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THE GENERAL ASSEMBLY OF PENNSYLVANIA

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HOUSE BILL

No. 1660 Session of  
2021

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INTRODUCED BY SONNEY, BERNSTINE, DeLUCA, MILLARD, PICKETT, RYAN  
AND TOPPER, JUNE 16, 2021

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REFERRED TO COMMITTEE ON EDUCATION, JUNE 16, 2021

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AN ACT

1 Amending the act of March 10, 1949 (P.L.30, No.14), entitled "An  
2 act relating to the public school system, including certain  
3 provisions applicable as well to private and parochial  
4 schools; amending, revising, consolidating and changing the  
5 laws relating thereto," in duties and powers of boards of  
6 school directors, further providing for temporary emergency  
7 provisions.

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

10 Section 1. Section 520.1 of the act of March 10, 1949  
11 (P.L.30, No.14), known as the Public School Code of 1949, is  
12 amended to read:

13 Section 520.1. Temporary Emergency Provisions.--[(a)  
14 Whenever an emergency shall arise which the board of school  
15 directors of any school district in the performance of its  
16 duties could not anticipate or foresee, and which emergency  
17 shall result in any such school district being unable to provide  
18 for the attendance of all pupils during the prescribed length of  
19 school days, number of days per week, or usual hours of classes,  
20 it shall be found as a fact by the school directors of any

1 school district and so recorded on the minutes of a regular or  
2 special meeting of such board and certified to the  
3 Superintendent of Public Instruction, and such board of school  
4 directors, subject to the approval of the Superintendent of  
5 Public Instruction, shall have power to put into operation in  
6 such school district any one or more of the temporary provisions  
7 hereinafter provided for, but in no event shall such temporary  
8 provisions remain in effect for a period of more than four years  
9 after they are first put into effect.

10 (b) Subject to the foregoing provisions, any board of school  
11 directors may:

12 (1) Keep the schools of the district in session such days  
13 and number of days per week as they shall deem necessary or  
14 desirable, but the provisions of this act requiring a minimum of  
15 one hundred eighty (180) session days as a school year shall not  
16 be affected thereby.

17 (2) Reduce the length of time of daily instruction for  
18 various courses and classes.

19 (c) Any school district, by invoking the powers herein  
20 granted, shall not thereby forfeit its right to reimbursement by  
21 the Commonwealth or other State-aid as otherwise provided for by  
22 this act.]

23 (a) Beginning with the 2021-2022 school year and each school  
24 year thereafter, whenever an emergency shall arise which the  
25 board of school directors of a school district in the  
26 performance of its duties could not anticipate or foresee, and  
27 which emergency shall result in five (5) consecutive days of  
28 being unable to provide for in-person instruction of pupils  
29 under sections 1327 and 1501, the board of school directors  
30 shall have the power to put into operation the temporary

1 emergency provisions under subsection (b) by a two-thirds vote  
2 of the board of school directors. In no event shall the  
3 temporary emergency provisions remain in effect for a period of  
4 more than sixty (60) days after the temporary emergency  
5 provisions are first put into effect unless an extension is  
6 approved by a two-thirds vote of the board of school directors.  
7 The board of school directors shall hold at least one public  
8 hearing prior to the vote to extend temporary emergency  
9 provisions.

10 (a.1) A board of school directors shall have sixty (60) days  
11 after a vote to approve temporary emergency provisions under  
12 subsection (a) to implement the temporary emergency provisions.  
13 The board of school directors shall provide a written plan for  
14 the implementation of the temporary emergency provisions which  
15 includes, at a minimum:

16 (1) An explanation of why the temporary emergency provisions  
17 are necessary.

18 (2) How long the temporary emergency provisions will be in  
19 effect.

20 (a.2) The school district shall publish the written plan  
21 under subsection (a.1) on its publicly accessible Internet  
22 website.

23 (b) Subject to the provisions of this subsection, a board of  
24 school directors may:

25 (1) Keep the schools of the district in session such days  
26 and number of days per week as the board of school directors  
27 deems necessary or desirable, but the provisions of this act  
28 requiring a minimum of one hundred eighty (180) session days as  
29 a school year shall not be affected by this paragraph.

30 (2) Reduce the length of time of daily instruction for

1 various courses and classes.

2 (c) Any school district, by invoking the powers under this  
3 section, shall not forfeit the school district's right to  
4 reimbursement by the Commonwealth or other State-aid as  
5 otherwise provided for by this act.

6 (d) The department shall issue guidelines within thirty (30)  
7 days of the effective date of this section for implementation of  
8 this section. The guidelines shall be published on the  
9 department's publicly accessible Internet website.

10 (e) As used in this section, the term "emergency" shall mean  
11 an event that prevents a school building from opening due to any  
12 of the following:

13 (1) A communicable health issue or incident.

14 (2) A hazardous weather condition.

15 (3) A law enforcement emergency.

16 (4) The inoperability of school buses or other equipment  
17 necessary to the public school entity's operation.

18 (5) Damage to a school building.

19 (6) Another temporary circumstance rendering any portion of  
20 a school building unfit or unsafe for use.

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