

## THE GENERAL ASSEMBLY OF PENNSYLVANIA

## HOUSE BILL

No. 1973 Session of  
2014

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

AS REPORTED FROM COMMITTEE ON EDUCATION, HOUSE OF  
REPRESENTATIVES, AS AMENDED, APRIL 1, 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:

ARTICLE XV-HHYBRID 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.

1 "Hybrid learning." An educational model under which a blend  
2 of digital resources, classroom teaching and peer collaboration  
3 are used to create a personalized learning environment for each  
4 student, the goal of which is to deliver cost-effective,  
5 individualized instruction to increase student engagement and  
6 improve academic performance.

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

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

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

17 "School entity." A school district, charter school, ~~cyber~~ <--  
18 ~~charter school or~~ regional charter school OR AREA VOCATIONAL- <--  
19 TECHNICAL SCHOOL. THE TERM DOES NOT INCLUDE A CYBER CHARTER  
20 SCHOOL.

21 Section 1502-H. Establishment.

22 A hybrid learning program is established under which the  
23 department shall award grants FROM \$20,000 TO \$200,000 to school <--  
24 entities and intermediate units ~~that are selected through an~~ <--  
25 ~~application process to be established and administered by the~~  
26 ~~department~~ TO FACILITATE THE CREATION OR EXPANSION OF HYBRID <--  
27 LEARNING OPPORTUNITIES FOR STUDENTS.

28 Section 1503-H. Grant award and application process.

29 The following shall apply:

30 (1) The hybrid learning program established under

1 section 1502-H shall be funded by \$10,000,000 appropriated by<--  
2 AN ANNUAL APPROPRIATION FROM the General Assembly and from <--  
3 any Federal, State or private funds otherwise available for  
4 this purpose.

5 (2) From funds available for the hybrid learning program  
6 under paragraph (1), the department shall award grants to  
7 school entities and intermediate units that are selected  
8 through an application process that shall be established and  
9 administered by the department.

10 (3) The application process established by the  
11 department under paragraph (2) shall require each school  
12 entity seeking grant funds under the program to do the  
13 following:

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

16 (ii) Identify the school entity's goals for  
17 participation in the program, including the school  
18 entity's goals for student academic achievement.

19 (iii) Deliver to its professional educator staff a  
20 professional development program that provides training  
21 in hybrid learning pedagogy.

22 (iv) Monitor the school entity's progress toward its  
23 stated goals, including student academic achievement,  
24 throughout the academic year.

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

29 (VI) DEVELOP A PLAN FOR SUSTAINABILITY OF THE HYBRID<--  
30 LEARNING OPPORTUNITIES OFFERED TO STUDENTS BEYOND THE

1       DURATION OF THE GRANT FUNDS.

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

6       (ii) The application process established by the  
7       department under paragraph (2) shall require each  
8       intermediate unit seeking grant funds under the program  
9       to do the following:

10       (A) Provide the department with the number of  
11       nonpublic school students to whom the intermediate  
12       unit plans to provide hybrid learning services.

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

15       (C) Identify the intermediate unit's goals for  
16       participation in the program, including the  
17       intermediate unit's goals for student academic  
18       achievement and the manner in which student academic  
19       achievement will be measured.

20       (D) Deliver to its professional educator staff a  
21       professional development program that provides  
22       training in hybrid learning pedagogy.

23       (E) Monitor the intermediate unit's progress  
24       toward its stated goals, including student academic  
25       achievement, throughout the academic year. Before the  
26       intermediate unit provides hybrid learning services  
27       to a nonpublic school student under the program, the  
28       intermediate unit shall enter into a written  
29       agreement with the parent or guardian of the  
30       nonpublic school student indicating the parent's or

1 guardian's consent to the student's participation in  
2 the program and specifying the manner in which the  
3 student's academic achievement will be measured.

4 (F) Report the intermediate unit's progress  
5 under the program, including student academic  
6 achievement results, to the department beginning on  
7 July 30, 2015, and by July 30 of each year  
8 thereafter.

9 (G) DEVELOP A PLAN FOR SUSTAINABILITY OF THE <--  
10 HYBRID LEARNING OPPORTUNITIES OFFERED TO STUDENTS  
11 BEYOND THE DURATION OF THE GRANT FUNDS.

12 (iii) Before an intermediate unit makes any decision  
13 that affects the opportunities for nonpublic school  
14 students to receive hybrid learning services under the  
15 program, the intermediate unit shall consult with  
16 nonpublic schools located within the intermediate unit to  
17 determine at a minimum:

18 (A) Which general categories of children shall  
19 receive services.

20 (B) What services shall be provided.

21 (C) How and where the services shall be  
22 provided.

23 (D) How the services will be evaluated.

24 (iv) Hybrid learning services under the program  
25 shall be provided directly to nonpublic school students  
26 by the intermediate unit in the students' homes, in the  
27 schools which the students attend, in mobile  
28 instructional units located on the grounds of such  
29 schools or in any alternative setting mutually agreed  
30 upon by the school and the intermediate unit, to the

1 extent permitted by the Constitution of the United States  
2 and the Constitution of Pennsylvania.

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

5 (6) School entities and intermediate units receiving  
6 grants under the program shall apply all grant funds to  
7 implement the hybrid learning opportunities described in the  
8 grant application.

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

10 The following shall apply:

11 (1) Hybrid learning opportunities may be delivered  
12 outside of a school building in whole or in part using  
13 technology that may include the Internet, video conferencing  
14 or other electronic means.

15 (2) The time during which a student participates in  
16 hybrid learning opportunities shall be considered to be  
17 compliant with the compulsory attendance requirements of  
18 section 1327.

19 (3) School entities offering hybrid learning  
20 opportunities shall develop policies related to the following  
21 and post such policies on the school entity's publicly  
22 accessible Internet website:

23 (i) Course grades.

24 (ii) Course credit.

25 (iii) Student promotion and graduation.

26 (iv) Eligibility requirements for student  
27 participation in hybrid learning opportunities.

28 (4) A school entity offering hybrid learning  
29 opportunities shall ensure that each student enrolled in the  
30 school entity and participating in hybrid learning

1 opportunities is offered at least 990 hours of instruction at  
2 the secondary level and 900 hours of instruction at the  
3 elementary level.

4 (5) Intermediate units offering hybrid learning  
5 opportunities shall develop and post on the intermediate  
6 unit's publicly accessible Internet website policies related  
7 to how the intermediate unit and a nonpublic school will  
8 cooperate concerning the following:

9 (i) Course grades.

10 (ii) Course credit.

11 (iii) Student promotion and graduation.

12 (iv) Eligibility requirements for student  
13 participation in hybrid learning opportunities.

14 (v) Ensuring that each nonpublic school student  
15 receiving hybrid learning services from the intermediate  
16 unit is offered at least 990 hours of instruction at the  
17 secondary level and 900 hours of instruction at the  
18 elementary level.

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

20 The department shall:

21 (1) Establish and administer an application process for  
22 school entities and intermediate units seeking grant funds  
23 under the program and promulgate guidelines regarding the  
24 application process and the criteria the department will use  
25 in reviewing applications.

26 (2) Review all applications pursuant to criteria  
27 established under paragraph (1).

28 (3) From funds available for the hybrid learning program  
29 under section 1503-H(1), award grants to school entities and  
30 intermediate units satisfying the criteria established under

1 paragraph (1) in amounts determined by the department.

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

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

7 Section 1506-H. Annual report.

8 By November 30, 2015, and by November 30 of each year  
9 thereafter, the department shall prepare and submit a report to  
10 the Governor, the Appropriations Committee of the Senate, the  
11 Appropriations Committee of the House of Representatives, the  
12 Education Committee of the Senate and the Education Committee of  
13 the House of Representatives regarding the effectiveness and  
14 administration of the hybrid learning program established under  
15 this article. The report shall, at a minimum, discuss the  
16 following:

17 (1) Whether the hybrid learning program is meeting the  
18 goal of delivering cost-effective, individualized instruction  
19 to increase student engagement and improve academic  
20 performance.

21 (2) The measures the department used to measure outcomes  
22 of the hybrid learning program, including student academic  
23 performance.

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

27 (4) The manner in which intermediate units provide  
28 hybrid learning opportunities to nonpublic school students  
29 under the program and an assessment of the outcomes of such  
30 opportunities.



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

2           (6) Recommendations for modifications to the hybrid  
3           learning program.

4   Section 1507-H. Collective bargaining.

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

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