



Pennsylvania School Boards Association

legislative report

September 22, 2016

The House of Representatives returned to session this week. Both the House and the Senate will return next Monday, September 26.

Committee removes assessment appeals bill from the agenda



Thank you to those who responded to PSBA's Legislative Alert! The House Urban Affairs Committee pulled [House Bill 1993](#) (Rep. Kampf, R-Chester), legislation that removes the rights of school districts to conduct appeals of under-assessed property, from this week's meeting agenda. Your message of opposition and the rationale was heard. However, proponents of the bill are continuing discussions with the hope of moving forward either with the House bill or the Senate companion under [Senate Bill 877](#) (Sen. Argall, R-Schuylkill).

The association opposes these bills because they completely remove the rights of school districts to conduct appeals of under-assessed property, ultimately cutting local school funding. PSBA believes that apartment owners are seeking the movement and support of these bills to counter legal action currently in the courts. [Click here to see PSBA's amicus curiae brief](#) filed earlier this month to the PA Supreme Court in a case brought by apartment building owners fighting the right of school districts to appeal assessments.

PSBA will keep you updated, and in the meantime, please continue to tell your legislators why this proposal leaves school boards with no way to adjust assessments to attempt to fairly balance the property tax system. Instead, it bills unfairly shifts the property tax burden of under-assessed properties to homeowners in the form of increased millage rates.

Auditor General releases charter school audits, calls for overhaul of the law

Charter Reform

This week state Auditor General Eugene DePasquale held a news conference to once again call for an overhaul of Pennsylvania's 20-year old charter school law, highlighting recent audits of three charter schools and recommending changes. These changes are in addition to the recommendations he first made in a [special report](#) issued in 2014.

DePasquale said that the audit reports "illustrate just how poorly our charter school law is protecting students and taxpayers and ensuring that education dollars help students learn, not help individuals profit." He also clarified that most of the serious

problems, particularly those associated with the management company, lack of transparency and related-party transactions, are permitted under "gray areas" of the law.

The auditor general emphasized that all charter boards should be publicly elected and management companies should be subject to the Open Records Law. He noted failure of the boards to adequately govern various transactions involving millions of dollars of public education funds. In addition, he noted high advertising costs, failure to monitor student attendance, maintain sufficient documentation to support teacher certifications, failure to maintain bus driver qualifications and clearances, and other issues.

"Auditors found that leaders involved with all three of these schools had intermingled relationships that put individual self-interests above student needs while controlling hundreds of millions of taxpayer education funds from nearly every district in the state," he said.

[Click here to read the auditor general's news release that contains links to the individual audit reports of three charter schools.](#)

PSBA believes that this latest audit further underscores the need for reform to the existing charter school law. The association recently released a [report](#) examining Pennsylvania charter school revenues, expenditures and transparency. The findings of the report highlight the need for reform and suggest the need for further study into how charter schools are operated.



Department of Health revises school immunization proposal

The state Department of Health (DOH) has revised its proposed changes to regulations for student immunization and school attendance. The revised proposal is now in the final stage of the regulatory review process and, if approved, would be effective for the 2017-18 school year.

The department's final-form changes to existing state regulations on school health (Pa. Code, Title 28, Chapter 23) have been sent to the Independent Regulatory Review Commission (IRRC), the Senate Committee on Public Health and Welfare and the House Committee on Health and Human Services for consideration. IRRC will vote on the proposal at its meeting on Oct. 20, 2016. The committees can take action at any time up to 24 hours before IRRC's meeting.

Under the proposal, the regulations will be effective on Aug. 1, 2017, but the department expects Final Rulemaking to be published in the *Pennsylvania Bulletin* in March, 2017. This will enable schools to provide information to parents before kindergarten registration begins for the upcoming school year. [Read more](#)

Latest News

Approved by the House Rules Committee

- [Sunshine Act notification of meetings](#)
- [Ghost teachers/union leave](#)
- [P3 pilot program](#)

PSBA News

- [Information packet mailed to PSBA Voting Delegates](#)

Approved by the House Rules 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 includes 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.

[Top](#)

Ghost teachers/union leave

[House Bill 2125](#) (Rep. Saccone, R-Allegheny) provides limitations on union leave and requires reimbursement to school districts by employee organizations for periods of union leave. Under the bill, an employee may not take union leave with two exceptions: 1) an employee organization may designate up to three individuals throughout the state at any time who may take union leave, provided that each designated individual may take union leave for a cumulative period of no more than six school years; and 2) an employee not designated by the union may take leave for no more than three consecutive days within any week and for a cumulative period of no more than 15 days each school year.

[Top](#)

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.

[Top](#)

PSBA News

Information packet mailed to PSBA Voting Delegates

This week PSBA mailed a packet of information to all Voting Delegates for the

upcoming Delegate Assembly meeting. The packet includes a [Delegate Assembly Handbook](#) and [Rules of Procedure](#). Look for an upcoming special report that explains changes in the rules that are intended to provide delegates with opportunities to speak using a clearer process.

[Top](#)

Pennsylvania School Boards Association

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