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House of Representatives
COMMONWEALTH OF PENNSYLVANIA
HARRISBURG

COMMITTEES

APPROPRIATIONS
INTERGOVERNMENTAL AFFAIRS
JUDICIARY
CHAIRMAN, SUBCOMMITTEE ON COURTS
POLICY
PROFESSIONAL LICENSURE

APPOINTMENTS

PENNSYLVANIA HIGHER EDUCATION FACILITIES
AUTHORITY
STATE PUBLIC SCHOOL BUILDING AUTHORITY

October 22, 2003

Original: 2349

Mr. Jim Buckheit, Executive Director
State Board of Education
333 Market Street, 1st Floor
Harrisburg, PA 17126-0333

Re: Proposed Regulation # 6-279 on Pupil Attendance

Dear Mr. Buckheit:

I recently had the opportunity to review the State Board of Education's proposal to amend 22 Pa. Code, Chapter 11, regarding pupil attendance and I would like to take this opportunity to express my opinion on Chapter 11, Section 11.3 (relating to minimum hours required) as well as offer alternative language.

As I understand, the Board has proposed amending Section 11.3 so as to provide additional flexibility to school districts in meeting the statutory minimum annual hours of instruction that must be offered by schools. Unfortunately, while I believe that school districts should be granted flexibility in several matters, I am concerned that the elimination of the minimum daily hours of instruction requirement will facilitate schools in reducing the number of full school days. In fact, this is already occurring under the current regulations. By way of example, the number of full days scheduled in school districts in my legislative district range from a low of 156 full days to 180 full days. In order to meet state requirements for hourly instruction, the district having 156 full days is utilizing 24 early dismissal days this year. I believe it is without question that a full school day, which under present regulation is 5 hours for primary and 5.5 for secondary, is more conducive to learning than having an overabundance of abbreviated days as is now occurring in many districts. Considering the emphasis on improving our schools, and the fact that additional school time is more advantageous to students in helping them to improve their academic performance, I trust that the Board will reconsider its position on this section. Certainly, your proposed regulation is a step backward in enhancing our system of education.

In our global economy, it is absolutely essential that our children be prepared to compete with the rest of the world. The education policy of our Commonwealth should be focused on that mission, by increasing standards and not lowering them. In an effort to improve our system of education, I strongly encourage your Board to revise Section 11.3 to require elementary and

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secondary schools to provide an extra half-hour of instruction each day. Adding this additional time to current requirements under 22 Pa. Code, Chapter 11, Section 11.3, will require elementary schools to offer a minimum of 990 hours of annual instruction and secondary schools to offer a minimum of 1,080 hours of annual instruction.

I also want to inform you that when the House of Representatives returns to session, I will be introducing a resolution that will ask the Legislative Budget and Finance Committee to study the length of the school day and school year throughout the nation and state. I would expect that this study will reveal where Pennsylvania stands in relationship to other states on this issue and what changes to current regulations will be productive. I have enclosed a draft of this resolution for your review.

In closing, I would like to thank you for your time and consideration of my comments. Should you have any questions regarding my position and/or amendatory language, please do not hesitate to contact me.

Sincerely,

A handwritten signature in black ink, appearing to read "Craig A. Dally", written over a horizontal line.

Craig A. Dally
State Representative
138th Legislative District

Enclosure

cc: Dr. Vicki L. Phillips, Secretary of Education
Robert E. Nyce, Executive Director, IRRC
Representative Jess Stairs, Chairman, House Education Committee

CAD/gkp

A RESOLUTION

1 Directing the Legislative Budget and Finance Committee to study
2 the length of the school day and the school year throughout
3 the nation and the State and to report its findings to the
4 General Assembly.

5 WHEREAS, The No Child Left Behind Act of 2001 (Public Law
6 107-110, 115 Stat. 1425) requires greater accountability from
7 school personnel, individual schools, school districts and state
8 governments to improve student achievement, collectively and
9 individually; and

10 WHEREAS, At a time when we are expecting more from our
11 schools and school staff, there should be a similar expectation
12 that the State should provide sufficient time in the school day
13 and the school year to accomplish these goals; and

14 WHEREAS, The recent rating of Pennsylvania's public schools
15 indicates that nearly 40% of the schools do not meet the Federal
16 target of "adequate yearly progress" and require some
17 modifications in the school program; and

18 WHEREAS, The State Board of Education is currently proposing

1 to revise its regulations set forth at 22 Pa. Code Ch. 11
2 (relating to pupil attendance) as a means of accommodating
3 greater flexibility, including flexibility in the instructional
4 year and instructional days; and

5 WHEREAS, Sections 1501 and 1504 of the Public School Code of
6 1949 establish the statutory parameters for a 180-day school
7 year and a school day of 5.5 hours per day, with an alternative
8 of 900 hours of instruction at the elementary level and 990
9 hours of instruction at the secondary level, as the equivalents
10 of a school year for reimbursement purposes; and

11 WHEREAS, The General Assembly has a strong interest in
12 providing direction to the State Board of Education in the form
13 of comments or legislation to promote greater thoroughness and
14 efficiency within the public school system; therefore be it

15 RESOLVED, That the Legislative Budget and Finance Committee
16 be directed to study the length of the school year and school
17 day nationally; and be it further

18 RESOLVED, That the Legislative Budget and Finance Committee
19 study the use of the alternative school year based on number of
20 hours among school districts in this Commonwealth as a means of
21 determining the prevalence of using less than a 180-day school
22 calendar; and be it further

23 RESOLVED, That the Legislative Budget and Finance Committee
24 report its findings to the House of Representatives not later
25 than January 30, 2004.