

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 1024 Session of
2004

INTRODUCED BY BRIGHTBILL, ERICKSON, RHOADES, GORDNER, EARLL,
CONTI, O'PAKE, D. WHITE, MOWERY, LEMMOND, ARMSTRONG,
TOMLINSON, M. WHITE, ORIE, PILEGGI, FERLO, PIPPY, CORMAN AND
RAFFERTY, FEBRUARY 11, 2004

AS AMENDED ON SECOND CONSIDERATION, JUNE 8, 2004

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 State Report
6 Card.

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

9 Section 1. Section 220 of the act of March 10, 1949 (P.L.30,
10 No.14), known as the Public School Code of 1949, amended or
11 added December 9, 2002 (P.L.1317, No.153) and December 23, 2003
12 (P.L.304, No.48), is amended to read:

13 Section 220. State Report Card.--(a) The department shall
14 create a State Report Card based on the information collected
15 pursuant to this section. The department:

16 (1) Shall inform the public of the availability of the State
17 Report Card prior to publication.

18 (2) Shall publish on its World Wide Web site the State
19 Report Card, providing information at the State, local education

agency and school levels. The State Report Card shall include all of the following:

(i) Information regarding the number of schools and school districts that have achieved adequate yearly progress and the number of schools and school districts that have not achieved adequate yearly progress.

(ii) Information regarding the number of schools and school districts that have achieved each academic performance target and the number of schools and school districts that have not achieved each academic performance target.

(iii) Information regarding the number of schools and school districts in which more than five percent (5%) of the students to whom the PSSA test was administered were enrolled in the school district for less than two (2) school years as of the day on which the PSSA test was administered.

(iv) Information regarding the number of schools and school districts identified under subparagraph (iii) that have achieved each academic performance target and the number of schools and school districts that have not achieved each academic performance target. For the purposes of this subparagraph, achievement of the academic performance target shall be calculated by excluding the PSSA test score of any student who was enrolled in the school district for less than two (2) school years as of the day on which the PSSA test was administered.

(v) Information regarding the number of schools and school districts in which more than five percent (5%) of the students to whom the PSSA test was administered were classified as limited English proficient as of the day on which the PSSA test was administered.

(vi) Information regarding the number of schools and school

districts identified under subparagraph (v) that have achieved
each academic performance target and the number of schools and
school districts that have not achieved each academic
performance target. For the purposes of this subparagraph,
achievement of the academic performance target shall be
calculated by excluding the PSSA test score of any student who
was classified as limited English proficient as of the day on
which the PSSA test was administered.

~~(vii) Information regarding the number of schools and school~~ <—
~~districts in which more than sixteen percent (16%) of the~~
~~students to whom the PSSA test was administered were classified~~
~~as a student with a disability as of the day on which the PSSA~~
~~test was administered.~~

~~(viii) Information regarding:~~

~~(A) The number of schools and school districts identified~~
~~under subparagraph (v) that have achieved each academic~~
~~performance target; and~~

~~(B) The number of schools and school districts that have not~~
~~achieved each academic performance target. For the purposes of~~
~~this subparagraph, calculation of the achievement of the~~
~~academic performance target shall exclude the PSSA test score of~~
~~any student who was classified as a student with a disability as~~
~~of the day on which the PSSA test was administered.~~

(VII) INFORMATION REGARDING THE NUMBER OF SCHOOLS AND SCHOOL <—
DISTRICTS IN WHICH MORE THAN SIXTEEN PERCENT (16%) OF THE
STUDENTS TO WHOM THE PSSA TEST WAS ADMINISTERED WERE CLASSIFIED
AS STUDENTS WITH A DISABILITY AS OF THE DAY ON WHICH THE PSSA
TEST WAS ADMINISTERED.

(VIII) INFORMATION REGARDING THE NUMBER OF SCHOOLS AND
SCHOOL DISTRICTS IDENTIFIED UNDER SUBPARAGRAPH (VII) THAT HAVE

1 ACHIEVED EACH ACADEMIC PERFORMANCE TARGET AND THE NUMBER OF
2 SCHOOLS AND SCHOOL DISTRICTS THAT HAVE NOT ACHIEVED EACH
3 ACADEMIC PERFORMANCE TARGET. FOR THE PURPOSES OF THIS
4 SUBPARAGRAPH, ACHIEVEMENT OF THE ACADEMIC PERFORMANCE TARGET
5 SHALL BE CALCULATED BY EXCLUDING THE PSSA TEST SCORE OF ANY
6 STUDENT WHO WAS CLASSIFIED AS A STUDENT WITH A DISABILITY AS OF
7 THE DAY ON WHICH THE PSSA TEST WAS ADMINISTERED.

8 (3) Shall issue guidelines concerning the collection and
9 submission of data as necessary to ensure continued compliance
10 with Federal and State laws, regulations and standards.

11 (4) May conduct audits of the data submitted by local
12 education agencies under subsection (b) for the purpose of
13 assuring accuracy and completeness. If the department determines
14 to conduct audits under this paragraph, the department shall
15 issue guidelines for the conduct of such audits, including the
16 percentage of local education agencies to be audited on a yearly
17 basis. In conducting such audits, the department shall
18 coordinate with the Department of the Auditor General. Nothing
19 in this section shall be construed to expand the auditing
20 authority of the Auditor General.

21 (b) A local education agency shall do all of the following:

22 (1) Collect data and submit it in a form and manner
23 prescribed by the department. The data shall include:

24 (i) The information described in section 1111(h)(1)(C) of
25 the No Child Left Behind Act of 2001 as applied to the local
26 education agency as a whole and to each of its schools.

27 (ii) The information described in section 1111(h)(2)(B)(i)
28 and (ii) of the No Child Left Behind Act of 2001.

29 (iii) Any other information required to comply with the No
30 Child Left Behind Act of 2001.

1 (iv) Any information described in 22 Pa. Code § 4.61
2 (relating to school profiles) that is not included under
3 subparagraph (i), (ii) or (iii).

4 (v) Information on the number of students to whom the PSSA
5 test was administered who were enrolled in the school district
6 for less than two (2) school years as of the day on which the
7 PSSA test was administered.

8 (vi) Information on the number of students to whom the PSSA
9 test was administered who were classified as limited English
10 proficient as of the day on which the PSSA test was
11 administered.

12 (vii) Information on the number of students to whom the PSSA
13 test was administered who were classified as a student STUDENTS <—
14 with a disability as of the day on which the PSSA test was
15 administered.

16 (2) Disseminate the information collected in paragraph (1)
17 in accordance with the public dissemination requirements of
18 section 1111(h)(2)(E) of the No Child Left Behind Act of 2001.
19 Nothing in this section shall excuse a local education agency
20 from complying with the requirements of the No Child Left Behind
21 Act of 2001 not specifically referenced in this section.

22 (c) Definitions.--As used in this section, the following
23 words and phrases shall have the meanings given to them in this
24 subsection:

25 "Department." The Department of Education of the
26 Commonwealth.

27 "Local education agency." A school district, cyber charter
28 school, charter school, area vocational-technical school or
29 intermediate unit.

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