
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1730 Session of
2019

INTRODUCED BY GROVE, POLINCHOCK, RYAN, MILLARD, CALTAGIRONE AND
JOHNSON-HARRELL, JULY 24, 2019

REFERRED TO COMMITTEE ON EDUCATION, JULY 24, 2019

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 professional employees, further
6 providing for rating system; and providing for Student-
7 Centered Assessment Pilot Program.

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

10 Section 1. Section 1123(b)(1)(ii)(A)(I), (c)(2)(A)(I) and
11 (o)(1) of the act of March 10, 1949 (P.L.30, No.14), known as
12 the Public School Code of 1949, are amended and subsection (o)
13 is amended by adding a clause to read:

14 Section 1123. Rating System.--* * *

15 (b) For professional employes and temporary professional
16 employes who serve as classroom teachers, the following shall
17 apply:

18 (1) Beginning in the [2013-2014] 2021-2022 school year, the
19 evaluation of the effectiveness of professional employes and
20 temporary professional employes serving as classroom teachers

1 shall give due consideration to the following:

2 * * *

3 (ii) Student performance, which shall comprise fifty per
4 centum (50%) of the overall rating of the professional employe
5 or temporary professional employe serving as a classroom teacher
6 and shall be based upon multiple measures of student
7 achievement. The fifty per centum (50%) shall be comprised of
8 the following:

9 (A) Fifteen per centum (15%) building-level data, including,
10 but not limited to, all of the following:

11 (I) Student performance on assessments, including blended
12 adaptive assessments.

13 * * *

14 (c) For professional employes and temporary professional
15 employes serving as principals, the following shall apply:

16 * * *

17 (2) Student performance shall be measured as provided in
18 subsection (b) (1) (ii) for professional employes and temporary
19 professional employes supervised by the principal and shall
20 comprise fifty per centum (50%) of the principal's overall
21 rating. The fifty per centum (50%) shall be comprised of the
22 following:

23 (A) Fifteen per centum (15%) building-level data, including,
24 but not limited to, all of the following:

25 (I) Student performance on assessments, including blended
26 adaptive assessments.

27 * * *

28 (o) For purposes of this section:

29 (1) The term "assessment" shall mean the Pennsylvania System
30 of School Assessment test, the Keystone Exam, an equivalent

1 local assessment, including blended adaptive assessments or
2 another test established by the State Board of Education to meet
3 the requirements of section
4 2603-B(d)(10)(i) and required under the No Child Left Behind Act
5 of 2001 (Public Law 107-110, 115 Stat. 1425) or its successor
6 statute or required to achieve other standards established by
7 the department for the school or school district under 22 Pa.
8 Code § 403.3 (relating to single accountability system).

9 * * *

10 (9) The term "blended adaptive assessment" shall mean an
11 adaptive test performed under Article XV-J.

12 * * *

13 Section 2. The act is amended by adding an article to read:

14 ARTICLE XV-J

15 STUDENT-CENTERED ASSESSMENT PILOT PROGRAM

16 Section 1501-J. Definitions.

17 The following words and phrases when used in this article
18 shall have the meanings given to them in this section unless the
19 context clearly indicates otherwise:

20 "Adaptive testing." Periodic testing over the course of the
21 academic year taken by a student on a computer which tracks
22 student growth, provides instructional data regarding the
23 student's achievement level and assigned grade and complies with
24 the requirements under the Every Student Succeeds Act (Public
25 Law 114-95, 129 Stat. 1802) for proficiency for students at the
26 respective grade levels.

27 "Board." The State Board of Education of the Commonwealth.

28 "Department." The Department of Education of the
29 Commonwealth.

30 "Diagnostic testing." Testing administered by a school

1 district to determine student growth and guide classroom
2 instruction during the school year.

3 "Elementary school student." A student who attends a public
4 school in grades one through five.

5 "Eligible student." An elementary school student, a middle
6 school student or a high school student who attends a school
7 district that participates in the program.

8 "High school student." A student who attends a public school
9 in grades 9 through 12.

10 "Middle school student." A student who attends a public
11 school in grades six through eight.

12 "Program." The Student-Centered Assessment Pilot Program
13 established under section 1502-J(a).

14 "Student growth." A calculation of a student's academic
15 improvement during the current academic year in comparison to
16 prior assessments during the academic year.

17 Section 1502-J. Student-Centered Assessment Pilot Program.

18 (a) Establishment.--The Student-Centered Assessment Pilot
19 Program is established within the Department of Education. The
20 department, in conjunction with the State Board of Education and
21 school districts that participate in the program, shall
22 administer the program.

23 (b) Nonadaptive assessments.--

24 (1) A public school of a school district participating
25 in the program shall be exempt from administering the
26 Pennsylvania System of School Assessment test authorized
27 under sections 2603-B and 2604-B to eligible students. The
28 exemption under this subsection shall begin after sufficient
29 data collection for a comparability study with existing tests
30 as stipulated by Federal peer review.

1 (2) A school district participating in the program shall
2 only utilize the adaptive tests administered under section
3 1504-J for diagnostic testing.

4 (c) Eligibility.--A school district shall be eligible to
5 participate in the program if the school district administers
6 State-approved adaptive testing prior to January 1, 2021.

7 Section 1503-J. Duties of department and board.

8 (a) Establishment.--The department, in conjunction with the
9 board, shall establish blended criteria for adaptive testing of
10 eligible students. The criteria shall conform to academic
11 standards established for elementary school students, middle
12 school students and high school students under this act.

13 (b) Regulations.--The department shall establish policies
14 and promulgate regulations necessary to implement this article.

15 Section 1504-J. Duties of school districts.

16 (a) Duties.--A school district that participates in the
17 program shall have the following duties:

18 (1) The school district shall administer approved
19 adaptive testing to eligible students.

20 (2) In preparing eligible students for adaptive testing,
21 the school district shall provide the necessary methods to
22 minimize the amount of test preparation in the classroom.

23 (3) No later than 48 hours after eligible students
24 complete adaptive testing, the school district shall make
25 available the results of the adaptive testing to each
26 elementary school, middle school and high school teacher and
27 school administrator who administered the adaptive testing.

28 (b) Administration.--The school district shall administer
29 approved adaptive testing three times during the academic year
30 as follows:

1 (1) The first adaptive test shall be administered
2 by the end of the first month of the academic year.

3 (2) The second adaptive test shall be administered no
4 later than December 31 of each year and used to determine
5 student growth from the start of the academic year.

6 (3) The third adaptive test shall be administered no
7 later than the last month of the academic year and used to
8 determine each student's mastery of the subjects in
9 accordance with the Federal requirements concerning academic
10 testing.

11 (c) Third-party providers.--The department may contract with
12 a third-party provider to administer the program.

13 Section 3. This act shall take effect in 60 days.