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THE GENERAL ASSEMBLY OF PENNSYLVANIA

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HOUSE BILL

No. 1578 Session of  
2015

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INTRODUCED BY FEE, BLOOM, R. BROWN, CARROLL, CAUSER, COHEN,  
CUTLER, DAVIS, DIAMOND, FARRY, GIBBONS, GINGRICH, GREINER,  
GROVE, HICKERNELL, KAUFER, KILLION, MENTZER, MICCARELLI,  
MILLARD, B. MILLER, PICKETT, ROZZI, SAYLOR, WARD, WATSON,  
ZIMMERMAN AND SANTORA, SEPTEMBER 30, 2015

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REFERRED TO COMMITTEE ON EDUCATION, SEPTEMBER 30, 2015

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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 the E-chievement  
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 XVII-D

13 E-CHIEVEMENT PROGRAM

14 Section 1701-D. Scope of article.

15 This article relates to the E-chievement Program.

16 Section 1702-D. Definitions.

17 The following words and phrases when used in this article  
18 shall have the meanings given to them in this section unless the

1 context clearly indicates otherwise:

2 "Department." The Department of Education of the  
3 Commonwealth.

4 "Hybrid learning." An instructional strategy that blends  
5 digital resources with classroom teaching to increase student  
6 engagement and improve academic achievement through the delivery  
7 of lessons in small groups, the use of data to differentiate  
8 instruction, the encouragement of individually paced learning  
9 and the application of multiple educational methodologies. The  
10 term does not include instruction through a distance education  
11 program.

12 "Program." The E-chievement Program established under this  
13 article.

14 "School entity." A school district or intermediate unit. The  
15 term does not include a cyber charter school.

16 Section 1703-D. E-chievement Program.

17 (a) Establishment.--The E-chievement Program is established  
18 in the department to award grants on a competitive basis to  
19 eligible school entities that are selected through an  
20 application process to be established and administered by the  
21 department. A nonpublic school, an area vocational-technical  
22 school or charter school may participate in the grant process  
23 through a partnership with a school entity for the planning or  
24 implementation of hybrid learning.

25 (b) Eligibility.--

26 (1) A school entity may apply to the department for a  
27 planning grant or implementation grant under the program.

28 More than one school entity may submit a joint application if  
29 the school entities work together to provide hybrid learning.

30 (2) The department may establish criteria to determine

1 whether a school entity is eligible to receive a grant under  
2 this article and shall give priority to school entities that  
3 submit a joint application and demonstrate a commitment to  
4 exchanging best practices and sharing hybrid learning costs.

5 (c) Applications.--A school entity must submit an  
6 application, in such form as deemed acceptable by the  
7 department, to the department and execute a grant agreement in  
8 order to be awarded a planning grant or implementation grant  
9 from the department under this article. The grant application  
10 must describe the manner in which the applicant will use hybrid  
11 learning to improve student achievement and reduce costs.

12 (d) Grant agreement.--An eligible school entity that is  
13 awarded a planning grant or implementation grant under this  
14 article must sign a grant application with the department that  
15 provides for the following:

16 (1) The school entity will provide a cash or in-kind  
17 local match of money to hybrid learning within the school  
18 entity of at least 25%.

19 (2) The school entity will work collaboratively to share  
20 lessons with other school entities that receive grants under  
21 this article.

22 (3) The school entity will report hybrid learning  
23 results, including student achievement, to the department and  
24 the General Assembly, as requested.

25 (e) Use of grants.--

26 (1) A grant issued by the department under this article  
27 shall be used for necessary components of hybrid learning,  
28 including, but not limited to, digital instructional content,  
29 classroom management tools, operations support, technology  
30 and equipment, professional development, instructional

1 coaching, consulting services and planning assistance.

2 (2) A grant issued by the department under this article  
3 may not be used for:

4 (i) Staff salaries, except to the extent necessary  
5 for substitute teachers or the cost of professional  
6 development activities related to hybrid learning.

7 (ii) The purchase of computer hardware, except for  
8 reasonable quantities of computers and electronic devices  
9 that are designed to launch hybrid learning programs.

10 Section 1704-D. Planning grants.

11 (a) General rule.--A planning grant from the program shall  
12 be issued to eligible school entities that are interested in  
13 hybrid learning, but do not have comprehensive plans to deliver  
14 hybrid learning instruction.

15 (b) Limitation on amount.--A planning grant under this  
16 article may not exceed more than \$50,000 annually for a school  
17 entity and not more than \$50,000 annually for each school entity  
18 that submits a joint application.

19 (c) Required information for application.--A school entity  
20 that applies for a planning grant must submit the following  
21 information in the grant application:

22 (1) A statement of the problem to be solved and  
23 identification of the objectives related to the problem.

24 (2) An overview of the planning process.

25 (3) A description of the professional development that  
26 will occur during the planning period.

27 (4) The proposed planning budget, including the local  
28 match.

29 Section 1705-D. Implementation grants.

30 (a) General rule.--An implementation grant from the program

1 shall be issued to eligible school entities that at the time of  
2 application:

3 (1) have hybrid learning designs and are ready to  
4 implement hybrid learning; or

5 (2) deliver hybrid learning and intend to expand hybrid  
6 learning.

7 (b) Limitation on amount.--An implementation grant under  
8 this article may not exceed more than \$250,000 annually for a  
9 school entity and not more than \$250,000 annually for each  
10 school entity that submits a joint application. The  
11 implementation grant may be awarded for not more than three  
12 years.

13 (c) Required information for application.--A school entity  
14 that applies for an implementation grant must submit the  
15 following information in the grant application:

16 (1) A statement of the problem to be solved and  
17 identification of the objectives related to the problem.

18 (2) A detailed hybrid learning program design.

19 (3) An overview of the implementation plan for the  
20 hybrid learning program.

21 (4) The proposed hybrid learning program budget,  
22 including the local match.

23 (5) A summary of the professional development program.

24 (6) A description of how the school entity will define  
25 success, monitor progress and make program improvements.

26 (7) A description of how the school entity will be able  
27 to provide hybrid instruction within three years or less  
28 without funding from the Commonwealth for the hybrid  
29 learning.

30 Section 1706-D. Requirements for hybrid learning.

1 The following shall apply:

2 (1) Hybrid learning may be delivered outside of a school  
3 building in part using technology that may include the  
4 Internet, video conferencing or other electronic means. The  
5 intent of this provision may not be construed to imply a  
6 cyber school.

7 (2) The time during which a student participates in  
8 hybrid learning shall be considered to be compliant with the  
9 compulsory attendance requirements of section 1327.

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

14 (i) Course grades.

15 (ii) Course credit.

16 (iii) Student promotion and graduation.

17 (iv) Eligibility requirements for student  
18 participation in hybrid learning opportunities.

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

24 Section 1707-D. Annual report.

25 By November 30, 2015, and by November 30 of each year  
26 thereafter, the department shall prepare and submit a report to  
27 the Governor, the Appropriations Committee of the Senate, the  
28 Education Committee of the Senate, the Appropriations Committee  
29 of the House of Representatives and the Education Committee of  
30 the House of Representatives regarding the effectiveness and

1 administration of the program. The report shall, at a minimum,  
2 discuss the following:

3 (1) Whether the program is meeting the goal of  
4 delivering cost-effective, individualized instruction to  
5 increase student engagement and improve academic performance.

6 (2) The measures the department used to measure outcomes  
7 of the program, including student academic performance.

8 (3) Individual school entity results from participation  
9 in the program.

10 (4) The overall success of the program.

11 (5) Recommendations for modifications to the program.

12 Section 1708-D. Collective bargaining.

13 Nothing contained in this article shall be construed to  
14 supersede or preempt the rights, remedies and procedures  
15 afforded to school employees or labor organizations under  
16 Federal or State law, including the act of July 23, 1970  
17 (P.L.563, No.195), known as the Public Employee Relations Act, or  
18 any provision of a collective bargaining agreement negotiated  
19 between a school entity and an exclusive representative of the  
20 employees in accordance with that act.

21 Section 1709-D. Program limitation.

22 No eligible school entity may receive grants under this  
23 article in excess of \$1,000,000 or within four years, consisting  
24 of one planning grant and three years of implementation grants.

25 Section 1710-D. Distribution of funding.

26 The department shall ensure that not more than 15% of money  
27 appropriated or made available to the department for grants  
28 under this article are allocated to priority school entities, as  
29 defined by the department and, to the greatest extent possible,  
30 the department shall ensure that all money appropriated or made

1 available to the department for grants under this article is  
2 distributed geographically throughout this Commonwealth.

3 Section 1711-D. Expiration.

4 This article shall expire in five years.

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