



PARSS Legislative Update ***March 27, 2022***

The Senate and House will return to session this week (House on Monday, Senate on Wednesday) as the Appropriations Committees in both chambers concluded a joint total of 23 days of budget hearings with state agency personnel. As expected, the lull in voting sessions moved the crowded primary fields for Governor and US Senator center stage with debates, fund raising events, and lots of pressing the flesh as candidates make their best pitch to voters ahead of the May 17 primary.

The PA Department of Education (PDE) testified to the Appropriations Committees on March 7 (House) and March 10 (Senate). Secretary Noe Ortega, Deputy Secretary for Administration Hannah Barrick, and Deputy Secretary for Elementary and Secondary Education Dr. Sherri Smith fielded questions from legislators. The two days of questioning from legislators largely focused on how schools were spending ESSER funds, how PDE was monitoring that spending, what specific interventions districts were implementing to address learning loss, the reduction in assessment scores during COVID, and the ubiquitous charter school funding issue.

What did not come out of the budget hearings but may have been a significant budget development was an announcement by the new Auditor General Tim DeFoor last week that he was closing the Bureau of School Audits in his office and returning the responsibility to PDE. It wasn't just words; 40 employees in the bureau were laid off effective April 22. Clearly the department did not plan to absorb the responsibility and the attendant costs. A spokesperson for the Auditor General said that districts are already being audited annually in compliance with the School Code. "School boards hire independent CPA firms to do those independent fiscal audits to make sure that the money that people are paying to the school district in taxes is being properly accounted for." However, the PA State Education Association said, "This

irresponsible action will effectively end any organized, state-level audits of the commonwealth's public schools on April 22, with no plan for any other state government department or agency to assume this critical function." You can read more about the Auditor General's action by [clicking here](#).

The House Education Committee will meet on Wednesday to consider two bills. [House Bill 972](#) sponsored by Rep. Barbara Gleim (R-Cumberland) is a replica of initiatives in several other states to prohibit transgender males from participating on women's sports teams. Eligibility is determined by genetics at birth. The legislation, covering both k-12 and higher education institutions, provides an option for the school to establish co-ed teams. If adopted, the bill has an immediate effective date.

The House Education Committee also has another lightning rod issue on the agenda in the form of [House Bill 2169](#). According to the prime sponsors, Rep. Clint Owlett (R-Tioga) and Rep. Martina White (R-Philadelphia) "parents with school age children (1st through 12th grade) who reside within the attendance area of a district school in the bottom 15% of performance metrics based on state testing would be eligible to receive a scholarship to offset costs associated with choosing an alternative academic setting that meets their child's individual learning needs." The amount of the scholarship is determined by a statewide formula which takes the total state funding minus transportation assistance and divides it by the total Average Daily Membership of all schools. The formula intends to provide a scholarship amount approximating the amount of state funding the district receives, but the statewide formula could mean some schools would potentially have to provide a scholarship in excess of their state funding. Additional scholarship amounts for special needs students would be based on the category of expenses in the state Special Ed Funding Formula. In addition to funding "Lifeline Scholarships", the resident district would also be mandated to provide transportation to scholarship students.