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THE GENERAL ASSEMBLY OF PENNSYLVANIA

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SENATE BILL

No. 1258 Session of  
2014

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INTRODUCED BY FOLMER, EICHELBERGER, VOGEL AND WILLIAMS,  
FEBRUARY 14, 2014

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REFERRED TO EDUCATION, FEBRUARY 14, 2014

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AN ACT

1 Amending the act of March 10, 1949 (P.L.30, No.14), entitled "An  
2 act relating to the public school system, including certain  
3 provisions applicable as well to private and parochial  
4 schools; amending, revising, consolidating and changing the  
5 laws relating thereto," further providing for unlawful gifts  
6 and for reports to the Department of Education.

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

9 Section 1. Section 217 of the act of March 10, 1949 (P.L.30,  
10 No.14), known as the Public School Code of 1949, is amended to  
11 read:

12 Section 217. Unlawful Gifts.--(a) It shall be unlawful for  
13 any member of or any board of school directors to demand,  
14 request, or accept, directly or indirectly, any gift or donation  
15 from any teacher or supervisor within its employ.

16 (b) Any school board director or person selected to be a  
17 public school board director shall be removed from office if the  
18 person, directly or indirectly, corruptly demands, seeks,  
19 receives, accepts or agrees to receive or accept anything of  
20 value personally or for any other person or entity in return for

1 one of the following:

2 (1) Being influenced in the performance of any official act.

3 (2) Being influenced to commit or aid in committing, or to  
4 collude in, or allow any fraud or make opportunity for the  
5 commission of any fraud on the State, the school district or  
6 other governmental units.

7 (3) Being induced to do or omit to do any act in violation  
8 of the official duty of such official or person.

9 (c) A school director or senior education official who makes  
10 a school judgment in good faith fulfills the duty of care if the  
11 school director or senior education official:

12 (1) Is not interested in the subject of the school judgment.

13 (2) Is independently informed with respect to the subject of  
14 the school judgment to the extent the school director or senior  
15 education official reasonably believes to be appropriate under  
16 the circumstances.

17 (3) Rationally believes that the school judgment is in the  
18 best interests of the school district in ensuring that each  
19 student learns to his or her intellectual capacity.

20 Section 2. Section 218 of the act is amended by adding a  
21 subsection to read:

22 Section 218. Reports to Department of Education.--\* \* \*

23 (e) The chief school administrator and board secretary of a  
24 school district, charter school, cyber charter school or area  
25 vocational-technical school shall submit quarterly reports, and  
26 the superintendent shall publicly report in writing and orally  
27 to the board on the policies and procedures in place and make  
28 recommendations to provide accurate statistical information on  
29 the following:

30 (1) The learning progress of students by grade, building and

1 ethnicity.

2 (2) The number of reported disciplinary incidents involving  
3 students, faculty and staff using standard Department of  
4 Education classifications, monthly student and teacher  
5 attendance patterns, planned and actual use of funds.

6 Section 3. This act shall take effect immediately.