

10 JUL -6 2012

SENATE
S. NO. 320

Introduced by Senator Antonio "Sonny" F. Trillanes IV

EXPLANATORY NOTE

Once one of the best in Asia, the quality of education in the Philippines has deteriorated in recent years (USAID, 2007). Results of different assessment exams have proven this. The 2003-2004 National Diagnostic Test (NDT), which was given to determine the extent of improvement among grade six students in Math, Science, and reading comprehension in English, showed a national mean of 33 percent (33%). This suggested that grade six examinees did not master the competencies in the said areas necessary for their transition into secondary education.

Result of 2004-2005 National Achievement Test (NAT), moreover, revealed that grade six students averaged an overall achievement rate of 58.7%, equivalent only to near mastery level, while Fourth Year students were worse off with only 46.8%, or a low mastery of the subjects.

This bill, hence, seeks to establish a performance based accountability system for public education which focuses on improving teaching and learning so that students are equipped with a strong academic foundation. Accountability, as used in this bill, means acceptance of the responsibility for improving student performance and taking actions to improve classroom practice and school performance.

This accountability system aims to:

- (1) use academic achievement standards to push schools and students toward higher performance by aligning the national assessment to those standards, linking policies, and criteria for performance standards, reporting, school rewards, and targeted assistance;
- (2) provide a school annual report card with a performance indicator system that is logical, reasonable, fair, challenging, and technically defensible which furnishes clear and specific information about school and district academic performance and other performance to parents and the public;
- (3) require all districts to establish local accountability systems to stimulate quality teaching, learning practices, and target assistance to low performing schools;
- (4) provide resources to strengthen the process of teaching and learning in the classroom to improve student performance and reduce gaps in performance; and
- (5) support professional development as integral to improvement and to the actual work of teachers and school staff;

In view of the foregoing, the immediate approval of this bill is earnestly sought.


ANTONIO "SONNY" F. TRILLANES IV
Senator

OFFICE OF THE CLERK
10 JUL -6 P-012

SENATE

S. NO. 320

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Introduced by Senator Antonio "Sonny" F. Trillanes IV

AN ACT
ESTABLISHING A PERFORMANCE BASED ACCOUNTABILITY SYSTEM FOR
PUBLIC EDUCATION AND FOR OTHER PURPOSES

Be it enacted by the Senate and House of Representatives of the Philippines in Congress assembled:

ARTICLE I.

TITLE AND DEFINITIONS.

SECTION 1. *Short Title.* – This Act shall be known as the “*Education Accountability Act.*”

SEC. 2. *Definition of Terms.* – For purposes of this Act, the following terms shall mean:

- (1) Accountability means the acceptance of the responsibility for improving student performance and taking actions to improve classroom practice and school performance by the Congress, the Department of Education, local school district boards, administrators, teachers, parents, students, and the community.
- (2) "Standards based assessment" means an assessment where an individual's performance is compared to specific performance standards and not to the performance of other students.
- (3) "Disaggregated data" means data broken out for specific groups within the total student population, such as by gender and family income level.
- (4) "Longitudinally matched student data" means examining the performance of a single student or a group of students by considering their test scores over time.
- (5) "Norm-referenced assessment" means assessments designed to compare student performance to a nationally representative sample of similar students known as the norm group.
- (6) "Academic achievement standards" means statements of expectations for student learning.
- (7) "Department" means the Department of Education.

1 (8) "Absolute performance" means the rating a school will receive based on the percentage
2 of students meeting standard on the state's standards based assessment.

3 (9) "Improvement performance" means the rating a school will receive based on
4 longitudinally matched student data comparing current performance to the previous year's
5 for the purpose of determining student academic growth.

6 (10) "Objective and reliable nationwide assessment" means assessments that yield
7 consistent results and that measure the cognitive knowledge and skills specified in the
8 state-approved academic standards and do not include questions relative to personal
9 opinions, feelings, or attitudes and are not biased with regard to race, gender, or
10 socioeconomic status. The assessments must include a writing assessment and multiple-
11 choice questions designed to reflect a range of cognitive abilities beyond the knowledge
12 level. Constructive response questions may be included as a component of the writing
13 assessment.

14 (11) "Formative assessment" means assessments used within the school year to analyze
15 general strengths and weaknesses in learning and instruction, to understand the
16 performance of students individually and across achievement categories, to adapt
17 instruction to meet students' needs, and to consider placement and planning for the next
18 grade level. Data and performance from the formative assessments must not be used in the
19 calculation of school or district ratings.

20 ARTICLE II.

21 ACADEMIC STANDARDS AND ASSESSMENTS

22 **SEC. 3. *Adoption of Educational Standards in Core Academic Areas.*** - The Department
23 of Education is directed to adopt grade specific performance-oriented educational standards in the
24 core academic areas of Mathematics, English/language arts, social studies (history, economics, and
25 geography), and Science for elementary and high school and adopt specific academic standards for
26 benchmark courses in mathematics, English/language arts, social studies, and science for high
27 school. The standards are to promote the goals of providing every student with the competencies
28 to:

29 (1) read, view, and listen to complex information in the English language;

30 (2) write and speak effectively in the English language;

31 (3) solve problems by applying Mathematics;

32 (4) conduct research and communicate findings;

33 (5) understand and apply scientific concepts;

1 (6) obtain a working knowledge of world and Philippine history, government, economics,
2 and geography; and

3 (7) use information to make decisions.

4 The standards must be reflective of the highest level of academic skills with the rigor
5 necessary to improve the curriculum and instruction in Philippine schools so that students are
6 encouraged to learn at unprecedented levels and must be reflective of the highest level of academic
7 skills at each grade level.

8
9 ***SEC. 4. Development or Adoption of Nationwide Assessment Program to Promote***
10 ***Student Learning and Measure Student Performance.***

11 (A) Notwithstanding any other provision of law, the Department of Education is required to
12 develop or adopt a nationwide assessment program to promote student learning and to
13 measure student performance on national standards and:

14 (1) identify areas in which students need additional support;

15 (2) indicate the academic achievement for schools, districts, and the country; and

16 (3) provide professional development to educators.

17 (B) The nationwide assessment program in the four academic areas must include grades
18 three (3) through six (6), an exit examination in English/language arts and mathematics,
19 which is to be first administered in a student's first year of high school enrollment, and end-
20 of-course tests before high school graduation. Beginning with the graduating class of 2018,
21 students are required to pass a high school credit course in science and a course in
22 Philippine history in which end-of-course examinations are administered to receive the
23 high school diploma.

24 (C) While assessment is called for in the specific areas mentioned above, this should not be
25 construed as lessening the importance of visual and performing arts, health, physical
26 education, and career or occupational programs.

27 (D) By May 2017, the Department of Education shall create a nationwide adoption list of
28 formative assessments aligned with the country's content standards and satisfying
29 professional measurement standards in accordance with criteria jointly determined by the
30 Education Oversight Committee, created hereunder, and the Department of Education. The
31 formative assessments must provide diagnostic information in a timely manner to all school
32 districts for each student during the course of the school year. For use beginning with the
33 2017-2018 school year, with funds appropriated by the Congress, local districts must be
34 allocated resources to select and administer formative assessments from the nationwide
35 adoption list to use to improve student performance in accordance with district
36 improvement plans.

1 (E) The Department of Education shall adopt a developmentally appropriate formative
2 reading assessment for use in first and second grades to be administered initially in the
3 2017-18 school year. The assessment must provide opportunities for periodic formative
4 assessment during the school year, reports that are useful for informing classroom
5 instruction or significant groupings of standards level information about individual
6 students, and must be compatible with best practices in reading instruction and reading
7 research. The Department of Education shall provide appropriate and on-going professional
8 development to support appropriate use of the assessment.
9

10 **SEC. 5. Congressional Oversight Committee on Education.** – There is hereby created a
11 Congressional Oversight Committee on Education composed of three (3) members from the Senate
12 and three (3) from the House of Representatives. The Member from the Senate shall be appointed
13 by the Senate President based on the proportional representation of the parties or the coalitions
14 therein with at least one Senator representing the Minority. The Members of the House of
15 Representatives shall be appointed by the Speaker, also based on the proportional representation of
16 the parties or the coalitions therein with at least one Member representing the Minority.

17 The committee shall be headed by the respective Chairpersons of the Senate and the House
18 of Representatives' Committees on Education.

19 The Congressional Oversight Committee on Education shall, in aid of legislation, perform
20 the following:

- 21 (a) Review the state assessment program and the course assessments for alignment with the
22 country's standards, level of difficulty and validity, and for the ability to differentiate
23 levels of achievement, and make recommendations for needed changes;
- 24 (b) Approve the educational standards created by the Department of Education;
- 25 (c) Set the guidelines and the overall framework to monitor and ensure the proper
26 implementation of this Act;
- 27 (d) Ensure transparency and require the submission of reports on the conduct of programs,
28 projects, and policies relating to the implementation of this Act;
- 29 (e) Determine inherent weaknesses in the law and recommend the necessary remedial
30 legislations or executive measures; and
- 31 (f) Perform such other duties and functions and responsibilities as may be necessary to
32 effectively attain the objectives of this Act.

33 The Congressional Oversight Committee on Education shall be assisted by the secretariat,
34 headed by the committee secretaries and assisted by personnel who may be seconded from the
35 Senate and the House of Representatives and may retain consultants.

1 **SEC. 6. *General Administration of Test.*** --

2 (A) After the first nationwide field test of the assessment program in each of the four
3 academic areas, and after the field tests of the end of course assessments of benchmark
4 courses, the Education Oversight Committee, established hereunder, will review the state
5 assessment program and the course assessments for alignment with the country's standards,
6 level of difficulty, and validity and for the ability to differentiate levels of achievement, and
7 will make recommendations for needed changes, if any. The review will be provided to the
8 Department of Education as soon as feasible after the field tests. The Department of
9 Education will then report to the Education Oversight Committee no later than one month
10 after receiving the reports on the changes made to the assessments to comply with the
11 recommendations.

12 (B) After review and approval by the Education Oversight Committee, the standards-based
13 assessment of mathematics, English/language arts, social studies, and science will be
14 administered to all public school students. The Department of Education shall develop a
15 sampling plan to administer science and social studies assessments to all other elementary
16 high school students. The plan shall provide for all students and both content areas to be
17 assessed annually; however, individual students, except in census testing grades, are not
18 required to take both tests. In the sampling plan, approximately half of the assessments
19 must be administered in science and the other half in social studies in each class.

20 To ensure that school districts maintain the high standard of accountability,
21 performance level results reported on school and district report cards must meet
22 consistently high levels in all four core content areas. Beginning with the 2017 report card,
23 the core areas must remain consistent with the established and approved standards by the
24 Education Oversight Committee.

25 (C) After review and approval by the Education Oversight Committee, the end of course
26 assessments of benchmark courses will be administered to all public school students as
27 they complete each benchmark course.

28 (D) Any new standards and assessments required to be developed and adopted by the
29 Department of Education must be developed and adopted upon the advice and consent of
30 the Education Oversight Committee.

31
32 **SEC. 7. *First Grade Readiness Test.*** - The Department of Education, shall develop, select,
33 or adopt a first-grade readiness test that is linked to the grade-one academic standards and a
34 second-grade readiness test that is linked to the grade-two academic standards. The purpose of the
35 tests is to measure individual student readiness, and they are not to be used as an accountability
36 measure at the national level. However, the grade-two readiness test will serve as the baseline for

1 grade-three assessment. The Department of Education shall provide continuing teacher training to
2 ensure the valid and reliable use of the assessments and develop a minimum nationwide data
3 collection plan to include the amount and types of evidence to be collected.
4

5 **SEC. 8. Administration of National Assessment of Education Progress.** - The Department
6 Education is directed to administer annually the National Assessment of Education Progress
7 (NAEP) to obtain an indication of student and school performance relative to national performance
8 levels.
9

10 **SEC. 9. Cyclical Review of National Standards and Assessments.** -

11 (A) The Department of Education, in consultation with the Education Oversight
12 Committee, shall provide for a cyclical review by academic area of the national standards
13 and assessments to ensure that the standards and assessments are maintaining high
14 expectations for learning and teaching. All academic areas must be initially reviewed by
15 the year 2015. At a minimum, each academic area should be reviewed and updated every
16 six years. After each academic area is reviewed, a report on the recommended revisions
17 must be presented to the Education Oversight Committee for its consideration. After
18 approval by the Education Oversight Committee, the recommendations may be
19 implemented. As a part of the review, a task force of parents, business and industry
20 persons, community leaders, and educators shall examine the standards and assessment
21 system to determine rigor and relevancy.

22 (B) Beginning with the 2015 assessment results, the Department of Education annually
23 shall convene a team of curriculum experts to analyze the results of the assessments,
24 including performance item by item. This analysis must yield a plan for disseminating
25 additional information about the assessment results and instruction and the information
26 must be disseminated to districts not later than end of January of the subsequent year.
27

28 **SEC. 10. Dissemination of Assessment Results.** - The Department of Education is directed
29 to provide assessment results annually on individual students and schools in a manner and format
30 that is easily understood by parents and the public. In addition, the school assessment results must
31 be presented in a format easily understood by the faculty and in a manner that is useful for
32 curriculum review and instructional improvement. The Department is to provide longitudinally
33 matched student data from the standards based assessments and include information on the
34 performance of subgroups of students within the school. Schools and districts shall be responsible
35 for disseminating this information to parents.

1 assessment results again show standards are not met, the student will be retained. The
2 district's appeals process remains in effect.

3
4 **ARTICLE IV.**
5 **REPORTING.**

6 **SEC. 12. *Development of Annual Report Cards.* -**

7 (A) The Education Oversight Committee, working with the Department of Education, is
8 directed to establish an annual report card and its format to report on the performance for
9 the individual elementary, high schools, and school districts of the country. The school's
10 ratings on academic performance must be emphasized and an explanation of their
11 significance for the school and the district must also be reported. The annual report card
12 must serve at least four purposes:

- 13 (1) inform parents and the public about the school's performance;
14 (2) assist in addressing the strengths and weaknesses within a particular school;
15 (3) recognize schools with high performance; and
16 (4) evaluate and focus resources on schools with low performance.

17 (B) The Oversight Committee shall determine the criteria for and establish five academic
18 performance ratings of excellent, good, average, below average, and unsatisfactory.
19 Schools and districts shall receive a rating for absolute and improvement performance.
20 Only the scores of students enrolled in the school at the time of enrollment count shall be
21 used to determine the absolute and improvement ratings. The Oversight Committee shall
22 establish student performance indicators which will be those considered to be useful for
23 assessing a school's overall performance and appropriate for the grade levels within the
24 school.

25 (C) In setting the criteria for the academic performance ratings and the performance
26 indicators, the Education Oversight Committee shall report the performance by subgroups
27 of students in the school and schools similar in student characteristics. Criteria must use
28 established guidelines for statistical analysis and build on current data-reporting practices.

29 (D) The report card must include a comprehensive set of performance indicators with
30 information on comparisons, trends, needs, and performance over time which is helpful to
31 parents and the public in evaluating the school. Special efforts are to be made to ensure that
32 the information contained in the report card is provided in an easily understood manner and
33 a reader-friendly format. This information should also provide a context for the
34 performance of the school. Where appropriate, the data should yield disaggregated results
35 to schools and districts in planning for improvement. The report card should include
36 information in such areas as programs and curriculum, school leadership, community and

1 parent support, faculty qualifications, evaluations of the school by parents, teachers, and
2 students. In addition, the report card must contain other criteria including, but not limited
3 to, information on promotion and retention ratios, disciplinary climate, dropout ratios,
4 dropout reduction data, student and teacher ratios, and attendance data.

5
6 **SEC. 13. *Progress Reports.*** - No later than June 1, 2009, the Department of Education
7 must report on the development of the performance indicators criteria and the report card to the
8 Education Oversight Committee. A second report, to include uniform collection procedures for
9 academic standards and performance indicators, is due by December 1, 2009. No later than
10 December, 2009, the Department of Education shall report to the Oversight Committee the
11 determination of the levels of difficulty for the assessments by grade and academic area. By March
12 1, 2000, a report on the development of baseline data for the schools is due from the division.

13
14 **SEC. 14. *Report Cards.*** - Beginning in 2011 and annually thereafter the Department of
15 Education must issue report cards to all schools and local districts. The report card must be mailed
16 to all parents of the school and the school district. The school, in conjunction with the local district
17 board, must also inform the community of the school's report card by advertising the results in at
18 least one national daily newspaper of general circulation. This notice must be published within
19 ninety days of receipt of the report cards issued by the Department of Education and must be a
20 minimum of two columns by ten inches (four and one-half by ten inches) with at least a twenty-
21 four point bold headline.

22 23 **ARTICLE V.**

24 **AWARDING PERFORMANCE**

25 **SEC. 15. *Awards.*** - The Department of Education, working with the local districts must
26 establish a Performance Awards Program to recognize and reward schools for academic
27 achievement. Awards will be established for schools attaining high levels of absolute performance
28 and for schools attaining high rates of improvement. The award program must base improved
29 performance on longitudinally matched student data and may include such additional criteria as:

- 30 (1) student attendance;
31 (2) teacher attendance;
32 (3) student dropout rates; and
33 (4) any other factors promoting or maintaining high levels of achievement and
34 performance. Schools shall be rewarded according to specific criteria established by the
35 Department. In defining eligibility for a reward for high levels of performance, student
36 performance should exceed expected levels of improvement.

1
2 **SEC. 16. *Grant of Flexibility of Receiving Exemption from Regulations.* –**

3 (A) Notwithstanding any other provision of law, a school is given the flexibility of
4 receiving exemptions from those regulations and statutory provisions governing the defined
5 program: *Provided, That* during a three-year period, the following criteria are satisfied:

6 (1) the school has twice been a recipient of the Performance Award, pursuant to
7 Section 15, hereunder;

8 (2) the school has met annual improvement standards for subgroups of students in
9 reading and mathematics; and

10 (B) Schools receiving flexibility status are released from those regulations and statutory
11 provisions referred to above including, but not limited to, regulations and statutory
12 provisions on class scheduling, class structure, and staffing. The Department Education, in
13 consultation with the Education Oversight Committee, must promulgate regulations and
14 develop guidelines for providing this flexibility by December 1, 2011.

15 (C) To continue to receive flexibility pursuant to this section, a school must annually
16 exhibit school improvement at or above the national average as computed in the school
17 recognition program pursuant to Section 15, hereunder, and must meet the gains required
18 for subgroups of students in English and Mathematics. A school which does not re-qualify
19 for flexibility status due to extenuating circumstances may apply to the Department of
20 Education for an extension of this status for one year.

21 (D) In the event that a school is removed from flexibility status, the school is not subject to
22 regulations and statutory provisions exempted under this section until the beginning of the
23 school year following notification of the change in status by the Department of Education.

24
25 **ARTICLE VI.**

26 **DISTRICT ACCOUNTABILITY SYSTEMS**

27 **SEC. 17. *District Accountability System.*** - The Department of Education, based on
28 recommendations of the division, must develop regulations requiring that no later than April, 2009,
29 each local district board must establish and annually review a performance based accountability
30 system, or modify its existing accountability system, to reinforce the national accountability
31 system. Parents, teachers, and principals must be involved in the development, annual review, and
32 revisions of the accountability system established by the district. The board shall ensure that a
33 district accountability plan be developed, reviewed, and revised annually.

34 In keeping with the emphasis on school accountability, principals should be actively
35 involved in the selection, discipline, and dismissal of personnel in their particular school.

1 The Department of Education shall offer technical support to any district requesting
2 assistance in the development of an accountability plan. Furthermore, the department must conduct
3 a review of accountability plans as part of the peer review process to ensure strategies are
4 contained in the plans that shall maximize student learning. The Department shall submit plans for
5 the peer review process to the division for approval by April, 2009. School districts not having an
6 approved plan by April,2009 shall be provided a plan by the Department within ninety days.

7 8 **ARTICLE VII.**

9 **INTERVENTION AND ASSISTANCE**

10 **SEC. 18. *Schools Rated Below Average or Unsatisfactory.* -**

11 (A) When a school receives a rating of below average or unsatisfactory, the following
12 actions must be undertaken by the school and the local school districts:

13 (1) The faculty of the school with the leadership of the principal must review its
14 improvement plan and revise it. The revised plan should look at every aspect of
15 schooling, and must outline activities that, when implemented, can reasonably be
16 expected to improve student performance and increase the rate of student progress. The
17 plan should provide a clear and coherent plan for professional development, which has
18 been designed by the faculty that is ongoing, job related, and keyed to improving
19 teaching and learning. A time line for implementation of the activities and the goals to
20 be achieved must be included.

21 (2) Once the revised plan is developed, the district superintendent and the local school
22 district board shall review the school's strategic plan to determine if the plan focuses on
23 strategies to increase student academic performance.

24 (3) The school, in conjunction with the district board, must inform the parents of
25 children attending the school of the ratings received from the Department of Education
26 and must outline the steps in the revised plan to improve performance, including the
27 support which the local district board has agreed to give the plan. This information
28 must also be advertised in at least one national daily newspaper of general circulation.
29 This notice must be published within ninety days of receipt of the report cards issued
30 by the Department and must be a minimum of two columns by ten inches (four and
31 one-half by ten inches) with at least a twenty-four point bold headline. The notice must
32 include the following information: name of school district, name of superintendent,
33 district office telephone number, name of school, name of principal, telephone number
34 of school, school's absolute performance rating and improvement performance rating
35 on student academic performance, and strategies which must be taken by the district
36 and school to improve student performance; and

1 (4) Upon a review of the revised plan to ensure it contains sufficiently high standards
2 and expectations for improvement, the Department of Education is to delineate the
3 activities, support, services, and technical assistance it will make available to support
4 the school's plan and sustain improvement over time.
5

6 **SEC. 19. *Assignment of External Review Committee.* -**

7 (A) When a school receives a rating of unsatisfactory or upon the request of a school rated
8 below average, an external review team must be assigned by the Department of Education
9 to examine school and district educational programs, actions, and activities. The Education
10 Oversight Committee, in consultation with the Department, shall develop the criteria for
11 the identification of persons to serve as members of an external review team which shall
12 include representatives from selected school districts, respected retired educators,
13 Department of Education staff, higher education representatives, parents from the district,
14 and business representatives.

15 (B) The activities of the external review committee may include:

16 (1) examine all facets of school operations, focusing on strengths and weaknesses,
17 determining the extent to which the instructional program is aligned with the content
18 standards, and recommendations which draw upon strategies from those who have been
19 successful in raising academic achievement in schools with similar student
20 characteristics;

21 (2) consult with parents and community members to gather additional information on
22 the strengths and weaknesses of the school;

23 (3) identify personnel changes, if any, that are needed at the school and/or district level
24 and discuss such findings with the board;

25 (4) work with school staff and local school district in the design of the school's plan,
26 implementation strategies, and professional development training that can reasonably
27 be expected to improve student performance and increase the rate of student progress in
28 that school;

29 (5) identify needed support from the district, the Department, and other sources for
30 targeted long-term technical assistance;

31 (6) report its recommendations, no later than three months after the school receives the
32 designation of unsatisfactory to the school, the local district board, and the Department
33 of Education; and

34 (7) report annually to the local board and DepEd over the next four years, or as deemed
35 necessary by the Department, on the district's and school's progress in implementing the
36 plans and recommendations and in improving student performance.

1 **SEC. 20. Declaration of State of Emergency in School Rated Below Average.** - If the
2 recommendations, the district's plan, or the school's revised plan are not satisfactorily implemented
3 by the school rated unsatisfactory and its school district according to the time line developed by
4 the Department or if student academic performance has not met expected progress, the principal,
5 district superintendent, and members local district school board must appear before the
6 Department to outline the reasons why a state of emergency should not be declared in the school.
7 The district superintendent, after consulting with the external review committee and with the
8 approval of the Department of Education, shall be granted the authority to take any of the
9 following actions:

- 10 (1) furnish continuing advice and technical assistance in implementing the
11 recommendations of the Department of Education;
- 12 (2) declare a state of emergency in the school and replace the school's principal; or
- 13 (3) declare a state of emergency in the school and assume management of the school.

14
15 **SEC. 21. School District Rated Below Average. –**

16 (A) When a district receives a rating of below average, the District Superintendent, with the
17 approval of the Department of Education, shall appoint an external review committee to
18 study educational programs in that district and identify factors affecting the performance of
19 the district. The review committee must:

- 20 (1) examine all facets of school and district operations, focusing on strengths and
21 weaknesses, determining the extent to which the instructional program is aligned with
22 the content standards and shall make recommendations which draw upon strategies
23 from those who have been successful in raising academic achievement in schools with
24 similar student characteristics;
- 25 (2) consult with parents and community members to gather additional information on
26 the strengths and weaknesses of the district;
- 27 (3) identify personnel changes, if any, that are needed at the school and/or district level
28 and discuss such findings with the board;
- 29 (4) work with school staff and local school districts in the design of the district's plan,
30 implementation strategies, and professional development training that can reasonably
31 be expected to improve student performance and increase the rate of student progress in
32 the district;
- 33 (5) identify needed support from the Department of Education and other sources for
34 targeted long-term technical assistance;

1 (6) report its recommendations, no later than three months after the district receives the
2 designation of unsatisfactory, to the superintendent and the Department of Education;
3 and

4 (B) Within thirty days, the Department of Education must notify the superintendent and
5 the local school district of the recommendations approved by it. Upon the approval of the
6 recommendations, the Department must delineate the activities, support, services, and
7 technical assistance it will provide to support the recommendations and sustain
8 improvement over time.

9 (C) The review committee shall be composed of Department of Education staff,
10 representatives from selected school districts, higher education, and business.

11
12 **SEC. 22. Declaration of State of Emergency in School District Rated Unsatisfactory. –**

13 (A) If recommendations approved by the Department are not satisfactorily implemented by
14 the school district according to the time line, or if student performance has not made the
15 expected progress and the school district is designated as unsatisfactory, the district
16 superintendent shall appear before the Department to outline the reasons why a state of
17 emergency must not be declared in the district.

18 (B) The Department Secretary is granted authority to:

19 (1) furnish continuing advice and technical assistance in implementing the
20 recommendations of the Department to include establishing and conducting a training
21 program for the district board of trustees and the district superintendent to focus on
22 roles and actions in support of increases in student achievement;

23 (2) mediate personnel matters between the district board and district superintendent
24 when the Department is informed by majority vote of the board or the superintendent
25 that the district board is considering dismissal of the superintendent, and the parties
26 agree to mediation;

27 (3) recommend that the office of superintendent be declared vacant; or

28 (4) declare a state of emergency in the school district and assume management of the
29 school district.

30
31 **SEC. 23. Parent Orientation Classes. –**

32 (A) A school that has received an unsatisfactory absolute academic performance rating on
33 its most recent report card shall offer an orientation class for parents. The orientation class
34 must focus on the following topics:

35 (1) the value of education;

36 (2) academic assistance programs that are available at the school and in the community;

- 1 (3) student discipline;
- 2 (4) school policies;
- 3 (5) explanation of information that will be presented on the school's report card; and
- 4 (6) other pertinent issues.

5 (B) The school shall offer the orientation class each year the school receives an
6 unsatisfactory absolute academic performance rating on the school report card and shall
7 provide parents with written notification of the date and time of the meeting. Schools are
8 encouraged to offer the orientation class at a time in which the majority of parents would
9 be able to attend. Additionally, schools are encouraged to provide orientation classes in
10 community settings or workplaces so that the needs of parents with transportation
11 difficulties or scheduling conflicts can be met.

12 (C) A parent or guardian of each student who is registered to attend the school shall attend
13 the orientation class each year it is offered.

14 15 **ARTICLE VIII.**

16 **PUBLIC INFORMATION**

17 **SEC. 24. *Public Information Campaign.*** - (A) An on-going public information campaign
18 must be established to apprise the public of the status of the public schools and the importance of
19 high standards for academic performance for the public school students. A special committee shall
20 be appointed by the Chairman of the Education Oversight Committee to include two committee
21 members representing business and two representing education and others representing business,
22 industry, and education. The committee shall plan and oversee the development of a campaign,
23 including public service announcements for the media and other such avenues as deemed
24 appropriate for informing the public.

25 26 **ARTICLE IX.**

27 **FINAL PROVISIONS**

28 **SEC. 25. *Appropriations.*** - The amount necessary to carry out the provisions of this Act
29 shall be charged in the annual appropriations of the Department of Education in the General
30 Appropriations Act.

31
32 **SEC. 26. *Separability Clause.*** - If any provision of this Act shall at any time be found to
33 be unconstitutional or invalid, the remainder thereof not affected by such declaration shall remain
34 in full force and effect.

1 **SEC. 27. *Repealing Clause.*** – All laws, decrees, rules or regulations inconsistent with the
2 provisions of this Act are hereby repealed or modified accordingly.

3

4 **SEC. 28. *Effectivity Clause.*** – This Act shall take effect after fifteen (15) days following
5 its complete publication in two (2) newspapers of general circulation.

Approved,