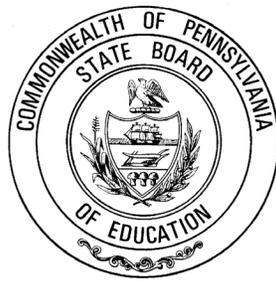


PENNSYLVANIA
STATE BOARD OF EDUCATION



2021 ANNUAL REPORT

January 2022

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 that summarizes the Board's work and actions during the 2021 calendar year. I would like to thank Governor Wolf for entrusting me with the responsibility to serve in this statewide leadership role and for the opportunity to work collaboratively to advance access to high-quality, equitable education for students across the Commonwealth.

The Board looks forward to working with the Wolf Administration and with the General Assembly to ensure that the schools of this Commonwealth meet the needs of all of our children.

Sincerely,

A handwritten signature in cursive script that reads "Karen Farmer White". The signature is written in black ink and is positioned to the right of the word "Sincerely,".

Karen Farmer White, Chair

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 2021 calendar year.

State Board of Education

January 2021

Ms. Karen Farmer White (Pittsburgh)
Chair, State Board of Education

Mr. Noe Ortega
Acting Secretary of Education & Chief
Executive Officer of the Board

Council of Basic Education

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

Hon. Carol Aichele (Malvern)

Mr. Nathan Barrett (Scranton)

Ms. Anne Griffin
Senior Student Member

Dr. Jeffrey Keeling (Hadley)
Hon. Maureen Lally-Green (Mars)

Senator Wayne Langerholc, Jr.
Chair, Senate Education Committee

Representative Mark Longietti
Minority Chair, House Education Committee

Ms. Eva Rankin
Junior Student Member

Dr. A. Lee Williams (Slippery Rock)

Council of Higher Education

Dr. Jonathan Peri (Glen Mills)
Chairman, Council of Higher Education

Mr. James R. Agras (Pittsburgh)

Dr. Jamie Bracey-Green (Philadelphia)

Dr. Nicole Carnicella (Bellefonte)

Ms. Sandra Dungee Glenn (Philadelphia)

Dr. Pamela Gunter-Smith (York)

Representative Curtis Sonney
Chair, House Education Committee

Ms. Taiba Sultana
Junior Student Member

Ms. Jillian Sweigard
Senior Student Member

Senator Lindsey Williams
Minority Chair, Senate Education Committee

Dr. Nicole Hill
PSPC Ex-officio Member

Ms. Karen Molchanow
Executive Director

Ms. Stephanie Jones
Administrative Assistant

State Board of Education

July 2021

Ms. Karen Farmer White (Pittsburgh)
Chair, State Board of Education

Mr. Noe Ortega
Secretary of Education & Chief
Executive Officer of the Board

Council of Basic Education

Dr. A. Lee Williams (Slippery Rock)
Chairman, Council of Basic Education

Hon. Carol Aichele (Malvern)

Mr. Nathan Barrett (Scranton)

Ms. Reva Gandhi
Junior Student Member

Dr. Jeffrey Keeling (Hadley)

Hon. Maureen Lally-Green (Mars)

Senator Scott Martin
Chair, Senate Education Committee

Representative Mark Longietti
Minority Chair, House Education Committee

Ms. Eva Rankin
Senior Student Member

Council of Higher Education

Dr. Jonathan Peri (Glen Mills)
Chairman, Council of Higher Education

Mr. James R. Agras (Pittsburgh)

Dr. Jamie Bracey-Green (Philadelphia)

Sandra Dungee Glenn (Philadelphia)

Dr. Pamela Gunter-Smith (York)

Ms. Sarah Jordan
Junior Student Members

Representative Curtis Sonney
Chair, House Education Committee

Ms. Taiba Sultana
Senior Student Member

Senator Lindsey Williams
Minority Chair, Senate Education Committee

Dr. Nicole Hill
PSPC Ex-officio Member

Ms. Karen Molchanow
Executive Director

Ms. Stephanie Jones
Administrative Assistant

State Board of Education

November 2021

Ms. Karen Farmer White (Pittsburgh)
Chair, State Board of Education

Dr. Noe Ortega
Secretary of Education & Chief
Executive Officer of the Board

Council of Basic Education

Dr. A. Lee Williams (Slippery Rock)
Chairman, Council of Basic Education

Hon. Carol Aichele (Malvern)

Mr. Nathan Barrett (Scranton)

Ms. Reva Gandhi
Junior Student Member

Dr. Jeffrey Keeling (Hadley)

Hon. Maureen Lally-Green (Mars)

Senator Scott Martin
Chair, Senate Education Committee

Representative Mark Longietti
Minority Chair, House Education Committee

Ms. Eva Rankin
Senior Student Member

Council of Higher Education

Dr. Jonathan Peri (Glen Mills)
Chairman, Council of Higher Education

Mr. James R. Agras (Pittsburgh)

Dr. Jamie Bracey-Green (Philadelphia)

Sandra Dungee Glenn (Philadelphia)

Dr. Pamela Gunter-Smith (York)

Ms. Sarah Jordan
Junior Student Members

Representative Curtis Sonney
Chair, House Education Committee

Ms. Taiba Sultana
Senior Student Member

Senator Lindsey Williams
Minority Chair, Senate Education Committee

Dr. Nicole Hill
PSPC Ex-officio Member

Ms. Karen Molchanow
Executive Director

Ms. Stephanie Jones
Administrative Assistant

**There currently are six vacancies on the State Board of Education*

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 of Career and Technical Education and, in this capacity, sets policy and promulgates regulations regarding career and technical education in Pennsylvania at both the secondary and postsecondary levels. The Board met for the first time as the State Board of Career and Technical Education in January 2020 following the passage of Act 76 of 2019 that updated terminology throughout the Public School Code of 1949 by replacing references to “vocational-technical education” with “career and technical education”. Prior to January 2020, the Board was referred to as the State Board for Vocational-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 Career and Technical Education. Ad Hoc and Special 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 typically 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 regulation.

State Board of Education Activity: 2021

Pursuant to Section 2603-B of the Public School Code of 1949, 24 P.S. § 26-2603-B, the State Board of Education (Board) is pleased to provide a report on its activities for the year 2021.

Master Plan for Higher Education

The Public School Code of 1949 directs the Board to adopt a Master Plan for Higher Education every ten years for the purpose of providing guidance to the Governor, the General Assembly, and all higher education institutions that are financed wholly or in part by state appropriations. The Public School Code tasks the Board's Council of Higher Education with developing a new Master Plan for adoption by the Board.

In January of 2021, the Council of Higher Education (Council) initiated an effort to update the Master Plan for Higher Education. In determining how to structure its work to develop a new Master Plan, the Council reviewed the requirements for a Master Plan set forth in statute and discussed strategic priorities around which a new Plan would be centered. The following five strategic priorities were identified:

- 1) Increase credential completion to meet the Commonwealth's need for talent
- 2) Erase equity gaps in postsecondary access, progression, and completion by race, ethnicity, income, age, and geography
- 3) Increase college affordability for all Pennsylvanians
- 4) Innovate and redesign postsecondary institutions for today's learners
- 5) Increase transparency on the value of postsecondary credentials to individuals, communities, and the Commonwealth

The Council also appointed an Advisory Committee to consult with in the development of a new Master Plan. The 11-member Master Plan for Higher Education Advisory Committee is comprised of representatives of all unique sectors of higher education in the Commonwealth, voices from Pennsylvania's workforce development community, the Department of Labor and Industry, and the Department of Education. The Advisory Committee and the Council hold joint working sessions bimonthly with each session focused on one of the five strategic priorities around which a new Master Plan will be centered. Working sessions of the Council and the Advisory Committee are open to the public and will continue into 2022.

Finally, the Council also reviewed a provision in the Board's authorizing statute that grants the Board the power to request the submission of long-range plans for institutions of higher education and to review such documents in the development of a new Master Plan. In August of 2021, the Council invited all institutions of higher education in Pennsylvania to share publicly available links to their most recent institutional strategic plan, annual plan, or similar

document. The Council further invited institutions to also include links to dashboards with outcomes metrics developed to accompany the institutional strategic plan, annual plan, or similar document and links to other relevant resources associated with those items. Submissions received from institutions of higher education will be reviewed by the Council in the development of a new Master Plan.

High School Graduation Requirements

In September 2021, the Board received a recommendation from the Secretary of Education to expand the extenuating circumstances under which a student may qualify for a waiver of state graduation requirements to include the COVID-19 pandemic on a time-limited basis. The recommendation was presented to address circumstances stemming from changes in the 2019 and 2020 state testing windows, instituted as part of COVID-19 mitigation efforts, that created a situation for a small but not insignificant number of students who would be limited in their opportunities to meet state graduation requirements established in Act 158.

Under Act 158, a superintendent may issue a graduation waiver for students in grade 12 or to accommodate a student with extenuating circumstances. The Secretary can recommend, and the State Board of Education can approve, additions to the list of extenuating circumstances set forth in Section 121 of the School Code. Secretary Ortega recommended that the Board approve the COVID-19 pandemic as an extenuating circumstance under Section 121 for students in the graduating classes of 2023, 2024, and 2025 to allow local school entities to provide an additional option to students most effected by the pandemic in order to select the appropriate graduation pathway before late into their junior year.

In presenting the Secretary's recommendation to the Board, Department staff provided background that the class of 2023, current 11th graders, will be the first to graduate under Act 158 and that any of those students, because of cancelled or delayed testing windows, may not have sufficient time to demonstrate proficiency in the Proficiency or Composite graduation pathways. Department staff noted that if those students are not enrolled in certified CTE programs, only two of the five pathway options would be available to them – the Alternate Assessment or Evidence Based Pathway. Additionally, the Department explained that many of the work-based learning opportunities students may use as evidence for graduation were limited because of COVID-19 mitigation efforts in their communities.

Act 136 offered relief to students who were scheduled to take state assessments in the 2019-20 school year through the form of a non-numerical proficient waiver for students who passed grade-based course requirements. This eliminated only one option, the Composite Pathway, for that cohort of students. However, Act 136 stated the waiver was available only in years in which the U.S. Department of Education waived state assessments. In 2020-21, state

assessments were delayed, but not waived. This left a cohort of students with only two graduation pathway options.

The Board considered the Secretary's recommendation and deliberated on whether there was a need to establish such a waiver to address circumstances stemming from changes in the 2019 and 2020 state testing window. In September 2021, the Board approved adding the COVID-19 pandemic as an extenuating circumstance for waivers under Section 121 of the Public School Code for students in the graduating class of 2023 only.

Chapter 49 (Certification of Professional Personnel)

In 2021, the Board continued work on a major review of 22 Pa. Code Chapter 49 (Certification of Professional Personnel), culminating in the adoption of final-form amendments to the regulation in September of 2021. The final-form amendments adopted by the Board will be transmitted for the next steps in the regulatory review process, which includes review by the House Education Committee, Senate Education Committee, Independent Regulatory Review Commission, and the Office of Attorney General. Those next steps in the regulatory review process will carry into 2022.

Final-form amendments to Chapter 49 reflect input from a wide array of stakeholders collected at different points in time as modifications continued to be made to the proposal in response to their feedback. The Board initiated a required major review of the Chapter by accepting a set of draft recommended amendments from Secretary Rivera on its agenda for consideration. In 2019, the Board's Teacher and School Leader Effectiveness Committee conducted four public hearings on the Secretary's recommendations in Philadelphia, Harrisburg, Lock Haven, and Allegheny County. The Board reviewed and considered testimony delivered at these hearings, along with additional comments submitted in writing. Feedback on the Secretary's recommendations was received from faculty at schools of education, teachers, school administrators, school directors, parents, and other diverse stakeholders.

After considering the Secretary's recommendations and reviewing related stakeholder feedback, the Board presented refinements to the Secretary's proposal and deliberated on those draft proposed amendments at a public meeting. The Board adopted proposed amendments to Chapter 49 in July 2020. The proposed rulemaking was published for public comment between late 2020 and early 2021, and the Board spent the beginning of 2021 considering additional stakeholder feedback submitted in writing during the comment period. The Board made additional amendments in response to feedback received during the public comment period, and those amendments were adopted in the final-form amendments approved by the Board in September of 2021.

The majority of amendments in the final-form rulemaking are technical to align the regulation to statutory changes, clarify ambiguous language, and update language for relevancy. Among the substantive changes, the Board is establishing new training requirements to ensure that all educators have a foundation in culturally relevant and sustaining education (including mental wellness, cultural awareness, and trauma-informed approaches to instruction), structured literacy, and professional ethics. Final-form amendments to Chapter 49 require individuals preparing to enter the education profession to receive preservice instruction in those competencies, and also require professional development in those same competencies for current classroom educators. Amendments to the final-form rulemaking clarify the scope of educators required to receive training in structured literacy to include educators who are pursuing or who hold a certificate in Early Childhood, Elementary/Middle, Special Education PreK-12, English as a Second Language, and Reading Specialist.

Chapter 4 (Academic Standards and Assessment)

In September 2020, the Board adopted proposed amendments to 22 Pa. Code Chapter 4 (Academic Standards and Assessment). The proposed rulemaking made both substantive and technical revisions to Chapter 4. Technical revisions conform certain provisions of the regulation with statutory changes enacted by the General Assembly to high school graduation requirements, compulsory school age, and terminology replacing references to “vocational-technical education” with “Career and Technical Education.”

Substantively, the rulemaking replaced the Commonwealth’s current *Academic Standards for Science and Technology* (2002) and *Academic Standards for Environment and Ecology* (2002) with the *Pennsylvania Integrated Standards for Science, Environment, Ecology, Technology and Engineering (Grades K-5)*, *Pennsylvania Integrated Standards for Science, Environment and Ecology (Grades 6-12)*, and *Pennsylvania Technology and Engineering Standards (Grades 6-12)*. The proposed new standards were developed by external groups of content experts that were appointed by the Board to serve in an advisory role, and further were informed by statewide stakeholder outreach conducted by the Department of Education. The Board committed to providing the field with a three-year window to fully integrate the new standards into classroom instruction and proposed that the new standards would take effect on July 1, 2024.

The Board sought to update the state’s academic standards for science to align our standards with current research and best practices in science education. The Board also recognized that, since Pennsylvania’s current science standards were adopted in 2002, 44 states and the District of Columbia have updated their science standards to align with seminal documents on current research and best practices in science instruction. Since that time, 20

states and the District of Columbia adopted the Next Generation Science Standards and another 24 states adopted standards based on the same framework.

Proposed amendments to Chapter 4 were published for public comment in June of 2021, and the Board spent the next few months considering stakeholder input on its proposal. In September of 2021, the Board's Academic Standards/Chapter 4 Committee held a public meeting to discuss next steps in responding to concerns raised during public comment. Commentators raised concerns about whether certain content relevant to Environment, Ecology, and Agriculture either was omitted or weakly linked in the proposed new academic standards. Other commentators asked the Board to consider refinements to content addressed elsewhere in the proposed new standards.

To address concerns raised by stakeholders specific to the content of the proposed new standards and to facilitate building consensus surrounding those concerns, the Academic Standards/Chapter 4 Committee adopted a charge that directed the Department of Education to reconvene the Science Standards Content Committee and Steering Committee, external teams of content experts previously designated by the Board, to develop additional recommendations for the Committee's consideration. On December 1, the Academic Standards/Chapter 4 Committee held a special meeting to receive recommendations from those teams of content advisors. The recommendations currently are under consideration by the Board and were posted for review on the Board's publicly accessible website. Work to develop a final-form rulemaking will continue into 2022.

Private School Accreditation

The Pennsylvania Association of Independent Schools (PAIS) serves as an approved accreditor of nonpublic and private schools through authority granted by the Board under the Private Academic Schools Act. PAIS submitted a petition to the Board seeking to amend certain aspects of its existing approval to serve as a nonpublic and private school accrediting authority in order to address disruptions to its accreditation process caused by the Covid-19 pandemic. In its petition, PAIS requested to amend its schedule for completing accreditation reviews for its members schools in good standing for one year from 2021-2022 forward. The Board approved PAIS's petition in January of 2021.

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 Committee is comprised of higher education faculty, textbook publishers, college booksellers, postsecondary students,

members of the General Assembly, and the Deputy Secretary for Postsecondary and Higher Education. The Advisory Committee is tasked with issuing a report to the Governor and the General Assembly with recommendations to improve college textbook affordability and accessibility. With the support of the Department of Education, the Advisory Committee has continued to meet quarterly since its inception to consider these issues and, per statute, to update its report every three years. An updated report from the Advisory Committee was presented in November of 2021 and transmitted to the Governor and the General Assembly. The updated report also is posted publicly on the Board's website.

Washington Township Independent School District

In March of 2021, the Board took procedural steps necessary to grant the transfer of the Washington Township Independent School District (WTISD) from the Dover Area School District (Dover) to the Northern York County School District (Northern York) as directed by Commonwealth Court. The matter involved an application filed by residents of Washington Township in York County seeking to transfer the township from Dover to Northern York. The Board considered and conducted proceedings on WTISD's application over a number of years and disapproved WTISD's application for transfer. Upon appeal by the petitioners, Commonwealth Court issued an opinion in June of 2020 reversing the Board's order to disapprove the transfer. Dover then sought to appeal the opinion issued by Commonwealth Court reversing the Board's order, and the Supreme Court of Pennsylvania declined to hear Dover's appeal in the matter. As such, the Board took action to grant the transfer consistent with the terms established by Commonwealth Court. In its opinion, Commonwealth Court set forth that the transfer would take effect in the 2021-2022 school year.