

**IN THE COMMONWEALTH COURT OF PENNSYLVANIA**

<b>LAUREL SCHOOL DISTRICT, et al.,</b>	:	
	:	Docket No. 188 MD 2023
Petitioners,	:	
v.	:	
	:	
<b>PENNSYLVANIA DEPARTMENT OF EDUCATION, et al.,</b>	:	
	:	
Respondents.	:	

**MEDIATED SETTLEMENT AGREEMENT**

**WHEREAS**, on April 17, 2023, Petitioners commenced the above-captioned civil action, No. 188 MD 2023, in the Commonwealth Court of Pennsylvania by filing a Petition for Review;

**WHEREAS**, on October 22, 2024, the parties voluntarily participated in a Mediation session with the Honorable Senior Judge Bonnie Brigance Leadbetter; and,

**WHEREAS**, the parties reached a mutually acceptable resolution of the above-captioned matter, which is set forth below.

**NOW, THEREFORE**, intending to be legally bound hereby, the parties acknowledge and agree as follows:

1. The Pennsylvania Department of Education (“Department”) will send an email to all school entities (public schools, school districts, intermediate units, area career and technical schools, charter schools, cyber schools, and independent schools) indicating as follows:

RE: Culturally-Relevant and Sustaining Education (“CR-SE”) Program Framework Guidelines

The Department hereby rescinds the previously issued Culturally-Relevant and Sustaining Education (“CR-SE”) Program Framework Guidelines. School entities (public schools, school districts, intermediate units, area career and technical schools, charter schools, cyber schools, and independent schools) have no legal obligation to implement or comply with the (CR-SE) Program Framework Guidelines. However, school entities have legal obligations under 22 Pa. Code §§ 49.16(c) and 49.17(a)(6).

The Department encourages, but does not require, school entities to incorporate the attached Common Ground Framework Program Guidelines into their Continuing Professional Development plans. The Department will continue to evaluate induction and professional development plans pursuant to the requirements of 22 Pa. Code §§ 49.16(c) & 49.17(a)(6), and it offers this Common Ground Framework as a helpful guideline to school districts in their compliance with those requirements. However,

each school entity should consult with its Solicitor regarding its particular legal obligations.

More information will be forthcoming regarding the new Guidelines.

2. The Department's email will include, as an attachment, the Common Ground Framework Program Guidelines, which are attached hereto as Appendix "1."

3. In addition to the email, the Department will post Appendix "1" on the Department's website.

4. Once the requirements of Paragraphs No. 1, 2, and 3 have been completed by the Department, Petitioners agree to file with the Commonwealth Court the required documentation to settle and discontinue the above-referenced matter. Respondents hereby consent to Petitioners' request to settle and discontinue the above-referenced matter.

5. This Agreement does not alter or limit the Department's ability to rescind or modify the Common Ground Framework Program Guidelines in the future and/or the Department's ability to issue new guidelines.

6. The parties acknowledge and agree that if a dispute arises regarding compliance with the terms and conditions of this Agreement prior to the Court's entry of the discontinuance referenced in paragraph 4, the parties will consent to mediation with the Honorable Senior Judge Bonnie Brigrance Leadbetter to resolve said dispute.

7. The parties shall each bear their own fees and costs associated with the above-captioned matter.

8. The Parties agree that this Agreement is to be construed and interpreted under the laws of the Commonwealth of Pennsylvania.

9. This Agreement contains the entire agreement between the parties and supersedes all prior negotiations and/or agreements, proposed or otherwise, written or oral, concerning the subject matter of this litigation. No modification of this Agreement shall be binding unless in writing and signed by each of the parties.

10. Each of the parties and its signatory represents that the signatory is either a party or a representative fully authorized to execute this Agreement on behalf of any and all parties for whom he or she signs. The signatories further represent and warrant that, as of the date of the execution of this Agreement, each respectively has the right and authority to execute this Agreement.

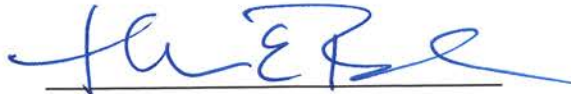
11. This Agreement may be executed and delivered in one or more counterparts, each of which shall be considered an original, and it is understood and intended by the parties that the counterparts together represent one document. It is understood and agreed that an electronic, copied, scanned, or faxed signature shall have the same force and effect as an original signature.

12. This Agreement is not a consent decree, and it shall not be interpreted or applied as a consent decree.

ACCEPTED AND AGREED:

**LAUREL SCHOOL DISTRICT, et al.,**

November 13, 2024



Thomas E. Breth, Esquire  
On behalf of Petitioners

**PENNSYLVANIA DEPARTMENT OF  
EDUCATION, et al.,**

November 13, 2024



Stephen Kovatis, Esquire  
On behalf of Respondents

# Common Ground Framework

## Program Guidelines

The mission of the Pennsylvania Department of Education (PDE) is to ensure that every learner has access to a world-class education system that academically prepares children and adults to succeed as productive citizens. To fulfill that mission, it is critical that educators enter classrooms across the Commonwealth equipped with the knowledge they need to meet students where they are.

The Common Ground<sup>1</sup> Framework includes three sets of competencies—Cultural Awareness, Trauma-Aware, Mental Health and Wellness, and Technological and Virtual Engagement—for teacher training, both preparation and professional development, to provide educators with the skills and approaches that will enable them to better serve learners from all walks of life. (See. 22 Pa. Code § 49.1, 49.14(4)(i), 49.16(c), 49.17(a)(6)). The Department hereby rescinds the previously issued Culturally-Relevant and Sustaining Education (“CR-SE”) Program Framework Guidelines. This framework replaces and updates the previously issued Culturally-Relevant and Sustaining Education (“CR-SE”) Program Framework Guidelines.<sup>2</sup>

This includes learners from varying socio-economic backgrounds and those with different abilities and is an effort to create an inclusive learning environment for all students. It also provides guidance to help educators handle issues related to mental wellness, trauma informed approaches to instruction, engagement with technological and virtual strategies, and myriad other factors that can inhibit student success in the classroom if unaddressed.

The Department encourages, but does not require, school entities to incorporate the attached Common Ground Framework Program Guidelines into their Continuing Professional Development plans. The Department will continue to evaluate induction and professional development plans pursuant to the requirements of 22 Pa. Code §§ 49.16(c) & 49.17(a)(6), and it offers this Common Ground Framework as a helpful guideline to school districts in their compliance with those requirements. However, each school entity should consult with its Solicitor regarding its particular legal obligations.

Common Ground is designed to help educators to better understand and relate to students experiencing homelessness and food insecurity, military-connected students

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<sup>1</sup> “Common Ground” refers to the Department’s term that encompasses the State Board required Culturally Relevant and Sustaining Education competencies and standards defined in 22 Pa. Code 49.1 and established for use in teacher preparation, induction and professional development pursuant to 22 Pa. Code § 49.14(4)(i), 49.16(c), 49.17(a)(6).

<sup>2</sup> School entities (public schools, school districts, intermediate units, area career and technical schools, charter schools, cyber schools, and independent schools) have no legal obligation to implement or comply with the CR-SE Program Framework Guidelines, although induction and professional education plans must continue to comply with applicable regulations concerning CR-SE.

and their families, students who have experienced trauma, students with disabilities or special needs, children of migratory seasonal farm workers, and more. Regulations adopted by the State Board of Education in 2022 required PDE to identify competencies and develop associated standards for educator training in culturally relevant and sustaining education. The Common Ground Framework was developed in 2024 to provide updated guidance.

The framework was developed in response to regulations adopted by the State Board of Education in 2022.

## **Examples of Considerations for Professional Development**

**Poverty:** The effects of poverty, including limited resources, limited support at home, Adverse Childhood Events (ACES), etc., may impact a student's access to required school supplies, opportunities to participate in extra-curricular activities, attendance at PTO activities that are not free, access to book fairs, transportation to and from after school and athletic events, transiency, etc.

**Farming Families:** Students rising early to perform early morning farm-related chores may benefit from a mid-morning snack, may suffer with endurance issues toward the end of the school day, and may have decreased attendance during the harvest season.

**Military Families:** Family member deployments may impact students' social-emotional well-being. Also, the transiency of military life can affect students' sense of belonging by frequently adjusting to new schools, as well as create barriers for families as they try to learn what resources are available to them.

**Low Socioeconomic Status:** Providing assistance and understanding of the process families go through to access affordable housing can help families obtain a basic need (i.e., how to apply for housing with government assistance).

**Homelessness:** Should an LEA have a high homeless population, the causes and consequences of homelessness (i.e., causes, experiences a child may face, challenges with acquiring an income, hunger/nutrition, poverty cycle, effects on child development, trauma and emotional wellness, transiency, etc.) are important to identify to assist the students and families.

**Family Communication and Engagement:** Best practices surrounding communication and engagement with families will help to ensure families are supporting their children. This could include assisting individuals with communication disabilities and the use of translation services.

**Trauma:** Identifying and understanding trauma and the effects trauma can have on students social-emotional and academic needs is important to ensure students' needs are being met. An LEA located close to an environment where many families may have experienced trauma could personalize this based upon any recent or historical events including cultural and racial trauma exposure.

**Disabilities:** Students with disabilities may encounter barriers that affect their access to education and inclusion within the school community. For example, a student with mobility impairments may struggle with navigating inaccessible school buildings and may require specialized transportation services to ensure school attendance. Additionally, students with learning disabilities may face challenges in accessing and understanding materials that are not tailored to their needs. These students would benefit from teachers who implement inclusive teaching practices, such as providing alternative formats for materials, ensuring physical accessibility of school facilities, and fostering a supportive and accepting school culture where students of all abilities feel valued and included.

**Digital/Broadband Accessibility:** Understanding the challenges of digital or broadband accessibility for students from low-income or rural families is crucial. Many students do not have reliable access to high-speed internet or necessary digital devices at home, which can hinder their ability to complete online assignments, access educational resources, or participate in virtual classes. Providing support such as loaner laptops, access to WiFi hotspots, or partnering with local organizations to offer affordable internet options can help bridge this digital divide. Additionally, creating digital materials and platforms that are accessible to students with disabilities, such as screen reader compatibility and captioning for videos, ensures inclusivity for all learners.

## **Cultural Awareness Competencies**

*[competencies will be inserted/ linked here on website]*

## **Trauma-Aware, Mental Health and Wellness Competencies**

*[competencies will be inserted/ linked here on website]*

## **Technological and Virtual Engagement Competencies**

*[competencies will be inserted/ linked here on website]*