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House of Representatives Session of 2019 - 2020 Regular Session

MEMORANDUM

Posted: March 19, 2020 02:33 PM
From: [Representative Curtis G. Sonney](#)
To: All House members
Subject: COVID-19 Emergency School Code provision

The coronavirus, COVID-19, put us in uncharted territory as it relates to our schools. On Friday, the Governor announced that all public schools would be closed for a two-week period. However, it may be possible that schools will be closed for much longer. This has raised many questions and created uncertainty for students, parents, and school employees.

Very soon, I will be introducing legislation that creates a special provision of the School Code applicable only to the 2019-20 school year to address some of this uncertainty.

The legislation includes the following:

- Eliminates the 180-day requirement for all public and nonpublic schools and home education programs.
- Allows the Secretary of Education to increase the number of allowable flexible instruction days to permit additional educational opportunities for our students while at home.
- The Secretary may also waive:
 - Career and technical education program hours
 - Using performance data in the teacher evaluation system
 - Pre-K counts hours
 - 12-week student teacher requirement
 - NIMS assessment/NOCTI exam
- *School employees* - there are several provisions to protect school employees from circumstances outside their control. The legislation provides that:
 - No school employee shall receive more or less compensation because of school closures or shortened school year.
 - No loss in PSERS credit or change in PSERS contributions.
 - School cleaning staff must be provided appropriate cleaning materials and protective clothing/gear as recommended by the CDC.
 - Extends continuing education credit compliance period by one year.
- *Special education* - the US Dept. of Education released guidance on federal requirements related to special education during school closures. Each school needs to make sure it has planned accordingly to ensure students are receiving the special education services they are entitled to under federal law. These plans should be communicated to parents. Therefore, the legislation provides that notice must be given to all parents of special education students a plan for ensuring students are receiving FAPE.
- *Payments to school entities* - no loss in any school subsidies or reimbursements. Charter schools will continue to receive tuition payments.

- *Assessments*: the U.S. Department of Education issued guidance on the potential impact of school closure on PSSAs and Keystone exams, including that they would consider a request to waive assessment requirements for this school year. This legislation would require the Secretary of Education to apply to the U.S. Department of Education for testing waivers to permit cancellation of assessments for the 2019-20 school year.

If you have any questions, please contact Alaina Koltash at akoltash@pahousegop.com. Please join me in supporting this important legislation.
