



Pennsylvania School Boards Association

legislative report

July 1, 2016

STATE BUDGET

Budget Update: Spending bill goes to the governor, revenue bill pending

Passage of the 2016-17 state budget is halfway there as this week the House concurred in Senate amendments to [Senate Bill 1073](#) with a vote of [144-54](#), sending the \$31.5 billion spending plan to Gov. Wolf. The bill had passed the Senate with a vote of [47-3](#). The governor has until July 11 to take action on the bill.

The efforts of PSBA and its members to seek additional funding for education was successful as the General Appropriations bill includes a \$200 million increase for the basic education subsidy, with the money to be distributed under the new funding formula. In addition, the budget provides a \$20 million increase for special education, and a \$345 million increase for pension obligations. The budget also includes \$30 million in increases for early childhood programs.

The next step is for the General Assembly to adopt a revenue plan that can provide about \$1 billion in new funding for the 2016-17 budget. Legislators are debating various options including an expansion of gaming laws, increase in tobacco taxes, allowing for a tax-amnesty plan, funding from recently-expanded provisions for wine sales, and other options.

Following the passage of Senate Bill 1073, Gov. Wolf released a statement commending leaders and members in both chambers for passing a bi-partisan, compromise budget that provides more funding for education, and said he will sign the bill as soon as there is a sustainable revenue package to pay for it.

The General Assembly will also have to pass other budget-related bills that will allow for the distribution of funds. School funding will be contained in a Fiscal Code or School Code bill. A School Code bill could also include numerous other provisions affecting public education.

[Click here to see PSBA's per-district estimated basic education subsidy chart.](#)



July 8 webinar takes a closer look at the 2016-17 state budget

Want to know more about the budget and budget-related bills? Join PSBA's Chief Lobbyist John Callahan from noon to 1 p.m. on July 8 for an update on the results of this year's state budget process.

Participants will hear a breakdown of 2016-17 budget information and related legislation, and will have an opportunity to submit questions to be answered live.

[Click here to register for this free, members-only webinar.](#)

Charter Reform

Charter school "reform" bill moves in the House

This week attempts are being made in the House of Representatives to move a charter school reform bill. [House Bill 530](#) (Rep. Reese, R-Westmoreland) as amended this week by the House Rules Committee is the latest version of a charter school reform measure that was first introduced in 2015 and has gone through several rounds of amendments since that time.

PSBA worked over the course of the last two years to amend many of the original provisions of House Bill 530 to make the bill less unacceptable to local school officials. These efforts resulted in PSBA obtaining a number of positive changes that remain and a few others added in the newest version of the bill. Some of these include:

- Adds additional deductions for cyber charter tuition and language for direct pay from PDE to charters has been removed
- A process and timeframe for a school district to raise concerns regarding tuition
- Clarification that districts are not mandated to pay charters for 4-year old kindergarten
- Requirement for charter schools to provide school boards with access to various financial, student performance, teacher certification and personnel records
- Compulsory attendance/truancy provisions will apply to charters
- Additional representation by school districts on the state Charter School Appeal Board
- School district review of charters that fail to meet academic benchmarks
- Stronger charter school accountability requirements (Ethics Act requirements for trustees and administrators, Sunshine Act requirements, financial audits, access to budget information, conflicts of interest)
- School districts may charge fees for cyber charter use of facilities

PSBA is continuing to work to resolve the numerous problems associated with House Bill 530, and is meeting with legislators to discuss a number of concerns related to accountability, charter school expansion, admission and enrollment issues, and other areas of the bill.

Latest News

Headed to the governor's desk

- [Interagency information sharing in child welfare cases](#)

Passed by the Senate

- [College students as substitute teachers](#)

Approved by the House State Government Committee

- [Sunshine Act notification of meetings](#)

- [P3 pilot program](#)

Regulatory News

- [IRRC approves new regulations for financial recovery](#)

Headed to the governor's desk

Interagency information sharing in child welfare cases

The Senate concurred in House amendments to [Senate Bill 917](#) (Sen. Browne, R-Lehigh), allowing the bill to be sent to the governor's desk. The measure allows for collaborative arrangements to be developed for information sharing between law enforcement agencies, juvenile probation authorities, school districts, and county agencies supervising children and youth, drug and alcohol dependency, and mental health/mental retardation services in child welfare and delinquency cases.

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Passed by the Senate

College students as substitute teachers

[Senate Bill 1312](#) (Sen. Smucker, R-Lancaster) allow college students who have completed 60 credit hours and who are enrolled in a teacher preparation program at a four-year college in Pennsylvania to substitute for a limited number of days in any school district, area vocational-technical school or intermediate units in the state. For every year after their first year of substituting, college students would be required to obtain additional credits in order to remain a substitute. Students would receive a salary fixed by the school entity but would not be enrolled in the Public School Employees' Retirement System.

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Approved by the House State Government Committee

Sunshine Act notification of meetings

[House Bill 1155](#) (Rep. Christiana, R-Beaver) amends the Sunshine Act to require a public agency that have a website to post a public meeting agenda on its site no later than 24 hours prior to the meeting, and to post and make the agenda available at the location of the meeting. An agency may not take official action on a matter if it is not included on the agenda that was posted. The bill was amended to include an exception to the rule for public notice for emergency situations and de minimis actions. If a resident or taxpayer brings a matter of business that is not listed on the agenda, the agency may take official action to refer the matter to staff for consideration at a future meeting.

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P3 pilot program

[House Bill 2113](#) (Rep. Evankovich, R-Westmoreland) establishes a Public-Private Partnership Pilot Program (P3) for state and local government agencies, including school districts. The bill creates guidelines and requirements for the use of up to 15 P3 agreements between the state and local agencies and private entities to build and/or operate various public facilities. An approved P3 project will be exempt from the requirements of the PA Separations Act, Prevailing Wage Act and other similar local government statutes. Eligible projects for school districts include educational buildings and facilities used for school events such as stadiums, and land functionally related to a school building.

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Regulatory News

IRRC approves new regulations for financial recovery

This week the Independent Regulatory Review Commission (IRRC) approved the State Board of Education's new [Chapter 18](#) regulations regarding financial recovery.

Chapter 18 fulfills the requirement under Act 141 of 2012, which established provisions regarding financially distressed school districts (except the School District of Philadelphia). Act 141 creates triggering events wherein school districts would be declared in financial recovery status, and directs the State Board to promulgate regulations that establish criteria the secretary of education may consider in placing a school district in financial recovery status and determining whether the district is in moderate or severe recovery status. Act 141 allows only nine school districts to be under a declaration of financial recovery status or in receivership at any time, and the Chapter 18 proposal reflects the same language.

PSBA supports the work of the State Board in fulfilling this requirement through the creation of Chapter 18. The proposal appropriately reflects the provisions of Act 141 without establishing extensive, unnecessary or duplicative additional criteria or procedures. Chapter 18 does not reach beyond the law by establishing unreasonable criteria that may be considered in determining whether a school district is in financial recovery status.

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