

# SENATE APPROPRIATIONS COMMITTEE FISCAL NOTE

**BILL NO.** Senate Bill 440

**PRINTER NO.** 418

**AMOUNT**

\$142,000

**FUND**

General Fund

**DATE INTRODUCED**

March 15, 2019

**PRIME SPONSOR**

Senator Phillips-Hill

**DESCRIPTION AND PURPOSE OF BILL**

Senate Bill 440 establishes a new Section 1506 (Flexible Instructional Days) in the Public School Code to allow for a public school entity to establish a program to fulfill instructional requirements with flexible instructional days when temporarily prevented from opening due to a weather or other emergency.

The legislation requires the Department of Education to issue guidance and establish a standard application form for a public school entity seeking to establish or renew a flexible instructional day program, which includes the following: (1) the procedure for instituting a flexible instruction day and notifying students, parents, and professional employees; (2) the responsibilities of professional employees and students; (3) the procedure for identifying student participation; (4) instruction exemplary of a flexible instruction day in English language arts, mathematics, science and social studies; (5) assurance of compliance with the Individuals with Disabilities Education Act; and (6) any additional information the department deems necessary.

For the first two years after enactment, it requires applications to be submitted to the department before September 1, and for the department to provide notification of acceptance or denial by November 1. In subsequent years, it requires applications to be submitted by June 1 and for the department to provide notification of acceptance or denial by August 1.

The legislation stipulates that a flexible instructional day program may not exceed five (5) days during a school year. It also requires the department to issue an annual survey related to the efficacy of the program to each participating public school entity and requires the public school entities to respond to the survey.

The legislation defines a "flexible instructional day" as a day that must satisfy all of the following: (1) fulfills one of the minimum required days of instruction under Section 1501 (Minimum Number of Days; School Month); (2) prevents a school building from opening due to a disease epidemic, hazardous weather, law enforcement emergency, the inoperability of school buses or other equipment necessary to the public school entity's operation, damage to the school building, or temporary circumstances that render any portion of the school building unfit or unsafe for use; and (3) provides instruction to students.

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The bill also defines a “public school entity” as a school district, intermediate unit, area vocational technical school, charter school or regional charter school.

The legislation is scheduled to take effect in 60 days.

### **FISCAL IMPACT:**

The Department of Education has indicated that enactment of Senate Bill 440 will necessitate the hiring of an additional employee to administer the flexible instructional day program at a cost of \$142,000 annually for salary, benefits and operating expenses.

For informational purposes, the department has been engaged in a three-year flexible instructional day pilot program similar to the program established by the legislation in the following schools: Bethlehem Center School District; Blackhawk School District; Carlisle School District; Central York School District; Dallastown School District; Elizabeth Forward School District; Evergreen Community Charter School; Lancaster Country Day School; Red Lion School District; Seneca Valley School District; Southern York County School District; and McGuffey School District.