

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 100 Session of 2023

INTRODUCED BY FREEMAN, SANCHEZ, HILL-EVANS, MADDEN, KINKEAD, SAMUELSON, GIRAL, SOLOMON, D. WILLIAMS, GALLOWAY, CONKLIN, KINSEY AND GREEN, MARCH 7, 2023

AS REPORTED FROM COMMITTEE ON EDUCATION, HOUSE OF REPRESENTATIVES, AS AMENDED, APRIL 24, 2023

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," in terms and courses of study,
6 providing for CROSS-AGE tutoring 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 a
11 section to read:

12 ~~Section 1529. CROSS-AGE Tutoring Program.--(a) The State~~ <--
13 ~~Board of Education shall, by regulation, establish a tutoring~~
14 ~~program whereby pupils in grades eleven and twelve may tutor~~
15 ~~pupils in grades one through six. The regulations~~ DEPARTMENT OF <--
16 ~~EDUCATION SHALL ESTABLISH EVIDENCE-BASED GUIDELINES FOR A CROSS-~~
17 ~~AGE TUTORING PROGRAM IN WHICH PUBLIC SCHOOL STUDENTS IN GRADES~~
18 ~~ELEVEN AND TWELVE, UNDER THE SUPERVISION OF A CERTIFIED TEACHER~~
19 ~~OR PARAPROFESSIONAL, MAY VOLUNTEER AS A TUTOR TO ASSIST ANOTHER~~

1 STUDENT WITH THEIR STUDIES. THE GUIDELINES shall, at a minimum,  
2 provide for the following:

3 (1) The qualifications of ~~pupils~~ STUDENTS eligible to serve <--  
4 as tutors.

5 (2) The qualifications of ~~pupils~~ STUDENTS eligible for <--  
6 tutoring.

7 (3) That participating tutors receive academic credits for  
8 serving as tutors.

9 (4) ~~That, in addition to clause (1), guidelines be~~ <--  
10 ~~established to~~ WAYS TO encourage eleventh and twelfth grade <--  
11 ~~pupils~~ STUDENTS IN GRADES ELEVEN AND TWELVE who are not meeting <--  
12 their academic ~~potential~~ BENCHMARKS to volunteer for the program <--  
13 as tutors, if it is determined that serving as tutors could <--  
14 improve their own academic performance.

15 (5) TRAINING FOR STUDENTS SERVING AS TUTORS. <--

16 (6) COORDINATION WITH THE CERTIFIED TEACHER OR  
17 PARAPROFESSIONAL.

18 (7) STRUCTURE OF TUTORING SESSIONS FOR BOTH CONTENT AND  
19 INSTRUCTION DELIVERY.

20 (8) FREQUENCY OF TUTORING SESSIONS FOR BOTH CONTENT AND  
21 INSTRUCTION DELIVERY.

22 (b) ~~This~~ THE program shall apply to ALL PUBLIC school <--  
23 ~~districts~~ ENTITIES in this Commonwealth. <--

24 (C) TUTORING SERVICES PROVIDED AS A PART OF THE PROGRAM MAY <--  
25 NOT REPLACE OR DIMINISH SERVICES PROVIDED BY AN EMPLOYE OF A  
26 PUBLIC SCHOOL ENTITY, BUT SHALL SERVE AS A SUPPLEMENT TO  
27 INSTRUCTIONAL AND EDUCATIONAL SERVICES TO AID IN ENHANCING THE  
28 ACADEMIC PERFORMANCE OF THE STUDENT TO BE TUTORED.

29 (D) NOTHING IN THIS SECTION SHALL BE CONSTRUED TO:

30 (1) LIMIT A PUBLIC SCHOOL ENTITY'S AUTHORITY OR ABILITY TO

1 DEVELOP AND IMPLEMENT ALTERNATIVE CROSS-AGE TUTORING PROGRAMS.

2 (2) SUPERSEDE OR PREEMPT THE RIGHTS, REMEDIES AND PROCEDURES  
3 AFFORDED TO SCHOOL EMPLOYEES OR LABOR ORGANIZATIONS UNDER FEDERAL  
4 OR STATE LAW, INCLUDING THE ACT OF JULY 23, 1970 (P.L.563,  
5 NO.195), KNOWN AS THE "PUBLIC EMPLOYE RELATIONS ACT," OR ANY  
6 PROVISION OF A COLLECTIVE BARGAINING AGREEMENT NEGOTIATED  
7 BETWEEN A SCHOOL EMPLOYER AND AN EXCLUSIVE REPRESENTATIVE OF THE  
8 EMPLOYEES IN ACCORDANCE WITH THE "PUBLIC EMPLOYE RELATIONS ACT."

9 (E) AS USED IN THIS SECTION, THE FOLLOWING WORDS AND PHRASES  
10 SHALL HAVE THE MEANINGS GIVEN TO THEM IN THIS SUBSECTION UNLESS  
11 THE CONTEXT CLEARLY INDICATES OTHERWISE:

12 "CROSS-AGE TUTORING" SHALL MEAN TUTORING THAT A STUDENT IN AN  
13 UPPER GRADE LEVEL PROVIDES TO A STUDENT IN A LOWER GRADE LEVEL.  
14 THE TERM DOES NOT INCLUDE TUTORING THAT A STUDENT PROVIDES TO A  
15 PEER IN THE SAME GRADE OR IN A HIGHER GRADE.

16 "PARAPROFESSIONAL" SHALL MEAN AN INDIVIDUAL WHO PROVIDES  
17 SERVICES TO STUDENTS TO SUPPLEMENT AN APPROPRIATELY CERTIFIED  
18 TEACHER IN THE PERFORMANCE OF THE TEACHER'S INSTRUCTIONAL  
19 DUTIES.

20 "PUBLIC SCHOOL ENTITY" SHALL MEAN A SCHOOL DISTRICT, CAREER  
21 AND TECHNICAL SCHOOL, INTERMEDIATE UNIT, CHARTER SCHOOL,  
22 REGIONAL CHARTER SCHOOL AND CYBER CHARTER SCHOOL.

23 Section 2. This act shall take effect in ~~60~~ 90 days.

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