

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1842 Session of
1993

INTRODUCED BY KIRKLAND, ROBINSON, MUNDY, MELIO, TIGUE, PISTELLA,
PESCI, LAUGHLIN, LINTON, ROEBUCK, JAMES, STEELMAN, BELFANTI,
TRICH, BISHOP, VEON AND DALEY, JUNE 21, 1993

REFERRED TO COMMITTEE ON EDUCATION, JUNE 21, 1993

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," implementing an Academic Recovery
6 Program.

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

9 Section 1. Article XV of the act of March 10, 1949 (P.L.30,
10 No.14), known as the Public School Code of 1949, is amended by
11 adding a subdivision to read:

12 ARTICLE XV.

13 TERMS AND COURSES OF STUDY.

14 * * *

15 (e) Academic Recovery Program for Schools
16 and School Districts.

17 Section 1551. Purpose.--The purpose of this subdivision is
18 to allow the Commonwealth to provide assistance to schools or
19 school entities which, after evaluation of specific criteria,

exhibit inability to fulfill the constitutional requirement of provision of a thorough and efficient system of education for all resident students.

Section 1552. Identification of Academically Distressed

Schools.--(a) The Secretary of Education shall cause to have reviewed specific criteria on Pennsylvania schools to identify potentially academically distressed schools and determine the need for intervention and assistance. The Secretary of Education may be alerted to an academically distressed school by periodic State-level review of data as identified in subsection (b), or twenty-five per centum (25%) of the parents of children attending a school may petition the Secretary of Education for review of a school's criteria.

(b) Criteria to be used to determine a school's need for intervention shall be the existence of educational or management problems which may include:

(1) test data or other data indicating chronically low academic performance;

(2) long or frequent work stoppages, including loss of instructional days;

(3) extreme staff or administrator turnover;

(4) high level of vacancies on the board of school directors due to resignations;

(5) inability to fill vacancies in staff positions;

(6) high absenteeism rate for staff or students;

(7) a trend of poorer SAT scores and fewer students participating in the test;

(8) no participation in school breakfast or school lunch programs;

(9) a high percentage of school population being placed in

special education, at least twenty-five per centum (25%) above the State average for a handicapping condition;

(10) lack of early childhood programs, such as full-day kindergarten; or

(11) elimination of educational programs for financial reasons.

(c) A school exhibiting a persistent pattern of any criterion or combination of two or more of the criteria under subsection (b) shall be reviewed periodically by the Secretary of Education, who shall determine the extent of intervention necessary to aid the school. The determination shall be:

(1) no further review needed of this school;

(2) review school's criteria again in six months; or

(3) notify the school's board of directors of deficiencies found in the Secretary of Education's review, with suggested improvement strategies.

(d) In case a petition of parents from the school initiated the review, the Secretary of Education shall also notify the petitioners of the results of the determination.

(e) The board of school directors shall have sixty (60) days to develop and begin implementation of a plan to correct the deficiencies.

(f) If the board of school directors fails to develop and begin implementation of a plan within a sixty (60) day period, or the Secretary of Education sees no measurable results of such a plan within a six (6) month period, the Secretary of Education may require the intervention of an Academic Recovery Team.

Section 1553. Intervention of Academic Recovery Team.--(a) Upon declaration of need by the Secretary of Education under section 1552, an Academic Recovery Team (ART) shall be

established consisting of three Department of Education employees appointed by the Secretary of Education, three teachers at the school elected by the teachers at the school, two school district administrators appointed by the district superintendent, two school board members selected by the board of school directors and three parents elected at large by parents of children attending the school.

(b) The ART shall take up to ninety (90) days to prepare an action plan for implementation by the school. The plan shall include, at a minimum, goals, actions required to achieve those goals, individuals responsible for attainment of the goals and a timeline for completion of each action. The plan shall be submitted to the board of school directors for information purposes. The school directors shall be sent by certified mail copies of the goals and actions when the plan requires action by the board of school directors.

(c) Such plan shall be effective immediately, for up to one (1) school year but may contain some longer-term goals in addition to the one (1) year goals. The ART may request monthly reports on the progress of the goals and action plan.

(d) The ART shall report to the board of school directors and the Secretary of Education the progress on the action plan within thirty (30) days following one (1) school year. The report shall be presented by the ART to the school directors and the school community at the time of presentation to the Secretary of Education. One of the following recommendations shall be included in the report:

(1) the school has fulfilled the goals required to recover from academic distress and no further intervention is needed from the ART;

1 (2) the ART will revise the plan to accommodate successes in
2 reaching the goals and/or adding new goals with continued
3 monitoring by the ART, and will report to the board of school
4 directors and the Secretary of Education within thirty (30) days
5 following the next school year on the success of the revised
6 intervention program and recommendations as listed in this
7 subsection;

8 (3) a Master Team consisting of the Pennsylvania Department
9 of Education employees appointed by the Secretary of Education,
10 school district officials appointed by the district
11 superintendent and an employee of the school elected by the
12 employees of the school to provide daily supervision of the
13 school, including actions to achieve the goals, with continued
14 monitoring by the ART. This Master Team may recommend to the
15 school district board of directors such interventions as, but
16 not limited to, reallocating resources, changes in staff or
17 reassignment of pupils. Such a Master Team shall report to the
18 Pennsylvania Department of Education and the school's board of
19 directors on a monthly basis the success or failure in reaching
20 goals in the plan; or

21 (4) petition the court for a Special Board for Academic
22 Recovery.

23 (e) The Secretary of Education shall use the recommendations
24 of the ART to determine what strategies shall be necessary to
25 provide a thorough and efficient educational program for the
26 resident students of the school and shall order such steps to be
27 taken.

28 Section 1554. Special Board for Academic Recovery.--
29 Following unsuccessful attempts at any of the strategies found
30 in subsection (d) of section 1553, the Secretary of Education

may petition the court of common pleas of the county in which
such district, or the largest part in area of such district, is
located to appoint two citizens who shall be qualified electors
and taxpayers in the county in which the school district is
located to serve on the Special Board for Academic Recovery.
School directors and employes of any such school district shall
be ineligible for appointment by the court. The appointees and
the Secretary of Education or his designee shall constitute a
Special Board for Academic Recovery. Vacancies occurring because
of death or resignation of appointed members of the Special
Board for Academic Recovery shall be filled by the court. The
Special Board of Academic Recovery shall operate the school
district in the place of the school directors during the period
necessary to reestablish a sound academic program in the
district as determined by success in the goals established by
the ART and by criteria in subsection (b) of section 1552. The
costs of the court proceedings shall be paid by the Department
of Education.

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