

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 2197 Session of
2021

INTRODUCED BY PISCIOTTANO, HILL-EVANS AND SCHLOSSBERG,
DECEMBER 22, 2021

REFERRED TO COMMITTEE ON EDUCATION, DECEMBER 22, 2021

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 high-impact tutoring.

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

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

11 ARTICLE XX-L

12 HIGH-IMPACT TUTORING

13 Section 2001-L. Definitions.

14 The following words and phrases when used in this article
15 shall have the meanings given to them in this section unless the
16 context clearly indicates otherwise:

17 "Department." The Department of Education of the
18 Commonwealth.

19 "High-impact tutoring program." A tutoring program that, to

1 the extent practicable, meets the following criteria:

2 (1) Is research-based and maintains high-quality
3 standards for tutoring.

4 (2) Provides tutoring in groups of four or fewer
5 students.

6 (3) Maintains the same tutor for a group of students
7 throughout the school year.

8 (4) Provides a minimum of three tutoring sessions per
9 week.

10 (5) Is implemented throughout the school day and not as
11 a before-school or after-school program.

12 (6) Is a supplement to core academic instruction and is
13 not a replacement for core academic instruction.

14 (7) Uses high-quality trained tutors, including
15 teachers, paraprofessionals, community providers, AmeriCorps
16 members and other individuals who have received training in
17 tutoring.

18 (8) Uses a high-quality curriculum that is aligned with
19 academic standards.

20 (9) May be provided directly by a school entity.

21 (10) Is data driven, with interim assessments to monitor
22 student progress.

23 (11) Targets all students in a grade level or school,
24 where possible.

25 "Low-income student." A student of a school entity who is a
26 member of a household with an annual household income that is
27 less than or equal to 150% of the poverty guidelines published
28 by the Department of Health and Human Services.

29 "Private school." Any of the following:

30 (1) A private school licensed under the act of January

1 28, 1988 (P.L.24, No.11), known as the Private Academic
2 Schools Act.

3 (2) A private school accredited by an accrediting
4 association approved by the State Board of Education.

5 (3) A private school licensed under the act of December
6 15, 1986 (P.L.1585, No.174), known as the Private Licensed
7 Schools Act.

8 "Program." The High-Impact Tutoring Program established
9 under section 2003-L.

10 "School entity." Any of the following:

11 (1) A school district of any class.

12 (2) A public school as defined in 24 Pa.C.S. § 8102
13 (relating to definitions).

14 (3) A nonpublic school as defined in section 923.3-A(b).

15 (4) A private school.

16 (5) An intermediate unit as described in Article IX-A.

17 (6) A charter school as defined in section 1703-A.

18 (7) A cyber charter school as defined in section 1703-A.

19 (8) A regional charter school as defined in section
20 1703-A.

21 (9) An area career and technical school as described in
22 section 1841.

23 "Underserved student." A student of a school entity for whom
24 adequate educational services or programs have not been made
25 available or utilized, based on criteria determined by the
26 department and taking into account special barriers to the
27 provision of the educational services or programs.

28 Section 2002-L. Guidance and best practices.

29 Within 90 days of the effective date of this section, the
30 department shall issue guidance and best practices for the

delivery of high-impact tutoring, including identifying mechanisms to expand high-impact tutoring programs through elementary and secondary school emergency relief funding and other Federal funding to complement the program.

Section 2003-L. Establishment of program.

The High-Impact Tutoring Program is established within the department to provide grants to school entities to implement high-impact tutoring programs prioritizing low-income students or underserved students and address student learning loss or unfinished learning.

Section 2004-L. Application forms.

(a) Development.--The department shall develop an application form for school entities that seek grant money under the program.

(b) Posting.--The application form shall be posted on the publicly accessible Internet website of the department.

(c) Contents.--The application form shall request the following information:

(1) The name and contact information of the school entity seeking grant money under the program.

(2) The amount of grant money requested and the proposed use for the grant money, consistent with section 2005-L.

(3) As follows:

(i) Documentation or verification that the criteria under the definition of "high-impact tutoring program" in section 2001-L (relating to definitions) are satisfied.

(ii) If any of the criteria referenced under subparagraph (i) are not fully satisfied, the reason for the need to modify or omit that criteria and an explanation of how the school entity intends to achieve

1 the desired outcomes associated with the high-impact
2 tutoring program in light of the modification or
3 omission.

4 (d) Completion and submittal.--To receive money under the
5 program, a school entity must complete the application form and
6 submit the application form to the department.

7 Section 2005-L. Permissible uses of grant money.

8 Grant money under the program may be used to:

9 (1) Hire or contract tutors.

10 (2) Provide stipends or other incentives to teachers,
11 paraprofessionals, retired teachers, AmeriCorps members or
12 community organizations to ensure tutoring capacity.

13 (3) Develop curriculum and related supplies.

14 (4) Cover costs associated with renting or purchasing
15 physical space for tutoring.

16 (5) Cover administrative expenses.

17 (6) Accomplish other purposes, with the goal of
18 increasing the effectiveness of the high-impact tutoring
19 program.

20 Section 2006-L. Review and determination.

21 (a) Requirements.--Within 60 days of receiving an
22 application for grant money under the program, the department
23 shall review the application and determine:

24 (1) Whether or not to approve the application.

25 (2) The amount of the grant money to be awarded.

26 (3) The permitted uses for which the grant money may be
27 expended.

28 (b) Reasons.--The department shall inform the applicant of
29 the determination under subsection (a) and provide reasons for
30 any partial approval or disapproval of the request contained in

1 the application.

2 Section 2007-L. Implementation.

3 (a) Requirement.--A school entity that is awarded grant
4 money under the program shall use the grant money to implement a
5 high-impact tutoring program that is substantially consistent
6 with the school entity's program plan described in the
7 application.

8 (b) Considerations.--Each school entity that implements a
9 high-impact tutoring program is encouraged to think creatively
10 about seat time and scheduling so that students have consistent
11 access to non-core academic instruction.

12 (c) Collaboration.--Each school entity shall collaborate
13 with any union representing existing personnel at impacted
14 schools to collaborate on program applications.

15 (d) Incentives.--Each school entity is encouraged to offer
16 tutors and other professionals offering tutoring services
17 information about potential pathways into the teaching
18 profession for the school entity, including learn-and-earn
19 strategies in which the tutor works toward educator
20 certification while providing high-impact tutoring services.

21 Section 2008-L. Reporting by school entities.

22 On or before reporting deadlines established by the
23 department, in each year in which a school entity receives grant
24 money under the program, the school entity shall submit a report
25 to the department that includes the following information:

26 (1) The number of students who participated in the high-
27 impact tutoring program and nonidentifying information
28 relating to the students, including demographic information.

29 (2) Any adjustment made to the school entity's high-
30 impact tutoring program plan and the reason that the

adjustment was made.

(3) How the school entity maintained consistent access for participating students to core and non-core academic instruction.

(4) How the school entity used the grant money under the program.

(5) A summary of other resources used, if any, to provide high-impact tutoring services beyond the resources provided through the program.

(6) The academic achievement results or other criteria used to place students in the high-impact tutoring program.

(7) The impact or student outcomes associated with the school entity's high-impact tutoring program.

(8) Whether the school entity's high-impact tutoring program will continue in the following fiscal year and, if not, the reason that the high-impact tutoring program will not continue.

(9) Any other information required by the department.

Section 2009-L. Reports by department.

(a) General requirement.--Within two years of the effective date of this section, and every two years thereafter, the department shall submit a report to the Governor and the General Assembly, which addresses the progress made under the program and assesses additional ways in which the Commonwealth can expand access to high-impact tutoring.

(b) Contents.--A report under subsection (a) shall:

(1) Provide the following:

(i) A detailed list of the grant money awarded under the program.

(ii) A list of the school entities participating in

1 the program and the duration of their high-impact
2 tutoring program.

3 (iii) A summary of the information provided under
4 section 2008-L.

5 (2) Highlight high-performing school entities, including
6 those that have improved student learning using high-impact
7 tutoring.

8 (3) Provide descriptions and analyses of practices that
9 contributed to the improvements described in paragraph (2).

10 (4) Specify plans for expansion of existing high-impact
11 tutoring program and supports, along with proposed
12 applications for Federal, State, local and foundation grant
13 money and the use of the Pay for Success/Social Impact Bonds
14 model. Any plan should target an expansion of programs by at
15 least 20% per year.

16 (5) Highlight any other programs identified by the
17 department that would result in an efficient expansion of
18 high-impact tutoring programs in this Commonwealth.

19 (6) Specify any actions regarding high-impact tutoring
20 programs that the department can pursue without additional
21 legislative action and commence those actions within 60 days
22 of the publication of the report.

23 (7) Specify any actions regarding high-impact tutoring
24 programs that the department can pursue but that require
25 legislative action, including proposed statutory language and
26 budget requests.

27 (c) Submittal of other information.--As part of the
28 preparation of a report under this section, the department may
29 seek, and a school entity may submit to the department,
30 descriptions and explanations of strategies, services and

1 programs that have been implemented, along with evidence
2 demonstrating their effectiveness in addressing learning and
3 achievement gaps.

4 (d) Public input.--Before the department advances any
5 recommendation in a report under this section, the department
6 shall provide an opportunity for public comment, including by
7 conducting in-person public hearings or events in different
8 regions of this Commonwealth, at least on a semiannual basis.

9 (e) Notice.--Final recommendations of the department shall
10 be posted on the publicly accessible Internet website of the
11 department within 30 days after the department adopts the
12 recommendations.

13 Section 2. This act shall take effect as follows:

14 (1) The following shall take effect immediately:

15 (i) This section.

16 (ii) Sections 2001-L and 2002-L of the act.

17 (2) The remainder of this act shall take effect in 90
18 days or upon the issuance of the guidance and best practices
19 specified in section 2002-L of the act, whichever is earlier.