

## **Governor Signs School Code Bill Into Law – March 27, 2020**

[SB 751](#), as amended, does the following:

- Waives the 180 days requirement
- Provides the Secretary with the authority to close schools and increase the number of allowable flexible instruction days
- Confirms the Secretary's authority to cancel state assessments and seek a waiver from the USDE for testing compliance with ESSA [already received]
- Waives the minimum hours for CTE
- Waives the requirement to use performance data on employee evaluations
- Waives NIMS and NOCTE tests
- Requires school employees to receive no more and no less compensation and no more or less retirement credit in PSERS than they would have received without school closures
- Requires appropriate protection for custodial staff according to CDC guidelines
- Requires each school entity to make a good faith effort to plan to offer continuity of education to students using alternative means during the period of closure, requires that the plan be submitted to the PDE, and requires that the plan be posted on the LEA's website
- Requires each school entity to provide written notice to the parent or guardian of each student receiving services under an individualized education program under IDEA concerning plans to ensure the student receives a free and appropriate public education as required under IDEA
- Requires districts to continue charter school tuition payments only for those students enrolled in a charter school prior to March 13. Once schools are reopened, charters can take in new enrollees and bill districts.
- Extends PIL requirements one year
- Allows LEAs to apply for waivers to the PDE for issues not covered in SB 751
- Requires districts to continue to make payments to CTE's, I.U.'s and other educational agencies/services
- Allows districts to renegotiate their transportation contracts to determine payment going forward. If the school entity continues to pay a school bus contractor or operates its own bus transportation, the school entity will be eligible for state reimbursement at a rate the entity would have received had the pandemic not occurred, had the minimum instruction days requirement not been waived or had the Secretary of Education not taken action to close schools.
- Requires LEAs to continue payments to private residential rehabilitative institutions

PASA continues to work with the PDE and other education associations to clarify guidance to school districts concerning this bill and other issues related to the closure.