
 THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 1281 Session of
2014

INTRODUCED BY CORMAN, BAKER, ERICKSON, SCHWANK, FARNESE,
GREENLEAF, HUGHES, YAW, YUDICHAK, ALLOWAY, COSTA, BREWSTER,
BRUBAKER AND TARTAGLIONE, MARCH 11, 2014

AS REPORTED FROM COMMITTEE ON EDUCATION, HOUSE OF
REPRESENTATIVES, AS AMENDED, SEPTEMBER 15, 2014

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 PRELIMINARY PROVISIONS, PROVIDING <--
6 FOR PUBLIC SCHOOL WEB ACCOUNTABILITY AND TRANSPARENCY; IN
7 GROUNDS AND BUILDINGS, FURTHER PROVIDING FOR APPROVAL BY
8 DEPARTMENT OF PLANS OF BUILDINGS AND EXCEPTIONS, PROVIDING
9 FOR ACCOUNTABILITY AND REDUCING COSTS IN CONSTRUCTION
10 PROCESS, FURTHER PROVIDING FOR LIMITATION ON NEW APPLICATIONS
11 FOR DEPARTMENT OF EDUCATION APPROVAL OF PUBLIC SCHOOL
12 BUILDING PROJECTS; in terms and courses of study, ~~adding~~ <--
13 ~~winter~~ PROVIDING FOR PAYMENTS OR REIMBURSEMENTS RELATING TO <--
14 SECRETARY DECLARATION OF WEATHER emergency provisions and <--
15 ~~further providing for days schools not to be kept open.~~; AND, <--
16 IN REIMBURSEMENTS BY COMMONWEALTH AND BETWEEN SCHOOL
17 DISTRICTS, FURTHER PROVIDING FOR DEFINITIONS, FOR APPROVED
18 REIMBURSABLE RENTAL FOR LEASES, HEREAFTER APPROVED AND
19 APPROVED REIMBURSABLE SINKING FUND CHARGES ON INDEBTEDNESS,
20 FOR PAYMENTS ON ACCOUNT OF LEASES HEREAFTER APPROVED AND ON
21 ACCOUNT OF SINKING FUND CHARGES ON INDEBTEDNESS FOR SCHOOL
22 BUILDING HEREAFTER CONSTRUCTED AND FOR PAYMENTS ON ACCOUNT OF
23 BUILDING COSTS, PROVIDING FOR LUMP SUM REIMBURSEMENT FOR
24 CONSTRUCTION OR RECONSTRUCTION.

25 THE GENERAL ASSEMBLY FINDS AND DECLARES AS FOLLOWS:

26 (1) IT IS IMPORTANT THAT PUBLIC SCHOOLS OPERATE AS
27 EFFICIENTLY AS POSSIBLE AND ARE RESPONSIBLE IN THEIR USE OF

1 TAXPAYER FUNDS.

2 (2) IT IS IMPORTANT THAT SCHOOL DISTRICTS HAVE THE
3 FLEXIBILITY TO PLAN FOR THE SCHOOL YEAR IN RESPONSE TO
4 POTENTIAL WEATHER EMERGENCIES WHILE ENSURING CONSISTENT
5 COMMONWEALTH SUBSIDY.

6 (3) IT IS IMPORTANT THAT THE SCHOOL CONSTRUCTION
7 REIMBURSEMENT PROCESS OPERATE IN AN EFFICIENT AND TIMELY
8 MANNER IN ORDER TO PROVIDE SCHOOL DISTRICTS WITH REVENUE
9 STABILITY, AND THAT THIS PROCESS ENCOURAGE FISCAL
10 RESPONSIBILITY.

11 (4) IT IS THE PURPOSE OF THIS ACT TO PROVIDE FOR
12 INCREASED EFFICIENCIES, FLEXIBILITY IN PLANNING AND REVENUE
13 STABILITY FOR PUBLIC SCHOOLS, AND TO ENCOURAGE PUBLIC SCHOOLS
14 TO BE FISCALLY RESPONSIBLE.

15 (5) THIS ACT WILL:

16 (I) PROVIDE FOR A SEARCHABLE, PUBLIC INTERNET
17 WEBSITE THAT WILL ALLOW TAXPAYERS TO MONITOR PUBLIC
18 SCHOOL EFFICIENCY BY REVIEWING PUBLIC SCHOOL RECEIPTS,
19 EXPENDITURES AND PERFORMANCE.

20 (II) PROVIDE FOR REVENUE CERTAINTY AND FLEXIBILITY
21 IN PLANNING FOR SCHOOL DISTRICTS BY ENSURING THAT SCHOOL
22 DISTRICTS THAT SATISFY THE MINIMUM INSTRUCTIONAL DAY
23 REQUIREMENT THROUGH ALTERNATIVE MEANS WILL NOT SUFFER A
24 LOSS OF COMMONWEALTH SUBSIDY AS A RESULT OF WEATHER
25 EMERGENCIES.

26 (III) MODERNIZE THE SCHOOL CONSTRUCTION
27 REIMBURSEMENT PROCESS SO AS TO ALLOW SCHOOL DISTRICTS TO
28 APPLY FOR REIMBURSEMENT MORE EFFICIENTLY, PROVIDE FOR
29 INCREASED TRANSPARENCY IN THE SCHOOL CONSTRUCTION
30 REIMBURSEMENT PROCESS, PROVIDE FOR MORE TIMELY SCHOOL

1 CONSTRUCTION REIMBURSEMENT, AND ENCOURAGE SCHOOL
2 DISTRICTS TO UTILIZE FUNDS FOR SCHOOL CONSTRUCTION IN A
3 RESPONSIBLE AND COST-EFFECTIVE MANNER.

4 The General Assembly of the Commonwealth of Pennsylvania
5 hereby enacts as follows:

6 ~~Section 1. Sections 1501.7(a), (b), (d), (g) and (h) and~~ <--
7 ~~1502(c) of the act of March 10, 1949 (P.L.30, No.14), known as~~
8 ~~the Public School Code of 1949, amended or added May 6, 1966~~
9 ~~(P.L.150, No.28), are amended to read:~~

10 ~~Section 1501.7. Weather [Emergency] Emergencies of 1996 and~~
11 ~~2014. (a) This section applies only to the school year 1995-~~
12 ~~1996 as a result of the weather emergency of 1996 and to the~~
13 ~~school year 2013-2014 as a result of the weather emergency of~~
14 ~~2014.~~

15 ~~(b) All school entities shall keep open for at least one~~
16 ~~hundred eighty (180) days of instruction for students by using~~
17 ~~all available days through June 30, 1996, for the school year~~
18 ~~1995-1996 and all available days through June 30, 2014, for the~~
19 ~~school year 2013-2014 and by using the provisions of this-~~
20 ~~section and section 1502(c).~~

21 * * *

22 ~~(d) For purposes of computing instructional time pursuant to~~
23 ~~this section, the Secretary of Education shall calculate~~
24 ~~instructional days or time related to the weather emergency of~~
25 ~~1996 or 2014 prior to calculating any other lost instructional~~
26 ~~time.~~

27 * * *

28 ~~(g) No temporary professional or professional employe of any~~
29 ~~school closed by reason of the weather emergency of 1996 or 2014~~
30 ~~shall receive more or less compensation than that to which the~~

1 ~~employee would otherwise have been entitled to receive from the~~
2 ~~school entity had the weather emergency of 1996 or 2014 not~~
3 ~~occurred.~~

4 ~~(h) No school entity which was closed because of the weather~~
5 ~~emergency of 1996 or 2014 and which makes a good faith effort,~~
6 ~~as determined by the Secretary of Education, to meet the~~
7 ~~requirements of this section shall receive less subsidy payments~~
8 ~~or reimbursements than it would otherwise be entitled to receive~~
9 ~~for the school year 1995-1996 had the weather emergency of 1996~~
10 ~~not occurred or for the school year 2013-2014 had the weather~~
11 ~~emergency of 2014 not occurred.~~

12 ~~* * *~~

13 ~~Section 1502. Days Schools not to be Kept Open. * * *~~

14 ~~(c) For the school [year] years 1995-1996 and 2013-2014~~
15 ~~only, the board of school directors of a school district,~~
16 ~~intermediate unit or area vocational technical school and the~~
17 ~~board of trustees of a charter school shall have the option of~~
18 ~~rescheduling instructional days on Saturday, but for not more~~
19 ~~than one Saturday per month, to make up instructional days lost~~
20 ~~from the adopted school calendar because school was closed as a~~
21 ~~result of the weather emergency of 1996 or 2014, respectively.~~
22 ~~In those cases where a board of school directors or board of~~
23 ~~trustees chooses to reschedule instructional days on Saturdays~~
24 ~~in accordance with the provisions of this section, schools~~
25 ~~within such board's jurisdiction shall not schedule tests or~~
26 ~~examinations on these Saturdays. Notwithstanding the provisions~~
27 ~~of subsection (a) or section 1719-A(12), if the board of school~~
28 ~~directors or board of trustees reschedules an instructional day~~
29 ~~on Saturday, the schools may be open the following Monday. The~~
30 ~~chief executive officer of a charter school shall excuse~~

1 ~~students from school attendance as provided in section 1501.7(e)~~
2 ~~and (f).~~

3 ~~Section 2. This act shall take effect immediately.~~

4 SECTION 1. ARTICLE I OF THE ACT OF MARCH 10, 1949 (P.L.30, <--
5 NO.14), KNOWN AS THE PUBLIC SCHOOL CODE OF 1949, IS AMENDED BY
6 ADDING A SUBARTICLE HEADING TO READ:

7 (A) GENERAL PROVISIONS.

8 SECTION 2. ARTICLE I OF THE ACT IS AMENDED BY ADDING A
9 SUBARTICLE TO READ:

10 (B) PUBLIC SCHOOL WEB ACCOUNTABILITY
11 AND TRANSPARENCY (SCHOOLWATCH).

12 SECTION 151. SCOPE OF SUBARTICLE.

13 THIS SUBARTICLE SHALL BE KNOWN AND MAY BE CITED AS THE PUBLIC
14 SCHOOL WEB ACCOUNTABILITY AND TRANSPARENCY (SCHOOLWATCH) LAW.

15 SECTION 152. DEFINITIONS.

16 THE FOLLOWING WORDS AND PHRASES WHEN USED IN THIS SUBARTICLE
17 SHALL HAVE THE MEANINGS GIVEN TO THEM IN THIS SECTION UNLESS THE
18 CONTEXT CLEARLY INDICATES OTHERWISE:

19 "ADMINISTRATIVE STAFF." EMPLOYEES OF A PUBLIC SCHOOL ENTITY
20 THAT INCLUDE, BUT ARE NOT LIMITED TO, SUPERINTENDENTS, ASSISTANT
21 SUPERINTENDENTS, DEPUTY SUPERINTENDENTS, PRINCIPALS, ASSISTANT
22 PRINCIPALS, SUPERVISORS, MANAGERS, DIRECTORS AND COORDINATORS.

23 "ADVISORY COMMITTEE." THE ADVISORY COMMITTEE ESTABLISHED IN
24 SECTION 155.

25 "AREA VOCATIONAL-TECHNICAL SCHOOL." AS DEFINED IN SECTION
26 1841.

27 "CHARTER SCHOOL." AS DEFINED IN SECTION 1703-A.

28 "CHARTER SCHOOL ENTITY." A CHARTER SCHOOL, CYBER CHARTER
29 SCHOOL OR REGIONAL CHARTER SCHOOL AS DEFINED IN SECTION 1703-A.

30 "CYBER CHARTER SCHOOL." AS DEFINED IN SECTION 1703-A.

1 "DEPARTMENT." THE DEPARTMENT OF EDUCATION OF THE
2 COMMONWEALTH.

3 "ENTITY." ANY OF THE FOLLOWING:

4 (1) A CORPORATION, ASSOCIATION, LIMITED LIABILITY
5 COMPANY OR LIMITED LIABILITY PARTNERSHIP.

6 (2) AN INDIVIDUAL WHO IS NOT AN EMPLOYEE OF THE PUBLIC
7 SCHOOL ENTITY.

8 (3) ANY OTHER LEGAL BUSINESS ENTITY, INCLUDING A
9 NONPROFIT, A GRANTEE, A CONTRACTOR AND A SOLE PROPRIETOR.

10 (4) ANY POLITICAL SUBDIVISION OR OTHER LOCAL GOVERNMENT
11 ENTITY.

12 "EXPENDITURE AND PERFORMANCE MEASURE." AN ANNUAL MEASURE
13 DEVELOPED BY THE DEPARTMENT IN CONSULTATION WITH THE ADVISORY
14 COMMITTEE THAT COMPARES THE PUBLIC SCHOOL ENTITY INSTRUCTIONAL
15 EXPENDITURES FOR EACH PUBLIC SCHOOL ENTITY TO THAT PUBLIC SCHOOL
16 ENTITY'S STUDENT ACADEMIC PERFORMANCE. THE MEASURE SHALL
17 INCLUDE, BUT NOT BE LIMITED TO, ACADEMIC GROWTH AS MEASURED BY
18 THE PENNSYLVANIA VALUE-ADDED ASSESSMENT SYSTEM.

19 "FUNDING ACTION OR EXPENDITURE." A PAYMENT BY A PUBLIC
20 SCHOOL ENTITY TO INCLUDE:

21 (1) A GRANT.

22 (2) A LOAN.

23 (3) REIMBURSEMENT.

24 (4) PAYMENT MADE PURSUANT TO THE PURCHASE OF GOODS AND
25 SERVICES, EXCLUDING EMPLOYEE SALARIES, OR TO A CONSTRUCTION
26 OR OTHER CONTRACT.

27 (5) PAYMENT OF DEBT SERVICE.

28 (6) PAYMENTS MADE PURSUANT TO A FORMULA.

29 (7) PAYMENTS TO POLITICAL SUBDIVISIONS OR OTHER LOCAL
30 GOVERNMENT ENTITIES.

1 "FUNDING SOURCE." A PUBLIC SCHOOL ENTITY'S GENERAL FUND OR
2 SPECIAL FUNDS.

3 "PUBLIC SCHOOL ENTITY." ANY OF THE FOLLOWING:

4 (1) AN AREA VOCATIONAL-TECHNICAL SCHOOL, AS DEFINED IN
5 SECTION 1841.

6 (2) A SCHOOL DISTRICT, AS DEFINED IN SECTION 102.

7 (3) A CHARTER SCHOOL ENTITY.

8 "PUBLIC SCHOOL ENTITY INSTRUCTIONAL EXPENDITURES."

9 EXPENDITURES MADE FROM THE GENERAL FUND FOR INSTRUCTIONAL AND
10 SUPPORT SERVICES BY THE PUBLIC SCHOOL ENTITY AS REPORTED ON THE
11 PUBLIC SCHOOL ENTITY'S MOST RECENT ANNUAL FINANCIAL REPORT, TO
12 BE DETERMINED BY THE DEPARTMENT IN CONSULTATION WITH THE
13 ADVISORY COMMITTEE. THE TERM SHALL INCLUDE, BUT NOT BE LIMITED
14 TO, ALL FUNCTIONS RELATED TO INSTRUCTION AND SUPPORT SERVICES
15 PURSUANT TO THE MANUAL OF ACCOUNTING AND RELATED FINANCIAL
16 PROCEDURES.

17 "REGIONAL CHARTER SCHOOL." AS DEFINED IN SECTION 1703-A.

18 "SCHOOLWATCH." THE SEARCHABLE, PUBLIC INTERNET WEBSITE TO BE
19 ESTABLISHED BY THE DEPARTMENT UNDER THIS SUBARTICLE.

20 "SECRETARY." THE SECRETARY OF EDUCATION OF THE COMMONWEALTH.
21 SECTION 153. ANNUAL FINANCIAL REPORTS TO BE POSTED.

22 WITHIN 90 DAYS OF THE EFFECTIVE DATE OF THIS SUBARTICLE, AND
23 BY DECEMBER 31 OF EACH YEAR THEREAFTER, THE DEPARTMENT SHALL
24 POST ON ITS PUBLICLY ACCESSIBLE INTERNET WEBSITE, AS THE FIRST
25 PHASE OF A SEARCHABLE, PUBLIC INTERNET WEBSITE TO BE CALLED
26 SCHOOLWATCH, THE MOST RECENT ANNUAL FINANCIAL REPORTS FOR EACH
27 PUBLIC SCHOOL ENTITY SUBMITTED TO THE SECRETARY PURSUANT TO
28 SECTION 218 (A). THE DEPARTMENT SHALL POST SCHOOLWATCH IN A
29 LOCATION AND IN A MANNER THAT IS EASILY ACCESSIBLE TO THE PUBLIC
30 AND SHALL INCLUDE ON SCHOOLWATCH ALL EXPLANATORY REFERENCES THAT

1 MAY BE NECESSARY TO ASSIST WEBSITE USERS IN UNDERSTANDING THE
2 CONTENT OF PUBLIC SCHOOL ENTITIES' ANNUAL FINANCIAL REPORTS.
3 SECTION 154. ANNUAL BUDGETS TO BE POSTED.

4 (A) FILING.--WITHIN 11 MONTHS OF THE EFFECTIVE DATE OF THIS
5 SUBARTICLE, AND BY SEPTEMBER 1 OF EACH YEAR THEREAFTER, EACH
6 PUBLIC SCHOOL ENTITY SHALL FILE WITH THE DEPARTMENT AN
7 ELECTRONIC COPY OF ITS MOST RECENT FINAL ADOPTED BUDGET.

8 (B) POSTING.--WITHIN ONE YEAR OF THE EFFECTIVE DATE OF THIS
9 SUBARTICLE, AND BY OCTOBER 1 OF EACH YEAR THEREAFTER, THE
10 DEPARTMENT SHALL POST ON SCHOOLWATCH, AS THE SECOND PHASE OF
11 SCHOOLWATCH, THE FINAL ADOPTED BUDGETS FOR EACH PUBLIC SCHOOL
12 ENTITY FILED WITH THE DEPARTMENT PURSUANT TO SUBSECTION (A) AND
13 SHALL INCLUDE ON SCHOOLWATCH ALL EXPLANATORY REFERENCES THAT MAY
14 BE NECESSARY TO ASSIST WEBSITE USERS IN UNDERSTANDING THE
15 CONTENT OF PUBLIC SCHOOL ENTITIES' FINAL ADOPTED BUDGETS.
16 SECTION 155. SEARCHABLE DATABASE.

17 (A) DEVELOPMENT.--

18 (1) WITHIN 45 DAYS OF THE EFFECTIVE DATE OF THIS
19 SUBARTICLE, THE DEPARTMENT SHALL CONVENE AN ADVISORY
20 COMMITTEE TO DEVELOP PLANS FOR THE DEPARTMENT'S DEVELOPMENT
21 AND ESTABLISHMENT OF THE FOLLOWING:

22 (I) THE THIRD PHASE OF SCHOOLWATCH, WHICH SHALL
23 CONSIST OF A SEARCHABLE DATABASE DETAILING CERTAIN
24 INFORMATION CONCERNING RECEIPTS AND EXPENDITURES BY
25 PUBLIC SCHOOL ENTITIES; AND

26 (II) THE FOURTH PHASE OF SCHOOLWATCH, UNDER WHICH
27 THE EXPENDITURE AND PERFORMANCE MEASURE FOR EACH PUBLIC
28 SCHOOL ENTITY SHALL BE ADDED TO THE SEARCHABLE DATABASE.

29 (2) THE ADVISORY COMMITTEE SHALL CONSIST OF THE
30 FOLLOWING:

1 (I) THE FOLLOWING MEMBERS, TO BE APPOINTED BY THE
2 SECRETARY IN CONSULTATION WITH EDUCATION ASSOCIATIONS
3 REPRESENTING SCHOOL DISTRICTS, CHARTER SCHOOL ENTITIES
4 AND AREA VOCATIONAL-TECHNICAL SCHOOLS:

5 (A) FIVE SCHOOL DISTRICT BUSINESS MANAGERS.

6 (B) THREE CHARTER SCHOOL ENTITY BUSINESS
7 MANAGERS.

8 (C) THREE AREA VOCATIONAL-TECHNICAL SCHOOL
9 BUSINESS MANAGERS.

10 (II) THE CHAIRMAN AND MINORITY CHAIRMAN OF THE
11 EDUCATION COMMITTEE OF THE SENATE.

12 (III) THE CHAIRMAN AND MINORITY CHAIRMAN OF THE
13 EDUCATION COMMITTEE OF THE HOUSE OF REPRESENTATIVES.

14 (IV) TWO MEMBERS WHO SHALL BE SELECTED BY THE
15 SECRETARY FROM AMONG THE CITIZENS OF THIS COMMONWEALTH.

16 (3) THE FOLLOWING SHALL APPLY TO THE ADVISORY COMMITTEE:

17 (I) THE ADVISORY COMMITTEE SHALL:

18 (A) DEVELOP A PLAN FOR THE DEPARTMENT'S
19 ESTABLISHMENT OF A SEARCHABLE, PUBLIC INTERNET
20 DATABASE, WHICH SHALL IMPOSE NO ADDITIONAL COST ON
21 PUBLIC SCHOOL ENTITIES, THAT THE DEPARTMENT SHALL
22 ESTABLISH, PLACE ONLINE AND FULLY IMPLEMENT AS THE
23 THIRD PHASE OF SCHOOLWATCH WITHIN TWO YEARS OF THE
24 EFFECTIVE DATE OF THIS SUBARTICLE, PROVIDED THAT THE
25 DEPARTMENT MAY EXTEND THE IMPLEMENTATION DATE FOR THE
26 THIRD PHASE OF SCHOOLWATCH BY ONE YEAR BY PUBLISHING
27 NOTICE OF THE EXTENSION IN THE PENNSYLVANIA BULLETIN
28 WITHIN TWO YEARS OF THE EFFECTIVE DATE OF THIS
29 SUBARTICLE.

30 (B) DETERMINE THE MANNER AND FREQUENCY OF

1 REPORTING TO THE DEPARTMENT BY PUBLIC SCHOOL
2 ENTITIES, WHICH SHALL BE NO LESS FREQUENT THAN
3 QUARTERLY.

4 (C) WITHIN NINE MONTHS OF THE EFFECTIVE DATE OF
5 THIS SUBARTICLE, ISSUE A REPORT TO THE GOVERNOR AND
6 THE GENERAL ASSEMBLY SETTING FORTH A PLAN FOR THE
7 DEPARTMENT'S DEVELOPMENT OF THE INTERNET DATABASE
8 THAT THE DEPARTMENT IS REQUIRED TO ESTABLISH PURSUANT
9 TO SUBCLAUSE (A).

10 (II) THE ADVISORY COMMITTEE MAY CONSIDER INCLUDING
11 ON THE INTERNET DATABASE INDIVIDUAL SALARY INFORMATION
12 FOR EMPLOYEES WHO ARE NOT ADMINISTRATIVE STAFF.

13 (III) IN DEVELOPING A PLAN FOR THE DEPARTMENT'S
14 ESTABLISHMENT OF THE INTERNET DATABASE, THE ADVISORY
15 COMMITTEE SHALL CONSIDER THE FOLLOWING:

16 (A) HOW THE INTERNET DATABASE ESTABLISHED UNDER
17 THIS ACT CAN BE COORDINATED WITH EXISTING DATABASES
18 AND ELECTRONIC REPORTING SYSTEMS.

19 (B) WHETHER ANY CURRENT PUBLIC SCHOOL ENTITY
20 REPORTING REQUIREMENTS THAT MAY BE DUPLICATED BY THE
21 REPORTING REQUIREMENTS OF THIS ACT MAY BE ELIMINATED.

22 (C) DEVELOPMENT OF AN EFFICIENT AND TRANSPARENT
23 METHOD FOR THE DEPARTMENT AND PUBLIC SCHOOL ENTITIES
24 TO COMPLY WITH THE REPORTING REQUIREMENTS OF THIS
25 SUBARTICLE.

26 (IV) THE DEPARTMENT SHALL PROVIDE THE ADVISORY
27 COMMITTEE WITH ADMINISTRATIVE AND TECHNICAL SUPPORT,
28 INCLUDING THE ASSISTANCE OF DEPARTMENT INFORMATION
29 TECHNOLOGY AND BUDGET STAFF, MEETING SPACE AND ANY OTHER
30 ASSISTANCE REQUIRED BY THE ADVISORY COMMITTEE TO CARRY

1 OUT ITS DUTIES UNDER THIS SUBARTICLE.

2 (B) INTERNET DATABASE CONTENTS.--

3 (1) THE INTERNET DATABASE THE DEPARTMENT IS REQUIRED TO
4 ESTABLISH PURSUANT TO SUBSECTION (A) SHALL PROVIDE ONLY THE
5 FOLLOWING INFORMATION FOR EACH PUBLIC SCHOOL ENTITY, UNLESS
6 THE PROVISION OF SUCH INFORMATION CONFLICTS WITH OTHER
7 FEDERAL OR STATE LAW:

8 (I) THE NAME AND BUSINESS ADDRESS OF THE PUBLIC
9 SCHOOL ENTITY.

10 (II) THE TOTAL AMOUNT OF FUNDING RECEIVED BY THE
11 PUBLIC SCHOOL ENTITY FROM, AND BROKEN DOWN BY, EACH OF
12 THE FOLLOWING SOURCES AND DEPOSITED IN THE PUBLIC SCHOOL
13 ENTITY'S GENERAL FUND OR SPECIAL FUND DURING THE PREVIOUS
14 REPORTING PERIOD:

15 (A) FEDERAL.

16 (B) STATE.

17 (C) LOCAL.

18 (D) PRIVATE.

19 (III) THE NAME OF THE ENTITY RECEIVING A PAYMENT
20 FROM THE PUBLIC SCHOOL ENTITY PURSUANT TO A FUNDING
21 ACTION OR EXPENDITURE.

22 (IV) A GENERAL DESCRIPTION AND THE AMOUNT OF EACH
23 FUNDING ACTION OR EXPENDITURE.

24 (V) THE FUNDING SOURCE FOR EACH FUNDING ACTION OR
25 EXPENDITURE.

26 (VI) A COUNTER TO SHOW THE NUMBER OF TIMES THE
27 INTERNET WEBSITE IS ACCESSED.

28 (VII) A LINK TO EACH PUBLIC SCHOOL ENTITY'S INTERNET
29 WEBSITE, WHERE AVAILABLE.

30 (VIII) THE TOTAL NUMBER OF INDIVIDUALS EMPLOYED BY

1 EACH PUBLIC SCHOOL ENTITY AS OF THE LAST DAY OF THE
2 PREVIOUS REPORTING PERIOD WHO ARE NOT ADMINISTRATIVE
3 STAFF AND THE AGGREGATE COMPENSATION, AS DEFINED IN
4 SECTION 303(A) (1) (I) OF THE ACT OF MARCH 4, 1971 (P.L.6,
5 NO.2), KNOWN AS THE TAX REFORM CODE OF 1971, PAID BY THE
6 PUBLIC SCHOOL ENTITY TO SUCH INDIVIDUALS.

7 (IX) FOR EACH INDIVIDUAL EMPLOYED BY A PUBLIC SCHOOL
8 ENTITY AS ADMINISTRATIVE STAFF, THE FOLLOWING:

9 (A) NAME.

10 (B) POSITION OR TITLE.

11 (C) CURRENT ANNUAL SALARY, BASED ON THE
12 EMPLOYEE'S PAY SCHEDULE AND CURRENT SALARY.

13 (D) ANY ADDITIONAL COMPENSATION RECEIVED BY THE
14 INDIVIDUAL AND THE BASIS FOR SUCH COMPENSATION,
15 INCLUDING, BUT NOT LIMITED TO, DUTIES AS A COACH OR
16 ACTIVITY ADVISOR.

17 (E) COMPENSATION, AS DEFINED IN SECTION 303(A)
18 (1) (I) OF THE TAX REFORM CODE OF 1971, PAID BY THE
19 PUBLIC SCHOOL ENTITY.

20 (X) COPIES OF ALL CURRENTLY EFFECTIVE CONTRACTS
21 BETWEEN THE PUBLIC SCHOOL ENTITY AND ANY UNION.

22 (2) NOTWITHSTANDING ANY OTHER PROVISION OF THIS ACT,
23 RECORDS DETERMINED BY THE DEPARTMENT TO BE NOT SUBJECT TO
24 DISCLOSURE UNDER THE ACT OF FEBRUARY 14, 2008 (P.L.6, NO.3),
25 KNOWN AS THE RIGHT-TO-KNOW LAW, SHALL NOT BE INCLUDED ON THE
26 INTERNET DATABASE.

27 (3) THE INTERNET DATABASE SHALL ALLOW THE PUBLIC TO
28 SEARCH FOR AND AGGREGATE INFORMATION AT NO COST TO THE
29 PUBLIC.

30 (4) INFORMATION POSTED ON SCHOOLWATCH, INCLUDING ANNUAL

1 FINANCIAL REPORTS, FINAL ADOPTED BUDGETS AND INFORMATION
2 INCLUDED IN THE DATABASE, SHALL REMAIN ON SCHOOLWATCH FOR A
3 PERIOD OF NO LESS THAN EIGHT YEARS FROM THE DATE OF POSTING.

4 (5) THE INTERNET DATABASE SHALL NOT PROVIDE ANY
5 ADDITIONAL INFORMATION THAT IS NOT SPECIFICALLY REQUIRED OR
6 PERMITTED UNDER THIS SUBARTICLE.

7 SECTION 156. EXPENDITURE AND PERFORMANCE MEASURES TO BE POSTED.
8 WITHIN FOUR YEARS OF THE EFFECTIVE DATE OF THIS SUBARTICLE,
9 THE DEPARTMENT, IN CONSULTATION WITH THE ADVISORY COMMITTEE,
10 SHALL DO ALL OF THE FOLLOWING:

11 (1) DEVELOP THE EXPENDITURE AND PERFORMANCE MEASURE. IN
12 DEVELOPING THE EXPENDITURE AND PERFORMANCE MEASURE, THE
13 DEPARTMENT AND THE ADVISORY COMMITTEE SHALL:

14 (I) CONSULT WITH SCHOOL DISTRICT SUPERINTENDENTS,
15 CHARTER SCHOOL ENTITY ADMINISTRATORS, AREA VOCATIONAL-
16 TECHNICAL SCHOOL CHIEF ADMINISTRATIVE OFFICERS AND
17 CURRICULUM DIRECTORS REPRESENTING SCHOOL DISTRICTS,
18 CHARTER SCHOOL ENTITIES AND AREA VOCATIONAL-TECHNICAL
19 SCHOOLS.

20 (II) USE DATA SUBMITTED BY EACH PUBLIC SCHOOL ENTITY
21 ON ITS MOST RECENT ANNUAL FINANCIAL REPORT AND RELEVANT
22 ACADEMIC PERFORMANCE DATA AS DETERMINED BY THE DEPARTMENT
23 IN CONSULTATION WITH THE ADVISORY COMMITTEE.

24 (III) NOT REQUIRE PUBLIC SCHOOL ENTITIES TO REPORT
25 ANY ADDITIONAL DATA.

26 (2) INCLUDE ON THE INTERNET DATABASE, AS THE FOURTH
27 PHASE OF SCHOOLWATCH, THE EXPENDITURE AND PERFORMANCE MEASURE
28 FOR EACH PUBLIC SCHOOL ENTITY, WHICH THE DEPARTMENT SHALL
29 UPDATE ANNUALLY.

30 SECTION 157. ADMINISTRATION.

1 (A) PUBLIC SCHOOL ENTITY REQUIREMENTS.--

2 (1) UPON THE IMPLEMENTATION OF THE SCHOOLWATCH INTERNET
3 WEBSITE REQUIRED TO BE DEVELOPED PURSUANT TO THIS SUBARTICLE,
4 EACH PUBLIC SCHOOL ENTITY SHALL:

5 (I) PROVIDE THE DEPARTMENT WITH ALL INFORMATION
6 REGARDING FEDERAL, STATE, LOCAL AND PRIVATE FUNDING
7 RECEIVED AND ALL FUNDING ACTIONS OR EXPENDITURES AS
8 REQUIRED UNDER THIS ACT AND AT SUCH TIMES, WHICH SHALL BE
9 AT LEAST QUARTERLY, AS DIRECTED BY THE DEPARTMENT IN
10 CONSULTATION WITH THE ADVISORY COMMITTEE.

11 (II) PROVIDE THE DEPARTMENT WITH COMPLEMENT AND
12 EMPLOYMENT COMPENSATION INFORMATION AS REQUIRED UNDER
13 THIS SUBARTICLE AND AT SUCH TIMES, WHICH SHALL BE AT
14 LEAST QUARTERLY, AS DIRECTED BY THE DEPARTMENT IN
15 CONSULTATION WITH THE ADVISORY COMMITTEE.

16 (III) PROVIDE THE DEPARTMENT WITH COPIES OF ALL
17 UNION CONTRACTS AS REQUIRED UNDER THIS SUBARTICLE AND AT
18 SUCH TIMES, WHICH SHALL BE AT LEAST QUARTERLY, AS
19 DIRECTED BY THE DEPARTMENT IN CONSULTATION WITH THE
20 ADVISORY COMMITTEE.

21 (2) NOTWITHSTANDING PARAGRAPH (1), A PUBLIC SCHOOL
22 ENTITY SHALL NOT BE REQUIRED TO PROVIDE THE DEPARTMENT WITH
23 INFORMATION REQUIRED TO BE POSTED ON SCHOOLWATCH WHERE THE
24 DEPARTMENT IS ABLE TO OBTAIN SUCH INFORMATION FROM OTHER
25 SOURCES, INCLUDING FROM OTHER REPORTS BY PUBLIC SCHOOL
26 ENTITIES.

27 (B) ACCURACY.--EACH PUBLIC SCHOOL ENTITY IS RESPONSIBLE FOR
28 VERIFYING THE ACCURACY AND COMPLETENESS OF INFORMATION SUBMITTED
29 TO THE DEPARTMENT.

30 (C) FORMAT.--EACH PUBLIC SCHOOL ENTITY SHALL COMPILE,

1 MAINTAIN AND REPORT THE INFORMATION REQUIRED TO BE POSTED UNDER
2 SECTIONS 154, 155(B) AND 156 IN A MANNER AND ON A REPORTING
3 SCHEDULE PRESCRIBED BY THE DEPARTMENT, IN CONSULTATION WITH THE
4 ADVISORY COMMITTEE.

5 (D) ADDITIONAL INFORMATION.--

6 (1) A PUBLIC SCHOOL ENTITY SHALL NOT BE REQUIRED TO
7 PROVIDE ANY ADDITIONAL INFORMATION THAT IS NOT SPECIFICALLY
8 REQUIRED OR PERMITTED UNDER THIS SUBARTICLE.

9 (2) NO PUBLIC SCHOOL ENTITY SHALL BE REQUIRED TO PROVIDE
10 ADDITIONAL INFORMATION BEYOND THE INFORMATION REQUIRED TO BE
11 PROVIDED BY ANY OTHER PUBLIC SCHOOL ENTITY.

12 (E) PENALTY.--THE FOLLOWING SHALL APPLY:

13 (1) WHEN A SCHOOL DISTRICT FAILS TO COMPLY WITH THE
14 PROVISIONS OF THIS SUBARTICLE, THE SECRETARY SHALL WITHHOLD
15 STATE APPROPRIATIONS DUE THE SCHOOL DISTRICT PURSUANT TO
16 SECTION 2552 UNTIL THE SECRETARY DETERMINES THAT THE SCHOOL
17 DISTRICT IS IN COMPLIANCE WITH THE PROVISIONS OF THIS
18 SUBARTICLE. WHEN THE SECRETARY DETERMINES THAT THE SCHOOL
19 DISTRICT IS IN COMPLIANCE WITH THE PROVISIONS OF THIS
20 SUBARTICLE, THE SECRETARY SHALL MAKE PAYMENT TO THE SCHOOL
21 DISTRICT OF THE FUNDS WITHHELD PURSUANT TO THIS PARAGRAPH.
22 THE DEPARTMENT SHALL PROVIDE 30 DAYS' NOTICE TO THE SCHOOL
23 DISTRICT PRIOR TO THE WITHHOLDING. IF THE SCHOOL DISTRICT
24 BECOMES COMPLIANT DURING THE 30-DAY PERIOD, NO FUNDS SHALL BE
25 WITHHELD.

26 (2) WHEN A CHARTER SCHOOL ENTITY FAILS TO COMPLY WITH
27 THIS SUBARTICLE, THE SECRETARY SHALL DIRECT THE SCHOOL
28 DISTRICT OF RESIDENCE OF EACH STUDENT ENROLLED IN THE CHARTER
29 SCHOOL ENTITY TO TRANSFER ANY PAYMENTS REQUIRED UNDER SECTION
30 1725-A(A) TO THE DEPARTMENT TO BE HELD IN ESCROW UNTIL THE

1 SECRETARY DETERMINES THAT THE CHARTER SCHOOL ENTITY IS IN
2 COMPLIANCE WITH THIS SUBARTICLE. WHERE, PURSUANT TO SECTION
3 1725-A(A) (5), THE SECRETARY DEDUCTS PAYMENTS REQUIRED UNDER
4 SECTION 1725-A(A) FROM STATE PAYMENTS MADE TO THE SCHOOL
5 DISTRICT, THE DEPARTMENT SHALL HOLD SUCH DEDUCTED AMOUNTS IN
6 ESCROW UNTIL THE SECRETARY DETERMINES THAT THE CHARTER SCHOOL
7 ENTITY IS IN COMPLIANCE WITH THE PROVISIONS OF THIS
8 SUBARTICLE. WHEN THE SECRETARY DETERMINES THAT THE CHARTER
9 SCHOOL ENTITY IS IN COMPLIANCE WITH THE PROVISIONS OF THIS
10 SUBARTICLE, THE SECRETARY SHALL ORDER THE DEPARTMENT TO MAKE
11 PAYMENT OF THE FUNDS HELD IN ESCROW TO THE CHARTER SCHOOL
12 ENTITY. THE DEPARTMENT SHALL PROVIDE 30 DAYS' NOTICE TO THE
13 CHARTER SCHOOL ENTITY PRIOR TO DIRECTING A SCHOOL DISTRICT OF
14 RESIDENCE TO TRANSFER REQUIRED PAYMENTS TO THE DEPARTMENT OR
15 HOLDING DEDUCTED AMOUNTS IN ESCROW UNDER THIS PARAGRAPH. IF
16 THE CHARTER SCHOOL ENTITY BECOMES COMPLIANT DURING THE 30-DAY
17 PERIOD, NO FUNDS SHALL BE TRANSFERRED TO THE DEPARTMENT OR
18 HELD IN ESCROW.

19 (3) WHEN AN AREA VOCATIONAL-TECHNICAL SCHOOL FAILS TO
20 COMPLY WITH THE PROVISIONS OF THIS SUBARTICLE, THE SECRETARY
21 SHALL DIRECT THE SCHOOL DISTRICTS PARTICIPATING IN THE
22 VOCATIONAL-TECHNICAL SCHOOL PURSUANT TO SECTION 1850.1 TO
23 TRANSFER ANY PAYMENTS REQUIRED UNDER ARTICLE XVIII TO THE
24 DEPARTMENT TO BE HELD IN ESCROW UNTIL THE SECRETARY
25 DETERMINES THAT THE AREA VOCATIONAL-TECHNICAL SCHOOL IS IN
26 COMPLIANCE WITH THE PROVISIONS OF THIS SUBARTICLE. WHEN THE
27 SECRETARY DETERMINES THAT THE AREA VOCATIONAL-TECHNICAL
28 SCHOOL IS IN COMPLIANCE WITH THE PROVISIONS OF THIS
29 SUBARTICLE, THE SECRETARY SHALL ORDER THE DEPARTMENT TO MAKE
30 PAYMENT OF THE FUNDS HELD IN ESCROW TO THE AREA VOCATIONAL-

1 TECHNICAL SCHOOL. THE DEPARTMENT SHALL PROVIDE 30 DAYS'
2 NOTICE TO THE AREA VOCATIONAL-TECHNICAL SCHOOL PRIOR TO
3 DIRECTING A SCHOOL DISTRICT TO TRANSFER REQUIRED PAYMENTS TO
4 THE DEPARTMENT OR HOLDING FUNDS IN ESCROW UNDER THIS
5 PARAGRAPH. IF THE AREA VOCATIONAL-TECHNICAL SCHOOL BECOMES
6 COMPLIANT DURING THE 30-DAY PERIOD, NO FUNDS SHALL BE
7 TRANSFERRED TO THE DEPARTMENT OR HELD IN ESCROW.

8 (4) ALL DECISIONS BY THE SECRETARY UNDER THIS SUBSECTION
9 SHALL BE APPEALABLE TO THE COURT OF COMMON PLEAS OF THE
10 COUNTY IN WHICH THE PUBLIC SCHOOL ENTITY IS LOCATED. NO FUNDS
11 SHALL BE WITHHELD, TRANSFERRED TO THE DEPARTMENT OR HELD IN
12 ESCROW UNDER PARAGRAPH (1), (2) OR (3) UNTIL ALL APPEALS ARE
13 EXHAUSTED.

14 SECTION 158. REPORT TO GOVERNOR AND GENERAL ASSEMBLY.

15 THE DEPARTMENT SHALL PREPARE AN ANNUAL REPORT CONTAINING
16 STATISTICAL INFORMATION ON THE USAGE AND PERFORMANCE OF THE
17 INTERNET WEBSITE. THE REPORT SHALL DESCRIBE FREQUENCY OF USER
18 ACCESS OF THE INTERNET WEBSITE, TYPES OF DATA BEING ACCESSED AND
19 INTERNET WEBSITE PERFORMANCE. THE REPORT SHALL BE SUBMITTED TO
20 THE GOVERNOR, THE CHAIRMAN AND MINORITY CHAIRMAN OF THE
21 APPROPRIATIONS COMMITTEE OF THE SENATE, THE CHAIRMAN AND
22 MINORITY CHAIRMAN OF THE APPROPRIATIONS COMMITTEE OF THE HOUSE
23 OF REPRESENTATIVES, THE CHAIRMAN AND MINORITY CHAIRMAN OF THE
24 EDUCATION COMMITTEE OF THE SENATE AND THE CHAIRMAN AND MINORITY
25 CHAIRMAN OF THE EDUCATION COMMITTEE OF THE HOUSE OF
26 REPRESENTATIVES WITHIN TWO YEARS OF THE DATE ON WHICH THE
27 INTERNET WEBSITE HAS BEEN IMPLEMENTED, AND BY MARCH 30 OF EACH
28 YEAR THEREAFTER.

29 SECTION 3. SECTION 731 OF THE ACT, AMENDED JUNE 27, 1973
30 (P.L.75, NO.34) AND JUNE 30, 2011 (P.L.112, NO.24), IS AMENDED

1 TO READ:

2 SECTION 731. APPROVAL BY DEPARTMENT OF PLANS, ETC., OF
3 BUILDINGS; EXCEPTIONS.--(A) THE DEPARTMENT OF EDUCATION, WITH
4 RESPECT TO CONSTRUCTION OR RECONSTRUCTION OF PUBLIC SCHOOL
5 BUILDINGS, SHALL HAVE THE POWER AND ITS DUTIES SHALL BE:

6 (1) TO REVIEW ALL PROJECTS, PLANS AND SPECIFICATIONS FOR
7 SCHOOL BUILDING CONSTRUCTION OR RECONSTRUCTION, AND TO MAKE
8 RECOMMENDATIONS THEREON TO THE GENERAL ASSEMBLY AND THE
9 GOVERNOR: PROVIDED, HOWEVER, THAT APPROVAL OF THE DEPARTMENT OF
10 EDUCATION SHALL NOT BE REQUIRED FOR PROJECTS, PLANS AND
11 SPECIFICATIONS FOR SCHOOL CONSTRUCTION PROJECTS FOR WHICH
12 REIMBURSEMENT FROM THE COMMONWEALTH IS NOT REQUESTED;

13 (2) TO ASSIST SCHOOL DISTRICTS IN PREPLANNING CONSTRUCTION
14 AND RECONSTRUCTION PROJECTS, AND OFFER SUCH ARCHITECTURAL,
15 ENGINEERING AND FINANCIAL ADVICE AS WILL ENABLE THE PROJECT TO
16 COMPLY WITH THE STANDARDS PRESCRIBED BY THE STATE BOARD OF
17 EDUCATION;

18 (3) TO HOLD HEARINGS ON ANY OR ALL PROJECTS AND SUBPOENA
19 WITNESSES, ADMINISTER OATHS, TAKE TESTIMONY AND COMPEL THE
20 PRODUCTION OF DOCUMENTS RELEVANT TO ANY INVESTIGATION;

21 (4) TO ACT AS LIAISON BETWEEN THE PUBLIC, LOCAL SCHOOL
22 OFFICIALS, THE GENERAL ASSEMBLY, AND THE GOVERNOR ON SCHOOL
23 BUILDING CONSTRUCTION AND RECONSTRUCTION PROJECTS;

24 (5) TO RECEIVE AND INVESTIGATE COMPLAINTS FROM THE PUBLIC OR
25 OTHER SOURCE CONCERNING ANY SCHOOL BUILDING CONSTRUCTION OR
26 RECONSTRUCTION PROJECT;

27 (6) TO CONDUCT INVESTIGATIONS ON ANY PHASE OF SCHOOL
28 BUILDING CONSTRUCTION OR RECONSTRUCTION PROJECTS.

29 (7) TO PROVIDE FOR AN ELECTRONIC DATABASE ON ITS PUBLICLY
30 ACCESSIBLE INTERNET WEBSITE FOR THE PURPOSE OF PROVIDING PUBLIC

1 ACCESS TO INFORMATION ON PUBLIC SCHOOL CONSTRUCTION AND
2 RECONSTRUCTION PROJECTS, BUILDING PURCHASES AND CHARTER SCHOOL
3 LEASE REIMBURSEMENTS SUBMITTED FOR THE APPROVAL OF, OR APPROVED
4 BY, THE DEPARTMENT OF EDUCATION. THE ELECTRONIC DATABASE SHALL
5 INDICATE THE DATE EACH APPLICATION FOR REIMBURSEMENT WAS
6 SUBMITTED TO THE DEPARTMENT OF EDUCATION AND THE DATE OF
7 APPROVAL FOR EACH STEP OF THE REIMBURSEMENT PROCESS AS OUTLINED
8 IN SECTION 731.2 OF THIS ACT. THE DEPARTMENT OF EDUCATION SHALL
9 ESTABLISH THE DATABASE NO LATER THAN SIX (6) MONTHS AFTER THE
10 EFFECTIVE DATE OF THIS CLAUSE.

11 (B) THE DEPARTMENT OF EDUCATION SHALL EMPLOY ENGINEERS,
12 ARCHITECTS, FINANCIAL ADVISORS, AND SUCH OTHER STAFF PERSONNEL
13 AS MAY BE NECESSARY FOR THE PROPER PERFORMANCE OF THE DUTIES OF
14 THE DEPARTMENT WITH RESPECT TO CONSTRUCTION OR RECONSTRUCTION OF
15 PUBLIC SCHOOL BUILDINGS.

16 (C) NO PUBLIC SCHOOL BUILDING SHALL BE CONTRACTED FOR,
17 CONSTRUCTED, OR RECONSTRUCTED, IN ANY SCHOOL DISTRICT OF THE
18 SECOND, THIRD, OR FOURTH CLASS UNTIL THE PLANS AND
19 SPECIFICATIONS THEREFOR HAVE BEEN APPROVED BY THE DEPARTMENT OF
20 EDUCATION[.

21 WHEN ORDINARY REPAIRS ARE PROPOSED, SUCH AS PLASTERING,
22 PAINTING, REPLACEMENT OF FLOORS, IMPROVEMENT OF SCHOOL GROUNDS,
23 REPAIRING OR PROVIDING WALKS, ROADWAYS OR RETAINING WALLS, THE
24 COST OF WHICH IN DISTRICTS OF THE SECOND CLASS OR IN DISTRICTS
25 OF THE THIRD AND FOURTH CLASS WILL NOT EXCEED FIFTEEN THOUSAND
26 DOLLARS (\$15,000) PER BUILDING, NO APPROVAL SHALL BE REQUIRED.
27 WHERE ANY STRUCTURAL CHANGE IS INVOLVED, SUCH AS MOVING OR
28 ADDING DOORS, WINDOWS, PARTITIONS, MAKING ADDITIONS OR ANY
29 EXCAVATIONS, OR ANY WORK WHICH MAY AFFECT THE SAFETY OR HEALTH
30 OF THE PUPILS, OR ANY WORK WHICH COMES UNDER THE JURISDICTION OF

1 ANOTHER DEPARTMENT OF THE COMMONWEALTH, APPROVAL OF THE
2 DEPARTMENT OF EDUCATION SHALL BE REQUIRED REGARDLESS OF THE COST
3 OF SUCH STRUCTURAL CHANGE.]: PROVIDED, HOWEVER, THAT APPROVAL OF
4 THE DEPARTMENT OF EDUCATION SHALL NOT BE REQUIRED FOR PROJECTS,
5 PLANS AND SPECIFICATIONS FOR SCHOOL CONSTRUCTION PROJECTS FOR
6 WHICH REIMBURSEMENT FROM THE COMMONWEALTH IS NOT REQUESTED.

7 (D) NO SCHOOL BUILDING SHALL BE PURCHASED BY ANY SCHOOL
8 DISTRICT UNTIL SUCH PURCHASE SHALL HAVE BEEN APPROVED BY THE
9 DEPARTMENT OF EDUCATION. SUCH APPROVAL SHALL NOT BE GIVEN UNLESS
10 THE SCHOOL BUILDING TO BE PURCHASED AND ANY APPROVED STRUCTURAL
11 CHANGES OR RENOVATIONS MEET THE STANDARDS REQUIRED TO OPERATE
12 PUBLIC SCHOOL BUILDINGS OF A SIMILAR AGE CURRENTLY IN USE IN THE
13 COMMONWEALTH.

14 SECTION 4. THE ACT IS AMENDED BY ADDING A SECTION TO READ:

15 SECTION 731.2. ACCOUNTABILITY AND REDUCING COSTS IN
16 CONSTRUCTION PROCESS.--(A) NO LATER THAN JULY 1, 2016, THE
17 DEPARTMENT SHALL DEVELOP AND IMPLEMENT A PROCESS, INCLUDING
18 STANDARDIZED FORMS AND PROCEDURES, WHICH SHALL BE USED BY SCHOOL
19 DISTRICTS TO APPLY FOR COMMONWEALTH REIMBURSEMENT FOR SCHOOL
20 CONSTRUCTION AND RECONSTRUCTION PROJECTS AND WHICH SHALL BE
21 KNOWN AS THE ACCOUNTABILITY AND REDUCING COSTS IN CONSTRUCTION
22 PROCESS. IN DEVELOPING THE ACCOUNTABILITY AND REDUCING COSTS IN
23 CONSTRUCTION PROCESS, THE DEPARTMENT SHALL SEPARATE THE PROCESS
24 INTO FIVE (5) BENCHMARK STEPS OF DEPARTMENT APPROVAL WHICH SHALL
25 BE LABELED ONE (1) THROUGH FIVE (5) AND SHALL MINIMALLY INCLUDE
26 THE FOLLOWING:

27 (1) STEP 1 SHALL CONSIST OF THE FOLLOWING:

28 (I) PROJECT DESCRIPTION;

29 (II) PROJECT JUSTIFICATION; AND

30 (III) A TECHNICAL SCHEMATIC DESIGN REVIEW CONFERENCE WITH

1 THE DEPARTMENT.

2 (2) STEP 2 SHALL CONSIST OF THE FOLLOWING:

3 (I) SITE ACQUISITION, IF APPLICABLE TO THE PROJECT;

4 (II) PROJECT ACCOUNTING BASED ON COST ESTIMATES; AND

5 (III) A CONFERENCE WITH THE DEPARTMENT TO REVIEW COMPLETED
6 CONSTRUCTION DOCUMENTS, INCLUDING BID SPECIFICATIONS, DRAWINGS
7 FOR THE PROJECT AND DOCUMENTATION REGARDING THE FULFILLMENT OF
8 STATE AND LOCAL AGENCY REQUIREMENTS.

9 (3) STEP 3 SHALL CONSIST OF THE FOLLOWING:

10 (I) PROJECT ACCOUNTING BASED ON COSTS FOR ACTUAL
11 CONSTRUCTION BIDS FOR WHICH CONTRACTS SHALL BE AWARDED; AND

12 (II) PROJECT FINANCING, INCLUDING FINANCING METHOD AND THE
13 CALCULATION OF THE TEMPORARY REIMBURSABLE PERCENT FOR THE
14 PROJECT. IN CALCULATING THE TEMPORARY REIMBURSABLE PERCENT, THE
15 DEPARTMENT SHALL FACTOR IN A FIVE (5) PERCENTAGE POINT REDUCTION
16 WHICH SHALL BE UTILIZED UNTIL THE CALCULATION OF THE PERMANENT
17 REIMBURSABLE PERCENT IS COMPLETED IN STEP 4.

18 APPROVAL THROUGH STEP 3 SHALL INITIATE PROJECT REIMBURSEMENT
19 FROM THE COMMONWEALTH.

20 (4) STEP 4 SHALL CONSIST OF THE FOLLOWING:

21 (I) INTERIM REPORTING OF PROJECT MODIFICATIONS, INCLUDING
22 THE REPORTING OF CHANGE ORDERS AND SUPPLEMENTAL CONTRACTS; AND

23 (II) PROJECT ACCOUNTING BASED ON THE FINAL COSTS OF A
24 PROJECT AFTER COMPLETION OF THE FOLLOWING:

25 (A) CONSTRUCTION OF THE PROJECT; AND

26 (B) PAYMENT FOR ALL CONSTRUCTION OR RECONSTRUCTION WORK,
27 UNLESS THE DEPARTMENT HAS GRANTED AN EXCEPTION.

28 THE CALCULATION OF THE PERMANENT REIMBURSABLE PERCENT FOR A
29 PROJECT SHALL TAKE PLACE DURING STEP 4.

30 (5) STEP 5 SHALL CONSIST OF PROJECT REFINANCING, WHERE

1 APPLICABLE, TO ALLOW FOR THE RESTRUCTURING, REFINANCING OR
2 REFUNDING OF EXISTING INDEBTEDNESS.

3 (B) (1) EXCEPT AS PROVIDED FOR IN PARAGRAPH (2), SCHOOL
4 DISTRICTS SHALL BE REIMBURSED BY THE DEPARTMENT IN THE ORDER IN
5 WHICH THEIR PROJECTS RECEIVED APPROVAL FOR COMMONWEALTH
6 REIMBURSEMENT BY THE DEPARTMENT.

7 (2) THE SECRETARY OF EDUCATION MAY PRIORITIZE THE
8 REIMBURSEMENT OF A SCHOOL CONSTRUCTION OR RECONSTRUCTION PROJECT
9 OF A SCHOOL DISTRICT DECLARED TO BE IN FINANCIAL RECOVERY STATUS
10 UNDER ARTICLE VI-A OF THIS ACT. PROJECTS THAT ARE GIVEN PRIORITY
11 UNDER THIS PARAGRAPH SHALL BE REIMBURSED BEFORE ALL OTHER
12 PROJECTS.

13 (C) (1) SCHOOL DISTRICTS SHALL DEVELOP A COMPLETE
14 DISTRICTWIDE FACILITY STUDY OF ALL DISTRICT EDUCATIONAL
15 FACILITIES, INCLUDING THE DISTRICT ADMINISTRATIVE OFFICES. THE
16 STUDY SHALL BE COMPLETED PRIOR TO, AND WITHIN FIVE (5) YEARS OF,
17 THE INITIAL DATE OF SUBMISSION TO THE DEPARTMENT OF AN
18 APPLICATION FOR COMMONWEALTH REIMBURSEMENT OF A SCHOOL
19 CONSTRUCTION OR RECONSTRUCTION PROJECT.

20 (2) THE STUDY SHALL PROVIDE AN APPRAISAL AS TO EACH
21 FACILITY'S ABILITY TO MEET CURRENT AND PLANNED EDUCATION PROGRAM
22 REQUIREMENTS, THE DEGREE TO WHICH THE PRESENT FACILITIES MEET
23 REASONABLY CURRENT CONSTRUCTION STANDARDS, AND AN ESTIMATED COST
24 OF NECESSARY REPAIRS AND IMPROVEMENTS.

25 (3) THE STUDY SHALL BE SUBMITTED TO THE DEPARTMENT ALONG
26 WITH AN INITIAL APPLICATION FOR COMMONWEALTH REIMBURSEMENT OF A
27 SCHOOL CONSTRUCTION OR RECONSTRUCTION PROJECT.

28 (4) THE DEPARTMENT SHALL NOT GRANT TO SCHOOL DISTRICTS ANY
29 EXCEPTIONS, WAIVERS OR VARIANCES TO THE PROVISIONS OF THIS
30 SUBSECTION.

1 (D) (1) IN ORDER TO RECEIVE COMMONWEALTH REIMBURSEMENT FOR
2 THE CONSTRUCTION OF A NEW BUILDING, A SCHOOL DISTRICT SHALL,
3 WITHIN STEP 1 OF THE ACCOUNTABILITY AND REDUCING COSTS IN
4 CONSTRUCTION PROCESS PROVIDED FOR IN SUBSECTION (A), COMPLETE
5 AND SUBMIT TO THE DEPARTMENT A COST-BENEFIT ANALYSIS OF THE
6 PROJECT THAT COMPARES THE CONSTRUCTION OF THE PROPOSED NEW
7 BUILDING TO THE EXPANSION OR RENOVATION OF AN EXISTING BUILDING
8 FOR THE SAME PURPOSE.

9 (2) IF THE COST OF A NEW BUILDING EXCEEDS THAT OF THE
10 EXPANSION OR RENOVATION OF AN EXISTING BUILDING FOR THE SAME
11 PURPOSE, THE SCHOOL DISTRICT SHALL ONLY BE ELIGIBLE FOR
12 COMMONWEALTH REIMBURSEMENT FOR THE NEW BUILDING IF SUBSTANTIAL
13 EVIDENCE IS PRESENTED WHICH DEMONSTRATES THE NECESSITY OF A NEW
14 BUILDING AND HOW A NEW BUILDING WOULD BETTER MEET THE NEEDS OF
15 THE SCHOOL DISTRICT AND ITS STUDENTS THAN A BUILDING EXPANSION
16 OR RENOVATION.

17 (3) A DETERMINATION BY THE DEPARTMENT THAT INSUFFICIENT
18 EVIDENCE WAS PROVIDED TO DEMONSTRATE THE NECESSITY OF A NEW
19 BUILDING RATHER THAN A BUILDING EXPANSION OR RENOVATION SHALL BE
20 APPEALABLE BY A SCHOOL DISTRICT UNDER 2 PA.C.S. (RELATING TO
21 ADMINISTRATIVE LAW AND PROCEDURE).

22 (4) THE DEPARTMENT SHALL NOT GRANT TO SCHOOL DISTRICTS ANY
23 EXCEPTIONS, WAIVERS OR VARIANCES TO THE PROVISIONS OF THIS
24 SUBSECTION.

25 (E) (1) SCHOOL DISTRICTS SHALL NOT BE ELIGIBLE FOR
26 COMMONWEALTH REIMBURSEMENT OF SCHOOL CONSTRUCTION OR
27 RECONSTRUCTION PROJECT COSTS FOR ANY EXISTING BUILDING WHICH IS
28 LESS THAN THIRTY (30) YEARS OLD OR FOR WHICH A COMMONWEALTH
29 REIMBURSABLE PROJECT HAS BEEN APPROVED BY THE DEPARTMENT WITHIN
30 THE PRECEDING THIRTY (30) YEARS. THE THIRTY (30) YEAR PERIOD

1 BETWEEN ELIGIBLE COMMONWEALTH REIMBURSABLE PROJECTS FOR A SCHOOL
2 BUILDING SHALL BE CALCULATED FROM THE BID OPENING DATE OF THE
3 PREVIOUS COMMONWEALTH REIMBURSABLE PROJECT TO THE BID OPENING
4 DATE OF THE PROPOSED COMMONWEALTH REIMBURSABLE PROJECT.

5 (2) THE DEPARTMENT SHALL NOT GRANT TO SCHOOL DISTRICTS ANY
6 EXCEPTIONS, WAIVERS OR VARIANCES TO THE PROVISIONS OF THIS
7 SUBSECTION EXCEPT IN THE CASE OF AN EMERGENCY. FOR THE PURPOSES
8 OF THIS PARAGRAPH, AN EMERGENCY SHALL INCLUDE A NATURAL
9 DISASTER, FIRE, FLOOD, MOLD CONTAMINATION OR AN EXTRAORDINARY
10 AND UNANTICIPATED INCREASE IN STUDENT ENROLLMENT.

11 (F) (1) SCHOOL DISTRICTS SHALL NOT BE ELIGIBLE FOR
12 COMMONWEALTH REIMBURSEMENT OF SCHOOL CONSTRUCTION OR
13 RECONSTRUCTION PROJECT COSTS FOR ANY EXISTING BUILDING WHERE THE
14 COST OF EXPANSION OR RENOVATION OF THE BUILDING, EXCLUDING COSTS
15 FOR BUILDING PURCHASE, MOVABLE FIXTURES AND EQUIPMENT, ASBESTOS
16 ABATEMENT, ROOF REPLACEMENT, SITE DEVELOPMENT AND ARCHITECT
17 FEES, IS LESS THAN FORTY (40) PERCENT OF THE REPLACEMENT VALUE
18 OF THE ENTIRE BUILDING.

19 (2) THE PROVISIONS OF THIS SUBSECTION SHALL NOT APPLY TO
20 AREA VOCATIONAL-TECHNICAL SCHOOL CONSTRUCTION OR RECONSTRUCTION
21 PROJECTS.

22 (3) THE DEPARTMENT SHALL NOT GRANT TO SCHOOL DISTRICTS ANY
23 EXCEPTIONS, WAIVERS OR VARIANCES TO THE PROVISIONS OF THIS
24 SUBSECTION.

25 (G) THE DEPARTMENT SHALL, WHERE POSSIBLE AND APPROPRIATE,
26 AUTOMATE THE ACCOUNTABILITY AND REDUCING COSTS IN CONSTRUCTION
27 PROCESS TO ALLOW SCHOOL DISTRICTS TO SUBMIT PLANS AND DOCUMENTS
28 RELATING TO REIMBURSEMENT FOR A SCHOOL CONSTRUCTION OR
29 RECONSTRUCTION PROJECT ELECTRONICALLY.

30 (H) A SCHOOL DISTRICT SHALL NOT BE REQUIRED TO SUBMIT ANY

1 SCHOOL CONSTRUCTION OR RECONSTRUCTION PROJECT PLANS, DRAWINGS,
2 BID SPECIFICATIONS OR OTHER DOCUMENTS TO THE DEPARTMENT ON
3 MICROFILM AS A CONDITION OF RECEIVING COMMONWEALTH REIMBURSEMENT
4 FOR A CONSTRUCTION OR RECONSTRUCTION PROJECT.

5 (I) A SCHOOL DISTRICT SHALL NOT BE REQUIRED TO RESUBMIT TO
6 THE DEPARTMENT ANY COMPLETED PLANS, DRAWINGS, BID SPECIFICATIONS
7 OR OTHER DOCUMENTS FOR A SCHOOL CONSTRUCTION OR RECONSTRUCTION
8 PROJECT FOR WHICH THE DEPARTMENT RECEIVED A COMPLETED INITIAL
9 APPLICATION BY OCTOBER 1, 2012, DUE TO THE IMPLEMENTATION OF
10 THIS SECTION.

11 (J) SUBSECTIONS (C), (D), (E) AND (F) SHALL NOT APPLY TO ANY
12 SCHOOL CONSTRUCTION OR RECONSTRUCTION PROJECT FOR WHICH A
13 COMPLETED INITIAL SCHOOL CONSTRUCTION OR RECONSTRUCTION PROJECT
14 APPLICATION WAS SUBMITTED TO THE DEPARTMENT BY OCTOBER 1, 2012.

15 (K) NO LATER THAN TWELVE (12) MONTHS AFTER THE EFFECTIVE
16 DATE OF THIS SECTION, THE DEPARTMENT SHALL DEVELOP SUCH RULES
17 AND GUIDELINES AS MAY BE NECESSARY TO IMPLEMENT THIS SECTION:
18 PROVIDED, HOWEVER, THAT THE DEPARTMENT SHALL NOT CREATE STEPS OF
19 APPROVAL IN ADDITION TO THOSE PROVIDED FOR UNDER SUBSECTION (A)
20 AND SHALL NOT REQUIRE MORE THAN ONE SCHOOL BOARD RESOLUTION AT
21 EACH STEP.

22 (L) FOR THE PURPOSES OF THIS SECTION, THE TERM "DEPARTMENT"
23 SHALL MEAN THE DEPARTMENT OF EDUCATION OF THE COMMONWEALTH.

24 SECTION 5. SECTION 732.1(B) OF THE ACT, AMENDED JULY 9, 2013
25 (P.L.408, NO.59), IS AMENDED AND THE SECTION IS AMENDED BY
26 ADDING A SUBSECTION TO READ:

27 SECTION 732.1. LIMITATION ON NEW APPLICATIONS FOR DEPARTMENT
28 OF EDUCATION APPROVAL OF PUBLIC SCHOOL BUILDING PROJECTS.--* * *

29 (B) (1) THE DEPARTMENT OF EDUCATION SHALL, IN CONSULTATION
30 WITH SCHOOL DISTRICT OFFICIALS AND THE GENERAL ASSEMBLY, CONDUCT

1 A REVIEW OF THE DEPARTMENT OF EDUCATION'S CURRENT PROCESS
2 THROUGH WHICH PUBLIC SCHOOL BUILDING PROJECTS ARE REVIEWED AND
3 APPROVED FOR COMMONWEALTH REIMBURSEMENT. THE REVIEW SHALL
4 INCORPORATE AN ANALYSIS OF IMPACTING LOCAL FACTORS, INCLUDING,
5 BUT NOT LIMITED TO, TAX EFFORT AND BUILDING REQUIREMENTS, AND
6 SHALL MAKE RECOMMENDATIONS TO THE CHAIR AND MINORITY CHAIR OF
7 THE APPROPRIATIONS COMMITTEE OF THE SENATE, THE CHAIR AND
8 MINORITY CHAIR OF THE EDUCATION COMMITTEE OF THE SENATE, THE
9 CHAIR AND MINORITY CHAIR OF THE APPROPRIATIONS COMMITTEE OF THE
10 HOUSE OF REPRESENTATIVES AND THE CHAIR AND MINORITY CHAIR OF THE
11 EDUCATION COMMITTEE OF THE HOUSE OF REPRESENTATIVES BY MAY 1,
12 2013. THE DEPARTMENT OF EDUCATION SHALL ALSO CONDUCT A STATEWIDE
13 ANALYSIS OF SCHOOL FACILITIES AND FUTURE CAPITAL NEEDS AND SHALL
14 SUBMIT A PRELIMINARY REPORT ON THAT ANALYSIS BY MAY 1, 2014.

15 (2) THE STATEWIDE ANALYSIS SHALL BE COMPLETED AND SUBMITTED
16 TO THE CHAIRMAN AND MINORITY CHAIRMAN OF THE APPROPRIATIONS
17 COMMITTEE OF THE SENATE, THE CHAIRMAN AND MINORITY CHAIRMAN OF
18 THE EDUCATION COMMITTEE OF THE SENATE, THE CHAIRMAN AND MINORITY
19 CHAIRMAN OF THE APPROPRIATIONS COMMITTEE OF THE HOUSE OF
20 REPRESENTATIVES AND THE CHAIRMAN AND MINORITY CHAIRMAN OF THE
21 EDUCATION COMMITTEE OF THE HOUSE OF REPRESENTATIVES NO LATER
22 THAN MAY 1, 2016.

23 (C) (1) ANY SCHOOL DISTRICT THAT BEGAN A SCHOOL
24 CONSTRUCTION OR RECONSTRUCTION PROJECT DURING THE TIME IN WHICH
25 THE DEPARTMENT OF EDUCATION WAS NOT ACCEPTING OR APPROVING NEW
26 SCHOOL CONSTRUCTION AND RECONSTRUCTION PROJECT APPLICATIONS FOR
27 REIMBURSEMENT PURSUANT TO SUBSECTION (A) SHALL REMAIN ELIGIBLE
28 AND MAY APPLY FOR COMMONWEALTH REIMBURSEMENT FOR THOSE SCHOOL
29 CONSTRUCTION OR RECONSTRUCTION PROJECTS FOLLOWING THE EXPIRATION
30 OF THE LIMITATION PROVIDED FOR UNDER SUBSECTION (A).

1 (2) NO LATER THAN TWELVE (12) MONTHS AFTER THE EFFECTIVE
2 DATE OF THIS SECTION THE DEPARTMENT SHALL DEVELOP SUCH RULES AND
3 GUIDELINES AS MAY BE NECESSARY TO IMPLEMENT THIS SUBSECTION.

4 SECTION 6. THE ACT IS AMENDED BY ADDING A SECTION TO READ:

5 SECTION 1505. PAYMENTS OR REIMBURSEMENTS RELATING TO
6 SECRETARY DECLARATION OF WEATHER EMERGENCY PROVISIONS.-- (A)
7 BEGINNING IN THE 2014-2015 SCHOOL YEAR AND IN EACH SCHOOL YEAR
8 THEREAFTER, THE SECRETARY OF EDUCATION MAY, AT HIS DISCRETION,
9 ISSUE A WEATHER EMERGENCY DECLARATION ON A SCHOOL DISTRICT,
10 COUNTY OR STATEWIDE BASIS UNDER WHICH A SCHOOL ENTITY MAY
11 SATISFY THE ONE HUNDRED EIGHTY (180) INSTRUCTIONAL DAY PER
12 SCHOOL YEAR REQUIREMENT IN SECTION 1501 OF THIS ACT BY ONE OR
13 MORE OF THE FOLLOWING OPTIONS:

14 (1) APPROVING, BY MAJORITY VOTE OF THE GOVERNING BOARD OF
15 THE SCHOOL ENTITY, A SCHOOL YEAR WITH A MINIMUM OF NINE HUNDRED
16 (900) HOURS OF INSTRUCTION AT THE ELEMENTARY LEVEL AND NINE
17 HUNDRED NINETY (990) HOURS OF INSTRUCTION AT THE SECONDARY LEVEL
18 IN LIEU OF ONE HUNDRED EIGHTY (180) INSTRUCTIONAL DAYS.

19 (2) APPROVING, BY MAJORITY VOTE OF THE GOVERNING BOARD OF
20 THE SCHOOL ENTITY, THE SCHEDULING OF ADDITIONAL INSTRUCTIONAL
21 DAYS ON SATURDAYS TO COMPLETE ONE HUNDRED EIGHTY (180)
22 INSTRUCTIONAL DAYS OR NINE HUNDRED (900) HOURS OF INSTRUCTION AT
23 THE ELEMENTARY LEVEL AND NINE HUNDRED NINETY (990) HOURS OF
24 INSTRUCTION AT THE SECONDARY LEVEL: PROVIDED, HOWEVER, THAT A
25 SCHOOL ENTITY SHALL NOT SCHEDULE MORE THAN ONE SATURDAY PER
26 MONTH AS AN INSTRUCTIONAL DAY AND SHALL NOT SCHEDULE TESTS OR
27 OTHER EXAMINATIONS ON A SATURDAY. WHERE A SCHOOL ENTITY CHOOSES
28 TO SCHEDULE AN INSTRUCTIONAL DAY ON SATURDAY UNDER THE
29 PROVISIONS OF THIS PARAGRAPH, THE FOLLOWING SHALL APPLY:

30 (I) THE SCHOOL ENTITY MAY SCHEDULE A REGULAR INSTRUCTIONAL

1 DAY ON THE FOLLOWING MONDAY.

2 (II) THE SCHOOL ENTITY SHALL, UPON THE WRITTEN REQUEST OF A
3 PARENT OR GUARDIAN, EXCUSE A STUDENT FROM SCHOOL ATTENDANCE IF
4 THE STUDENT HAS THE OPPORTUNITY TO RECEIVE A PROGRAM OF ADVANCED
5 INSTRUCTION, TO PARTICIPATE IN ACADEMIC OR SKILLS COMPETITION OR
6 TO ENGAGE IN LEADERSHIP DEVELOPMENT ACTIVITIES. THE REQUEST
7 SHALL IDENTIFY AND DESCRIBE THE INSTRUCTION, COMPETITION OR
8 LEADERSHIP DEVELOPMENT ACTIVITIES AND THE DATES AND HOURS FOR
9 WHICH THE ABSENCE IS REQUESTED. THE PARENT OR GUARDIAN SHALL,
10 FOLLOWING EACH SUCH ABSENCE, FURNISH IN WRITING TO THE SCHOOL
11 ENTITY A STATEMENT ATTESTING TO THE STUDENT'S PARTICIPATION,
12 INCLUDING THE DATES AND HOURS OF SUCH PARTICIPATION.

13 (III) THE SCHOOL ENTITY SHALL, UPON THE WRITTEN NOTIFICATION
14 OF A PARENT OR GUARDIAN, EXCUSE A STUDENT FROM SCHOOL ATTENDANCE
15 TO OBSERVE OR PARTICIPATE IN A RELIGIOUS ACTIVITY OR FUNCTION. A
16 STUDENT'S ABSENCE FROM SCHOOL PURSUANT TO THIS SUBPARAGRAPH
17 SHALL BE CONSIDERED AN INSTRUCTIONAL DAY AND SHALL NOT BE
18 RECORDED AS AN ABSENCE ON THE STUDENT'S ATTENDANCE RECORD OR ON
19 THE RECORD OF ANY GROUP OR CLASS OF WHICH THE STUDENT IS A
20 MEMBER. THERE SHALL BE NO PENALTY ATTACHED FOR ANY SUCH ABSENCES
21 PURSUANT TO THIS SUBPARAGRAPH.

22 (B) A SCHOOL ENTITY SHALL NOTIFY THE DEPARTMENT, ON A FORM
23 TO BE DEVELOPED BY THE DEPARTMENT, OF ANY DECISION TO USE THE
24 OPTIONS PROVIDED FOR UNDER SUBSECTION (A) TO SATISFY THE ONE
25 HUNDRED EIGHTY (180) INSTRUCTIONAL DAY PER SCHOOL YEAR
26 REQUIREMENT.

27 (C) NO SCHOOL ENTITY SHALL RECEIVE LESS SUBSIDY PAYMENTS OR
28 REIMBURSEMENTS THAN IT WOULD OTHERWISE BE ENTITLED TO RECEIVE BY
29 THE DECISION TO USE THE OPTIONS PROVIDED UNDER SUBSECTION (A).

30 (D) AS USED IN THIS SECTION, THE FOLLOWING WORDS AND PHRASES

1 SHALL HAVE THE MEANINGS GIVEN TO THEM IN THIS SUBSECTION UNLESS
2 THE CONTEXT CLEARLY INDICATES OTHERWISE:

3 "DEPARTMENT" SHALL MEAN THE DEPARTMENT OF EDUCATION OF THE
4 COMMONWEALTH.

5 "SCHOOL ENTITY" SHALL MEAN A SCHOOL DISTRICT, AREA
6 VOCATIONAL-TECHNICAL SCHOOL, INTERMEDIATE UNIT, CHARTER SCHOOL,
7 REGIONAL CHARTER SCHOOL OR CYBER CHARTER SCHOOL.

8 SECTION 7. SECTION 2501 OF THE ACT IS AMENDED BY ADDING A
9 DEFINITION TO READ:

10 SECTION 2501. DEFINITIONS.--FOR THE PURPOSES OF THIS ARTICLE
11 THE FOLLOWING TERMS SHALL HAVE THE FOLLOWING MEANINGS:

12 * * *

13 (31) "DEPARTMENT." THE DEPARTMENT OF EDUCATION OF THE
14 COMMONWEALTH.

15 SECTION 8. SECTION 2574(B.1), (C.4) AND (C.6) OF THE ACT,
16 AMENDED OR ADDED JULY 13, 2005 (P.L.226, NO.46) AND JULY 11,
17 2006 (P.L.1092, NO.114), ARE AMENDED TO READ:

18 SECTION 2574. APPROVED REIMBURSABLE RENTAL FOR LEASES
19 HEREAFTER APPROVED AND APPROVED REIMBURSABLE SINKING FUND
20 CHARGES ON INDEBTEDNESS.--* * *

21 [(B.1) FOR SCHOOL BUILDINGS CONSTRUCTED AND BASED ON AN
22 APPROVED SCHOOL FACILITY DESIGN RECEIVED FROM THE DEPARTMENT OF
23 EDUCATION'S SCHOOL FACILITY DESIGN CLEARINGHOUSE, FOR WHICH THE
24 GENERAL CONSTRUCTION CONTRACT IS AWARDED SUBSEQUENT TO JANUARY
25 1, 2005, AND FOR APPROVED SCHOOL BUILDING PROJECTS FOR WHICH THE
26 GENERAL CONSTRUCTION CONTRACT WAS AWARDED BUT FOR WHICH A LEASE
27 OR GENERAL OBLIGATION BOND RESOLUTION WAS NOT APPROVED BY THE
28 DEPARTMENT OF EDUCATION PRIOR TO JANUARY 1, 2005, THE APPROVED
29 BUILDING CONSTRUCTION COST SHALL ADDITIONALLY INCLUDE THE
30 PRODUCT OF THE RATED PUPIL CAPACITY AS DETERMINED BY THE

1 DEPARTMENT OF EDUCATION AT THE TIME THE PROJECT IS APPROVED AND
2 (I) FOUR HUNDRED SEVENTY DOLLARS (\$470) IN THE CASE OF
3 ELEMENTARY SCHOOLS, (II) SIX HUNDRED TWENTY DOLLARS (\$620) IN
4 THE CASE OF SECONDARY SCHOOLS, (III) AN AMOUNT IN THE CASE OF
5 COMBINED ELEMENTARY-SECONDARY SCHOOLS OBTAINED BY MULTIPLYING
6 THE RATED ELEMENTARY PUPIL CAPACITY BY FOUR HUNDRED SEVENTY
7 DOLLARS (\$470) AND THE RATED SECONDARY PUPIL CAPACITY BY SIX
8 HUNDRED TWENTY DOLLARS (\$620) AND DIVIDING THE SUM BY THE TOTAL
9 RATED PUPIL CAPACITY.]

10 * * *

11 [(C.4) FOR SCHOOL BUILDINGS FOR WHICH THE GENERAL
12 CONSTRUCTION CONTRACT IS AWARDED ON OR AFTER JANUARY 1, 2005,
13 AND FOR APPROVED SCHOOL BUILDING PROJECTS FOR WHICH THE GENERAL
14 CONSTRUCTION CONTRACT WAS AWARDED BUT FOR WHICH A LEASE OR
15 GENERAL OBLIGATION BOND RESOLUTION WAS NOT APPROVED BY THE
16 DEPARTMENT OF EDUCATION PRIOR TO JANUARY 1, 2005, AND WHERE THE
17 SCHOOL BUILDING RECEIVES A SILVER, GOLD OR PLATINUM
18 CERTIFICATION FROM THE UNITED STATES GREEN BUILDING COUNCIL'S
19 LEADERSHIP IN ENERGY AND ENVIRONMENTAL DESIGN GREEN BUILDING
20 RATING SYSTEM OR TWO, THREE OR FOUR GLOBES UNDER THE GREEN
21 BUILDING INITIATIVE'S GREEN GLOBES GREEN BUILDING RATING SYSTEM
22 ON OR AFTER JANUARY 1, 2005, THE DEPARTMENT OF EDUCATION SHALL
23 ADJUST THE APPROVED BUILDING CONSTRUCTION COST TO ADDITIONALLY
24 INCLUDE THE PRODUCT OF THE RATED PUPIL CAPACITY AS DETERMINED BY
25 THE DEPARTMENT OF EDUCATION AT THE TIME THE PROJECT IS APPROVED
26 AND (I) FOUR HUNDRED SEVENTY DOLLARS (\$470) IN THE CASE OF
27 ELEMENTARY SCHOOLS, (II) SIX HUNDRED TWENTY DOLLARS (\$620) IN
28 THE CASE OF SECONDARY SCHOOLS, (III) AN AMOUNT IN THE CASE OF
29 COMBINED ELEMENTARY-SECONDARY SCHOOLS OBTAINED BY MULTIPLYING
30 THE RATED ELEMENTARY PUPIL CAPACITY BY FOUR HUNDRED SEVENTY

1 DOLLARS (\$470) AND THE RATED SECONDARY PUPIL CAPACITY BY SIX
2 HUNDRED TWENTY DOLLARS (\$620) AND DIVIDING THE SUM BY THE TOTAL
3 RATED PUPIL CAPACITY. THE DEPARTMENT OF EDUCATION IN
4 CONSULTATION WITH THE GOVERNOR'S GREEN GOVERNMENT COUNCIL SHALL
5 ISSUE GUIDELINES TO CARRY OUT THIS SECTION.]

6 * * *

7 [(C.6) IF A SCHOOL DISTRICT RECEIVES REIMBURSEMENT FOR A
8 SCHOOL CONSTRUCTION PROJECT UNDER THIS SECTION, THE SCHOOL
9 DISTRICT, UPON REQUEST BY THE DEPARTMENT OF EDUCATION, SHALL DO
10 ALL OF THE FOLLOWING:

11 (I) PROVIDE INFORMATION REQUIRED BY THE DEPARTMENT TO
12 DETERMINE WHETHER THE SCHOOL CONSTRUCTION PROJECT MEETS CRITERIA
13 ESTABLISHED BY THE DEPARTMENT FOR CERTIFICATION AS AN APPROVED
14 SCHOOL FACILITY DESIGN FOR PURPOSES OF THE DEPARTMENT'S SCHOOL
15 FACILITY DESIGN CLEARINGHOUSE.

16 (II) AUTHORIZE THE DEPARTMENT, IN ITS DISCRETION, TO CERTIFY
17 THE SCHOOL CONSTRUCTION PROJECT AS AN APPROVED SCHOOL FACILITY
18 DESIGN AND TO INCLUDE INFORMATION ABOUT THE CERTIFIED PROJECT IN
19 THE DEPARTMENT'S SCHOOL FACILITY DESIGN CLEARINGHOUSE.]

20 * * *

21 SECTION 9. SECTION 2575(A) OF THE ACT, AMENDED JULY 12, 1968
22 (P.L.192, NO.96), IS AMENDED AND THE SECTION IS AMENDED BY
23 ADDING A SUBSECTION TO READ:

24 SECTION 2575. PAYMENTS ON ACCOUNT OF LEASES HEREAFTER
25 APPROVED AND ON ACCOUNT OF SINKING FUND CHARGES ON INDEBTEDNESS
26 FOR SCHOOL BUILDINGS HEREAFTER CONSTRUCTED.-- (A) (1) THE
27 COMMONWEALTH SHALL PAY ANNUALLY TO EACH SCHOOL DISTRICT ERECTING
28 OR SHARING IN THE ERECTION OF A BUILDING OR BUILDINGS UNDER THE
29 PROVISIONS OF THE PUBLIC SCHOOL BUILDING AUTHORITY ACT, THE
30 MUNICIPALITY AUTHORITY ACT, SECTION 758 [OF THE PUBLIC SCHOOL

1 CODE OF 1949,] OR SECTION 791 OF [THE PUBLIC SCHOOL CODE OF
2 1949,] THIS ACT ON ACCOUNT OF BUILDINGS FOR WHICH THE LEASE IS
3 APPROVED ON OR AFTER MARCH 22, 1956, OR THROUGH THE INCURRING OF
4 INDEBTEDNESS BY THE ISSUANCE OF GENERAL OBLIGATION BONDS ON
5 ACCOUNT OF BUILDINGS FOR WHICH THE GENERAL CONSTRUCTION CONTRACT
6 IS AWARDED ON OR AFTER MARCH 22, 1956, AN AMOUNT TO BE
7 DETERMINED BY MULTIPLYING THE DISTRICT'S CAPITAL ACCOUNT
8 REIMBURSEMENT FRACTION COMPUTED FOR THE YEAR 1967 OR AID RATIO
9 WHICHEVER IS LARGER BY THE APPROVED REIMBURSABLE RENTAL OR
10 APPROVED REIMBURSABLE SINKING FUND CHARGE.

11 (2) THE PROVISIONS OF THIS SUBSECTION SHALL ONLY APPLY TO
12 SCHOOL CONSTRUCTION OR RECONSTRUCTION PROJECTS FOR WHICH A
13 COMPLETED INITIAL SCHOOL CONSTRUCTION OR RECONSTRUCTION PROJECT
14 APPLICATION WAS SUBMITTED TO THE DEPARTMENT OF EDUCATION BY
15 OCTOBER 1, 2012.

16 (A.1) (1) THE COMMONWEALTH SHALL PAY ANNUALLY TO EACH
17 SCHOOL DISTRICT ERECTING OR SHARING IN THE ERECTION OF A
18 BUILDING OR BUILDINGS UNDER THE PROVISIONS OF THE PUBLIC SCHOOL
19 BUILDING AUTHORITY ACT, THE MUNICIPALITY AUTHORITY ACT OR
20 SECTION 758 OR 791 OF THIS ACT, ON ACCOUNT OF BUILDINGS FOR
21 WHICH THE LEASE IS APPROVED ON OR AFTER OCTOBER 1, 2012, OR
22 THROUGH THE INCURRING OF INDEBTEDNESS BY THE ISSUANCE OF GENERAL
23 OBLIGATION BONDS ON ACCOUNT OF BUILDINGS FOR WHICH THE GENERAL
24 CONSTRUCTION CONTRACT IS AWARDED ON OR AFTER OCTOBER 1, 2012, AN
25 AMOUNT TO BE DETERMINED BY MULTIPLYING THE DISTRICT'S AID RATIO
26 BY THE APPROVED REIMBURSABLE RENTAL OR APPROVED REIMBURSABLE
27 SINKING FUND CHARGE.

28 (2) THE PROVISIONS OF THIS SUBSECTION SHALL ONLY APPLY TO
29 SCHOOL CONSTRUCTION OR RECONSTRUCTION PROJECTS FOR WHICH A
30 COMPLETED INITIAL SCHOOL CONSTRUCTION OR RECONSTRUCTION PROJECT

1 APPLICATION WAS SUBMITTED TO THE DEPARTMENT OF EDUCATION AFTER
2 OCTOBER 1, 2012.

3 * * *

4 SECTION 10. SECTION 2575.1 OF THE ACT, AMENDED JULY 9, 1992
5 (P.L.392, NO.85), IS AMENDED TO READ:

6 SECTION 2575.1. PAYMENTS ON ACCOUNT OF BUILDING COSTS.--(A)

7 (1) THE COMMONWEALTH SHALL PAY TO ANY SCHOOL DISTRICT MAKING A
8 PRELIMINARY PAYMENT ON ACCOUNT OF THE APPROVED BUILDING
9 CONSTRUCTION OR APPROVED RENOVATION COST AS AUTHORIZED BY
10 SECTION 783 OR BY CLAUSE (4) OF SECTION 790 OR BY CLAUSE (5) OF
11 SECTION 791 OF THIS ACT, AN AMOUNT DETERMINED BY MULTIPLYING THE
12 DISTRICT'S CAPITAL ACCOUNT REIMBURSEMENT FRACTION COMPUTED FOR
13 THE YEAR 1967 OR AID RATIO WHICHEVER IS LARGER BY THE AMOUNT OF
14 THE PAYMENT MADE BY THE SCHOOL DISTRICT.

15 (2) THE PROVISIONS OF THIS SUBSECTION SHALL ONLY APPLY TO
16 SCHOOL CONSTRUCTION OR RECONSTRUCTION PROJECTS FOR WHICH A
17 COMPLETED INITIAL SCHOOL CONSTRUCTION OR RECONSTRUCTION PROJECT
18 APPLICATION WAS SUBMITTED TO THE DEPARTMENT OF EDUCATION BY
19 OCTOBER 1, 2012.

20 (A.1) (1) THE COMMONWEALTH SHALL PAY TO ANY SCHOOL DISTRICT
21 MAKING A PRELIMINARY PAYMENT ON ACCOUNT OF THE APPROVED BUILDING
22 CONSTRUCTION OR APPROVED RENOVATION COST AS AUTHORIZED BY
23 SECTION 783 OR BY CLAUSE (4) OF SECTION 790 OR BY CLAUSE (5) OF
24 SECTION 791 OF THIS ACT, AN AMOUNT DETERMINED BY MULTIPLYING THE
25 DISTRICT'S AID RATIO BY THE AMOUNT OF THE PAYMENT MADE BY THE
26 SCHOOL DISTRICT.

27 (2) THE PROVISIONS OF THIS SUBSECTION SHALL ONLY APPLY TO
28 SCHOOL CONSTRUCTION OR RECONSTRUCTION PROJECTS FOR WHICH A
29 COMPLETED INITIAL SCHOOL CONSTRUCTION OR RECONSTRUCTION PROJECT
30 APPLICATION WAS SUBMITTED TO THE DEPARTMENT OF EDUCATION AFTER

1 OCTOBER 1, 2012.

2 (B) (1) WHENEVER ANY SCHOOL DISTRICT PROVIDES THE FULL
3 PAYMENT ON ACCOUNT OF APPROVED BUILDING CONSTRUCTION OR APPROVED
4 RENOVATION COST WITHOUT INCURRING DEBT, OR WITHOUT ASSUMING A
5 LEASE, THE COMMONWEALTH SHALL PAY TO SUCH SCHOOL DISTRICT AN
6 AMOUNT DETERMINED BY MULTIPLYING THE DISTRICT'S CAPITAL ACCOUNT
7 REIMBURSEMENT FRACTION COMPUTED FOR THE YEAR 1967 OR AID RATIO
8 WHICHEVER IS LARGER BY THE AMOUNT OF THE PAYMENT MADE BY THE
9 SCHOOL DISTRICT.

10 (2) THE PROVISIONS OF THIS SUBSECTION SHALL ONLY APPLY TO
11 SCHOOL CONSTRUCTION OR RECONSTRUCTION PROJECTS FOR WHICH A
12 COMPLETED INITIAL SCHOOL CONSTRUCTION OR RECONSTRUCTION PROJECT
13 APPLICATION WAS SUBMITTED TO THE DEPARTMENT OF EDUCATION BY
14 OCTOBER 1, 2012.

15 (B.1) (1) WHENEVER ANY SCHOOL DISTRICT PROVIDES THE FULL
16 PAYMENT ON ACCOUNT OF APPROVED BUILDING CONSTRUCTION OR APPROVED
17 RENOVATION COST WITHOUT INCURRING DEBT, OR WITHOUT ASSUMING A
18 LEASE, THE COMMONWEALTH SHALL PAY TO SUCH SCHOOL DISTRICT AN
19 AMOUNT DETERMINED BY MULTIPLYING THE DISTRICT'S AID RATIO BY THE
20 AMOUNT OF THE PAYMENT MADE BY THE SCHOOL DISTRICT.

21 (2) THE PROVISIONS OF THIS SUBSECTION SHALL ONLY APPLY TO
22 SCHOOL CONSTRUCTION OR RECONSTRUCTION PROJECTS FOR WHICH A
23 COMPLETED INITIAL SCHOOL CONSTRUCTION OR RECONSTRUCTION PROJECT
24 APPLICATION WAS SUBMITTED TO THE DEPARTMENT OF EDUCATION AFTER
25 OCTOBER 1, 2012.

26 (C) THE PAYMENT REQUIRED BY THIS SECTION SHALL BE MADE FOR
27 THE YEAR IN WHICH THE SCHOOL DISTRICT MADE ITS PAYMENT ON
28 ACCOUNT OF THE APPROVED BUILDING CONSTRUCTION OR APPROVED
29 RENOVATION COST.

30 SECTION 11. THE ACT IS AMENDED BY ADDING A SECTION TO READ:

1 SECTION 2581. LUMP SUM REIMBURSEMENT FOR CONSTRUCTION OR
2 RECONSTRUCTION.-- (A) THE DEPARTMENT MAY, AT ANY TIME, UPON THE
3 AVAILABILITY OF SUFFICIENT FUNDS AND THE MUTUAL AGREEMENT OF THE
4 DEPARTMENT AND A SCHOOL DISTRICT, PROVIDE AN IMMEDIATE LUMP SUM
5 PAYMENT TO THE SCHOOL DISTRICT AS FULL REIMBURSEMENT FOR A
6 CONSTRUCTION OR RECONSTRUCTION PROJECT THAT HAS RECEIVED ALL
7 REQUIRED APPROVALS FROM THE DEPARTMENT FOR COMMONWEALTH
8 REIMBURSEMENT. THE LUMP SUM PAYMENT PROVIDED FOR UNDER THIS
9 SECTION SHALL BE NO GREATER THAN SEVENTY-FIVE PERCENT (75%) OF
10 THE TOTAL ALLOWABLE CONSTRUCTION OR RECONSTRUCTION REIMBURSEMENT
11 PROVIDED FOR UNDER ARTICLE XXV OF THIS ACT FOR WHICH THE SCHOOL
12 DISTRICT IS ELIGIBLE: PROVIDED, HOWEVER, THAT SUCH PAYMENTS
13 SHALL NOT INCLUDE REIMBURSEMENT FOR INTEREST INCURRED BY A
14 SCHOOL DISTRICT. A SCHOOL DISTRICT THAT DOES NOT AGREE TO A LUMP
15 SUM PAYMENT UNDER THIS SECTION SHALL REMAIN ELIGIBLE FOR THE
16 TOTAL ALLOWABLE CONSTRUCTION OR RECONSTRUCTION REIMBURSEMENT
17 PROVIDED FOR UNDER ARTICLE XXV OF THIS ACT.

18 (B) EACH AGREEMENT FOR LUMP SUM REIMBURSEMENT UNDER THIS
19 SECTION SHALL REQUIRE THE SCHOOL DISTRICT RECEIVING A LUMP SUM
20 PAYMENT TO RELINQUISH ANY CURRENT CLAIM TO THE TOTAL ALLOWABLE
21 CONSTRUCTION OR RECONSTRUCTION REIMBURSEMENT PROVIDED FOR UNDER
22 ARTICLE XXV OF THIS ACT FOR WHICH THE SCHOOL DISTRICT IS
23 ELIGIBLE IN EXCHANGE FOR THE IMMEDIATE LUMP SUM PAYMENT OF A
24 LESSER AMOUNT.

25 (C) THE DEPARTMENT SHALL MAKE THE OPPORTUNITY FOR A LUMP SUM
26 PAYMENT AVAILABLE TO SCHOOL DISTRICTS IN THE ORDER IN WHICH EACH
27 SCHOOL DISTRICT CONSTRUCTION OR RECONSTRUCTION PROJECT RECEIVES
28 APPROVAL FOR COMMONWEALTH REIMBURSEMENT BY THE DEPARTMENT. A
29 SCHOOL DISTRICT THAT DOES NOT AGREE TO A LUMP SUM PAYMENT UNDER
30 THIS SECTION SHALL RETAIN ITS PLACE IN THE ORDER IN WHICH THE

1 DEPARTMENT REIMBURSES SCHOOL DISTRICTS.

2 (D) NO LATER THAN TWELVE (12) MONTHS AFTER THE EFFECTIVE
3 DATE OF THIS SECTION, THE DEPARTMENT SHALL DEVELOP SUCH RULES
4 AND GUIDELINES AS MAY BE NECESSARY TO IMPLEMENT THIS SECTION.

5 SECTION 12. FOR THE 2014-2015 FISCAL YEAR AND EACH FISCAL
6 YEAR THEREAFTER, THE STATE PUBLIC SCHOOL BUILDING AUTHORITY
7 SHALL ASSIST ALL SCHOOL DISTRICTS WITH REFINANCING PROJECTS THAT
8 ARE CURRENTLY RECEIVING STATE REIMBURSEMENT FOR A PORTION OF
9 THEIR SCHOOL CONSTRUCTION COSTS TO MAKE ADDITIONAL FUNDS
10 AVAILABLE THROUGH WHICH TO PROVIDE STATE REIMBURSEMENT TO
11 PROJECTS THAT HAVE NOT YET BEGUN RECEIVING STATE REIMBURSEMENT.

12 SECTION 13. THIS ACT SHALL TAKE EFFECT IN 60 DAYS.