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THE GENERAL ASSEMBLY OF PENNSYLVANIA

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SENATE BILL

No. 537 Session of  
2017

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INTRODUCED BY WAGNER, SCARNATI, COSTA, BREWSTER, RAFFERTY,  
ARGALL, RESCHENTHALER, BARTOLOTTA, BOSCOLA AND WARD,  
APRIL 6, 2017

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REFERRED TO LABOR AND INDUSTRY, APRIL 6, 2017

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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 intermediate units, further  
6 providing for staff; in professional employees, providing for  
7 athletic leaves of absence; and, in vocational education,  
8 further providing for organization and operation of schools  
9 and institutes.

10 The General Assembly of the Commonwealth of Pennsylvania  
11 hereby enacts as follows:

12 Section 1. Section 913-A(e) of the act of March 10, 1949  
13 (P.L.30, No.14), known as the Public School Code of 1949, is  
14 amended to read:

15 Section 913-A. Staff.--\* \* \*

16 (e) All professional and temporary professional employes of  
17 an intermediate unit shall have the same rights of tenure,  
18 minimum salaries and increments, leaves of absence because of  
19 illness, professional study or physical disability, sabbatical  
20 leaves, military leaves, athletic leaves of absence and exchange  
21 teacher leaves as professional and temporary professional

1 employes of school districts.

2 \* \* \*

3 Section 2. Article XI of the act is amended by adding a  
4 subdivision to read:

5 (f.1) Athletic Leaves of Absence.

6 Section 1172. Definitions.--For the purposes of this  
7 subdivision.--

8 (1) "Member of a United States team" shall mean any group  
9 leader, coach, official, referee or athlete who comprises the  
10 official delegation of the United States on the world  
11 championship team, Pan American team or Olympic team in a sport  
12 sanctioned by the International Olympic Committee.

13 (2) (Reserved).

14 Section 1173. Leave of Absence.--A professional employe who  
15 qualifies as a member of a United States team shall be entitled  
16 to an athletic leave of absence for the purpose of preparing for  
17 and engaging in the competition. In no event shall the paid  
18 leave under this section exceed the period of the official  
19 training and competition combined or ninety (90) calendar days a  
20 year, whichever is less.

21 Section 1174. Salary While on Leave.--The employe on  
22 athletic leave of absence shall receive the employe's regular  
23 salary during the period the employe is on leave.

24 Section 1175. Rights Retained.--(a) Every employe, while on  
25 athletic leave of absence, shall be considered to be in regular  
26 full-time daily attendance in the position from which the leave  
27 was taken, during the period of said leave, for the purpose of  
28 determining the employe's length of service and the right to  
29 receive increments, as provided by law.

30 (b) Every employe on leave of absence shall continue

1 membership in the Public School Employes' Retirement System. The  
2 school district shall pay into the Public School Employes'  
3 Retirement Fund on behalf of each employe on leave, in addition  
4 to the contributions required by law to be made by the fund, the  
5 full amount of the contribution required by law to be paid by  
6 the employe, as though the employe were actually in regular  
7 full-time daily attendance in the position from which the leave  
8 was taken, so that the employe's retirement rights shall be in  
9 no way affected by the leave of absence. The amount of the  
10 contribution required to be paid by the employe shall be  
11 deducted from any compensation payable to the employe while on  
12 leave.

13 Section 3. Section 1850.1(b)(9) of the act is amended to  
14 read:

15 Section 1850.1. Organization and Operation of Schools and  
16 Institutes.--\* \* \*

17 (b) The area vocational-technical board shall have authority  
18 and its duty shall be:

19 \* \* \*

20 (9) To employ temporary professional and professional  
21 employes, supervisors and teachers, and to employ all other  
22 persons necessary to carry on vocational-technical education and  
23 technical institutes, and to determine the salaries to be paid.  
24 All temporary professional and professional employes so employed  
25 shall have the same rights of tenure, minimum salaries and  
26 increments, leaves of absence because of illness or physical  
27 disability, leaves of absence because of death in the immediate  
28 family or death of a near relative, sabbatical leaves, military  
29 leaves, athletic leaves of absence, exchange teacher leaves, and  
30 membership in the Public School Employes' Retirement System as

1 temporary professional and professional employes of school  
2 districts. No professional employe who has attained tenure  
3 status as an employe of any area vocational-technical board  
4 shall, thereafter, be required to serve as a temporary  
5 professional employe before being tendered such a contract when  
6 employed by any other part of the public school system of the  
7 Commonwealth;

8 \* \* \*

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