

**MINUTES
STATE BOARD OF EDUCATION
COUNCIL OF BASIC EDUCATION**

**333 Market Street | 1st Floor
Harrisburg, PA 17126**

January 13, 2016

The meeting was called to order at 1:55 p.m. by Chairman James Barker.

Attending:

Carol Aichele	Sandra Dungee Glenn	Donald LeCompte
Jay Badams	James Grandon	Mollie Phillips (<i>via phone</i>)
James Barker	Kirk Hallett	Joshita Varshney
Nicole Carnicella	Maureen Lally-Green (<i>via phone</i>)	Karen Farmer White
		Larry Wittig

APPROVAL OF MINUTES

The minutes of the November 18, 2015, meeting of the Council of Basic Education were approved on a **Aichele/Farmer White** motion.

**REPORT OF THE DEPUTY SECRETARY FOR
ELEMENTARY AND SECONDARY EDUCATION**

Deputy Secretary Matthew Stem presented a report framed around how the work of his office is meeting the Department's broad goals and fits into PDE's overall mission.

Goal 1

Providing quality resources and supports that assist schools in preparing students to be College and Career Ready.

Mr. Stem reviewed updates made to the Comprehensive Planning web application to make the tool more user-friendly and to incorporate a section on safe and supportive schools, among other changes. The Deputy Secretary also announced two online initiatives related to English language learner (ELL) students. First, Mr. Stem said PDE is piloting an online tool for differentiating instruction and assessment based on students' English language proficiency. Second, Mr. Stem announced Access 2.0, a new English language proficiency assessment that is aligned to the state's Career Education and Work Standards.

Related to students with disabilities, Mr. Stem announced a field test of a new application for mobile devices as part of the "21 and Able" project, a collaborative effort between PaTTAN and the United Way of Allegheny County. The pilot will test a checklist designed to situate the critical considerations that transition-aged youth with disabilities need to take into account in

order to prepare for postsecondary outcomes including employment. Mr. Stem also discussed Rehabilitation for Empowerment, Natural Supports, Education and Work (RENEW), an evidence-based intervention to support post-school outcomes for youth with disabilities.

Next, the Deputy Secretary reported on the Safe Schools Grants awarded by PDE in five different award categories. Mr. Stem also provided an update on PDE's bullying prevention hotline. He said flyers on bullying prevention will be distributed to doctor's offices as another avenue for disseminating information about the hotline.

James Grandon thanked the Deputy Secretary for his report on efforts to support ELL students. Mr. Grandon spoke to his involvement with an ELL program in the city of Harrisburg and said we need to support ELL students to meet the country's needs.

Goal 2

Ensuring that assessment and accountability systems are aligned to College and Career Ready student outcomes, incentivize effective practices at the school level and provide meaningful indicators of success.

Deputy Secretary Stem reported that nominations for Blue Ribbon Schools were submitted to the U.S. Department of Education and that schools would be recognized either for exemplary high performance or exemplary growth. The Deputy Secretary also addressed attribution map updates that provide guidance on how student assessment results will be counted for performance and participation rate based on specific student situations. Finally, he addressed the administration of Keystone Exams and said PDE staff conducted on-site monitoring of the exams as part of 30 site visits during the December 2015 testing window. Mr. Stem said he anticipated staff would conduct an additional 41 monitoring visits during the January testing window.

Goal 3

Creating systems that foster the ongoing growth and development of all Pennsylvania educators.

Mr. Stem highlighted select content delivered at the Standards Aligned Systems (SAS) Institute hosted by the Department on December 6-8, 2015, and noted other professional development activities supported by PDE. The Deputy Secretary also profiled a number of enhancements made to the SAS web portal that will provide educators with integrated classroom tools, enhance collaboration among educators across the Commonwealth, and allow for efficient access by mobile devices among other improvements.

Goal 4

Increase the collaboration between families, schools, postsecondary education and training and business/industry partners to align instruction with workforce needs and emphasize the value of vocational/technical skills.

Mr. Stem addressed the Department's efforts related to migrant education and outreach conducted during the Pennsylvania Farm Show and the Fruit and Vegetable Show. He also noted the Department's work related to the Pennsylvania Secondary Transition Guide.

Deputy Secretary Stem concluded his report by extending congratulations to two Pennsylvania educators who recently were recognized for their accomplishments – Rebecca Foxwell of the Northern Lebanon School District, who was named Pennsylvania’s 2016 Teacher of the Year, and Anthony Angelini of the Conewago Valley School District, a Milken Award recipient.

Upon time for discussion, Dr. Nicole Carnicella asked how we get rid of the stigma associated with vocational education and help students recognize it as a path to good paying jobs. Dr. Wil Del Pilar, Deputy Secretary for Postsecondary and Higher Education, said one approach is to re-think stackable certificates globally. Mr. Grandon asked what business and industry can do over the next twelve months to be part of the solution. Deputy Secretary Stem said PDE is partnering with the Department of Labor and Industry on a plan to connect industry partners to schools. Mr. Barker commented that vocational schools have been redefined and evolved their curriculum.

INFORMATION/DISCUSSION

Proposed Revisions to Chapter 11 (Immunizations)

Dr. Carnicella, Chair of the Committee on Chapter 11, announced that the Committee met earlier in the day and approved proposed changes to Chapter 11 that would amend a provision related to immunization requirements for student attendance to reflect proposed changes to immunization requirements in regulations of the Department of Health (DOH). Dr. Carnicella said the Committee received a detailed presentation from DOH on the changes proposed to Health’s immunization regulations. She said the revisions are being pursued to ensure a higher level of herd immunity to protect citizens from the spread of infectious disease.

Dr. Carnicella then provided background on the current regulations. She noted that the Secretary of Health is responsible for identifying what immunizations a child must receive before being admitted to school for the first time and that current DOH regulations identify required immunizations, define schools’ responsibilities for determining and reporting whether children have obtained those vaccines, and establish a period for provisional admission to school for children not in compliance. Current health regulations also provide for both medical and religious exemptions from immunizations, and Dr. Carnicella said no changes are proposed to those exemptions. Dr. Carnicella said the Board’s regulations on the admission of non-immunized students are more limited in scope. Section 11.20 of Chapter 11 cross-references Health’s immunization requirements as a condition of attendance; also provides for an eight-month provisional admission period for students not in compliance; also establishes responsibilities for schools to monitor that provisionally-admitted students become up-to-date with immunizations by reviewing student plans every 60 days; and sets forth a financial penalty for schools that admit students in violation of immunization requirements.

Dr. Carnicella then reviewed key elements of the proposed changes. She said changes to DOH regulations would require students to receive an additional dose of the vaccine for tetanus, diphtheria and whooping cough in seventh grade and require students to receive an additional dose of the vaccine for meningitis in 12th grade. Other key changes would scale back the eight-month provisional admission period to five school days from a child’s first day of attendance. Children who do not receive an immunization for which only one dose is required could be excluded from school. For immunizations that require multiple doses, Dr. Carnicella said children would need to receive at least the first dose prior to school entry and would need to

complete one of the following during the provisional admission period: 1) receive the final dose of the required vaccine; 2) receive the next required dose and obtain a certificate from a health care provider scheduling the remaining doses; or 3) obtain a certificate from a health care provider scheduling the remaining doses if it would be medically inappropriate for a child to receive the next needed dose during the provisional admission period. She said the proposal also would change the timeframe for schools to monitor whether a student is meeting immunization requirements by requiring school administrators to review a students' medical certificate every 30 days rather than every 60 days.

Dr. Carnicella said DOH's proposal includes special provisions that also address the unique circumstances of homeless students and children transferring into the Commonwealth from other states or other countries who may not have timely access to their records. She said the revisions also would establish a temporary waiver to immunization requirements that could be issued by the Secretary of Health either due to a nationwide vaccine shortage or in the event of a disaster.

Dr. Carnicella said proposed revisions to Section 11.20(a) of Chapter 11 simply clarify that attendance at a public, private, nonpublic, special education or vocational school is subject to satisfying the immunization requirements set forth by DOH, and also reference the concept of a temporary waiver that would be newly established in DOH regulations. The revisions also would remove the current section 11.20(b) because it is duplicative to DOH's regulations. Dr. Carnicella said students would still be eligible for provisional admission to school and schools would continue to be responsible for reviewing plans to bring students into compliance with immunization requirements, however, the timeframes for provisional admission and for conducting reviews would be condensed under proposed revisions to DOH regulations. Finally, Dr. Carnicella said Chapter 11 would maintain a current provision that sets forth a financial penalty for schools that permit the attendance of students who are in violation of immunization requirements.

Dr. Carnicella said the Council would be asked to entertain a motion to approve the proposed amendments to Chapter 11 later in the meeting and she invited discussion on the proposal by her colleagues.

Dr. Barker asked Jay Badams and Deputy Secretary Stem if they were comfortable with the proposed changes. Dr. Badams commented that there will be implementation and compliance challenges, but said he understood the notion of needing to improve herd immunity. Mr. Stem said schools will need to stay on top of monitoring that requirements are met and that balancing out public health needs is an important consideration.

Dr. Carnicella wondered whether addressing immunizations at the time of school registration would help to alleviate potential challenges with the start of school. Dr. Badams responded that in his district some registrations come in well after the school year has begun. Dr. Carnicella said late registrations are not an issue in her area and that, in that case, the proposed five-day provisional period seems shaky.

Mr. Grandon stated that August is the busiest month in the real estate business due to families wanting to get into new homes before the start of the school year. He said he was unsure

whether a five-day provisional period would provide enough time for families in that circumstance who may need to address immunization requirements. He expressed concern that meeting the requirements within that timeframe may get lost among the other demands that are associated with moving.

Mr. Badams said not many students arrive in his district with no immunizations at all, but are more likely to not have completed all required immunizations. He then stated that schools face a catch 22 as they are held accountable for attendance at the same time they are responsible for excluding students who do not meet immunization requirements.

Mollie Phillips expressed concern that the proposed five-day provisional period would cause schools to turn away some children, effectively penalizing the child for no fault of their own. Carol Aichele also echoed implementation concerns related to the five-day provisional period.

Mr. Barker asked whether the Council's next step would be to offer an amendment to Chapter 11 and what options were available to the Council. Karen Molchanow, Executive Director of the Board, said the substance related to immunization requirements and the provisional admission period comes out of DOH regulations and, as such, an amendment to address the Board's concerns would come through revisions to DOH's proposal. She said the Council could submit public comment on DOH's proposed regulations or adopt a resolution expressing its sense that additional thought be given to the proposed provisional period. She also noted that approval of the draft revisions to Chapter 11 before the Council would advance the proposal for formal consideration through the regulatory review process, which includes opportunities for public comment and review by other state agencies, and would not constitute final action on the regulation. Mr. Grandon spoke in favor of adopting a motion to express the sense of the Board that additional consideration be given to the provisional admission timeframe. Upon concurrence by his colleagues, Dr. Barker directed Board staff to draft a motion for consideration by the State Board of Education at its meeting on January 14, 2016.

PUBLIC COMMENT

There was no public comment.

ACTION ITEM

PROPOSED CHAPTER 11

A motion to approve proposed revisions to Chapter 11 was made by Karen Farmer White and seconded by Jay Badams.

VOTE: All were in favor as indicated by unanimous voice vote.

ANNOUNCEMENTS

There were no announcements.

ADJOURNMENT

There being no further items of business, the meeting was adjourned at 3:25 p.m. on a **Barker/Aichele** motion.

A handwritten signature in cursive script that reads "Stephanie Jones". The signature is written in dark ink and is positioned above a horizontal line.

Stephanie Jones
Administrative Assistant