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THE GENERAL ASSEMBLY OF PENNSYLVANIA

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SENATE BILL

No. 1241 Session of  
2014

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INTRODUCED BY ARGALL, GREENLEAF, SCHWANK, WILLIAMS, KASUNIC,  
BLAKE, YUDICHAK AND BAKER, JANUARY 27, 2014

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REFERRED TO EDUCATION, JANUARY 27, 2014

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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

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

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

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

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

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

18 Section 1502-H. Establishment.

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

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

24 The following shall apply:

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

29 (2) From funds available for the hybrid learning program  
30 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.