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THE GENERAL ASSEMBLY OF PENNSYLVANIA

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SENATE BILL

No. 1168 Session of  
2011

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INTRODUCED BY TARTAGLIONE, HUGHES, KITCHEN, COSTA, FARNESE AND  
STACK, JUNE 23, 2011

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REFERRED TO EDUCATION, JUNE 23, 2011

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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 distress in  
6 school districts of the first class.

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

9 Section 1. Section 696(i) introductory paragraph and (7) and  
10 (k) introductory paragraph, (2) and (5) of the act of March 10,  
11 1949 (P.L.30, No.14), known as the Public School Code of 1949,  
12 amended October 30, 2001, (P.L.828, No.83), are amended to read:

13 Section 696. Distress in School Districts of the First  
14 Class.--\* \* \*

15 (i) [In addition to all powers granted to the superintendent  
16 by law and a special board of control under section 693 and  
17 notwithstanding any other law to the contrary, the] The School  
18 Reform Commission shall have the following powers:

19 \* \* \*

20 [(7) To suspend professional employes without regard to the

1 provisions of section 1125.1.]

2 \* \* \*

3 (k) Collective bargaining between employes and the school  
4 district of the first class shall be conducted in accordance  
5 with this subsection. For purposes of collective bargaining, [as  
6 used in section 693 and this section:] "professional employe"  
7 shall have the meaning given in section 1101(1), and "teacher"  
8 shall have the meaning given in former section 1202-A.

9 \* \* \*

10 (2) No distressed school district of the first class shall  
11 be required to engage in collective bargaining negotiations or  
12 enter into memoranda of understanding or other agreements  
13 regarding any of the following issues:

14 (i) Contracts with third parties for the provision of goods  
15 or services, including educational services or the potential  
16 impact of such contracts on employes.

17 [(ii) Decisions related to reductions in force.]

18 (iii) Staffing patterns and assignments, class schedules,  
19 academic calendar, places of instruction, pupil assessment and  
20 teacher preparation time.

21 (iv) The use, continuation or expansion of programs  
22 designated by the School Reform Commission as pilot or  
23 experimental programs.

24 (v) The approval or designation of a school as a charter or  
25 magnet school.

26 (vi) The use of technology to provide instructional or other  
27 services.

28 \* \* \*

29 (5) [Except as specifically provided in section 693,  
30 nothing] Nothing in this subsection shall eliminate, supersede

1 or preempt any provision of an existing collective bargaining  
2 agreement [until the expiration of the agreement unless  
3 otherwise authorized by law].

4 \* \* \*

5 Section 2. This act shall take effect in 60 days.