

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1468 Session of
2003

INTRODUCED BY GODSHALL, THOMAS, CIVERA, FICHTER, CRAHALLA,
CURRY, GEORGE, GRUCELA, HARHAI, JOSEPHS, KIRKLAND, MAITLAND,
MELIO, R. MILLER, O'NEILL, READSHAW, ROEBUCK, ROSS,
T. STEVENSON, E. Z. TAYLOR, VANCE, WANSACZ, WASHINGTON AND
YOUNGBLOOD, MAY 22, 2003

REFERRED TO COMMITTEE ON EDUCATION, MAY 22, 2003

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," providing for the exclusion of pupils
6 with limited English proficiency when calculating which
7 school districts shall be placed on an education empowerment
8 list.

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

11 Section 1. Section 1702-B of the act of March 10, 1949
12 (P.L.30, No.14), known as the Public School Code of 1949, added
13 May 10, 2000 (P.L.44, No.16), is amended by adding a definition
14 to read:

15 Section 1702-B. Definitions.--For purposes of this article,
16 the following terms shall have the following meanings:

17 * * *

18 "Limited English proficiency student." Any pupil that was
19 not born in the United States or whose native language is other

1 than English and comes from an environment where a language
2 other than English is dominant; or is a Native American or
3 Alaska native who is a native resident of the outlying areas and
4 comes from an environment where a language other than English
5 has had a significant impact on such an individual's level of
6 English language proficiency; or is migratory and whose native
7 language is other than English and comes from an environment
8 where a language other than English is dominant; and has
9 sufficient difficulty speaking, reading, writing or
10 understanding the English language and whose difficulties may
11 deny such individual the opportunity to learn successfully in
12 classrooms where the language of instruction is English or to
13 participate fully in our society.

14 * * *

15 Section 2. Section 1703-B(a) of the act, amended or added
16 May 10, 2000 (P.L.44, No.16) and November 22, 2000 (P.L.672,
17 No.91), is amended to read:

18 Section 1703-B. Education Empowerment List.--(a) The
19 department shall place a school district that has a history of
20 low test performance on an education empowerment list. The
21 department shall immediately notify the school district of its
22 placement on the education empowerment list and shall publish
23 the list in the Pennsylvania Bulletin. A school district may
24 petition the department to exclude from its calculation under
25 this subsection or section 1707-B(a.1) the PSSA test score of
26 any student who was enrolled in the district for less than
27 ninety (90) instructional days of the school year in which the
28 test was administered. The PSSA test score of any limited
29 English proficient student who has not received appropriate
30 bilingual/bicultural or English as a second language instruction

1 over a period of at least one school year shall not be included
2 in the district's calculations under this subsection or section
3 1707-B(a.1).

4 * * *

5 Section 2. This act shall take effect July 1, 2003, or
6 immediately, whichever is later.