



July 10, 2015

PSBA Legislative Report

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State Board of Education approves new PSSA cut scores

On July 9, 2015, the State Board of Education raised the bar significantly higher for student achievement by approving new, more rigorous cut scores and performance level descriptors for the Pennsylvania System of School Assessment (PSSA) in grades 3-8 for English Language Arts (ELA) and mathematics.

The new scores are effective immediately and as applied to the 2015 round of testing recently completed, show large percentages of students reaching only basic and below basic achievement, especially in math. State Board members voiced concerns regarding the consequences, policy implications and perceptions of student achievement surrounding the new scores, and passed an accompanying motion calling for the PA Department of Education (PDE) to “swiftly engage in deliberative communication with diverse stakeholders regarding the revised PSSA, the impact of more rigorous academic standards and the effect on revised cut scores and performance level descriptors.” [Click here to read more and to see the charts with the new cut scores.](#)

Following the board’s action, the **House Education Committee** scheduled a public hearing for Wednesday, July 29, to discuss state assessments. PSBA will be presenting testimony

at the hearing.

Budget impasse continues as Governor vetoes pension reform

This week Gov. Wolf vetoed the pension reform bill approved by the General Assembly under [Senate Bill 1](#), and urged legislators to resume negotiations on this issue in conjunction with a revised budget plan. Pennsylvania's budget impasse continues as Wolf has already vetoed the appropriations bill under [House Bill 1192](#), as well as liquor privatization under [House Bill 466](#), Fiscal Code provisions under [Senate Bill 655](#), and [House Bill 762](#), the omnibus School Code bill.

The Senate will be back in Harrisburg next week, although little progress has been made toward reaching any agreements. The House is not expected to return until Tuesday, July 21.

In his veto message for Senate Bill 1, Wolf acknowledged the need for pension reform, even saying that there are provisions within the legislation he could support. However, he also pointed out that the legislation provides no immediate cost savings to taxpayers and does not maximize long-term savings either. The governor asked legislators of both parties to work together to reach a comprehensive agreement on budget issues including education funding, a severance tax on natural gas, and pension reform.

With rapidly climbing pension costs take a greater and greater share of available school district revenues, PSBA is continuing to emphasize that any reform plan needs to generate both short-term and long-term savings for districts. Senate Bill 1 as originally introduced would have generated both immediate and long-term savings and showed a preliminary projected savings of \$16.2 billion through 2048. However, prior to final passage the bill was amended and the version that was subsequently approved and sent to the governor did not go far enough to provide adequate savings. A new actuarial analysis of Senate Bill 1 showed a lesser savings of \$10 billion over the same 30-year period.

Wolf signs bill to clarify background checks

The governor signed into law [House Bill 1276](#), now **Act 153 of 2015**, which makes clarifying changes to the Child Protective Services Law (CPSL) that was adopted last session. PSBA worked extensively with both House and Senate members to recommend various clarifications to House Bill 1276 as it made its way through the process and extends a special thanks to Rep. Kristin Phillips-Hill, Rep. Todd Stephens, and Sen. Patrick Browne for their dedication to procedural clarity and work with PSBA on amendments to the bill.

Under Act 153, volunteers must obtain the clearances if they have direct volunteer contact, meaning that they have care, supervision, guidance or control and routine interaction with children. This is the standard that will apply to determining whether an adult volunteer must get the background checks. Also new is that all employees and adult volunteers subject to the background check clearances will be required to recertify all of those clearances every five years, instead of every three years.

The law makes a number of clarifications with respect to the cost, portability and recertification of the two main clearances – the Department of Human Services child abuse clearance and the state police criminal background check. As lowered by the administration

and by legislation, the two \$10 fees are waived for volunteers and are reduced to \$8 each for employees. Under the new law, though, the volunteer clearances cannot be used for employment.

Also at issue was the exemption status of employees at higher education institutions. Under the new law, they are exempt from the background checks, unless their students participate in dual enrollment programs. For co-op, work-study and internship programs, one adult supervisor of the program must be designated to obtain the required clearances and to be in the student's immediate vicinity at regular intervals during the program.

Additionally, the deadline for new volunteers to obtain their clearances has been moved from July 1 to Aug. 25. All other deadlines remain the same: Dec. 31, 2015, for existing employees; and July 1, 2016, for existing volunteers. New prospective employees must obtain them before starting employment.

The Department of Human Services website lists additional information about Act 153 at www.KeepKidsSafe.pa.gov.

Latest News

School-based ACCESS program update

The PA Department of Education (PDE) recently announced it is renewing its statewide contract for the School-Based ACCESS Program (SBAP) with the Public Consulting Group (PCG) for one for more year as it continues to work on plans for future contract changes.

The current contract with PCG was originally set to expire on June 30. Last December, the Department of Human Services (DHS) issued a Request for Proposals (RFP) for a third-party vendor to host a system to perform the processing of SBAP claims, invoicing for LEA administrative claiming, conducting the Random Moment Time Studies (RMTS) and conducting an annual cost settlement. PDE has since decided to issue a new RFP with a framework that will allow multiple vendors to execute the key components of SBAP. The department will be creating an LEA advisory workgroup to provide input on how to provide the necessary support to LEAs who participate in SBAP and ensure compliance with federal requirements.

PDE also provided an update for the LEAs which submitted Certified Public Expenditure (CPE) forms past the deadline during the FY 2012-13 cost settlement process and consequently received reductions of their settlement amounts. Because many LEAs experienced challenges surrounding the release and timing of the FY 2012-13 cost settlement, the state will waive the reductions as a one-time action for 53 LEAs, equating to more than \$880,000 that will be distributed to the LEAs' Financial Accounting Information (FAI) accounts in several weeks.

The FY 2013-14 cost settlement process was completed successfully. The total SBAP reimbursement for FY 2013-14 was \$133.3 million, an increase of more than \$17.5 million.

PDE will change elementary supervisory certificates

The PA Department of Education (PDE)'s Bureau of School Leadership and Teacher Quality is recommending that the current two certificates for supervisor on elementary grade spans be combined into one grade covering grades PK-8. The existing Supervisor of Early Childhood Education K-6 and Supervisor of Elementary K-6 do not align with the current instructional early childhood and grades 4-8 certificates. These supervisory certificates have identical grades scopes and do not include the middle level; a single expanded certificate will provide maximum flexibility when assigning staff. The new combined certificate will be titled Supervisor of Grades PK-8. Questions regarding the new certificate can be directed to Theresa Barnaby at tbarnaby@pa.gov or Nancy Cheris at ncheris@pa.gov.