



Senate Education Committee

Senator Jeffrey E. Piccola
Chairman

Dave Transue
Executive Director
dtransue@pasen.gov

Matt Azeles
Deputy Executive Director
mazeles@pasen.gov

Karen Seivard
Committee Counsel
kseivard@pasen.gov

Room 173 Capitol Building, Senate Box 203015, Harrisburg, Pennsylvania 17120-3015 • 717-787-6801 • 717-783-3722

BILL SUMMARY

Senate Bill 1492, Printer's No. 2105

Prime Sponsor: Smucker

A. SYNOPSIS:

Senate Bill 1492 would permit school districts in the Commonwealth to enter into agreements with one another to establish open campus initiatives, *i.e.*, collaborative partnerships among school districts that provide students with expanded access to high-quality curricula in a cost-effective manner through the use of technology.

B. BILL ANALYSIS:

S.B. 1492 would amend the Public School Code of 1949 (School Code) to create a new Article XV-G, "Open Campus Initiatives." Under the bill, school districts would be permitted to establish an open campus initiative through a cooperative agreement among participating school districts. In an open campus initiative, school districts would be allowed to deliver courses to participating students outside the school building in whole or in part using technology that may include the Internet, video conferencing or other electronic means.

Course grades, course credit, promotion and graduation policies and eligibility requirements for student enrollment would be determined by the cooperative agreement among participating school districts, as well as by the school district, charter school, cyber charter school, nonpublic school or evaluator of a home education program in which a participating student is enrolled. A student's participation in an open campus initiative course would be considered compliant with the compulsory attendance requirements of section 1327 of the School Code. The school district, charter school, cyber charter school, nonpublic school or evaluator of a home education program in which a participating student is enrolled would be required to ensure that a student participating in open campus initiative courses is engaged in at least 990 hours of instruction at the secondary level and 900 hours of instruction at the elementary level.

A cooperative agreement among participating school districts seeking to establish and operate an open campus initiative must be adopted by majority vote of the board of school directors of each of the participating school districts and must include at least the following:

- A policy for grading, credit and promotion of students participating in open campus initiative courses;
- A policy for participation of students from participating school districts, including minimum academic and attendance criteria;
- If the participating school districts allow students from nonparticipating school entities to participate in open campus initiative courses, a policy for the participation of such students, including a fee schedule for determining tuition charges for courses delivered to such students;
- A policy for discipline and removal of students from open campus initiative courses;

- Information about the attribution of student data, including student assessment data, to the school district, charter school, cyber charter school or nonpublic school in which the student is enrolled;
- Information about the sharing of costs between the participating school districts;
- Information about the use and distribution of tuition revenue;
- Processes for adding and removing open campus initiative courses; and
- Processes for termination of the open campus initiative.

The bill would require the Pennsylvania Department of Education to provide technical assistance as needed to school districts that establish and operate an open campus initiative.

For the purpose of making reimbursements to school districts, a student participating in an open campus initiative would be considered to be enrolled in the school district, charter school, cyber charter school, nonpublic school or home education program that determines the student's eligibility for participation in the open campus initiative.

Participating school districts would be required to make policies related to an open campus initiative accessible to parents and to post such policies on their publicly accessible Internet websites.

The bill's provisions would take effect 60 days following enactment.

C. SUMMARY OF RELEVANT EXISTING LAW:

S.B. 1492 would create a new provision of law.

D. SUMMARY OF PROPOSED AMENDMENT:

No amendments are proposed.

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 1492 Session of
2012

INTRODUCED BY SMUCKER, PICCOLA, BAKER, RAFFERTY, FOLMER,
EICHELBERGER, ALLOWAY, ERICKSON, ARGALL, BRUBAKER, WAUGH AND
WILLIAMS, APRIL 12, 2012

REFERRED TO EDUCATION, APRIL 12, 2012

AN ACT

1 Amending the act of March 10, 1949 (P.L.30, No.14), entitled "An
2 act relating to the public school system, including certain
3 provisions applicable as well to private and parochial
4 schools; amending, revising, consolidating and changing the
5 laws relating thereto," providing for open campus
6 initiatives.

7 The General Assembly of the Commonwealth of Pennsylvania
8 hereby enacts as follows:

9 Section 1. The act of March 10, 1949 (P.L.30, No.14), known
10 as the Public School Code of 1949, is amended by adding an
11 article to read:

12 ARTICLE XV-G

13 OPEN CAMPUS INITIATIVES

14 Section 1501-G. Legislative intent.

15 It is the intent of the General Assembly to encourage
16 collaborative partnerships between school districts for the
17 purpose of providing expanded access to high-quality curricula
18 to students in a cost-effective manner through the use of
19 technology.

1 Section 1502-G. Definitions.

2 The following words and phrases when used in this article
3 shall have the meaning given to them in this section unless the
4 context clearly indicates otherwise:

5 "Department." The Department of Education of the
6 Commonwealth.

7 "Nonparticipating school entity." A school district, which
8 is not a party to a cooperative agreement between school
9 districts, a charter school, cyber charter school, nonpublic
10 school or home education program provided under section 1327.1.

11 "Open campus initiative." A program established under
12 section 1503-G.

13 "Participating school district." A school district which is
14 party to the cooperative agreement between school districts
15 establishing the open campus initiative.

16 Section 1503-G. Open campus initiatives.

17 (a) Establishment.--An open campus initiative may be
18 established between school districts through a cooperative
19 agreement.

20 (b) Courses.--Courses of an open campus initiative may be
21 delivered outside of a school building in whole or in part using
22 technology that may include the Internet, video conferencing or
23 other electronic means.

24 (c) Grades, credit, promotion and graduation.--Course
25 grades, credit, promotion and graduation policies for students
26 participating in open campus initiative courses shall be
27 determined by the school district, charter school, cyber charter
28 school, nonpublic school or evaluator of a home education
29 program in which the student is enrolled and the cooperative
30 agreement between the participating school districts.

1 (d) Student eligibility requirements.--Eligibility
2 requirements for student participation in open campus initiative
3 courses shall be determined by the school district, charter
4 school, cyber charter school, nonpublic school or supervisor of
5 a home education program in which each student is enrolled and
6 the cooperative agreement between the participating school
7 districts.

8 (e) Nonparticipating school entities.--A cooperative
9 agreement between participating school districts may provide for
10 students attending a nonparticipating school entity to
11 participate in an open campus initiative course.

12 (f) Compulsory attendance requirements.--The time during
13 which a student participates in open campus initiative courses
14 shall be considered to be compliant with the compulsory
15 attendance requirements of section 1327.

16 (g) Student participation.--The school district, charter
17 school, cyber charter school, nonpublic school or home education
18 program in which the student is enrolled shall ensure that a
19 student participating in open campus initiative courses is
20 engaged in at least 990 hours of instruction at the secondary
21 level and 900 hours of instruction at the elementary level.

22 (h) Technical assistance.--The department shall provide
23 technical assistance as needed to school districts establishing
24 and operating an open campus initiative.

25 Section 1504-G. Cooperative agreements.

26 (a) Contents.--School districts desiring to establish and
27 operate an open campus initiative shall develop and enter into a
28 cooperative agreement that shall, at a minimum, include:

29 (1) A policy for grading, credit and promotion of
30 students participating in open campus initiative courses.

1 (2) A policy for participation of students from
2 participating school districts which shall include minimum
3 academic and attendance criteria.

4 (3) A policy for participation of students from
5 nonparticipating school entities, which includes a fee
6 schedule for determining tuition charges for courses
7 delivered to those students, if the participating school
8 districts allow participation of students from
9 nonparticipating school entities.

10 (4) A policy for discipline and removal of students from
11 open campus initiative courses.

12 (5) Information about the attribution of student data to
13 the school district, charter school, cyber charter school,
14 nonpublic school or home education program in which the
15 student is enrolled, including student assessment data.

16 (6) Information about the sharing of costs between the
17 participating school districts.

18 (7) Information about the use and distribution of
19 tuition revenue.

20 (8) Processes for adding and removing open campus
21 initiative courses.

22 (9) Processes for termination of the open campus
23 initiative.

24 (b) Adoption by boards of school directors.--Each open
25 campus initiative cooperative agreement shall be adopted by
26 majority vote of the board of school directors of each of the
27 participating school districts.

28 Section 1505-G. Reimbursements by the Commonwealth.

29 For the purpose of making reimbursements under Article XXV, a
30 student participating in an open campus initiative shall be

1 considered to be enrolled in the school district, charter
2 school, cyber charter school, nonpublic school or home education
3 program which determines the student's eligibility for
4 participation in the open campus initiative.

5 Section 1506-G. Parental and public information.

6 All policies related to an open campus initiative shall be
7 made accessible to parents and posted on the participating
8 school districts' publicly accessible Internet websites.

9 Section 2. This act shall take effect in 60 days.