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-CHIEVEMENT 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 UNSERVED 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 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:

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(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 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

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(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.