
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 204 Session of
2001

INTRODUCED BY STAIRS, COLAFELLA, ARMSTRONG, BASTIAN, FLEAGLE,
HERMAN, NAILOR, SCHULER, T. STEVENSON, GRUCELA, BARD, BISHOP,
BOYES, CALTAGIRONE, CLARK, M. COHEN, COY, DALEY, DeLUCA,
EGOLF, FEESE, FRANKEL, FREEMAN, GEIST, HALUSKA, HARHAI,
HENNESSEY, HESS, LAUGHLIN, MANDERINO, MARSICO, MELIO,
R. MILLER, PIPPY, ROSS, RUBLEY, SATHER, SCHRODER, SCRIMENTI,
SHANER, STABACK, SURRA, E. Z. TAYLOR, TULLI, WALKO, WANSACZ,
ZUG AND JOSEPHS, JANUARY 24, 2001

REFERRED TO COMMITTEE ON EDUCATION, JANUARY 24, 2001

AN ACT

1 Establishing a program for obtaining information from school
2 districts in a uniform manner to permit statistical
3 comparison; imposing additional powers and duties on the
4 Department of Education, the Auditor General and the various
5 school districts; and providing for financial penalties for
6 noncompliance.

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

9 Section 1. Short title.

10 This act shall be known and may be cited as the School Report
11 Card Act.

12 Section 2. Definitions.

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

16 "Department." The Department of Education of the
17 Commonwealth.

1 "Expulsion frequency." The total number of students excluded
2 from school by a board of education for a period exceeding ten
3 school days, which may be permanent expulsion from the school
4 rolls.

5 "Expulsion rate." The ratio of total individual students
6 expelled to the number of students enrolled in October.

7 "School." An individual building operated for educational
8 purposes by a school entity.

9 "School entity." Any of the following:

10 (1) A school district as defined in section 102 of the
11 act of March 10, 1949 (P.L.30, No.14), known as the Public
12 School Code of 1949.

13 (2) An area vocational-technical school under section
14 1840.1 of the Public School Code of 1949.

15 (3) A charter school operated pursuant to Article XVII-A
16 of the Public School Code of 1949.

17 "Secretary." The Secretary of Education of the Commonwealth.

18 "Suspension frequency." The total number of students
19 excluded from school for a period of one to ten days which may
20 include in-school or out-of-school exclusions. This number shall
21 include all suspensions incurred by individual students.

22 "Suspension rate." The ratio of total individual students
23 suspended to the number of students enrolled in October.

24 Section 3. School profiles.

25 Upon implementation of this act, the school report cards
26 provided for in this act shall replace the existing school
27 profiles and shall fulfill the requirements pertaining to the
28 development of school profiles pursuant to 22 Pa. Code § 4.61
29 (relating to school profiles).

30 Section 4. Duties of school entities.

1 (a) General rule.--Each school entity shall complete a
2 report card form for each school within its jurisdiction in
3 accordance with this act and on a uniform form prepared and
4 furnished by the department.

5 (b) Time.--The report card form shall be completed by school
6 entities for each school year and forwarded to the department on
7 a schedule to be established by the secretary.

8 (c) Review by Auditor General.--The Auditor General shall
9 have the right to review the information submitted pursuant to
10 this act.

11 (d) Penalty for failure to comply.--The secretary, or other
12 school entity paying tax moneys to the school entity, upon due
13 hearing, after two weeks' written notice to the board of school
14 directors, area vocational-technical board or board of trustees
15 of a charter school affected, may withhold the payment of all
16 money due any entity out of any appropriation made by the
17 Commonwealth for any purpose which fails to comply with this act
18 in a manner satisfactory to the secretary, until such time as
19 the report card form is filed.

20 Section 5. Contents of report card form.

21 The school report card form shall contain information for
22 each individual school and school entity, which shall assist
23 parents and taxpayers in assessing, evaluating and comparing the
24 quality of education being provided to primary and secondary
25 school students in their area and throughout this Commonwealth.
26 The secretary shall strive to make the report card user
27 friendly, shall make use of modern technology to assure wide
28 access and distribution and shall have the discretion and
29 responsibility to include all information that will assist
30 parents and taxpayers in assessing, evaluating, comparing and

1 understanding the quality of education being provided comparable
2 students in their area and in this Commonwealth. This report
3 card form shall state that the information is provided for the
4 purpose of presenting a snapshot of the applicable school or
5 school district and shall not be deemed to create a set of
6 absolutes as to the quality of education being offered in that
7 school or school district. This information shall include, but
8 not be limited to, the following where appropriate:

9 (1) Enrollment by grade level as of October.

10 (2) Number of schools comprising the school entity and
11 the grade levels in each school.

12 (3) Percentage of low-income students.

13 (4) Number of students enrolled in English as a second
14 language course.

15 (5) Number of students enrolled in special education
16 programs and the number and percentage of these classified as
17 gifted.

18 (6) Student attendance rates as the percentage of
19 students of the total enrollment present on average each day.

20 (7) Student mobility indicated as the percent of
21 students who entered or withdrew during the school year.

22 (8) Student suspension rates and frequency of individual
23 students being suspended.

24 (9) Student expulsion rates and frequency of individual
25 students being expelled.

26 (10) Dropout rate measured as the number and percent of
27 secondary students who left school before graduation without
28 transferring to another school or institution.

29 (11) Percentage of students retained grade-to-grade.

30 (12) Actual average class size by grade level.

- 1 (13) Number and types of administrators, professional
2 and support staff.
- 3 (14) Number of students per administrator.
- 4 (15) Number of teachers per administrator.
- 5 (16) Number of students per teacher.
- 6 (16.1) Number of students per school counselor.
- 7 (16.2) Number of students per school nurse.
- 8 (17) Teacher absenteeism represented as the percent of
9 teacher contractual days that permanent contractual teachers
10 were absent for personal reasons such as illness or vacation.
- 11 (18) Number of teacher and professional staff
12 contractual days dedicated to professional development
13 activities.
- 14 (19) Listing of professional development and classroom
15 preparation and research opportunities provided for
16 instructional staff.
- 17 (20) Listing of academic and support programs,
18 opportunities and initiatives offered or actively supported
19 in the district including, but not limited to, academic
20 courses, tutorial programs, school-to-work activities, Title
21 I services, honors courses, foreign language courses, after-
22 school programs or clubs, interscholastic sports, chorus and
23 band, free breakfast and lunch programs, intramural sports
24 and work study programs.
- 25 (21) Identification of commercial standardized tests
26 used, if any, by grade level administered.
- 27 (22) Name of the school entity's contact person for
28 further information concerning the locally utilized
29 assessment system.
- 30 (23) Percentage of faculty possessing Bachelor's,

1 Master's and Doctoral degrees.

2 (24) Teachers' average years of teaching experience.

3 (25) Percentage of instructors teaching under emergency
4 certification.

5 (26) Percentage of instructors teaching a particular
6 grade or subject matter without proper certification as
7 provided for in Article XII of the act of March 10, 1949
8 (P.L.30, No.14), known as the Public School Code of 1949, and
9 22 Pa. Code Ch. 49 (relating to certification of professional
10 personnel).

11 (27) Percentage of instructional days being taught by
12 short-term or long-term substitutes and percentage of
13 substitutes not properly certified to teach in the area to
14 which they are assigned.

15 (28) Length of school year in terms of the number of
16 instructional days and number of contractual days for
17 professional employees.

18 (29) Length of the school day.

19 (30) Number of charter schools operating in the district
20 and the total number of resident students attending charter
21 schools.

22 (31) Type of kindergarten program offered, part-time or
23 full day.

24 (32) For the graduating senior class, the percentage of
25 seniors pursuing various post-high school options, including
26 four-year college/university, two-year college, other post-
27 secondary school or military service.

28 (33) Habitual truancy as measured by the number of
29 students reported as truant pursuant to section 1354 of the
30 Public School Code of 1949.

1 (34) Technology and library resources, including:

2 (i) The number of titles of books, periodicals,
3 pamphlets, maps, videotapes, films, software and other
4 electronic media in a school's libraries.

5 (ii) The number of computers available for student
6 use and of these the number equipped with CD-Rom
7 capabilities.

8 (iii) The number of computers per student and of
9 these, the number equipped with CD-Rom capabilities per
10 student.

11 (iv) An inventory of the availability of Internet,
12 broadcast and cable television equipment available in a
13 school, teacher workrooms, classrooms, computer labs and
14 library or media centers.

15 (35) Fiscal components including, but not limited to,
16 the following:

17 (i) Classroom instructional costs.

18 (ii) Instructional support costs.

19 (iii) Administrative costs.

20 (iv) Subject-related costs.

21 (v) Technology costs.

22 (vi) Special education costs.

23 (vii) Total outstanding long-term debt.

24 (viii) Revenues by source.

25 (ix) Total funds available.

26 (x) Professional development.

27 (xi) Transportation costs.

28 (xii) Facilities and plant operations.

29 The costs listed shall include costs per pupil and salaries
30 and benefits information.

1 (36) School safety indicators:

2 (i) Number of incidents occurring on school grounds,
3 or at school-sponsored activities, referred to law
4 enforcement personnel which resulted in charges being
5 filed by the school entity.

6 (ii) Number of incidents reported pursuant to
7 section 1303-A(b) of the Public School Code of 1949.

8 (37) Percentage of 11th-grade and 12th-grade students
9 taking the College Entrance Examination Board Advance
10 Placement Test.

11 (38) Percentage of 11th-grade and 12th-grade students
12 taking the College Entrance Examination Board Advance
13 Placement Test scoring above three.

14 (39) Percentage of students of the total enrollment in
15 grades 11 and 12 who take the Scholastic Achievement Test
16 (SAT) and ACT test.

17 (40) Percentage of those students taking the SAT/ACT
18 tests who scored in the upper quartile and the percentage of
19 those taking the SAT/ACT who scored in the lowest quartile.

20 (41) Actual district average score on the SAT.

21 (42) Pertinent data from the Pennsylvania System of
22 School Assessment (PSSA), including the number of special
23 education students who took the test and the number of
24 students whose parents requested excusal from the test.

25 (43) Pertinent data from other assessment or achievement
26 tests given to students to assess or measure achievement gain
27 and that yield valid individual student performance
28 indicators within a grade or subject.

29 Section 6. Duties of department.

30 (a) Form.--The department shall prepare a uniform report

1 card form, including uniform fiscal component definitions,
2 submit the proposed form to the chairman and minority chairman
3 of the Education Committee of the Senate and the chairman and
4 minority chairman of the Education Committee of the House of
5 Representatives for review and comment, and distribute that form
6 to each school entity no later than April 15 of each school
7 year. The form shall include a description of each indicator
8 written in plain English.

9 (b) Statewide comparisons.--

10 (1) Upon receipt of the completed report card
11 information from the individual school entities, the
12 department shall compile Statewide comparison data for the
13 school year for which data is reported and the prior two
14 school years, including:

15 (i) A comparison of Statewide averages to the
16 individual school and school district as a whole.

17 (ii) A comparison of averages of demographically
18 similar schools.

19 (iii) A description of what constitutes an
20 educationally significant difference in each test score
21 reported.

22 (2) For purposes of the Statewide comparisons, the
23 department is not responsible for compiling or distributing
24 data for the prior two school years until such time as the
25 data become available.

26 (c) Districtwide summary.--The department shall prepare a
27 comprehensive districtwide summary for each school entity based
28 on the information obtained under this section, including all
29 school entities within the geographic boundaries of the district
30 required to submit information under this act. In order to

1 ensure that the comprehensive district summaries contain valid
2 information, the department shall make available to each school
3 entity a draft copy of its comprehensive districtwide summary
4 before initiating the final report required by subsection (d).
5 School entities shall have 20 days from receipt of its draft
6 comprehensive districtwide summary to make any necessary
7 changes. Any change made to a draft comprehensive districtwide
8 summary by a school entity shall be accompanied by documentation
9 proving the need for the change. The information received under
10 section 5 shall be deemed to be accurate for any school entity
11 that does not resubmit its draft comprehensive districtwide
12 summary to the department on a timely basis.

13 (d) Release of final report.--No later than January 1
14 following the school year for which report card data has been
15 furnished by school entities, except that for the 2001-2002
16 school year when the date shall be February 1, the department
17 shall furnish each school entity with its completed report card
18 and those of each school within its jurisdiction. The report
19 card shall include information as specified in section 5.
20 Statewide comparisons as specified in subsection (b) and the
21 districtwide summary as provided in subsection (c). In the case
22 of Statewide comparisons, the department is not responsible for
23 compiling or distributing data for the prior two school years
24 until such time as the data become available.

25 Section 7. Dissemination of report card.

26 (a) Parents.--No later than March 1, except for the 2001-
27 2002 school year when the date shall be April 1, each school
28 entity shall distribute the applicable report card to parents or
29 guardians of pupils enrolled at the school. These report cards
30 may be included in normal school communications to parents or

1 guardians and need not be mailed separately. The school entity
2 shall include with this distribution a copy of the school
3 entity's policies adopted in compliance with 22 Pa. Code §
4 4.4(d) (relating to general policies). A copy of its most recent
5 report card shall be displayed by each school in a central
6 location accessible to the public.

7 (b) General public.--

8 (1) School entities shall publicize the availability of
9 the districtwide summary provided by the department pursuant
10 to section 6(c) by causing an advertisement to be placed in a
11 newspaper of general circulation no later than March 1,
12 except for the 2001-2002 school year when the date shall be
13 April 1.

14 (2) The advertisement shall contain the following
15 information:

16 (i) That each resident shall be entitled to receive
17 a copy of the districtwide summary.

18 (ii) That copies can be obtained by calling (name of
19 school district) at (telephone number) during the hours
20 of (hours of operation).

21 (3) Copies of the districtwide summary shall be made
22 available to residents upon request at no charge to the
23 taxpayer. No later than March 1, except for the 2001-2002
24 school year when the date shall be April 1, following the
25 release of report cards to individual school entities by the
26 department, each school entity shall hold a public meeting to
27 present an overview of the full contents of the report card
28 to the general public. This public meeting may be part of a
29 regularly scheduled meeting of the entity's board of
30 directors. At least two weeks' advance notice of the time,

1 place and purpose of the meeting shall be given.

2 (c) General Assembly.--The department shall forward a copy
3 of the Statewide results of the school report card to the
4 chairperson and minority chairperson of the Education Committee
5 of the Senate and the chairperson and minority chairperson of
6 the Education Committee of the House of Representatives.

7 Section 8. Cause of action.

8 Nothing in this act shall create a statutory cause of action
9 for educational malpractice by students, parents or guardians.

10 Section 9. Participation by nonpublic schools.

11 Upon request to the department by the principal of a
12 nonpublic school as defined in section 922.1-A(b) of the act of
13 March 10, 1949 (P.L.30, No.14), known as the Public School Code
14 of 1949, the nonpublic school may opt to comply with the
15 provisions of this act.

16 Section 10. Additional requirements.

17 (a) State Board of Education.--The State Board of Education
18 shall adopt policies, standards, rules and regulations necessary
19 to the proper administration and implementation of this act.

20 (b) Department of Education.--The Department of Education
21 shall provide technical assistance to school entities in
22 completing forms as required by section 4(a).

23 Section 11. Effective date.

24 This act shall take effect July 1, 2001, or immediately,
25 whichever is later.