

PENNSYLVANIA
STATE BOARD OF EDUCATION



2016 ANNUAL REPORT

January 2017

Dear Governor Wolf and Members of the General Assembly:

On behalf of the State Board of Education, it is my pleasure to present you with our Annual Report for 2016. This was a busy year for the Board, due in no small measure to the roles assigned to the Board by Act 86 of 2016 and Act 70 of 2014. Our Annual Report focuses on and summarizes the Board's activities with regard to those assignments and other actions taken by the Board in 2016.

The report also includes membership lists produced by the Board periodically throughout the year as we experienced transitions in our composition. Toward the end of 2016, we bid farewell to our long-time colleague Mollie Phillips and prepared to welcome our newly-appointed member Nathan Barrett to our roll of voting members.

In addition to changes among our voting membership, the Board welcomed two new student advisory members in July 2016 – Shirlann Harmon, a student in the Seneca Valley School District, and Andrew Ahr, a student at The Pennsylvania State University. The Board also bid farewell to the two student members whose terms came to a close in May 2016 – Donald LeCompte, East Stroudsburg Area School District, and Teresa Lebo, Central Penn College.

The Board looks forward to working together with the Wolf Administration and with the General Assembly to meet the challenges that lie ahead to ensure that the schools of this Commonwealth meet the needs of all of our children. If you need additional information about this report or the Board's activities, please contact me or the Board office.

Sincerely,

Larry Wittig, Chairman

MEMBERSHIP

The State Board of Education consists of 21 members, ten of whom serve on the Board's Council of Basic Education and ten of whom serve on the Board's Council of Higher Education. Seventeen members are appointed by the Governor, with the advice and consent of the Senate, for overlapping terms of six years, or until their successors are appointed and confirmed. Four members of the Board are members of the General Assembly who serve as long as they hold the position of majority and minority chairs of the House and Senate Education Committees. The Chairperson of the Board and its Councils are designated by the Governor and serve at his pleasure. The 21 members of the board also serve as the State Board for Vocational Education.

The Board meets at least six times per year. Additional Council or Board meetings are held at the call of the chairpersons or at the request of a majority of members. The chairperson of the Board and any of the members are entitled to attend the meetings of the Councils. Board committees are appointed by the chairperson of the Board to formulate policy proposals in those areas which fall within the purview of the Board. Council committees are appointed by the chairperson of each respective Council to formulate policy proposals in those areas which fall within the purview of either Council.

The Secretary of Education is the head of the Department of Education and chief executive officer of the State Board of Education. He is a member of the executive department of the Commonwealth and is appointed by and serves at the pleasure of the Governor with the advice and consent of the Senate. The Secretary of Education, or his designated representative, is entitled to attend all meetings of the Board and Councils and has the right to speak on all matters before the Board and the Councils, but not to vote.

The chairperson of the Professional Standards and Practices Commission (PSPC), or a PSPC member designated by the chairperson, serves as an ex officio, non-voting member of the Board. Likewise, a member of the State Board serves in the same capacity on the PSPC.

Four student representatives serve as non-voting, advisory members of the Board – two high school students who sit on the Council of Basic Education and two postsecondary students who sit on the Council of Higher Education. Annually, two new students are selected to serve a two-year term on each respective Council. High school students are selected through an application process managed by the Pennsylvania Association of Student Councils. Postsecondary students are selected to represent the various sectors of higher education in the Commonwealth on a rotating basis. Student members were added by the Board in 2008, and their participation is supported through private grant funds.

The following are listings of the State Board of Education's membership, reflecting transitions throughout the 2016 calendar year.

State Board of Education

January 2016

Mr. Larry Wittig (Tamaqua)
Chairman, State Board of Education

Mr. Pedro Rivera
Secretary of Education &
Chief Executive Officer
of the Board

Council of Basic Education

Dr. James E. Barker (Erie)
Chairman, Council of Basic Education

Honorable Carol Aichele (Malvern)

Dr. Jay Badams (Erie)

Mr. Kirk Hallett (Camp Hill)

Honorable Maureen Lally-Green (Cranberry Township)

Mr. Donald LeCompte
Senior Student Member

Ms. Mollie O'Connell Phillips (Kingston)

Representative James Roebuck
Minority Chair, House Education Committee

Dr. Colleen Sheehan (Wayne)

Senator Lloyd Smucker
Majority Chair, Senate Education Committee

Ms. Joshita Varshney
Junior Student Member

Ms. Karen Farmer White (Pittsburgh)

Council of Higher Education

Mr. James Grandon (Mechanicsburg)
Chairman, Council of Higher Education

Mr. James R. Agras (Pittsburgh)

Dr. Nicole Carnicella (Bellefonte)

Senator Andrew Dinniman
Minority Chair, Senate Education Committee

Ms. Sandra Dungee Glenn (Philadelphia)

Dr. Pamela J. Gunter-Smith (York)

Ms. Teresa Lebo
Senior Student Member

Mr. Jonathan Peri (Glen Mills)

Representative Stan Saylor
Majority Chair, House Education Committee

Mr. Craig Snider (Bryn Mawr)

Ms. Lavinia Soliman
Junior Student Member

Dr. A. Lee Williams (Slippery Rock)

Dr. Gilbert Griffiths
PSPC Ex-officio Member

Ms. Karen Molchanow
Executive Director

Ms. Stephanie Jones
Administrative Assistant

State Board of Education

July 2016

Mr. Larry Wittig (Tamaqua)
Chairman, State Board of Education

Mr. Pedro Rivera
Secretary of Education &
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Dr. James E. Barker (Erie)
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Honorable Carol Aichele (Malvern)

Dr. Jay Badams (Erie)

Mr. Kirk Hallett (Camp Hill)

Ms. Shirlann Harmon
Junior Student Member

Honorable Maureen Lally-Green (Cranberry Township)

Ms. Mollie O'Connell Phillips (Kingston)

Representative James Roebuck
Minority Chair, House Education Committee

Dr. Colleen Sheehan (Wayne)

Senator Lloyd Smucker
Majority Chair, Senate Education Committee

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Senior Student Member

Ms. Karen Farmer White (Pittsburgh)

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Mr. James Grandon (Mechanicsburg)
Chairman, Council of Higher Education

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Mr. Andrew Ahr
Junior Student Member

Dr. Nicole Carnicella

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PSPC Ex-officio Member

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Executive Director

Ms. Stephanie Jones
Administrative Assistant

State Board of Education

December 2016

Mr. Larry Wittig (Tamaqua)
Chairman, State Board of Education

Mr. Pedro Rivera
Secretary of Education &
Chief Executive Officer
of the Board

Council of Basic Education

Dr. James E. Barker (Erie)
Chairman, Council of Basic Education

Honorable Carol Aichele (Malvern)

Dr. Jay Badams (Erie)

Mr. Nathan Barrett (Scranton)

Mr. Kirk Hallett (Camp Hill)

Ms. Shirlann Harmon
Junior Student Member

Honorable Maureen Lally-Green (Cranberry Township)

Representative James Roebuck
Minority Chair, House Education Committee

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PSPC Ex-officio Member

Ms. Karen Molchanow
Executive Director

Ms. Stephanie Jones
Administrative Assistant

INTRODUCTION

The Pennsylvania State Board of Education was created by the General Assembly in 1963 and reestablished in 1988. It is the principal administrative regulatory body for both elementary and secondary education and higher education in the Commonwealth. It has the power and duty to review and adopt regulations that govern educational policies and principles and establish standards governing the educational programs of the Commonwealth, upon recommendation of its Councils. The Board also has the authority and duty to approve or disapprove an application for the creation of a new school district, or change in the boundaries of an existing school district; establish committees of professional and technical advisors to assist the councils in performing research studies undertaken by them; manage and have custody of the State School Fund; apply for, receive and administer Federal grants, appropriations, allocations and programs within its purview; adopt policies with regard to institutions of higher education; and, adopt master plans for basic and higher education.

The State Board of Education engages in constant review and appraisal of education in the Commonwealth. The Board's evaluation takes into account such matters as educational objectives, alternative organizational patterns, alternative programs of study, and the operating efficiency of the education system. The chairperson of the State Board refers all studies and investigations to one of its Councils, and receives and places on the agenda the findings and recommendations of the Council for appropriate action by the Board.

For purposes of studying issues and developing policy proposals, the Board is divided into two councils – the Council of Basic Education and the Council of Higher Education. The Council of Basic Education has the power and duty to develop a master plan for basic education in the Commonwealth for adoption by the Board; investigate programs, conduct research studies and formulate policy programs in all educational areas not within the purview of higher education; encourage and promote such agricultural, industrial, vocational and technical education programs as the needs of this Commonwealth may require; and investigate and make recommendations pertaining to the work of any schools of design, schools of industrial arts or industrial schools to which the General Assembly may make an appropriation.

The Council of Higher Education has the power and duty to develop a master plan for higher education in the Commonwealth for adoption by the Board; develop standards for the approval of colleges and universities for granting of certification and degrees; develop standards for all higher education building projects involving the use of state funds or the funds of any Commonwealth instrumentality; and, investigate programs, conduct research studies and formulate policy proposals in all areas pertaining to higher education in the Commonwealth, including a system of community colleges and technical institutions as provide by law.

The Board also serves as the State Board for Vocational Education and, in this capacity, sets policy and promulgates regulations regarding vocational and technical education in Pennsylvania for both secondary and postsecondary vocational-technical education, now more commonly referred to as career and technical education.

Much of the Board's work occurs in meetings of its standing committees, including the Committees on Academic Standards/Chapter 4; Teacher and School Leader Effectiveness; and Vocational-Technical Education. Ad hoc committees also are established from time to time to oversee special projects.

Board committees are the bodies that conduct public meetings to solicit comments, concerns and questions from members of the general public, as well as those involved in the education enterprise on a particular education regulation or issue. When the Board decides to review a current regulation or develop a new one, it begins the process with roundtable discussions or public hearings conducted in several locations throughout the state. The committee takes the information it learns during this exercise and develops recommendations that can take the form of a report or revised regulations.

Proposed regulations are published in the *Pennsylvania Bulletin*. Additional public comments on a proposed regulation, as well as comments received from the House and Senate Education Committees and the Independent Regulatory Review Commission, are considered and, based on this stakeholder input, the Board may make further refinements to the regulation that it deems necessary in crafting a final-form regulation.

State Board of Education Activity: 2016

Pursuant to Section 2603-B of the Public School Code of 1949, 24 P.S. § 26-2603-B, the State Board of Education is pleased to provide a report on its activities for the year 2016.

Chapter 11 (Immunizations)

In January of 2016, the Board approved proposed revisions to its regulations in 22 Pa. Code, Chapter 11 pertaining to non-immunized students. The proposed amendments were approved to align the regulations with proposed revisions to regulations of the Department of Health (DOH) that modified immunization requirements for student attendance set forth by the DOH. Among the key changes proposed by the DOH, the eight month provisional timeframe for the admission of students who are not fully immunized would be condensed to five school days and school administrators would be required to review a student's medical plan for becoming up-to-date with immunizations on a more frequent 30-day schedule.

The Board conducted a public hearing on the proposed revisions to Chapter 11 in March of 2016, and published the proposed regulation in the *Pennsylvania Bulletin* for an official 30-day public comment period. Working collaboratively with the DOH, the Board reviewed all public comments received and is preparing to present final-form amendments to Chapter 11 for the Board's consideration in January 2017.

Act 86

With the passage of Act 86 in July of 2016, the General Assembly directed the Board to conduct a review of existing public school entity data collection requirements in the areas of finance, human resources, food services, transportation, child accounting, athletics, health and special education. The purpose of this review, as defined by Act 86, was to consider whether the data has a valuable purpose to inform policymakers and the public about the operation of public school entities and to identify those data collection requirements that are redundant, overly burdensome or no longer necessary. In conducting its review, Act 86 directed the Board to appoint and consult with an Advisory Committee representative of public school entity business managers, public school entity governing board members, educators, the Legislature and the Department of Education.

Members of the Advisory Committee were named by the end of August as required by Act 86, and the Board also appointed an Ad Hoc Committee comprised of four members of the Board to work with the Advisory Committee.

The Advisory Committee and the Ad Hoc Committee met monthly throughout the fall of 2016. The Committees reviewed and considered two categories of data identified by Act 86 at each of their meetings according to the following schedule: September (Health and Human Resources); October (Child Accounting and Special Education); November (Food Services and Transportation); December (Athletics and Finance). The review was supported by representatives of the Department of Education and the Department of Health who provided an

overview of the relevant data at each meeting and made themselves available as a resource to the Committees to answer questions about the data and the procedures through which it is collected. The Advisory Committee also requested, and was provided with the opportunity to review, data related to Student Assistance Programs, Alternative Education for Disruptive Youth, and Section 907-A reports submitted by Intermediate Units.

The Board's Ad Hoc Committee is in the process of finalizing a draft report of findings and recommendations stemming from this data review, and anticipates submitting this report to the full Board for its review in January 2017. Upon approval by the Board, the report will be transmitted to the House and Senate Education Committees.

Act 70

Act 70 of 2014 strongly encouraged school entities to offer instruction in the Holocaust, genocide and human rights violations. To support this voluntary instruction, the Act also directed the Department of Education (PDE) to develop curriculum guidelines for such instruction and directed PDE to make professional development programs based upon such instruction available to school entities beginning with the 2015-2016 school year. Finally, Act 70 also directed the Board to conduct a study regarding the manner in which instruction in the Holocaust, genocide and human rights violations is offered by school entities across the Commonwealth.

Specifically, the Act charged the Board with producing a study that identifies the number of school entities that offer instruction in the Holocaust, genocide and human rights violations; the number of school entities that utilize PDE's curriculum guidelines for such instruction; the number of school entities that utilize the in-service training programs made available by PDE for such instruction; and a description of the manner in which such instruction is offered, including the number of hours of instruction offered, the grade levels at which instruction is offered, and the course within which the instruction is integrated. Act 70 also charged the Board with making recommendations for improvements to the offering of instruction in the Holocaust, genocide and human rights violations as part of its study. The law directs the Board to issue its report following the close of the 2016-17 school year, but no later than November 30, 2017.

To fulfill its responsibility, in 2016 the Board appointed an Ad Hoc Committee to begin work on the study required by Act 70. The Committee created an electronic survey tool to solicit the information on current instructional practices requested by Act 70, and the survey will be transmitted to school entities in January 2017. The Board then will utilize the responses to its survey to complete the study requested by the General Assembly by the deadline established in Act 70.

Applications for Accrediting Authority

Section 5 of the Private Academic Schools Act provides for private and nonpublic schools to operate in the Commonwealth in lieu of holding state licensure if the school is accredited by an association approved by the State Board of Education. The Statement of Policy issued by the Board in 22 Pa. Code, Chapter 52 guides consideration of applications from entities

seeking recognition as approved accreditors for private and nonpublic schools. Per Chapter 52, the “authority to accredit schools will expire every five years from the date of approval by the State Board of Education, but may be renewed by the State Board every fifth year.” 22 Pa. Code § 52.5.

In 2016, the Board received an application from AdvancED – an accrediting body already approved by the Board – seeking to expand its scope of accrediting authority to also include tutoring centers, educational testing centers and remedial centers. Upon review and consideration of the application, the Board approved AdvancED’s request to expand its scope of authority for a limited period concurrent with that of its existing authority to accredit private Pre-K (Nursery), Kindergarten, Elementary and Secondary programs.

Pennsylvania Public Postsecondary Vocational Education Accreditation

Per approval granted by the U.S. Department of Education (USDE), the State Board for Vocational Education (SBVE) holds the authority to accredit public postsecondary vocational education programs. The SBVE’s scope of authority is limited to accrediting career and technical centers that offer Pennsylvania Department of Education approved non-degree granting career and technical programs for adults that are 300 hours or longer in duration. The SBVE evaluates institutions that seek voluntary accreditation under this authority through a partnership with the Bureau of Career and Technical Education (BCTE) within the Pennsylvania Department of Education. The SBVE, through the Pennsylvania Secretary of Education, authorizes BCTE to manage the State’s accreditation program.

The Board considered one application for public postsecondary vocational education accreditation in 2016. Accreditation status was granted to the Central Pennsylvania Institute of Science and Technology in May.

In order to continue being recognized as a reliable authority to accredit public postsecondary vocational education programs in the Commonwealth, the SBVE must seek periodic renewal of its authority from USDE. In 2015, the SBVE approved a petition to USDE seeking continued recognition as an accrediting authority and, in March 2016, that petition for renewed authority was approved by the USDE.

College Textbook Policies Advisory Committee

In January 2011, the Board formed the College Textbook Policies Advisory Committee, a Standing Committee of the Board established by Act 104 of 2010. The Advisory Committee released its first report in May 2012 with recommendations to improve college textbook affordability and accessibility, and presented an updated report to the General Assembly in November 2015. Per Act 104, the Advisory Committee is to meet quarterly and to update its report every three years. With the support of the Department of Education, the Board continued

to convene the Advisory Committee quarterly throughout 2016 as required by the Public School Code.

Higher Education Attainment

The Board's Council of Higher Education adopted a motion expressing its support for the establishment of a postsecondary attainment goal for the Commonwealth. The Council moved to support the adoption of a 60 percent postsecondary attainment goal by 2025, provided that PDE staff provide benchmarks over the next nine years as to how the goal will be attained, that the Board annually reviews progress toward achieving the goal, and that the goal help guide the strategic direction of Pennsylvania's Master Plan for Higher Education. The attainment goal was informed by a presentation from the Department of Education on the current educational attainment of Pennsylvania residents and the postsecondary education and training required to support future workforce needs.

Annual Reports

In order to remain well-informed about issues that impact its policymaking, the Board receives regular reports at each of its meetings from the Secretary of Education, the Deputy Secretary for Elementary and Secondary Education, the Deputy Secretary for Postsecondary and Higher Education and the Bureau Director for Career and Technical Education. The Board also requests more in-depth annual reports in certain areas. In 2016, the Board received annual reports from PDE on the status of educator certifications, as required by Chapter 49, and on gifted education complaints and monitoring, as required by Chapter 16. Also, while the Board no longer has governance authority over Act 101 programs, PHEAA continues to offer an annual report on Act 101 programs to the Board and the Board accepted and provided feedback on this report to a representative of PHEAA that appeared before it in November.