

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 503 Session of
2003

INTRODUCED BY RHOADES, MOWERY, EARLL, PILEGGI, LAVALLE,
C. WILLIAMS, ERICKSON, COSTA, WOZNIAK AND KASUNIC,
MARCH 17, 2003

SENATOR RHOADES, EDUCATION, AS AMENDED, APRIL 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 TECHNICAL ASSISTANCE <—
6 PROVIDED BY THE DEPARTMENT OF EDUCATION; further providing
7 for powers and duties of the intermediate unit board of
8 directors; and providing for academic improvement programs.

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

11 ~~Section 1. Section 914 A of the act of March 10, 1949~~ <—
12 ~~(P.L.30, No.14), known as the Public School Code of 1949, is~~
13 ~~amended by adding a clause to read:~~

14 SECTION 1. THE ACT OF MARCH 10, 1949 (P.L.30, NO.14), KNOWN <—
15 AS THE PUBLIC SCHOOL CODE OF 1949, IS AMENDED BY ADDING A
16 SECTION TO READ:

17 SECTION 115. TECHNICAL ASSISTANCE PROVIDED BY THE DEPARTMENT
18 OF EDUCATION.--(A) WHERE ANY SCHOOL IN A SCHOOL DISTRICT IS
19 IDENTIFIED FOR IMPROVEMENT OR CORRECTIVE ACTION UNDER SECTION
20 1116(C)(3) OR (10) OF THE NO CHILD LEFT BEHIND ACT OF 2001

(PUBLIC LAW 107-110, 115 STAT. 1425), THE BOARD OF SCHOOL DIRECTORS OF THE SCHOOL DISTRICT MAY REQUEST THAT THE DEPARTMENT OF EDUCATION PROVIDE TECHNICAL ASSISTANCE TO CREATE THE SCHOOL IMPROVEMENT PLAN PROVIDED FOR IN SECTION 1116(C)(7) OF THE NO CHILD LEFT BEHIND ACT OF 2001.

(B) THE DEPARTMENT SHALL PROVIDE TECHNICAL ASSISTANCE TO SCHOOL DISTRICTS THAT MAKE REQUESTS UNDER SUBSECTION (A). SUCH TECHNICAL ASSISTANCE MAY INVOLVE ANY ASSISTANCE THAT MAY BE SPECIFIED IN THE SCHOOL DISTRICT'S SCHOOL IMPROVEMENT PLAN, INCLUDING, BUT NOT LIMITED TO:

(1) ANALYSIS OF DATA FROM THE PENNSYLVANIA SYSTEM OF SCHOOL ASSESSMENT TEST OR ANY OTHER TEST ESTABLISHED BY THE STATE BOARD OF EDUCATION TO MEET THE REQUIREMENTS OF SECTION 2603-B(D)(10)(I).

(2) IDENTIFICATION AND IMPLEMENTATION OF PROFESSIONAL DEVELOPMENT AND INSTRUCTIONAL STRATEGIES AND METHODS TO ADDRESS SPECIFIC INSTRUCTIONAL ISSUES THAT CAUSED THE SCHOOL TO BE IDENTIFIED.

(3) ANALYSIS OF THE SCHOOL DISTRICT'S BUDGET OR PARTS THEREOF TO ENABLE THE SCHOOL TO MORE EFFECTIVELY ALLOCATE ITS RESOURCES.

(C) IN ORDER TO FULFILL ITS DUTIES UNDER THIS SECTION, THE DEPARTMENT MAY, IN CONSULTATION WITH THE SCHOOL DISTRICT, ASSIGN PERSONNEL OR CONTRACT WITH OUTSIDE PROVIDERS TO ENSURE THAT THE REQUIREMENTS OF SUBSECTION (B) ARE MET. THE TECHNICAL ASSISTANCE PROVIDED BY THE DEPARTMENT UNDER THIS SECTION SHALL BE MADE READILY AVAILABLE TO ENSURE THAT THE DEVELOPMENT OF THE IMPROVEMENT PLAN IS COMPLETED WITHIN 90 DAYS OF THE SCHOOL DISTRICT'S IDENTIFICATION UNDER SECTION 1116(C)(3) OF THE NO CHILD LEFT BEHIND ACT OF 2001.

SECTION 2. SECTION 914-A OF THE ACT IS AMENDED BY ADDING A
CLAUSE TO READ:

Section 914-A. Powers and Duties of the Intermediate Unit
Board of Directors.--An intermediate unit board of directors
shall have the power and its duty shall be:

* * *

~~(18) To appoint academic improvement teams and coordinate~~
~~and administer (18) TO PROVIDE SUPPORT TO SCHOOL DISTRICTS~~
~~ELIGIBLE FOR ACADEMIC ASSISTANCE AND COORDINATE the academic~~
~~improvement program established under section 925-A.~~

Section 2 3. The act is amended by adding a section to read:

Section 925-A. Academic Improvement Program.--(a) Each
intermediate unit shall coordinate and administer PROVIDE
SUPPORT TO AND COORDINATE an academic improvement program for
any school district assigned to the intermediate unit that is
eligible for ACADEMIC assistance under subsection (b). The
intermediate unit shall provide technical support and staff
assistance to an academic improvement team appointed under
subsection (c).

(b) A school district shall be eligible for academic
assistance under this section where:

~~(1) Any school in the school district has a percentage of~~
~~its students in any grade level subject to the Pennsylvania~~
~~System of School Assessment or any other test established by the~~
~~State Board of Education to meet the requirements of section~~
~~2603 B(d)(10) that score below the yearly proficiency target~~
~~established by the Department of Education to calculate adequate~~
~~yearly progress under the No Child Left Behind Act of 2001~~
~~(Public Law 107 110, 115 Stat. 1425).~~

~~(2) Any school in the school district is identified for~~

~~improvement or corrective action under section 1116(c)(3) or
(10) of the No Child Left Behind Act of 2001.~~

~~(3) The school district requests academic assistance under~~

~~(1) ANY SCHOOL IN THE SCHOOL DISTRICT HAS NOT MET THE YEARLY
TARGET PROVIDED BY THE DEPARTMENT OF EDUCATION PURSUANT TO
STANDARDS APPROVED BY THE STATE BOARD OF EDUCATION TO MEET THE
REQUIREMENTS OF SECTION 2603-B(D)(10)(I) FOR USE IN MEASURING
PROGRESS TOWARD ADEQUATE YEARLY PROGRESS UNDER THE NO CHILD LEFT
BEHIND ACT OF 2001 (PUBLIC LAW 107-110, 115 STAT. 1425); OR~~

~~(2) THE SCHOOL DISTRICT REQUESTS ACADEMIC ASSISTANCE UNDER
this section.~~

~~(c) (1) Within thirty (30) days of the intermediate unit's
receipt of the list of school districts eligible FOR ACADEMIC
ASSISTANCE under subsection (b), an academic improvement team
shall be appointed for each eligible school district. Members of
the academic improvement team shall be appointed by the
intermediate unit board of directors and the board of school
directors of the school district eligible for academic
assistance.~~

~~(2) Five (5) members of the academic improvement team shall
be appointed by the intermediate unit board of directors. Such
members shall not be employed by or otherwise affiliated with
the school district eligible for academic assistance and may
include:~~

~~(i) Intermediate unit staff members.~~

~~(ii) Teachers EMPLOYED BY SCHOOL DISTRICTS ASSIGNED TO THE
INTERMEDIATE UNIT.~~

~~(iii) Administrators EMPLOYED BY SCHOOL DISTRICTS ASSIGNED
TO THE INTERMEDIATE UNIT.~~

~~(iv) School board members FROM SCHOOL DISTRICTS ASSIGNED TO~~

1 THE INTERMEDIATE UNIT.

2 (v) Faculty members of colleges or universities in this
3 Commonwealth with particular expertise in school improvement.

4 (3) Four (4) members of the academic improvement team shall
5 be appointed by the board of school directors of the school
6 district eligible for academic assistance. Such members shall
7 include:

8 (i) A parent of a student enrolled in the school district.

9 (ii) A teacher employed by the school district.

10 (iii) An administrator employed by the school district.

11 (iv) A member of the board of school directors of the school
12 district.

13 (4) The intermediate unit board of directors shall select a
14 chairman of the academic improvement team from the members
15 appointed under paragraph (2).

16 (d) The academic improvement team shall have the following
17 powers and duties:

18 (1) To create DESIGN an academic improvement plan pursuant <—
19 to subsection (e). for any school in the school district that is <—
20 eligible for academic assistance under subsection (b)(1) or (2).

21 ~~(2) To have ongoing access to school district personnel and~~
22 ~~information related to the academic performance of students.~~

23 ~~(3)~~ (2) To provide periodic reports on the implementation of <—
24 the academic improvement plan to the intermediate unit board of
25 directors and the board of school directors of the school
26 district eligible for academic assistance.

27 ~~(4) To meet not less than once each month to review the (3)~~ <—
28 TO MEET PERIODICALLY, BUT NOT LESS THAN QUARTERLY TO REVIEW THE
29 implementation of the academic improvement plan.

30 ~~(5)~~ (4) To seek technical assistance from the Department of <—

1 Education in the design and implementation of the academic
2 improvement plan.

3 (e) (1) Within thirty (30) days of the appointment of an
4 academic improvement team under subsection (c), the academic
5 improvement team shall present an academic improvement plan or <—
6 plans to the intermediate unit board of directors and the board
7 of school directors of the school district. for approval at a <—
8 public meeting. THE BOARD OF SCHOOL DIRECTORS OF THE SCHOOL <—
9 DISTRICT SHALL VOTE TO APPROVE OR DISAPPROVE THE PLAN AT ITS
10 NEXT REGULARLY SCHEDULED PUBLIC MEETING.

11 (2) The academic improvement plan or plans shall set forth <—
12 specific goals for improving the academic performance of
13 students in content areas subject to the Pennsylvania System of
14 School Assessment or any other test established by the State
15 Board of Education to meet the requirements of section 2603-
16 B(d)(10)(i) and shall include strategies designed to achieve
17 those goals. Such strategies shall include, but may not be
18 limited to:

19 (i) The involvement of parents in the improvement of
20 academic performance through the development of home activities
21 and materials to enhance student learning.

22 (ii) Continuing professional education options in addition
23 to options included in the continuing professional education
24 plan required under section 1205.1(c.1). Such additional options
25 shall be specific to improvements in the academic performance of
26 students.

27 (iii) Classroom instructional strategies specific to
28 improvements in the academic performance of students.

29 (iv) The redesign of curricula specific to improvements in
30 the academic performance of students.

1 (v) Improvements in school safety.

2 (vi) Tutoring programs for students whose results on the
3 Pennsylvania System of School Assessment or any other test were
4 below the level of proficiency established by the State Board of
5 Education to meet the requirements of section 2603-B(d)(10)(i).

6 (3) The academic improvement plan shall be effective for one <—
7 ~~(1) school year~~ WHERE THE SCHOOL DISTRICT IS ELIGIBLE FOR <—
8 ACADEMIC ASSISTANCE UNDER SUBSECTION (B). At the conclusion of
9 the school year and within fifteen (15) days of the school
10 district's notification of the results of the school district's
11 performance on the Pennsylvania System of School Assessment or
12 any other test established by the State Board of Education to
13 meet the requirements of section 2603-B(d)(10)(i), the academic
14 improvement team shall review such results and make a report to
15 the intermediate unit board of directors and the board of school
16 directors of the school district eligible for academic
17 assistance.

18 (4) Where the ACADEMIC IMPROVEMENT TEAM DETERMINES THAT THE <—
19 school district continues to be eligible for academic assistance
20 under subsection (b), the academic improvement team shall
21 propose any necessary adjustments to the academic improvement
22 plan ~~or plans~~ to the intermediate unit board of directors and <—
23 the board of school directors of the school district eligible
24 for academic assistance. Such adjustments shall be subject to
25 the approval of the ~~intermediate unit board of directors and the~~ <—
26 board of school directors and shall constitute a new academic
27 improvement plan.

28 (5) Where the ACADEMIC IMPROVEMENT TEAM DETERMINES THAT THE <—
29 school district is no longer eligible for academic assistance
30 under subsection (b), the academic ~~improvement team shall~~ <—

~~recommend the termination of the academic improvement plan.~~
~~Termination of the academic improvement plan shall be subject to~~
~~the approval of the board of school directors of the school~~
~~district eligible for academic assistance.~~ IMPROVEMENT TEAM <—
SHALL TERMINATE. THE BOARD OF SCHOOL DIRECTORS OF THE SCHOOL
DISTRICT ELIGIBLE FOR ACADEMIC ASSISTANCE MAY CONTINUE TO
IMPLEMENT THE ACADEMIC IMPROVEMENT PLAN.

(6) WHERE THE SCHOOL DISTRICT IS SUBSEQUENTLY IDENTIFIED FOR
FURTHER IMPROVEMENT, THE ACADEMIC IMPROVEMENT TEAM SHALL
TERMINATE. A SCHOOL DISTRICT IDENTIFIED FOR FURTHER IMPROVEMENT
SHALL MEAN:

(I) A SCHOOL DISTRICT CERTIFIED AS DISTRESSED UNDER SECTION
691.

(II) A SCHOOL DISTRICT CERTIFIED AS AN EDUCATION EMPOWERMENT
DISTRICT UNDER SECTIONS 1705-B OR 1707-B.

(III) A SCHOOL DISTRICT PLACED ON AN EDUCATION EMPOWERMENT
LIST UNDER SECTION 1703-B.

(IV) A SCHOOL DISTRICT IN WHICH ANY SCHOOL IS IDENTIFIED FOR
IMPROVEMENT OR CORRECTIVE ACTION UNDER SECTION 1116(C)(3) OR
(10) OF THE NO CHILD LEFT BEHIND ACT OF 2001.

(f) The Department of Education shall:

(1) Annually provide each intermediate unit with a list of
school districts eligible for academic assistance under
subsection (b)(i) or (ii).

(2) Upon request, provide technical assistance to an
academic improvement team.

(3) Establish a clearinghouse of information related to
strategies for improving the academic performance of students
under subsection (e)(2).

(4) Establish and provide continuing professional education

courses, programs, activities or learning experiences under
section 1205.2(f) specific to the classroom strategies to
improve the academic performance of students in content areas
subject to the Pennsylvania System of School Assessment or any
other test established by the State Board of Education to meet
the requirements of section 2603-B(d)(10)(i).

~~Section 3. Section 2595 of the act is amended by adding a~~ <—
~~subsection to read:~~

~~Section 2595. School Performance Incentives. * * *~~

~~(f.3) No less than fifty percent (50%) of the allocation for~~
~~school performance funding under this section shall be used by~~
~~the Department of Education to establish an incentive program to~~
~~reward school districts eligible for academic assistance under~~
~~section 925 A that show improved academic performance as~~
~~evidenced by a decline in the percentage of students scoring~~
~~below the level of proficiency on the Pennsylvania System of~~
~~School Assessment or any other test established by the State~~
~~Board of Education to meet the requirements of section 2603-~~
~~B(d)(10)(i).~~

~~* * *~~

~~(5) DEVELOP AND PROMULGATE BY GUIDELINES, CRITERIA AND~~ <—
~~PROCEDURES FOR PROVIDING FUNDS TO INTERMEDIATE UNITS UNDER THIS~~
~~SECTION. APPLICATIONS FOR FUNDS SHALL BE SUBMITTED TO THE~~
~~DEPARTMENT FOR APPROVAL. THE DEPARTMENT SHALL PROVIDE ASSISTANCE~~
~~TO APPLICANTS IN THE PREPARATION OF APPLICATIONS.~~

~~(G) THIS SECTION SHALL NOT APPLY TO ANY OF THE FOLLOWING:~~

~~(1) A SCHOOL DISTRICT CERTIFIED AS DISTRESSED UNDER SECTION~~
~~691.~~

~~(2) A SCHOOL DISTRICT CERTIFIED AS AN EDUCATION EMPOWERMENT~~
~~DISTRICT UNDER SECTIONS 1705-B OR 1707-B.~~

1 (3) A SCHOOL DISTRICT PLACED ON AN EDUCATION EMPOWERMENT
2 LIST UNDER SECTION 1703-B.

3 (4) A SCHOOL DISTRICT IN WHICH ANY SCHOOL IS IDENTIFIED FOR
4 IMPROVEMENT OR CORRECTIVE ACTION UNDER SECTION 1116(C)(3) OR
5 (10) OF THE NO CHILD LEFT BEHIND ACT OF 2001.

6 Section 4. This act shall take effect in 60 days.