Understanding and Implementing Act 1 of 2022
A Guide for School Staff

Ensuring Timely Graduation and Equal Education Access in Pennsylvania

Pennsylvania Department of Education

CENTER FOR SCHOOLS AND COMMUNITIES

Presenters

Matthew Butensky

Youth Development Project Manager
Center for Schools and Communities

Meghan Dale

Special Projects Managing Coordinator
Center for Schools and Communities

Benjamin Simmons

Youth Development Specialist
Center for Schools and Communities

Agenda

1 Overview and Purpose
- Introduction to Act 1 of 2022.
- Key objectives and the impact of educational instability.

2 Identification and Eligibility
- Defining Education Instability.
- Eligibility criteria and documentation considerations.

3 School Entity Responsibilities and Implementation
- Establishing Point of Contact (POC).
- Ensuring equal access and eliminating barriers.

4 Ensuring Timely Graduation and Credit Assessment
- Assessing graduation progress.
- Credit awards, demonstration of competency, and graduation planning.

5 Resources
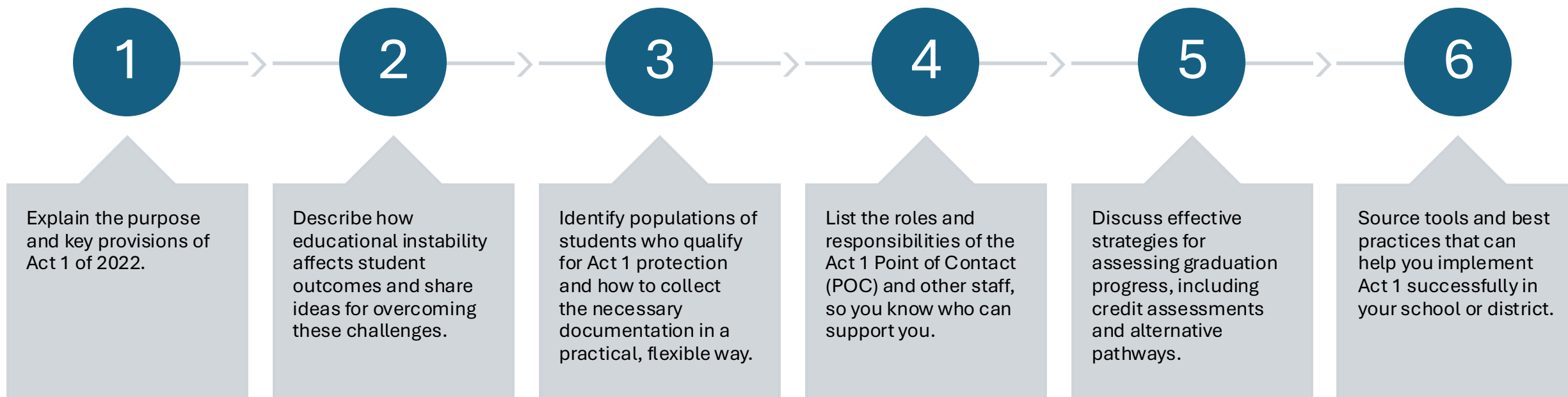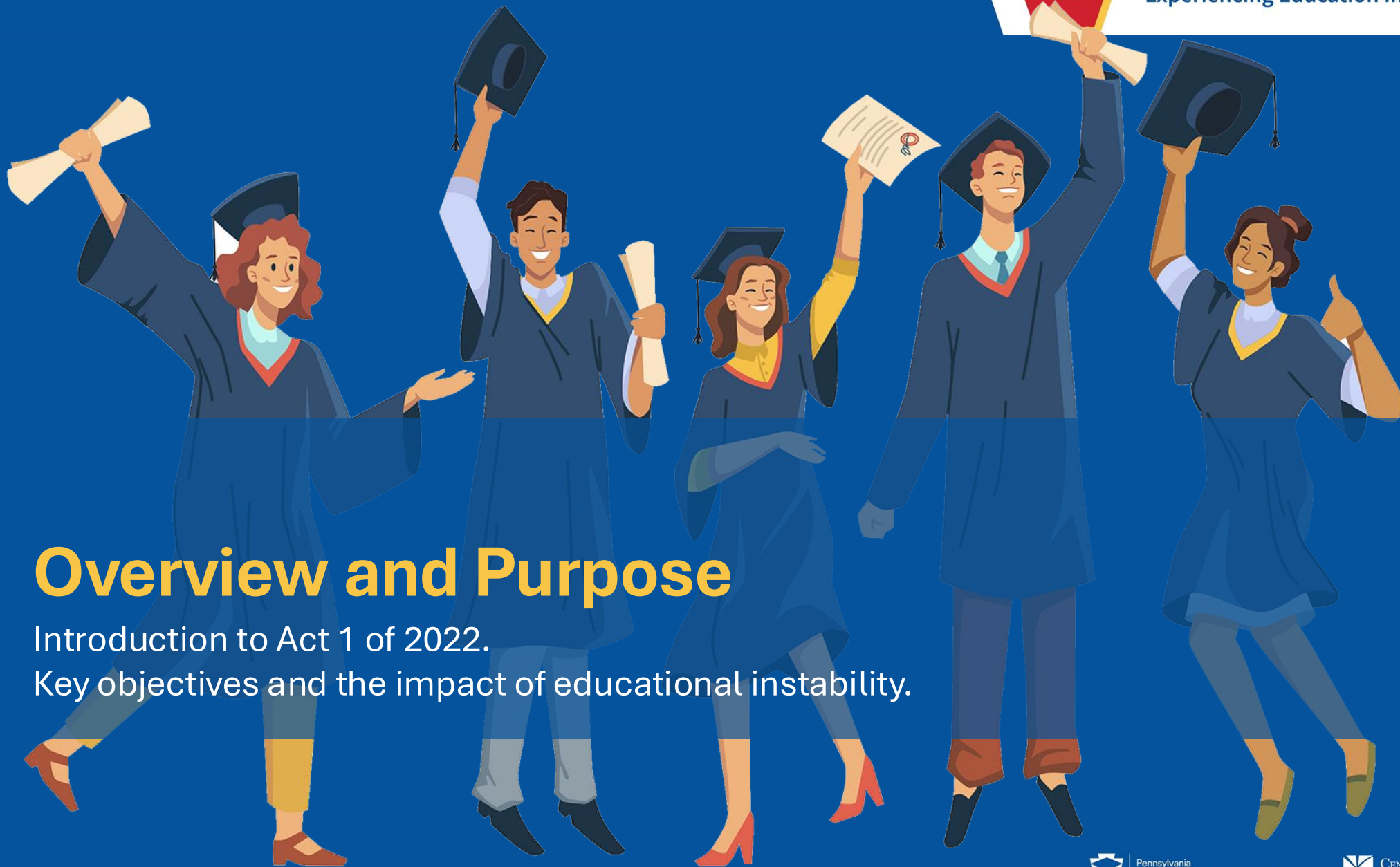- Overview of Act 1 resources and support contacts.

6 Q&A and Discussion
- Share best practices and open floor for questions.

Learning Objectives

By the end of this session, you will be able to:

1 Explain the purpose and key provisions of Act 1 of 2022.

2 Describe how educational instability affects student outcomes and share ideas for overcoming these challenges.

3 Identify populations of students who qualify for Act 1 protection and how to collect the necessary documentation in a practical, flexible way.

4 List the roles and responsibilities of the Act 1 Point of Contact (POC) and other staff, so you know who can support you.

5 Discuss effective strategies for assessing graduation progress, including credit assessments and alternative pathways.

6 Source tools and best practices that can help you implement Act 1 successfully in your school or district.

Act 1 of 2022
Assisting Students Experiencing Education Instability

1

Overview and Purpose

Introduction to Act 1 of 2022.
Key objectives and the impact of educational instability.

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Background of Act 1 of 2022

Act 1 is designed to disrupt the negative outcomes associated with education instability.

Common Causes of Education Instability

- Housing instability or insecurity.

- Foster care placement.

- Juvenile justice involvement or alternative school placements.

Signed into law: January 26, 2022

Effective: Beginning of the 2021-2022 school year

Purpose of Act 1 of 2022

Key Objectives

- Ensure on-time graduation.

- Provide equal access to academic and extracurricular activities.

- Remove systemic barriers for students who have experienced educational instability.

Note: Act 1 does not undermine the rights of students with disabilities or conflict with other state or federal laws.

Impact of Education Instability

| Lower rates of on-time high school graduation. | Increased likelihood of interactions with the juvenile justice system. | Poorer health outcomes. | Feelings of isolation from school and community. |

(Pinto 2023)

Similar Education Experiences and Outcomes

The intersections among youth homelessness, foster care, and legal system interactions are well documented.

21-53% of youth experiencing homelessness are placed in foster care or institutional settings.

(Toro, Dworsky, and Fowler, 2007)

31-46% of youth exiting foster care experience homelessness by age 26.

(Dworsky, Napolitano, and Courtney, 2013)

50% of youth in foster care encounter the juvenile legal system by age 17.

(U.S. Department of Health and Human Services, Office of Justice Programs, 2023)

90% risk of involvement with the criminal legal system with five or more placements.

(Krinsky, 2010)

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Identification and Eligibility

Defining Education Instability.
Eligibility criteria and documentation considerations.

Identification and Eligibility – Overview

A student experiences **education instability** if they have one or more changes in school entity enrollment during a single school year.

Students qualify for support through Act 1 of 2022 when they have experienced education instability AND are identified as any of the following:

- Homelessness (per the McKinney-Vento Homeless Assistance Act).

- Foster care placement (dependency adjudication).

- Juvenile court involved youth (adjudication of delinquency).

- Court-ordered services under voluntary placement or custody agreements.

Consider cross- and dual-population students (e.g., migrant children experiencing homelessness).

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Identification and Eligibility – Considerations

Documentation Flexibility

- Be flexible with sources and formats of documentation.

- Students and families are not required to disclose sensitive information.

- Maintain confidentiality; do not redisclose without permission.

Potential Sources for Eligibility Information

- School staff (e.g., Homeless Liaison, Foster Care POC, enrollment staff).

- Shelter providers, outreach workers, case managers.

- Juvenile probation officers, residential facility staff, foster care placement providers.

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Parents are not required to disclose sensitive information

Eligibility Criteria and Timing

Eligible School Changes: Who Qualifies?

- Students returning to their former school.

- Students starting at a new school.

- Students re-engaging after an extended absence.

Review Frequency

- Schools should review eligibility at least annually.

- Ensure enrollment staff are familiar with Act 1.

Screen for eligibility during enrollment and registration by collaborating with LEA Homeless Liaison, Foster Care POC, and enrollment staff.

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Eligibility FAQ – Part 1

Does changing schools mean changing school districts?

Eligibility requires a change in school entity (school district, charter school, intermediate unit, or career and technical school). A change of schools within a district is not an eligible school change.

Schedule regular meetings (pre-school year, mid-year, end-of-year) among the Act 1 POC, Homeless Liaison, Foster Care POC, etc.

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Examples of Eligible School Changes

Example 1

A student experiencing homelessness starts at a new school in a different district because it is in their new attendance area.

Example 2

A student in foster care returns to their prior school after being enrolled in a host school district during a residential treatment facility placement.

Example 3

A student attends a private alternative education placement within another school entity and then returns to their prior school or a new school.

Collaborate with facility staff to accurately identify Act 1 eligible students during entry or discharge.

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Eligibility FAQ – Part 2

Once designated eligible for Act 1, does the student maintain protection for their entire educational career?

- A student designated in 9th grade remains eligible throughout high school.

- Eligible students in grades 9-12 shall be provided with an individualized and student specific Graduation Plan.

- For K-8 students, protections can continue for the duration of their educational instability and at least for the current school year identified.

3

School Entity Responsibilities and Implementation

Ensuring equal access and eliminating barriers. Establishing Point of Contact (POC).

School Entity Responsibilities

Ensure Equal Access

- Extra-curricular activities.

- Educational activities.

- School-sponsored events (including fee elimination).

Adopt a Policy on Credit Assessments

- Award full/partial credit for work completed at prior schools (including residential placements).

- Recognize that similar courses may have different titles.

- Assess courses based on substance and alignment with standards, rather than just the name of the course.

Point of Contact (POC) Roles and Responsibilities

Consultation and Support

Expedite consultations with school counselors or mental health professionals.

Facilitate prompt course placement.

Connect students with necessary educational services.

Record Management

Immediately request a student's complete education record, including IEP or 504 service agreements, if applicable.

Graduation Planning

For grades 9-12, develop and execute a Graduation Plan with the student.

Ensure the Graduation Plan is included in the student's education records.

Point of Contact FAQ

Which school staff member should be the Act 1 POC?

- Every Act 1 student must have a designated POC. Consider a school-wide or building-level approach; school counselors are often best suited for this role.

- In LEAs with many eligible students, consider appointing multiple POCs across all buildings.

Act 1 policy is flexible, so local context should be considered when appointing a POC.

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Pathways to Participation and Waivers

Act 1 removes obstacles that prevent eligible students experiencing educational instability from fully participating in school.

Participation	Students must be able to join school-sponsored and extracurricular activities (e.g., clubs, athletics, performing arts, class trips, CTE programs, internships, specialized classes) if they meet placement and qualification requirements.
Late Registration Flexibility	Students are not excluded from events due to enrollment delays.
Uniform and Material Delays	No penalties for delays in obtaining uniforms or necessary materials.
Fee Waiver	Waive fees for Act 1 eligible students.

Eliminating Fees and Financial Barriers

School entities must waive all fees that could hinder participation.

*Please note that this list is not all inclusive, there could be other waived fees.

Examples of Waived Fees

- School Essentials: School ID, uniform fees, locker or padlock rental/replacement fees.

- Academic Costs: Course fees, materials fees, summer school/credit recovery fees, technology fees.

- Extracurricular Fees: Participation fees for athletics, clubs, school trips, and performing arts.

- Student Services: School lunch fees, library fees, athletic physical exam fees.

- Graduation-Related Fees: Graduation regalia (cap and gown).

- Transportation: Parking and driving fees.

- Other Costs: Fees for lost or damaged materials.

Addressing Fees

Consider **local fundraising** and connecting with community agencies who serve the relevant student population to cover costs related to fee waivers for Act 1 students.

Title I funds may cover expenses associated with Act 1 in some circumstances.

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Ensuring Timely Graduation and Credit Assessment

Assessing graduation progress.
Credit awards, demonstration of competency, and graduation planning.

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Ensuring Timely Graduation

To support on-time graduation, Act 1 requires school entities to complete these two key components.

Assess Graduation Progress

Evaluate prior coursework, award full/partial credits, and recognize alternative competency demonstrations.

Develop and Record Individualized Graduation Plans

Provide eligible students in grades 9-12 with a plan outlining required coursework, alternative plans, and graduation pathways.

Assessing Graduation Progress

Schools must adopt policies and practices to award credits fairly and remove barriers to timely graduation of eligible students.

Credit Awarding and Partial Credit Calculation

- Award full or partial credit for work completed at prior schools, including residential placements.

- Define how partial credits contribute to graduation requirements.

- The receiving school's POC must verify if previously completed courses satisfy graduation requirements.

Cross-Credit Recognition

- Recognize that different titles may represent equivalent coursework.

- Example: A "Mythology" course in one school might satisfy an English 9 requirement in another.

Demonstrating Competency

If a student has not completed a specific required course, they may fulfill graduation requirements by demonstrating competency through the following options.

- Completion of the required course.

- Completion of a similar course that can be substituted for credit.

- Alternative demonstration of competency through:
  - Essay, project, or presentation submission.
  - Recognition of higher-level coursework, experiential learning, or internships.

Demonstrating Competency (cont.)

School Entity Flexibility

- Chief school administrators may waive a required course or other local graduation requirement.

- Provide an alternative/modified course if no waiver is applicable to help the student meet the requirements by their expected graduation date.

Consider how to modify courses and waive requirements while upholding academic rigor.

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Graduation Planning and Participation

The individualized graduation plan must:

- Outline local graduation requirements.

- Identify full/partial credits awarded upon enrollment.

- Detail waived, alternative, or modified courses.

- Be included in the student's education record.

- Be shared with the student's education decision maker, caseworker, and/or other relevant parties.

Once the requirements are met:

- Students graduate on time with their peers.

- Must be allowed to participate in the graduation ceremony.

- Receive a diploma of equal weight.

Pathways to Graduation and Waivers -Options

Current LEA Issuance	The current school issues a diploma after satisfactory completion of graduation requirements and/or modified course-work as outlined in the student's Act 1 Graduation Plan.
IEP-Based Graduation	The IEP team may determine that graduation based on IEP goals is most appropriate. Act 1 of 2022 does not append a student's right to remain enrolled as outlined in their IEP.
Waiver Option	Chief School Administrator may waive any graduation requirements that are unmet due to an Act 1 student's education instability. The Chief School Administrator may utilize the 5% waiver. Review PDE's Guidance on Act 158 of 2018.
Prior School Option	The receiving school may solicit a diploma from the prior school if those requirements are met, but local requirements cannot be met.
Keystone Diploma	When a student is unable to meet local graduation requirements but meets minimal statewide graduation requirements, the receiving LEA may apply for a Keystone Diploma. Keystone Diplomas shall have the full force of an LEA-issued diploma and are <u>not</u> considered a diploma of general equivalency. Students who graduate via a Keystone Diploma are reported as non-graduates for the LEA.

PIMS – Graduation Codes Overview

Traditional Diploma*	806
GED	816
Keystone Diploma**	826

* A **traditional diploma** issued by a prior school entity (806) does not affect the graduation cohort rate. It is not considered an 826.

** A **Keystone diploma** (826) negatively affects the graduation cohort rate.

Act 1 of 2022 — Assisting Students Experiencing Education Instability

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Resources

Overview of Act 1 resources and support contacts.

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Act 1 Resources

- [Act 1 of 2022 Basic Education Circular](#)

- [Act 1 Overview Training](#)

- [Application for Keystone Diploma](#)

- [Act 1 of 2022 Webpage](#)

- [Act 158 Graduation Requirements](#)

- Graduation Plan Toolkit – in development

- Frequently Asked Questions Guide – in development

For **Keystone Diploma and general questions**, email **RA-EDDOP@pa.gov**.

To request **technical assistance and training**, email **Act1Training@csc.csiu.org**.

Survey

- Currently administering survey statewide to LEAs.

- Asks to identify and name your Act 1 POC(s).

- Reviews other implementation topics.
    - Needs
    - Challenges
    - Training
    - Feedback
    - Interest in workgroup

6

Q&A and Discussion
Share best practices and open floor for questions.

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How to Put Act 1 into Action

Identify and name a Point of Contact.

Address fees.

Assess all prior work and award credits.

Develop pathways to graduation.

Build a community of support.

Consider Act 1 and special education.

Act 1 Technical Assistance Support

Matthew Butensky

mbutensky@csc.csiu.org

Meghan Dale

mdale@csc.csiu.org

Benjamin Simmons

bsimmons@csc.csiu.org

How has your LEA implemented at least one key provision of Act 1?

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Question & Answer