



Pennsylvania Association of School Administrators
Proud Leadership for Pennsylvania Schools

Education Update
May 20, 2019

Due to the Memorial Day holiday, the Update will be on hiatus next week. The next Update will be published on Monday, June 3.

In Safety & Security News...

Legislation to Address Act 44 Firearms Question – Northern York School District’s Superintendent Eric Eshbach absolutely hates everything about having armed school security personnel walk the halls of the middle and high schools. Yet, in the wake of last year’s Parkland school shooting, Eshbach has come to terms with having hired private armed security officers in his district’s schools, saying it gives him peace of mind knowing he has done everything possible to keep kids safe. That contentment, however, got shaken when he and other superintendents around the state received a letter from the state Department of Education in February with its interpretation of Act 44, a school safety and security law, enacted last June. The letter essentially said contracted school security guards are not permitted to possess a firearm on the job. Legislation now moving through the General Assembly would clarify that issue. *Read the rest of the story: [“Which School Security Personnel Can Carry a Gun? Lawmaker Seeks to Clear Up Controversy”](#)* (from *The Patriot-News*, 5/13/19).

New Florida Law on Teachers and Guns – Florida Gov. Ron DeSantis, a Republican, signed into law on May 8 a measure that will allow teachers to carry a firearm in school. The contentious move comes one day after a shooting at STEM School Highlands Ranch in Douglas County, Colorado, where one student died and eight others were injured. According to Education Week’s school shooting tracker, it was the 12th school shooting this year that resulted in a death or injury. *Read the rest of the story: [“Teachers in Florida Can Carry a Firearm in School”](#)* (from *US News & World Report*, 5/9/19).

Investigating Sexual Misconduct in K-12 Schools – Efforts by Education Secretary Betsy DeVos to overhaul federal rules on sexual misconduct have focused public attention on college campuses, where assault, rape and harassment have made headlines for years. But her efforts to change those rules, put into place more protections for the accused and offer relief for educational institutions, have prompted concerns from elementary and secondary school leaders, public school superintendents and other educators that highlight how schools grapple with sexual misconduct involving much younger students. Where universities have procedures and adjudication processes that might need changing to comply with the new rules, elementary and secondary schools have been found to have no rules at all for dealing with sexual misconduct. “Title IX compliance is challenging in the K-12 space,” said Sasha Pudelski, the advocacy director at AASA, the School Superintendents Association, “but nothing in these proposed regulations will make those challenges go away.” *Read the rest of the story: [“It’s Like the Wild West’: Sexual Assault Victims Struggle in K-12 Schools”](#)* (from *The New York Times*, 5/11/19).

In Legislative News...

Legislative Schedule – Both the House and Senate are in recess the next two weeks and will not return until Monday, June 3, when the push to finalize a state budget plan begins.

Last Week’s Action on Charter School Bills – Among the bills seeing action last week were four bills amending Charter School Law. All four bills, which are a priority for House Republican leaders, were introduced last week, but none of them concern either funding/tuition issues or issues related to evidence of student success. In addition, **no** hearings were held on the bills.

[Click here](#) to read PASA’s position on these bills.

Amendments were filed to the bills, but only two were considered, and both were rejected along party lines. All other amendments were pulled. Lawmakers with questions were given assurances that there would be an opportunity for amendments on the floor. The House doesn’t plan to move on the bills until June, so there may

be an opportunity for amendments.

At this point, we do not anticipate any charter school financial reform bills from the House until the fall. Meanwhile, in the Senate, Sen. Pat Browne, chair of the Appropriations Committee, is working hard to get a charter school funding commission created, but it would take time for that commission to outline any specific funding recommendations.

It is likely that some of the provisions in these four bills will be included in the School Code bill passed with the budget. The bills are:

* **HB 355: Charter School Ethical Requirements.** The bill amends the Charter School Law as follows: prohibits paid media advertisement by a public school entity to refer to tuition or transportation cost as free but rather stipulate that tuition or transportation costs are covered by taxpayer dollars; makes certain definitions to further identify administrative roles and responsibilities; expands the definition of “cyber charter school” to include a school that utilizes electronic or digital books for a significant portion of its curriculum; stipulates ethical obligations of charter school board members and administrators in line with requirements for school boards and administrators in traditional public school entities; stipulates membership on charter school boards and operating procedures; requires annual independent financial audits; places limits on fund balances.

PASA SUPPORTS THIS BILL, as it outlines significant ethics requirements that will hold charter school administrators and board of trustee members accountable for ethical conduct similar to traditional public school administrators and school board members.

* **HB 356: Right of First Refusal.** The bill amends the Charter School Law to grant to charter school the right of first refusal for purchase or lease of unused school district buildings, requires school districts and higher education institutions to make their facilities available to cyber charter school students for the purposes of standardized testing, and requires charter schools to cover or remove religious objects and symbols if using a sectarian facility.

PASA OPPOSES THIS BILL, which is in direct conflict with open, market-based practices and will potentially lower the value of school district property during the sale process. Furthermore, lifting the cap on enrollments would allow a charter school entity to add one or more new charter schools within the same district that originally approved the charter – with NO additional approval.

* **HB 357: Charter School Applications.** The bill provides for transfer of records; moves the charter school application deadline from November 15 to October 1; requires the PDE to develop a standard charter school application and identifies its contents; prohibits local school boards to require additional information with an application, develop their own applications or require additional information beyond the standard application form; grants solely to the General Assembly authority to make changes to the standard application forms upon recommendation by the PDE; stipulates the length of an initial charter for no less than three years and not more than five years; allows for charter renewal in five-year increments, with the renewal application provided to the local school board by December 1 of the final year of the charter and requiring a vote on the renewal application within 90 days of receipt; grants to the charter school appeal board the final decision concerning renewal; stipulates a process for amending a charter and timelines for school board action; outlines requirements and processes for enrollment concerning a standard application waiting lists (giving preferences to those living in the district where the charter school is located); prohibits school districts from referring to their online instruction program as a “cyber charter school” unless the district applies to be so recognized and meets all procedures and requirements for application; stipulates the term of an initial cyber charter as between three to five years and requires the PDE to act on a five-year renewal application within 90 days of receipt.

PASA OPPOSES THIS BILL, which limits what information school district boards can review in charter school applications, essentially usurping the locally elected school board’s right to conduct its due diligence. The bill also restricts the authority of the PDE in developing and amending an application form, granting that authority instead to the General Assembly, and allows for the charter application to be amended just prior to its consider by a school board.

* **HB 358: Dual Enrollment and Charter Schools.** The bill would allow charter school entities to enter into dual enrollment agreements with institutions of higher education.

PASA IS VERY CONCERNED ABOUT THIS BILL. Although we are not opposed to giving all students options to engage in college-level courses while still in high school, we are concerned that this provision may allow

charter schools in high tuition areas of the state to profit from dual enrollment agreements, when the tuition cost for higher education is lower than the tuition charged to the district for a charter-enrolled student. PASA is seeking an amendment to the bill to prevent charter schools from profiting in this situation.

In Other Legislative Action Last Week...

* **[HB 672](#): Mental Health Treatment Age of Consent; amended and approved by the House Human Services Committee.** The bill clarifies age of consent authority related to inpatient mental health treatment by granting to parents and guardians of minors less than 18 the authority to consent to such treatment of the minor child and not require the minor's consent to such treatment. The bill also clarifies that a minor between ages 14-18 may consent to their own voluntary inpatient health treatment without the consent of a parent or guardian. Amendments added to the bill require that minors placed into inpatient treatment be advised of their rights, including their right to appeal their placement, and require professional review to determine whether professional care is necessary.

Compulsory School Age – The House Education Committee has scheduled a public hearing for Tuesday, June 4, concerning compulsory school age. In the Senate, Sen. Lindsey Williams (D-Allegheny) has introduced **[SB 642](#)**, which reflects Gov. Wolf's proposal to lower the compulsory age of attendance from eight to six years of age and raise the age of dropout from seventeen to eighteen years of age.

In National News...

Study: Inequities, Education & Wealth – Wealth may have a greater impact on a child's socioeconomic status when they are older than education, according to findings by a Georgetown University study. The new report, conducted by the Georgetown University Center on Education and the Workforce in partnership with the Annie E. Casey Foundation, found that affluent children with low test scores have a 71 percent chance of becoming affluent adults at age 25, while poor children with high test scores only have a 31 percent of chance of becoming wealthy in adulthood. The disparity becomes more severe when broken down by race. "We tend to focus on education from the perspective of the labor market. We're about connecting education to the workforce," said Anthony Carnevale, the director of Georgetown University's Center on Education and the Workforce. "What this report says is essentially the American education system takes the inequalities that are produced in the K-12 education system, then reflects them into the higher education system, and then reflects them in the economy, and the cycle becomes anew." *Read the rest of the story:* **["Money Over Shakespeare: Study Shows How Childhood Socioeconomic Status Determines Wealth in Adulthood"](#)** (from *Education Week*, 5/15/19).

Cost of Unused Ed-Tech Software – A new analysis of K-12 school district spending bolsters the notion that many ed-tech products and software purchased aren't actually used or don't have the intended impact. Ed-tech company Glimpse K12 studied \$2 billion in school spending and found that on average, 67 percent of educational software product licenses go unused. Glimpse K12 tracked 200,000 curriculum software licenses purchased by 275 schools during the 2017-2018 school year. The analysis found educational software was the biggest source of wasted spending in K-12 districts. *Read the rest of the story:* **["Unused Educational Software Is Major Source of Wasted K-12 Spending, New Analysis Finds"](#)** (from *EdWeek Market Brief*, 5/15/19).

On the Calendar...

May 27	PASA Office closed
May 28	Women's Caucus Board meeting (virtual)
June 18	PASA Advocacy Day (Capitol)
June 19	PASA Retiree Luncheon (PASA office)
June 20, 21	Aspiring to Leadership Workshops (PASA office)