



Pennsylvania School Boards Association

legislative report

October 4, 2018

*The Senate was in voting session this week; the House was in voting session on Monday only. The remaining House voting session days are: Oct. 9, 10, **11** (additional day added to the calendar), 15, 16, 17; and Nov. 13. Senate voting session days are: Oct. 15, 16, 17; and Nov. 14. The schedule is subject to change.*

Graduation reforms under SB1095 move in House toward final consideration



This week important high school graduation reforms under **Senate Bill 1095** (Sen. Thomas McGarrigle, R-Chester/Delaware) received second consideration on the House floor and the bill was re-referred to the House Appropriations Committee. The bill must now be reported out by the committee and sent back to

the House floor for third and final consideration. Once passed by the House, Senate Bill 1095 will return to the Senate for a concurrence vote.

There is still time in this fall session for the bill to receive final passage and be sent to the governor. We need you to help push Senate Bill 1095 across the finish line! Send a message, make a call, use social media to urge legislators to adopt these important reforms. [Click here to send a letter to your House member today.](#) [Click here](#) for additional contact information for House members.

Senate Bill 1095 establishes a performance-based system that provides multiple, rigorous pathways for students to show they are ready to graduate. Measures of success are appropriately aligned to a student's career goals and reflect the expectations, coursework, grades, activities and achievements earned. In addition to Keystone Exams, alternative tests and other factors can be counted toward graduation.

Read PSBA's [new Closer Look](#) publication.
Read PSBA's [detailed summary](#) of Senate Bill 1095.

School safety update

The state is moving forward on several school safety initiatives that were created under Act 44 of 2018.

The School Safety and Security Committee (SSSC) established within the Pennsylvania Commission on Crime and Delinquency (PCCD) under Act 44 of 2018 recently adopted criteria to guide the completion of school safety and security assessments. The SSSC also adopted initial registration criteria for individuals with knowledge and experience in matters of school safety and security that can conduct assessments. Over the next few weeks, the PCCD will develop and launch an online website for persons interested in registering as a vendor to conduct assessments.



The committee will be conducting a survey of school safety and security preparedness. The survey will be given to districts, IUs, AVTSS, charter schools and private residential rehabilitative institutions. Once the survey is finalized, it will be posted on the PCCD website.

[Click here](#) to see the PCCD website that contains assessment criteria, registration criteria and additional information about Act 44's requirements and grant opportunities for schools.

In addition, the Office of Attorney General is establishing the Safe2Say Something Anonymous Reporting System. Under the program, call center analysts with the Office of Attorney General will receive and review tips, and refer them to designated school contacts and law enforcement as necessary. Reports can be submitted anonymously through an online website form, hotline phone number or on a mobile app. Schools were to submit their administrative contact to the OAG by Sept. 14. The contact is to be used to disseminate information and be responsible for uploading additional contacts (as deemed appropriate by the school district) as the program launch nears. The program launch is expected to begin in January 2019.

Voting delegates prepare now for Oct. 19 meeting



PSBA's 2019 Legislative Platform, which is the association's official record of position on legislative issues, will be adopted by the Delegate Assembly on Friday, Oct. 19 at the Hershey Lodge following the closing general session of the PASA-PSBA School Leadership Conference.

All school entities should already have submitted the names of their voting delegates to PSBA on the official certification form. No new delegate registrations will be accepted the day of the meeting without a signed certification form. Only appointed delegates may vote at the meeting; however, the all PSBA members are welcome and encouraged to attend as observers.

Voting delegates will consider proposed changes to the platform that were submitted by school boards in the spring and approved by the PSBA Platform Committee at its meeting in August.

Voting delegates received a handbook that contains the proposed platform items they will be considering as well as details regarding the voting procedures.

[Click here](#) to see the Delegate Assembly handbook and proposed 2019 Legislative Platform.

Latest News

Passed by the Senate

- [Special education/early childhood certification](#)

Approved by the Senate Appropriations Committee

- [PSERS administration](#)

Re-referred to the Senate Appropriations Committee

- [Sun protection for students](#)

Approved by the Senate Education Committee

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Approved by the Senate Labor and Industry Committee

- [PA Family and Medical Leave Act](#)
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Passed by the House of Representatives

- [Local services tax collection](#)

Passed by the Senate

Special education/early childhood certification

House Bill 1386 (Rep. Phillips-Hill, R-York) which changes the grade spans and age levels for certification of special education teachers, was passed by the Senate and will be returned to the House for concurrence on amendments made by the Senate. If the House concurs, the bill will go to the governor.

House Bill 1386 provides that all special education certificates issued after Dec. 31, 2021 would cover PK-12, or up to age 21, with no additional content required. Teachers holding special education PK-8 and special education 7-12 certificates would have the opportunity to expand the scope of their certificates under a process to be determined by the Department of Education (PDE). A teacher holding an early childhood certificate could expand the certificate to include grades 5 and 6 by obtaining qualified scores on an assessment provided by PDE.

House Bill 1386 also requires PDE to issue an annual report on the number and types of certificates issued and assessments administered. The bill also requires the Joint State Government Commission to study the issue and report on the appropriateness of the grade and age spans, the creation or elimination of certificates of endorsements, and national trends.

[PSBA supports House Bill 1386.](#)

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Approved by the Senate Appropriations Committee

PSERS administration

House Bill 1460 (Rep. Miller, R- Lancaster) amends the Public School Employees' Retirement Code and the State Employees' Retirement Code to

make technical changes clarifying provisions contained in Act 5 of 2017. In addition, House Bill 1460 allows the PSERS board to determine whether an employer is not participating in the retirement system and to determine the employer's liability owed to the system. The bill also requires both retirement systems to post on their websites certain financial information regarding the performance of their investments.

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Re-referred to the Senate Appropriations Committee

Sun protection for students

House Bill 1228 (Rep. English, R-Allegheny) allows students, during school hours or at a school-sponsored activity, to wear sun-protective clothing and use a topical sunscreen product without a physician's note or prescription. Parents and students must fill out a form regarding applying sunscreen. The bill also provides for revocation or restriction of sunscreen from students who misuse the sunscreen and clarifies that students would be responsible for applying the sunscreen to themselves.

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Approved by the Senate Education Committee

Fostering independence waiver

House Bill 1745 (Rep. Hickernell, R-Lancaster) creates a waiver program in higher education for youth who are or were in foster care. The waiver is capped at age 26 or five years, whichever occurs first, as long as the individual remains eligible. The program includes a waiver of tuition, fees and room and board, to be made available by state postsecondary educational institutions, including state-owned and state-related universities, community colleges, and other postsecondary institutions designated as state-related.

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Support services for children of military members

House Bill 2052 (Rep. Reese, R-Westmoreland) requires public school entities to provide access to support services if a student's parent is deployed for active duty, notifies the school and requests additional supports. Services include school guidance counselors; school psychologists; school social workers; or home and school visitors; information regarding existing federal and state military support services; and any other service, agency or resources necessary to assist the student and parent/guardian. The state departments of Education and Military and Veterans Affairs must coordinate to provide information about the requirements and materials for schools to use to inform parents. PSBA supports House Bill 2052.

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Career information

HB 2158 (Rep. Mako, R-Northampton) as amended by the committee requires schools that conduct a career fair or other informational session on occupations to make an effort to provide information on a wide range of potential careers. Information could be obtained from a local chamber of business, local labor/trade organization, institution of higher education, nonprofit organization and military. Schools must post on their websites information regarding career information and the organizations contacted.

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Online database of articulation agreements

HB 2159 (Rep. Staats, R-Bucks) would expand the online database of articulation agreements. The bill would require public schools and institutions of higher education to submit copies of all articulation agreements to PDE and the Transfer and Articulation Oversight Committee within 180 days of the bill's effective date. Within 30 days of entering into any subsequent articulation agreement, the schools must provide the new agreement for inclusion in the database.

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Approved by the Senate Labor and Industry Committee

PA Family and Medical Leave Act

Senate Bill 479 (Sen. Dinniman, D-Chester) provides up to six weeks of unpaid leave to an employee to care for a sibling, grandparent or grandchild with a certified terminal illness if such relative has no living spouse, child over 17 years of age or parent under 65 years of age. The six weeks of leave is in addition to the 12 weeks provided under the federal Family and Medical Leave Act.

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Workers' compensation

House Bill 1840 (Rep. Kauffman, R-Franklin) re-establishes a provision in the PA Workers' Compensation Act authorizing Impairment Rating Evaluations (IRE) for claimants and makes additional changes to address the 2017 state Supreme Court's decision in *Protz v. Workers' Compensation Appeals Board*. The bill also reduces the impairment threshold which triggers a switch from total to partial disability from 50% to 35%. House Bill 1840 updates the law with reference to the most recent edition of the AMA guides and applies it to current and future claims. PSBA supports House Bill 1840.

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Local workforce development boards

House Bill 2206 (Rep. Roebuck, D-Philadelphia) amends the Workforce Development Act to require local workforce development boards to include at least one local administrator of a career and technical school.

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Passed by the House of Representatives

Local services tax collection

Senate Bill 653 (Sen. Browne, R-Lehigh), which amends the Local Tax Enabling Act to make various changes, was passed by the House and returned to the Senate for concurrence on amendments made by the House. If the Senate concurs, the bill will go the governor.

The bill extends the benefits of Act 32 of 2008, which provided for the consolidation of the collection of the local earned income tax, by requiring the tax officer to collect the Local Services Tax (LST) beginning Jan. 1, 2020. A political subdivision may retain its authority to collect the LST by adopting a resolution not less than 90 days prior to the effective date. If at any time in the future a political subdivision wishes to "opt-out" or "opt-in", the political subdivision must pass a resolution no later than 90 days before Jan. 1 of the following year in which it wishes to change.

The quarterly estimated payments are only required for a taxpayer who incurs a tax liability of \$200 or more in the calendar year. If tax liability is less than \$200, a taxpayer may remit one lump sum payment without penalty and is not required to file quarterly estimates. A taxpayer is not required to file a local tax return indicating zero income and no tax liability if the taxpayer met the local income tax exemption requirements and was not required to file a local income tax return in the preceding year.

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Pennsylvania School Boards Association

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