

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, ARMSTRONG AND KASUNIC,
APRIL 28, 2005

SENATOR THOMPSON, APPROPRIATIONS, RE-REPORTED AS AMENDED,
JUNE 20, 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 SO LONG AS THE TUTORING SERVICES DO NOT <—
2 CONFLICT WITH AN ELIGIBLE STUDENT'S NORMAL COURSE OF
3 INSTRUCTION.

4 * * *

5 Section 2599.2. Pennsylvania Accountability Grants.--* * *

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

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

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

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

1 subsequent increase to, current teacher complement. For purposes
2 of this paragraph, the phrase "one teacher for every 17 students
3 or two teachers for every 35 students enrolled in a
4 kindergarten, first, second or third grade classroom" shall
5 refer to the number of teachers conducting a class at any one
6 time in a classroom containing the applicable number of
7 students.

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

14 (5) [Notwithstanding the provisions of Article XV-C,
15 providing tutoring assistance.] Providing tutoring assistance
16 either during the normal school day and hours of the school
17 district SO LONG AS THE TUTORING SERVICES DO NOT CONFLICT WITH <—
18 AN ELIGIBLE STUDENT'S NORMAL COURSE OF INSTRUCTION or outside of
19 the normal school day and hours of the school district,
20 including mornings, evenings, weekends and during the summer
21 months.

22 (6) Improving the academic performance of subgroups
23 identified under section 1111(b) of the No Child Left Behind Act
24 of 2001.

25 (7) Establishing, expanding or maintaining programs to
26 assist in the building of strong science and applied-knowledge
27 skills.

28 (8) Providing additional programs for continuing
29 professional education that may include any of the following:
30 training in mathematics, science and literacy-specific

1 curriculum and instructional strategies; training in school-wide
2 improvement planning; analysis of student achievement data,
3 including student work and the implications for classroom
4 practice; observing and studying exemplary school and classroom
5 practices; implementing school-wide programs and classroom
6 management strategies designed to improve student conduct; using
7 technology to boost student achievement; conducting transition
8 planning and curriculum alignment across schools and grade
9 levels; or implementing secondary strategies to increase student
10 engagement and personalize learning.

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

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

21 (11) Providing such other programs or activities that the
22 board of school directors of a school district determines are
23 essential to achieving or maintaining academic performance
24 targets through the year 2014.

25 * * *

26 Section 2. This act shall take effect immediately.