

## **SUMMARY OF PROPOSED AMENDMENT TO H.B. 1352:**

The Chair will offer an amendment to H.B. 1352 which will include the following provisions to effectuate an Omnibus School Code bill for the 2011-2012 fiscal year:

### **1. Bills Passing the Senate:**

- a. S.B. 224 (Piccola): Amends Section 111 of the School Code regarding background checks for prospective school employees and reporting for current employees, and strengthens the bans against employment for certain offenses.
- b. S.B. 343 (Piccola): Imposes limitations on the collection of identifying information of students attending institutions of higher education via the Pennsylvania Information Management Data System (PIMS).
- c. S.B. 857 (Smucker): Repeals Section 2502.49 of the School Code, "Accountability to Commonwealth Taxpayers" (language requiring that increases in basic education funding be used to initiate new programs or expand existing programs).
- d. S.B. 858 (Waugh): Increases flexibility in superintendent eligibility requirements for candidates with a graduate degree in business or finance and who have at least four years relevant work experience.
- e. S.B. 872 (Brubaker): Eliminates certain administrative requirements of the concurrent enrollment program.

### **2. Bills Passing the House:**

- a. H.B. 257 (Grove): Exempts school districts from obtaining Pennsylvania Department of Education (PDE) approval of construction projects, plans and specifications and leases where Commonwealth reimbursement is not requested.
- b. H.B. 1307 (Milne): Requires that intermediate units report to PDE on subsidies and funds received and on contracts greater than \$50,000 between the intermediate unit and a Commonwealth agency or between intermediate units; requires that PDE post the reports on its website; and requires that PDE post on its website information from the intermediate units' annual financial reports as filed with PDE.
- c. H.B. 1345 (Taylor): Reestablishes the Safe Schools Advocate for first class school districts and moves the office from the jurisdiction of PDE to the jurisdiction of the Pennsylvania Commission on Crime and Delinquency (PCCD).

- d. H.B. 1363 (Rapp): Imposes a two-year moratorium until June 30, 2013 on continuing professional development requirements for school districts and professional educators and requires the Legislative Budget and Finance Committee to conduct a study of the costs and benefits of the continuing professional development requirements to be submitted by March 1, 2013.
- e. H.B. 1411 (Ellis): Imposes a two-year moratorium on collection of data through the Pennsylvania Information Management System (PIMS) for K-12 and Pennsylvania's Enterprise to Link Information for Children Across Network (PELICAN) system, except in certain enumerated circumstances, and requires a report by PDE and the Department of Public Welfare (DPW) to the Education Committees of the House and Senate, the House Children and Youth Committee, and the Senate Public Health and Welfare Committee.

3. **Items Included in the 2010-2011 Fiscal Code (provisions which will expire automatically on June 30, 2011, if they are not permanently enacted into the School Code at this time):**

- a. Requires that school districts have or maintain a certified safety committee.
- b. Establishes employment pools for former professional employees of schools formerly operated by the Commonwealth (third and final year).
- c. Requires that public institutions of higher education agree to accept holders of associate degrees from community colleges into parallel baccalaureate degree programs and requires that State-related institutions identify credits they will accept for transfer.

4. **Budget-Related Language:**

- a. Permits school districts to reopen their budgets to reflect Federal and State appropriations for fiscal years 2010-2011 and 2011-2012 provided by the General Appropriation Act.
- b. Repeals Section 1376(c.1) of the School Code, which requires certain unused funds to be placed in an obsolete account for audit resolution.
- c. Provides for distribution of funding to Community Colleges for the 2011-2012 fiscal year.
- d. Provides for distribution of funding for libraries for the 2011-2012 fiscal year.
- e. Revises the definition of "Average Daily Membership" to make the definition effective for multiple school years.

- f. Repeals Section 2502.48(c)(2) of the School Code regarding funding goals.
- g. Provides for distribution of the Basic Education Funding (BEF) formula for the 2010-2011 school year (payable in fiscal year 2011-2012).
- h. Requires PDE to withhold up to \$25 million from the BEF allocation to a first class school district to be used to pay costs to provide alternative education programs operated by the district or under a contract between the district and a private alternative education institution.
- i. Provides for payments to intermediate units for institutionalized children.
- j. Provides for payments to intermediate units for special education.
- k. Provides for payments to school districts for special education.
- l. Provides for payments to school districts for homebound children.
- m. Requires the Pennsylvania Interscholastic Athletic Association (PIAA) to establish a policy to require that students attending a school district that has abolished its interscholastic athletic program (in whole or in part) be eligible to participate in the interscholastic athletic program of another school district without penalty.
- n. Sets forth the formula for the 2010-2011 fiscal year distribution of funding remaining to be allocated to school districts for Pennsylvania Accountability Grants after July 1, 2011.
- o. Removes provisions requiring the Commonwealth to reimburse Charter and Cyber Charter Schools for a portion of the employer's share of social security payments.
- p. The Department of Education may utilize up to \$4,500,000 of undistributed funds not expended, encumbered or committed from appropriations for grants and subsidies made to the department to assist school districts certified on or before June 30, 2010, as an education empowerment district under section 1705-B (h) (3) of the Public School Code of 1949.

## **5. Other Policy Priorities:**

- a. Alternative Certification: Creates alternative pathways for second-career professionals to become teachers and administrators (*Passed both the House and Senate twice in the 2009-2010 legislative session; also reported out of the Senate Education Committee on April 5, 2011*).

## **6. Technical Corrections/Clarifications:**

- a.** School Safety: Clarifies that school safety reports must be filed with PDE on an annual basis.
- b.** Payments on Account of Pupil Transportation: Makes a technical correction to properly reference the section in which language addressing transportation for former Duquesne high school students was placed in previous legislation.
- c.** Admission of Beginners: Clarifies that school districts must admit first-graders during at least the first two weeks of the school year (or during the first two weeks of each semester for a district operating on a semi-annual promotion basis) *(Language change requested by PDE to prevent school districts from refusing to enroll students who have not attended school before so long as the student enrolls during at least the first two weeks of the term).*
- d.** Background Checks: Clarifies that a person who has already obtained a criminal background check may transfer to, or provide services to, another school in the same diocese or religious judicatory without being required to obtain an additional criminal background check before making the transfer *(This clarification will ensure that employees of religious schools are subject to the same background check requirements as employees of other public and private schools under current law.).*