

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1342 Session of
1999

INTRODUCED BY MELIO, SHANER, CASORIO, PESCI, M. COHEN, ROBERTS
AND STEELMAN, APRIL 20, 1999

REFERRED TO COMMITTEE ON EDUCATION, APRIL 20, 1999

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) and June 25, 1997 (P.L.297, No.30), is amended
20 to read:

21 Section 1502. Days Schools not to be Kept Open.--(a) Except
22 as provided in subsection (c), no school shall be kept open on
23 any Saturday for the purpose of ordinary instruction, except
24 when Monday is fixed by the board of school directors as the
25 weekly holiday, or on Sunday, primary election day, Memorial
26 Day, Fourth of July, general election day, Christmas,
27 Thanksgiving, the First of January and up to five additional
28 days designated as local holidays in the adopted school calendar
29 by the board of school directors as official local school
30 district holidays, nor shall any school be kept open in any

1 district during the time of holding the teachers' institute for
2 such district. The board of school directors may cancel any day
3 designated as a local holiday in the event of a weather
4 emergency or natural disaster.

5 (c) For the school year 1995-1996 only, the board of school
6 directors shall have the option of rescheduling instructional
7 days on Saturday, but for not more than one Saturday per month,
8 to make up instructional days lost from the adopted school
9 calendar because school was closed as a result of the weather
10 emergency of 1996. In those cases where a board of directors
11 chooses to reschedule instructional days on Saturdays in
12 accordance with the provisions of this section, schools within
13 such board's jurisdiction shall not schedule tests or
14 examinations on these Saturdays. Notwithstanding the provisions
15 of subsection (a), if the board of school directors reschedules
16 an instructional day on Saturday, the schools may be open the
17 following Monday.

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 All acts and parts of acts are repealed insofar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

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