Senate for concurrence. Its future in the Senate, or with Gov. Wolf, is uncertain.

The bill was amended in the House Rules Committee to make various changes to the budget, including significant adjustments for the distribution of the basic education subsidy and Ready to Learn block grants. As amended, House Bill 1327 changes the distribution of the basic subsidy so that districts would receive an amount to last year's appropriation and any new dollars would be allocated using the formula recommended by the Basic Education Funding Commission.

Last week the state Treasury distributed subsidy funding using what the Wolf Administration called "components consistent with the proposed formula in the 2015-16 Executive Budget, and are part of the agreed-to hybrid funding formula that would have been fully enacted as part of the bipartisan framework budget agreement."

House Bill 1327 also changed the distribution of the Ready to Learn (RTL) block grants by re-stating that the money will be distributed as it was last year to both school districts *and* charter schools. Last week the Administration had given school districts only the same RTL grant amount they received in 2014-15 and used the remaining funds to restore the charter school reimbursement program that had been eliminated in the 2011-12 budget.

In addition, the Rules Committee deleted language that had been added to House Bill 1327 late last month that would have provided for state reimbursement of interest payments incurred by school districts as a direct result of the budget impasse.

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### **PlanCon reimbursement provisions added to Fiscal Code bill**

The amended version of [House Bill 1327](#) also provides for reimbursement to school districts with school construction or reconstruction projects that have not yet received reimbursements from the state under the PlanCon program. The state will refinance the reimbursable portion of the debt for such projects through the Commonwealth Financing Authority; the Authority will issue bonds to pay the required reimbursements. The bill also establishes an advisory committee to review and make recommendations regarding construction and reconstruction and lease of public school buildings, including planning, financing and state reimbursement. The bi-partisan panel includes legislators, the secretary of education, representatives from PSBA and the PA Association of School Business Officials, and other appointees. The committee report is due Nov. 1, 2016.

Additionally, the language establishes a two-year moratorium on approval of new construction projects during the 2015-16 and 2016-17 school years. Completed project applications received by the PA Department of Education (PDE) by Feb. 15, 2016 are not subject to the moratorium. Other language requires PDE to move projects back in reimbursement order when a district fails to submit required paperwork in a timely manner for reimbursement.

## **Latest News**

### **PA State Board of Education Meeting, Jan. 13-14**

- [State Board expresses concern but gives initial approval to school immunization changes](#)
- [State Board receives update on proposed SPP changes](#)
- [State Board receives update on Pennsylvania's ESSA implementation](#)

### **PA State Board of Education Meeting, Jan. 13-14**

#### **State Board expresses concern but gives initial approval to school immunization changes**

This week the State Board of Education expressed concern with the Department of Health's proposed changes to regulations regarding required school immunizations, but voted initial approval of its own piece of that package in order to move the plans through the regulatory review process that allows for public comment and additional changes. The proposed changes are a joint effort of the Department of Education and the Department of Health.

The proposal approved this week by the State Board amends regulations under Title 22, Chapter 11 (Student Attendance). The Department of Health's Advisory Health Board will amend its regulations under Title 28, Chapter 23 (School Health). The most substantive changes will be to the Chapter 23 regulations; the language under Chapter 11 simply states that children may not attend school unless the requirements under Chapter 23 have been met. Revisions to both sets

of regulations will move on parallel tracks so that they can be implemented as a package within the same timeframe. The State Board plans to conduct public hearings on the proposal later this spring. The Department of Health has not yet issued the specific language of its proposal, but did provide the State Board of Education with details on what the plan will contain.

One of the issues of concern to the State Board is a proposed change to require students who need the next or final dose of a multiple dose vaccine only five days to do so, or beyond the five days if the student submits a medical certificate outlining the dates for additional vaccination. Currently, there is an eight-month provisional period for children to receive a required vaccine. Also of concern is a proposed requirement for school administrators to review the medical certificate and the child's compliance at least every 30 days.

In addition, the proposal changes some of the state's vaccination requirements, such as requiring a pertussis vaccine and a dose of meningococcal vaccine for students before entering 12th grade. It also changes the date by which schools are required to submit immunization reports, from Oct. 15 of each school year to Dec. 31, and to require reporting electronically.

Children who are homeless as defined under the McKinney Vento Act are excluded from these rules. Also, children transferring from outside the commonwealth will have 30 days to provide immunization records or get come into compliance with the rules. No change is proposed to the current medical, religious or philosophical exemptions to immunization.

[Click here to see details on the proposed revisions to school immunizations regulations.](#)

[Click here to see Frequently Asked Questions about the proposed revisions.](#)

[Click here to see the proposed changes to Chapter 11.](#)

[Click here to see the State Board's statement of concern regarding the proposed change to the provisional admission period.](#)

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### **State Board receives update on proposed SPP changes**

The State Board of Education received an update from the PA Department of Education (PDE) regarding possible changes to the School Performance Profile (SPP), which measures performance in schools and is used for educator evaluations. Regarding the SPP, the department is looking at revising what is measured and the weights for each indicator. Generally, PDE believes that the current SPP relies too heavily on the weighting of state assessments. Moving forward, the SPP will focus on: 1) less reliance on a single assessment; 2) holistic indicators of student success; 3) focus on college and career ready outcomes; 4) measures that incentivize effective instructional practices; and 5) indicators that promote equity and success.

In order to revise the SPP, changes would have to be made in state law and regulation, most significantly in Act 82 of 2012 that established a comprehensive new educator assessment system for evaluating public school employees that uses student performance as a rating factor. Additionally, other provisions of state law and regulations would have to be revised in order to make changes to the SPP system and its purpose. The department is considering changing some of the current SPP indicators, and removing or restructuring others. [Read more...](#)

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## **State Board receives update on Pennsylvania's ESSA implementation**

The State Board of Education also received an update from the PA Department of Education (PDE) regarding Pennsylvania's implementation of the new federal Every Student Succeeds Act (ESSA) that was signed into law by President Obama on Dec. 10, 2015. The comprehensive ESSA replaces the No Child Left Behind Act. While the new framework becomes effective in 2017-18, all state waivers will expire by Aug. 1, 2016 and states must submit a new implementation plan at that time to allow time for review by the U.S. Department of Education (USDE). State plans must be made available for public comment at least 30 days prior to submission to the USDE for approval. PDE is continuing to review ESSA's details and determining a timeline to develop a state plan that could include changes to current systems for student assessment and educator evaluations. Overall, Pennsylvania's plan will be centered on four areas: accountability, standards and assessment, school intervention, and educator evaluation. [Read more...](#)

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