

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1254 Session of
1993

INTRODUCED BY FLICK, EGOLF, FICHTER, PETTIT, ARMSTRONG, BAKER,
BARLEY, BROWN, BUNT, CESSAR, CLYMER, CORNELL, FAIRCHILD,
GEIST, GERLACH, GLADECK, GODSHALL, HECKLER, HUTCHINSON, KING,
LAUB, LAWLESS, LEH, MICOZZIE, PERZEL, PHILLIPS, ROHRER,
RUBLEY, RYAN, SAURMAN, SCHULER, SERAFINI, STEIL,
E. Z. TAYLOR, J. TAYLOR, HENNESSEY AND HERSHEY,
APRIL 19, 1993

REFERRED TO COMMITTEE ON EDUCATION, APRIL 19, 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," further providing for causes for
6 suspension; and providing for academically autonomous school
7 districts.

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

10 Section 1. Section 1124 of the act of March 10, 1949
11 (P.L.30, No.14), known as the Public School Code of 1949,
12 amended August 8, 1963 (P.L.564, No. 269), is amended to read:

13 Section 1124. Causes for Suspension.--(a) Any board of
14 school directors may suspend the necessary number of
15 professional employees, for any of the causes hereinafter
16 enumerated:

17 (1) Substantial decrease in pupil enrollment in the school
18 district;

1 (2) Curtailment or alteration of the educational program on
2 recommendation of the superintendent, concurred in by the board
3 of school directors, approved by the Department of Public
4 Instruction, as a result of substantial decline in class or
5 course enrollments or to conform with standards of organization
6 or educational activities required by law or recommended by the
7 Department of Public Instruction;

8 (3) Consolidation of schools, whether within a single
9 district, through a merger of districts, or as a result of joint
10 board agreements, when such consolidation makes it unnecessary
11 to retain the full staff of professional employees.

12 (4) When new school districts are established as the result
13 of reorganization of school districts pursuant to Article II.,
14 subdivision (i) of this act, and when such reorganization makes
15 it unnecessary to retain the full staff of professional
16 employees.

17 (b) An academically autonomous school district as
18 established in section 1524 shall not be subject to this
19 section.

20 Section 2. The act is amended by adding a section to read:

21 Section 1524. Academically Autonomous School Districts.--(a)
22 The board of school directors of a school district of the
23 second, third or fourth class may by resolution approved by a
24 majority of the members of the board upon the recommendation of
25 the superintendent petition the Secretary of Education for
26 designation as an academically autonomous school district.

27 (b) A board of school directors which on or before April 1
28 petitions the Secretary of Education for designation as an
29 academically autonomous school district to commence such
30 designation on July 1 of the succeeding fiscal year and

continuing for a period of three full school terms shall be granted designation when it meets the criteria in clause (1) or (2).

(1) The district has demonstrated excellent student performance at the elementary and secondary school levels by meeting all of the following:

(i) Documenting that seventy-five (75) per centum of its students, in the aggregate, are above the seventy-fifty (75th) percentile for their grade level as demonstrated in nationally normed standardized tests. The Secretary of Education shall annually designate a minimum of five (5) tests which may be used for this purpose.

(ii) The proportion of pupils who enter secondary level programs (grades seven (7) through twelve (12)) and who withdraw without completing the high school program in three (3) per centum or less for the three (3) years preceding the petition.

(iii) The proportion of pupils who earn a high school diploma and who enroll in postsecondary education, including college, technical school, approved apprenticeship programs, or who enlist in the armed forces of the United States is seventy-five (75) per centum or greater for the three (3) years preceding the petition.

(2) The district is reimbursed by the Commonwealth through the Equalized Subsidy for Basic Education (ESBE) twenty-five (25) per centum or less of the district's actual instructional expense per weighted average daily membership (AIE/WADM). The level of reimbursement to the district under this clause shall not have exceeded twenty-five (25) per centum during each of the preceding three (3) years.

(c) A board of school directors of a school district of the

second, third or fourth class which does not meet all or any of the criteria set forth in subsections (b)(1) and (2) may petition the Secretary of Education for designation as an academically autonomous school district for the purpose of fulfilling an academic improvement program approved by the secretary. The secretary shall promulgate standards or procedures for academic improvement plans for such districts.

(d) A school district which has been designated academically autonomous shall certify to the Secretary of Education it provides a minimum of one hundred eighty (180) days of instruction or nine hundred (900) hours of instruction at the elementary level, or nine hundred ninety (990) hours of instruction at the secondary level, and the following:

(1) At the elementary school level, the following courses are taught: English, to include spelling, reading and writing; arithmetic; science; geography; history of the United States and Pennsylvania; civics; safety education, including regular and continuous instruction in the dangers and prevention of fires; health and physiology; physical education; music; and art.

(2) At the secondary school level, the following courses are offered: English, to include language, literature, speech and composition; science, to include biology and chemistry; geography; social studies, to include civics, economics, world history, history of the United States and Pennsylvania; a foreign language; mathematics, to include general mathematics and statistics, algebra and geometry; art; music; physical education; health and physiology; and safety education, including regular and continuous instruction in the dangers and prevention of fires.

(e) Design, content and scheduling of the courses and

1 curriculum shall be wholly at the discretion of the academically
2 autonomous school district.

3 (f) Selection of assignment of personnel to teach; to
4 provide educational specialist services, including, but not
5 limited to: guidance counselors, nurses, home and school
6 visitors, psychologists, instructional media and nutrition
7 specialists; and to provide supervisory and administrative
8 services for the educational program in an academically
9 autonomous school district shall be wholly at the discretion of
10 the district, except where requirements for these positions are
11 specified in Federal statutes or regulations. Nothing herein
12 shall invalidate the provisions of a valid collective bargaining
13 agreement in effect at the time the district is designated
14 academically autonomous during the term of that contact.
15 Further, all employes engaged to fulfill the responsibilities
16 specified in this subsection, or otherwise come in direct
17 contact with children shall have complied with the requirements
18 of section 111.

19 Section 3. All acts and parts of acts are repealed insofar
20 as they are inconsistent with this act.

21 Section 4. This act shall take effect July 1, 1993.