



Pennsylvania School Boards Association

legislative report

October 25, 2018

This week Gov. Wolf took action on several education-related bills.

Act 158 of 2018: New graduation reforms are signed into law



Fair and flexible high school graduation requirements under **Senate Bill 1095** have been signed into law this week by Gov. Wolf, and the measure is now Act 158 of 2018. The changes under the new law are effective beginning with the Class of 2022, impacting those students who are currently in

9th grade.

PSBA extends its thanks to the bill's prime sponsor, Senator Thomas McGarrigle (R-Chester/Delaware), who worked with the association and other stakeholders to advance the bill through the General Assembly. The legislation received bipartisan support in both the Senate and House as the bill was passed unanimously in both chambers. PSBA also extends its thanks to the many school officials across the state who contacted their legislators asking for a yes vote on the bill.

Act 158 establishes a performance-based system that provides rigorous assessment strategies under four options 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. Senate Bill 1095 also contains provisions for oversight and accountability for schools and students under the new system. Read PSBA's [detailed summary](#) of Senate Bill 1095.

Act 82 of 2018: Special education certificate now covers PK-12

Signed by the governor

- [Act 80 of 2018: Antihazing](#)
- [Act 95 of 2018: Suspension of driver's license](#)
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Signed by the governor

Act 80 of 2018: Antihazing

Senate Bill 1090 (Sen. Corman, R-Centre) expands Pennsylvania's anti-hazing law to apply to, in addition to institutions of higher education, public and private secondary schools and organizations affiliated with such schools. Penalties allowed for violating school policies regarding hazing include fines, withholding of diplomas or transcripts, no longer allowing an organization to operate under the recognition of the school, probation, suspension or expulsion. Secondary schools must ensure that students are informed of the school's antihazing policy, including the rules, penalties and program of enforcement. PSBA worked with legislators to clarify several provisions of the bill.

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Act 95 of 2018: Suspension of driver's license

House Bill 163 (Rep. Saccone, R-Allegheny) requires the suspension of operation privileges of any person 21 years of age or younger for a conviction or adjudication of delinquency for terroristic threats made against any school property.

The bill also amends Titles 75 (Vehicle Code), 18 (Crimes Code) and 4 (Amusements) to remove the federally mandated driver's license suspensions

for drug/controlled substance convictions as well as state-imposed suspensions for other crimes, including:

- Purchasing or attempting to purchase tobacco by a minor;
- Misrepresentation of age to secure alcoholic beverages by any person under 21 years of age;
- Underage purchase, consumption, possession or transportation of alcoholic beverages; and
- Carrying a false identification card by any person under 21 years of age

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Act 105 of 2018: 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. Act 105 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. PSBA worked to clarify language under the bill.

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Act 111 of 2018: 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%. Act 111 updates the law with reference to the most recent edition of the AMA guides and applies it to current and future claims. PSBA participated in a coalition of stakeholders to seek introduction and passage of this bill.

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Act 119 of 2018: 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 worked with Rep. Reese to clarify provisions under the bill.

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Act 155 of 2018: Assessment appeal boards

Senate Bill 1007 (Sen. Eichelberger, R-Blair) provides for the training and qualifications of the assessment appeal board and auxiliary appeal board members. The bill also updates the appeals process and notifications to property owners.

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Act 156 of 2018: Sunshine Act executive session for safety

Senate Bill 1078 (Sen. Tomlinson, R-Bucks) amends the Sunshine Act to allow a public agency to discuss security measures in executive sessions. The measure is a companion to provisions under Act 39 of 2018, which amends the School Code to specifically allow public school entities to go into executive session to discuss matters related to school safety. Senate Bill 1078 extends similar provisions to all local agencies, including school entities, through changes to the Sunshine Act. PSBA asked Sen. Tomlinson to introduce the bill and worked to support its passage.

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Act 159 of 2018: School bus stop arm cameras

Senate Bill 1098 (Sen. Browne, R -Lehigh) amends the Vehicle Code to allow, but not require, the installation of automated side stop arm cameras on school buses. School districts and bus drivers may use the photos or videos to capture violations of drivers failing to stop when the red signals are flashing, and the stop arms are activated. The bill includes numerous provisions regarding implementation and enforcement. Violators must pay a \$35 surcharge in addition to the fine; money collected from the surcharges would be earmarked for a new School Bus Safety Grant Program Fund to be used to increase school bus safety education and training. School districts and independent school bus contractors are eligible for grants.

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Other legislation now effective

Study of school start times

The Senate adopted **Senate Resolution 417** (Sen. Dinniman, D-Chester), which directs the Joint State Government Commission to establish an advisory committee to study and report on the establishment of later start times for students attending high school. The committee will include a representative of PSBA.

The study will examine the effect of a later start time on students' health, safety and academics. It will also explore potential negative impacts on schools and their students' families, offer solutions to such impacts and provide recommendations for a pilot program to test later start times. The report will be due within 12 months.

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Vetoed by the governor

Agricultural education credits/program codes

House Bill 2157 (Rep. Grove, R-York) provides for the classification of vocational instruction programs by schools and requires guidelines to specify when students' credits may be applied toward an agriculture education program or vocational or technical coursework, programs or activities.

In his veto message, the governor said: "This legislation renders certain agricultural education programs ineligible for state and federal funding. Specifically, the Pennsylvania Department of Education is the single state agency that is federally authorized to approve these programs. Last year, my administration distributed approximately \$57,000,000 in state career and technical education funding to schools across the commonwealth. By removing program approval authority from the department, this bill would impair those schools' ability to receive this funding and would eliminate funding for agricultural education programs approved under this bill's provisions. In addition, the bill would require schools that currently receive federal Perkins funding for agriculture education programs to forego such funds, costing those schools \$6,345,299."

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