

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 612 Session of 2011

INTRODUCED BY FOLMER, SMUCKER, M. WHITE, RAFFERTY, EICHELBERGER, WAUGH, EARLL, PICCOLA, BRUBAKER, D. WHITE, ALLOWAY, VANCE, McILHINNEY, WARD AND BROWNE, FEBRUARY 18, 2011

REFERRED TO EDUCATION, FEBRUARY 18, 2011

AN ACT

1 Amending the act of March 10, 1949 (P.L.30, No.14), entitled "An  
 2 act relating to the public school system, including certain  
 3 provisions applicable as well to private and parochial  
 4 schools; amending, revising, consolidating and changing the  
 5 laws relating thereto," in professional employees, further  
 6 providing for causes for suspension.

7 The General Assembly of the Commonwealth of Pennsylvania  
 8 hereby enacts as follows:

9 Section 1. Section 1124 of the act of March 10, 1949  
 10 (P.L.30, No.14), known as the Public School Code of 1949, added  
 11 August 8, 1963 (P.L.564, No.299), is amended to read:

12 Section 1124. Causes for Suspension.--(a) Any board of  
 13 school directors may suspend the necessary number of  
 14 professional employes, for any of the causes hereinafter  
 15 enumerated:

16 (1) Substantial decrease in pupil enrollment in the school  
 17 district;

18 (2) Curtailment or alteration of the educational program on  
 19 recommendation of the superintendent, concurred in by the board

1 of school directors, approved by the Department of Public  
2 Instruction, as a result of substantial decline in class or  
3 course enrollments or to conform with standards of organization  
4 or educational activities required by law or recommended by the  
5 Department of Public Instruction;

6 (3) Consolidation of schools, whether within a single  
7 district, through a merger of districts, or as a result of joint  
8 board agreements, when such consolidation makes it unnecessary  
9 to retain the full staff of professional employees.

10 (4) When new school districts are established as the result  
11 of reorganization of school districts pursuant to Article II.,  
12 subdivision (i) of this act, and when such reorganization makes  
13 it unnecessary to retain the full staff of professional  
14 employees.

15 (5) Economic reasons, as part of a plan to reduce or control  
16 school district costs.

17 (b) (1) The following shall apply to any suspension of a  
18 professional employe assigned to provide instruction directly to  
19 students:

20 (i) A board of school directors may suspend the necessary  
21 number of professional employes assigned to provide instruction  
22 directly to students only if the board of school directors also  
23 suspends at least an equal percentage proportion of  
24 administrative staff.

25 (ii) The State Board of Education may, by a majority vote,  
26 grant a board of school directors a waiver of subparagraph (i)  
27 if the State Board of Education determines that compliance with  
28 subparagraph (i) is likely to cause significant harm to the  
29 operations of the school district.

30 (2) For purposes of this subsection, "administrative staff"

1 shall include, but not be limited to, superintendents, assistant  
2 superintendents, deputy superintendents, principals, assistant  
3 principals, supervisors, managers, directors, coordinators and  
4 any other staff who are not assigned to provide instruction  
5 directly to students.

6 Section 2. This act shall take effect in 60 days.