

[Home](#) / Senate Co-Sponsorship Memoranda

## Senate Co-Sponsorship Memoranda

### Senate of Pennsylvania Session of 2019 - 2020 Regular Session

#### MEMORANDUM

**Posted:** March 19, 2020 12:20 PM  
**From:** [Senator Wayne Langerholc, Jr.](#)  
**To:** All Senate members  
**Subject:** Education Issues to Address Concerns of the COVID-19 Pandemic of 2020

In the very short-term, I will be introducing legislation that addresses many of the concerns we are hearing from public and private schools given the mandated closure of their schools. The below changes only apply to the school year 2019-2020 as a result of the global pandemic declared by the World Health Organization on March 11, 2020.

1. The requirement requiring all school entities to be kept open each school year for at least one hundred eighty (180) instructional days is waived immediately.
2. The secretary may do any or all of the following:
  - a. Increase the number of flexible instructional days that school entities may institute to a number of flexible instructional days determined by the secretary during the 2019-2020 school year and waive the application deadline.
  - b. Waive the minimum total number of hours required for a career and technical education programs.
  - c. Waive the requirement to include performance data in a professional employee's performance rating.
  - d. Waive the minimum number of days of prekindergarten instruction required.
  - e. Waive the twelve-week student teacher requirement for educator preparation programs that are unable to meet due to the pandemic of 2020.
  - f. Waive the NIMS assessment and the NOCTI exam for career and technical education students.
3. Ensure employees of any public school do not receive more or less compensation than the employee would otherwise have been entitled to receive from the school entity had the pandemic of 2020 not occurred.
4. No employee will receive more or less credit or contribute more or less than the employee would otherwise have contributed pursuant to the Public School Employees' Retirement Code.
5. For the time period the charter school, regional charter school, or cyber charter is closed due to the 2020 pandemic, the charter school, regional charter school or cyber charter school shall receive tuition payments based upon the students enrolled as of the initial date of the closure.
6. Public schools should provide employees responsible for cleaning schools appropriate cleaning materials and protective clothing as recommended by the CDC.
7. Parents or Guardians of students with an IEP will receive notice from the public school a notice ensuring the student receives a free and appropriate public education as required under IDEA.
8. Public schools which were closed may not receive less subsidy payments or reimbursements than the school entity would otherwise be entitled to receive for the school year 2019-2020.
9. The secretary will apply to the US Department of Education for a waiver of the PSSA/Keystone Exams for the 2019-2020 school year.
10. Continuing education for professional compliance period will be extended by one year.
11. The following shall apply to nonpublic schools for the 2019-2020 school year:
  - a. The governing body of a nonpublic school may close the nonpublic school due to the threat to health and safety caused by the pandemic of 2020.
  - b. The minimum instructional time requirements will not apply.
12. The minimum instructional time requirement for homeschooled student will not apply.

3/19/2020

Senate Co-Sponsorship Memoranda - PA State Senate

If you should have any questions or concerns with this legislation, please contact from my office Gwenn Dando at [gdando@pasen.gov](mailto:gdando@pasen.gov). Please join me in co-sponsoring this important legislation.

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