

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1973 Session of
2014

INTRODUCED BY AUMENT, THOMAS, CUTLER, GINGRICH, GOODMAN,
HICKERNELL, FEE, C. HARRIS AND MURT, JANUARY 22, 2014

REFERRED TO COMMITTEE ON EDUCATION, JANUARY 22, 2014

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 hybrid learning
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:

12 ARTICLE XV-H

13 HYBRID LEARNING PROGRAM

14 Section 1501-H. Definitions.

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

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

20 "Hybrid learning." An educational model under which a blend

of digital resources, classroom teaching and peer collaboration are used to create a personalized learning environment for each student, the goal of which is to deliver cost-effective, individualized instruction to increase student engagement and improve academic performance.

"Hybrid learning program" or "program." The program established under section 1502-H.

"Intermediate unit." An intermediate unit established under Article IX-A.

"Nonpublic school." A nonprofit school, other than a public school within this Commonwealth, wherein a resident of this Commonwealth may legally fulfill the compulsory school attendance requirements of this act and which meets the requirements of Title VI of the Civil Rights Act of 1964 (Public Law 88-352, 42 U.S.C. § 2000 et seq.).

"School entity." A school district, charter school, cyber charter school or regional charter school.

Section 1502-H. Establishment.

A hybrid learning program is established under which the department shall award grants to school entities and intermediate units that are selected through an application process to be established and administered by the department.

Section 1503-H. Grant award and application process.

The following shall apply:

(1) The hybrid learning program established under section 1502-H shall be funded by \$10,000,000 appropriated by the General Assembly and from any Federal, State or private funds otherwise available for this purpose.

(2) From funds available for the hybrid learning program under paragraph (1), the department shall award grants to

1 school entities and intermediate units that are selected
2 through an application process that shall be established and
3 administered by the department.

4 (3) The application process established by the
5 department under paragraph (2) shall require each school
6 entity seeking grant funds under the program to do the
7 following:

8 (i) Describe the hybrid learning opportunities the
9 school entity will make available to students.

10 (ii) Identify the school entity's goals for
11 participation in the program, including the school
12 entity's goals for student academic achievement.

13 (iii) Deliver to its professional educator staff a
14 professional development program that provides training
15 in hybrid learning pedagogy.

16 (iv) Monitor the school entity's progress toward its
17 stated goals, including student academic achievement,
18 throughout the academic year.

19 (v) Report the school entity's progress under the
20 program, including student academic achievement results,
21 to the department beginning on July 30, 2015, and by July
22 30 of each year thereafter.

23 (4) (i) Subject to subparagraphs (ii) and (iii),
24 students attending nonpublic schools may receive hybrid
25 learning services provided by the intermediate unit in
26 which the nonpublic school is located.

27 (ii) The application process established by the
28 department under paragraph (2) shall require each
29 intermediate unit seeking grant funds under the program
30 to do the following:

1 (A) Provide the department with the number of
2 nonpublic school students to whom the intermediate
3 unit plans to provide hybrid learning services.

4 (B) Describe the hybrid learning services the
5 intermediate unit will make available to students.

6 (C) Identify the intermediate unit's goals for
7 participation in the program, including the
8 intermediate unit's goals for student academic
9 achievement and the manner in which student academic
10 achievement will be measured.

11 (D) Deliver to its professional educator staff a
12 professional development program that provides
13 training in hybrid learning pedagogy.

14 (E) Monitor the intermediate unit's progress
15 toward its stated goals, including student academic
16 achievement, throughout the academic year. Before the
17 intermediate unit provides hybrid learning services
18 to a nonpublic school student under the program, the
19 intermediate unit shall enter into a written
20 agreement with the parent or guardian of the
21 nonpublic school student indicating the parent's or
22 guardian's consent to the student's participation in
23 the program and specifying the manner in which the
24 student's academic achievement will be measured.

25 (F) Report the intermediate unit's progress
26 under the program, including student academic
27 achievement results, to the department beginning on
28 July 30, 2015, and by July 30 of each year
29 thereafter.

30 (iii) Before an intermediate unit makes any decision

1 that affects the opportunities for nonpublic school
2 students to receive hybrid learning services under the
3 program, the intermediate unit shall consult with
4 nonpublic schools located within the intermediate unit to
5 determine at a minimum:

6 (A) Which general categories of children shall
7 receive services.

8 (B) What services shall be provided.

9 (C) How and where the services shall be
10 provided.

11 (D) How the services will be evaluated.

12 (iv) Hybrid learning services under the program
13 shall be provided directly to nonpublic school students
14 by the intermediate unit in the students' homes, in the
15 schools which the students attend, in mobile
16 instructional units located on the grounds of such
17 schools or in any alternative setting mutually agreed
18 upon by the school and the intermediate unit, to the
19 extent permitted by the Constitution of the United States
20 and the Constitution of Pennsylvania.

21 (5) The department shall determine the amount of all
22 grants awarded under the program.

23 (6) School entities and intermediate units receiving
24 grants under the program shall apply all grant funds to
25 implement the hybrid learning opportunities described in the
26 grant application.

27 Section 1504-H. Requirements for hybrid learning opportunities.

28 The following shall apply:

29 (1) Hybrid learning opportunities may be delivered
30 outside of a school building in whole or in part using

1 technology that may include the Internet, video conferencing
2 or other electronic means.

3 (2) The time during which a student participates in
4 hybrid learning opportunities shall be considered to be
5 compliant with the compulsory attendance requirements of
6 section 1327.

7 (3) School entities offering hybrid learning
8 opportunities shall develop policies related to the following
9 and post such policies on the school entity's publicly
10 accessible Internet website:

11 (i) Course grades.

12 (ii) Course credit.

13 (iii) Student promotion and graduation.

14 (iv) Eligibility requirements for student
15 participation in hybrid learning opportunities.

16 (4) A school entity offering hybrid learning
17 opportunities shall ensure that each student enrolled in the
18 school entity and participating in hybrid learning
19 opportunities is offered at least 990 hours of instruction at
20 the secondary level and 900 hours of instruction at the
21 elementary level.

22 (5) Intermediate units offering hybrid learning
23 opportunities shall develop and post on the intermediate
24 unit's publicly accessible Internet website policies related
25 to how the intermediate unit and a nonpublic school will
26 cooperate concerning the following:

27 (i) Course grades.

28 (ii) Course credit.

29 (iii) Student promotion and graduation.

30 (iv) Eligibility requirements for student

1 participation in hybrid learning opportunities.

2 (v) Ensuring that each nonpublic school student
3 receiving hybrid learning services from the intermediate
4 unit is offered at least 990 hours of instruction at the
5 secondary level and 900 hours of instruction at the
6 elementary level.

7 Section 1505-H. Powers and duties of department.

8 The department shall:

9 (1) Establish and administer an application process for
10 school entities and intermediate units seeking grant funds
11 under the program and promulgate guidelines regarding the
12 application process and the criteria the department will use
13 in reviewing applications.

14 (2) Review all applications pursuant to criteria
15 established under paragraph (1).

16 (3) From funds available for the hybrid learning program
17 under section 1503-H(1), award grants to school entities and
18 intermediate units satisfying the criteria established under
19 paragraph (1) in amounts determined by the department.

20 (4) Provide technical assistance as needed to school
21 entities and intermediate units receiving grant funding under
22 the program.

23 (5) Prepare and submit the annual report required under
24 section 1506-H.

25 Section 1506-H. 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 Appropriations Committee of the House of Representatives, the
30 Education Committee of the Senate and the Education Committee of

1 the House of Representatives regarding the effectiveness and
2 administration of the hybrid learning program established under
3 this article. The report shall, at a minimum, discuss the
4 following:

5 (1) Whether the hybrid learning program is meeting the
6 goal of delivering cost-effective, individualized instruction
7 to increase student engagement and improve academic
8 performance.

9 (2) The measures the department used to measure outcomes
10 of the hybrid learning program, including student academic
11 performance.

12 (3) Individual school entity results from participation
13 in the program, as reported to the department pursuant to
14 section 1503-H(2)(v).

15 (4) The manner in which intermediate units provide
16 hybrid learning opportunities to nonpublic school students
17 under the program and an assessment of the outcomes of such
18 opportunities.

19 (5) The overall success of the hybrid learning program.

20 (6) Recommendations for modifications to the hybrid
21 learning program.

22 Section 1507-H. Collective bargaining.

23 Nothing contained in this article shall be construed to
24 supersede or preempt the rights, remedies and procedures
25 afforded to school employees or labor organizations under
26 Federal or State law, including the act of July 23, 1970
27 (P.L.563, No.195), known as the Public Employe Relations Act, or
28 any provision of a collective bargaining agreement negotiated
29 between a school entity or an intermediate unit and an exclusive
30 representative of the employees in accordance with that act.

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