
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 204 Session of
2001

INTRODUCED BY STAIRS, COLAFELLA, T. 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, JOSEPHS, YUDICHAK, MUNDY, SEMMEL, McCALL, C. WILLIAMS,
PRESTON, DeWEESE, HORSEY, SAYLOR, J. EVANS AND BROWNE,
JANUARY 24, 2001

SENATOR RHOADES, EDUCATION, IN SENATE, AS AMENDED,
NOVEMBER 12, 2002

AN ACT

1 ~~Establishing a system for collecting information from school~~ <—
2 ~~districts and other school entities in a uniform manner;~~
3 ~~making the information accessible to the public; imposing~~
4 ~~duties and responsibilities on the Department of Education~~
5 ~~and various school entities; and establishing financial~~
6 ~~penalties for noncompliance.~~

7 AMENDING THE ACT OF MARCH 10, 1949 (P.L.30, NO.14), ENTITLED "AN <—
8 ACT RELATING TO THE PUBLIC SCHOOL SYSTEM, INCLUDING CERTAIN
9 PROVISIONS APPLICABLE AS WELL TO PRIVATE AND PAROCHIAL
10 SCHOOLS; AMENDING, REVISING, CONSOLIDATING AND CHANGING THE
11 LAWS RELATING THERETO," PROVIDING FOR A STATE REPORT CARD AND
12 FOR THE COLLECTION OF DATA.

13 The General Assembly of the Commonwealth of Pennsylvania

14 hereby enacts as follows:

15 ~~Section 1. Short title.~~ <—

16 ~~This act shall be known and may be cited as the School~~

17 ~~Profiles Act.~~

18 ~~Section 2. Definitions.~~

1 ~~The following words and phrases when used in this act shall~~
2 ~~have the meanings given to them in this section unless the~~
3 ~~context clearly indicates otherwise:~~

4 ~~"Administrative/supervisory personnel."— Personnel who direct~~
5 ~~and manage or assist with directing and managing the programs,~~
6 ~~operation and personnel of a school entity or particular school.~~

7 ~~"Classroom teacher."— An individual, including a career or~~
8 ~~technical teacher, who provides instruction to students.~~

9 ~~"Coordinated services personnel."— Personnel who provide~~
10 ~~guidance, health and psychological services and assistance to~~
11 ~~students, parents and other staff members or who perform~~
12 ~~specially designed services not provided by regular or special~~
13 ~~education instruction.~~

14 ~~"Department."— The Department of Education of the~~
15 ~~Commonwealth.~~

16 ~~"Dropout."— A student who, at any time during the previous~~
17 ~~school year, was between 12 years of age and 21 years of age and~~
18 ~~enrolled in grades 7 through 12, but who was not enrolled by~~
19 ~~September 30 of the current year, for any reason except death,~~
20 ~~suspension, excused illness, graduation or transfer to another~~
21 ~~school entity.~~

22 ~~"Dropout rate."— The percentage of secondary level students~~
23 ~~enrolled who drop out during a single school year.~~

24 ~~"Expulsion."— This term shall have the same meaning given to~~
25 ~~it in 22 Pa. Code § 12.6 (relating to expulsion from school).~~

26 ~~"Gifted student."— This term shall have the same meaning~~
27 ~~given to it in 22 Pa. Code, Chapter 16 (relating to special~~
28 ~~education for gifted students).~~

29 ~~"Habitual truant."— A student who has been absent without~~
30 ~~lawful excuse for more than three consecutive school days.~~

1 ~~"Kindergarten program."—A program offered to children who~~
2 ~~are below a school district's minimum entry age for beginners.~~

3 ~~"Librarian."—An individual with library science~~
4 ~~certification who provides library services and teaches~~
5 ~~information literacy skills.~~

6 ~~"School."—A division of a school system which is comprised~~
7 ~~of one or more grade groups, organized as one unit usually under~~
8 ~~the direction of a principal or head teacher. The term includes~~
9 ~~an independent school established pursuant to section 1704 B(a)~~
10 ~~of the act of March 10, 1949 (P.L.30, No.14), known as the~~
11 ~~Public School Code of 1949.~~

12 ~~"School entity."—Any of the following:~~

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

16 ~~(2) An area vocational technical school operated~~
17 ~~pursuant to Article XVIII of the Public School Code of 1949.~~

18 ~~(3) A charter school as defined in section 1703 A of the~~
19 ~~Public School Code of 1949.~~

20 ~~"Secretary."—The Secretary of Education of the Commonwealth.~~

21 ~~"Special education student."—A student who receives special~~
22 ~~education in accordance with the Individuals with Disabilities~~
23 ~~Education Act (Public Law 91-230, 20 U.S.C. § 1400 et seq.) and~~
24 ~~22 Pa. Code, Chapter 14 (relating to special education services~~
25 ~~and programs).~~

26 ~~"Suspension."—This term shall have the same meaning given to~~
27 ~~it in 22 Pa. Code § 12.6(b)(1) (relating to exclusions from~~
28 ~~school).~~

29 ~~Section 3.—School profiles.~~

30 ~~Reports provided pursuant to this act shall form the basis of~~

1 ~~school, school entity wide and State profiles referenced in~~
2 ~~sections 5 and 6. These profiles shall replace the profiles~~
3 ~~previously developed by the secretary pursuant to 22 Pa. Code §~~
4 ~~4.61 (relating to school profiles). These profiles shall be~~
5 ~~compiled from data reported by the school entities and shall not~~
6 ~~constitute an additional report by the school entities.~~

7 ~~Section 4. Duties of school entities.~~

8 ~~(a) General rule. Each school entity shall submit to the~~
9 ~~department the information listed in section 5, in accordance~~
10 ~~with the established deadlines established specifically~~
11 ~~applicable to each informational item. Unless otherwise~~
12 ~~provided, the school entity shall submit information for each~~
13 ~~individual school within its jurisdiction.~~

14 ~~(b) Time. All of the information required to complete the~~
15 ~~school profile shall be submitted to the department no later~~
16 ~~than February 1 of each year. Nothing in this section shall be~~
17 ~~construed to alter any established deadline for the submission~~
18 ~~of any informational item listed in section 5.~~

19 ~~(c) Penalty for failure to comply. The penalties set forth~~
20 ~~in section 2552 of the act of March 10, 1949 (P.L.30, No.14),~~
21 ~~known as the Public School Code of 1949, shall apply to all~~
22 ~~school entities for purposes of this act.~~

23 ~~Section 5. Required information.~~

24 ~~The information submitted by school entities shall include,~~
25 ~~but not be limited to, the following:~~

26 ~~(1) Enrollment by grade level, including four year and~~
27 ~~five year old kindergarten by half day and full day, as of~~
28 ~~October 1.~~

29 ~~(2) The number of schools comprising the school entity~~
30 ~~and the grade levels in each school.~~

1 ~~(3) Percentage of low income students, calculated in a~~
2 ~~manner prescribed by the department.~~

3 ~~(4) The number of students receiving instruction in~~
4 ~~English as a second language courses.~~

5 ~~(5) By school entity, the number and percentage of~~
6 ~~students with disabilities enrolled in special education~~
7 ~~programs.~~

8 ~~(6) By school entity, the number and percentage of~~
9 ~~students identified as gifted enrolled in gifted programs.~~

10 ~~(7) Student attendance rates for the school year~~
11 ~~measured as the percentage for the school year of students~~
12 ~~present each day to the total enrollment each day.~~

13 ~~(8) The number of students who entered or withdrew~~
14 ~~during the school year.~~

15 ~~(9) The number of suspensions at the secondary level~~
16 ~~during the school year.~~

17 ~~(10) The number of expulsions at the secondary level~~
18 ~~during the school year.~~

19 ~~(11) Dropout rate by grade.~~

20 ~~(12) The number of students retained grade to grade at~~
21 ~~the secondary level.~~

22 ~~(13) The percentage of classes within each of the~~
23 ~~following categories:~~

24 ~~(i) 1 through 20 students.~~

25 ~~(ii) 21 through 23 students.~~

26 ~~(iii) 24 through 26 students.~~

27 ~~(iv) 27 through 29 students.~~

28 ~~(v) 30 or more students.~~

29 ~~(13.1) THE PERCENTAGE OF ELEMENTARY SCHOOL CLASSES~~
30 ~~WITHIN EACH OF THE FOLLOWING CATEGORIES:~~

<—

- 1 ~~(I) 1 THROUGH 20 STUDENTS.~~
- 2 ~~(II) 21 THROUGH 23 STUDENTS.~~
- 3 ~~(III) 24 THROUGH 26 STUDENTS.~~
- 4 ~~(IV) 27 THROUGH 29 STUDENTS.~~
- 5 ~~(V) 30 OR MORE STUDENTS.~~

6 ~~(13.2) THE PERCENTAGE OF SECONDARY SCHOOL, MATH AND~~
7 ~~ENGLISH CLASSES WITHIN EACH OF THE FOLLOWING CATEGORIES:~~

- 8 ~~(I) 1 THROUGH 20 STUDENTS.~~
- 9 ~~(II) 21 THROUGH 23 STUDENTS.~~
- 10 ~~(III) 24 THROUGH 26 STUDENTS.~~
- 11 ~~(IV) 27 THROUGH 29 STUDENTS.~~
- 12 ~~(V) 30 OR MORE STUDENTS.~~

13 ~~(14) (i) The number of professional or certificated~~
14 ~~employees at each school and school entity and the number~~
15 ~~of noncertificated personnel in positions normally~~
16 ~~requiring certification.~~

- 17 ~~(ii) Number of administrative/supervisory personnel.~~
- 18 ~~(iii) The number of classroom teachers.~~
- 19 ~~(iv) The number of librarians.~~
- 20 ~~(v) The number of coordinate services personnel.~~

21 ~~(15) Teacher absenteeism represented as the percentage~~
22 ~~of teacher contractual days that permanent contractual~~
23 ~~teachers were absent for personal reasons.~~

24 ~~(16) Classroom teacher time devoted to professional~~
25 ~~development reported as the percentage of teacher contractual~~
26 ~~days that permanent contractual teachers devoted to~~
27 ~~professional development, including days enumerated under~~
28 ~~section 1504 of the act of March 10, 1949 (P.L.30, No.14),~~
29 ~~known as the Public School Code of 1949, in service days and~~
30 ~~individual professional development days.~~

1 ~~(17) Listing of professional development, class~~
2 ~~preparation and research opportunities provided for~~
3 ~~professional employees and noncertificated personnel in~~
4 ~~positions normally requiring certification.~~

5 ~~(18) Listing of academic and support programs,~~
6 ~~opportunities and initiatives offered or supported in the~~
7 ~~school entity as specified in technical guidelines issued by~~
8 ~~the department.~~

9 ~~(19) By school entity, a listing of commercial~~
10 ~~standardized tests administered and the grades in which they~~
11 ~~are administered.~~

12 ~~(20) Percentage of professional employees and~~
13 ~~noncertificated personnel in positions normally requiring~~
14 ~~certification possessing bachelor's, master's and doctoral~~
15 ~~degrees.~~

16 ~~(21) Classroom teachers' average years of service in~~
17 ~~education.~~

18 ~~(22) Librarians' average years of service in education.~~

19 ~~(23) The number of classroom teachers serving under~~
20 ~~emergency permits.~~

21 ~~(24) The number of instructional days in the school~~
22 ~~year.~~

23 ~~(25) The number of contractual days in the school year~~
24 ~~for classroom teachers.~~

25 ~~(26) The number of instructional hours in a school day.~~

26 ~~(27) The total number of resident students attending~~
27 ~~charter schools.~~

28 ~~(28) For the graduating senior class, the percentage of~~
29 ~~graduates planning to enter college or university, other~~
30 ~~postsecondary school, military service or employment.~~

1 ~~(29) The number of students classified as habitual~~
2 ~~truants.~~

3 ~~(30) Library resources, including:~~

4 ~~(i) The number of cataloged items in the library~~
5 ~~collection at the end of the school year.~~

6 ~~(ii) The number of on line reference and periodical~~
7 ~~data base titles the library makes available to its~~
8 ~~users.~~

9 ~~(iii) The total circulation of library materials~~
10 ~~during the last school year.~~

11 ~~(31) Technology resources, including:~~

12 ~~(i) The total number of computers in the school.~~

13 ~~(ii) The number of computers available for student~~
14 ~~use.~~

15 ~~(iii) The number of computers with Internet access.~~

16 ~~(iv) The number of computers available in teachers'~~
17 ~~workroom.~~

18 ~~(v) The number of computers available in classrooms.~~

19 ~~(vi) The number of computers available in computer~~
20 ~~lab.~~

21 ~~(vii) The number of computers available in library~~
22 ~~or media center.~~

23 ~~(32) Number of items of broadcast or cable television~~
24 ~~available in teachers' workroom, classrooms, computer lab and~~
25 ~~library or media center.~~

26 ~~(33) Fiscal information as required by section 613 of~~
27 ~~the Public School Code of 1949, including, but not limited~~
28 ~~to, the following:~~

29 ~~(i) Classroom instructional costs.~~

30 ~~(ii) Instructional support costs.~~

- 1 ~~(iii) Administrative support costs by school entity.~~
- 2 ~~(iv) Subject matter or grade level costs.~~
- 3 ~~(v) Technology costs by school entity.~~
- 4 ~~(vi) Special education instructional and~~
- 5 ~~noninstructional costs by school entity.~~
- 6 ~~(vii) Total outstanding long term debt by school~~
- 7 ~~entity.~~
- 8 ~~(viii) Revenues by source by school entity.~~
- 9 ~~(ix) Total funds available by school entity.~~
- 10 ~~(x) Professional development by school entity.~~
- 11 ~~(xi) Transportation costs by school entity.~~
- 12 ~~(xii) Facilities and plant operations.~~
- 13 ~~(xiii) Extracurricular activities by school entity.~~
- 14 ~~(xiv) Food service costs by school entity.~~
- 15 ~~(34) The number of incidents reported pursuant to~~
- 16 ~~section 1303 A(b) of the Public School Code of 1949.~~
- 17 ~~(35) The number of eleventh and twelfth grade students~~
- 18 ~~who took the College Entrance Examination Board Advanced~~
- 19 ~~Placement Test.~~
- 20 ~~(36) The number of eleventh and twelfth grade students~~
- 21 ~~who scored above three on the College Entrance Examination~~
- 22 ~~Board Advanced Placement Test.~~
- 23 ~~(37) The number of eleventh and twelfth grade students~~
- 24 ~~who took the Scholastic Aptitude Test, the American College~~
- 25 ~~Test or both.~~
- 26 ~~(38) The number of eleventh and twelfth grade students~~
- 27 ~~who scored in the top quartile of the Scholastic Aptitude~~
- 28 ~~Test or American College Test and the number of those who~~
- 29 ~~scored in the bottom quartile.~~
- 30 ~~(39) Average Scholastic Aptitude Test and American~~

1 ~~College Test scores for each school entity.~~

2 ~~(40) Scaled scores of the Pennsylvania System of School~~
3 ~~Assessment or the local assessment system aligned with~~
4 ~~academic standards, divided into all students at the school~~
5 ~~and school entity level.~~

6 ~~(41) Pennsylvania System of School Assessment or the~~
7 ~~local assessment system aligned with academic standards, data~~
8 ~~disaggregated at the school level.~~

9 ~~(42) Pertinent data from the National Occupational~~
10 ~~Competency Testing Institute's Job Ready Assessments and~~
11 ~~other department approved tests given to students in~~
12 ~~department approved career and technical programs.~~

13 ~~(43) School entity level data from the administration of~~
14 ~~Pennsylvania Alternate System of Assessment in accordance~~
15 ~~with department guidelines.~~

16 ~~(44) Number of students enrolled in approved~~
17 ~~occupational career and technical programs.~~

18 ~~(45) For the completers of approved occupational career~~
19 ~~and technical programs, the percentage of those who obtained~~
20 ~~employment, enrolled in a postsecondary institution or~~
21 ~~entered military service.~~

22 ~~(46) Other information that may be required as directed~~
23 ~~by the secretary to comply with Federal or State statutes.~~

24 ~~Section 6. Duties of department.~~

25 ~~(a) Guidelines. The department shall develop guidelines as~~
26 ~~necessary for the implementation of section 5 and provide~~
27 ~~technical assistance to school entities in reporting information~~
28 ~~required by section 4(a). The department shall compile data and~~
29 ~~report it by school entity pursuant to this act.~~

30 ~~(b) Preliminary summaries.~~

1 ~~(1) The department shall prepare preliminary summaries~~
2 ~~for each school entity and its individual schools, based on~~
3 ~~the information obtained under this act.~~

4 ~~(2) In order to ensure accurate data, the department~~
5 ~~shall make the preliminary summaries available on line for~~
6 ~~each school entity.~~

7 ~~(3) Within 20 days of receipt of the on line summaries,~~
8 ~~the school entity may request that the department make any~~
9 ~~material changes in any summary.~~

10 ~~(4) If the district does not submit such request within~~
11 ~~20 days, the summaries shall be deemed accurate and become~~
12 ~~the school and school entity wide profiles.~~

13 ~~(c) State profile. The department shall create a State~~
14 ~~profile based on the profiles created pursuant to subsection~~
15 ~~(b). The State profile shall provide information for~~
16 ~~socioeconomically similar schools.~~

17 ~~(d) Publication of school, school entity wide and State~~
18 ~~profiles. No later than March 1 of each year, the department~~
19 ~~shall publish on its World Wide Web site the school, school~~
20 ~~entity wide and State profiles established in accordance with~~
21 ~~subsections (b) and (c). Prior to the release of the profiles~~
22 ~~the department shall issue a press release informing the public~~
23 ~~of the availability of this information.~~

24 ~~Section 7. Nonpublic school election to comply.~~

25 ~~Upon request to the department by the principal of a~~
26 ~~nonpublic school as defined in section 922.1 of the act of March~~
27 ~~10, 1949 (P.L.30, No.14), known as the Public School Code of~~
28 ~~1949, nonpublic schools may elect to comply with the provisions~~
29 ~~of this act.~~

30 ~~Section 8. Effective date.~~

1 ~~This act shall take effect July 1, 2001, or immediately,~~
2 ~~whichever is later.~~

3 SECTION 1. THE ACT OF MARCH 10, 1949 (P.L.30, NO.14), KNOWN ←
4 AS THE PUBLIC SCHOOL CODE OF 1949, IS AMENDED BY ADDING A
5 SECTION TO READ:

6 SECTION 220. STATE REPORT CARD.--(A) THE DEPARTMENT SHALL
7 CREATE A STATE REPORT CARD BASED ON THE INFORMATION COLLECTED
8 PURSUANT TO THIS SECTION. THE DEPARTMENT:

9 (1) SHALL INFORM THE PUBLIC OF THE AVAILABILITY OF THE STATE
10 REPORT CARD PRIOR TO PUBLICATION.

11 (2) SHALL PUBLISH ON ITS WORLD WIDE WEB SITE THE STATE
12 REPORT CARD, PROVIDING INFORMATION AT THE STATE, LOCAL EDUCATION
13 AGENCY AND SCHOOL LEVELS.

14 (3) SHALL ISSUE GUIDELINES CONCERNING THE COLLECTION AND
15 SUBMISSION OF DATA AS NECESSARY TO ENSURE CONTINUED COMPLIANCE
16 WITH FEDERAL AND STATE LAWS, REGULATIONS AND STANDARDS.

17 (4) MAY CONDUCT AUDITS OF THE DATA SUBMITTED BY LOCAL
18 EDUCATION AGENCIES UNDER SUBSECTION (B) FOR THE PURPOSE OF
19 ASSURING ACCURACY AND COMPLETENESS. IF THE DEPARTMENT DETERMINES
20 TO CONDUCT AUDITS UNDER THIS PARAGRAPH, THE DEPARTMENT SHALL
21 ISSUE GUIDELINES FOR THE CONDUCT OF SUCH AUDITS, INCLUDING THE
22 PERCENTAGE OF LOCAL EDUCATION AGENCIES TO BE AUDITED ON A YEARLY
23 BASIS. IN CONDUCTING SUCH AUDITS, THE DEPARTMENT SHALL
24 COORDINATE WITH THE DEPARTMENT OF THE AUDITOR GENERAL. NOTHING
25 IN THIS SECTION SHALL BE CONSTRUED TO EXPAND THE AUDITING
26 AUTHORITY OF THE AUDITOR GENERAL.

27 (B) A LOCAL EDUCATION AGENCY SHALL DO ALL OF THE FOLLOWING:

28 (1) COLLECT DATA AND SUBMIT IT IN A FORM AND MANNER
29 PRESCRIBED BY THE DEPARTMENT. THE DATA SHALL INCLUDE:

30 (I) THE INFORMATION DESCRIBED IN SECTION 1111(H)(1)(C) OF

1 THE NO CHILD LEFT BEHIND ACT OF 2001 AS APPLIED TO THE LOCAL
2 EDUCATION AGENCY AS A WHOLE AND TO EACH OF ITS SCHOOLS.

3 (II) THE INFORMATION DESCRIBED IN SECTION 1111(H)(2)(B)(I)
4 AND (II) OF THE NO CHILD LEFT BEHIND ACT OF 2001.

5 (III) ANY OTHER INFORMATION REQUIRED TO COMPLY WITH THE NO
6 CHILD LEFT BEHIND ACT OF 2001.

7 (IV) ANY INFORMATION DESCRIBED IN 22 PA. CODE § 4.61
8 (RELATING TO SCHOOL PROFILES) THAT IS NOT INCLUDED UNDER
9 SUBPARAGRAPH (I), (II) OR (III).

10 (2) DISSEMINATE THE INFORMATION COLLECTED IN PARAGRAPH (1)
11 IN ACCORDANCE WITH THE PUBLIC DISSEMINATION REQUIREMENTS OF
12 SECTION 1111(H)(2)(E) OF THE NO CHILD LEFT BEHIND ACT OF 2001.
13 NOTHING IN THIS SECTION SHALL EXCUSE A LOCAL EDUCATION AGENCY
14 FROM COMPLYING WITH THE REQUIREMENTS OF THE NO CHILD LEFT BEHIND
15 ACT OF 2001 NOT SPECIFICALLY REFERENCED IN THIS SECTION.

16 (C) DEFINITIONS.--AS USED IN THIS SECTION, THE FOLLOWING
17 WORDS AND PHRASES SHALL HAVE THE MEANINGS GIVEN TO THEM IN THIS
18 SUBSECTION:

19 "DEPARTMENT." THE DEPARTMENT OF EDUCATION OF THE
20 COMMONWEALTH.

21 "LOCAL EDUCATION AGENCY." A SCHOOL DISTRICT, CYBER CHARTER
22 SCHOOL, CHARTER SCHOOL, AREA VOCATIONAL-TECHNICAL SCHOOL OR
23 INTERMEDIATE UNIT.

24 "NO CHILD LEFT BEHIND ACT OF 2001." THE NO CHILD LEFT BEHIND
25 ACT OF 2001 (PUBLIC LAW 107-110, 115 STAT. 1425).

26 SECTION 2. THE PURPOSE OF SECTION 220 OF THE ACT IS TO
27 PROVIDE THE TAXPAYERS AND THE PARENTS OF STUDENTS IN THIS
28 COMMONWEALTH WITH INFORMATION RELATED TO THE PERFORMANCE OF
29 SCHOOL DISTRICTS, INTERMEDIATE UNITS, AREA VOCATIONAL-TECHNICAL
30 SCHOOLS, CHARTER SCHOOLS AND CYBER CHARTER SCHOOLS; TO ASSIST

1 TAXPAYERS AND PARENTS IN MAKING INFORMED DECISIONS ABOUT THE
2 PERFORMANCE OF THOSE SCHOOL ENTITIES; AND TO HOLD THOSE SCHOOL
3 ENTITIES ACCOUNTABLE TO HIGH ACADEMIC STANDARDS.

4 SECTION 3. THIS ACT SHALL TAKE EFFECT IMMEDIATELY.