

Summary of Mandate Relief Legislation
Senate Bills as of April 20, 2011

On April 5, the **Senate Education Committee** reported out the following bills on **school district mandate relief**:

- **Senate Bill 202 (Sen. Andrew Dinniman, D-19)** would allow **alternative certification pathways for principals and teachers**. The Committee adopted an amendment that clarifies the existing authority of the Secretary of Education to certify out-of-state applicants in accordance with state law and regulation will not be compromised. The amendment also includes vocational director certificate holders to the provisions of the bill. The bill was reported by a vote of 9-2.
- **Senate Bill 293 (Sen. Michael Brubaker, R-36)** would amend the **State Public School Building Authority Act** to increase the threshold cost (\$25,000) at which a **school construction project** financed through the authority must be **competitively bid**. The bill was reported by a vote of 9-2.
- **Senate Bill 296 (Sen. John Eichelberger, R-30)** would amend the **Public School Code** to **raise the thresholds for bidding contracts to \$25,000**. The bill was reported by a vote of 9-2.
- **Senate Bill 329 (Sen. Andrew Dinniman, D-19)** would allow for the **suspension of non-essential reports from districts to PDE in years in which state education funding declines**. Under SB 329, school districts would still be required to file their **annual financial reports**, annual budget information, information necessary to determine payment to school districts, information and reports required under Federal law, information required under Act 1 (Taxpayer Relief Act) and information required under Article XIII-A (Safe Schools) of the Public School Code. The Committee approved an amendment that further defines "basic education funding" to include the subsidy formula, educational assistance program, charter school reimbursements, accountability block grants and payments on account of social security deductions. The bill was reported by a vote of 9-2.
- **Senate Bill 537 (Sen. John Rafferty, R-44)** would require a **2/3 vote by school boards to raise property taxes**. The bill was reported by a vote of 9-2.
- **Senate Bill 612 (Sen. Mike Folmer, R-48)** would allow **school districts to furlough for economic reasons and require proportionate reduction** of administrators. The Committee approved several amendments. As amended, the SB 612 would **require school districts to determine which professional employees to furlough based on analysis of various factors** (instead of seniority alone) such as: employee certification, performance, qualifications to teach a particular subject or grade level or other qualifications set forth by the school district. In addition, the amended bill would require the position of the person suspended to remain vacant for at least one year, unless the employee is reinstated. The same evaluation criteria would be used to reinstate the employee. Nothing contained in the amended bill would supersede or preempt any collective bargaining agreement in effect. Also the bill was revised to include provisions that would allow the Secretary of Education (instead of the State Board of Education, as originally drafted) to waive the requirement that a school district seeking to furlough professional employees also furlough at least an equal number of administrative staff. Under the amended version of SB 612, the Secretary would be required to submit his determination to the State Board of Education for approval. Also, SB 612 as amended would prohibit a school district from using costs as the sole factor in determining which employees to suspend. The bill was reported by a vote of 8-3.
- **Senate Bill 802 (Sen. Jeff Piccola, R-15)** would **allow school districts to hire either school certified nurses or registered nurses**. The Committee adopted an amendment to require non-certificated school

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nurses to complete within 12 months of employment an accelerated training program in nursing in a school environment that must include: child development issues and professional ethics and responsibilities specific to the school environment. The amendment also requires PDE to undertake a study of those school districts that choose to employ school nurses who are not certificated as school nurses and report their findings to the General Assembly. The bill was reported by a vote of 6-5.

- Senate Bill 803 (Sen. Jeff Piccola, R-15) would allow districts to advertise from a menu of options, including the internet, for public notice reporting requirements. The bill was reported by a vote of 7-4.
- Senate Bill 814 (Sen. Jake Corman, R-34) would reauthorize the Mandate Waivers program that expired on June 30, 2010 and allow bidding for school construction projects both multi-prime and single prime. The bill was reported by a vote of 8-3.
- Senate Bill 844 (Sen. Andrew Dinniman, D-19) would allow districts that are making Adequate Yearly Progress (AYP) and showing adequate Pennsylvania Value-Added Assessment System (PVAAS) growth to be waived from continuing education requirements for school administrators or school leaders. The bill was reported by a vote of 9-2.
- Senate Bill 857 (Sen. Lloyd Smucker, R-13) would repeal language that requires school districts to use increases in basic education funding for new programs and expansion of existing programs. The bill was reported by a vote of 9-2.
- Senate Bill 858 (Sen. Michael Waugh, R-28) would allow districts to hire a person as a superintendent or assistant superintendent if he or she holds a graduate degree in business or finance. The Committee adopted an amendment to require a person hired under this new section to successfully complete a leadership development program that meets the Pennsylvania school leadership standards under Section 1217 of the Public School Code. The bill was reported by a vote of 8-3.
- Senate Bill 869 (Sen. Richard Alloway, R-33) would eliminate the requirement that school districts bordering other states provide transportation for students to attend out of state private schools. The bill was reported by a vote of 9-2.
- Senate Bill 870 (Sen. John Eichelberger, R-30) would repeal sections of the Public School Code that require 10 paid sick days and paid sabbatical leaves. The bill was reported by a vote of 8-3.
- Senate Bill 871 (Sen. Michael Brubaker, R-36) would suspend continuing education and professional development for teachers for 2 years. An amendment was adopted to clarify that nothing in the bill will be construed to impair an existing collective bargaining agreement. The bill was reported by a vote of 9-2.
- Senate Bill 872 (Sen. Michael Brubaker, R-36) would remove requirements for the establishment of concurrent enrollment (also known as dual enrollment) committees and quarterly meetings. The bill was reported by a vote of 9-2.
- Senate Bill 873 (Sen. Michael Brubaker, R-36) would require the Secretary of Education and the State Board of Education to review and overhaul the PlanCon process for school construction and reimbursement. The Committee adopted an amendment that would exempt school districts that are not eligible for reimbursement for school construction projects from being required to participate in PlanCon. The bill was reported by a vote of 9-2.

The Committee did not report Senate Bill 801 (Sen. Michael Waugh, R-28), which would allow districts to contract with a single prime contractor for construction projects. The bill failed by a vote of 4-7.