

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 137 Session of 2011

INTRODUCED BY GODSHALL, BUXTON, CALTAGIRONE, CREIGHTON, DALEY,
DeLUCA, FLECK, HARKINS, HORNAMAN, MARSHALL, REICHLEY AND
STERN, JANUARY 20, 2011

REFERRED TO COMMITTEE ON EDUCATION, JANUARY 20, 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," changing provisions relating to
6 school terms and sessions.

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

9 Section 1. Section 1504(a) of the act of March 10, 1949
10 (P.L.30, No.14), known as the Public School Code of 1949,
11 amended July 1, 1978 (P.L.575, No.105), is amended to read:

12 Section 1504. Dates and Times of School Terms and Sessions;

13 Commencement.--(a) (1) The board of school directors of each
14 school district shall fix the date of the beginning of the
15 school term[.], except that, in a school district that is not on
16 a year-round education calendar, the beginning of any school
17 term for students shall not commence any earlier than the day
18 after Labor Day. The board of school directors may, upon
19 approval by the Secretary of Education, begin the school term

prior to the day after Labor Day for situations beyond the control of the school district as a result of major construction and renovation to the school building or natural disaster.

(2) Unless otherwise determined by the board, the daily session of school shall open at nine ante-meridian and close at four post-meridian, with an intermission of one hour at noon, and an intermission of fifteen minutes in the forenoon and in the afternoon. Upon request of a board of school directors for an exception to the aforesaid daily schedule, the Secretary of Education may, when in his opinion a meritorious educational program warrants, approve a school week containing a minimum of twenty seven and one-half hours of instruction as the equivalent of five (5) school days, or a school year containing a minimum of nine hundred ninety hours of instruction at the secondary level or nine hundred (900) hours of instruction at the elementary level as the equivalent of one hundred eighty (180) school days.

(3) Professional and temporary professional employes shall be allowed a lunch period free of supervisory or other duties of at least thirty minutes.

(4) The provisions of this subsection shall not be construed:

(i) to repeal any rule or regulation of any board of school directors now in effect which provides for a lunch period longer than the minimum prescribed herein or to repeal any action of any board of school directors taken in compliance with section 7 of the act of July 25, 1913 (P.L.1024, No.466), entitled "An act to protect the public health and welfare, by regulating the employment of females in certain establishments, with respect to their hours of labor and the conditions of their employment; by

1 establishing certain sanitary regulations in the establishments
2 in which they work; by requiring certain abstracts and notices
3 to be posted; by providing for the enforcement of this act by
4 the Commissioner of Labor and Industry and others; by
5 prescribing penalties for violations thereof; by defining the
6 procedure in prosecutions; and by repealing all acts and parts
7 of acts inconsistent with the provisions thereof," as
8 amended[.]; or

9 (ii) to prevent a school district from conducting in-service
10 sessions for teachers before Labor Day.

11 * * *

12 Section 2. Any contractually agreed-upon school calendar or
13 process which determines the school calendar in effect on the
14 effective date of this section between a school district and its
15 professional or nonprofessional employees which is in conflict
16 with the provisions of this act shall remain in effect for the
17 duration of that contract.

18 Section 3. This act shall take effect in 60 days.