

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 2473 Session of 2022

INTRODUCED BY CRUZ, HILL-EVANS AND WELBY, APRIL 4, 2022

REFERRED TO COMMITTEE ON EDUCATION, APRIL 4, 2022

AN ACT

1 Amending the act of March 10, 1949 (P.L.30, No.14), entitled "An
 2 act relating to the public school system, including certain
 3 provisions applicable as well to private and parochial
 4 schools; amending, revising, consolidating and changing the
 5 laws relating thereto," in preliminary provisions, providing
 6 for county assessments of student performance.

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

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

12 Section 121.2. County assessments of student performance.--

13 (a) The State Board, in consultation with the governing bodies
 14 of school entities located in a county, shall develop a county
 15 assessment of student performance. A school entity in the county
 16 shall use the county assessment to evaluate student proficiency
 17 levels.

18 (b) Notwithstanding any other provision of law or regulation
 19 to the contrary, student demonstration of proficiency of the
 20 academic standard measured in a county assessment shall not be a

1 requirement of eligibility for high school graduation.

2 (c) The requirement under subsection (a) shall be in place
3 of and not in addition to a Statewide-administered assessment.

4 (d) For the purposes of this section, the following words
5 and phrases shall have the meanings given to them in this
6 subsection unless the context clearly indicates otherwise:

7 (1) "County assessment" or "county assessment of student
8 performance." A measurement of student performance on a set of
9 academic standards in a subject area to determine if the student
10 meets certain performance level expectations required to achieve
11 proficiency in alignment with Federal or State academic
12 standards. The assessment may be established under Federal or
13 State law, regulation or department initiative or as part of a
14 waiver process regardless of whether it is implemented as a
15 requirement of the law, regulation or initiative, voluntarily by
16 the Commonwealth or as a condition for participation in a grant
17 program. The assessment may be in the form of a national
18 standardized assessment, a department-created assessment or an
19 assessment developed in conjunction with a consortium.

20 Assessment shall include, but not be limited to, the following:

21 (i) The Pennsylvania System of School Assessment (PSSA)
22 test.

23 (ii) A Keystone Exam or another test established by the
24 State Board to meet the requirements of section 2603-B(d)(10)(i)
25 and required under the No Child Left Behind Act of 2001 (Public
26 Law 107-110, 115 Stat. 1425) or its successor Federal statute.

27 (iii) A test or assessment established by the State Board to
28 meet the requirements of section 9401 of the Elementary and
29 Secondary Education Act (Public Law 89-10, 20 U.S.C. § 7861)
30 flexibility waiver application submitted by the department.

1 (iv) A project-based assessment established under 22 Pa.
2 Code § 4.51c (relating to project-based assessment).

3 (v) A local assessment established under 22 Pa. Code § 4.52
4 (relating to local assessment system).

5 (2) "Department." The Department of Education of the
6 Commonwealth.

7 (3) "School entity." A school district, intermediate unit,
8 area vocational-technical school, charter school, cyber charter
9 school, regional charter school or multiple charter school
10 organization.

11 (4) "State Board." The State Board of Education of the
12 Commonwealth.

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