

---

THE GENERAL ASSEMBLY OF PENNSYLVANIA

---

HOUSE BILL

No. 1939 Session of  
2021

---

INTRODUCED BY GROVE, TOPPER, KEEFER, STAMBAUGH, RYAN, HILL-  
EVANS, ROWE, STRUZZI, B. MILLER, SCHLEGEL CULVER AND  
R. BROWN, SEPTEMBER 30, 2021

---

REFERRED TO COMMITTEE ON EDUCATION, SEPTEMBER 30, 2021

---

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 relating to  
6 revised rating system, further providing for definitions; and  
7 providing for Student-Centered Assessment Pilot Program.

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

10 Section 1. The definition of "assessment" in section 1138.1  
11 of the act of March 10, 1949 (P.L.30, No.14), known as the  
12 Public School Code of 1949, amended March 27, 2020 (P.L.62,  
13 No.13), is amended and the section is amended by adding a  
14 definition to read:

15 Section 1138.1. Definitions.

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

19 "Assessment." The Pennsylvania System of School Assessment  
20 test, including blended adaptive assessments, the Keystone Exams

1 or another test established by the State Board of Education or  
2 approved by an act of the General Assembly to meet the  
3 requirements of section 2603-B(d)(10)(i) and the requirements of  
4 the Every Student Succeeds Act (Public Law 114-95, 129 Stat.  
5 1802) or its successor statute or required to achieve other  
6 standards established by the department for the school or school  
7 district.

8 \* \* \*

9 "Blended adaptive assessment." An adaptive test performed  
10 under Article XV-K.

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

12 ARTICLE XV-K

13 STUDENT-CENTERED ASSESSMENT PILOT PROGRAM

14 Section 1501-K. Definitions.

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

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

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

26 "Department." The Department of Education of the  
27 Commonwealth.

28 "Diagnostic testing." Testing administered by a school  
29 district to determine student growth and guide classroom  
30 instruction during the school year.

1 "Elementary school student." A student who attends a public  
2 school in grades one through five.

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

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

8 "Middle school student." A student who attends a public  
9 school in grades six through eight.

10 "Program." The Student-Centered Assessment Pilot Program  
11 established under section 1502-K(a).

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

15 Section 1502-K. Student-Centered Assessment Pilot Program.

16 (a) Establishment.--The Student-Centered Assessment Pilot  
17 Program is established within the department. The department, in  
18 consultation with the board and school districts that  
19 participate in the program, shall administer the program.

20 (b) Nonadaptive assessments.--

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

28 (2) A school district participating in the program shall  
29 only utilize the adaptive tests administered under section  
30 1504-K for diagnostic testing.

1 (c) Eligibility.--A school district shall be eligible to  
2 participate in the program if the school district administered  
3 State-approved adaptive testing prior to January 1, 2021.

4 Section 1503-K. Duties of department and board.

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

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

12 Section 1504-K. Duties of school districts.

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

15 (1) The school district shall administer approved  
16 adaptive testing to eligible students.

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

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

25 (b) Administration.--The school district shall administer  
26 approved adaptive testing three times during the academic year  
27 as follows:

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

30 (2) The second adaptive test shall be administered no

1 later than December 31 of each year and used to determine  
2 student growth from the start of the academic year.

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

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

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