



HOUSE COMMITTEE ON APPROPRIATIONS

FISCAL NOTE

SENATE BILL NO. 1216

PRINTERS NO. 1950 PRIME SPONSOR: Langerholc

COST / (SAVINGS)

FUND	FY 2020/21	FY 2021/22
General Fund	\$0	\$0

SUMMARY:

Senate Bill 1216 amends the Public School Code concerning educator certification, confidentiality, transference and removal of health records, graduation requirements, transportation, and special provisions applicable to the 2020-2021 school year. Effective dates vary by provision.

ANALYSIS:

Senate Bill 1216 amends the Public School Code concerning instructional certificate grade spans and age levels, confidentiality, transference and removal of health records, and adds new sections with special provisions applicable to the 2020-2021 school year. The changes are summarized by section below.

Section 121. Keystone Exams and Graduation Requirements. - The change to this section pushes back the use of the Keystone Exams as a state or local graduation requirement or as a benchmark for the need for participation in a project-based assessment until the 2022-2023 school year.

Section 1202.1. Instructional Certificate Grade Spans and Age Levels and Duties of Department. -- Changes to this section allow the Department of Education (PDE) to continue to issue the special education pre-kindergarten through grade 8 certification or the special education grades 7 through 12 certification to any individual enrolled in a certification program at an institution of higher education or approved alternative education program prior to December 31, 2021.

Section 1207.4. Special Provisions Applicable to 2020-2021 School Year. - This new section allows the Secretary of Education to temporarily waive certain test requirements for individuals entering student teacher programs or who have completed teacher preparation programs and were not able to take the tests because they were not offered. The Secretary can also allow current educators who want to increase their instructional

certification from I to II or add a special certification to temporarily do so for one year without assessment. In addition, the deadline for paraprofessionals to satisfy staff development requirements is extended to June 30, 2021.

It allows the Secretary of Education to waive the National Institute for Metalworking Skills assessment and the National Occupational Competency Testing Institute exam on a school-wide basis and based on the recommendations of directors of career and technical education programs.

The Secretary may also waive the requirement to include performance data otherwise required in a professional employee's performance rating.

This bill requires the Secretary of Education to apply to the United States Department of Education for a waiver of the testing and accountability requirements of the Elementary and Secondary Education Act of 1965. In addition, for the 2019-2020 and 2020-2021 school years and any subsequent school year in which the Federal Government has waived the testing and accountability requirements of the Elementary and Secondary Education Act of 1965, as amended by the Every Student Succeeds Act, any student who completed a course in an academic content area associated with a Keystone Exam shall not be required to take the Keystone Exam related to that course and shall be deemed proficient, provided the student demonstrates successful completion of locally established, grade-based requirements for the academic content areas associated with each Keystone Exam.

This legislation also gives parents and guardians a temporary, unqualified ability to opt their students out of taking the Pennsylvania System of School Assessment test or Keystone Exams, as long as they notify the school, in writing, that they do not want the student to take the exam for the 2019-2020 or 2020-2021 school years only. The legislation also prohibits school districts from using the Keystone Exams as a graduation requirement. School districts must inform families of the option not to take the assessments but may not encourage a parent or guardian one way or the other about exercising the option.

Section 1361.1. Nonpublic School Transportation for 2020-2021 School Year. -- This new section concerns nonpublic school transportation for the 2020-2021 school year during the COVID-19 disaster emergency issued by the Governor on March 6, 2020. It provides that if transportation was provided during the 2019-2020 school year for pupils of nonpublic schools, the board of school directors must provide transportation to the nonpublic schools for the 2020-2021 school year as well. This transportation must be provided during the regular school hours of the nonpublic school on the dates and periods that the nonpublic school is in session according to the school calendar officially adopted by the nonpublic school whether or not transportation is provided on those dates and periods to students attending schools of the district.

Section 1409. Confidentiality, Transference and Removal of Health Records. –

Changes to this section require the Department of Health or the local board or department of health to report to a school entity any positive or presumptive case of COVID-19 that occurs in a student or an employee of a school entity, in a provider of services or contractor who works at the school entity or in an individual who volunteers at the school entity, including any individual who coaches or advises an extracurricular activity sponsored by the school entity. Within 24 hours of receipt of the information of a positive case of COVID-19, the school entity must notify employees, contractors, volunteers and the parents of the students who work, volunteer or receive instruction in the same school building or on the same school property as the COVID-19-positive individual. The school entity must provide educational support to students who are not permitted to receive instruction at the school entity due to a positive or presumptive case of COVID-19 within the school entity. "School entity" means any school district, intermediate unit, career and technical center, charter school, regional charter school, cyber charter school, private or nonpublic school.

FISCAL IMPACT:

Enactment of this legislation will have no adverse impact on Commonwealth funds.

PREPARED BY: Jeff Miller
House Appropriations Committee (R)

DATE: September 17, 2020

Estimates are calculated using the best information available. Actual costs and revenue impact incurred may vary from estimates.