

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL
No. 2174 Session of
1986

INTRODUCED BY DOMBROWSKI, BOWSER, GALLAGHER, BURNS, CAPPABIANCA,
MERRY, BOYES, SWIFT, BOWLEY, ROBBINS AND BROUJOS,
FEBRUARY 18, 1986

AS AMENDED ON SECOND CONSIDERATION, IN SENATE,
SEPTEMBER 23, 1986

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," ~~providing for the ownership of land~~ <—
6 ~~and buildings by intermediate units.~~ FURTHER PROVIDING FOR <—
7 CONTINUING PROFESSIONAL DEVELOPMENT PLANS AND REQUIREMENTS.

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

10 ~~Section 1. Section 914 A(11) of the act of March 10, 1949~~ <—
11 ~~(P.L.30, No.14), known as the Public School Code of 1949,~~
12 ~~amended April 6, 1980 (P.L.86, No.30), is amended to read:~~

13 ~~Section 914 A. Powers and Duties of the Intermediate Unit~~
14 ~~Board of Directors. An intermediate unit board of directors~~
15 ~~shall have the power and its duty shall be:~~

16 * * *

17 ~~(11) To lease or own land and buildings.~~

18 * * *

Section 2. ~~Section 919.1 A of the act, added August 24, 1977~~
~~(P.L.199, No.59), is amended to read:~~

Section 919.1 A. ~~Capital Subsidy. All [leases] lease~~
~~agreements, loan agreements, mortgages, security agreements, or~~
~~any other contracts, instruments or agreements, for office~~
~~space, classrooms, warehouse space and similar facilities shall~~
~~be pre approved by the Secretary of Education. For the 1977-1978~~
~~school year and each school year thereafter, in addition to any~~
~~payments required under section 917.1 A, the Commonwealth shall~~
~~allocate to the intermediate units on account of approved~~
~~[leases] lease agreements, loan agreements, mortgages, security~~
~~agreements, or any other contracts, instruments or agreements,~~
~~an amount to be determined as follows: by obtaining the product~~
~~of the number of students in average daily membership (ADM)~~
~~multiplied by the median actual instruction expense per weighted~~
~~average daily membership of all the school districts, to be~~
~~further multiplied by three one hundredths of one percent~~
~~(0.03%), based on the latest actual data available to the~~
~~Secretary of Education.~~

The distribution to each intermediate unit shall be computed
by applying the intermediate unit aid ratio to each approved
~~[lease] payment under any such lease agreement, loan agreement,~~
~~mortgage, security agreement, or other contract, instrument or~~
~~agreement.~~ The aid ratio computed initially shall apply as a
minimum for the duration of the ~~lease agreement, loan agreement,~~
~~mortgage, security agreement, or other contract, instrument or~~
~~agreement.~~ Provided, however, That no intermediate unit shall
receive less on account of approved ~~[leases] lease agreements,~~
~~loan agreements, mortgages, security agreements, or any other~~
~~contracts, instruments or agreements,~~ than it received for the

1 ~~1976-1977 school year.~~

2 ~~Where the allocations under this section do not satisfy~~
3 ~~[lease] reimbursement requirements under any lease agreements,~~
4 ~~loan agreements, mortgages, security agreements, or any other~~
5 ~~contracts, instruments or agreements, each intermediate unit~~
6 ~~shall receive a pro rata share of the amount determined by the~~
7 ~~above formula.~~

8 ~~Section 3. This act shall take effect immediately.~~

9 SECTION 1. THE ACT OF MARCH 10, 1949 (P.L.30, NO.14), KNOWN <—
10 AS THE PUBLIC SCHOOL CODE OF 1949, IS AMENDED BY ADDING A
11 SECTION TO READ:

12 SECTION 1205.1. CONTINUING PROFESSIONAL DEVELOPMENT.--(A)
13 DURING THE 1986-1987 SCHOOL YEAR, EVERY SCHOOL DISTRICT, JOINT
14 SCHOOL DISTRICT, INTERMEDIATE UNIT, AND AREA VOCATIONAL-
15 TECHNICAL SCHOOL SHALL SUBMIT TO THE SECRETARY OF EDUCATION FOR
16 APPROVAL A CONTINUING PROFESSIONAL DEVELOPMENT PLAN, DEVELOPED
17 PURSUANT TO THE PROVISIONS OF SUBSECTION (B) AND INCLUDING, AT A
18 MINIMUM, THE ELEMENTS PROVIDED FOR IN SUBSECTION (C). THE
19 SECRETARY SHALL DETERMINE APPROXIMATELY ONE-THIRD OF THE SCHOOL
20 DISTRICTS, JOINT SCHOOL DISTRICTS, INTERMEDIATE UNITS, AND AREA
21 VOCATIONAL-TECHNICAL SCHOOLS WHICH SHALL SUBMIT TWO-YEAR PLANS,
22 ONE-THIRD WHICH SHALL SUBMIT THREE-YEAR PLANS, AND ONE-THIRD
23 WHICH SHALL SUBMIT FOUR-YEAR PLANS DURING THE 1986-1987 SCHOOL
24 YEAR. THEREAFTER, UPON THE EXPIRATION OF THE EXISTING
25 PROFESSIONAL DEVELOPMENT PLAN, EACH SCHOOL DISTRICT, JOINT
26 SCHOOL DISTRICT, INTERMEDIATE UNIT, AND AREA VOCATIONAL-
27 TECHNICAL SCHOOL SHALL SUBMIT TO THE SECRETARY FOR APPROVAL A
28 TWO-YEAR PROFESSIONAL DEVELOPMENT PLAN.

29 (B) THE PROFESSIONAL DEVELOPMENT PLAN PROVIDED FOR IN
30 SUBSECTION (A) SHALL BE PREPARED BY TEACHER REPRESENTATIVES

1 CHOSEN BY THE TEACHERS AND ADMINISTRATIVE REPRESENTATIVES CHOSEN
2 BY THE ADMINISTRATIVE PERSONNEL OF THE SCHOOL DISTRICT, JOINT
3 SCHOOL DISTRICT, INTERMEDIATE UNIT, OR AREA VOCATIONAL-TECHNICAL
4 SCHOOL, AND SHALL THEN BE APPROVED BY THE BOARD OF DIRECTORS
5 PRIOR TO SUBMISSION TO THE SECRETARY FOR APPROVAL. THE SECRETARY
6 MAY SPECIFY THE TIME AT WHICH AND THE FORM IN WHICH SUCH PLANS
7 ARE TO BE SUBMITTED. THE STATE BOARD OF EDUCATION SHALL
8 PROMULGATE REGULATIONS, SUBJECT TO THE ACT OF JUNE 25, 1982
9 (P.L.633, NO.181), KNOWN AS THE "REGULATORY REVIEW ACT,"
10 ESTABLISHING THE MINIMAL CONTENT OF SUCH PLANS. THE PROVISIONS
11 OF SECTION 2552 SHALL APPLY TO ANY SCHOOL DISTRICT, JOINT SCHOOL
12 DISTRICT, INTERMEDIATE UNIT OR AREA VOCATIONAL-TECHNICAL SCHOOL
13 FAILING TO COMPLY WITH THE PROVISIONS OF THIS SECTION.

14 (C) THE PROFESSIONAL DEVELOPMENT PLAN OF EACH SCHOOL
15 DISTRICT, JOINT SCHOOL DISTRICT, INTERMEDIATE UNIT, AND AREA
16 VOCATIONAL-TECHNICAL SCHOOL SHALL BE DESIGNED TO MEET THE
17 EDUCATIONAL NEEDS OF THAT SCHOOL ENTITY AND ITS PROFESSIONAL
18 EMPLOYEES. EACH PLAN SHALL INCLUDE OPTIONS FOR PROFESSIONAL
19 DEVELOPMENT AND FOR FULFILLING THE PROFESSIONAL DEVELOPMENT
20 REQUIREMENTS OF SUBSECTION (D), INCLUDING ACTIVITIES SUCH AS
21 PROFESSIONALLY RELATED GRADUATE LEVEL COURSEWORK, OBTAINING A
22 PROFESSIONALLY RELATED MASTER'S DEGREE, DEPARTMENT OF EDUCATION
23 APPROVED INSERVICE COURSES, CURRICULUM DEVELOPMENT WORK,
24 ATTENDANCE AT PROFESSIONAL CONFERENCES, AND SUPERVISED CLASSROOM
25 OBSERVATIONS OF OTHER PROFESSIONAL EMPLOYEES. IN ITS PROFESSIONAL
26 DEVELOPMENT PLAN, A SCHOOL DISTRICT, JOINT SCHOOL DISTRICT,
27 INTERMEDIATE UNIT OR AREA VOCATIONAL-TECHNICAL SCHOOL MAY
28 PROVIDE FOR UNDERTAKING JOINT OR COOPERATIVE PROFESSIONAL
29 DEVELOPMENT ACTIVITIES WITH ANOTHER SCHOOL ENTITY OR AN
30 INSTITUTION OF HIGHER EDUCATION.

1 (D) ALL PERSONS PROFESSIONAL EMPLOYES OF SCHOOL DISTRICTS,
2 JOINT SCHOOL DISTRICTS, INTERMEDIATE UNITS OR AREA VOCATIONAL-
3 TECHNICAL SCHOOLS RECEIVING THEIR INITIAL PENNSYLVANIA TEACHING
4 OR ADMINISTRATIVE CERTIFICATION, AS PROVIDED FOR IN THIS
5 ARTICLE, ON OR AFTER JUNE 1, 1987, SHALL BE REQUIRED AT LEAST
6 ONCE DURING EVERY FIVE-YEAR PERIOD, COMMENCING UPON RECEIPT OF A
7 PERMANENT TEACHING CERTIFICATE OR AN INITIAL ADMINISTRATIVE
8 CERTIFICATE, TO PARTICIPATE IN PROFESSIONAL DEVELOPMENT ACTIVITY
9 PURSUANT TO THE PROFESSIONAL DEVELOPMENT PLAN OF THAT
10 PROFESSIONAL EMPLOYEE'S SCHOOL DISTRICT, JOINT SCHOOL DISTRICT,
11 INTERMEDIATE UNIT, OR AREA VOCATIONAL-TECHNICAL SCHOOL. A
12 PROFESSIONAL EMPLOYEE WHO OBTAINS A PROFESSIONALLY RELATED
13 MASTER'S DEGREE SHALL BE DEEMED TO HAVE COMPLIED PERMANENTLY
14 WITH THE PROVISIONS OF THIS SUBSECTION. THE CHIEF SCHOOL
15 ADMINISTRATOR OF EVERY SCHOOL DISTRICT, JOINT SCHOOL DISTRICT,
16 INTERMEDIATE UNIT, AND AREA VOCATIONAL-TECHNICAL SCHOOL SHALL
17 CERTIFY ANNUALLY TO THE SECRETARY THE NAMES OF PROFESSIONAL
18 EMPLOYES WHO HAVE RECEIVED THEIR INITIAL PENNSYLVANIA TEACHING
19 OR ADMINISTRATIVE CERTIFICATION ON OR AFTER JUNE 1, 1987, AND
20 THE PROFESSIONAL DEVELOPMENT ACTIVITIES IN WHICH THESE EMPLOYES
21 HAVE PARTICIPATED. THE CERTIFICATION SHALL BE MADE AT SUCH TIME
22 AND IN SUCH FORM AS THE SECRETARY MAY REQUIRE.

23 (E) THE PROVISIONS OF STATE BOARD OF EDUCATION REGULATIONS
24 IN 22 PA. CODE § 49.17(A) AND (B), PROMULGATED SEPTEMBER 13,
25 1984, ARE HEREBY SPECIFICALLY DECLARED TO BE CONTRARY TO THE
26 PROVISIONS OF THIS SECTION AND THEREFORE NULL AND VOID. NOTHING
27 IN THIS SECTION SHALL BE DEEMED TO AFFECT THE PROVISIONS OF 22
28 PA. CODE § 49.17(C), (D) AND (E).

29 SECTION 2. THIS ACT SHALL BE RETROACTIVE TO JULY 1, 1986.

30 SECTION 3. THIS ACT SHALL TAKE EFFECT IMMEDIATELY.