

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1578 Session of 2015

INTRODUCED BY FEE, BLOOM, R. BROWN, CARROLL, CAUSER, COHEN, CUTLER, DAVIS, DIAMOND, FARRY, GIBBONS, GINGRICH, GREINER, GROVE, HICKERNELL, KAUFER, KILLION, MENTZER, MICCARELLI, MILLARD, B. MILLER, PICKETT, ROZZI, SAYLOR, WARD, WATSON, ZIMMERMAN, SANTORA, SCHLEGEL CULVER AND MACKENZIE, SEPTEMBER 30, 2015

AS REPORTED FROM COMMITTEE ON EDUCATION, HOUSE OF REPRESENTATIVES, AS AMENDED, JUNE 13, 2016

AN ACT

1 Amending the act of March 10, 1949 (P.L.30, No.14), entitled "An
2 act relating to the public school system, including certain
3 provisions applicable as well to private and parochial
4 schools; amending, revising, consolidating and changing the
5 laws relating thereto," providing for the E-chievement
6 Program.

7 The General Assembly of the Commonwealth of Pennsylvania
8 hereby enacts as follows:

9 Section 1. The act of March 10, 1949 (P.L.30, No.14), known
10 as the Public School Code of 1949, is amended by adding an
11 article to read:

~~ARTICLE XVII D~~

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~~E-CHIEVEMENT PROGRAM~~

14 ~~Section 1701 D. Scope of article.~~

15 ~~This article relates to the E-chievement Program.~~

16 ~~Section 1702 D. Definitions.~~

17 ~~The following words and phrases when used in this article~~

1 ~~shall have the meanings given to them in this section unless the~~
2 ~~context clearly indicates otherwise:~~

3 ~~"Department." The Department of Education of the~~
4 ~~Commonwealth.~~

5 ~~"Hybrid learning." An instructional strategy that blends~~
6 ~~digital resources with classroom teaching to increase student~~
7 ~~engagement and improve academic achievement through the delivery~~
8 ~~of lessons in small groups, the use of data to differentiate~~
9 ~~instruction, the encouragement of individually paced learning~~
10 ~~and the application of multiple educational methodologies. The~~
11 ~~term does not include instruction through a distance education~~
12 ~~program.~~

13 ~~"Program." The E chievement Program established under this~~
14 ~~article.~~

15 ~~"School entity." A school district or intermediate unit. The~~
16 ~~term does not include a cyber charter school.~~
17 ~~Section 1703 D. E chievement Program.~~

18 ~~(a) Establishment. The E chievement Program is established~~
19 ~~in the department to award grants on a competitive basis to~~
20 ~~eligible school entities that are selected through an~~
21 ~~application process to be established and administered by the~~
22 ~~department. A nonpublic school, an area vocational technical~~
23 ~~school or charter school may participate in the grant process~~
24 ~~through a partnership with a school entity for the planning or~~
25 ~~implementation of hybrid learning.~~

26 ~~(b) Eligibility.~~

27 ~~(1) A school entity may apply to the department for a~~
28 ~~planning grant or implementation grant under the program.~~
29 ~~More than one school entity may submit a joint application if~~
30 ~~the school entities work together to provide hybrid learning.~~

~~(2) The department may establish criteria to determine whether a school entity is eligible to receive a grant under this article and shall give priority to school entities that submit a joint application and demonstrate a commitment to exchanging best practices and sharing hybrid learning costs.~~

~~(c) Applications. A school entity must submit an application, in such form as deemed acceptable by the department, to the department and execute a grant agreement in order to be awarded a planning grant or implementation grant from the department under this article. The grant application must describe the manner in which the applicant will use hybrid learning to improve student achievement and reduce costs.~~

~~(d) Grant agreement. An eligible school entity that is awarded a planning grant or implementation grant under this article must sign a grant application with the department that provides for the following:~~

~~(1) The school entity will provide a cash or in kind local match of money to hybrid learning within the school entity of at least 25%.~~

~~(2) The school entity will work collaboratively to share lessons with other school entities that receive grants under this article.~~

~~(3) The school entity will report hybrid learning results, including student achievement, to the department and the General Assembly, as requested.~~

~~(e) Use of grants.~~

~~(1) A grant issued by the department under this article shall be used for necessary components of hybrid learning, including, but not limited to, digital instructional content, classroom management tools, operations support, technology~~

~~and equipment, professional development, instructional coaching, consulting services and planning assistance.~~

~~(2) A grant issued by the department under this article may not be used for:~~

~~(i) Staff salaries, except to the extent necessary for substitute teachers or the cost of professional development activities related to hybrid learning.~~

~~(ii) The purchase of computer hardware, except for reasonable quantities of computers and electronic devices that are designed to launch hybrid learning programs.~~

~~Section 1704 D. Planning grants.~~

~~(a) General rule. A planning grant from the program shall be issued to eligible school entities that are interested in hybrid learning, but do not have comprehensive plans to deliver hybrid learning instruction.~~

~~(b) Limitation on amount. A planning grant under this article may not exceed more than \$50,000 annually for a school entity and not more than \$50,000 annually for each school entity that submits a joint application.~~

~~(c) Required information for application. A school entity that applies for a planning grant must submit the following information in the grant application:~~

~~(1) A statement of the problem to be solved and identification of the objectives related to the problem.~~

~~(2) An overview of the planning process.~~

~~(3) A description of the professional development that will occur during the planning period.~~

~~(4) The proposed planning budget, including the local match.~~

~~Section 1705 D. Implementation grants.~~

1 ~~(a) General rule. An implementation grant from the program~~
2 ~~shall be issued to eligible school entities that at the time of~~
3 ~~application:~~

4 ~~(1) have hybrid learning designs and are ready to~~
5 ~~implement hybrid learning; or~~

6 ~~(2) deliver hybrid learning and intend to expand hybrid~~
7 ~~learning.~~

8 ~~(b) Limitation on amount. An implementation grant under~~
9 ~~this article may not exceed more than \$250,000 annually for a~~
10 ~~school entity and not more than \$250,000 annually for each~~
11 ~~school entity that submits a joint application. The~~
12 ~~implementation grant may be awarded for not more than three~~
13 ~~years.~~

14 ~~(c) Required information for application. A school entity~~
15 ~~that applies for an implementation grant must submit the~~
16 ~~following information in the grant application:~~

17 ~~(1) A statement of the problem to be solved and~~
18 ~~identification of the objectives related to the problem.~~

19 ~~(2) A detailed hybrid learning program design.~~

20 ~~(3) An overview of the implementation plan for the~~
21 ~~hybrid learning program.~~

22 ~~(4) The proposed hybrid learning program budget,~~
23 ~~including the local match.~~

24 ~~(5) A summary of the professional development program.~~

25 ~~(6) A description of how the school entity will define~~
26 ~~success, monitor progress and make program improvements.~~

27 ~~(7) A description of how the school entity will be able~~
28 ~~to provide hybrid instruction within three years or less~~
29 ~~without funding from the Commonwealth for the hybrid~~
30 ~~learning.~~

1 ~~Section 1706 D. Requirements for hybrid learning.~~

2 ~~The following shall apply:~~

3 ~~(1) Hybrid learning may be delivered outside of a school~~
4 ~~building in part using technology that may include the~~
5 ~~Internet, video conferencing or other electronic means. The~~
6 ~~intent of this provision may not be construed to imply a~~
7 ~~cyber school.~~

8 ~~(2) The time during which a student participates in~~
9 ~~hybrid learning shall be considered to be compliant with the~~
10 ~~compulsory attendance requirements of section 1327.~~

11 ~~(3) School entities offering hybrid learning shall~~
12 ~~develop policies related to the following and post such~~
13 ~~policies on the school entity's publicly accessible Internet~~
14 ~~website:~~

15 ~~(i) Course grades.~~

16 ~~(ii) Course credit.~~

17 ~~(iii) Student promotion and graduation.~~

18 ~~(iv) Eligibility requirements for student~~
19 ~~participation in hybrid learning opportunities.~~

20 ~~(4) A school entity offering hybrid learning shall~~
21 ~~ensure that each student enrolled in the school entity and~~
22 ~~participating in hybrid learning is offered at least 990~~
23 ~~hours of instruction at the secondary level and 900 hours of~~
24 ~~instruction at the elementary level.~~

25 ~~Section 1707 D. Annual report.~~

26 ~~By November 30, 2015, and by November 30 of each year~~
27 ~~thereafter, the department shall prepare and submit a report to~~
28 ~~the Governor, the Appropriations Committee of the Senate, the~~
29 ~~Education Committee of the Senate, the Appropriations Committee~~
30 ~~of the House of Representatives and the Education Committee of~~

1 ~~the House of Representatives regarding the effectiveness and~~
2 ~~administration of the program. The report shall, at a minimum,~~
3 ~~discuss the following:~~

4 ~~(1) Whether the program is meeting the goal of~~
5 ~~delivering cost effective, individualized instruction to~~
6 ~~increase student engagement and improve academic performance.~~

7 ~~(2) The measures the department used to measure outcomes~~
8 ~~of the program, including student academic performance.~~

9 ~~(3) Individual school entity results from participation~~
10 ~~in the program.~~

11 ~~(4) The overall success of the program.~~

12 ~~(5) Recommendations for modifications to the program.~~

13 ~~Section 1708 D. Collective bargaining.~~

14 ~~Nothing contained in this article shall be construed to~~
15 ~~supersede or preempt the rights, remedies and procedures~~
16 ~~afforded to school employees or labor organizations under~~
17 ~~Federal or State law, including the act of July 23, 1970~~
18 ~~(P.L.563, No.195), known as the Public Employee Relations Act, or~~
19 ~~any provision of a collective bargaining agreement negotiated~~
20 ~~between a school entity and an exclusive representative of the~~
21 ~~employees in accordance with that act.~~

22 ~~Section 1709 D. Program limitation.~~

23 ~~No eligible school entity may receive grants under this~~
24 ~~article in excess of \$1,000,000 or within four years, consisting~~
25 ~~of one planning grant and three years of implementation grants.~~

26 ~~Section 1710 D. Distribution of funding.~~

27 ~~The department shall ensure that not more than 15% of money~~
28 ~~appropriated or made available to the department for grants~~
29 ~~under this article are allocated to priority school entities, as~~
30 ~~defined by the department and, to the greatest extent possible,~~

1 ~~the department shall ensure that all money appropriated or made~~
2 ~~available to the department for grants under this article is~~
3 ~~distributed geographically throughout this Commonwealth.~~

4 ~~Section 1711 D. Expiration.~~

5 ~~This article shall expire in five years.~~

6 ARTICLE XVII-D

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7 E-CHIEVEMENT PROGRAM

8 SECTION 1701-D. SCOPE OF ARTICLE.

9 THIS ARTICLE RELATES TO THE E-CHIEVEMENT PROGRAM.

10 SECTION 1702-D. DEFINITIONS.

11 THE FOLLOWING WORDS AND PHRASES WHEN USED IN THIS ARTICLE
12 SHALL HAVE THE MEANINGS GIVEN TO THEM IN THIS SECTION UNLESS THE
13 CONTEXT CLEARLY INDICATES OTHERWISE:

14 "DEPARTMENT." THE DEPARTMENT OF EDUCATION OF THE
15 COMMONWEALTH.

16 "HYBRID LEARNING." AN INSTRUCTIONAL STRATEGY THAT BLENDS
17 DIGITAL RESOURCES WITH CLASSROOM TEACHING. THE TERM SHALL NOT
18 INCLUDE INSTRUCTION THROUGH A DISTANCE EDUCATION PROGRAM.

19 "NONPUBLIC SCHOOL." A NONPROFIT SCHOOL IN WHICH A RESIDENT
20 OF THIS COMMONWEALTH MAY LEGALLY FULFILL THE COMPULSORY SCHOOL
21 ATTENDANCE REQUIREMENTS OF THIS ACT AND WHICH MEETS THE
22 REQUIREMENTS OF TITLE VI OF THE CIVIL RIGHTS ACT OF 1964 (PUBLIC
23 LAW 88-352, 78 STAT. 241). THE TERM SHALL NOT INCLUDE A PUBLIC
24 SCHOOL LOCATED WITHIN THIS COMMONWEALTH.

25 "PROGRAM." THE E-CHIEVEMENT PROGRAM ESTABLISHED UNDER THIS
26 ARTICLE.

27 "SCHOOL ENTITY." ANY OF THE FOLLOWING:

28 (1) A SCHOOL DISTRICT.

29 (2) AN INTERMEDIATE UNIT.

30 (3) AN AREA VOCATIONAL-TECHNICAL SCHOOL.

1 (4) A CHARTER SCHOOL OR REGIONAL CHARTER SCHOOL, AS
2 DEFINED IN SECTION 1703-A.

3 "STATE ASSESSMENT." ANY OF THE FOLLOWING:

4 (1) THE PENNSYLVANIA SYSTEM OF SCHOOL ASSESSMENT.

5 (2) THE KEYSTONE EXAMS.

6 (3) A TEST, EXCEPT A TEST LISTED UNDER PARAGRAPH (1) OR
7 (2), ESTABLISHED OR APPROVED BY THE STATE BOARD OF EDUCATION
8 OR GENERAL ASSEMBLY TO MEET THE REQUIREMENTS OF SECTION 2603-
9 B(D) (10) (I), AND REQUIRED UNDER THE EVERY STUDENT SUCCEEDS
10 ACT (PUBLIC LAW 114-95, 129 STAT. 1802) OR ITS SUCCESSOR
11 STATUTE.

12 (4) A TEST REQUIRED TO ACHIEVE OTHER STANDARDS
13 ESTABLISHED BY THE DEPARTMENT OF EDUCATION FOR A PUBLIC
14 SCHOOL OR SCHOOL DISTRICT UNDER 22 PA. CODE § 403.3 (RELATING
15 TO SINGLE ACCOUNTABILITY SYSTEM).

16 SECTION 1703-D. E-CHIEVEMENT PROGRAM.

17 (A) ESTABLISHMENT.--THE E-CHIEVEMENT PROGRAM IS ESTABLISHED
18 IN THE DEPARTMENT TO AWARD GRANTS ON A COMPETITIVE BASIS TO
19 ELIGIBLE SCHOOL ENTITIES TO THE EXTENT THAT FUNDS ARE
20 APPROPRIATED FOR THIS PURPOSE.

21 (B) ELIGIBILITY.--

22 (1) A SCHOOL ENTITY MAY APPLY TO THE DEPARTMENT FOR A
23 PLANNING GRANT OR IMPLEMENTATION GRANT UNDER THE PROGRAM.
24 MORE THAN ONE SCHOOL ENTITY MAY SUBMIT A JOINT APPLICATION.

25 (2) A NONPUBLIC SCHOOL MAY PARTICIPATE IN THE GRANT
26 PROCESS THROUGH A PARTNERSHIP WITH A SCHOOL ENTITY FOR THE
27 PLANNING OR IMPLEMENTATION OF HYBRID LEARNING.

28 (3) THE DEPARTMENT SHALL ESTABLISH CRITERIA TO DETERMINE
29 WHETHER A SCHOOL ENTITY IS ELIGIBLE TO RECEIVE A GRANT UNDER
30 THIS ARTICLE AND SHALL GIVE PRIORITY TO SCHOOL ENTITIES THAT

1 SUBMIT A JOINT APPLICATION.

2 (C) APPLICATIONS.--A SCHOOL ENTITY SHALL SUBMIT AN
3 APPLICATION, IN A FORM DEEMED ACCEPTABLE BY THE DEPARTMENT, TO
4 THE DEPARTMENT IN ORDER TO BE AWARDED A PLANNING GRANT OR
5 IMPLEMENTATION GRANT FROM THE DEPARTMENT UNDER THIS ARTICLE. THE
6 GRANT APPLICATION MUST DESCRIBE THE MANNER IN WHICH THE
7 APPLICANT WILL USE HYBRID LEARNING TO IMPROVE STUDENT
8 ACHIEVEMENT.

9 (D) GRANT AGREEMENT.--AN ELIGIBLE SCHOOL ENTITY THAT IS
10 AWARDED A PLANNING GRANT OR IMPLEMENTATION GRANT UNDER THIS
11 ARTICLE SHALL EXECUTE A GRANT AGREEMENT WITH THE DEPARTMENT THAT
12 PROVIDES FOR THE FOLLOWING:

13 (1) THE SCHOOL ENTITY WILL PROVIDE A CASH OR IN-KIND
14 LOCAL MATCH OF MONEY IN SUPPORT OF HYBRID LEARNING WITHIN THE
15 SCHOOL ENTITY OF AT LEAST 25% OF THE TOTAL PROJECT COST.

16 (2) THE SCHOOL ENTITY WILL WORK COLLABORATIVELY TO SHARE
17 LESSONS AND BEST PRACTICES WITH OTHER SCHOOL ENTITIES.

18 (3) THE SCHOOL ENTITY WILL REPORT TO THE DEPARTMENT AND
19 THE GENERAL ASSEMBLY, AS REQUESTED, HYBRID LEARNING OUTCOMES,
20 WHICH SHALL INCLUDE THE FOLLOWING:

21 (I) STUDENT PERFORMANCE AND ACADEMIC GROWTH ON STATE
22 AND LOCAL ASSESSMENTS.

23 (II) SCHOOL DISCIPLINE REPORTS.

24 (III) SURVEY RESPONSES REGARDING THE IMPACT OF
25 HYBRID LEARNING ON STUDENT ENGAGEMENT, TECHNOLOGY SKILLS
26 ACQUISITION AND COMPETENCY, TEACHER EFFECTIVENESS AND
27 SCHOOL PRODUCTIVITY.

28 (E) USE OF GRANTS.--

29 (1) A GRANT ISSUED BY THE DEPARTMENT UNDER THIS ARTICLE
30 SHALL BE USED FOR COMPONENTS OF HYBRID LEARNING, INCLUDING,

1 BUT NOT LIMITED TO, DIGITAL INSTRUCTIONAL CONTENT, CLASSROOM
2 MANAGEMENT TOOLS, OPERATIONS SUPPORT, TECHNOLOGY AND
3 EQUIPMENT, PROFESSIONAL DEVELOPMENT, INSTRUCTIONAL COACHING,
4 CONSULTING SERVICES AND PLANNING ASSISTANCE.

5 (2) A GRANT ISSUED BY THE DEPARTMENT UNDER THIS ARTICLE
6 MAY NOT BE USED FOR:

7 (I) STAFF COMPENSATION, EXCEPT TO THE EXTENT
8 NECESSARY FOR SUBSTITUTE TEACHERS OR THE COST OF
9 PROFESSIONAL DEVELOPMENT ACTIVITIES RELATED TO HYBRID
10 LEARNING AS DEFINED IN THE APPLICATION.

11 (II) THE PURCHASE OF COMPUTER HARDWARE AND
12 TECHNOLOGY EQUIPMENT, EXCEPT THAT A SCHOOL ENTITY AWARDED
13 AN IMPLEMENTATION GRANT MAY USE UP TO 25% OF THE GRANT
14 AWARD FOR THE PURCHASE OF COMPUTER HARDWARE AND
15 TECHNOLOGY EQUIPMENT.

16 SECTION 1704-D. PLANNING GRANTS.

17 (A) GENERAL RULE.--A PLANNING GRANT FROM THE PROGRAM MAY BE
18 ISSUED TO ELIGIBLE SCHOOL ENTITIES THAT ARE INTERESTED IN HYBRID
19 LEARNING, BUT DO NOT HAVE COMPREHENSIVE PLANS TO DELIVER HYBRID
20 LEARNING.

21 (B) LIMITATION ON AMOUNT.--A PLANNING GRANT UNDER THIS
22 ARTICLE MAY NOT EXCEED \$50,000 FOR A SCHOOL ENTITY OR \$50,000
23 FOR EACH SCHOOL ENTITY THAT SUBMITS A JOINT APPLICATION. A
24 SCHOOL ENTITY MAY NOT RECEIVE MORE THAN ONE PLANNING GRANT
25 WITHIN A FIVE-YEAR PERIOD.

26 (C) FOR EACH NEW AWARD YEAR, THE DEPARTMENT SHALL ANNUALLY
27 ADJUST THE AWARD AMOUNTS UNDER SUBSECTION (B) TO REFLECT ANY
28 UPWARD CHANGES IN THE CONSUMER PRICE INDEX FOR ALL URBAN
29 CONSUMERS FOR THE PENNSYLVANIA, NEW JERSEY, DELAWARE AND
30 MARYLAND AREA.

1 (D) REQUIRED INFORMATION FOR APPLICATION.--A SCHOOL ENTITY
2 THAT APPLIES FOR A PLANNING GRANT SHALL SUBMIT THE FOLLOWING
3 INFORMATION IN THE GRANT APPLICATION:

4 (1) A STATEMENT OF OBJECTIVES, WHICH SHALL INCLUDE
5 STRATEGIES TO IMPROVE ACADEMIC ACHIEVEMENT AND INCREASE
6 STUDENT ENGAGEMENT THROUGH THE FOLLOWING:

7 (I) DELIVERY OF LESSONS IN SMALL GROUPS.

8 (II) USE OF DATA TO DIFFERENTIATE INSTRUCTION.

9 (III) ENCOURAGEMENT OF INDIVIDUALLY PACED LEARNING.

10 (IV) APPLICATION OF MULTIPLE EDUCATIONAL
11 METHODOLOGIES.

12 (2) AN OVERVIEW OF THE PLANNING PROCESS.

13 (3) THE PROPOSED PLANNING BUDGET, INCLUDING THE LOCAL
14 MATCH.

15 (4) A DESCRIPTION OF THE PROFESSIONAL DEVELOPMENT THAT
16 WILL OCCUR DURING THE PLANNING PERIOD.

17 (5) A DESCRIPTION OF HOW THE SCHOOL ENTITY WILL BE ABLE
18 TO CONTINUE TO PROVIDE HYBRID LEARNING WITHOUT FUNDING FROM
19 THE COMMONWEALTH.

20 SECTION 1705-D. IMPLEMENTATION GRANTS.

21 (A) GENERAL RULE.--AN IMPLEMENTATION GRANT FROM THE PROGRAM
22 MAY BE ISSUED TO ELIGIBLE SCHOOL ENTITIES THAT AT THE TIME OF
23 APPLICATION:

24 (1) HAVE A COMPREHENSIVE PLAN FOR HYBRID LEARNING
25 DESIGNS AND ARE READY TO IMPLEMENT HYBRID LEARNING WITHIN THE
26 SCHOOL YEAR IN WHICH THE SCHOOL ENTITY RECEIVES THE
27 IMPLEMENTATION GRANT; OR

28 (2) DELIVER HYBRID LEARNING AND INTEND TO EXPAND HYBRID
29 LEARNING.

30 (B) LIMITATION ON AMOUNT.--AN IMPLEMENTATION GRANT UNDER

1 THIS ARTICLE MAY NOT EXCEED \$250,000 ANNUALLY FOR A SCHOOL
2 ENTITY OR \$250,000 ANNUALLY FOR EACH SCHOOL ENTITY THAT SUBMITS
3 A JOINT APPLICATION. A SCHOOL ENTITY MAY NOT RECEIVE MORE THAN
4 ONE IMPLEMENTATION GRANT PER YEAR AND MAY NOT RECEIVE MORE THAN
5 A TOTAL OF THREE IMPLEMENTATION GRANTS WITHIN A FIVE-YEAR
6 PERIOD. A SCHOOL ENTITY SHALL SUBMIT A NEW GRANT APPLICATION, AS
7 REQUIRED UNDER SECTION 1703-D (C), IN ORDER TO RENEW AN
8 IMPLEMENTATION GRANT.

9 (C) FOR EACH NEW AWARD YEAR, THE DEPARTMENT SHALL ANNUALLY
10 ADJUST THE AWARD AMOUNTS UNDER SUBSECTION (B) TO REFLECT ANY
11 UPWARD CHANGES IN THE CONSUMER PRICE INDEX FOR ALL URBAN
12 CONSUMERS FOR THE PENNSYLVANIA, NEW JERSEY, DELAWARE AND
13 MARYLAND AREA.

14 (D) REQUIRED INFORMATION FOR APPLICATION.--A SCHOOL ENTITY
15 THAT APPLIES FOR AN IMPLEMENTATION GRANT SHALL SUBMIT THE
16 FOLLOWING INFORMATION IN THE GRANT APPLICATION:

17 (1) A STATEMENT OF OBJECTIVES, WHICH SHALL INCLUDE
18 STRATEGIES TO IMPROVE ACADEMIC ACHIEVEMENT AND INCREASE
19 STUDENT ENGAGEMENT THROUGH THE FOLLOWING:

20 (I) DELIVERY OF LESSONS IN SMALL GROUPS.
21 (II) USE OF DATA TO DIFFERENTIATE INSTRUCTION.
22 (III) ENCOURAGEMENT OF INDIVIDUALLY PACED LEARNING.
23 (IV) APPLICATION OF MULTIPLE EDUCATIONAL
24 METHODOLOGIES.

25 (2) A DETAILED HYBRID LEARNING DESIGN.

26 (3) AN OVERVIEW OF THE IMPLEMENTATION OR EXPANSION PLAN
27 FOR HYBRID LEARNING.

28 (4) THE PROPOSED HYBRID LEARNING BUDGET, INCLUDING THE
29 LOCAL MATCH.

30 (5) A SUMMARY OF THE PROFESSIONAL DEVELOPMENT PROGRAM

1 THAT WILL OCCUR DURING THE IMPLEMENTATION PERIOD.

2 (6) A DESCRIPTION OF HOW THE SCHOOL ENTITY WILL DEFINE
3 SUCCESS, MONITOR PROGRESS AND MAKE PROGRAM IMPROVEMENTS.

4 (7) WHERE APPLICABLE, A PROPOSAL FOR EXPANDING HYBRID
5 LEARNING, WHICH SHALL INCLUDE A PLAN FOR EACH STAGE OF THE
6 EXPANSION.

7 (8) A DESCRIPTION OF HOW THE SCHOOL ENTITY WILL BE ABLE
8 TO CONTINUE TO PROVIDE HYBRID LEARNING WITHOUT FUNDING FROM
9 THE COMMONWEALTH.

10 SECTION 1706-D. REQUIREMENTS FOR HYBRID LEARNING.

11 THE FOLLOWING SHALL APPLY:

12 (1) SCHOOL ENTITIES OFFERING HYBRID LEARNING SHALL
13 DEVELOP POLICIES RELATED TO THE FOLLOWING AND POST SUCH
14 POLICIES ON THE SCHOOL ENTITY'S PUBLICLY ACCESSIBLE INTERNET
15 WEBSITE:

16 (I) GRADING RUBRICS.

17 (II) COURSE CREDIT.

18 (III) STUDENT PROMOTION AND GRADUATION.

19 (IV) ELIGIBILITY REQUIREMENTS FOR STUDENT
20 PARTICIPATION IN HYBRID LEARNING.

21 (2) A SCHOOL ENTITY OFFERING HYBRID LEARNING SHALL
22 ENSURE THAT EACH STUDENT ENROLLED IN THE SCHOOL ENTITY AND
23 PARTICIPATING IN HYBRID LEARNING IS OFFERED AT LEAST THE
24 MINIMUM HOURS OF INSTRUCTION REQUIRED UNDER 22 PA. CODE §
25 11.3 (RELATING TO MINIMUM REQUIRED HOURS).

26 SECTION 1707-D. ANNUAL REPORT.

27 BY NOVEMBER 30, 2017, AND BY NOVEMBER 30 OF EACH YEAR
28 THEREAFTER, THE DEPARTMENT SHALL PREPARE AND SUBMIT AN
29 ELECTRONIC REPORT TO THE GOVERNOR, THE APPROPRIATIONS COMMITTEE
30 OF THE SENATE, THE EDUCATION COMMITTEE OF THE SENATE, THE

1 APPROPRIATIONS COMMITTEE OF THE HOUSE OF REPRESENTATIVES AND THE
2 EDUCATION COMMITTEE OF THE HOUSE OF REPRESENTATIVES REGARDING
3 THE EFFECTIVENESS AND ADMINISTRATION OF THE PROGRAM. THE REPORT
4 SHALL, AT A MINIMUM, INCLUDE THE FOLLOWING:

5 (1) WHETHER THE PROGRAM IS MEETING THE GOAL OF
6 ENCOURAGING INDIVIDUALLY PACED LEARNING TO INCREASE STUDENT
7 ENGAGEMENT AND IMPROVE ACADEMIC PERFORMANCE.

8 (2) THE PROGRAM MEASURES DEVELOPED BY THE DEPARTMENT TO
9 MEASURE OUTCOMES OF THE PROGRAM, INCLUDING STUDENT ACADEMIC
10 PERFORMANCE.

11 (3) INDIVIDUAL SCHOOL ENTITY RESULTS FROM PARTICIPATION
12 IN THE PROGRAM CONSISTENT WITH THE REQUIREMENTS OF THE
13 FAMILY EDUCATIONAL RIGHTS AND PRIVACY ACT OF 1974 (PUBLIC LAW
14 90-247, 20 U.S.C. § 1232G) OR A SUCCESSOR STATUTE.

15 (4) RECOMMENDATIONS FOR IMPROVEMENTS TO THE
16 ADMINISTRATION OF THE PROGRAM.

17 SECTION 1708-D. COLLECTIVE BARGAINING.

18 NOTHING CONTAINED IN THIS ARTICLE SHALL BE CONSTRUED TO
19 SUPERSEDE OR PREEMPT THE RIGHTS, REMEDIES AND PROCEDURES
20 AFFORDED TO SCHOOL EMPLOYEES OR LABOR ORGANIZATIONS UNDER
21 FEDERAL OR STATE LAW, INCLUDING THE ACT OF JULY 23, 1970
22 (P.L.563, NO.195), KNOWN AS THE PUBLIC EMPLOYE RELATIONS ACT, OR
23 ANY PROVISION OF A COLLECTIVE BARGAINING AGREEMENT NEGOTIATED
24 BETWEEN A SCHOOL ENTITY AND AN EXCLUSIVE REPRESENTATIVE OF THE
25 EMPLOYEES IN ACCORDANCE WITH THAT ACT.

26 SECTION 1709-D. GRANT AWARDS RECEIVED BY SCHOOL DISTRICTS.

27 NOTWITHSTANDING ANY OTHER PROVISION OF LAW, A GRANT AWARD
28 RECEIVED BY A SCHOOL DISTRICT UNDER THIS ARTICLE SHALL NOT BE
29 INCLUDED IN THE SCHOOL DISTRICT'S BUDGETED TOTAL EXPENDITURE PER
30 AVERAGE DAILY MEMBERSHIP USED TO CALCULATE THE AMOUNT TO BE PAID

1 TO A CHARTER SCHOOL OR TO A REGIONAL CHARTER SCHOOL UNDER
2 SECTION 1725-A(A) (2) AND (3).
3 SECTION 1710-D. DISTRIBUTION OF FUNDING.

4 THE DEPARTMENT SHALL ENSURE THAT NOT LESS THAN 15% OF MONEY
5 APPROPRIATED OR MADE AVAILABLE TO THE DEPARTMENT FOR GRANTS
6 UNDER THIS ARTICLE ARE ALLOCATED TO SCHOOL ENTITIES THAT RANK IN
7 THE LOWEST 5% OF SCHOOL ENTITIES BASED ON COMBINED MATHEMATICS
8 AND READING SCORES FROM ANNUAL STATE ASSESSMENTS ADMINISTERED IN
9 THE PREVIOUS SCHOOL YEAR AND, TO THE GREATEST EXTENT POSSIBLE,
10 THE DEPARTMENT SHALL ENSURE THAT ALL MONEY APPROPRIATED OR MADE
11 AVAILABLE TO THE DEPARTMENT FOR GRANTS UNDER THIS ARTICLE IS
12 DISTRIBUTED GEOGRAPHICALLY THROUGHOUT THIS COMMONWEALTH.

13 Section 2. This act shall take effect in 60 days.