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

1 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...
The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows:

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

SECTION 1. THE ACT OF MARCH 10, 1949 (P.L.30, NO.14), KNOWN AS THE PUBLIC SCHOOL CODE OF 1949, IS AMENDED BY ADDING SECTIONS TO READ:

SECTION 125. DUTIES OF PUBLIC SCHOOL BUILDING CONSTRUCTION AND RECONSTRUCTION ADVISORY COMMITTEE. -- (A) THE PUBLIC SCHOOL BUILDING CONSTRUCTION AND RECONSTRUCTION ADVISORY COMMITTEE ESTABLISHED UNDER SECTION 1708-E.2 OF THE ACT OF APRIL 9, 1929 (P.L.343, NO.176), KNOWN AS THE FISCAL CODE, AS PART OF ITS DUTIES SHALL REVIEW AND REPORT ON WHETHER THE COMMONWEALTH SHOULD IMPLEMENT A COMPREHENSIVE PUBLIC SCHOOL BUILDING SAFETY PROGRAM, WHICH MAY INCLUDE:
SECTION 221.1. REGULAR SAFETY INSPECTIONS.

(2) BUILDING AND BUILDING COMPONENT INSPECTIONS.

(3) A SYSTEM OF RATING SCHOOL BUILDING SAFETY.

(4) PERIODIC SURVEYS OF THE INVENTORY AND CONDITION OF SCHOOL BUILDINGS.

(5) ANY OTHER INFORMATION RELATED TO SCHOOL BUILDING SAFETY IN AND OF THIS COMMONWEALTH'S PUBLIC SCHOOL BUILDINGS, AS THE COMMITTEE DEEMS APPROPRIATE.

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.


(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 EMPLOYEES, 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
REQUESTS 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.

SECTION 510.2. Publication of Rules, Regulations and Policies.—The Board of School Directors of a School District shall post on its publicly accessible Internet website the following rules, regulations and policies to the extent that they are required to be adopted by the School District under Federal or State law:

(1) the following relating to students:

(I) Admission of Beginners.

(II) Attendance, Excusals and Truancy.

(III) Withdrawal from School.

(IV) Student Discipline.

(V) Suspension and Expulsion of Students.

(VI) Searches.

(VII) Audio interception on School Buses or School Vehicles.