



University of Pittsburgh

THE FORUM

The Tri-State Area School Study Council Newsletter

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TRI-STATE AREA SCHOOL STUDY COUNCIL

Seeking ways to increase organizational capacity in schools through problem solving, technical service, and staff development so all students will be better prepared to make contributions to both our democratic society and the world community

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Spring Banquet and Workshops

75th Annual School Board and Distinguished Educator Banquet

The Tri-State Area School Study Council's School Board and Distinguished Educator Banquet is an annual opportunity to recognize outstanding achievement in education through the presentation of both the Distinguished Educator Award and the D. Richard Wynn Distinguished School Board Award. In addition, the banquet is a fantastic networking opportunity for district administrators and Board members. This year, the banquet was held on March 21st at the University Club. See page 2 for more on the banquet and this year's award winners, Distinguished Educator **Dr. Randal Lutz**, and Distinguished School Boards of **Seneca Valley School District & West Jefferson Hills School District**. See page 2 for more details.

Dr. Jean E. Winsand Workshop for Women in School Leadership

The Jean E. Winsand Workshop for Women in School Leadership is an annual event featuring discussions on pathways to career success and empowering and inspiring women looking to make positive changes in their lives and careers. It is named in memory of Dr. Jean Winsand, a women's rights activist and Professor Emeritus at the University of Pittsburgh.

This year's workshop was held on April 11th at the University Club. Annually, the Dr. Jean E. Winsand Distinguished Woman in Education Award is presented to a woman in education whose achievements are recognized as exemplary. The 2024 award winner was **Dr. Jill Jacoby**, Assistant Executive Director of Teaching & Learning, Allegheny Intermediate Unit. Additionally, the Dr. Jean E. Winsand Emerging Woman in Education Award recognizes a woman who has made a significant impact and positive difference through her leadership activities and initiatives early on in their career. This year, **Dr. Kristin Martin**, Assistant Superintendent, Brownsville Area School District, was the deserving winner. See page 2 for more details.

Upcoming Summer Events

Annual Dr. Samuel Francis School Law Symposium and Special Education Workshop

Thursday, June 20, 2024

[Registration and more details can be found here](#)

Thank you to the law firms who contribute to *The Forum* newsletter each issue:

- **Andrews & Price**, *Special Education Alert*
- **Tucker Arensberg Attorneys**, *Education Law Report*
- **Weiss Burkardt Kramer LLC**, *In Brief: School Law Update* (Located on pages 6-7 of *The Forum*)

75th Annual School Board and Distinguished Educator Banquet: In Review

The 75th Annual Distinguished School Board and Educator Banquet was an incredible night, and we were thrilled to honor those making a genuine difference in their communities through education.

The evening kicked off with entertainment provided by the extraordinarily talented Avonworth School District Jazz Band, directed by Mr. Will Guess and Mr. Ronnie Ziccardi.



Avonworth School District Jazz Band

After speeches from Dr. Michael Loughead, Tri-State's President, and Dr. Bart Rocco, Tri-State's Director, dinner was served and we moved into the highlight of the evening: honoring our awardees.

We first recognized the **School Board of West Jefferson Hills** for its collaborative approach to providing an exceptional education to students. Next up was **Seneca Valley's School Board**, recognized for their innovation and future-focused approach to their work. Both districts took home the prestigious D. Richard Wynn Distinguished School Board Award, highlighting the central role of compromise and a "win-win" process.



Distinguished Educator Award Winners

Finally, to cap off the evening, **Dr. Randal Lutz** of Baldwin-Whitehall School District received the Distinguished Educator Award, which acknowledges exceptional leadership by those who have proven a commitment to the mission of Tri-State. Dr. Lutz was chosen for his career-long commitment to providing an environment for education marked by inclusivity, innovation, and community engagement.

We were thrilled to welcome an amazing array of educators, administrators, and professionals to this important night of recognition. We're looking forward to seeing everyone again in 2025!

21st Annual Dr. Jean E. Winsand Workshop for Women in School Leadership: In Review

The 21st Annual Dr. Jean E Winsand Workshop for Women in School Leadership was truly a special day of learning centered around this year's theme of *Diversity, Equity, Inclusion & AI, Navigating the Waters as Women*. We began the day with a packed crowd and a spectacular keynote from none other than Dr. Valerie Truesdale, the Senior Assistant Executive Director of AASA, followed by a phenomenal panel discussion featuring Dr. Anita Williams Woolley, Dr. Jennifer Iriti, Dr. Christine Herring, and Ms. Kristi Minnick.



After which, we moved into a tremendous slate of informative Lighting Talks in the middle section of the day, including Ms. Tesin Amoscato presenting "Not so Fair and Not so Lovely: The Harmful Impact of Stereotypes and Bias in AI," Dr. Nesra Yannier presenting "NoRilla—Mixed Reality AI," and Dr. Heidi Ondek, Dr. Janet Sardon, and Dr. Janell Logue-Belden presenting "AI From the Seat of the Superintendent." Perhaps our favorite part of the day was welcoming back the impeccably talented students from the Western Pennsylvania School for Blind Children's Student Market. In addition, we also had resource tables present from PSBA and Classrooms Without Borders.

After lunch, we reconvened to recognize our 2024 philanthropic Donation Recipient: The East End Cooperative Ministry. Finally, we honored our two annual awardees. This year's Distinguished Woman in Education was **Dr. Jill Jacoby**, Assistant Executive Director of Teaching & Learning, Allegheny Intermediate Unit.



Dr. Kristin Martin and Dr. Jill Jacoby, our 2024 award winners

Our Emerging Woman in Education Awardee was **Dr. Kristin Martin**, Assistant Superintendent, Brownsville Area School District. We would like to congratulate these two incredibly well-deserving winners!

We would also like to thank all of our presenters, student workers, contributing organizations, and participants for making this event one to remember! We can't wait to welcome everyone back next April!

Green Building Alliance



GBA Update and Open Funding Opportunities

Author: Karma Lisa Edwards

New Addition to Green Building Alliance Team: Karma Lisa Edwards

Green Building Alliance has engaged Karma Lisa Edwards as the new Senior Director of Workforce Development and Green & Healthy Schools. In support of Green Building Alliance educational outreach efforts, Karma seeks practical, creative, and multi-media educational methodologies when engaging with diverse audiences and stakeholders, drawing from her undergraduate education in fine arts.

Formalizing her career in sustainability, after completing an MBA from Pennsylvania State University, Karma attended GBA educational classes and workshops, facility tours and events. She has held energy-focused positions at various corporations and universities such as Mitsubishi, Trane, Siemens, OSRAM, Pennsylvania State University/ Penn State Center/Allegheny County Cooperative Extension, and the University of Pittsburgh. Green Building Alliance is honored to welcome her to the team.

Green Building Alliance Celebrates the Achievements of GPRO Graduates

Green Building Alliance celebrates 2024 GPRO graduates in their pursuit of sustainability focused initiatives. The GPRO Certification involves the identification of building modifications, energy reduction measures, and cause and effect scenarios within a building.

Graduates include staff from Community College of Allegheny County, Mt. Lebanon School District, Carlynton School District, Woodland Hills School District, Brownsville School District and six participants from Pittsburgh Public Schools.

This course gives school facilities staff the knowledge to improve the quality of indoor spaces through the implementation of practical energy conservation methods, utility analysis, and hazard mitigation. The next course will be held this coming October for those who are interested in certification. Please visit the GPRO website for more information and the GBA website to register.

Grant Opportunities for Schools

Green Building Alliance regularly assists its member schools in their search for funding. Currently, the Public-School Facility Improvement Grant, due May 31, provides funding for building modifications such as roof repairs, plumbing, safety measures, energy reduction, demolition, new HVAC equipment, and other necessary installations with the purpose of improving the quality of life and academic performance of students. For eligibility, improvements must exceed \$500,000. Reference: DCED website.

The DOE's Renew America's Schools Grant provides public, trade, and technical schools with funding to improve building and energy utilization and reduce emissions. This opportunity represents \$80 million in grants and is due June 13.

According to the U.S. Department of Energy website, disadvantaged communities are prioritized, and the grants aim to reduce utility bills of high-poverty schools while introducing green energy solutions for students and staff.

PPS School Board Files Lawsuit Against Allegheny County Seeking Court-Ordered Tax Reassessment to Ensure Financial Viability of City Schools



Megan Turnbull

by Megan Turnbull, Esq.

On April 8, 2024, the Pittsburgh Public Schools (PPS) filed a lawsuit seeking a court ordered real estate tax reassessment in Allegheny County. The lawsuit complaint names Allegheny County and County Executive Sara Innamorato in her official capacity as defendants. This lawsuit stems from the sharp decline in the Common Level Ratio (“CLR”) and related steep decline in the tax base.

The CLR is an annually published ratio that measures appreciation in the real estate market. In assessment appeals, the CLR is applied to a property’s fair market value to offset any appreciation that may have occurred since the last County-wide reassessment. If, for example, a property has a fair market value of \$100,000 and the CLR is 70%, the property’s assessment will be \$70,000. The CLR is currently 54.5% for 2024. A reassessment will reset the table with current actual values and equalize the appropriate proportional share of each taxpayer.

District Solicitor Ira Weiss shared, “The District had no choice but to take this action given the perilous financial circumstances that have been created due to the real estate tax refunds ordered as the result of hundreds of tax appeals which have been filed resulting from the free fall in the common level ratio. The largest school district in Western Pennsylvania faces enormous refund liability and an eroded tax base going forward that will impact the District’s long-term viability and capacity to serve the students and families throughout the City of Pittsburgh...we do not file suit against another government entity lightly. However, desperate times call for serious measures. The District needs relief and stability

A reassessment will reset the table with current actual values and equalize the appropriate proportional share of each taxpayer.

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New Title IX Regulations Set to be Implemented in August



Annemarie Harr Eagle

by Annemarie Harr Eagle, Esq.

On Friday, April 19, 2024, the United States Department of Education announced that the Title IX regulations have been updated. The implementation date for the regulations is August 1, 2024.

Of major note, the regulations have provided new definitions and changes to the grievance process. The final regulations clarify that sex discrimination includes discrimination based on sex stereotypes, sex characteristics, pregnancy or related conditions, sexual orientation, and gender identity. The final regulations also clarify that a recipient must not separate or treat any person differently based on sex in a manner that subjects them to more than de minimis harm and recognizes that preventing a person from participating in a recipient’s education program or activity consistent with their gender identity subjects that person to more than de minimis harm.

The definition of sex-based harassment continues to include quid pro quo harassment; specific offenses (sexual assault, dating violence, domestic violence, and stalking); and/or hostile environment harassment.

The definition of hostile environment harassment has been expanded to include unwelcome sex-based conduct that, based on the totality of the circumstances, is subjectively and objectively offensive and is so severe or pervasive that it limits or denies a person’s ability to participate in or benefit from the recipient’s education program or activity.

While there continues to be a thorough grievance process, complete with an investigation, the investigation process for elementary and secondary institutions has been clarified as a different process than that of post-secondary institutions. Under the final regulations, so long as a recipient ensures that there is no conflict of interest or bias, a decision maker may be the same person as the Title IX Coordinator or investigator.

Under the final regulations, all employees must be trained on the school entity’s obligation to address

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New Title IX Regulations, *continued*

sex discrimination, the scope of conduct that constitutes sex discrimination under Title IX, including the definition of sex-based harassment and all applicable notification requirements. Those who are assigned the role of an Investigator, Decision Maker, or those who are responsible for implementing the recipient's grievance procedures must be trained on, among other things, impartiality, and the grievance procedures set forth under the regulations. If your school entity utilizes an informal resolution process, facilitators of the informal resolution process must be trained on the entity's process as well as on impartiality. Finally, Title IX Coordinators and designees must be trained on their specific responsibilities as well as on the entity's recordkeeping system for Title IX records.

As you likely recall, last year a separate rulemaking was announced regarding Title IX and sports. The final regulations do not address athletics specifically and this is expected in the months to come.

We encourage School Districts to begin to review their policies and procedures to ensure compliance with the final regulations and schedule all necessary training to be provided prior to the August 1, 2024 implementation date. As always, we are happy to assist in this process however we can. ♦

PPS School Board Lawsuit, *continued*

now. We cannot rely upon the mirage of future state legislation providing for state supervised regular reassessments or further studies.”

Since the lawsuit was filed, Councilwoman Bethany Hallam has introduced an ordinance seeking to amend the County's Administrative Code to provide for periodic Countywide reassessments. At its April 24, 2024 meeting, County Council noted that the ordinance was being referred to the Committee on Assessment Practices without comments. A public hearing on assessment litigation is scheduled for Wednesday, May 22, 2024 at 5:00 p.m. in the Gold Room of the Allegheny County Courthouse.

Litigation often takes time to work through the legal system, and reassessment efforts often take a number of years as well. School districts and municipalities are advised to continue to budget conservatively relative to real estate tax revenue. Those with large commercial tax bases will be the most negatively impacted by the current appeal patterns. It is advisable to account for significant, unplanned commercial tax refunds in any budget year. **Our team is available to help assess risks and related strategies as we move through the budgeting season and beyond. We also invite you to reach out if you or your District have any interest in joining the PPS litigation to lend your voice to the discussion. ♦**

WBK Happenings

- Attorneys Ira Weiss and Megan Turnbull were named 2024 Super Lawyers.
- On January 27, 2024, Attorneys Turnbull and Liz Sattler presented a Newly Elected Officials Course on the topic of Ethics Act and Sunshine Law for the Local Government Academy.
- Attorney Turnbull presented on the topic of “Solicitor Thoughts on AI in Schools” to the Western PA PACTA on March 15, 2024.
- On April 6, 2024, Attorney Turnbull was a part of the Spring Conference Solicitor Panel for the Allegheny County League of Municipalities.
- On May 1, 2024, Attorney Annemarie Harr Eagle will be speaking at the PACTA Construction Symposium.
- Attorney Rebecca Heaton Hall will present alongside Jessica Dirsmith to the Charleston County School District in South Carolina on May 29, 2024 regarding Assessment and Identification of Students with Emotional Disturbance and Behavioral Needs.
- Attorneys Harr Eagle and Lynne Sherry will be presenting a CLE for the Allegheny County Bar Association on June 4, 2024 titled, “Special Education Law and Student Discipline 101.”
- Attorneys Harr Eagle and Sherry are also presenting on the topic of “Gifted Education” at the annual Dr. Samuel Francis School Law Symposium & Special Education Workshop on June 20th. Attorney Jocelyn Kramer will be speaking at the Symposium on the topic of School Employee Discipline. Attorney Turnbull will also be a presenter.
- Attorney Kramer is scheduled to give a different School Employee presentation at the PSBA School Solicitor Symposium in State College, Pennsylvania on June 26, 2024. Attorney Harr Eagle will also be speaking at the Symposium on the topic of special education, as will Attorney Turnbull who will be handling the topic of School Solicitor Ethics.

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This issue of In Brief: School Law Update is meant to be informational and does not constitute legal advice. Should districts want legal advice on any matter, they should contact their legal counsel or request a legal opinion from Weiss Burkardt Kramer LLC.

Women's Law Project

New Title IX Regulations Provide Protection against Discrimination for Lactating Students

Author: Sujaya Rajguru

The U.S. Department of Education released new regulations this April to effectuate Title IX's promise that no person experiences sex discrimination in federally funded education.

These rules include new and stronger protections for lactating students, and improved access to reasonable modifications for lactation needs and to information about protections available under Title IX for lactating students.

The rules require schools to ensure a student is able to access a lactation space to express breast milk or breastfeed, and that this space be clean, shielded from view, free from intrusion, and not a bathroom. The Department emphasized that schools must ensure access to a lactation space, rather than merely ensuring its availability. The Department noted that this requirement will not be costly for schools because the Providing Urgent Maternal Protections for Nursing Mothers (PUMP) Act already requires many schools to provide the same for lactating employees.

The rules also explicitly consider breaks during class to express breast milk or breastfeed to be a reasonable modification to its policies, practices, and procedures. A school is required to make a reasonable modification like this one when it is necessary to prevent sex discrimination and ensure equal access to its education program and activities.

Further removing barriers for lactating students to access reasonable modifications, a school cannot require a student to provide supporting medical documentation to confirm lactation needs in connection with reasonable modifications or to gain access to a lactation space "unless the documentation is necessary and reasonable for the recipient to determine the reasonable modifications to make or whether to take additional specific actions under the rules."

Improving access to information about protections, the rules require that a school ensure that when a student informs an employee¹ of the student's pregnancy or related conditions, the employee must promptly give the student the Title IX Coordinator's contact information and inform the student that the Title IX Coordinator can coordinate actions to prevent sex discrimination and ensure equal access to the school's education program or activity (unless the employee reasonably believes the Title IX Coordinator has been notified). More generally, schools are required to adopt, publish, and implement a nondiscrimination policy and grievance procedures, and provide a notice of nondiscrimination on its website, handbooks, catalog, announcement, bulletin, and application form, containing a statement of nondiscrimination, the Title IX Coordinator's contact information, and information about where to find grievance procedures and how to make inquiries, reports, and complaints under Title IX.

Although the rules include this individualized requirement to inform students about their rights regarding pregnancy or related conditions, and the requirement for notice about Title IX policies more generally, the Department declined in the new rules to specifically require schools to "post information about the availability of pregnancy-related modifications on syllabi or websites[.]" At least as of summer 2023, most Pennsylvania schools had not published policies specific to pregnancy and lactation on school websites to make this information accessible to students.² This gap in the rules demonstrates the necessity for state policies that protect the rights of pregnant and lactating students, such as HB 994. HB 994 would require schools to ensure accessibility to policies about protections for pregnant and lactating students by publishing the rights provided in this law in the student handbook and on the school's publicly accessible website.

The new Title IX rules provide more explicit protections and improved accessibility to protections and knowledge about Title IX policies for lactating students, but there is still work to be done to promote effective accessibility and implementation of these promising policies.

To learn more or get involved with efforts to support pregnant and lactating students in Pennsylvania, contact the Women's Law Project (info@womenslawproject.org).

¹ The employee is required to inform a student or a person who has a legal right to act on behalf of the student about the Title IX Coordinator under these circumstances.

² Desai, Nymisha. "New Research Shows Pennsylvania Students Need Better Access to Lactation Policies." *The Forum: The Tri-State Area School Study Council Newsletter*, vol. 29, no. 2, 2024, p. 6.



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More photos from the Distinguished Educator Banquet and the Dr. Jean E. Winsand Workshop for Women in School Leadership



From top left: The West Jefferson Hills School District School Board, Dr. Randal Lutz (middle) receiving the Distinguished Educator Award from Dr. Loughhead and Dr. Rocco., Dr. Kristin Martin receiving the Emerging Women in Education Award, The Seneca Valley School District School Board receiving the Distinguished School Board Award from Dr. Loughhead and Dr. Rocco, Dr. Jill Jacoby (second from right) receiving the Distinguished Woman in Education Award from Dr. Tracy Vitale, Dr. Janell Logue-Belden, and Dr. Heidi Ondek, participants at the Dr. Jean E. Winsand Workshop for Women in School Leadership.

The Forum is a publication of the Tri-State Area School Study Council. Your comments and suggestions of topics for future publications are always welcome. You may contact us at:

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The information in The Forum is for the general knowledge of the reader.