

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 382 Session of
2005

INTRODUCED BY GODSHALL, BUNT, BARRAR, BEBKO-JONES, CIVERA,
CLYMER, CREIGHTON, DALEY, FICHTER, GOOD, HERMAN, HERSHEY,
HESS, JAMES, M. KELLER, LEACH, R. MILLER, NAILOR, O'NEILL,
PALLONE, PYLE, RUBLEY, SCAVELLO, E. Z. TAYLOR, THOMAS, TIGUE,
WATSON, WILT, HARPER AND NICKOL, FEBRUARY 9, 2005

AS REPORTED FROM COMMITTEE ON EDUCATION, HOUSE OF
REPRESENTATIVES, AS AMENDED, FEBRUARY 8, 2006

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," further providing for powers and
6 duties of the intermediate unit board of directors; providing
7 for State reimbursement for mobile classroom facilities; and
8 making editorial changes.

9 The General Assembly of the Commonwealth of Pennsylvania
10 hereby enacts as follows:

11 ~~Section 1. Section 914 A(5) of the act of March 10, 1949~~ <—
12 ~~(P.L.30, No.14), known as the Public School Code of 1949, added~~
13 ~~May 4, 1970 (P.L.311, No.102), is amended to read:~~

14 ~~Section 914 A. Powers and Duties of the Intermediate Unit~~
15 ~~Board of Directors. An intermediate unit board of directors~~
16 ~~shall have the power and its duty shall be:~~

17 * * *

18 ~~(5) To adopt a program of services. Each intermediate unit~~
19 ~~may provide, but shall, except as hereinafter provided, be~~

1 ~~limited to, the following services: (i) curriculum development~~
2 ~~and instructional improvement services; (ii) educational~~
3 ~~planning services; (iii) instructional materials services; (iv)~~
4 ~~continuing professional education services; (v) pupil personnel~~
5 ~~services; (vi) State and Federal agency liaison services; and~~
6 ~~(vii) management services. Each additional service to be~~
7 ~~provided shall be first approved by a majority of all the boards~~
8 ~~of school directors comprising the intermediate unit at a~~
9 ~~meeting called by the intermediate unit board of directors for~~
10 ~~the express purpose of approving or disapproving any such~~
11 ~~additional service. Each intermediate unit may provide for the~~
12 ~~furnishing of any of the services mentioned in this clause or~~
13 ~~elsewhere in this act to nonpublic, nonprofit schools which~~
14 ~~schools are hereby authorized to contract for and purchase~~
15 ~~services from intermediate units so as to participate in the~~
16 ~~intermediate program. An intermediate unit may provide software,~~
17 ~~data processing and related professional services associated~~
18 ~~with subparagraphs (v), (vi) and (vii) to only those school~~
19 ~~districts which are both served by that intermediate unit as set~~
20 ~~forth in section 902 A and which have not previously purchased~~
21 ~~such services from the private sector.~~

22 * * *

23 Section 2. ~~Section 2574(a) of the act, amended September 29,~~
24 ~~1959 (P.L.992, No.407), is amended to read:~~

25 SECTION 1. SECTION 2574(A) OF THE ACT OF MARCH 10, 1949 <—
26 (P.L.30, NO.14), KNOWN AS THE PUBLIC SCHOOL CODE OF 1949,
27 AMENDED SEPTEMBER 29, 1959 (P.L.992, NO.407), IS AMENDED TO
28 READ:

29 Section 2574. Approved Reimbursable Rental for Leases
30 Hereafter Approved and Approved Reimbursable Sinking Fund

1 Charges on Indebtedness.--(a) For school building projects for
2 which the general construction contract is awarded subsequent to
3 March 22, 1956, and for approved school building projects for
4 which the general construction contract was awarded but for
5 which a lease was not approved by the Department of [Public
6 Instruction] Education prior to March 22, 1956, the Department
7 of [Public Instruction] Education shall calculate an approved
8 reimbursable rental or approved reimbursable sinking fund
9 charges. Reimbursable sinking fund charges may include charges
10 for temporary indebtedness within constitutional limitations, if
11 the indebtedness is incurred for approved [permanent]
12 improvements to the school plant including the cost of acquiring
13 a suitable site for a school building, the cost of constructing
14 a new school building, or the cost of providing needed additions
15 or alterations to existing buildings for which no bond issue is
16 provided and for which an approved obligation or obligations
17 other than bonds have been issued and the obligation or
18 obligations are payable within five (5) years from the date of
19 issue of the obligation in equal annual installments. As used in
20 this section, "building" shall include a permanent structure
21 that contains or is attached to relocatable or modular
22 classrooms. The term "relocatable or modular classroom" shall
23 mean a classroom not of a permanent nature which meets the
24 criteria and specifications of the Department of Education.

25 Approved reimbursable rental or sinking fund charge shall
26 consist of that part of the annual rental or sinking fund charge
27 attributable to--

28 (1) The cost of acquiring the land upon which the school
29 buildings are situate, the cost of necessary rough grading to
30 permit proper placement of the building upon said land and the

1 cost of sewage treatment plants, as required by the Department
2 of Health, to the extent that such costs are deemed reasonable
3 by the Department of [Public Instruction] Education and the
4 interest on such costs of acquisition, grading and sewage
5 treatment plants earned subsequent to date the construction
6 contract is awarded, and

7 (2) The approved building construction cost and the interest
8 on such construction cost.

9 * * *

10 ~~Section 3. This act shall take effect as follows:~~ <—

11 ~~(1) The amendment of section 2574(a) of the act shall~~
12 ~~take effect in 60 days.~~

13 ~~(2) The remainder of this act shall take effect~~
14 ~~immediately.~~

15 SECTION 2. THIS ACT SHALL TAKE EFFECT IN 60 DAYS. <—