



Pennsylvania Association of School Administrators
Proud Leadership for Pennsylvania Schools

Education Update March 20, 2017

In State Budget News...

It was a very short session week for the House last week due to the snowstorm, but one day was enough for them to tee up what will be the budget vehicle for 2017-18. **HB 218** moved forward as the vehicle last week, coming out of the House Appropriations Committee to begin the budget process. The bill, which currently has 2015-16 spend numbers in it, will be gutted and replaced with (hopefully) a negotiated agreement following discussions with both chambers and the administration. There is still a lot of optimism about an on time—or even early—budget coming from some offices, but there is a long way to go.

In School Funding News...

Pension Reform – One of Harrisburg's perennial headaches is heading back to the legislative spotlight as Senate Republican leaders work to push a familiar pension bill through the chamber. Last session, GOP lawmakers made a late-in-the-game attempt to pass a pension overhaul that would have offered state employees three retirement options--two so-called "hybrid" plans, and a 401k-style plan. At the time, Governor Tom Wolf indicated he'd sign it. But the plan didn't get full votes because House and Senate Democrats refused to support it, saying they hadn't gotten enough input. Now, a virtually identical proposal is back. The only change is a new option for employees on the older-style pension plans to jump onto the new one. *Read the rest of the story:* ["Senate GOP Readies for Another Assault on the Pension Problem"](#) (from WITF, 3/16/17).

In Legislative News...

Legislative Schedule – Both the House and Senate will be in session this week for three days as legislative work ramps up – and talks slowly begin on the state budget.

In Last Week's Legislative Action – The House approved the following bills during their shortened session last week. These bills will now go to the Senate for consideration:

* **School Security Drills:** [HB 178](#); **passed by the House unanimously.** The bill amends the School Code to require school entities to conduct one school security drill per school year in each school building in place of a monthly fire drill

* **Graduation Requirements for CT Students:** [HB 202](#); **passed by the House unanimously.** The bill amends the School Code to eliminate the Keystone Exams in English composition, Algebra II, geometry, U.S. history, chemistry, civics and government and world history, and allows students enrolled in vocational education programs to demonstrate proficiency on one Keystone Exam by demonstrating proficiency on a NOCTI or NIMS exam

* **Epi-Pen Administration:** [HB 224](#); **passed by the House, 186-1.** The bill, which amends the School Code, provides immunity to school bus drivers who administer an epi-pen to students in a manner that complies with the policies of the school district or the independent contractor that employs them and who complete a Department of Health training program.

* **EITC Funding:** [HB 250](#); **passed by the House, 147-39.** The bill amends the School Code to increase the amount of tax credits available under the EITC program by \$50 million (to \$175 million) and the amount of tax credits available under the OSTC program by \$25 million (to \$75 million).

On This Week's House Floor Calendar – The following bills are scheduled for possible House consideration this week:

* **State Budget Bill:** [HB 218](#). This is the 2017-18 state budget vehicle. The bill is being moved into position for further action later this spring.

* **Right-to-Know Costs:** [HR 50](#). The resolution requires the Legislative Budget & Finance Committee to study the annual costs associated with compliance with the Right to Know Law.

On This Week's Senate Floor Calendar – The following bills are scheduled for possible Senate consideration this week:

* **Employee Leave Policies:** [SB 128](#). The bill prohibits municipalities from mandating that all employers within that municipality comply with certain employee leave policies. This legislation would impact school districts as employers.

* **Paycheck Protection:** [SB 167](#). The bill seeks to amend the PA Constitution by prohibiting school districts from using their payroll systems to collect membership dues, non-membership fees and political contributions from public employee paychecks.

* **Superintendent Contract Timelines:** [SB 227](#). The bill changes the date of the required board action on a superintendent or assistant superintendent's contract from 150 days prior to expiration to 90 days prior to expiration. The bill also extends the existing contract by one year for failure to take this required action.

* **Mandated Leave:** [SB 229](#). The bill removes several provisions from the School Code, including the provision requiring a minimum of 10 days of sick leave, the requirement to provide up to 25 days of accumulated sick leave (with the exception of when schools consolidate) to employees switching employers, the requirement to provide bereavement leave, the requirement to provide alternative payment plans and the requirement to provide sabbatical leave.

Scheduled Committee Meetings –

* **Monday, March 20:**

House and Senate Education Committees to hold a joint hearing to discuss the **Every Student Succeeds Act**. This hearing is the first in a series of hearings on this topic.

* **Tuesday, March 21:**

House State Government Committee to consider two bills:

- [HB 110 \(Taxpayer Protection Act\)](#) amends the PA Constitution to limit state budget spending to prior year levels plus an inflation adjustment. The bill provides a mechanism to exceed that amount for items such as pension costs.

- [HB 410 \(Performance-Based Budgeting\)](#) requires the Independent Fiscal Office (IFO) to examine and evaluate state agency line items to develop a performance-based budget plan for each agency beginning in the 2018-19 state budget. The bill also creates a performance-based budgeting board to review the IFO-created plans.

House Urban Affairs Committee to consider [HB 758 \(Property Tax Abatement\)](#). The bill creates a program for tax abatement for deteriorated properties in certain areas of the commonwealth for a period of ten years during which the properties must be updated, improved and developed into mixed-use properties.

* **Wednesday, March 22:**

House Local Government Committee to consider [HB 16 \(Tax Collection Fraud Prevention\)](#). The bill amends the Local Tax Collection Law to require a tax collector's account to include his or her title and the name of the municipality and to require tax notices to include the name of the account to which taxes must be paid.

Across the State...

Student Achievement Success Stories – Public resources devoted to education typically lean in favor of wealthier communities in Pennsylvania. But academic achievement doesn't have to, some educators say. Academic success among poor students is rising in some area districts and educators point to successful strategies: reduced class sizes, bolstering one-on-one instruction and increased options for advanced classes. Such strategies were embraced by the Quakertown Community School District, which earned some of the county's highest scores on proficiency tests despite a low-income population of close to 30 percent. And they aren't alone. *Read the rest of the story:* [“Districts Share Strategies to Reach Low-Income Students, Narrow Academic Gap”](#) (from *The Bucks County Courier Times*, 3/17/17).

In National News...

ESSA Update –

* **New ESSA Guidelines:** U.S. Secretary of Education Betsy DeVos on March 13 released a new application for states to use in developing their accountability plans for the Every Student Succeeds Act. And, as you might expect, it is shorter and includes fewer requirements than an earlier application released by the Obama administration in November. The biggest difference seems to be on the requirements for outreach to various groups of educators and advocates. DeVos said the template will allow states and districts to implement the law with "maximum flexibility" as Congress intended. "We know each school district is unique," DeVos said in a speech in Washington to the Council of the Great City Schools, which represents urban superintendents. "It's fairly obvious that the challenges and opportunities of Albuquerque and Wichita don't look the same. But neither do Miami and Palm Beach. No two schools are identical, just like no two students are alike. We shouldn't assume the same answer will work for everyone, every time. Too often the Department of Education has gone outside its established authority and created roadblocks, wittingly or unwittingly for parents and educators alike. This isn't right, nor is it acceptable. Under this administration, we will break this habit." *Read the rest of the story:* [“Trump Education Dept. Releases New ESSA Guidelines”](#) (from *Education Week*, 3/13/17). [CLICK HERE](#) for more resources, including a letter from Secretary DeVos, a fact-sheet on the changes to the state plan template, and the new state plan template.

* **Statement on ESSA Implementation** – NSBA Executive Director & CEO Thomas J. Gentzel and AASA Executive Director Daniel A. Domenech recently released a joint statement in response to the U.S. Department of Education's new guide for states to use in the development of their education plans as required under the Every Student Succeeds Act (ESSA). "The Every Student Succeeds Act (ESSA) was decisive in its goal to return flexibility and decision making to the state and local level," they said. "The success of a bill like ESSA—one premised on state and local control—depends on stakeholder buy-in, and people (including education stakeholders) buy-in to that which they have a hand in crafting. To that end, ESSA was clear to require meaningful stakeholder engagement. Our organizations—which collectively represent the voice of our nation's school system leaders—are deeply discouraged by and concerned with the Department's decision to virtually eliminate stakeholder engagement, an abrogation of the law's intent." [Click here](#) to read the rest of the statement.

Update on Federal Funding for Education –

* **'Skinny' Budget Proposal:** The Trump administration last week released its "skinny budget" proposal, which includes \$9 billion in cuts to the U.S. Department of Education. Although the plan does call for a \$1 billion increase in Title I funds, these funds are earmarked for portability and school choice, along with \$250 million for a new school choice program and a \$168 million increase for charter schools. The proposal level-funds IDEA and eliminates programs such as Title II Part A (high quality teachers), 21st Century Learning Communities (providing resources for community centers to provide academic programs during non-school hours) and several others. [Click here](#) to read the 2018 budget proposal (education funding begins on page 17.) [Click here](#) to read AASA's response to the proposal.

* **School Choice and Pennsylvania:** Proponents of school choice in Pennsylvania are about the only ones cheering about President Trump's education budget proposal that slashes overall funding by \$9.2 billion but includes an unprecedented federal investment in opening doors to alternatives to traditional

public schools. Trump's \$59 billion education budget is said to include among the steepest cuts the U.S. Department of Education has ever seen. It cuts or eliminates funding for teacher training, before- and after-school programs, and aid to tens of thousands of low-income and first-generation college students. It maintains funding at current levels for historically black colleges and universities, of which Pennsylvania has two - Cheyney University and Lincoln University. And it proposes to shift a portion of the savings - what isn't going to fund his ambitious defense spending increase - to make a historic \$1.4 billion federal investment in school choice, which is cited in budget documents as a down payment on Trump's \$20 billion campaign promise to increase funding to expand students' educational options. *Read the rest of the story: ["Trump Education Budget Draws Cheers from School Choice Proponents But Concerns Others"](#)* (from *The Patriot News*, 3/16/17).

Medicaid Update – The ACA replacement bill contains per capita caps on Medicaid, which could have dramatic negative implications on School-Based Access Funding, as Medicaid funding available to states would be reduced and schools would have to compete with hospitals and others for limited funding. Under the proposed legislation, Pennsylvania could lose over \$140 million in federal funding now provided for the ACCESS program. If this happens, local schools will not be able to afford the special education programs they are legally required to provide. Worse, children could be left without critical health services and supports to help them be healthy and achieve academically. Needed services include speech therapy, physical therapy and equipment, psychological services, nurses and personal care aides, and specialized transportation; and necessary equipment includes walkers, wheelchairs and assistive technology devices. The need for continued, adequate Medicaid funding is important to schools and children. Please reach out to your representatives and senators in DC on this important issue ASAP. Check your email for PASA's March 9 Email Alert on this issue ("ACTION ALERT: Medicaid Reimbursement).

Protecting Undocumented Students – As the Trump administration aggressively ramps up deportations of undocumented immigrants, some K-12 leaders have pledged to protect the rights and privacy of students who don't have legal immigration status. Some vow schools are "sanctuaries" where educators won't cooperate with authorities to identify or take action against undocumented students and families. But the fast-moving, politically charged situation has also created confusion for educators about what they can and can't do. *Read the rest of the story: ["What Can Schools Do To Protect Undocumented Students, and Other FAQs"](#)* (from NPR, 3/6/17).

Across the Nation...

Tennessee: Voucher Legislation – School choice bills, including vouchers, are making their way through the Tennessee legislature as President Donald Trump heads Wednesday to a Nashville rally where he may address the issue at the top of his education agenda. A bill to launch a pilot voucher program in Memphis has already passed key House and Senate committees. A committee vote on the House version of the bill was postponed Tuesday until next week. Up to 5,000 students could receive vouchers to pay for private schools with first priority going to low-income children who are zoned in schools in the bottom 5 percent on state rankings. Another larger voucher bill, which would extend to low-income children in bottom-ranking schools statewide, is scheduled to go before a committee on Wednesday. But similar attempts have failed in Tennessee before. *Read the rest of the story: ["Tennessee Lawmakers Move on Voucher Bills as President Trump Lends Support"](#)* (from *Education Week*, 3/14/17).

On the Calendar...

March 29-30 – Education Congress (Harrisburg)
March 30 – Education Research Symposium (Harrisburg)
April 5 – Professional Dev. Committee meeting (virtual)
April 10 – Women's Caucus Board meeting (PASA office)
April 20 – Resolutions Committee meeting (PASA office)
April 20-21 – Board of Governors' meetings (PASA office)
April 30 – May 2 – Women's Caucus Annual Conference (Hershey)