

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 2609 Session of 2022

INTRODUCED BY ZABEL, HILL-EVANS, DELLOSO, McNEILL, SCHLOSSBERG,
HOWARD, ROZZI, SANCHEZ, MADDEN, CIRESI AND CEPHAS,
MAY 23, 2022

REFERRED TO COMMITTEE ON EDUCATION, MAY 23, 2022

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 third-party services.

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

9 Section 1. Section 528(b)(1) of the act of March 10, 1949
10 (P.L.30, No.14), known as the Public School Code of 1949, is
11 amended, subsection (a) is amended by adding paragraphs and the
12 section is amended by adding a subsection to read:

13 Section 528. Third-Party Services.--(a) In addition to the
14 requirements of any other law or regulation, a school employer
15 shall not enter into a contract with a third party for non-
16 instructional services unless the following conditions are met:

17 * * *

18 (4) No later than sixty (60) days prior to the date of
19 adoption of a final budget, the school employer shall adopt a

resolution of intent to enter into a contract with a third party
in the following fiscal year, which shall specify the following:

(i) The total cost savings expected to result from the
contract.

(ii) A comparison of the projected expenditures of the
school employer for the following fiscal year with and without
the proposed contract.

(iii) The number of non-instructional employees to be
suspended as a result of the contract.

(5) The contract shall guarantee that the school employer
may terminate the contract if expenditures under the contract
exceed the expenditures projected in the comparison required
under paragraph (4)(ii).

(b) For a school employe whose employment is terminated due
to a third party entering into a contract with the school
employer for non-instructional services and who seeks employment
from the third party during the effective date of the contract,
the following shall apply:

(1) The third party shall give [consideration to the school
employe, which shall include an interview, when hiring any new
employe for the same or a substantially similar position which
the school employe held with the school employer.] employment
preference to a school employe who held the same or a
substantially similar position with satisfactory performance and
whose employment is terminated due to a third-party contract
before hiring any new employe to fill any vacancy for a position
that provides non-instructional services to a school employer.

* * *

(c.1) Applications submitted under subsection (a) and
contracts entered into or renewed under this section shall be

1 public records as the term is defined under the act of February
2 14, 2008 (P.L.6, No.3), known as the "Right-to-Know Law."

3 * * *

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