

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 281 Session of
2009

INTRODUCED BY ORIE, SCARNATI, PILEGGI, BAKER, BRUBAKER, EARLL,
EICHELBERGER, ERICKSON, FOLMER, GREENLEAF, LOGAN, PIPPY,
RAFFERTY, ROBBINS, SMUCKER, WARD, WAUGH, M. WHITE,
WONDERLING, DINNIMAN, ALLOWAY, LEACH AND McILHINNEY,
FEBRUARY 17, 2009

SENATOR PICCOLA, EDUCATION, AS AMENDED, JUNE 2, 2009

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," in high schools, further providing
6 for academic degrees; AND, IN STATE BOARD OF EDUCATION, ←
7 FURTHER PROVIDING FOR POWERS AND DUTIES OF BOARD AND FOR
8 COOPERATION BETWEEN THE BOARD AND THE DEPARTMENT OF
9 EDUCATION.

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

12 ~~Section 1. Section 1611 of the act of March 10, 1949 (P.L.~~ ←
13 ~~30, No.14), known as the Public School Code of 1949, is amended~~
14 ~~by adding a subsection to read:~~

15 SECTION 1. SECTIONS 1611 AND 2603-B OF THE ACT OF MARCH 10, ←
16 1949 (P.L.30, NO.14), KNOWN AS THE PUBLIC SCHOOL CODE OF 1949,
17 ARE AMENDED BY ADDING SUBSECTIONS TO READ:

18 Section 1611. Academic Degrees.--* * *

19 (a.1) (1) Notwithstanding the provisions of Article XXVI-B, ←
20 or any other provision of law, any Statewide requirements for

high school graduation from a public school entity in this
Commonwealth, beyond any Statewide requirements in effect as of
the effective date of this subsection, shall be established only
by an act of the General Assembly. The Department of Education
BY AN ACT OF THE GENERAL ASSEMBLY.

(2) THE DEPARTMENT OF EDUCATION shall not develop OR
IMPLEMENT, DIRECTLY OR INDIRECTLY THROUGH ANY ENTITY, such
Statewide requirements OR ENTER INTO ANY CONTRACT THAT PROVIDES
FOR GRADUATION COMPETENCY ASSESSMENT RELATING TO SUCH STATEWIDE
REQUIREMENTS until the General Assembly specifically
appropriates funds for the development AND IMPLEMENTATION of
Statewide requirements for high school graduation.

(3) NO FUNDS IN THE STATE TREASURY MAY BE EXPENDED FOR THE
DEVELOPMENT OR IMPLEMENTATION OF STATEWIDE REQUIREMENTS FOR HIGH
SCHOOL GRADUATION UNTIL THE GENERAL ASSEMBLY SPECIFICALLY
APPROPRIATES FUNDS FOR THE DEVELOPMENT AND IMPLEMENTATION OF
STATEWIDE REQUIREMENTS FOR HIGH SCHOOL GRADUATION.

* * *

SECTION 2603-B. POWERS AND DUTIES OF THE BOARD.--* * *

(L) NOTWITHSTANDING ANY OTHER PROVISION OF THIS SECTION, ACT
OR LAW TO THE CONTRARY, THE BOARD MAY NOT DEVELOP OR IMPLEMENT
ANY STANDARD OR PROMULGATE, APPROVE OR PROPOSE ANY REGULATION TO
REQUIRE SCHOOL DISTRICTS TO DEVELOP NEW OR ADDITIONAL HIGH
SCHOOL GRADUATION REQUIREMENTS OR IMPLEMENT A MODEL CURRICULUM,
DIAGNOSTIC TESTING OR A NEW SERIES OF STATEWIDE COMPETENCY
ASSESSMENTS AND RELATED SUPPORT SERVICES UNLESS EXPRESS
AUTHORITY TO DO SO IS GRANTED THROUGH AN ACT OF THE GENERAL
ASSEMBLY AFTER THE EFFECTIVE DATE OF THIS SUBSECTION.

SECTION 2. SECTION 2606-B OF THE ACT, ADDED MARCH 30, 1988
(P.L.321, NO.43), IS AMENDED TO READ:

1 SECTION 2606-B. COOPERATION BETWEEN THE BOARD AND THE
2 DEPARTMENT OF EDUCATION.--(A) STATEMENTS OF POLICY, STANDARDS,
3 RULES AND REGULATIONS PROMULGATED BY THE BOARD SHALL BE BINDING
4 UPON THE DEPARTMENT OF EDUCATION. THE DEPARTMENT SHALL SUBMIT TO
5 THE BOARD FOR APPROVAL, MODIFICATION OR REJECTION, ALL RULES AND
6 REGULATIONS PROPOSED BY THE DEPARTMENT IN THE AREAS UNDER THE
7 CONTROL OF THE BOARD. THE DEPARTMENT OF EDUCATION SHALL FURNISH
8 UPON REQUEST OF THE BOARD SUCH DATA AND INFORMATION AS THE BOARD
9 MAY, FROM TIME TO TIME, REQUIRE, AND THE DEPARTMENT SHALL
10 PROVIDE ADMINISTRATIVE SERVICES FOR AND ON BEHALF OF THE BOARD
11 FOR THE IMPLEMENTATION OF THE BOARD'S STATEMENTS OF POLICY,
12 STANDARDS, RULES AND REGULATIONS.

13 (B) NO FUNDS FROM ANY SOURCE SHALL BE EXPENDED FOR THE
14 DEVELOPMENT AND IMPLEMENTATION OF NEW OR ADDITIONAL HIGH SCHOOL
15 GRADUATION REQUIREMENTS WHICH MAY INCLUDE, BUT ARE NOT LIMITED
16 TO, MODEL CURRICULUM, DIAGNOSTIC TESTING OR A SERIES OF
17 GRADUATION COMPETENCY ASSESSMENTS, IN ACCORDANCE WITH THE
18 PROHIBITION UNDER SECTION 2603-B(L) UNLESS EXPRESS AUTHORITY FOR
19 THE DEVELOPMENT AND IMPLEMENTATION OF SUCH REQUIREMENTS IS
20 GRANTED THROUGH AN ACT OF THE GENERAL ASSEMBLY AFTER THE
21 EFFECTIVE DATE OF THIS SUBSECTION.

22 SECTION 3. THIS ACT SHALL APPLY RETROACTIVELY TO JANUARY 1,
23 2008.

24 Section ~~2~~ 4. This act shall take effect immediately.

