

Legislative Report
April 24, 2013
Submitted by Linda Bishop

Pension reform appears to be moving at least in the direction of the “front burner” in the PA Legislature. The House State Government Committee held a hearing last week on pension reform. PSBA's Acting Chief Counsel testified that she believes Governor Corbett's proposed changes can be enacted in such a way that they will pass the legality/constitutionality test. Specifically, she said that state employees' pension contracts can be amended or renewed as long as the employees receive notice and accept any new conditions. PASBO's Chief Executive also presented testimony expressing support for reducing the multiplier, lack of support for tapering the collars, and caution about high exit costs that would be incurred by switching to a defined contribution plan for new employees.

Governor Corbett signed into law SB 66, which moves the State Tax Equalization Board from an independent board to a division within DCED. STEP has the power and duty to determine the market value of taxable real estate in each school district in Pennsylvania.

Still on the Governor's desk awaiting signature is SB 2, which implements a new special education funding formula establishing how any increases in special education appropriations are distributed, using weighting factors based on category of disability. The bill also creates a Special Education Funding Commission to develop the components of the special education funding formula, including the weighting factors, by Sept 2013.

The Senate Education Committee is considering Senate Resolution 77, which would call upon the President and Congress to fully fund all federal special ed mandates imposed upon State, county, municipal or local providers of educational services to students in Pennsylvania. Noted in the resolution is that costs for children with disabilities have increased while federal appropriations have not, and that appropriations under IDEA would require a 130% increase before the mandates of the act are fully funded. Senate Education Committee Minority Chairman Andrew Dinniman said that while he supports this resolution, **“we should also understand the state has not paid its share as well”, as special education funding at the state level has been flat-funded for the last five years.** SB 2 provides no additional special ed funding to PA districts. Not only has PA flat-funded special ed for the past five years, but also the Governor's proposed budget slightly reduces special ed funding by shifting about \$4.7 million from the special ed subsidy to bolster the state's special ed contingency fund. It should be noted in addition that under sequestration, PA will lose about \$21.4 million in IDEA funds for some 260 teachers, aides, and staff who help children with disabilities.

In the House:

The Labor and Industry Committee approved HB 796, modifying the Prevailing Wage Act. As drafted, the bill increases the threshold from \$25,000 to \$75,000, but an amendment raises this to \$100,000.

The Education Committee approved:

- HB 324, repealing the Separations Act to allow school districts to decide how best to bid a construction project, using either multiple or single prime contracts
- HB 135 to revive the mandate waiver program that expired in June 2010
- HB 969 to require 75% of professional employees in a school district to be certified
- HB 1097 to extend the moratorium on professional development to 6/30/14.

The PA Senate passed SB 10, expanding the Safe Schools Grant program to fund school entities and municipalities in the hiring and training of school resource officers and school police officers.

At the national level, Common Core Standards are emerging as the next “hot button” issue. The Republican National Committee voted against them recently, citing intrusion of “big government” into local issues. Although 45 states have signed on to the Common Core, legislators in some states are trying to stop the transition to Common Core even as local school districts are rolling them out. A Republican Senator from Iowa is trying to get language into the bill that funds the U.S. DOE prohibiting the use of any money to oversee state implementation of the standards, develop tests to go along with the standards, or give a leg up in any federal competition to states that adopt the standards. Critics of Common Core say that states' own standards are already rigorous enough, that the effectiveness of the national standards is not proven, and that national standards diminish the autonomy of state and local officials. Teachers are also expressing concerns that the national standards for math and English will be written during the next 5 months by a group of sixty individuals, only one teacher among them, in a secret process that excludes effective input from students and parents as well as teachers.

This concern about Common Core coincides with increasing opposition to standardized testing, with teachers refusing to administer tests (Seattle), and parents opting their children out of taking the tests. This got some attention here in Pittsburgh when a column by a CMU professor appeared in the Post-Gazette making the case for parents opting their children out of the test as an act of “civil disobedience” (opting out for religious reasons is permitted in PA). Prominent public education activist Diane Ravitch, who was assistant secretary of education for George H.W. Bush, joined a group of educators and parents at a protest in Washington DC focused on high-stakes testing. At the NSBA conference this month, Ravitch deplored the “unprecedented assault” on public education by so-called reformers, who wrongly say our public education system is obsolete, failing, or broken. The truth, she said, is that test scores and graduation rates are the highest in history, but positive news is drowned out by the purposeful barrage of negative messaging by critics, whose attacks on public education are fueled either by ideological or profit motives designed to expand the role of charter schools and vouchers—to privatize public education—often so they can extract profits from public education funding. She said that critics want to undermine the authority of school boards by advocating for state and federal mandates designed to take more decisions out of the hands of local officials. She said critics are lobbying state legislators to pass laws that favor private, charter, and cyber schools at the expense of public schools. Their advocacy efforts are often based on model language drafted by the American Legislative Exchange Council (ALEC), a corporate-funded organization that has bankrolled charter and voucher initiatives across the country. Ravitch said: “As members of local school boards, you are powerful—you have it in your power to stop this raid on public education ... to use your power to support democracy, support public education, and protect your children.” Ravitch is also opposed to the Common Core Standards.