

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 503 Session of 2003

INTRODUCED BY RHOADES, MOWERY, EARLL, PILEGGI, LAVALLE, C. WILLIAMS, ERICKSON, COSTA, WOZNIAK AND KASUNIC, MARCH 17, 2003

SENATOR RHOADES, EDUCATION, AS AMENDED, APRIL 22, 2003

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," PROVIDING FOR TECHNICAL ASSISTANCE
6 PROVIDED BY THE DEPARTMENT OF EDUCATION; further providing
7 for powers and duties of the intermediate unit board of
8 directors; and providing for academic improvement programs.

<—

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

11 ~~Section 1. Section 914 A of the act of March 10, 1949~~
12 ~~(P.L.30, No.14), known as the Public School Code of 1949, is~~
13 ~~amended by adding a clause to read:~~

<—

14 SECTION 1. THE ACT OF MARCH 10, 1949 (P.L.30, NO.14), KNOWN
15 AS THE PUBLIC SCHOOL CODE OF 1949, IS AMENDED BY ADDING A
16 SECTION TO READ:

<—

17 SECTION 115. TECHNICAL ASSISTANCE PROVIDED BY THE DEPARTMENT
18 OF EDUCATION.--(A) WHERE ANY SCHOOL IN A SCHOOL DISTRICT IS
19 IDENTIFIED FOR IMPROVEMENT OR CORRECTIVE ACTION UNDER SECTION
20 1116(C)(3) OR (10) OF THE NO CHILD LEFT BEHIND ACT OF 2001

1 (PUBLIC LAW 107-110, 115 STAT. 1425), THE BOARD OF SCHOOL
2 DIRECTORS OF THE SCHOOL DISTRICT MAY REQUEST THAT THE DEPARTMENT
3 OF EDUCATION PROVIDE TECHNICAL ASSISTANCE TO CREATE THE SCHOOL
4 IMPROVEMENT PLAN PROVIDED FOR IN SECTION 1116(C)(7) OF THE NO
5 CHILD LEFT BEHIND ACT OF 2001.

6 (B) THE DEPARTMENT SHALL PROVIDE TECHNICAL ASSISTANCE TO
7 SCHOOL DISTRICTS THAT MAKE REQUESTS UNDER SUBSECTION (A). SUCH
8 TECHNICAL ASSISTANCE MAY INVOLVE ANY ASSISTANCE THAT MAY BE
9 SPECIFIED IN THE SCHOOL DISTRICT'S SCHOOL IMPROVEMENT PLAN,
10 INCLUDING, BUT NOT LIMITED TO:

11 (1) ANALYSIS OF DATA FROM THE PENNSYLVANIA SYSTEM OF SCHOOL
12 ASSESSMENT TEST OR ANY OTHER TEST ESTABLISHED BY THE STATE BOARD
13 OF EDUCATION TO MEET THE REQUIREMENTS OF SECTION 2603-
14 B(D)(10)(I).

15 (2) IDENTIFICATION AND IMPLEMENTATION OF PROFESSIONAL
16 DEVELOPMENT AND INSTRUCTIONAL STRATEGIES AND METHODS TO ADDRESS
17 SPECIFIC INSTRUCTIONAL ISSUES THAT CAUSED THE SCHOOL TO BE
18 IDENTIFIED.

19 (3) ANALYSIS OF THE SCHOOL DISTRICT'S BUDGET OR PARTS
20 THEREOF TO ENABLE THE SCHOOL TO MORE EFFECTIVELY ALLOCATE ITS
21 RESOURCES.

22 (C) IN ORDER TO FULFILL ITS DUTIES UNDER THIS SECTION, THE
23 DEPARTMENT MAY, IN CONSULTATION WITH THE SCHOOL DISTRICT, ASSIGN
24 PERSONNEL OR CONTRACT WITH OUTSIDE PROVIDERS TO ENSURE THAT THE
25 REQUIREMENTS OF SUBSECTION (B) ARE MET. THE TECHNICAL ASSISTANCE
26 PROVIDED BY THE DEPARTMENT UNDER THIS SECTION SHALL BE MADE
27 READILY AVAILABLE TO ENSURE THAT THE DEVELOPMENT OF THE
28 IMPROVEMENT PLAN IS COMPLETED WITHIN 90 DAYS OF THE SCHOOL
29 DISTRICT'S IDENTIFICATION UNDER SECTION 1116(C)(3) OF THE NO
30 CHILD LEFT BEHIND ACT OF 2001.

1 SECTION 2. SECTION 914-A OF THE ACT IS AMENDED BY ADDING A
2 CLAUSE TO READ:

3 Section 914-A. Powers and Duties of the Intermediate Unit
4 Board of Directors.--An intermediate unit board of directors
5 shall have the power and its duty shall be:

6 * * *

7 ~~(18) To appoint academic improvement teams and coordinate~~ <—
8 ~~and administer~~ (18) TO PROVIDE SUPPORT TO SCHOOL DISTRICTS <—
9 ELIGIBLE FOR ACADEMIC ASSISTANCE AND COORDINATE the academic
10 improvement program established under section 925-A.

11 Section ~~2~~ 3. The act is amended by adding a section to read: <—

12 Section 925-A. Academic Improvement Program.--(a) Each <—
13 intermediate unit shall coordinate and administer PROVIDE <—
14 SUPPORT TO AND COORDINATE an academic improvement program for
15 any school district assigned to the intermediate unit that is
16 eligible for ACADEMIC assistance under subsection (b). The <—
17 intermediate unit shall provide technical support and staff
18 assistance to an academic improvement team appointed under
19 subsection (c).

20 (b) A school district shall be eligible for academic
21 assistance under this section where:

22 ~~(1) Any school in the school district has a percentage of~~ <—
23 ~~its students in any grade level subject to the Pennsylvania~~
24 ~~System of School Assessment or any other test established by the~~
25 ~~State Board of Education to meet the requirements of section~~
26 ~~2603 B(d)(10) that score below the yearly proficiency target~~
27 ~~established by the Department of Education to calculate adequate~~
28 ~~yearly progress under the No Child Left Behind Act of 2001~~
29 ~~(Public Law 107 110, 115 Stat. 1425).~~

30 ~~(2) Any school in the school district is identified for~~

1 ~~improvement or corrective action under section 1116(c)(3) or~~
2 ~~(10) of the No Child Left Behind Act of 2001.~~

3 ~~(3) The school district requests academic assistance under~~

4 (1) ANY SCHOOL IN THE SCHOOL DISTRICT HAS NOT MET THE YEARLY <—
5 TARGET PROVIDED BY THE DEPARTMENT OF EDUCATION PURSUANT TO
6 STANDARDS APPROVED BY THE STATE BOARD OF EDUCATION TO MEET THE
7 REQUIREMENTS OF SECTION 2603-B(D)(10)(I) FOR USE IN MEASURING
8 PROGRESS TOWARD ADEQUATE YEARLY PROGRESS UNDER THE NO CHILD LEFT
9 BEHIND ACT OF 2001 (PUBLIC LAW 107-110, 115 STAT. 1425); OR

10 (2) THE SCHOOL DISTRICT REQUESTS ACADEMIC ASSISTANCE UNDER
11 this section.

12 (c) (1) Within thirty (30) days of the intermediate unit's
13 receipt of the list of school districts eligible FOR ACADEMIC <—
14 ASSISTANCE under subsection (b), an academic improvement team
15 shall be appointed for each eligible school district. Members of
16 the academic improvement team shall be appointed by the
17 intermediate unit board of directors and the board of school
18 directors of the school district eligible for academic
19 assistance.

20 (2) Five (5) members of the academic improvement team shall
21 be appointed by the intermediate unit board of directors. Such
22 members shall not be employed by or otherwise affiliated with
23 the school district eligible for academic assistance and may
24 include:

25 (i) Intermediate unit staff members.

26 (ii) Teachers EMPLOYED BY SCHOOL DISTRICTS ASSIGNED TO THE <—
27 INTERMEDIATE UNIT.

28 (iii) Administrators EMPLOYED BY SCHOOL DISTRICTS ASSIGNED <—
29 TO THE INTERMEDIATE UNIT.

30 (iv) School board members FROM SCHOOL DISTRICTS ASSIGNED TO <—

1 THE INTERMEDIATE UNIT.

2 (v) Faculty members of colleges or universities in this
3 Commonwealth with particular expertise in school improvement.

4 (3) Four (4) members of the academic improvement team shall
5 be appointed by the board of school directors of the school
6 district eligible for academic assistance. Such members shall
7 include:

8 (i) A parent of a student enrolled in the school district.

9 (ii) A teacher employed by the school district.

10 (iii) An administrator employed by the school district.

11 (iv) A member of the board of school directors of the school
12 district.

13 (4) The intermediate unit board of directors shall select a
14 chairman of the academic improvement team from the members
15 appointed under paragraph (2).

16 (d) The academic improvement team shall have the following
17 powers and duties:

18 (1) To ~~create~~ DESIGN an academic improvement plan pursuant <—
19 to subsection (e). ~~for any school in the school district that is~~ <—
20 ~~eligible for academic assistance under subsection (b)(1) or (2).~~

21 ~~(2) To have ongoing access to school district personnel and~~
22 ~~information related to the academic performance of students.~~

23 ~~(3)~~ (2) To provide periodic reports on the implementation of <—
24 the academic improvement plan to the intermediate unit board of
25 directors and the board of school directors of the school
26 district eligible for academic assistance.

27 ~~(4) To meet not less than once each month to review the (3)~~ <—
28 TO MEET PERIODICALLY, BUT NOT LESS THAN QUARTERLY TO REVIEW THE
29 implementation of the academic improvement plan.

30 ~~(5)~~ (4) To seek technical assistance from the Department of <—

1 Education in the design and implementation of the academic
2 improvement plan.

3 (e) (1) Within thirty (30) days of the appointment of an
4 academic improvement team under subsection (c), the academic
5 improvement team shall present an academic improvement plan ~~or~~ <—
6 ~~plans~~ to the intermediate unit board of directors and the board
7 of school directors of the school district. ~~for approval at a~~ <—
8 ~~public meeting.~~ THE BOARD OF SCHOOL DIRECTORS OF THE SCHOOL <—
9 DISTRICT SHALL VOTE TO APPROVE OR DISAPPROVE THE PLAN AT ITS
10 NEXT REGULARLY SCHEDULED PUBLIC MEETING.

11 (2) The academic improvement plan ~~or plans~~ shall set forth <—
12 specific goals for improving the academic performance of
13 students in content areas subject to the Pennsylvania System of
14 School Assessment or any other test established by the State
15 Board of Education to meet the requirements of section 2603-
16 B(d)(10)(i) and shall include strategies designed to achieve
17 those goals. Such strategies shall include, but may not be
18 limited to:

19 (i) The involvement of parents in the improvement of
20 academic performance through the development of home activities
21 and materials to enhance student learning.

22 (ii) Continuing professional education options in addition
23 to options included in the continuing professional education
24 plan required under section 1205.1(c.1). Such additional options
25 shall be specific to improvements in the academic performance of
26 students.

27 (iii) Classroom instructional strategies specific to
28 improvements in the academic performance of students.

29 (iv) The redesign of curricula specific to improvements in
30 the academic performance of students.

1 (v) Improvements in school safety.

2 (vi) Tutoring programs for students whose results on the
3 Pennsylvania System of School Assessment or any other test were
4 below the level of proficiency established by the State Board of
5 Education to meet the requirements of section 2603-B(d)(10)(i).

6 (3) The academic improvement plan shall be effective for one <—
7 (1) school year WHERE THE SCHOOL DISTRICT IS ELIGIBLE FOR <—
8 ACADEMIC ASSISTANCE UNDER SUBSECTION (B). At the conclusion of
9 the school year and within fifteen (15) days of the school
10 district's notification of the results of the school district's
11 performance on the Pennsylvania System of School Assessment or
12 any other test established by the State Board of Education to
13 meet the requirements of section 2603-B(d)(10)(i), the academic
14 improvement team shall review such results and make a report to
15 the intermediate unit board of directors and the board of school
16 directors of the school district eligible for academic
17 assistance.

18 (4) Where the ACADEMIC IMPROVEMENT TEAM DETERMINES THAT THE <—
19 school district continues to be eligible for academic assistance
20 under subsection (b), the academic improvement team shall
21 propose any necessary adjustments to the academic improvement
22 plan or plans to the intermediate unit board of directors and <—
23 the board of school directors of the school district eligible
24 for academic assistance. Such adjustments shall be subject to
25 the approval of the intermediate unit board of directors and the <—
26 board of school directors and shall constitute a new academic
27 improvement plan.

28 (5) Where the ACADEMIC IMPROVEMENT TEAM DETERMINES THAT THE <—
29 school district is no longer eligible for academic assistance
30 under subsection (b), the academic improvement team shall <—

1 ~~recommend the termination of the academic improvement plan.~~
2 ~~Termination of the academic improvement plan shall be subject to~~
3 ~~the approval of the board of school directors of the school~~
4 ~~district eligible for academic assistance.~~ IMPROVEMENT TEAM <—
5 SHALL TERMINATE. THE BOARD OF SCHOOL DIRECTORS OF THE SCHOOL
6 DISTRICT ELIGIBLE FOR ACADEMIC ASSISTANCE MAY CONTINUE TO
7 IMPLEMENT THE ACADEMIC IMPROVEMENT PLAN.

8 (6) WHERE THE SCHOOL DISTRICT IS SUBSEQUENTLY IDENTIFIED FOR
9 FURTHER IMPROVEMENT, THE ACADEMIC IMPROVEMENT TEAM SHALL
10 TERMINATE. A SCHOOL DISTRICT IDENTIFIED FOR FURTHER IMPROVEMENT
11 SHALL MEAN:

12 (I) A SCHOOL DISTRICT CERTIFIED AS DISTRESSED UNDER SECTION
13 691.

14 (II) A SCHOOL DISTRICT CERTIFIED AS AN EDUCATION EMPOWERMENT
15 DISTRICT UNDER SECTIONS 1705-B OR 1707-B.

16 (III) A SCHOOL DISTRICT PLACED ON AN EDUCATION EMPOWERMENT
17 LIST UNDER SECTION 1703-B.

18 (IV) A SCHOOL DISTRICT IN WHICH ANY SCHOOL IS IDENTIFIED FOR
19 IMPROVEMENT OR CORRECTIVE ACTION UNDER SECTION 1116(C)(3) OR
20 (10) OF THE NO CHILD LEFT BEHIND ACT OF 2001.

21 (f) The Department of Education shall:

22 (1) Annually provide each intermediate unit with a list of
23 school districts eligible for academic assistance under
24 subsection (b)(i) or (ii).

25 (2) Upon request, provide technical assistance to an
26 academic improvement team.

27 (3) Establish a clearinghouse of information related to
28 strategies for improving the academic performance of students
29 under subsection (e)(2).

30 (4) Establish and provide continuing professional education

1 courses, programs, activities or learning experiences under
2 section 1205.2(f) specific to the classroom strategies to
3 improve the academic performance of students in content areas
4 subject to the Pennsylvania System of School Assessment or any
5 other test established by the State Board of Education to meet
6 the requirements of section 2603-B(d)(10)(i).

7 ~~Section 3. Section 2595 of the act is amended by adding a~~ <—
8 ~~subsection to read:~~

9 ~~Section 2595. School Performance Incentives. * * *~~

10 ~~(f.3) No less than fifty percent (50%) of the allocation for~~
11 ~~school performance funding under this section shall be used by~~
12 ~~the Department of Education to establish an incentive program to~~
13 ~~reward school districts eligible for academic assistance under~~
14 ~~section 925 A that show improved academic performance as~~
15 ~~evidenced by a decline in the percentage of students scoring~~
16 ~~below the level of proficiency on the Pennsylvania System of~~
17 ~~School Assessment or any other test established by the State~~
18 ~~Board of Education to meet the requirements of section 2603-~~
19 ~~B(d)(10)(i).~~

20 ~~* * *~~

21 (5) DEVELOP AND PROMULGATE BY GUIDELINES, CRITERIA AND <—
22 PROCEDURES FOR PROVIDING FUNDS TO INTERMEDIATE UNITS UNDER THIS
23 SECTION. APPLICATIONS FOR FUNDS SHALL BE SUBMITTED TO THE
24 DEPARTMENT FOR APPROVAL. THE DEPARTMENT SHALL PROVIDE ASSISTANCE
25 TO APPLICANTS IN THE PREPARATION OF APPLICATIONS.

26 (G) THIS SECTION SHALL NOT APPLY TO ANY OF THE FOLLOWING:

27 (1) A SCHOOL DISTRICT CERTIFIED AS DISTRESSED UNDER SECTION
28 691.

29 (2) A SCHOOL DISTRICT CERTIFIED AS AN EDUCATION EMPOWERMENT
30 DISTRICT UNDER SECTIONS 1705-B OR 1707-B.

1 (3) A SCHOOL DISTRICT PLACED ON AN EDUCATION EMPOWERMENT
2 LIST UNDER SECTION 1703-B.

3 (4) A SCHOOL DISTRICT IN WHICH ANY SCHOOL IS IDENTIFIED FOR
4 IMPROVEMENT OR CORRECTIVE ACTION UNDER SECTION 1116(C)(3) OR
5 (10) OF THE NO CHILD LEFT BEHIND ACT OF 2001.

6 Section 4. This act shall take effect in 60 days.