

Legislative Report
Submitted by Linda Bishop
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State Budget Update: The Governor's office and legislative leaders reached an agreement for the framework of the 2012-13 state budget, settling on a spending figure of \$27.65 billion. That is the number that had been proposed by Republican legislative leaders in the Senate and House, and was more than the \$27.15 billion originally offered by the Governor in February.

While details of the budget plan are still being finalized, it is believed to largely reflect provisions under SB 1466, as passed by the Senate and amended in the House, which restored about \$500 million in cuts to higher and basic education and social services from the governor's plan. For basic education, the plan includes \$100 million for the Accountability Block Grant program. It keeps basic and special education subsidies at level funding, but it does not contain the Student Achievement Education Block Grant (SAEBG) proposed by the governor for combined distribution of funding for the basic subsidy, pupil transportation and school employees Social Security.

It is widely believed that the Governor has agreed to the higher spending figure in exchange for agreement by legislative leaders to pass a "school choice" initiative that the Governor has been pushing. On June 25, the House Education Committee met to consider HB 2468, Rep. Jim Christiana's "school choice" plan that includes an expansion of the established EITC program, and a new Educational Improvement Scholarship Credit (EISC) program. This bill has been described by Rep. James Roebuck as "school vouchers on steroids—the worst bill yet." The bill would spend \$500 million over 3 years on vouchers to allow families with incomes up to \$75,000 to send their children to private and parochial schools at taxpayer expense. The amount per voucher is the highest ever proposed in a Pennsylvania bill--\$8,500 for a regular education student and \$15,000 for students with special needs. The bill would NOT restrict the program to students currently enrolled in public schools, which means that 85 to 90 percent of the students receiving vouchers could be students ALREADY ATTENDING private schools, including Catholic schools and schools like Shadyside and Sewickley Academies. Roebuck called the bill a "bailout for private schools." Like all previous Pennsylvania voucher bills, this legislation would not require the private schools to accept students with disabilities. "Once again, the private schools would do the choosing, not the students," Roebuck said.

Gov. Corbett signed into law HB 1610, now Act 59, requiring any student athlete who exhibits signs or symptoms of sudden cardiac arrest to obtain clearance by a licensed physician, certified registered nurse practitioner or cardiologist before being allowed to resume playing sports.

Awaiting the Governor's signature is HB 1913, which allows for the abatement of real estate taxes for properties damaged by Hurricane Irene or Tropical Storm Lee in 2011.

The PA Senate passed:

- SB 244 which requires all schools, public and private, to have a least one member of the school staff trained and certified in the use of cardiopulmonary resuscitation (CPR) present at the school premises at all times during regular school hours when school is in session.
- HB 1307, which establishes comprehensive new provisions regarding financially distressed school districts (except the School District of Philadelphia). At this time, there are four school districts that would qualify under the parameters set under the legislation (Harrisburg, York City, Chester-Upland and Duquesne) at an estimated cost of \$6 million. The Senate amended the original House bill to remove provisions that would have limited collective bargaining by eliminating the right to strike and allowing an official appointed by the state education secretary to impose contract terms. HB 1307 also contains provisions from the former SB 1296 related to superintendent and assistant superintendent contracts including the term, required performance evaluation provisions, and posting of performance compliance. The language is similar to that contained in SB 1296, but maintains the provision in current law that any contract for a superintendent or assistant superintendent may be for three to five years in length. In addition, HB 1307 requires school districts to allow students to wear military uniforms at graduation ceremonies.
- SB 1309, which would impose restrictions on taxing authorities, including school districts, from raising reverse appeals except in certain circumstances. The bill as amended in the Senate Finance Committee would allow a school district or other taxing district to appeal an assessment if the additional revenue to be collected by the appealing taxing district is at least \$10,000 per year in the aggregate for all property taxes.

The Senate Education Committee passed SB 327, which amends the Public School Code to eliminate primary elections for school directors beginning with the 2013 primary elections, with board members elected at the November municipal elections. It also requires nomination papers for school directors to be filed without regard to political party membership, and requires nomination papers to include a minimum number of signatures by qualified electors without regard to political party affiliation in various increments depending on the class of school district.

The PA House passed:

- HB 2316, which allows school boards to enter into agreements with other political subdivisions for school security and safety. The bill allows school boards to share costs of school resource and probation officers with other political subdivisions, and does not require such officers to be employees of the school district.

- SB 157, which would create a task force on homeless children's education.
- SB 449, regarding training for school employees regarding child abuse.
- HB 2319, which would allow career and technical education schools to be eligible to directly receive business donations within the Educational Improvement Tax Credit (EITC) program.

The House Education Committee passed SB 1115, which calls for the development of a special education formula for the distribution of future increases. The bill does not alter or address the existing allocation of special education funds nor the underlying problems associated with the current funding structure for special education. PSBA does not support this bill, because it provides for no additional funding for special education, withholds funds from school districts, does not address current inequities in special education funding, and excludes charter and cyber schools from the requirements.

The House Finance Committee tabled HB 1776, a comprehensive tax reform proposal that would eliminate property taxes, raise sales and use tax amounts and remove certain items currently excluded from sales tax, and authorize the imposition of PIT or EIT by school district subject to voter approval.

An important new charter school reform bill was introduced in the House last week by Rep. Mike Fleck. HB 2364, which is supported by PSBA, would provide greater taxpayer protection and accountability of charter and cyber charter schools in Pennsylvania. HB 2364 currently has 39 co-sponsors and has bipartisan support. HB 2364 would change the current funding formula used to determine school district tuition payments for students who attend charter and cyber charter schools to:

- * Remove the "double dip" for pension costs which are not now subtracted from district expenditures, saving taxpayers an estimated half billion dollars within five years.
- * Eliminate non-instructional services from tuition payments, including athletic funds, non-public school programs and services, and the tuition payments themselves as they are unrelated to operational costs.
- * Limit unassigned fund balances and make them consistent with traditional public schools.
- * Establish an annual audit that will ensure that school districts and taxpayers are paying for a charter or cyber charter school's actual educational costs. Any overpayment discovered as a result of the audit will be returned to the school district of residence.