



Text File

Introduced: 2/2/2021

Bill No: 2021-1135, Version: 1

Committee: Committee on Finance and Law

Status: Died due to expiration of legislative council session

Resolution declaring a State of Educational Emergency in the City of Pittsburgh.

(Cablecast Public Hearings held 6/30/21 & 7/14/21)

(Cablecast Post Agendas held 6/23/21, 7/7/21, 7/27/21 & 7/28/21)

Whereas, the twin public health crises of systemic racism and Covid-19 resulted in school closures and, in turn, fueled the educational achievement gap, the net result is the creation of an educational emergency in the City and School District of Pittsburgh. This emergency will have grave, long-term negative consequences for families in the City and the District but will disproportionately affect the health and safety of the city's African-American families in particular; and,

Whereas, the Pennsylvania Department of Education, in Summer 2020, declared that it considers the Coronavirus disease (Covid-19), declared by the World Health Organization ("WHO") a global pandemic, an emergency within the meaning of the Pennsylvania Public School Code of 1949; and,

Whereas, the Pennsylvania Human Relations Commission, in October 2020, concluded that, "while there have [*sic*] been evidence that the PPS is attempting to close the achievement gap between its African-American and White children, the statics [*sic*] do not support a conclusion that the standard of substantial progress has been satisfied."; and,

Whereas, according to the most recent Pittsburgh Public Schools PSSA score data (2018/1019) disaggregated by race found that in English Language: in 3rd Grade 38.5% of African-American Students were proficient compared to 75.7% of White students; in 5th Grade 31.4% of African-American Students were proficient compared to 74.2% of White Students; in 8th Grade 28.7% of African-American Students were proficient compared to 68.7% of White Students.

Whereas, according to the most recent Pittsburgh Public Schools Keystone score data (2018/1019) disaggregated by race found that in English Literature: in 11th Grade 43.1% of African-American Students were proficient compared to 78.7% of White Students;

Whereas, according to the most recent Pittsburgh Public Schools PSSA score data (2018/1019) disaggregated by race found that in Math: in 3rd Grade 32.7% of African-American Students were proficient compared to 63.1% of White students; in 5th Grade 14.8% of African-American Students were proficient compared to 52.7% of White Students; in 8th Grade 09.3% of African-American Students were proficient compared to 28.8% of White Students.

Committee: Committee on Finance and Law

Status: Died due to expiration of legislative council session

Whereas, according to the most recent Pittsburgh Public Schools’ Keystone score data (2018/1019) disaggregated by race found that in Algebra: in 11th Grade 30.5% of African-American Students were proficient compared to 71.4% of White Students;

Whereas, the overwhelming majority of the students of the Pittsburgh Public Schools have not had in-person instruction since March 13, 2020, due to the pandemic; and,

Whereas, the CDC reported, in November 2020, that mental health-related emergency room visits for children aged 5-11 and 12-17 increased 24% and 31%, respectively between April 2020 and October 2020 as compared with the same time period from the previous year; and,

Whereas, educational and mental health outcomes for all schoolchildren have worsened due to the pandemic, but educational achievement gaps for African-American children in the school district have been exacerbated by the pandemic, rising to a crisis-level emergency; and,

Whereas, Pedro A. Noguera, Ph.D., Dean of the USC Rossier School of Education, in a recent report, stated that, “The pandemic has exposed and exacerbated the preexisting inequalities we knew were there: the digital divide, the lack of a social safety net, and the fact that the parents of many school children are out of work and at risk to contracting the virus because they are “essential workers.”; and,

Whereas, schoolchildren of the School District of Pittsburgh will have lost, by August of 2021, nearly two (2) years of school. The remediation necessary to address this lost time for all District pupils will be extensive, and expensive, and eliminating the racial achievement gap for African-American students in addition to this will be a monumental task; and,

Whereas, the late Associate Justice of the Supreme Court of the United States, Thurgood Marshall, when, as a staff attorney for the NAACP Legal Defense Fund, re-argued the Brown v. Board of Education case before the United States Supreme Court, in 1953, said, “children . . . are guaranteed by the states some twelve years of education”, and additionally argued that, “There is no way to repay lost school years.”; and,

Whereas, The Pennsylvania Department of Education has encouraged schools to allow elementary students and other targeted groups to return to classrooms for the spring semester even if Covid-19 transmission rates remain substantial in their communities; and,

Whereas, former Pennsylvania Health Secretary Dr. Rachel Levine stated that there is emerging research that shows children younger than 10 to 14 years old have a lower chance of contracting the virus. “While people of any age can contract Covid-19, research suggests that people aged 18 and under do have a lower risk of severe outcomes,” Dr. Levine said. “This does include lower rates of hospitalization and death resulting from Covid-19 infection;” and,

Whereas, Dr. Debra Bogen, Director of the Allegheny County Health Department, said last week that K-12 students who have been learning in fully remote environments “had just as many [Covid-19] cases as those who

Committee: Committee on Finance and Law

Status: Died due to expiration of legislative council session

were in school or hybrid” models. She called schools a “relatively safe and low-risk behavior,” saying it’s “really important we think about that as we consider our return-to-school policies;” and,

Whereas, according to the Pittsburgh Post-Gazette, the School District of Pittsburgh is one of only three school districts in Allegheny County, out of 43 total school districts, that are still almost completely providing student instruction via remote learning; and,

Whereas, the Public School Code of 1949, Article V, Section 5-520.1, *24 P.S. § 5-520.1*, titled, “Temporary Emergency Provisions”, provides, *inter alia*, the following:

“(a) Whenever an emergency shall arise which the board of school directors of any school district in the performance of its duties could not anticipate or foresee, and which emergency shall result in any such school district being unable to provide for the attendance of all pupils during the prescribed length of school days, number of days per week, or usual hours of classes, it shall be found as a fact by the school directors of any school district and so recorded on the minutes of a regular or special meeting of such board and certified to the Superintendent of Public Instruction, and such board of school directors, subject to the approval of the Superintendent of Public Instruction, shall have power to put into operation in such school district any one or more of the temporary provisions hereinafter provided for, but in no event shall such temporary provisions remain in effect for a period of more than four years after they are first put into effect.

(b) Subject to the foregoing provisions, any board of school directors may:

(1) Keep the schools of the district in session such days and number of days per week as they shall deem necessary or desirable, but the provisions of this act requiring a minimum of one hundred eighty (180) session days as a school year shall not be affected thereby.”; and,

Whereas, the above referenced provisions of the Public School Code provide the School District of Pittsburgh with sufficient legal authorities to alter the academic and school year calendars, for a period not to exceed four (4) years, to address any unanticipated or unforeseen emergency which substantially and negatively impacts the ability of students to attend their schools; and,

Whereas, it will take no less than a coordinated, dedicated and sustained multi-year effort to address both the learning gap caused by the pandemic and the pre-existing racial achievement gap.

NOW, THEREFORE, BE IT RESOLVED, THAT THE COUNCIL OF THE CITY OF PITTSBURGH HEREBY ENACTS AS FOLLOWS:

Section 1. The City of Pittsburgh does hereby declare a State of Educational Emergency in the City of Pittsburgh.

AND BE IT FURTHER RESOLVED:

Committee: Committee on Finance and Law

Status: Died due to expiration of legislative council session

Section 2. The Council of the City of Pittsburgh, the Mayor of the City of Pittsburgh, the Pittsburgh Board of Public Education and Superintendent of the School District of Pittsburgh, along with interested stakeholders, engage in a collaborative and comprehensive process to assess, addresses and eliminate the current State of Educational Emergency in the Pittsburgh schools. In particular, this process will focus on:

1. The educational emergency negatively affecting our City's children and their families;
2. Reinstating safe and appropriate in-person school instruction for the School District of Pittsburgh beginning with Elementary Schools as soon as possible;
3. Facilitating the consideration of an extended School Day and an extended School Calendar;
4. Facilitating the expansion of out-of-school time academic instruction including tutoring, the Summer Dreamers program and community-based after-school and school break programs;
5. Facilitating the expansion of supportive services to students and their families to reduce trauma and negative effects of the City's current twin public health crises, Covid-19 and institutional racism;
6. Eliminating the waiting list for school district's Early Childhood Education programs, participating in a series of joint public meetings to assess the scope of the educational emergency and facilitate collective and comprehensive intervention strategies;
7. Continuing to create policies, programs and procedures to specifically address and reduce the opportunity gap among African-American students that is resulting in significant lower education performance and outcome in the City of Pittsburgh and in collaboration with other relevant parties, communicate results of assessments and determine appropriate reassessment intervals;
8. Continuing to identify specific activities to increase diversity and to incorporate anti-racism principles across leadership, staffing and contracting with a specific goal of increasing the percentage of African-American teachers;
9. Working to build alliances and partnerships with other governmental agencies and organizations that are addressing the student opportunity gap and encouraging other local, state and national entities to recognize the educational emergency in the City;

Section 3. The City Clerk shall transmit copies of this Resolution to the proper officials of the Pittsburgh Board of Public Education, the Pittsburgh Federation of Teachers, the Allegheny County delegation of the Pennsylvania House of Representatives and the Senate of Pennsylvania, the Chief Executive and the Council of the County of Allegheny, the Secretary of Education of the Commonwealth of Pennsylvania, and the Governor of the Commonwealth of Pennsylvania. The City Clerk shall also cause a copy of this Resolution to be made available on the City's internet page(s).