

SENATE APPROPRIATIONS COMMITTEE FISCAL NOTE

BILL NO. Senate Bill 324

PRINTER NO. 850

AMOUNT

See Fiscal Impact

FUND

General Fund

DATE INTRODUCED

March 10, 2021

PRIME SPONSOR

Senator Langerholc

DESCRIPTION

Senate Bill 324 amends the Public School Code to establish a new Section 1331.1 (Assisting Students Experiencing Education Instability) to assist students who have experienced one or more changes in school entity enrollment during a single school year as a result of homelessness, an adjudication, or as part of court-ordered services under a voluntary placement or custody agreement.

The legislation requires a school entity that receives a student experiencing education insatiability to do the following: (1) assign a point of contact for the student; (2) develop policies and procedures to apply credit for satisfactorily completed coursework reflected in the student’s records from a prior school entity; (3) not penalize the student for uniform or dress code violations related to a delay in obtaining a uniform; (4) waive all fees and not limit the student’s participation in school-sponsored or extracurricular activities; and (5) allow the student to participate in school-sponsored or extracurricular activities for which the student meets relevant requirements.

The legislation requires the student’s point of contact, in consultation with the school counselor, social worker, home and school visitor or school psychologist and the student’s IEP team or 504 service coordinator, to do the following: (1) facilitate the student’s expedited consultation with the school counselor or mental health professionals as appropriate; (2) facilitate the student’s prompt placement in appropriate courses; (3) connect the students with appropriate educational services; (4) immediately request the student’s records from the prior school entity, county agency and the student’s decision maker; and (5) develop and execute a graduation plan in collaboration with the student when in grades nine through 12.

The legislation requires a school entity to work to ensure that a student experiencing education instability graduates in a timely manner by allowing a school entity to waive a specific course required for graduation for a student if similar coursework has been satisfactorily completed in another entity or the student demonstrates competency. It provides that the school entity may consider demonstration of competency, performance on exams, successful completion of a career and technical course or any other appropriate evidence when determining whether coursework has been completed and the amount of credit to award for coursework.

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The legislation provides that if a school entity does not waive a specific course required for graduation, the school entity shall provide an alternative or modified course that is offered to any student that will assist with acquiring the required work or competency requirements by the student’s anticipated graduation date.

The legislation provides that if a student is ineligible to graduate from the receiving school entity, it may request a diploma from the prior school entity and the prior school entity may issue a diploma if the student meets its graduation requirements. Also, after exhausting all other options under this section, a student who completes the requirements of Section 121 (c), (c.1), or (c.3) (relating to Keystone Exams and Graduation Requirements) in any school year in which demonstration of proficiency on a Keystone Exam is required but cannot obtain a diploma shall be eligible to obtain a statewide secondary diploma issued by the department on a standardized form.

The legislation requires the Department of Education, in consultation with the Department of Human Services to issue guidelines and best practices within 180 days of the effective date of the legislation to assist school entities in implementing the provisions of this section and facilitate the transition between school entities.

The legislation requires that for a student with a disability, the school entity shall comply with all applicable laws and provisions regarding student evaluation, placement and graduation. It also requires that if responsibilities under this section overlap or conflict with the requirements for a student with an IEP or a 504 service agreement, the school shall implement the requirements specific to a student with a disability.

For the purposes of this legislation, a school entity is defined as a school district, charter school, cyber charter school, regional charter school, intermediate unit or career and technical school.

The legislation is scheduled to take effect immediately.

FISCAL IMPACT:

The enactment of Senate Bill 324 will have no fiscal impact on Commonwealth funds. The provisions contained in the legislation requiring the Department of Education, in consultation with the Department of Human Services, to issue guidelines and best practices to assist school entities and facilitate the transition of students between school entities can be accomplished through the expertise of existing personnel within the departments and their existing operating budgets. For information purposes, the 2020-21 General Fund Budget includes \$25,359,000 for the Department of Education’s operating budget and \$106,235,000 for the Department of Human Services’ operating budget.

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Additionally, the Pennsylvania Association of School Business Officials and the Pennsylvania School Boards Association have indicated that school entities will experience minimal costs related to implementing the provisions contained in the legislation as the school entities already work to address the problems children in education instability face in enrolling, attending and succeeding in school as a result of similar provisions contained in the federal McKinney-Vento Homeless Assistance Act.