

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 821

Session of
1979

INTRODUCED BY MR. LEVI, MRS. HOHAMAN, MESSRS. KLINGAMAN, GEIST
AND MACKOWSKI, MARCH 26, 1979

AS AMENDED ON SECOND CONSIDERATION, IN SENATE, MAY 20, 1980

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 qualifications
6 for the office of school director, INCREASING CERTAIN <—
7 AUTHORIZED ACQUISITION ALLOWANCES CONCERNING TEXTBOOKS FOR
8 NONPUBLIC SCHOOL CHILDREN, RESIDENCY OF SCHOOL EMPLOYES, THE
9 GRADUATION OF QUALIFIED STUDENTS AND FOR PAYMENT OF
10 REIMBURSEMENT DURING CERTAIN EMERGENCIES.

11 The General Assembly of the Commonwealth of Pennsylvania
12 hereby enacts as follows:

13 Section 1. ~~Section 322,~~ SECTIONS 322, 923-A(D), 1106, 1501 <—
14 AND 2523, act of March 10, 1949 (P.L.30, No.14), known as the
15 "Public School Code of 1949," ~~amended June 16, 1972 (P.L.449,~~ <—
16 ~~No.138), is~~ SECTION 322 AMENDED FEBRUARY 8, 1980 (NO.2) SECTION <—
17 923-A(D) AMENDED AUGUST 24, 1977 (P.L.199, NO.59), SECTION 1501
18 AMENDED SEPTEMBER 21, 1959 (P.L.925, NO.373), AND SECTION 2523
19 AMENDED JANUARY 14, 1970 (1969 P.L.468, NO.192), ARE amended to
20 read:

21 Section 322. Eligibility; Incompatible Offices.--Any citizen

1 of this Commonwealth, having a good moral character, being
2 eighteen (18) years of age or upwards, being a registered
3 elector, and having been a resident of the district for at least
4 one (1) year prior to the date of his election or appointment,
5 shall be eligible to the office of school director therein:
6 Provided, That any person holding any office or position of
7 profit under the government of any city of the first class, or
8 the office of mayor, chief burgess, county commissioner,
9 district attorney, city, borough, or township treasurer, member
10 of council in any municipality, township commissioner, township
11 supervisor, tax collector, assessor, assistant assessor, any
12 comptroller, auditor, constable, executive director or assistant
13 executive director of an intermediate unit, supervisor,
14 principal, teacher, or employe of any school district, shall not
15 be eligible as a school director in this Commonwealth. This
16 section shall not prevent any district superintendent, assistant
17 district superintendent, supervisor, teacher, or employe of any
18 school district, from being a school director in a district
19 other than the one in which he is so employed, and other than in
20 a district with which the district in which he is employed
21 operates a joint school or department: PROVIDED, HOWEVER, THAT A <—
22 JOINT SCHOOL OR DEPARTMENT DOES NOT INCLUDE A VOCATIONAL SCHOOL,
23 INTERMEDIATE UNIT OR COMMUNITY COLLEGE: AND PROVIDED FURTHER,
24 THAT A SCHOOL DIRECTOR WHO IS A SUPERVISOR, PRINCIPAL, TEACHER
25 OR EMPLOYE OF A VOCATIONAL SCHOOL, INTERMEDIATE UNIT OR
26 COMMUNITY COLLEGE SHALL NOT SERVE AS A MEMBER OF A BOARD OF THE
27 VOCATIONAL SCHOOL, INTERMEDIATE UNIT OR COMMUNITY COLLEGE IN
28 WHICH HE IS A SUPERVISOR, PRINCIPAL, TEACHER OR EMPLOYE. A
29 school director shall not be eligible to the office of member of
30 council in any municipality.

SECTION 923-A. LOAN OF TEXTBOOKS, INSTRUCTIONAL MATERIALS
AND EQUIPMENT, NONPUBLIC SCHOOL CHILDREN.--* * *

(D) PURCHASE OF TEXTBOOKS AND INSTRUCTIONAL MATERIALS. THE
SECRETARY SHALL NOT BE REQUIRED TO PURCHASE OR OTHERWISE ACQUIRE
TEXTBOOKS, PURSUANT TO THIS SECTION, THE TOTAL COST OF WHICH, IN
ANY SCHOOL YEAR, SHALL EXCEED AN AMOUNT EQUAL TO TWELVE DOLLARS
(\$12) FOR THE SCHOOL YEAR 1973-1974, FIFTEEN DOLLARS (\$15) FOR
THE SCHOOL YEAR BEGINNING JULY 1, 1974 AND [TWENTY DOLLARS
(\$20)] TWENTY-SEVEN DOLLARS (\$27) FOR EACH SCHOOL YEAR
THEREAFTER OR INSTRUCTIONAL MATERIALS, THE TOTAL COST OF WHICH,
IN ANY SCHOOL YEAR, SHALL EXCEED AN AMOUNT EQUAL TO TEN DOLLARS
(\$10), MULTIPLIED BY THE NUMBER OF CHILDREN RESIDING IN THE
COMMONWEALTH WHO ON THE FIRST DAY OF OCTOBER OF THE SCHOOL YEAR
IMMEDIATELY PRECEDING ARE ENROLLED IN GRADES KINDERGARTEN
THROUGH TWELVE OF A NONPUBLIC SCHOOL.

* * *

Section 1106. Duty to Employ.--The board of school directors
in every school district shall employ the necessary qualified
professional employes, substitutes and temporary professional
employes to keep the public schools open in their respective
districts in compliance with the provisions of this act. No
school district shall require that any employe reside within the
school district as a condition for appointment or continued
employment. A school district may require its school employes to
reside in Pennsylvania.

Section 1501. Minimum Number of Days; School Month.--All
public kindergartens, elementary and secondary schools shall be
kept open each school year for at least one hundred eighty (180)
days of instruction for pupils. No days on which the schools are
closed shall be counted as days taught, and no time shall be

1 counted as a pupil session for any activity to which admission
2 is charged. ~~NO~~ FOR THE SCHOOL YEAR 1979-1980, NO SCHOOL DISTRICT <—
3 SHALL BE REQUIRED TO CHANGE ITS GRADUATION SCHEDULE OR REQUIRE
4 GRADUATING STUDENTS TO RETURN TO SCHOOL AFTER GRADUATION TO MAKE
5 UP CLASS DAYS LOST DUE TO SEVERE WEATHER CONDITIONS OR FOR
6 SITUATIONS BEYOND THE CONTROL OF THE SCHOOL DISTRICT AS A RESULT
7 OF MAJOR CONSTRUCTION AND RENOVATION TO THE SCHOOL BUILDING. NO <—
8 FOR THE SCHOOL YEAR 1979-1980, NO DISTRICT WHICH MAKES A BONA
9 FIDE EFFORT AS DETERMINED BY THE SECRETARY OF EDUCATION TO
10 PROVIDE ONE HUNDRED EIGHTY (180) DAYS OF INSTRUCTION FOR
11 GRADUATING STUDENTS SHALL RECEIVE LESS SUBSIDY PAYMENTS OR
12 REIMBURSEMENTS THAN IT WOULD OTHERWISE BE ENTITLED TO RECEIVE ON
13 ACCOUNT OF THE SCHOOL YEAR BECAUSE OF THE PROVISIONS OF THIS
14 SECTION. Unless otherwise provided by this act, the board of
15 school directors in any district or joint board may keep such
16 other schools or departments as it may establish open during
17 such time as it may direct.

18 Twenty days of actual teaching shall constitute a school
19 month.

20 Section 2523. Schools Closed on Account of Contagious
21 Disease, etc.--When any board of school directors or
22 intermediate unit with respect to area technical schools is
23 compelled to close any school or schools on account of any
24 contagious disease, [the destruction or damage of a school
25 building by fire or otherwise,] major construction or renovation
26 to a school building, natural disaster or other emergency, not
27 including labor disputes involving school employes, and therefor
28 is unable to keep such school or schools open for the minimum
29 term required by this act, the [Superintendent of Public
30 Instruction] Secretary of Education may pay to such school

1 district or intermediate unit any or all of its share of the
2 annual State appropriation as he deems proper.

3 Section 2. This act shall take effect immediately.