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THE GENERAL ASSEMBLY OF PENNSYLVANIA

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SENATE BILL

No. 477 Session of  
1997

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INTRODUCED BY KASUNIC, COSTA, O'PAKE AND BELAN,  
FEBRUARY 12, 1997

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REFERRED TO EDUCATION, FEBRUARY 12, 1997

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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 use of school  
6 buildings for other purposes and for days on which schools  
7 shall not be kept open.

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

10 Section 1. Section 775 of the act of March 10, 1949 (P.L.30,  
11 No.14), known as the Public School Code of 1949, amended October  
12 7, 1955 (P.L.676, No.187) and October 21, 1965 (P.L.601,  
13 No.312), is amended to read:

14 Section 775. Use of School Buildings for Other Purposes;  
15 Arrangements with City, Borough or Township.--The board of  
16 school directors of any district may permit the use of its  
17 school grounds and buildings for social, recreation, and other  
18 proper purposes, under such rules and regulations as the board  
19 may adopt. The board shall make such arrangements with any city,  
20 borough, or township authorities for the improvement, care,

1 protection, and maintenance of school buildings and grounds for  
2 school, park, play, or other recreation purposes, as it may see  
3 proper. Any board of school directors may make such arrangements  
4 as it may see proper with any officials or individuals for the  
5 temporary use of school property for schools, playgrounds,  
6 social, recreation, or other proper educational purposes,  
7 [primaries and elections,] and may permit the use of any school  
8 building for holding official meetings of the governing  
9 authorities of corporate or politic, governmental or quasi-  
10 governmental bodies, created by authority of any act of  
11 Assembly. The use thereof shall not interfere with school  
12 programs and shall be subject to reasonable rules and  
13 regulations adopted by the board of school directors.

14 Upon request of a county board of elections made under  
15 section 527 of the act of June 3, 1937 (P.L.1333, No.320), known  
16 as the "Pennsylvania Election Code," the board of school  
17 directors shall make arrangements for the use of school property  
18 as a polling place. Rules and regulations adopted by a board of  
19 school directors that prohibit use of school property as a  
20 polling place or that impose unreasonable conditions on use of  
21 school property as a polling place shall be null and void.

22 Funds raised by individuals, groups, associations, or  
23 corporations, through the permissive use of school grounds or  
24 buildings, now or hereafter authorized by law, shall be the  
25 property of the individuals, groups, associations, or  
26 corporations, and not the property of the school district,  
27 subject, however, to such arrangements as the board may, at its  
28 discretion, lawfully make.

29 The board of school directors of any school district shall  
30 have power and authority to lease any part of their respective

1 school building, equipment and premises, or any vacant building,  
2 for any educational purpose. Such leases shall be subject to the  
3 terms and regulations which may be adopted by the board of  
4 school directors, and except in districts of the first class,  
5 shall be further subject to the approval of the Department of  
6 Public Instruction.

7 The board of public education or the board of school  
8 directors of any school district shall have power and authority  
9 to lease any of their respective school buildings or athletic  
10 fields to any reputable organization or group of persons for  
11 charitable purposes, subject to such charges as the board shall  
12 consider proper to reimburse it for any costs resulting from the  
13 leasing of such school buildings or athletic fields. At the time  
14 of such leasing, any such board may require a bond, in an amount  
15 that it may deem proper, with responsible sureties or  
16 securities, and a statement of the charitable purposes for which  
17 such lease is requested.

18 Section 2. Section 1502 of the act, amended May 6, 1996  
19 (P.L.150, No.28), is amended to read:

20 Section 1502. Days Schools not to be Kept Open.--(a) Except  
21 as provided in subsection (c), no school shall be kept open on  
22 any Saturday for the purpose of ordinary instruction, except  
23 when Monday is fixed by the board of school directors as the  
24 weekly holiday, or on Sunday, primary election day, Memorial  
25 Day, Fourth of July, general election day or Christmas nor shall  
26 any school be kept open in any district during the time of  
27 holding the teachers' institute for such district.

28 (c) For the school year 1995-1996 only, the board of school  
29 directors shall have the option of rescheduling instructional  
30 days on Saturday, but for not more than one Saturday per month,

1 to make up instructional days lost from the adopted school  
2 calendar because school was closed as a result of the weather  
3 emergency of 1996. In those cases where a board of directors  
4 chooses to reschedule instructional days on Saturdays in  
5 accordance with the provisions of this section, schools within  
6 such board's jurisdiction shall not schedule tests or  
7 examinations on these Saturdays. Notwithstanding the provisions  
8 of subsection (a), if the board of school directors reschedules  
9 an instructional day on Saturday, the schools may be open the  
10 following Monday.

11 Section 3. All acts and parts of acts are repealed insofar  
12 as they are inconsistent with this act.

13 Section 4. This act shall take effect in 60 days.