

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1245 Session of 1993

INTRODUCED BY LESCOVITZ, PISTELLA, BATTISTO, D. W. SNYDER AND MERRY, APRIL 19, 1993

AS AMENDED ON THIRD CONSIDERATION, HOUSE OF REPRESENTATIVES, MARCH 15, 1994

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 the retention
6 of records AND FOR LOANS OF CERTAIN EQUIPMENT RELATING TO
7 NONPUBLIC SCHOOL CHILDREN; AND PROVIDING FOR ACCESS TO
8 PERSONNEL FILES BY BOARDS OF SCHOOL DIRECTORS.

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9 The General Assembly of the Commonwealth of Pennsylvania
10 hereby enacts as follows:

11 Section 1. Section 518 of the act of March 10, 1949 (P.L.30,
12 No.14), known as the Public School Code of 1949, amended June
13 17, 1982 (P.L.525, No.149), is amended to read:

14 Section 518. Retention of Records.--Every board of school
15 directors shall retain as a permanent record of the district,
16 the minute book, each annual auditor's report, and each annual
17 financial report. All other financial records of the district,
18 including financial account books, orders, bills, contracts,
19 invoices, receipts, and purchase orders shall be retained by the
20 district for a period of not less than six years. Records may be

1 retained as [photographed, microphotographed or microfilmed
2 copies] recorded or copied in accordance with the act of January
3 18, 1968 (1967 P.L.961, No.428), known as the "Municipal Records
4 Act."

5 SECTION 2. THE ACT IS AMENDED BY ADDING A SECTION TO READ: <—

6 SECTION 528. ACCESS TO PERSONNEL FILES.--THE BOARD OF SCHOOL
7 DIRECTORS SHALL AT ALL TIMES HAVE RIGHT OF ACCESS TO THE
8 PERSONNEL FILES OF ALL SCHOOL DISTRICT EMPLOYEES.

9 SECTION 3. THE DEFINITIONS OF "INSTRUCTIONAL EQUIPMENT" AND
10 "TEXTBOOKS" IN SECTION 923-A(B) OF THE ACT, AMENDED OR ADDED
11 JULY 12, 1972 (P.L.863, NO.195) AND JULY 18, 1974 (P.L.475,
12 NO.169), ARE AMENDED TO READ:

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

15 (B) DEFINITIONS. THE FOLLOWING TERMS, WHENEVER USED OR
16 REFERRED TO IN THIS SECTION, SHALL HAVE THE FOLLOWING MEANINGS,
17 EXCEPT IN THOSE CIRCUMSTANCES WHERE THE CONTEXT CLEARLY
18 INDICATES OTHERWISE:

19 "INSTRUCTIONAL EQUIPMENT" MEANS INSTRUCTIONAL EQUIPMENT,
20 OTHER THAN FIXTURES ANNEXED TO AND FORMING PART OF THE REAL
21 ESTATE, WHICH IS SUITABLE FOR AND TO BE USED BY CHILDREN AND/OR
22 TEACHERS. THE TERM INCLUDES BUT IS NOT LIMITED TO PROJECTION
23 EQUIPMENT, RECORDING EQUIPMENT, SATELLITE DISHES AND ALL
24 ESSENTIAL COMPONENTS FOR THE RECEPTION AND TELECAST OF SATELLITE
25 TRANSMISSION, LABORATORY EQUIPMENT, AND ANY OTHER EDUCATIONAL
26 SECULAR, NEUTRAL, NON-IDEOLOGICAL EQUIPMENT AS MAY BE OF BENEFIT
27 TO THE INSTRUCTION OF NONPUBLIC SCHOOL CHILDREN AND ARE
28 PRESENTLY OR HEREAFTER PROVIDED FOR PUBLIC SCHOOL CHILDREN OF
29 THE COMMONWEALTH.

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1 "TEXTBOOKS" MEANS BOOKS, WORKBOOKS, INCLUDING REUSABLE AND
2 NON-REUSABLE WORKBOOKS, SATELLITE DISHES AND ALL ESSENTIAL
3 COMPONENTS FOR THE RECEPTION AND TELECAST OF SATELLITE
4 TRANSMISSION, AND MANUALS, WHETHER BOUND OR IN LOOSELEAF FORM,
5 INTENDED FOR USE AS A PRINCIPAL SOURCE OF STUDY MATERIAL FOR A
6 GIVEN CLASS OR GROUP OF STUDENTS, A COPY OF WHICH IS EXPECTED TO
7 BE AVAILABLE FOR THE INDIVIDUAL USE OF EACH PUPIL IN SUCH CLASS
8 OR GROUP. SUCH TEXTBOOKS SHALL BE TEXTBOOKS WHICH ARE ACCEPTABLE
9 FOR USE IN ANY PUBLIC, ELEMENTARY, OR SECONDARY SCHOOL OF THE
10 COMMONWEALTH.

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12 Section ~~2~~ 4. This act shall take effect immediately.

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