

SENATE APPROPRIATIONS COMMITTEE FISCAL NOTE

BILL NO. Senate Bill 1095

PRINTER NO. 1894

AMOUNT

See Fiscal Impact

FUND

General Fund

DATE INTRODUCED

April 6, 2018

PRIME SPONSOR

Senator McGarrigle

DESCRIPTION

Senate Bill 1095 amends Section 121 (Keystone Exams) of the Public School Code to provide alternative pathways for students who do not demonstrate proficiency on a Keystone Exam.

The bill authorizes the Department of Education (department), upon the expiration of the delay on the use of the Keystone Exams as a graduation requirement, to establish a satisfactory composite score on the Algebra I, Biology, and Literature exams necessary for graduation, rather than requiring "proficient" on each Keystone Exam.

It requires the Secretary of Education (secretary) to recommend and the State Board of Education (board) to approve, by July 30, 2019, the satisfactory composite score a student must attain for graduation. The satisfactory composite score shall:

- Require a student to achieve a proficient score on at least one of the three Keystone Exams and no less than a basic score on the two remaining Keystone Exams; and
- Be calculated based upon the most recent Keystone Exam results available to the secretary;

The legislation requires the board to regularly review the composite score and issue a report of its findings to the chairperson and minority chairperson of the Education Committees of the Senate and House of Representatives. The composite score shall remain in effect unless the score is changed by an act of the General Assembly. Senate Bill 1095 requires the composite score to be published in the Pennsylvania Bulletin and posted on department's internet website.

The bill delays the use of the Keystone Exams as a graduation requirement until the 2020-21 school year. In any school year when the demonstration of proficiency on a Keystone Exam is required for high school graduation, the following shall apply:

SENATE APPROPRIATIONS COMMITTEE

FISCAL NOTE

- A student who does not demonstrate proficiency may be offered supplemental instruction by the student's public school entity. The supplemental instruction must be consistent with the student's educational program and assist the student to attain proficiency in academic standards. A school entity may not require a student to participate in the supplemental instruction.
- A public school entity that offers supplemental instruction shall design the program to ensure that students are able to participate in both the supplemental instruction and instruction related to their career, military or postsecondary education plans.
- Supplemental instruction to a student enrolled in an area vocational-technical school or in a career and technical education program may not intrude into instructional time for career and technical education program.
- Public schools are not required to offer, nor is any student required to participate in or complete, a project-based assessment.
- A student with a disability who satisfactorily completes a special education program developed by an individualized education program that does not otherwise meet the requirements of this section shall be issued a regular high school diploma by the student's public school entity.
- A student who achieves a proficient or advanced score on a Keystone Exam is not permitted to retake the exam.
- When an out-of-state student transfers to a public school entity in this Commonwealth, the public school entity is required to determine if the student's performance on out-of-state coursework and assessments, aligned with the state academic standards assessed by each Keystone Exam, satisfy the requirements of this section.

In any school year in which a demonstration of proficiency on a Keystone Exam is required for high school graduation, the bill requires that a student shall be deemed proficient if the student completes both of the following:

- Locally established grade-based requirements in the associated academic content areas of the Keystone Exams; and
- Any of the following:
 - Completion of an advanced placement exam or international baccalaureate diploma program exam in the associated Keystone Exam content area at a score recommended by the secretary in consultation with the transfer and Articulation Oversight Committee and approved by the board or established by an act of the General Assembly to be comparable to the proficient level on the appropriate Keystone Exam;
 - Completion of the Armed Services Vocation Aptitude Battery Test at a performance level that would qualify the student for military enlistment;
 - Receipt of a certification that the student will begin work in a registered apprenticeship program following high school graduation;

SENATE APPROPRIATIONS COMMITTEE

FISCAL NOTE

- Completion of the general SAT or ACT at a performance level recommended by the secretary and approved by the board;
- Evidence of admission to, or scholarship award from, an accredited nonprofit institution of higher education;
- Achievement of a passing grade in a dual enrollment course or any postsecondary course at an accredited nonprofit institution of higher education; and
- If permitted by the school entity and elected by the student, the presentation of rigorous and compelling pieces of objective evidence approved by the chief school administrator that reflect the student's readiness for graduation and relate to the student's career, military or postsecondary education plans. The pieces of evidence eligible to be presented and the minimum number of pieces of evidence required shall be recommended by the secretary and approved by the board and shall include, but not be limited to, the following:
 - a. Completion of any advanced placement program exam or international baccalaureate diploma program exam at a score recommended by the secretary in consultation with the Transfer and Articulation Oversight Committee and approved by the board or established by an act of the General Assembly;
 - b. A letter guaranteeing full-time employment after graduation in a career field consistent with the student's career or postsecondary education plans;
 - c. Attainment of an industry-recognized credential, as approved by the department and identified in the industry credential resource book compiled by the department;
 - d. A certificate of successful completion of an internship, externship or cooperative education program;
 - e. Completion of an SAT subject-specific test at a performance level recommended by the secretary in consultation with the Transfer and Articulation Oversight Committee and approved by the board or established by an act of the General Assembly;
 - f. Satisfactory compliance with the National Collegiate Athletic Association's core courses for college-bound student athletes with a minimum grade point average of 2.0 or the equivalent on an alternative grading scale;
 - g. Satisfactory completion of a community service project that received advance approval for use as a rigorous and objective piece of evidence by a chief school administrator, including in-school, local, state, national or global projects;
 - h. Attainment of a score of proficient or advanced on a Keystone Exam;
or

SENATE APPROPRIATIONS COMMITTEE

FISCAL NOTE

- i. Attainment of a career readiness certificate through satisfactory completion of the ACT WorkKeys assessment.

The bill prohibits a public school entity from releasing individual student Pennsylvania System of School Assessment (“PSSA”) or Keystone Exam scores to the department or other Commonwealth entities.

It also allows the performance level demonstrated in each of the state academic standards, including the highest performance level demonstrated by a student on the associated Keystone Exam, to be included on a student’s transcript as determined locally by each school entity.

Further, it requires each public school entity, no later than the beginning of the 2020-2021 school year, to ensure parents and guardians are notified of all high school graduation requirements, including requirements established in law, regulations and any additional local requirements established by the public school entity, and to publish the requirements on its internet website.

Additionally, beginning in 2021, the bill requires the secretary to annually prepare a report regarding the presentation of evidence and to post the report on its internet website. The report shall, at a minimum, include all of the following:

- The total number and identity of all school entities in which students categorized by a school entity demonstrated readiness for graduation;
- The total number of students categorized by a school entity who demonstrated readiness for graduation; and
- The percentage of students categorized by a public school entity who demonstrate readiness for graduation each year through the following:
 - Achieving a proficient score on all three Keystone Exams;
 - Meeting requirements of the legislation;
 - A description of each type of evidence used by students categorized by a school entity to demonstrate readiness for graduation and a list describing the evidence most often used; and
 - Recommendations for improving the provisions and utilization of evidence to gauge readiness.

The legislation is scheduled to take effect immediately.

FISCAL IMPACT:

The Department of Education has indicated it will need an additional staff position to administer the provisions of the bill at an estimated cost of \$125,000 annually. In addition, the department estimates a one-time cost of \$75,000 for IT enhancements. Finally, the department will engage a contractor to determine the standard setting for assessments at an estimated cost of \$250,000.

SENATE APPROPRIATIONS COMMITTEE FISCAL NOTE

School district costs related to the legislation will likely be de minimis as the provisions contained in the bill are presently required to implement alternative methods for students to demonstrate proficiency for graduation.