

## THE GENERAL ASSEMBLY OF PENNSYLVANIA

## HOUSE BILL

No. 1411 Session of  
2011

INTRODUCED BY ELLIS, DENLINGER, BOYD, CALTAGIRONE, CHRISTIANA, CLYMER, P. COSTA, DELOZIER, DIGIROLAMO, EVANKOVICH, EVERETT, GERGELY, GINGRICH, GRELL, GROVE, HICKERNELL, KAUFFMAN, M. K. KELLER, KRIEGER, MARSICO, MILLARD, MILLER, MURPHY, O'NEILL, PICKETT, PYLE, QUIGLEY, RAPP, REED, REESE, SACCONI, SAYLOR, STEVENSON, TALLMAN, TAYLOR, TURZAI, VEREB, VULAKOVICH, GABLER, BROOKS AND SWANGER, APRIL 28, 2011

AS AMENDED ON SECOND CONSIDERATION, HOUSE OF REPRESENTATIVES,  
MAY 24, 2011

## 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 school districts, providing for  
6 moratorium on certain data collection systems and data sets.

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

9 Section 1. The act of March 10, 1949 (P.L.30, No.14), known  
10 as the Public School Code of 1949, is amended by adding a  
11 section to read:

12 Section 223. Moratorium on Certain Data Collection Systems  
13 and Data Sets.--(a) For the school years 2011-2012 and  
14 2012-2013, the Department of Education and the Department of  
15 Public Welfare shall suspend the collection of data through  
16 Pennsylvania's Enterprise to Link Information for Children  
17 Across Network (PELICAN) and the Pennsylvania Information

1 Management System (PIMS) except as follows:

2 (1) Information required to meet Federal mandates in the  
3 following:

4 (i) The Elementary and Secondary Education Act of 1965  
5 (Public Law 89-10, 79 Stat. 27).

6 (ii) The Individuals with Disabilities Education Act (Public  
7 Law 91-230, 20 U.S.C. § 1400 et seq.).

8 (iii) The Educational Technical Assistance Act of 2002  
9 (Public Law 107-279, 116 Stat. 1975).

10 (iv) Title VI of the America COMPETES Act or the America  
11 Creating Opportunities to Meaningfully Promote Excellence in  
12 Technology, Education, and Science Act (Public Law 110-69, 121  
13 Stat. 572).

14 (v) The American Recovery and Reinvestment Act of 2009  
15 (Public Law 111-5, 123 Stat. 115).

16 (vi) The Head Start Act (Public Law 97-35, 42 U.S.C. § 9831  
17 et seq.).

18 (VII) ANY OTHER FEDERAL LAW IN ORDER TO MEET ELIGIBILITY ←  
19 REQUIREMENTS FOR FEDERAL FUNDS.

20 (2) Pennsylvania Value-Added Assessment System (PVAAS), ←  
21 INCLUDING ANY REVISIONS OR IMPROVEMENTS MADE TO THE SYSTEM.

22 (3) Information necessary for payments or reimbursement by  
23 the Commonwealth under ~~Article~~ ARTICLES XV-D AND XXV. ←

24 (b) The Department of Education AND THE DEPARTMENT OF PUBLIC ←  
25 WELFARE shall notify ~~school entities~~ THEIR AFFECTED PROGRAM ←  
26 PARTICIPANTS no later than August 1, 2011, of the data elements  
27 to comply with the laws and programs identified in subsection  
28 (a).

29 (c) By February 1, 2012, the Department of Education and the  
30 Department of Public Welfare shall provide a report to the

1 Education Committee of the Senate and the Education Committee of  
2 the House of Representatives which shall include the following:

3 (1) Category of the data to include the child, family,  
4 program and staff.

5 (2) Data elements to be collected and the law requiring the  
6 data and its intended use.

7 (3) Total funding expended as of December 2011, including  
8 funding source to develop, implement and maintain the system.

9 (4) Long-term cost projections to administer and maintain  
10 the information systems. The projections shall include costs to  
11 the Commonwealth and the program participants.

12 (5) Any law needed to authorize the departments to collect,  
13 use and distribute the information.

14 (D) THE DEPARTMENT OF EDUCATION AND THE DEPARTMENT OF PUBLIC ←  
15 WELFARE SHALL NOT BE REQUIRED TO COMPLETE REPORTS THAT INCLUDE  
16 DATA ELEMENTS WITHIN THE MORATORIUM OF THIS SECTION.

17 Section 2. This act shall take effect in 60 days.