
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 640 Session of
1999

INTRODUCED BY EVANS AND ROBINSON, MARCH 2, 1999

REFERRED TO COMMITTEE ON URBAN AFFAIRS, MARCH 2, 1999

AN ACT

1 Providing for the qualifications of members of the board of
2 education in school districts of the first class;
3 establishing a council for accountability; providing for the
4 powers and duties of the council and for the duties of
5 principals and superintendents; authorizing special programs;
6 and providing for the maintenance of certain offices.

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12 The General Assembly of the Commonwealth of Pennsylvania
13 hereby enacts as follows:

14 CHAPTER 1

15 PRELIMINARY PROVISIONS

16 Section 101. Short title.

17 This act shall be known and may be cited as the First Class
18 School District Reform and Accountability Act.

19 Section 102. Definitions.

20 The following words and phrases when used in this act shall
21 have the meanings given to them in this section unless the
22 context clearly indicates otherwise:

23 "Board of education" or "board." The board of education in a
24 school district of the first class.

25 "City." A city of the first class.

26 "Cluster leader." An individual who is employed by the board
27 of a school district of the first class to serve as the leader
28 of a cluster consisting of a neighborhood high school,
29 elementary, middle and special schools.

30 "Council for accountability." The council for accountability

1 within a school district of the first class as established under
2 Chapter 5.

3 "Nonpublic school." A nonprofit school, other than a public
4 school within this Commonwealth, wherein a resident of this
5 Commonwealth may legally fulfill compulsory school attendance
6 requirements and which meets the requirements of Title VI of the
7 Civil Rights Act of 1964 (Public Law 88-352, 78 Stat. 241). The
8 term does not include any nonprofit school that is affiliated
9 with a church or other religious organization.

10 "Principal." An individual who is employed by the board of
11 education of a city of the first class to serve as the principal
12 or to act in the capacity of a principal of a school in the
13 school district of such city.

14 "School" or "school building." A school or school building
15 within a school district of the first class.

16 "School district." Any school district of the first class,
17 including any home rule school district, in existence within a
18 city of the first class on the effective date of this act.

19 "Superintendent." An individual who is elected or appointed
20 by the board of education in a school district of the first
21 class to serve as the district superintendent of such school
22 district.

23 CHAPTER 3

24 BOARD OF EDUCATION

25 Section 301. Eligibility for membership.

26 Beginning with the first mayoral election after the effective
27 date of this act, the members of the board of education shall be
28 registered voters of the city encompassing the school district.
29 Terms of members shall be concurrent with that of the mayor of
30 the city, and members shall continue to serve on the board until

1 their replacements are chosen or until they are reappointed to
2 another term. There shall be no limit on the number of terms
3 that a member may serve on the board.

4 Section 302. Diversity of membership.

5 The members of the board shall include women and members of
6 minority groups. Membership shall be representative of the
7 following in the city: business, labor, community associations,
8 the higher education community, parents of children enrolled in
9 the public school system and representatives of nonpartisan
10 organizations concerned with the improvement of public
11 education.

12 Section 303. Organization.

13 The board shall hold its first meeting within ten days of the
14 appointment of all members by the mayor. The mayor shall appoint
15 both a president and a vice-president of the board. The
16 president and vice-president shall be subject to annual
17 reappointment by the mayor.

18 CHAPTER 5

19 COUNCIL FOR ACCOUNTABILITY

20 Section 501. Purpose.

21 There is established for each school district a council for
22 accountability. The purpose of the council is to assist the
23 school district to fulfill its goals and objectives for the
24 educational attainment of the students served by the district in
25 the most cost-effective manner possible. The council shall be
26 prepared to commence its duties under this act on or before July
27 1, 1999.

28 Section 502. Eligibility for membership.

29 The council shall consist of five members, who shall have
30 experience in one or more of the following areas: education

1 administration, teaching, evaluation of education programs,
2 education policy analysis, financial management in either the
3 private or the public sector or experience in management in
4 either the private or the public sector. Three members of the
5 council shall be appointed by the Governor and two members shall
6 be appointed by the mayor. Members shall serve at the pleasure
7 of their appointing authority. There shall not be any limit on
8 their length of service. The members of the council shall
9 annually select a chairman.

10 Section 503. Operation.

11 The council shall employ staff and may enter into contracts
12 for the undertaking of evaluations, management analyses and
13 related studies and research. To the greatest extent possible,
14 the council shall coordinate its efforts with those of other
15 public and private organizations engaged in the oversight of the
16 school district and the monitoring or evaluation of its
17 activities and performance. All expenses of the council shall be
18 paid from State funds, and there shall be a separate line item
19 appropriation within the general appropriation act for the
20 Commonwealth each fiscal year. The council may seek both Federal
21 funds and grants from any public or private sources.

22 Section 504. Powers and duties.

23 The council shall have the powers and duties necessary or
24 convenient to carry out this act, including, but not limited to,
25 the following:

26 (1) Perform continuous oversight and monitoring of the
27 school district's academic programs, related nonacademic
28 programs and services and professional development activities
29 to assure their effectiveness.

30 (2) Conduct ongoing review of the fiscal affairs of the

1 school district.

2 (3) Develop and implement a plan for the evaluation of
3 the school district as a whole and the performance of
4 individual schools.

5 (4) Give particular emphasis to the evaluation of
6 academic programs, related nonacademic programs and services
7 and professional development activities found in individual
8 schools within the school district where academic achievement
9 exceeds that of the school district as a whole so that such
10 programs, services and activities may be replicated.

11 (5) Evaluate less successful academic programs and
12 related nonacademic programs and services so that they may be
13 either improved or eliminated.

14 Section 505. Priorities for oversight and monitoring
15 activities.

16 The council shall give priority to the monitoring and
17 oversight of district activities in the following areas:

18 (1) The classification of individual schools as either
19 academically failing or academically distressed.

20 (2) The development of plans for assisting individual
21 schools that have been classified as either academically
22 failing or as academically distressed.

23 (3) The development and administration of tests to
24 measure changes in academic performance and the
25 interpretation of the results of such tests.

26 (4) The development of criteria for inclusion in a
27 standard performance-based contract of employment for
28 principals.

29 (5) The development of criteria to measure the progress
30 of schools in meeting districtwide goals and objectives for

educational attainment and the publication of results in an annual report.

(6) The development of professional development programs for the teachers of the district.

(7) The development of criteria to be used in the evaluation of teacher performance.

(8) The development of a program of school performance incentives and rewards.

(9) The development of the criteria to be used in student transportation cost indices.

(10) The development of the criteria to be used in performance standards for cleaning and maintenance activities.

Section 506. Meetings.

(a) General rule.--The council shall at a minimum meet four times in public session during the school year. A majority of the full membership of the council shall constitute a quorum, and whenever a vote is taken on any issue before the council, a quorum being present, the affirmative vote of a majority of the votes of the full membership of the then serving council shall determine the outcome.

(b) Periodic meetings.--The council shall also schedule periodic meetings at various locations throughout the school district and at times designed to encourage the attendance of parents and the public at large. Meetings under this subsection shall inform both parents and the public at large of the results of the work of the council and shall provide an opportunity for parents and the public at large to inform the council of their views of the progress of the school district in attaining its educational attainment goals.

CHAPTER 7

PRINCIPALS

Section 701. Autonomy.

(a) Academic achievement and resource management.--

(1) Beginning the school year 2000-2001, and each school year thereafter, principals, to the greatest extent possible, shall be given the autonomy necessary to improve both the academic achievement of the pupils in their charge and to manage the resources provided to them in an effective and efficient manner.

(2) A principal may petition the board of education for waivers of districtwide policies and standards. A principal may seek, with the approval of the board of education, modifications in the terms of collective bargaining agreements that are agreed to in negotiations with the sole and exclusive bargaining representatives of employees in the school building.

(b) Budget development and implementation.--Principals shall develop and implement the school building budget based on a lump sum allocation distributed by the superintendent. Principals may amend the school building budget as required to meet changing conditions and priorities during the school year. Decisions concerning the expenditure of funds shall conform to the requirements of all applicable collective bargaining agreements, Federal and State laws, court orders and districtwide policies and standards.

Section 702. Personnel matters.

(a) General rule.--Principals shall exercise direct control over all personnel assigned to work in their school buildings and all personnel shall report to the principal. Principals

1 shall not be precluded from entering into cooperative working
2 relationships with any other administrative or management
3 agencies of the school district if such other arrangements are
4 found to promote greater educational attainment or the more
5 efficient and effective use of personnel and resources.
6 Principals shall have sole discretion concerning the assignment
7 of staff and pupils.

8 (b) Selection.--In the matter of the selection of personnel,
9 principals shall select candidates for appointment based on
10 merit and the ability to perform the duties of the position in
11 question, without regard to seniority or length of service. In
12 cases where the furlough of personnel is required, the same
13 criteria shall be used to determine which members of the current
14 staff are to be retained. The final selection of personnel shall
15 be in conformity with all applicable Federal, State and local
16 laws, court orders and policies and procedures of the school
17 district, provided, however, that no consideration may be given
18 for seniority or length or service.

19 Section 703. School improvement plans.

20 (a) Duty to prepare and implement.--Principals shall prepare
21 and implement a multiyear school improvement plan that conforms
22 to school districtwide goals and objectives and incorporates
23 specific goals and objectives for the school building.

24 (b) Contents.--The plan shall specify, at a minimum:

25 (1) The educational achievement goals in both academic
26 and nonacademic areas and the instructional programs and
27 noninstructional programs and services to be provided to
28 attain the goals.

29 (2) A timetable for meeting the goals and the process by
30 which attainment is to be measured.

(3) The manner in which school personnel and school resources will be utilized to meet the goals.

(4) The staff professional development activities that will be undertaken to support student achievement and improve teaching.

(5) The policies and procedures that will be used to assure a physical environment that is safe and secure and conducive to both teaching and learning.

(6) The manner in which resources will be used in the most effective and efficient manner possible.

(7) The linkages that will be made to programs and services outside of the school to support the educational attainment goals of the school building.

(8) The steps that will be taken to both inform parents and the community of the school's performance and to encourage the participation of parents and the community in the school in furtherance of its educational attainment goals.

(9) The budget to be implemented for the support of the school improvement plan.

(c) Staff participation.--Principals shall, to the greatest extent possible, involve the professional and nonprofessional staff in the development, modification and implementation of the school improvement plan.

(d) Annual report.--Each principal shall annually prepare a report on school performance following the close of the school year.

(e) Public involvement.--Each principal shall develop a public participation and outreach policy designed to both inform parents and the community concerning academic achievement within

1 the school and to encourage to the greatest extent possible
2 participation by parents and members of the community in school
3 activities.

4 (f) Special public meetings.--Each principal shall provide
5 for periodic public meetings to provide information to parents
6 and members of the community on such topics as the annual
7 report, the development and modification of the school
8 improvement plan, the annual school budget and other issues that
9 the principal deems important to parents and members of the
10 community.

11 Section 704. Academic advisory committees.

12 Each school shall form an academic advisory committee. One-
13 half of the members of this committee shall be chosen by the
14 professional staff and one-half of the members of the committee
15 shall be chosen by the principal. The committee shall provide
16 advice and recommendations to the principal in regard to all
17 aspects of the academic programs of the school building and, at
18 the request of the principal, in other areas as well.

19 Section 705. Performance contract.

20 (a) General rule.--Each principal shall be employed under
21 the terms and conditions of a performance-based contract
22 developed by the superintendent and shall no longer be included
23 in any requirements in State law relating to the granting of
24 tenure to public school employees. The term of the contract
25 shall be for four years, without limit on the number of
26 renewals. Principals who transfer from one school to another
27 shall do so under the terms of a new four-year contract.
28 Principals shall not be required to accept a transfer to another
29 school building except in conjunction with a superintendent's
30 plan for the remediation of a school declared academically

1 distressed under section 906.

2 (b) Renewal based on performance review.--The superintendent
3 with the support and assistance of cluster leaders shall
4 evaluate and review the performance of a principal and either
5 renew or not renew the contract of the principal. Each principal
6 shall be subject to such review every four years. The review
7 shall be in lieu of and shall supersede any other review process
8 in effect on the effective date of this act to determine whether
9 a principal's performance has been satisfactory or
10 unsatisfactory.

11 Section 706. Performance review criteria.

12 (a) General rule.--Principals shall be evaluated based on
13 their:

14 (1) instructional leadership skills;

15 (2) management skills;

16 (3) ability to develop and implement a budget that
17 supports the educational attainment goals of the school
18 building; and

19 (4) ability to maintain a positive educational and
20 learning environment.

21 (b) Leadership skills.--Leadership skills shall be
22 demonstrated, at a minimum, in terms of the following:

23 (1) leadership and motivation;

24 (2) problem solving and decision making;

25 (3) management of resources;

26 (4) effective budget development and execution;

27 (5) communication with staff, students, parents and the
28 community;

29 (6) the ability to foster interpersonal relationships;

30 (7) supervision of staff and staff development;

(8) promotion of parental involvement, including taking into account conflicting parental obligations and employment responsibility.

(c) Parental involvement.--Parental involvement shall include, at a minimum, opportunities for parents:

(1) to volunteer services in the school building and interact with teachers; and

(2) to participate in meetings with the principal and other members of the staff at times which are convenient for the parents.

(d) Educational attainment.--Educational attainment shall be demonstrated, at a minimum, in terms of the following:

(1) ability to develop a quality school improvement plan;

(2) continued advancement toward meeting student educational attainment goals;

(3) the quality of the instructional program and the instructional skills of the professional staff; and

(4) the improvement of staff competencies and opportunities for staff professional development.

(e) Review criteria and procedures.--All reviews of the performance of a principal shall be done in accordance with districtwide performance-review criteria and procedures. The criteria and procedures shall be developed and modified from time to time by the superintendent in consultation with representatives of all organizations representing principals within the school district.

CHAPTER 9

SUPERINTENDENTS

Section 901. Interim performance review process.

1 Beginning with school year 2000-2001, and each school year
2 thereafter, the superintendent shall develop an interim review
3 process. The process shall be used by the superintendent, with
4 the assistance of cluster leaders, to assist principals in the
5 improvement of their performance and to correct areas of
6 deficiency in the performance of their duties and
7 responsibilities during the course of a four-year contract
8 period.

9 Section 902. Performance indicators.

10 (a) General rule.--The superintendent shall develop and
11 implement a system of performance indicators to be used to
12 assess the performance of schools in meeting their goals for
13 educational attainment.

14 (b) Nature of indicators.--Indicators shall be quantifiable
15 and shall include, at a minimum:

- 16 (1) results in reading, math and science;
- 17 (2) promotion rates and persistence rates, where
18 applicable;
- 19 (3) student attendance; and
- 20 (4) staff attendance.

21 (c) Review and use of indicators.--The indicators shall be
22 periodically reviewed and revised by the superintendent and
23 shall be used to establish districtwide goals for educational
24 attainment and individual school annual targets for progress in
25 meeting goals for educational attainment.

26 Section 903. Performance incentives.

27 (a) General rule.--The superintendent shall develop and
28 implement a program of cash awards and recognition for schools
29 that exhibit progress in attaining their goals of educational
30 attainment. A performance index shall be developed to measure

1 the progress made by individual schools in meeting predetermined
2 goals as defined by the superintendent.

3 (b) Purposes of cash awards.--Cash awards shall be used for
4 the following purposes:

5 (1) improvement of a school's physical plant;

6 (2) the purchase of additional equipment and materials;

7 (3) projects that permit expanded participation in
8 professional development activities; and

9 (4) projects that permit additional student
10 participation in educational, cultural, athletic or
11 extracurricular activities.

12 (c) Prohibition.--No direct cash payments to school
13 personnel shall be permitted.

14 (d) Source of funding.--The superintendent may seek funds
15 for incentive awards from any Federal, State, local, public or
16 private sources which are available for such purposes.

17 Section 904. Performance sanctions.

18 Beginning with school year 2000-2001, and each school year
19 thereafter, the superintendent shall develop and implement
20 programs for assistance to schools that do not meet their goals
21 for educational attainment and are classified in either category
22 specified in section 905 or 906.

23 Section 905. Academically failing schools.

24 (a) General rule.--Beginning with school year 2000-2001, and
25 each school year thereafter, the superintendent shall classify
26 any school that either fails to progress or fails to progress at
27 a rate sufficient to meet its individual targets for progress in
28 the educational attainment of its students as academically
29 failing.

30 (b) Evaluation and plan.--For any school building classified

1 as academically failing, the superintendent shall direct an
2 evaluation of the school's academic programs and its nonacademic
3 programs and services and a review of its management practices.
4 Based on the results of these analyses, the superintendent and
5 the local cluster leader shall devise a plan to remedy any
6 deficiencies found. The superintendent shall annually evaluate
7 the progress made by a school to determine if it should continue
8 to be classified as academically failing.

9 (c) Existing programs.--No program in effect on the final
10 passage of this act that is utilized by the school district for
11 assistance to school buildings found to be in need of
12 reconstitution or considered for designation as in need of
13 reconstitution shall be available for use in any school building
14 not already participating in such a program as of July 1, 2000.
15 Section 906. Academically distressed schools.

16 (a) General rule.--Beginning with school year 2000-2001, and
17 each school year thereafter, the superintendent shall classify
18 any school that has been classified under section 905(a) for a
19 period of two full school years as academically distressed.
20 Schools which experience a decline in overall performance shall
21 also be classified as academically distressed.

22 (b) Remediation plan.--The superintendent shall implement a
23 plan of remediation for any school classified under subsection
24 (a) which may include the following:

- 25 (1) revision of the school improvement plan;
- 26 (2) revision of the school budget;
- 27 (3) reassignment of a principal to other duties;
- 28 (4) termination of a principal's performance contract;
- 29 (5) reassignment of members of the staff;
- 30 (6) voluntary participation by members of the staff in a

1 peer intervention program;

2 (7) mandatory staff development, if participation in a
3 peer intervention program is either not chosen or is not
4 available for any reason;

5 (8) the dissolution of the school building or any of its
6 components; and

7 (9) contracting out any of the school's academic and
8 nonacademic programs and services.

9 Section 907. Rating system.

10 By the first day of the school year 2000-2001, the
11 superintendent shall develop and implement a teacher evaluation
12 system for the determination of satisfactory or unsatisfactory
13 performance. Such evaluation system shall, at a minimum, give
14 weight and consideration to the following factors: personality,
15 preparation, technique, pupil reaction, and pupil educational
16 attainment.

17 Section 908. School safety report card.

18 (a) Development and collection of information.--The
19 superintendent shall develop and distribute forms to all schools
20 in the school district which shall be used to report information
21 on activity involving criminal offenses and breaches of school
22 discipline policy. The information shall include whether the
23 activities are committed:

24 (1) by students, employees and other juveniles and
25 adults;

26 (2) on school property or school vehicles; or

27 (3) during the course of school-sponsored events.

28 Categories of offenses to be reported shall, at a minimum,
29 include those used by the Pennsylvania State Police.

30 (b) Distribution.--Following the close of the school year

1 each year, the superintendent shall distribute to each school a
2 report of the information reported under subsection (a). The
3 report shall be referred to as a school safety report card, and
4 it shall be included in the annual school report.

5 (c) Comprehensive report.--The superintendent shall,
6 following the close of the school year each year, issue a school
7 safety report card for the school district as a whole and each
8 of its schools.

9 Section 909. School building report card.

10 (a) Development and collection of information.--The
11 superintendent shall compile the performance indicators used to
12 assess the performance of schools under section 902 and shall
13 include the information in a report which shall be referred to
14 as a school building report card. Such report shall be prepared
15 on an annual basis. The information in the report shall be
16 presented in a numeric format and in such a manner that
17 comparisons to the results from prior school years may be made.

18 (b) Distribution.--Each school shall also be provided with
19 its own results that will be included in the annual school
20 report prepared by the principal under this act.

21 Section 910. Transportation.

22 The superintendent shall develop and maintain cost indices
23 for the provision of transportation services that are based on
24 generally accepted principles for accounting for transportation
25 costs. Where cost effective and consistent with student health
26 and safety concerns, the superintendent shall use private sector
27 providers of transportation services. Vacancies in any positions
28 involving transportation services shall be filled by selection
29 of the most qualified personnel without regard to the seniority
30 or length of service of applicants. The school district shall

1 not agree during any collective bargaining negotiations to
2 establish any limits on the use of private sector vendors for
3 any activities related to the provision of transportation
4 services.

5 CHAPTER 11

6 SPECIAL PROGRAMS

7 Section 1101. Full-day kindergarten program.

8 Any full-day kindergarten program offered by a school
9 district during the 1996-1997 school year shall be offered in
10 each school year thereafter.

11 Section 1102. Tuition scholarship program.

12 (a) General rule.--Beginning with the school year 2000-2001,
13 and each school year thereafter, the school district shall offer
14 a tuition scholarship program so that eligible students of the
15 school district may, under circumstances specified in section
16 1103, attend other public or nonpublic schools.

17 (b) Parameters.--

18 (1) The school district shall establish annual limits on
19 the number of students who may participate and the total
20 amount of funds that may be expended, whether from public or
21 private sources.

22 (2) All costs of placement into a public or nonpublic
23 school shall be borne by the school district.

24 (3) The superintendent shall maintain a list of public
25 and nonpublic schools eligible for participation.

26 (4) Eligible students may use the tuition scholarships
27 at any public school in this Commonwealth.

28 (5) In order for eligible students to use the tuition
29 scholarship at a nonpublic school, the nonpublic school shall
30 operate in conformity with all applicable Federal, State and

1 local laws or court orders and must maintain a policy of
2 nondiscrimination for applicants.

3 Section 1103. Eligibility for tuition scholarship program.

4 (a) General rule.--To be eligible for the tuition
5 scholarship program, students whose parents or guardians request
6 their participation in the program shall meet the following
7 criteria:

8 (1) The students shall be enrolled in a school that is
9 classified as academically distressed under section 906.

10 (2) The student shall come from a low-income family.

11 (3) The superintendent shall find the student to be at
12 risk of academic failure.

13 (b) Approval.--The board of education shall approve all
14 recommendations for the awarding of tuition scholarships.

15 Section 1104. Education plan requirements.

16 The superintendent, in conjunction with the parent or
17 guardian, shall develop an educational plan for each student
18 awarded a tuition scholarship under section 1102. The public or
19 nonpublic school that the student attends shall agree to all
20 terms and conditions in the educational plan. The superintendent
21 shall annually evaluate the educational attainment of all
22 students receiving a tuition scholarship prior to the renewal of
23 a scholarship or continued placement in the public or private
24 school.

25 Section 1105. Certification program.

26 Beginning with the fifth school year after the effective date
27 of this act, the superintendent shall assure that all newly
28 hired teachers who are certified in elementary education
29 demonstrate competency to provide instruction in the areas of
30 reading, math, and science education. The superintendent, with

1 the assistance of the Secretary of Education, shall select a
2 test or tests designed to assure these competencies and shall
3 administer them to every applicant for employment as an
4 elementary education instructor in the school district. If the
5 superintendent determines that this requirement will for any
6 reason or reasons have a deleterious impact on the educational
7 programs of the school district, notification of such impacts
8 shall be provided to the Secretary of Education who shall grant
9 a waiver from compliance with this section.

10 Section 1106. Alternative certification authorization.

11 (a) General rule.--The superintendent may establish a
12 program of alternative certification to aid in the recruitment
13 of individuals to fill vacant or new teaching positions in
14 subject areas that are identified by the superintendent to be
15 experiencing shortages of qualified applicants.

16 (b) Review.--By the end of the fifth school year following
17 the final passage of this act, the council for accountability
18 shall assess the operation of the program of alternative
19 certification and provide recommendations on continued use of
20 that program.

21 Section 1107. Implementation of alternative certifications.

22 (a) Application.--Individuals shall apply directly to the
23 school district to participate in the alternative certification
24 program. To be eligible for acceptance, an individual must
25 possess a baccalaureate degree in a subject area with a shortage
26 of qualified applicants and obtain passing scores on all tests
27 required by the Secretary of Education.

28 (b) Approval by Secretary of Education.--Following a
29 determination of eligibility, the school district shall request
30 from the Secretary of Education permission to enroll the

1 applicant in the alternative certification program. The
2 Secretary of Education shall approve such a request if all of
3 the following requirements are satisfied:

4 (1) The applicant agrees to pay all costs related to the
5 provision of the alternative certification program, including
6 all payments to school district staff who participate as
7 experienced certified teachers or as members of a support
8 team.

9 (2) The applicant enrolls in and meets the requirements
10 of a program of instruction at an approved college or
11 university in this Commonwealth or satisfies such
12 requirements by participation in a program conducted by the
13 school district and approved by the Secretary of Education.

14 (3) The school district implements an individualized
15 plan of classroom support that requires, at a minimum:

16 (i) four weeks of classroom experience under the
17 direct observation and supervision of an experienced
18 certified teacher;

19 (ii) ten weeks of classroom experience under the
20 observation of a support team and including a formal
21 evaluation by the principal; and

22 (iii) classroom experience through the end of the
23 school year under the observation of a support team, with
24 formal evaluations by the principal at both the midpoint
25 and end of this phase.

26 (c) Issuance of certificate.--Following the successful
27 completion of these requirements and the successful passage of
28 any tests required by the Secretary of Education, the
29 Instructional I certificate shall be issued.

30 (d) Permanent bar to participation.--Individuals who have

1 failed to meet all requirements after two years shall be barred
2 from continued participation.

3 Section 1108. Waiver of residency.

4 Any teacher hired after the effective date of this act shall
5 be exempt from any residency requirement until the first day of
6 the school year following the granting of permanent tenure to
7 the teacher by the school district.

8 CHAPTER 13

9 OFFICES WITHIN SCHOOL DISTRICTS

10 Section 1301. Facilities management office.

11 (a) General rule.--Each school district shall maintain a
12 facilities management office. There shall be an executive
13 director for the office who shall report directly to the
14 superintendent.

15 (b) Duties.--The executive director shall develop and
16 maintain:

17 (1) performance standards for cleaning and maintenance
18 activities; and

19 (2) productivity standards and a program of financial
20 incentives by the start of the school year 2003-2004.

21 (c) Personnel.--The school district shall appoint staff to
22 the office based solely on merit and without regard to seniority
23 or length of service. The school district shall not agree during
24 any collective bargaining negotiations to establish any limits
25 on the use of private sector vendors for any activities related
26 to the provision of any custodial or maintenance services.

27 (d) Competitive bidding and funding.--School principals may
28 bid out their maintenance and custodial functions to the lowest
29 responsible bidder. By the 2000-2001 school year the school
30 district's cleaning and maintenance functions shall be totally

1 funded by payments from school building-budgeted funds for
2 services rendered.

3 Section 1302. Office of information technology.

4 Each school district shall maintain an office of information
5 technology. A chief information officer shall direct the
6 activity of the office and shall report directly to the
7 superintendent. All matters related to the educational and
8 administrative technology programs of the school district shall
9 be within the scope of responsibilities of the chief information
10 officer. The chief information officer shall provide leadership
11 in the planning and management of the school district's
12 technology and shall be responsible for the prioritization of
13 all management information system projects.

14 Section 1303. Facilities management information system and
15 planning requirements.

16 (a) General rule.--On or before the start of the school year
17 2000-2001, the school district shall develop and implement a
18 facilities management information system. Such system shall, at
19 a minimum, contain the following information:

- 20 (1) Project categories.
- 21 (2) Major renovation projects.
- 22 (3) Alteration and improvement projects.
- 23 (4) New construction projects.
- 24 (5) Justification for each project, to include such
25 factors as enrollment changes, installation of new
26 technologies and programs, health and safety concerns and
27 school security requirements.
- 28 (6) Costs and potential source of funds.
- 29 (7) Project priority.
- 30 (8) Utilization of leased and rental facilities.

