

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 99 Session of 2021

INTRODUCED BY HUGHES, AUMENT, KANE, FONTANA, COSTA, MUTH, KEARNEY, COMITTA, SANTARSIERO, STREET, L. WILLIAMS, HAYWOOD AND BREWSTER, SEPTEMBER 28, 2021

REFERRED TO EDUCATION, SEPTEMBER 28, 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," in terms and courses of study,
 6 further providing for agreements with institutions of higher
 7 education; and establishing the Committee on Diversification
 8 of the Education Workforce, the Diversification of the
 9 Education Workforce Account and the Diversification of the
 10 Education Workforce Grant Program.

11 The General Assembly of the Commonwealth of Pennsylvania
 12 hereby enacts as follows:

13 Section 1. Section 1525 of the act of March 10, 1949
 14 (P.L.30, No.14), known as the Public School Code of 1949, is
 15 amended to read:

16 Section 1525. Agreements with Institutions of Higher
 17 Education.--(a) Notwithstanding any other provision of law to
 18 the contrary, a school district [may] shall enter into an
 19 agreement with [one or more institutions] an institution of
 20 higher education approved to operate in this Commonwealth in
 21 order to allow resident students to attend [such institutions]

1 the institution of higher education while the resident students
2 are enrolled in the school district. [The] A school district may
3 enter into additional agreements with other institutions of
4 higher education approved to operate in this Commonwealth in
5 order to allow resident students to attend the institutions of
6 higher education while the resident students are enrolled in the
7 school district.

8 (b) Any agreement [may] between a school district and an
9 institution of higher education shall be structured so that:

10 (1) high school students [may] receive credits [toward
11 completion of courses at the school district and at
12 institutions] at or through an institution of higher education
13 approved to operate in this Commonwealth. The credits received
14 by a high school student under this section shall be the same
15 credits offered to a student enrolled at the institution of
16 higher education;

17 (2) high school students may also receive credits toward the
18 completion of courses required for graduation at the school
19 district;

20 (3) courses may be offered in-person, online or a
21 combination of in-person and online; and

22 (4) a school district may pay for tuition, fees, supplies or
23 other costs related to a high school student enrolling in
24 courses at an institution of higher education.

25 (c) When possible, the courses for which a high school
26 student receives credits under an agreement entered into under
27 this section shall be aligned to the graduation requirements of
28 the high school student's school district, the requirements of a
29 career and technical education program offered by the high
30 school student's school or a career pathway offered by the high

1 school student's school.

2 (d) A school district that enters into an agreement under
3 this section shall weight credits for a high school student in a
4 manner similar to Advanced Placement Program or International
5 Baccalaureate Diploma Program courses in the school district's
6 grading system, including both academic and technical courses.

7 (e) At least once per school year, a school district shall
8 provide to the Department of Education the number and form of
9 agreements the school district has entered into under this
10 section and the number of high school students participating in
11 the agreements, including total credits earned. The Department
12 of Education shall compile the information received under this
13 subsection and include it in the department's electronic
14 database or software program and portal established under
15 section 2005-C(4).

16 (f) (1) Nothing in this section shall be construed to
17 supersede or preempt a provision of a collective bargaining
18 agreement between a school district and an employe organization,
19 or a right of an employe organization under the provisions of
20 the act of July 23, 1970 (P.L.563, No.195), known as the "Public
21 Employe Relations Act."

22 (2) As used in this subsection, the term "employe
23 organization" shall have the meaning given to it in section
24 1101-A.

25 Section 2. The act is amended by adding an article to read:

26 ARTICLE XV-K

27 DIVERSIFICATION OF EDUCATION WORKFORCE

28 Section 1501-K. Scope.

29 This article relates to diversification of the Commonwealth's
30 education workforce.

1 Section 1502-K. Definitions.

2 The following words and phrases when used in this article
3 shall have the meanings given to them in this section unless the
4 context clearly indicates otherwise:

5 "Account." The Diversification of the Education Workforce
6 Fund established under section 1505-K(a).

7 "Board." The State Board of Education.

8 "Committee." The Committee on Diversification of the
9 Education Workforce established under section 1503-K(a).

10 "Department." The Department of Education of the
11 Commonwealth.

12 "Every Student Succeeds Act." The Every Student Succeeds Act
13 (Public Law 114-95, 129 Stat. 1802).

14 "Grant program." The Diversification of the Education
15 Workforce Program established under section 1506-K.

16 "School entity." A school district, intermediate unit,
17 charter school, cyber charter school, area career and technical
18 school or intermediate unit.

19 Section 1503-K. Committee on Diversification of the Education
20 Workforce.

21 (a) Establishment.--The Committee on Diversification of the
22 Education Workforce is established within the department.

23 (b) Duties.--

24 (1) Within 30 days of the effective date of this
25 section, the department shall appoint representatives to the
26 committee. The committee shall, at a minimum, include a
27 representative from each of the following:

28 (i) The Pennsylvania School Boards Association.

29 (ii) The Pennsylvania Association of Career and
30 Technical Administrators.

1 (iii) The Pennsylvania State Education Association.

2 (iv) The American Federation of Teachers.

3 (v) The Pennsylvania Association of School
4 Administrators.

5 (vi) The Center for Black Educator Development.

6 (vii) The Pennsylvania Coalition of Public Charter
7 Schools.

8 (viii) The Pennsylvania Association of Colleges and
9 Teacher Educators.

10 (ix) The Pennsylvania Association of School Business
11 Officers.

12 (2) Within 90 days of the appointment of the committee
13 under paragraph (1), the committee shall, after consultation
14 and input from career and technical education programs across
15 this Commonwealth and national sources, provide the
16 department with a blended competency list and validated and
17 aligned materials and end-of-program assessments needed to
18 create a program of study in the education field.

19 (3) Within 120 days of the date when the committee
20 provided the required information to the department under
21 paragraph (2), the department shall develop the necessary
22 guidelines, standards and materials to implement additional
23 fields of study in education into a program of study for
24 career and technical education programs across this
25 Commonwealth.

26 Section 1504-K. Program of study.

27 (a) Development.--The department shall develop, in
28 accordance with the provisions of the Carl D. Perkins Career and
29 Technical Education Improvement Act of 2006 (Public Law 88-210,
30 20 U.S.C. § 2301 et seq.), a program of study specific to

1 occupations classified under the classification of program code
2 that require a postsecondary certificate, an associate degree or
3 baccalaureate degree.

4 (b) Requirements.--In the development of the program of
5 study under subsection (a), the department shall incorporate
6 elements of secondary and postsecondary education, including
7 coherent and rigorous content aligned with any nationally
8 recognized academic standards and relevant career and technical
9 content in a coordinated, nonduplicative progression of courses
10 to adequately prepare students to succeed in postsecondary
11 education.

12 (c) Credits.--The program of study under subsection (a) may
13 include the opportunity for secondary education students to earn
14 postsecondary education credits through articulation agreements
15 between school districts with participating postsecondary
16 institutions, which may lead to an industry recognized
17 credential or certificate at the postsecondary level or an
18 associate degree or a baccalaureate degree.

19 (d) Review of program.--The board shall evaluate the
20 efficacy of the program of study under subsection (a) within one
21 year of the program first being offered and, at a minimum, every
22 three years thereafter. The board's evaluation under this
23 subsection shall include all of the following:

24 (1) Disaggregated data by Every Student Succeeds Act
25 subgroups on enrollment and participation in the program of
26 study under subsection (a).

27 (2) A description of the evaluation process to measure
28 the success of the program of study under subsection (a).

29 Section 1505-K. Diversification of the Education Workforce
30 Account.

1 (a) Establishment.--The Diversification of the Education
2 Workforce Fund is established as a restricted account in the
3 General Fund.

4 (b) Use of funds.--Money in the account is appropriated to
5 the department on a continuing basis to provide grants in
6 accordance with section 1506-K. The appropriation shall not
7 lapse at the end of any fiscal year.

8 (c) Contributions.--

9 (1) The State Treasurer may accept gifts, donations,
10 legacies or any other revenues, including allowable Federal
11 funds, for deposit into the account.

12 (2) Any interest that accrues in the account shall
13 remain in the account.

14 Section 1506-K. Diversification of the Education Workforce
15 Grant Program.

16 (a) Establishment.--The Diversification of the Education
17 Workforce Grant Program is established within the department as
18 a competitive grant program for institutions of higher education
19 to increase the racial and gender diversification of the
20 education workforce. The department shall award grants under the
21 grant program in accordance with the eligible uses under
22 subsection (b) and the guidelines established under subsection
23 (d).

24 (b) Eligible uses of funds.--Grants under the program may
25 only be used for:

26 (1) Covering tuition, fees, supplies or other costs
27 relating to high school students enrolled at institutions of
28 higher education through an agreement between a school
29 district and an institution of higher education under section
30 1525.

1 (2) Programs designed and proven to increase the racial
2 and gender diversification of the education workforce.

3 (c) Application.--The department shall develop an
4 application for a school entity or an institution of higher
5 education to apply for funding under this section. The
6 application shall be posted on the department's publicly
7 accessible Internet website.

8 (d) Program guidelines.--The department may establish
9 guidelines for implementing the grant program under this
10 section. The guidelines shall be posted on the department's
11 publicly accessible Internet website.

12 (e) Evaluation.--The department shall evaluate the
13 utilization of the grant program money, including an analysis of
14 the total amount of grants awarded, each institution of higher
15 education that received a grant and the efficacy of the programs
16 funded through the grant program, based on disaggregated data.
17 The department shall conduct the evaluation, at a minimum, every
18 three years after the establishment of the grant program and
19 shall post the evaluation on the department's publicly
20 accessible Internet website.

21 Section 1507-K. Director of Diversity, Equity and Inclusion.

22 No later than 60 days after the effective date of this
23 section, the Secretary of Education shall designate an
24 individual within the department as the Director of Diversity,
25 Equity and Inclusion. The Director of Diversity, Equity and
26 Inclusion shall be responsible for creating goals on increasing
27 the diversity of the education workforce and coordinating the
28 department's efforts to increase diversification within the
29 education workforce.

30 Section 1508-K. Reporting.

1 For the purpose of improving data collection and transparency
2 about the diversity of the education workforce, the department
3 shall annually collect and post information about all of the
4 following on the department's publicly accessible Internet
5 website:

6 (1) The racial and gender demographics of individuals
7 enrolled in teacher preparation programs and the racial and
8 demographics of individuals who completed a teacher
9 preparation program in this Commonwealth.

10 (2) The pass rates of educator certification test takers
11 as delineated by race and gender.

12 (3) The teaching certificates issued by the department
13 as delineated by race and gender.

14 (4) New teacher applicants and hires at each school
15 entity as delineated by race and gender and by school entity,
16 school district and State level.

17 (5) Annual teacher retention rates as delineated by race
18 and gender and by school entity, school district and State
19 level.

20 (6) The racial and gender demographics of individuals
21 enrolled in a superintendent or principal certification
22 program.

23 (7) The racial and gender demographics of individuals
24 who have completed a superintendent or principal
25 certification program.

26 (8) The current school year's professional employees,
27 temporary professional employees serving as classroom
28 teachers, principals and nonteaching professional employees
29 as delineated by race and gender and by school entity, school
30 district and State level.

1 (9) Any other data relating to racial and gender
2 demographics of the education workforce, if available and
3 already collected by the school entity, as requested by the
4 department.

5 Section 1509-K. Temporary waiver.

6 (a) Waiver.--Notwithstanding any other provision of law, the
7 Secretary of Education shall waive the requirement to
8 satisfactorily complete the assessment of basic skills required
9 under section 1207.3 and 22 Pa. Code 49.18(c) (relating to
10 assessment).

11 (b) Expiration.--The waiver under subsection (a) shall
12 expire three years after the effective date of this section.

13 Section 3. The amendment of section 1525 of the act shall
14 apply to any agreement between a school district and an
15 institution of higher education entered into or renewed after
16 the effective date of this section.

17 Section 4. This act shall take effect immediately.