

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 382 Session of
2005

INTRODUCED BY GODSHALL, PHILLIPS, BUNT, BARRAR, BEBKO-JONES,
CIVERA, CLYMER, CREIGHTON, DALEY, FICHTER, GOOD, HERMAN,
HERSHEY, HESS, JAMES, M. KELLER, LEACH, R. MILLER, NAILOR,
O'NEILL, PALLONE, PYLE, RUBLEY, SCAVELLO, E. Z. TAYLOR,
THOMAS, TIGUE, WATSON AND WILT, FEBRUARY 9, 2005

REFERRED TO COMMITTEE ON EDUCATION, FEBRUARY 9, 2005

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 powers and
6 duties of the intermediate unit board of directors; providing
7 for State reimbursement for mobile classroom facilities; and
8 making editorial changes.

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

11 Section 1. Section 914-A(5) of the act of March 10, 1949
12 (P.L.30, No.14), known as the Public School Code of 1949, added
13 May 4, 1970 (P.L.311, No.102), is amended to read:

14 Section 914-A. Powers and Duties of the Intermediate Unit
15 Board of Directors.--An intermediate unit board of directors
16 shall have the power and its duty shall be:

17 * * *

18 (5) To adopt a program of services. Each intermediate unit
19 may provide, but shall, except as hereinafter provided, be

1 limited to, the following services: (i) curriculum development
2 and instructional improvement services; (ii) educational
3 planning services; (iii) instructional materials services; (iv)
4 continuing professional education services; (v) pupil personnel
5 services; (vi) State and Federal agency liaison services; and
6 (vii) management services. Each additional service to be
7 provided shall be first approved by a majority of all the boards
8 of school directors comprising the intermediate unit at a
9 meeting called by the intermediate unit board of directors for
10 the express purpose of approving or disapproving any such
11 additional service. Each intermediate unit may provide for the
12 furnishing of any of the services mentioned in this clause or
13 elsewhere in this act to nonpublic, nonprofit schools which
14 schools are hereby authorized to contract for and purchase
15 services from intermediate units so as to participate in the
16 intermediate program. An intermediate unit may provide software,
17 data processing and related professional services associated
18 with subparagraphs (v), (vi) and (vii) to only those school
19 districts which are both served by that intermediate unit as set
20 forth in section 902-A and which have not previously purchased
21 such services from the private sector.

22 * * *

23 Section 2. Section 2574(a) of the act, amended September 29,
24 1959 (P.L.992, No.407), is amended to read:

25 Section 2574. Approved Reimbursable Rental for Leases
26 Hereafter Approved and Approved Reimbursable Sinking Fund
27 Charges on Indebtedness.--(a) For school building projects for
28 which the general construction contract is awarded subsequent to
29 March 22, 1956, and for approved school building projects for
30 which the general construction contract was awarded but for

1 which a lease was not approved by the Department of [Public
2 Instruction] Education prior to March 22, 1956, the Department
3 of [Public Instruction] Education shall calculate an approved
4 reimbursable rental or approved reimbursable sinking fund
5 charges. Reimbursable sinking fund charges may include charges
6 for temporary indebtedness within constitutional limitations, if
7 the indebtedness is incurred for approved [permanent]
8 improvements to the school plant including the cost of acquiring
9 a suitable site for a school building, the cost of constructing
10 a new school building, or the cost of providing needed additions
11 or alterations to existing buildings for which no bond issue is
12 provided and for which an approved obligation or obligations
13 other than bonds have been issued and the obligation or
14 obligations are payable within five (5) years from the date of
15 issue of the obligation in equal annual installments. As used in
16 this section, "building" shall include a permanent structure
17 that contains or is attached to relocatable or modular
18 classrooms. The term "relocatable or modular classroom" shall
19 mean a classroom not of a permanent nature which meets the
20 criteria and specifications of the Department of Education.

21 Approved reimbursable rental or sinking fund charge shall
22 consist of that part of the annual rental or sinking fund charge
23 attributable to--

24 (1) The cost of acquiring the land upon which the school
25 buildings are situate, the cost of necessary rough grading to
26 permit proper placement of the building upon said land and the
27 cost of sewage treatment plants, as required by the Department
28 of Health, to the extent that such costs are deemed reasonable
29 by the Department of [Public Instruction] Education and the
30 interest on such costs of acquisition, grading and sewage

1 treatment plants earned subsequent to date the construction
2 contract is awarded, and

3 (2) The approved building construction cost and the interest
4 on such construction cost.

5 * * *

6 Section 3. This act shall take effect as follows:

7 (1) The amendment of section 2574(a) of the act shall
8 take effect in 60 days.

9 (2) The remainder of this act shall take effect
10 immediately.