



PAGE Legislative Updates Fall 2022

Note: The content and links in this PAGE Legislative Update are for informational purposes only.

Update - PA Education Funding Lawsuit

On Tuesday, July 26, 2022, the parties in the school funding lawsuit gathered for a final time in a Harrisburg courtroom for oral argument on the legal issues in the case. With the July 26, 2022, oral argument now concluded, the outcome of the case is in the hands of Judge Renee Cohn Jubelirer. Her decision in the case could come in several months.

This year's budget increases were the fruit of years of work by ELC and their partners, encouraging Governor Wolf to champion education funding as a budget priority and building a broad statewide coalition that advocated hard for these increased investments.

According to ELC, Pennsylvania has an average gap of \$4,800 per pupil in how much is spent in high-wealth vs. low-wealth school districts. When factoring in the state's weighting system to reflect student need, the gap is more than \$7,800 per student. It is an upside-down system – ELC feels that most spending should be in districts with greater need.

The road ahead is steep. With inflation currently surging at 8.6% annually, schools will be confronting rising labor costs. Mandated costs for pension obligations and charter schools continue to rise as well. According to ELC, the legislature failed to take needed action to address charter school funding reform. But for once, they are hopeful that the budgeted increases are significant enough to help ensure that school districts do not lose ground.

The school funding lawsuit and advocacy work to fix the funding system will continue until there is a provision of adequate and equitable funding to all students in every community. The state must make substantial, recurring multiyear investments in the schools as part of a long-term solution.

Source: [News — FundOurSchoolsPA.org](https://www.fundourschoolsPA.org/news)

Source: [Trial — FundOurSchoolsPA.org](https://www.fundourschoolsPA.org/trial)

Update - Senate Bill 506

Pointing to a rise in anxiety disorders and depression in school children, Pennsylvania lawmakers have proposed legislation that would allow K-12 students two mental health days per semester. The change is needed now more than ever, some officials argue, in the wake of the pandemic and all its attendant disruptions. State Senator Judith L. Schwank (D-Berks County) wrote in a co-sponsorship memorandum that stated, "This urgently requires further



examination and immediate intervention." The bill is currently with the Education Committee, where it was referred to on April 9, 2021. No new movement to date.

Source: [Bill Information - Senate Bill 506; Regular Session 2021-2022 - PA General Assembly \(state.pa.us\)](#)

New School Code Requirement: Industry-Recognized Credentials on High School Transcripts

As of the 2022-2023 school year, an industry-recognized credential attained by a student must be included on the student's transcript. This requirement was added to [Section 121](#) of the Public School Code by Act 55 of 2022.

Section 121 defines an industry-recognized credential as any credential identified in the industry credential resource book or in the industry-based learning guidelines compiled by the Department of Education.

Source: [Consulting\Act 55 Section 121 Industry Credential Pennlink \(ss\) policy FINAL 11-9-22 LF.docx](#)

PA Senate Bill 224

As local school districts scramble to find teachers and substitute teachers, a bill that would make it easier for out-of-state educators to work in Pennsylvania has received unanimous support from lawmakers thus far.

State Sen. Camera Bartolotta, R-Washington, is co-sponsoring the bill, which now awaits House and gubernatorial approval.

"This is not a partisan issue," Bartolotta said. "This is not an Eastern Pennsylvania vs. Western Pennsylvania issue. This is statewide. Every single legislator has been hearing from their school districts the same sad song."

The bill was laid on the table on July 1, 2022. No movement to date.

The legislation would:

- Give in-state certification eligibility to out-of-state candidates who have completed a Pennsylvania-approved educator preparation program.
- Grant certification to those who hold a certificate issued by the National Board for Professional Teaching Standards
- Require the Pennsylvania Department of Education to recognize and accept out-of-state candidates' qualifying scores on equivalent content tests toward PDE's testing and certification requirements.



Source: [PA teacher shortage: Legislation might make certification easier \(poconorecord.com\)](https://poconorecord.com)

Source: <https://edernet.org/2022/05/30/pennsylvania-out-of-state-teachers-will-be-able-to-teach-in-schools-bill-signed-to-address-teacher-shortage/>

PA Senate Bill 1277

[Senate Bill 1277](#) would require districts to identify sexually explicit content in school curriculum and materials and notify parents that their child's coursework includes such content. The Act amends the Act of March 10, 1949 (P.L.30, No.14), known as the Public-School Code of 1949, in terms and courses of study, providing for parental notification relating to instructional materials and books containing sexually explicit content. This bill was referred to the House Education Committee on June 30, 2022. The roll call on SB 1277 in the PA Senate was 30 yes votes to 20 no votes. The bill is now in the PA House of Representatives for consideration.

PA Senate Bill 1278

[Senate Bill 1278](#) would prohibit classroom instruction on gender identity and sexual orientation for pre-kindergarten through fifth-grade students, consistent with the timeline for when the existing academic standards on general sex education begins in sixth grade.

This Act amends the Act of March 10, 1949 (P.L.30, No.14), known as the Public-School Code of 1949, providing for student well-being. This bill was referred to the House Education Committee on June 30, 2022. The PA Senate voted 29-21 to pass the *Empowering Families in Education Act*. The bill is now in the PA House of Representative for consideration.

PA House Bill 2929

On October 7, 2022, Representative Christopher M. Rabb introduced House Bill 2929. According to a statement by Representative Rabb, "PA has become the state with the second highest number of books banned from school libraries and curriculum by school boards." Representative Rabb reported that these book bans are an attempt to censor educators and restrict the information and educational materials that students can have access to in school.

This bill would establish uniform procedures that school boards follow before they can simply eliminate access to books for students. The proposed legislation would establish a process that school boards must go through before voting to ban from the school districts' libraries and curriculum. The forthcoming legislation would require the Pennsylvania Department of Education and school board participate in at least two public hearings on the book in question, which will be moderated by professionals with ample knowledge on the book and its contents, prior to the school board initiating a vote to ban it. This legislation will ensure the voices of a district's teachers, students, and community members are adequately heard when making these important decisions.



Source:

<https://www.legis.state.pa.us/cfdocs/Legis/CSM/showMemoPublic.cfm?chamber=H&SPick=20210&cosponId=37796>

The Students' Access to Freedom & Educational Rights (SAFER) Act

Legislation to strengthen civil rights protections against harassment in schools, including improved Title IX policies, has now been introduced in both houses of Congress.

[The Students' Access to Freedom & Educational Rights Act \(SAFER\) Act](#) would amend the standards for harassment lawsuits brought under Title IX of the Education Amendments of 1972 (Title IX) and create additional protections for students who experience sex-based harassment. Read more about the SAFER Act [here](#).

Chapter 49

[Chapter 49](#) is undergoing implementation. The guidance that has been published around the [Culturally-Relevant and Sustaining Education \(CR-SE\) Program Framework Guidelines](#). Chapter 49 requires instruction in CR-SE to be integrated in educator preparation, induction, and continuing professional development programs as follows:

- Continuing professional development programs must integrate the CR-SE competencies no later than the 2023-24 academic year.
- Educator preparation and induction programs must integrate CR-SE competencies no later than the 2024-25 academic year.

Source: [Pennsylvania Bulletin \(pacodeandbulletin.gov\)](http://pacodeandbulletin.gov)

National Assessment of Educational Progress (NAEP)

According to the latest [National Assessment of Educational Progress \(NAEP\) results](#) -- the first since the start of the pandemic -- average scores in reading and math for both fourth- and eighth-grade students declined sharply since 2019. There were declines in reading by three points in both grades, with 37% of fourth-grade students and 30% of eighth-grade students nationally below the NAEP "Basic" level. Moreover, there were declines in math by five points in fourth grade and eight points in eighth grade, with 25% of fourth-grade students and 38% of eighth-grade students nationally below the NAEP "Basic" level. No state or jurisdiction posted gains in reading or math in either grade or did any of the 26 participating urban school districts. The vast majority posted declines ([NAEP Day recording](#)).

"The results released today from the [NAEP] are appalling, unacceptable, and a reminder of the impact that this pandemic has had on our learners," Secretary Cardona declared in a statement. "The data also represents a call to action for the important work we must do now



for our students -- especially those who have suffered the most during the pandemic. This once-in-a-generation virus upended our country in so many ways -- and our students cannot be the ones who sacrifice most now or in the long run. We must treat the task of catching our children up in reading and math with the urgency this moment demands. It is up to all of us to raise the bar in education” (see [Learning Recovery landing page](#)).

Furthermore, the Department issued an update to its guide on “[Supporting Learning Acceleration with American Rescue Plan \[ARP\] Funds](#)” and shared videos of principals ([1](#), [2](#), and [3](#)) utilizing ARP funding to address pandemic-related learning loss. On October 26, 2022, the agency hosted the first of five sessions focused on key strategies and programs to boost literacy and math outcomes.

Source: Department of Education Ed Review – October 26, 2022

Additional Articles and Resources:

Resource: [2021 Juvenile Justice Task Force report](#)

Resource: On November 10, 2022, the U.S. Department of Education released a [Letter to State Directors of Special Education](#) with resources, guidance, and important principles to help states, school districts, families and others ensure the rights of highly-mobile children with disabilities.

The purpose of this letter is to address concerns expressed by stakeholders regarding the unique educational needs of highly mobile children with disabilities under the *Individuals with Disabilities Education Act (IDEA)*, provide an updated list of resources to support them, and seek assistance in improving the educational stability of, and post-school outcomes for, these highly mobile children.

Resource: On October 31, 2022, the U.S. Department of Education (Department) released final regulations that streamline and improve the rules for major targeted debt relief programs. The regulations expand eligibility, remove barriers to relief, and encourage automatic discharges for borrowers who are eligible for loan relief because their school closed, they have a total and permanent disability, or their loan was falsely certified. [Education Department Releases Final Regulations to Expand and Improve Targeted Debt Relief Programs | U.S. Department of Education](#)

Resource: [FACT SHEET: The Biden-Harris Action Plan for Building Better School Infrastructure | The White House](#)

Resource: [Department Hosts Raising the Bar: Literacy & Math Series to Address Academic Recovery | U.S. Department of Education](#)

Article: [A ‘National Teacher Shortage’? New Research Reveals Vastly Different Realities Between States & Regions – The 74 \(the74million.org\)](#)

Article: <https://www.ed.gov/news/press-releases/us-department-educations-office-civil-rights-announces-resolution-investigation-fairfax-county>



Article: [We Need Diverse Books Launches #BooksSaveLives Initiative Against Censorship \(publishersweekly.com\)](#)

Article: [2022 PSSA results: 3 takeaways from Pa.'s latest standardized tests \(inquirer.com\)](#)

Article: [US students lost decades of progress in math, reading. Could this strategy be the solution? \(usatoday.com\)](#)

Article: [Study finds 'huge' increase in children going to the emergency room with suicidal thoughts | CNN](#)

Article: [U.S. Department of Education Launches New Initiative to Support Career-Connected Learning and Increase Job Pathways for Young Americans | U.S. Department of Education](#)

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