
THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 1328 Session of
2020

INTRODUCED BY DINNIMAN, LANGERHOLC, FONTANA, MENSCH, PITTMAN,
ARGALL, BOSCOLA, FARNESE, BLAKE, COLLETT, AUMENT AND SCHWANK,
SEPTEMBER 18, 2020

REFERRED TO EDUCATION, SEPTEMBER 18, 2020

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" in preliminary provisions, providing
6 for online or distance learning program assessment and
7 evaluation.

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

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

13 Section 129. Online or Distance Learning Program Assessment
14 and Evaluation.--(a) If a school district offers online or
15 distance learning to the students of the school district and
16 identifies a demographic population of students attending school
17 through the online or distance learning program that are
18 performing below the average of the total students enrolled in
19 the school district in the same grade level, whether attending
20 online or in-person, the school district may request the

1 department to assess and evaluate the online or distance
2 learning program of the school district.

3 (b) Once the school district makes the request of the
4 department under subsection (a), the department shall:

5 (1) Assess whether each online or distance learning program
6 offered by the school district is meeting the goals of the
7 school district.

8 (2) Review the performance on the Pennsylvania System of
9 School Assessment test, standardized tests and other performance
10 indicators to ensure compliance with 22 Pa. Code Ch. 4 (relating
11 to academic standards and assessment) or subsequent regulations
12 promulgated to replace 22 Pa. Code Ch. 4 of each student
13 identified in the demographic population performing below
14 average and compare the findings to the students enrolled in the
15 school district in the same grade level to determine where the
16 gap in performance is occurring.

17 (3) Collaborate with the appropriate intermediate unit to
18 design guidance and educational support material for training in
19 online or distance learning services and programs within the
20 school district to close the gap for the demographic population,
21 which may include materials already publicly available.

22 (4) Collaborate with the appropriate intermediate unit to
23 design guidance and a model online or distance learning program
24 with supplemental educational material to assist the school
25 district to improve the online or distance learning program in
26 the area that created the gap for the demographic population,
27 which may include materials already publicly available.

28 (5) Have ongoing access to all records, instructional
29 materials and student and staff records as so needed to ensure
30 that the school district's online or distance learning program

1 meets the needs of the demographic population that triggered the
2 initial request for department involvement.

3 (c) As used in this section, the following words and phrases
4 shall have the meanings given to them in this subsection unless
5 the context clearly indicates otherwise:

6 "Online or distance learning." Includes the provision of
7 continuity of education to students using alternative means
8 during a period of school closure due to a declaration by the
9 Governor of disaster emergency under 35 Pa.C.S. § 7301(c)
10 (relating to general authority of Governor).

11 Section 2. This act shall take effect immediately.