

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 933 Session of
2011

INTRODUCED BY FOLMER, RAFFERTY, BAKER, WARD, ALLOWAY, BROWNE,
WILLIAMS, BREWSTER, MENSCH, EARLL, BRUBAKER, FARNESE AND
PICCOLA, APRIL 6, 2011

SENATOR PICCOLA, EDUCATION, AS AMENDED, MAY 10, 2011

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," IN INTERMEDIATE UNITS, further
6 providing for ~~reports to Department of Education, for~~
7 subsidies for services and for financial reports.



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

10 ~~Section 1. Section 218 of act of March 10, 1949 (P.L.30,~~
11 ~~No.14), known as the Public School Code of 1949, amended~~
12 ~~November 17, 2010 (P.L.996, No.104), is amended to read:~~



13 ~~Section 218. Reports to Department of Education. (a) An~~
14 ~~annual financial report shall be submitted to the Secretary of~~
15 ~~Education by each school district, intermediate unit, charter~~
16 ~~school, cyber charter school and area vocational technical~~
17 ~~school not later than the 31st day of October. All financial~~
18 ~~accounting and reporting by school districts, intermediate~~
19 ~~units, charter schools, cyber charter schools and area~~
20 ~~vocational technical schools to the Department of Education~~

~~shall be in accordance with generally accepted accounting and reporting standards, except that management discussion and analysis and related notes and the following financial statements shall not be required components of the annual financial report: entity wide financial statements, including the statement of activities and the statement of net assets; the reconciliation of the balance sheet — governmental funds to statement of net assets; and the reconciliation of the statement of revenues, expenditures and changes in fund balances — governmental funds to statement of activities. The Department of Education shall establish a reporting standard for the annual financial report.~~

~~(b) The chief school administrator and board secretary of a school district, intermediate unit, charter school, cyber charter school or area vocational technical school shall submit a signed statement to the Department of Education not later than the 31st day of December of each year certifying that: the audited financial statements of the school district, intermediate unit, charter school, cyber charter school or area vocational technical school have been properly audited pursuant to Article XXIV and that in the independent auditor's professional opinion, the financial information submitted in the annual financial report was materially consistent with the audited financial statements.~~

~~(c) If the financial information submitted in the annual financial report was not materially consistent with the audited financial statements, the school district, intermediate unit, charter school, cyber charter school or area vocational technical school shall submit a revised annual financial report to the Department of Education not later than the 31st day of~~

1 ~~December.~~

2 ~~(d) The Department of Education shall order the forfeiture~~
3 ~~penalties provided for under section 2552.1(a.1) against a~~
4 ~~school district, intermediate unit, charter school, cyber~~
5 ~~charter school or area vocational technical school for failure~~
6 ~~to timely submit an annual financial report or revised annual~~
7 ~~financial report.~~

8 ~~Section 2. Section 907-A of the act, added May 4, 1970~~
9 ~~(P.L.311, No.102), is amended to read:~~

10 SECTION 1. SECTION 907-A OF THE ACT OF MARCH 10, 1949
11 (P.L.30, NO.14), KNOWN AS THE PUBLIC SCHOOL CODE OF 1949, ADDED
12 MAY 4, 1970 (P.L.311, NO.102), IS AMENDED TO READ:

13 Section 907-A. Subsidies for Services.--(a) Intermediate
14 units shall receive subsidies from the Commonwealth as herein
15 provided only for services performed pursuant to and authorized
16 by law, as hereinafter provided. Nothing contained herein shall
17 prohibit intermediate units from receiving funds from school
18 districts and other sources including nonpublic nonprofit
19 schools and expending such funds to provide additional services
20 not included in the approved program of services.

21 (b) No later than February 1, 2012, the intermediate units
22 AND BY FEBRUARY 1 OF EACH YEAR THEREAFTER, AN INTERMEDIATE UNIT
23 shall submit to the Department of Education a report on
24 subsidies and funds received in accordance with this section.

25 (1) The report shall include, but not be limited to, the
26 following information:

27 (i) A listing of all contracts, interagency
28 agreements and purchase orders executed by a Commonwealth
29 agency with each intermediate unit AND BETWEEN
30 INTERMEDIATE UNITS.

1 (ii) The total amount and duration of each item
2 under subparagraph (i), including the annual amount if
3 the item covers multiple years.

4 (iii) The source, or sources, and amounts of funds
5 needed to cover the entire cost of each item.

6 (iv) A description of programs or services, or both,
7 being provided, including performance measures by which
8 each intermediate unit will be assessed and penalties for
9 nonperformance, if any.

10 (v) A description of the selection process used in
11 entering into the arrangement.

12 (vi) A listing of all employees, contractors and
13 agents covered under the contracts, the duties of each
14 and the remuneration provided under the contract.

15 (2) The Department of Education shall develop the format
16 to be used by the intermediate units in the collection of the
17 information under paragraph (1).

18 (3) The Department of Education shall post the reports
19 on its Internet website.

20 (4) The first report shall cover fiscal ~~year 2009-2010~~ ←
21 YEARS 2009-2010 AND 2010-2011. EACH FUTURE REPORT SHALL COVER ←
22 THE PREVIOUS FISCAL YEAR.

23 Section 3 2. Section 921-A of the act is amended by adding a ←
24 subsection to read:

25 Section 921-A. Financial reports.--* * *

26 (a.1) The Department of Education shall post on its Internet
27 website, in the format consistent with those already posted for
28 the other local education agencies, information included in the
29 intermediate units' annual financial reports.

30 * * *

1 Section ~~4~~ 3. This act shall take effect immediately.

