

No. 2006-94

AN ACT

SB 151

Amending the act of March 10, 1949 (P.L.30, No.14), entitled "An act relating to the public school system, including certain provisions applicable as well to private and parochial schools; amending, revising, consolidating and changing the laws relating thereto," further providing for State Report Card.

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

Section 1. Section 220 of the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, amended or added December 9, 2002 (P.L.1317, No.153) and December 23, 2003 (P.L.304, No.48), is amended to read:

Section 220. State Report Card.—(a) The department shall create a State Report Card based on the information collected pursuant to this section. The department:

(1) Shall inform the public of the availability of the State Report Card prior to publication.

(2) Shall publish on its World Wide Web site the State Report Card, providing information at the State, local education agency and school levels. ***The State Report Card shall include all of the following:***

(i) Information regarding the number of schools and school districts that have achieved adequate yearly progress and the number of schools and school districts that have not achieved adequate yearly progress.

(ii) Information regarding the number of schools and school districts that have achieved each academic performance target and the number of schools and school districts that have not achieved each academic performance target.

(iii) Information regarding the number of schools and school districts in which more than five percent (5%) of the students to whom the PSSA test was administered were enrolled in the school district for less than two (2) school years as of the day on which the PSSA test was administered.

(iv) Information regarding the number of schools and school districts identified under subparagraph (iii) that have achieved each academic performance target and the number of schools and school districts that have not achieved each academic performance target. For the purposes of this subparagraph, achievement of the academic performance target shall be calculated by excluding the PSSA test score of any student who was enrolled in the school district for less than two (2) school years as of the day on which the PSSA test was administered.

(v) Information regarding the number of schools and school districts in which more than five percent (5%) of the students to whom the PSSA test

was administered were classified as limited English proficient as of the day on which the PSSA test was administered.

(vi) Information regarding the number of schools and school districts identified under subparagraph (v) that have achieved each academic performance target and the number of schools and school districts that have not achieved each academic performance target. For the purposes of this subparagraph, achievement of the academic performance target shall be calculated by excluding the PSSA test score of any student who was classified as limited English proficient as of the day on which the PSSA test was administered.

(vii) Information regarding the number of schools and school districts in which more than sixteen percent (16%) of the students to whom the PSSA test was administered were classified as students with a disability as of the day on which the PSSA test was administered.

(viii) Information regarding the number of schools and school districts identified under subparagraph (vii) that have achieved each academic performance target and the number of schools and school districts that have not achieved each academic performance target. For the purposes of this subparagraph, achievement of the academic performance target shall be calculated by excluding the PSSA test score of any student who was classified as a student with a disability as of the day on which the PSSA test was administered.

(3) Shall issue guidelines concerning the collection and submission of data as necessary to ensure continued compliance with Federal and State laws, regulations and standards.

(4) May conduct audits of the data submitted by local education agencies under subsection (b) for the purpose of assuring accuracy and completeness. If the department determines to conduct audits under this paragraph, the department shall issue guidelines for the conduct of such audits, including the percentage of local education agencies to be audited on a yearly basis. In conducting such audits, the department shall coordinate with the Department of the Auditor General. Nothing in this section shall be construed to expand the auditing authority of the Auditor General.

(b) A local education agency shall do all of the following:

(1) Collect data and submit it in a form and manner prescribed by the department. The data shall include:

(i) The information described in section 1111(h)(1)(C) of the No Child Left Behind Act of 2001 as applied to the local education agency as a whole and to each of its schools.

(ii) The information described in section 1111(h)(2)(B)(i) and (ii) of the No Child Left Behind Act of 2001.

(iii) Any other information required to comply with the No Child Left Behind Act of 2001.

(iv) Any information described in 22 Pa. Code § 4.61 (relating to school profiles) that is not included under subparagraph (i), (ii) or (iii).

(v) Information on the number of students to whom the PSSA test was administered who were enrolled in the school district for less than two (2) school years as of the day on which the PSSA test was administered.

(vi) Information on the number of students to whom the PSSA test was administered who were classified as limited English proficient as of the day on which the PSSA test was administered.

(vii) Information on the number of students to whom the PSSA test was administered who were classified as students with a disability as of the day on which the PSSA test was administered.

(2) Disseminate the information collected in paragraph (1) in accordance with the public dissemination requirements of section 1111(h)(2)(E) of the No Child Left Behind Act of 2001.

Nothing in this section shall excuse a local education agency from complying with the requirements of the No Child Left Behind Act of 2001 not specifically referenced in this section.

(c) Definitions.—As used in this section, the following words and phrases shall have the meanings given to them in this subsection:

“Department.” The Department of Education of the Commonwealth.

“Local education agency.” A school district, cyber charter school, charter school, area vocational-technical school or intermediate unit.

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

APPROVED—The 7th day of July, A.D. 2006.

EDWARD G. RENDELL