THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 158 Session of 2015

INTRODUCED BY PEIFER, MILLARD, LONGIETTI, O'NEILL, GROVE, MURT, TALLMAN, SAYLOR, M. K. KELLER, CARROLL, READSHAW, MAJOR, TOPPER, PHILLIPS-HILL, R. BROWN, GIBBONS, KORTZ AND DAVIS, JANUARY 22, 2015

AS AMENDED ON SECOND CONSIDERATION, HOUSE OF REPRESENTATIVES, FEBRUARY 24, 2015

AN ACT

1 Amending the act of March 10, 1949 (P.L.30, No.14), entitled "An
2   act relating to the public school system, including certain
3   provisions applicable as well to private and parochial
4   schools; amending, revising, consolidating and changing the
5   laws relating thereto," in terms and courses of study,
6   providing for secretary declaration of emergencies.

7   The General Assembly of the Commonwealth of Pennsylvania

8 hereby enacts as follows:

9   Section 1. The act of March 10, 1949 (P.L.30, No.14), known

10 as the Public School Code of 1949, is amended by adding a

11 section to read:

12   Section 1505. Secretary Declaration of Emergencies.--(a)

13 Beginning in the 2015-2016 school year and in each school year

14 thereafter, the Secretary of Education may issue a weather-

15 related, safety-related or health-related emergency declaration

16 on a school ~~district~~ ENTITY, CHARTER SCHOOL ENTITY, county or   <--

17 Statewide basis under ~~which a~~ WHICH: <--

18   (1) A school entity may satisfy the one hundred eighty (180) <--

1 instructional day per school year requirement in section 1501 of

2 this act by one or more of the following options:

3 (1) (I) Approving, by majority vote of the governing board <--

4 of the school entity, a school year with a minimum of nine

5 hundred (900) hours of instruction at the elementary level and

6 nine hundred ninety (990) hours of instruction at the secondary

7 level in lieu of one hundred eighty (180) instructional days.

8 (2) (II) Approving, by majority vote of the governing board <--

9 of the school entity, the scheduling of additional instructional

10 days on Saturdays to complete one hundred eighty (180)

11 instructional days or nine hundred (900) hours of instruction at

12 the elementary level and nine hundred ninety (990) hours of

13 instruction at the secondary level: Provided, however, that a

14 school entity shall not schedule more than one Saturday per

15 month as an instructional day and shall not schedule tests or

16 other examinations on a Saturday. Where a school entity chooses

17 to schedule an instructional day on Saturday under the

18 provisions of this paragraph SUBPARAGRAPH, the following shall <--

19 apply:

20 (i) (A) The school entity may schedule a regular <--

21 instructional day on the following Monday.

22 (ii) (B) The school entity shall, upon the written request <--

23 of a parent or guardian, excuse a student from school attendance

24 if the student has the opportunity to receive a program of

25 advanced instruction, to participate in academic or skills

26 competition or to engage in leadership development activities.

27 The request shall identify and describe the instruction,

28 competition or leadership development activities and the dates

29 and hours for which the absence is requested. The parent or

30 guardian shall, following each such absence, furnish in writing

1   to the school entity a statement attesting to the student's

2   participation, including the dates and hours of such

3   participation.

4   ~~(iii)~~ (C) The school entity shall, upon the written   <--

5   notification of a parent or guardian, excuse a student from

6   school attendance to observe or participate in a religious

7   activity or function. A student's absence from school pursuant

8   to this ~~subparagraph~~ CLAUSE shall be considered an instructional <--

9   day and shall not be recorded as an absence on the student's

10 attendance record or on the record of any group or class of

11 which the student is a member. There shall be no penalty

12 attached for any such absences pursuant to this ~~subparagraph~~   <--

13 CLAUSE.

14   (2) A CHARTER SCHOOL ENTITY MAY SATISFY THE ONE HUNDRED   <--

15 EIGHTY (180) INSTRUCTIONAL DAY PER SCHOOL YEAR OR NINE HUNDRED

16 (900) HOURS OF INSTRUCTION AT THE ELEMENTARY LEVEL OR NINE

17 HUNDRED NINETY (990) HOURS OF INSTRUCTION AT THE SECONDARY LEVEL

18 PER SCHOOL YEAR REQUIREMENT IN SECTION 1715-A THROUGH COMPLIANCE

19 WITH PARAGRAPH (1)(II); PROVIDED, THAT FOR PURPOSES OF THIS

20 PARAGRAPH, THE TERM "SCHOOL ENTITY" AS USED IN PARAGRAPH (1)(II)

21 SHALL INCLUDE A CHARTER SCHOOL ENTITY.

22   (b) A school entity OR CHARTER SCHOOL ENTITY shall notify   <--

23 the department, on a form to be developed by the department, of

24 any decision to use the options provided for under subsection

25 (a) ~~to satisfy the one hundred eighty (180) instructional day~~ <--

26 ~~per school year requirement~~.

27   (c) No school entity OR CHARTER SCHOOL ENTITY shall receive   <--

28 less subsidy payments or reimbursements than it would otherwise

29 be entitled to receive by the decision to use the options

30 provided under subsection (a).

1   (d) Nothing in this section shall be construed to supersede

2 or preempt any provisions of a collective bargaining agreement

3 negotiated by a school entity OR CHARTER SCHOOL ENTITY and an   <--

4 exclusive representative of the employes in accordance with the

5 act of July 23, 1970 (P.L.563, No.195), known as the "Public

6 Employe Relations Act."

7   (e) As used in this section, the following words and phrases

8 shall have the meanings given to them in this subsection unless

9 the context clearly indicates otherwise:

10   "CHARTER SCHOOL ENTITY" SHALL MEAN A CHARTER SCHOOL, REGIONAL <--

11 CHARTER SCHOOL OR CYBER CHARTER SCHOOL.

12   "Department" shall mean the Department of Education of the

13 Commonwealth.

14   "School entity" shall mean a school district, area

15 vocational-technical school, intermediate unit, charter school, <--

16 regional charter school or cyber charter school OR INTERMEDIATE <--

17 UNIT.

18   Section 2. This act shall take effect in 60 days.