



University of Pittsburgh

THE FORUM

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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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School Board and Distinguished Educator Banquet

Each year, Tri-State recognizes area educators for their contributions to the field of education. The *Distinguished Educator Award* honors individuals who have demonstrated excellence in education, and the *D. Richard Wynn Distinguished School Board Award* recognizes school board excellence in addressing important issues. We congratulate this year's winners, who will be honored at the School Board and Distinguished Educator Banquet on *March 15, 2018* at Edgewood Country Club.

Distinguished Educator

Dr. Brian White, Butler Area School District

Dr. Brian White has demonstrated excellence in leadership throughout his distinguished career in western Pennsylvania, currently as Superintendent of the Butler Area School District. Dr. White's "ability to collaborate with faculty and staff, and engage our community to create a vision for our future, truly makes him a distinguished educator," said Nina Teff, President of the Butler Area School District School Board.

D. Richard Wynn Distinguished School Board Award West Allegheny School District School Board

Superintendent Dr. Jerri Lippert describes the board as "courageous and mindful stewards of what is in the best interest of students while facing significant academic, cultural, and financial challenges across a constantly changing educational landscape."

D. Richard Wynn Distinguished School Board Award North Allegheny School District School Board

The North Allegheny School District School Board is commended for its "holistic" approach to transforming the student learning experience. Superintendent Dr. Robert Scherrer lauds the Board's work in supporting new ways to engage with technology, challenging traditional ideas about measuring student learning, and developing initiatives to facilitate student and staff wellness.

Thank you to the three law firms who contribute to the *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*

Spring 2018 Workshop and Event Calendar*

School Board and Distinguished Educator Banquet

March 15, 2018, Edgewood Country Club

Cocktails and Hors D'oeuvres: 5:30 p.m.

Program & Dinner: 6:30 p.m.

Entertainment to be provided by the Avonworth High School Jazz Band

Click [here](#) for the registration form.

Distinguished Educator Award and D. Richard Wynn Distinguished School Board Award winners to be honored.

Free Workshop for Member Districts!

Legal Updates for School Administrators and School Board Members

Presented by Representatives from the Pennsylvania Association of School Administrators (PASA) and the Pennsylvania School Boards Association (PSBA)

March 16, 2018, Edgewood Country Club

Breakfast & Networking: 8:30 a.m.

Program: 9:00 a.m. to 11:30 a.m.

Presenters: **Mark DiRocco**, Executive Director, PASA & **Nathan Mains**, Chief Executive Officer, PSBA

Click [here](#) for the registration form.

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

April 4, 2018, Edgewood Country Club

Registration & Breakfast: 7:45 a.m.

Program: 8:15 a.m. to 2:30 p.m.

Click [here](#) for the registration form.

Call for Nominations for the Distinguished Female Educator Award!

Nominate a worthy female educator for the award! Click [here](#) to access the nomination form (beneath the workshop registration form). *Nominations due February 28, 2018*

Dr. Samuel Francis School Law Symposium and Special Education Workshop

June 27, 2018, The University Club, University of Pittsburgh

Registration, Breakfast & Networking: 7:30 a.m.

Program: 8:30 a.m. to 5:00 p.m.

Registration information to be posted in spring.

Nominations for Distinguished Female Educator Award

Each year at the Dr. Jean E. Winsand Institute for Women in School Leadership, being held this year on April 4, we recognize a female educator for her leadership and contributions to education. Nominations are being accepted now. Please consider nominating a deserving colleague for this honor.

Click [here](#) for the nomination form. You can also access the form at our website (<https://tristate.pitt.edu/workshops>)

Nominations are due Wednesday, February 28, 2018.

Tri-State & Local Education News

Honors for Tri-State School Districts

We congratulate the following school districts* who were recognized by Niche.com for being among the top 50 in the state.

*Fox Chapel Area
Hampton Township
Mount Lebanon
North Allegheny
North Hills
Quaker Valley
South Fayette Township*

According to the Niche.com article, the 2018 Best School Districts ranking is determined by key statistics and data from the U.S. Department of Education. Ranking factors include state test scores, college readiness, graduation rates, SAT/ACT scores, teacher quality, public school district ratings, and more. [Read more on how this ranking was calculated.](#)

**Listed in alphabetical order.*

PA Budget Webinar

On Wednesday, Feb. 7, at 1pm PSBA members are invited to an exclusive, complimentary webinar with state Budget Secretary Randy Albright as he discusses the 2018-19 state budget plan that will be proposed by Gov. Wolf on Feb. 6.

Click [here](#) to register.

Lunch and Learn

Enjoy lunch and time with colleagues while you learn about new products and opportunities.

**Johnson Controls
Wednesday, February 7, 2018
11:45am-1:00pm
Edgewood Country Club**

Johnson Controls designs, builds, installs, maintains, and services HVAC, fire, security, and building management equipment, software, and systems. They will discuss macro-trends in the K-12 space while also addressing local issues.

Please [RSVP here](#) or email james.david.berry@jci.com to RSVP.

**Legends of Learning
Wednesday, February 21, 2018
11:00am-1:00pm
Edgewood Country Club**

Learn how game-based learning can catalyze student engagement and improve academic performance. The presenters will share how research from Vanderbilt University has informed Legends of Learning's platform of over 1,000 games and simulations for 3rd-8th grade students.

Reserve your spot below:

<https://www.eventbrite.com/e/lunch-and-learn-with-legends-of-learning-tickets-41955296421>

For more information on both these events, please visit the Tri-State website at <https://tristate.pitt.edu/news/events/>

Tri-State & Local Education News

District Administrative Changes

We congratulate and thank the following educators for their years of service to the students of Western Pennsylvania.

Allegheny Intermediate Unit

Dr. Linda Hippert will be retiring from Allegheny Intermediate Unit on June 30. She will take a new position as faculty at Point Park University.

Quaker Valley

Dr. Heidi Ondek is resigning as Superintendent of Quaker Valley School District at the end of the school year. She will begin a new position as Executive Director and Superintendent of the Western Pennsylvania School for Blind Children.

South Fayette School District

We congratulate Dr. Bille Rondinelli, who retired as Superintendent on December 31. We welcome Dr. Kenneth Lockette, who began his new role as South Fayette Superintendent in January.

Upper St. Clair

Dr. Patrick O'Toole has announced his retirement from Upper St. Clair School District at the end of this school year.

Honors for Local School Districts

These schools* are among the Top 50 in the state for having the highest SAT scores during the last academic year.

Avonworth

Fox Chapel Area

Hampton Township

Mars Area

Mount Lebanon

North Allegheny

Peters Township

Pine-Richland

Quaker Valley

South Fayette Township

Upper St. Clair

Western Area Career & Technology Center

For the full list, click [here](#) for the PennLive story, "The 50 PA Public High Schools with the Highest SAT Scores."

** Listed in alphabetical order.*

K-12 Principal Certificate Program Supervisor of Curriculum and Instruction Certificate Program University of Pittsburgh

The University of Pittsburgh School of Education is accepting applications for the K-12 Principal certificate program and the Supervisor of Curriculum and Instruction certificate program. These 15-month programs offer face-to-face classes at the Allegheny Intermediate Unit and online courses.

A master's degree is not required; however, credits for courses in the principal and supervisor certificate program can be applied to a Master of Education degree.

Learn more about our K-12 Principal Certificate program [here](#) or our Supervisor of Curriculum and Instruction program [here](#).

Online applications and requirements can be found at www.education.pitt.edu/FutureStudents/AdmissionsProcedures.aspx. **Deadline to apply: March 15.**



Congratulations to Kelsey Cole, Tri-State administrative assistant, on the birth of her son, Connor Thomas, on Sunday, January 28. Mother, father, and son are doing well!

While Kelsey is on maternity leave, Susan Dawkins will be helping in the office. Susan knows the School of Education well, as she is working on her doctorate in education.

On a related note, please remember that our office has moved to 5522 Posvar Hall. You can reach us at 412-648-3907 or via email at tristate@pitt.edu.

PROFESSIONAL DEVELOPMENT AND GRANT OPPORTUNITIES FOR EDUCATORS

Pitt's University Center for International Studies (UCIS) has posted a number of opportunities for area educators, including the following events:

Teach Africa Workshop

Saturday, Feb. 24, 2018, 9am-3:30pm

Discussion and demonstration of FREE multi-media materials that enhance the teaching of African studies in many subject areas. Visit the [African Studies Program](#) website for more information.

2018 Brussels Study Tour, June 17-23, 2018

Travel grants available. Visit the [Brussels Study Tour](#) webpage for more information. Application deadline: March 2.

University of Pittsburgh 2018 Summer Institute for PA Teachers, June 25-29, 2018

Applications being accepted from College in High School program and UCIS for educators who want to teach "globally focused courses" for college credit. Click [here](#) to learn more. Application deadline: March 1.

Fulbright Distinguished Awards in Teaching

Applications will open soon for this program that funds educators' professional development in international and multicultural education. Click [here](#) to visit the Fulbright website.

K-12 educators can find more information about international education as well as professional development and funding opportunities [here](#).

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. For more specific information, rely on the advice of your solicitor.*

Act 55 of 2017: Omnibus School Code Amendments

by Ira Weiss



Ira Weiss

On November 6, 2017, Act 55 of 2017, which amended the Pennsylvania School Code of 1949, became law. Act 55 provided new requirements and guidelines affecting school districts on all fronts.

In regard to amendments to programs involving student services, changes span from the implementation of Keystone Exams, which now is delayed as a graduation requirement until the 2019-2020 school year, to the application of the new truancy laws, which were applicable to public and charter schools in the 2017-18 school year, and are now applicable to non-public schools beginning in the 2018-19 school year. Additionally, schools must now serve "school food program meals" to students regardless of whether the student has paid or can pay, unless the parent has directed the school to withhold the meal. Under the recent amendments, schools must make at least two (2) attempts to contact parents to have them apply for participation in the free/reduced lunch program when money for five (5) or more meals are owed, must communicate directly with the parent, not with the student, regarding lunch money owed, may not publicly identify students who owe meal money, may not assign chores to students who owe meal money, and are prohibited from discarding a student's meal once served because the student owes meal money. Another amendment requires that beginning in the 2018-19 school year, a school must include prevention of opioid abuse in its grades 6-12 health curriculum. Teachers who will be teaching courses involving this curriculum are required to receive professional development on the mandated instruction. Finally, the new law requires the Pennsylvania Department of Education (PDE) to develop a new state plan for the implementation of Every Student Succeeds Act (ESSA) and submit to the General Assembly for review.

With respect to operations, approval for new school building construction or reconstruction applications, i.e. Plan Con applications, is suspended for the 2017-2018 school year. It is important to note that this amendment went into effect retroactively and affects any submissions made on or after July 1, 2017. It should also be noted that under the amendments, schools are now permitted to substitute an annual safety and security drill in place of one of its fire drills scheduled to take place within 90 days of the start of a new school year.

The recent amendments include several provisions that directly affect school board members and their meetings. First, the new law requires training for school board members beginning with the 2018-2019 school year. During the first year of their first term, newly elected or appointed school board directors must receive a minimum of four (4) hours of training made available through PDE and at no cost to the school district or school director. Additionally, within one (1) year after each re-election, school board directors must receive a minimum of two (2) hours of advanced training. This requirement also applies to trustees of charter schools. Also, the time-period for a school board to hold a public meeting to consider the retention or renewal of

continued on next page

WBK Welcomes Two New Associates

Theresa M. Miller-Sporrer advises and represents school districts as a solicitor with a focus on labor and employment law. Tere joins WBK following five years' experience in complex and multi-district litigation before the state, federal and appellate courts in numerous Pennsylvania counties as well as the Western District of Pennsylvania and Superior Court. She was also formerly an Assistant District Attorney in Crawford County.



Theresa Miller-Sporrer

Victor S. Kustra's practice will focus on school and education law, along with serving as solicitor to school district clients. Vic is a recent graduate of the University of Pittsburgh School of Law. He previously served as a Law Clerk at Weiss Burkardt Kramer and as a judicial intern for the Pennsylvania Superior Court under the Hon. John L. Musmanno, and for the Court of Common Pleas of Lawrence County under President Judge Dominick Motto.



Victor Kustra

Omnibus School Code Amendments *continued*

a superintendent or assistant superintendent prior to the expiration of their current contract has been reduced from 150 days to 90 days. A school board's failure to act extends the superintendent or assistant superintendent's contract for a one-year period only.

Perhaps most notably, the amendments now permit school entities to suspend or furlough professional school employees "assigned to provide instruction directly to students" for economic reasons in order of their performance on annual performance based evaluations. This was not a permissible basis for reduction of staff under previous law and these provisions are not subject to bargaining. In order to avail itself of these provisions, a school entity must suspend an equal percentage proportion of administrative staff. The school entity may choose to exempt 5 administrative staff positions from this requirement, one of which must be the Business Manager or equivalent position. There is a waiver procedure contained in the amendments which is available if the school entity's operations are sufficiently streamlined; however, there must be a showing that the additional reductions would cause harm and these reductions must be approved by the members of the State Board of Education. Additionally, the school entity must pass a resolution of reduction by a majority of all school directors not less than sixty (60) days prior to the adoption of the final budget. The resolution is required to contain certain information and should be drafted under the direction of the school entity's solicitor in order to be legally compliant.

Suspensions under the new amendments must be based on performed evaluations within the area of certification required for the employee's current position. Those employees with two (2) unsatisfactory ratings will be suspended first, followed by those with one (1) satisfactory rating and one (1) unsatisfactory rating, those with one (1) proficient or distinguished and one (1) needs improvement and those with two (2) proficient or distinguished ratings. Within each of those categories, employees are suspended in inverse order of seniority. Compensation is not a factor in determining who is to be suspended. When employees are recalled, they are to be reinstated beginning with those two (2) proficient or distinguished ratings and working backwards through the categories, ultimately ended with those with two (2) unsatisfactory ratings.

Any collective bargaining agreement negotiated from this point forward cannot nullify these new furlough provisions and any agreement or contract which is currently in effect and which contains language prohibiting the suspension of professional employees for economic reasons shall be discontinued in any new or renewed agreement or contract or during the period of status quo following the expired contract.

In addition to the notable amendments discussed above, there were many more amendments made. The entirety of the amendments to the School Code can be found at the following: <http://www.legis.state.pa.us/cfdocs/billInfo/billInfo.cfm?sYear=2017&sInd=0&body=H&type=B&bn=178>. Should you have questions regarding any amendment or the duties and responsibilities imposed upon you by the new amendments, please contact your solicitor or the experienced attorneys at WBK! ♦

We're Speaking...

- Attorneys from Weiss Burkardt Kramer will be presenting at a Tri-State Area School Study Council workshop for school administrators on February 20, 2018. Stay tuned for more information on this event!
- Attorney Ira Weiss will be speaking to the Western Region Pennsylvania Association of Career & Technical Administrators at the Parkway West Career and Technology Center on March 23, 2018. Mr. Weiss will present on the topic of the recent amendments to the School Code.
- Attorneys Rebecca Hall and Annemarie Harr will be presenting on the topic of "504 Plan Legal Essentials" for the National Business Institute's seminar in Pittsburgh on April 30, 2018. Ms. Hall will present on "How to Determine Eligibility for a 504 Plan" and "Evaluating Students Under 504 Plans" while Ms. Harr will address the topic of "How to Draft a Personalized 504 Plan and Documentation to Include."

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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 wish legal advice on any matter, they should contact their legal counsel or request a legal opinion from Weiss Burkardt Kramer, LLC.