

PSBA SPECIAL REPORT School District Mandates: Their Impact on Public Education

UPDATED MAY 2020

TAXES:

The undersigned certifies acknowledgment that they have received notice of the amount of taxes to be delinquent after April 15th. Buyer is aware that they are responsible for the payment of taxes.

INSTRUCTIONS

The undersigned lender and a paid escrow holder is authorized and instructed to pay the amount of escrow to the undersigned buyer at the close of escrow. If subject property has a...



PSBA
Pennsylvania School Boards Association



Founded in 1895, PSBA is the voice for public education and works for strong local school boards in the halls of the Capitol. The association is committed to supporting an effective child-centered public education that is adequately and equitably funded.





EXECUTIVE SUMMARY

In December 2019, the Pennsylvania School Boards Association (PSBA) convened a task force of its members to discuss and formulate recommendations regarding the multitude of mandates placed on public schools and how those mandates impact school operations and instruction.

After a series of meetings and discussions, the task force developed a series of recommendations which would provide school districts with relief from mandates and promote greater awareness among the General Assembly and other policymakers of the impact mandates have on public schools.

The following task force recommendations were approved by the PSBA Governing Board on April 20, 2020:

- State legislation imposing new mandates on school entities should include state funding or a state-provided solution to implement the mandate which would reduce the burden of the mandate.
- Reinstatement of a mandate waiver program similar to the program that expired in 2010 that grants districts exemptions from certain state-imposed mandates. Such waivers should be renewable based on a district's demonstration that the waiver improved its instructional program or allowed it to operate in a more effective, efficient or economical manner.
- Creation of a legislative commission to periodically and systematically review the cumulative effect of mandates on public schools and make recommendations for mandate relief, including sunseting mandates that do not enhance administrative or academic operations.
- Enact legislation requiring the General Assembly to assess, prior to enacting new mandates, the likely cost impact of those new mandates on taxpayers and/or school districts. Assessments should take into account differences between school communities, district

size and available resources. Assessments should be reported with the legislation.

- State legislation imposing new mandates on school entities should not take effect until at least the following fiscal year to give schools adequate time to plan and prepare for those costs.
- Allow school districts to exceed their Act 1 index to pay for unfunded state mandates.

PSBA believes that the implementation of these recommendations could provide significant savings, both in terms of dollars and efficiency, as well as reducing the number of burdensome mandates placed on schools.



INTRODUCTION

The Pennsylvania School Boards Association (PSBA) is pleased to present this special report on school district mandates and their impact on public education.

Mandates, put simply, tell public schools what they are required to do, how they must do it and ultimately, dictate how much they will spend in order to get it done. Mandates come from several sources. Some mandates come from the federal government, but most mandates come from state laws, regulations and other types of guidance from state agencies such as the Pennsylvania Department of Education (PDE).

Pennsylvania's 500 public school districts are required to comply with hundreds of individual mandates. Considered separately, many mandates can be defended as implementing important policy objectives or as sincere efforts to enhance the quality of education, student achievement, health, safety and wellness, accountability, transparency and the efficient expenditure of taxpayer money. Taken as a whole, however, mandates can create unwieldy and burdensome requirements, drain money away from classrooms, result in higher property taxes, and negatively impact local decision-making because they either dictate in considerable detail the actions to be taken or severely limit available options.

This report is not intended to be a complete and detailed listing of all mandates applicable to Pennsylvania school districts. Rather, this report is intended to:

- Highlight some of the costliest mandates and the impact those mandates have on school districts;
- Illustrate the cumulative effect of the mandates placed on school districts;
- Help provide a better understanding of the wide range of requirements with which school districts must comply;
- Elicit thought and diligence among policymakers in limiting future unfunded mandates; and
- Demonstrate the need for mandate relief.

PSBA believes that **the implementation of these recommendations** could provide significant savings, both in terms of dollars and efficiency, as well as reducing the number of burdensome mandates placed on schools.



Most mandates are unfunded, in that the state imposes a requirement on schools, but does not contribute funding to specifically assist schools in paying the costs associated with compliance.

Unfunded and Underfunded Mandates

Although the state imposes many mandates, the state only sometimes contributes toward the cost of compliance. Those contributions typically do not keep pace with escalating costs and in some cases state funding has completely disappeared¹, leaving local school districts, and their taxpayers, to assume the burden of an ever-increasing share of the costs required to comply with the mandates.

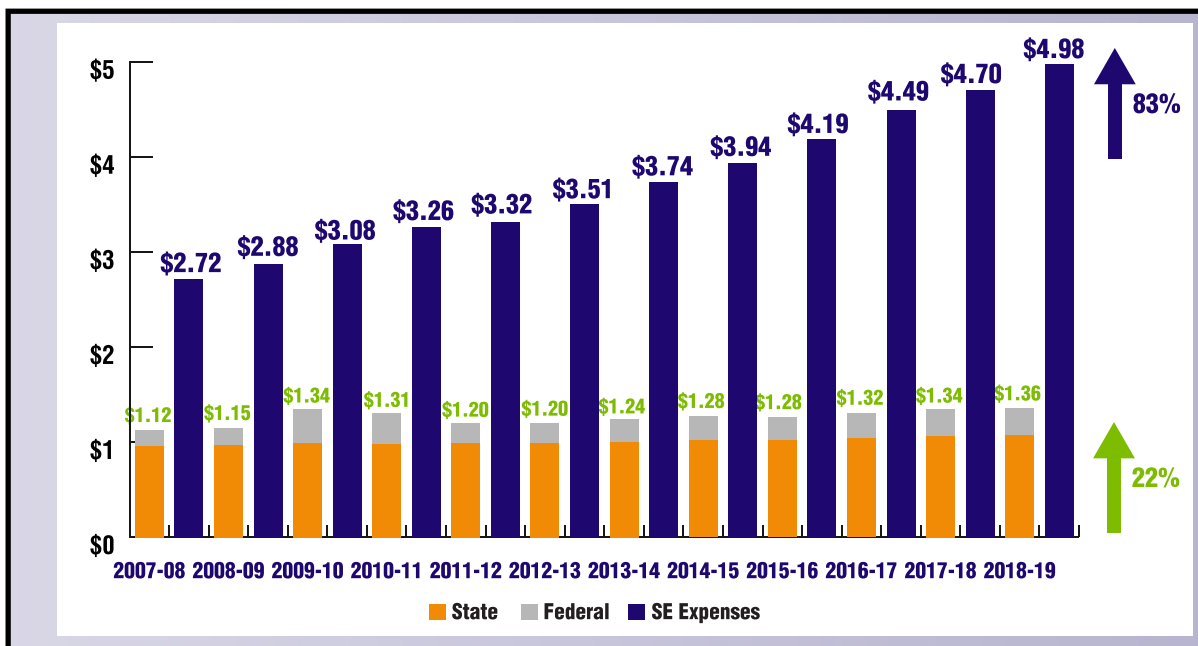
Most mandates are unfunded, in that the state imposes a requirement on schools, but does not contribute funding to specifically assist schools in paying the costs associated with compliance. For example, under the Right-to-Know Law, school districts are required to spend staff time and resources in order to comply with requests for records and information. Ensuring transparency and public access to information is essential to the public interest. However, school districts are unable to recoup costs associated with complying with these requests – even vague or voluminous requests that require hours to locate a wide array of records, the redaction of information in the records, or the involvement of a school district’s attorney to evaluate the request – because the current fee structure in the law does not allow any fees beyond duplication and mailing costs. As a result, school districts are being forced to foot the bill for the search, review and compilation of requested records, including requests made by out-of-state companies seeking information which will then be used for the purpose of generating revenue for the requester.

Many of the costliest mandates are only partially funded by the state and/or federal government. A prime example of an underfunded mandate is in the area of special education. Public schools have a legal obligation to identify students with disabilities and provide them with specialized instruction, programs and services. Because these programs and services are so specialized, they usually come at a significantly higher cost.

Between 2007-08 and 2018-19, public schools experienced a 83% increase in special education expenses. However, during that same time, state and federal funding for special education only increased 22%, leaving school districts with limited options to pay the balance.²

In 2007-08, state and federal special education revenue accounted for 41% of all special education spending, but by 2018-19, state and federal special education revenue only accounted for 27.4% of all special education spending.

Figure 1 – Special Education (SE) Appropriations vs. Expenditures



Unfunded and underfunded mandates like these force school districts to pay the costs associated with compliance out of local funding or to make other difficult choices. Specifically, school district options to pay for unfunded and underfunded mandates include, but are not limited to:

- Raising local taxes (such as property taxes).
- Cutting spending or adjusting operations in other areas, which can include, but are not limited to the following:
 - Increasing class sizes
 - Cutting staff positions
 - Eliminating or reducing programs and course or extracurricular offerings
 - Foregoing curriculum updates
 - Reducing professional development opportunities for staff
 - Postponing building maintenance or technology upgrades
 - Reducing the amount of books/supplies the school provides students and staff
- Using reserve funds

Many school districts have been forced to confront these difficult choices time and time again in recent years as a result of the financial pressures they have been facing from increases in mandated costs. Meaningful relief from the mandates consuming much of their budgets would be a welcome and critical step toward improving public education in Pennsylvania.



THE MANDATES

In this report, mandates have been classified as either a **cost driver** or **prescriptive** mandate. A brief description of each mandate will be provided along with a reference to the legal and/or regulatory authority for the mandate.

Cost Drivers

The mandates listed in this section are of particular importance to school districts because of the impact they have on school budgets, operations and student success. Given the different levels of staffing and resources among school districts, it would be difficult to quantify or predict the impact of each mandate. This report lists the potential impacts that school districts may experience from implementing cost driver mandates. The potential impact will be illustrated by icons which aid in visually depicting the impact they could have.

Icon Description



Additional staffing

These mandates can require a school district to create positions or hire additional employees to ensure the district can fulfill the responsibilities required by the mandate. This may also include contracting with a third party for services.



Adding to current workload

These mandates add responsibilities to existing duties that will require school district employees to divert time and focus away from educating students in the classroom or overseeing school operations.



Results in increased costs

These mandates require or will result in school districts increasing spending in a given area in order to comply with the mandate. Increased costs can lead to the impacts listed below.



Legal fees/Court costs

These mandates require or can result in a school district incurring legal fees and/or court costs regarding compliance with and/or implementation of the mandate.



Training

These mandates require or will result in school districts providing training to some or all district employees. This could include purchasing training materials or paying for the services of a trainer.



Changes to current programs

These mandates require or can result in a school district changing its educational and/or extracurricular programs in order to comply with or due to the mandate's impact on the district's finances or current programs.



Record/Data management

These mandates require or will result in a school district being required to compile, maintain, or report records and/or data concerning district programs or operations.



Purchasing/Maintaining additional equipment/technology

These mandates require or can result in a school district purchasing equipment or technology in order to implement or carry out the requirements of the mandate.



Requiring additional reporting

These mandates require or will result in a school district compiling and/or reporting data on school operations to a state or federal authority.



Printing/Publishing/Mailing

These mandates require or will result in a school district providing notification to parents/guardians, students, employees, and/or the school community. This includes posting information to the school district's website.

Right-to-Know Law

School districts are subject to the state's open records law which considers all records to be public unless an exception applies. Districts are required to:

- Appoint an open records officer who is responsible for receiving and responding to requests for records;
- Post contact information, forms, fee schedules and procedures on the district's website;
- Respond to requests within five days (though extensions may be taken);
- Search district records for responsive information;
- Redact nonpublic information from records; and
- Comply with other requirements of the law.

The law does not currently include any limitations or restrictions on the number of requests an individual can make, the volume of records that can be requested, or the purpose for which the request is being made. As a result, school districts receive, and are required to respond to requests made for commercial purposes (including requests from outside of Pennsylvania), requests related to litigation against the district, and repeated request from the same individuals. All of which may be time-consuming, disruptive and/or burdensome for district operations.

References

65 P.S. § 67.101 et seq.

IMPACT ON SCHOOLS

	Additional staffing		Adding to current workload
	Results in increased costs		Legal fees/ Court costs
	Training		Record/Data management
	Printing/ Publishing/ Mailing		

IMPACT ON SCHOOLS



Results in increased costs



Changes to current programs

IMPACT ON SCHOOLS



Results in increased costs



Changes to current programs

Employee Benefits

Pensions

Perhaps the costliest mandate impacting school districts is the required contribution to the Public School Employees' Retirement System (PSERS). As employers and participants in PSERS, school districts are required to contribute an actuarially calculated percentage of the wages/salaries paid to all full-time and regular part-time employees (working at least 80 days or 500 hours) to help fund the system. In 2008-09, required employer contributions represented 2.2% of all school district spending. By 2018-19, pension costs had increased 665% and represented 12.5% of all school district spending. Pension costs are predicted to continue rising and will remain a drain on the state and school district budgets for the foreseeable future.

References

24 Pa.C.S.A. §§ 8301(a), 8327

Health/Dental/Vision/Prescription benefits

Federal law requires employers with 50 or more employees to offer health insurance for employees who work 30 hours or more per week. Specific plans and employee contributions are typically part of the collective bargaining process. In 2018-19, school districts paid over \$2.8 billion to provide their employees with medical, dental, vision and prescription drug coverage.

References

42 U.S.C. § 4980H

Paid Leave

School districts are required to provide some, or all, of their employees with the following types of paid leave:

- Bereavement leave – School districts must provide professional employees with at least three days of paid absence when a death occurs to an immediate family member, and at least one paid day for the day of the funeral for the death of a near relative.
- Sick leave – School districts must provide professional employees with 10 sick days per year. Professional employees are permitted to accumulate unused sick days without limitation. When professional employees end employment in one district and enter employment with another, they are entitled to transfer up to 25 previously accumulated sick days.
- Military leave – Federal and state law requires public and private employers to grant unpaid leave of absence for military service on active duty or in the military reserve components, be reinstated to their jobs upon return, and have access to certain health, pension, seniority and other benefits during the absence or upon return.
- Sabbatical leave – School districts must offer sabbatical leave to administrative and professional employees who have completed 10 years of satisfactory service, with at least five consecutive years in their current district. Sabbaticals can be taken for professional study or restoration of health. A sabbatical leave can be taken for one full school year or as two half-terms within two years, at the employee's option. Employees are entitled to at least one-half of their regular salary during a sabbatical.

References

- 24 P.S. §§ 11-1154, 11-1176, 11-1181
- 51 Pa. C.S.A. §§ 4102, 7309
- 38 U.S.C. § 4301 et seq.

IMPACT ON SCHOOLS



IMPACT ON SCHOOLS

	Adding to current workload		Results in increased costs
	Legal fees/court costs		Record/Data management

Contracting with Employees

Collective bargaining

School districts, as public employers, are required to engage in collective bargaining with the representative of each of the district's employee bargaining units. Collective bargaining is used to determine salary schedules, hours of work, benefits, and other terms and conditions of employment. Numerous other provisions govern timelines for the bargaining process, including bargaining impasses; require the arbitration of disputes or grievances arising from interpretation of the agreement; and when strikes and/or lockouts may occur.

References

24 P.S. § 11-1101-A et seq.

43 P.S. § 1101.101 et seq.

IMPACT ON SCHOOLS

	Results in increased costs		Legal fees/court costs
	Printing/Publishing/Mailing		Changes to current programs
	Record/Data management		

Third-party contracts

Before a school district may enter into a contract with a third party to provide non-instructional services, the district is required to solicit applications from third parties which contain at least a three-year cost projection, information concerning any violations of law or regulation by the third party, criminal and disciplinary records of the third party's employees who may perform the services, and information concerning traffic violations. The district is required to hold at least one public hearing prior to selecting a contractor. The third party must give any school employee displaced by the contract an opportunity to interview for the same or substantially similar position if one becomes open during the term of the contract.

References

24 P.S. § 5-528

Personnel Issues

Professional development

In addition to explicitly mandated training requirements in specific topics/areas such as child abuse recognition and reporting training, and training on school safety and security, school districts are required to have a plan for continuing professional education that must be submitted to PDE for approval. The plan must include at least one hour of required training in trauma-informed approaches.

References

24 P.S. § 12-1205.1

22 Pa. Code § 49.17

Educator evaluations

Act 13 of 2020 made significant revisions to the state's educator evaluation system. Starting in the 2020-21 school year, teachers, nonteaching professional employees, and building principals must be evaluated according to Act 13. The act spells out how those employees are to be evaluated, the weight given to each component of the evaluation, and a process to improve the performance of professional employees who need improvement. Evaluators are required to use specific forms to rate employees according to established standards and measures. Evaluators will be required to spend a significant amount of time on the observations and documentation required under the new system.

References

24 P.S. § 10-1073.1

24 P.S. § 11-1123

22 Pa. Code § 19.1

IMPACT ON SCHOOLS



IMPACT ON SCHOOLS



IMPACT ON SCHOOLS



Results in increased costs



**Legal fees/
Court costs**



Changes to current programs

Employment protections

School districts must comply with numerous requirements under state law, constitutional due process provisions and, if applicable, provisions of contracts or collective bargaining agreements.

Specific employment protections include the following:

- **Layoffs due to school closure:** When reducing staff because of the closing of a school or department, school districts must hold a publicly advertised meeting on the closure at least 90 days before the school board's decision. When teacher positions are abolished as a result of a school closing, the affected individuals must be given notice at least 60 days prior to the start of the school year in which the layoff will take effect. Failure to provide notice could result in an obligation to pay the employees their salaries for the entire upcoming school year.
- **Tenure:** School districts must grant tenure rights to professional employees upon successful completion of a three-year probationary period in the district. With tenure, employees have enhanced protection from termination of employment and layoffs. Teachers acquire tenure in all public school entities except charter schools. Once a teacher earns tenure, that status is transferable if they decide to take employment in another school district.
- **Furloughs:** Professional employees may only be furloughed under certain circumstances and procedures outlined in law. Employees furloughed or demoted have a right to be recalled to positions for which they are properly certificated. School districts may not hire a new employee to fill a position for which a suspended employee is certificated. When furloughs occur, professional employees must be furloughed in accordance with law.
- **Transfer between entities:** Special rights are given to professional employees who are laid off due to the transfer of an entire class or program to another school entity. The entity that takes over the class or program must offer such professional employees a position in the program at the new location before hiring new staff to operate the program.

References

24 P.S. §§ 7-780, 10-1080, 11-1108, 11-1113, 11-1121-11-1130

Charter Schools

Charter school applications (brick-and-mortar)

The Charter School Law requires school districts to consider applications for brick-and-mortar charter schools that would be located within their boundaries. (Cyber charter school applications are considered by PDE). Within 45 days of receiving the application, the district must hold at least one public hearing on the application. School districts must then evaluate the application based on established criteria and render a decision within 75 days of the first public hearing. If the district denies the application, the charter applicant may revise and resubmit the application to the school board or appeal to the state Charter School Appeal Board.

Charter school tuition payments

School districts are required to make tuition payments to charter and cyber charter schools for each of their resident students enrolled in a charter/cyber charter school. Tuition rates are calculated based on the home school district's expenditures, and not those of the charter/cyber charter school to provide an educational program. This results in vastly different tuition rates³ and, in many cases, school districts overpaying for educational services, particularly for special education⁴ and cyber charter schools. With school districts spending more than \$2 billion, or more than 7.3% of all current spending, on charter and cyber charter school tuition in 2018-19, which is a 185% increase from 2008-09, the impact on school district budgets is substantial for many school districts.

Extracurriculars and athletics

School districts are required to allow charter and cyber charter school students to compete for spots in/on district extracurricular activities and athletic teams provided the student meets all eligibility criteria and the charter and cyber charter school does not offer the same activity. School districts may charge the charter/cyber charter school for the cost of participation.

IMPACT ON SCHOOLS



Transportation

Please see section on transportation mandates

Truancy issues

Charter and cyber charter schools must collaborate with the student's school district of residence when a student has accrued three or more days of unexcused absences. The school district then has primary responsibility to enforce the state's compulsory attendance laws.

References

24 P.S. §§ 17-1701-A et seq., 13-1327.2

Transportation

Nonpublic school student transportation

When school districts provide their students with transportation to and from schools, they must also make identical provisions for the free transportation of students who regularly attend nonpublic schools. In addition, such transportation must be provided to nonpublic schools within a 10-mile radius of the school district boundaries, including when the nonpublic school is located out of state. Transportation must be provided on the days and times the nonpublic school is in regular session, regardless of whether the district is also in session. In the 2018-19 fiscal year, school districts spent more than \$257 million transporting nonpublic school students to and from school.

Charter school student transportation

While not required to provide transportation for their own students, school districts are required to provide transportation for students to and from charter schools on days the charter school is in regular session, regardless of whether the district is also in session. The same distance requirements are established for charter school students as for other public school students regarding when transportation must be provided.

Homeless student transportation

To help counteract the educational disruption caused by mobility, students experiencing homelessness have the right to continue attending the same school the student was attending prior to becoming homeless. This is referred to as the student's school of origin. A school district is required, upon parental request, to provide transportation to and from the school of origin, even if the student moves out of the school's attendance area.

References

- 24 P.S. §§ 13-1306(b) 13-1361(1), 17-1726-A(a)
- 42 U.S.C. § 11432

IMPACT ON SCHOOLS



IMPACT ON SCHOOLS



Additional staffing



Adding to current workload



Results in increased costs



Legal fees/ court costs



Changes to current programs



Record/Data management



Additional equipment/ technology



Requiring additional reporting



Printing/ Publishing/ Mailing

Students with Disabilities

Public schools are required to provide appropriate educational programs and services to meet the needs of all children eligible for attendance regardless of handicap, disability or the need for specially designed instruction. Numerous federal and state laws and regulations, court opinions and agency guidance documents dictate virtually every aspect of providing an education to students with disabilities. Instead of listing all of the mandates applicable to educating students with disabilities, this report highlights some of the most significant mandates and their impact on schools.

Special education

It's fair to say that special education is one of the most costly and prescriptive mandates imposed on school districts. In 2018-19 public schools spent \$4.8 billion in providing special education and early intervention services to more than 320,000 students with disabilities.⁵ Mandates related to special education require public school entities to:

- Develop special education plans every three years, the content of which is specified by state regulations.
- Take steps to identify students with disabilities (through a process called child find), including conducting public awareness activities so parents are aware of their right to request that their child be evaluated for special education.
- Evaluate or screen students who may be in need of special education.
- Provide early intervention services for children with disabilities age 3 to kindergarten.
- Develop, review, and revise as needed, individualized education programs (IEPs) for each student with a disability. An IEP lays out the program of special education instruction, supports and services the student needs to make progress and succeed in school. Each program is designed to meet a child's

specific needs. The school must assemble an IEP team consisting of administrators, teachers, and the student's parents/guardians to develop the IEP.

- Pay for the placement of the student in other public or private educational institutions or care facilities in certain cases.
- Educate students in the least restrictive environment.
- Provide behavior supports to students.
- Follow specific due process and dispute resolution procedures.
- Employ qualified personnel to provide or assist in providing services.

Protected handicapped students

Students with disabilities that do not require special education programs and services are also entitled to free appropriate public education (FAPE) under a separate set of laws and regulations and must be provided services and accommodations needed to afford each student with an equal opportunity to participate in and obtain the benefits from educational programs and extracurricular activities without discrimination. These laws and regulations are commonly referred to as "Section 504" after the section of federal law that serves as the basis for these protections. Though not as extensive as the mandates for special education, school entities are required to:

- Attempt to identify students who may be eligible for Section 504 services and protections.
- Evaluate and periodically re-evaluate students who need or may need Section 504 services and protections.
- Develop a written Service Agreement (or Section 504 plan) for the delivery of all necessary services and accommodations. The service agreement cannot be implemented until signed by the student's parent/guardian. Any changes to the agreement must also be agreed to by the parent/guardian.

References

- 20 U.S.C. § 1400 et seq.
- 29 U.S.C. § 794
- 28 CFR Part 35
- 34 CFR Part 104
- 34 CFR Part 300
- 22 Pa. Code §§ 4.13, 4.28, Chapter 14, Chapter 15

IMPACT ON SCHOOLS



Gifted Education

While not a federal mandate, Pennsylvania law and regulations also require school districts to identify and provide specifically designed instruction and programs for gifted students. Charter schools are not required to provide gifted services to identified students. Mandates related to gifted education require school districts to:

- Develop a gifted education plan every six years, the content of which is specified by state regulations.
- Identify and screen students who may be gifted.
- Evaluate and periodically re-evaluate students who are or may be gifted.
- Develop, review, and revise as necessary a Gifted Individualized Education Plan (GIEP) for each gifted student that describes the education and support services to be provided to the student. The school must assemble a team consisting of administrators, teachers, and the student's parents/guardians to develop the GIEP.
- Limit the class size and caseloads of personnel working with or teaching gifted students.
- Provide complaint and dispute resolution procedures.

References

24 P.S. § 13-1371

22 Pa. Code §§ 4.13, 4.28, Chapter 16

English Learners (ELs)

School districts are required to identify students who are English Learners (ELs)⁶, notify parents of the identification and programming options, and appropriately place the student into a language instruction educational program (LIEP) unless the student's parents refuse placement in specialized programming. School districts have 30 days from the start of the school year, or 14 days from the date of a student's enrollment, to complete this process. Other mandates related to ELs require school districts to:

- Design their LIEP in a way that ensures the program will meet the needs of EL students and is based on research and/or sound educational theory recognized by experts in the field.
- Evaluate the effectiveness of their LIEP at least annually with the results documented and reported to the state.
- Utilize the Pennsylvania English Language Development Standards (PA ELDS) Framework for planning instruction and assessment by all teachers of ELs.
- Annually assess EL student progress using the ACCESS for ELs assessment.
- Ensure any teacher that provides specialized EL instruction hold an appropriate instructional certificate and the ESL Program Specialist certificate.
- Offer professional development related to ELs for all personnel.
- Provide all important information to parents who are not proficient in English in a language or mode of communication that they understand.

IMPACT ON SCHOOLS



- Implement an effective means of outreach to parents of ELs to inform the parents regarding how they can be involved in the education of their children and be active participants in assisting their children to attain English proficiency and succeed academically.
- Collect certain data elements related to ELs and report that data to the state.

References

20 U.S.C. § 6312, 6801 et seq.

20 U.S.C. § 6801 et seq.

34 CFR Part 200

22 Pa. Code § 4.26

Basic Education Circular – Educating English Learners (ELs) July 1, 2017

School Construction

The Pennsylvania School Code requires each school district to provide the necessary grounds and suitable school buildings to accommodate all the children between the ages of 6 and 21 years in the district. Such buildings must be constructed, furnished, equipped and maintained in a suitable manner so that every student may have proper and healthful accommodations.

The Pennsylvania School Code also contains numerous requirements for school construction in addition to regular building codes. The entire process is dictated by state mandates. The mandates include:

- Public hearing(s) prior to approving any construction project or obtaining voter consent for a construction project through a referendum. Public notice of the hearing must also be provided.
- Authorize a maximum project cost and a maximum building construction cost.
- Submitting the initial building construction cost estimates to PDE for approval.
- Submitting plans and specifications to PDE.

School districts seeking state reimbursement for a portion of approved construction or renovation costs must also comply with the state's Planning and Construction Workbook (PlanCon) process. Act 70 of 2019 reauthorized and modernized the PlanCon program; however, the new PlanCon program will not take effect until the 2020-21 school year at the earliest and any reimbursement is contingent on state funding being made available.

References

- 24 P.S. §§ 5-501, Article VII, Article XXVI-J
- 22 Pa. Code Chapters 21, 171, 349

IMPACT ON SCHOOLS



Results in increased costs



Legal fees/ court costs



Record/Data management



Requiring additional reporting



Printing/ Publishing/ Mailing

IMPACT ON SCHOOLS



Results in increased costs



Legal fees/court costs



Record/Data management

IMPACT ON SCHOOLS



Results in increased costs



Legal fees/court costs



Record/Data management

Prevailing wage

State law requires school districts, along with other public bodies, to pay state-mandated wage rates for workers on construction or renovation projects where estimates exceed \$25,000.

References

43 P.S. § 165.1 et seq.

Separations Act

State law requires school districts to request and approve separate bids for each component of a school construction project, such as general construction, plumbing, HVAC and electrical. Another common method for referring to this mandate is requiring “multiple prime” contractors.

References

24 P.S. § 7-751

71 P.S. § 1618

Reporting Requirements

Schools must comply with numerous state and federally mandated reporting requirements throughout the year for different categories of information, containing hundreds, if not thousands of unique data elements. Reporting requirements include, but are not necessarily limited to:

- Various pieces of information regarding their school calendar, such as start and end dates, graduation date, number of scheduled school days and instructional hours, instructional days lost to approved professional development, strike information, days lost to weather emergencies, etc.
- Various pieces of information regarding all enrolled students, pre-K to grade 12. Data elements include:
 - Gender
 - Race/ethnicity
 - Attendance
 - Special education student counts, disability, educational placement, service costs per student, and report of federal ACCESS funding.
 - Gifted education
 - English learner
 - Economically disadvantaged
 - Charter school and career and technical center enrollments
 - Homebound instruction
 - Private tutoring
- Graduation and drop-out data.
- Annual financial reports which include information on all school district revenues, expenditures, debt and fund balance levels.
- Data related to obtaining reimbursement from the state – for example, data related to transportation of students.
- Various pieces of information regarding both certificated and non-certificated employees. Data elements, albeit different depending on the type of employee, include:
 - Annual salary

IMPACT ON SCHOOLS



Additional staffing



Adding to current workload



Requiring additional reporting



Results in increased costs



Record/Data management

- Highest level of education attained
- Years of service in education
- Years of service in the district
- Job classification
- Information related to the employee's assignment
- Technology-related data through a variety of surveys that comprise the Pennsylvania Technology Inventory (PATI). PATI is used for required federal and state technology reporting.
- Records must be created for all core-content courses taught from pre-K to grade 12. Core-content courses generally include math, science, language arts, social studies, world languages and art. School districts also must provide information on Advanced Placement (AP) and International Baccalaureate (IB) courses offered as well as dual-enrollment courses. In addition, the district must identify the instructors of every course reported.
- School safety and security reports which include:
 - Incidents involving acts of violence, possession of a weapon, or the possession, use or sale of a controlled substance, alcohol, or tobacco by any person on school property, at school-sponsored events, and on school transportation to and from school.
 - Prior to submitting the annual report, the chief school administrator must also submit the report to the local police department to compare information on school incidents.
 - Habitual truant data.
- School districts are required to annually prepare an extensive report detailing the interscholastic athletic opportunities provided to students in grades 7-12 and athletic expenditures in the preceding year. Districts also must report all contributions and purchases for teams made by booster clubs and non-school entities.
- Other federal reporting required which includes data related to:
 - Homeless/Unaccompanied students.
 - Teaching staff qualifications and assignments.
 - Accountability data (as reported in the Future Ready PA Index).
 - School nutrition program information (for schools participating in federal meal programs).
- Other reporting requirements that accompany the receipt of state or federal funding, for example, the federal Universal Services for Schools and Libraries, or E-rate program which provides funding and discounts for telecommunications, internet access and internal connections to eligible schools and libraries.

References

24 P.S. §§ 2-218, 2-222, 13-1303-A, 15-1501, 16-1601-C et seq.

Legal Advertising

School districts are required to publish notice (including the place, date and time of the meeting) of all open school board meetings, including committee meetings, in a newspaper of general circulation designated by the board. A newspaper of general circulation is a printed newspaper issued daily or not less than once a week intended for general distribution or circulation. In addition, districts must advertise in printed newspapers when seeking to sell lands and buildings, close schools, or purchase furniture, equipment and supplies more than a specified amount. Using electronic means to publish notices, such as school district websites, does not satisfy a district's legal requirement to advertise. Based on a 2017 survey of school officials, school districts spent an estimated \$4 million on print legal advertising in the 2016-17 fiscal year.

References

65 Pa. C.S.A. §§ 703, 709

24 P.S. §§ 1-106(a), 7-707(1), 7-780, 8-807.1(a.2)

45 Pa. C.S.A. § 101

IMPACT ON SCHOOLS



Results in increased costs



Record/Data management



**Printing/
Publishing/
Mailing**



Prescriptive mandates

The mandates listed in this section are of particular importance to school districts because of the impact they have on instruction and school operations. While these mandates generally do not have the significant individual impacts that the cost driver mandates listed in the previous section do, the volume of mandates that dictate how school districts instruct students and operate illustrate how much mandates have intruded into the classroom and district operations.

Planning Requirements

Comprehensive planning

School districts are required to engage in a six-part comprehensive planning process. Each component relates to a different aspect of school operations and must be made available for public inspection and comment at least 28 days prior to school board approval. Comprehensive planning components include:

- A professional education plan for educators every three years.
- An induction plan for first-year educators every six years.
- A student services plan every six years.
- A special education plan every three years.
- A gifted education plan every six years.
- If offering a prekindergarten program, an implementation plan that describes the program and its target population, every three years or when the plan is amended.

References

22 Pa. Code §§ 4.13, 4.20(10)

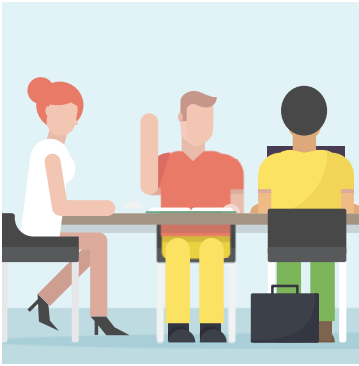
Guidance services planning

School districts are required to develop and implement a comprehensive, sequential program of guidance services for kindergarten through 12th grade. The plan must include procedures to provide for guidance services to career and technical centers.

References

22 Pa. Code §§ 339.31

School districts are required to engage in a **six-part comprehensive planning process.**



School boards are required to meet and reorganize annually during the first week of December.

School Operations and Governance

Annual reorganization

School boards are required to meet and reorganize annually during the first week of December. During reorganization, school boards seat newly elected members, elect officers, make necessary appointments and establish a meeting calendar for the year.

References

24 P.S. § 4-401, 4-402, 4-404

School director training

Newly elected or appointed school directors are required to undergo a minimum of five hours of instruction, including, at a minimum, information regarding instruction and academic programs, personnel, fiscal management, operations, governance, ethics and open meetings, and trauma-informed approaches. Upon re-election or re-appointment, school directors must complete an advanced training program consisting of a minimum of three hours of instruction on topics including relevant changes to federal and state public school law and regulations, fiscal management, trauma-informed approaches and other information.

References

24 P.S. § 3-328

Sunshine Act/Open meetings

Public schools are required to:

- 1) Ensure a quorum of members are present at every meeting. The board may not take official action without a quorum present;
- 2) Hold meetings and discussions in public unless limited exceptions apply;
- 3) Provide public notice of meeting dates, times and locations;
- 4) Take and keep minutes of each meeting and record the votes of each board member; and
- 5) Include an opportunity for public comment on matters of concern at each meeting.

References

65 Pa.C.S.A. § 701 et seq.

24 P.S. § 4-425

Record retention

School districts are required to retain as a permanent record of the district, the minute book, each annual auditor's report and each annual financial report. All other financial records of the district, including financial account books, orders, bills, contracts, invoices, receipts and purchase orders must be retained by the district for a period of not less than six years.

References

24 P.S. § 5-518

Data breach notification

School districts are required to provide notice of any system security breach, following discovery, to any state resident whose unencrypted and unredacted personal information was or is reasonably believed to have been accessed and acquired by an unauthorized person.

References:

73 P.S. § 2301 et seq.

Student records

School districts are required to adopt a plan for the collection, maintenance and dissemination of student records. The plan for student records must conform to applicable state and federal laws, regulations and guidelines issued by PDE. School districts are required to comply with numerous requirements regarding the confidentiality of student records and information.

References

22 Pa. Code §§ 12.31, 12.32

20 U.S.C. § 1232g

34 CFR Part 99

34 CFR §§ 300.610-300.627

Student searches

School districts are required to adopt reasonable policies and procedures regarding student searches. The district must notify students and their parents of the policies and procedures.

References

22 Pa. Code § 12.14

Newly elected or appointed school directors are required to undergo a minimum of **five (5) hours of instruction.**



School districts are required to monitor the **attendance of their students.**



Enrollment and admission of students

School districts are required to enroll and educate every child of school age who resides in the district as well as eligible nonresident students who meets the requirements for admission. Districts may require proof of the student's age, residence and immunizations prior to enrollment. Parents are also required to submit a sworn statement regarding their child's previous suspensions/expulsions from another school. Schools may not inquire about a student's immigration status.

References

24 P.S. §§ 13-1301, 13-1302, 13-1303a, 13-1304-A
22 Pa. Code § 11.11

Nondiscrimination

School districts are required to provide all students with enrollment, admission, course offerings, programs, services and extracurricular activities without discrimination based on protected characteristics. School districts are also required to provide all persons with equal access to all categories of employment without discrimination based on protected characteristics.

References:

24 P.S. §§ 13-1301, 13-1310, 15-1521, 5004
43 P.S. § 951 et seq.
16 Pa. Code Chapter 44
22 Pa. Code §§ 4.4, 12.1, 12.4
20 U.S.C. § 1681 et seq.
29 U.S.C. §§ 621 et seq., 794
42 U.S.C. §§ 1981 et seq., 2000d et seq., 2000e et seq., 2000ff et seq., 12101 et seq.

Enumeration of children

School districts are required to maintain a continuing school census or in lieu thereof, a careful, correct and accurate enumeration of all the children from birth to 18 years of age within their district.

References:

24 P.S. § 13-1351

Truancy

School districts are required to monitor the attendance of their students. When a student of compulsory school age (students between the ages of 6 and 18) in attendance becomes truant (three unexcused absences during the school year) or habitually truant (six or more unexcused absences during the school year), districts must follow specific requirements and procedures to attempt to improve attendance.

References

24 P.S. §§ 13-1326, 13-1333, 13-1333.1

Suspensions and expulsions from school

School districts are required to follow specific requirements, time frames and procedures regarding the suspension and expulsion of students. Those requirements include parental notification, due process for hearings, time limits on suspensions, and time frames for school action. In addition, suspensions and expulsions of students with disabilities must comply with both state and federal special education laws and regulations.

References

24 P.S. § 13-1318

22 Pa. Code §§ 12.6, 12.7, 12.8, 14.143

20 U.S.C. § 1415(k)

34 CFR §§ 300.530-300.536

District responsibility for expelled students

Expelled students of compulsory school age must still be provided an education despite their expulsion. If the parents of the expelled student are unable to provide the required education, the school district then has the responsibility to provide for the student's education. Students with disabilities must be provided educational services as required by federal law.

References

22 Pa. Code § 12.6(e)

Student services

School districts are required to prepare a written plan for the implementation of a comprehensive and integrated K-12 program of student services based on the needs of their students that meets the requirements of state regulations. The plan must include policies and procedures for the administration of medication and treatment under guidelines of the state Department of Health as well as services from other categories such as developmental services, diagnostic, intervention and referral services, and consultation and coordination services. Districts must make their student services plan available for public inspection and comment for a minimum of 28 days prior to approval by the school board.

References

22 Pa. Code § 12.41

Student surveys

Depending on the survey (the source of the survey and the information sought), school districts have different responsibilities and parents/students have different rights under state and federal law and regulations. Among those are parental consent for participation (if the survey reveals protected information), notifying parents of the right to inspect the survey, and the right to opt out of taking the survey.

References

22 Pa. Code §§ 4.4(d)(5), 12.41(d)

20 U.S.C. § 1232h

Armed services recruiters

School districts must provide military recruiters the same access to secondary school students as is provided generally to postsecondary educational institutions or to prospective employers.

Districts must also provide, upon request, access to the name, address and telephone listing of each secondary school student unless the parent of such student has opted out.

References

51 P.S. § 20222(a)

10 U.S.C. § 503

20 U.S.C. § 7908(a)

Integrated pest management

School districts are required to adopt and implement an Integrated Pest Management Plan that meets the requirements of law and regulations to managing pests and minimizes economic, health and environmental risks. Districts must provide notification to parents and guardians of students at least 72 hours before a pesticide application.

References

- 24 P.S. §§ 7-772.1, 7-772.2
- 7 Pa. Code Chapter 128

Hazardous substance notification

School districts are required to comply with specific requirements for posting notices of hazardous substances in school facilities.

References

- 35 P.S. § 7307

Supervision at social gatherings

School districts are required to comply with specific rules regarding the supervision of minors at a school-sponsored social gathering taking place in a liquor-licensed establishment. There must be at least one adult chaperone (25 years of age or older) for every 50 minors. No alcohol may be served and all alcohol must be removed or secured out of reach of the minors. (Schools are not required to have a specific number of chaperones at school-sponsored events, including proms, if the event takes place in an establishment where the sales of food and nonalcoholic beverages equal 50% or more of the sales of food and alcoholic beverages.)

References

- 47 P.S. §§ 1-102, 4-493(14)

Student use of internet

School districts are required to adopt policies regarding acceptable internet usage that are intended to limit/prevent minors from being able to access inappropriate material via school district computers/networks. Acceptable use policies must be provided to parents upon written request.

References

- 24 P.S. § 4604(a),(c)
- 20 U.S.C. § 6777(a)
- 47 U.S.C. § 254



School districts are required to provide for the recitation of the Pledge of Allegiance or the national anthem at the beginning of each school day.

Board policies online

School districts are required to post on their public website the rules, regulations and policies required to be adopted by the school district under federal or state law.

References

24 P.S. § 5-510.2

School buildings used as polling places

School districts are required to furnish suitable space in any public school building under its jurisdiction for use as a polling place on each day the space is desired by the county board of elections.

References

25 P.S. § 2727(a)

Flag displays

School districts are required to purchase a United States flag, flagstaff, and the necessary appliances therefor, and shall display said flag upon or near each public school building. A United States flag must also be displayed in every classroom.

References

24 P.S. § 7-771

Recitation of the Pledge of Allegiance

School districts are required to provide for the recitation of the Pledge of Allegiance or the national anthem at the beginning of each school day. Students may decline to recite the Pledge of Allegiance and may refrain from saluting the flag on the basis of religious conviction or personal belief.

References

24 P.S. § 7-771

Financial

Budget preparation and adoption

Regarding school district budget preparation and adoption, districts are required to decide which of the two available options the district will use to adopt their budget.

Under the preliminary budget process, school districts are required to adopt a preliminary budget, including a schedule of proposed tax increases no later than 90 days prior to the election immediately preceding the fiscal year in which the preliminary budget will take effect.

Under the proposed budget process, school districts have the option of adopting a resolution indicating that the rate of any tax will not be raised by more than its designated index allowed under Act 1 of 2006⁷. The resolution must be adopted no later than 110 days prior to the primary election.

Regardless of the method used, districts must:

- Prepare the budget on the required forms.
- Include estimated revenues and expenditures and any proposed tax rates.
- Comply with the mandatory timelines for:
 - Adopting their preliminary/proposed and final budgets; and
 - Advertising and making budget documents and supporting information available in printed form for public inspection in the district administrative offices.
- Approve a final budget annually by June 30. Final approved budgets must be electronically submitted to PDE.

References

24 P.S. § 6-687

53 P.S. §§ 6926.301, 6926.311, 6926.312

Referendum for tax increase

School districts that want to raise taxes by more than their designated Act 1 index are required to have the increase approved by voters, unless a limited exception applies. Referendum questions must be submitted to county election officials no later than 60 days prior to the primary election.

References

53 P.S. §§ 6926.333(c)



Real estate owned
by an institution of
purely public charity is
exempt from taxation
by school districts.

School districts are required to have their **finances audited** annually by an independent auditor.



Exceptions to the referendum requirement

School districts are permitted to raise taxes above their Act 1 index only for limited purposes without voter approval. In order to do so, the district must publish notice of their intent to seek approval from PDE for an exception in a newspaper of general circulation and on the district's website at least one week prior to submitting its request for approval. PDE will review the application and approve or deny the request.

References

53 P.S. §§ 6926.333(j)

Homestead/Farmstead exclusion notification

School districts are required to annually notify, by first-class mail, residential property owners of the homestead/farmstead exclusions that may be available and the application process. The notice must be provided at least 60 days prior to the application deadline.

References

53 P.S. §§ 6926.341(b)

Itemization of exclusions

School districts are required to itemize homestead/farmstead exclusions on tax bills sent to property owners.

References

53 P.S. §§ 6926.343(a)

Installment payment

School districts are required to provide an installment payment option for property taxes.

References

53 P.S. §§ 6926.1502(b)

Commission for collection of delinquent property taxes

If a school district collects its own delinquent real estate taxes or utilizes the services of a third-party to do so (as authorized by law), districts are required to pay the county a 5% commission to cover the county's expense in operating the county tax claims bureau.

References

72 P.S. § 5860.207

Countywide earned income tax collection

School districts are required to participate in a tax collection district for purposes of collecting earned income taxes on a countywide basis. All expenses for operating the tax collection district must be shared by all political subdivisions within the district.

References

53 P.S. §§ 6924.504(a), 6924.505(l)(2)

Tax exemption of property owned by charitable organizations

Real estate owned by an institution of purely public charity is exempt from taxation by school districts.

References

Pa Const. Art. VIII § 2(a)(V)

10 P.S. § 371 et seq.

Taxpayer bill of rights

School districts, as taxing authorities, are required to adopt and ensure taxpayers are aware of the district's taxpayer bill of rights which outlines, in simple and non-technical terms, the rights of taxpayers and the procedures to appeal determinations, filing complaints, and enforcement.

References:

53 Pa. C.S.A. § 8401 et seq.

Audits

School districts are required to have their finances audited annually by an independent auditor. The independent auditor is authorized to have access to most school records and to require school officials to answer questions and produce records. The state auditor general (AG) examines the records of school districts to establish whether they received the subsidies and reimbursements they were entitled and whether state laws and regulations were followed. The AG also determines whether teachers and administrators are properly certified for the positions they hold. Districts are required to submit a response to any AG recommendation within 120 days.

References

24 P.S. §§ 4-437, 24-2401

72 P.S. § 403

Depositories for school funds

School districts are required to designate one or more financial institutions as the depository for its school funds. Each depository is required to furnish a bond or other collateral, in such amount and with such surety as may be required.

References

24 P.S. §§ 6-621, 6-622

Investment of funds

School districts are required to invest district funds consistent with law and sound business practice.

References

24 P.S. § 4-440.1

53 P.S. §§ 5406, 5410.1

Purchases subject to bid/quotation

School districts are prohibited from making certain purchases or entering into certain contracts without having sought competitive bids or price quotations. When seeking competitive bids, the district must advertise once a week for three weeks in not less than two newspapers of general circulation. Unless exempt by law, at least three written or telephonic price quotations shall be obtained. School districts are prohibited from attempting to evade the requirements for bidding by splitting purchases into amounts that fall below the bid threshold.

References

24 P.S. §§ 7-751, 8-807.1

Federal fiscal compliance

All federal funds received by the school district must be administered in accordance with federal requirements, including but not limited to the federal Uniform Grant Guidance.

References:

2 CFR Part 200

Interest penalties for late payment of bills

Political subdivisions, which include school districts, must pay interest penalties to qualified small businesses for goods and services when payments are more than 30 days past due if the existing contract language does not specify a payment schedule.

References

72 P.S. §§ 1603-C, 1604-C

Instruction and Assessment

Instructional time

School districts are required to annually set the date of the beginning of the school year. Each school year must include a minimum of 180 school days (other than the days schools are required to be closed) and a minimum of 990 hours of instruction at the secondary level or 900 hours of instruction at the elementary level.

References

24 P.S. §§ 15-1501, 15-1502, 15-1504
22 Pa Code §§ 4.4, 11.1

Subjects of instruction

School districts are required to provide instruction in the subjects and areas specified in law and regulations at each level of instruction. All instruction is required to be taught in the English language, adapted to the age and development level of students, and must be aligned with adopted academic standards.

References

24 P.S. §§ 15-1511, 15-1512, 16-1605
22 Pa Code §§ 4.4, 4.21, 4.22, 4.23

Academic standards

The Pennsylvania State Board of Education (State Board) has established academic standards in:

- Arts and Humanities
- Career Education and Work
- Civics and Government
- Economics
- Family and Consumer Sciences
- Environment and Ecology
- Geography
- Health, Safety and Physical Education



School districts are required to provide instruction in at least two foreign languages; at least one of them must be offered in a minimum four-year sequence in the secondary program.

- History
- Science and Technology
- Pennsylvania Core Standards for English Language Arts and
- Pennsylvania Core Standards for Mathematics

Academic standards are benchmark measures that define what students should know and be able to do at specified grade levels beginning in grade 3. A public school's curriculum must be designed to provide instruction to attain the academic standards.

References

22 Pa Code § 4.12

Assessment system

In order to comply with the federal Every Student Succeeds Act (ESSA), each state is required to measure every student's progress in reading/ language arts and math in grades 3 through 8 and once during grades 10 through 12; science also is tested at least once in grades 3-6, 6-9 and 10-12. Schools also must test at least 95% of their students.

Pennsylvania's assessment system is comprised of the Pennsylvania System of School Assessment (PSSA) taken by students in grades 3-8, Keystone Exams taken by students in grades 10-12, and the Pennsylvania Alternate System of School Assessment (PASA) which is an alternate assessment designed for students with the most significant cognitive disabilities who cannot meaningfully participate in the PSSA even with accommodations.

School districts also are required to design a local assessment system to determine the degree to which students are achieving the academic standards. Districts must provide assistance to students that are not proficient.

References

20 U.S.C. § 6311(b)

22 Pa Code §§ 4.51a, 4.52

Grading and reporting

School districts are required to grade and record the work of their students in order to assess the student's progress in meeting established academic standards and eligibility for promotion and/or graduation.

References

24 P.S. §§ 15-1531, 15-1532

Parental right to review instructional materials and assessments

Upon request by a parent/guardian, school districts are required to make available information about the school's curriculum and instructional materials. Parents/Guardians may also request to review any assessment that will be administered to their child.

References

- 22 Pa Code § 4.4
- 20 U.S.C. § 1232h

Right to refuse instruction and assessments

Parents/guardians have the right to have their children excused from specific instruction and assessments that conflicts with their religious beliefs. Students may also refuse to participate in any instructional activity that involves the dissection, capture or destruction of animals or any part thereof.

References

- 24 P.S. § 15-1523
- 22 Pa Code §§ 4.4, 11.7

Career and technical education

School districts are required to make planned instruction in career and technical education (CTE) available to students at the high school level. CTE can be provided by a school district directly or through a partnering career and technology center. CTE instruction must be developed in accordance with law and regulations and must be approved by PDE.

References

- 24 P.S. Article XVIII
- 22 Pa Code §§ 4.23(d)(1), 4.31, 4.33, 4.35, Chapter 339

Career information and recruitment

Public schools are required to offer representatives of skilled trades, priority occupations, career and technical centers, and institutions of higher education opportunities during the school year to recruit and provide information to all students in grades 4-12 on career and educational opportunities. Public schools must document and post on their websites, their plan to comply with these requirements.

References

- 24 P.S. § 1-128



School districts are required to allow students with disabilities to participate in graduation ceremonies.

World language instruction

School districts are required to provide instruction in at least two languages in addition to English; at least one of them must be offered in a minimum four-year sequence in the secondary program (middle level and high school).

References

22 Pa Code § 4.25(a)

Physical education

School districts are required to establish a curriculum aligned with PA academic standards on health, safety and physical education requiring students to participate in physical education.

References

24 P.S. § 15-1512.1

22 Pa Code § 4.27

Physiology and hygiene

School districts are required to provide instruction in physiology and hygiene, which includes the study of nutrition and obesity, in health education courses.

References

24 P.S. § 15-1513

Drug education/In-service education

School districts are required to provide alcohol, chemical and tobacco abuse education every year in every grade from kindergarten through grade 12. Districts must provide, as part of their in-service training, programs on alcohol, drugs (including opioids and anabolic steroids), tobacco and dangerous controlled substances for all instructors whose teaching responsibilities include courses of study in which mandated instruction concerning alcohol, chemical and tobacco abuse is integrated.

References

24 P.S. § 15-1547(a), (e)

35 P.S. § 807.2

HIV/AIDS and other life-threatening and communicable diseases

Public schools are required to provide instruction regarding prevention of human immunodeficiency virus (HIV) infection/acquired immunodeficiency syndrome (AIDS) and other life-threatening and communicable diseases.

References

22 Pa. Code § 4.29(a)

Alternative education programs

School districts and private alternative educational institutions are required to adopt a policy which requires the review of students placed in alternative education programs to determine whether the student is ready to return to the regular instructional program. This review must occur at least at the end of each semester.

References

24 P.S. § 19-1901-C(1)

Homeless students

School districts are required to promptly identify homeless children and youths within the district, facilitate their immediate enrollment, and eliminate existing barriers to their attendance and education, in compliance with federal and state laws and regulations. Homeless children and youths have equal access to the same educational programs and services provided to other district students and may not be discriminated against, segregated or stigmatized based on homeless status.

References

42 U.S.C. § 11431 et seq.

Services to students in correctional facilities

School districts are required to offer educational services to persons under 21 who are confined to local correctional institutions following a conviction or charge for a criminal offense.

References

24 P.S. § 13-1306.2



**Military veterans
are entitled to
employment
preference when
districts initially hire
individuals.**

Classroom placement of twins/higher order multiples

School districts are required to comply with the request of a parent/guardian of twins or higher order multiples who are in the same grade level at the same school who requests that their children be placed in the same classroom or in separate classrooms unless an exception applies.

References

24 P.S. § 13-1310.1

Home education programs

School districts have several requirements related to students in a home education program. School districts must receive and maintain affidavits from the home education supervisor, permit the loaning of district instructional materials upon request, and monitor that appropriate education is occurring.

References

24 P.S. § 13-1327.1

Extracurricular activities for home-schooled students

School districts are required to allow home-schooled students to participate in extracurricular activities; however, home-schooled students must meet the same participation and tryout criteria as students in the district and must comply with all the district's policies regarding that activity.

References

24 P.S. § 13-1327.1(f.1)

Copyright

School districts are required to comply with federal copyright law in the duplication, distribution and use of copyrighted materials.

References:

17 U.S.C. § 101 et seq.

Students with disabilities participation in graduation ceremonies

School districts are required to allow students with disabilities to participate in graduation ceremonies. Students whose IEP requires further instruction beyond the traditional four years of high school are entitled to participate in commencement ceremonies with the student's graduating class and receive a certificate of attendance regardless of whether the student has completed his/her IEP.

References

24 P.S. § 16-1614(a)

Employment

Administrator compensation plans

Administrative and other supervisory employees below the rank of superintendent or assistant superintendent are not permitted to be members of an employee bargaining unit. School employers are required to, upon the written request of a majority of those administrative employees, meet and discuss matters of compensation and benefits in good faith with such employees.

References

24 P.S. § 11-1164

Superintendent contracts

State law contains several requirements for employing and contracting with school district superintendents and assistant superintendents. For example, employment contracts must contain specified items related to term, compensation and evaluation. A school board must also provide its current superintendent with at least 90 days notice of its intent to seek other candidates for the position or the current superintendent's contract will automatically renew for one year.

References

24 P.S. § 10-1073

Standard teacher application

School districts are required to use the standard employment application forms for applicants for teaching positions; however, a school district may establish other application requirements.

References

24 P.S. § 12-1204.1

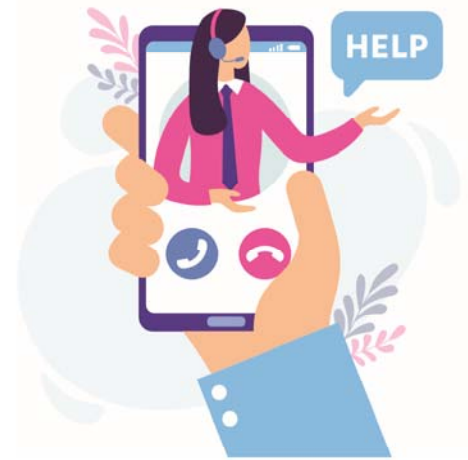
Certification and other requirements

School districts are required to ensure that any individual hired as an administrator, principal, teacher, or paraprofessional performing certain functions meets the minimum requirements of law and regulations and has an appropriate certification.

References

24 P.S. §§ 11-1109, 12-1201, 2070.2

22 Pa. Code § 14.105, Chapter 49, Chapter 403



School employees are required to report suspected child abuse to the state ChildLine Office if they have **reasonable cause** to suspect that a child is a victim of child abuse.

Pre-employment background checks

Prior to employment, school districts must ensure compliance with the following requirements:

- Criminal history checks: All prospective school employees must submit state and federal criminal history clearances. School districts are prohibited from employing anyone with convictions for specified offenses.
- Child abuse clearance: All prospective school employees must submit a state child abuse clearance statement. School districts are prohibited from employing anyone with a prior history of child abuse.
- Employment history reviews: All prospective school employees must submit contact information for their current employer and prior positions in schools or that involved direct contact with children. School districts must then request information from those prior employers on whether the applicant has been investigated, discharged, disciplined, or had a license revoked for sexual misconduct. Current and former employers of the applicant must disclose the information requested within 20 days from receiving the request from the school entity/
independent contractor.
- Disclosure of arrest/conviction: All current and prospective employees must inform the school district whether they have been arrested or convicted of an offense that bans them from employment in a public school. Current employees must report an arrest or conviction for an offense that bans them from employment in a public school within 72 hours.

Student teachers and interns may not be employed unless they have complied with the mandatory background check requirements for criminal history and child abuse.

Volunteers who are responsible for the child's welfare or who have a direct contact with children at a school are required to have state criminal history and child abuse clearances. A federal criminal history check is also required if the volunteer has not been a Pennsylvania resident for the past 10 years.

References

24 P.S. §§ 1-111, 1-111.1

23 Pa. C.S.A. §§ 6344, 6344.2

Medical examinations

Prior to beginning employment, all candidates must undergo medical examinations, including a tuberculosis examination, as required by law.

References

24 P.S. § 14-1418

28 Pa. Code §§ 23.43, 23.44

Veterans' preference in hiring

Military veterans are entitled to employment preference when districts initially hire individuals. Veterans must meet other reasonable, job-related qualification requirements established by the district.

References

51 Pa. C.S.A. § 7101 et seq.

Nepotism

No teacher shall be employed who is related to any member of the school board, as defined in law, unless such teacher receives the affirmative vote of a majority of all members of the board other than the member related to the applicant, who shall not vote.

References

24 P.S. § 11-1111

Induction for new teachers

School districts must have an induction plan for first-year teachers, long-term substitutes who are hired for 45 days or more, and educational specialists that must be submitted to PDE for approval.

References

22 Pa. Code § 49.16(a)

PA Inspired Leadership Program (PIL)

Superintendents, principals, assistant principals, vice principals and other administrators are required to complete PDE's continuing professional education program for school and system leaders, called the PA Inspired Leadership Program.

References

24 P.S. §§ 10-1003, 11-1109, 12-1205.5, 12-1217



School districts are required to appoint a **safety and security coordinator** to oversee issues related to school safety.

Allegations of educator misconduct

Upon receipt of notification in writing from PDE, school districts are required to investigate the allegations of misconduct as directed by PDE and may pursue the local disciplinary procedures established by law or by collective bargaining agreement for adjudication of complaints against an educator. Within 90 days of notification from PDE, the district must inform the department of the outcome of its investigation and whether it will pursue local employment action and may make a recommendation concerning discipline.

References

24 P.S. § 2070.11

Lunch

School districts must provide professional and temporary professional employees a 30-minute lunch period free of supervision or other duties.

References

24 P.S. § 15-1504(a)

Drug law convictions

School districts are required to terminate the employment of any employee convicted of delivery of a controlled substance or convicted of possession of a controlled substance with the intent to deliver.

References

24 P.S. § 5-527

Other general requirements applicable to employers

As an employer, school districts are required to comply with laws and regulations applicable to all employers such as:

- Nondiscrimination in employment and hiring practices;
- Paying overtime to affected employees;
- Providing family and medical leave;
- Granting employees access to their personnel files (though some exclusions apply);
- Federal and state tax compliance and payroll deductions;
- Notice of employee rights; and
- Notification of a drug-free workplace.

Child Abuse

Mandated reporter of suspected child abuse

School employees are required to report suspected child abuse to the state ChildLine Office if they have reasonable cause to suspect that a child is a victim of abuse. Employees are required to notify the school administrator.

References

23 Pa. C.S.A. §§ 6311, 6313

Child abuse recognition and reporting training

School districts are required to provide training to employees on child abuse recognition and reporting as part of professional development requirements.

References

24 P.S. § 12-1205.6(a)

Transportation

NOTE: Providing transportation for school district students is not a mandate. However, districts are required to provide transportation for students to and from charter schools on days the charter school is in regular session, regardless of whether the district is also in session. Districts that choose to provide their students with transportation services are required to comply with numerous mandates.

School buses/vehicles

School districts must ensure that any buses or vehicles transporting students comply with state law and regulations.

References:

75 Pa. C.S.A. § 1509

67 Pa. Code Chapter 171



School districts
must conduct at
least **one emergency
evacuation drill** per
month.

School bus and vehicle drivers

In addition to the pre-employment requirements applicable to all school district employees, districts must ensure that any school bus or school vehicle driver meets additional applicable requirements such as:

- Obtaining a copy of
 - A valid commercial driver's license indicating the appropriate endorsements from the covered driver;
 - A Commonwealth of Pennsylvania School Bus Driver's Physical Examination Form from the covered school bus driver; and
 - A current Pennsylvania School Bus Endorsement card from the covered school bus driver.
- Pre-employment alcohol and drug testing information. After obtaining the driver's consent, districts must obtain testing information from previous U.S. Department of Transportation-regulated employers during the past three years.
- Commercial motor vehicle employment information for the past 10 years.
- The driver's driving history record to determine whether the driver meets the minimum requirements for safe driving and is not disqualified to operate a commercial motor vehicle.

References:

75 Pa. C.S.A. §§ 1604, 1606

67 Pa. Code § 71.3

49 U.S.C. §§ 31303, 31304

49 CFR §§ 40.25, 382.413, 382.701, 382.703, 391.25, 391.41

Drug/Alcohol program for covered drivers

School districts are required to implement and/or ensure that any contracted transportation provider has implemented, a drug use and alcohol misuse prevention program for employees who are required to hold a commercial driver's license and who perform safety-sensitive functions that complies with state and federal laws and regulations. The program is required to include pre-employment, random, post-accident, reasonable suspicion, return-to-work and follow-up drug and alcohol testing. Additional requirements include notifying covered employees of the program and/or policies, training for covered employees, reporting of violations, and record retention.

References:

67 Pa. Code § 229.14

49 U.S.C. §§ 31306

49 CFR Parts 40, 382

Audio recording on school vehicles

If a school district authorizes the audio recording of passengers on school buses or vehicles being used for school-related purposes, the district must adopt a policy authorizing such recording for disciplinary or security purposes. The district must annually include the policy in a student handbook or other publication, post a visible notice that students may be audiotaped on each school bus or school vehicle that is furnished with audio-recording equipment, and post a notice of the policy on the district's website.

References:

18 Pa. C.S.A. § 5704

School Safety

Safety and security coordinator

School districts are required to appoint a safety and security coordinator to oversee issues related to school safety. The coordinator has several specific duties related to school safety and security.

References

24 P.S. § 13-1309-B

Safe2Say Something procedures

School districts are required to establish procedures for receiving, assessing and responding to anonymous tip reports received from the Safe2Say Something youth violence prevention program of the Pennsylvania Office of the Attorney General.

References

24 P.S. § 13-1303-D

Threat assessment teams

Beginning in the 2021-22 school year, each school district is required to establish at least one threat assessment team for the assessment of and intervention with students whose behavior may indicate a threat to the safety of the student, other students, school employees, school facilities, the community or others. Schools, teams and team members must also meet other requirements such as qualifications, trainings and posting information about the teams.

References

24 P.S. Article XIII-E

School districts are required to adopt and implement **federal nutritional guidelines** for food and beverages available in each school building to be eligible for reimbursement for school lunch and breakfast programs.

School districts are required to obtain **two safety inspections per year** in accordance with local, state, and federal laws and regulations.

Emergency preparedness plan

School districts are required to develop and implement a comprehensive disaster response and emergency preparedness plan consistent with the guidelines developed by the Pennsylvania Emergency Management Agency and other pertinent state regulations and requirements.

References

- 35 P.S. § 7701(g)
- 22 Pa. Code § 10.24

Safety and security training

School districts are required to provide employees with at least three hours of mandatory safety and security training every five years. Training must address situational awareness, trauma-informed approaches, behavioral health awareness, suicide and bullying awareness, substance use awareness, and emergency training drills, including fire, natural disaster, active shooter, hostage situation and bomb threat, and recognition of student behavior that may indicate a threat to the student or others.

References

- 24 P.S. § 13-1310-B

Memorandum of Understanding (MOU)

School districts are required to develop an MOU with local police departments having jurisdiction over school property. Each MOU must be biennially updated and re-executed with each local police department. Districts must file their MOUs with PDE and must identify any substantive differences between its own MOU and the model MOU prepared by PDE along with a statement of reasons for the differences.

References

- 24 P.S. § 13-1303-A(c)
- 22 Pa. Code § 10.11

Weapon possession

School districts are required to develop a policy which ensures the district expels, for not less than one year, any student who brings a weapon onto school property, any school-sponsored activity or any public conveyance providing transportation to a school or school-sponsored activity. Districts are also required to report all incidents of possession of a weapon to local law enforcement and all instances of expulsion of any student for possessing a weapon to PDE.

References

- 24 P.S. § 13-1317.2

Maintenance of records

School districts are required to maintain records of incidents of violence, incidents of possession of a weapon, and convictions or adjudications of delinquency for acts committed on school property by students enrolled in the district on both a district-wide and school-wide basis.

References

24 P.S. § 13-1307-A

Incident reporting requirements

School districts are required to report annually to PDE all incidents of violence, weapons, alcohol, drugs and tobacco possession. An extensive annual report listing statewide and individual school district information is prepared by PDE and is available on its website.

References

24 P.S. § 13-1303-A(b)

Notification of incidents/handling students with a disability

School districts are required to follow specific procedures for notifying law enforcement of certain incidents that occur on school property, at any school-sponsored activity or on any conveyance providing transportation to or from a school or school activity. If an incident involves a student with a disability, the district is required to follow additional procedures.

References

22 Pa. Code §§ 10.21, 10.22, 10.23

Transfer of disciplinary records

School districts are required to send the disciplinary records of any transferred student to the new school of attendance within 10 days of receiving a request for such records.

References

24 P.S. § 13-1305-A



School districts are required to adopt a policy and, rules prohibiting students or other persons associated with a school organization from **engaging in hazing.**

Juvenile probation notification

If a student is found to be a delinquent child, information about his or her adjudication is provided to the principal of the school where the child is enrolled. The principal must share the information with the student's teacher or with the principal of another school to which the student transfers. Any information reported must be maintained separate from the child's official school record.

References

42 Pa. C.S.A. § 6341(b.1)

Emergency evacuation drills and school bus evacuations

School districts must conduct at least one fire drill per month while school is in session. At least one of those fire drills must be substituted with a school security drill which meets the requirements of law. School bus evacuation drills must also be held (two per school year). School districts must certify to PDE that the required drills have been conducted.

References

24 P.S. §§ 15-1517, 15-1518(b)

School police

School districts seeking to employ school police officer services must apply to the county Court of Common Pleas to appoint such officer(s). Officers are required to meet minimum training requirements. Districts that employ school police officers must annually report to the Office of Safe Schools the number of school police as well as other information.

References

24 P.S. §§ 13-1302-C, 13-1303-C

School resource officers and security guards

School districts seeking to employ or utilize school resource officers or security guards are required to ensure any officer or guard meets minimum training requirements.

References

24 P.S. § 13-1314-C

Workplace Safety Committee

Unless a school district self-insures, the district is required to create a certified workplace safety committee.

References

24 P.S. § 2-223

77 P.S. § 1038.2(b)

Health and Wellness

Student assistance programs

School districts are required to create a student assistance program to help school personnel to identify issues, including alcohol, drugs and others, that pose a barrier to a student's learning and school success.

References

24 P.S. § 15-1547(g)

22 Pa. Code § 12.42

School tobacco products/vaping

School districts are required to adopt a policy which enforces the provisions of state and federal law that prohibit the use of tobacco products and electronic nicotine delivery devices by students and persons other than students on property or in vehicles owned or leased by a school district. Districts must notify students, parents and employees of their tobacco/nicotine use policy.

References

18 Pa. C.S.A. § 6306.1

35 P.S. § 1223.5

20 U.S.C. § 7183

Local wellness policy

School districts that participate in the National School Lunch or School Breakfast Program must establish a local wellness policy that, at a minimum, includes:

- Goals for nutrition promotion and education, physical activity, and other school-based activities that promote student wellness;
- Standards and nutrition guidelines for all foods and beverages provided or sold to students during the school day that promote student health and reduce childhood obesity;

- A requirement that parents, students, and the general public can participate in the development, implementation, and periodic review and update of the policy; and
- A requirement that the district inform and update the public about the content and an assessment of the implementation of the policy.

References

24 P.S. § 14-1422.1

42 U.S.C. § 1758b

7 CFR § 210.31

School meal nutrition guidelines

School districts are required to adopt and implement federal nutritional guidelines for food and beverages available in each school building to be eligible for reimbursement for school lunch and breakfast programs.

References

7 CFR §§ 210.10, 220.8

School nutrition contracts

School districts may not enter into exclusive contracts to provide foods or beverages unless the school board provides public notice or holds a public hearing about the contract. The board must also report the amounts and sources of any funds received or spent from a food or beverage contract at a regularly scheduled board meeting, a public hearing or on the district's website.

References

24 P.S. § 504.1

Unpaid student meal charges

School districts must provide a school meal to a student who requests one regardless of whether the student has money to pay for the meal or owes money to the school for prior meals unless the student's parent/guardian has specifically directed the school in writing to withhold the meal. Schools may provide students with an alternative meal in limited instances. Schools must follow specific guidelines for communicating with parents concerning unpaid meals and may not publicly identify or stigmatize a student who cannot pay for a meal.

References

24 P.S. § 13-1337

School food safety program

School districts are required to comply with federal requirements in developing a food safety program that enables district schools to take systematic action to prevent or minimize the risk of foodborne illness among students.

References

- 42 U.S.C. § 1758(h)
- 7 CFR §§ 210.9, 210.13, 220.7

School food safety inspections

School districts are required to obtain two safety inspections per year in accordance with local, state, and federal laws and regulations. The most recent inspection report must be posted, and a copy of the report must be released to members of the public, upon request.

References

- 42 U.S.C. § 1758(h)
- 7 CFR §§ 210.13, 220.7

Required school health services

School districts are required by state and federal laws and regulations to provide a number of health services for students. Mandated health services include:

- Employment of school physician(s), school dentist(s), and school nurse(s).
- Maintenance of a comprehensive health record which shall include the results of the tests, measurements and regularly scheduled examinations and special examinations.
- Medical and dental examinations.
- Vision, hearing, height/weight and tuberculosis screenings.
- Immunization accountability.
- Policies and procedures for emergency care and the administration of medications.
- Policies and procedures to address food allergies in schools.

The federal Individuals with Disabilities Education Act and Section 504 of the Rehabilitation Act also dictate what services, including medical services, a school district must provide to a student.

References

- 24 P.S. §§ 13-1303a, 14-1402, 14-1403, 14-1410
- 22 Pa. Code § 12.41(a)
- 28 Pa. Code §§ 23.2, 23.3, 23.4, 23.5, 23.7, 23.8, 23.9, 23.85
- PDE guidelines implementing 24 P.S. § 14-1422.3(6)
- 20 U.S.C. § 1400 et seq.
- 29 U.S.C. § 794

School nurse requirements

School districts are required to hire school nurses that have obtained PDE's PK-12 School Nurse certification in addition to having a bachelor's degree in nursing and a valid RN license. A school nurse cannot have more than 1,500 students under his or her care. A school nurse can be responsible for students across multiple school buildings, so long as they still meet the ratio requirements.

References

24 P.S. §§ 14-1401(8), 14-1402(a.1), 14-1410(a)

Asthma and allergy medication

School districts are required to adopt a policy for the possession and self-administration by students of asthma inhalers and epinephrine auto-injectors in the school setting. The school district must develop a system for students to demonstrate competency to self-administer the medication and carry the medication responsibly.

References

24 P.S. § 14-1414.1

Diabetes care in schools

School districts are required to allow students with diabetes to receive diabetes-related care and treatment in a school setting upon request and authorization from the student's parents and health care practitioner. This may include the possession and self-administration of diabetes medication and operation of monitoring equipment. All diabetes-related care provided to students must be consistent with the school's health program.

References

24 P.S. § 14-1401, 14-1414.4, 14-1414.5

Bullying prohibitions

School districts are required to adopt a policy related to bullying and post it on the district's website and in each school building and classroom. The district also must include the policy in its required safe schools report, review the policy with students each school year, and review the policy at least once every three years.

References

24 P.S. § 13-1303.1-A

Hazing prohibitions

School districts are required to adopt a policy and rules prohibiting students or other persons associated with a school organization from engaging in hazing. The policy is required to be posted on the district's website.

References

18 Pa. C.S.A. § 2801 et seq.

Suicide awareness/prevention

School districts are required to adopt youth suicide awareness and prevention policies, inform parents and students of the policy, and provide ongoing professional development for teachers in grades 6-12. Such policies must address suicide prevention, intervention and postvention.

References

24 P.S. § 15-1526(a)

Cardiopulmonary resuscitation (CPR)

School districts are subject to several mandates related to CPR:

- School nurses must be certified in CPR.
- At least one person certified in CPR must be in each school building.
- School districts are required to offer instruction in CPR on school premises at least once every three years to the general public and to all school employees.
- A school entity that offers CPR instruction for students must comply with established curriculum guidelines.

References

24 P.S. §§ 12-1205.4, 14-1410(b), 14-1424(a), 15-1528

Concussion and cardiac arrest training

Prior to participating in an athletic activity, which includes interscholastic sports, intramural and club sports as well as cheerleading, every student athlete and parent must sign and return to the school acknowledgement forms regarding concussions and cardiac arrest. All coaches must also complete annual training on symptoms of concussions and cardiac arrest.

References

24 P.S. § 5321 et seq.

24 P.S. § 5331 et seq.

Anabolic steroid use by athletes

School districts are required to adopt and enforce rules and regulations that prohibit the use of anabolic steroids, except for a valid medical purpose, by any student involved in school-related athletics.

References

35 P.S. § 807.1

Lead testing

School districts are required to either test for lead in the drinking water at school facilities where children attend school or to discuss lead issues in the school facilities at a public meeting if the district chooses not to test for lead.

References

24 P.S. § 7-742

Trauma-informed approaches

School districts are required to provide school employees with training on trauma-informed approaches.

References

24 P.S. § 1205.7



Conclusion and Recommendations

Public education is easily among the most important functions of government. School districts are entrusted with billions of public dollars, educating the future leaders of the commonwealth and country, and keeping students, staff and visitors safe.

While PSBA recognizes that many mandates are necessary and cannot be eliminated, the combined effect of mandates can become a costly and time-consuming burden of complying with deadlines, filing reports and paperwork, implementing additional programs and providing additional benefits, rather than operating a system of education that is truly thorough, efficient and logical. Although the list of mandates in this report is not exhaustive, the 100+ specific mandates listed in this report should illustrate that point.

PSBA believes that mandate relief is an integral part of reforming public education. Relief from burdensome mandates can save school districts and taxpayers money and result in more efficient operation. If state policymakers are serious about addressing mandate relief, PSBA recommends the following:

- State legislation imposing new mandates on school entities should include state funding or a state-provided solution to implement the mandate which would reduce the burden of the mandate.
- Reinstate a mandate waiver program similar to the program that expired in 2010 that grants districts exemptions from certain state-imposed mandates. Such waivers should be renewable based on a district's demonstration that the waiver improved its instructional program or allowed it to operate in a more effective, efficient or economical manner.
- Creation of a legislative commission to periodically and systematically review the cumulative effect of mandates on public schools and make recommendations for mandate relief, including sunseting mandates which do not enhance administrative or academic operations.
- Enact legislation requiring the General Assembly to assess, prior to enacting new mandates, the likely cost impact of those new

mandates on taxpayers and/or school districts. Assessments should take into account differences between school communities, district size and available resources. Assessments should be reported with the legislation.

- State legislation imposing new mandates on school entities should not take effect until at least the following fiscal year to give schools adequate time to plan and prepare for those costs.
- Allow school districts to exceed their Act 1 index to pay for unfunded state mandates.

PSBA and its members stand ready to help identify costly and outdated mandates and assist in other legislative changes that would eliminate or reduce the impact that significant mandates have on school district budgets and operations. Relief from mandates would allow schools to direct more funds to classrooms and give districts needed flexibility to decide how to use available funds to provide an excellent education to their students.

¹ For example, prior to the 2011-12 school year, the state would reimburse school districts for a portion of their charter school tuition expenses. Those reimbursements stopped in 2011-12 and have not been restored.

² Data is for all PA public schools. All data taken from 2018-19 Annual Financial Reports. State special education revenue consists of revenue codes 7271 Special Education Funding and 7272 Early Intervention. Federal special education revenue consists of revenue codes 8512 IDEA Part B, 8513 IDEA Section 619, and 6832 Federal IDEA Pass Through. Special education expenses consist of function code 1200 Special and Gifted Education minus 1243 Gifted Support.

³ For the 2017-18 school year, special education tuition rates ranged from \$15,119 to \$48,198 and non-special education tuition rates ranged from \$7,598 to \$18,554.

⁴ See Pennsylvania School Boards Association, Charter School Revenues, Expenditures and Transparency. An analysis of 2014-15 data indicated that school districts paid \$101 million more in special education tuition than charter schools reported spending for special education programs and services (pgs. 7-8).

⁵ Pennsylvania Department of Education, Annual Financial Reports, expense detail. Pennsylvania Department of Education, Special Education Data Reporting, 2018-19 Statistical Summary.

⁶ Identification is accomplished via a home language survey.

⁷ Calculated annually by PDE, the index is the maximum property tax increase that school districts may levy without voter approval or an approved exemption from PDE.

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