

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1717 Session of
1995

INTRODUCED BY FLICK, ROHRER, MCGILL, SCHULER, ADOLPH, CORNELL,
GEIST, STERN, CLYMER, MASLAND, BUNT, FARGO, FAIRCHILD,
TRELLO, PETTIT, GODSHALL, SCHRODER, HUTCHINSON, SHEEHAN,
ARMSTRONG, E. Z. TAYLOR, EGOLF, STEIL, RUBLEY, ITKIN,
HERSHEY, HENNESSEY, LEH, RAMOS AND PITTS, JUNE 8, 1995

REFERRED TO COMMITTEE ON EDUCATION, JUNE 8, 1995

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;

19 (2) Curtailment or alteration of the educational program on

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

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

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

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

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

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

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

1 the criteria set forth in subsection (b)(1) and (2) may petition
2 the Secretary of Education for designation as an academically
3 autonomous school district for the purpose of fulfilling an
4 academic improvement program approved by the Secretary of
5 Education. The Secretary of Education shall promulgate standards
6 or procedures for academic improvement plans for such districts.

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

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

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

29 (e) Design, content and scheduling of the courses and
30 curriculum shall be wholly at the discretion of the academically

1 autonomous school district.

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

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

20 Section 4. This act shall take effect July 1, 1995.