
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 2508

Session of
1990

INTRODUCED BY COWELL, MILLER, SCHULER, BARLEY, STRITTMATTER,
BRANDT, SCHEETZ AND COLAFELLA, APRIL 24, 1990

AS AMENDED ON THIRD CONSIDERATION, IN SENATE, NOVEMBER 14, 1990

AN ACT

1 ~~Amending the act of April 6, 1980 (P.L.82, No.28), entitled "An~~ <—
2 ~~act providing for the continuation, operation and~~
3 ~~administration of the school for indigent orphans known as~~
4 ~~the Thaddeus Stevens State School of Technology in Lancaster,~~
5 ~~Pennsylvania in which school instruction shall be given in~~
6 ~~all basic educational subjects and additional training given~~
7 ~~in elementary manual skills, elements of farming and other~~
8 ~~programs of similar nature," further providing for the powers~~
9 ~~and duties of the board of trustees and the president, for~~
10 ~~admissions, for the course of instruction and for rights of~~
11 ~~faculty and staff; and making an editorial change.~~
12 AMENDING THE ACT OF MARCH 10, 1949 (P.L.30, NO.14), ENTITLED "AN <—
13 ACT RELATING TO THE PUBLIC SCHOOL SYSTEM, INCLUDING CERTAIN
14 PROVISIONS APPLICABLE AS WELL TO PRIVATE AND PAROCHIAL
15 SCHOOLS; AMENDING, REVISING, CONSOLIDATING AND CHANGING THE
16 LAWS RELATING THERETO," FURTHER PROVIDING FOR THE
17 CONTINUATION, OPERATION AND ADMINISTRATION OF THE SCHOOL FOR
18 INDIGENT ORPHANS KNOWN AS THE THADDEUS STEVENS STATE SCHOOL
19 OF TECHNOLOGY IN LANCASTER, PENNSYLVANIA IN WHICH SHALL BE
20 OFFERED TWO-YEAR POSTSECONDARY VOCATIONAL-TECHNICAL EDUCATION
21 PROGRAMS; FURTHER PROVIDING FOR THE FACTOR FOR EDUCATIONAL
22 EXPENSES AND AID TO SMALL DISTRICTS; PROVIDING FOR CERTAIN
23 EQUIPMENT GRANTS; AND MAKING A REPEAL.

24 The General Assembly of the Commonwealth of Pennsylvania
25 hereby enacts as follows:

26 ~~Section 1. The title and sections 6, 7 and 8 of the act of~~ <—
27 ~~April 6, 1980 (P.L.82, No.28), known as the Thaddeus Stevens~~

1 ~~State School of Technology Act, are amended to read:~~

2 ~~AN ACT~~

3 ~~Providing for the continuation, operation and administration of~~
4 ~~the school for~~

5 ~~indigent orphans known as the Thaddeus Stevens State School~~
6 ~~of Technology in Lancaster, Pennsylvania in which [school~~
7 ~~instruction shall be given in all basic educational subjects and~~
8 ~~additional training given in elementary manual skills, elements~~
9 ~~of farming and other programs of similar nature] two year~~
10 ~~postsecondary programs in vocational technical education shall~~
11 ~~be given.~~

12 ~~Section 6. Board of trustees.~~

13 ~~The board of trustees shall consist of nine members, who~~
14 ~~shall serve without compensation, and be appointed by the~~
15 ~~Governor, by and with the advice and consent of the Senate. Said~~
16 ~~trustees shall be a body politic or corporate, of the name of~~
17 ~~the Thaddeus Stevens State School of Technology. They shall~~
18 ~~[manage and direct the affairs of the institution], under~~
19 ~~section 1311 of the act of April 9, 1929 (P.L.177, No.175),~~
20 ~~known as "The Administrative Code of 1929," have general~~
21 ~~direction and control of the property and management of the~~
22 ~~institution; develop broad institutional policy; and make all~~
23 ~~necessary bylaws and regulations, not inconsistent with either~~
24 ~~the provisions of the Constitution, laws of the Commonwealth, or~~
25 ~~rules and regulations of the State Board of Education. Of the~~
26 ~~trustees first appointed, three shall serve for one year, three~~
27 ~~for two years, and three for three years, and at the expiration~~
28 ~~of the respective periods the vacancies shall be filled by the~~
29 ~~Governor, by appointment, for three years, as hereinbefore~~
30 ~~provided; and should any vacancy occur by death or resignation,~~

~~or otherwise, of any trustee, such vacancy shall be filled, by
appointment as aforesaid, for the unexpired term of said
trustee. The Secretary of Education shall be ex officio member
of the board of trustees.~~

~~Section 7. President of the school.~~

~~The chief administrator and academic officer of the Thaddeus
Stevens State School of Technology shall be the president whose
duties shall be defined by the board of trustees and approved by
the Secretary of Education. [Other administrative personnel
shall be designated at the discretion of the board of trustees.]~~

~~Section 8. [Individuals eligible for admission] Admission of
students and educational program.~~

~~(a) [There shall be received into the institution indigent
orphan persons or other deserving persons, from the State of
Pennsylvania, above the age of 15 years, whose admission may be
applied for under such regulations as the board of trustees may
adopt.] The school shall provide a program of education
hereinafter defined for those persons admitted to the
institution pursuant to section 4. In considering such admission
no preference shall be shown on account of race, color, sex,
marital status, ethnic group or religion.~~

~~(b) The course of instruction shall be the equivalent level
of [the junior and senior year of a four year public vocational
technical high school and/or a two year] a two year
postsecondary institution which shall include[:~~

~~(1) vocational] vocational technical education of no
more than two years leading to the awarding of [diplomas,]
certificates or associate degrees, when approved by the
Secretary of Education in accordance with rules and
regulations established by the State Board for this level of~~

1 education, for the purpose of fitting pupils to pursue
2 effectively a recognized profitable employment[; and
3 (2) evening or other classes providing such instruction
4 for persons who have left full time school providing the
5 board of trustees shall establish and charge tuition for such
6 instruction that will cover the total cost of instruction
7 including all direct costs and the allocable portion of all
8 applicable indirect costs].

9 Section 2. Section 10 of the act is repealed.

10 Section 3. The act is amended by adding a section to read:

11 Section 10.1. Rights of faculty and staff.

12 Except as otherwise provided by law, faculty employed in the
13 Thaddeus Stevens State School of Technology shall enjoy the same
14 privileges, including tenure rights, and be subject to the same
15 laws, except certification, as faculty in the public schools of
16 this Commonwealth and to collective bargaining agreements
17 entered into under the act of July 23, 1970 (P.L.563, No.195),
18 known as the "Public Employe Relations Act."

19 Section 4. This act shall take effect immediately.

20 SECTION 1. THE ACT OF MARCH 10, 1949 (P.L.30, NO.14), KNOWN <—
21 AS THE PUBLIC SCHOOL CODE OF 1949, IS AMENDED BY ADDING AN
22 ARTICLE TO READ:

23 ARTICLE XIX-B.

24 THADDEUS STEVENS STATE SCHOOL OF TECHNOLOGY.

25 SECTION 1901-B. SHORT TITLE.--THIS ARTICLE SHALL BE KNOWN
26 AND MAY BE CITED AS THE "THADDEUS STEVENS STATE SCHOOL OF
27 TECHNOLOGY ACT."

28 SECTION 1902-B. LEGISLATIVE INTENT.--IT IS THE INTENT OF THE
29 GENERAL ASSEMBLY TO PROVIDE FOR THE CONTINUED EXISTENCE,
30 OPERATION AND ADMINISTRATION OF THE THADDEUS STEVENS STATE

1 SCHOOL OF TECHNOLOGY.

2 SECTION 1903-B. AUTHORIZATION TO CONTINUE SCHOOL
3 OPERATIONS.--THE INSTITUTION KNOWN AS THE THADDEUS STEVENS STATE
4 SCHOOL OF TECHNOLOGY, ESTABLISHED AND OPERATED PURSUANT TO THE
5 REPEALED PROVISIONS OF THE ACT OF MAY 11, 1905 (P.L.518,
6 NO.429), IS HEREBY AUTHORIZED TO CONTINUE OPERATIONS AND TO
7 RECEIVE ANY STATE FUNDS OR AID TO WHICH IT MAY BE ENTITLED. ALL
8 LAWFUL ACTIONS AND EXPENDITURES MADE BY SAID INSTITUTION BETWEEN
9 OCTOBER 4, 1978, AND THE EFFECTIVE DATE OF THIS ACT ARE HEREBY
10 RATIFIED AND APPROVED BY THE GENERAL ASSEMBLY.

11 SECTION 1904-B. SCHOOL PURPOSES.--(A) THE THADDEUS STEVENS
12 STATE SCHOOL OF TECHNOLOGY, LOCATED IN LANCASTER, PENNSYLVANIA,
13 SHALL CONTINUE TO PROVIDE FOR THE POST SECONDARY EDUCATION AND
14 TRAINING OF INDIGENT ORPHANS.

15 (B) IF A SUFFICIENT NUMBER OF INDIGENT ORPHANS QUALIFIED FOR
16 ADMISSION PURSUANT TO SCHOOL STANDARDS FAIL TO APPLY, THEN THE
17 BOARD OF TRUSTEES OF THIS COOPERATION MAY ADMIT, FIRST OTHER
18 DESERVING PERSONS, AND, THEREAFTER ORPHANS WHO MAY NOT BE
19 INDIGENT, AS THE TRUSTEES IN THEIR BEST JUDGMENT MAY THINK
20 PROPER.

21 (C) THOSE SHALL BE DEEMED ORPHANS WHO HAVE LOST EITHER
22 PARENT.

23 SECTION 1905-B. SCHOOL BUILDINGS.--THE BUILDINGS SHALL BE
24 SEPARATED, AND SHALL EMBRACE ONE OR MORE SCHOOLHOUSES, AND ONE
25 OR MORE WORKSHOPS, AND AN ISOLATING HOSPITAL, ALL ON SUCH SCALE
26 AS WILL CREATE AN INSTITUTION ACCOMMODATING NOT LESS THEN TWO
27 HUNDRED PERSONS, PLANNED AND LOCATED FOR EASY AND NATURAL
28 ADDITIONS, AS THE NEEDS OF THE INSTITUTION MAY DEMAND.

29 SECTION 1906-B. BOARD OF TRUSTEES.--THE BOARD OF TRUSTEES
30 SHALL CONSIST OF NINE MEMBERS, WHO SHALL SERVE WITHOUT

1 COMPENSATION, AND BE APPOINTED BY THE GOVERNOR, BY AND WITH THE
2 ADVICE AND CONSENT OF THE SENATE. SAID TRUSTEES SHALL BE A BODY
3 POLITIC OR CORPORATE, OF THE NAME OF THE THADDEUS STEVENS STATE
4 SCHOOL OF TECHNOLOGY. THEY SHALL, UNDER SECTION 1311 OF THE ACT
5 OF APRIL 9, 1929 (P.L.177, NO.175), KNOWN AS "THE ADMINISTRATIVE
6 CODE OF 1929," HAVE GENERAL DIRECTION AND CONTROL OF THE
7 PROPERTY AND MANAGEMENT OF THE INSTITUTION; DEVELOP BROAD
8 INSTITUTIONAL POLICY; AND MAKE ALL NECESSARY BYLAWS AND
9 REGULATIONS, NOT INCONSISTENT WITH EITHER THE PROVISIONS OF THE
10 CONSTITUTION, LAWS OF THE COMMONWEALTH, OR RULES AND REGULATIONS
11 OF THE STATE BOARD OF EDUCATION. OF THE TRUSTEES FIRST
12 APPOINTED, THREE SHALL SERVE FOR ONE YEAR, THREE FOR TWO YEARS,
13 AND THREE FOR THREE YEARS, AND AT THE EXPIRATION OF THE
14 RESPECTIVE PERIODS THE VACANCIES SHALL BE FILLED BY THE
15 GOVERNOR, BY APPOINTMENT, FOR THREE YEARS, AS HEREINBEFORE
16 PROVIDED; AND SHOULD ANY VACANCY OCCUR BY DEATH OR RESIGNATION,
17 OR OTHERWISE, OF ANY TRUSTEE, SUCH VACANCY SHALL BE FILLED, BY
18 APPOINTMENT AS AFORESAID, FOR THE UNEXPIRED TERM OF SAID
19 TRUSTEE. THE SECRETARY OF EDUCATION SHALL BE EX OFFICIO MEMBER
20 OF THE BOARD OF TRUSTEES.

21 SECTION 1907-B. PRESIDENT OF SCHOOL.--THE CHIEF
22 ADMINISTRATOR AND ACADEMIC OFFICER OF THE THADDEUS STEVENS STATE
23 SCHOOL OF TECHNOLOGY SHALL BE THE PRESIDENT WHOSE DUTIES SHALL
24 BE DEFINED BY THE BOARD OF TRUSTEES AND APPROVED BY THE
25 SECRETARY OF EDUCATION.

26 SECTION 1908-B. INDIVIDUALS ELIGIBLE FOR ADMISSION.--(A)
27 THE SCHOOL BOARD BOARD OF TRUSTEES SHALL PROVIDE A PROGRAM OF
28 EDUCATION HEREINAFTER DEFINED FOR THOSE PERSONS ADMITTED TO THE
29 INSTITUTION PURSUANT TO SECTION 1904-B. IN CONSIDERING SUCH
30 ADMISSION NO PREFERENCE SHALL BE SHOWN ON ACCOUNT OF RACE,

<—

1 COLOR, SEX, MARITAL STATUS, ETHNIC GROUP OR RELIGION.

2 (B) THE COURSE OF INSTRUCTION SHALL BE THE EQUIVALENT LEVEL
3 A TWO-YEAR POSTSECONDARY INSTITUTION WHICH SHALL INCLUDE
4 VOCATIONAL-TECHNICAL EDUCATION OF NO MORE THAN TWO YEARS LEADING
5 TO THE AWARDING OF CERTIFICATES OR ASSOCIATE DEGREES, WHEN
6 APPROVED BY THE SECRETARY OF EDUCATION IN ACCORDANCE WITH RULES
7 AND REGULATIONS ESTABLISHED BY THE STATE BOARD FOR THIS LEVEL OF
8 EDUCATION, FOR THE PURPOSE OF FITTING PUPILS TO PURSUE
9 EFFECTIVELY A RECOGNIZED PROFITABLE EMPLOYMENT.

10 SECTION 1909-B. TUITION STUDENTS.--IN ADDITION TO STATE-
11 SUPPORTED RESIDENT STUDENTS AS DEFINED IN SECTION 1904-B, THE
12 BOARD OF TRUSTEES MAY ADMIT FOR STUDY AT THE SCHOOL PART-TIME OR
13 FULL-TIME TUITION STUDENTS, AND SHALL FIX AND CHARGE TUITION
14 RATES AS APPROVED BY THE SECRETARY OF EDUCATION FOR SUCH
15 STUDENTS. ALL MONEY COLLECTED AS TUITION BY THE INSTITUTION
16 SHALL BE PAID INTO THE GENERAL FUND AND CREDITED TO THE
17 APPROPRIATIONS MADE TO THE INSTITUTION.

18 SECTION 1910-B. RIGHTS OF FACULTY AND STAFF.--EXCEPT AS
19 OTHERWISE PROVIDED BY LAW, FACULTY EMPLOYED IN THE THADDEUS
20 STEVENS STATE SCHOOL OF TECHNOLOGY SHALL CONTINUE TO ENJOY THE
21 SAME RIGHTS AND PRIVILEGES AS PROVIDED ON JUNE 30, 1990. NOTHING
22 CONTAINED HEREIN SHALL SUPERSEDE OR PREEMPT ANY PROVISIONS OF A
23 COLLECTIVE BARGAINING AGREEMENT NEGOTIATED BETWEEN THE
24 COMMONWEALTH AND AN EXCLUSIVE REPRESENTATIVE OF THE EMPLOYEES IN
25 ACCORDANCE WITH THE ACT OF JULY 23, 1970 (P.L.563, NO.195),
26 KNOWN AS THE "PUBLIC EMPLOYE RELATIONS ACT." IN NO EVENT SHALL
27 THE FACULTY BE CONSIDERED TO BE IN THE CLASSIFIED SERVICE, AS
28 DEFINED BY THE ACT OF AUGUST 5, 1941 (P.L.752, NO.286), KNOWN AS
29 THE "CIVIL SERVICE ACT."

30 SECTION 1911-B. VISITATION PRIVILEGES.--THE GOVERNOR,

1 SECRETARY OF EDUCATION, JUDGES OF THE SEVERAL COURTS OF THE
2 COMMONWEALTH, AND SENATORS AND REPRESENTATIVES OF THE GENERAL
3 ASSEMBLY SHALL BE EX OFFICIO VISITORS OF SAID INSTITUTION; AND
4 IT SHALL BE SUBJECT TO INSPECTION BY THE DEPARTMENT OF
5 EDUCATION; AND AN ANNUAL REPORT OF THE CONDUCT AND MANAGEMENT OF
6 THE SCHOOL SHALL BE MADE BY THE PRESIDENT OF THE THADDEUS
7 STEVENS STATE SCHOOL OF TECHNOLOGY TO THE GENERAL ASSEMBLY AND
8 THE SECRETARY OF EDUCATION.

9 SECTION 1912-B. PRIOR REFERENCES.--WHENEVER, IN ANY LAW,
10 REFERENCE IS MADE TO THE THADDEUS STEVENS INDUSTRIAL AND REFORM
11 SCHOOL OF PENNSYLVANIA OR THE THADDEUS STEVENS TRADE SCHOOL, IT
12 SHALL BE DEEMED TO REFER TO AND INCLUDE THE THADDEUS STEVENS
13 STATE SCHOOL OF TECHNOLOGY.

14 SECTION 1913-B. ACQUISITION AND DISPOSITION OF PROPERTY.-- <—
15 THE TRUSTEES OF THADDEUS STEVENS STATE SCHOOL OF TECHNOLOGY
16 SHALL HAVE THE AUTHORITY TO ACQUIRE AND RETAIN ANY PROPERTY,
17 REAL, PERSONAL OR MIXED, TANGIBLE OR INTANGIBLE NECESSARY OR
18 DESIRABLE FOR CARRYING OUT THE PURPOSES OF THE SCHOOL, AND TO
19 SELL, TRANSFER AND DISPOSE OF ANY PROPERTY, REAL, PERSONAL OR
20 MIXED, TANGIBLE OR INTANGIBLE OR ANY INTEREST THEREIN AT ANY
21 TIME ACQUIRED BY IT AND TO TAKE, DEMAND, RECEIVE AND POSSESS ALL
22 MONEYS, REAL PROPERTY AND GOODS WHICH SHALL BE APPROPRIATED,
23 GIVEN OR GRANTED TO FOR THE USE OF THE SCHOOL AND TO APPLY THE
24 SAME ACCORDING TO THE WILL OF THE DONORS; AND BY GIFT, PURCHASE
25 OR DEVISE TO RECEIVE, POSSESS, ENJOY AND RETAIN FOREVER ANY AND
26 ALL REAL AND PERSONAL ESTATE AND FUNDS, OF WHATSOEVER KIND,
27 NATURE OF QUALITY THE SAME MAY BE, IN SPECIAL TRUST AND
28 CONFIDENCE THAT THE SAME, AND THE PROFITS THEREOF, SHALL BE
29 APPLIED TO AND FOR THE USE AND PURPOSE OF ENDOWING THE SCHOOL,
30 AND SHALL HAVE POWER TO RECEIVE DONATIONS FROM ANY SOURCE

1 WHATEVER, TO BE EXCLUSIVELY DEVOTED TO THE PURPOSES OF THE
2 SCHOOL OR ACCORDING TO THE TERMS OF DONATION.

3 SECTION 2. SECTIONS 2501(19) AND 2502.13 OF THE ACT, AMENDED
4 JULY 8, 1989 (P.L.253, NO.43), ARE AMENDED TO READ:

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

7 * * *

8 (19) "FACTOR FOR EDUCATIONAL EXPENSE." FOR THE SCHOOL YEARS
9 1982-1983 AND 1983-1984, THE FACTOR FOR EDUCATIONAL EXPENSE USED
10 TO COMPUTE SCHOOL DISTRICT ENTITLEMENTS TO PAYMENTS ON ACCOUNT
11 OF INSTRUCTION, AS PROVIDED FOR IN SUBSECTION (D) OF SECTION
12 2502, SHALL BE ONE THOUSAND SIX HUNDRED FIFTY-SIX DOLLARS
13 (\$1,656) UNLESS LATER CHANGED BY STATUTE. FOR THE SCHOOL YEAR
14 1983-1984, THE FACTOR FOR EDUCATIONAL EXPENSE SHALL BE ONE
15 THOUSAND SEVEN HUNDRED TWENTY-FIVE DOLLARS (\$1,725), UNLESS
16 LATER CHANGED BY STATUTE, FOR THOSE SCHOOL DISTRICTS
17 PARTICIPATING, DURING THE 1984-1985 SCHOOL YEAR, IN A STATEWIDE
18 PROGRAM FOR TESTING AND REMEDIATION WHICH IS DESIGNED TO
19 IDENTIFY AND PROVIDE REMEDIATION SERVICES TO INDIVIDUAL STUDENTS
20 PURSUANT TO SECTION 1511.1. FOR THE 1984-1985 SCHOOL YEAR,
21 NOTWITHSTANDING ANY OTHER PROVISIONS OF THIS ACT TO THE
22 CONTRARY, THE FACTOR FOR EDUCATIONAL EXPENSE USED TO COMPUTE ALL
23 SCHOOL DISTRICTS' ENTITLEMENTS TO PAYMENTS ON ACCOUNT OF
24 INSTRUCTION, AS PROVIDED FOR IN SUBSECTION (D) OF SECTION 2502,
25 SHALL BE ONE THOUSAND EIGHT HUNDRED SEVENTY-FIVE DOLLARS
26 (\$1,875). FOR THE 1985-1986 SCHOOL YEAR, THE FACTOR FOR
27 EDUCATIONAL EXPENSE USED TO COMPUTE ALL SCHOOL DISTRICTS'
28 ENTITLEMENTS TO PAYMENTS ON ACCOUNT OF INSTRUCTION, AS PROVIDED
29 FOR IN SUBSECTION (D) OF SECTION 2502, SHALL BE ONE THOUSAND
30 NINE HUNDRED SEVENTY DOLLARS (\$1,970). FOR THE 1986-1987 SCHOOL

1 YEAR, THE FACTOR FOR EDUCATIONAL EXPENSE USED TO COMPUTE ALL
2 SCHOOL DISTRICTS' ENTITLEMENTS TO PAYMENTS ON ACCOUNT OF
3 INSTRUCTION, AS PROVIDED FOR IN SUBSECTION (D) OF SECTION 2502,
4 SHALL BE TWO THOUSAND ONE HUNDRED TWENTY-FIVE DOLLARS (\$2,125).
5 FOR THE SCHOOL YEAR 1987-1988, THE FACTOR FOR EDUCATIONAL
6 EXPENSE USED TO COMPUTE ALL SCHOOL DISTRICTS' ENTITLEMENTS TO
7 PAYMENTS ON ACCOUNT OF INSTRUCTION, AS PROVIDED FOR IN
8 SUBSECTION (D) OF SECTION 2502, SHALL BE TWO THOUSAND TWO
9 HUNDRED THIRTY DOLLARS (\$2,230). FOR THE SCHOOL YEAR 1988-1989
10 [AND EACH SCHOOL YEAR THEREAFTER], THE FACTOR FOR EDUCATIONAL
11 EXPENSE USED TO COMPUTE ALL SCHOOL DISTRICTS' ENTITLEMENTS TO
12 PAYMENTS ON ACCOUNT OF INSTRUCTION, AS PROVIDED FOR IN
13 SUBSECTION (D) OF SECTION 2502, SHALL BE TWO THOUSAND THREE
14 HUNDRED THIRTY DOLLARS (\$2,330). FOR THE SCHOOL YEAR 1989-1990
15 AND EACH YEAR THEREAFTER, THE FACTOR FOR EDUCATIONAL EXPENSE
16 USED TO COMPUTE ALL SCHOOL DISTRICTS' ENTITLEMENT TO PAYMENTS ON
17 ACCOUNT OF INSTRUCTION AS PROVIDED FOR IN SUBSECTION (D) OF
18 SECTION 2502, SHALL BE TWO THOUSAND THREE HUNDRED EIGHTY DOLLARS
19 (\$2,380).

20 SECTION 2502.13. SMALL DISTRICT ASSISTANCE.--FOR THE 1984-
21 1985 AND 1985-1986 SCHOOL YEARS, THE COMMONWEALTH SHALL PAY TO
22 EACH SCHOOL DISTRICT WHICH HAS AN AVERAGE DAILY MEMBERSHIP OF
23 ONE THOUSAND FIVE HUNDRED (1,500) OR LESS AND HAS A MARKET
24 VALUE/INCOME AID RATIO OF FIVE THOUSAND TEN-THOUSANDTHS (0.5000)
25 OR GREATER, AN AMOUNT EQUAL TO FIFTY DOLLARS (\$50) MULTIPLIED BY
26 THAT DISTRICT'S AVERAGE DAILY MEMBERSHIP. FOR THE 1985-1986
27 SCHOOL YEAR, NO SCHOOL DISTRICT SHALL RECEIVE LESS ON ACCOUNT OF
28 THIS SECTION THAN IT DID FOR THE 1984-1985 SCHOOL YEAR. FOR THE
29 SCHOOL YEAR 1986-1987, THE COMMONWEALTH SHALL PAY TO EACH SCHOOL
30 DISTRICT WHICH HAS AN AVERAGE DAILY MEMBERSHIP OF ONE THOUSAND

1 FIVE HUNDRED (1,500) OR LESS AND HAS A MARKET VALUE/INCOME AID
2 RATIO OF FIVE THOUSAND TEN-THOUSANDTHS (0.5000) OR GREATER, OR
3 RECEIVED PAYMENTS UNDER THIS SECTION FOR THE 1985-1986 SCHOOL
4 YEAR, AN AMOUNT EQUAL TO SEVENTY-FIVE DOLLARS (\$75) MULTIPLIED
5 BY THAT DISTRICT'S AVERAGE DAILY MEMBERSHIP. FOR THE SCHOOL YEAR
6 1987-1988, THE COMMONWEALTH SHALL PAY TO EACH SCHOOL DISTRICT
7 WHICH HAS AN AVERAGE DAILY MEMBERSHIP OF ONE THOUSAND FIVE
8 HUNDRED (1,500) OR LESS AND A MARKET VALUE/INCOME AID RATIO OF
9 FIVE THOUSAND TEN-THOUSANDTHS (0.5000) OR GREATER, OR RECEIVED
10 PAYMENTS UNDER THIS SECTION FOR THE 1986-1987 SCHOOL YEAR, AN
11 AMOUNT EQUAL TO EIGHTY-FIVE DOLLARS (\$85) MULTIPLIED BY THAT
12 DISTRICT'S AVERAGE DAILY MEMBERSHIP. FOR THE SCHOOL YEAR 1988-
13 1989 [AND EACH SCHOOL YEAR THEREAFTER], THE COMMONWEALTH SHALL
14 PAY TO EACH SCHOOL DISTRICT WHICH HAS AN AVERAGE DAILY
15 MEMBERSHIP OF ONE THOUSAND FIVE HUNDRED (1,500) OR LESS AND A
16 MARKET VALUE/INCOME AID RATIO OF FIVE THOUSAND TEN THOUSANDTHS
17 (0.5000) OR GREATER, OR RECEIVED PAYMENTS UNDER THIS SECTION FOR
18 THE 1987-1988 SCHOOL YEAR, AN AMOUNT EQUAL TO ONE HUNDRED FIVE
19 DOLLARS (\$105) MULTIPLIED BY THAT DISTRICT'S AVERAGE DAILY
20 MEMBERSHIP. FOR THE SCHOOL YEAR 1989-1990, AND EACH SCHOOL YEAR
21 THEREAFTER, THE COMMONWEALTH SHALL PAY EACH SCHOOL DISTRICT
22 WHICH HAS AN AVERAGE DAILY MEMBERSHIP OF ONE THOUSAND FIVE
23 HUNDRED (1,500) OR LESS AND A MARKET VALUE/INCOME AID RATIO OF
24 FIVE THOUSAND TEN-THOUSANDTHS (0.5000) OR GREATER, OR RECEIVED
25 PAYMENTS UNDER THIS SECTION FOR THE 1988-1989 SCHOOL YEAR, AN
26 AMOUNT EQUAL TO ONE HUNDRED FIFTEEN DOLLARS (\$115) MULTIPLIED BY
27 THAT DISTRICT'S AVERAGE DAILY MEMBERSHIP. FOR THE 1987-1988
28 SCHOOL YEAR AND EACH SCHOOL YEAR THEREAFTER, NO SCHOOL DISTRICT
29 SHALL RECEIVE LESS ON ACCOUNT OF THIS SECTION THAN IT DID FOR
30 THE PRIOR SCHOOL YEAR.

SECTION 3. THE ACT IS AMENDED BY ADDING AN ARTICLE TO READ:

ARTICLE XXVII-E

EQUIPMENT GRANTS

SECTION 2701-E. DEFINITIONS.--WHEN USED IN THIS ARTICLE THE
FOLLOWING WORDS AND PHRASES SHALL HAVE THE FOLLOWING MEANINGS:

"COMMUNITY COLLEGES" SHALL MEAN INSTITUTIONS NOW, OR
HEREAFTER, CREATED PURSUANT TO THE ACT OF AUGUST 24, 1963
(P.L.1132, NO.484), KNOWN AS THE "COMMUNITY COLLEGE ACT OF 1963"
OR ARTICLE XIX-A OF THIS ACT.

"DEPARTMENT" SHALL MEAN THE DEPARTMENT OF EDUCATION OF THE
COMMONWEALTH.

"EDUCATIONAL EQUIPMENT" SHALL MEAN TANGIBLE PROPERTY USED BY
INSTITUTIONS OF HIGHER EDUCATION IN SUPPORT OF INSTRUCTION. THE
TERM SHALL NOT INCLUDE EQUIPMENT USED IN SUPPORT OF SECTARIAN
AND DENOMINATIONAL INSTRUCTION OR FOR ANY OTHER SECTARIAN AND
DENOMINATIONAL PURPOSE OR ACTIVITY.

"ELIGIBLE INSTITUTION" SHALL MEAN AN INDEPENDENT INSTITUTION
OF HIGHER EDUCATION WHICH IS APPROVED BY THE DEPARTMENT FOR
EQUIPMENT GRANTS PURSUANT TO THE PROVISIONS OF THIS ACT. THE
TERM DOES NOT INCLUDE AN INSTITUTION WHICH IS DETERMINED BY THE
DEPARTMENT TO BE A COMMUNITY COLLEGE, A THEOLOGICAL SEMINARY OR
SCHOOL OF THEOLOGY OR A SECTARIAN AND DENOMINATIONAL
INSTITUTION, NOR DOES IT INCLUDE A STATE-OWNED OR STATE-RELATED
INSTITUTION.

"EQUIPMENT GRANT" SHALL MEAN AN AMOUNT DETERMINED BY DIVIDING
THE FUNDS APPROPRIATED PURSUANT TO THIS ACT, LESS REASONABLE
ADMINISTRATIVE EXPENSES, BY THE TOTAL OF ALL CERTIFIED FULL-TIME
EQUIVALENT STUDENTS FROM ALL ELIGIBLE INSTITUTIONS APPLYING FOR
GRANTS.

"FULL-TIME EQUIVALENT STUDENTS" SHALL MEAN THE ENROLLMENT IN

1 PROGRAMS AT ELIGIBLE INSTITUTIONS EXPRESSED IN TERMS OF FULL-
2 TIME STUDENTS AS DETERMINED BY THE DEPARTMENT OF EDUCATION.

3 "INDEPENDENT INSTITUTION OF HIGHER EDUCATION" SHALL MEAN AN
4 INSTITUTION OF HIGHER EDUCATION WHICH IS OPERATED NOT-FOR-
5 PROFIT, LOCATED IN AND INCORPORATED OR CHARTERED BY THE
6 COMMONWEALTH, ENTITLED TO CONFER DEGREES AS SET FORTH IN SECTION
7 211 OF THE ACT OF MAY 5, 1933 (P.L.289, NO.105), KNOWN AS THE
8 "NONPROFIT CORPORATION LAW," AND ENTITLED TO APPLY TO ITSELF THE
9 DESIGNATION "COLLEGE" OR "UNIVERSITY" AS PROVIDED FOR BY
10 STANDARDS AND QUALIFICATIONS PRESCRIBED BY THE STATE BOARD OF
11 EDUCATION PURSUANT TO THE ACT OF MAY 7, 1937 (P.L.585, NO.150),
12 ENTITLED, AS AMENDED, "AN ACT PROHIBITING THE USE OF THE
13 DESIGNATION OF 'COLLEGE' BY ANY INSTITUTION NOT CONFORMING TO
14 THE STANDARDS OF A COLLEGE PRESCRIBED BY THE STATE BOARD OF
15 EDUCATION; AND PROVIDING FOR INJUNCTIONS, AND PENALTIES."

16 "PENNSYLVANIA BASED" SHALL MEAN EDUCATIONAL EQUIPMENT
17 MANUFACTURED OR ASSEMBLED WITHIN THIS COMMONWEALTH, OR SOLD,
18 LEASED OR OTHERWISE PROVIDED TO AN ELIGIBLE INSTITUTION BY A
19 VENDOR WHICH HAS A PLACE OF BUSINESS IN THIS COMMONWEALTH.

20 "STATE-OWNED INSTITUTION" SHALL MEAN A MEMBER INSTITUTION OF
21 THE STATE SYSTEM OF HIGHER EDUCATION.

22 "STATE-RELATED INSTITUTIONS" SHALL MEAN THE PENNSYLVANIA
23 STATE UNIVERSITY, THE UNIVERSITY OF PITTSBURGH, TEMPLE
24 UNIVERSITY AND LINCOLN UNIVERSITY AND THEIR BRANCH CAMPUSES.

25 SECTION 2702-E. CERTIFICATION OF RECIPIENTS.--FROM THE
26 INFORMATION IT RECEIVES FROM COLLEGES AND UNIVERSITIES THE
27 DEPARTMENT SHALL CERTIFY THE NUMBER OF FULL-TIME EQUIVALENT
28 STUDENTS ATTENDING EACH ELIGIBLE INSTITUTION DURING THE MOST
29 RECENT YEAR FOR WHICH DATA IS AVAILABLE.

30 SECTION 2703-E. INSTITUTIONAL EQUIPMENT GRANTS.--FOR THE

1 ACADEMIC YEAR BEGINNING ON OR ABOUT SEPTEMBER 1, 1990, THE
2 DEPARTMENT SHALL ALLOT A ONE-TIME EQUIPMENT GRANT ON BEHALF OF
3 EACH FULL-TIME EQUIVALENT STUDENT ATTENDING THE ELIGIBLE
4 INSTITUTION AS CERTIFIED PURSUANT TO SECTION 2702-E. THE
5 ALLOTMENT SHALL BE MADE TO EACH ELIGIBLE INSTITUTION FROM THE
6 FUNDS APPROPRIATED TO THE DEPARTMENT PURSUANT TO THIS ARTICLE.
7 FOLLOWING AN INITIAL ALLOCATION AND ALLOTMENT, IF ANY FUNDS
8 APPROPRIATED HAVE NOT BEEN AND CANNOT BE ALLOCATED TO ONE OR
9 MORE INSTITUTIONS OTHERWISE ELIGIBLE FOR FUNDS, THE DEPARTMENT
10 SHALL REALLOCATE THESE FUNDS TO THE REMAINING ELIGIBLE
11 INSTITUTIONS SO THAT ALL FUNDS APPROPRIATED UNDER THIS ARTICLE
12 HAVE BEEN ALLOTTED.

13 SECTION 2704-E. USE OF MONEYS.--THE MONEYS APPROPRIATED
14 SHALL BE USED ONLY FOR, OR IN CONNECTION WITH, EXPENSES INCURRED
15 BY THE ELIGIBLE INSTITUTION TO PURCHASE, LEASE OR OTHERWISE
16 ACQUIRE EDUCATIONAL EQUIPMENT WHICH IS PENNSYLVANIA BASED. IF
17 THE ELIGIBLE INSTITUTION PURCHASES, LEASES OR OTHERWISE ACQUIRES
18 EDUCATIONAL EQUIPMENT WHICH IS NOT PENNSYLVANIA BASED, IT MUST
19 FILE WITH THE DEPARTMENT A STATEMENT OF JUSTIFICATION AS TO WHY
20 PENNSYLVANIA-BASED EDUCATIONAL EQUIPMENT WAS NOT OBTAINED.

21 SECTION 2705-E. FORFEITURE.--ANY ELIGIBLE INSTITUTION WHICH
22 REFUSES TO SUBMIT SUCH INFORMATION FOR AUDIT AS REQUIRED BY THIS
23 ARTICLE OR KNOWINGLY SUBMITS MISREPRESENTATIONS OR FALSE
24 STATEMENTS WITH THE INTENTION OF FRAUDULENTLY OBTAINING MONEYS
25 FROM THE DEPARTMENT SHALL BE DENIED STATUS AS AN ELIGIBLE
26 INSTITUTION UNDER THE PROVISIONS OF THIS ARTICLE.

27 SECTION 2706-E. EXPIRATION.--THIS ARTICLE SHALL EXPIRE ON
28 JUNE 30, 1991.

29 SECTION 4. THE ACT OF APRIL 6, 1980 (P.L.82, NO.28), KNOWN
30 AS THE THADDEUS STEVENS STATE SCHOOL OF TECHNOLOGY ACT, IS

1 REPEALED.

2 SECTION 5. THE PROVISIONS OF SECTION 212 OF THE ACT OF JULY <—
3 1, 1990 (P.L. , NO.7A), KNOWN AS THE GENERAL APPROPRIATION
4 ACT OF 1990, WHICH RELATE TO THE "FACTOR FOR EDUCATIONAL
5 EXPENSE" AND "SMALL DISTRICT ASSISTANCE" ARE REPEALED INsofar AS
6 THEY ARE INCONSISTENT WITH SECTIONS 2501(19) AND 2502.13 OF THE
7 ACT, AS AMENDED BY SECTION 2.

8 SECTION ~~5~~ 6. THIS ACT SHALL TAKE EFFECT IMMEDIATELY. <—