



Pennsylvania School Boards Association

# legislative report

May 19, 2016

*The Senate and House of Representatives were in session this week. The House of Representatives will reconvene on Monday, May 23, and the Senate will return on Monday, June 6.*

## PSBA Victory

### **PSBA Victory: Anti-hazing bill goes to the governor**

Legislation sought by PSBA to protect students from harmful hazing rituals was sent to the governor's desk this week. [House Bill 1574](#) (Rep. Marsico, R-Dauphin) expands Pennsylvania's anti-hazing law applicable to institutions of higher education to also apply to public and private secondary schools (grades 7-12). PSBA worked extensively with Rep. Marsico to secure passage of the bill as it moved through the House and

Senate.

The school board must adopt a written anti-hazing policy and provide a copy of the policy, rules, penalties and program of enforcement to all athletic coaches involved in organizations within the secondary school. The policy must also be posted on the district's website. Penalties may include fines, withholding of fines, or imposition of probation, suspension, dismissal or expulsion. Penalties may also include recision of permission of an organization to operate on school property or under the sanction of the school. The governor has until May 28 to take action on the bill.



### **PSBA disappointed that governor vetoes economic furlough bill**

This week Gov. Wolf vetoed [House Bill 805](#), legislation that allows school districts to furlough professional employees for economic reasons, and to use performance evaluations to determine the order that employees are furloughed.

PSBA expressed its disappointment with the veto, saying that House Bill 805 is common sense local reform that would have allowed districts to make personnel decisions based on the needs of students.

The association emphasized that school districts continue to ask for the tools necessary to respond to critical financial situations. In a statement released this week, PSBA said that districts "need the flexibility to make furlough decisions by taking into account performance without arbitrary restrictions, such as the use of seniority, that accompany current law. While the decision to reduce staff is certainly not taken lightly and is often a last resort for school districts, where reductions in personnel expenditures are necessary, they must be done in a rational, measured and efficient manner.

"School should retain the teachers that perform well and not be forced to furlough based on the order

teachers were hired. Pennsylvania has a new and ever-evolving teacher evaluation system under Act 82 of 2012. It lays a foundation for providing objective criteria for furloughing staff while maintaining educational quality in each school."

---



### **PSBA testifies to Education Committees on ESSA implementation**

This week PSBA presented testimony to the Senate and House Education Committees at a joint hearing to discuss Pennsylvania's implementation of the federal Every Student Succeeds Act (ESSA). Representing PSBA was Executive Director Nathan Mains, who presented the recommendations of the association's ESSA Study Group, a diverse group of over 80 school directors, administrators, and other education experts from across the state who met in March to discuss the new federal law and make recommendations for the development of the new state plan.

The recommendations focus on the new law from four perspectives: assessment; schools identified as being in the "bottom 5%"; educator effectiveness (teacher evaluation); and charter school issues and solutions.

The full list of recommendations and details for each can be found in the report [\*Meaningful Change Under the Every Student Succeeds Act: Recommendations from Pennsylvania Public Education Stakeholders\*](#)

[Click here to read PSBA's testimony.](#)

---

## **Pension Reform**

### **PSBA Priority Issue: House moves pension reform**

Pension reform is back on the table as this week the House State Government Committee approved a stacked hybrid plan for future state and school employees under [House Bill 1499](#) (Rep. Tobash, R-Schuylkill). The bill was approved on a [party-line vote of 16-10](#) with Democrats opposed to the bill.

Very generally, the hybrid retirement benefit plan contains a traditional defined benefit (DB) component and a defined contribution (DC) component similar to a 401 (k)-style plan. The defined benefit formula provides a pension based on years of service multiplied by 2% of the final average salary of up to \$50,000 for the first 25 years. The DC component is applied after 25 years of service and income earned over \$50,000 per-year.

House Bill 1499 is among the various pension reform bills, including [House Bill 727](#) (Rep. Kampf, R-Chester) and [Senate Bill 1071](#) (Sen. Browne, R-Lehigh) that may receive consideration as part of the budget negotiations. As discussions on pension reform continue, numerous amendments may be expected to be offered to any of these bills and the issue remains fluid.

PSBA is currently analyzing these measures and strongly believes that pension reform must be part of the 2016-17 budget package in order to protect school districts and taxpayers from the fiscal stress of our current costly and unsustainable pension system. The association is seeking enactment of a reform plan that provides both immediate and long-term relief while maintaining an appropriate pension benefit for school employees.

[School boards are encouraged to adopt PSBA's sample resolution calling for pension reform.](#) Complete the information on your district's numbers and send a copy of the adopted resolution to your legislators, the governor, and PSBA.

---

## Latest News

### Signed into law by the Governor

- [Work experience for high school students with disabilities](#)

### Passed by the Senate

- [Basic subsidy funding formula](#)

### Approved by the Senate Appropriations Committee

- [ESSA state plan](#)
- [Property tax reduction](#)

### Approved by the Senate Finance Committee

- [2015-16 EITC \(Educational Improvement Tax Credits\)](#)
- [Removal of PSBA employees from PSERS](#)
- [Property tax exemption for surviving spouses](#)

### Passed by the House of Representatives

- [Public pension forfeiture](#)

### Approved by the House State Government Committee

- [Use of fair share fees](#)

### PDE News

- [PDE opens application process for Ready to Learn Block Grant funds](#)

### PSBA News

- [June 30 deadline for school boards to submit proposals for PSBA's 2017 Legislative Platform](#)

## **Signed into law by the Governor**

### **Work experience for high school students with disabilities**

Gov. Wolf signed into law [House Bill 400](#) (Rep. Gingrich, R-Lebanon), now **Act 26 of 2016**, which requires the Office of Vocational Rehabilitation (OVR) in the Department of Labor and Industry to facilitate the process of job and career development between school districts and employers to ensure the successful transition of high school students with disabilities into competitive, integrated employment. It requires the OVR to prepare the students for internships, on-the-job training and full and part-time employment in an integrated work environment. It also provides placement assistance and job coaching.

[Top](#)

## **Passed by the Senate**

### **Basic subsidy funding formula**

The Senate passed [House Bill 1552](#) (Rep. Roae, R-Crawford) after inserting language amending the School Code to permanently establish in statute the new funding formula for school districts recommended by the bi-partisan Basic Education Funding Commission. The bill still contains the originally-introduced language that authorizes the Department of Education to enter into an interstate reciprocity agreement governing interstate offerings of postsecondary distance education courses and programs. House Bill 1552, which passed with a [vote of 49-1](#), will now return to the House for a concurrence vote.

[Top](#)

## **Approved by the Senate Appropriations 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.

[Top](#)

### **Property tax reduction**

[House Bill 147](#) (Rep. Maloney, R-Berks) would allow for the elimination of residential school property taxes via the homestead exclusion. The bill proposes to amend the state Constitution by modifying the Uniformity of Taxation Clause and changing the ability of a taxing authority to move the exemption from 50% of the median assessed value to 100% of the assessed value of each homestead property within a local taxing jurisdiction. The state Constitution does not exempt property from real estate taxation; however, it does permit the General Assembly

to grant exemptions within specific guidelines. An amendment to the Constitution approved by the voters in November 1997 added the exemption from the uniformity clause allowing an exclusion level of 50% of the median assessed value.

[Top](#)

## **Approved by the Senate Finance Committee**

### **2015-16 EITC (Educational Improvement Tax Credits)**

[Senate Bill 1161](#) (Sen. Reschenthaler, R-Allegheny) allows a tax credit awarded in fiscal year 2015-16 to a business firm making an approved EITC program contribution to be used in the taxable year in which the application was submitted or the taxable year in which the contribution was made, as the business firm decides. The bill was amended to require the Department of Community and Economic Development for fiscal years 2016-17 and thereafter to provide written notice of approval to businesses by August 15 or 30 days following receipt of the completed application, whichever is later.

[Top](#)

### **Removal of PSBA employees from PSERS**

[House Bill 1084](#) (Rep. Phillips-Hill, R- York) removes future employees of the Pennsylvania School Boards Association (PSBA) from participation in the Pennsylvania School Employees' Retirement System (PSERS).

[Top](#)

### **Property tax exemption for surviving spouses**

[Senate Bill 1109](#) (Sen. Baker, R-Luzerne) would amend the state Constitution to extend the state's property tax exemption program for disabled veterans to the surviving spouse of soldiers killed in action.

[Top](#)

## **Passed by the House of Representatives**

### **Public pension forfeiture**

[House Bill 17](#) (Rep. Petri, R-Bucks) holds state, county or municipal government officials and public employees, including school district employees, accountable for crimes related to their official duties by requiring them to forfeit their government pension and pay appropriate restitution when they plead guilty or no contest to any crime related to their official government position or any felony offense. House Bill 17 passed the House by a [vote of 188-2](#). The measure now goes to the Senate for consideration.

[Top](#)

## **Approved by the House State Government Committee**

### **Use of fair share fees**

[House Bill 267](#) (Rep. Lawrence, R-Chester) allows public employees with a

religious objection to send their fair share fees to any recognized nonreligious 501 (c)(3) charity of their choosing. Under current law, public employees who are religious objectors can only send their fair share fees to a recognized nonreligious 501 (c)(3) charity if the institution is agreed upon by the public employee and the union. The bill was approved on a party-line vote, with Democrats opposed.

[Top](#)

## **PDE News**

### **PDE opens application process for Ready to Learn Block Grant funds**

This week the PA Department of Education (PDE) opened its application process for the Ready to Learn Block Grant funds. Under Act 25 of 2016, all school entities are required to "submit a plan for approval to the Department of Education outlining how the funding will be used to maintain and improve academic performance." The plan submission will take place through an application in the Department's eGrant system. **All applications are due no later than June 15, 2016.**

Any and all activities associated with the Ready to Learn Block Grant funding that has been received or will be received for the 2015-16 school year should be identified on that electronic form.

[Click here to access the eGrant application and instructions for completion.](#)

The receipt and/or retention of Ready to Learn Block Grant funds is conditioned upon the submission of an application (that documents use of the funds for the purposes identified in Act 25 of 2016). Please send any questions to Marian Dura, [mdura@pa.gov](mailto:mdura@pa.gov), (717) 783-4307.

[Top](#)

## **PSBA News**

### **June 30 deadline for school boards to submit proposals for PSBA's 2017 Legislative Platform**

School boards have about one month remaining to submit proposals to be considered for the association's 2017 Legislative Platform. The platform is PSBA's official record of positions on legislative issues and is the guide for the association's advocacy efforts.

**The deadline for school boards to submit items for consideration is Thursday, June 30.** It is not too early to bring this issue up for discussion at your next board meeting so that your items can be drafted, approved and submitted to PSBA by the deadline. School boards should focus on the section of the PSBA Platform containing the Core Legislative Principles and Supporting Concepts.

[Click here for details and submission forms.](#)

**In addition, this year school directors will be invited to participate in a separate process to select PSBA's Legislative Priorities for the upcoming 2017-18 session of the General Assembly.** Early next month all school directors will receive a survey and information on that process.

[Top](#)

---

### **Pennsylvania School Boards Association**

400 Bent Creek Blvd.  
Mechanicsburg, PA 17050

[Sign up for alerts!](#)

### **Follow Us**



You are currently subscribed to a mailing list of Pennsylvania School Boards Association. If you wish to unsubscribe, please click [here](#).

Powered by  votervoice