

AMENDMENTS TO HOUSE BILL NO. 1660

Sponsor: SENATOR MARTIN

Printer's No. 1882

1 Amend Bill, page 2, lines 23 through 30; page 3, lines 1
2 through 30; page 4, lines 1 through 20; by striking out all of
3 said lines on said pages and inserting

4 (a) Beginning with the 2021-2022 school year and each school
5 year thereafter, the following shall apply:

6 (1) Whenever an emergency, except an emergency due to an
7 infectious disease, shall arise, which the board of school
8 directors of a school district in the performance of its duties
9 could not anticipate or foresee and the emergency is anticipated
10 to continue for more than five (5) consecutive school days
11 during which the school district is unable to provide in-person
12 instruction of pupils, the board of school directors shall have
13 the power to put into operation some or all of the temporary
14 emergency provisions under subsection (c) by a majority vote of
15 the board of school directors. In no event shall the temporary
16 emergency provisions remain in effect for a period of more than
17 sixty (60) calendar days unless an extension is approved by the
18 board. Extensions may be approved for a period of no more than
19 sixty (60) calendar days if all of the following conditions are
20 met:

21 (i) The board of school directors approves the extension
22 with a majority vote.

23 (ii) The board of school directors shall hold at least one
24 public hearing prior to the vote to extend temporary emergency
25 provisions.

26 (2) Whenever an emergency shall arise that is due to an
27 infectious disease, which the board of school directors of a
28 school district in the performance of its duties could not
29 anticipate or foresee and the emergency is anticipated to
30 continue for more than five (5) consecutive school days during
31 which the school district is unable to provide in-person
32 instruction of pupils, the board of school directors shall have
33 the power to put into operation some or all of the temporary
34 emergency provisions under subsection (c) by a majority vote of
35 the board of school directors. In no event shall the temporary
36 emergency provisions remain in effect for a period of more than
37 twenty-one (21) calendar days. An extension and any successive

1 extensions may be approved for a period of no more than twenty-
2 one (21) calendar days if all of the following conditions are
3 met:

4 (i) The board of school directors approves the extension
5 with a majority vote.

6 (ii) The board of school directors shall hold at least one
7 public hearing prior to the vote to extend temporary emergency
8 provisions.

9 (iii) There is an active local disaster emergency
10 declaration issued by the governing body of a political
11 subdivision under 35 Pa.C.S. § 7501(b) (relating to general
12 authority of political subdivisions) or an active Statewide
13 disaster emergency declared under 35 Pa.C.S. § 7301(c) (relating
14 to general authority of Governor) directly related to the
15 infectious disease resulting in the school district's inability
16 to provide in-person instruction of pupils.

17 (b) Upon approving temporary emergency provisions under
18 subsection (a)(1) or (2), the board of school directors shall
19 adopt a written plan for the implementation of the temporary
20 emergency provisions which include, at a minimum:

21 (1) An explanation of why the temporary emergency provisions
22 are necessary.

23 (2) How long the temporary emergency provisions are expected
24 to be in effect.

25 (3) How the school district will provide for the education
26 of all impacted pupils while the temporary emergency provisions
27 are in effect.

28 (c) The school district shall publish the written plan under
29 subsection (b) on its publicly accessible Internet website and
30 update the written plan for each approved extension of the
31 temporary emergency provisions.

32 (d) Upon approving temporary emergency provisions under
33 subsection (a)(1) or (2), a board of school directors may:

34 (1) Keep the schools of the district in session such days
35 and number of days per week as the board of school directors
36 deems feasible, but the provisions of this act requiring a
37 minimum of one hundred eighty (180) session days as a school
38 year shall not be affected by this paragraph.

39 (2) Reduce the length of time of daily instruction for
40 various courses and classes.

41 (3) Provide instruction delivered in whole or in part using
42 technology that may include the Internet, video conferencing or
43 other electronic means to pupils participating at home or at
44 other locations outside of a school building.

45 (e) Any school district, by invoking the powers under this
46 section, shall not forfeit the school district's right to
47 reimbursement by the Commonwealth or other State aid as
48 otherwise provided for by this act.

49 (f) This section shall not be construed to prohibit a school
50 district from operating a cyber education program.

51 (g) As used in this section, the following words and phrases

1 shall have the meanings given to them in this subsection unless
2 the context clearly indicates otherwise:

3 "Infectious Disease" shall mean a disease that is caused by
4 an infectious agent that may be transmittable from
5 individual to individual, animal to individual or insect to
6 individual or through any other mode of transmission.

7 "Emergency" shall mean an event that prevents a school
8 building from opening due to any of the following:

9 (1) An infectious disease.

10 (2) A hazardous weather condition.

11 (3) A law enforcement emergency.

12 (4) The inoperability of school buses or other equipment
13 necessary to the public school entity's operation.

14 (5) Damage to a school building.

15 (6) Another temporary circumstance rendering any portion of
16 a school building unfit or unsafe for use.