

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 399 Session of
2007

INTRODUCED BY MUSTO, BOSCOLA, ERICKSON, RAFFERTY, FONTANA,
STACK, WASHINGTON, STOUT, COSTA, KITCHEN, FERLO, O'PAKE,
BROWNE, KASUNIC, LAVALLE, WOZNIAK, DINNIMAN, HUGHES AND
RHOADES, MARCH 13, 2007

SENATOR RHOADES, EDUCATION, AS AMENDED, APRIL 17, 2007

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 accountability
6 grants.

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

9 ~~Section 1. Section 2599.2(b) of the act of March 10, 1949~~ <—
10 ~~(P.L.30, No.14), known as the Public School Code of 1949,~~
11 ~~amended July 13, 2005 (P.L.226, No.46), is amended to read:~~

12 SECTION 1. SECTION 2599.2(B) AND (C) OF THE ACT OF MARCH 10, <—
13 1949 (P.L.30, NO.14), KNOWN AS THE PUBLIC SCHOOL CODE OF 1949,
14 AMENDED JULY 13, 2005 (P.L.226, NO.46) AND JULY 11, 2006
15 (P.L.1092, NO.114), ARE AMENDED TO READ:

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

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

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

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

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

30 (4) Establishing, expanding or maintaining programs that

1 promote the availability, coordination, integration and
2 utilization of social and health services, associated resources
3 and ancillary resources to meet the needs of children and
4 families in addressing issues that may serve to limit student
5 academic achievement.

6 (5) Notwithstanding the provisions of Article XV-C,
7 providing tutoring assistance during the normal school day and
8 hours of the school district, provided that the tutoring is in
9 addition to and does not interfere with a student's regularly
10 scheduled classroom instruction times and does not supplant
11 services required in a student's individualized education
12 program.

13 (6) Improving the academic performance of subgroups
14 identified under section 1111(b) of the No Child Left Behind Act
15 of 2001.

16 (7) Establishing, expanding or maintaining programs to
17 assist in the building of strong science and applied-knowledge
18 skills.

19 (8) Providing additional programs for continuing
20 professional education that may include any of the following:
21 training in mathematics, science and literacy-specific
22 curriculum and instructional strategies; training in school-wide
23 improvement planning; analysis of student achievement data,
24 including student work and the implications for classroom
25 practice; observing and studying exemplary school and classroom
26 practices; implementing school-wide programs and classroom
27 management strategies designed to improve student conduct; using
28 technology to boost student achievement; conducting transition
29 planning and curriculum alignment across schools and grade
30 levels; or implementing secondary strategies to increase student

1 engagement and personalize learning.

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

5 (10) Providing financial incentives to highly qualified,
6 tenured teachers to work in the most academically challenged
7 schools in a school district or providing financial incentives
8 to aid in the recruitment of certificated teachers in
9 mathematics, science, language arts or English as a second
10 language to work in the most academically challenged schools in
11 a school district.

12 ~~(10.1) Establishing, expanding or maintaining programs for~~ <—
13 ~~instruction on world languages in the elementary grades, either~~
14 ~~in immersion classrooms or as separate periods of instruction.~~

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

19 ~~(12) ESTABLISHING, EXPANDING OR MAINTAINING PROGRAMS FOR~~ <—
20 ~~INSTRUCTION ON WORLD LANGUAGES IN THE ELEMENTARY GRADES, EITHER~~
21 ~~IN IMMERSION CLASSROOMS OR AS SEPARATE PERIODS OF INSTRUCTION.~~

22 ~~(13) ESTABLISHING, EXPANDING OR MAINTAINING PROGRAMS TO~~
23 ~~ENHANCE EDUCATIONAL TECHNOLOGY, INCLUDING THE ACQUISITION OF~~
24 ~~LAPTOP COMPUTERS AND OTHER STATE-OF-THE-ART RESOURCES.~~

25 ~~(14) ESTABLISHING, EXPANDING OR MAINTAINING PROGRAMS TO~~
26 ~~STRENGTHEN HIGH SCHOOL CURRICULA BY CREATING RIGOROUS COLLEGE~~
27 ~~AND CAREER PREPARATORY PROGRAMS, INCREASING ACADEMIC~~
28 ~~ACHIEVEMENT, OFFERING ADDITIONAL ADVANCED PLACEMENT COURSES,~~
29 ~~PROVIDING SCHOOL-BASED COUNSELING, AND PROVIDING PROFESSIONAL~~
30 ~~DEVELOPMENT.~~

1 (15) ESTABLISHING, EXPANDING OR MAINTAINING PROGRAMS TO
2 PROVIDE INTENSIVE TEACHER TRAINING, PROFESSIONAL DEVELOPMENT
3 OPPORTUNITIES AND TEACHING RESOURCES TO ELEMENTARY LEVEL SCIENCE
4 TEACHERS.

5 * * *

6 (C) (1) NO LATER THAN APRIL 10, 2004, AND APRIL 10, 2005,
7 THE DEPARTMENT SHALL NOTIFY EACH SCHOOL DISTRICT OF THE GRANT
8 AMOUNT IT WILL RECEIVE UNDER SUBSECTION (D). NO LATER THAN APRIL
9 10, 2006, AND APRIL 10 OF EACH SCHOOL YEAR THEREAFTER, THE
10 DEPARTMENT SHALL NOTIFY EACH SCHOOL DISTRICT OF THE GRANT AMOUNT
11 IT WILL RECEIVE UNDER SUBSECTION (D.1).

12 (1.1) FOR THE 2007-2008 SCHOOL YEAR, THE DEPARTMENT SHALL
13 NOTIFY EACH SCHOOL DISTRICT OF THE PROGRAMS AND ACTIVITIES
14 AUTHORIZED UNDER SUBSECTION (B)(12), (13), (14) AND (15) WITHIN
15 FIFTEEN (15) DAYS OF THE EFFECTIVE DATE OF THIS PARAGRAPH.

16 (2) WITHIN THIRTY (30) DAYS OF RECEIPT OF THE NOTIFICATION
17 UNDER PARAGRAPH (1), THE SCHOOL DISTRICT SHALL SUBMIT TO THE
18 DEPARTMENT AN ACCOUNTABILITY GRANT PLAN. THE PLAN SHALL INCLUDE:

19 (I) REFERENCE TO THE PROGRAMS OR ACTIVITIES UNDER SUBSECTION
20 (B) FOR WHICH THE GRANT FUNDS WILL BE USED.

21 (II) IDENTIFICATION OF WHETHER THE GRANT FUNDS WILL BE USED
22 TO ESTABLISH, MAINTAIN OR EXPAND THE PROGRAMS OR ACTIVITIES
23 REFERENCED UNDER SUBPARAGRAPH (I).

24 (III) A BRIEF DESCRIPTION OF THE PROGRAMS OR ACTIVITIES FOR
25 WHICH THE GRANT FUNDS WILL BE USED.

26 (2.1) FOR THE 2007-2008 SCHOOL YEAR, A SCHOOL DISTRICT THAT
27 PROPOSES TO USE THE GRANT FUNDS FOR A PROGRAM OR ACTIVITY UNDER
28 SUBSECTION (B)(12), (13), (14) AND (15) MAY SUBMIT AN AMENDED
29 ACCOUNTABILITY GRANT PLAN TO THE DEPARTMENT WITHIN THIRTY (30)
30 DAYS OF THE EFFECTIVE DATE OF THIS PARAGRAPH. THE AMENDED PLAN

1 SHALL INCLUDE THE INFORMATION REQUIRED UNDER PARAGRAPH (2).

2 (3) (I) WHERE THE ACCOUNTABILITY GRANT PLAN SUBMITTED UNDER
3 PARAGRAPH (2) PROPOSES TO USE THE GRANT FUNDS FOR A PROGRAM OR
4 ACTIVITY UNDER SUBSECTION (B)(11), THE DEPARTMENT SHALL HAVE
5 FIFTEEN (15) DAYS FROM THE RECEIPT OF THE PLAN TO DISAPPROVE THE
6 USE AND NOTIFY THE SCHOOL DISTRICT OF THE REASON FOR THE
7 DISAPPROVAL. WITHIN THIRTY (30) DAYS OF THE RECEIPT OF NOTICE OF
8 DISAPPROVAL, THE SCHOOL DISTRICT SHALL SUBMIT A REVISED
9 ACCOUNTABILITY GRANT PLAN UNDER PARAGRAPH (2).

10 (II) WHERE THE ACCOUNTABILITY GRANT PLAN SUBMITTED UNDER
11 PARAGRAPH (2) PROPOSES TO USE THE GRANT FUNDS FOR A PROGRAM OR
12 ACTIVITY UNDER SUBSECTION (B)(11) AND THE SCHOOL DISTRICT FAILS
13 TO RECEIVE NOTIFICATION FROM THE SECRETARY WITHIN FIFTEEN (15)
14 DAYS OF RECEIPT THAT ITS REQUEST HAS BEEN DISAPPROVED, THE
15 SCHOOL DISTRICT MAY PROCEED TO IMPLEMENT THE PROPOSED PROGRAMS
16 OR ACTIVITIES.

17 (4) WHERE THE ACCOUNTABILITY GRANT PLAN SUBMITTED UNDER
18 PARAGRAPH (2) OR WHERE THE AMENDED ACCOUNTABILITY GRANT PLAN
19 SUBMITTED UNDER PARAGRAPH (2.1) PROPOSES TO USE THE GRANT FUNDS
20 FOR A PROGRAM OR ACTIVITY UNDER SUBSECTION (B)(1), (2), (3),
21 (4), (5), (6), (7), (8), (9) [OR], (10), (12), (13), (14) OR
22 (15), THE DEPARTMENT MAY, WITHIN THIRTY (30) DAYS FROM THE
23 RECEIPT OF THE PLAN, MAKE NONBINDING RECOMMENDATIONS FOR
24 ALTERNATIVE UTILIZATION OF THE GRANT FUNDS.

25 (5) NO LATER THAN FEBRUARY 1, 2005, AND FEBRUARY 1 OF EACH
26 YEAR THEREAFTER, THE DEPARTMENT SHALL SUBMIT A REPORT TO THE
27 MAJORITY AND MINORITY CHAIRS OF THE APPROPRIATIONS AND EDUCATION
28 COMMITTEES OF THE SENATE AND TO THE MAJORITY AND MINORITY CHAIRS
29 OF THE APPROPRIATIONS AND EDUCATION COMMITTEES OF THE HOUSE OF
30 REPRESENTATIVES SUMMARIZING THE OPERATION OF THE PROGRAM FOR

1 THAT FISCAL YEAR. THE REPORT SHALL INCLUDE:

2 (I) A DESCRIPTION OF THE OPERATION OF THE PROGRAM.

3 (II) A SUMMARY OF THE TOTAL AMOUNT OF GRANT FUNDS PAID TO
4 SCHOOL DISTRICTS.

5 (III) A SUMMARY OF THE USES OF GRANT FUNDS TO SCHOOL
6 DISTRICTS.

7 (IV) AN IDENTIFICATION OF THE NUMBER OF SCHOOL DISTRICTS
8 THAT USED GRANT FUNDS FOR EACH OF THE PROGRAMS OR ACTIVITIES
9 UNDER SUBSECTION (B).

10 (V) A LISTING OF EACH SCHOOL DISTRICT AND THE PROGRAM OR
11 ACTIVITY UNDER SUBSECTION (B) FOR WHICH THE GRANT FUNDS WERE
12 USED.

13 (VI) AN IDENTIFICATION OF THE NUMBER OF SCHOOL DISTRICTS
14 THAT USED GRANT FUNDS TO ESTABLISH, MAINTAIN OR EXPAND THE
15 PROGRAM OR ACTIVITY FOR WHICH THE GRANT FUNDS WERE USED.

16 (VII) A LISTING OF EACH SCHOOL DISTRICT AND WHETHER THE
17 GRANT FUNDS WERE USED TO ESTABLISH, MAINTAIN OR EXPAND THE
18 PROGRAM OR ACTIVITY FOR WHICH THE GRANT FUNDS WERE USED.

19 * * *

20 Section 2. This act shall take effect ~~in 60 days~~

21 IMMEDIATELY.

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