



Pennsylvania Association of School Administrators
Proud Leadership for Pennsylvania Schools

Education Update
June 20, 2022

In Health, Safety, Equity & Learning News...

The Homework Gap and Access to Technology – School districts should plan to keep raising wages to stay competitive in the persistently volatile labor market, even as pressures on spending pile up, a bulletin from a prominent credit rating agency warned Wednesday. The K-12 sector overall has a healthy credit rating, but some districts are in a stronger position than others, the report from Fitch Ratings says. Districts with low credit ratings may find it difficult to meaningfully expand compensation for staff without further denting their credit status. *Read the rest of the story: “[Schools Warned to Expect Wage Pressures for the foreseeable Future](#) (from *Education Week*, 6/15/22)*

Federal Gun Legislation – A tentative compromise on federal gun legislation by a bipartisan group of U.S. senators would seemingly break the pattern of polarizing debate and inaction that follows most mass school shootings. The proposal also calls for funding for mental health and school safety programs. But the specifics of the deal—like how much money could go to schools—and the likelihood that it actually becomes law are not certain. The outline was announced by 20 senators, including 10 Republicans, Sunday in response to a string of mass shootings in recent weeks. That timeline includes the May 24 attack at a Uvalde, Texas elementary school in which an 18-year-old suspect shot and killed 19 students and two teachers, the deadliest school shooting since the 2012 killings in Newtown, Conn. *Read the rest of the story: “[What Educators Need to Know About Senators’ Bipartisan Deal on Guns, School Safety](#)” (from *Education Week*, 6/13/22).*

Teachers Union Opposes Proposal to Arm School Employees— A Pennsylvania lawmaker wants to allow K-12 school employees to carry firearms in classrooms in an effort to prevent mass shootings like the one in Uvalde, Texas that killed 19 students and two teachers. The **proposal** by Sen. Doug Mastriano, R-Franklin County, would let employees with a concealed carry permit be armed on school property if they have completed what he called a “rigorous” firearms training... Pennsylvania State Education Association President Rich Askey said school staff and educators to be armed has the potential in a crisis to create more problems for first responders who upon arriving at the scene of an armed confrontation would have difficulty distinguishing the perpetrator from a staff member with a gun. Askey added the union is not opposed to appropriately trained school safety personnel carrying firearms. *Read the rest of the story: “[Pa. teachers union pushes back against lawmaker’s proposal to allow school employees to be armed](#)” (from *Pennlive*, 6/15/2022).*

Changing SEL Terminology – Nonprofit organizations that have spent decades offering social-emotional learning and equity-based support to schools are facing a new challenge: defending their existence. This year, education terms like SEL and equity have become embroiled in the controversy surrounding “critical race theory,” an academic framework that argues racism is a social construct that has been embedded into legal systems and policies. The discourse has created a difficult situation for nonprofit organizations that have SEL and equity at the core of the work they do in schools and school districts. Despite the negative rhetoric surrounding the term in some places, organizations that *Education Week* spoke with haven’t found themselves losing out on funding or opportunities. But they are being more careful about how they talk about the work they do. *Read the rest of the story: “[As Terms Like ‘SEL’ Draw Fire, Organizations Supporting](#)*

Schools Sharpen Their Message” (from *Education Week*, 6/13/22).

Teens and Relationships Post COVID - A new poll of both teenagers and their parents suggests that the COVID-19 experience has substantially altered the way students relate to their families, friends, and peers at school. Nearly half of all adolescents surveyed said they felt closer to their parents after two years of disrupted learning, but a sizable group grew more distant from classmates and teachers than they were in February 2020. A strong majority also said they wished school would be delivered fully in-person from now on. *Read the rest of the story: **“Pandemic Seriously Altered Teens’ Relationships, Pew Survey Finds”*** (from the72million.org, 6/7/22).

Transgender Youth Numbers – About 300,000 teenagers identify as transgender in the United States, nearly twice as many as previous estimates, according to newly released research. The sharp increase could be because many more young people now feel more comfortable identifying themselves as transgender—which means their gender identity does not align with their sex assigned at birth—or it could be that more accurate data sources are now available to account for them. It could also be a combination of both, according to Jody Herman, the study author and a senior scholar of public policy at the Williams Institute, a research center within the UCLA School of Law that specializes in LGBTQ issues. The report also found that the current population of young people between the ages of 13 to 17 is significantly more likely to identify as transgender compared with older generations. But as more young people identify as transgender, their rights at school to access counseling, to play on sports teams, and even to use bathrooms are under attack by Republican lawmakers. *Read the rest of the story: **“Number of Trans Youth Is Twice as High as Previous Estimates, Study Finds”*** (from *Education Week*, 6/14/22),.

In Budget, Finance & Revenue News...

State Budget Update – Both the House and Senate moved state appropriations bills forward and put them in place for action on the budget. All would need to be amended to include final budget numbers when a compromise plan is ready for a vote.

The Governor’s Office contacted PASA again late Friday asking for help to convince legislators that significant increases in subsidy are needed for schools. The Governor’s Education Budget Ask Includes:

- \$1.25 Billion – Basic Subsidy
- \$300 Million – Level Up
- \$200 Million - Special Education

PA Unemployment Rate – The Department of Labor and Industry (L&I) reported that the unemployment rate decreased 0.2 percent. In Pennsylvania, the unemployment rate was 4.6 percent in May, compared to 3.6 percent nationwide. According to L&I, Pennsylvania has recovered 85 percent of the jobs lost in the first two months of the pandemic from April 2020 to May 2022.

In Legislative News...

Session Update – Both the House and Senate are in session this week and next week for five days – unless the budget is finalized before next week.. The budget deadline is June 30.

Last Week’s Bill Action – The Senate Education Committee last week pulled a number of bills from

scheduled consideration, including:

- * **SB 766**: Adult Education & Workforce Recovery Fund Grant Program
- * **SB 1243**: Personal Financial Literacy for High School Students
- * **SB 1277**: Parental Control over Curriculum and Books
- * **SB 1278**: Parent Authority in Curriculum Decisions
- * **HB 2169**: Tuition Vouchers

However, it is possible that some or all of the bills could come back for consideration this week. (See the **June 13 Update** for details on the bills.) Stay tuned....

In other legislative action...

* **House Concurrent Regulatory Review Resolution 1 (HCRRR 1): Disapproval of Charter Schools and Charter Cyber Schools Regulation #6-349; approved by the Senate, 30-20, with all but one Democrat (Sen. Anthony Williams, D-Philadelphia) voting in opposition.** This resolution disapproves the new Charter School Regulations approved by the State Board of Education. The House had approved this resolution, with all Democrats voting in opposition. **PASA opposes this concurrent resolution. PASA supported the regulation as a first step in meaningful charter school law reform.** The regulation:

- provides clear application requirements for entities seeking to open a charter school, regional charter school, and cyber charter school;
- ensures that all Pennsylvania students are able to access charter schools;
- clarifies the ethics requirements for charter and cyber charter school trustees;
- requires school districts and charter schools to follow the same fiscal management and auditing standards;
- streamlines the process for charter schools to request tuition payments from school districts and the state; and
- provides a consistent, common-sense method for charter schools to meet the employee health care requirements in state law.

Passage of the resolution halts publication of the regulations in the *Pennsylvania Bulletin*, therefore preventing it from going into effect as scheduled. The resolution now goes to Gov. Wolf, who will veto it. Both the House and Senate would have to muster sufficient votes to override the governor's veto.

A related bill, **HB 2069**, would amend the Constitution to disallow a governor from vetoing a concurrent resolution disapproving a regulation. The bill, which was approved by the House State Government Committee in November 2021, is being positioned for a vote in the House during the next two weeks.

* **HB 1254: Vouchers and In-School Instruction.** *This bill, approved by the House Education Committee last September, is being positioned for a possible vote.* HB 1254 would amend the School Code to include a new Section 1507, to be entitled "In-Person Instruction or Tuition Grant Program Required." Under proposed Section 1507, within 30 days of the bill's effective date, a school district that does not provide full-time, in-person instruction, or that denies a student residing in the school district full-time, in-person instruction in the school district, must establish a tuition grant program (vouchers) under existing Section 2012-B of the School Code.

There is no definition of what constitutes "not providing full-time, in-person instruction," which means a brief quarantine or a remote learning day due to a weather closure could activate the mandatory tuition grant program. In addition, HB 1254 would require that any student living in the school district must be eligible for a tuition grant, and that such a student receiving a tuition grant under the proposal will continue to be eligible if the student remains a school district resident, **even if the school district reestablishes in-person**

instruction. Once a student receives a tuition grant under the bill, the student would remain eligible for future tuition grants, even if the school district later provides full-time, in-person instruction. The school district would have to use funds received from the Commonwealth for educational purposes to establish these tuition grants.

PASA strongly opposes this bill for many reasons:

- * This is a voucher bill that will drain much needed resources from our public school districts when we are working diligently to recover from the pandemic.
- * There is no mention of accountability or transparency for the use of the money by parents or the nonpublic school entities.
- * This bill would put undue pressure on school districts to keep schools open despite having a significant breakout of COVID-19 in their schools, possibly increasing the spread of the virus.
- * The majority of taxpayers are opposed to public tax dollars being used for nonpublic school vouchers.

* **HB 2024: Mental Health Instruction Study; passed the House, 199-1.** The bill would commission a Mental Health Instruction Study to determine the extent to which schools are currently providing mental health instruction in their curriculum. Data collected from this study will serve as the basis for recommendations for the improvement of mental health instruction in our Commonwealth's schools, including recommending future legislation. ***PASA supports this bill and believes the data could be helpful to school leaders.*** *It would be helpful to have this study completed before contemplating implementation of the health awareness education program described in HB 2023.*

* **HB 2148: Public Notice Requirements; approved unanimously by the Senate Local Government Committee.** The bill allows a political subdivision that pays to advertise a public notice in a newspaper to also advertise that notice on the Internet and, in the event that the newspaper fails to publish the advertisement in a timely manner, provides that the Internet advertisement (a "redundant" advertisement) is considered timely published provided the political subdivision can show proof that it purchased the newspaper advertisement in a timely manner. (The bill initially pertained only to municipalities.) HB 2148 passed the House unanimously.

* **HB 2524: Right-to-Know Amendments; amended and passed by the House, 112-88.** As amended the bill makes changed to existing Right-to-Know Law. Those most relevant to school districts include the following:

- requires the public entity to register its open-records officer with the Office of Open Records
- allows a public entity to require a requester to certify in writing whether the request is for a commercial purpose and imposes a penalty for a false written statement
- includes requests for real estate-related records used for real estate purposes in the definition of "commercial purpose"
- forbids a public entity from disposing of any potentially responsive record until the request has been responded to and any related appeals have been exhausted
- provides a process for a public entity to petition the Office of Open Records for relief from a vexatious requester (other than media). **However**, vexatious requesters cannot be labeled so based solely on the number of requests filed or the number of records sought; rather they are so considered "by the person's conduct," as demonstrating an intent to annoy or harass a local agency.
- allows a public entity to assess fees for responding to commercial requests at no more than the hourly wage of the lowest-paid public employee of the entity who is capable of searching, reviewing and redacting the information as necessary to comply with the request, and such fee charges could be appealed to the Office of Open Records. (Attorney requests on behalf of a client and not intended for commercial purposes would be excluded from fees.)

PASA is disappointed with this bill. There appears to be a lot of energy in the Capitol to do this – but it doesn't help those it is supposedly trying to help. We have been working on the issues of vexatious and commercial requests. But definitions in this bill are not done well and difficult to prove. The bill also allows the Office of Open Records to levy fines, something that is currently handled by the courts. PASA believes that **SB 552** is a better approach to this matter as it identifies the criteria that will be evaluated by the Office of

Open Records to determine if a requester should be considered vexatious, establishes a process for ORR to review the petition including possible mediation, and identifies an appeal process to Commonwealth Court for either party. It is by far a cleaner bill that provides more clarity through criteria and definition.

* **HB 2586: Special Commemoration Day; passed by the House unanimously.** The bill would require the Governor to issue a proclamation annually encouraging all public schools and educational institutions to observe Tuskegee Airmen Commemoration Day on March 29 and to conduct exercises recognizing their contributions and sacrifices. The proclamation would not mandate school entity participation.

* **HB 2646: CTE Teacher Reciprocity; moved from Rules Committee to the floor.** The bill amends the School Code to provide more flexibility for out-of-state applicants to teach in CTE schools. Specifically, HB 2646 would allow teachers holding a current career and technical instructional certificate issued by another state, along with four years wage-earning experience in the occupation to be taught and two years of teaching experience, to be issued an equivalent Pennsylvania career and technical instructional certificate. The bill was amended to clarify that candidates must have at least two years of classroom teaching experience and must provide evidence of satisfactory professional educator performance for the two most recent years of classroom teaching. **PASA supports the bill.**

* **HB 2649: Regulatory Review Changes; approved by the House State Government Committee, with all Democrats voting in opposition; now in the House Rules Committee.** The bill would change the number of commissioners on the Independent Regulatory Review Commission from five to seven. Currently, the commission consists of one appointee each from the Governor, House and Senate majority leaders and House and Senate minority leaders. The legislation would add two appointees from the House and Senate majorities, thus giving the dominant party in the General Assembly control of every regulation that comes before the commission. In addition, the bill would bar a state agency (including the PDE) from promulgating a final-form or final-omitted regulation that is disapproved. *In effect, this bill would place all authority over regulations with the majority party in the legislature. It would remove a governor's authority to promulgate and move regulations through an independent regulatory review process which subjects them to extensive public comment and analysis and instead would make decision-making on proposed regulations purely political.*

* **SB 527: Automatic EITC Increases.** *The bill is being positioned for a possible vote on the Senate floor. In January the Senate Education Committee approved by the bill, with all Democrats voting in opposition.* The bill amends the School Code to automatically increase the Educational Improvement Tax Credit (EITC) and Opportunity Scholarship Tax Credit (OSTC) caps by 25% each fiscal year when at least 90% of the respective available tax credits are claimed in the previous Fiscal Year. The amendment makes the bill effective in the 2022-23 school year. **PASA opposes the bill and all legislation that increases tax credit schemes, as there is no accountability for the use of those funds, plus the taxes sent to these funds could be used for public school subsidies.**

* **SB 771: Corporate Tax Reduction; passed by the Senate, 31-19.** The bill would reduce PA's corporate Net Income Tax, which would in turn reduce state revenue. While a reduction may help to spur investment in the commonwealth, which has one of the highest Corporate NITs in the country, it would affect what Pennsylvania could spend annually.

This Week's Committee Schedule –

Monday, June 20

House Education Committee

10:00 a.m., Room 523, Irvis Office Building

To consider:

* **HB 1813: Advance Enrollment for Military Children.** This bill would allow military children to access registration and enrollment to a school district at the same time it is open to the general population. This legislation would provide a waiver of the proof of residency requirements until the student begins school. Students of military families are not currently eligible to register in classes, enroll in specialized academic

programs, or submit their children's names in lotteries for charter or magnet schools until they are physically located with the district boundaries.

In National News...

Stress Among School Staff – Yet another survey confirms: Teachers and principals are stressed and burned out—and more than a quarter are experiencing symptoms of depression. In fact, educators navigating pandemic-era schooling are faring worse than other working adults these days. That's according to a new nationally representative RAND Corporation survey of 2,360 teachers and 1,540 principals, conducted in January. The researchers fielded the same questions to a nationally representative sample of working adults to compare results and found that educators have worse well-being on all five of the indicators in the survey. Nearly three-fourths of teachers and 85 percent of principals are experiencing frequent job-related stress, compared to just a third of working adults. Fifty-nine percent of teachers and 48 percent of principals say they're burned out, compared to 44 percent of other workers. A silver lining? Most educators say they're coping well with job-related stress. And just under half of teachers and two-thirds of principals report being resilient, meaning they bounce back quickly after stressful or hard times. *Read the rest of the story: "**Stress, Burnout, Depression: Teachers and Principals Are Not Doing Well, New Data Confirm**"* (from *Education Week*, 6/15/22).

On the PASA Calendar...

June 21.....Superintendent of the Year reception (Lehigh Univ.)
June 27.....Legislative Committee Zoom meeting (8 a.m.)
July 4.....PASA office closed
July 27.....New Superintendents Webinar