



University of Pittsburgh

THE FORUM

The Tri-State Area School Study Council Newsletter

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INSIDE THIS ISSUE

- 1 Welcome
- 2-3 Green Building Alliance
- 4-5 In Brief: School Law Update (prepared by Weiss Burkardt Kramer, LLC)
- 6 Western Pennsylvania Writing Project
- 7 Women's Law Project
- 8 A Message from the Executive Director

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

UNIVERSITY OF PITTSBURGH SCHOOL OF EDUCATION

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2024-2025 Workshop Calendar

We are excited to see you at a fantastic event slate this year!

Registration is now open for our annual School Board and Distinguished Educator Banquet and PASA/PSBA Update via the links below.

School Board and Distinguished Educator Banquet

Thursday, March 20, 2025
University Club

PASA/PSBA Workshop

Friday, March 21, 2025
Zoom

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

Friday, April 11, 2025
University Club

Dr. Samuel Francis School Law Symposium and Special Education Workshop

Wednesday, June 18, 2025
Regional Learning Alliance

If you have suggestions for workshops, please contact us with your ideas!



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 4-5 of *The Forum*)

Join Us in Celebrating Excellence in Education

The Tri-State Area School Study Council is proud to announce the recipients of the 2025 Distinguished School Board & Educator Awards. These awards recognize exceptional leadership, dedication, and service that have made a lasting impact on students, schools, and communities.

We extend our congratulations to this year's honorees:

- **Distinguished Educator Award:** Dr. Donald Martin, Executive Director, Intermediate Unit 1
- **D. Richard Wynn Distinguished School Board Award:** Brentwood Borough School Board
- **D. Richard Wynn Distinguished School Board Award:** Western Pennsylvania School for Blind Children Board of Trustees

We invite you to join us in celebrating their achievements at the **76th Annual School Board & Distinguished Educator Banquet** on **March 20, 2025, at the University Club, University of Pittsburgh**. Doors open at **5:30 PM**, with dinner and the program beginning at **6:30 PM**.

This annual event brings together educators, administrators, and school board members to recognize leadership in education and foster meaningful connections. It is an opportunity to honor those who make a difference while engaging in an evening of celebration and networking.

Reserve your seat today! [Register Here](#)

Green Building Alliance

Update from Green Building Alliance

Author: Karma Lisa Edwards

Recently, Green Building Alliance (GBA) received a grant from the U.S. Department of Labor (DOL) as part of the Workforce Opportunities for Rural Communities (WORC) program. GBA's Workforce Pathways Initiative: Empowering Appalachia's Sustainable Workforce is designed to share knowledge of sustainability, careers in high performing building practices, including energy efficiency, design, construction, engineering, and operations with high school students in Allegheny, Beaver, Fayette, Greene, Washington, and Westmoreland counties.

Through this program, GBA provides school administrators, educators and counselors with customized courses, trainings, curriculum, and experiences that can introduce students to energy-efficient, sustainable building skills and training opportunities and help them learn about the many career paths in this rapidly growing sector, while gaining microcredentials and stackable credentials prior to graduation.

GBA's curriculum and training contributes to pre-employment career preparation and align with Pennsylvania Department of Education Career Education and Work Standards and STEELS Standards.

The Green Building Alliance courses introduce students to the sustainable building industry and career paths in this rapidly growing and impactful field. GBA programs help students gain technical and communication skills as well as credentials to support careers in clean energy; engineering and technology; construction and construction management; building trades; architecture and design; building operations, and more. These are well-paying careers with opportunities to grow and impact local communities and the world.

Continued on page 3

Green Building Alliance, cont.

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Our offerings can be customized to include:

- Field Trips and Sustainable Building Tours
- Lectures and Presentations on topics such as energy efficiency, core elements of sustainability and their application in traditional occupations; detailed exploration of occupations, training programs; and industry accreditations that provide students with career mobility and advancement
- Simulated Work Experiences in green building design and construction, along with field experience at sustainable building companies

Our Courses:

Getting Started with Green Building

This course helps students gain a broad understanding of the sustainable, energy-efficient building industry, its goals, and the many career opportunities available in this growing field, from the building trades (construction, carpentry, HVAC, solar installers, plumbing, electrical, and manufacturing) to professional paths in design, architecture, engineering, urban planning, and more). The course includes a certificate of participation.

LEED Green Associate

This course prepares students for green building careers and enables them to leave high school with a stackable and industry-recognized professional credential, the LEED GA. This course is a great fit for those pursuing deeper understanding of green buildings and professional credentials under the U. S. Green Building Council's LEED (Leadership in Energy and Environmental Design) Rating System – the world's leading green building standard for healthy, high-performing buildings and sustainable development. The LEED Green Associate credential demonstrates a strong knowledge of green building and sustainable development and communicates this knowledge to potential employers. The course prepares students to pursue a LEED Green Associate credential from the U.S. Green Building Council. No pre-requisite training and LEED GA credential exam fees are included.

GPRO Operations and Maintenance

This course covers green building operations and design basics, has no prerequisites, and upon successful completion, includes an exam for earning a GPRO O+M credential from the Urban Green Council. The course covers the following learning areas:

- The environmental impact of construction and operation of buildings
- How buildings impact global resource consumption and climate change
- How high-performance buildings are designed for energy efficiency, water conservation, and indoor environmental quality
- The economic benefits of green building, including reduced energy and water costs, increased property values, and improved occupant health and productivity
- Green building rating systems, such as LEED and ENERGY STAR, which provide frameworks for evaluating and certifying building sustainability
- The critical role of building operators in maintaining green building performance by monitoring and adjusting building systems for optimal efficiency
- Green-certified building materials, finishes, and cleaning products minimize indoor air pollution and contribute to a healthier indoor environment
- Efficient lighting design considers appropriate lighting levels for different spaces and utilizes energy-efficient technologies such as LED lights

Please reach out to karmae@gba.org for more information.



A Continuing Obligation to Protect Student Privacy

By: Kelly Perkovich, Esq.



According to federal guidance issued on January 21, 2025, by the Acting Department of Homeland Security (“DHS”) Secretary, previous guidelines issued regarding Immigration and Customs Enforcement (“ICE”) that thwart law enforcement in or near so called “sensitive areas” have been rescinded. Sensitive areas include, but are not limited to, schools, hospitals and places of worship. Despite this newly issued directive, federal laws protecting the right of undocumented children to a free public education and protecting students’ privacy currently remain intact.

In the landmark case regarding undocumented students’ right to a free public education, Plyer v. Doe, the United States Supreme Court held that a state may not deny access to public education to any child residing in the state, regardless of the child is in the country legally. The implication of this is that while a school district may require that a parent or guardian provide proof of residency when enrolling in a district (e.g. copies of utility bills, or a lease), it may not inquire into the student’s citizenship or immigration status (e.g. social security number or birth certificate). Similarly, if a school district learns or knows of a student’s citizenship or immigration status, it has no reason to make that information a part of the students’ record.

School districts are also required by federal law to protect the privacy of student records.

Pursuant to the Family Educational Rights and Privacy Act (“FERPA”), schools must maintain the confidentiality of personally identifiable information in education records related to students and require written consent before disclosing any information to third parties with certain exceptions. Generally, a student’s education records include those directly related to a student that are maintained by an educational agency or institution and those records shall not be disclosed without the prior written consent of a parent or eligible student. However, FERPA allows the disclosure of “directory information” (which may include home address and similar information but does not include immigration status or social security cards) without consent, but schools are required to allow parents and eligible students the option of opting out of the disclosure of directory information.

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Recent Court Activity and Executive Orders

By: Jocelyn Kramer, Esq.



On January 9, 2025, the U.S. District Court for the Eastern District of Kentucky issued a ruling in Tennessee v. Cardona, vacating the U.S. Department of Education’s (DOE) 2024 Title IX regulations nationwide. This decision reverts Title IX enforcement to the 2020 regulations and requires school districts to review their nondiscrimination policies and grievance procedures. Schools should work with their legal counsel to ensure compliance with the applicable regulations, constitutional requirements, and state and local laws.

Following the Court mandated Title IX changes, President Trump was sworn in and began issuing executive orders that directly impact our schools, including nondiscrimination policies. President Trump issued more than thirty executive orders in his first two weeks in office that include directives relating to transgender student policies, curriculum content, immigration enforcement within schools and school choice. Also impacting Title IX implementation, one executive order redefines “sex” under federal law as meaning only male or female, as assigned at birth. This directive mandates federal agencies to remove materials promoting gender ideology and eliminates funding for such initiatives. Addressing concerns over perceived ideological indoctrination, another executive order prohibits federal funding to K-12 public schools that teach critical race theory (CRT) or “radical gender ideology.” The order aims to prevent the promotion of specific perspectives on race and gender in educational curricula. Additionally, in a broader effort to enhance immigration enforcement, the administration has intensified deportations, including individuals with criminal records. While not directly targeting schools, these actions have significant implications for immigrant students and their families, potentially affecting student attendance and community relations within educational institutions. President Trump is also continuing to

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Protect Student Privacy, *continued*

Notably missing from the exceptions to FERPA is one which grants ICE unfettered access to student information. There are relevant exceptions to FERPA that would allow for disclosure: if a student overstayed their visa pursuant to the Student Exchange and Visitor Information system, or, in compliance with a “judicial order or lawfully issued subpoena.” If a school is presented with a judicial order or lawfully issued subpoena, it is still not required to provide immediate access to records. The parents or guardians have the right to be notified and seek a protective order, and the district solicitor should be notified in order to review the judicial order or lawfully issued subpoena. Disclosures are also permissible in connection with a health or safety emergency if the emergency is ongoing, and finally, in connection with a student engaged in a crime of violence or a sex offense. These limited exceptions, however, would generally not be implicated by an undocumented student who has not engaged in any dangerous activity.

In the event ICE requests access to a student or student records at one of your schools, please contact our office and the Superintendent. ICE officials have no inherent right to school buildings absent appropriate legal documentation. Information regarding students should not be disclosed unless instructed to do so by your solicitor or our office. To reiterate, a school district cannot inquire into a student or family’s citizenship or immigration status under the law, and any information learned regarding a student or family’s citizenship, or immigration status, should not be documented as part of a student’s education record. Sharing information absent a valid subpoena, warrant or judicial court order is a violation of federal law.

Should you have any further questions or concerns, please contact your solicitor or our office. ♦

Executive Orders, *continued*

support school choice initiatives with another executive order directing the DOE secretary to provide guidance regarding federal funding formulas to support K-12 school choice initiatives.

WBK is constantly reviewing the evolving state of the laws, regulations, and new orders impacting our schools. Please contact our office for specific advice relating to Title IX and the recent executive orders. ♦

WBK Happenings

- Attorney Annemarie Harr Eagle has been named a shareholder at Weiss Burkardt Kramer.
- Attorney Lynne Sherry has been named the chair of WBK’s special education department.
- On April 5, 2025, Attorney Megan Turnbull will be sitting on solicitor’s panel the at the Allegheny League of Municipalities’ Annual Spring Educational Conference. Attorney Turnbull will be handling the topic of social media and the First Amendment.

Title VI Updates

By: Lynne Sherry, Esq.



On January 10, 2025, the Department of Education’s Office for Civil Rights (OCR) published a resource entitled “Resolving A Hostile Environment Under Title VI: Discrimination based on Race, Color, or National Origin (including Shared Ancestry or Ethnic Characteristics)” [Resolving a Hostile Environment Under Title VI \(PDF\)](#). The guidance, which remains on OCR’s website, reviewed a number of Resolution Agreements with school districts related to discrimination based on these factors; OCR received the highest number of complaints in 2024 under the Title VI category of racial harassment. The same week, the Fourth Circuit Court of Appeals reversed dismissal of a student’s racial harassment claim, initiated by a student who sufficiently alleged she suffered severe and pervasive racial harassment by her peers. The Fourth Circuit joined the Third Circuit (which includes PA) in recognizing the existence of Title VI claims for student-on-student racial harassment. While Districts may anticipate potential changes in the scope of OCR investigations, it is important to continue to monitor for illegal discrimination and investigate where appropriate, as a cause of action remains intact in federal court. **Attorneys at WBK are available to consult with school districts on issues surrounding claims of harassment and harassment investigations, as well as questions regarding OCR complaints and Executive Orders impacting the work of the Department of Education and OCR. ♦**

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Contact other WBK attorneys by visiting wbklegal.com

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.

Western Pennsylvania Writing Project (WPWP)

Western Pennsylvania WRITING PROJECT

Below you will find some incredible summer opportunities offered by the Western Pennsylvania Writing Project (WPWP) that could greatly benefit your teachers and students.

For over 40 years, WPWP has been dedicated to supporting literacy learning, teacher development, and youth engagement across Western Pennsylvania. Our work emphasizes teacher-led professional learning, inquiry-based exploration, and creating impactful experiences that transform classrooms and communities.

Below are our key summer offerings:

1. Summer Institute for Teachers

This institute provides classroom teachers, community educators, and education leaders with dedicated time for professional learning and leadership development through the practice and sharing of writing. Supported by Pitt's Provost Office, the program is offered **free of charge** and includes:

- Graduate credits and Act 48 credits
- Teacher-led design for professional learning
- Inquiry-based exploration and writing workshops
- A full retreat day for participants
- Professional networking opportunities

Most importantly, the institute fosters leadership development that translates directly back to teachers' classrooms, schools, and learning communities, allowing educators to share their learning with colleagues.

Learn more about the Summer Institute here: <https://www.wppw.pitt.edu/offerings/educators>

2. Young Writers Institute

Our **youth writing camp for grades 5–11** runs from **June 23rd to July 1st**. This program features a range of learning experiences led by certified classroom teachers, esteemed writers, and advanced writing students from regional colleges and universities. It's an excellent opportunity to nurture vibrant young writers from your schools and communities.

Registration is open now! Learn more here: <https://app.education.pitt.edu/payment/YWI>

Please feel free to share these opportunities widely within your school districts. I'd also be happy to discuss ways the Writing Project can support your teachers and schools through customized professional development or other programs. If you'd like to connect, I'd be glad to schedule a visit to discuss how we can work together.

Khirsten L. Scott, PhD—Western Pennsylvania Writing Project Director
Email: kle37@pitt.edu • wppw@pitt.edu

Website: wppw.pitt.edu

Women's Law Project

Title IX and Pennsylvania Law Continue to Protect Pennsylvania Students from Sex Discrimination

Author: Sujaya Rajguru

In August 2024, the U.S. Department of Education implemented new Title IX rules that included more explicit and robust protections for survivors of sexual assault, pregnant and parenting students, and LGBTQ+ students. This January, a federal judge ordered that these new rules be vacated, putting the 2020 Title IX rules back into effect. So what does this mean for Pennsylvania schools?

While the recent court ruling means that the Department of Education will no longer enforce protections that were *new* to the 2024 rules, Title IX and the case law interpreting this statute remain good law. The 2020 rules that are now in effect still provide substantial protections for students. Under these rules, schools are still required to meaningfully respond to sexual harassment, offer supportive measures to students who report sexual harassment, and prohibit retaliation against a student for exercising their rights under Title IX.

Pregnant and parenting students are also explicitly protected from discrimination under the 2020 rules. Discrimination or exclusion on the basis of pregnancy, childbirth, termination of pregnancy, and recovery from these conditions are all considered unlawful sex discrimination under the 2020 rules. Schools are generally required to provide leave to students for at least the length of time the student's doctor deems necessary, and to reinstate students with their previous status upon their return to school. Policies relating to students' actual or potential parental, family, or marital status that treat students differently on the basis of sex are prohibited under the 2020 rules.

In addition to these remaining federal Title IX protections, Pennsylvania schools must continue to follow state statutes, local ordinances, and board policies, many of which provide meaningful protections to students based on sex, sexual orientation, gender identity, and pregnancy. Under the Pennsylvania Human Relations Act and the Pennsylvania Fair Educational Opportunities Act, schools must protect students from discrimination based on sex, which explicitly includes discrimination based on pregnancy; sex assigned at birth; gender, including a person's gender identity or gender expression; sexual orientation; and intersex characteristics. Pregnancy is defined under state law to include the use of assisted reproductive technology; childbirth; breastfeeding; postpartum period after childbirth; and medical conditions related to pregnancy. The recent decision vacating the 2024 rules does nothing to alter the protections afforded to students under Pennsylvania law, and Pennsylvania schools must continue to comply with state laws and policies.

Protections under Title IX can also be found in federal case law. For example, the Third Circuit held in *Doe v. Boyertown Area School District* that under Title IX, school districts have a compelling state interest in protecting transgender students from discrimination, and that allowing transgender students to use bathrooms and locker rooms that align with their gender identities furthers this interest.

Despite the change in the Title IX rules, there is nothing in state or federal law preventing schools from enacting or maintaining policies that offer *stronger* protections than what is required under the 2020 rules. The purpose of Title IX is to ensure that no person is discriminated against or excluded from participation in education programs on the basis of sex. The 2020 rules have the same purpose as the statute for which they were issued to implement. The requirements in the 2020 rules are a floor, not a ceiling, to achieve this goal. When new rules go into effect, they simply clarify how to comply with the statute. Title IX remains the letter of the law.

To learn more or to get involved with efforts to support pregnant and parenting students, LGBTQ+ students, and survivors of sexual assault in Pennsylvania, contact the Women's Law Project at info@womenslawproject.org.



www.womenslawproject.org
info@womenslawproject.org

A Message from the Executive Director

Over the past several years, leadership conferences and workshops have increasingly focused on how leaders can navigate turbulent times. At the Tri-State Area School Study Council, our mission has always been to provide school leaders with programming that supports their work in advocating for children and youth.

This past fall, in collaboration with AASA and Just Rite Reader, we offered programming designed to support student mental health initiatives and advance research around the science of reading.

Many school leaders and teachers face significant challenges amid today's complex educational and political landscape. However, for many educators, this is not new. They remain steadfast in their commitment to supporting all children.

John Dewey's words resonate deeply in light of recent criticisms of public education:

"The teacher is not in the school to impose certain ideas or to form certain habits in the child, but is there as a member of the community to select the influences which shall affect the child and to assist him in properly responding to these influences."

As educators, it is our responsibility to equip students with the skills and knowledge necessary to understand and engage with today's political and social dynamics—both as learners and as active, informed citizens. Throughout my career, I have yet to meet an educator who does not support the ideals that Dewey champions.

On March 20, 2025, at the Distinguished Educator Banquet, we will honor two outstanding school districts and one exceptional leader. This year, the D. Richard Wynn Distinguished School Board Award will be presented to the Brentwood Borough School District and the Board of Trustees for the Western Pennsylvania School for Blind Children. These boards exemplify leadership that truly supports all children and youth.

Additionally, we are privileged to recognize Dr. Donald Martin as this year's Distinguished Educator. With over 33 years of service in education and currently serving as the Executive Director of Intermediate Unit 1, Dr. Martin has dedicated his career to advocating for children and youth through various leadership roles.

We invite you to join us in celebrating the achievements of these remarkable school boards and an outstanding educator. The Tri-State Area School Study Council remains committed to providing programming that supports and advocates for children and youth. We stand ready to support our member districts and the broader school community in this important work.



Dr. Bart Rocco
Executive Director

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.*