

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 1382 Session of  
2008

INTRODUCED BY COSTA, MUSTO, TOMLINSON, STOUT, BROWNE, FONTANA,  
WASHINGTON, RAFFERTY, GREENLEAF, ERICKSON, ORIE, PUNT, PIPPY,  
TARTAGLIONE, LOGAN, FUMO, BOSCOLA, WONDERLING, EARLL, O'PAKE,  
KITCHEN, GORDNER, WAUGH, VANCE AND LAVALLE, MAY 1, 2008

REFERRED TO EDUCATION, MAY 1, 2008

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 community colleges, further  
6 providing for definitions and for financial program and  
7 reimbursement of payments.

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

10 Section 1. Section 1901-A(14) of the act of March 10, 1949  
11 (P.L.30, No.14), known as the Public School Code of 1949, added  
12 July 13, 2005 (P.L.226, No.46), is amended to read:

13 Section 1901-A. Definitions.--The following words and  
14 phrases, as used in this article, shall, unless a different  
15 meaning is plainly required by the context, have the following  
16 meaning:

17 \* \* \*

18 (14) "Noncredit workforce development courses or programs"  
19 shall mean noncredit courses or programs approved by the

1 Department of Education to qualify for an economic development  
2 stipend pursuant to section 1913-A(b)(1.8)(iii) and having the  
3 specific purpose of providing opportunities for students and  
4 incumbent workers to develop or upgrade skills necessary in  
5 high-priority occupations. Noncredit workforce development  
6 courses or programs may be offered by a community college at an  
7 off-campus site, at any of its facilities or through any form of  
8 distance education.

9 \* \* \*

10 Section 2. Section 1913-A(b)(1.7) and (1.8) of the act,  
11 amended or added June 22, 2001 (P.L.530, No.35) and July 13,  
12 2005 (P.L.226, No.46), are amended to read:

13 Section 1913-A. Financial Program; Reimbursement of  
14 Payments.--\* \* \*

15 (b) \* \* \*

16 (1.7) The payment for a community college shall include an  
17 economic development stipend which shall consist of the  
18 following:

19 (i) For the 2005-2006 fiscal year, each community college  
20 shall receive an amount equal to the reimbursement for the 2004-  
21 2005 fiscal year as determined under clause (1.4)(iii) and under  
22 section 1501 of the act of December 18, 2001 (P.L.949, No.114),  
23 known as the "Workforce Development Act." This amount shall be  
24 determined based upon the midyear rebudget submitted by a  
25 community college in February 2005.

26 (ii) For the 2006-2007 fiscal year and each fiscal year  
27 thereafter, each community college shall receive, subject to the  
28 provisions of subclause (iii), an amount determined by:

29 (A) Adding the following:

30 (I) the number of full-time equivalent students enrolled in

1 high-priority and high-instructional-cost occupation programs at  
2 the community college multiplied by 1.50;

3 (II) the number of full-time equivalent students enrolled in  
4 high-priority occupation programs at the community college  
5 multiplied by 1.25; and

6 (III) the number of full-time equivalent students enrolled  
7 in noncredit workforce development courses at the community  
8 college.

9 (B) Dividing the total from paragraph (A) by the sum of the  
10 totals from paragraph (A) for all community colleges.

11 (C) Multiplying the amount from paragraph (B) by the amount  
12 allocated for the economic development stipend pursuant to  
13 clause (1.6)(ii).

14 The number of full-time equivalent students shall be determined  
15 based upon the final midyear rebudget submitted by a community  
16 college for the prior fiscal year. Such rebudget shall be  
17 submitted, as required by the Department of Education, no later  
18 than May 31, 2006, and May 31 of each year thereafter. For the  
19 2007-2008 fiscal year, the Department of Education shall jointly  
20 develop with the community colleges a process for redistribution  
21 of the economic development stipend utilizing the full-time  
22 equivalent students verified in the audited financial statements  
23 submitted by the colleges under subsection (k.1) for the 2006-  
24 2007 fiscal year. Beginning with the 2008-2009 fiscal year and  
25 each fiscal year thereafter, the Department of Education shall  
26 provide the fourth quarter payment to each community college for  
27 the economic development stipend based on the full-time  
28 equivalent students verified in the audited financial statement  
29 for the immediately preceding fiscal year in accordance with  
30 subsection (k.1).

(iii) For the 2006-2007 and 2007-2008 fiscal years, the following shall apply:

(A) Full-time equivalent students enrolled in stipend advanced technology programs shall be counted as full-time equivalent students enrolled in high-priority and high-instructional-cost occupation programs for the purpose of the calculation in subclause (ii).

(B) Full-time equivalent students enrolled in stipend Statewide programs shall be counted as full-time equivalent students enrolled in high-priority occupation programs for the purpose of the calculation in subclause (ii).

(C) Full-time equivalent students enrolled in other stipend occupational programs and workforce development courses shall be counted as full-time equivalent students enrolled in noncredit workforce development courses for the purpose of the calculation in subclause (ii).

(D) For reimbursement for any semester that begins on or after January 1, 2006, this subclause shall only apply for students who were enrolled in such programs during the fall 2005 semester.

(E) For the 2008-2009 fiscal year and each year thereafter, each community college shall receive an amount equal to the reimbursement for economic development stipends it received in the immediately preceding fiscal year. The annual increase in the State appropriation for economic development stipends under clause (1.6)(ii) shall then be distributed to each community college based on the following:

(i) subtracting its equivalent full-time enrollment in high-priority and high-instructional-cost occupation programs, high-priority occupation programs and noncredit workforce development

1 courses for the second year prior to the immediately preceding  
2 year from its equivalent full-time enrollment in high-  
3 instructional-costs occupation programs, high-priority  
4 occupation programs and noncredit workforce development courses  
5 for the year prior to the immediately preceding fiscal year; and  
6 (ii) dividing the difference from subclause (i) by the sum  
7 of the differences from subclause (i) for all community  
8 colleges.

9 (1.8) (i) The Department of Education shall annually  
10 approve high-priority and high-instructional-cost occupation  
11 programs, high-priority occupation programs and noncredit  
12 workforce development courses.

13 (ii) In order to qualify as a high-priority and high-  
14 instructional-cost occupation program, the program must:

15 (A) Provide training:

16 (I) in a high-priority occupation as defined by the Center  
17 for Workforce Information and Analysis within the Department of  
18 Labor and Industry; or

19 (II) in an occupation designed to meet regional workforce  
20 needs as documented through collaboration with one or more  
21 employers.

22 (B) Bear an instructional cost to the community college, per  
23 full-time-equivalent student, of at least one hundred thirty  
24 percent (130%) of the average cost per full-time-equivalent  
25 student enrolled in the community college's credit courses[.] as  
26 demonstrated through cost accounting methodology by at least two  
27 community colleges and provided to the Department of Education.  
28 The agreed upon set of high-costs programs through this  
29 demonstration method shall then apply to all community colleges  
30 offering the same programs. Instructional costs shall be defined

1 by the Department of Education and may include personnel,  
2 equipment, curricula and other costs necessary for the program.

3 (iii) In order to qualify as a high-priority occupation  
4 program or a noncredit workforce development course, the high-  
5 priority occupation program or noncredit workforce development  
6 course must:

7 (A) provide training in a high-priority occupation as  
8 defined by the Center for Workforce Information and Analysis  
9 within the Department of Labor and Industry; or

10 (B) provide training in an occupation designed to meet  
11 regional workforce needs as documented through collaboration  
12 with one or more employers.

13 (iv) In order to qualify under subclause (ii)(A)(II) or  
14 (iii)(B), the community college shall submit an application to  
15 the Department of Education. The application shall contain:

16 (A) Evidence of collaboration with one or more employers.

17 (B) Information as to the nature of the proposed program.

18 (C) Evidence as to how the program will increase workforce  
19 opportunities for participants.

20 (v) The Department of Education shall:

21 (A) Determine the form and manner by which applications are  
22 to be submitted under subclause (iv).

23 (B) Approve or reject applications received pursuant to  
24 subclause (iv) within twenty (20) days of receipt of a completed  
25 application; otherwise, such applications will be deemed  
26 approved.

27 (C) Annually publish guidelines listing criteria and  
28 establishing the approval process for programs and courses under  
29 this clause.

30 \* \* \*

1       Section 3.   This act shall take effect in 60 days.