



Pennsylvania School Boards Association

legislative report

January 11, 2019



pennsylvania
STATE BOARD OF EDUCATION

State Board of Education considers various issues

This week the State Board of Education held its first meeting of the new year. Highlights of the meeting include updates from the board and the PA Department of Education (PDE) on

these issues:

- **Guidelines for new graduation requirements (Act 158 of 2018):** The board received an update from PDE regarding changes to high school graduation requirements under Act 158 of 2018, which are effective beginning in the 2021-22 school year. Act 158 creates options for students who are not proficient on the three Keystone Exams in Algebra I, literature and biology to use to meet requirements to graduate. (Click here to read [PSBA's summary of Act 158](#).) The act includes a requirement for PDE to issue guidance on implementation of the law and for the State Board to adopt a satisfactory composite score across the three Keystone Exams; use of the composite score is one of the options allowed.

In the coming weeks, PDE will release its guidance to schools and is developing an FAQ document to be available in spring. Work has begun to gather and analyze data to use to determine a composite Keystone score. The plan is for PDE to present a proposal to the board for consideration in May, and for the board to vote on it by July.

- **State implementation of ESSA:** PDE also updated the board regarding the state implementation of the federal Every Student Succeeds Act (ESSA). Last month the department released its list of [schools identified for Comprehensive Support and Improvement \(CSI\)](#) and [schools identified for Additional Targeted Support and Improvement \(A-TSI\)](#). Beginning now and through the spring, these schools will be conducting needs assessments and creating improvement plans that will be implemented in July. PDE also reported that it is drafting amendments to the [State ESSA Plan](#) that will be submitted to the U.S. Department of Education in March. The changes are

generally expected to further define provisions for schools identified for types of improvement. In addition, a new provision is expected to address measures of teacher effectiveness; this provision is not intended to replace or be used in the formal process for educator evaluation.

- **Process changes for safe schools MOU** - The board provided an update on its review that took place last fall regarding the use by public schools of the model Memorandum of Understanding with Law Enforcement (MOU) that is contained in the Chapter 10 (Safe Schools) regulations. The committee is not recommending any changes to the language of Chapter 10 or the MOU. However, PDE is making some modifications to the process of submitting the MOU based on feedback received. One major change is that there is now one common due date for all schools to submit their MOUs; beginning in 2019 the deadline will be at the end of the current school year. PDE will be issuing letters to schools to inform them of the new deadline. Another change is that PDE is creating a fillable form that will be available on its website for download.
- **Public hearings on proposed changes to Ch. 49 regulations (Certification of Professional Personnel)**: The board will be conducting four public hearings in March and April regarding the initial proposed revisions to the Chapter 49 regulations for certification of professional personnel. Notice of the hearings with dates, locations and times will be available soon. Written comments will also be accepted. PSBA will be providing more information on the hearings and a detailed summary of the proposed changes.

Generally, the proposal updates the regulation with changes made in statute since the last revision and aligns the chapter with current practices. The proposal also addresses clinical training experiences, preparation program standards, assessment requirements for licensure, and other matters. The proposal does not change current language in the regulations regarding the age/grade spans for certificates because PDE will be working with the General Assembly on this issue separately before proposed language is added to the Chapter 49 draft. The exception is the addition of language that aligns with the changes recently made under Act 82 of 2018 relating to special education certificates.

- **Chapter 16 regulations (Special Education for Gifted Students)**: Last fall the board gathered public comment regarding issues related to the education of students identified as gifted and the Chapter 16 regulations. The board noted that some of the issues discussed, such as dedicated state funding for gifted education, are not within the authority of the board to change. Comments received are being compiled into a report to be used by PDE to identify policy issues and changes that will be addressed in the coming months.
- **Perkins V transition plan update**: The board received an update from PDE regarding the state implementation of the federal Perkins Act on career and technical education. The Perkins V Act takes effect on July 1,

2019. Pennsylvania will be submitting a one-year transition plan, as allowed by the law, to be followed by a four-year state plan. PDE will be presenting the transition plan to the State Board at the next meeting in March. Once approved by the board, it will be submitted to the U.S. Department of Education by the April 2019 deadline. Beginning in March, PDE will begin the process to develop the four-year plan, which is due in April 2020.

Latest News

PSERS News

- [PSERS sets employer contribution rate for fiscal year 2019-20](#)

News from the General Assembly

- [Additional House, Senate committee chairs announced](#)
- [Special election set for Senate seat](#)

PSERS News

PSERS sets employer contribution rate for fiscal year 2019-20

The PA Public School Employees Retirement System (PSERS) Board of Trustees recently certified an annual employer contribution rate of 34.29% for fiscal year 2019-20, which begins on July 1, 2019. The newly-certified rate is composed of 0.84% for health insurance premium assistance, 0.09% for Act 5 defined contribution and a pension rate of 33.36%. Over 75% of the employer contribution rate is for the payment of unfunded liability, which is primarily debt for past service already earned by members.

Total employer contributions for FY 2019-20 are estimated at \$4.8 billion. Employees contribute between 5.25% to 10.30% of their pay depending on their membership class and when they joined PSERS. Members are expected to contribute an average of 7.59% percent or approximately \$1.1 billion in 2019-20.

The new rate is a jump up from the current 2018-19 rate of 33.43%. PSERS' projected employer contribution rates moving forward continue to climb as follows: 34.77% for 2020-21, 35.19% for 2021-22, 35.84% for 2022-23, and 36.30% for 2023-24.

[Click here for PSERS' Employer Contribution Rate Fact Sheet](#)

[Click here for PSERS' Employer Contribution Rate and Rate Projections](#)

[Top](#)

News from the General Assembly

Additional House, Senate committee chairs announced

This week House Democrats and Senate Republicans announced chairs of the standing committees in their respective chambers. These announcements follow last week's notice by House Speaker Rep. Turzai (R-Allegheny) announced the majority committee chairmen for the new session.

The Senate Republican chairs were announced by Senate President Pro Tempore Joseph Scarnati (R-Jefferson). The Senate Education Committee will be chaired by Sen. Ryan Aument (R-Lancaster). He replaces former Sen. John Eichelberger (R-Blair), who retired at the end of last session.

The Senate Democratic minority chairs were announced by Sen. Republican Leader Sen. Jay Costa (D-Allegheny). Sen. Andrew Dinniman (D-Chester) will be continuing his role as Democratic chair of the Senate Education Committee.

House Democratic Leader Frank Dermody (D-Allegheny) named the Democratic minority chairmen. Returning to his position as minority chair in the House Education Committee is Rep. James Roebuck (D-Philadelphia). Rep. Curt Sonney (R-Erie) was named earlier as the majority chair of the Education Committee.

While full committee memberships have not yet been announced, here is the list of Senate and House committee leaders:

[Here is the complete list of the Republican Senate Committee Chairs](#)

[Here is the complete list of the Democratic Senate Committee Chairs](#)

[Here is the complete list of Republican House Committee Chairs](#)

[Here is the complete list of Democratic House Committee Chairs](#)

[Top](#)

Special election set for Senate seat

This week outgoing Lt. Gov. Mike Stack announced that a special election will be held on April 2 to fill the state Senate seat vacated by former Sen. Guy Reschenthaler who was elected to the U.S. House of Representatives in November and is now representing Pennsylvania's 14th Congressional District. The vacancy in the state Senate represents the 37th Senatorial District in Allegheny County.

[Top](#)

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