



Pennsylvania's **STATE SYSTEM** of Higher Education

November 23, 2020

Legislative UPDATE

Pennsylvania's State System of Higher Education

The General Assembly has concluded the [Fiscal Year 2020-21 budget process](#), providing supplemental appropriation funds for the remaining seven months of the fiscal year. These bills are now before the governor for his signature; the last day for his action is November 30th:

[SB 1350](#) (Bowne): Provides a total appropriation of \$35.5 billion for the fiscal year with \$32.1 billion in state funds and \$3.4 billion in federal stimulus dollars, utilizing \$1.333 billion of CARES Act funding to reduce General Fund need in several areas, i.e., criminal justice, health, human services and state police. It maintains the interim budget's flat-funding for school districts, pre-k, and higher education.

[HB 2536](#) (James): Amends the Fiscal Code with substantive language implementing the Supplemental General Appropriation Act of 2020, and it makes other amendments:

Section 1725-L. Department of Health.

- Directs \$500,000 to East Stroudsburg University for costs related to free tick testing of Pennsylvania residents.

Section 1738-L. Pennsylvania Higher Education Assistance Agency.

- Directs PHEAA to allocate \$500,000 from the Higher Education Assistance Fund for Cheyney University Keystone Academy.
- Instructs PHEAA to allocate \$1,000,000 from funds appropriated for payment of education assistance grants to Mansfield University for merit scholarships.

[SB 1216](#) (Langerholc): Amends the Public School Code concerning educator certification, graduation requirements, transportation, and special provisions applicable to the 2020-2021 school year including:

Section 1202.1. Instructional Certificate Grade Spans and Age Levels and Duties of Department.

- Allows the Department of Education to continue to issue the special education pre-kindergarten through grade 8 certification or the special education grades 7 through 12 certification to any individual enrolled in a certification program at an institution of higher education or approved alternative education program prior to December 31, 2021.

Section 1207.4. Special Provisions Applicable to 2020-2021 School Year.

- Allows the Secretary of Education to temporarily waive certain test requirements for individuals entering student teacher programs or who have completed teacher preparation programs and were not able to take the tests because they were not offered.
- Permits the Secretary to allow current educators who want to increase their instructional certification from I to II or add a special certification to temporarily do so for one year without assessment. In addition, the deadline for paraprofessionals to satisfy staff development requirements is extended to June 30, 2021.

- Authorizes the Secretary to extend an emergency permit issued during the 2020-2021 school year at the request of a school entity that employs an emergency permit holder when the employee is unable to complete the requirements associated with the permit because the program credits or assessment could not be completed. The extended emergency permit expires one year from the date of extension.

[HB 1737](#) (Gleim): Amends Title 42 (Judiciary and Judicial Procedure) to add subchapters for COVID-19-Related Liability; Economic Development Agency, Fiduciary and Lender Environmental Liability Protection; and limited liability protection for agritourism activity providers.

Subchapter F.4 - COVID-19-Related Liability.

- Provides for the limitation of civil liability for certain individuals and entities by requiring a higher burden of proof and standard of liability for actual or alleged exposure to COVID-19 during a proclamation of disaster emergency issued by the Governor relating to COVID-19 as well as any renewals of the proclamation.
- Protects individuals and entities including schools; child care facilities; manufacturers, distributors, labelers, donors, and users of personal protective equipment; businesses; governmental service providers. A person providing business or government services shall not be civilly liable for damage to property or personal injury related to an actual or alleged exposure to COVID-19. A covered provider shall not be civilly liable for damages or personal injury related to such exposure.
- Limits civil liability under this subchapter by requiring clear and convincing evidence of gross negligence, recklessness, willful misconduct, or intentional infliction of harm. The subchapter further provides protection by waiving liability if the individual or entity was attempting to comply with a public health directive.

[SB 835](#) (Langerholc): Establishes a grant program to extend deployment of broadband services in underserved areas of the state. Funding is limited to nongovernmental entities that have demonstrated the ability to construct and administer internet services and require that they provide 25 percent of the funding for the project. The Commonwealth Financing Authority will administer the program.

[SB 1241](#) (Argall): Amends the Administrative Code, in powers and duties of the Department of General Services and its departmental administrative and advisory boards and commissions, providing for report of State facilities owned or leased.

Section 2402.4. Report of State Facilities Owned or Leased

- Requires that DGS annually conduct a survey of state facility usage, for which each executive agency, independent agency, and state-affiliated entity, as defined by Title 62, shall report to DGS each facility under its control or which it uses.

- Directs DGS to compile and report the survey information to the Chair and Minority Chair of the House and Senate State Government Committees on or before July 31st of each year.
- Provides the report shall include, at a minimum:
 - Whether the state facility is state-owned or leased.
 - Whether the state facility is occupied or vacant.
 - The size of the state facility in square feet.
 - The total expenditures for utility per state facility in the preceding 12 months.
 - The amount of rent paid for the preceding 12 months on any leased state facility.
 - The purpose of the state facility.
 - How to reduce costs associated with the state facility.

Senate

Session & Committee Activity

[Senate Session Days](#) | [Watch Session Live](#) | [Senate Calendars](#) | [Senate Committee Meeting Schedule](#)

The Senate stands in recess until the call of the President Pro Tempore.

Last week, Senators approved resolutions approving of the disposition of the Dixon University Center and Edinboro University's Porrecco College. The House gave its approval back in September.

Selling the Dixon University Center is an important example of the innovation agenda the State System is pursuing, and we appreciate the support of both chambers in the General Assembly. The opportunity adds to the State System's growing momentum as it seeks to build a brighter future.

In other action, the chamber [confirmed the nominations](#) of five members of the State System of Higher Education's Board of Governors, including the reappointment of Chair Cindy Shapira and fellow board member Janet Yeomans.

Joining the Board are two alumni of State System universities, the previous chair of Shippensburg University's Council of Trustees, and leaders in the business and philanthropy industries. Each member received a nomination for a four-year term.

- **Cindy Shapira of Pittsburgh**, who has chaired the Board of Governors since 2016, is president of the Davis S. and Karen A. Shapira Foundation. Her distinguished philanthropy, community relations, and business career has been well recognized in her home of Pittsburgh and throughout the Commonwealth.
- **Janet Yeomans of Philadelphia** served as vice president and treasurer with 3M Corp. She currently serves as an independent trustee of Delaware Group Income Funds and on the board of Temple University Hospital.
- **William Gindlesperger of Chambersburg** is chairman of eLynxx Solution, which provides clients software for sourcing and managing direct mail. He also serves as a trustee for Shippensburg.
- **B. Michael Shaul of Mechanicsburg** is president and managing partner for Economic Strategy Group LTD in Harrisburg. Previously, he served as the state deputy secretary of commerce and as past chair of the Council of Trustees at Shippensburg, his alma mater.
- **Larry Skinner of Philadelphia** works as vice president of sales and marketing for Conversion Technologies International Inc., and he's a graduate of Cheyney University. He currently serves on Cheyney's Council of Trustees and chairs the student affairs committee.

Senators also approved these university trustee nominations:

- **Council of Trustees of California University:** Steve DeFrank
- **Council of Trustees of Clarion University:** Susanne Burns and Howard Shreckengost
- **Council of Trustees of Indiana University:** Anne White
- **Council of Trustees of Kutztown University:** Walter "Jim" Ludlow
- **Council of Trustees of Lock Haven University:** Margery Dosey, John Gower and Mark Stern
- **Council of Trustees of West Chester University:** Senator Robert Tomlinson, Marian Moskowitz and Betty Silfa

Leadership elections were also completed. The Senate Democratic Caucus elected its leadership team for the 2021-2022 legislative session:

- Leader Jay Costa (D-Allegheny)
- Appropriations Chair Vincent Hughes (D-Philadelphia)
- Whip Anthony Williams (D-Philadelphia)
- Caucus Chair Wayne Fontana (D-Allegheny)
- Caucus Secretary Maria Collett (D-Montgomery)
- Policy Chair Katie Muth (D-Montgomery)

Senate Republicans announced their [leadership team](#) on November 12th. Both teams will begin serving in their roles on December 1st.

House of Representatives

Session & Committee Activity

[House Session Days](#) | [Watch Session Live](#) | [House Calendars](#) | [House Committee Meeting Schedule](#)

The House stands in recess until the call of the Chair.

Starting December 1st, House leadership will be as follows:

House Republican Leadership:

- Speaker Rep. Bryan Cutler (R-Lancaster)
- Leader Kerry Benninghoff (R-Centre)
- Appropriations Chairman Stan Saylor (R-York)
- Whip Donna Oberlander (R-Clarion)
- Caucus Chair Mike Reese (R-Westmoreland)
- Caucus Secretary Martina White (R-Philadelphia)
- Caucus Administrator Kurt Masser (R-Northumberland)
- Policy Chair Martin Causer (R-McKean)

House Democratic Leadership:

- Leader Joanna McClinton (D-Philadelphia)
- Appropriations Chairman Matt Bradford (D-Montgomery)
- Whip Jordan Harris (D-Philadelphia)
- Caucus Chair Dan Miller (D-Allegheny)
- Caucus Secretary Tina Davis (D-Buck)
- Caucus Administrator Mike Schlossberg (D-Lehigh)
- Policy Chair Ryan Bizzarro (D-Erie)

Bill Tracking Report

November 30th marks the end to the two-year legislative session. Bills not enacted during the two-year session may be reintroduced the following session for consideration, starting

with committee review.

This update is provided as a courtesy of the Office of the Chancellor as a preview of upcoming legislative activity and a review of action on legislative issues of interest to the State System. The Legislative UPDATE is distributed during legislative session weeks.

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