
THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 1177 Session of
2018

INTRODUCED BY DINNIMAN, EICHELBERGER, TARTAGLIONE, MENSCH,
KILLION, FOLMER, STEFANO, WHITE, HUTCHINSON AND RAFFERTY,
MAY 21, 2018

REFERRED TO EDUCATION, MAY 21, 2018

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," in preliminary provisions, further
6 providing for Keystone Exams; and abrogating regulations.

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

9 Section 1. Section 121 heading, (a), (b)(1) and (c) of the
10 act of March 10, 1949 (P.L.30, No.14), known as the Public
11 School Code of 1949, amended or added June 21, 2017 (P.L.200,
12 No.6) and November 6, 2017 (P.L.1142, No.55), are amended and
13 the section is amended by adding subsections to read:

14 Section 121. Keystone Exams and Graduation Requirements.--

15 (a) The Department of Education shall develop and implement
16 Keystone Exams in algebra I, literature and biology. The State
17 Board of Education shall promulgate and revise regulations,
18 subject to the act of June 25, 1982 (P.L.633, No.181), known as
19 the "Regulatory Review Act," necessary to implement this

1 section.

2 (b) The following shall apply:

3 (1) Notwithstanding section 2604-B(b)(2)(v), 22 Pa. Code §
4 4.24 (relating to high school graduation requirements), 4.51
5 (relating to State assessment system) or 4.51c (relating to
6 project-based assessment) or any statute [or], regulation or
7 locally adopted or established ordinance, resolution or policy
8 related to a requirement of a public school district, charter
9 school or cyber charter school, whether distinct or building
10 level to the contrary, [the use of] beginning with the 2018-2019
11 school year, the Keystone Exams shall no longer be used as a
12 graduation requirement or as a benchmark for the need for
13 participation in a project-based assessment [shall be delayed
14 until the 2019-2020 school year].

15 * * *

16 (b.1) Each local school district shall have requirements for
17 high school graduation which include locally established course
18 completion and grade-based requirements for academic content
19 areas and a demonstration of proficiency in State academic
20 standards. Each local school district shall include in the
21 school district graduation requirements the alternative to
22 demonstrate graduation readiness under subsection (c).

23 (c) Notwithstanding section 2604-B(b)(2)(v), 22 Pa. Code §
24 4.24 (relating to high school graduation requirements) or 4.51
25 (relating to State assessment system) or any statute or
26 regulation to the contrary, in any school year in which a
27 demonstration of proficiency [on a Keystone Exam] in State
28 academic standards is required for high school graduation, a CTE
29 Concentrator shall be deemed proficient provided that the CTE
30 Concentrator shall meet all of the following requirements:

1 (1) completes locally established grade-based requirements
2 for academic content areas associated with each Keystone Exam on
3 which the CTE Concentrator did not achieve proficiency. For the
4 purposes of this paragraph, completion of grade-based
5 requirements in any science and technology and environment and
6 ecology course shall satisfy the requirements for the academic
7 content area associated with the Keystone Exam in biology; and

8 (2) completes one of the following:

9 (i) attains an industry-based competency certification
10 related to the CTE Concentrator's program of study; or

11 (ii) demonstrates a high likelihood of success on an
12 approved industry-based competency assessment or readiness for
13 continued meaningful engagement in the CTE Concentrator's
14 program of study as demonstrated by performance on benchmark
15 assessments, course grades and other factors consistent with the
16 CTE Concentrator's goals and career plan.

17 (c.1) Notwithstanding section 2604-B(b)(2)(v), 22 Pa. Code §
18 4.24 (relating to high school graduation requirements) or 4.51
19 (relating to State assessment system) or any statute or
20 regulation to the contrary, beginning with the 2018-2019 school
21 year, project-based assessments, as provided for in 22 Pa. Code
22 § 4.51c (relating to project-based assessment), and supplemental
23 instruction may not be required of any student. Supplemental
24 instruction may be offered within the guidance of the Department
25 of Education.

26 (c.2) Children with disabilities who satisfactorily complete
27 a special education program developed by an individualized
28 education program team under the Individuals With Disabilities
29 Education Act (Public Law 91-230, 20 U.S.C. § 1400 et seq.) and
30 22 Pa. Code Ch. 14 (relating to special education services and

1 programs) shall be granted and issued a regular high school
2 diploma by the school entity, if applicable. This subsection
3 shall apply if the special education program of a child with a
4 disability does not otherwise meet the requirements of this
5 section.

6 (c.3) The Secretary of Education shall propose regulations
7 for promulgation by the State Board of Education to implement
8 the provisions of this section. A student who has achieved a
9 score of proficient or advanced on a Keystone Exam may not be
10 permitted to retake the exam.

11 * * *

12 Section 2. The provisions of 22 Pa. Code §§ 4.24, 4.51 and
13 4.51c are abrogated insofar as they are inconsistent with this
14 act.

15 Section 3. This act shall take effect in 60 days.