

**MINUTES
STATE BOARD OF EDUCATION**

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

November 14, 2019

The 353rd meeting of the State Board of Education was convened on Thursday, November 14, 2019. Public notice of the meeting was made in accordance with the Sunshine Meeting Act of 1986. The meeting was called to order at 8:34 a.m. by Chair Karen Farmer White.

Attending:

Carol Aichele
James Barker
Nathan Barrett
Jamie Bracey-Green (*via phone*)
Nicole Carnicella

Sandra Dungee Glenn
Anne Griffin
Pamela Gunter-Smith
Kirk Hallett (*via phone*)
Jeffrey Keeling
Sen. Wayne Langerholc (*via phone*)

Jonathan Peri
Rep. James Roebuck (*via phone*)
Rep. Curt Sonney
Ashley Svec
A. Lee Williams
Karen Farmer White

APPROVAL OF MINUTES

The minutes of the September 11, 2019, meeting of the State Board of Education were approved on a **Dungee Glenn/Barrett** motion.

COMMITTEE REPORT
SPECIAL COMMITTEE ON THE ERIE COUNTY COMMUNITY COLLEGE PLAN

Dr. Lee Williams, Chair of the Special Committee on the Erie County Community College Plan, reported that the Committee met on November 13, 2019, to formulate a recommendation on Erie County's plan to establish a new community college. A report from the Committee providing two different perspectives on whether the Plan meets the requirements of the School Code and the Department of Education's report of its findings on the Plan were provided to Board members. Dr. Williams then reviewed the Board's legal responsibilities for consideration of community college plans under Section 1902-A of the School Code, as well as the standards established in that section of the Code. Dr. Williams noted that three factors – sufficient population to sustain enrollment, sufficient local wealth, and inadequate service to the region by existing higher education providers – must be met in order for the plan to be approved.

Dr. Williams said Gov. Wolf submitted a response to the Board on consultation required by the School Code regarding the number of community colleges that can be approved for participation in the ensuing fiscal period. She said Gov. Wolf's letter indicated that the state can support another community college. All Board members were provided a copy of the Governor's communication.

Dr. Williams stated that the School Code does not require a proposed community college to be the most effective means of meeting the community's identified needs and that the Board's role is not to determine whether there are other more effective modes of instructional delivery.

She reported that the Special Committee recommended that the Board schedule a hearing at which time Erie County could present witnesses and the Board could pose questions to the County on the elements of its Plan. Dr. Williams said the Committee felt that process would be respectful of all participants and would ensure the Board has the necessary information to make an informed decision based on the legal requirements of the School Code. She then reviewed activity conducted by the Committee in its review of the Plan, including a recent public meeting at which the Department of Education presented its findings on the Plan and an additional request for supplemental information on the county's Regional Career and Technical Center.

Dr. Williams summarized the content of the majority opinion in the Committee's report that found Erie County's Plan met the requirements of the School Code. Dr. Nicole Carnicella then summarized the contents of the minority opinion in the Committee's report. Dr. Carnicella expressed support for a hearing on the Plan as a means of asking questions of parties who may share information outside of what was presented in the county's Plan.

Thomas Howell, counsel to the Board, provided an overview of the legal options available to the Board. Mr. Howell said the Administrative Agency Law (AAL) would govern process and noted that the county likely would be entitled to a hearing under the ALL if its plan was not accepted and that a hearing need not be deferred until such a vote occurs. As a first matter, Mr. Howell said the Board may wish to consider whether to accept or reject the Committee's recommendation.

Dr. Peri asked Mr. Howell to address the Board's opportunity to conduct its own inquiry as part of a hearing and whether there would be an opportunity to hear from parties other than the county. Mr. Howell provided guidance on presenting questions to the proponent at the hearing and stated that there would be an opportunity to gain information outside of the record if other parties seek to intervene to participate in hearing.

Sandra Dungee Glenn sought clarification that the Board would still be bound to the standards in the School Code if the Board proceeded to a hearing. Mr. Howell said the Board's determination must be based on the factors delineated in the School Code. Ms. Dungee Glenn said, from her vantage point, she believed the Board had enough information and that a hearing was not necessary. She said the Department and the Committee determined that the county has sufficient population, a reasonable financial plan, and an unmet educational need. Further, she said the Governor expressed personal support and indicated that there is room for the state to support another community college. She noted that the Board has the option to reject the Committee's recommendation and present a motion to act on the Plan.

Dr. James Barker spoke in support of the community college and said there is enough room for a variety of postsecondary providers in Northwest Pennsylvania. He said Northwest Pennsylvania suffers daily from high poverty and lack of educational opportunity.

Dr. Peri noted that Dr. Carnicella suggested that job needs in Erie County do not require an Associate Degree and questioned how we stop the brain drain if a community college is approved in that context. Dr. Williams said the Committee heard comments from businesses in Erie that have jobs available now and expressed a preference for the rigors of training in a community college setting. While those comments are not part of the record for the Board's decision-making, Dr. Williams said they provide context for the need for the institution.

Dr. Carnicella expressed concern over duplication of services between the proposed community college and existing programs at other postsecondary providers in the region. She stated that you can't compare the total ticket price at other schools to the proposed tuition at the community college and said other contextual information cannot be used right now because it's not part of the record before the Board. She questioned whether it makes the most sense to provide assistance to Erie County by creating a new school or by taking money that would support a new school and using it to provide grants to students to attend existing postsecondary institutions.

Dr. Pamela Gunter-Smith spoke to the positive generational effects providing educational opportunities has on families. She reiterated that regardless of how passionate we are about education, the Board must consider the community college issue using the factor delineated in the School Code.

Dr. Williams stated that whether Erie County is adequately served by existing postsecondary institution isn't just about whether there is a program available, but whether program offerings match the needs of students. She said the Committee look at access, affordability, and program offerings that include things like counseling and face-to-face advising that typical community college students would benefit from and that aren't necessarily provided elsewhere. Dr. Williams concluded that reflections on adequacy of existing postsecondary program may look different through that lens that by a numeric comparison.

COMMITTEE REPORT **SPECIAL COMMITTEE ON PRIVATE SCHOOL ACCREDITATION**

Dr. Jonathan Peri provided a report on the November 13, 2019, meeting of the Special Committee on Private School Accreditation. The Committee met to consider an application for renewal of AdvancED's authority to serve as an approved private and nonpublic school accrediting authority. Dr. Peri noted that AdvancED recently changed its name to Cognia.

Monica Washington, Director of the School Services Office, presented the Department of Education's (PDE) findings on Cognia's renewal application. The application was reviewed consistent with the Statement of Policy in Chapter 52 and evaluated the following aspects of Cognia's accreditation protocols: self-study process; readiness review and candidacy status; engagement review site visit; standards review; monitoring; investigation of complaints; and background clearances. Overall, Dr. Peri said PDE found that Cognia had strong accreditation protocols and the application was rated as Good Quality. A copy of the Department's written report on Cognia's application was provided to all Board members.

Dr. Peri said the Special Committee agreed with the Department's findings and unanimously adopted a recommendation that the Board approve Cognia's application to continue

under its current scope of accrediting authority for another five years. Dr. Peri noted that Cognia's application would be called up for action later in the meeting and provided an opportunity for Board members to ask questions about the application.

REPORT OF THE SECRETARY OF EDUCATION

Secretary Pedro Rivera provided a report on the following topics:

Career Ready PA

Secretary Rivera noted that Pennsylvania's future depends on having a well-educated and skilled workforce prepared to meet the current and projected demands of a global, knowledge-based 21st century economy. To address this need, PDE developed the Career Readiness State Training Support Plan. Secretary Rivera said the goal of the plan is to provide educators with access to professional development training opportunities that deliver the methodologies needed to prepare students for postsecondary success. During October 2019, PDE facilitated a series of forums across the state to bring a variety of education and workforce stakeholders together to focus on strengthening partnerships to advance career pathways for learners specifically focusing on cross-sector collaboration.

PAsmart Grants

The Secretary said career readiness is further supported through the PAsmart initiative, and noted that availability for year two of this grant program will be announced soon. Mr. Rivera said the grants help expand access to quality STEM and Computer Science instructional programs across the state. In 2019, \$18 million was awarded through Targeted Grants, that support establishing new programs, and Advancing Grants, that support existing working programs. To date, the grants have support training educators at more than 750 schools to teach computer science.

Teacher in the Workplace Grants

Secretary Rivera provided an update on the Teacher in the Workplace Grants that are administered through a partnership with the Department of Labor & Industry. He announced that \$5 million in grants is available to enable teachers to visit local employers and learn the skills and industry trends that will enhance their classroom instruction, student learning, and career readiness.

REPORT OF THE PROFESSIONAL STANDARDS AND PRACTICES COMMISSION

Dr. Nicole Hill provided her inaugural report as the Professional Standards and Practices Commission's (PSPC) new ex-officio member of the Board. She shared that the PSPC will meet on November 18 at which time it will consider 41 disciplinary cases and one reinstatement petition. Dr. Hill said the PSPC also plans to discuss additional detail related to the recommendations that the Commission submitted to the Board on Chapter 49, and said the PSPC will submit a formal response to the Board with those additional details.

REPORT OF THE OFFICE OF CHIEF COUNSEL

Sarah DiRito, Assistant Chief Counsel with the Department of Education, explained the role the Office of Chief Counsel (OCC) plays in conjunction with the PSPC to receive, review, and prosecute educator misconduct complaints. As an interested party, Ms. DiRito said the OCC files between 65%-70% of all educator misconduct complaints based upon information received from a variety of sources including the Pennsylvania Justice Network, mandatory reports filed primarily by chief school administrators, and information received through a clearinghouse with reciprocal discipline information from other jurisdictions.

Ms. DiRito noted that the OCC has 2,393 open educator misconduct complaints, approximately 18% of which are high-priority. She discussed the process that the OCC uses to bring complaints to resolution. Ms. DiRito further shared that OCC attorneys took advantage of resources available related to clergy abused and compared those reports the Teacher Information Management System to further refine the list of individuals who are educators. This effort identified 22 living individuals over whom PDE maintains jurisdiction.

Dr. Peri asked whether the backlog of open cases has decreased since OCC has increased its staff complement. Ms. DiRito replied that the number of open cases has increased slightly by about 100, and noted that their focus has been to move high-priority complaints forward for professional discipline.

PUBLIC COMMENT

Kathy Dahlkemper, Erie County Executive, said Erie County has waited long enough and the time is now for the Board to approve the county's community college plan. She said PDE found that the application met all legislative requirements were met. Ms. Dahlkemper said the county has demonstrated that it can fund a community college, that it has the necessary population base to support a community college, and that PDE confirmed in its report that Erie's population is not adequately served by existing institutions of higher learning. Ms. Dahlkemper said the community college plan has great community support from business leaders, economic leaders, faith leaders, students, and more. Regarding the Northern Pennsylvania Regional College (NPRC), Mr. Dahlkemper said that NPRC leadership has repeatedly stated that it is not a community college and she explained why the NPRC does not meet the definition of a community college under the Community College Act of 1963. She further stated that the Board has no oversight of the NPRC and noted that the NPRC was reviewed by PDE it is report and found to be more expensive then the proposed community college. Ms. Dahlkemper said a community college is the missing link to Erie County's competitiveness, and she implored the Board to approve the plan now.

Joseph Maloney, a Certified Public Accountant who has worked on Erie's community college proposal since 2010, shared that he rejected the plan developed in 2010 because he did not believe the financial information met the requirements of a community college. Mr. Maloney stated that financial information in the current plan has been proven to be correct and said the cost equals what an average community college is spending per student. He stated that the Northern Pennsylvania Regional College had 30.5 full time equivalent students in the year ending June 30, 2019 and that its cost was \$3.4 million, equaling a cost of \$113,000 per student. Mr. Maloney suggested that such a comparison should be looked at. He concluded by stating that

the numbers in the proposed community college plan have been vetted to work for the institution and that Erie County has the financial resources to support it.

Roy Church, former President of Lorain County Community College in Ohio, stated that he was asked to study Erie County's educational program needs. Mr. Church said the need for a community college in Erie is due, in part, to changing needs of the economy in Pennsylvania and the impact of the digital revolution. Mr. Church stated that 65% of jobs in the next decade will require a form of post-secondary credential, and that Erie County has less than half of that prepared workforce today. He said the challenge facing the county is taking education to scale to meet economic needs. Mr. Church said his curriculum group looked at creating 7 different pathways connected to the STEM-related fields of the future, not just as course names. He said it is important to recognize that education is a continuum and, as a whole, Erie is missing opportunities to earn associate degrees on that continuum. Mr. Church shared that he also considered the question of who is going to fill the pipeline of Erie's future prepared workforce. He stated that students from the top two economic quintiles are going to college today, but students in the lower economic quintiles are disproportionately represented in higher education and tend to have more barriers to postsecondary success. Mr. Church argued that the community college plan was designed to provide for intensive, hands-on educational strategies to allow students from the lower economic quintiles to succeed in education and have entry into the job market of tomorrow

Ron DiNicola, Co-founder of Empower Erie, commented that the NPRC's plan involves no costs to the local community. Mr. DiNicola said the NPRC has not absorbed those costs; rather, they have transferred those costs to students. Mr. DiNicola stated that it has been decades since a community college has been proposed in Pennsylvania. He said community colleges act as workhorses for economic development and socio-economic mobility and, in Erie, would provide pathways for the most vulnerable citizens and displaced workers. Mr. DiNicola said Erie desperately needs a community college with local governance so it is responsive to the needs of the community. He said the county invested great effort in creating a state-of-the-art plan and requested that the matter be taken to a vote.

Tim Hunter, President and CEO of McInnis Rolled Rings, a manufacturing company in Erie, said his company pays great wages and benefits and has doubled the size of its plant and equipment in recent years. Mr. Hunter said manufacturing is very much alive at companies like McInnis and other manufacturing businesses employ 21,000 people and represent over 20 percent of the county's GDP. Mr. Hunter said Erie is fighting a skills gap and a wave of retirements in the thousands. He stated that Erie County does not have the educational pathways to fill the existing skills gap, let alone pending retirements, and reiterated that he would not be here if what the county has was working. Mr. Hunter said meeting the needs of business is a real problem that requires the establishment of a community college to provide an at-scale solution. He endorsed the community college for its local governance and local career pathways and noted that, in 2017, the Erie Regional Chamber, Manufacturing Business Association, and Erie Regional Manufacturing Partnership all passed resolution in support of the proposed college. Mr. Hunter stated his clients and competitors across the nation are integrated with community colleges for training, and said the proposed college is needed to support Erie's economy.

Mike Batchelor, President of the Erie Community Foundation, said local manufacturers and employers hold a common and consistent concern about the lack of a trained workforce. Mr.

Batchelor surmised that they have the jobs, but they can't find qualified people to fill them. In turn, he said local non-profit leaders that have the people, but cannot find the jobs. Mr. Bachelor said the only way to address Erie County's workforce development and poverty issues at-scale is the establishment of a free-standing community college. He noted that he has been at the center of community decision-making in Erie for 30 years and called the coalition supporting this effort unprecedented. Mr. Batchelor said the Foundation made a grant of \$4 million to support the proposed college and that the Foundation looks forward to future grant-making in support of this vital project. He said the criteria to establish the college have been met and urged the Board to hold a vote today to support this effort and give those less fortunate a pathway out of poverty.

Kathy Fatica spoke as a representative of Erie County Council and recognized fellow Council member Carl Anderson who was seated in the audience. Ms. Fatica has been an advocate for a community college in Erie for over a decade. As a public health nurse serving clients in urban, suburban and rural communities, Ms. Fatica said she recognizes the economic, academic and technical training void in the County. Ms. Fatica shared a conversation she overheard while working as a school nurse in an inner-city elementary school when a young mother inquired about where she could obtain her GED so that she could be ready for the community college. Ms. Fatica said she is fighting to make a difference for this young mother and others like her. She urged the Board's vote today to make a difference.

Bishop Dwayne Brock, pastor of the Victory Christian Center, said he has been serving as a pastor in Erie for more than 40 years, and serves on Hammond UPMC Hospital Board as well as the Housing Authority of Erie City. Bishop Brock recognized other members of local clergy in attendance in support of the proposed community college. Bishop Brock said the Erie County Community College Plan should be viewed as a moral issue. He shared that, in 1973, the total prison population of the country was 300,000 and today it is over two million with African American males representing one million with a common denominator a lack of education. On behalf of the African American clergy in Erie, Bishop Brock asked the Board to move expeditiously in the establishment of a community college.

Joyce Savocchio, former educator, former Erie City Council member, and former Erie City Mayor, said she strongly supports the proposed community college. Ms. Savocchio echoed the same sentiments from Erie's current mayor. She said a community college will provide opportunity on many fronts for jobs and economic growth for all citizens in the region. Ms. Savocchio asked the Board to join Erie in providing these opportunities to all in Erie and northwestern Pennsylvania and requested that the Board act on the plan today.

James Grunke, President & CEO of the Erie Regional Chamber, stated that the proposed community college is clearly the most important issue facing his membership. He shared that area employers have identified their number one barrier to growth as access to a qualified workforce. Prior to moving to Erie, Mr. Grunke said he knew that the biggest limiting factor to Erie's economic future is the lack of a community college. He stated that Erie in the largest metro area in the entire United States that does not have a community college. Mr. Grunke said he doesn't believe a hearing on the issue is needed and that all criteria of the plan were clearly met. He urged the Board to vote yes on the plan today.

Bill Jackson, President of United Way of Erie County, commented that the United Way's purpose is to address poverty in the community and that everyone knows education is the key to

ending the cycle of generational poverty. He noted that educational attainment rates are highly correlated to lifetime earnings, and said the Erie community lacks in this key predictor of lifetime success. Mr. Jackson said Erie County has thriving businesses with current and future job openings, yet problems with poverty persist; addressing this issue at scale requires a true, community-based community college in Erie County. He shared that the United Way provides the backbone for a community schools initiative in 10 schools and is seeing success with this model that provides intensive support right in schools. He stated that these same students will continue to need intensive support in a postsecondary setting that simply is not available with any other educational offerings. Mr. Jackson said the United Way supports a vote by the Board to approve the plan today.

Gary Lee, Erie County Director of Administration, shared that he did not believe Erie County needed a community college when discussion about pursuing a college began. However, Mr. Lee said Empower Erie's Plan and Feasibility Study convinced him otherwise. Mr. Lee said he has never seen such unity around an issue and the proposed college will bring hope and inspiration to the region. Mr. Lee stated that the administration in Erie has explored various opportunities, including partnership with the NPRC that was not feasible. Mr. Lee stated that there is room for everyone to provide education in the county. He urged the Board to vote today to give Erie opportunity not only to dream, but to succeed and thrive.

Megan Beck, President of the Susquehanna Valley Community Education Project, shared that 15% of households in Erie County are living in poverty and 27% of the county's population is employed while being asset limited and income restrained. She said that share of the county's population needs the Board's support in creating educational opportunity. Ms. Beck said the average community college student is 28 years old, and that community colleges are suited for students who weren't ready for college or missed the opportunity after high school and for students who are changing careers. She cited open enrollment, the ability to serve students in their local region, and leveraging the first two years of higher education at low cost as critical assets provided by community colleges. Ms. Beck said 94% of community college students remain in their community after graduation, which contributes to building local economies. She concluded by urging the Board vote to approve Erie County's plan today.

Tim McNair, Empower Erie Board Chair, commented that, in July 2017, the Board adopted a resolution appointing a committee to review Erie County's community college application, determine its adequacy, and recommend proper disposition to the Board. Mr. McNair stated that in the two years since, all requests for further information were met appropriately and that he was not aware of any unanswered questions that were raised by the Committee. Mr. McNair said the Committee reported that the county's plan is adequate and meets the guidelines for establishment of a community college. Thus, he said there is no reason to delay a vote on the plan.

Renee Lamis, Chief of Staff for Erie City Mayor Joe Schember, read a letter of support for the Erie County Community College Plan from Erie City Mayor Joe Schember.

ACTION ITEMS

APPLICATION OF COGNIA SEEKING RENEWAL OF ACCREDITING AUTHORITY

A motion to approve Cognia's application to serve as a private and non-public school accrediting organization authorized to accredit preschools, kindergarten, elementary (grades 1-8), secondary (grades 9-12), tutoring centers, and educational testing and remedial center for a five-year period ending November 14, 2024, was made by Jonathan Peri and seconded by Jeffrey Keeling.

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

ERIE COUNTY COMMUNITY COLLEGE PLAN

A motion to convene a hearing on the Erie County Community College Plan at which time Erie County could present evidence and witnesses and the Board may pose questions on elements of Erie's Plan was made by Lee Williams and seconded by Nathan Barrett.

Upon discussion on the motion, Carol Aichele suggested that the Board provide a timeframe for the hearing so members of the Erie community know when they might expect a decision to be issued on the Plan. Ms. Aichele said some questions occurred to her as she listened to comments on the Plan and that she would like an opportunity to have those questions answered at a hearing.

Rep. James Roebuck stated his support for conducting a vote to approve the Plan today and said the documents provided by the county suggest that the college is reasonable and do not demonstrate a need to delay a vote.

Sandra Dungee Glenn also spoke in support of conducting a vote to approve the Plan and said adequate information has been presented to the Board. Ms. Dungee Glenn said the county's goals for the proposed community college seem well-aligned with the 60 percent postsecondary attainment goal previously adopted by the Board. Further, she said the Department and the majority of the Special Committee determined that the county's Plan met the requirements of the School Code. She commended the citizens of Erie in attendance at the meeting who she said provided a solid economic and educational rationale for approving the Plan. Ms. Dungee Glenn said Erie has been held as a national model as a community that is investing in itself and that is taking initiative to provide opportunity for citizen who have been left out.

Dr. Barker said the unanimity of support across the community for the proposed community college is unprecedented. He said he supported conducting a vote on the Plan today.

Sen. Wayne Langerholc stated that he understands there is a process in place here and that it sounds like there are still some unanswered questions on the Plan. Sen. Langerholc said he did not see harm in having a short delay to address those questions.

Dr. Peri suggested that a friendly amendment be made to Dr. Williams' motion to incorporate a timeframe for the proposed hearing.

Ms. Dungee Glenn made a motion to table the motion before the Board that was offered by Dr. Williams. Ms. Dungee's Glenn motion was seconded by Rep. Roebuck.

VOTE: The motion to table the motion before the Board failed by a vote of 6-8 (YEA: Barker, Dungee Glenn, Peri, Roebuck, Farmer White, Williams; NAY: Aichele, Barrett, Carnicella, Gunter-Smith, Hallett, Keeling, Langerholc, Sonney).

Ms. Aichele offered a friendly amendment to the motion before the Board that was made by Dr. Williams to conduct a hearing on the Plan within the next three months. The friendly amendment was seconded by Dr. Peri. Dr. Williams rejected the friendly amendment and stated that she believed more time was necessary to organize the hearing.

Ms. Aichele offered another friendly amendment to the motion before the Board that was made by Dr. Williams to conduct a hearing as soon as possible, but no later than in the next six months. The friendly amendment was seconded by Dr. Carnicella. Dr. Williams accepted Ms. Aichele's friendly amendment to her motion.

Dr. Barker offered a friendly amendment to the motion before the Board that was made by Dr. Williams to conduct the hearing in Erie County. The motion was seconded by Ms. Aichele. Dr. Williams accepted Dr. Barker's friendly amendment to her motion.

VOTE: The motion to hold a hearing on the Erie County Community College Plan, as amended, passed by a vote of 8-6 (YEA: Aichele, Barrett, Carnicella, Gunter-Smith, Keeling, Langerholc, Peri, Sonney; NAY: Barker, Dungee Glenn, Hallett, Roebuck, Farmer White, Williams).

MEMORIAL RESOLUTION HONORING DR. FRANCIS MICHELINI

A motion to approve a memorial resolution honoring Dr. Francis Micheline was made by Jonathan Peri and seconded by James Barker.

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 11:20 a.m.



Stephanie Jones
Administrative Assistant