

THE GENERAL ASSEMBLY OF PENNSYLVANIA

**HOUSE BILL**  
**No. 2564** Session of  
1978

INTRODUCED BY GALLAGHER AND PANCOAST, JUNE 13, 1978

REFERRED TO COMMITTEE ON EDUCATION, JUNE 13, 1978

AN ACT

1 Amending the act of August 5, 1941 (P.L.752, No.286), entitled  
2 "An act regulating and improving the civil service of certain  
3 departments and agencies of the Commonwealth; vesting in the  
4 State Civil Service Commission and a Personnel Director  
5 certain powers and duties; providing for classification of  
6 positions, adoption of compensation schedules and  
7 certification of payrolls; imposing duties upon certain  
8 officers and employees of the Commonwealth; authorizing  
9 service to other State departments or agencies and political  
10 subdivisions of the Commonwealth in matters relating to civil  
11 service; defining certain crimes and misdemeanors; imposing  
12 penalties; making certain appropriations, and repealing  
13 certain acts and parts thereof," adding positions in the  
14 Department of Education.

15 The General Assembly of the Commonwealth of Pennsylvania  
16 hereby enacts as follows:

17 Section 1. Subclause (7) of clause (d) of section 3, act of  
18 August 5, 1941 (P.L.752, No.286), known as the "Civil Service  
19 Act," amended August 27, 1963 (P.L.1257, No.520), is amended to  
20 read:

21 Section 3. Definition of Terms.--In this act, unless the  
22 context otherwise clearly requires,--

23 \* \* \*

24 (d) "Classified service" includes:

1       \* \* \*

2       (7) All positions now existing or hereafter created in the  
3 Department of [Public Instruction] Education, excluding the  
4 presidents, faculty members and student employes of the State  
5 colleges, the heads and faculty members of the department's  
6 other educational institutions and excluding also county  
7 superintendents, assistant county superintendents and  
8 supervisors of special education;

9       \* \* \*

10       Section 2. (a) The following positions and incumbents  
11 occupying positions in the following programs are hereby placed  
12 in the Department of Education:

13       (1) Coordination and Outreach Network for the Needs of  
14 Exceptional Children;

15       (2) Corrections Education;

16       (3) Curriculum Services;

17       (4) Media Van;

18       (5) Pennsylvania Career Scripts;

19       (6) Pennsylvania Guidance Services Center;

20       (7) Pennsylvania Resources and Information Center for  
21 Special Education;

22       (8) Research and Information Services for Education;

23       (9) Right to Education;

24       (10) Vocational Education Assistance;

25       (11) Vocational Education Management Information Systems.

26       (b) The incumbents of these positions shall be governed by  
27 all of the appropriate personnel rules, regulations, and  
28 policies as other Department of Education employes. The  
29 incumbents of these positions, however, shall not be required to  
30 participate in open, competitive examinations, but shall be

1 eligible to participate in qualifying examinations to be defined  
2 and applied as stated in the civil service rules. The qualifying  
3 examinations shall be administered to all incumbents within nine  
4 months from the effective date of this act. If an incumbent is  
5 not given the opportunity to participate in a qualifying  
6 examination within that time period, he or she shall be granted  
7 probationary civil service status. The positions placed in the  
8 Department of Education in accordance with this act shall be  
9 reviewed to determine their proper placement within the  
10 Commonwealth's classification and pay plans. This classification  
11 review and determinations on the proper classification for all  
12 positions shall be accomplished within three months from the  
13 effective date of this act. The salary of the incumbents of  
14 these positions shall not in any case be reduced as the result  
15 of such classification determinations. If the current salary of  
16 such an incumbent exceeds the maximum salary for the class to  
17 which he or she is placed, the incumbent shall retain his or her  
18 salary even though it is above the maximum step for that class.  
19 An incumbent is a person who occupies a position in a program  
20 contained in subsection (a) on the effective date of this act or  
21 within 30 days after the effective date of this act. The  
22 incumbents shall be placed on the Department of Education's  
23 payroll upon completion of the classification determination of  
24 their positions, and granted provisional civil service status  
25 until completion of the requirements of their respective  
26 qualifying examinations. All such incumbents, however, shall be  
27 placed on the Department of Education's payroll no later than  
28 three months from the effective date of this act.

29 Section 3. This act shall take effect immediately.