

AN ACT

1 Amending the act of March 10, 1949 (P.L.30, No.14), entitled “An act relating to the public
2 school system, including certain provisions applicable as well to private and parochial
3 schools, consolidating and changing the laws relating thereto,” providing for training for
4 school directors, for regional assistance teams, for evaluation of superintendents and
5 assistant superintendents, for rating systems for professional employes, for career ladder
6 and salaries, for continuing professional development, for mentoring/induction, for peer
7 assistance and review, for collaborative professional development, for expenditures for
8 professional development and teacher coaches, for annual assessments, for value-added
9 analysis, for promotion and high school graduation, for re-testing and remediation, for
10 expenditures to assist struggling students, for education empowerment districts, for
11 school and school district accountability, for innovation grants, for a study of school
12 staffing, for establishment of an Academic Achievement and Accountability
13 Commission, and for definitions; establishing a joint Senate-House Select Committee to
14 study the Commonwealth’s pupil transportation funding mechanisms; establishing a joint
15 Senate-House Select Committee to study the Commonwealth’s school construction
16 funding mechanisms; requiring the Commonwealth to pay the application fee for teachers
17 seeking certification by the National Board for Professional Teaching Standards; making
18 an appropriation; and making repeals.

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

20 Section 1. Legislative findings and declarations.

21 The General Assembly finds and declares as follows:

22 (1) Section 14 of Article III of the Constitution of Pennsylvania states: “The General
23 Assembly shall provide for the maintenance and support of a thorough and efficient system of
24 public education to serve the needs of the Commonwealth.”

1 (2) Pennsylvania’s school finance system is neither adequate nor equitable; the highest
2 spending district has nearly three times as much to spend per pupil as the lowest spending, and
3 resources are not targeted to ensure all children in all Pennsylvania communities have an
4 adequate opportunity to succeed.

5 (3) The state has adopted academic standards and an assessment system, but state tests
6 are inadequate to ensure accountability for results.

7 (4) The state must address simultaneously issues of adequate and equitable funding and
8 accountability for results. An adequate and equitable funding system will require substantial
9 increases in state funding; state taxpayers must be guaranteed that these funds are being spent
10 effectively.

11 (5) While some students do very well in school, there is an increasing need in our global,
12 interconnected world for all students in all school districts to demonstrate high levels of
13 achievement and continuous improvement in their academic achievement.

14 (6) The education system, including individual educators, small groups of educators
15 within schools, schools, and school districts, must be accountable for using increased state
16 resources to bring about improved student performance.

17 (7) A state accountability system must include a measure of year-to-year, value-added
18 improvements in student achievement and multiple measures of success for both students and
19 professional educators.

20 (8) One key to improving student achievement is an increased focus on professional
21 development of educators.

22 (9) Meaningful reform will require local partnerships of boards of school directors,
23 administrators, teachers, and their unions.

24 (10) Meaningful reform will require increased leadership from the Department of
25 Education and increased support from the state’s intermediate units.

1 Section 2. The act of March 10, 1949 (P.L.30, No.14), known as the Public School Code
2 of 1949, is amended by adding sections to read:

3 Section 328. Professional development for school directors.—(a) This section shall apply
4 to all school directors elected after the effective date of this act or appointed to fill a vacancy of
5 at least one year’s duration after the effective date of this act.

6 (b) During the first year in office, each school director shall successfully complete at least
7 15 hours of professional development in educational laws and ethics, duties and responsibilities
8 of school directors, school finance, standards-based education, value-added assessment, and
9 data-driven decision-making. In each succeeding year, each school director shall successfully
10 complete at least eight additional hours of such professional development.

11 (c) The professional development under subsection (b) may be provided by the school
12 district, the intermediate unit, the Pennsylvania School Boards Association, or by colleges,
13 universities, or other professional development providers approved by the Department.

14 (d) Failure to meet the requirements in subsection (b) shall render a school director
15 ineligible to stand for reelection or, following the termination of the school director’s term, to be
16 appointed to a subsequent vacancy.

17 (e) The requirements of this section are in addition to those in section 322.

18 (f) As used in this section, the term “Department” shall mean the Department of
19 Education of this Commonwealth.

20 Section 973.3. Regional assistance teams.—(a) Every intermediate unit except
21 intermediate unit number 2 and intermediate unit number 26 shall establish regional assistance
22 teams to assist under-performing schools and under-performing districts comprising their
23 intermediate units under sections 1702-C(e) and 1703-C(d).

24 (b) Professional employe members.—Professional employes serving on such teams shall
25 be advanced and distinguished teachers and distinguished administrators employed by districts
26 comprising the intermediate unit. The intermediate unit may contract with districts to make a

1 certain number of such professional employes available on a full-time basis for assignment to
2 under-performing schools and under-performing districts. Such professional employes shall be
3 released from all teaching or administrative duties by their school districts during any school
4 year in which such services are provided, but such year shall be counted as a year of teaching or
5 administrative service for purposes of calculating salaries under section 1142.2 and for
6 computing credited service under the provisions of section 8102 of the act of October 2, 1975
7 (P.L.298, No.96), known as the “Public School Employees’ Retirement Code.” No professional
8 employe may serve in this capacity for more than three consecutive years. Intermediate units
9 may also contract with school districts for the partial release of such professional employes to
10 serve on regional assistance teams. In that case, the employing district shall continue to pay the
11 full salary and fringe benefits of the professional employe and shall be reimbursed by the
12 intermediate unit.

13 (c) Non-educator members.—Intermediate units shall pay stipends to non-educator
14 members of regional assistance teams at rates established by the Department.

15 (d) Qualifications.—In appointing regional assistance teams, the intermediate unit shall
16 use the criteria established in sections 1702-C(e) and 1703-C(d).

17 (e) Report.—Annually, each intermediate unit to which this section applies shall report to
18 the Department on its activities under this section. Such report shall include a statement of
19 expenses incurred in the intermediate unit’s implementation of this section and sections 1702-
20 C(e) and 1703-C(d).

21 (f) Payments.—Annually, each intermediate unit to which this section applies shall
22 receive a grant from the Commonwealth equal to \$2 per pupil in average daily membership
23 multiplied by the sum of the pupils in average daily membership in the school districts
24 comprising the intermediate unit. In addition, within 60 days of receiving the report under
25 subsection (e), the Department shall reimburse the intermediate unit for its actual costs of
26 implementation of this section and sections 1702-C(e) and 1703-C(d).

1 Section 1082.1. Evaluation of superintendents and assistant superintendents.—(a)
2 Superintendents and assistant superintendents shall be evaluated at least once every three years,
3 or more often at the discretion of the board of school directors.

4 (b) Evaluations shall be based upon the following criteria:

5 (1) 25 percent shall be based upon a running average of three years of value-added state
6 test results aggregated to the district level. The superintendent or assistant superintendent shall
7 receive a rating of advanced for this portion of the evaluation if the average value-added results
8 are significantly above one year’s worth of academic growth as provided in section 1551(d). The
9 superintendent or assistant superintendent shall receive a rating of proficient for this portion of
10 the evaluation if the average value-added results achieve one year’s worth of academic growth as
11 provided in section 1551(d). The superintendent or assistant superintendent shall be rated
12 unsatisfactory for this portion of the evaluation if the average value-added results are
13 significantly below one year’s worth of academic growth as provided in section 1551(d).

14 (2) 25 percent shall be based upon achieving adequate yearly progress student proficiency
15 goals with respect to absolute levels of proficiency, increases in levels of proficiency, and
16 closing achievement gaps among subgroups of students at the district level, under the
17 requirements of section 1111(b) of Title 1, Part A of the 2001 reauthorization of the federal
18 Elementary and Secondary Education Act (115 Stat.1425, January 8, 2002).

19 (3) 50 percent shall be based upon the level of support the superintendent or assistant
20 superintendent provides those supervised in achieving the professional practice standards under
21 section 1123. This evaluation of the assistant superintendent shall be performed by the
22 superintendent with input from professional employes who report to the assistant superintendent.
23 This evaluation of the superintendent shall be performed by the board of school directors with
24 whatever input the board at its discretion may seek.

25 Section 3. Section 1101 of the act is amended by adding paragraphs to read:

26 Section 1101. Definitions.—

1 * * *

2 (4) The term “Board” shall mean the State Board of Education of this Commonwealth
3 pursuant to Article XXVI-B of the act.

4 (5) The term “Department” shall mean the Department of Education of this
5 Commonwealth.

6 (6) The term “Secretary” shall mean the Secretary of Education of this Commonwealth.

7 (7) The term “school entity” shall mean a public school district, intermediate unit, or area
8 vocational-technical school.

9 Section 4. Section 1123 of the act is amended to read:

10 Section 1123. Rating System.—[In determining whether a professional employe shall be
11 dismissed for incompetency or unsatisfactory teaching performance as provided for in section
12 1122(a) of this act, and in rating the services of a temporary professional employe, the
13 professional employe or temporary professional employe shall be rated by an approved rating
14 system which shall give due consideration to personality, preparation, technique, and pupil
15 reaction, in accordance with standards and regulations for such scoring as defined by rating cards
16 to be prepared by the Department of Education; and to be revised, from time to time, by the
17 Department of Education with the cooperation and advice of a committee appointed by the
18 Secretary of Education, including representation from district superintendents of schools,
19 classroom teachers, school directors, school supervisors, parents of school-age children enrolled
20 in a public school, a representative from a college or department of education within a higher
21 education institution located within this Commonwealth, and such other groups or interests as the
22 Secretary of Education may deem appropriate. Rating shall be done by or under the supervision
23 of the superintendent of schools or, if so directed by him, the same may be done by an assistant
24 superintendent, a supervisor, or a principal, who has supervision over the work of the
25 professional employe or temporary professional employe who is being rated: provided, That no
26 unsatisfactory rating shall be valid unless approved by the district superintendent.]

1 (a) Teachers of elementary grades and core subjects in secondary grades.—Teachers of
2 elementary grades beginning with the third grade and teachers of core subjects in secondary
3 grades that are the subject of state tests under section 1551 shall be evaluated once every three
4 years by their principals, except as provided in subsections (c) and (d). Evaluations shall be
5 based upon the following criteria:

6 (1) 50 percent shall be based upon a running average of three years of value-added results
7 aggregated to the teacher level for students taught by the teacher. The teacher shall receive a
8 rating of advanced for this portion of the evaluation if the average value-added results are
9 significantly above one year’s worth of academic growth as provided in section 1551(d). The
10 teacher shall receive a rating of proficient for this portion of the evaluation if the average value-
11 added results achieve one year’s worth of academic growth as provided in section 1551(d). The
12 teacher shall be rated unsatisfactory for this portion of the evaluation if the average value-added
13 results are significantly below one year’s worth of academic growth as provided in section
14 1551(d). Scores of students who have received less than a full year of instruction from the
15 teacher shall be weighted based upon the amount of time registered in the teacher’s classroom.
16 For teachers with multiple value-added results, the rating shall be based upon the average of such
17 results, provided that a teacher can receive a rating of proficient or above only if all such results
18 indicate at least achievement of one year’s worth of academic growth as provided in section
19 1551(d).

20 (2) 50 percent shall be based upon a behaviorally anchored rating scale based upon
21 clearly defined research based professional standards and measurement rubrics, with strong
22 emphasis on standards-based instruction, the principle of value-added, and data-driven decision-
23 making. Ratings shall be prepared by the teacher’s supervisor based upon observations by the
24 supervisor and input from the teacher regarding the teacher’s own professional development.
25 The rating scale shall include observations of the following domains based on the model
26 developed by the Association for Supervision and Curriculum Development, each of which shall
27 be rated separately, and then summarized in an overall rating of distinguished, proficient, basic,
28 or unsatisfactory.

1 (A) Planning and preparation, including at a minimum demonstrating knowledge of
2 content and pedagogy and assessing student learning so that assessments are used to improve
3 student learning.

4 (B) Classroom environment, including at a minimum establishing a culture for learning.

5 (C) Instruction, including at a minimum communicating clearly and accurately and
6 engaging students in learning.

7 (D) Professional responsibilities, including at a minimum reflecting on teaching,
8 communicating with families, and growing and developing professionally.

9 (3) The Department shall, within one year of the effective date of this act, develop a
10 rating scale for the assessment under paragraph (2). It shall include procedures for first year
11 teachers to be evaluated on no more than the minimal elements of each domain specified in
12 paragraph (2). In order to progress from one stage of the career ladder to the next, the ratings
13 required on the entire rating scale under section 1142.2(c) shall be attained. The rating scale
14 shall be developed with the cooperation and advice of a committee appointed by the Secretary,
15 including representation from district superintendents, principals, classroom teachers, school
16 directors, school supervisors, parents of school-age children enrolled in a public school, colleges
17 or departments of education within higher education institutions located within this
18 Commonwealth, and such other groups or interests as the Secretary may deem appropriate.
19 School entities shall use the rating scale developed under this paragraph or may develop their
20 own, subject to approval by the Secretary, provided that such scale reports measures prescribed
21 in paragraph (2).

22 (b) Other teachers.—All teachers not covered by subsection (a) shall be evaluated once
23 every three years by their supervisors, except as provided in subsections (c) and (d). Evaluations
24 shall be based upon the following criteria:

25 (1) 50 percent shall be based upon empirical student achievement goals developed jointly
26 by the professional employe and the professional employe's supervisor.

1 (2) 50 percent shall be based upon a behaviorally anchored rating scale based upon
2 clearly defined research based professional standards and measurement rubrics with strong
3 emphasis on standards-based instruction, the principle of value-added, and data-driven decision-
4 making. Ratings shall be prepared by the teacher’s supervisor based upon observations by the
5 supervisor and input from the teacher regarding the teacher’s own professional development.
6 The rating scale shall include observations of the following domains, each of which shall be
7 rated separately, and then summarized in an overall rating of distinguished, proficient, basic, or
8 unsatisfactory.

9 (A) Planning and preparation, including at a minimum demonstrating knowledge of
10 content and pedagogy and assessing student learning so that assessments are used to improve
11 student learning.

12 (B) Classroom environment, including at a minimum establishing a culture for learning.

13 (C) Instruction, including at a minimum communicating clearly and accurately and
14 engaging students in learning.

15 (D) Professional responsibilities, including at a minimum reflecting on teaching,
16 communicating with families, and growing and developing professionally.

17 (3) The Department shall, within one year of the effective date of this act, develop a
18 rating scale for the assessment under paragraph (2). It shall include procedures for first year
19 teachers to be evaluated on no more than the minimal elements of each domain specified in
20 paragraph (2). In order to progress from one stage of the career ladder to the next, the ratings
21 required on the entire rating scale under section 1142.2(c) shall be attained. The rating scale
22 shall be developed with the cooperation and advice of a committee appointed by the Secretary,
23 including representation from district superintendents, principals, classroom teachers, school
24 directors, school supervisors, parents of school-age children enrolled in a public school, colleges
25 or departments of education within higher education institutions located within this
26 Commonwealth, and such other groups or interests as the Secretary may deem appropriate.
27 School entities shall use the rating scale developed under this paragraph or may develop their

1 own, subject to approval by the Secretary, provided that such scale reports measures prescribed
2 in paragraph (2).

3 (c) Advanced and distinguished teachers.—Teachers at the advanced or distinguished
4 career stage as prescribed in section 1142.2(c) shall be evaluated under subsection (a) or
5 subsection (b) at least once every five years.

6 (d) Novice and apprentice teachers.—Teachers at the novice or apprentice career stage as
7 prescribed in section 1142.2(c) shall be evaluated under subsection (a) or subsection (b) at least
8 once every year.

9 (e) Principals.—Principals shall be evaluated once every three years by their supervisors.
10 Evaluations shall be based upon the following criteria:

11 (1) 25 percent shall be based upon a running average of three years of value-added
12 results aggregated to the school level for students taught in the school. The principal
13 shall receive a rating of advanced for this portion of the evaluation if the average value-added
14 results are significantly above one year’s worth of academic growth as provide in section
15 1551(d). The principal shall receive a rating of proficient for this portion of the evaluation if the
16 average value-added results achieve one year’s worth of academic growth as provide in section
17 1551(d). The principal shall receive a rating of unsatisfactory for this portion of the evaluation if
18 the average value-added results are significantly below one year’s worth of academic growth as
19 provide in section 1551(d). Scores of students who have received less than a full year of
20 instruction in the principal’s school due to student mobility shall be weighted based upon the
21 amount of time registered in the school. For principals with multiple value-added results, the
22 rating shall be based upon the average of such results.

23 (2) 25 percent shall be based upon achieving adequate yearly progress student proficiency
24 goals with respect to absolute levels of proficiency, increases in levels of proficiency, and
25 closing achievement gaps among subgroups of students within the school, under the
26 requirements of section 1111(b) of Title 1, Part A of the 2001 reauthorization of the federal
27 Elementary and Secondary Education Act (115 Stat. 1425, January 8, 2002).

1 (3) 50 percent shall be based upon a behaviorally anchored rating scale based upon
2 clearly defined research based professional standards and measurement rubrics with strong
3 emphasis on standards-based instruction, the principle of value-added, and data-driven decision-
4 making. This review of the principal’s professional practice shall be conducted by the
5 principal’s supervisor, based upon the six standards for school leaders adopted by the Interstate
6 School Leaders Licensure Consortium:

7 (A) Facilitating development, articulation, implementation, and stewardship of a vision of
8 learning that is shared and supported by the school community.

9 (B) Advocating, nurturing, and sustaining a school culture and instructional program
10 conducive to student learning and staff professional growth.

11 (C) Ensuring management of the organization, operations, and resources for a safe,
12 efficient, and effective learning environment.

13 (D) Collaborating with families and community members, responding to diverse
14 community interests and needs, and mobilizing community resources.

15 (E) Acting with integrity, fairness, and in an ethical manner.

16 (F) Understanding, responding to, and influencing the larger political, social, economic,
17 legal, and cultural context.

18 (4) The Department shall, within one year of the effective date of this act, develop a
19 rating scale for the assessment under paragraph (3). The rating scale shall be developed with the
20 cooperation and advice of a committee appointed by the Secretary, including representation from
21 district superintendents, principals, classroom teachers, school directors, school supervisors,
22 parents of school-age children enrolled in a public school, colleges or departments of education
23 within higher education institutions located within this Commonwealth, and such other groups or
24 interests as the Secretary may deem appropriate. School entities shall use the rating scale
25 developed under this paragraph or may develop their own, subject to approval by the Secretary,
26 provided that such scale reports measures prescribed in paragraph (3).

1 (f) Supervisors with line authority.—Supervisors who have line responsibility for
2 instruction in schools shall be evaluated once every three years by their supervisors. Evaluations
3 shall be based upon the following criteria:

4 (1) 25 percent shall be based upon a running average of three years of value-added results
5 aggregated to the school level for students taught in those schools for which the supervisor has
6 responsibility. The supervisor shall receive a rating of advanced for this portion of the
7 evaluation if the average value-added results are significantly above one year’s worth of
8 academic growth as provide in section 1551(d). The supervisor shall receive a rating of
9 proficient for this portion of the evaluation if the average value-added results achieve one year’s
10 worth of academic growth as provide in section 1551(d). The supervisor shall receive a rating of
11 unsatisfactory for this portion of the evaluation if the average value-added results are
12 significantly below one year’s worth of academic growth as provide in section 1551(d). Scores
13 of students who have received less than a full year of instruction in the supervisor’s schools due
14 to student mobility shall be weighted based upon the amount of time registered in such schools.
15 For supervisors with multiple value-added results, the rating shall be based upon the average of
16 such results.

17 (2) 25 percent shall be based upon achieving adequate yearly progress student proficiency
18 goals with respect to absolute levels of proficiency, increases in levels of proficiency, and
19 closing achievement gaps among subgroups of students within those schools for which the
20 supervisor has responsibility, under the requirements of section 1111(b) of Title 1, Part A of the
21 2001 reauthorization of the federal Elementary and Secondary Education Act (115 Stat. 1425,
22 January 8, 2002).

23 (3) 50 percent shall be based upon the level of support the supervisor provides those they
24 supervise in achieving the professional practice standards under paragraph (3) of subsection (c).
25 This evaluation shall be performed by the superintendent with input from principals who report
26 to the supervisor.

1 (g) Other supervisors.—District level supervisors who are not covered by subsection (f)
2 shall be evaluated once every three years by their supervisors. Evaluations shall be based upon
3 the following criteria:

4 (1) 25 percent shall be based upon a running average of three years of value-added results
5 aggregated to the district level. The supervisor shall receive a rating of advanced for this portion
6 of the evaluation if the average value-added results are significantly above one year’s worth of
7 academic growth as provided in section 1551(d). The supervisor shall receive a rating of
8 proficient for this portion of the evaluation if the average value-added results achieve one year’s
9 worth of academic growth as provided in section 1551(d). The supervisor shall be rated below
10 proficient if the average value-added results are significantly below one year’s worth of
11 academic growth as provided in section 1551(d). For supervisors with multiple value-added
12 results, the rating shall be based upon the average of such results.

13 (2) 25 percent shall be based upon achieving adequate yearly progress student proficiency
14 goals with respect to absolute levels of proficiency, increases in levels of proficiency, and
15 closing achievement gaps among subgroups of students at the district level, under the
16 requirements of section 1111(b) of Title 1, Part A of the 2001 reauthorization of the federal
17 Elementary and Secondary Education Act (115 Stat. 1425, January 8, 2002).

18 (3) 50 percent shall be based upon the level of support the supervisor provides those they
19 supervise in achieving the professional practice standards under this section, including leadership
20 in fostering continual professional growth of staff, appropriate supervision and evaluation, and
21 data-driven decision-making. This evaluation shall be performed by the superintendent with
22 input from professional employees who report to the supervisor.

23 (h) Professional development.—Prior to implementing the provisions of this section, each
24 school entity shall provide all professional employees with at least ten hours of professional
25 development on the concepts of value-added assessment and the elements of professional
26 practice assessments.

27 (i) Definitions.—The definitions in sections 1101 and 1141 apply to this section unless
28 the context clearly indicates otherwise.

1 Section 5. The act is amended by adding a section to read:

2 Section 1142.2. Career ladder and salaries.—(a) General—All school districts and
3 vocational school districts shall pay each professional employe and each temporary professional
4 employe a salary for each school year in accordance with a compensation system consisting of a
5 base salary and service increments under this section and educational attainment increments
6 under section 1144, except as provided in section 1205-C(f).

7 (b) Teachers.—Teachers shall be categorized according to the career ladder stages in
8 subsection (c). The base salary and service increments for each stage shall be determined for
9 each school entity pursuant to a collective bargaining agreement between the employer and the
10 employe organization as those terms are defined in section 1101-A, provided, however, that the
11 base salary for each stage on the career ladder under subsection (c) shall be at least 15 percent
12 higher than the highest service increment on the previous stage. Such agreement shall be
13 negotiated pursuant to the act of July 23, 1970 (P.L.563, No.195), known as the “Public Employe
14 Relations Act.” Any agreement entered into on or after the effective date of this act shall comply
15 with and be limited by the provisions of this act. Nothing contained herein shall be construed to
16 supercede or to require the renegotiation of any contract in force on the effective date of this act.
17 The base salary shall not be less than one standard deviation below the average base salary paid
18 by other school entities comprising a regional employment market for professional employes and
19 temporary professional employes as such regional markets are defined by the Secretary.
20 Annually, by January 15, the Secretary shall determine such regional employment markets, the
21 school entities that comprise each, and the average base salaries for each career ladder stage in
22 each regional labor market. Annually, by February 1, the Secretary shall report this information
23 to the chairman and minority chairman of the Senate Education Committee, and the chairman
24 and minority chairman of the House Education Committee, and shall cause the same to be
25 published in the Pennsylvania Bulletin. Notwithstanding any provision of this section to the
26 contrary, no professional employe or temporary professional employe shall be paid less than the
27 compensation received on the effective date of this section and shall continue to be eligible for
28 compensation increases until the compensation provided for in this section exceeds that which
29 they already were receiving.

1 (c) Knowledge and skills career ladder.—Except as provided in subsection (d), all
2 teachers shall be placed upon one of the following career ladder stages based solely upon the
3 knowledge and skills criteria set forth in this subsection, and future agreements between
4 employers and employes shall reflect the provisions of this subsection. In placing teachers on
5 stages of the career ladder, school districts are expressly prohibited from artificially limiting the
6 number of teachers on any stage.

7 (1) Novice.—This is the entry stage of the career ladder and includes temporary
8 professional employes and professional employes with an Instructional I certificate and
9 successful completion of the Praxis II content and professional knowledge tests or such other
10 tests as may subsequently be determined by the Secretary under section 49.18 of the regulations
11 of the Board. Novice teachers shall receive induction/mentoring under section 1205-B and shall
12 be subject to annual performance reviews under section 1123(a) or section 1123(b) resulting
13 from at least three observations per year. Novice teachers shall receive a service increment at the
14 end of their first and second years as novice teachers. Notwithstanding any other provision of
15 this act, of any other act including without limitation the act of July 23, 1970 (P.L.563, No.195),
16 known as the “Public Employe Relations Act,” of any regulation, or of any collective bargaining
17 agreement between an employer and an employe organization as those terms are defined in
18 section 1101-A, any novice teacher who fails to meet the requirements for the apprentice level on
19 the career ladder under paragraph (2) of this subsection within three years of employment shall
20 be dismissed by the board of school directors.

21 (2) Apprentice.—This is the second stage of the career ladder and includes professional
22 employes and temporary professional employes with at least two years of experience as novice
23 teachers, value-added assessment ratings under section 1123(a)(1) or 1123(b)(1) of at least
24 proficient, and professional practice ratings under section 1123(a)(2) or 1123(b)(2) of at least
25 basic. Apprentice teachers shall be subject to annual performance reviews under section 1123(a)
26 or section 1123(b) resulting from at least three observations per year. Apprentice teachers shall
27 receive a service increment at the end of their first and second years as apprentice teachers.
28 Notwithstanding any other provision of this act, of any other act including without limitation the
29 act of July 23, 1970 (P.L.563, No.195), known as the “Public Employe Relations Act,” of any
30 regulation, or of any collective bargaining agreement between an employer and an employe

1 organization as those terms are defined in section 1101-A, any apprentice teacher who fails to
2 meet the requirements for the career level on the career ladder under paragraph (3) of this
3 subsection within three years of becoming an apprentice teacher shall be dismissed by the board
4 of school directors.

5 (3) Career.—This is the third stage of the career ladder and includes professional
6 employes with at least two years of experience as apprentice teachers, Instructional II
7 certification, a masters degree, value-added assessment ratings under section 1123(a)(1) or
8 1123(b)(1) of at least proficient, and professional practice ratings under section 1123(a)(2) or
9 1123(b)(2) of at least proficient. Career teachers shall be subject to performance reviews at least
10 every three years under section 1123(a) or section 1123(b) resulting from no fewer than three
11 observations per year. A career teacher who receives a rating of below proficient in any of the
12 domains under section 1123(a)(2) or 1123(b)(2) shall be evaluated again the following school
13 year. Career teachers shall receive a maximum of six service increments while they are on this
14 stage of the career ladder but shall continue to receive any cost of living increases that are
15 provided for in collective bargaining agreements.

16 (4) Advanced.—This is the fourth stage of the career ladder and includes professional
17 employes with at least two years of experience as career teachers, value-added assessment
18 ratings under section 1123(a)(1) or 1123(b)(1) of distinguished, and professional practice ratings
19 under section 1123(a)(2) or 1123(b)(2) of distinguished. Advanced teachers shall be subject to
20 performance reviews at least every five years, or as often as every two years, under section
21 1123(a) or section 1123(b).

22 (5) Distinguished.—This is the highest stage of the career ladder and includes
23 professional employes with at least two years of experience as career teachers, certification by
24 the National Board for Professional Teaching Standards, value-added assessment ratings under
25 section 1123(a)(1) or 1123(b)(1) of distinguished, and professional practice ratings under section
26 1123(a)(2) or 1123(b)(2) of distinguished. Distinguished teachers shall be subject to
27 performance reviews at least every five years, or as often as every two years, under section
28 1123(a) or section 1123(b). The base salary for a distinguished teacher shall be at least the
29 greater of \$5,000 or 10 percent more than the highest service increment for an advanced teacher.

1 (d) Current employees.—Professional employees who are employed by school entities on
2 the effective date of this act may opt not to participate in the career ladder. They shall receive
3 service increments under paragraph (3) of subsection (c), including the provision for a maximum
4 of ten such service increments.

5 (e) Increments for educational attainment.—The salary schedule agreed upon as part of a
6 collective bargaining agreement between an employer and an employe organization as those
7 terms are defined in section 1101-A may not include increments for credits beyond degrees
8 earned but shall include increments for educational attainment under section 1144.

9 (f) Alternative career ladder.—A school entity may propose to use an alternative career
10 ladder, provided it meets the following criteria:

11 (1) The alternative shall have at least three career stages, for novice, career, and
12 distinguished teachers. Novice teachers must meet at least the criteria under paragraph (1) of
13 subsection (c) and must become career teachers within six years or face dismissal as required in
14 paragraph (2) of subsection (c). Career teachers must meet at least the criteria under paragraph
15 (3) of subsection (c). Distinguished teachers must meet at least the criteria under paragraph (5)
16 of subsection (c).

17 (2) The alternative shall incorporate the provisions of subsections (b) and (e).

18 (3) The alternative shall be shall be negotiated pursuant to the act of July 23, 1970
19 (P.L.563, No.195), known as the “Public Employe Relations Act.” The alternative shall be
20 approved by the Department based upon its compliance with the requirements of this act.

21 (g) Principals and supervisors.—Principals and supervisors shall be categorized
22 according to the career ladder stages in subsection (h). The base salary and service increments
23 for each stage shall be determined for each school entity pursuant to section 1164, provided,
24 however, that the base salary for each stage on the career ladder under subsection (h) shall be at
25 least 15 percent higher than the highest service increment on the previous stage. The base salary
26 shall not be less than one standard deviation below the average base salary paid by other school
27 entities comprising a regional employment market for principals and supervisors as such regional

1 markets are defined by the Secretary. Annually, by January 15, the Secretary shall determine
2 such regional employment markets, the school entities that comprise each, and the average base
3 salaries for each career ladder stage in each regional labor market. Annually, by February 1, the
4 Secretary shall report this information to the chairman and minority chairman of the Senate
5 Education Committee, and the chairman and minority chairman of the House Education
6 Committee, and shall cause the same to be published in the Pennsylvania Bulletin.
7 Notwithstanding any provision of this section to the contrary, no principal or supervisor shall be
8 paid less than the compensation received on the effective date of this section and shall continue
9 to be eligible for compensation increases until the compensation provided for in this section
10 exceeds that which they already were receiving.

11 (h) Career ladder.—All principals and supervisors shall be placed upon one of the
12 following career ladder stages based upon the criteria set forth in this subsection.

13 (1) Intern.—This is the first stage of the career ladder and applies to the first three years
14 of service as a principal or supervisor. During this time, the intern will be assigned a
15 distinguished principal or distinguished supervisor to observe and assist the intern. An intern
16 shall be subject to annual performance reviews under section 1123 (e), (f), or (g). An intern shall
17 receive an annual service increment provided such performance review indicates proficient or
18 higher performance. A principal or supervisor who does not qualify for the career stage at the
19 end of three years shall be demoted or dismissed, notwithstanding any provision of law or
20 regulation to the contrary.

21 (2) Career.—This is the second stage of the career ladder. A principal or supervisor who
22 has completed three years as an intern with annual performance reviews under section 1123 (e),
23 (f), or (g) of proficient or better shall be placed on the career stage. A career principal or
24 supervisor shall be subject to performance reviews every two years under section 1123 (e), (f), or
25 (g) and shall receive an annual service increment provided such performance reviews indicate
26 proficient or higher performance.

27 (3) Distinguished.—This is the highest stage of the career ladder. A principal or
28 supervisor who has completed at least two years as a career principal or supervisor with

1 performance reviews under section 1123 (e), (f), or (g) of distinguished shall be placed on the
2 distinguished stage. A distinguished principal or supervisor shall be subject to performance
3 reviews at least every five years or at the discretion of the superintendent as often as every two
4 years under section 1123 (e), (f), or (g) and shall receive an annual service increment provided
5 such performance reviews indicate distinguished performance.

6 (i) Increments for educational attainment.—The salary schedule for principals and
7 supervisors may not include increments for credits beyond degrees earned but shall include
8 increments for educational attainment under section 1144.

9 (j) Freezing certain salaries.—The salary of any professional employe who is moved to a
10 lower stage on the career ladder as a result of performance evaluations shall be frozen, except for
11 cost of living adjustments, until such time as the professional employe returns to the higher stage
12 on the career ladder. No such professional employe shall be entitled to any retroactive salary
13 increases for the period of time spent on the lower stage of the career ladder.

14 (k) Definitions.—The definitions in sections 1101 and 1141 apply to this section unless
15 the context clearly indicates otherwise.

16 Section 6. Section 1144 and subsection (c.1) of section 1205.1 of the act are amended to
17 read as follows:

18 Section 1144. Additional increments for [college certificate or Master’s Degree]
19 educational attainment.—[Any professional employe or temporary professional employe, who,
20 during the term of his employment, shall receive a college certificate or shall earn a Master’s
21 Degree, shall, commencing with the next succeeding school term, be entitled to the
22 compensation prescribed for his new status, which shall be at least three hundred dollars (\$300)
23 in excess of the annual service increment earned by him the previous year.

24 Any temporary professional employe who holds a Master’s Degree at the time of his
25 initial employment in the public schools of this Commonwealth shall receive, commencing with
26 the second year of service, compensation of at least three hundred dollars (\$300) in excess of that
27 to which such employe would otherwise be entitled.] (a) Any novice or apprentice teacher under

1 section 1142.2(c)(1-2) who obtains a master’s degree after the effective date of this act or who
2 has a master’s degree on the effective date of this act shall receive an educational attainment
3 increment under the salary scheduled provided for in section 1142.2. Such increment shall not
4 be less than \$2,000 in excess of the amount paid otherwise qualified novice or apprentice
5 teachers with bachelor’s degrees.

6 (b) Any novice or apprentice teacher under section 1142.2(c)(1-2) who obtains an earned
7 doctorate after the effective date of this act or who has an earned doctorate on the effective date
8 of this act shall receive an educational attainment increment under the salary scheduled provided
9 for in section 1142.2. Such increment shall not be less than \$2,000 in excess of the amount paid
10 otherwise qualified novice or apprentice teachers with master’s degrees.

11 (c) Any career, advanced, or distinguished teacher under section 1142.2(c)(3-5) who
12 obtains an earned doctorate after the effective date of this act or who has an earned doctorate on
13 the effective date of this act shall receive an educational attainment increment under the salary
14 scheduled provided for in section 1142.2.

15 (d) Any principal or supervisor under section 1142.2(h) who obtains an earned doctorate
16 after the effective date of this act or who has an earned doctorate on the effective date of this act
17 shall receive an educational attainment increment under the salary scheduled provided for in
18 section 1142.2(h). Such increment shall not be less than \$2,000 in excess of the amount paid
19 otherwise qualified principals or supervisors with master’s degrees.

20 Section 1205.1. Continuing professional development.—

21 * * *

22 (c.1)

23 * * *

24 (vii) special education activities for professional educators whose area of assignment
25 includes students with special needs; [or]

1 (viii) programs, activities or learning experiences specifically designed to assist in
2 meeting needs identified in the evaluations of professional educators under section 1123 or
3 required as a result of the peer assistance and review program under section 1205-C; or

4 (ix) other continuing professional education courses, programs, activities or learning
5 experiences sponsored by the department.

6 Section 7. Section 1205.1 of the act is amended by adding a subsection to read:

7 Section 1205.1. Continuing professional development.—

8 * * *

9 (c.5) A professional education plan shall describe the mentoring/induction activities for
10 new educators under section 1205-B.

11 Section 8. The act is amended by adding sections to read:

12 Section 1205-B. Mentoring/Induction.—(a) As part of its professional education plan,
13 each school entity shall describe the activities it will undertake to induct new professional
14 employees into the school entity and the new professional assignment. The induction plan shall
15 focus on mentoring and peer assistance for new professional employes by those at the advanced
16 or distinguished stages of their careers under sections 1142.2(c)(4-5) and 1142.2(h)(3).

17 (b) Novice teachers under section 1142.2(c)(1) shall receive mentoring and peer
18 assistance from an advanced or distinguished teacher and the building principal for at least two
19 and not more than three years. This assistance shall focus on improving the novice teacher's
20 classroom instructional skills and be intensive during the first year of employment or until the
21 novice teacher achieves professional practice ratings under section 1123(a)(2) or 1123(b)(2) of at
22 least basic. Intensive mentoring shall consist of at least one classroom observation per week of
23 at least one hour's duration followed by both written and oral comments prior to the next
24 classroom observation. At the conclusion of the mentoring period, the mentor shall submit a
25 detailed report of the novice teacher's progress and effectiveness to the principal and the novice

1 teacher. The report shall be submitted according to standards adopted by the district and
2 included in the professional education plan under section 1205.1.

3 (c) Advanced and distinguished teachers assigned to mentor novice teachers shall be
4 released from at least one-half of their teaching duties during any school year in which such
5 services are provided, but such year shall be counted as a year of teaching for purposes of
6 calculating salaries under section 1142.2 and for computing credited service under the provisions
7 of section 8102 of the act of October 2, 1975 (P.L.298, No.96), known as the “Public School
8 Employees’ Retirement Code.” No teacher may serve in this capacity for more than three
9 consecutive years.

10 (d) An intern principal or supervisor under section 1142.2(h)(1) shall be assigned a
11 distinguished principal or distinguished supervisor to observe and assist the intern during the
12 three years of internship status. The degree of intensity of such assistance shall be determined on
13 a case-by-case basis by the intern and the intern’s supervisor and shall reflect prior experience
14 and progress in meeting the professional practice standards under sections 1123(e)(3),
15 1123(f)(3), or 1123(g)(3).

16 (e) Definition.—As used in this section, “mentor” shall mean an advanced or
17 distinguished teacher assigned to provide mentoring/induction assistance to a novice teacher.

18 Section 1205-C. Peer assistance and review.—(a) Each school entity shall develop a peer
19 assistance and review program to assist teachers whose ratings under section 1123 indicate a
20 need for such interventions.

21 (b) Each school entity shall select a peer assistance and review committee to manage the
22 program. At a minimum, it shall consist of one representative of the district administration, who
23 may be a principal, supervisor, assistant superintendent, or superintendent, one representative of
24 the teachers, who shall be an advanced or distinguished teacher, and one representative of an
25 external approved professional development provider as defined in section 1205.2(o). Each
26 school entity shall determine the size of the committee, provided that it not exceed eleven
27 members. In addition to the external professional development provider, the numbers of
28 administrators and teachers shall be equal. Within the qualifications specified in this section, the

1 administrative members shall be selected by the superintendent and the teacher representatives
2 shall be selected by the employe organization representing the teachers as that term is defined in
3 section 1101-A.

4 (c) The peer assistance and review committee established under subsection (b) shall
5 design the school entity’s program, select advanced and distinguished teachers to provide peer
6 assistance, and shall approve referrals of teachers for peer assistance.

7 (d) Teachers shall be referred for peer assistance and review if they meet one or more of
8 the following criteria:

9 (1) The value-added student test score portion of the teacher’s rating under section
10 1123(a)(1) is below proficient or if the student achievement goal portion of the teacher’s rating
11 under section 1123(b)(1) is unsatisfactory for two consecutive rating periods.

12 (2) The professional practice portion of the teacher’s rating under section 1123(a)(2) or
13 section 1123(b)(2) is unsatisfactory for two consecutive rating periods or, in the case of a career,
14 advanced, or distinguished teacher, is basic or unsatisfactory for two consecutive rating periods.

15 (3) The teacher makes a self-referral in writing.

16 (e) A teacher approved to receive peer assistance and review shall be assigned an
17 advanced or distinguished teacher for a period of at least one year. The two teachers shall
18 engage in mutual goal-setting and planning to design an intensive individualized program that
19 involves coaching/mentoring, regular classroom observation by the mentor, and such other
20 professional development and assistance as the referred teacher may need.

21 (f) While a teacher is receiving peer assistance and review, such teacher shall not be
22 eligible to receive any compensation increments, notwithstanding any provision of this act, of
23 any other act including without limitation the act of July 23, 1970 (P.L.563, No.195), known as
24 the “Public Employe Relations Act,” of any regulation, or of any collective bargaining
25 agreement between an employer and an employe organization as those terms are defined in
26 section 1101-A to the contrary.

1 (g) At the conclusion of one year of peer assistance and review, the mentor shall submit a
2 detailed report of the referred teacher’s progress to the principal, the referred teacher and the
3 committee. The report shall be submitted according to standards developed by the peer
4 assistance and review committee under subsection (b). At the conclusion of one year of peer
5 assistance and review, the referred teacher shall be subject to evaluation under section 1123(a) or
6 (b). If the report by the mentor indicates that the referred teacher has met the goals of the peer
7 assistance and review, and if the evaluation under section 1123 indicates that the teacher’s
8 performance is at least proficient, the peer assistance and review shall be terminated. If the
9 report indicates the referred teacher is making sufficient progress as defined by the committee,
10 but the evaluation remains below proficient, the referred teacher shall receive a second year of
11 peer assistance and review. If both the report and the evaluation under section 1123 indicate that
12 the referred teacher’s performance continues to be unsatisfactory, such teacher shall be dismissed
13 by the board of school directors, notwithstanding any other provision of this act, of any other act
14 including without limitation the act of July 23, 1970 (P.L.563, No.195), known as the “Public
15 Employe Relations Act,” of any regulation, or of any collective bargaining agreement between
16 an employer and an employe organization as those terms are defined in section 1101-A.

17 (h) Notwithstanding any other provision of this act, of any other act including without
18 limitation the act of July 23, 1970 (P.L.563, No.195), known as the “Public Employe Relations
19 Act,” of any regulation, or of any collective bargaining agreement between an employer and an
20 employe organization as those terms are defined in section 1101-A, any referred teacher who
21 fails to achieve an evaluation of proficient or higher under section 1123 after two years of peer
22 assistance and review shall be dismissed by the board of school directors.

23 (i) Advanced and distinguished teachers assigned to the peer assistance and review
24 program shall be released from at least one-half of their teaching duties during any school year in
25 which such services are provided, but such year shall be counted as a year of teaching for
26 purposes of calculating salaries under section 1142.2 and for computing credited service under
27 the provisions of section 8102 of the act of October 2, 1975 (P.L.298, No.96), known as the
28 “Public School Employees’ Retirement Code.” No teacher may serve in this capacity for more
29 than three consecutive years.

1 (j) The Department shall, within one year of the effective date of this act, develop a
2 model peer assistance and review program that school entities may adopt in lieu of developing
3 local programs as required in subsection (a), provided, however, that the peer assistance and
4 review committee under subsection (c) shall be required to adopt the Department plan in lieu of a
5 local plan. The rating scale shall be developed with the cooperation and advice of a committee
6 appointed by the Secretary, including representation from district superintendents, principals,
7 classroom teachers, school directors, school supervisors, parents of school-age children enrolled
8 in a public school, colleges or departments of education within higher education institutions
9 located within this Commonwealth, and such other groups or interests as the Secretary may deem
10 appropriate. The model program developed by the Department shall meet the requirements of
11 this section.

12 (k) Definitions.—(1) As used in this section, “mentor” shall mean an advanced or
13 distinguished teacher assigned to provide peer assistance and review to another teacher.

14 (2) The definitions in sections 1101 and 1141 apply to this section unless the context
15 clearly indicates otherwise.

16 Section 1205-D. Collaborative professional development.—(a) In order to promote
17 collaborative professional development among groups of professional educators, a collaborative
18 professional development grant program within the Department is hereby established. Within
19 six months of the effective date of this section, the Secretary shall develop specific program
20 requirements and forms that are not inconsistent with the provisions of this section and distribute
21 the requirements and forms to all school entities, all principals, and all presidents of employe
22 organizations representing teachers as that term is defined in section 1101-A.

23 (b) Teams of no fewer than five nor more than ten teachers within a school, organized by
24 grade level or content area, may design innovative projects designed to improve student
25 achievement within their school.

26 (c) The teams shall submit such proposed projects using the forms provided by the
27 Secretary to their principal for approval. The proposal shall include a detailed budget not to

1 exceed \$5,000. If approved, the principal shall submit the application to the Secretary for review
2 and shall notify the superintendent.

3 (d) If the principal does not approve an application, the team of teachers may appeal to a
4 committee comprised of a district representative appointed by the superintendent, a teacher
5 representative appointed by the employe organization representing the teachers as that term is
6 defined in section 1101-A, and an external approved provider of professional development as
7 that term is defined in section 1205.2(o). If approved, the superintendent shall submit the
8 application to the Secretary for review.

9 (e) If the Department approves the proposal, it shall pay the district in which the team of
10 teachers are employed a grant of \$5,000 for use exclusively by the team of teachers to implement
11 the proposed project.

12 (f) All projects funded under this section shall be evaluated to determine if they are
13 successful by achieving one of the following criteria:

14 (1) Value-added student results for students in the project that are significantly above one
15 year's worth of academic growth as provided in section 1551(d).

16 (2) Value-added student test results for students in the project averaging at least one
17 year's academic growth and achievement of one or more data-driven student achievement goals
18 detailed in the teacher team's proposal.

19 (g) During the school year following documentation of successful implementation of a
20 collaborative professional development project under subsection (g), the Department shall pay
21 each member of the teacher team the sum of \$3,500. This amount shall not be considered part of
22 a teacher's salary for purposes of determining future salaries under section 1142.2 or for
23 computing compensation under the provisions of section 8102 of the act of October 2, 1975
24 (P.L.298, No.96), known as the "Public School Employees' Retirement Code."

25 (h) The definitions in sections 1101 and 1141 apply to this section unless the context
26 clearly indicates otherwise.

1 Section 1205-E. Expenditures for professional development and teacher coaches.—(a)
2 Each school district shall use funds from its successful school budget subsidy to provide all
3 professional employes with at least 12 days of professional development or an hourly equivalent
4 of 12 days of professional development each school year.

5 (b) Each school district shall use funds from its successful school budget subsidy to
6 employ at least one full-time equivalent teacher coach for every 300 students to assist its
7 teachers.

8 Section 1551. Value-added assessment.—(a) Definitions.—As used in this section, the
9 following terms shall have the following meanings, unless the context clearly indicates
10 otherwise:

11 (1) “Board.” The state Board of Education of this Commonwealth pursuant to Article
12 XXVI-B of the act.

13 (2) “Department.” The Department of Education of this Commonwealth.

14 (3) “NAEP.” The National Assessment of Educational Progress administered under the
15 requirements of section 1111 of Title 1, Part A of the 2001 reauthorization of the federal
16 Elementary and Secondary Education Act (115 Stat. 1425, January 8, 2002).

17 (4) “Secretary.” The Secretary of Education of this Commonwealth.

18 (5) “Value-added assessment.” A statistical system for educational outcome assessment
19 that uses measures of student learning to estimate teacher, school, and school district statistical
20 distributions. This statistical system shall use available and appropriate data as input for prior
21 and future differences in student attainment so that the impact that the teacher, school, and
22 school district have on the educational progress of students may be estimated on a student
23 attainment constant basis. This statistical system shall have the capability of providing mixed
24 model methodologies that provide for best linear unbiased prediction for the effects of teachers,
25 schools, and school districts on the educational progress of students. The statistical system shall
26 have the capacity to use varying quantities of information for each student so that the

1 information for each student who has met the eligibility requirements for state tests will be
2 included in the estimation process.

3 (b) The Board shall establish a unified assessment system that includes annual state tests
4 for all students in second through twelfth grades in the public schools of this Commonwealth.
5 For students in second through eighth grades, these tests will be in the areas of English-language
6 arts, mathematics, science, and social studies and shall be aligned with the state's academic
7 standards under chapter 4 of the regulations of the Board. For students in ninth through twelfth
8 grades, these tests also shall be in subject specific areas for which standards have been
9 established. Wherever there is a continuity in the curriculum, these tests shall be vertically
10 scaled and cover the full range of curriculum to minimize ceiling and floor effects and shall
11 annually consist of fresh, non-redundant, equivalent test forms.

12 (c) The tests shall be administered every year in the spring, or at the completion of each
13 semester in the case of block scheduling, and test results shall be included in a value-added
14 statistical system.

15 (d) Teachers, administrators, schools, and districts shall be rated based upon the value-
16 added assessments in terms of whether their students have achieved one year's worth of
17 academic growth using a three-year running average. One year's worth of academic growth
18 shall be determined by the Department using the national norm gain as the reference standard. If
19 national norm gain information is not available, one year's worth of academic growth shall be
20 determined by the Department using a baseline year of the average statewide value-added
21 teacher effect. Value-added assessments for an individual teacher, administrator, school, or
22 district that are at least one and one-half standard errors of measurement above one year's worth
23 of academic growth shall be considered significantly above one year's worth of academic
24 growth. Value-added assessments for an individual teacher, administrator, school, or district that
25 are at least two standard errors of measurement below one year's worth of academic growth shall
26 be considered significantly below one year's worth of academic growth. Value-added
27 assessments for an individual teacher, administrator, school, or district that are less than one and
28 one-half standard errors of measurement above one year's worth of academic growth and less

1 than two standard errors of measurement below one year's worth of academic growth shall be
2 considered as achieving one year's worth of academic growth.

3 Section 1552. Promotion and high school graduation.—(a) Notwithstanding provisions
4 of section 1531 or section 4.24 of the regulations of the Board to the contrary, the provisions of
5 subsection (b) shall apply to school district decisions to promote students, and the provisions of
6 subsection (c) shall apply to school district decisions to award high school diplomas to students.

7 (b) In order to be promoted from the fourth to the fifth grade or from the eighth to the
8 ninth grade, a student shall attain a score of proficient or higher on the tests of English-language
9 arts, mathematics, science, and social studies administered in the spring of their fourth and eighth
10 grades, respectively. School districts shall continue to apply other criteria at their discretion to
11 making decisions about promotion, but shall include as one element of such decisions the test
12 scores provided for in this subsection. Promotion for students receiving special education
13 services shall be governed by satisfactory completion of the requirements of their individualized
14 education programs under section 14.131 of the regulations of the Board.

15 (c) In order to graduate from high school, a student shall attain a score of proficient or
16 higher on the tenth grade tests of English-language arts, mathematics, science, and social studies.
17 School districts shall continue to apply other criteria at their discretion to making decisions about
18 high school graduation, but shall include as one element of such decisions the test scores
19 provided for in this subsection. Graduation for students receiving special education services
20 shall be governed by the graduation requirements of section 4.24(f) of the regulations of the
21 Board.

22 (d) To the degree that section 4.24 of the regulations of the Board is inconsistent with this
23 section, the Board shall revise said section in conjunction with the development of the value-
24 added assessment system under section 1551.

25 Section 1553. Re-testing and remediation.—(a) Any student who fails to meet the
26 requirements of subsection (b) of section 1552 shall be given an opportunity to take any tests
27 with scores below proficiency. Such re-testing shall occur prior to the opening of school in the
28 fall. Parents may request in writing that their children not be re-tested. A student who meets the

1 required levels of attainment on all re-tests and who has met all other school district
2 requirements for promotion shall be promoted to the next grade. A student who meets the
3 required levels of attainment on some re-tests shall be permitted to advance in those areas only.

4 (b) Any student who fails to meet the requirements of subsection (c) of section 1552 shall
5 be given an opportunity to take any tests with scores below proficiency on at least two occasions
6 during eleventh grade and if necessary on at least two occasions during twelfth grade. A student
7 who meets the required levels of attainment on all re-tests and who has met all other school
8 district requirements for high school graduation shall be granted a high school diploma at the end
9 of twelfth grade.

10 (c) School districts shall provide focused intervention for any student who is not
11 promoted because of failure to meet the re-testing requirements under subsection (a). Such
12 interventions shall involve extended instructional opportunities that are different from and
13 supplemental to the regular curriculum and are specifically designed to improve student
14 performance on the tests. Every student who is not promoted under subsection (a) shall have a
15 personalized education plan that includes a diagnostic evaluation, intervention strategies, and
16 monitoring strategies. Intervention strategies may include but are not limited to alternative
17 learning models, special homework, smaller classes, tutorial sessions, extended school days,
18 weeks, or years, modified instructional programs, parent involvement, and retention. The
19 personalized education plan under this section shall be developed by the student's teacher or
20 teachers and principal in consultation with the student's parents or guardians.

21 (d) School districts shall provide focused intervention for any student who is in danger of
22 not graduating from high school because of failure to meet the re-testing requirements under
23 subsection (b). Such interventions shall involve extended instructional opportunities that are
24 different from and supplemental to the regular curriculum and are specifically designed to
25 improve student performance on the state assessments under section 1551. Every student who is
26 in danger of not graduating from high school under subsection (b) shall have a personalized
27 education plan that includes a diagnostic evaluation, intervention strategies, and monitoring
28 strategies. Intervention strategies may include but are not limited to alternative learning models,
29 special homework, smaller classes, tutorial sessions, extended school days, weeks, or years,

1 modified instructional programs, and parent involvement. The personalized education plan
2 under this section shall be developed by the student’s teacher or teachers and principal in
3 consultation with the student and the student’s parents or guardians.

4 Section 1554. Expenditures to assist struggling students.—Each school district shall use
5 funds from its successful school budget subsidy to provide assistance to students who are
6 struggling academically. The minimum expenditure for this purpose shall be the equivalent of
7 providing each low-income student in the district with 10 additional days of instruction in a class
8 of no more than 10 students each year.

9 Section 9. Section 1705-B(a) of the act is amended to read as follows:

10 Section 1705-B. Education empowerment districts.—(a) Except as provided in
11 subsection (h), [a school district on the education empowerment list that does not meet the goals
12 for improving educational performance as set forth in the school district improvement plan and
13 maintains a history of low test performance at the end of the third school year following the date
14 of its placement on the list] an under-performing district that fails to improve achievement
15 sufficiently to remove the reason for having been declared an under-performing district within
16 three years of having its academic recovery plan accepted by the Department under section 1703-
17 C shall be certified by the Department as an education empowerment district and a board of
18 control shall be established. The Department may allow the school district to [remain on the
19 education empowerment list] continue to implement its academic recovery plan for an additional
20 school year prior to certifying the school district as an education empowerment district if the
21 Department determines that the additional year will enable the school district to [improve test
22 performance and meet other goals set forth in the school district improvement plan] improve
23 achievement sufficiently to remove the reason for having been declared an under-performing
24 district.

25 Section 10. The act is amended by adding an article to read:

26 Article XVII-C.

27 School and School District Accountability.

1 Section 1701-C. Holding schools and districts accountable.—This article is intended to
2 hold schools and school districts accountable for improving the academic achievement of
3 students in this Commonwealth in conjunction with an increased state responsibility for funding
4 education.

5 Section 1702-C. Holding schools accountable.—(a) School evaluations.—Every school,
6 including charter schools under Article XVII-A, shall be evaluated annually using the following
7 criteria:

8 (1) Value-added test scores under section 1551.

9 (2) Adequate yearly progress in meeting student proficiency goals with respect to
10 absolute levels of proficiency, increases in levels of proficiency, and closing achievement gaps
11 among subgroups of students within the school, under the requirements of section 1111(b) of
12 Title 1, Part A of the 2001 reauthorization of the federal Elementary and Secondary Education
13 Act (115 Stat. 1425, January 8, 2002).

14 (3) Student attendance rates and changes in rates over a three-year period.

15 (4) For high schools, graduation rates and changes in rates over a three-year period.

16 (5) For high schools, dropout rates and changes in rates over a three-year period.

17 (b) School profiles.—The Department shall include this evaluation in the annual school
18 profiles developed by the Department pursuant to section 4.61 of the regulations of the Board.

19 (c) School performance incentives.—In implementing the school performance incentive
20 program under section 2595, the Secretary shall incorporate results of value-added assessments
21 and adequate yearly progress under paragraphs (1-2) of subsection (a) into the student
22 achievement criterion in section 2595(c)(1)(i) when such results become available.

23 (d) Under-performing schools.—The secretary shall declare any school to be an under-
24 performing school and shall notify the superintendent and the board of school directors if such
25 school meets one or more of the following criteria:

1 (1) Value-added student test scores under section 1551(d) that are significantly below one
2 year’s worth of academic growth for two consecutive years.

3 (2) The school fails to make adequate yearly progress in meeting student proficiency
4 goals with respect to absolute levels of proficiency, increases in levels of proficiency, and
5 closing achievement gaps among subgroups of students within the school, under the
6 requirements of section 1111(b) of Title 1, Part A of the 2001 reauthorization of the federal
7 Elementary and Secondary Education Act (115 Stat. 1425, January 8, 2002) for two consecutive
8 years.

9 (e) Regional assistance teams.—Within 30 days of being notified that a school is under-
10 performing, the intermediate unit shall designate a regional assistance team of non-school district
11 personnel under section 973.3. In the case of under-performing schools located in the school
12 district that comprises intermediate unit number 2, the regional assistance team shall be
13 designated by intermediate unit number 3. In the case of under-performing schools located in the
14 school district that comprises intermediate unit number 26, the regional assistance team shall be
15 designated by intermediate unit number 22, 23, 24, or 25 at the discretion of the Secretary. The
16 regional assistance team shall consist of at least two advanced or distinguished teachers and at
17 least two distinguished principals and supervisors working at the appropriate grade level in other
18 school districts comprising the intermediate unit. The team may also include local business and
19 community leaders, approved providers of professional development as that term is defined in
20 section 1205.2(o), and representatives of higher education. Composition of the team shall be
21 designed to include members with a high degree of knowledge and skills in the areas of school
22 leadership, curriculum and instruction, classroom management and discipline, academic
23 assessment, home-school relations, and evaluation and research. The team shall have three years
24 from the time of its appointment to eliminate the cause of the school having been declared under-
25 performing under subsection (d). Team members shall observe instruction in the school and
26 provide mentoring and assistance to the school’s professional employees. In consultation with the
27 school’s principal, teachers, and parents of students attending the school, the regional assistance
28 team may recommend to the superintendent any of the following actions to improve student
29 achievement in the school:

1 (1) Changes in curriculum, instruction, assessment, and instructional materials.

2 (2) Changes in professional development activities for professional employes in the
3 school.

4 (3) Changes in methods of school leadership.

5 (4) Changes in the scheduling of instruction, including making additional time available
6 for some or all students in the school.

7 (5) Changes in school practice with regard to classroom management and discipline.

8 (6) Changes in methods of informing parents and involving them in the education of their
9 children.

10 (7) Reassignment of school personnel.

11 (f) Regional assistance.—In addition to the assistance provided by members of the
12 regional assistance team to school personnel, the superintendent shall implement those
13 recommendations under subsection (h) that are made by the assistance team.

14 (g) State grant.—During the three years that the under-performing school receives
15 regional assistance, the intermediate unit shall receive an annual grant from the Commonwealth
16 equal to \$75 per pupil in average daily membership, provided, however, that such grant shall not
17 be less than \$100,000 per year. This grant shall be administered by the regional assistance team
18 to support its work and the implementation of the team’s recommendations under subsection (h).

19 (h) Failure to improve.— At the conclusion of three years of regional assistance, if a
20 school has not improved achievement sufficiently to remove the reason for having been declared
21 an under-performing school, the board of school directors shall establish it as a charter school
22 under section 1708-B, designate it as an independent school as provided in section 1704-B(a)(2),
23 enter into a contract with an individual or a for-profit or nonprofit organization to operate the
24 school as provided in section 1704-B(a)(4), reconstitute the school as provided in section 1704-
25 B(a)(5), reassign, suspend, or dismiss professional employes as provided in section 1704-

1 B(a)(6), or close the school and reassign students to attend other district schools. If the board of
2 school directors does not close the school, it shall also permit any student attending such school
3 to transfer to any other district school and shall provide transportation for the student upon the
4 written request of the student’s parent or guardian.

5 Section 1703-C. Holding districts accountable.—(a) District evaluations.—Every school
6 district shall be evaluated annually using the following criteria:

7 (1) Value-added test scores under section 1551 aggregated to the district level.

8 (2) Adequate yearly progress in meeting student proficiency goals with respect to
9 absolute levels of proficiency, increases in levels of proficiency, and closing achievement gaps
10 among subgroups of students within the school, under the requirements of section 1111(b) of
11 Title 1, Part A of the 2001 reauthorization of the federal Elementary and Secondary Education
12 Act (115 Stat. 1425, January 8, 2002) aggregated to the district level.

13 (3) Student attendance rates and changes in rates over a three-year period aggregated to
14 the district level.

15 (4) Graduation rates and changes in rates over a three-year period aggregated to the
16 district level.

17 (5) Dropout rates and changes in rates over a three-year period aggregated to the district
18 level.

19 (b) School district profiles.—The Department shall include this evaluation in the annual
20 school district profiles developed by the Department pursuant to section 4.61 of the regulations
21 of the Board.

22 (c) Under-performing school districts.—The Secretary shall declare any school district to
23 be an under-performing district and shall notify the superintendent and the board of school
24 directors if such district meets one or more of the following criteria:

1 (1) Value-added student test scores under section 1551(d) that are significantly below one
2 year’s worth of academic growth for two consecutive years.

3 (2) At least 33 percent of all students taking state tests under section 1551 have
4 proficiency levels of “below basic” on both reading and mathematics exams for two consecutive
5 years.

6 (3) The district fails to make adequate yearly progress in meeting student proficiency
7 goals with respect to absolute levels of proficiency, increases in levels of proficiency, and
8 closing achievement gaps among subgroups of students within the school, under the
9 requirements of section 1111(b) of Title 1, Part A of the 2001 reauthorization of the federal
10 Elementary and Secondary Education Act (115 Stat. 1425, January 8, 2002) for two consecutive
11 years.

12 (4) At least 25 percent of the schools in the district are declared to be under-performing
13 or, in districts with ten or fewer schools, two or more schools are declared to be under-
14 performing under subsections (c) and (l) of section 1702-C.

15 (d) Regional assistance teams.—Within 30 days of the Secretary’s declaration that a
16 school district is an under-performing district, a regional assistance team of non-school district
17 personnel shall be designated by the intermediate unit, in consultation with the Secretary, under
18 section 973.3. In the event the district comprising intermediate unit number 2 is declared an
19 under-performing district, the regional assistance team shall be designated by intermediate unit
20 number 3. In the event the district comprising intermediate unit number 26 is declared an under-
21 performing district, the regional assistance team shall be designated by intermediate unit number
22 22, 23, 24, or 25 at the discretion of the Secretary. The regional assistance team shall consist of
23 at least four advanced or distinguished teachers and at least four distinguished principals and
24 supervisors working in other school districts within the intermediate unit. The team may also
25 include local business and community leaders, approved providers of professional development
26 as that term is defined in section 1205.2(o), and representatives of higher education.
27 Composition of the team shall be designed to include members with a high degree of knowledge

1 and skills in the areas of school leadership, curriculum and instruction, classroom management
2 and discipline, academic assessment, home-school relations, and evaluation and research.

3 (e) Academic recovery plan.—Team members shall observe instruction in the schools of
4 the district and provide mentoring and assistance to the professional employes. In consultation
5 with school directors, administrators, principals, teachers, and parents of students attending the
6 district’s schools, the regional assistance team shall, within 150 days of its appointment, present
7 to the district an academic recovery plan that may include any of the following actions to
8 improve student achievement in the district:

9 (1) Changes in curriculum, instruction, assessment, and instructional materials.

10 (2) Changes in professional development activities for professional employes in the
11 district.

12 (3) Changes in methods of school leadership.

13 (4) Changes in the scheduling of instruction, including making additional time available
14 for some or all students in the school.

15 (5) Changes in school practice with regard to classroom management and discipline.

16 (6) Changes in methods of informing parents and involving them in the education of their
17 children.

18 (7) Reassignment of school personnel.

19 (f) Adoption and implementation of the plan.—The regional assistance team shall hold at
20 least one public hearing within the under-performing district and make the draft academic
21 recovery plan available for public inspection for at least ten days prior to its submission to the
22 board of school directors of the under-performing district. The board of school directors shall
23 transmit the academic recovery plan to the Department with its recommendations within six
24 months of the appointment of the team under subsection (d). The Department shall return the
25 plan to the board of school directors and the regional assistance team with its approval or request

1 for modifications within 30 days following the plan's submission. And such modifications made
2 by the regional assistance team shall be transmitted to the Department by the board of school
3 directors within 30 days of receipt of the Department's request for such modifications.

4 (g) Regional assistance.—The regional assistance team shall provide continuing
5 assistance to the under-performing district in overseeing implementation of the academic
6 recovery plan, in reporting on progress, and, to the degree designated in the plan, in providing
7 observation, mentoring, professional development or other assistance directly to district
8 personnel.

9 (h) Academic recovery.—An under-performing district shall have three years from the
10 time its academic recovery plan is accepted by the Department to improve achievement
11 sufficiently to remove the reason for having been declared an under-performing district.

12 (i) State grant.—During the three years that the under-performing district implements its
13 academic recovery plan, the district shall receive an annual grant from the Commonwealth equal
14 to \$450,000 plus \$75 per pupil in average daily membership. This grant shall be used to support
15 implementation of the academic recovery plan under subsection (e), at the discretion of the
16 assistance team.

17 (j) Education empowerment districts.—At the conclusion of three years of implementing
18 its academic recovery plan under subsections (e), any district that fails to improve achievement
19 sufficient to remove the reason for having been declared an under-performing district shall be
20 declared an education empowerment district by the Secretary under section 1705-B.

21 Section 1704-C. Definitions.—The definitions in section 1551 apply to this article.

22 Section 11. The act is amended by adding a section to read:

23 Section 2599.1. Innovation grants.—(a) There is hereby established within the
24 Department of Education an innovation grant program beginning in the 2003-2004 school year.
25 The purpose of this program is to improve student achievement through cooperative program
26 development by school districts and their educators.

1 (b) Grant proposals under this section shall be developed jointly by school administrators
2 and the employe organization representing the district’s teachers, as that term is defined in
3 section 1101-A. Proposals shall be submitted to the board of school directors for approval prior
4 to submission to the Department. Proposals shall be submitted at such time and in such form as
5 the Department shall determine.

6 (c) There shall be three categories of innovation grants:

7 (1) Partnerships of employers and employe organizations as those terms are defined in
8 section 1101-A to jointly create and execute action plans to improve student achievement.

9 (2) Establishment of teaching-learning centers within a school district for professional
10 development of professional employes working in the schools.

11 (3) Development of school redesign projects that utilize research-based effective
12 instructional practices.

13 (d) The maximum initial grant amount shall be \$100,000 for grants under paragraph (1)
14 and paragraph (3) and \$300,000 for grants under paragraph (2). Grants may be made for a
15 period of up to three years. In year 2, the first year grant amount shall be reduced by 25 percent.
16 In year 3, the second year grant amount shall be reduced by 25 percent.

17 (e) A school district may receive multiple innovation grants, provided, however, that no
18 district may receive more than 10 percent of the funds appropriated for this program in any year.

19 (f) During the 2003-2004 school year, the Department shall make up to 50 grants in each
20 category under subsection (c). In subsequent years, the number of grants shall be determined by
21 the Department based upon the quality of grant applications and the availability of funds
22 appropriated by the General Assembly.

23 Section 12. Section 2601-B of the act is amended by adding a clause to read:

24 Section 2601-B. Definitions.—

1 * * *

2 (3) “Commission” shall mean the Academic Achievement and Accountability
3 Commission established pursuant to section 2608-B.

4 Section 13. The act is amended by adding sections to read:

5 Section 2607-B. Study of School Staffing.—The Board shall conduct a study of teaching
6 positions within the Commonwealth that are difficult to staff and shall present its findings in
7 terms of grades, subjects, geographic regions, and types of districts and the difficulties being
8 experienced. Such findings shall be accompanied by recommendations for changes in section
9 1142.2 or any other statutory or regulatory changes the Board deems warranted and shall be
10 presented to the Secretary and to the chairmen and minority chairmen of the Education
11 Committees of the Senate and House of Representatives within one year of the effective date of
12 this act.

13 Section 2608-B. Academic Achievement and Accountability Commission.—(a)
14 Establishment.—There is hereby established within the Board an Academic Achievement and
15 Accountability Commission.

16 (b) Purpose.—The Commission shall be responsible for reviewing the Commonwealth’s
17 implementation of new forms of student and educator assessments, educator career ladders,
18 compensation, and professional development, and school and district accountability. Primary
19 responsibility for implementing these provisions lies with the Department, and the Commission
20 shall oversee that implementation. The Commission shall issue such reports and
21 recommendations as it deems appropriate to promote the improvement of student achievement
22 that these reforms are designed to bring about. The Commission shall not have any
23 administrative authority or staff, other than the staff of the Board.

24 (c) Responsibilities.—The Commission shall:

25 (1) Review the Department’s development of value-added student assessments under
26 section 1551.

1 (2) Review the professional employe evaluation models developed by the Department
2 and by various school entities under section 1123. If such review warrants, the Commission
3 shall develop a policy for teacher appeals to the state of the value-added assessment portion of
4 their ratings under section 1123(a)(1). Such policy shall require that appeals to the state not be
5 governed by collective bargaining agreements.

6 (3) Review the career ladders and professional employe compensation models developed
7 by various school entities under section 1142.2.

8 (4) Review the programs for induction/mentoring of new teachers, professional
9 development of educators, and peer assistance and review developed by various school entities
10 under sections 1205-B, 1205.1, and 1205-C.

11 (5) Review collaborative professional development and innovation grant programs under
12 sections 1205-D and 2599.1.

13 (6) Review the implementation of school and school district accountability, including the
14 Education Empowerment Act, under Articles XVII-C and XVII-B.

15 (7) Review the effectiveness of the inter-related implementation of the reforms identified
16 in paragraphs (1-6) of this subsection by engaging regular and timely independent empirical
17 evaluations that include but are not limited to the effects of these reforms on student
18 achievement.

19 (8) Receive from the Secretary of Education within 90 days of the Commission's
20 appointment a report detailing the resources the Department requires to carry out the provisions
21 of sections 1123, 1142.2, 1551, 1205-B, 1205-C, 1205-D, and 2599.1, and Article XVII-C. Such
22 report shall include financial, personnel, and contractual resource needs. Within 60 days of the
23 receipt of such report, the Commission shall recommend to the Governor, the President Pro
24 Tempore of the Senate, the Speaker of the House of Representatives and the chairmen and
25 minority chairmen of the Education Committees of the Senate and House of Representatives
26 methods of providing such resources as the Commission deems essential for the Department to
27 carry out its responsibilities under the provisions of sections 1123, 1142.2, 1551, 1205-B, 1205-

1 C, 1205-D, and 2599.1, and Article XVII-C. Within ten days of making such recommendations
2 to the Governor and the General Assembly, the Commission shall transmit its report as a notice
3 to be published in the Pennsylvania Bulletin.

4 (9) Prepare a report of findings under paragraphs (1-7) of this subsection along with
5 recommendations for changes in statutes, regulations, and methods of implementation of sections
6 1123, 1142.2, 1551, 1205-B, 1205-C, 1205-D, and 2599.1, and Article XVII-C. Such reports
7 shall be issued every two years and shall be delivered to the Secretary, the Board, and the
8 chairmen and minority chairmen of the Education Committees of the Senate and House of
9 Representatives and shall be published in the Pennsylvania Bulletin.

10 (10) At its discretion, make such reports and recommendations as it deems advisable to
11 promote student achievement in this Commonwealth to the Governor, the Secretary, the Board,
12 and the chairmen and minority chairmen of the Education Committees of the Senate and House
13 of Representatives and cause such reports to be published in the Pennsylvania Bulletin.

14 (d) Membership.—The Commission shall be chaired by the chairman of the Council of
15 Basic Education under section 2602-B(e). In addition, the Commission shall consist of 22
16 members, as follows:

17 (1) Three public school teachers appointed by the Governor in consultation with the
18 Pennsylvania State Education Association and the Pennsylvania Federation of Teachers.

19 (2) Three public school principals appointed by the Governor in consultation with the
20 Pennsylvania Association of Elementary School Principals and the Pennsylvania Association of
21 Secondary School Principals.

22 (3) Three public school superintendents appointed by the Governor in consultation with
23 the Pennsylvania Association of School Administrators.

24 (4) Three parents of children in public schools appointed by the Governor in consultation
25 with the Pennsylvania Parent-Teacher Association.

1 (5) Two members of boards of school directors appointed by the Governor in
2 consultation with the Pennsylvania School Boards Association.

3 (6) Four business or community leaders, one each appointed by the majority leader and
4 the minority leader of the Senate and House of Representatives.

5 (7) The chairmen and minority chairmen of the Education Committees of the Senate and
6 House of Representatives.

7 (e) Terms of office.—The members appointed under paragraphs (1-6) of subsection (d)
8 shall serve for terms of four years except for the initial term, which shall be for staggered terms.
9 Upon the expirations of their terms, members may be reappointed by the appointing authority, or
10 the appointing authority may appoint new members to fill their positions. Initial terms of
11 membership shall be as follows:

12 (1) One appointee under each of paragraphs (1-4) of subsection (d) shall serve an initial
13 term of three years, one shall serve an initial term of four years, and one shall serve an initial
14 term of five years. The length of the initial appointment shall be determined by the Governor.

15 (2) One appointee under paragraph (5) shall serve an initial term of three years, and one
16 shall serve an initial term of four years. The length of the initial appointment shall be determined
17 by the Governor.

18 (3) The appointees of the majority leader and minority leader of the House of
19 Representatives shall serve initial terms of three years. The appointee of the minority leader of
20 the Senate shall serve an initial term of four years. The appointee of the majority leader of the
21 Senate shall serve an initial term of five years.

22 (f) Meetings.—The Commission shall meet at least three times per year at such times and
23 places as the Commission determines. One more than a majority of the membership shall
24 constitute a quorum for the conduct of any official Commission business. The Commission shall
25 make any appropriate rules for the conduct of its own business.

1 (g) Compensation.—Members shall receive no salary but shall be entitled to travel
2 expenses and other necessary expenses incurred in the performance of their duties.

3 (h) Cooperation between the Commission and the Department of Education.—As an
4 instrumentality of the Board, the provisions of section 2606-B apply to relations between the
5 Commission and the Department of Education.

6 Section 14. There is hereby established within the Department of Education of this
7 Commonwealth an Office of Accountability. The purpose of such office shall be to implement
8 the provisions of sections 1123, 1142.2, 1551, 1205-B, 1205-C, 1205-D, and 2599.1, and Article
9 XVII-C of the act of March 10, 1949 (P.L.30, No.14), known as the “Public School Code of
10 1949” as provided for in this amendatory act. In establishing this office, the Department may
11 reassign personnel and other resources and may indicate what additional resources are needed
12 under section 2608-B(c)(8) of the act of March 10, 1949 (P.L.30, No.14), known as the “Public
13 School Code of 1949” as provided for in this amendatory act.

14 Section 15. There is hereby established a joint Senate-House Select Committee to study
15 the Commonwealth’s pupil transportation funding mechanisms under sections 2509.3, 2541,
16 2542, and 2543 of the act of March 10, 1949 (P.L.30, No.14), known as the “Public School Code
17 of 1949.” The Select Committee shall be comprised of three members appointed by the majority
18 leader of the Senate, two members appointed by the minority leader of the Senate, three
19 members appointed by the majority leader of the House of Representatives, and two members
20 appointed by the minority leader of the House of Representatives. The majority leader of the
21 Senate shall designate one member to chair the Select Committee. Within twelve months of its
22 appointment, the Select Committee shall issue a report of its findings and such recommendations
23 as it deems appropriate and shall submit such report to the Education Committees of the Senate
24 and House of Representatives.

25 Section 16. There is hereby established a joint Senate-House Select Committee to study
26 the Commonwealth’s school construction funding mechanisms under sections 2571-2580 of the
27 act of March 10, 1949 (P.L.30, No.14), known as the “Public School Code of 1949.” The Select
28 Committee shall be comprised of three members appointed by the majority leader of the Senate,

1 two members appointed by the minority leader of the Senate, three members appointed by the
2 majority leader of the House of Representatives, and two members appointed by the minority
3 leader of the House of Representatives. The majority leader of the House of Representatives
4 shall designate one member to chair the Select Committee. Within twelve months of its
5 appointment, the Select Committee shall issue a report of its findings and such recommendations
6 as it deems appropriate and shall submit such report to the Education Committees of the Senate
7 and House of Representatives.

8 Section 17. Beginning in the 2002-2003 school year and each school year thereafter, the
9 Department of Education shall pay the application fee for any Pennsylvania teacher seeking
10 certification by the National Board for Professional Teaching Standards. There is hereby
11 appropriated to the Department for this purpose for the fiscal year 2002-2003 the sum of four
12 million six hundred thousand dollars (\$4,600,000) or as much thereof as may be necessary.

13 Section 18. Repeals.—Sections 1142, 1703-B, and 1704-B of the act are hereby
14 repealed.

15 Section 19. Effective dates.—(a) Except as provided in subsections (b-k), this act shall take
16 effect July 1, 2003.

17 (b) The provisions of section 2 enacting sections 973.3 and 1082.1 shall take effect on
18 July 1 of the fourth school year following the effective date in subsection (a).

19 (c) Ratings developed under the provision of section 4 amending section 1123 shall be
20 applied beginning in the fourth school year following the effective date in subsection (a).

21 (d) The career ladder and salaries under the provision of section 5 enacting section
22 1142.2 shall be developed during the first school year following the effective date in subsection
23 (a), shall apply to novice teachers beginning in the second school year following the effective
24 date in subsection (a), and shall be fully effective beginning in the fourth school year following
25 the effective date in subsection (a).

1 (e) The provision of section 6 amending section 1144 shall take effect on July 1 of the
2 fourth school year following the effective date in subsection (a).

3 (f) The provisions of section 8 enacting sections 1205-B and 1205-C shall take effect on
4 July 1 of the fourth school year following the effective date in subsection (a), and the provision
5 enacting section 1205-D shall take effect on July 1 of the second school year following the
6 effective date in subsection (a).

7 (g) The assessments under section 8 enacting section 1551 shall be developed during the
8 first school year following the effective date in subsection (a), administered for the first time
9 during the second school year following the effective date in subsection (a), and fully
10 implemented during the fourth school year following the effective date in subsection (a).

11 (h) The provision of section 8 enacting section 1552 shall take effect on July 1 of the
12 fourth school year following the effective date in subsection (a), except that section 1552(b) shall
13 apply to fourth grade students beginning five years after the effective date in subsection (a) and
14 to eighth grade students beginning nine years after the effective date in subsection (a), and that
15 section 1552(c) shall apply to twelfth grade students beginning 13 years after the effective date
16 in subsection (a). The provision enacting section 1553 shall take effect on July 1 of the second
17 school year following the effective date in subsection (a).

18 (i) The provisions of section 9 amending section 1705-B and of section 10 adding Article
19 XVII-C shall take effect on July 1 of the fourth school year following the effective date in
20 subsection (a).

21 (j) The provision of section 11 enacting section 2599.1 shall take effect July 1, 2003.

22 (k) Sections 14-16 shall take effect immediately.