

**MINUTES
STATE BOARD OF EDUCATION**

**333 Market Street | 1st Floor
Harrisburg, PA 17126**

September 9, 2020

The 358th meeting of the State Board of Education (Board) was convened virtually on Wednesday, September 9, 2020. Due to public health measures being implemented across the Commonwealth to address COVID-19, members of the Board and members of the public participated in the meeting virtually via webinar and teleconference. Public notice of the meeting was made in accordance with the Sunshine Meeting Act of 1986. The meeting was called to order at 2:30 p.m. by Chair Karen Farmer White.

Attending:

Hon. Carol Aichele
James Barker
Nathan Barrett
Jamie Bracey-Green
Nicole Carnicella

Anne Griffin
Pamela Gunter-Smith
Jeffrey Keeling
Hon. Maureen Lally-Green
Jonathan Peri

Eva Rankin
Hon. James Roebuck
Taiba Sultana
Hon. Curt Sonney
Karen Farmer White
Lee Williams

APPROVAL OF MINUTES

The minutes of the July 8, 2020, meeting of the Board were approved on an **Barker/Williams** motion.

COMMITTEE REPORT

SPECIAL COMMITTEE ON PRIVATE SCHOOL ACCREDITATION

Hon. Carol Aichele, Chair of the Special Committee on Private School Accreditation, reported that the Committee met earlier in the day to consider applications from two organizations seeking to renew their authority to continue serving as approved accrediting bodies for private and non-public schools – the Pennsylvania Association of Independent Schools (PAIS) and the Middle States Association of Colleges and Schools. Ms. Aichele reviewed sections of the Private Academic Schools Act that permit private schools to operate under accreditation in lieu of state licensure provided that the accrediting body is approved by the Board. To ensure that the quality and integrity of the accreditation process is maintained over time, Ms. Aichele said the Board requires accreditors to renew their authority to serve in this capacity every five years. Consideration of renewal applications is guided by criteria outlined in the Board’s Statement of Policy published in Chapter 52.

Ms. Aichele said the renewal applications submitted by both PAIS and Middle States underwent dual reviews by the Board and by the Department of Education, and that the Department presented positive findings across all elements of both applications and recommended that both applications be approved. The organizations were evaluated based on their self-study process, protocols for conducting peer reviewed site visits at candidate schools,

standards for accreditation, monitoring, process for investigating and resolving complaints, and ensuring compliance with employee background check requirements. Ms. Aichele said the Committee concurred with the Department’s findings on both applications and acted to recommend that the Board approve both applications to extend the current authority of PAIS and Middle States to serve as approved accreditors for another five years.

REPORT OF THE
PROFESSIONAL STANDARDS AND PRACTICES COMMISSION
AND THE OFFICE OF CHIEF COUNSEL

Shane Crosby, Executive Director of the PSPC, thanked the Board for its support of the Professional Standards and Practices Commission’s (PSPC) recommendations to include professional ethics in recently-approved proposed amendments to Chapter 49 to create an intentional focus on professional ethics in the teaching profession. Mr. Crosby then shared that, during the COVID-19 pandemic, the PSPC continues to meet to adjudicate cases brought by the Office of Chief Counsel (OCC). He said the Commission will hear 29 discipline cases and one reinstatement case at its next meeting, and noted that there has not been a backlog of adjudications as a result of the pandemic as the Commission has developed procedures for electronic filing and service as well as virtual hearings.

Sarah DiRito, Assistant Chief Counsel, reported that the OCC is eliminating the initiation and prosecution of complaints not meeting certain criteria to reduce prosecution time, maximize positive outcomes for students and educators, and focus on the complaints most critical to student safety and the promotion of professional ethics. Recognizing a need to shift resources to focus on the prosecution of those educator misconduct complaints where there is an appreciable risk to student safety, Mr. DiRito said the OCC has shifted away from the initiation of new complaints and the prosecution of existing complaints where there is limited to no perceived risk to student safety or where one or more other safeguards are present. Factors influencing whether the OCC will initiate new complaints and/or prosecute open complaints include the following: active or recent teaching status, whether the conduct was adequately and satisfactorily addressed at the local level via the employment litigation process, and whether the conduct has been adequately resolved via an alternate process.

Currently, the OCC has 2,068 open educator misconduct complaints; 369 of the open complaints are designated as “high priority” because they involve allegations of sexual misconduct, sexual abuse/exploitation, serious physical abuse of students, or criminal charges warranting the immediate suspension of the teaching certificate/employment eligibility because of a danger element. Thus far in 2020, Ms. DiRito said the OCC has received 243 complaints and has resolved 489 complaints.

Dr. Jonathan Peri inquired as to whether teachers with cases that might be dismissed are able to gain employment as a teacher in another state given varying state policies. Dr. Peri and Dr. Jamie Bracey-Green asked if the OCC could share its new decision-making rubric for determining whether to pursue disciplinary action, as well as aggregate data related to the number of outstanding complaints that support these methods.

PUBLIC COMMENT

There was no public comment.

ACTION ITEMS

APPLICATION SEEKING RENEWAL OF ACCREDITING AUTHORITY FOR THE PENNSYLVANIA ASSOCIATION OF INDEPENDENT SCHOOLS

A motion to approve the application of the Pennsylvania Association of Independent Schools seeking to renew its current accrediting authority for a five-year period ending September 9, 2025, was made by Hon. Carol Aichele and seconded by Jonathan Peri.

VOTE: All were in favor as indicated by unanimous voice vote.

APPLICATION SEEKING RENEWAL OF ACCREDITING AUTHORITY FOR MIDDLE STATES ASSOCIATION OF COLLEGES AND SCHOOLS

A motion to approve the application of the Middle States Association of Colleges and Schools seeking to renew its current accrediting authority for a five-year period ending September 9, 2025, was made by Hon. Carol Aichele and seconded by Pamela Gunter-Smith.

VOTE: All were in favor as indicated by unanimous voice vote.

PROPOSED CHAPTER 4 (SCIENCE STANDARDS)

A motion to adopt proposed amendments to Chapter 4 as recommended by the Council of Basic Education, inclusive of amendments presented in the Annex, and the Pennsylvania Standards for Integrated Science, Environment, Ecology, Technology and Engineering (grades K-5), the Pennsylvania Standards for Integrated Science, Environment and Ecology (grades 6-12), and the Pennsylvania Technology and Engineering Standards (grades 6-12) presented in Appendix B-1, was made by Lee Williams and seconded by Pamela Gunter-Smith.

VOTE: The motion to adopt proposed amendments to Chapter 4 was approved by a roll call vote of 13-0. (YEA: Aichele, Barker, Barrett, Bracey-Green, Carnicella, Gunter-Smith, Keeling, Lally-Green, Peri, Roebuck, Sonney, Farmer White and Williams)

ADJOURNMENT/ANNOUNCEMENT

Following the adjournment of business at 3:30 p.m. on a **Barker/Aichele** motion, Chair Farmer White called for an Executive Session of the Board for the purpose of consulting with counsel about legal procedures and to receive an update on litigation.



Stephanie Jones
Administrative Assistant

