

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 652 Session of  
2005

INTRODUCED BY WENGER, RHOADES, PICCOLA, EARLL, M. WHITE,  
THOMPSON, O'PAKE, PILEGGI, PIPPY, SCARNATI, RAFFERTY,  
GREENLEAF, ORIE, WOZNIAK, WONDERLING AND ARMSTRONG,  
APRIL 28, 2005

REFERRED TO EDUCATION, APRIL 28, 2005

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," further providing for the  
6 establishment of programs, for the Educational Assistance  
7 Program and for accountability grants.

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

10 Section 1. Sections 1502-C, 1512-C(e) and 2599.2(b) of the  
11 act of March 10, 1949 (P.L.30, No.14), known as the Public  
12 School Code of 1949, amended or added December 23, 2003  
13 (P.L.304, No.48), are amended to read:

14 Section 1502-C. Establishment of programs.

15 (a) Establishment.--The Education Support Services Program  
16 and Educational Assistance Program are established within the  
17 department to provide individual or small group instruction in  
18 those subject areas assessed through a Pennsylvania System of  
19 School Assessment test and required under the No Child Left

1 Behind Act of 2001 to strengthen the skills that an eligible  
2 student needs to achieve the standards in 22 Pa. Code Ch. 4  
3 (relating to academic standards and assessment)[, which shall be  
4 provided at a time other than the regularly scheduled school  
5 hours].

6 (b) Eligibility.--The department shall utilize the  
7 Pennsylvania System of School Assessment test or other test  
8 results to identify eligible students under this article. Scores  
9 used to determine eligible students in each grade shall be  
10 published annually in the Pennsylvania Bulletin.

11 (c) Approval.--A provider must be approved by the department  
12 in order to provide education support services or tutoring under  
13 the Educational Assistance Program under this article.

14 Section 1512-C. Educational Assistance Program.

15 \* \* \*

16 (e) Tutoring services.--Tutoring services provided under  
17 this section shall include intensive instruction in those  
18 subject areas assessed through a Pennsylvania System of School  
19 Assessment test and required under the No Child Left Behind Act  
20 of 2001. Such tutoring services may:

21 (1) Notwithstanding the provisions of section 1502, be  
22 provided outside of the normal school day and hours of the  
23 school entity, including mornings, evenings, weekends and  
24 during the summer months.

25 (2) Take place on an individual or small group basis,  
26 provided that tutoring services may be provided to no more  
27 than ten students in a given class at a given time during the  
28 school term and no more than 15 students during the summer  
29 months.

30 (3) Be provided during the normal school day and hours

1     of the school entity.

2     \* \* \*

3     Section 2599.2. Pennsylvania Accountability Grants.--\* \* \*

4     (b) The grant shall be used by a school district to attain  
5 or maintain academic performance targets. Funds obtained under  
6 this section may be used for any of the following:

7     (1) Establishing, maintaining or expanding a quality pre-  
8 kindergarten program aligned with the current academic standards  
9 contained in 22 Pa. Code Ch. 4 (relating to academic standards  
10 and assessment).

11    (2) Establishing, maintaining or expanding a quality full-  
12 day kindergarten program aligned with the current academic  
13 standards contained in 22 Pa. Code Ch. 4. Such programs shall be  
14 kept open for five hours each day for the full school term as  
15 provided in section 1501. The board of school directors of a  
16 school district may offer a full-day kindergarten program to  
17 children who are between four and six years old.

18    (3) Establishing, maintaining or expanding a class size  
19 reduction program. Such class size reduction program shall  
20 appoint and assign a minimum of one teacher for every 17  
21 students or two teachers for every 35 students enrolled in a  
22 kindergarten, first, second or third grade classroom. All  
23 teachers appointed and assigned to teach kindergarten, first,  
24 second or third grade shall be certified in accordance with 22  
25 Pa. Code Ch. 49 (relating to certification of professional  
26 personnel) or its successors. The department shall establish  
27 guidelines to assure that no school district satisfies the  
28 requirements of this paragraph by making a reduction in, and  
29 subsequent increase to, current teacher complement. For purposes  
30 of this paragraph, the phrase "one teacher for every 17 students

1 or two teachers for every 35 students enrolled in a  
2 kindergarten, first, second or third grade classroom" shall  
3 refer to the number of teachers conducting a class at any one  
4 time in a classroom containing the applicable number of  
5 students.

6 (4) Establishing, expanding or maintaining programs that  
7 promote the availability, coordination, integration and  
8 utilization of social and health services, associated resources  
9 and ancillary resources to meet the needs of children and  
10 families in addressing issues that may serve to limit student  
11 academic achievement.

12 (5) [Notwithstanding the provisions of Article XV-C,  
13 providing tutoring assistance.] Providing tutoring assistance  
14 either during the normal school day and hours of the school  
15 district or outside of the normal school day and hours of the  
16 school district, including mornings, evenings, weekends and  
17 during the summer months.

18 (6) Improving the academic performance of subgroups  
19 identified under section 1111(b) of the No Child Left Behind Act  
20 of 2001.

21 (7) Establishing, expanding or maintaining programs to  
22 assist in the building of strong science and applied-knowledge  
23 skills.

24 (8) Providing additional programs for continuing  
25 professional education that may include any of the following:  
26 training in mathematics, science and literacy-specific  
27 curriculum and instructional strategies; training in school-wide  
28 improvement planning; analysis of student achievement data,  
29 including student work and the implications for classroom  
30 practice; observing and studying exemplary school and classroom

1 practices; implementing school-wide programs and classroom  
2 management strategies designed to improve student conduct; using  
3 technology to boost student achievement; conducting transition  
4 planning and curriculum alignment across schools and grade  
5 levels; or implementing secondary strategies to increase student  
6 engagement and personalize learning.

7 (9) Establishing, expanding or maintaining math and literacy  
8 coaching programs within schools to improve math and reading  
9 instruction.

10 (10) Providing financial incentives to highly qualified,  
11 tenured teachers to work in the most academically challenged  
12 schools in a school district or providing financial incentives  
13 to aid in the recruitment of certificated teachers in  
14 mathematics, science, language arts or English as a second  
15 language to work in the most academically challenged schools in  
16 a school district.

17 (11) Providing such other programs or activities that the  
18 board of school directors of a school district determines are  
19 essential to achieving or maintaining academic performance  
20 targets through the year 2014.

21 \* \* \*

22 Section 2. This act shall take effect immediately.