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THE GENERAL ASSEMBLY OF PENNSYLVANIA

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HOUSE BILL

No. 726 Session of  
2021

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INTRODUCED BY ORTITAY, HOHENSTEIN, BENHAM, HILL-EVANS, KULIK,  
KINSEY, SCHLOSSBERG, LONGIETTI, N. NELSON, FREEMAN AND  
SANCHEZ, OCTOBER 5, 2021

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REFERRED TO COMMITTEE ON EDUCATION, OCTOBER 5, 2021

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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 disability inclusive  
6 curriculum.

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 DISABILITY INCLUSIVE CURRICULUM

14 Section 1701-D. Scope of article.

15 This article establishes a pilot program to provide  
16 instruction to students on the political, economic and social  
17 contributions of individuals with disabilities.

18 Section 1702-D. Definitions.

19 The following words and phrases when used in this article

1 shall have the meanings given to them in this section unless the  
2 context clearly indicates otherwise:

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

5 "Nonpublic school." A nonprofit school, other than a school  
6 entity, wherein a resident of this Commonwealth may legally  
7 fulfill the compulsory school attendance requirements of this  
8 act and which meets the requirements of Title VI of the Civil  
9 Rights Act of 1964 (Public Law 88-352, 78 Stat. 241).

10 "Pilot program." The Disability Inclusive Curriculum Pilot  
11 Program established under this article.

12 "Professional educator." As defined in section 1205.2(o).

13 "School entity." A school district, joint school district,  
14 charter school, regional charter school, cyber charter school,  
15 intermediate area or area career and technical school.

16 Section 1703-D. Pilot program.

17 (a) Establishment.--The department shall establish a  
18 Disability Inclusive Curriculum Pilot Program to provide  
19 instruction to students on the political, economic and social  
20 contributions of individuals with disabilities.

21 (b) Operation.--The pilot program shall operate for three  
22 full school years, beginning with the 2022-2023 school year.

23 (c) Selection of school entities.--

24 (1) The department shall select no less than eight  
25 school entities or nonpublic schools to participate in the  
26 pilot program in accordance with the following:

27 (i) Six of the participants in the pilot program  
28 shall include at least one of each of the following:

29 (A) A school district.

30 (B) A charter school.

1                   (C) A cyber charter school.

2                   (D) A regional charter school.

3                   (ii) Two of the participants in the pilot program  
4                   shall be nonpublic schools.

5                   (2) To be eligible for the pilot program, the school  
6                   entity or nonpublic school must submit a proposal to the  
7                   department no more than six months after the effective date  
8                   of this section that identifies how the school entity or  
9                   nonpublic school will meet the guidelines of the pilot  
10                   program established by the department.

11 Section 1704-D. Department responsibilities.

12                   (a) Funding.--The department shall apply for Federal,  
13                   private and other non-State funds and shall use funds  
14                   appropriated or otherwise made available to the department for  
15                   the pilot program.

16                   (b) Consultation.--

17                   (1) No later than three months after the effective date  
18                   of this section, the department shall establish and consult  
19                   with an advisory committee in establishing, operating and  
20                   evaluating the pilot program.

21                   (2) The advisory committee shall be composed of  
22                   representatives from all of the following:

23                   (i) The State Board of Education.

24                   (ii) A special education advocate.

25                   (iii) A special education advisory panel.

26                   (iv) The Pennsylvania Training and Technical  
27                   Assistance Network.

28                   (v) School districts.

29                   (vi) Intermediate units.

30                   (vii) Nonpublic schools.

1           (viii) Statewide professional teacher associations.

2           (ix) Parents, guardians or caretakers of students  
3 with disabilities.

4           (x) Individuals with disabilities.

5           (xi) School entities that provide instruction to  
6 students with disabilities.

7           (xii) Charter schools.

8           (xiii) Pennsylvania Charter Schools for the Deaf and  
9 Blind.

10          (xiv) Approved private schools.

11          (3) The advisory committee shall be comprised of no less  
12 than 75% of individuals with disabilities who are  
13 geographically diverse throughout this Commonwealth.

14          (c) Guidelines.--No later than three months after the  
15 effective date of this section, the department shall establish  
16 guidelines and procedures for the pilot program using the  
17 suggested curriculum provided by the advisory committee under  
18 subsection (b). The department may alter the suggested  
19 curriculum provided by the advisory committee under subsection  
20 (b) before establishing guidelines and procedures for the pilot  
21 program.

22          Section 1705-D. Pilot program evaluation.

23          (a) Report by school entities.--A participating school  
24 entity or nonpublic school shall annually report to the  
25 department data and information about the operation of the pilot  
26 program, in the manner prescribed by the department. At a  
27 minimum, a participating school entity or nonpublic school shall  
28 annually report to the department about how the participating  
29 school entity or nonpublic school met the objectives of the  
30 pilot program and the difficulties encountered in seeking to

1 meet the objectives of the pilot program.

2 (b) Evaluation.--The department shall contract with a  
3 nationally recognized educational evaluation institution or  
4 organization to provide an evaluation of the pilot program to  
5 review the effectiveness of the implementation of a curriculum  
6 inclusive to individuals with a disability. The evaluation shall  
7 be published on the department's publicly accessible Internet  
8 website.

9 (c) Report by department.--The department shall compile an  
10 annual report based on the data and information received about  
11 the operation of the pilot program under subsection (a). The  
12 department shall annually submit the report under this  
13 subsection to all of the following:

14 (1) The chair and minority chair of the Education  
15 Committee of the Senate.

16 (2) The chair and minority chair of the Education  
17 Committee of the House of Representatives.

18 Section 2. This act shall take effect immediately.