



Pennsylvania School Boards Association

legislative report

March 24, 2016

STATE BUDGET

2015-16 budget impasse ends; schools to receive funds

This week Gov. Tom Wolf announced that he would allow the supplemental budget provisions under [House Bill 1801](#) to become law without his signature in order for schools to stay open through the end of the current school year. The bill will officially become effective on March 27.

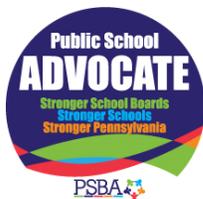
The governor also indicated his intention to veto [House Bill 1327](#), companion legislation which amends the Fiscal Code to provide for distribution of the 2015-16 basic subsidy funds under a new funding formula, and addresses PlanCon reimbursement for school construction projects. However, the money appropriated under House Bill 1801 can still be directed out in a manner and time determined by the administration. Schools will begin receiving funds in the coming weeks; PSBA will provide additional information as it becomes available.

The governor's announcement is a victory for PSBA and the advocacy efforts of public school officials who have continued to contact legislators and the governor's office urging an end to the impasse. Here's what Sen. Vincent Hughes said in the Philadelphia Inquirer yesterday related to the impact schools made in ending the budget impasse...

Hughes said it was difficult to ignore the advocacy from school districts, who rattled Republican and Democratic cages in the Capitol after Wolf threatened his veto. "They were much more publicly engaged than they have ever been," Hughes said. "I think that activated more Republican and Democratic legislators than I think the entire previous 8 1/2 months had."

Source: [Philadelphia Inquirer](#)

Click here to [read more](#) about this week's actions and [PSBA's statement](#).



Next steps for 2016-17 budget; join PSBA at the Capitol on April 4

While the 2015-16 budget has been resolved, there are still immediate challenges ahead on the 2016-17 budget, which must be passed by June 30 to ensure that schools can enter into the next academic year with confidence. PSBA's work is focusing on the need for substantial pension reform, the enactment of the basic education funding formula developed last year, and the enactment of state reimbursement for school construction projects and restructuring of the PlanCon approval process. PSBA also calls on the legislature and the governor to reimburse districts for any and all interest payments they have or will have to make as a result of borrowing money due to the budget impasse.

Join PSBA and school officials for the Advocacy Forum on April 4, 2016, at the State Capitol in Harrisburg. The focus of this year's event will be the need for an equitable and timely 2016-17 state budget. [Click here for more details and to register.](#)



Recommended truancy changes clear Senate Education Committee

PSBA is pleased to report that the Senate Education Committee approved truancy reforms under [Senate Bill 359](#) (Sen. Greenleaf, R -Montgomery), including a comprehensive amendment sponsored by Sen. Smucker (R-Lancaster) that reflects the recommendations of the Truancy Advisory Committee of the Joint State Government Commission and the Educational Success and Truancy Prevention Workgroup.

The group consists of PSBA, judges, magisterial district justices, probation officers, and children and youth services professionals. The recommendations serve to clarify and update the definitions in the School Code, and make important changes to the penalty provisions in a manner that promotes a proactive approach to truancy and greater flexibility in the imposition of intervention and penalties for truancy. PSBA is appreciative of the work of Sen. Smucker to support and push the recommendations through the process.

[Click here to read PSBA's letter of support for the Smucker amendment.](#)

[Click here to read PSBA's *Closer Look* report on truancy released in February 2016.](#)



PSBA testifies on Right-to-Know Law (Open Records)

This week PSBA presented testimony to the House State Government Committee on [Senate Bill 411](#) (Sen. Pileggi, R-Delaware, retired) amends the Right-to-Know Law to make various changes regarding records requests. Other provisions require agencies (including school districts) to develop a policy allowing employees to notify them if they believe an exception applies regarding the release of their home addresses. The agency must review each notification and inform an employee of its decision. The bill also allows requests to be made to the head of an agency in addition to an agency's open-records officer. Additionally, the bill clarifies that an agency's bank account numbers, bank routing numbers, credit card numbers or passwords, and individual employee contributions to retirement plans, health care benefits and contributions to charitable contributions are not public.

While PSBA supports many of the intended goals of the legislation, the association also raised concerns with various specific issues, including home addresses as public records, responding to commercial requests and litigation-related requests for information, agency possession of records, financial records, definitions and more. The testimony includes several suggested amendments to Senate Bill 411.

[Click here to read PSBA's testimony presented by PSBA Senior Deputy Counsel Emily Leader \(download transcript 1\) and Timothy Wachter Esq., Knox McLaughlin Gornall & Sennett, P.C. \(download transcript 2\)](#)

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On the Governor's Desk

School District Investments

House Bill 1296 (Rep. Harper, R-Montgomery) expands the types of investments in which municipal authorities and school districts may invest their funds by allowing them to invest in seven types of financial products in addition to those in which they may already invest. The seven types of products are specified in the bill. Investments must be secure, (debt obligations of institutions in which a municipality may invest must be at least "A" rated, short-term investments must only be with entities rated in the top short-term category, and other provisions designed to ensure that investments of taxpayer funds are secure).

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Approved by the Senate Education Committee

ESSA State Plan

Senate Bill 1159 (Sen. Dinniman, D-Chester) requires the PA Department of Education to develop the State Plan for implementation of the federal Every Student Succeeds Act in consultation with the Senate and House Education Committees.

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Epi-Pens on School Buses

House Bill 423 (Rep. Simmons, R-Lehigh) provides civil immunity to school bus drivers who administer epinephrine auto-injectors (epi-pens) to students, provided that the school bus driver complies with employer and school district policy and completes necessary training.

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Extension on Professional Education Requirements

House Bill 1734 (Rep. Wentling, R-Mercer) extends for one year the continuing professional education plan deadlines for public school entities and also provides a one-year extension for of the professional education compliance period for teachers and administrators.

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Anti-hazing

House Bill 1574 (Rep. Marsico, R-Dauphin) expands Pennsylvania's anti-hazing law to apply to public and private secondary schools, as well as to organizations not affiliated with schools in which students still participate, such as private athletic leagues. The bill was amended to require that each secondary school have a written anti-hazing policy. [Click here to read PSBA's letter of support for the bill.](#)

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Approved by the Senate State Government Committee

School Director Nominating Petitions

House Bill 342 (Rep. Gabler, R-Clearfield) amends the Election Code to reduce the number of nominating petition signatures to 10 for all school board candidates. The bill corrects the inconsistency that exists as candidates are currently required to obtain differing numbers of petition signatures that sometimes even vary within the same school district.

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Approved by the House State Government Committee

Sunshine Act/Executive Sessions

HB 340 (Rep. Saccone, R-Allegheny) amends the Sunshine Act to permit executive sessions to be held regarding certain personnel employment matters, and security and emergency preparedness. The agency (school board) must

consult with a solicitor prior to holding the meeting to verify if the subject matter should be discussed in executive session or in public; or, if the agency makes the decision to not consult a solicitor, the elected official in charge will determine whether the information needs to be discussed in an executive session. The agency must record executive sessions verbatim via audio or video and maintained for one year, but the recordings are not subject to public inspection or copying.

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Approved by the House Aging and Older Adults Services Committee

Tax Rebate for Senior Citizens

House Bill 791 (Rep. Hennessy, R-Chester) provides for the Senior Tax Reduction Incentive Volunteer Exchange (STRIVE) program which would expressly authorize school districts to implement tax rebate programs for senior citizens in exchange for volunteer service in the school district. [Click here to read PSBA's letter of support for the bill.](#)

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Pennsylvania School Boards Association

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