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THE GENERAL ASSEMBLY OF PENNSYLVANIA

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HOUSE BILL

No. 1180 Session of  
2013

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INTRODUCED BY COHEN, BISHOP, V. BROWN, BROWNLEE, CALTAGIRONE,  
FABRIZIO, O'BRIEN, ROEBUCK, THOMAS AND YOUNGBLOOD,  
APRIL 15, 2013

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REFERRED TO COMMITTEE ON EDUCATION, APRIL 15, 2013

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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 distress in  
6 school districts of the first class.

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

9 Section 1. Section 696(i) of the act of March 10, 1949  
10 (P.L.30, No.14), known as the Public School Code of 1949,  
11 amended October 30, 2001 (P.L.828, No.83) and July 12, 2012  
12 (P.L.1142, No.141), is amended to read:

13 Section 696. Distress in School Districts of the First  
14 Class.--\* \* \*

15 (i) In addition to all powers granted to the superintendent  
16 by law and a special board of control under section 693 and  
17 notwithstanding any other law to the contrary, the School Reform  
18 Commission shall have the following powers:

19 (1) To appoint such persons and other entities as needed to

1 conduct fiscal and performance audits and other necessary  
2 analyses.

3 (2) To enter into agreements with persons or for-profit or  
4 nonprofit organizations to operate one or more schools. A school  
5 operated under this clause shall be funded in accordance with  
6 the terms of the agreement.

7 (i) All applications to operate a charter school in a school  
8 year after a declaration of distress is issued and all charter  
9 schools established after a declaration of distress is issued  
10 shall not be subject to sections 1717-A(b), (c), (d), (e), (f),  
11 (g), (h) and (i) [, 1722-A(c)] and 1724-A.

12 (ii) The School Reform Commission may suspend or revoke a  
13 charter pursuant to section 1729-A.

14 (3) To suspend the requirements of this act and regulations  
15 of the State Board of Education except that the school district  
16 shall remain subject to those provisions of this act set forth  
17 in sections 1073, 1073.1, 1076, 1077, 1078, 1080, 1732-A(a), (b)  
18 and (c) [, 1714-B] and 2104 and regulations under those sections.

19 (4) To employ professional and senior management employees  
20 who do not hold State certification if the School Reform  
21 Commission has approved the qualifications of the person at a  
22 salary established by the commission.

23 (5) To enter into agreements with persons or for-profit or  
24 nonprofit organizations providing educational or other services  
25 to or for the school district. Services provided under this  
26 clause shall be funded in accordance with the terms of the  
27 agreement.

28 (6) Notwithstanding any other provisions of this act other  
29 than this clause, to close or reconstitute a school, including  
30 the reassignment, suspension or dismissal of professional

1 employees. This clause shall be suspended until June 30, 2014, in  
2 order to do all of the following:

3 (i) Permit the school district to investigate changes in  
4 various areas, including structure and curriculum.

5 (ii) Permit the school district and the General Assembly to  
6 consider financial reform.

7 (iii) Enable residents of the school district to plan for  
8 appropriate and effective transition upon implementation of this  
9 clause.

10 (7) To suspend professional employes without regard to the  
11 provisions of section 1125.1.

12 (8) To appoint managers, administrators or for-profit or  
13 nonprofit organizations to oversee the operations of a school or  
14 group of schools within the school district.

15 (9) To reallocate resources, amend school procedures,  
16 develop achievement plans and implement testing or other  
17 evaluation procedures for educational purposes.

18 (10) To supervise and direct principals, teachers and  
19 administrators.

20 (11) To negotiate any memoranda of understanding under the  
21 collective bargaining agreement in existence on the effective  
22 date of this section.

23 (12) To negotiate a new collective bargaining agreement.

24 (13) To delegate to a person, including an employe of the  
25 school district or a for-profit or nonprofit organization,  
26 powers it deems necessary to carry out the purposes of this  
27 article, subject to the supervision and direction of the School  
28 Reform Commission.

29 (14) To employ, contract with or assign persons or for-  
30 profit or nonprofit organizations to review the financial and

1 educational programs of school buildings and make  
2 recommendations to the School Reform Commission regarding  
3 improvements to the financial or educational programs of school  
4 buildings.

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6 Section 2. This act shall take effect immediately.