
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1809 Session of
2021

INTRODUCED BY ORTITAY, KULIK, GUENST, HILL-EVANS, LEWIS
DELROSSO, RYAN, GAYDOS, MIHALEK AND JOZWIAK, AUGUST 31, 2021

REFERRED TO COMMITTEE ON EDUCATION, AUGUST 31, 2021

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

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

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

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

15 Section 1703-D. Pilot program.

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

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

22 (c) Selection of school entities.--

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

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

28 (A) A school district.

29 (B) A charter school.

30 (C) A cyber charter school.

1 (D) A regional charter school.

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

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

10 Section 1704-D. Department responsibilities.

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

15 (b) Consultation.--

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

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

22 (i) The State Board of Education.

23 (ii) A special education advocate.

24 (iii) A special education advisory panel.

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

27 (v) School districts.

28 (vi) Intermediate units.

29 (vii) Nonpublic schools.

30 (viii) Statewide professional teacher associations.

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

3 (x) Individuals with disabilities.

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

6 (xii) Charter schools.

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

9 (xiv) Approved private schools.

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

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

21 Section 1705-D. Pilot program evaluation.

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

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

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

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

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

17 Section 2. This act shall take effect immediately.