

EDUCATION LEGISLATION BRIEF



Volume 1, Issue 47

December 6, 2019

The Governor recently signed several education-related bills into law. They include the following:

Page

1. Act 91: Graduation Credit for Financial Literacy
2. Act 93: Nicotine Products and School Property

Act 94: School Board Election Signatures
Opinion: Charter Reform
3. Act 110: Branch Campuses for Training Schools
4. Act 111: Tobacco Age 21



Act 91 (HB 49): Graduation Credit for Courses in Financial Literacy

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, in school security, further providing for definitions, for school police officers, for training, for powers and duties, for school resource officers and for school security guards; in high schools, further providing for courses of study; in miscellaneous provisions relating to institutions of higher education, further providing for Public Higher Education Funding Commission; and, in fostering independence through education, further providing for fostering independence waiver program.

Primary Sponsor: Representative Rosemary Brown

Summary

Beginning in the 2021-2022 school year, a student in grades nine through twelve who completes a course on financial literacy may apply one credit toward their graduation requirement. This particular course will satisfy a social studies, family and consumer science, mathematics or business education credit. Should a student take more than one financial literacy course, the two credits cannot both be applied to the math credit requirement; a student can only apply a maximum of one credit toward their math requirement.

Additionally, the bill amends the powers of school security guards to allow judges to grant schools the authority to have their security guards issue citations and detain students until the arrival of law enforcement. All school officers or officers with a firearm must complete the training required under the Municipal Police Officers' Education and Training Commission or be a graduate of the Pennsylvania Police Academy or State Trooper. The Basic School Resource Officer Course also must be completed by school officers. These requirements must be completed within 6 months of the effective date, November 27, 2019.

Another piece of the legislation is in regard to the fostering independence waiver. In order to qualify for this waiver, an individual must be a current resident of this Commonwealth, be eligible for the Pennsylvania Chafee Education and Training Grant Program and must have applied for all available Federal and State grants.

Lastly, Act 91 has a component related to the Public Higher Education Funding Commission. It requires this commission to issue its findings to the Governor and other state officials within one year of the effective date of the legislation.

Act 91 was signed into law on November 27, 2019.

Act 93 (HB 97): Nicotine Products and School Property

An Act amending Titles 18 (Crimes and Offenses) and 53 (Municipalities Generally) of the Pennsylvania Consolidated Statutes, in minors, further providing for the offense of sale of tobacco and for the offense of use of tobacco in schools; and, in preemptions relating to municipalities, further providing for tobacco.

Primary Sponsor: Representative Kathy Rapp

Summary

This law prohibits the sale of tobacco products, specifically vending machines with no oversight, in an area accessible to minors. This includes electronic cigarettes and nicotine products. Additionally, this law establishes that any adults in a school building or on school property that has not been designated as permitted for tobacco use, are prohibited from such acts.

This law goes into effect on January 26, 2020.

Act 94 (HB 227): Election Code – School Director Petition Signatures

An Act amending the act of June 3, 1937 (P.L.1333, No.320), known as the Pennsylvania Election Code, in nomination of candidates, further providing for number of signers required for nomination petitions of candidates at primaries; in ballots, further providing for form of ballots, printing ballots, stubs and numbers, for number of ballots to be printed and specimen ballots and for record of ballots to be kept; in electronic voting systems, further providing for forms, for supplies, preparation of the voting system and of polling places, for election day procedures and the process of voting and for post-election procedures; in preparation for and conduct of primaries and elections, further providing for voter's certificates, for manner of applying to vote, persons entitled to vote, voter's certificates, entries to be

Update Pa's charter school law to foster innovation, bolster accountability | Opinion

I support Gov. Tom Wolf's call for [reform to the charter school law](#), which is long overdue for an update in light of 20 years of experience with charter schools and their impact on the system of public education in the Commonwealth.

The public education system must serve the entire Commonwealth and belongs to all of us, not just the current parents of school age children.

Parental choice matters but it is not and cannot be the only factor driving decisions about charter schools. The proliferation of charter schools imposes real and significant costs on every school district in Pennsylvania and those costs cannot and should not be ignored.

made in district register, numbered lists of voters and challenges, for admission of electors within enclosed space, for ballots to be issued by election officers only, ballots not to be removed and official ballots only to be deposited or counted and for duties of election officers after the close of the polls in districts in which ballots are used; in voting by qualified absentee electors, further providing for official absentee voters ballots; in voting by qualified mail-in electors, further providing for official mail-in elector ballots; and, in returns of primaries and elections, further providing for computation of returns by county board, certification and issuance of certificates of election.

Primary Sponsor: Representative Matt Gabler

Summary

This bill aims to correct a flaw in the Election Code whereby the position of School Director is not provided, resulting in ballot access requirements to be different. The law clarifies that all candidates for the office of school director will be required to submit 10 signatures for nomination.

This act was signed into law on November 27, 2019 and goes into effect immediately.

Act 110 (SB 456): Branch Campuses for Training Schools

An Act amending the act of December 15, 1986 (P.L.1585, No.174), known as the Private Licensed Schools Act, further providing for definitions, for State Board of Private Licensed Schools, for powers and duties of board, for application for license, for license fees and for requirements for licensure and operation; providing for multibranch training schools and for institutional grants authority; further providing for promulgation of rules; and repealing provisions relating to existing licenses to remain in force and transfer of personnel, etc.

Primary Sponsor: Senator Camera Bartolotta

Summary

This law amends the definition of Private Licensed Schools and the operation of their branch campuses. It is no longer required that Private Licensed Schools operate their branch campuses within the same county as their primary facility. This will allow more student's the opportunity to benefit from these schools.

Act 110 also redefines the terms "branch facility." Branch facilities must be fully managed by their licensed primary facility as well as offer the same curriculum as this facility.

This law goes into effect on January 26, 2020.

Act 111 (SB 473): Tobacco Smoking Prohibitions

An Act amending Titles 18 (Crimes and Offenses) and 53 (Municipalities Generally) of the Pennsylvania Consolidated Statutes, in minors, further providing for the offense of sale of tobacco and for the offense of use of tobacco in schools; and, in preemptions relating to municipalities, further providing for tobacco.

Primary Sponsor: Senator Mario Scavello

Summary

This law raises the minimum age for the sale of tobacco from 18 to 21 years old. This includes cigarettes, e-cigarettes, and nicotine products, whether it is natural or synthetic.

Additionally, students are prohibited from using tobacco on school property including in buildings and on school transportation. School Boards are required to designate areas where non-pupils may use tobacco at least 50 feet away from a school building, if they so wish. The School Board is also required to dictate the enforcement of this policy and distribute it to parents, faculty, and students.

This law goes into effect July 1, 2020.

Sources

Pennsylvania General Assembly. 2019. <https://www.legis.state.pa.us/>

Pennsylvania Capital-Star. "Update Pa's charter school law to foster innovation, bolster accountability | Opinion". Capital-Star Op-Ed Contributor. December 6, 2019. <https://www.penncapital-star.com/commentary/update-pas-charter-school-law-to-foster-innovation-bolster-accountability-opinion/>