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 THE GENERAL ASSEMBLY OF PENNSYLVANIA
 

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# HOUSE BILL

No. 178 Session of  
2017

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INTRODUCED BY DAY, STAATS, KAVULICH, DRISCOLL, CONKLIN, SAYLOR,  
O'NEILL, DONATUCCI, D. COSTA, MARSICO, WARD, GABLER, PEIFER,  
R. BROWN, KORTZ, PHILLIPS-HILL, BARBIN, MICCARELLI, ROE AND  
JOZWIAK, JANUARY 23, 2017

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SENATOR BROWNE, APPROPRIATIONS, IN SENATE, RE-REPORTED AS  
AMENDED, JULY 26, 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 terms and courses of study,~~  
 6 ~~further providing for fire and emergency evacuation drills.~~  
 7 AMENDING THE ACT OF MARCH 10, 1949 (P.L.30, NO.14), ENTITLED "AN <--  
 8 ACT RELATING TO THE PUBLIC SCHOOL SYSTEM, INCLUDING CERTAIN  
 9 PROVISIONS APPLICABLE AS WELL TO PRIVATE AND PAROCHIAL  
 10 SCHOOLS; AMENDING, REVISING, CONSOLIDATING AND CHANGING THE  
 11 LAWS RELATING THERETO," IN PRELIMINARY PROVISIONS, FURTHER  
 12 PROVIDING FOR KEYSTONE EXAMS AND PROVIDING FOR EVERY STUDENT  
 13 SUCCEEDS ACT STATE PLAN REVIEW; IN SCHOOL DIRECTORS,  
 14 PROVIDING FOR SCHOOL DIRECTOR TRAINING PROGRAMS; IN SCHOOL  
 15 DISTRICT FINANCIAL RECOVERY, FURTHER PROVIDING FOR ADDITIONAL  
 16 CRITERIA AND PROVIDING FOR FINANCIAL ADMINISTRATOR IN  
 17 FINANCIAL WATCH SCHOOL DISTRICT; IN GROUNDS AND BUILDINGS,  
 18 FURTHER PROVIDING FOR LIMITATION ON NEW APPLICATIONS FOR  
 19 DEPARTMENT OF EDUCATION APPROVAL OF PUBLIC SCHOOL BUILDING  
 20 PROJECTS; IN DISTRICT SUPERINTENDENTS AND ASSISTANT DISTRICT  
 21 SUPERINTENDENTS, FURTHER PROVIDING FOR REPORTS, FOR MANNER OF  
 22 ELECTION OR APPROVAL AND FOR TERM AND SALARY OF ASSISTANTS;  
 23 IN PROFESSIONAL EMPLOYEES, FURTHER PROVIDING FOR CAUSES FOR  
 24 SUSPENSION, FOR PERSONS TO BE SUSPENDED AND FOR APPEALS TO  
 25 SUPERINTENDENT OF PUBLIC INSTRUCTION; IN CERTIFICATION OF  
 26 TEACHERS, FURTHER PROVIDING FOR GRANTING PROVISIONAL COLLEGE  
 27 CERTIFICATES AND FOR EVALUATION OF APPLICATIONS FOR  
 28 CERTIFICATION; IN PUPILS AND ATTENDANCE, FURTHER PROVIDING  
 29 FOR NONPROFIT SCHOOL FOOD PROGRAM; IN DRUG AND ALCOHOL  
 30 RECOVERY HIGH SCHOOL PILOT PROGRAM, FURTHER PROVIDING FOR

1 ESTABLISHMENT OF DRUG AND ALCOHOL RECOVERY HIGH SCHOOL PILOT  
2 PROGRAM, FOR SCOPE OF PROGRAM AND SELECTION OF STUDENTS, FOR  
3 ESTABLISHMENT AND PAYMENT OF TUITION, FOR TERM OF DRUG AND  
4 ALCOHOL RECOVERY HIGH SCHOOL PILOT PROGRAM AND FOR REPORTING;  
5 IN TERMS AND COURSES OF STUDY, FURTHER PROVIDING FOR FIRE AND  
6 EMERGENCY EVACUATION DRILLS, FOR ALCOHOL, CHEMICAL AND  
7 TOBACCO ABUSE PROGRAM AND FOR AGRICULTURE EDUCATION AND  
8 PROVIDING FOR COMMISSION FOR AGRICULTURAL EDUCATION  
9 EXCELLENCE; IN COMMUNITY COLLEGES, FURTHER PROVIDING FOR  
10 FINANCIAL PROGRAM AND REIMBURSEMENT OF PAYMENTS AND REPEALING  
11 PROVISIONS RELATING TO ANNUAL REPORT; IN RURAL REGIONAL  
12 COLLEGE FOR UNDERSERVED COUNTIES, FURTHER PROVIDING FOR  
13 ESTABLISHMENT; IN TRANSFERS OF CREDITS BETWEEN INSTITUTIONS  
14 OF HIGHER EDUCATION, FURTHER PROVIDING FOR DEFINITIONS, FOR  
15 DUTIES OF PUBLIC INSTITUTIONS OF HIGHER EDUCATION AND FOR  
16 TRANSFER AND ARTICULATION OVERSIGHT COMMITTEE; IN FUNDING FOR  
17 PUBLIC LIBRARIES, PROVIDING FOR STATE AID FOR FISCAL YEAR  
18 2017-2018; IN REIMBURSEMENTS BY COMMONWEALTH AND BETWEEN  
19 SCHOOL DISTRICTS, FURTHER PROVIDING FOR DEFINITIONS, FOR  
20 STUDENT-WEIGHTED BASIC EDUCATION FUNDING, FOR PAYMENTS TO  
21 INTERMEDIATE UNITS, FOR ASSISTANCE TO SCHOOL DISTRICTS  
22 DECLARED TO BE IN FINANCIAL RECOVERY STATUS OR IDENTIFIED FOR  
23 FINANCIAL WATCH STATUS AND FOR READY-TO-LEARN BLOCK GRANT; IN  
24 STATE BOARD OF EDUCATION, FURTHER PROVIDING FOR POWERS AND  
25 DUTIES OF THE BOARD; FURTHER PROVIDING FOR THE APPLICABILITY  
26 OF ACT 2016-138; AND MAKING EDITORIAL CHANGES.

27 The General Assembly of the Commonwealth of Pennsylvania  
28 hereby enacts as follows:

29 ~~Section 1. Section 1517 of the act of March 10, 1949~~ <--  
30 ~~(P.L.30, No.14), known as the Public School Code of 1949, is~~  
31 ~~amended to read:~~

32 ~~Section 1517. Fire and Emergency Evacuation Drills. (a)~~  
33 ~~{In} Except as provided under subsection (a.1), in all [public~~  
34 ~~schools] school buildings of school entities where fire escapes,~~  
35 ~~appliances for the extinguishment of fires, or proper and~~  
36 ~~sufficient exits in case of fire or panic, either or all, are~~  
37 ~~required by law to be maintained, fire drills shall be~~  
38 ~~periodically conducted, not less than one a month, by the~~  
39 ~~teacher or teachers in charge, under rules and regulations to be~~  
40 ~~promulgated by the [district superintendent] chief school~~  
41 ~~administrator under whose supervision such [schools] school~~  
42 ~~entities are. In such fire drills the pupils and teachers shall~~  
43 ~~be instructed in, and made thoroughly familiar with, the use of~~

1 ~~the fire escapes, appliances and exits. The drill shall include~~  
2 ~~the actual use thereof, and the complete removal of the pupils~~  
3 ~~and teachers, in an expeditious and orderly manner, by means of~~  
4 ~~fire escapes and exits, from the building to a place of safety~~  
5 ~~on the ground outside.~~

6 ~~(a.1) Within ninety (90) days of the commencement of the~~  
7 ~~school year after the effective date of this subsection and~~  
8 ~~within ninety (90) days of the commencement of each school year~~  
9 ~~thereafter, each school entity shall conduct one school security~~  
10 ~~drill per school year in each school building in place of a fire~~  
11 ~~drill required under subsection (a). All of the following shall~~  
12 ~~apply:~~

13 ~~(1) The school security drill shall be conducted while the~~  
14 ~~school entity is in session and students are present under~~  
15 ~~policies adopted by the chief school administrator.~~

16 ~~(2) The chief school administrator or a designee shall~~  
17 ~~oversee the instruction and training of students and school~~  
18 ~~employees in the procedures to be used in the school security~~  
19 ~~drill.~~

20 ~~(3) The chief school administrator shall notify and request~~  
21 ~~assistance from the local law enforcement agency and emergency~~  
22 ~~management agency before conducting the school security drill.~~  
23 ~~The notification shall include, at a minimum, all of the~~  
24 ~~following:~~

25 ~~(i) The date and time of the school security drill.~~

26 ~~(ii) The name and address of the school entity and each~~  
27 ~~building in which the school security drill is to be conducted.~~

28 ~~(iii) The name of the individual in charge of conducting the~~  
29 ~~school security drill.~~

30 ~~(4) The chief school administrator shall provide notice of~~

1 ~~the school security drill in advance to parents and legal~~  
2 ~~guardians of the students attending the school building for~~  
3 ~~which the school security drill is scheduled.~~

4 ~~(b) [District superintendents] Chief school administrators~~  
5 ~~are hereby required to see that the provisions of this section~~  
6 ~~are faithfully carried out in the [schools] school entities over~~  
7 ~~which they have charge.~~

8 ~~(c) Any person who violates or fails to comply with the~~  
9 ~~provisions of this section shall be guilty of a misdemeanor, and~~  
10 ~~on conviction shall be sentenced to pay a fine of not less than~~  
11 ~~twenty five dollars (\$25) nor more than five hundred dollars~~  
12 ~~(\$500), or to undergo imprisonment in the county jail for not~~  
13 ~~less than (10) days or more than sixty (60) days, or both.~~

14 ~~(d) All [schools] school entities using or contracting for~~  
15 ~~school buses for the transportation of school children shall~~  
16 ~~conduct on school grounds two emergency evacuation drills on~~  
17 ~~buses during each school year, the first to be conducted during~~  
18 ~~the first week of the first school term and the second during~~  
19 ~~the month of March, and at such other times as the chief school~~  
20 ~~administrator may require. Each such drill shall include the~~  
21 ~~practice and instruction concerning the location, use and~~  
22 ~~operation of emergency exit doors and fire extinguishers and the~~  
23 ~~proper evacuation of buses in the event of fires or accidents.~~

24 ~~Bus operators shall be provided with proper training and~~  
25 ~~instructions to enable them to carry out the provisions of this~~  
26 ~~subsection and may be required to attend classes and drills in~~  
27 ~~connection therewith.~~

28 ~~(e) On or before the tenth day of April of each year, each~~  
29 ~~[district superintendent] chief school administrator shall~~  
30 ~~certify to the Department of [Public Instruction] Education that~~

1 ~~the emergency evacuation drills and school security drills~~  
2 ~~herein required have been [held] conducted in accordance with~~  
3 ~~this section.~~

4 ~~(f) As used in this section, the following words and phrases~~  
5 ~~shall have the meanings given to them in this subsection:~~

6 ~~"Chief school administrator" shall mean the superintendent of~~  
7 ~~a school district, superintendent of an area vocational~~  
8 ~~technical school, executive director of an intermediate unit or~~  
9 ~~chief executive officer of a charter school or regional charter~~  
10 ~~school.~~

11 ~~"School entity" shall mean an area vocational technical~~  
12 ~~school, school district, intermediate unit, charter school or~~  
13 ~~regional charter school.~~

14 ~~"School security drill" shall mean a planned exercise, other~~  
15 ~~than a fire drill or natural disaster drill, designed to~~  
16 ~~practice procedures to respond to an emergency situation that~~  
17 ~~may include, but is not limited to, an act of terrorism, armed~~  
18 ~~intruder situation or other violent threat.~~

19 ~~Section 2. This act shall take effect in 60 days.~~

20 SECTION 1. SECTION 121(B) (1) OF THE ACT OF MARCH 10, 1949 <--  
21 (P.L.30, NO.14), KNOWN AS THE PUBLIC SCHOOL CODE OF 1949,  
22 AMENDED FEBRUARY 3, 2016 (P.L.1, NO.1), IS AMENDED TO READ:

23 SECTION 121. KEYSTONE EXAMS.--\* \* \*

24 (B) THE FOLLOWING SHALL APPLY:

25 (1) NOTWITHSTANDING SECTION 2604-B(B) (2) (V), 22 PA. CODE §  
26 4.24 (RELATING TO HIGH SCHOOL GRADUATION REQUIREMENTS), 4.51  
27 (RELATING TO STATE ASSESSMENT SYSTEM) OR 4.51C (RELATING TO  
28 PROJECT-BASED ASSESSMENT) OR ANY STATUTE OR REGULATION TO THE  
29 CONTRARY, THE USE OF THE KEYSTONE EXAMS AS A GRADUATION  
30 REQUIREMENT OR AS A BENCHMARK FOR THE NEED FOR PARTICIPATION IN

1 A PROJECT-BASED ASSESSMENT SHALL BE DELAYED UNTIL THE [2018-  
2 2019] 2019-2020 SCHOOL YEAR.

3 \* \* \*

4 SECTION 2. THE ACT IS AMENDED BY ADDING SECTIONS TO READ:

5 SECTION 126. EVERY STUDENT SUCCEEDS ACT STATE PLAN REVIEW.--

6 (A) A NEW STATE PLAN SHALL BE DEVELOPED BY THE DEPARTMENT UNDER  
7 SECTION 1111 OF THE ELEMENTARY AND SECONDARY EDUCATION ACT OF  
8 1965 (PUBLIC LAW 89-110, 20 U.S.C. § 6311), AS AMENDED BY THE  
9 EVERY STUDENT SUCCEEDS ACT (PUBLIC LAW 114-95, 129 STAT. 1802),  
10 AND SUBMITTED TO THE GENERAL ASSEMBLY AS FOLLOWS:

11 (1) THE DEPARTMENT SHALL DEVELOP THE STATE PLAN WITH TIMELY  
12 AND MEANINGFUL CONSULTATION WITH THE CHAIR AND MINORITY CHAIR OF  
13 THE EDUCATION COMMITTEE OF THE SENATE AND THE CHAIR AND MINORITY  
14 CHAIR OF THE EDUCATION COMMITTEE OF THE HOUSE OF  
15 REPRESENTATIVES, WITH OPPORTUNITY FOR INPUT INTO THE PLAN'S  
16 FORMATION. CONSULTATION SHALL OCCUR WITH REGARD TO THE  
17 INITIATIVES THAT ARE NEWLY CREATED OR THAT RETAIN OR MODIFY  
18 EXISTING LAW AND REGULATION WITH REGARD TO THE FOLLOWING:

19 (I) THE USE AND FORMAT OF STUDENT ACADEMIC ASSESSMENTS,  
20 ADJUSTMENTS OR ALTERNATIVES TO EXISTING STUDENT ACADEMIC  
21 ASSESSMENTS.

22 (II) ONGOING PARENTAL INVOLVEMENT IN ASSESSMENT AND  
23 ACCOUNTABILITY MEASURES.

24 (III) TEACHER EVALUATION AND ACCOUNTABILITY.

25 (IV) LOW-PERFORMING SCHOOL ASSESSMENT AND IMPROVEMENT.

26 (V) VOCATIONAL AND CAREER EDUCATION ACADEMIC ASSESSMENTS,  
27 PATHWAYS AND STANDARDS.

28 (VI) COMPARABILITY AND FAIRNESS IN ASSESSMENTS OF SCHOOL  
29 DISTRICTS, INTERMEDIATE UNITS, AREA VOCATIONAL-TECHNICAL  
30 SCHOOLS, CHARTER SCHOOLS AND CYBER CHARTER SCHOOLS.

1 (VII) SCHOOL DISTRICT OR SCHOOL BUILDING PERFORMANCE  
2 MEASURES.

3 (VIII) CONTRACTING STANDARDS WITH REGARD TO A THIRD-PARTY  
4 PROVISION OF THE ASSESSMENTS OR EVALUATIONS PROVIDED FOR IN THE  
5 STATE PLAN.

6 (2) THE DEPARTMENT SHALL NOT SUBMIT AN INITIAL STATE PLAN TO  
7 THE UNITED STATES SECRETARY OF EDUCATION UNTIL THE EDUCATION  
8 COMMITTEE OF THE SENATE AND THE EDUCATION COMMITTEE OF THE HOUSE  
9 OF REPRESENTATIVES HAVE BEEN PROVIDED AT LEAST FIFTEEN (15)  
10 DAYS, PRIOR TO THE DATE OF SUBMISSION, TO REVIEW AND COMMENT ON  
11 THE STATE PLAN. THE DEPARTMENT SHALL PRESENT THE INITIAL STATE  
12 PLAN AT A JOINT HEARING OF THE EDUCATION COMMITTEE OF THE SENATE  
13 AND THE EDUCATION COMMITTEE OF THE HOUSE OF REPRESENTATIVES, IF  
14 REQUESTED.

15 (3) ANY FUTURE STATE PLAN SUBMISSIONS SHALL REQUIRE THE  
16 DEPARTMENT TO PRESENT THE DETAILS OF THE SUBMISSION AT A JOINT  
17 HEARING OF THE EDUCATION COMMITTEE OF THE SENATE AND THE  
18 EDUCATION COMMITTEE OF THE HOUSE OF REPRESENTATIVES, IF  
19 REQUESTED. THE DEPARTMENT SHALL PROVIDE THE COMMITTEES WITH AT  
20 LEAST FIFTEEN (15) DAYS TO REVIEW AND COMMENT ON THE STATE PLAN  
21 PRIOR TO ANY SUBMISSION.

22 (4) THE INITIAL STATE PLAN SUBMISSION AND ANY FUTURE  
23 SUBMISSIONS BY THE DEPARTMENT SHALL INCLUDE THE COMMENTS  
24 SUBMITTED BY THE EDUCATION COMMITTEE OF THE SENATE AND THE  
25 EDUCATION COMMITTEE OF THE HOUSE OF REPRESENTATIVES.

26 (5) THE DEPARTMENT SHALL REPORT ON A QUARTERLY BASIS TO THE  
27 EDUCATION COMMITTEE OF THE SENATE AND THE EDUCATION COMMITTEE OF  
28 THE HOUSE OF REPRESENTATIVES REGARDING THE PROGRESS TOWARD  
29 IMPLEMENTATION OF THE STATE PLAN AND ITS COMPONENTS.

30 (B) AS USED IN THIS SECTION, THE FOLLOWING WORDS AND PHRASES

1 SHALL HAVE THE MEANINGS GIVEN TO THEM IN THIS SUBSECTION UNLESS  
2 THE CONTEXT CLEARLY INDICATES OTHERWISE:

3 "DEPARTMENT." THE DEPARTMENT OF EDUCATION OF THE  
4 COMMONWEALTH.

5 "STATE PLAN." THE STATE PLAN PREPARED BY THE DEPARTMENT FOR  
6 THE COMMONWEALTH TO IMPLEMENT, AND SUBMITTED TO THE UNITED  
7 STATES SECRETARY OF EDUCATION FOR APPROVAL AS PROVIDED IN,  
8 SECTION 1111 OF THE ELEMENTARY AND SECONDARY EDUCATION ACT OF  
9 1965. THE TERM INCLUDES:

10 (1) A PROVISION WITHIN THE STATE PLAN THAT IS AN ELECTION BY  
11 THE DEPARTMENT TO RETAIN AND MODIFY AN EXISTING LAW OR  
12 REGULATION AND A PROVISION THAT WILL NECESSITATE THE ENACTMENT  
13 OF LAWS OR THE PROMULGATION OF REGULATIONS.

14 (2) A REVISION OF THE STATE PLAN WHICH IS:

15 (I) REQUIRED BY THE UNITED STATES SECRETARY OF EDUCATION  
16 BASED ON FEDERAL LAW OR ITS REGULATIONS;

17 (II) PURSUED UNDER A WAIVER PROCESS AUTHORIZED UNDER FEDERAL  
18 LAW; OR

19 (III) REQUIRED BY A FEDERAL REAUTHORIZATION.

20 SECTION 328. SCHOOL DIRECTOR TRAINING PROGRAMS.--(A)  
21 BEGINNING IN THE 2018-2019 SCHOOL YEAR AND IN EACH SCHOOL YEAR  
22 THEREAFTER, THE FOLLOWING SHALL APPLY:

23 (1) EACH NEWLY ELECTED OR APPOINTED SCHOOL DIRECTOR SHALL  
24 COMPLETE, DURING THE FIRST YEAR OF THE SCHOOL DIRECTOR'S FIRST  
25 TERM, A TRAINING PROGRAM MADE AVAILABLE BY THE DEPARTMENT OF  
26 EDUCATION, IN CONSULTATION WITH A STATEWIDE ORGANIZATION  
27 REPRESENTING SCHOOL DIRECTORS AND A STATEWIDE ORGANIZATION  
28 REPRESENTING SCHOOL BUSINESS OFFICIALS, PERTAINING TO THE SKILLS  
29 AND KNOWLEDGE NECESSARY TO SERVE AS A SCHOOL DIRECTOR. THE  
30 TRAINING PROGRAM SHALL CONSIST OF A MINIMUM OF FOUR (4) HOURS OF

1 INSTRUCTION, INCLUDING, AT A MINIMUM, INFORMATION REGARDING THE  
2 FOLLOWING:

3 (I) INSTRUCTION AND ACADEMIC PROGRAMS.

4 (II) PERSONNEL.

5 (III) FISCAL MANAGEMENT.

6 (IV) OPERATIONS.

7 (V) GOVERNANCE.

8 (VI) ETHICS AND OPEN MEETINGS, TO INCLUDE THE REQUIREMENTS  
9 UNDER 65 PA.C.S. PT. II (RELATING TO ACCOUNTABILITY).

10 (2) WITHIN ONE (1) YEAR AFTER EACH REELECTION OR  
11 REAPPOINTMENT TO THE BOARD OF SCHOOL DIRECTORS, EACH SCHOOL  
12 DIRECTOR SHALL COMPLETE AN ADVANCED TRAINING PROGRAM MADE  
13 AVAILABLE BY THE DEPARTMENT OF EDUCATION IN CONSULTATION WITH A  
14 STATEWIDE ORGANIZATION REPRESENTING SCHOOL DIRECTORS AND A  
15 STATEWIDE ORGANIZATION REPRESENTING SCHOOL BUSINESS OFFICIALS.  
16 THE ADVANCED TRAINING PROGRAM SHALL CONSIST OF A MINIMUM OF TWO  
17 (2) HOURS OF INSTRUCTION, INCLUDING INFORMATION ON RELEVANT  
18 CHANGES TO FEDERAL AND STATE PUBLIC SCHOOL LAW AND REGULATIONS,  
19 FISCAL MANAGEMENT AND OTHER INFORMATION DEEMED APPROPRIATE BY  
20 THE DEPARTMENT OF EDUCATION TO ENABLE THE SCHOOL DIRECTOR TO  
21 SERVE EFFECTIVELY.

22 (3) THE TRAINING PROGRAMS REQUIRED UNDER THIS SUBSECTION  
23 SHALL BE MADE AVAILABLE BY THE DEPARTMENT OF EDUCATION AT NO  
24 COST TO SCHOOL DISTRICTS OR SCHOOL DIRECTORS. THE DEPARTMENT OF  
25 EDUCATION SHALL APPROVE ALTERNATIVE TRAINING PROGRAMS THAT  
26 FULFILL THE REQUIREMENTS OF THIS SUBSECTION WHICH MAY BE  
27 PROVIDED BY SCHOOL DISTRICTS, INTERMEDIATE UNITS, POSTSECONDARY  
28 INSTITUTIONS OR STATEWIDE EDUCATION ORGANIZATIONS. THE  
29 DEPARTMENT SHALL POST ON ITS PUBLICLY ACCESSIBLE INTERNET  
30 WEBSITE ALL ALTERNATIVE TRAINING PROGRAMS APPROVED UNDER THIS

1 PARAGRAPH.

2 (4) THIS SUBSECTION SHALL APPLY TO MEMBERS OF A SCHOOL  
3 REFORM COMMISSION ESTABLISHED UNDER SECTION 696, PROVIDED THAT  
4 THE TRAINING PROGRAMS PROVIDED TO MEMBERS OF A SCHOOL REFORM  
5 COMMISSION SHALL INCLUDE INFORMATION REGARDING SECTIONS 693 AND  
6 696 AND OTHER INFORMATION DEEMED APPROPRIATE TO ENABLE A MEMBER  
7 OF A SCHOOL REFORM COMMISSION TO SERVE EFFECTIVELY.

8 (B) BEGINNING IN THE 2018-2019 SCHOOL YEAR, AND IN EACH  
9 SCHOOL YEAR THEREAFTER, THE FOLLOWING SHALL APPLY:

10 (1) EACH NEWLY APPOINTED TRUSTEE OF A CHARTER SCHOOL ENTITY  
11 SHALL COMPLETE, WITHIN THE TRUSTEE'S FIRST YEAR OF SERVICE, A  
12 TRAINING PROGRAM MADE AVAILABLE BY THE DEPARTMENT OF EDUCATION,  
13 IN CONSULTATION WITH STATEWIDE ORGANIZATIONS REPRESENTING  
14 CHARTER SCHOOL ENTITIES, PERTAINING TO THE SKILLS AND KNOWLEDGE  
15 NECESSARY TO SERVE AS A CHARTER SCHOOL ENTITY TRUSTEE. THE  
16 TRAINING PROGRAM SHALL CONSIST OF A MINIMUM OF FOUR (4) HOURS OF  
17 INSTRUCTION, INCLUDING, AT A MINIMUM, THE INFORMATION LISTED IN  
18 SUBSECTION (A) (1) AND INFORMATION CONCERNING ARTICLE XVII-A.

19 (2) DURING THE FIFTH YEAR OF A TRUSTEE'S SERVICE ON THE  
20 BOARD OF TRUSTEES AND EVERY FOUR (4) YEARS THEREAFTER, EACH  
21 TRUSTEE SHALL COMPLETE AN ADVANCED TRAINING PROGRAM MADE  
22 AVAILABLE BY THE DEPARTMENT OF EDUCATION IN CONSULTATION WITH  
23 STATEWIDE ORGANIZATIONS REPRESENTING CHARTER SCHOOL ENTITIES.  
24 THE ADVANCED TRAINING PROGRAM SHALL CONSIST OF A MINIMUM OF TWO  
25 (2) HOURS OF INSTRUCTION, INCLUDING INFORMATION ON RELEVANT  
26 CHANGES TO FEDERAL AND STATE PUBLIC SCHOOL LAW AND REGULATIONS,  
27 INCLUDING ARTICLE XVII-A, FISCAL MANAGEMENT AND OTHER  
28 INFORMATION DEEMED APPROPRIATE BY THE DEPARTMENT OF EDUCATION TO  
29 ENABLE THE TRUSTEE TO SERVE EFFECTIVELY.

30 (3) THE TRAINING PROGRAMS REQUIRED UNDER THIS SUBSECTION

1 SHALL BE MADE AVAILABLE BY THE DEPARTMENT OF EDUCATION AT NO  
2 COST TO CHARTER SCHOOL ENTITIES OR CHARTER SCHOOL ENTITY  
3 TRUSTEES. THE DEPARTMENT OF EDUCATION SHALL APPROVE ALTERNATIVE  
4 TRAINING PROGRAMS THAT FULFILL THE REQUIREMENTS OF THIS  
5 SUBSECTION WHICH MAY BE PROVIDED BY CHARTER SCHOOL ENTITIES,  
6 SCHOOL DISTRICTS, INTERMEDIATE UNITS, POSTSECONDARY  
7 INSTITUTIONS, STATEWIDE ORGANIZATIONS REPRESENTING CHARTER  
8 SCHOOL ENTITIES OR OTHER STATEWIDE EDUCATION ORGANIZATIONS. THE  
9 DEPARTMENT SHALL POST ON ITS PUBLICLY ACCESSIBLE INTERNET  
10 WEBSITE ALL ALTERNATIVE TRAINING PROGRAMS APPROVED UNDER THIS  
11 PARAGRAPH.

12 (C) THE DEPARTMENT OF EDUCATION OR ANY OTHER ENTITY  
13 PROVIDING TRAINING PROGRAMS UNDER THIS SECTION SHALL EXAMINE  
14 OPTIONS FOR MAKING THE TRAINING PROGRAMS AVAILABLE THROUGH  
15 ONLINE OR OTHER DISTANCE LEARNING MEDIA OR THROUGH REGIONAL-  
16 BASED TRAINING.

17 (D) AS USED IN THIS SECTION, "CHARTER SCHOOL ENTITY" SHALL  
18 MEAN A CHARTER SCHOOL, REGIONAL CHARTER SCHOOL OR CYBER CHARTER  
19 SCHOOL.

20 SECTION 3. SECTION 694-A OF THE ACT, ADDED JULY 13, 2016  
21 (P.L.716, NO.86), IS AMENDED TO READ:  
22 SECTION 694-A. ADDITIONAL CRITERIA.

23 (A) NOTIFICATION TO SCHOOL DISTRICTS AND PLAN.--

24 (1) THE SECRETARY SHALL NOTIFY EACH SCHOOL DISTRICT THAT  
25 RECEIVES EDUCATIONAL ACCESS PROGRAM FUNDING THAT IS EQUAL TO  
26 OR GREATER THAN \$2,000,000 IN ANY ONE FISCAL YEAR, AND  
27 \$4,000,000 IN ANY ONE FISCAL YEAR BEGINNING WITH THE 2017-  
28 2018 FISCAL YEAR, THAT THE SCHOOL DISTRICT HAS BEEN  
29 IDENTIFIED FOR FINANCIAL WATCH STATUS.

30 (2) A SCHOOL DISTRICT IDENTIFIED FOR FINANCIAL WATCH

1 STATUS UNDER THIS SUBSECTION SHALL RECEIVE TECHNICAL  
2 ASSISTANCE AS A FINANCIAL WATCH DISTRICT FROM THE DEPARTMENT  
3 AS PROVIDED FOR IN SECTION 611-A(B) AND SHALL DEVELOP A PLAN  
4 TO IMPROVE THE SCHOOL DISTRICT'S FINANCES BASED ON THE  
5 TECHNICAL ASSISTANCE PROVIDED BY THE DEPARTMENT FOR APPROVAL  
6 BY THE SECRETARY. THE PLAN SHALL BE SUBMITTED TO THE  
7 SECRETARY NO LATER THAN 180 DAYS AFTER THE SCHOOL DISTRICT  
8 HAS BEEN IDENTIFIED FOR FINANCIAL WATCH STATUS UNDER THIS  
9 SUBSECTION.

10 (3) EACH YEAR AFTER THE INITIAL SUBMISSION OF THE PLAN,  
11 UNTIL THE SECRETARY DETERMINES OTHERWISE, A SCHOOL DISTRICT  
12 SUBJECT TO THIS SUBSECTION SHALL SUBMIT A REPORT TO THE  
13 SECRETARY OUTLINING THE STATUS OF THE SCHOOL DISTRICT'S PLAN,  
14 MEET WITH THE SECRETARY OR A DESIGNEE OF THE SECRETARY TO  
15 REVIEW THE REPORT AND THE STATUS OF THE SCHOOL DISTRICT'S  
16 FINANCES AND HOLD AN ANNUAL PUBLIC HEARING REGARDING THE  
17 PLAN.

18 (B) PUBLICATION OF PLAN.--A COPY OF THE SCHOOL DISTRICT'S  
19 APPROVED PLAN AND ANY SUBSEQUENT ANNUAL REPORTS TO THE SECRETARY  
20 SHALL BE POSTED ON THE PUBLICLY ACCESSIBLE INTERNET WEBSITE OF  
21 THE SCHOOL DISTRICT AND TRANSMITTED TO THE CHAIRPERSON AND  
22 MINORITY CHAIRPERSON OF THE APPROPRIATIONS COMMITTEE OF THE  
23 SENATE, THE CHAIRPERSON AND MINORITY CHAIRPERSON OF THE  
24 APPROPRIATIONS COMMITTEE OF THE HOUSE OF REPRESENTATIVES, THE  
25 CHAIRPERSON AND MINORITY CHAIRPERSON OF THE EDUCATION COMMITTEE  
26 OF THE SENATE AND THE CHAIRPERSON AND MINORITY CHAIRPERSON OF  
27 THE EDUCATION COMMITTEE OF THE HOUSE OF REPRESENTATIVES.

28 (C) NONAPPLICABILITY.--THE DUTY TO SUBMIT AN ANNUAL PLAN  
29 UNDER SUBSECTION (A) (2) AND (3) SHALL NOT APPLY TO A SCHOOL  
30 DISTRICT THAT HAS BEEN PLACED UNDER THE SUPERVISION OF A

1 FINANCIAL ADMINISTRATOR UNDER SECTION 695-A.

2 SECTION 4. THE ACT IS AMENDED BY ADDING A SECTION TO READ:

3 SECTION 695-A. FINANCIAL ADMINISTRATOR IN FINANCIAL WATCH

4 SCHOOL DISTRICT.

5 (A) APPOINTMENT OF FINANCIAL ADMINISTRATOR.--A SCHOOL

6 DISTRICT THAT HAS BEEN IDENTIFIED FOR FINANCIAL WATCH STATUS

7 UNDER SECTION 694-A AND, IN THE 2017-2018 FISCAL YEAR OR ANY

8 FISCAL YEAR THEREAFTER, RECEIVES EDUCATIONAL ACCESS PROGRAM

9 FUNDING SHALL BE PLACED UNDER THE SUPERVISION OF A FINANCIAL

10 ADMINISTRATOR. THE FINANCIAL ADMINISTRATOR:

11 (1) SHALL BE APPOINTED BY THE GOVERNOR FROM A LIST OF AT

12 LEAST THREE NAMES SUBMITTED BY THE PRESIDENT PRO TEMPORE OF

13 THE SENATE WITHIN 30 DAYS OF THE EFFECTIVE DATE OF THIS

14 SECTION.

15 (2) MUST POSSESS KNOWLEDGE AND EXPERIENCE IN SUCH AREAS

16 AS BUSINESS ADMINISTRATION, BUDGET DEVELOPMENT OR FISCAL

17 MANAGEMENT AND FACILITIES MANAGEMENT.

18 (3) SHALL BE CONSIDERED A COMMONWEALTH EMPLOYEE.

19 (4) SHALL BE PAID BY THE DEPARTMENT FOR ACTUAL AND

20 NECESSARY EXPENSES INCURRED IN THE PERFORMANCE OF THE DUTIES

21 AS A FINANCIAL ADMINISTRATOR AND A REASONABLE SALARY, AS

22 DETERMINED BY THE SECRETARY.

23 (B) POWERS AND DUTIES OF THE FINANCIAL ADMINISTRATOR.--THE

24 FINANCIAL ADMINISTRATOR SHALL:

25 (1) HAVE COMPLETE ACCESS TO THE SCHOOL DISTRICT FINANCES

26 AND MAY ENGAGE AN INDEPENDENT AUDIT OF THE SCHOOL DISTRICT AT

27 ANY TIME.

28 (2) UTILIZE THE EXPERTISE OF THE DEPARTMENT OR HIRE

29 TECHNICAL STAFF AS NECESSARY TO ASSIST IN THE DEVELOPMENT OF

30 THE FINANCIAL IMPROVEMENT PLAN.

1 (C) FINANCIAL IMPROVEMENT PLAN DEVELOPMENT.--THE FINANCIAL  
2 ADMINISTRATOR SHALL DEVELOP A FINANCIAL IMPROVEMENT PLAN IN  
3 CONSULTATION WITH THE SECRETARY THAT INCLUDES:

4 (1) PERFORMANCE GOALS, BENCHMARKS AND TIMETABLES TO  
5 IMPROVE THE FINANCIAL PERFORMANCE AND ENSURE FISCAL SOLVENCY  
6 OF THE SCHOOL DISTRICT.

7 (2) CASH FLOW ANALYSIS.

8 (3) PROJECTIONS OF REVENUES AND EXPENDITURES FOR THE  
9 CURRENT YEAR AND NEXT FIVE YEARS, BOTH ASSUMING THE  
10 CONTINUATION OF PRESENT OPERATIONS AND AS IMPACTED BY  
11 MEASURES INCLUDED IN THE PLAN.

12 (4) ANNUAL TRAINING FOR MEMBERS OF THE BOARD OF SCHOOL  
13 DIRECTORS, TO INCLUDE NO LESS THAN 10 HOURS IN SCHOOL FINANCE  
14 AND POLICY PROVIDED BY A STATEWIDE ORGANIZATION SPECIALIZING  
15 IN SCHOOL FINANCE AND ADMINISTRATION AND APPROVED BY THE  
16 FINANCIAL ADMINISTRATOR.

17 (5) FACILITY MAINTENANCE AND IMPROVEMENT.

18 (D) FINANCIAL IMPROVEMENT PLAN REQUIREMENTS.--THE FINANCIAL  
19 ADMINISTRATOR SHALL REVIEW EXISTING SCHOOL POLICY AND PROCEDURE  
20 AND MAY REQUIRE CHANGES TO BE INCLUDED IN THE FINANCIAL  
21 IMPROVEMENT PLAN REGARDING:

22 (1) ACCOUNTING AND AUTOMATION PROCEDURES.

23 (2) PERMANENT STAFFING LEVELS.

24 (3) PERFORMANCE GOALS THAT ADMINISTRATIVE STAFF MUST  
25 MEET FOR CONTRACT RENEWAL.

26 (4) CHANGES IN SCHOOL DISTRICT POLICY.

27 (5) SALE, LEASE, CONVEYANCE, ASSIGNMENT OR DISPOSITION  
28 OF SCHOOL DISTRICT ASSETS.

29 (6) CONSOLIDATION OF EXISTING SCHOOL BUILDINGS, EXISTING  
30 NONINSTRUCTIONAL PROGRAMS OR OTHER SCHOOL DISTRICT SERVICES.

1           (7) GREATER USE OF INTERMEDIATE UNIT PROGRAMS.

2           (E) PLAN APPROVAL.--WHEN THE FINANCIAL ADMINISTRATOR  
3 COMPLETES THE FINANCIAL IMPROVEMENT PLAN, THE FINANCIAL  
4 ADMINISTRATOR SHALL SUBMIT THE PLAN TO THE SECRETARY FOR  
5 APPROVAL AND PROVIDE A COPY TO THE BOARD OF SCHOOL DIRECTORS.  
6 WITHIN 45 DAYS OF SUBMISSION OF THE PLAN, THE SECRETARY SHALL  
7 APPROVE OR DISAPPROVE THE PLAN. IF THE SECRETARY DISAPPROVES THE  
8 PLAN, THE SECRETARY SHALL INCLUDE SUGGESTED REVISIONS TO THE  
9 PLAN THAT WILL ALLOW FOR THE PLAN TO BE RESUBMITTED AND  
10 APPROVED.

11           (F) REPORT OF FINAL FINANCIAL IMPROVEMENT PLAN.--WHEN THE  
12 FINANCIAL IMPROVEMENT PLAN IS APPROVED BY THE SECRETARY, THE  
13 FINANCIAL ADMINISTRATOR AND THE SECRETARY SHALL PRESENT THE PLAN  
14 TO THE BOARD OF SCHOOL DIRECTORS AT A PUBLIC MEETING AND  
15 TRANSMIT COPIES OF THE PLAN TO THE GOVERNOR AND THE CHAIR AND  
16 MINORITY CHAIR OF THE APPROPRIATIONS COMMITTEE OF THE SENATE,  
17 THE CHAIR AND MINORITY CHAIR OF THE EDUCATION COMMITTEE OF THE  
18 SENATE, THE CHAIR AND MINORITY CHAIR OF THE APPROPRIATIONS  
19 COMMITTEE OF THE HOUSE OF REPRESENTATIVES AND THE CHAIR AND  
20 MINORITY CHAIR OF THE EDUCATION COMMITTEE OF THE HOUSE OF  
21 REPRESENTATIVES. THE SCHOOL DISTRICT SHALL POST THE FINAL  
22 FINANCIAL IMPROVEMENT PLAN AND ANY SUBSEQUENT REVISION ON THE  
23 SCHOOL DISTRICT'S PUBLICLY ACCESSIBLE INTERNET WEBSITE.

24           (G) IMPLEMENTATION OF FINANCIAL IMPROVEMENT PLAN.--

25           (1) THE BOARD OF SCHOOL DIRECTORS SHALL REOPEN THE  
26 SCHOOL DISTRICT'S BUDGET AND REVISE ITS BUDGET AND OTHER  
27 POLICIES TO REFLECT THE FINANCIAL IMPROVEMENT PLAN. FUTURE  
28 BUDGETS AND POLICIES SHALL ADHERE TO THE FINANCIAL  
29 IMPROVEMENT PLAN AS DETERMINED BY THE FINANCIAL  
30 ADMINISTRATOR.

1           (2) AT ANY TIME, THE FINANCIAL ADMINISTRATOR MAY MAKE  
2           REVISIONS TO THE PLAN AS NECESSARY WITH THE APPROVAL OF THE  
3           SECRETARY.

4           (H) NONCOMPLIANCE WITH FINANCIAL IMPROVEMENT PLAN.--IF THE  
5           FINANCIAL ADMINISTRATOR AND THE SECRETARY DETERMINE THAT THE  
6           BOARD OF SCHOOL DIRECTORS HAS NOT COMPLIED WITH THE PROVISIONS  
7           OF THE PLAN, THE FINANCIAL ADMINISTRATOR SHALL ASSUME THE  
8           AUTHORITY OF THE SCHOOL BOARD OF DIRECTORS, EXCEPT FOR THE  
9           AUTHORITY TO LEVY TAXES UNDER SECTION 507, AND IMPLEMENT THE  
10           PROVISIONS OF THE FINANCIAL IMPROVEMENT PLAN IN CONSULTATION  
11           WITH THE SECRETARY.

12           (I) REMOVAL FROM FINANCIAL WATCH STATUS.--THE FINANCIAL  
13           ADMINISTRATOR, UPON CONSULTATION WITH THE SECRETARY, MAY REMOVE  
14           THE SCHOOL DISTRICT FROM FINANCIAL WATCH STATUS AND, AT THAT  
15           TIME, THE PROVISIONS OF THIS SECTION SHALL NO LONGER APPLY TO  
16           THE SCHOOL DISTRICT.

17           SECTION 5. SECTIONS 732.1(A), 1006, 1073(B), 1077(B), 1124,  
18           1125.1 AND 1131 OF THE ACT ARE AMENDED TO READ:

19           SECTION 732.1. LIMITATION ON NEW APPLICATIONS FOR DEPARTMENT  
20           OF EDUCATION APPROVAL OF PUBLIC SCHOOL BUILDING PROJECTS.--(A)  
21           FOR THE 2012-2013 FISCAL YEAR [AND THE], 2013-2014 FISCAL YEAR  
22           AND 2017-2018 FISCAL YEAR, THE DEPARTMENT OF EDUCATION SHALL NOT  
23           ACCEPT OR APPROVE NEW SCHOOL BUILDING CONSTRUCTION OR  
24           RECONSTRUCTION PROJECT APPLICATIONS. [COMPLETED SCHOOL BUILDING  
25           CONSTRUCTION OR RECONSTRUCTION PROJECT APPLICATIONS RECEIVED BY  
26           THE DEPARTMENT OF EDUCATION BY OCTOBER 1, 2012, ARE NOT SUBJECT  
27           TO THIS PROVISION.]

28           \* \* \*

29           SECTION 1006. REPORTS.--EVERY DISTRICT SUPERINTENDENT SHALL  
30           [ANNUALLY, ON OR BEFORE THE FIRST MONDAY OF AUGUST, FORWARD TO

1 THE SUPERINTENDENT OF PUBLIC INSTRUCTION THE REPORTS OF THE  
2 SEVERAL SCHOOL DISTRICTS UNDER HIS SUPERVISION, AND SHALL  
3 ACCOMPANY THE SAME WITH SUCH EXTENDED REPORT OF THE PUBLIC  
4 SCHOOLS UNDER HIS SUPERVISION AS HE MAY THINK PROPER, SUGGESTING  
5 SUCH IMPROVEMENTS OR CHANGES IN THE PUBLIC SCHOOL SYSTEM AS HE  
6 MAY SEE FIT TO SUGGEST. HE SHALL FURTHER] FURNISH TO THE  
7 [SUPERINTENDENT OF PUBLIC INSTRUCTION] SECRETARY OF EDUCATION,  
8 WHENEVER REQUIRED SO TO DO, SUCH ADDITIONAL REPORTS AND  
9 INFORMATION AS THE [SUPERINTENDENT OF PUBLIC INSTRUCTION]  
10 SECRETARY OF EDUCATION MAY REQUEST.

11 SECTION 1073. MANNER OF ELECTION OR APPROVAL.--\* \* \*

12 (B) AT A [REGULAR] PUBLIC MEETING OF THE BOARD OF SCHOOL  
13 DIRECTORS OCCURRING AT LEAST [ONE HUNDRED FIFTY (150)] NINETY  
14 (90) DAYS PRIOR TO THE EXPIRATION DATE OF THE TERM OF OFFICE OF  
15 THE DISTRICT SUPERINTENDENT, THE AGENDA SHALL INCLUDE AN ITEM  
16 REQUIRING AFFIRMATIVE ACTION BY FIVE OR MORE MEMBERS OF THE  
17 BOARD OF SCHOOL DIRECTORS TO NOTIFY THE DISTRICT SUPERINTENDENT  
18 THAT THE BOARD INTENDS TO RETAIN HIM FOR A FURTHER TERM OF THREE  
19 (3) TO FIVE (5) YEARS OR THAT ANOTHER OR OTHER CANDIDATES WILL  
20 BE CONSIDERED FOR THE OFFICE. IN THE EVENT THAT THE BOARD FAILS  
21 TO TAKE SUCH ACTION AT A [REGULAR] PUBLIC MEETING OF THE BOARD  
22 OF SCHOOL DIRECTORS OCCURRING AT LEAST [ONE HUNDRED FIFTY (150)]  
23 NINETY (90) DAYS PRIOR TO THE EXPIRATION DATE OF THE TERM OF  
24 OFFICE OF THE DISTRICT SUPERINTENDENT, [HE SHALL CONTINUE IN  
25 OFFICE FOR A FURTHER TERM OF SIMILAR LENGTH TO THAT] THE TERM OF  
26 OFFICE WHICH HE IS CURRENTLY SERVING[.] SHALL BE EXTENDED ONE  
27 TIME FOR A ONE (1) YEAR PERIOD, UPON THE CONCLUSION OF WHICH THE  
28 TERM OF OFFICE SHALL TERMINATE UNLESS THE BOARD HAS TAKEN ACTION  
29 PRIOR TO THE END OF THE ONE (1) YEAR EXTENSION TO RETAIN THE  
30 DISTRICT SUPERINTENDENT FOR A FURTHER TERM AS PROVIDED IN THIS

1 SUBSECTION. THE NOTIFICATION SHALL NOT PREVENT THE  
2 SUPERINTENDENT FROM BEING CONSIDERED FOR OR APPOINTED TO A  
3 FURTHER TERM OF OFFICE NOTWITHSTANDING THE CONSIDERATION OF  
4 OTHER CANDIDATES.

5 \* \* \*

6 SECTION 1077. TERM AND SALARY OF ASSISTANTS.--\* \* \*

7 (B) AT A [REGULAR] PUBLIC MEETING OF THE BOARD OF SCHOOL  
8 DIRECTORS OCCURRING AT LEAST [ONE HUNDRED FIFTY (150)] NINETY  
9 (90) DAYS PRIOR TO THE EXPIRATION DATE OF THE TERM OF OFFICE OF  
10 THE ASSISTANT DISTRICT SUPERINTENDENT, THE AGENDA SHALL INCLUDE  
11 AN ITEM REQUIRING AFFIRMATIVE ACTION BY FIVE (5) OR MORE MEMBERS  
12 OF THE BOARD OF SCHOOL DIRECTORS TO NOTIFY THE ASSISTANT  
13 DISTRICT SUPERINTENDENT THAT THE BOARD INTENDS TO RETAIN HIM FOR  
14 A FURTHER TERM EXTENDING THROUGH THE TERM OF THE SCHOOL DISTRICT  
15 SUPERINTENDENT OR OF THREE (3) TO FIVE (5) YEARS OR INSTEAD THAT  
16 ANOTHER OR OTHER CANDIDATES WILL BE CONSIDERED FOR THE OFFICE.  
17 IN THE EVENT THAT THE BOARD FAILS TO TAKE SUCH ACTION AT A  
18 [REGULAR] PUBLIC MEETING OF THE BOARD OF SCHOOL DIRECTORS  
19 OCCURRING AT LEAST [ONE HUNDRED FIFTY (150)] NINETY (90) DAYS  
20 PRIOR TO THE EXPIRATION DATE OF THE TERM OF OFFICE OF THE  
21 ASSISTANT DISTRICT SUPERINTENDENT, [HE SHALL CONTINUE IN OFFICE  
22 FOR A FURTHER TERM OF SIMILAR LENGTH TO THAT] THE TERM OF OFFICE  
23 WHICH HE IS CURRENTLY SERVING[.] SHALL BE EXTENDED ONE TIME FOR  
24 A ONE (1) YEAR PERIOD, UPON THE CONCLUSION OF WHICH THE TERM OF  
25 OFFICE SHALL TERMINATE UNLESS THE BOARD HAS TAKEN ACTION PRIOR  
26 TO THE END OF THE ONE (1) YEAR EXTENSION TO RETAIN THE ASSISTANT  
27 DISTRICT SUPERINTENDENT FOR A FURTHER TERM AS PROVIDED IN THIS  
28 SUBSECTION. THE NOTIFICATION SHALL NOT PREVENT THE ASSISTANT  
29 DISTRICT SUPERINTENDENT FROM BEING CONSIDERED FOR OR APPOINTED  
30 TO A FURTHER TERM OF OFFICE NOTWITHSTANDING THE CONSIDERATION OF

1 OTHER CANDIDATES.

2 SECTION 1124. CAUSES FOR SUSPENSION.-- (A) ANY BOARD OF  
3 SCHOOL DIRECTORS MAY SUSPEND THE NECESSARY NUMBER OF  
4 PROFESSIONAL EMPLOYES, FOR ANY OF THE CAUSES HEREINAFTER  
5 ENUMERATED:

6 (1) SUBSTANTIAL DECREASE IN PUPIL ENROLLMENT IN THE SCHOOL  
7 DISTRICT;

8 (2) CURTAILMENT OR ALTERATION OF THE EDUCATIONAL PROGRAM ON  
9 RECOMMENDATION OF THE SUPERINTENDENT AND ON CONCURRENCE BY THE  
10 BOARD OF SCHOOL DIRECTORS, AS A RESULT OF SUBSTANTIAL DECLINE IN  
11 CLASS OR COURSE ENROLLMENTS OR TO CONFORM WITH STANDARDS OF  
12 ORGANIZATION OR EDUCATIONAL ACTIVITIES REQUIRED BY LAW OR  
13 RECOMMENDED BY THE DEPARTMENT OF [PUBLIC INSTRUCTION] EDUCATION;

14 (3) CONSOLIDATION OF SCHOOLS, WHETHER WITHIN A SINGLE  
15 DISTRICT, THROUGH A MERGER OF DISTRICTS, OR AS A RESULT OF JOINT  
16 BOARD AGREEMENTS, WHEN SUCH CONSOLIDATION MAKES IT UNNECESSARY  
17 TO RETAIN THE FULL STAFF OF PROFESSIONAL EMPLOYES; [OR]

18 (4) WHEN NEW SCHOOL DISTRICTS ARE ESTABLISHED AS THE RESULT  
19 OF REORGANIZATION OF SCHOOL DISTRICTS PURSUANT TO ARTICLE II.,  
20 SUBDIVISION (I) OF THIS ACT, AND WHEN SUCH REORGANIZATION MAKES  
21 IT UNNECESSARY TO RETAIN THE FULL STAFF OF PROFESSIONAL  
22 EMPLOYES[.]; OR

23 (5) ECONOMIC REASONS THAT REQUIRE A REDUCTION IN  
24 PROFESSIONAL EMPLOYES.

25 (A.1) THE FOLLOWING APPLY:

26 (1) A SCHOOL DISTRICT MAY NOT USE AN EMPLOYEE'S COMPENSATION  
27 IN DETERMINING WHICH PROFESSIONAL EMPLOYEES TO SUSPEND, BUT SHALL  
28 USE THE PROCEDURES IN SECTION 1125.1 TO DETERMINE THE ORDER IN  
29 WHICH PROFESSIONAL EMPLOYEES ARE SUSPENDED.

30 (2) A CHIEF SCHOOL ADMINISTRATOR OR OTHER ADMINISTRATOR WHO

1 KNOWINGLY APPROVES A SUSPENSION THAT VIOLATES PARAGRAPH (1)  
2 SHALL HAVE A LETTER FROM THE SECRETARY OF EDUCATION INDICATING  
3 THE VIOLATION INCLUDED AS PART OF THE INDIVIDUAL'S PERMANENT  
4 EMPLOYMENT RECORD.

5 (B) NOTWITHSTANDING AN EXISTING OR FUTURE PROVISION IN A  
6 COLLECTIVE BARGAINING AGREEMENT OR OTHER SIMILAR EMPLOYMENT  
7 CONTRACT TO THE CONTRARY, SUSPENSION OF A PROFESSIONAL EMPLOYEE  
8 DUE TO THE CURTAILMENT OR ALTERATION OF THE EDUCATIONAL PROGRAM  
9 AS SET FORTH IN SUBSECTION (A) (2) MAY BE EFFECTUATED WITHOUT THE  
10 APPROVAL OF THE CURTAILMENT OR ALTERATION OF THE EDUCATIONAL  
11 PROGRAM BY THE DEPARTMENT OF EDUCATION, PROVIDED THAT, WHERE AN  
12 EDUCATIONAL PROGRAM IS ALTERED OR CURTAILED AS SET FORTH IN  
13 SUBSECTION (A) (2), THE SCHOOL DISTRICT SHALL NOTIFY THE  
14 DEPARTMENT OF EDUCATION OF THE ACTIONS TAKEN PURSUANT TO  
15 SUBSECTION (A) (2). THE DEPARTMENT OF EDUCATION SHALL POST ALL  
16 NOTIFICATIONS RECEIVED FROM A SCHOOL DISTRICT PURSUANT TO THIS  
17 SUBSECTION ON THE DEPARTMENT OF EDUCATION'S PUBLICLY ACCESSIBLE  
18 INTERNET WEBSITE.

19 (C) THE FOLLOWING SHALL APPLY IN THE CASE OF A SUSPENSION  
20 PURSUANT TO SUBSECTION (A) (5) IN WHICH A BOARD OF SCHOOL  
21 DIRECTORS SUSPENDS PROFESSIONAL EMPLOYEES WHO ARE ASSIGNED TO  
22 PROVIDE INSTRUCTION DIRECTLY TO STUDENTS:

23 (1) A BOARD OF SCHOOL DIRECTORS MAY SUSPEND THE NECESSARY  
24 NUMBER OF PROFESSIONAL EMPLOYEES ASSIGNED TO PROVIDE INSTRUCTION  
25 DIRECTLY TO STUDENTS ONLY IF THE BOARD OF SCHOOL DIRECTORS ALSO  
26 SUSPENDS AT LEAST AN EQUAL PERCENTAGE PROPORTION OF  
27 ADMINISTRATIVE STAFF.

28 (2) THE SECRETARY OF EDUCATION MAY GRANT A BOARD OF SCHOOL  
29 DIRECTORS A WAIVER OF PARAGRAPH (1) IF ALL OF THE FOLLOWING  
30 APPLY:

1 (I) THE SECRETARY OF EDUCATION DETERMINES THAT THE SCHOOL  
2 DISTRICT'S OPERATIONS ARE ALREADY SUFFICIENTLY STREAMLINED OR  
3 THE SUSPENSION OF ADMINISTRATIVE STAFF PURSUANT TO PARAGRAPH (1)  
4 WOULD CAUSE HARM TO SCHOOL STABILITY AND STUDENT PROGRAMS.

5 (II) THE SECRETARY OF EDUCATION SUBMITS THE DETERMINATION TO  
6 THE STATE BOARD OF EDUCATION.

7 (III) THE STATE BOARD OF EDUCATION APPROVES THE  
8 DETERMINATION BY A MAJORITY OF ITS MEMBERS.

9 (3) ANY FIVE ADMINISTRATIVE STAFF POSITIONS SELECTED BY THE  
10 BOARD OF SCHOOL DIRECTORS, ONE OF WHOM SHALL BE THE BUSINESS  
11 MANAGER OF THE SCHOOL DISTRICT OR ANOTHER STAFF MEMBER WITH THE  
12 PRIMARY RESPONSIBILITY OF MANAGING THE BUSINESS OPERATIONS OF  
13 THE SCHOOL DISTRICT, SHALL BE EXEMPT FROM THE REQUIREMENTS OF  
14 PARAGRAPH (1).

15 (D) A BOARD OF SCHOOL DIRECTORS MAY SUSPEND PROFESSIONAL  
16 EMPLOYES PURSUANT TO SUBSECTION (A) (5) ONLY IF ALL OF THE  
17 FOLLOWING APPLY:

18 (1) THE BOARD OF SCHOOL DIRECTORS APPROVES THE PROPOSED  
19 SUSPENSIONS BY A MAJORITY VOTE OF ALL SCHOOL DIRECTORS AT A  
20 PUBLIC MEETING OF THE BOARD OF SCHOOL DIRECTORS.

21 (2) NO LATER THAN SIXTY (60) DAYS PRIOR TO THE DATE OF  
22 ADOPTION OF A FINAL BUDGET, THE BOARD OF SCHOOL DIRECTORS HAS  
23 ADOPTED A RESOLUTION OF INTENT TO SUSPEND PROFESSIONAL EMPLOYES  
24 IN THE FOLLOWING FISCAL YEAR, WHICH SHALL SET FORTH THE  
25 FOLLOWING:

26 (I) THE ECONOMIC CONDITIONS OF THE SCHOOL DISTRICT MAKING  
27 THE PROPOSED SUSPENSIONS NECESSARY AND HOW THOSE ECONOMIC  
28 CONDITIONS WILL BE ALLEVIATED BY THE PROPOSED SUSPENSIONS,  
29 INCLUDING:

30 (A) THE TOTAL COST SAVINGS EXPECTED TO RESULT FROM THE

1 PROPOSED SUSPENSIONS.

2 (B) A DESCRIPTION OF OTHER COST-SAVING ACTIONS TAKEN BY THE  
3 BOARD OF SCHOOL DIRECTORS, IF ANY.

4 (C) THE PROJECTED EXPENDITURES OF THE SCHOOL DISTRICT FOR  
5 THE FOLLOWING FISCAL YEAR WITH AND WITHOUT THE PROPOSED  
6 SUSPENSIONS.

7 (D) THE PROJECTED TOTAL REVENUES OF THE SCHOOL DISTRICT FOR  
8 THE FOLLOWING FISCAL YEAR.

9 (II) THE NUMBER AND PERCENTAGE OF EMPLOYEES TO BE SUSPENDED  
10 WHO ARE PROFESSIONAL EMPLOYEES ASSIGNED TO PROVIDE INSTRUCTION  
11 DIRECTLY TO STUDENTS.

12 (III) THE NUMBER AND PERCENTAGE OF EMPLOYEES TO BE SUSPENDED  
13 WHO ARE ADMINISTRATIVE STAFF.

14 (IV) THE NUMBER AND PERCENTAGE OF EMPLOYEES TO BE SUSPENDED  
15 WHO ARE PROFESSIONAL EMPLOYEES WHO ARE NOT ASSIGNED TO PROVIDE  
16 INSTRUCTION DIRECTLY TO STUDENTS AND WHO ARE NOT ADMINISTRATIVE  
17 STAFF.

18 (V) THE IMPACT OF THE PROPOSED SUSPENSIONS ON ACADEMIC  
19 PROGRAMS TO BE OFFERED TO STUDENTS FOLLOWING THE PROPOSED  
20 SUSPENSIONS, AS WELL AS THE IMPACT ON ACADEMIC PROGRAMS TO BE  
21 OFFERED TO STUDENTS IF THE PROPOSED SUSPENSIONS ARE NOT  
22 UNDERTAKEN, COMPARED TO THE CURRENT SCHOOL YEAR, AND THE  
23 ACTIONS, IF ANY, THAT WILL BE TAKEN TO MINIMIZE THE IMPACT ON  
24 STUDENT ACHIEVEMENT.

25 (E) FOLLOWING THE 2021-2022 SCHOOL YEAR, THE LEGISLATIVE  
26 BUDGET AND FINANCE COMMITTEE SHALL CONDUCT A STUDY OF THE  
27 EFFECTIVENESS OF THE PROVISIONS OF SUBSECTIONS (A) (5), (C) AND  
28 (D) AND SECTION 1125.1, INCLUDING WHETHER THESE PROVISIONS OF  
29 LAW ARE BEING USED EFFECTIVELY BY SCHOOL DISTRICTS TO IMPROVE  
30 SCHOOL DISTRICT EFFICIENCY AND THE IMPACT OF THESE PROVISIONS ON

1 PROGRAMS OFFERED TO STUDENTS, AS WELL AS THE IMPACT ON PROGRAMS  
2 THAT WOULD HAVE BEEN OFFERED TO STUDENTS IF THESE PROVISIONS HAD  
3 NOT BEEN ENACTED, IF SUCH INFORMATION IS AVAILABLE, AND SHALL  
4 DELIVER A WRITTEN REPORT OF ITS FINDINGS TO THE GOVERNOR, THE  
5 CHAIRPERSON AND MINORITY CHAIRPERSON OF THE EDUCATION COMMITTEE  
6 OF THE SENATE AND THE CHAIRPERSON AND MINORITY CHAIRPERSON OF  
7 THE EDUCATION COMMITTEE OF THE HOUSE OF REPRESENTATIVES BY  
8 DECEMBER 31, 2022.

9 (F) THE FOLLOWING APPLY:

10 (1) A COLLECTIVE BARGAINING AGREEMENT NEGOTIATED BY A SCHOOL  
11 DISTRICT AND AN EXCLUSIVE REPRESENTATIVE OF PROFESSIONAL  
12 EMPLOYES IN ACCORDANCE WITH THE ACT OF JULY 23, 1970 (P.L.563,  
13 NO.195), KNOWN AS THE "PUBLIC EMPLOYE RELATIONS ACT," AFTER THE  
14 EFFECTIVE DATE OF THIS SUBSECTION MAY NOT PROHIBIT THE  
15 SUSPENSION OF PROFESSIONAL EMPLOYES FOR ECONOMIC REASONS OTHER  
16 THAN AS PROVIDED FOR IN THIS SECTION.

17 (2) A PROVISION IN ANY AGREEMENT OR CONTRACT IN EFFECT ON  
18 THE EFFECTIVE DATE OF THIS SUBSECTION THAT PROHIBITS THE  
19 SUSPENSION OF PROFESSIONAL EMPLOYES FOR ECONOMIC REASONS IN  
20 CONFLICT WITH THIS SECTION SHALL BE DISCONTINUED IN ANY NEW OR  
21 RENEWED AGREEMENT OR CONTRACT OR DURING THE PERIOD OF STATUS QUO  
22 FOLLOWING AN EXPIRED CONTRACT.

23 SECTION 1125.1. PERSONS TO BE SUSPENDED.-- (A) PROFESSIONAL  
24 EMPLOYES SHALL BE SUSPENDED UNDER SECTION 1124 [(RELATING TO  
25 CAUSES FOR SUSPENSION) IN INVERSE ORDER OF SENIORITY WITHIN THE  
26 SCHOOL ENTITY OF CURRENT EMPLOYMENT. APPROVED LEAVES OF ABSENCE  
27 SHALL NOT CONSTITUTE A BREAK IN SERVICE FOR PURPOSES OF  
28 COMPUTING SENIORITY FOR SUSPENSION PURPOSES.] IN THE FOLLOWING  
29 ORDER, WITHIN THE AREA OF CERTIFICATION REQUIRED BY LAW FOR THE  
30 PROFESSIONAL EMPLOYEE'S CURRENT POSITION:

1 (1) EACH PROFESSIONAL EMPLOYEE WHO RECEIVED, ON THE  
2 PROFESSIONAL EMPLOYEE'S TWO MOST RECENT ANNUAL PERFORMANCE  
3 EVALUATIONS, CONSECUTIVE RATINGS THAT ARE CONSIDERED  
4 UNSATISFACTORY PURSUANT TO SECTION 1123 SHALL BE SUSPENDED  
5 FIRST.

6 (2) AFTER SUSPENDING PROFESSIONAL EMPLOYEES UNDER PARAGRAPH  
7 (1), EACH PROFESSIONAL EMPLOYEE WHO RECEIVED, ON THE PROFESSIONAL  
8 EMPLOYEE'S TWO MOST RECENT ANNUAL PERFORMANCE EVALUATIONS, ONE  
9 RATING THAT IS CONSIDERED UNSATISFACTORY PURSUANT TO SECTION  
10 1123 AND ONE RATING THAT IS CONSIDERED SATISFACTORY PURSUANT TO  
11 SECTION 1123 SHALL BE SUSPENDED SECOND.

12 (3) AFTER SUSPENDING PROFESSIONAL EMPLOYEES PURSUANT TO  
13 PARAGRAPH (2), EACH PROFESSIONAL EMPLOYEE WHO RECEIVED, ON THE  
14 PROFESSIONAL EMPLOYEE'S TWO MOST RECENT ANNUAL PERFORMANCE  
15 EVALUATIONS, CONSECUTIVE RATINGS WHICH ARE CONSIDERED  
16 SATISFACTORY PURSUANT TO SECTION 1123 AND WHICH ARE EITHER  
17 CONSECUTIVE RATINGS OF "PROFICIENT" OR A COMBINATION OF ONE  
18 RATING OF "PROFICIENT" OR "DISTINGUISHED" AND ONE RATING OF  
19 "NEEDS IMPROVEMENT" PURSUANT TO SECTION 1123 SHALL BE SUSPENDED  
20 THIRD.

21 (4) AFTER SUSPENDING PROFESSIONAL EMPLOYEES PURSUANT TO  
22 PARAGRAPH (3), EACH PROFESSIONAL EMPLOYEE WHO RECEIVED, ON THE  
23 PROFESSIONAL EMPLOYEE'S TWO MOST RECENT ANNUAL PERFORMANCE  
24 EVALUATIONS, CONSECUTIVE RATINGS WHICH ARE CONSIDERED  
25 SATISFACTORY PURSUANT TO SECTION 1123, AND WHICH ARE CONSECUTIVE  
26 RATINGS OF "DISTINGUISHED" OR A COMBINATION OF ONE RATING OF  
27 "PROFICIENT" AND ONE RATING OF "DISTINGUISHED" PURSUANT TO  
28 SECTION 1123 SHALL BE SUSPENDED LAST.

29 (A.1) WHEN MORE PROFESSIONAL EMPLOYEES RECEIVE THE SAME  
30 OVERALL PERFORMANCE RATING THAN THERE ARE SUSPENSIONS, SENIORITY

1 WITHIN THE SCHOOL ENTITY AND WITHIN THE AREA OF CERTIFICATION  
2 REQUIRED BY LAW FOR THE PROFESSIONAL EMPLOYEE'S CURRENT POSITION  
3 SHALL BE USED TO DETERMINE SUSPENSIONS AMONG PROFESSIONAL  
4 EMPLOYEES WITH THE SAME OVERALL PERFORMANCE RATING ON THE  
5 PROFESSIONAL EMPLOYEE'S TWO MOST RECENT ANNUAL PERFORMANCE  
6 EVALUATIONS PURSUANT TO SECTION 1123. AN APPROVED LEAVE OF  
7 ABSENCE SHALL NOT CONSTITUTE A BREAK IN SERVICE FOR PURPOSES OF  
8 COMPUTING SENIORITY FOR SUSPENSION PURPOSES.

9 (A.2) SENIORITY SHALL CONTINUE TO ACCRUE DURING SUSPENSION  
10 AND ALL APPROVED LEAVES OF ABSENCE.

11 (B) WHERE THERE IS OR HAS BEEN A CONSOLIDATION OF SCHOOLS,  
12 DEPARTMENTS OR PROGRAMS, ALL PROFESSIONAL EMPLOYEES SHALL RETAIN  
13 THE SENIORITY RIGHTS THEY HAD PRIOR TO THE REORGANIZATION OR  
14 CONSOLIDATION.

15 [(C) A SCHOOL ENTITY SHALL REALIGN ITS PROFESSIONAL STAFF SO  
16 AS TO INSURE THAT MORE SENIOR EMPLOYEES ARE PROVIDED WITH THE  
17 OPPORTUNITY TO FILL POSITIONS FOR WHICH THEY ARE CERTIFICATED  
18 AND WHICH ARE BEING FILLED BY LESS SENIOR EMPLOYEES.]

19 (D) THE FOLLOWING APPLY:

20 (1) NO SUSPENDED EMPLOYEE SHALL BE PREVENTED FROM ENGAGING IN  
21 ANOTHER OCCUPATION DURING THE PERIOD OF SUSPENSION.

22 (2) SUSPENDED PROFESSIONAL EMPLOYEES OR PROFESSIONAL EMPLOYEES  
23 DEMOTED FOR THE REASONS SET FORTH IN SECTION 1124 SHALL BE  
24 REINSTATED [ON THE BASIS OF THEIR SENIORITY WITHIN THE SCHOOL  
25 ENTITY.] IN THE FOLLOWING ORDER, WITHIN THE AREA OF  
26 CERTIFICATION REQUIRED BY LAW FOR THE VACANCY BEING FILLED AND  
27 WITHIN THE SCHOOL ENTITY:

28 (I) PROFESSIONAL EMPLOYEES SUSPENDED PURSUANT TO SUBSECTION  
29 (A) (4) SHALL BE REINSTATED FIRST, ON THE BASIS OF THEIR  
30 SENIORITY WITHIN THE SCHOOL ENTITY.

1 (II) AFTER REINSTATING PROFESSIONAL EMPLOYES UNDER SUBCLAUSE  
2 (I), PROFESSIONAL EMPLOYES SUSPENDED PURSUANT TO SUBSECTION (A)  
3 (3) SHALL BE REINSTATED SECOND, ON THE BASIS OF THEIR SENIORITY  
4 WITHIN THE SCHOOL ENTITY.

5 (III) AFTER REINSTATING PROFESSIONAL EMPLOYES UNDER  
6 SUBCLAUSE (II), PROFESSIONAL EMPLOYES SUSPENDED PURSUANT TO  
7 SUBSECTION (A) (2) SHALL BE REINSTATED THIRD, ON THE BASIS OF  
8 THEIR SENIORITY WITHIN THE SCHOOL ENTITY.

9 (IV) AFTER REINSTATING PROFESSIONAL EMPLOYES UNDER SUBCLAUSE  
10 (III), PROFESSIONAL EMPLOYES SUSPENDED PURSUANT TO SUBSECTION  
11 (A) (1) SHALL BE REINSTATED LAST, ON THE BASIS OF THEIR SENIORITY  
12 WITHIN THE SCHOOL ENTITY.

13 NO NEW APPOINTMENT SHALL BE MADE WHILE THERE IS SUCH A SUSPENDED  
14 OR DEMOTED PROFESSIONAL EMPLOYEE AVAILABLE WHO IS PROPERLY  
15 CERTIFICATED TO FILL SUCH VACANCY. FOR THE PURPOSE OF THIS  
16 SUBSECTION, POSITIONS FROM WHICH PROFESSIONAL EMPLOYES ARE ON  
17 APPROVED LEAVES OF ABSENCE SHALL ALSO BE CONSIDERED TEMPORARY  
18 VACANCIES.

19 (3) TO BE CONSIDERED AVAILABLE A SUSPENDED PROFESSIONAL  
20 EMPLOYEE MUST ANNUALLY REPORT TO THE GOVERNING BOARD IN WRITING  
21 HIS CURRENT ADDRESS AND HIS INTENT TO ACCEPT THE SAME OR SIMILAR  
22 POSITION WHEN OFFERED.

23 (4) A SUSPENDED EMPLOYEE ENROLLED IN A COLLEGE PROGRAM DURING  
24 A PERIOD OF SUSPENSION AND WHO IS RECALLED SHALL BE GIVEN THE  
25 OPTION OF DELAYING HIS RETURN TO SERVICE UNTIL THE END OF THE  
26 CURRENT SEMESTER.

27 (E) NOTHING CONTAINED IN [SECTION 1125.1(A) THROUGH (D)]  
28 THIS SECTION SHALL BE CONSTRUED TO:

29 (1) LIMIT THE CAUSE FOR WHICH A TEMPORARY PROFESSIONAL  
30 EMPLOYEE MAY BE SUSPENDED; OR

1       (2) SUPERSEDE OR PREEMPT ANY PROVISIONS OF A COLLECTIVE  
2 BARGAINING AGREEMENT NEGOTIATED BY A SCHOOL ENTITY AND AN  
3 EXCLUSIVE REPRESENTATIVE OF THE EMPLOYEES IN ACCORDANCE WITH THE  
4 ACT OF JULY 23, 1970 (P.L.563, NO.195), KNOWN AS THE "PUBLIC  
5 EMPLOYE RELATIONS ACT"; HOWEVER, NO AGREEMENT SHALL PROHIBIT THE  
6 RIGHT OF A PROFESSIONAL EMPLOYE WHO IS NOT A MEMBER OF A  
7 BARGAINING UNIT FROM RETAINING SENIORITY RIGHTS UNDER THE  
8 PROVISIONS OF THIS ACT.

9       (F) A DECISION TO SUSPEND IN ACCORDANCE WITH THIS SECTION  
10 SHALL BE CONSIDERED AN ADJUDICATION WITHIN THE MEANING OF THE  
11 "LOCAL AGENCY LAW."

12       (G) THE FOLLOWING APPLY:

13       (1) NO COLLECTIVE BARGAINING AGREEMENT NEGOTIATED BY A  
14 SCHOOL DISTRICT AND AN EXCLUSIVE REPRESENTATIVE OF THE EMPLOYEES  
15 IN ACCORDANCE WITH THE "PUBLIC EMPLOYE RELATIONS ACT" AFTER THE  
16 EFFECTIVE DATE OF THIS SUBSECTION SHALL PROVIDE FOR SUSPENDING,  
17 REINSTATING OR REALIGNING PROFESSIONAL EMPLOYEES BASED ON  
18 SENIORITY OTHER THAN AS PROVIDED FOR IN THIS SECTION.

19       (2) UPON THE EXPIRATION, AMENDMENT OR ADOPTION OF ANY  
20 AGREEMENT OR CONTRACT, A PROVISION THAT PROVIDES FOR SUSPENDING,  
21 REINSTATING OR REALIGNING PROFESSIONAL EMPLOYEES BASED ON  
22 SENIORITY IN CONFLICT WITH SECTION 1124 OR THIS SECTION SHALL BE  
23 DISCONTINUED IN ANY NEW OR RENEWED AGREEMENT OR CONTRACT OR  
24 DURING THE PERIOD OF STATUS QUO FOLLOWING AN EXPIRED CONTRACT.

25       SECTION 1131. APPEALS TO [SUPERINTENDENT OF PUBLIC  
26 INSTRUCTION] SECRETARY OF EDUCATION.--IN CASE THE PROFESSIONAL  
27 EMPLOYE CONCERNED CONSIDERS HIMSELF OR HERSELF AGGRIEVED BY THE  
28 ACTION OF THE BOARD OF SCHOOL DIRECTORS, AN APPEAL BY PETITION,  
29 SETTING FORTH THE GROUNDS FOR SUCH APPEAL, MAY BE TAKEN TO THE  
30 [SUPERINTENDENT OF PUBLIC INSTRUCTION] SECRETARY OF EDUCATION AT

1 HARRISBURG. SUCH APPEAL SHALL BE FILED WITHIN [THIRTY (30)]  
2 FIFTEEN (15) DAYS AFTER RECEIPT BY REGISTERED MAIL OF THE  
3 WRITTEN NOTICE OF THE DECISION OF THE BOARD. A COPY OF SUCH  
4 APPEAL SHALL BE SERVED BY REGISTERED MAIL ON THE SECRETARY OF  
5 THE SCHOOL BOARD.

6 THE [SUPERINTENDENT OF PUBLIC INSTRUCTION] SECRETARY OF  
7 EDUCATION SHALL FIX A DAY AND TIME FOR HEARING, WHICH SHALL BE  
8 NOT SOONER THAN TEN (10) DAYS NOR MORE THAN THIRTY (30) DAYS  
9 AFTER PRESENTATION OF SUCH PETITION, AND SHALL GIVE WRITTEN  
10 NOTICE TO ALL PARTIES INTERESTED.

11 THE [SUPERINTENDENT OF PUBLIC INSTRUCTION] SECRETARY OF  
12 EDUCATION SHALL REVIEW THE OFFICIAL TRANSCRIPT OF THE RECORD OF  
13 THE HEARING BEFORE THE BOARD, AND MAY HEAR AND CONSIDER SUCH  
14 ADDITIONAL TESTIMONY AS HE MAY DEEM ADVISABLE TO ENABLE HIM TO  
15 MAKE A PROPER ORDER. AT SAID HEARING THE LITIGANTS SHALL HAVE  
16 THE RIGHT TO BE HEARD IN PERSON OR BY COUNSEL OR BOTH.

17 AFTER HEARING AND ARGUMENT AND REVIEWING ALL THE TESTIMONY  
18 FILED OR TAKEN BEFORE HIM, THE [SUPERINTENDENT OF PUBLIC  
19 INSTRUCTION] SECRETARY OF EDUCATION SHALL ENTER SUCH ORDER,  
20 EITHER AFFIRMING OR REVERSING THE ACTION OF THE BOARD OF SCHOOL  
21 DIRECTORS, AS TO HIM APPEARS JUST AND PROPER.

22 SECTION 6. SECTION 1204 OF THE ACT, AMENDED JULY 13, 2016  
23 (P.L.716, NO.86), IS AMENDED TO READ:

24 SECTION 1204. GRANTING PROVISIONAL COLLEGE CERTIFICATES.--  
25 THE SECRETARY OF EDUCATION MAY GRANT A PROVISIONAL COLLEGE  
26 CERTIFICATE TO EVERY PERSON WHO PRESENTS TO THE DEPARTMENT OF  
27 EDUCATION SATISFACTORY EVIDENCE OF GOOD MORAL CHARACTER, AND OF  
28 BEING A GRADUATE OF AN APPROVED COLLEGE OR UNIVERSITY, WHO HAS  
29 COMPLETED SUCH WORK IN EDUCATION AS MAY BE REQUIRED BY THE  
30 STANDARDS OF THE STATE BOARD OF EDUCATION, AND TO EVERY PERSON

1 WHO PRESENTS TO THE DEPARTMENT OF EDUCATION SATISFACTORY  
2 EVIDENCE OF GOOD MORAL CHARACTER, AND OF BEING A GRADUATE OF  
3 MUSIC, WITH THE DEGREE OF BACHELOR OF MUSIC OF AN APPROVED  
4 COLLEGE OR UNIVERSITY, WHO HAS DURING SUCH MUSICAL COURSE  
5 COMPLETED THE PRESCRIBED NUMBER OF HOURS OF PROFESSIONAL  
6 STUDIES, WHICH CERTIFICATE SHALL ENTITLE THE INDIVIDUAL TO TEACH  
7 FOR THREE ANNUAL SCHOOL TERMS, AND MAY BE RENEWED FOR ONE  
8 ADDITIONAL THREE-YEAR PERIOD IN ACCORDANCE WITH STANDARDS TO BE  
9 ESTABLISHED BY THE STATE BOARD OF EDUCATION. THE DEPARTMENT OF  
10 EDUCATION SHALL PROCESS AN APPLICATION FOR PROVISIONAL COLLEGE  
11 CERTIFICATION SUBMITTED BY AN INDIVIDUAL WHO IS A MEMBER OF THE  
12 UNITED STATES ARMED FORCES, INCLUDING A RESERVE COMPONENT OR  
13 NATIONAL GUARD, OR A VETERAN, OR THE SPOUSE OF THE MEMBER OF THE  
14 UNITED STATES ARMED FORCES OR THE SPOUSE OF THE VETERAN, WITHIN  
15 FOURTEEN (14) DAYS OF THE DATE THE DEPARTMENT RECEIVED THE  
16 COMPLETED APPLICATION. FOR THE PURPOSES OF THIS SECTION, THE  
17 TERM "VETERAN" SHALL MEAN AN INDIVIDUAL WHO HAS SERVED IN THE  
18 UNITED STATES ARMED FORCES, INCLUDING A RESERVE COMPONENT OR  
19 NATIONAL GUARD, AND WHO WAS DISCHARGED OR RELEASED FROM SUCH  
20 SERVICE UNDER CONDITIONS OTHER THAN DISHONORABLE.

21 SECTION 7. SECTIONS 1216 AND 1337(D) OF THE ACT ARE AMENDED  
22 TO READ:

23 SECTION 1216. EVALUATION OF APPLICATIONS FOR  
24 CERTIFICATION.--(A) ALL APPLICATIONS FOR CERTIFICATION SHALL BE  
25 EVALUATED IN THEIR ENTIRETY. THE DEPARTMENT OF EDUCATION SHALL  
26 NOTIFY THE APPLICANT IF THE APPLICATION IS INCOMPLETE AND  
27 INCLUDE A LISTING OF ALL MATERIALS OR INFORMATION NEEDED TO  
28 COMPLETE THE APPLICATION. THE APPLICANT'S PENDING APPLICATION  
29 SHALL REMAIN OPEN FOR ONE YEAR FOLLOWING THE DATE OF SUCH  
30 NOTIFICATION. NO LETTER OF DENIAL OF CERTIFICATION SHALL BE

1 ISSUED UNLESS ALL DEFICIENCIES IN THE APPLICATION ARE STATED IN  
2 THE LETTER OF DENIAL.

3 (B) THE GRADE POINT AVERAGE USED BY THE DEPARTMENT IN  
4 EVALUATING THE GRADE POINT AVERAGE REQUIREMENTS FOR  
5 CERTIFICATION PURSUANT TO 22 PA. CODE § 354.24 (RELATING TO  
6 ACADEMIC PERFORMANCE) SHALL BE AS FOLLOWS:

7 (1) FOR APPLICANTS WHOSE INITIAL PREPARATION CULMINATED IN A  
8 BACHELOR'S DEGREE OR HIGHER PRIOR TO OCTOBER 7, 2000, THE GRADE  
9 POINT AVERAGE IN EFFECT ON THE DATE OF APPLICATION FOR  
10 CERTIFICATION.

11 (2) FOR APPLICANTS WHOSE INITIAL PREPARATION CULMINATES IN A  
12 BACHELOR'S DEGREE OR HIGHER ON OR AFTER OCTOBER 7, 2000, THE  
13 GRADE POINT AVERAGE IN EFFECT ON THE DATE OF GRADUATION.

14 (C) A TEACHER PREPARATION PROGRAM APPROVED BY THE DEPARTMENT  
15 OF EDUCATION SHALL RECOMMEND APPLICANTS FOR CERTIFICATION WHO  
16 MEET EITHER OF THE STANDARDS FOR GRADE POINT AVERAGE SET FORTH  
17 IN 22 PA. CODE § 354.33(5) OR (6) (RELATING TO PROFESSIONAL  
18 COMPETENCY).

19 (D) (1) A TEACHER PREPARATION PROGRAM APPROVED BY THE  
20 DEPARTMENT OF EDUCATION SHALL NOT REQUIRE A STUDENT ENROLLED IN  
21 THE PROGRAM TO OBTAIN A PASSING SCORE ON AN ASSESSMENT  
22 ADMINISTERED PURSUANT TO 22 PA. CODE § 49.18 (RELATING TO  
23 ASSESSMENT) AS A CONDITION OF PROGRAM COMPLETION OR GRADUATION  
24 OR INCLUDE THE STUDENT'S SCORE ON THE ASSESSMENT AS A COMPONENT  
25 OF A STUDENT'S GRADE IN ANY COURSE, PROVIDED THAT THE  
26 OBSERVATIONAL ASSESSMENT OF PROFESSIONAL KNOWLEDGE AND PRACTICE  
27 MAY BE INCLUDED AS A COMPONENT OF A STUDENT'S STUDENT TEACHING  
28 GRADE.

29 (2) SUBJECT TO SECTION 1207.3(A), A TEACHER PREPARATION  
30 PROGRAM APPROVED BY THE DEPARTMENT OF EDUCATION SHALL NOT

1 INCLUDE A STUDENT'S SCORE ON THE ASSESSMENT OF BASIC SKILLS  
2 ADMINISTERED PURSUANT TO 22 PA. CODE § 49.18 AS A COMPONENT OF A  
3 STUDENT'S GRADE IN ANY COURSE.

4 (3) FOR PURPOSES OF THIS PARAGRAPH:

5 (I) "ASSESSMENT" SHALL INCLUDE THE ASSESSMENT OF GENERAL  
6 KNOWLEDGE, THE ASSESSMENT OF PROFESSIONAL KNOWLEDGE AND PRACTICE  
7 OR THE ASSESSMENT OF SUBJECT MATTER AS SUCH TERMS ARE DEFINED IN  
8 22 PA. CODE § 49.1 (RELATING TO DEFINITIONS).

9 (II) "ASSESSMENT OF BASIC SKILLS" SHALL HAVE THE MEANING  
10 GIVEN IN 22 PA. CODE § 49.1.

11 (III) "ASSESSMENT OF PROFESSIONAL KNOWLEDGE AND PRACTICE"  
12 SHALL HAVE THE MEANING GIVEN IN 22 PA. CODE § 49.1.

13 SECTION 1337. NONPROFIT SCHOOL FOOD PROGRAM.--\* \* \*

14 (D) BOARDS OF SCHOOL DIRECTORS.

15 (1) PURSUANT TO ANY POWER OF BOARDS OF SCHOOL DIRECTORS TO  
16 OPERATE OR PROVIDE FOR THE OPERATION OF SCHOOL FOOD PROGRAMS IN  
17 SCHOOLS UNDER THEIR JURISDICTION, BOARDS OF SCHOOL DIRECTORS MAY  
18 USE THEREFORE FUNDS DISBURSED TO THEM UNDER THE PROVISIONS OF  
19 THIS SECTION, GIFTS AND OTHER FUNDS, RECEIVED FROM SALE OF  
20 SCHOOL FOOD UNDER SUCH PROGRAMS.

21 (2) REGARDLESS OF WHETHER A STUDENT HAS MONEY TO PAY FOR A  
22 SCHOOL MEAL OR OWES MONEY FOR SCHOOL MEALS, EACH BOARD OF SCHOOL  
23 DIRECTORS SHALL ESTABLISH A REQUIREMENT FOR SCHOOLS UNDER ITS  
24 JURISDICTION TO PROVIDE A SCHOOL FOOD PROGRAM MEAL TO A STUDENT  
25 WHO REQUESTS ONE, UNLESS THE STUDENT'S PARENT OR GUARDIAN HAS  
26 SPECIFICALLY PROVIDED WRITTEN DIRECTIVE TO THE SCHOOL TO  
27 WITHHOLD A SCHOOL MEAL.

28 (3) EACH BOARD OF SCHOOL DIRECTORS SHALL REQUIRE SCHOOLS  
29 UNDER ITS JURISDICTION TO COMPLY WITH THE FOLLOWING WHEN A  
30 STUDENT OWES MONEY FOR FIVE OR MORE SCHOOL MEALS:

1 (I) THE SCHOOL SHALL MAKE AT LEAST TWO ATTEMPTS TO REACH THE  
2 STUDENT'S PARENT OR GUARDIAN AND HAVE THE PARENT OR GUARDIAN  
3 APPLY FOR PARTICIPATION IN THE SCHOOL FOOD PROGRAM.

4 (II) THE SCHOOL MAY OFFER ASSISTANCE WITH APPLYING FOR  
5 PARTICIPATION IN THE SCHOOL FOOD PROGRAM.

6 (4) EACH BOARD OF SCHOOL DIRECTORS SHALL:

7 (I) REQUIRE SCHOOLS UNDER ITS JURISDICTION TO DIRECT  
8 COMMUNICATIONS REGARDING MONEY OWED BY A STUDENT FOR SCHOOL  
9 MEALS TO THE STUDENT'S PARENT OR GUARDIAN AND NOT TO THE  
10 STUDENT.

11 (II) PERMIT SCHOOLS UNDER ITS JURISDICTION TO CONTACT THE  
12 STUDENT'S PARENT OR GUARDIAN BY MEANS OF A LETTER ADDRESSED TO  
13 THE PARENT OR GUARDIAN THAT IS DELIVERED BY THE STUDENT.

14 (5) EACH BOARD OF SCHOOL DIRECTORS SHALL PROHIBIT SCHOOLS  
15 UNDER ITS JURISDICTION FROM IMPLEMENTING THE FOLLOWING:

16 (I) PUBLICLY IDENTIFYING OR STIGMATIZING A STUDENT WHO  
17 CANNOT PAY FOR A SCHOOL MEAL OR WHO OWES MONEY FOR SCHOOL MEALS.

18 (II) REQUIRING A STUDENT WHO CANNOT PAY FOR A SCHOOL MEAL TO  
19 PERFORM CHORES OR OTHER WORK TO PAY FOR THE SCHOOL MEAL. THIS  
20 SUBCLAUSE SHALL NOT APPLY IF CHORES OR OTHER WORK ARE REQUIRED  
21 OF ALL STUDENTS REGARDLESS OF THE STUDENT'S INABILITY TO PAY FOR  
22 THE SCHOOL MEAL.

23 (III) REQUIRING A STUDENT TO DISCARD A SCHOOL MEAL AFTER IT  
24 WAS SERVED TO THE STUDENT DUE TO THE STUDENT'S INABILITY TO PAY  
25 FOR THE SCHOOL MEAL OR THE AMOUNT OF MONEY OWED BY THE STUDENT  
26 FOR EARLIER SCHOOL MEALS.

27 \* \* \*

28 SECTION 8. SECTIONS 1402-A(B), 1403-A(A), 1405-A(A), 1406-A  
29 AND 1407-A OF THE ACT, ADDED JULY 13, 2016 (P.L.716, NO.86), ARE  
30 AMENDED TO READ:

1 SECTION 1402-A. ESTABLISHMENT OF DRUG AND ALCOHOL RECOVERY HIGH  
2 SCHOOL PILOT PROGRAM.

3 \* \* \*

4 (B) DESIGNATION.--[WITHIN 60 DAYS OF THE EFFECTIVE DATE OF  
5 THIS SECTION] NOT LATER THAN AUGUST 7, 2017, THE SECRETARY OF  
6 EDUCATION, IN CONSULTATION WITH THE DEPARTMENT OF DRUG AND  
7 ALCOHOL PROGRAMS, SHALL:

8 (1) DESIGNATE[, THROUGH A REQUEST FOR PROPOSAL PROCESS,]  
9 A FACILITY THAT SATISFIES ALL OF THE FOLLOWING TO SERVE AS  
10 THE RECOVERY HIGH SCHOOL FOR PURPOSES OF THE PROGRAM:

11 (I) IS LICENSED AS A PRIVATE ACADEMIC SCHOOL UNDER  
12 THE ACT OF JANUARY 28, 1988 (P.L.24, NO.11), KNOWN AS THE  
13 PRIVATE ACADEMIC SCHOOLS ACT.

14 (II) IS LOCATED IN A SCHOOL DISTRICT OF THE FIRST  
15 CLASS.

16 (III) [HAS EXPERIENCE PROVIDING DRUG AND ALCOHOL  
17 RECOVERY SERVICES] IS CURRENTLY OPERATING AS A RECOVERY  
18 HIGH SCHOOL.

19 (IV) HAS ADOPTED AND FOLLOWS ACCREDITATION STANDARDS  
20 AND BEST PRACTICES SET FORTH BY THE ASSOCIATION OF  
21 RECOVERY SCHOOLS.

22 (V) HAS BEEN A MEMBER OF THE ASSOCIATION OF RECOVERY  
23 SCHOOLS DURING THE 2016-2017 SCHOOL YEAR.

24 (2) POST NOTICE OF THE DESIGNATION ON THE DEPARTMENT'S  
25 PUBLICLY ACCESSIBLE INTERNET WEBSITE.

26 SECTION 1403-A. SCOPE OF PROGRAM AND SELECTION OF STUDENTS.

27 (A) MAXIMUM PARTICIPATION.--BEGINNING IN THE [2016-2017]  
28 2017-2018 SCHOOL YEAR, A MAXIMUM OF 20 STUDENTS IN GRADES 9  
29 THROUGH 12 MAY BE ENROLLED IN THE RECOVERY HIGH SCHOOL UNDER THE  
30 PROGRAM AT ANY ONE TIME.

1 \* \* \*

2 SECTION 1405-A. ESTABLISHMENT AND PAYMENT OF TUITION.

3 (A) TUITION RATE.--NO LATER THAN JUNE 30 OF EACH YEAR, THE  
4 DEPARTMENT SHALL ESTABLISH A PER-STUDENT REGULAR EDUCATION  
5 TUITION RATE FOR EACH STUDENT ENROLLED IN THE RECOVERY HIGH  
6 SCHOOL UNDER THE PROGRAM, PROVIDED THAT THE RECOVERY HIGH SCHOOL  
7 MAY NOT SET A PER-STUDENT REGULAR EDUCATION TUITION RATE FOR  
8 STUDENTS ENROLLED IN THE RECOVERY HIGH SCHOOL WHO ARE NOT  
9 PARTICIPANTS IN THE PROGRAM THAT IS LOWER THAN THE PER-STUDENT  
10 REGULAR EDUCATION TUITION RATE ESTABLISHED FOR STUDENTS ENROLLED  
11 IN THE RECOVERY HIGH SCHOOL UNDER THE PROGRAM. THE PER-STUDENT  
12 REGULAR EDUCATION TUITION RATE FOR STUDENTS ENROLLED IN THE  
13 RECOVERY HIGH SCHOOL UNDER THE PROGRAM SHALL BE DETERMINED AS  
14 FOLLOWS:

15 (1) FOR THE [2016-2017] 2017-2018 SCHOOL YEAR, THE PER-  
16 STUDENT REGULAR EDUCATION TUITION RATE FOR EACH STUDENT  
17 ENROLLED IN THE RECOVERY HIGH SCHOOL UNDER THE PROGRAM SHALL  
18 BE \$20,000.

19 (2) BEGINNING IN THE [2017-2018] 2018-2019 SCHOOL YEAR,  
20 AND IN EACH SCHOOL YEAR THEREAFTER, ANNUAL ADJUSTMENTS TO THE  
21 AMOUNT SET FORTH IN PARAGRAPH (1) SHALL BE MADE AS FOLLOWS:

22 (I) THE DEPARTMENT OF LABOR AND INDUSTRY SHALL  
23 DETERMINE THE PERCENTAGE CHANGE IN THE CONSUMER PRICE  
24 INDEX FOR ALL URBAN CONSUMERS: ALL ITEMS (CPI-U) FOR THE  
25 UNITED STATES CITY AVERAGE AS PUBLISHED BY THE UNITED  
26 STATES DEPARTMENT OF LABOR, BUREAU OF LABOR STATISTICS,  
27 FOR THE 12-MONTH PERIOD ENDING SEPTEMBER 30, [2016] 2017,  
28 AND FOR EACH SUCCESSIVE 12-MONTH PERIOD THEREAFTER.

29 (II) IF THE DEPARTMENT OF LABOR AND INDUSTRY  
30 DETERMINES THAT THERE IS NO POSITIVE PERCENTAGE CHANGE,

1 THEN NO ADJUSTMENT TO THE AMOUNT SET FORTH IN PARAGRAPH  
2 (1) SHALL OCCUR FOR THE RELEVANT TIME PERIOD.

3 (III) THE FOLLOWING APPLY:

4 (A) IF THE DEPARTMENT OF LABOR AND INDUSTRY  
5 DETERMINES THAT THERE IS A POSITIVE PERCENTAGE CHANGE  
6 IN THE FIRST YEAR THAT THE DETERMINATION IS MADE  
7 UNDER SUBPARAGRAPH (I), THE POSITIVE PERCENTAGE  
8 CHANGE SHALL BE MULTIPLIED BY THE AMOUNT SET FORTH IN  
9 PARAGRAPH (1), AND THE PRODUCT SHALL BE ADDED TO THE  
10 AMOUNT SET FORTH IN PARAGRAPH (1), AND THE SUM SHALL  
11 BE THE PRELIMINARY ADJUSTED PER-STUDENT TUITION RATE.

12 (B) THE PRELIMINARY ADJUSTED PER-STUDENT TUITION  
13 RATE SHALL BE ROUNDED TO THE NEAREST \$100 TO  
14 DETERMINE THE FINAL ADJUSTED PER-STUDENT TUITION  
15 RATE.

16 (IV) IN EACH SUCCESSIVE YEAR IN WHICH THERE IS A  
17 POSITIVE PERCENTAGE CHANGE IN THE CPI-U FOR THE UNITED  
18 STATES CITY AVERAGE, THE POSITIVE PERCENTAGE CHANGE SHALL  
19 BE MULTIPLIED BY THE MOST RECENT PRELIMINARY PER-STUDENT  
20 TUITION RATE, AND THE PRODUCT SHALL BE ADDED TO THE  
21 PRELIMINARY ADJUSTED PER-STUDENT TUITION RATE OF THE  
22 PRIOR YEAR TO CALCULATE THE PRELIMINARY ADJUSTED PER-  
23 STUDENT TUITION RATE FOR THE CURRENT YEAR. THE SUM  
24 THEREOF SHALL BE ROUNDED TO THE NEAREST \$100 TO DETERMINE  
25 THE NEW FINAL ADJUSTED PER-STUDENT TUITION RATE.

26 (V) THE DETERMINATIONS AND ADJUSTMENTS REQUIRED  
27 UNDER THIS SUBPARAGRAPH SHALL BE MADE IN THE PERIOD  
28 BETWEEN APRIL 1, [2017] 2018, AND APRIL 30, [2017] 2018,  
29 AND ANNUALLY BETWEEN APRIL 1 AND APRIL 30 OF EACH YEAR  
30 THEREAFTER.

1 (VI) THE FINAL ADJUSTED PER-STUDENT TUITION RATES  
2 OBTAINED UNDER SUBPARAGRAPHS (III) AND (IV) SHALL BECOME  
3 EFFECTIVE JULY 1 FOR THE SCHOOL YEAR FOLLOWING THE YEAR  
4 IN WHICH THE DETERMINATION REQUIRED UNDER THIS PARAGRAPH  
5 IS MADE.

6 (VII) THE DEPARTMENT SHALL PUBLISH NOTICE IN THE  
7 PENNSYLVANIA BULLETIN PRIOR TO JULY 1 OF EACH YEAR OF THE  
8 ANNUAL PERCENTAGE CHANGE DETERMINED UNDER SUBPARAGRAPH  
9 (I) AND THE UNADJUSTED OR FINAL ADJUSTED PER-STUDENT  
10 TUITION RATE DETERMINED UNDER SUBPARAGRAPHS (III) AND  
11 (IV) FOR THE SCHOOL YEAR FOLLOWING THE YEAR IN WHICH THE  
12 PER-STUDENT TUITION RATE IS DETERMINED. THE NOTICE SHALL  
13 INCLUDE A WRITTEN AND ILLUSTRATIVE EXPLANATION OF THE  
14 CALCULATIONS PERFORMED BY THE DEPARTMENT IN ESTABLISHING  
15 THE UNADJUSTED OR FINAL ADJUSTED PER-STUDENT TUITION RATE  
16 UNDER THIS SECTION FOR THE ENSUING CALENDAR YEAR.

17 (VIII) THE ANNUAL INCREASE IN THE PRELIMINARY  
18 ADJUSTED PER-STUDENT TUITION RATE DETERMINED UNDER  
19 SUBPARAGRAPHS (III) AND (IV) SHALL NOT EXCEED 3%.

20 \* \* \*

21 SECTION 1406-A. TERM OF DRUG AND ALCOHOL RECOVERY HIGH SCHOOL  
22 PILOT PROGRAM.

23 (A) ENROLLMENT OF NEW STUDENTS.--UNLESS THE PROGRAM IS  
24 PERMANENTLY ESTABLISHED BY ACTION OF THE GENERAL ASSEMBLY, THE  
25 RECOVERY HIGH SCHOOL SHALL NOT ENROLL NEW STUDENTS UNDER THE  
26 PROGRAM AFTER JUNE 30, [2020] 2021.

27 (B) CONTINUED ENROLLMENT.--IF THE PROGRAM IS NOT PERMANENTLY  
28 ESTABLISHED BY ACTION OF THE GENERAL ASSEMBLY ON OR BEFORE JUNE  
29 30, [2020] 2021, A STUDENT ENROLLED IN THE RECOVERY HIGH SCHOOL  
30 UNDER THE PROGRAM AS OF JUNE 30, [2020] 2021, MAY REMAIN

1 ENROLLED IN THE RECOVERY HIGH SCHOOL UNDER THE PROGRAM UNTIL THE  
2 EARLIER OF THE FOLLOWING:

3 (1) THE STUDENT'S GRADUATION FROM THE RECOVERY HIGH  
4 SCHOOL.

5 (2) THE STUDENT'S WITHDRAWAL FROM THE RECOVERY HIGH  
6 SCHOOL.

7 (3) THE STUDENT'S COMPLETION OF FOUR YEARS OF ENROLLMENT  
8 IN THE RECOVERY HIGH SCHOOL UNDER THE PROGRAM.

9 SECTION 1407-A. REPORTING.

10 (A) REPORT BY RECOVERY HIGH SCHOOL.--BY AUGUST 31, [2018]  
11 2019, AND BY AUGUST 31 OF EACH YEAR THEREAFTER, THE RECOVERY  
12 HIGH SCHOOL SHALL SUBMIT ANNUALLY TO THE SECRETARY OF EDUCATION,  
13 THE SECRETARY OF DRUG AND ALCOHOL PROGRAMS, THE CHAIRPERSON AND  
14 MINORITY CHAIRPERSON OF THE EDUCATION COMMITTEE OF THE SENATE,  
15 THE CHAIRPERSON AND MINORITY CHAIRPERSON OF THE EDUCATION  
16 COMMITTEE OF THE HOUSE OF REPRESENTATIVES, THE CHAIRPERSON AND  
17 MINORITY CHAIRPERSON OF THE PUBLIC HEALTH AND WELFARE COMMITTEE  
18 OF THE SENATE AND THE CHAIRPERSON AND MINORITY CHAIRPERSON OF  
19 THE HEALTH COMMITTEE OF THE HOUSE OF REPRESENTATIVES A WRITTEN  
20 REPORT CONCERNING THE PROGRAM. THE REPORT SHALL INCLUDE, BUT NOT  
21 BE LIMITED TO, ALL OF THE FOLLOWING, SUBJECT TO THE REQUIREMENTS  
22 OF THE FAMILY EDUCATIONAL RIGHTS AND PRIVACY ACT OF 1974 (PUBLIC  
23 LAW 90-247, 20 U.S.C. § 1232G) AND TO THE EXTENT SUCH REPORTING  
24 DOES NOT REVEAL IDENTIFYING INFORMATION CONCERNING ANY  
25 INDIVIDUAL STUDENT:

26 (1) THE NUMBER OF STUDENTS WHO:

27 (I) ENROLLED IN THE RECOVERY HIGH SCHOOL UNDER THE  
28 PROGRAM FOR THE PRECEDING REPORTING PERIOD.

29 (II) REQUESTED ENROLLMENT IN THE RECOVERY HIGH

30 SCHOOL UNDER THE PROGRAM BUT WERE DENIED PARTICIPATION IN

1 THE PROGRAM FOR THE PRECEDING REPORTING PERIOD.

2 (III) ENROLLED IN THE RECOVERY HIGH SCHOOL BUT WHO  
3 WERE NOT PARTICIPANTS IN THE PROGRAM FOR THE PRECEDING  
4 REPORTING PERIOD.

5 (2) THE NUMBER AND PERCENTAGE OF STUDENTS ENROLLED IN  
6 THE RECOVERY HIGH SCHOOL DURING THE PREVIOUS REPORTING PERIOD  
7 TO WHOM EACH OF THE FOLLOWING APPLY, REPORTED SEPARATELY  
8 BASED ON WHETHER OR NOT THE STUDENTS WERE PARTICIPANTS IN THE  
9 PROGRAM:

10 (I) EARNED A HIGH SCHOOL DIPLOMA FROM THE RECOVERY  
11 HIGH SCHOOL.

12 (II) WITHDREW FROM THE RECOVERY HIGH SCHOOL AND  
13 REQUESTED TRANSFER OF EDUCATIONAL RECORDS TO ANOTHER  
14 SCHOOL.

15 (III) WITHDREW FROM THE RECOVERY HIGH SCHOOL WITHOUT  
16 REQUESTING TRANSFER OF EDUCATIONAL RECORDS TO ANOTHER  
17 SCHOOL.

18 (IV) MAINTAINED ENROLLMENT IN THE RECOVERY HIGH  
19 SCHOOL IN GOOD STANDING.

20 (3) A NARRATIVE DESCRIPTION OF THE ACADEMIC OUTCOMES FOR  
21 STUDENTS ENROLLED IN THE RECOVERY HIGH SCHOOL, INCLUDING  
22 AGGREGATE ASSESSMENT RESULTS, REPORTED SEPARATELY BASED ON  
23 WHETHER OR NOT THE STUDENTS WERE PARTICIPANTS IN THE PROGRAM.

24 (4) A NARRATIVE DESCRIPTION OF STUDENT SUCCESS IN  
25 MANAGING ISSUES CONCERNING DRUG OR ALCOHOL ABUSE OR  
26 ADDICTION, REPORTED SEPARATELY BASED ON WHETHER OR NOT THE  
27 STUDENTS WERE PARTICIPANTS IN THE PROGRAM.

28 (5) RECOMMENDATIONS FOR IMPROVEMENTS TO THE PROGRAM.

29 (6) ANY INFORMATION REGARDING THE PROGRAM THAT THE  
30 RECOVERY HIGH SCHOOL DETERMINES WOULD BE USEFUL TO THE

1 GENERAL ASSEMBLY, THE DEPARTMENT OF EDUCATION AND THE  
2 DEPARTMENT OF DRUG AND ALCOHOL PROGRAMS IN DETERMINING  
3 WHETHER CHANGES TO THE PROGRAM ARE NECESSARY AND WHETHER THE  
4 PROGRAM SHOULD BE CONTINUED.

5 (B) REPORT BY DEPARTMENT OF EDUCATION AND DEPARTMENT OF DRUG  
6 AND ALCOHOL PROGRAMS.--BY DECEMBER 31, [2019] 2020, THE  
7 DEPARTMENT OF EDUCATION AND THE DEPARTMENT OF DRUG AND ALCOHOL  
8 PROGRAMS, JOINTLY, SHALL SUBMIT TO THE CHAIRPERSON AND MINORITY  
9 CHAIRPERSON OF THE EDUCATION COMMITTEE OF THE SENATE, THE  
10 CHAIRPERSON AND MINORITY CHAIRPERSON OF THE EDUCATION COMMITTEE  
11 OF THE HOUSE OF REPRESENTATIVES, THE CHAIRPERSON AND MINORITY  
12 CHAIRPERSON OF THE PUBLIC HEALTH AND WELFARE COMMITTEE OF THE  
13 SENATE AND THE CHAIRPERSON AND MINORITY CHAIRPERSON OF THE  
14 HEALTH COMMITTEE OF THE HOUSE OF REPRESENTATIVES A WRITTEN  
15 REPORT ASSESSING THE SUCCESS OF THE PROGRAM AND MAKING  
16 RECOMMENDATIONS REGARDING THE POSSIBLE EXTENSION AND EXPANSION  
17 OF THE PROGRAM, INCLUDING A PROPOSED TIMELINE FOR ANY POTENTIAL  
18 EXPANSION.

19 SECTION 9. SECTIONS 1517, 1547 AND 1549 OF THE ACT ARE  
20 AMENDED TO READ:

21 SECTION 1517. FIRE AND EMERGENCY EVACUATION DRILLS.--(A)  
22 [IN] EXCEPT AS PROVIDED UNDER SUBSECTION (A.1), IN ALL [PUBLIC  
23 SCHOOLS] SCHOOL BUILDINGS OF SCHOOL ENTITIES WHERE FIRE-ESCAPES,  
24 APPLIANCES FOR THE EXTINGUISHMENT OF FIRES, OR PROPER AND  
25 SUFFICIENT EXITS IN CASE OF FIRE OR PANIC, EITHER OR ALL, ARE  
26 REQUIRED BY LAW TO BE MAINTAINED, FIRE DRILLS SHALL BE  
27 PERIODICALLY CONDUCTED, NOT LESS THAN ONE A MONTH, BY THE  
28 TEACHER OR TEACHERS IN CHARGE, UNDER RULES AND REGULATIONS TO BE  
29 PROMULGATED BY THE [DISTRICT SUPERINTENDENT] CHIEF SCHOOL  
30 ADMINISTRATOR UNDER WHOSE SUPERVISION SUCH [SCHOOLS] SCHOOL

1 ENTITIES ARE. IN SUCH FIRE DRILLS THE PUPILS AND TEACHERS SHALL  
2 BE INSTRUCTED IN, AND MADE THOROUGHLY FAMILIAR WITH, THE USE OF  
3 THE FIRE-ESCAPES, APPLIANCES AND EXITS. THE DRILL SHALL INCLUDE  
4 THE ACTUAL USE THEREOF, AND THE COMPLETE REMOVAL OF THE PUPILS  
5 AND TEACHERS, IN AN EXPEDITIOUS AND ORDERLY MANNER, BY MEANS OF  
6 FIRE-ESCAPES AND EXITS, FROM THE BUILDING TO A PLACE OF SAFETY  
7 ON THE GROUND OUTSIDE.

8 (A.1) WITHIN NINETY (90) DAYS OF THE COMMENCEMENT OF THE  
9 SCHOOL YEAR AFTER THE EFFECTIVE DATE OF THIS SUBSECTION AND  
10 WITHIN NINETY (90) DAYS OF THE COMMENCEMENT OF EACH SCHOOL YEAR  
11 THEREAFTER, EACH SCHOOL ENTITY MAY CONDUCT ONE SCHOOL SECURITY  
12 DRILL PER SCHOOL YEAR IN EACH SCHOOL BUILDING IN PLACE OF A FIRE  
13 DRILL REQUIRED UNDER SUBSECTION (A). ALL OF THE FOLLOWING SHALL  
14 APPLY:

15 (1) THE SCHOOL SECURITY DRILL MAY BE CONDUCTED WHILE THE  
16 SCHOOL ENTITY IS IN SESSION AND STUDENTS ARE PRESENT UNDER  
17 POLICIES ADOPTED BY THE CHIEF SCHOOL ADMINISTRATOR.

18 (2) THE CHIEF SCHOOL ADMINISTRATOR OR A DESIGNEE SHALL  
19 OVERSEE THE INSTRUCTION AND TRAINING OF STUDENTS AND SCHOOL  
20 EMPLOYEES IN THE PROCEDURES TO BE USED IN THE SCHOOL SECURITY  
21 DRILL.

22 (3) THE CHIEF SCHOOL ADMINISTRATOR SHALL NOTIFY AND REQUEST  
23 ASSISTANCE FROM THE LOCAL LAW ENFORCEMENT AGENCY AND EMERGENCY  
24 MANAGEMENT AGENCY BEFORE CONDUCTING THE SCHOOL SECURITY DRILL.

25 (4) THE CHIEF SCHOOL ADMINISTRATOR SHALL PROVIDE NOTICE OF  
26 THE SCHOOL SECURITY DRILL IN ADVANCE TO PARENTS AND LEGAL  
27 GUARDIANS OF THE STUDENTS ATTENDING THE SCHOOL BUILDING FOR  
28 WHICH THE SCHOOL SECURITY DRILL IS SCHEDULED.

29 (B) [DISTRICT SUPERINTENDENTS] CHIEF SCHOOL ADMINISTRATORS  
30 ARE HEREBY REQUIRED TO SEE THAT THE PROVISIONS OF THIS SECTION

1 ARE FAITHFULLY CARRIED OUT IN THE [SCHOOLS] SCHOOL ENTITIES OVER  
2 WHICH THEY HAVE CHARGE.

3 (C) ANY PERSON WHO VIOLATES OR FAILS TO COMPLY WITH THE  
4 PROVISIONS OF THIS SECTION SHALL BE GUILTY OF A MISDEMEANOR, AND  
5 ON CONVICTION SHALL BE SENTENCED TO PAY A FINE OF NOT LESS THAN  
6 TWENTY-FIVE DOLLARS (\$25) NOR MORE THAN FIVE HUNDRED DOLLARS  
7 (\$500), OR TO UNDERGO IMPRISONMENT IN THE COUNTY JAIL FOR NOT  
8 LESS THAN (10) DAYS OR MORE THAN SIXTY (60) DAYS, OR BOTH.

9 (D) ALL [SCHOOLS] SCHOOL ENTITIES USING OR CONTRACTING FOR  
10 SCHOOL BUSES FOR THE TRANSPORTATION OF SCHOOL CHILDREN SHALL  
11 CONDUCT ON SCHOOL GROUNDS TWO EMERGENCY EVACUATION DRILLS ON  
12 BUSES DURING EACH SCHOOL YEAR, THE FIRST TO BE CONDUCTED DURING  
13 THE FIRST WEEK OF THE FIRST SCHOOL TERM AND THE SECOND DURING  
14 THE MONTH OF MARCH, AND AT SUCH OTHER TIMES AS THE CHIEF SCHOOL  
15 ADMINISTRATOR MAY REQUIRE. EACH SUCH DRILL SHALL INCLUDE THE  
16 PRACTICE AND INSTRUCTION CONCERNING THE LOCATION, USE AND  
17 OPERATION OF EMERGENCY EXIT DOORS AND FIRE EXTINGUISHERS AND THE  
18 PROPER EVACUATION OF BUSES IN THE EVENT OF FIRES OR ACCIDENTS.

19 BUS OPERATORS SHALL BE PROVIDED WITH PROPER TRAINING AND  
20 INSTRUCTIONS TO ENABLE THEM TO CARRY OUT THE PROVISIONS OF THIS  
21 SUBSECTION AND MAY BE REQUIRED TO ATTEND CLASSES AND DRILLS IN  
22 CONNECTION THEREWITH.

23 (E) ON OR BEFORE THE TENTH DAY OF APRIL OF EACH YEAR, EACH  
24 [DISTRICT SUPERINTENDENT] CHIEF SCHOOL ADMINISTRATOR SHALL  
25 CERTIFY TO THE DEPARTMENT OF [PUBLIC INSTRUCTION] EDUCATION THAT  
26 THE EMERGENCY EVACUATION DRILLS AND SCHOOL SECURITY DRILLS  
27 HEREIN REQUIRED HAVE BEEN [HELD] CONDUCTED IN ACCORDANCE WITH  
28 THIS SECTION.

29 (F) AS USED IN THIS SECTION, THE FOLLOWING WORDS AND PHRASES  
30 SHALL HAVE THE MEANINGS GIVEN TO THEM IN THIS SUBSECTION:

1 "CHIEF SCHOOL ADMINISTRATOR" SHALL MEAN THE SUPERINTENDENT OF  
2 A SCHOOL DISTRICT, SUPERINTENDENT OF AN AREA VOCATIONAL-  
3 TECHNICAL SCHOOL, EXECUTIVE DIRECTOR OF AN INTERMEDIATE UNIT OR  
4 CHIEF EXECUTIVE OFFICER OF A CHARTER SCHOOL OR REGIONAL CHARTER  
5 SCHOOL.

6 "SCHOOL ENTITY" SHALL MEAN AN AREA VOCATIONAL-TECHNICAL  
7 SCHOOL, SCHOOL DISTRICT, INTERMEDIATE UNIT, CHARTER SCHOOL OR  
8 REGIONAL CHARTER SCHOOL.

9 "SCHOOL SECURITY DRILL" SHALL MEAN A PLANNED EXERCISE, OTHER  
10 THAN A FIRE DRILL OR NATURAL DISASTER DRILL, DESIGNED TO  
11 PRACTICE PROCEDURES TO RESPOND TO AN EMERGENCY SITUATION THAT  
12 MAY INCLUDE, BUT IS NOT LIMITED TO, AN ACT OF TERRORISM, ARMED  
13 INTRUDER SITUATION OR OTHER VIOLENT THREAT.

14 SECTION 1547. ALCOHOL, CHEMICAL AND TOBACCO ABUSE PROGRAM.--

15 (A) BEGINNING WITH SCHOOL YEAR 1991-1992 AND EACH YEAR  
16 THEREAFTER, EACH PUBLIC SCHOOL STUDENT SHALL RECEIVE MANDATORY  
17 INSTRUCTION IN ALCOHOL, CHEMICAL AND TOBACCO ABUSE IN EVERY YEAR  
18 IN EVERY GRADE FROM KINDERGARTEN THROUGH GRADE TWELVE. THE  
19 INSTRUCTION SHALL BE INTEGRATED WITHIN THE HEALTH COURSE OF  
20 STUDY REQUIRED IN ACCORDANCE WITH THE STATE BOARD OF EDUCATION  
21 REGULATIONS. IN GRADES WHERE HEALTH IS OFFERED, INSTRUCTION MAY  
22 ALSO BE INTEGRATED INTO OTHER APPROPRIATE COURSES OF STUDY. IN  
23 GRADES WHERE HEALTH IS NOT OFFERED, INSTRUCTION SHALL BE  
24 INTEGRATED INTO AN APPROPRIATE CURRICULUM REQUIREMENT AS LISTED  
25 IN 22 PA. CODE [§ 5.4(B).] §§ 4.21 (RELATING TO ELEMENTARY  
26 EDUCATION: PRIMARY AND INTERMEDIATE LEVELS), 4.22 (RELATING TO  
27 MIDDLE LEVEL EDUCATION) AND 4.23 (RELATING TO HIGH SCHOOL  
28 EDUCATION).

29 (1) THIS INSTRUCTION:

30 (I) SHALL BE AGE APPROPRIATE.

1 (II) SHALL BE SEQUENTIAL IN METHOD OF STUDY.

2 (III) SHALL DISCOURAGE THE USE OF ALCOHOL, TOBACCO AND  
3 CONTROLLED SUBSTANCES.

4 (IV) SHALL COMMUNICATE THAT THE USE OF ILLICIT DRUGS AND THE  
5 IMPROPER USE OF LEGALLY OBTAINED DRUGS IS WRONG.

6 (2) SCHOOL DISTRICTS MAY UTILIZE ANY APPROPRIATE PUBLIC OR  
7 PRIVATE MATERIALS, PERSONNEL AND OTHER RESOURCES IN DEVELOPING  
8 AND IMPLEMENTING THIS PROGRAM OF INSTRUCTION. THE DEPARTMENT OF  
9 HEALTH, [OFFICE] DEPARTMENT OF DRUG AND ALCOHOL PROGRAMS, SHALL  
10 MAKE AVAILABLE INFORMATION ABOUT APPROPRIATE CURRICULUM  
11 MATERIALS UPON REQUEST OF A SCHOOL DISTRICT. IN DEVELOPING ITS  
12 ALCOHOL, CHEMICAL AND TOBACCO ABUSE INSTRUCTIONAL PROGRAM, EACH  
13 SCHOOL DISTRICT SHALL CONSULT WITH THE SINGLE COUNTY AUTHORITY  
14 DESIGNATED BY THE DEPARTMENT OF [HEALTH] DRUG AND ALCOHOL  
15 PROGRAMS TO PROVIDE DRUG AND ALCOHOL SERVICES IN THE SCHOOL  
16 DISTRICT'S AREA.

17 (A.1) BEGINNING WITH THE 2018-2019 SCHOOL YEAR, FOR STUDENTS  
18 IN GRADES SIX THROUGH TWELVE, THE INSTRUCTION REQUIRED UNDER  
19 SUBSECTION (A) SHALL INCLUDE INSTRUCTION RELATED TO THE  
20 PREVENTION OF OPIOID ABUSE, WITH AN EMPHASIS ON THE PRESCRIPTION  
21 DRUG EPIDEMIC AND THE CONNECTION BETWEEN PRESCRIPTION OPIOID  
22 ABUSE AND ADDICTION TO OTHER DRUGS, INCLUDING HEROIN. NOT LATER  
23 THAN THE BEGINNING OF THE 2018-2019 SCHOOL YEAR, THE DEPARTMENT  
24 OF EDUCATION, THE DEPARTMENT OF HEALTH AND THE DEPARTMENT OF  
25 DRUG AND ALCOHOL PROGRAMS SHALL DEVELOP JOINTLY A MODEL  
26 CURRICULUM FOR THIS PURPOSE AND EACH DEPARTMENT SHALL POST THE  
27 MODEL CURRICULUM ON ITS PUBLICLY ACCESSIBLE INTERNET WEBSITE.  
28 THE MODEL CURRICULUM DEVELOPED UNDER THIS SUBSECTION SHALL BE  
29 REVISED WHEN NECESSARY TO ENSURE THAT THE MODEL CURRICULUM  
30 PROVIDES THE MOST CURRENT INFORMATION. IN PROVIDING THE

1 INSTRUCTION REQUIRED UNDER THIS SUBSECTION, A SCHOOL DISTRICT  
2 MAY, BUT SHALL NOT BE REQUIRED TO, USE THE MODEL CURRICULUM.

3 (B) EACH SCHOOL DISTRICT IS HEREBY AUTHORIZED TO DEVELOP AND  
4 OFFER PROGRAMS RELATING TO ALCOHOL, CHEMICAL AND TOBACCO ABUSE  
5 FOR PARENTS OF STUDENTS ENROLLED IN THE PUBLIC SCHOOLS. IF A  
6 SCHOOL DISTRICT DOES DEVELOP SUCH PROGRAMS, THEY SHALL BE  
7 DEVELOPED IN CONSULTATION WITH THE SINGLE COUNTY AUTHORITY  
8 DESIGNATED BY THE DEPARTMENT OF [HEALTH] DRUG AND ALCOHOL  
9 PROGRAMS TO PROVIDE DRUG AND ALCOHOL SERVICES IN THE SCHOOL  
10 DISTRICT'S AREA. SUCH PROGRAMS SHALL BE OFFERED AT NO COST TO  
11 PARENTS.

12 (C) THE SECRETARY OF EDUCATION, IN CONSULTATION WITH THE  
13 SECRETARY OF HEALTH AND THE SECRETARY OF DRUG AND ALCOHOL  
14 PROGRAMS, SHALL DEVELOP CURRICULUM GUIDELINES FOR INSTRUCTION ON  
15 ALCOHOL, CHEMICAL AND TOBACCO ABUSE AND THE LAWS GOVERNING THEIR  
16 USE AND MISUSE. THESE GUIDELINES SHALL ENCOURAGE THE INCLUSION  
17 OF THE FOLLOWING ELEMENTS WHERE APPROPRIATE IN THE INSTRUCTION:

18 (1) DETAILED FACTUAL INFORMATION REGARDING THE  
19 PHYSIOLOGICAL, PSYCHOLOGICAL, SOCIOLOGICAL AND LEGAL ASPECTS OF  
20 SUBSTANCE ABUSE.

21 (2) DETAILED INFORMATION REGARDING THE AVAILABILITY OF HELP  
22 AND ASSISTANCE FOR STUDENTS AND THEIR FAMILIES WITH ALCOHOL,  
23 CHEMICAL AND TOBACCO DEPENDENCY PROBLEMS.

24 (3) THE GOALS OF QUALITY EDUCATION AS SET FORTH IN 22 PA.  
25 CODE [§ 5.13(F)] (RELATING TO EDUCATION).

26 (4) SKILLS NEEDED TO EVALUATE ADVERTISEMENTS FOR AND MEDIA  
27 PORTRAYALS OF ALCOHOL, CHEMICAL AND TOBACCO PRODUCTS.

28 (5) DETAILED INSTRUCTION ON THE NEED FOR AND THE ROLE OF  
29 LAWFUL AUTHORITY AND LAW-ABIDING BEHAVIOR, INCLUDING INTERACTION  
30 WITH MEMBERS OF THE LEGAL AND JUSTICE COMMUNITY.

1 (D) THE FOLLOWING APPLY:

2 (1) BEGINNING WITH THE 1991-1992 SCHOOL YEAR AND EACH YEAR  
3 THEREAFTER, THE SECRETARY OF EDUCATION, IN CONSULTATION WITH THE  
4 SECRETARY OF HEALTH AND THE SECRETARY OF DRUG AND ALCOHOL  
5 PROGRAMS, SHALL MAKE AVAILABLE, TO ALL SCHOOL DISTRICTS AND  
6 INTERMEDIATE UNITS, IN-SERVICE TRAINING PROGRAMS BASED UPON THE  
7 INSTRUCTION REQUIREMENTS ESTABLISHED IN SUBSECTION (A) AND THE  
8 CURRICULUM GUIDELINES ESTABLISHED IN SUBSECTION (C). THE  
9 PROGRAMS SHALL PROVIDE PREPARATION FOR THE TEACHING OF MANDATED  
10 INSTRUCTION IN ALCOHOL, CHEMICAL AND TOBACCO ABUSE. THE IN-  
11 SERVICE PROGRAMS MAY UTILIZE THE SINGLE COUNTY AUTHORITIES  
12 DESIGNATED BY THE DEPARTMENT OF [HEALTH] DRUG AND ALCOHOL  
13 PROGRAMS OR SUCH OTHER INSTITUTIONS, AGENCIES OR PERSONS AS THE  
14 SECRETARY OF EDUCATION OR THE SECRETARY OF HEALTH DEEMS  
15 APPROPRIATE.

16 (2) BEGINNING WITH THE 2018-2019 SCHOOL YEAR, THE DEPARTMENT  
17 OF EDUCATION, THE DEPARTMENT OF HEALTH AND THE DEPARTMENT OF  
18 DRUG AND ALCOHOL PROGRAMS SHALL DEVELOP JOINTLY AND SHALL MAKE  
19 AVAILABLE TO ALL SCHOOL DISTRICTS AND NONPUBLIC SCHOOLS IN-  
20 SERVICE TRAINING PROGRAMS BASED UPON THE INSTRUCTION  
21 REQUIREMENTS ESTABLISHED UNDER SUBSECTION (A.1) AND THE MODEL  
22 CURRICULUM DEVELOPED UNDER SUBSECTION (A.1). THE IN-SERVICE  
23 TRAINING PROGRAMS DEVELOPED UNDER THIS SUBSECTION SHALL BE  
24 REVISED WHEN NECESSARY TO ENSURE THAT THE IN-SERVICE TRAINING  
25 PROGRAMS PROVIDE THE MOST CURRENT INFORMATION.

26 (E) THE FOLLOWING APPLY:

27 (1) BEGINNING WITH THE 1991-1992 SCHOOL YEAR, EACH SCHOOL  
28 DISTRICT SHALL PROVIDE, AS PART OF ITS IN-SERVICE TRAINING,  
29 PROGRAMS ON ALCOHOL, DRUGS, TOBACCO AND DANGEROUS CONTROLLED  
30 SUBSTANCES FOR ALL INSTRUCTORS WHOSE TEACHING RESPONSIBILITIES

1 INCLUDE COURSES OF STUDY IN WHICH MANDATED INSTRUCTION  
2 CONCERNING ALCOHOL, CHEMICAL AND TOBACCO ABUSE IS INTEGRATED. TO  
3 COMPLY WITH THIS REQUIREMENT, A SCHOOL DISTRICT MAY UTILIZE THE  
4 PROGRAMS MADE AVAILABLE BY THE DEPARTMENT OF EDUCATION OR USE  
5 OTHER ALTERNATIVE PROGRAMS.

6 (2) BEGINNING WITH THE 2018-2019 SCHOOL YEAR AND EVERY THREE  
7 (3) YEARS THEREAFTER, EACH SCHOOL DISTRICT SHALL PROVIDE, AS  
8 PART OF ITS IN-SERVICE TRAINING, PROGRAMS BASED UPON THE  
9 INSTRUCTION REQUIREMENTS ESTABLISHED UNDER SUBSECTION (A.1) FOR  
10 ALL INSTRUCTORS WHOSE TEACHING RESPONSIBILITIES INCLUDE COURSES  
11 OF STUDY IN WHICH SUCH MANDATED INSTRUCTION IS INTEGRATED. TO  
12 COMPLY WITH THIS REQUIREMENT, A SCHOOL DISTRICT MAY UTILIZE THE  
13 IN-SERVICE TRAINING PROGRAMS MADE AVAILABLE UNDER SUBSECTION (D)  
14 (2).

15 (F) THE GOVERNING BOARD OF EACH INTERMEDIATE UNIT IN WHICH A  
16 NONPUBLIC SCHOOL IS LOCATED SHALL HAVE THE AUTHORITY AND THE  
17 DUTY TO LOAN TO ALL STUDENTS ATTENDING NONPUBLIC SCHOOLS WITHIN  
18 THE INTERMEDIATE UNIT ALL EDUCATIONAL MATERIALS DEVELOPED BY  
19 [EITHER] THE DEPARTMENT OF EDUCATION [OR], THE DEPARTMENT OF  
20 HEALTH OR THE DEPARTMENT OF DRUG AND ALCOHOL PROGRAMS, PURSUANT  
21 TO THIS ACT FOR THE INSTRUCTION OF PUBLIC SCHOOL STUDENTS ON THE  
22 NATURE AND EFFECTS OF DRUGS, ALCOHOL, TOBACCO AND DANGEROUS  
23 CONTROLLED SUBSTANCES. LOCAL SCHOOL BOARDS NEED NOT EXPEND FUNDS  
24 WHICH ARE NOT PROVIDED BY EITHER THE FEDERAL OR STATE GOVERNMENT  
25 FOR DRUG EDUCATION PROGRAMS FOR THE USE OR LOAN OF THESE  
26 MATERIALS. A NONPUBLIC SCHOOL MAY UTILIZE THE IN-SERVICE  
27 TRAINING PROGRAMS MADE AVAILABLE BY THE DEPARTMENT OF EDUCATION  
28 THROUGH THE INTERMEDIATE UNIT.

29 (G) ON OR BEFORE JUNE 1, 1991, THE SECRETARY OF EDUCATION  
30 SHALL RECOMMEND TO THE GENERAL ASSEMBLY A PLAN TO REQUIRE AND

1 ASSIST EACH SCHOOL DISTRICT TO ESTABLISH AND MAINTAIN A PROGRAM  
2 TO PROVIDE APPROPRIATE COUNSELING AND SUPPORT SERVICES TO  
3 STUDENTS WHO EXPERIENCE PROBLEMS RELATED TO THE USE OF DRUGS,  
4 ALCOHOL AND DANGEROUS CONTROLLED SUBSTANCES.

5 [(H) ON OR BEFORE JUNE 1, 1992, THE SECRETARY OF EDUCATION  
6 SHALL REPORT TO THE GENERAL ASSEMBLY CONCERNING THE 1991-1992  
7 SCHOOL YEAR ACTIVITIES OF THE DEPARTMENT OF EDUCATION PERTAINING  
8 TO THE PROVISIONS OF THIS SECTION AND CONCERNING PROPOSED 1992-  
9 1993 SCHOOL YEAR ACTIVITIES OF THE DEPARTMENT OF EDUCATION  
10 PERTAINING TO THIS SECTION.]

11 (G.1) BEGINNING IN THE 2018-2019 SCHOOL YEAR, AND EACH  
12 SCHOOL YEAR THEREAFTER, PROFESSIONAL EDUCATORS WHO COMPLETE IN-  
13 SERVICE TRAINING UNDER THIS SECTION MAY APPLY SUCH IN-SERVICE  
14 TRAINING TOWARD THEIR CONTINUING PROFESSIONAL EDUCATION  
15 REQUIREMENTS UNDER SECTION 1205.2.

16 (H.1) BY SEPTEMBER 1, 2020, AND BY SEPTEMBER 1 OF EVERY  
17 FIFTH YEAR THEREAFTER, THE DEPARTMENT OF EDUCATION, IN  
18 CONSULTATION WITH THE DEPARTMENT OF HEALTH AND THE DEPARTMENT OF  
19 DRUG AND ALCOHOL PROGRAMS, SHALL REPORT TO THE GENERAL ASSEMBLY  
20 CONCERNING THE PRECEDING SCHOOL YEAR ACTIVITIES OF THE  
21 DEPARTMENT OF EDUCATION, THE DEPARTMENT OF HEALTH AND THE  
22 DEPARTMENT OF DRUG AND ALCOHOL PROGRAMS PERTAINING TO THE  
23 PROVISIONS OF THIS SECTION. THE REPORT SHALL INCLUDE:

24 (1) A DESCRIPTION OF EFFORTS BY THE DEPARTMENT OF EDUCATION,  
25 THE DEPARTMENT OF HEALTH AND THE DEPARTMENT OF DRUG AND ALCOHOL  
26 PROGRAMS TO ASSIST SCHOOL DISTRICTS IN PROVIDING THE INSTRUCTION  
27 REQUIRED UNDER SUBSECTIONS (A) AND (A.1), INCLUDING EFFORTS TO  
28 DEVELOP AND POST THE MODEL CURRICULUM REQUIRED UNDER SUBSECTION  
29 (A.1) AND TO DEVELOP AND MAKE AVAILABLE THE IN-SERVICE TRAINING  
30 PROGRAMS REQUIRED UNDER SUBSECTION (D) (2).

1       (2) AN EVALUATION OF THE EFFECTIVENESS OF THE INSTRUCTION  
2 REQUIRED UNDER SUBSECTIONS (A) AND (A.1) AND OF CURRICULUM  
3 MATERIALS AND IN-SERVICE TRAINING PROGRAMS DEVELOPED BY THE  
4 DEPARTMENT OF EDUCATION, THE DEPARTMENT OF HEALTH AND THE  
5 DEPARTMENT OF DRUG AND ALCOHOL PROGRAMS UNDER THIS SECTION IN  
6 REDUCING THE USE OF ALCOHOL, TOBACCO AND OTHER DRUGS, INCLUDING  
7 PRESCRIPTION OPIOIDS, BY STUDENTS.

8       (I) THE STATE BOARD OF EDUCATION SHALL ADOPT RULES AND  
9 REGULATIONS NECESSARY FOR THE IMPLEMENTATION OF THIS SECTION.

10       SECTION 1549. AGRICULTURAL EDUCATION.--(A) THE GENERAL  
11 ASSEMBLY DECLARES IT IS THE PURPOSE OF THIS SECTION TO:

12       (1) REQUIRE THE DEPARTMENT TO DEVELOP AND DISSEMINATE  
13 AGRICULTURAL EDUCATION MATERIALS FOR SCHOOL ENTITIES OR PRIVATE  
14 OR NONPUBLIC KINDERGARTENS, ELEMENTARY OR SECONDARY SCHOOLS IN  
15 THIS COMMONWEALTH. THE MATERIALS SHALL INCORPORATE AGRICULTURAL  
16 CONCEPTS INTO THE BASIC SCHOOL CURRICULA AND SHALL BE DESIGNED  
17 TO EDUCATE THE GENERAL STUDENT POPULATION ABOUT THE IMPORTANCE  
18 OF THE AGRICULTURE INDUSTRY AND THE ROLE OF AGRICULTURE IN THE  
19 STUDENTS' LIVES.

20       (2) ENCOURAGE THE AGRICULTURAL EDUCATION EFFORTS OF OTHER  
21 AGENCIES WHERE APPROPRIATE, INCLUDING, BUT NOT LIMITED TO, THOSE  
22 OF THE COUNTY CONSERVATION DISTRICTS, THE COOPERATIVE EXTENSION  
23 SERVICE OF THE PENNSYLVANIA STATE UNIVERSITY, THE UNIVERSITY OF  
24 PENNSYLVANIA VETERINARY SCHOOL, THE DEPARTMENT OF AGRICULTURE,  
25 THE DEPARTMENT OF ENVIRONMENTAL [RESOURCES] PROTECTION, THE  
26 DEPARTMENT OF [COMMUNITY AFFAIRS] COMMUNITY AND ECONOMIC  
27 DEVELOPMENT, THE STATE SYSTEM OF HIGHER EDUCATION AND THE  
28 DEPARTMENT OF TRANSPORTATION.

29       (B) THE DEPARTMENT SHALL HAVE THE POWER AND ITS DUTY SHALL  
30 BE TO:

1 (1) PROVIDE, IN CONJUNCTION WITH THE DEPARTMENT OF  
2 AGRICULTURE, RESOURCE INFORMATION TO EDUCATORS AND PUBLIC AND  
3 PRIVATE SCHOOLS AND ORGANIZATIONS ON AGRICULTURAL EDUCATION.

4 (2) PROVIDE, IN CONJUNCTION WITH THE DEPARTMENT OF  
5 AGRICULTURE, FOR THE DEVELOPMENT AND DISTRIBUTION TO SCHOOL  
6 ENTITIES OR PRIVATE OR NONPUBLIC KINDERGARTENS, ELEMENTARY OR  
7 SECONDARY SCHOOLS IN THIS COMMONWEALTH MATERIALS ON AGRICULTURAL  
8 EDUCATION. SUCH MATERIALS MAY INCLUDE INSTRUCTION ON ISSUES  
9 RELATED TO AGRICULTURE, INCLUDING, BUT NOT LIMITED TO, FOOD  
10 SAFETY, FORESTRY, PESTICIDES, FARMLAND PRESERVATION, WASTE  
11 MANAGEMENT, WETLANDS, NUTRIENT MANAGEMENT, FOOD PRODUCTION AND  
12 FOOD PROCESSING, ANIMAL HEALTH AND STATUTORY AND REGULATORY  
13 PROTECTIONS OF THE RIGHT TO FARM.

14 (3) IDENTIFY, RECOGNIZE AND ESTABLISH, IN CONJUNCTION WITH  
15 THE DEPARTMENT OF AGRICULTURE, AWARDS FOR EXEMPLARY AGRICULTURAL  
16 EDUCATION CURRICULA DEVELOPED IN COMMONWEALTH SCHOOLS.

17 (4) USE LOCAL SCHOOL DISTRICT OCCUPATIONAL ADVISORY  
18 COMMITTEES, AS WELL AS THE FACILITIES AND EQUIPMENT OF THE  
19 DEPARTMENT OF AGRICULTURE, TO SERVE AS THE CONDUIT TO BRING  
20 YOUTH AND ADULT EDUCATION PROGRAMS INTO COMMUNITIES AND SCHOOLS,  
21 FOCUSING ON AGRICULTURAL INDUSTRY ISSUES OF IMPORTANCE TO THIS  
22 COMMONWEALTH.

23 (5) MAINTAIN, IN CONJUNCTION WITH THE DEPARTMENT OF  
24 AGRICULTURE, AN INVENTORY OF AGRICULTURAL EDUCATION MATERIALS,  
25 PROGRAMS AND RESOURCES AVAILABLE IN COMMONWEALTH AGENCIES.

26 [(C) THE SECRETARY SHALL PREPARE AND SUBMIT, IN CONJUNCTION  
27 WITH THE DEPARTMENT OF AGRICULTURE, AN ANNUAL REPORT TO THE  
28 GOVERNOR AND THE GENERAL ASSEMBLY ON THE STATUS OF AGRICULTURAL  
29 EDUCATION IN THIS COMMONWEALTH. THE REPORT SHALL OUTLINE  
30 AGRICULTURAL EDUCATION PROGRAMS AND ACHIEVEMENTS, HIGHLIGHT NEW

1 INITIATIVES AND RECOMMEND FUTURE PROGRAM NEEDS.

2 (D) (1) THE SECRETARY OF EDUCATION SHALL CONSULT, AT LEAST  
3 ANNUALLY, WITH THE SECRETARY OF AGRICULTURE AND A CROSS SECTION  
4 OF THE AGRICULTURE AND EDUCATION COMMUNITIES TO:

5 (I) ASSESS THE TRENDS AND NEEDS IN AGRICULTURAL EDUCATION.

6 (II) CONSIDER THE MANNER IN WHICH ANY FUNDS ARE USED TO  
7 SUPPORT AGRICULTURAL EDUCATION ACTIVITIES.

8 (III) MAKE RECOMMENDATIONS TO THE GOVERNOR AND THE GENERAL  
9 ASSEMBLY REGARDING LEGISLATIVE OR REGULATORY CHANGES TO IMPROVE  
10 AGRICULTURAL EDUCATION, PURSUANT TO THE PREPARATION AND  
11 SUBMITTAL OF THE REPORT REQUIRED BY SUBSECTION (C).

12 (2) WHEN CONSULTING WITH A CROSS SECTION OF THE AGRICULTURE  
13 AND EDUCATION COMMUNITIES, THE SECRETARY SHALL CONSIDER SEEKING  
14 COMMENTS FROM INDIVIDUALS NAMED IN LISTS SUBMITTED BY THE STATE  
15 COUNCIL ON FARM ORGANIZATIONS, THE AGRICULTURAL AWARENESS  
16 FOUNDATION AND THE PENNSYLVANIA VOCATIONAL-AGRICULTURAL TEACHERS  
17 ASSOCIATION. SUCH LISTS MAY INCLUDE, BUT NOT BE LIMITED TO:

18 (I) FARMERS.

19 (II) REPRESENTATIVES OF THE AGRICULTURAL PROCESSING AND  
20 AGRICULTURAL MARKETING INDUSTRIES.

21 (III) FACULTY MEMBERS OF THE COLLEGE OF AGRICULTURAL  
22 SCIENCES OF THE COMMONWEALTH'S LAND-GRANT UNIVERSITY.

23 (IV) FACULTY MEMBERS FROM A STATE SYSTEM OF HIGHER EDUCATION  
24 INSTITUTION, EACH OF WHOM SHALL HAVE BACKGROUND IN OR KNOWLEDGE  
25 OF AGRICULTURAL EDUCATION.

26 (V) A TEACHER OF VOCATIONAL AGRICULTURE.

27 (VI) A TEACHER INVOLVED IN AGRICULTURAL EDUCATION OTHER THAN  
28 VOCATIONAL AGRICULTURE.

29 (VII) AN ADMINISTRATOR OF A SCHOOL ENTITY WHICH CONDUCTS AN  
30 AGRICULTURAL EDUCATION PROGRAM.

1 (VIII) A MEMBER OF A LOCAL SCHOOL DISTRICT OCCUPATIONAL  
2 ADVISORY COMMITTEE.

3 (IX) MEMBERS OF THE PUBLIC WHO ARE KNOWLEDGEABLE ABOUT  
4 AGRICULTURAL EDUCATION.]

5 (E) THE FOLLOWING WORDS AND PHRASES WHEN USED IN THIS  
6 SECTION SHALL HAVE THE MEANINGS GIVEN TO THEM IN THIS SUBSECTION  
7 UNLESS THE CONTEXT CLEARLY INDICATES OTHERWISE:

8 "DEPARTMENT." THE DEPARTMENT OF EDUCATION OF THE  
9 COMMONWEALTH.

10 ["FARMER." ANY PERSON WHO ENGAGES IN THE ACCEPTED  
11 ACTIVITIES, PRACTICES AND PROCEDURES YEAR AFTER YEAR TO PRODUCE  
12 AND PREPARE FOR MARKET POULTRY, LIVESTOCK AND THEIR PRODUCTS OR  
13 IN THE PRODUCTION AND HARVESTING OF AGRICULTURAL, AGRONOMIC,  
14 HORTICULTURAL, SILVICULTURAL AND AQUACULTURAL CROPS AND  
15 COMMODITIES AND WHOSE OPERATION IS CONDUCTED ON NOT LESS THAN  
16 TEN CONTIGUOUS ACRES IN AREA OR, IF LESS THAN TEN CONTIGUOUS  
17 ACRES IN AREA, HAS AN ANTICIPATED YEARLY GROSS INCOME OF AT  
18 LEAST TEN THOUSAND DOLLARS (\$10,000).]

19 "SCHOOL ENTITY." A PUBLIC SCHOOL DISTRICT, INTERMEDIATE UNIT  
20 OR AREA VOCATIONAL-TECHNICAL SCHOOL.

21 "SECRETARY." THE SECRETARY OF EDUCATION OF THE COMMONWEALTH.

22 SECTION 10. THE ACT IS AMENDED BY ADDING A SECTION TO READ:

23 SECTION 1549.1. COMMISSION FOR AGRICULTURAL EDUCATION  
24 EXCELLENCE.--(A) THERE IS ESTABLISHED A COMMISSION FOR  
25 AGRICULTURAL EDUCATION EXCELLENCE AS A DEPARTMENTAL  
26 ADMINISTRATIVE COMMISSION UNDER THE CONCURRENT AUTHORITY OF THE  
27 DEPARTMENT OF AGRICULTURE AND THE DEPARTMENT OF EDUCATION WITH  
28 ALL THE POWERS AND DUTIES GENERALLY VESTED IN AND IMPOSED UPON  
29 THE COMMISSIONS UNDER THE ACT OF APRIL 9, 1929 (P.L.177,  
30 NO.175), KNOWN AS "THE ADMINISTRATIVE CODE OF 1929."

1       (B) THE COMMISSION SHALL ASSIST IN DEVELOPING A STATEWIDE  
2 PLAN FOR AGRICULTURAL EDUCATION AND COORDINATE THE  
3 IMPLEMENTATION OF RELATED AGRICULTURAL EDUCATION PROGRAMMING  
4 WITH THE DEPARTMENT OF AGRICULTURE AND THE DEPARTMENT OF  
5 EDUCATION.

6       (C) THE COMMISSION SHALL BE ADMINISTRATIVELY HOUSED WITHIN  
7 THE DEPARTMENT OF AGRICULTURE AND SHALL BE STAFFED AND SUPPORTED  
8 BY THE DEPARTMENT OF AGRICULTURE AND THE DEPARTMENT OF  
9 EDUCATION, AS PROVIDED UNDER THIS SECTION.

10       (D) IN ORDER FOR THE COMMISSION TO FULFILL ITS DUTIES AND  
11 EXERCISE ITS AUTHORITY UNDER THIS SECTION, AN AGREEMENT SHALL BE  
12 EXECUTED BETWEEN THE DEPARTMENT OF AGRICULTURE, THE DEPARTMENT  
13 OF EDUCATION AND THE COMMISSION, WHICH SHALL DEFINE AND  
14 DELINEATE THE ROLE AND RESPONSIBILITY OF EACH AGENCY IN  
15 ASSISTING THE COMMISSION IN FULFILLING ITS DUTIES UNDER THIS  
16 SECTION.

17       (E) IN ORDER FOR THE COMMISSION TO FULFILL ITS DUTIES AND  
18 EXERCISE ITS AUTHORITY UNDER THIS SECTION, THE DEPARTMENT OF  
19 AGRICULTURE, THE DEPARTMENT OF EDUCATION AND THE COMMISSION  
20 SHALL COOPERATE WITH EACH OTHER IN THE USE OF STAFF, LAND,  
21 BUILDINGS, QUARTERS, FACILITIES AND EQUIPMENT.

22       (F) THE COMMISSION SHALL CONSIST OF THE FOLLOWING MEMBERS:

23       (1) THE SECRETARY OF EDUCATION, OR A DESIGNEE.

24       (2) THE SECRETARY OF AGRICULTURE, OR A DESIGNEE.

25       (3) THE FOLLOWING MEMBERS JOINTLY APPOINTED BY THE SECRETARY  
26 OF EDUCATION AND THE SECRETARY OF AGRICULTURE FROM LISTS  
27 SUBMITTED BY THE PRESIDENT PRO TEMPORE OF THE SENATE AND THE  
28 SPEAKER OF THE HOUSE OF REPRESENTATIVES, IN CONSULTATION WITH  
29 THE MAJORITY LEADER AND MINORITY LEADER OF THE SENATE AND THE  
30 MAJORITY LEADER AND MINORITY LEADER OF THE HOUSE OF

1 REPRESENTATIVES:

2 (I) TWO FARMERS.

3 (II) A REPRESENTATIVE OF THE AGRICULTURAL PROCESSING AND  
4 AGRICULTURAL MARKETING INDUSTRIES.

5 (III) TWO REPRESENTATIVES OF AGRICULTURAL SCIENCES, NOT MORE  
6 THAN ONE OF WHOM SHALL BE A FACULTY MEMBER OF THE COLLEGE OF  
7 AGRICULTURAL SCIENCES OF THE PENNSYLVANIA STATE UNIVERSITY.

8 (IV) A REPRESENTATIVE OF THE STATE SYSTEM OF HIGHER  
9 EDUCATION WITH A BACKGROUND IN OR KNOWLEDGE OF AGRICULTURAL  
10 EDUCATION.

11 (V) TWO TEACHERS OF VOCATIONAL AGRICULTURE, ONE FROM A  
12 CAREER AND TECHNICAL CENTER AND ONE FROM A SCHOOL DISTRICT.

13 (VI) A REPRESENTATIVE OF A COMMUNITY COLLEGE WITH A  
14 BACKGROUND IN OR KNOWLEDGE OF AGRICULTURAL EDUCATION.

15 (VII) AN ADMINISTRATOR OF A SCHOOL ENTITY WHICH CONDUCTS AN  
16 AGRICULTURAL EDUCATION PROGRAM.

17 (VIII) A MEMBER OF A SCHOOL DISTRICT OCCUPATIONAL ADVISORY  
18 COMMITTEE.

19 (IX) TWO MEMBERS OF THE BUSINESS COMMUNITY WITH KNOWLEDGE OF  
20 AGRICULTURAL EDUCATION.

21 (G) TO THE EXTENT PRACTICABLE, FROM MEMBERS INITIALLY  
22 APPOINTED, AN EQUAL NUMBER SHALL DRAW LOTS TO SERVE FOR A TERM  
23 OF THREE YEARS, FOR A TERM OF TWO YEARS AND FOR A TERM OF ONE  
24 YEAR. THEREAFTER, ALL MEMBERS SHALL BE APPOINTED FOR A TERM OF  
25 THREE YEARS.

26 (H) THE CHAIRMANSHIP OF THE COMMISSION SHALL ROTATE ON AN  
27 ANNUAL BASIS BETWEEN THE SECRETARY OF AGRICULTURE AND THE  
28 SECRETARY OF EDUCATION, WITH THE SECRETARY OF EDUCATION CHAIRING  
29 THE FIRST ANNUAL ROTATION.

30 (I) THE COMMISSION SHALL KEEP A RECORD OF ITS OFFICIAL

1 ACTIONS AND MAY PERFORM ACTS AND PROMULGATE POLICIES, PROCEDURES  
2 AND GUIDELINES AS MAY BE NECESSARY.

3 (J) A MAJORITY OF MEMBERS OF THE COMMISSION SHALL CONSTITUTE  
4 A QUORUM.

5 (K) THE MEMBERS OF THE COMMISSION SHALL NOT RECEIVE  
6 COMPENSATION OR REIMBURSEMENT FOR SERVICES.

7 (L) THE COMMISSION SHALL HAVE ALL THE FOLLOWING POWERS AND  
8 DUTIES:

9 (1) DEVELOP A MODEL FOR STATEWIDE CURRICULUM FOR  
10 AGRICULTURAL EDUCATION PROGRAMS BASED ON HIGH PRIORITY  
11 OCCUPATIONS.

12 (2) CONSULT WITH THE TRANSFER AND ARTICULATION OVERSIGHT  
13 COMMITTEE AND SCHOOL ENTITIES TO FACILITATE ARTICULATION  
14 AGREEMENTS WITH POSTSECONDARY INSTITUTIONS OF HIGHER EDUCATION.

15 (3) PROVIDE SUPPORT AND TECHNICAL ASSISTANCE TO SUPERVISED  
16 AGRICULTURAL EXPERIENCE PROGRAMS BASED ON STUDENT NEEDS.

17 (4) PROVIDE SUPPORT AND COORDINATION FOR STATEWIDE AND LOCAL  
18 ACTIVITIES RELATED TO FFA PROGRAMS.

19 (5) INVESTIGATE, REVIEW AND ISSUE AN ANNUAL REPORT ON THE  
20 STATUS OF AGRICULTURAL EDUCATION REQUIRED UNDER SUBSECTION (M).

21 (M) BY MAY 1, 2018, AND BY MAY 1 OF EACH YEAR THEREAFTER,  
22 THE COMMISSION SHALL SUBMIT A REPORT TO THE GOVERNOR AND THE  
23 GENERAL ASSEMBLY ON THE STATUS OF AGRICULTURAL EDUCATION IN THIS  
24 COMMONWEALTH. THE REPORT SHALL:

25 (1) OUTLINE AGRICULTURAL EDUCATION PROGRAMS AND  
26 ACHIEVEMENTS.

27 (2) ASSESS THE TRENDS AND NEEDS IN SECONDARY AND BOTH FORMAL  
28 AND INFORMAL POSTSECONDARY AGRICULTURAL EDUCATION AND TRAINING.

29 (3) INVESTIGATE AND ASSESS WORK FORCE TRENDS OF THE  
30 AGRICULTURE AND FOOD INDUSTRY.

1 (4) ASSESS AND MAKE PROGRAMMING RECOMMENDATIONS FOR MEETING  
2 THE TRAINING NEEDS FOR INDIVIDUALS NOT PURSUING FORMAL  
3 POSTSECONDARY EDUCATION.

4 (5) CONSIDER THE MANNER IN WHICH FUNDS ARE USED TO SUPPORT  
5 AGRICULTURAL EDUCATION ACTIVITIES.

6 (6) HIGHLIGHT NEW INITIATIVES AND RECOMMEND FUTURE PROGRAM  
7 NEEDS.

8 (7) MAKE RECOMMENDATIONS TO THE GOVERNOR AND THE GENERAL  
9 ASSEMBLY REGARDING LEGISLATIVE OR REGULATORY CHANGES TO IMPROVE  
10 AGRICULTURAL EDUCATION.

11 (N) THE DEPARTMENT OF AGRICULTURE AND THE DEPARTMENT OF  
12 EDUCATION SHALL PROVIDE STAFF TO ASSIST THE COMMISSION WITH THE  
13 COMMISSION'S DUTIES. THE DEPARTMENT OF AGRICULTURE AND THE  
14 DEPARTMENT OF EDUCATION SHALL PROVIDE AN EXECUTIVE DIRECTOR WHO  
15 SHALL OVERSEE ELEMENTARY, SECONDARY, POSTSECONDARY AND ADULT  
16 AGRICULTURAL EDUCATION ACTIVITIES IN THIS COMMONWEALTH AND SHALL  
17 SERVE AS THE DIRECTOR OF OUTREACH FOR THE COMMISSION AND STAFF  
18 WHO MAY BE EMPLOYED ON OR AFTER THE EFFECTIVE DATE OF THIS  
19 SECTION AND WHO SHALL BE ASSIGNED WITHIN EITHER AGENCY AS  
20 FOLLOWS:

21 (1) A CURRICULUM SPECIALIST TO ASSIST SCHOOL ENTITIES IN  
22 DEVELOPING AGRICULTURAL EDUCATION CURRICULA AND INTEGRATING  
23 NATIONAL AGRICULTURE, FOOD AND NATURAL RESOURCE STANDARDS INTO  
24 ELEMENTARY AND SECONDARY CURRICULA.

25 (2) A PROGRAM APPROVAL SPECIALIST TO ASSIST SCHOOL ENTITIES  
26 WITH THE PROGRAM APPROVAL PROCESS FOR AGRICULTURAL EDUCATION  
27 ESTABLISHED BY THE DEPARTMENT OF EDUCATION AND SERVE AS A  
28 LIAISON BETWEEN THE DEPARTMENT OF EDUCATION AND SCHOOL ENTITIES  
29 FOR DATA COLLECTION.

30 (3) AN FFA PROGRAM SPECIALIST TO OVERSEE STATE-RELATED FFA

1 ACTIVITIES AND IMPLEMENT INITIATIVES FOR LOCAL AGRICULTURAL  
2 EDUCATION PROGRAM SUCCESS.

3 (4) A WORK FORCE DEVELOPMENT SPECIALIST TO IDENTIFY CAREER  
4 PATHWAYS IN THE AGRICULTURAL AND FOOD INDUSTRIES AND PROMOTE  
5 AGRICULTURE AND FOOD CAREERS AMONG STUDENTS AND ADULT JOB  
6 SEEKERS.

7 (5) AN AGRICULTURAL EDUCATION SUPPORT SPECIALIST TO PROVIDE  
8 SUPPORT TO THE STAFF OF THE COMMISSION.

9 (O) THE IMPLEMENTATION OF THIS SECTION SHALL BE SUBJECT TO  
10 FUNDS APPROPRIATED BY THE GENERAL ASSEMBLY TO THE DEPARTMENT OF  
11 EDUCATION OR THE DEPARTMENT OF AGRICULTURE, AND THE FUNDS SHALL  
12 BE USED TO CARRY OUT THE PURPOSES OF THIS SECTION. THE  
13 DEPARTMENT OF EDUCATION AND THE DEPARTMENT OF AGRICULTURE MAY  
14 ACCEPT GRANTS AND DONATIONS FROM ALL PUBLIC AND PRIVATE SOURCES,  
15 INCLUDING THE FEDERAL GOVERNMENT, TO PAY FOR COSTS INCURRED FOR  
16 THE IMPLEMENTATION AND CONTINUANCE OF THE PROVISIONS OF THIS  
17 SECTION.

18 (P) THE FOLLOWING WORDS AND PHRASES WHEN USED IN THIS  
19 SECTION SHALL HAVE THE MEANINGS GIVEN TO THEM IN THIS SUBSECTION  
20 UNLESS THE CONTEXT CLEARLY INDICATES OTHERWISE:

21 "COMMISSION." THE COMMISSION FOR AGRICULTURAL EDUCATION  
22 EXCELLENCE ESTABLISHED UNDER THIS SECTION.

23 "FARMER." A PERSON WHO ENGAGES IN ACTIVITIES, PRACTICES AND  
24 PROCEDURES TO PRODUCE AND PREPARE FOR MARKET POULTRY, LIVESTOCK  
25 AND THEIR PRODUCTS OR WHO ENGAGES IN THE PRODUCTION AND  
26 HARVESTING OF AGRICULTURAL, AGRONOMIC, HORTICULTURAL,  
27 SILVICULTURAL AND AQUACULTURAL CROPS AND COMMODITIES AND WHOSE  
28 OPERATION IS CONDUCTED ON NOT LESS THAN TEN CONTIGUOUS ACRES IN  
29 AREA OR, IF LESS THAN TEN CONTIGUOUS ACRES IN AREA, HAS AN  
30 ANTICIPATED YEARLY GROSS INCOME OF AT LEAST TEN THOUSAND DOLLARS

1 (\$10,000).

2 "FFA." A CAREER AND TECHNICAL STUDENT ORGANIZATION THAT  
3 ENCOURAGES LEADERSHIP, PERSONAL GROWTH AND CAREER SUCCESS  
4 THROUGH AGRICULTURAL EDUCATION.

5 "SCHOOL ENTITY." A PUBLIC SCHOOL DISTRICT, INTERMEDIATE UNIT  
6 OR AREA VOCATIONAL-TECHNICAL SCHOOL.

7 SECTION 11. SECTION 1913-A(B) (1.8) OF THE ACT IS AMENDED AND  
8 PARAGRAPH (1.6) IS AMENDED BY ADDING A SUBPARAGRAPH TO READ:

9 SECTION 1913-A. FINANCIAL PROGRAM; REIMBURSEMENT OF  
10 PAYMENTS.--\* \* \*

11 (B) \* \* \*

12 (1.6) FOR THE 2006-2007 FISCAL YEAR AND EACH FISCAL YEAR  
13 THEREAFTER, THE PAYMENT FOR A COMMUNITY COLLEGE SHALL CONSIST OF  
14 THE FOLLOWING:

15 \* \* \*

16 (X) FOR THE 2017-2018 FISCAL YEAR, EACH COMMUNITY COLLEGE  
17 SHALL RECEIVE THE FOLLOWING:

18 (A) FOR OPERATING COSTS, AN AMOUNT EQUAL TO THE AMOUNTS  
19 RECEIVED IN FISCAL YEAR 2016-2017 UNDER SUBCLAUSE (IX) (A) AND  
20 (C).

21 (B) FOR THE ECONOMIC DEVELOPMENT STIPEND, AN AMOUNT EQUAL TO  
22 THE AMOUNT RECEIVED IN FISCAL YEAR 2016-2017 UNDER SUBCLAUSE  
23 (IX) (B).

24 \* \* \*

25 [(1.8) (I) THE DEPARTMENT OF EDUCATION SHALL ANNUALLY  
26 APPROVE HIGH-PRIORITY AND HIGH-INSTRUCTIONAL-COST OCCUPATION  
27 PROGRAMS, HIGH-PRIORITY OCCUPATION PROGRAMS AND NONCREDIT  
28 WORKFORCE DEVELOPMENT COURSES.]

29 [(II) IN ORDER TO QUALIFY AS A HIGH-PRIORITY AND HIGH-  
30 INSTRUCTIONAL-COST OCCUPATION PROGRAM, THE PROGRAM MUST:]

1 (A) PROVIDE TRAINING:

2 (I) IN A HIGH-PRIORITY OCCUPATION AS DEFINED BY THE CENTER  
3 FOR WORKFORCE INFORMATION AND ANALYSIS WITHIN THE DEPARTMENT OF  
4 LABOR AND INDUSTRY; OR

5 (II) IN AN OCCUPATION DESIGNED TO MEET REGIONAL WORKFORCE  
6 NEEDS AS DOCUMENTED THROUGH COLLABORATION WITH ONE OR MORE  
7 EMPLOYERS.

8 (B) BEAR AN INSTRUCTIONAL COST TO THE COMMUNITY COLLEGE, PER  
9 FULL-TIME-EQUIVALENT STUDENT, OF AT LEAST ONE HUNDRED THIRTY  
10 PERCENT (130%) OF THE AVERAGE COST PER FULL-TIME-EQUIVALENT  
11 STUDENT ENROLLED IN THE COMMUNITY COLLEGE'S CREDIT COURSES.  
12 INSTRUCTIONAL COSTS SHALL BE DEFINED BY THE DEPARTMENT OF  
13 EDUCATION AND MAY INCLUDE PERSONNEL, EQUIPMENT, CURRICULA AND  
14 OTHER COSTS NECESSARY FOR THE PROGRAM.

15 (III) IN ORDER TO QUALIFY AS A HIGH-PRIORITY OCCUPATION  
16 PROGRAM OR A NONCREDIT WORKFORCE DEVELOPMENT COURSE, THE HIGH-  
17 PRIORITY OCCUPATION PROGRAM OR NONCREDIT WORKFORCE DEVELOPMENT  
18 COURSE MUST:

19 (A) PROVIDE TRAINING IN A HIGH-PRIORITY OCCUPATION AS  
20 DEFINED BY THE CENTER FOR WORKFORCE INFORMATION AND ANALYSIS  
21 WITHIN THE DEPARTMENT OF LABOR AND INDUSTRY; OR

22 (B) PROVIDE TRAINING IN AN OCCUPATION DESIGNED TO MEET  
23 REGIONAL WORKFORCE NEEDS AS DOCUMENTED THROUGH COLLABORATION  
24 WITH ONE OR MORE EMPLOYERS.

25 (IV) IN ORDER TO QUALIFY UNDER SUBCLAUSE (II) (A) (II) OR  
26 (III) (B), THE COMMUNITY COLLEGE SHALL SUBMIT AN APPLICATION TO  
27 THE DEPARTMENT OF EDUCATION. THE APPLICATION SHALL CONTAIN:

28 (A) EVIDENCE OF COLLABORATION WITH ONE OR MORE EMPLOYERS.

29 (B) INFORMATION AS TO THE NATURE OF THE PROPOSED PROGRAM.

30 (C) EVIDENCE AS TO HOW THE PROGRAM WILL INCREASE WORKFORCE

1 OPPORTUNITIES FOR PARTICIPANTS.

2 (V) THE DEPARTMENT OF EDUCATION SHALL:

3 (A) DETERMINE THE FORM AND MANNER BY WHICH APPLICATIONS ARE  
4 TO BE SUBMITTED UNDER SUBCLAUSE (IV).

5 (B) APPROVE OR REJECT APPLICATIONS RECEIVED PURSUANT TO  
6 SUBCLAUSE (IV) WITHIN TWENTY (20) DAYS OF RECEIPT OF A COMPLETED  
7 APPLICATION; OTHERWISE, SUCH APPLICATIONS WILL BE DEEMED  
8 APPROVED.

9 (C) ANNUALLY PUBLISH GUIDELINES LISTING CRITERIA AND  
10 ESTABLISHING THE APPROVAL PROCESS FOR PROGRAMS AND COURSES UNDER  
11 THIS CLAUSE.]

12 \* \* \*

13 SECTION 11.1. SECTION 1918-A OF THE ACT IS REPEALED:

14 [SECTION 1918-A. ANNUAL REPORT.--(A) NO LATER THAN JANUARY  
15 1, 2006, THE DEPARTMENT OF EDUCATION SHALL, IN CONSULTATION WITH  
16 THE COMMUNITY COLLEGES, COMPLETE DEVELOPMENT OF A FORMAT FOR  
17 COLLECTING UNIFORM DATA RELATIVE TO THE OPERATIONS OF COMMUNITY  
18 COLLEGES. THE DATA SHALL BE USED IN MAKING AN ANNUAL REPORT TO  
19 THE GOVERNOR AND THE CHAIRMEN AND MINORITY CHAIRMEN OF THE  
20 APPROPRIATIONS AND EDUCATION COMMITTEES OF THE SENATE AND THE  
21 CHAIRMEN AND MINORITY CHAIRMEN OF THE APPROPRIATIONS AND  
22 EDUCATION COMMITTEES OF THE HOUSE OF REPRESENTATIVES. THE REPORT  
23 AND THE DATA SHALL BE MADE AVAILABLE TO THE GOVERNOR AND THE  
24 COMMITTEES VIA ELECTRONIC TRANSMISSION. THE REPORT SHALL COVER  
25 THE IMMEDIATELY PRECEDING ACADEMIC YEAR AND SHALL INCLUDE, BUT  
26 NOT BE LIMITED TO:

27 (1) DEMOGRAPHIC AND PROGRAM DATA, INCLUDING INFORMATION ON  
28 FULL-TIME AND PART-TIME FACULTY AND STUDENT ENROLLMENTS, IN  
29 TOTAL AND WITHIN CURRICULAR AREAS, DUAL ENROLLMENT  
30 PARTICIPATION, CREDIT HOURS TAUGHT BY FACULTY, DISTANCE LEARNING

1 COURSES OFFERED, ARTICULATION AGREEMENTS WITH HIGHER EDUCATION  
2 INSTITUTIONS, NUMBERS AND COURSES WITH FEWER THAN TWENTY (20)  
3 STUDENTS AND NUMBERS AND COURSES WITH MORE THAN FIFTY (50)  
4 STUDENTS.

5 (2) STUDENT PROGRESS AND ACHIEVEMENT MEASURES, INCLUDING  
6 RETENTION RATES, FIRST-TIME, FULL-TIME GRADUATION RATES AFTER  
7 TWO, THREE AND FOUR YEARS, PASSING RATES ON CERTIFICATION AND  
8 LICENSURE EXAMINATIONS, NUMBER OF STUDENTS EMPLOYED WITHIN ONE  
9 YEAR OF PROGRAM COMPLETION AND PLACEMENT INTO ADDITIONAL  
10 EDUCATION OR EMPLOYMENT IN THE STUDENT'S FIELD OF STUDY.

11 (3) ECONOMIC AND WORKFORCE DEVELOPMENT MEASURES, INCLUDING  
12 EMPLOYER SATISFACTION, CUSTOMIZED JOB TRAINING OFFERINGS,  
13 EMPLOYMENT STATUS AND NUMBERS OF BUSINESSES AND ORGANIZATIONS  
14 SERVED.

15 (B) WHERE AVAILABLE, DATA SHALL BE DISAGGREGATED BY  
16 CATEGORIES, INCLUDING GENDER, RACE AND AGE.

17 (C) THE DEPARTMENT OF EDUCATION, IN CONSULTATION WITH THE  
18 COMMUNITY COLLEGES, SHALL ANNUALLY REVIEW THE UNIFORM DATA  
19 COLLECTION FORMAT AND MAKE ANY REVISIONS DEEMED NECESSARY.

20 (D) REPORTS REQUIRED UNDER THIS SECTION SHALL BE SUBMITTED  
21 PRIOR TO SEPTEMBER 1, 2006, AND SEPTEMBER 1 OF EACH YEAR  
22 THEREAFTER.]

23 SECTION 12. SECTION 1906-G(A) (1) OF THE ACT, ADDED JULY 13,  
24 2016 (P.L.716, NO.86), IS AMENDED TO READ:

25 SECTION 1906-G. ESTABLISHMENT.

26 (A) GENERAL RULE.--NO LATER THAN DECEMBER 31, 2016, THE  
27 BOARD OF TRUSTEES APPOINTED UNDER SECTION 1905-G SHALL SUBMIT TO  
28 THE SECRETARY A PROPOSED RURAL REGIONAL COLLEGE PLAN IN SUCH  
29 FORM AND CONTAINING SUCH INFORMATION AS THE SECRETARY MAY  
30 REQUIRE. IN ADDITION TO OTHER INFORMATION WHICH MAY BE REQUIRED

1 BY THE SECRETARY, THE PLAN SHALL INCLUDE THE FOLLOWING:

2 (1) A DESIGNATION OF THE NAME OF THE PROPOSED RURAL  
3 REGIONAL COLLEGE WHICH SHALL BE THE "RURAL REGIONAL COLLEGE  
4 OF " OR " RURAL REGIONAL  
5 [COLLEGE." ] COLLEGE"; EXCEPT THAT THE BOARD OF TRUSTEES OF  
6 THE RURAL REGIONAL COLLEGE MAY LATER CHANGE THE COLLEGE'S  
7 NAME OR ADOPT A FICTITIOUS NAME FOR THE PURPOSE OF CONDUCTING  
8 BUSINESS UNDER 54 PA.C.S. CH. 3 (RELATING TO FICTITIOUS  
9 NAMES) .

10 \* \* \*

11 SECTION 13. (RESERVED) .

12 SECTION 14. SECTION 2001-C OF THE ACT IS AMENDED BY ADDING  
13 DEFINITIONS TO READ:

14 SECTION 2001-C. DEFINITIONS.

15 THE FOLLOWING WORDS AND PHRASES WHEN USED IN THIS ARTICLE  
16 SHALL HAVE THE MEANINGS GIVEN TO THEM IN THIS SECTION UNLESS THE  
17 CONTEXT CLEARLY INDICATES OTHERWISE:

18 "ADVANCED PLACEMENT PROGRAM." A PROGRAM AUTHORIZED BY THE  
19 COLLEGE BOARD THAT ALLOWS A STUDENT TO STUDY COLLEGE-LEVEL  
20 SUBJECTS WHILE ENROLLED IN HIGH SCHOOL AND TO RECEIVE ADVANCED  
21 PLACEMENT AND COLLEGE CREDIT FOR EARNING A QUALIFIED SCORE ON  
22 THE COURSE-RELATED ADVANCED PLACEMENT PROGRAM EXAM.

23 \* \* \*

24 "COLLEGE-LEVEL EXAMINATION PROGRAM." A SET OF STANDARDIZED  
25 TESTS DEVELOPED BY THE COLLEGE BOARD FOR VARIOUS SUBJECTS, AND  
26 ON WHICH A QUALIFYING SCORE CAN BE USED TO EARN COLLEGE CREDIT.

27 \* \* \*

28 "CREDIT FOR PRIOR LEARNING." COLLEGE-LEVEL CREDIT GRANTED  
29 TOWARD THE AWARD OF A POSTSECONDARY DEGREE OR CERTIFICATE FOR  
30 EXPERIENTIAL LEARNING THAT CAN BE DEMONSTRATED THROUGH VARIOUS

1 MEANS OF ASSESSMENT TO BE THE EQUIVALENT OF LEARNING GAINED  
2 THROUGH FORMAL COLLEGIATE INSTRUCTION, INCLUDING AN ADVANCED  
3 PLACEMENT PROGRAM EXAM, INTERNATIONAL BACCALAUREATE DIPLOMA  
4 PROGRAM EXAM, A COLLEGE-LEVEL EXAMINATION PROGRAM EXAM AND  
5 DANTES SUBJECT STANDARDIZED TESTS.

6 "DANTES SUBJECT STANDARDIZED TESTS." A SET OF SUBJECT EXAMS  
7 APPROVED BY THE AMERICAN COUNCIL ON EDUCATION THAT TESTS  
8 KNOWLEDGE OF BOTH LOWER-LEVEL AND UPPER-LEVEL COLLEGE MATERIAL.

9 \* \* \*

10 "INTERNATIONAL BACCALAUREATE DIPLOMA PROGRAM." AN  
11 ACADEMICALLY CHALLENGING TWO-YEAR PRECOLLEGE DIPLOMA PROGRAM  
12 COMPRISED OF THREE CORE REQUIREMENTS AND SIX ACADEMIC SUBJECT  
13 AREAS WITH FINAL EXAMINATIONS THAT PREPARE STUDENTS, 16 TO 19  
14 YEARS OF AGE, FOR HIGHER EDUCATION AND LIFE IN A GLOBAL SOCIETY.

15 \* \* \*

16 SECTION 15. SECTION 2002-C OF THE ACT IS AMENDED BY ADDING A  
17 SUBSECTION TO READ:

18 SECTION 2002-C. DUTIES OF PUBLIC INSTITUTIONS OF HIGHER  
19 EDUCATION.

20 \* \* \*

21 (D) CREDIT FOR PRIOR LEARNING.--EACH PUBLIC INSTITUTION OF  
22 HIGHER EDUCATION SHALL DO ALL OF THE FOLLOWING:

23 (1) ADOPT AND MAKE PUBLIC UNIFORM STANDARDS FOR  
24 DETERMINING ACADEMIC CREDIT FOR PRIOR LEARNING AS OUTLINED IN  
25 PARAGRAPH (4) WITHIN 18 MONTHS OF THE EFFECTIVE DATE OF THIS  
26 SUBSECTION.

27 (2) AGREE TO AWARD ACADEMIC CREDIT FOR PRIOR LEARNING,  
28 WHICH IS DETERMINED TO MEET THE STANDARDS ESTABLISHED UNDER  
29 SECTION 2004-C(C)(6) AND APPLY THE CREDIT TOWARD GRADUATION,  
30 UNLESS PROHIBITED BY EXTERNAL ACCREDITATION OR LICENSURE.

1           (3) SUBMIT TO THE DEPARTMENT INTERIM REPORTS OUTLINING  
2 THE ACTIONS THAT A PUBLIC INSTITUTION OF HIGHER EDUCATION HAS  
3 UNDERTAKEN OR INTENDS TO UNDERTAKE TO COMPLY WITH PARAGRAPHS  
4 (1) AND (2).

5           (4) AS A MEMBER OF THE TRANSFER AND ARTICULATION  
6 OVERSIGHT COMMITTEE ESTABLISHED IN SECTION 2004-C:

7           (I) CONSULT WITH THE DEPARTMENT ON A PROCESS AND  
8 TIMELINE, SUBJECT TO APPROVAL BY THE DEPARTMENT, TO  
9 DEVELOP UNIFORM STANDARDS FOR DETERMINING ACADEMIC CREDIT  
10 FOR PRIOR LEARNING, IN CONSULTATION WITH FACULTY AND  
11 PERSONNEL.

12           (II) DEVELOP AND IMPLEMENT UNIFORM STANDARDS FOR  
13 DETERMINING ACADEMIC CREDIT FOR PRIOR LEARNING, IN  
14 CONSULTATION WITH FACULTY AND PERSONNEL.

15           (III) PARTICIPATE IN SUBMITTING A STATUS REPORT TO  
16 THE DEPARTMENT, THE EDUCATION COMMITTEE OF THE SENATE AND  
17 THE EDUCATION COMMITTEE OF THE HOUSE OF REPRESENTATIVES.

18           (5) FOR EACH ACADEMIC YEAR, REPORT TO THE DEPARTMENT ALL  
19 OF THE FOLLOWING:

20           (I) THE TOTAL NUMBER OF STUDENTS AWARDED CREDITS FOR  
21 PRIOR LEARNING, INCLUDING ADVANCED PLACEMENT PROGRAM  
22 EXAMS, INTERNATIONAL BACCALAUREATE DIPLOMA PROGRAM EXAMS  
23 AND COLLEGE-LEVEL EXAMINATION PROGRAM EXAMS AND DANTES  
24 SUBJECT STANDARDIZED TESTS.

25           (II) THE TOTAL NUMBER OF CREDITS AWARDED TO STUDENTS  
26 FOR PRIOR LEARNING, INCLUDING ADVANCED PLACEMENT PROGRAM  
27 EXAMS, INTERNATIONAL BACCALAUREATE DIPLOMA PROGRAM EXAMS  
28 AND COLLEGE-LEVEL EXAMINATION PROGRAM EXAMS AND DANTES  
29 SUBJECT STANDARDIZED TESTS.

30           (III) THE NUMBER OF CREDITS AWARDED TO MATRICULATING

1 STUDENTS WHO PRESENT ADVANCED PLACEMENT PROGRAM,  
2 INTERNATIONAL BACCALAUREATE DIPLOMA PROGRAM AND COLLEGE-  
3 LEVEL EXAMINATION PROGRAM EXAMS AND DANTES SUBJECT  
4 STANDARDIZED TESTS THAT MEET THE STANDARDS ESTABLISHED  
5 UNDER SECTION 2004-C(C) (6) AND, OF THOSE CREDITS, THE  
6 NUMBER OF CREDITS APPLIED TOWARD MAJOR REQUIREMENTS AND  
7 THE NUMBER OF CREDITS APPLIED TOWARD ELECTIVE  
8 REQUIREMENTS.

9 (IV) ANY OTHER INFORMATION RELATED TO AWARDING OF  
10 CREDIT FOR PRIOR LEARNING AS REQUESTED BY THE DEPARTMENT  
11 OR THE TRANSFER AND ARTICULATION OVERSIGHT COMMITTEE,  
12 INCLUDING THE USABILITY OF TRANSFER CREDITS.

13 SECTION 16. SECTION 2004-C(C) OF THE ACT IS AMENDED BY  
14 ADDING A PARAGRAPH TO READ:  
15 SECTION 2004-C. TRANSFER AND ARTICULATION OVERSIGHT COMMITTEE.

16 \* \* \*

17 (C) DUTIES OF TRANSFER AND ARTICULATION OVERSIGHT  
18 COMMITTEE.--THE COMMITTEE SHALL:

19 \* \* \*

20 (6) WITHIN ONE YEAR OF THE EFFECTIVE DATE OF THIS  
21 PARAGRAPH, DEVELOP AND IMPLEMENT UNIFORM STANDARDS FOR  
22 AWARDING ACADEMIC CREDIT FOR PRIOR LEARNING, IN CONSULTATION  
23 WITH FACULTY AND PERSONNEL FOR PUBLIC INSTITUTIONS OF HIGHER  
24 EDUCATION AND INSTITUTIONS THAT ELECT TO PARTICIPATE UNDER  
25 SECTION 2006-C.

26 SECTION 17. THE ACT IS AMENDED BY ADDING A SECTION TO READ:  
27 SECTION 2321. STATE AID FOR FISCAL YEAR 2017-2018.

28 NOTWITHSTANDING ANY OTHER PROVISION OF LAW TO THE CONTRARY,  
29 EACH LIBRARY SUBJECT TO 24 PA.C.S. CH. 93 (RELATING TO PUBLIC  
30 LIBRARY CODE), SHALL BE ELIGIBLE FOR STATE AID FOR FISCAL YEAR

1 2017-2018, AS FOLLOWS:

2 (1) FUNDS APPROPRIATED FOR LIBRARIES SHALL BE  
3 DISTRIBUTED TO EACH LIBRARY UNDER THE FOLLOWING FORMULA:

4 (I) DIVIDE THE AMOUNT OF FUNDING THAT THE LIBRARY  
5 RECEIVED IN FISCAL YEAR 2016-2017 UNDER SECTION 2320 BY  
6 THE TOTAL STATE-AID SUBSIDY FOR FISCAL YEAR 2016-2017.

7 (II) MULTIPLY THE QUOTIENT UNDER SUBPARAGRAPH (I) BY  
8 THE TOTAL STATE-AID SUBSIDY FOR FISCAL YEAR 2017-2018.

9 (2) FOLLOWING DISTRIBUTION OF FUNDS APPROPRIATED FOR  
10 STATE AID TO LIBRARIES UNDER PARAGRAPH (1), ANY REMAINING  
11 FUNDS MAY BE DISTRIBUTED AT THE DISCRETION OF THE STATE  
12 LIBRARIAN.

13 (3) IF FUNDS APPROPRIATED FOR STATE AID TO LIBRARIES IN  
14 FISCAL YEAR 2017-2018 ARE LESS THAN FUNDS APPROPRIATED IN  
15 FISCAL YEAR 2002-2003, THE STATE LIBRARIAN MAY WAIVE  
16 STANDARDS AS PRESCRIBED IN 24 PA.C.S. CH. 93.

17 (4) EACH LIBRARY SYSTEM RECEIVING STATE AID UNDER THIS  
18 SECTION MAY DISTRIBUTE THE LOCAL LIBRARY SHARE OF THAT AID IN  
19 A MANNER AS DETERMINED BY THE BOARD OF DIRECTORS OF THE  
20 LIBRARY SYSTEM.

21 (5) IN THE CASE OF A LIBRARY SYSTEM THAT CONTAINS A  
22 LIBRARY OPERATING IN A CITY OF THE SECOND CLASS, CHANGES TO  
23 THE DISTRIBUTION OF STATE AID TO THE LIBRARY SHALL BE MADE BY  
24 MUTUAL AGREEMENT BETWEEN THE LIBRARY AND THE LIBRARY SYSTEM.

25 (6) IN THE EVENT OF A CHANGE IN DISTRICT LIBRARY CENTER  
26 POPULATION PRIOR TO THE EFFECTIVE DATE OF THIS SECTION AS A  
27 RESULT OF:

28 (I) A CITY, BOROUGH, TOWN, TOWNSHIP, SCHOOL DISTRICT  
29 OR COUNTY MOVING FROM ONE LIBRARY CENTER TO ANOTHER; OR

30 (II) A TRANSFER OF DISTRICT LIBRARY CENTER STATUS TO

1           A COUNTY LIBRARY SYSTEM;  
2           FUNDING OF DISTRICT LIBRARY CENTER AID SHALL BE PAID BASED ON  
3           THE POPULATION OF THE NEWLY ESTABLISHED OR RECONFIGURED  
4           DISTRICT LIBRARY CENTER.

5           (7) IN THE EVENT OF A CHANGE IN DIRECT SERVICE AREA FROM  
6           ONE LIBRARY TO ANOTHER, THE STATE LIBRARIAN, UPON AGREEMENT  
7           OF THE AFFECTED LIBRARIES, MAY REDISTRIBUTE THE LOCAL LIBRARY  
8           SHARE OF AID TO THE LIBRARY CURRENTLY SERVICING THE AREA.

9           SECTION 17.1. SECTION 2501 OF THE ACT IS AMENDED BY ADDING A  
10          CLAUSE TO READ:

11          SECTION 2501. DEFINITIONS.--FOR THE PURPOSES OF THIS ARTICLE  
12          THE FOLLOWING TERMS SHALL HAVE THE FOLLOWING MEANINGS:

13          \* \* \*

14          (14.2) "MARKET VALUE." FOR PURPOSES OF THE CALCULATIONS  
15          DESCRIBED IN CLAUSES (14) AND (14.1), IN THE FISCAL YEAR  
16          BEGINNING JULY 1, 2017, A SCHOOL DISTRICT'S MARKET VALUE SHALL  
17          NOT EXCEED \$47,000,000,000 AND, IN EACH SUBSEQUENT FISCAL YEAR,  
18          THE MAXIMUM MARKET VALUE SHALL BE INCREASED BY THE PERCENTAGE  
19          INCREASE IN MARKET VALUE FOR ALL SCHOOL DISTRICTS.

20          \* \* \*

21          SECTION 18. SECTION 2502.53(C) (5) AND (D) (3) OF THE ACT,  
22          ADDED JUNE 1, 2016 (P.L.252, NO.35), ARE AMENDED AND SUBSECTION  
23          (D) IS AMENDED BY ADDING A PARAGRAPH TO READ:

24          SECTION 2502.53. STUDENT-WEIGHTED BASIC EDUCATION FUNDING.--

25          \* \* \*

26          (C) FOR THE PURPOSE OF THIS SECTION:

27          \* \* \*

28          (5) THE DATA USED TO CALCULATE THE FACTORS AND INDEXES IN  
29          THIS SECTION SHALL BE BASED ON THE MOST RECENT YEARS FOR WHICH  
30          DATA IS AVAILABLE AS DETERMINED BY THE DEPARTMENT OF

1 EDUCATION[.] AND BE FIXED AS OF THE FIRST DAY OF JUNE PRECEDING  
2 THE SCHOOL YEAR IN WHICH THE ALLOCATION OCCURS. DATA FIXED ON  
3 THE FIRST DAY OF JUNE SHALL BE REVISED BY THE DEPARTMENT OF  
4 EDUCATION IF IT IS SUBSEQUENTLY FOUND TO BE INCORRECT.

5 (D) FOR PURPOSES OF THIS SECTION:

6 \* \* \*

7 (1.1) "CURRENT EXPENDITURES" SHALL MEAN THE GENERAL FUND  
8 EXPENDITURES IN FUNCTIONAL CLASSIFICATIONS OF INSTRUCTION,  
9 SUPPORT SERVICES AND OPERATION OF NONINSTRUCTIONAL SERVICES.  
10 BEGINNING WITH THE 2016-2017 SCHOOL YEAR, "CURRENT EXPENDITURES"  
11 SHALL MEAN THE GENERAL FUND EXPENDITURES IN FUNCTIONAL  
12 CLASSIFICATIONS OF INSTRUCTION, SUPPORT SERVICES AND OPERATION  
13 OF NONINSTRUCTIONAL SERVICES, MINUS GENERAL FUND REVENUES FOR  
14 TUITION FROM PATRONS.

15 \* \* \*

16 (3) "LOCAL TAX-RELATED REVENUE" SHALL MEAN THE SUM OF SCHOOL  
17 DISTRICT REVENUES FOR STATE PROPERTY TAX REDUCTION ALLOCATION,  
18 TAXES LEVIED AND ASSESSED, DELINQUENCIES ON TAXES LEVIED AND  
19 ASSESSED, REVENUE FROM LOCAL GOVERNMENT UNITS AND OTHER LOCAL  
20 REVENUES NOT SPECIFIED ELSEWHERE, AS DESIGNATED IN THE MANUAL OF  
21 ACCOUNTING AND FINANCIAL REPORTING FOR PENNSYLVANIA PUBLIC  
22 SCHOOLS. BEGINNING WITH THE 2016-2017 SCHOOL YEAR, REVENUES  
23 RECEIVED BY A SCHOOL DISTRICT FROM THE SALES AND USE TAX AND THE  
24 CIGARETTE TAX SHALL BE INCLUDED WHEN DETERMINING A SCHOOL  
25 DISTRICT'S LOCAL TAX-RELATED REVENUE UNDER THIS SECTION.

26 \* \* \*

27 SECTION 19. SECTIONS 2509.1(C.2), 2510.3(A) AND 2599.6 OF  
28 THE ACT, AMENDED OR ADDED JULY 13, 2016 (P.L.716, NO.86), ARE  
29 AMENDED TO READ:

30 SECTION 2509.1. PAYMENTS TO INTERMEDIATE UNITS.--\* \* \*

1 (C.2) THE FOLLOWING APPLY:

2 (1) FOR THE 2016-2017 AND 2017-2018 SCHOOL [YEAR] YEARS,  
3 FIVE AND FIVE-TENTHS PERCENT (5.5%) OF THE STATE SPECIAL  
4 EDUCATION APPROPRIATION SHALL BE PAID TO INTERMEDIATE UNITS ON  
5 ACCOUNT OF SPECIAL EDUCATION SERVICES.

6 (2) THIRTY-FIVE PERCENT (35%) OF THE AMOUNT UNDER PARAGRAPH  
7 (1) SHALL BE DISTRIBUTED EQUALLY AMONG ALL INTERMEDIATE UNITS.

8 (3) SIXTY-FIVE PERCENT (65%) OF THE AMOUNT UNDER PARAGRAPH  
9 (1) SHALL BE DISTRIBUTED TO EACH INTERMEDIATE UNIT IN PROPORTION  
10 TO THE NUMBER OF AVERAGE DAILY MEMBERSHIP OF THE COMPONENT  
11 SCHOOL DISTRICTS OF EACH INTERMEDIATE UNIT AS COMPARED TO THE  
12 STATEWIDE TOTAL AVERAGE DAILY MEMBERSHIP.

13 \* \* \*

14 SECTION 2510.3. ASSISTANCE TO SCHOOL DISTRICTS DECLARED TO  
15 BE IN FINANCIAL RECOVERY STATUS OR IDENTIFIED FOR FINANCIAL  
16 WATCH STATUS.-- (A) THE FOLLOWING APPLY:

17 (1) FOR THE 2013-2014 AND 2016-2017 FISCAL YEARS, THE  
18 DEPARTMENT OF EDUCATION MAY UTILIZE UP TO FOUR MILLION FIVE  
19 HUNDRED THOUSAND DOLLARS (\$4,500,000) OF UNDISTRIBUTED FUNDS NOT  
20 EXPENDED, ENCUMBERED OR COMMITTED FROM APPROPRIATIONS FOR GRANTS  
21 AND SUBSIDIES MADE TO THE DEPARTMENT OF EDUCATION TO ASSIST  
22 SCHOOL DISTRICTS DECLARED TO BE IN FINANCIAL RECOVERY STATUS  
23 UNDER SECTION 621-A OR IDENTIFIED FOR FINANCIAL WATCH STATUS  
24 UNDER SECTION 611-A . THE FUNDS SHALL BE TRANSFERRED BY THE  
25 SECRETARY OF THE BUDGET TO A RESTRICTED ACCOUNT AS NECESSARY TO  
26 MAKE PAYMENTS UNDER THIS SECTION AND, WHEN TRANSFERRED, ARE  
27 HEREBY APPROPRIATED TO CARRY OUT THE PROVISIONS OF THIS SECTION.

28 (2) FOR THE 2017-2018 FISCAL YEAR, THE DEPARTMENT OF  
29 EDUCATION MAY UTILIZE UP TO FIVE MILLION DOLLARS (\$5,000,000) OF  
30 UNDISTRIBUTED FUNDS NOT EXPENDED, ENCUMBERED OR COMMITTED FROM

1 APPROPRIATIONS FOR GRANTS AND SUBSIDIES MADE TO THE DEPARTMENT  
2 OF EDUCATION TO ASSIST SCHOOL DISTRICTS DECLARED TO BE IN  
3 FINANCIAL RECOVERY STATUS UNDER SECTION 621-A, IDENTIFIED FOR  
4 FINANCIAL WATCH STATUS UNDER SECTION 611-A OR IDENTIFIED FOR  
5 FINANCIAL WATCH STATUS UNDER SECTION 694-A; EXCEPT THAT THE  
6 FUNDS MUST BE FIRST UTILIZED TO ACCOMPLISH THE PROVISIONS  
7 CONTAINED IN SECTION 695-A. THE FUNDS SHALL BE TRANSFERRED BY  
8 THE SECRETARY OF THE BUDGET TO A RESTRICTED ACCOUNT AS NECESSARY  
9 TO MAKE PAYMENTS UNDER THIS SECTION AND, WHEN TRANSFERRED, ARE  
10 HEREBY APPROPRIATED TO CARRY OUT THE PROVISIONS OF THIS SECTION.

11 \* \* \*

12 SECTION 2599.6. READY-TO-LEARN BLOCK GRANT.--(A) FOR THE  
13 2016-2017 AND 2017-2018 SCHOOL [YEAR] YEARS, EACH SCHOOL ENTITY  
14 SHALL RECEIVE A READY-TO-LEARN BLOCK GRANT AS FOLLOWS:

15 (1) AN AMOUNT EQUAL TO THE AMOUNT THE SCHOOL ENTITY RECEIVED  
16 DURING THE 2013-2014 SCHOOL YEAR UNDER SECTION 2599.2.

17 (2) AN AMOUNT EQUAL TO THE AMOUNT THE SCHOOL ENTITY RECEIVED  
18 DURING THE 2014-2015 SCHOOL YEAR UNDER SECTION 1722-J(21) (II) OF  
19 THE ACT OF APRIL 9, 1929 (P.L.343, NO.176), KNOWN AS THE FISCAL  
20 CODE.

21 (3) AN AMOUNT EQUAL TO THE AMOUNT THE SCHOOL ENTITY RECEIVED  
22 DURING THE 2015-2016 SCHOOL YEAR UNDER SECTION 1722-L(21) (I) (C)  
23 OF THE FISCAL CODE.

24 (B) FUNDING RECEIVED BY A SCHOOL ENTITY UNDER THIS SECTION  
25 SHALL BE USED IN ACCORDANCE WITH THE PROVISIONS CONTAINED IN  
26 SECTIONS 2599.2 AND 1722-J(21) (V) OF THE FISCAL CODE AND MAY BE  
27 USED FOR INTEGRATED STUDENT SUPPORTS.

28 (C) TO BE ELIGIBLE TO RECEIVE FUNDING UNDER THIS SECTION,  
29 EACH SCHOOL ENTITY SHALL SUBMIT A PLAN FOR APPROVAL TO THE  
30 DEPARTMENT OUTLINING HOW THE FUNDING WILL BE USED.

1 (D) REVENUES RECEIVED BY A SCHOOL DISTRICT UNDER SUBSECTION  
2 (A) (2) SHALL NOT BE INCLUDED IN THE SCHOOL DISTRICT'S BUDGETED  
3 TOTAL EXPENDITURE PER AVERAGE DAILY MEMBERSHIP USED TO CALCULATE  
4 THE AMOUNT TO BE PAID TO A CHARTER SCHOOL UNDER SECTION 1725-  
5 A(A) (2) AND (3) .

6 (E) FOR THE PURPOSES OF THIS SECTION, A "SCHOOL ENTITY"  
7 SHALL BE A SCHOOL DISTRICT, CHARTER SCHOOL, CYBER CHARTER SCHOOL  
8 OR REGIONAL CHARTER SCHOOL.

9 SECTION 20. SECTION 2603-B(H) AND (I) OF THE ACT ARE AMENDED  
10 TO READ:

11 SECTION 2603-B. POWERS AND DUTIES OF THE BOARD.--\* \* \*

12 (H) EVERY [FIVE (5)] TEN (10) YEARS, THE BOARD SHALL ADOPT A  
13 MASTER PLAN FOR HIGHER EDUCATION WHICH SHALL BE FOR THE GUIDANCE  
14 OF THE GOVERNOR, THE GENERAL ASSEMBLY, AND ALL INSTITUTIONS OF  
15 HIGHER EDUCATION FINANCED WHOLLY OR IN PART FROM STATE  
16 APPROPRIATIONS. THE MASTER PLAN SHALL:

17 (1) DEFINE THE ROLE OF EACH TYPE OF INSTITUTION (STATE-OWNED  
18 UNIVERSITIES, STATE-RELATED UNIVERSITIES, COMMUNITY COLLEGES,  
19 PRIVATE COLLEGES AND UNIVERSITIES AND OFF-CAMPUS CENTERS OF ANY  
20 OF THESE AND OTHER INSTITUTIONS AUTHORIZED TO GRANT DEGREES) IN  
21 THIS COMMONWEALTH;

22 (2) RECOMMEND ENROLLMENT LEVELS FOR EACH SUCH INSTITUTION;

23 (3) RECOMMEND METHODS FOR GOVERNANCE;

24 (4) RECOMMEND METHODS FOR THE DISTRIBUTION OF STATE FUNDS  
25 AMONG THE INSTITUTIONS;

26 (5) EVALUATE THE STATUS OF PHYSICAL PLANTS AND TECHNICAL  
27 EQUIPMENT AND PROJECT NEEDS;

28 (6) EVALUATE THE STATUS OF AND PROJECTION OF MANPOWER NEEDS;

29 (7) EVALUATE ENROLLMENT ACCESSIBILITY TO INSTITUTIONS OF  
30 HIGHER LEARNING BY THE PUBLIC; AND

1 (8) OTHERWISE PROVIDE FOR AN ORDERLY DEVELOPMENT OF  
2 INSTITUTIONS OF HIGHER EDUCATION IN THIS COMMONWEALTH.

3 (I) EVERY [FIVE (5)] TEN (10) YEARS, THE BOARD SHALL ADOPT A  
4 MASTER PLAN FOR BASIC EDUCATION WHICH SHALL BE FOR THE GUIDANCE  
5 OF THE GOVERNOR, THE GENERAL ASSEMBLY, AND ALL PUBLIC SCHOOL  
6 ENTITIES. THE MASTER PLAN SHALL CONSIDER AND MAKE  
7 RECOMMENDATIONS ON THE FOLLOWING AREAS, AND ANY OTHER AREAS  
8 WHICH THE BOARD DEEMS APPROPRIATE:

9 (1) SCHOOL PROGRAM APPROVAL, EVALUATION AND REQUIREMENTS;

10 (2) SCHOOL PERSONNEL TRAINING AND CERTIFICATION;

11 (3) STUDENT TESTING AND ASSESSMENT;

12 (4) SCHOOL GOVERNANCE AND ORGANIZATION;

13 (5) CURRICULUM MATERIALS DEVELOPMENT;

14 (6) SCHOOL FINANCE;

15 (7) SCHOOL BUILDINGS AND FACILITIES;

16 (8) TRANSPORTATION;

17 (9) TECHNICAL SERVICES AND SUPPORT SERVICES TO LOCAL  
18 EDUCATION AGENCIES; AND

19 (10) PROJECTED LONG-RANGE NEEDS OF THE PUBLIC SCHOOL SYSTEM  
20 OF THIS COMMONWEALTH.

21 \* \* \*

22 SECTION 21. NOTWITHSTANDING SECTION 10 OF THE ACT OF  
23 NOVEMBER 3, 2016 (P.L.1061, NO.138), THE ACT OF NOVEMBER 3, 2016  
24 (P.L.1061, NO.138), SHALL APPLY AS FOLLOWS:

25 (1) FOR A PUBLIC SCHOOL DISTRICT, A CHARTER SCHOOL, A  
26 CYBER CHARTER SCHOOL, A REGIONAL CHARTER SCHOOL OR AN AREA  
27 VOCATIONAL-TECHNICAL SCHOOL, THE ACT OF NOVEMBER 3, 2016  
28 (P.L.1061, NO.138), SHALL APPLY TO THE 2017-2018 SCHOOL YEAR  
29 AND EACH SCHOOL YEAR THEREAFTER.

30 (2) FOR A NONPUBLIC SCHOOL, THE ACT OF NOVEMBER 3, 2016

1 (P.L.1061, NO.138), SHALL APPLY TO THE 2018-2019 SCHOOL YEAR  
2 AND EACH SCHOOL YEAR THEREAFTER.

3 SECTION 22. THE FOLLOWING PROVISIONS SHALL APPLY  
4 RETROACTIVELY TO JULY 1, 2017:

5 (1) THE AMENDMENT OF SECTION 732.1 OF THE ACT.

6 (2) THE AMENDMENT OR ADDITION OF SECTION 1913-A(B) (1.6)  
7 (X) AND (1.8) OF THE ACT.

8 (3) (RESERVED).

9 (4) THE ADDITION OF SECTION 2321 OF THE ACT.

10 (5) THE AMENDMENT OR ADDITION OF SECTION 2502.53(C) (5)  
11 AND (D) (1.1) AND (3) OF THE ACT.

12 (6) THE AMENDMENT OF SECTION 2509.1(C.2) OF THE ACT.

13 (7) THE AMENDMENT OF SECTION 2599.6 OF THE ACT.

14 SECTION 23. THIS ACT SHALL TAKE EFFECT AS FOLLOWS:

15 (1) THE AMENDMENT OF SECTION 1337(D) OF THE ACT SHALL  
16 TAKE EFFECT IN 30 DAYS.

17 (2) THE AMENDMENT OR ADDITION OF SECTIONS 1549 AND  
18 1549.1 OF THE ACT SHALL TAKE EFFECT IN 60 DAYS.

19 (3) THE REMAINDER OF THIS ACT SHALL TAKE EFFECT  
20 IMMEDIATELY.