

PENNSYLVANIA STATE BOARD OF EDUCATION

Public School Entity Data Collection Reduction

Findings and Recommendations

Conducted Pursuant to Act 86 of 2016

January 2017

State Board of Education

Ad Hoc Committee on Data Collection Reduction

Karen Farmer White, Chairperson, Ad Hoc Committee

James Agras, Member, State Board of Education

Dr. James Barker, Member, State Board of Education

Dr. Pamela Gunter-Smith, Member, State Board of Education

Larry Wittig, Chairman, State Board of Education

Acknowledgement

The State Board of Education expresses its gratitude to the following individuals for their contributions to the review of existing data collection requirements for public school entities:

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**Public School Entity Data Collection Reduction:
Findings and Recommendations**

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Introduction

In July of 2016, the General Assembly adopted House Bill 1606 and the bill was signed into law by Governor Tom Wolf as Act 86. The legislation directed the State Board of Education (Board) to undertake a review of existing data collection requirements for public school entities in the following eight categories: finance, human resources, food services, transportation, child accounting, athletics, health and special education.

The purpose of the review, as defined in statute, was to consider whether the data has a valuable purpose to inform policymakers and the public about the operation of public school entities and to identify those data collection requirements that are redundant, overly burdensome or no longer necessary. Data collected per requirements imposed by the federal government was excluded by Act 86.

The Board was directed to issue a report by January 9, 2017, of its findings and recommendations on the data collection requirements identified as redundant, overly burdensome or no longer necessary. Per Act 86, by the conclusion of the next school year, the Department of Education (PDE) is required to terminate all data collection requirements identified in this report as being redundant, overly burdensome or no longer necessary (the Identified Data) unless the Identified Data is required by statute or regulation. Further, per statute, the Department of Education may not resume the collection of Identified Data that has been terminated as a result of this project.

The Board's Chairman appointed an Ad Hoc Committee of Board members to oversee this work. The Ad Hoc Committee on Data Collection Reduction was comprised of: Karen Farmer White (Chairperson), James Agras, Dr. James Barker and Dr. Pamela Gunter-Smith.

Act 86 also directed the Board to form an Advisory Committee with which it was to consult in its review of existing data collection requirements. The composition of the Advisory Committee was defined in Act 86 to include: the Secretary of Education or his designee, the Chairman and Minority Chairman of the Senate Education Committee or their designees, the Chairman and Minority Chairman of the House Education Committee or their designees, two school district business managers, two intermediate unit business managers, two charter school business managers, two area vocational-technical school business managers, one school director of a school district, one intermediate unit board member, one member of a charter school board of trustees, one member of an area vocational-technical school joint operating committee, and one member of a statewide association representing public school entity employees that has a membership of greater than 140,000 public school entity employees. As required by Act 86, Advisory Committee members representing public school entities and their governing boards were selected in consultation with the associations that represent the various constituencies reflected on the Committee.

The Advisory Committee was appointed within the 30-day period provided by Act 86, and the first meeting of the Committee was convened within the 45-day period provided by law on August 25, 2016. Names of Advisory Committee members are listed in Appendix A.

The Advisory Committee's first meeting was held for organizational purposes. The agenda included a review of Act 86 and its charge to the Committee and to the Board; discussion on how the Advisory Committee and the Ad Hoc Committee would organize their review of the required data; and the establishment of dates for future Committee meetings. The Ad Hoc Committee Chair also explained that the role of the Advisory Committee was consultative and that the final report and recommendations would be presented by the Ad Hoc Committee to the Board for its review and approval in January 2017.

Following its organizational meeting, the Advisory Committee met monthly through the end of 2016 on September 14, October 14, November 10 and December 6. The Committee determined that it would organize its review by considering two categories of data at each meeting according to the following schedule: Health and Human Resources (September 14); Child Accounting and Special Education (October 14); Food Services and Transportation (November 10); and Finance and Athletics (December 6). All Advisory Committee meetings were open to the public in accordance with the Sunshine Act and an opportunity for public comment was made available at every convening.

At their meeting on September 14, the Advisory Committee and the Ad Hoc Committee received a presentation from the Department of Education that provided an overview of the agency's data collections and the significant efforts the Department already has taken to streamline those collections.

PDE typically does not collect information that is not legally required and engages in the regular process of reviewing data collection to eliminate unnecessary or redundant collections. Significantly, the establishment of the Pennsylvania Information Management System (PIMS) – the Department's longitudinal data warehouse – represented a major shift in how information is submitted to the agency. Prior to PIMS, each PDE program office collected all the data it needed to fulfill its requirements at various times throughout the school year. With PIMS, siloed data collection applications from various program offices (including Child Accounting, Professional Personnel, Enrollment, Graduates, Dropouts, Career and Technical Education, Special Education, Limited English Proficiency and Support Personnel) were moved into a single system. The shift to PIMS reduced the duplication of reporting to individual program offices and allowed the Department to collect data elements one time and utilize them for multiple offices within the agency.

In 2014 and 2015, the Department undertook a significant effort to review the basis of data collection and reduce the number of times throughout the year that data must be submitted to PDE by consolidating data collections in PIMS. That effort reduced redundant data submissions and streamlined PIMS data collections from 29 times throughout the year into the current six collection windows. The Department's consolidation effort has improved the accuracy of data submitted to PDE, reduced redundant data submissions, and provided local education agencies with time-saving tools for planning their data submissions.

In addition to becoming informed about PDE's efforts to consolidate data collections, at their September 14 meeting the Committees also reviewed data currently collected from public school entities in the areas of Health and Human Resources.

Representatives of the Department of Health (DOH) appeared before the Committees to discuss the data collected from public school entities by DOH's Division of Immunizations and DOH's Division of School Health. This information includes data on the number of students who are immunized, which DOH is required to report to the Centers for Disease Control, and information used to check for compliance with the provision of school health services and provide reimbursement to schools for a portion of the costs of those services.

The Committees then reviewed spreadsheets presented by PDE staff on the Human Resources data collected by the Department and by the Office of Child Development and Early Learning (OCDEL) that identified in detail for each piece of data: whether the data is required, optional or conditionally required; how the data is used and the office(s) within PDE that uses the information; the method by which the data is reported; the collection deadline and percentage of LEAs that report by the deadline; the year the data collection requirement was implemented; and whether the data is used for subsidy

purposes. For data required by state statute or regulation, the spreadsheet also included a citation to the corresponding law that necessitates the data collection.

PDE staff presented additional data collected by the Bureau of School Leadership and Teacher Quality (BSLTQ) through an Excel-based tool on aggregate, school-level performance of teachers, principals and non-teaching professionals. This data collected by the BSLTQ was rooted in federal reporting requirements for the American Recovery and Reinvestment Act and now also serves to meet the requirements established by the General Assembly in Act 82 for PDE to collect aggregate educator evaluation data.

During their meeting on October 14, the Committees reviewed Child Accounting and Special Education data collected from public school entities. Staff from PDE's Center for Data Quality presented data on student demographics and school enrollment that is collected in a common template through PIMS and used by Department staff across multiple offices, including Special Education and Child Accounting. Staff from PDE's Bureau of Budget and Fiscal Management then presented sample reports of data collected outside of PIMS through the Department's Act 80 Exception System and information collected within PIMS on kindergarten starting age, juveniles incarcerated in adult facilities, and end-of-year information on instructional time, membership and attendance that is used in the allocation of various state subsidies.

Staff from PDE's Bureau of Special Education (BSE) reviewed data collected on student discipline, special education personnel, and maintenance of effort reduction and coordinated early intervening services that are required under the federal Individuals with Disabilities Education Act (IDEA). BSE staff also reviewed data collected on the use of restraints for students with disabilities that is required to be reported per state regulations. Related to special education, the Committees also received a presentation on information shared with OCDEL's Bureau of Early Intervention Services through its case management system.

The scope of the Committees' November 10 meeting was expanded to include the planned review of data on Food Services and Transportation along with a review of data collected on Student Assistance Programs (SAP) and Alternative Education Programs for Disruptive Youth (AEDY). SAP and AEDY data were added to the agenda at the request of the Advisory Committee for the limited purpose of determining whether there was overlap between the information collected in these two program areas and data already reported to other offices within PDE.

Staff from PDE's Division of Food and Nutrition reviewed sample reports submitted by local education agencies (LEAs) on their food service programs and noted that all data requested on food service programs is derived from federal requirements set forth by the U.S. Department of Agriculture. Staff explained that some required fields of reports related to food services are pre-populated based on information collected in other areas of the Department and that the Division strives to roll over as much information as possible in the annual renewal application for LEAs that sponsor a food program to reduce the reporting burden on LEAs. Staff further explained that a required report on the number of students eligible for free and reduced lunch already is completed by the agency using existing information rather than asking LEAs to submit redundant data to fulfill that federal requirement.

Data related to transportation is collected by PDE for the purpose of making transportation-related subsidy payments. An overview of the vehicle-based reporting collected outside of PIMS in the Department's e-Tran system was presented by staff from the Division of Data Subsidy and Administration. Division staff also reviewed the budget and fiscal reports submitted by Intermediate Units via hard copy Excel templates that are used to make payments to Intermediate Units (I.U.s) for the purpose of

providing special education transportation. Staff reported that the Department is in the early stages of modernizing this paper-based reporting process for I.U.s to shift to an electronic reporting system.

On December 6, 2016, the Advisory Committee held its final meeting to review data collected from public school entities related to Athletics, Finance, and Section 907-A reports submitted by Intermediate Units.

Disclosure requirements for interscholastic athletics opportunities were established by the General Assembly in Act 82 of 2012. School districts, joint schools, full-time area vocational-technical schools, charter schools and cyber charter schools with students in grades 7-12 must submit reports to the Department of Education on interscholastic athletic opportunities (not including intramurals or sports clubs) for male and female students in grades 7-12. PDE publishes summary reports of the information submitted on its website, and school entities are required to both post their completed disclosure forms on their websites and ensure a hard copy is available for public viewing. These reports provide a public accounting of the public and private funds expended in this area and the interscholastic athletic opportunities available to public secondary school students in the Commonwealth. The Department does not act upon the information received and does not use the data for any other purpose.

The reports include information specific to each interscholastic athletic team, including team demographics; competitions scheduled and played; number of coaches; time spent with athletic trainers; annual school expenditures for travel, uniforms, supplies and equipment, facilities, coaches and other expenses; non-school funds expended; and student participation by race and gender. In total, the report contains a possible 6,159 new data elements that a school entity would need to submit to PDE in order to comply with Act 82 if the school entity supports all of the possible sport/grade combinations covered by the disclosure report. PDE staff reported to the Committees that, for the 2014-15 school year, 657 school entities were required to submit reports and 41 did not; of the 41 school entities that did not report, 17 percent were school districts and the remainder were charter schools.

During the review of data related to Athletics, a Board member shared that his local school district spends between \$35,000-\$40,000 annually to comply with the interscholastic athletic disclosure requirements. Members of the Advisory Committee discussed the reporting requirements, including whether the information alternatively could be gathered by interested parties through a right-to-know request; whether the collection could be streamlined by placing it into PDE's chart of accounts; and whether the data is accurate. Members of the Advisory Committee also relayed anecdotes about difficulty they have experienced in getting local booster clubs to submit information on their spending; booster club spending outside of the normal sports season that is not required to be reported; and unintended consequences of school entities shifting more funds to athletics to counterbalance high-cost programs when those funds could be used in the classroom.

The Committees also received presentations from staff of PDE's Bureau of Budget and Fiscal Management (BBFM) on the financial data collected from public school entities. This included a detailed review of reports in the following 12 areas that are submitted to PDE: Annual Financial Report; General Fund Budget; Social Security Reimbursement; Referendum Exception System; Juveniles Incarcerated in Adult Facilities expenditures; Institutionalized Children's Program expenditures; Private Residential Rehabilitative Institution Final Completion Report; Act 85 Debt Information Collection; Sterling Act Tax Credit; Funding for Charter Schools; Intermediate Unit Core Funding Budget; and the Allegheny Intermediate Unit 3 Alternative Education Budget. Additional information was presented about fiscal reporting made to the Office of Child Development and Early Learning pertaining to Pennsylvania Pre-K Counts, Head Start Supplemental Assistance and Early Intervention Programs.

Annual Financial Report (AFR) data is submitted to PDE through an online data-collection application called the Consolidated Financial Reporting System (CFRS). This data is used to calculate Basic Education Funding, Special Education Funding, Pupil Transportation, Actual Instructional Expense, Charter School Tuition Rates, Equalized Mills, School Tax Ratio, and Indirect Cost Rates, and also is used to respond to the National Public Education Finance Survey.

The Department reported that it is in the process of adding an e-signature option to CFRS that would eliminate the need for a chief school administrator to sign a paper-based verification of the AFR data and scan it for remittance. An e-signature option already is used to streamline submissions made to PDE's e-grants system. The Department also reported that CFRS likely will be redesigned at some point in the future to accommodate the school building-level data that will need to be collected under the federal Every Student Succeeds Act (ESSA). Members of the Advisory Committee noted that the Department's investment in CFRS was an improvement over the Microsoft Access-based system used prior to mid-2015 because CFRS is web-based and can be accessed from any computer, while the prior software only could be downloaded to one computer in an office. Advisory Committee members suggested that, in redesigning CFRS, the Department consider requiring school entities to report accounting data in detail and building in capabilities for the CFRS system to summarize the detailed account information as it is necessary for use by PDE. Members also suggested that a redesign of CFRS take into consideration how data collected by other agencies – such as the school health services data collected by the Department of Health – might be consolidated under CFRS.

General Fund Budget data collected by PDE also has moved away from a Microsoft Access-based reporting system and now is included in the web-based CFRS collection system. This data is used to verify statutory compliance with provisions affecting tax rate increases and balanced budgets. Social Security Reimbursement data is reported via an online data collection application and is used for the purpose of calculating quarterly social security payments. PDE's Referendum Exception System is used only by school districts that elect to seek PDE approval for a tax increase above the annual Act 1 index. PDE staff noted that much of the data required by the Referendum Exception System's online data collection application already is pre-populated using information from a school district's AFR.

The Department maintains a number of paper-based collection systems for financial reports that affect only a small number of school entities. Budget and expenditure reports for Juveniles Incarcerated in Adult Facilities (collected from school districts or contracted Intermediate Units that provide such services) and for Institutionalized Children's Programs (collected only from Intermediate Units with such a program) are collected through paper-based Excel templates that are printed, signed and mailed to PDE. Final completion reports for Private Residential Rehabilitative Institutions (PRRI) are collected via a paper-based PDF format.

New debt service data collected from school districts as a result of Act 85 of 2016 currently is submitted to PDE via paper-based Excel templates. The Department noted that it hopes to move this collection into CFRS in the future, but used Excel for the initial collection in July 2016 in order to swiftly respond to new statutory requirements. Other paper-based collections include Sterling Act Tax Credit reports submitted by school districts; data provided by school districts to PDE to calculate preliminary charter school tuition rates; CORE funding expenditure data submitted by Intermediate Units; and the Alternative Education Budget submitted by Intermediate Unit #3. Staff in PDE's Bureau of Budget and Fiscal Management reported that they are in discussion with staff in the Bureau of Special Education to determine whether it is necessary to continue collecting CORE funding expenditure data from I.U.s. The information is reported for the purpose of verifying whether special education-related payments are used within guidelines established by BSE, but is not used by the BBFM for making payments.

The last set of data reviewed by the Committees were reports submitted to PDE by Intermediate Units per Section 907-A of the School Code. Act 24 of 2011 established new requirements for all I.U.s to make detailed reports on contracts, interagency agreements, intergovernmental agreements, purchase orders, memoranda of understandings, agreements and other arrangements between a Commonwealth agency and an I.U. or between an I.U. and another I.U. that have a value of \$50,000 or greater. The first annual reports were due from I.U.s in February 2012, and reports are submitted to PDE on a template provided by the Department. Reports are posted on PDE's website as required by law for the purpose of public reporting on the expenditure of taxpayer dollars. For 2014-15, there was a 90 percent on-time submission rate, with three I.U.s not filing reports by the deadline.

Members of the Advisory Committee expressed that the reports are labor intensive and said a survey of I.U.s found that, on average, it takes 25-30 hours per I.U. to complete the report required by Section 907-A. Advisory Committee members also noted that the information included on these reports is more granular than that provided to PDE on AFRs, and that the data is not utilized for a purpose beyond public reporting. Further, they asked the Department to determine whether the data could be collected in a more streamlined manner either by pulling information on contractors that is provided at some level elsewhere for federal reporting purposes; building the data collection into CFRS; or utilizing information on payments made to contractors that is reported in another system. Other members of the Advisory Committee asked whether the information alternatively could be requested by interested parties through a right-to-know request.

Findings and Recommendations

Based on a review of current public school entity data collection requirements related to finance, human resources, food services, transportation, child accounting, athletics, health and special education and the process by which this information is gathered by the Department of Education and the Department of Health, the State Board of Education offers the following findings and recommendations for consideration by members of the General Assembly and the Department of Education.

The Board hereby identifies the following Identified Data that the Department must cease collecting in accordance with Act 86 of 2016:

- The Department of Education should streamline the collection of data on school safety and discipline that currently spans two offices within the agency – the Office of Safe Schools and the Bureau of Special Education – into one collection. In developing a unified collection system, the Department should account for differences in state and federal definitions of information required to be reported and should account for the different state and federal timeframes by which such information must be reported.
- The Department of Education should consolidate the collection of the final budget report on Juveniles Incarcerated in Adult Facilities into the Annual Financial Report beginning in the 2018-2019 school year. Currently, this final budget data for the prior school year is reported to PDE on August 31. Moving its collection into the AFR would change the reporting deadline to October 31. However, this change would not create a serious practical impact on the reconciliation of advanced payments made for such services because Department staff cannot process the payments until finalized child accounting data is available for verification. Based on the availability of finalized child accounting data, the consolidation would delay reconciliation by approximately one month from the current timeframe. The Board does not find a one month delay in reconciliation to be a serious practical impact given that the program affects only an approximate 75 school districts and that the shift would not delay advanced payments made to those districts.

The Board also offers the following findings and non-binding recommendations for further consideration by the Department and the General Assembly for future improvement in data collection. For the sake of clarity, these items are non-binding recommendations and findings for the Department and General Assembly which do not constitute Identified Data. These findings and recommendations, therefore, are not items that are mandatory concerning the Department.

- The Department of Education (PDE) should explore technical requirements to implement an automated web service tool that would allow student and staff demographic data currently collected in the Pennsylvania Information Management System (PIMS) to be pre-populated in non-PIMS data collection tools that request the same data already available in PIMS. In determining the functionality of a web service to reduce the duplication of data collected from public school entities, the Department should consider the following issues that would affect the utilization of such technology:
 - Is the data requested by a non-PIMS collection mechanism already available in PIMS?
 - Is the final PIMS data ready to be shared at the time another data collection mechanism needs to utilize the data? If not, is it feasible for the other data collection mechanism to utilize older PIMS data for its purposes?

- Are the definitions of data collected in PIMS and that collected by other instruments consistent?
 - In order for PIMS data to be shared across state agencies, what information security measures first need to be addressed?
- PDE should identify the cost associated with building and implementing an automated web service tool to streamline data collection between PIMS and other data collection instruments. The cost estimate should include both the cost of building and maintaining the web service for PIMS and any modifications that would be necessary to non-PIMS collection systems. The General Assembly should consider supporting an appropriation to the Department for the implementation of this new technology as a means to create greater efficiency in data collection and reporting both for PDE and for school entities and as a means to enhance data quality by, where possible, utilizing data already vetted in PIMS.
- The Board supports the Department of Education's efforts to identify an electronic reporting method for Intermediate Unit Transportation Budgets to replace the paper-based budgets currently submitted to the Department. The transition to an electronic reporting system should be completed in an effort to modernize how I.U.s submit this information to PDE. Further, as funding permits, the Department should consider modernizing other paper-based reporting systems to utilize web-based electronic reporting tools with implementation prioritized based on the reports that affect the largest number of school entities.
- The Department of Education should extend the established data governance protocol for its longitudinal data warehouse (PIMS) to all new data collections and to the review of any changes to existing data collections prior to new or revised collections taking effect. The data governance committee currently convened for PIMS should have governance authority over the process by which new and revised data collections shall occur, and the Committee shall consider several factors when approving a method for collecting information, including efficiency, cost-effectiveness and duplication of effort. A member of the committee also should serve as a liaison to the General Assembly when legislation related to public school entity data is under consideration.
- The Department of Education should continue to offer technical assistance to Local Education Agencies in reporting data to PIMS, and the General Assembly should continue to provide support for these agency operations.
- The Department of Education should prepare an overview of costs and considerations related to having the Department support a standard Student Information System (SIS) to be utilized by Local Education Agencies across the Commonwealth. A cost overview should include both the cost of implementing such technology as well as providing training to LEA staff in its use. Implementing a common SIS for the maintenance of local data would help LEAs better ensure the accuracy of data submitted to the Department, could reduce the amount of time PDE staff spend on data corrections, and could provide local cost-savings by not requiring staff to be re-trained in an LEA's unique SIS if they accept a position in another school entity. While moving to a common SIS is worth exploring, more information is needed on the costs and benefits both to the state and to LEAs prior to pursuing such a change.
- The Department of Education also should prepare an overview of costs and considerations related to having the Department support a common financial reporting system to be utilized by

Local Education Agencies across the Commonwealth. Implementing a common financial reporting system would produce many of the aforementioned benefits related to a standard SIS, and also could assist with implementing provisions of the Every Student Succeeds Act (ESSA) that will require schools to report building-level data. As with the potential shift to a common SIS, more information is needed on the costs and benefits of a common financial reporting system both to the state and to LEAs prior to pursuing such a change.

- In undertaking future revisions to the Consolidated Financial Reporting System (CFRS), the Department should consider whether efficiencies can be found by collecting detailed financial information from school entities and designing the system to summarize that detailed information as necessary to meet the needs of the Annual Financial Report.
- Per Act 82, PDE has collected data on interscholastic athletic opportunities over a three-year period. The effort put forth by school entities to produce the data necessary to inform that finding is labor intensive and carries a cost to the school entity. If a school entity offers all possible sport/grade combinations covered by the interscholastic athletic opportunities disclosure report, that school entity would be required to report 6,159 new data elements to PDE to comply with Act 82. Moreover, school entities sometimes face challenges obtaining data from booster clubs on private funding of interscholastic athletics, and there are no repercussions for booster clubs that do not report. Anecdotal accounts also suggest that the reporting requirements established by Act 82 may be fostering the unintended consequence of school entities shifting more funds to athletics to counterbalance high-cost athletics programs when those funds could be used in the classroom. Given these findings, the General Assembly should review the reporting requirements in Act 82 to determine whether continued annual reporting is relevant to the goals of the original legislation and to determine whether there are unintended consequences of the legislation.

APPENDIX A

Data Collection Reduction Advisory Committee

Representative Rosemary Brown
Pennsylvania House of Representatives
(Designee for Representative Stan Saylor)

Ms. Danielle Mehalick
Business Manager
Greater Altoona Career & Technology Center

Mr. Sidney M. Clark
Business Manager
Shanksville-Stoneycreek School District

Mr. Mark B. Miller
School Director
Centennial School District

Senator Andrew Dinniman
Senate of Pennsylvania
(Lisa Felix, Alternate)

Ms. Tammy Miller
Business Manager
Bear Creek Community Charter School

Ms. Sandy Edling
Business Manager
Montgomery County Intermediate Unit #23

Mr. Jose Parrilla
Chief Financial Officer
PA Virtual Charter School

Dr. Jill Hackman
Executive Director
Berks County Intermediate Unit
(Designee for Senator Lloyd Smucker)

Mr. Matthew Przywara
Chief Financial and Operations Officer
School District of Lancaster

Ms. Julie Hartley
President, Board of Directors
Riverview Intermediate Unit #6

Mr. Robert E. Smith
Chairperson, Joint Operating Committee
Lehigh Career and Technical Institute

Dr. Arlene B. Holtz
President, Board of Trustees
Mariana Bracetti Academy Charter School

Mr. David Volkman
Executive Deputy Secretary
Pennsylvania Department of Education
(Designee for the Secretary of Education)

Mr. Erick L. Johnston
Director of Business Services
Central Intermediate Unit #10

Mr. Christopher Wakeley
Executive Director
Pennsylvania House Education Committee
(Designee for Representative James Roebuck)

Ms. Dolores McCracken
Vice President
Pennsylvania State Education Association

Ms. Maria Zaharick
Business Manager
Dauphin County Technical School

APPENDIX B: Act 86 of 2016

PRIOR PRINTER'S NO. 2324

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THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. **1606** Session of
2015

INTRODUCED BY CHRISTIANA, STEPHENS, MALONEY, BARRAR, KAUFFMAN,
A. HARRIS, SAYLOR, GROVE, B. MILLER, TOPPER, BLOOM, KORTZ,
BARBIN, ROAE, DAVIS, VEREB AND ORTITAY, OCTOBER 8, 2015

SENATOR BROWNE, APPROPRIATIONS, IN SENATE, RE-REPORTED AS
AMENDED, JULY 13, 2016

AN ACT

Amending the act of March 10, 1949 (P.L.30, No.14), entitled "An act relating to the public school system, including certain provisions applicable as well to private and parochial schools; amending, revising, consolidating and changing the laws relating thereto," IN PRELIMINARY PROVISIONS, PROVIDING FOR DUTIES OF PUBLIC SCHOOL BUILDING CONSTRUCTION AND RECONSTRUCTION ADVISORY COMMITTEE; IN SCHOOL DISTRICTS, PROVIDING FOR DATA COLLECTION REDUCTION; IN DUTIES AND POWERS OF BOARDS OF SCHOOL DIRECTORS, PROVIDING FOR PUBLICATION OF RULES, REGULATIONS AND POLICIES; IN SCHOOL FINANCES, PROVIDING FOR PAYROLL TAX; IN SCHOOL DISTRICT FINANCIAL RECOVERY, PROVIDING FOR ADDITIONAL CRITERIA; providing for the posting of annual financial information for public school entities-; IN PROFESSIONAL EMPLOYEES, FURTHER PROVIDING FOR PAYMENT OF SALARIES IN CASES OF SICKNESS, INJURY OR DEATH; IN CERTIFICATION OF TEACHERS, PROVIDING FOR SUBSTITUTE TEACHING PERMIT FOR PROSPECTIVE TEACHERS, FURTHER PROVIDING FOR GRANTING PROVISIONAL COLLEGE CERTIFICATES, PROVIDING FOR PROVISIONAL VOCATIONAL EDUCATION CERTIFICATE AND FURTHER PROVIDING FOR PROGRAM OF CONTINUING PROFESSIONAL EDUCATION; IN PUPILS AND ATTENDANCE, PROVIDING FOR ASSIGNMENT OF STUDENTS TO SCHOOL DISTRICTS OF THE FIRST CLASS A AND FURTHER PROVIDING FOR EXCEPTIONAL CHILDREN AND EDUCATION AND TRAINING AND FOR COST OF TUITION AND MAINTENANCE OF CERTAIN

EXCEPTIONAL CHILDREN IN APPROVED INSTITUTIONS; IN SCHOOL HEALTH SERVICES, FURTHER PROVIDING FOR DEFINITIONS AND PROVIDING FOR EDUCATION OF SCHOOL EMPLOYEES IN DIABETES CARE AND MANAGEMENT, FOR DIABETES CARE IN SCHOOLS, FOR POSSESSION AND USE OF DIABETES MEDICATION AND MONITORING EQUIPMENT, FOR LIABILITY, FOR COORDINATING, SUPERVISING OR EDUCATING NOT CONSIDERED DELEGATION AND FOR DIABETES CARE IN NONPUBLIC SCHOOLS; PROVIDING FOR DRUG AND ALCOHOL RECOVERY HIGH SCHOOL PILOT PROGRAM; PROVIDING FOR ADMINISTRATIVE PARTNERSHIPS BETWEEN SCHOOL ENTITIES AND FOR THE E-ACHIEVEMENT PROGRAM; IN HIGH SCHOOLS, FURTHER PROVIDING FOR COURSES OF STUDY; IN CHARTER SCHOOLS, FURTHER PROVIDING FOR DEFINITIONS, FOR SCHOOL STAFF AND FOR FUNDING FOR CHARTER SCHOOLS; IN VOCATIONAL EDUCATION, FURTHER PROVIDING FOR VOCATIONAL EDUCATION EQUIPMENT GRANTS; IN COMMUNITY COLLEGES, FURTHER PROVIDING FOR ELECTION OR APPOINTMENT AND TERM AND ORGANIZATION OF BOARD OF TRUSTEES AND FOR FINANCIAL PROGRAM AND REIMBURSEMENT OF PAYMENTS; IN DISRUPTIVE STUDENT PROGRAMS, FURTHER PROVIDING FOR APPLICATIONS AND ESTABLISHING THE ALTERNATIVE EDUCATION PROGRAM ACCOUNT; IN PRIVATE ALTERNATIVE EDUCATION INSTITUTIONS FOR DISRUPTIVE STUDENTS, FURTHER PROVIDING FOR CONTRACTS WITH PRIVATE ALTERNATIVE EDUCATION INSTITUTIONS; PROVIDING FOR RURAL REGIONAL COLLEGE FOR UNDERSERVED COUNTIES AND FOR EDUCATIONAL TAX CREDITS; IN FUNDING FOR PUBLIC LIBRARIES, PROVIDING FOR STATE AID FOR FISCAL YEAR 2016-2017; IN REIMBURSEMENTS BY COMMONWEALTH AND BETWEEN SCHOOL DISTRICTS, FURTHER PROVIDING FOR PAYMENTS TO INTERMEDIATE UNITS, FOR SPECIAL EDUCATION PAYMENTS TO SCHOOL DISTRICTS, FOR EXTRAORDINARY SPECIAL EDUCATION PROGRAM EXPENSES AND FOR ASSISTANCE TO SCHOOL DISTRICTS DECLARED TO BE IN FINANCIAL RECOVERY STATUS OR IDENTIFIED FOR FINANCIAL WATCH STATUS AND PROVIDING FOR READY-TO-LEARN BLOCK GRANT AND FOR PAYMENT OF REQUIRED CONTRIBUTION FOR PUBLIC SCHOOL EMPLOYEES' SOCIAL SECURITY; SAVING AN APPROPRIATION FROM LAPSING; ALLOCATING AN APPROPRIATION; MAKING RELATED REPEALS; AND MAKING EDITORIAL CHANGES.

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

SECTION 221.2. DATA COLLECTION REDUCTION.--(A) THE STATE BOARD, IN CONSULTATION WITH THE ADVISORY COMMITTEE, SHALL:

(1) REVIEW DATA COLLECTION REQUIREMENTS EXISTING AS OF THE EFFECTIVE DATE OF THIS SECTION THAT ARE IMPOSED ON PUBLIC SCHOOL ENTITIES IN THE AREAS OF FINANCE, HUMAN RESOURCES, FOOD SERVICES, TRANSPORTATION, CHILD ACCOUNTING, ATHLETICS, HEALTH AND SPECIAL EDUCATION. IN THE REVIEW, THE ADVISORY COMMITTEE

SHALL ALSO CONSIDER WHETHER THE DATA HAS A VALUABLE PURPOSE TO INFORM POLICYMAKERS AND THE PUBLIC ABOUT THE OPERATION OF PUBLIC SCHOOL ENTITIES.

(2) IDENTIFY THOSE DATA COLLECTION REQUIREMENTS THAT ARE REDUNDANT, OVERLY BURDENSOME OR NO LONGER NECESSARY.

(3) WITHIN ONE HUNDRED EIGHTY (180) DAYS OF THE EFFECTIVE DATE OF THIS SECTION, ISSUE A REPORT OF ITS FINDINGS AND RECOMMENDATIONS BASED ON THE DATA COLLECTION REQUIREMENTS IDENTIFIED UNDER PARAGRAPH (2) TO THE CHAIRMAN AND MINORITY CHAIRMAN OF THE EDUCATION COMMITTEE OF THE SENATE AND THE CHAIRMAN AND MINORITY CHAIRMAN OF THE EDUCATION COMMITTEE OF THE HOUSE OF REPRESENTATIVES AND POST THE REPORT ON THE DEPARTMENT'S PUBLICLY ACCESSIBLE INTERNET WEBSITE.

(B) (1) NOTWITHSTANDING ANY OTHER PROVISION OF LAW, BY THE CONCLUSION OF THE SCHOOL YEAR FOLLOWING THE ISSUANCE OF THE REPORT REQUIRED UNDER SUBSECTION (A)(3), THE DEPARTMENT SHALL TERMINATE ALL DATA COLLECTION REQUIREMENTS IMPOSED ON PUBLIC SCHOOL ENTITIES IDENTIFIED UNDER SUBSECTION (A)(2) THAT ARE NOT REQUIRED BY STATUTE OR REGULATION.

(2) ONCE A DATA COLLECTION REQUIREMENT HAS BEEN TERMINATED UNDER THIS SECTION, THE DEPARTMENT MAY NOT RESUME THE COLLECTION OF ANY DATA SUBJECT TO THE TERMINATED DATA COLLECTION REQUIREMENT.

(C) (1) WITHIN THIRTY (30) DAYS OF THE EFFECTIVE DATE OF THIS SECTION, THE STATE BOARD SHALL ESTABLISH AN ADVISORY COMMITTEE CONSISTING OF:

(I) THE SECRETARY OF EDUCATION OR A DESIGNEE.

(II) THE CHAIRMAN AND MINORITY CHAIRMAN OF THE EDUCATION COMMITTEE OF THE SENATE OR THEIR DESIGNEES.

(III) THE CHAIRMAN AND MINORITY CHAIRMAN OF THE EDUCATION COMMITTEE OF THE HOUSE OF REPRESENTATIVES OR THEIR DESIGNEES.

(IV) THE FOLLOWING MEMBERS, TO BE APPOINTED BY THE STATE BOARD IN CONSULTATION WITH EDUCATION ASSOCIATIONS REPRESENTING SCHOOL DISTRICTS, INTERMEDIATE UNITS, PUBLIC SCHOOL EMPLOYES, CHARTER SCHOOL ENTITIES AND AREA VOCATIONAL-TECHNICAL SCHOOLS:

(A) TWO SCHOOL DISTRICT BUSINESS MANAGERS.

(B) TWO INTERMEDIATE UNIT BUSINESS MANAGERS.

(C) TWO CHARTER SCHOOL ENTITY BUSINESS MANAGERS.

(D) TWO AREA VOCATIONAL-TECHNICAL SCHOOL BUSINESS MANAGERS.

(E) ONE REPRESENTATIVE FROM A SCHOOL DISTRICT BOARD OF SCHOOL DIRECTORS.

(F) ONE REPRESENTATIVE FROM AN INTERMEDIATE UNIT BOARD OF DIRECTORS.

(G) ONE REPRESENTATIVE FROM A CHARTER SCHOOL ENTITY BOARD OF TRUSTEES.

(H) ONE REPRESENTATIVE FROM AN AREA VOCATIONAL-TECHNICAL SCHOOL JOINT OPERATING COMMITTEE.

(I) ONE MEMBER OF A STATEWIDE ASSOCIATION REPRESENTING PUBLIC SCHOOL ENTITY EMPLOYEES THAT HAS A MEMBERSHIP ON THE EFFECTIVE DATE OF THIS SECTION OF GREATER THAN 140,000 PUBLIC SCHOOL ENTITY EMPLOYEES.

(2) THE ADVISORY COMMITTEE SHALL HOLD ITS FIRST MEETING WITHIN FORTY-FIVE (45) DAYS OF THE EFFECTIVE DATE OF THIS SECTION.

(3) THE STATE BOARD SHALL PROVIDE ADMINISTRATIVE SUPPORT, MEETING SPACE AND ANY OTHER ASSISTANCE REQUIRED BY THE ADVISORY COMMITTEE TO CARRY OUT ITS DUTIES UNDER THIS SECTION.

(D) FOR ALL NEW PUBLIC SCHOOL ENTITY DATA COLLECTION REQUIREMENTS INSTITUTED AFTER THE EFFECTIVE DATE OF THIS SECTION THAT ARE NOT THE RESULT OF LEGISLATION ENACTED BY THE GENERAL ASSEMBLY, THE DEPARTMENT SHALL PROVIDE THE FOLLOWING INFORMATION TO ALL PUBLIC SCHOOL ENTITIES AND TO THE GENERAL ASSEMBLY SIXTY (60) DAYS PRIOR TO THE FIRST DEADLINE FOR ANY NEW DATA COLLECTION REQUIREMENT:

(1) A JUSTIFICATION FOR THE DATA COLLECTION, INCLUDING A STATEMENT INDICATING WHY THE DATA COLLECTION IS NECESSARY FOR THE PROPER PERFORMANCE OF THE DEPARTMENT'S FUNCTIONS;

(2) AN EXPLANATION OF HOW THE DEPARTMENT WILL USE THE DATA COLLECTED;

(3) AN EXPLANATION OF HOW THE DEPARTMENT WILL SHARE THE DATA WITH PUBLIC SCHOOL ENTITIES;

(4) A STATEMENT AFFIRMING THAT THE DATA COLLECTION WILL NOT IMPOSE ANY UNJUSTIFIED COSTS ON PUBLIC SCHOOL ENTITIES OR REQUIRE DUPLICATION OF EXISTING DATA COLLECTION REQUIREMENTS;

AND

(E) ANY DATA COLLECTION REQUIREMENT IMPOSED BY THE FEDERAL GOVERNMENT SHALL NOT BE SUBJECT TO THIS SECTION.

(F) FOR PURPOSES OF THIS SECTION:

(1) "ADVISORY COMMITTEE" SHALL MEAN THE ADVISORY COMMITTEE ESTABLISHED UNDER SUBSECTION (C).

(2) "CHARTER SCHOOL ENTITY" SHALL MEAN A CHARTER SCHOOL,

REGIONAL CHARTER SCHOOL OR CYBER CHARTER SCHOOL AS DEFINED IN SECTION 1703-A.

(3) "DEPARTMENT" SHALL MEAN THE DEPARTMENT OF EDUCATION OF THE COMMONWEALTH.

(4) "PUBLIC SCHOOL ENTITY" SHALL MEAN ANY OF THE FOLLOWING:

(I) AN AREA VOCATIONAL-TECHNICAL SCHOOL.

(II) A SCHOOL DISTRICT.

(III) A CHARTER SCHOOL ENTITY.

(IV) AN INTERMEDIATE UNIT.

(5) "STATE BOARD" SHALL MEAN THE STATE BOARD OF EDUCATION.