

AMENDMENTS TO HOUSE BILL NO. 178

Sponsor: SENATOR BROWNE

Printer's No. 141

1 Amend Bill, page 1, lines 1 through 6, by striking out all of
2 said lines and inserting

3 Amending the act of March 10, 1949 (P.L.30, No.14), entitled "An
4 act relating to the public school system, including certain
5 provisions applicable as well to private and parochial
6 schools; amending, revising, consolidating and changing the
7 laws relating thereto," in preliminary provisions, further
8 providing for Keystone Exams and providing for Every Student
9 Succeeds Act State Plan Review; in school directors,
10 providing for school director training programs; in school
11 district financial recovery, further providing for additional
12 criteria and providing for financial administrator in
13 financial watch school district; in grounds and buildings,
14 further providing for limitation on new applications for
15 Department of Education approval of public school building
16 projects; in district superintendents and assistant district
17 superintendents, further providing for reports, for manner of
18 election or approval and for term and salary of assistants;
19 in professional employees, further providing for causes for
20 suspension, for persons to be suspended and for appeals to
21 superintendent of public instruction; in certification of
22 teachers, further providing for granting provisional college
23 certificates and for evaluation of applications for
24 certification; in pupils and attendance, further providing
25 for nonprofit school food program; in drug and alcohol
26 recovery high school pilot program, further providing for
27 establishment of drug and alcohol recovery high school pilot
28 program, for scope of program and selection of students, for
29 establishment and payment of tuition, for term of drug and
30 alcohol recovery high school pilot program and for reporting;
31 in terms and courses of study, further providing for fire and
32 emergency evacuation drills, for alcohol, chemical and
33 tobacco abuse program and for agriculture education and
34 providing for Commission for Agricultural Education
35 Excellence; in community colleges, further providing for
36 financial program and reimbursement of payments and repealing
37 provisions relating to annual report; in rural regional
38 college for underserved counties, further providing for

establishment; in transfers of credits between institutions of higher education, further providing for definitions, for duties of public institutions of higher education and for Transfer and Articulation Oversight Committee; in funding for public libraries, providing for State aid for fiscal year 2017-2018; in reimbursements by Commonwealth and between school districts, further providing for definitions, for student-weighted basic education funding, for payments to intermediate units, for assistance to school districts declared to be in financial recovery status or identified for financial watch status and for Ready-to-Learn Block Grant; in State Board of Education, further providing for powers and duties of the board; further providing for the applicability of Act 2016-138; and making editorial changes.

Amend Bill, page 1, lines 9 through 19; pages 2 and 3, lines 1 through 30; page 4, lines 1 through 23; by striking out all of said lines on said pages and inserting

Section 1. Section 121(b)(1) of the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, amended February 3, 2016 (P.L.1, No.1), is amended to read:

Section 121. Keystone Exams.--* * *

(b) The following shall apply:

(1) Notwithstanding section 2604-B(b)(2)(v), 22 Pa. Code § 4.24 (relating to high school graduation requirements), 4.51 (relating to State assessment system) or 4.51c (relating to project-based assessment) or any statute or regulation to the contrary, the use of the Keystone Exams as a graduation requirement or as a benchmark for the need for participation in a project-based assessment shall be delayed until the [2018-2019] 2019-2020 school year.

* * *

Section 2. The act is amended by adding sections to read:

Section 126. Every Student Succeeds Act State Plan Review.--

(a) A new State plan shall be developed by the department under section 1111 of the Elementary and Secondary Education Act of 1965 (Public Law 89-110, 20 U.S.C. § 6311), as amended by the Every Student Succeeds Act (Public Law 114-95, 129 Stat. 1802), and submitted to the General Assembly as follows:

(1) The department shall develop the State plan with timely and meaningful consultation with the chair and minority chair of the Education Committee of the Senate and the chair and minority chair of the Education Committee of the House of Representatives, with opportunity for input into the plan's formation. Consultation shall occur with regard to the initiatives that are newly created or that retain or modify existing law and regulation with regard to the following:

(i) The use and format of student academic assessments, adjustments or alternatives to existing student academic

1 assessments.

2 (ii) Ongoing parental involvement in assessment and
3 accountability measures.

4 (iii) Teacher evaluation and accountability.

5 (iv) Low-performing school assessment and improvement.

6 (v) Vocational and career education academic assessments,
7 pathways and standards.

8 (vi) Comparability and fairness in assessments of school
9 districts, intermediate units, area vocational-technical
10 schools, charter schools and cyber charter schools.

11 (vii) School district or school building performance
12 measures.

13 (viii) Contracting standards with regard to a third-party
14 provision of the assessments or evaluations provided for in the
15 State plan.

16 (2) The department shall not submit an initial State plan to
17 the United States Secretary of Education until the Education
18 Committee of the Senate and the Education Committee of the House
19 of Representatives have been provided at least fifteen (15)
20 days, prior to the date of submission, to review and comment on
21 the State plan. The department shall present the initial State
22 plan at a joint hearing of the Education Committee of the Senate
23 and the Education Committee of the House of Representatives, if
24 requested.

25 (3) Any future State plan submissions shall require the
26 department to present the details of the submission at a joint
27 hearing of the Education Committee of the Senate and the
28 Education Committee of the House of Representatives, if
29 requested. The department shall provide the committees with at
30 least fifteen (15) days to review and comment on the State plan
31 prior to any submission.

32 (4) The initial State plan submission and any future
33 submissions by the department shall include the comments
34 submitted by the Education Committee of the Senate and the
35 Education Committee of the House of Representatives.

36 (5) The department shall report on a quarterly basis to the
37 Education Committee of the Senate and the Education Committee of
38 the House of Representatives regarding the progress toward
39 implementation of the State plan and its components.

40 (b) As used in this section, the following words and phrases
41 shall have the meanings given to them in this subsection unless
42 the context clearly indicates otherwise:

43 "Department." The Department of Education of the
44 Commonwealth.

45 "State plan." The State plan prepared by the department for
46 the Commonwealth to implement, and submitted to the United
47 States Secretary of Education for approval as provided in,
48 section 1111 of the Elementary and Secondary Education Act of
49 1965. The term includes:

50 (1) A provision within the State plan that is an election by
51 the department to retain and modify an existing law or

1 regulation and a provision that will necessitate the enactment
2 of laws or the promulgation of regulations.

3 (2) A revision of the State plan which is:

4 (i) required by the United States Secretary of Education
5 based on Federal law or its regulations;

6 (ii) pursued under a waiver process authorized under Federal
7 law; or

8 (iii) required by a Federal reauthorization.

9 Section 328. School Director Training Programs.--(a)
10 Beginning in the 2018-2019 school year and in each school year
11 thereafter, the following shall apply:

12 (1) Each newly elected or appointed school director shall
13 complete, during the first year of the school director's first
14 term, a training program made available by the Department of
15 Education, in consultation with a Statewide organization
16 representing school directors and a Statewide organization
17 representing school business officials, pertaining to the skills
18 and knowledge necessary to serve as a school director. The
19 training program shall consist of a minimum of four (4) hours of
20 instruction, including, at a minimum, information regarding the
21 following:

22 (i) Instruction and academic programs.

23 (ii) Personnel.

24 (iii) Fiscal management.

25 (iv) Operations.

26 (v) Governance.

27 (vi) Ethics and open meetings, to include the requirements
28 under 65 Pa.C.S. Pt. II (relating to accountability).

29 (2) Within one (1) year after each reelection or
30 reappointment to the board of school directors, each school
31 director shall complete an advanced training program made
32 available by the Department of Education in consultation with a
33 Statewide organization representing school directors and a
34 Statewide organization representing school business officials.
35 The advanced training program shall consist of a minimum of two
36 (2) hours of instruction, including information on relevant
37 changes to Federal and State public school law and regulations,
38 fiscal management and other information deemed appropriate by
39 the Department of Education to enable the school director to
40 serve effectively.

41 (3) The training programs required under this subsection
42 shall be made available by the Department of Education at no
43 cost to school districts or school directors. The Department of
44 Education shall approve alternative training programs that
45 fulfill the requirements of this subsection which may be
46 provided by school districts, intermediate units, postsecondary
47 institutions or Statewide education organizations. The
48 department shall post on its publicly accessible Internet
49 website all alternative training programs approved under this
50 paragraph.

51 (4) This subsection shall apply to members of a school

1 reform commission established under section 696, provided that
2 the training programs provided to members of a school reform
3 commission shall include information regarding sections 693 and
4 696 and other information deemed appropriate to enable a member
5 of a school reform commission to serve effectively.

6 (b) Beginning in the 2018-2019 school year, and in each
7 school year thereafter, the following shall apply:

8 (1) Each newly appointed trustee of a charter school entity
9 shall complete, within the trustee's first year of service, a
10 training program made available by the Department of Education,
11 in consultation with Statewide organizations representing
12 charter school entities, pertaining to the skills and knowledge
13 necessary to serve as a charter school entity trustee. The
14 training program shall consist of a minimum of four (4) hours of
15 instruction, including, at a minimum, the information listed in
16 subsection (a)(1) and information concerning Article XVII-A.

17 (2) During the fifth year of a trustee's service on the
18 board of trustees and every four (4) years thereafter, each
19 trustee shall complete an advanced training program made
20 available by the Department of Education in consultation with
21 Statewide organizations representing charter school entities.
22 The advanced training program shall consist of a minimum of two
23 (2) hours of instruction, including information on relevant
24 changes to Federal and State public school law and regulations,
25 including Article XVII-A, fiscal management and other
26 information deemed appropriate by the Department of Education to
27 enable the trustee to serve effectively.

28 (3) The training programs required under this subsection
29 shall be made available by the Department of Education at no
30 cost to charter school entities or charter school entity
31 trustees. The Department of Education shall approve alternative
32 training programs that fulfill the requirements of this
33 subsection which may be provided by charter school entities,
34 school districts, intermediate units, postsecondary
35 institutions, Statewide organizations representing charter
36 school entities or other Statewide education organizations. The
37 department shall post on its publicly accessible Internet
38 website all alternative training programs approved under this
39 paragraph.

40 (c) The Department of Education or any other entity
41 providing training programs under this section shall examine
42 options for making the training programs available through
43 online or other distance learning media or through regional-
44 based training.

45 (d) As used in this section, "charter school entity" shall
46 mean a charter school, regional charter school or cyber charter
47 school.

48 Section 3. Section 694-A of the act, added July 13, 2016
49 (P.L.716, No.86), is amended to read:

50 Section 694-A. Additional criteria.

51 (a) Notification to school districts and plan.--

1 (1) The secretary shall notify each school district that
2 receives educational access program funding that is equal to
3 or greater than \$2,000,000 in any one fiscal year, and
4 \$4,000,000 in any one fiscal year beginning with the 2017-
5 2018 fiscal year, that the school district has been
6 identified for financial watch status.

7 (2) A school district identified for financial watch
8 status under this subsection shall receive technical
9 assistance as a financial watch district from the department
10 as provided for in section 611-A(b) and shall develop a plan
11 to improve the school district's finances based on the
12 technical assistance provided by the department for approval
13 by the secretary. The plan shall be submitted to the
14 secretary no later than 180 days after the school district
15 has been identified for financial watch status under this
16 subsection.

17 (3) Each year after the initial submission of the plan,
18 until the secretary determines otherwise, a school district
19 subject to this subsection shall submit a report to the
20 secretary outlining the status of the school district's plan,
21 meet with the secretary or a designee of the secretary to
22 review the report and the status of the school district's
23 finances and hold an annual public hearing regarding the
24 plan.

25 (b) Publication of plan.--A copy of the school district's
26 approved plan and any subsequent annual reports to the secretary
27 shall be posted on the publicly accessible Internet website of
28 the school district and transmitted to the chairperson and
29 minority chairperson of the Appropriations Committee of the
30 Senate, the chairperson and minority chairperson of the
31 Appropriations Committee of the House of Representatives, the
32 chairperson and minority chairperson of the Education Committee
33 of the Senate and the chairperson and minority chairperson of
34 the Education Committee of the House of Representatives.

35 (c) Nonapplicability.--The duty to submit an annual plan
36 under subsection (a) (2) and (3) shall not apply to a school
37 district that has been placed under the supervision of a
38 financial administrator under section 695-A.

39 Section 4. The act is amended by adding a section to read:
40 Section 695-A. Financial administrator in financial watch
41 school district.

42 (a) Appointment of financial administrator.--A school
43 district that has been identified for financial watch status
44 under section 694-A and, in the 2017-2018 fiscal year or any
45 fiscal year thereafter, receives educational access program
46 funding shall be placed under the supervision of a financial
47 administrator. The financial administrator:

48 (1) Shall be appointed by the Governor from a list of at
49 least three names submitted by the President pro tempore of
50 the Senate within 30 days of the effective date of this
51 section.

1 (2) Must possess knowledge and experience in such areas
2 as business administration, budget development or fiscal
3 management and facilities management.

4 (3) Shall be considered a Commonwealth employee.

5 (4) Shall be paid by the department for actual and
6 necessary expenses incurred in the performance of the duties
7 as a financial administrator and a reasonable salary, as
8 determined by the secretary.

9 (b) Powers and duties of the financial administrator.--The
10 financial administrator shall:

11 (1) Have complete access to the school district finances
12 and may engage an independent audit of the school district at
13 any time.

14 (2) Utilize the expertise of the department or hire
15 technical staff as necessary to assist in the development of
16 the financial improvement plan.

17 (c) Financial improvement plan development.--The financial
18 administrator shall develop a financial improvement plan in
19 consultation with the secretary that includes:

20 (1) Performance goals, benchmarks and timetables to
21 improve the financial performance and ensure fiscal solvency
22 of the school district.

23 (2) Cash flow analysis.

24 (3) Projections of revenues and expenditures for the
25 current year and next five years, both assuming the
26 continuation of present operations and as impacted by
27 measures included in the plan.

28 (4) Annual training for members of the board of school
29 directors, to include no less than 10 hours in school finance
30 and policy provided by a Statewide organization specializing
31 in school finance and administration and approved by the
32 financial administrator.

33 (5) Facility maintenance and improvement.

34 (d) Financial improvement plan requirements.--The financial
35 administrator shall review existing school policy and procedure
36 and may require changes to be included in the financial
37 improvement plan regarding:

38 (1) Accounting and automation procedures.

39 (2) Permanent staffing levels.

40 (3) Performance goals that administrative staff must
41 meet for contract renewal.

42 (4) Changes in school district policy.

43 (5) Sale, lease, conveyance, assignment or disposition
44 of school district assets.

45 (6) Consolidation of existing school buildings, existing
46 noninstructional programs or other school district services.

47 (7) Greater use of intermediate unit programs.

48 (e) Plan approval.--When the financial administrator
49 completes the financial improvement plan, the financial
50 administrator shall submit the plan to the secretary for
51 approval and provide a copy to the board of school directors.

1 Within 45 days of submission of the plan, the secretary shall
2 approve or disapprove the plan. If the secretary disapproves the
3 plan, the secretary shall include suggested revisions to the
4 plan that will allow for the plan to be resubmitted and
5 approved.

6 (f) Report of final financial improvement plan.--When the
7 financial improvement plan is approved by the secretary, the
8 financial administrator and the secretary shall present the plan
9 to the board of school directors at a public meeting and
10 transmit copies of the plan to the Governor and the chair and
11 minority chair of the Appropriations Committee of the Senate,
12 the chair and minority chair of the Education Committee of the
13 Senate, the chair and minority chair of the Appropriations
14 Committee of the House of Representatives and the chair and
15 minority chair of the Education Committee of the House of
16 Representatives. The school district shall post the final
17 financial improvement plan and any subsequent revision on the
18 school district's publicly accessible Internet website.

19 (g) Implementation of financial improvement plan.--

20 (1) The board of school directors shall reopen the
21 school district's budget and revise its budget and other
22 policies to reflect the financial improvement plan. Future
23 budgets and policies shall adhere to the financial
24 improvement plan as determined by the financial
25 administrator.

26 (2) At any time, the financial administrator may make
27 revisions to the plan as necessary with the approval of the
28 secretary.

29 (h) Noncompliance with financial improvement plan.--If the
30 financial administrator and the secretary determine that the
31 board of school directors has not complied with the provisions
32 of the plan, the financial administrator shall assume the
33 authority of the school board of directors, except for the
34 authority to levy taxes under section 507, and implement the
35 provisions of the financial improvement plan in consultation
36 with the secretary.

37 (i) Removal from financial watch status.--The financial
38 administrator, upon consultation with the secretary, may remove
39 the school district from financial watch status and, at that
40 time, the provisions of this section shall no longer apply to
41 the school district.

42 Section 5. Sections 732.1(a), 1006, 1073(b), 1077(b), 1124,
43 1125.1 and 1131 of the act are amended to read:

44 Section 732.1. Limitation on New Applications for Department
45 of Education Approval of Public School Building Projects.--(a)
46 For the 2012-2013 fiscal year [and the], 2013-2014 fiscal year
47 and 2017-2018 fiscal year, the Department of Education shall not
48 accept or approve new school building construction or
49 reconstruction project applications. [Completed school building
50 construction or reconstruction project applications received by
51 the Department of Education by October 1, 2012, are not subject

1 to this provision.]

2 * * *

3 Section 1006. Reports.--Every district superintendent shall
4 [annually, on or before the first Monday of August, forward to
5 the Superintendent of Public Instruction the reports of the
6 several school districts under his supervision, and shall
7 accompany the same with such extended report of the public
8 schools under his supervision as he may think proper, suggesting
9 such improvements or changes in the public school system as he
10 may see fit to suggest. He shall further] furnish to the
11 [Superintendent of Public Instruction] Secretary of Education,
12 whenever required so to do, such additional reports and
13 information as the [Superintendent of Public Instruction]
14 Secretary of Education may request.

15 Section 1073. Manner of Election or Approval.--* * *

16 (b) At a [regular] public meeting of the board of school
17 directors occurring at least [one hundred fifty (150)] ninety
18 (90) days prior to the expiration date of the term of office of
19 the district superintendent, the agenda shall include an item
20 requiring affirmative action by five or more members of the
21 board of school directors to notify the district superintendent
22 that the board intends to retain him for a further term of three
23 (3) to five (5) years or that another or other candidates will
24 be considered for the office. In the event that the board fails
25 to take such action at a [regular] public meeting of the board
26 of school directors occurring at least [one hundred fifty (150)]
27 ninety (90) days prior to the expiration date of the term of
28 office of the district superintendent, [he shall continue in
29 office for a further term of similar length to that] the term of
30 office which he is currently serving[.] shall be extended one
31 time for a one (1) year period, upon the conclusion of which the
32 term of office shall terminate unless the board has taken action
33 prior to the end of the one (1) year extension to retain the
34 district superintendent for a further term as provided in this
35 subsection. The notification shall not prevent the
36 superintendent from being considered for or appointed to a
37 further term of office notwithstanding the consideration of
38 other candidates.

39 * * *

40 Section 1077. Term and Salary of Assistants.--* * *

41 (b) At a [regular] public meeting of the board of school
42 directors occurring at least [one hundred fifty (150)] ninety
43 (90) days prior to the expiration date of the term of office of
44 the assistant district superintendent, the agenda shall include
45 an item requiring affirmative action by five (5) or more members
46 of the board of school directors to notify the assistant
47 district superintendent that the board intends to retain him for
48 a further term extending through the term of the school district
49 superintendent or of three (3) to five (5) years or instead that
50 another or other candidates will be considered for the office.
51 In the event that the board fails to take such action at a

1 [regular] public meeting of the board of school directors
2 occurring at least [one hundred fifty (150)] ninety (90) days
3 prior to the expiration date of the term of office of the
4 assistant district superintendent, [he shall continue in office
5 for a further term of similar length to that] the term of office
6 which he is currently serving[.] shall be extended one time for
7 a one (1) year period, upon the conclusion of which the term of
8 office shall terminate unless the board has taken action prior
9 to the end of the one (1) year extension to retain the assistant
10 district superintendent for a further term as provided in this
11 subsection. The notification shall not prevent the assistant
12 district superintendent from being considered for or appointed
13 to a further term of office notwithstanding the consideration of
14 other candidates.

15 Section 1124. Causes for Suspension.--(a) Any board of
16 school directors may suspend the necessary number of
17 professional employes, for any of the causes hereinafter
18 enumerated:

19 (1) substantial decrease in pupil enrollment in the school
20 district;

21 (2) curtailment or alteration of the educational program on
22 recommendation of the superintendent and on concurrence by the
23 board of school directors, as a result of substantial decline in
24 class or course enrollments or to conform with standards of
25 organization or educational activities required by law or
26 recommended by the Department of [Public Instruction] Education;

27 (3) consolidation of schools, whether within a single
28 district, through a merger of districts, or as a result of joint
29 board agreements, when such consolidation makes it unnecessary
30 to retain the full staff of professional employes; [or]

31 (4) when new school districts are established as the result
32 of reorganization of school districts pursuant to Article II.,
33 subdivision (i) of this act, and when such reorganization makes
34 it unnecessary to retain the full staff of professional
35 employes[.]; or

36 (5) economic reasons that require a reduction in
37 professional employes.

38 (a.1) The following apply:

39 (1) A school district may not use an employee's compensation
40 in determining which professional employes to suspend, but shall
41 use the procedures in section 1125.1 to determine the order in
42 which professional employes are suspended.

43 (2) A chief school administrator or other administrator who
44 knowingly approves a suspension that violates paragraph (1)
45 shall have a letter from the Secretary of Education indicating
46 the violation included as part of the individual's permanent
47 employment record.

48 (b) Notwithstanding an existing or future provision in a
49 collective bargaining agreement or other similar employment
50 contract to the contrary, suspension of a professional employe
51 due to the curtailment or alteration of the educational program

1 as set forth in subsection (a)(2) may be effectuated without the
2 approval of the curtailment or alteration of the educational
3 program by the Department of Education, provided that, where an
4 educational program is altered or curtailed as set forth in
5 subsection (a)(2), the school district shall notify the
6 Department of Education of the actions taken pursuant to
7 subsection (a)(2). The Department of Education shall post all
8 notifications received from a school district pursuant to this
9 subsection on the Department of Education's publicly accessible
10 Internet website.

11 (c) The following shall apply in the case of a suspension
12 pursuant to subsection (a)(5) in which a board of school
13 directors suspends professional employees who are assigned to
14 provide instruction directly to students:

15 (1) A board of school directors may suspend the necessary
16 number of professional employees assigned to provide instruction
17 directly to students only if the board of school directors also
18 suspends at least an equal percentage proportion of
19 administrative staff.

20 (2) The Secretary of Education may grant a board of school
21 directors a waiver of paragraph (1) if all of the following
22 apply:

23 (i) The Secretary of Education determines that the school
24 district's operations are already sufficiently streamlined or
25 the suspension of administrative staff pursuant to paragraph (1)
26 would cause harm to school stability and student programs.

27 (ii) The Secretary of Education submits the determination to
28 the State Board of Education.

29 (iii) The State Board of Education approves the
30 determination by a majority of its members.

31 (3) Any five administrative staff positions selected by the
32 board of school directors, one of whom shall be the business
33 manager of the school district or another staff member with the
34 primary responsibility of managing the business operations of
35 the school district, shall be exempt from the requirements of
36 paragraph (1).

37 (d) A board of school directors may suspend professional
38 employees pursuant to subsection (a)(5) only if all of the
39 following apply:

40 (1) The board of school directors approves the proposed
41 suspensions by a majority vote of all school directors at a
42 public meeting of the board of school directors.

43 (2) No later than sixty (60) days prior to the date of
44 adoption of a final budget, the board of school directors has
45 adopted a resolution of intent to suspend professional employees
46 in the following fiscal year, which shall set forth the
47 following:

48 (i) The economic conditions of the school district making
49 the proposed suspensions necessary and how those economic
50 conditions will be alleviated by the proposed suspensions,
51 including:

1 (A) The total cost savings expected to result from the
2 proposed suspensions.

3 (B) A description of other cost-saving actions taken by the
4 board of school directors, if any.

5 (C) The projected expenditures of the school district for
6 the following fiscal year with and without the proposed
7 suspensions.

8 (D) The projected total revenues of the school district for
9 the following fiscal year.

10 (ii) The number and percentage of employees to be suspended
11 who are professional employees assigned to provide instruction
12 directly to students.

13 (iii) The number and percentage of employees to be suspended
14 who are administrative staff.

15 (iv) The number and percentage of employees to be suspended
16 who are professional employees who are not assigned to provide
17 instruction directly to students and who are not administrative
18 staff.

19 (v) The impact of the proposed suspensions on academic
20 programs to be offered to students following the proposed
21 suspensions, as well as the impact on academic programs to be
22 offered to students if the proposed suspensions are not
23 undertaken, compared to the current school year, and the
24 actions, if any, that will be taken to minimize the impact on
25 student achievement.

26 (e) Following the 2021-2022 school year, the Legislative
27 Budget and Finance Committee shall conduct a study of the
28 effectiveness of the provisions of subsections (a) (5), (c) and
29 (d) and section 1125.1, including whether these provisions of
30 law are being used effectively by school districts to improve
31 school district efficiency and the impact of these provisions on
32 programs offered to students, as well as the impact on programs
33 that would have been offered to students if these provisions had
34 not been enacted, if such information is available, and shall
35 deliver a written report of its findings to the Governor, the
36 chairperson and minority chairperson of the Education Committee
37 of the Senate and the chairperson and minority chairperson of
38 the Education Committee of the House of Representatives by
39 December 31, 2022.

40 (f) The following apply:

41 (1) A collective bargaining agreement negotiated by a school
42 district and an exclusive representative of professional
43 employees in accordance with the act of July 23, 1970 (P.L.563,
44 No.195), known as the "Public Employee Relations Act," after the
45 effective date of this subsection may not prohibit the
46 suspension of professional employees for economic reasons other
47 than as provided for in this section.

48 (2) A provision in any agreement or contract in effect on
49 the effective date of this subsection that prohibits the
50 suspension of professional employees for economic reasons in
51 conflict with this section shall be discontinued in any new or

1 renewed agreement or contract or during the period of status quo
2 following an expired contract.

3 Section 1125.1. Persons to be Suspended.--(a) Professional
4 employees shall be suspended under section 1124 [(relating to
5 causes for suspension) in inverse order of seniority within the
6 school entity of current employment. Approved leaves of absence
7 shall not constitute a break in service for purposes of
8 computing seniority for suspension purposes.] in the following
9 order, within the area of certification required by law for the
10 professional employee's current position:

11 (1) Each professional employee who received, on the
12 professional employee's two most recent annual performance
13 evaluations, consecutive ratings that are considered
14 unsatisfactory pursuant to section 1123 shall be suspended
15 first.

16 (2) After suspending professional employees under paragraph
17 (1), each professional employee who received, on the professional
18 employee's two most recent annual performance evaluations, one
19 rating that is considered unsatisfactory pursuant to section
20 1123 and one rating that is considered satisfactory pursuant to
21 section 1123 shall be suspended second.

22 (3) After suspending professional employees pursuant to
23 paragraph (2), each professional employee who received, on the
24 professional employee's two most recent annual performance
25 evaluations, consecutive ratings which are considered
26 satisfactory pursuant to section 1123 and which are either
27 consecutive ratings of "proficient" or a combination of one
28 rating of "proficient" or "distinguished" and one rating of
29 "needs improvement" pursuant to section 1123 shall be suspended
30 third.

31 (4) After suspending professional employees pursuant to
32 paragraph (3), each professional employee who received, on the
33 professional employee's two most recent annual performance
34 evaluations, consecutive ratings which are considered
35 satisfactory pursuant to section 1123, and which are consecutive
36 ratings of "distinguished" or a combination of one rating of
37 "proficient" and one rating of "distinguished" pursuant to
38 section 1123 shall be suspended last.

39 (a.1) When more professional employees receive the same
40 overall performance rating than there are suspensions, seniority
41 within the school entity and within the area of certification
42 required by law for the professional employee's current position
43 shall be used to determine suspensions among professional
44 employees with the same overall performance rating on the
45 professional employee's two most recent annual performance
46 evaluations pursuant to section 1123. An approved leave of
47 absence shall not constitute a break in service for purposes of
48 computing seniority for suspension purposes.

49 (a.2) Seniority shall continue to accrue during suspension
50 and all approved leaves of absence.

51 (b) Where there is or has been a consolidation of schools,

1 departments or programs, all professional employees shall retain
2 the seniority rights they had prior to the reorganization or
3 consolidation.

4 [(c) A school entity shall realign its professional staff so
5 as to insure that more senior employees are provided with the
6 opportunity to fill positions for which they are certificated
7 and which are being filled by less senior employees.]

8 (d) The following apply:

9 (1) No suspended employee shall be prevented from engaging in
10 another occupation during the period of suspension.

11 (2) Suspended professional employees or professional employees
12 demoted for the reasons set forth in section 1124 shall be
13 reinstated [on the basis of their seniority within the school
14 entity.] in the following order, within the area of
15 certification required by law for the vacancy being filled and
16 within the school entity:

17 (i) Professional employees suspended pursuant to subsection
18 (a)(4) shall be reinstated first, on the basis of their
19 seniority within the school entity.

20 (ii) After reinstating professional employees under subclause
21 (i), professional employees suspended pursuant to subsection (a)
22 (3) shall be reinstated second, on the basis of their seniority
23 within the school entity.

24 (iii) After reinstating professional employees under
25 subclause (ii), professional employees suspended pursuant to
26 subsection (a)(2) shall be reinstated third, on the basis of
27 their seniority within the school entity.

28 (iv) After reinstating professional employees under subclause
29 (iii), professional employees suspended pursuant to subsection
30 (a)(1) shall be reinstated last, on the basis of their seniority
31 within the school entity.

32 No new appointment shall be made while there is such a suspended
33 or demoted professional employee available who is properly
34 certificated to fill such vacancy. For the purpose of this
35 subsection, positions from which professional employees are on
36 approved leaves of absence shall also be considered temporary
37 vacancies.

38 (3) To be considered available a suspended professional
39 employee must annually report to the governing board in writing
40 his current address and his intent to accept the same or similar
41 position when offered.

42 (4) A suspended employee enrolled in a college program during
43 a period of suspension and who is recalled shall be given the
44 option of delaying his return to service until the end of the
45 current semester.

46 (e) Nothing contained in [section 1125.1(a) through (d)]
47 this section shall be construed to:

48 (1) limit the cause for which a temporary professional
49 employee may be suspended; or

50 (2) supersede or preempt any provisions of a collective
51 bargaining agreement negotiated by a school entity and an

1 exclusive representative of the employees in accordance with the
2 act of July 23, 1970 (P.L.563, No.195), known as the "Public
3 Employe Relations Act"; however, no agreement shall prohibit the
4 right of a professional employe who is not a member of a
5 bargaining unit from retaining seniority rights under the
6 provisions of this act.

7 (f) A decision to suspend in accordance with this section
8 shall be considered an adjudication within the meaning of the
9 "Local Agency Law."

10 (g) The following apply:

11 (1) No collective bargaining agreement negotiated by a
12 school district and an exclusive representative of the employes
13 in accordance with the "Public Employe Relations Act" after the
14 effective date of this subsection shall provide for suspending,
15 reinstating or realigning professional employes based on
16 seniority other than as provided for in this section.

17 (2) Upon the expiration, amendment or adoption of any
18 agreement or contract, a provision that provides for suspending,
19 reinstating or realigning professional employes based on
20 seniority in conflict with section 1124 or this section shall be
21 discontinued in any new or renewed agreement or contract or
22 during the period of status quo following an expired contract.

23 Section 1131. Appeals to [Superintendent of Public
24 Instruction] Secretary of Education.--In case the professional
25 employe concerned considers himself or herself aggrieved by the
26 action of the board of school directors, an appeal by petition,
27 setting forth the grounds for such appeal, may be taken to the
28 [Superintendent of Public Instruction] Secretary of Education at
29 Harrisburg. Such appeal shall be filed within [thirty (30)]
30 fifteen (15) days after receipt by registered mail of the
31 written notice of the decision of the board. A copy of such
32 appeal shall be served by registered mail on the secretary of
33 the school board.

34 The [Superintendent of Public Instruction] Secretary of
35 Education shall fix a day and time for hearing, which shall be
36 not sooner than ten (10) days nor more than thirty (30) days
37 after presentation of such petition, and shall give written
38 notice to all parties interested.

39 The [Superintendent of Public Instruction] Secretary of
40 Education shall review the official transcript of the record of
41 the hearing before the board, and may hear and consider such
42 additional testimony as he may deem advisable to enable him to
43 make a proper order. At said hearing the litigants shall have
44 the right to be heard in person or by counsel or both.

45 After hearing and argument and reviewing all the testimony
46 filed or taken before him, the [Superintendent of Public
47 Instruction] Secretary of Education shall enter such order,
48 either affirming or reversing the action of the board of school
49 directors, as to him appears just and proper.

50 Section 6. Section 1204 of the act, amended July 13, 2016
51 (P.L.716, No.86), is amended to read:

1 Section 1204. Granting Provisional College Certificates.--
2 The Secretary of Education may grant a provisional college
3 certificate to every person who presents to the Department of
4 Education satisfactory evidence of good moral character, and of
5 being a graduate of an approved college or university, who has
6 completed such work in education as may be required by the
7 standards of the State Board of Education, and to every person
8 who presents to the Department of Education satisfactory
9 evidence of good moral character, and of being a graduate of
10 music, with the degree of bachelor of music of an approved
11 college or university, who has during such musical course
12 completed the prescribed number of hours of professional
13 studies, which certificate shall entitle the individual to teach
14 for three annual school terms, and may be renewed for one
15 additional three-year period in accordance with standards to be
16 established by the State Board of Education. The Department of
17 Education shall process an application for provisional college
18 certification submitted by an individual who is a member of the
19 United States Armed Forces, including a reserve component or
20 National Guard, or a veteran, or the spouse of the member of the
21 United States Armed Forces or the spouse of the veteran, within
22 fourteen (14) days of the date the department received the
23 completed application. For the purposes of this section, the
24 term "veteran" shall mean an individual who has served in the
25 United States Armed Forces, including a reserve component or
26 National Guard, and who was discharged or released from such
27 service under conditions other than dishonorable.

28 Section 7. Sections 1216 and 1337(d) of the act are amended
29 to read:

30 Section 1216. Evaluation of Applications for
31 Certification.--(a) All applications for certification shall be
32 evaluated in their entirety. The Department of Education shall
33 notify the applicant if the application is incomplete and
34 include a listing of all materials or information needed to
35 complete the application. The applicant's pending application
36 shall remain open for one year following the date of such
37 notification. No letter of denial of certification shall be
38 issued unless all deficiencies in the application are stated in
39 the letter of denial.

40 (b) The grade point average used by the department in
41 evaluating the grade point average requirements for
42 certification pursuant to 22 Pa. Code § 354.24 (relating to
43 academic performance) shall be as follows:

44 (1) For applicants whose initial preparation culminated in a
45 bachelor's degree or higher prior to October 7, 2000, the grade
46 point average in effect on the date of application for
47 certification.

48 (2) For applicants whose initial preparation culminates in a
49 bachelor's degree or higher on or after October 7, 2000, the
50 grade point average in effect on the date of graduation.

51 (c) A teacher preparation program approved by the Department

1 of Education shall recommend applicants for certification who
2 meet either of the standards for grade point average set forth
3 in 22 Pa. Code § 354.33(5) or (6) (relating to professional
4 competency).

5 (d) (1) A teacher preparation program approved by the
6 Department of Education shall not require a student enrolled in
7 the program to obtain a passing score on an assessment
8 administered pursuant to 22 Pa. Code § 49.18 (relating to
9 assessment) as a condition of program completion or graduation
10 or include the student's score on the assessment as a component
11 of a student's grade in any course, provided that the
12 observational assessment of professional knowledge and practice
13 may be included as a component of a student's student teaching
14 grade.

15 (2) Subject to section 1207.3(a), a teacher preparation
16 program approved by the Department of Education shall not
17 include a student's score on the assessment of basic skills
18 administered pursuant to 22 Pa. Code § 49.18 as a component of a
19 student's grade in any course.

20 (3) For purposes of this paragraph:

21 (i) "Assessment" shall include the assessment of general
22 knowledge, the assessment of professional knowledge and practice
23 or the assessment of subject matter as such terms are defined in
24 22 Pa. Code § 49.1 (relating to definitions).

25 (ii) "Assessment of basic skills" shall have the meaning
26 given in 22 Pa. Code § 49.1.

27 (iii) "Assessment of professional knowledge and practice"
28 shall have the meaning given in 22 Pa. Code § 49.1.

29 Section 1337. Nonprofit School Food Program.--* * *

30 (d) Boards of School Directors.

31 (1) Pursuant to any power of boards of school directors to
32 operate or provide for the operation of school food programs in
33 schools under their jurisdiction, boards of school directors may
34 use therefore funds disbursed to them under the provisions of
35 this section, gifts and other funds, received from sale of
36 school food under such programs.

37 (2) Regardless of whether a student has money to pay for a
38 school meal or owes money for school meals, each board of school
39 directors shall establish a requirement for schools under its
40 jurisdiction to provide a school food program meal to a student
41 who requests one, unless the student's parent or guardian has
42 specifically provided written directive to the school to
43 withhold a school meal.

44 (3) Each board of school directors shall require schools
45 under its jurisdiction to comply with the following when a
46 student owes money for five or more school meals:

47 (i) The school shall make at least two attempts to reach the
48 student's parent or guardian and have the parent or guardian
49 apply for participation in the school food program.

50 (ii) The school may offer assistance with applying for
51 participation in the school food program.

1 (4) Each board of school directors shall:
2 (i) Require schools under its jurisdiction to direct
3 communications regarding money owed by a student for school
4 meals to the student's parent or guardian and not to the
5 student.
6 (ii) Permit schools under its jurisdiction to contact the
7 student's parent or guardian by means of a letter addressed to
8 the parent or guardian that is delivered by the student.
9 (5) Each board of school directors shall prohibit schools
10 under its jurisdiction from implementing the following:
11 (i) Publicly identifying or stigmatizing a student who
12 cannot pay for a school meal or who owes money for school meals.
13 (ii) Requiring a student who cannot pay for a school meal to
14 perform chores or other work to pay for the school meal. This
15 subclause shall not apply if chores or other work are required
16 of all students regardless of the student's inability to pay for
17 the school meal.
18 (iii) Requiring a student to discard a school meal after it
19 was served to the student due to the student's inability to pay
20 for the school meal or the amount of money owed by the student
21 for earlier school meals.

22 * * *

23 Section 8. Sections 1402-A(b), 1403-A(a), 1405-A(a), 1406-A
24 and 1407-A of the act, added July 13, 2016 (P.L.716, No.86), are
25 amended to read:

26 Section 1402-A. Establishment of Drug and Alcohol Recovery High
27 School Pilot Program.

28 * * *

29 (b) Designation.--[Within 60 days of the effective date of
30 this section] Not later than August 7, 2017, the Secretary of
31 Education, in consultation with the Department of Drug and
32 Alcohol Programs, shall:

33 (1) Designate[, through a request for proposal process,]
34 a facility that satisfies all of the following to serve as
35 the recovery high school for purposes of the program:

36 (i) Is licensed as a private academic school under
37 the act of January 28, 1988 (P.L.24, No.11), known as the
38 Private Academic Schools Act.

39 (ii) Is located in a school district of the first
40 class.

41 (iii) [Has experience providing drug and alcohol
42 recovery services] Is currently operating as a recovery
43 high school.

44 (iv) Has adopted and follows accreditation standards
45 and best practices set forth by the Association of
46 Recovery Schools.

47 (v) Has been a member of the Association of Recovery
48 Schools during the 2016-2017 school year.

49 (2) Post notice of the designation on the department's
50 publicly accessible Internet website.

51 Section 1403-A. Scope of program and selection of students.

1 (a) Maximum participation.--Beginning in the [2016-2017]
2 2017-2018 school year, a maximum of 20 students in grades 9
3 through 12 may be enrolled in the recovery high school under the
4 program at any one time.

5 * * *

6 Section 1405-A. Establishment and payment of tuition.

7 (a) Tuition rate.--No later than June 30 of each year, the
8 department shall establish a per-student regular education
9 tuition rate for each student enrolled in the recovery high
10 school under the program, provided that the recovery high school
11 may not set a per-student regular education tuition rate for
12 students enrolled in the recovery high school who are not
13 participants in the program that is lower than the per-student
14 regular education tuition rate established for students enrolled
15 in the recovery high school under the program. The per-student
16 regular education tuition rate for students enrolled in the
17 recovery high school under the program shall be determined as
18 follows:

19 (1) For the [2016-2017] 2017-2018 school year, the per-
20 student regular education tuition rate for each student
21 enrolled in the recovery high school under the program shall
22 be \$20,000.

23 (2) Beginning in the [2017-2018] 2018-2019 school year,
24 and in each school year thereafter, annual adjustments to the
25 amount set forth in paragraph (1) shall be made as follows:

26 (i) The Department of Labor and Industry shall
27 determine the percentage change in the Consumer Price
28 Index for All Urban Consumers: All Items (CPI-U) for the
29 United States City Average as published by the United
30 States Department of Labor, Bureau of Labor Statistics,
31 for the 12-month period ending September 30, [2016] 2017,
32 and for each successive 12-month period thereafter.

33 (ii) If the Department of Labor and Industry
34 determines that there is no positive percentage change,
35 then no adjustment to the amount set forth in paragraph
36 (1) shall occur for the relevant time period.

37 (iii) The following apply:

38 (A) If the Department of Labor and Industry
39 determines that there is a positive percentage change
40 in the first year that the determination is made
41 under subparagraph (i), the positive percentage
42 change shall be multiplied by the amount set forth in
43 paragraph (1), and the product shall be added to the
44 amount set forth in paragraph (1), and the sum shall
45 be the preliminary adjusted per-student tuition rate.

46 (B) The preliminary adjusted per-student tuition
47 rate shall be rounded to the nearest \$100 to
48 determine the final adjusted per-student tuition
49 rate.

50 (iv) In each successive year in which there is a
51 positive percentage change in the CPI-U for the United

1 States City Average, the positive percentage change shall
2 be multiplied by the most recent preliminary per-student
3 tuition rate, and the product shall be added to the
4 preliminary adjusted per-student tuition rate of the
5 prior year to calculate the preliminary adjusted per-
6 student tuition rate for the current year. The sum
7 thereof shall be rounded to the nearest \$100 to determine
8 the new final adjusted per-student tuition rate.

9 (v) The determinations and adjustments required
10 under this subparagraph shall be made in the period
11 between April 1, [2017] 2018, and April 30, [2017] 2018,
12 and annually between April 1 and April 30 of each year
13 thereafter.

14 (vi) The final adjusted per-student tuition rates
15 obtained under subparagraphs (iii) and (iv) shall become
16 effective July 1 for the school year following the year
17 in which the determination required under this paragraph
18 is made.

19 (vii) The department shall publish notice in the
20 Pennsylvania Bulletin prior to July 1 of each year of the
21 annual percentage change determined under subparagraph
22 (i) and the unadjusted or final adjusted per-student
23 tuition rate determined under subparagraphs (iii) and
24 (iv) for the school year following the year in which the
25 per-student tuition rate is determined. The notice shall
26 include a written and illustrative explanation of the
27 calculations performed by the department in establishing
28 the unadjusted or final adjusted per-student tuition rate
29 under this section for the ensuing calendar year.

30 (viii) The annual increase in the preliminary
31 adjusted per-student tuition rate determined under
32 subparagraphs (iii) and (iv) shall not exceed 3%.

33 * * *

34 Section 1406-A. Term of Drug and Alcohol Recovery High School
35 Pilot Program.

36 (a) Enrollment of new students.--Unless the program is
37 permanently established by action of the General Assembly, the
38 recovery high school shall not enroll new students under the
39 program after June 30, [2020] 2021.

40 (b) Continued enrollment.--If the program is not permanently
41 established by action of the General Assembly on or before June
42 30, [2020] 2021, a student enrolled in the recovery high school
43 under the program as of June 30, [2020] 2021, may remain
44 enrolled in the recovery high school under the program until the
45 earlier of the following:

46 (1) The student's graduation from the recovery high
47 school.

48 (2) The student's withdrawal from the recovery high
49 school.

50 (3) The student's completion of four years of enrollment
51 in the recovery high school under the program.

1 Section 1407-A. Reporting.

2 (a) Report by recovery high school.--By August 31, [2018]
3 2019, and by August 31 of each year thereafter, the recovery
4 high school shall submit annually to the Secretary of Education,
5 the Secretary of Drug and Alcohol Programs, the chairperson and
6 minority chairperson of the Education Committee of the Senate,
7 the chairperson and minority chairperson of the Education
8 Committee of the House of Representatives, the chairperson and
9 minority chairperson of the Public Health and Welfare Committee
10 of the Senate and the chairperson and minority chairperson of
11 the Health Committee of the House of Representatives a written
12 report concerning the program. The report shall include, but not
13 be limited to, all of the following, subject to the requirements
14 of the Family Educational Rights and Privacy Act of 1974 (Public
15 Law 90-247, 20 U.S.C. § 1232g) and to the extent such reporting
16 does not reveal identifying information concerning any
17 individual student:

18 (1) The number of students who:

19 (i) Enrolled in the recovery high school under the
20 program for the preceding reporting period.

21 (ii) Requested enrollment in the recovery high
22 school under the program but were denied participation in
23 the program for the preceding reporting period.

24 (iii) Enrolled in the recovery high school but who
25 were not participants in the program for the preceding
26 reporting period.

27 (2) The number and percentage of students enrolled in
28 the recovery high school during the previous reporting period
29 to whom each of the following apply, reported separately
30 based on whether or not the students were participants in the
31 program:

32 (i) Earned a high school diploma from the recovery
33 high school.

34 (ii) Withdrew from the recovery high school and
35 requested transfer of educational records to another
36 school.

37 (iii) Withdrew from the recovery high school without
38 requesting transfer of educational records to another
39 school.

40 (iv) Maintained enrollment in the recovery high
41 school in good standing.

42 (3) A narrative description of the academic outcomes for
43 students enrolled in the recovery high school, including
44 aggregate assessment results, reported separately based on
45 whether or not the students were participants in the program.

46 (4) A narrative description of student success in
47 managing issues concerning drug or alcohol abuse or
48 addiction, reported separately based on whether or not the
49 students were participants in the program.

50 (5) Recommendations for improvements to the program.

51 (6) Any information regarding the program that the

1 recovery high school determines would be useful to the
2 General Assembly, the Department of Education and the
3 Department of Drug and Alcohol Programs in determining
4 whether changes to the program are necessary and whether the
5 program should be continued.

6 (b) Report by Department of Education and Department of Drug
7 and Alcohol Programs.--By December 31, [2019] 2020, the
8 Department of Education and the Department of Drug and Alcohol
9 Programs, jointly, shall submit to the chairperson and minority
10 chairperson of the Education Committee of the Senate, the
11 chairperson and minority chairperson of the Education Committee
12 of the House of Representatives, the chairperson and minority
13 chairperson of the Public Health and Welfare Committee of the
14 Senate and the chairperson and minority chairperson of the
15 Health Committee of the House of Representatives a written
16 report assessing the success of the program and making
17 recommendations regarding the possible extension and expansion
18 of the program, including a proposed timeline for any potential
19 expansion.

20 Section 9. Sections 1517, 1547 and 1549 of the act are
21 amended to read:

22 Section 1517. Fire and Emergency Evacuation Drills.--(a)
23 [In] Except as provided under subsection (a.1), in all [public
24 schools] school buildings of school entities where fire-escapes,
25 appliances for the extinguishment of fires, or proper and
26 sufficient exits in case of fire or panic, either or all, are
27 required by law to be maintained, fire drills shall be
28 periodically conducted, not less than one a month, by the
29 teacher or teachers in charge, under rules and regulations to be
30 promulgated by the [district superintendent] chief school
31 administrator under whose supervision such [schools] school
32 entities are. In such fire drills the pupils and teachers shall
33 be instructed in, and made thoroughly familiar with, the use of
34 the fire-escapes, appliances and exits. The drill shall include
35 the actual use thereof, and the complete removal of the pupils
36 and teachers, in an expeditious and orderly manner, by means of
37 fire-escapes and exits, from the building to a place of safety
38 on the ground outside.

39 (a.1) Within ninety (90) days of the commencement of the
40 school year after the effective date of this subsection and
41 within ninety (90) days of the commencement of each school year
42 thereafter, each school entity may conduct one school security
43 drill per school year in each school building in place of a fire
44 drill required under subsection (a). All of the following shall
45 apply:

46 (1) The school security drill may be conducted while the
47 school entity is in session and students are present under
48 policies adopted by the chief school administrator.

49 (2) The chief school administrator or a designee shall
50 oversee the instruction and training of students and school
51 employees in the procedures to be used in the school security

1 drill.

2 (3) The chief school administrator shall notify and request
3 assistance from the local law enforcement agency and emergency
4 management agency before conducting the school security drill.

5 (4) The chief school administrator shall provide notice of
6 the school security drill in advance to parents and legal
7 guardians of the students attending the school building for
8 which the school security drill is scheduled.

9 (b) [District superintendents] Chief school administrators
10 are hereby required to see that the provisions of this section
11 are faithfully carried out in the [schools] school entities over
12 which they have charge.

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

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

29 Bus operators shall be provided with proper training and
30 instructions to enable them to carry out the provisions of this
31 subsection and may be required to attend classes and drills in
32 connection therewith.

33 (e) On or before the tenth day of April of each year, each
34 [district superintendent] chief school administrator shall
35 certify to the Department of [Public Instruction] Education that
36 the emergency evacuation drills and school security drills
37 herein required have been [held] conducted in accordance with
38 this section.

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

41 "Chief school administrator" shall mean the superintendent of
42 a school district, superintendent of an area vocational-
43 technical school, executive director of an intermediate unit or
44 chief executive officer of a charter school or regional charter
45 school.

46 "School entity" shall mean an area vocational-technical
47 school, school district, intermediate unit, charter school or
48 regional charter school.

49 "School security drill" shall mean a planned exercise, other
50 than a fire drill or natural disaster drill, designed to
51 practice procedures to respond to an emergency situation that

1 may include, but is not limited to, an act of terrorism, armed
2 intruder situation or other violent threat.

3 Section 1547. Alcohol, Chemical and Tobacco Abuse Program.--

4 (a) Beginning with school year 1991-1992 and each year
5 thereafter, each public school student shall receive mandatory
6 instruction in alcohol, chemical and tobacco abuse in every year
7 in every grade from kindergarten through grade twelve. The
8 instruction shall be integrated within the health course of
9 study required in accordance with the State Board of Education
10 regulations. In grades where health is offered, instruction may
11 also be integrated into other appropriate courses of study. In
12 grades where health is not offered, instruction shall be
13 integrated into an appropriate curriculum requirement as listed
14 in 22 Pa. Code [§ 5.4(b).] §§ 4.21 (relating to elementary
15 education: primary and intermediate levels), 4.22 (relating to
16 middle level education) and 4.23 (relating to high school
17 education).

18 (1) This instruction:

19 (i) Shall be age appropriate.

20 (ii) Shall be sequential in method of study.

21 (iii) Shall discourage the use of alcohol, tobacco and
22 controlled substances.

23 (iv) Shall communicate that the use of illicit drugs and the
24 improper use of legally obtained drugs is wrong.

25 (2) School districts may utilize any appropriate public or
26 private materials, personnel and other resources in developing
27 and implementing this program of instruction. The Department of
28 Health, [Office] Department of Drug and Alcohol Programs, shall
29 make available information about appropriate curriculum
30 materials upon request of a school district. In developing its
31 alcohol, chemical and tobacco abuse instructional program, each
32 school district shall consult with the single county authority
33 designated by the Department of [Health] Drug and Alcohol
34 Programs to provide drug and alcohol services in the school
35 district's area.

36 (a.1) Beginning with the 2018-2019 school year, for students
37 in grades six through twelve, the instruction required under
38 subsection (a) shall include instruction related to the
39 prevention of opioid abuse, with an emphasis on the prescription
40 drug epidemic and the connection between prescription opioid
41 abuse and addiction to other drugs, including heroin. Not later
42 than the beginning of the 2018-2019 school year, the Department
43 of Education, the Department of Health and the Department of
44 Drug and Alcohol Programs shall develop jointly a model
45 curriculum for this purpose and each department shall post the
46 model curriculum on its publicly accessible Internet website.
47 The model curriculum developed under this subsection shall be
48 revised when necessary to ensure that the model curriculum
49 provides the most current information. In providing the
50 instruction required under this subsection, a school district
51 may, but shall not be required to, use the model curriculum.

(b) Each school district is hereby authorized to develop and offer programs relating to alcohol, chemical and tobacco abuse for parents of students enrolled in the public schools. If a school district does develop such programs, they shall be developed in consultation with the single county authority designated by the Department of [Health] Drug and Alcohol Programs to provide drug and alcohol services in the school district's area. Such programs shall be offered at no cost to parents.

(c) The Secretary of Education, in consultation with the Secretary of Health and the Secretary of Drug and Alcohol Programs, shall develop curriculum guidelines for instruction on alcohol, chemical and tobacco abuse and the laws governing their use and misuse. These guidelines shall encourage the inclusion of the following elements where appropriate in the instruction:

(1) Detailed factual information regarding the physiological, psychological, sociological and legal aspects of substance abuse.

(2) Detailed information regarding the availability of help and assistance for students and their families with alcohol, chemical and tobacco dependency problems.

(3) The goals of quality education as set forth in 22 Pa. Code [§ 5.13(f)] (relating to education).

(4) Skills needed to evaluate advertisements for and media portrayals of alcohol, chemical and tobacco products.

(5) Detailed instruction on the need for and the role of lawful authority and law-abiding behavior, including interaction with members of the legal and justice community.

(d) The following apply:

(1) Beginning with the 1991-1992 school year and each year thereafter, the Secretary of Education, in consultation with the Secretary of Health and the Secretary of Drug and Alcohol Programs, shall make available, to all school districts and intermediate units, in-service training programs based upon the instruction requirements established in subsection (a) and the curriculum guidelines established in subsection (c). The programs shall provide preparation for the teaching of mandated instruction in alcohol, chemical and tobacco abuse. The in-service programs may utilize the single county authorities designated by the Department of [Health] Drug and Alcohol Programs or such other institutions, agencies or persons as the Secretary of Education or the Secretary of Health deems appropriate.

(2) Beginning with the 2018-2019 school year, the Department of Education, the Department of Health and the Department of Drug and Alcohol Programs shall develop jointly and shall make available to all school districts and nonpublic schools in-service training programs based upon the instruction requirements established under subsection (a.1) and the model curriculum developed under subsection (a.1). The in-service training programs developed under this subsection shall be

1 revised when necessary to ensure that the in-service training
2 programs provide the most current information.

3 (e) The following apply:

4 (1) Beginning with the 1991-1992 school year, each school
5 district shall provide, as part of its in-service training,
6 programs on alcohol, drugs, tobacco and dangerous controlled
7 substances for all instructors whose teaching responsibilities
8 include courses of study in which mandated instruction
9 concerning alcohol, chemical and tobacco abuse is integrated. To
10 comply with this requirement, a school district may utilize the
11 programs made available by the Department of Education or use
12 other alternative programs.

13 (2) Beginning with the 2018-2019 school year and every three
14 (3) years thereafter, each school district shall provide, as
15 part of its in-service training, programs based upon the
16 instruction requirements established under subsection (a.1) for
17 all instructors whose teaching responsibilities include courses
18 of study in which such mandated instruction is integrated. To
19 comply with this requirement, a school district may utilize the
20 in-service training programs made available under subsection (d)
21 (2).

22 (f) The governing board of each intermediate unit in which a
23 nonpublic school is located shall have the authority and the
24 duty to loan to all students attending nonpublic schools within
25 the intermediate unit all educational materials developed by
26 [either] the Department of Education [or], the Department of
27 Health or the Department of Drug and Alcohol Programs, pursuant
28 to this act for the instruction of public school students on the
29 nature and effects of drugs, alcohol, tobacco and dangerous
30 controlled substances. Local school boards need not expend funds
31 which are not provided by either the Federal or State Government
32 for drug education programs for the use or loan of these
33 materials. A nonpublic school may utilize the in-service
34 training programs made available by the Department of Education
35 through the intermediate unit.

36 (g) On or before June 1, 1991, the Secretary of Education
37 shall recommend to the General Assembly a plan to require and
38 assist each school district to establish and maintain a program
39 to provide appropriate counseling and support services to
40 students who experience problems related to the use of drugs,
41 alcohol and dangerous controlled substances.

42 [(h) On or before June 1, 1992, the Secretary of Education
43 shall report to the General Assembly concerning the 1991-1992
44 school year activities of the Department of Education pertaining
45 to the provisions of this section and concerning proposed 1992-
46 1993 school year activities of the Department of Education
47 pertaining to this section.]

48 (g.1) Beginning in the 2018-2019 school year, and each
49 school year thereafter, professional educators who complete in-
50 service training under this section may apply such in-service
51 training toward their continuing professional education

1 requirements under section 1205.2.

2 (h.1) By September 1, 2020, and by September 1 of every
3 fifth year thereafter, the Department of Education, in
4 consultation with the Department of Health and the Department of
5 Drug and Alcohol Programs, shall report to the General Assembly
6 concerning the preceding school year activities of the
7 Department of Education, the Department of Health and the
8 Department of Drug and Alcohol Programs pertaining to the
9 provisions of this section. The report shall include:

10 (1) A description of efforts by the Department of Education,
11 the Department of Health and the Department of Drug and Alcohol
12 Programs to assist school districts in providing the instruction
13 required under subsections (a) and (a.1), including efforts to
14 develop and post the model curriculum required under subsection
15 (a.1) and to develop and make available the in-service training
16 programs required under subsection (d)(2).

17 (2) An evaluation of the effectiveness of the instruction
18 required under subsections (a) and (a.1) and of curriculum
19 materials and in-service training programs developed by the
20 Department of Education, the Department of Health and the
21 Department of Drug and Alcohol Programs under this section in
22 reducing the use of alcohol, tobacco and other drugs, including
23 prescription opioids, by students.

24 (i) The State Board of Education shall adopt rules and
25 regulations necessary for the implementation of this section.

26 Section 1549. Agricultural Education.--(a) The General
27 Assembly declares it is the purpose of this section to:

28 (1) Require the department to develop and disseminate
29 agricultural education materials for school entities or private
30 or nonpublic kindergartens, elementary or secondary schools in
31 this Commonwealth. The materials shall incorporate agricultural
32 concepts into the basic school curricula and shall be designed
33 to educate the general student population about the importance
34 of the agriculture industry and the role of agriculture in the
35 students' lives.

36 (2) Encourage the agricultural education efforts of other
37 agencies where appropriate, including, but not limited to, those
38 of the county conservation districts, the Cooperative Extension
39 Service of The Pennsylvania State University, the University of
40 Pennsylvania Veterinary School, the Department of Agriculture,
41 the Department of Environmental [Resources] Protection, the
42 Department of [Community Affairs] Community and Economic
43 Development, the State System of Higher Education and the
44 Department of Transportation.

45 (b) The department shall have the power and its duty shall
46 be to:

47 (1) Provide, in conjunction with the Department of
48 Agriculture, resource information to educators and public and
49 private schools and organizations on agricultural education.

50 (2) Provide, in conjunction with the Department of
51 Agriculture, for the development and distribution to school

1 entities or private or nonpublic kindergartens, elementary or
2 secondary schools in this Commonwealth materials on agricultural
3 education. Such materials may include instruction on issues
4 related to agriculture, including, but not limited to, food
5 safety, forestry, pesticides, farmland preservation, waste
6 management, wetlands, nutrient management, food production and
7 food processing, animal health and statutory and regulatory
8 protections of the right to farm.

9 (3) Identify, recognize and establish, in conjunction with
10 the Department of Agriculture, awards for exemplary agricultural
11 education curricula developed in Commonwealth schools.

12 (4) Use local school district occupational advisory
13 committees, as well as the facilities and equipment of the
14 Department of Agriculture, to serve as the conduit to bring
15 youth and adult education programs into communities and schools,
16 focusing on agricultural industry issues of importance to this
17 Commonwealth.

18 (5) Maintain, in conjunction with the Department of
19 Agriculture, an inventory of agricultural education materials,
20 programs and resources available in Commonwealth agencies.

21 [(c) The secretary shall prepare and submit, in conjunction
22 with the Department of Agriculture, an annual report to the
23 Governor and the General Assembly on the status of agricultural
24 education in this Commonwealth. The report shall outline
25 agricultural education programs and achievements, highlight new
26 initiatives and recommend future program needs.

27 (d) (1) The Secretary of Education shall consult, at least
28 annually, with the Secretary of Agriculture and a cross section
29 of the agriculture and education communities to:

30 (i) Assess the trends and needs in agricultural education.

31 (ii) Consider the manner in which any funds are used to
32 support agricultural education activities.

33 (iii) Make recommendations to the Governor and the General
34 Assembly regarding legislative or regulatory changes to improve
35 agricultural education, pursuant to the preparation and
36 submittal of the report required by subsection (c).

37 (2) When consulting with a cross section of the agriculture
38 and education communities, the secretary shall consider seeking
39 comments from individuals named in lists submitted by the State
40 Council on Farm Organizations, the Agricultural Awareness
41 Foundation and the Pennsylvania Vocational-Agricultural Teachers
42 Association. Such lists may include, but not be limited to:

43 (i) Farmers.

44 (ii) Representatives of the agricultural processing and
45 agricultural marketing industries.

46 (iii) Faculty members of the College of Agricultural
47 Sciences of the Commonwealth's land-grant university.

48 (iv) Faculty members from a State System of Higher Education
49 institution, each of whom shall have background in or knowledge
50 of agricultural education.

51 (v) A teacher of vocational agriculture.

1 (vi) A teacher involved in agricultural education other than
2 vocational agriculture.

3 (vii) An administrator of a school entity which conducts an
4 agricultural education program.

5 (viii) A member of a local school district occupational
6 advisory committee.

7 (ix) Members of the public who are knowledgeable about
8 agricultural education.]

9 (e) The following words and phrases when used in this
10 section shall have the meanings given to them in this subsection
11 unless the context clearly indicates otherwise:

12 "Department." The Department of Education of the
13 Commonwealth.

14 ["Farmer." Any person who engages in the accepted
15 activities, practices and procedures year after year to produce
16 and prepare for market poultry, livestock and their products or
17 in the production and harvesting of agricultural, agronomic,
18 horticultural, silvicultural and aquacultural crops and
19 commodities and whose operation is conducted on not less than
20 ten contiguous acres in area or, if less than ten contiguous
21 acres in area, has an anticipated yearly gross income of at
22 least ten thousand dollars (\$10,000).]

23 "School entity." A public school district, intermediate unit
24 or area vocational-technical school.

25 "Secretary." The Secretary of Education of the Commonwealth.

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

27 Section 1549.1. Commission for Agricultural Education

28 Excellence.--(a) There is established a Commission for

29 Agricultural Education Excellence as a departmental

30 administrative commission under the concurrent authority of the

31 Department of Agriculture and the Department of Education with

32 all the powers and duties generally vested in and imposed upon

33 the commissions under the act of April 9, 1929 (P.L.177,

34 No.175), known as "The Administrative Code of 1929."

35 (b) The commission shall assist in developing a Statewide

36 plan for agricultural education and coordinate the

37 implementation of related agricultural education programming

38 with the Department of Agriculture and the Department of

39 Education.

40 (c) The commission shall be administratively housed within

41 the Department of Agriculture and shall be staffed and supported

42 by the Department of Agriculture and the Department of

43 Education, as provided under this section.

44 (d) In order for the commission to fulfill its duties and

45 exercise its authority under this section, an agreement shall be

46 executed between the Department of Agriculture, the Department

47 of Education and the commission, which shall define and

48 delineate the role and responsibility of each agency in

49 assisting the commission in fulfilling its duties under this

50 section.

51 (e) In order for the commission to fulfill its duties and

exercise its authority under this section, the Department of Agriculture, the Department of Education and the commission shall cooperate with each other in the use of staff, land, buildings, quarters, facilities and equipment.

(f) The commission shall consist of the following members:

(1) The Secretary of Education, or a designee.

(2) The Secretary of Agriculture, or a designee.

(3) The following members jointly appointed by the Secretary of Education and the Secretary of Agriculture from lists submitted by the President pro tempore of the Senate and the Speaker of the House of Representatives, in consultation with the Majority Leader and Minority Leader of the Senate and the Majority Leader and Minority Leader of the House of Representatives:

(i) Two farmers.

(ii) A representative of the agricultural processing and agricultural marketing industries.

(iii) Two representatives of agricultural sciences, not more than one of whom shall be a faculty member of the College of Agricultural Sciences of The Pennsylvania State University.

(iv) A representative of the State System of Higher Education with a background in or knowledge of agricultural education.

(v) Two teachers of vocational agriculture, one from a career and technical center and one from a school district.

(vi) A representative of a community college with a background in or knowledge of agricultural education.

(vii) An administrator of a school entity which conducts an agricultural education program.

(viii) A member of a school district occupational advisory committee.

(ix) Two members of the business community with knowledge of agricultural education.

(g) To the extent practicable, from members initially appointed, an equal number shall draw lots to serve for a term of three years, for a term of two years and for a term of one year. Thereafter, all members shall be appointed for a term of three years.

(h) The chairmanship of the commission shall rotate on an annual basis between the Secretary of Agriculture and the Secretary of Education, with the Secretary of Education chairing the first annual rotation.

(i) The commission shall keep a record of its official actions and may perform acts and promulgate policies, procedures and guidelines as may be necessary.

(j) A majority of members of the commission shall constitute a quorum.

(k) The members of the commission shall not receive compensation or reimbursement for services.

(l) The commission shall have all the following powers and duties:

1 (1) Develop a model for Statewide curriculum for
2 agricultural education programs based on high priority
3 occupations.

4 (2) Consult with the Transfer and Articulation Oversight
5 Committee and school entities to facilitate articulation
6 agreements with postsecondary institutions of higher education.

7 (3) Provide support and technical assistance to supervised
8 agricultural experience programs based on student needs.

9 (4) Provide support and coordination for Statewide and local
10 activities related to FFA programs.

11 (5) Investigate, review and issue an annual report on the
12 status of agricultural education required under subsection (m).

13 (m) By May 1, 2018, and by May 1 of each year thereafter,
14 the commission shall submit a report to the Governor and the
15 General Assembly on the status of agricultural education in this
16 Commonwealth. The report shall:

17 (1) Outline agricultural education programs and
18 achievements.

19 (2) Assess the trends and needs in secondary and both formal
20 and informal postsecondary agricultural education and training.

21 (3) Investigate and assess work force trends of the
22 agriculture and food industry.

23 (4) Assess and make programming recommendations for meeting
24 the training needs for individuals not pursuing formal
25 postsecondary education.

26 (5) Consider the manner in which funds are used to support
27 agricultural education activities.

28 (6) Highlight new initiatives and recommend future program
29 needs.

30 (7) Make recommendations to the Governor and the General
31 Assembly regarding legislative or regulatory changes to improve
32 agricultural education.

33 (n) The Department of Agriculture and the Department of
34 Education shall provide staff to assist the commission with the
35 commission's duties. The Department of Agriculture and the
36 Department of Education shall provide an executive director who
37 shall oversee elementary, secondary, postsecondary and adult
38 agricultural education activities in this Commonwealth and shall
39 serve as the director of outreach for the commission and staff
40 who may be employed on or after the effective date of this
41 section and who shall be assigned within either agency as
42 follows:

43 (1) A curriculum specialist to assist school entities in
44 developing agricultural education curricula and integrating
45 national agriculture, food and natural resource standards into
46 elementary and secondary curricula.

47 (2) A program approval specialist to assist school entities
48 with the program approval process for agricultural education
49 established by the Department of Education and serve as a
50 liaison between the Department of Education and school entities
51 for data collection.

1 (3) An FFA program specialist to oversee State-related FFA
2 activities and implement initiatives for local agricultural
3 education program success.

4 (4) A work force development specialist to identify career
5 pathways in the agricultural and food industries and promote
6 agriculture and food careers among students and adult job
7 seekers.

8 (5) An agricultural education support specialist to provide
9 support to the staff of the commission.

10 (o) The implementation of this section shall be subject to
11 funds appropriated by the General Assembly to the Department of
12 Education or the Department of Agriculture, and the funds shall
13 be used to carry out the purposes of this section. The
14 Department of Education and the Department of Agriculture may
15 accept grants and donations from all public and private sources,
16 including the Federal Government, to pay for costs incurred for
17 the implementation and continuance of the provisions of this
18 section.

19 (p) The following words and phrases when used in this
20 section shall have the meanings given to them in this subsection
21 unless the context clearly indicates otherwise:

22 "Commission." The Commission for Agricultural Education
23 Excellence established under this section.

24 "Farmer." A person who engages in activities, practices and
25 procedures to produce and prepare for market poultry, livestock
26 and their products or who engages in the production and
27 harvesting of agricultural, agronomic, horticultural,
28 silvicultural and aquacultural crops and commodities and whose
29 operation is conducted on not less than ten contiguous acres in
30 area or, if less than ten contiguous acres in area, has an
31 anticipated yearly gross income of at least ten thousand dollars
32 (\$10,000).

33 "FFA." A career and technical student organization that
34 encourages leadership, personal growth and career success
35 through agricultural education.

36 "School entity." A public school district, intermediate unit
37 or area vocational-technical school.

38 Section 11. Section 1913-A(b)(1.8) of the act is amended and
39 paragraph (1.6) is amended by adding a subparagraph to read:

40 Section 1913-A. Financial Program; Reimbursement of
41 Payments.--* * *

42 (b) * * *

43 (1.6) For the 2006-2007 fiscal year and each fiscal year
44 thereafter, the payment for a community college shall consist of
45 the following:

46 * * *

47 (x) For the 2017-2018 fiscal year, each community college
48 shall receive the following:

49 (A) For operating costs, an amount equal to the amounts
50 received in fiscal year 2016-2017 under subclause (ix)(A) and
51 (C).

1 (B) For the economic development stipend, an amount equal to
2 the amount received in fiscal year 2016-2017 under subclause
3 (ix) (B).

4 * * *

5 [(1.8) (i) The Department of Education shall annually
6 approve high-priority and high-instructional-cost occupation
7 programs, high-priority occupation programs and noncredit
8 workforce development courses.

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

11 (A) Provide training:

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

15 (II) in an occupation designed to meet regional workforce
16 needs as documented through collaboration with one or more
17 employers.

18 (B) Bear an instructional cost to the community college, per
19 full-time-equivalent student, of at least one hundred thirty
20 percent (130%) of the average cost per full-time-equivalent
21 student enrolled in the community college's credit courses.
22 Instructional costs shall be defined by the Department of
23 Education and may include personnel, equipment, curricula and
24 other costs necessary for the program.

25 (iii) In order to qualify as a high-priority occupation
26 program or a noncredit workforce development course, the high-
27 priority occupation program or noncredit workforce development
28 course must:

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

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

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

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

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

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

42 (v) The Department of Education shall:

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

45 (B) Approve or reject applications received pursuant to
46 subclause (iv) within twenty (20) days of receipt of a completed
47 application; otherwise, such applications will be deemed
48 approved.

49 (C) Annually publish guidelines listing criteria and
50 establishing the approval process for programs and courses under
51 this clause.]

1 * * *

2 Section 11.1. Section 1918-A of the act is repealed:

3 [Section 1918-A. Annual Report.--(a) No later than January
4 1, 2006, the Department of Education shall, in consultation with
5 the community colleges, complete development of a format for
6 collecting uniform data relative to the operations of community
7 colleges. The data shall be used in making an annual report to
8 the Governor and the chairmen and minority chairmen of the
9 Appropriations and Education Committees of the Senate and the
10 chairmen and minority chairmen of the Appropriations and
11 Education Committees of the House of Representatives. The report
12 and the data shall be made available to the Governor and the
13 committees via electronic transmission. The report shall cover
14 the immediately preceding academic year and shall include, but
15 not be limited to:

16 (1) Demographic and program data, including information on
17 full-time and part-time faculty and student enrollments, in
18 total and within curricular areas, dual enrollment
19 participation, credit hours taught by faculty, distance learning
20 courses offered, articulation agreements with higher education
21 institutions, numbers and courses with fewer than twenty (20)
22 students and numbers and courses with more than fifty (50)
23 students.

24 (2) Student progress and achievement measures, including
25 retention rates, first-time, full-time graduation rates after
26 two, three and four years, passing rates on certification and
27 licensure examinations, number of students employed within one
28 year of program completion and placement into additional
29 education or employment in the student's field of study.

30 (3) Economic and workforce development measures, including
31 employer satisfaction, customized job training offerings,
32 employment status and numbers of businesses and organizations
33 served.

34 (b) Where available, data shall be disaggregated by
35 categories, including gender, race and age.

36 (c) The Department of Education, in consultation with the
37 community colleges, shall annually review the uniform data
38 collection format and make any revisions deemed necessary.

39 (d) Reports required under this section shall be submitted
40 prior to September 1, 2006, and September 1 of each year
41 thereafter.]

42 Section 12. Section 1906-G(a)(1) of the act, added July 13,
43 2016 (P.L.716, No.86), is amended to read:
44 Section 1906-G. Establishment.

45 (a) General rule.--No later than December 31, 2016, the
46 board of trustees appointed under section 1905-G shall submit to
47 the secretary a proposed rural regional college plan in such
48 form and containing such information as the secretary may
49 require. In addition to other information which may be required
50 by the secretary, the plan shall include the following:

51 (1) A designation of the name of the proposed rural

1 regional college which shall be the "Rural Regional College
2 of " or " Rural Regional
3 [College."] College"; except that the board of trustees of
4 the rural regional college may later change the college's
5 name or adopt a fictitious name for the purpose of conducting
6 business under 54 Pa.C.S. Ch. 3 (relating to fictitious
7 names).

8 * * *

9 Section 13. (Reserved).

10 Section 14. Section 2001-C of the act is amended by adding
11 definitions to read:

12 Section 2001-C. Definitions.

13 The following words and phrases when used in this article
14 shall have the meanings given to them in this section unless the
15 context clearly indicates otherwise:

16 "Advanced Placement Program." A program authorized by the
17 college board that allows a student to study college-level
18 subjects while enrolled in high school and to receive advanced
19 placement and college credit for earning a qualified score on
20 the course-related Advanced Placement Program exam.

21 * * *

22 "College-Level Examination Program." A set of standardized
23 tests developed by the college board for various subjects, and
24 on which a qualifying score can be used to earn college credit.

25 * * *

26 "Credit for prior learning." College-level credit granted
27 toward the award of a postsecondary degree or certificate for
28 experiential learning that can be demonstrated through various
29 means of assessment to be the equivalent of learning gained
30 through formal collegiate instruction, including an Advanced
31 Placement Program exam, International Baccalaureate Diploma
32 Program exam, a College-Level Examination Program exam and
33 Dantes Subject Standardized Tests.

34 "Dantes Subject Standardized Tests." A set of subject exams
35 approved by the American Council on Education that tests
36 knowledge of both lower-level and upper-level college material.

37 * * *

38 "International Baccalaureate Diploma Program." An
39 academically challenging two-year precollege diploma program
40 comprised of three core requirements and six academic subject
41 areas with final examinations that prepare students, 16 to 19
42 years of age, for higher education and life in a global society.

43 * * *

44 Section 15. Section 2002-C of the act is amended by adding a
45 subsection to read:

46 Section 2002-C. Duties of public institutions of higher
47 education.

48 * * *

49 (d) Credit for prior learning.--Each public institution of
50 higher education shall do all of the following:

51 (1) Adopt and make public uniform standards for

1 determining academic credit for prior learning as outlined in
2 paragraph (4) within 18 months of the effective date of this
3 subsection.

4 (2) Agree to award academic credit for prior learning,
5 which is determined to meet the standards established under
6 section 2004-C(c)(6) and apply the credit toward graduation,
7 unless prohibited by external accreditation or licensure.

8 (3) Submit to the department interim reports outlining
9 the actions that a public institution of higher education has
10 undertaken or intends to undertake to comply with paragraphs
11 (1) and (2).

12 (4) As a member of the Transfer and Articulation
13 Oversight Committee established in section 2004-C:

14 (i) Consult with the department on a process and
15 timeline, subject to approval by the department, to
16 develop uniform standards for determining academic credit
17 for prior learning, in consultation with faculty and
18 personnel.

19 (ii) Develop and implement uniform standards for
20 determining academic credit for prior learning, in
21 consultation with faculty and personnel.

22 (iii) Participate in submitting a status report to
23 the department, the Education Committee of the Senate and
24 the Education Committee of the House of Representatives.

25 (5) For each academic year, report to the department all
26 of the following:

27 (i) The total number of students awarded credits for
28 prior learning, including Advanced Placement Program
29 exams, International Baccalaureate Diploma Program exams
30 and College-Level Examination Program exams and Dantes
31 Subject Standardized Tests.

32 (ii) The total number of credits awarded to students
33 for prior learning, including Advanced Placement Program
34 exams, International Baccalaureate Diploma Program exams
35 and College-Level Examination Program exams and Dantes
36 Subject Standardized Tests.

37 (iii) The number of credits awarded to matriculating
38 students who present Advanced Placement program,
39 International Baccalaureate Diploma Program and College-
40 Level Examination Program exams and Dantes Subject
41 Standardized Tests that meet the standards established
42 under section 2004-C(c)(6) and, of those credits, the
43 number of credits applied toward major requirements and
44 the number of credits applied toward elective
45 requirements.

46 (iv) Any other information related to awarding of
47 credit for prior learning as requested by the department
48 or the Transfer and Articulation Oversight Committee,
49 including the usability of transfer credits.

50 Section 16. Section 2004-C(c) of the act is amended by
51 adding a paragraph to read:

1 Section 2004-C. Transfer and Articulation Oversight Committee.

2 * * *

3 (c) Duties of Transfer and Articulation Oversight
4 Committee.--The committee shall:

5 * * *

6 (6) Within one year of the effective date of this
7 paragraph, develop and implement uniform standards for
8 awarding academic credit for prior learning, in consultation
9 with faculty and personnel for public institutions of higher
10 education and institutions that elect to participate under
11 section 2006-C.

12 Section 17. The act is amended by adding a section to read:
13 Section 2321. State aid for fiscal year 2017-2018.

14 Notwithstanding any other provision of law to the contrary,
15 each library subject to 24 Pa.C.S. Ch. 93 (relating to public
16 library code), shall be eligible for State aid for fiscal year
17 2017-2018, as follows:

18 (1) Funds appropriated for libraries shall be
19 distributed to each library under the following formula:

20 (i) Divide the amount of funding that the library
21 received in fiscal year 2016-2017 under section 2320 by
22 the total State-aid subsidy for fiscal year 2016-2017.

23 (ii) Multiply the quotient under subparagraph (i) by
24 the total State-aid subsidy for fiscal year 2017-2018.

25 (2) Following distribution of funds appropriated for
26 State aid to libraries under paragraph (1), any remaining
27 funds may be distributed at the discretion of the State
28 Librarian.

29 (3) If funds appropriated for State aid to libraries in
30 fiscal year 2017-2018 are less than funds appropriated in
31 fiscal year 2002-2003, the State Librarian may waive
32 standards as prescribed in 24 Pa.C.S. Ch. 93.

33 (4) Each library system receiving State aid under this
34 section may distribute the local library share of that aid in
35 a manner as determined by the board of directors of the
36 library system.

37 (5) In the case of a library system that contains a
38 library operating in a city of the second class, changes to
39 the distribution of State aid to the library shall be made by
40 mutual agreement between the library and the library system.

41 (6) In the event of a change in district library center
42 population prior to the effective date of this section as a
43 result of:

44 (i) a city, borough, town, township, school district
45 or county moving from one library center to another; or

46 (ii) a transfer of district library center status to
47 a county library system;

48 funding of district library center aid shall be paid based on
49 the population of the newly established or reconfigured
50 district library center.

51 (7) In the event of a change in direct service area from

1 one library to another, the State Librarian, upon agreement
2 of the affected libraries, may redistribute the local library
3 share of aid to the library currently servicing the area.

4 Section 17.1. Section 2501 of the act is amended by adding a
5 clause to read:

6 Section 2501. Definitions.--For the purposes of this article
7 the following terms shall have the following meanings:

8 * * *

9 (14.2) "Market value." For purposes of the calculations
10 described in clauses (14) and (14.1), in the fiscal year
11 beginning July 1, 2017, a school district's market value shall
12 not exceed \$47,000,000,000 and, in each subsequent fiscal year,
13 the maximum market value shall be increased by the percentage
14 increase in market value for all school districts.

15 * * *

16 Section 18. Section 2502.53(c)(5) and (d)(3) of the act,
17 added June 1, 2016 (P.L.252, No.35), are amended and subsection
18 (d) is amended by adding a paragraph to read:

19 Section 2502.53. Student-Weighted Basic Education Funding.--

20 * * *

21 (c) For the purpose of this section:

22 * * *

23 (5) The data used to calculate the factors and indexes in
24 this section shall be based on the most recent years for which
25 data is available as determined by the Department of
26 Education[.] and be fixed as of the first day of June preceding
27 the school year in which the allocation occurs. Data fixed on
28 the first day of June shall be revised by the Department of
29 Education if it is subsequently found to be incorrect.

30 (d) For purposes of this section:

31 * * *

32 (1.1) "Current expenditures" shall mean the General Fund
33 expenditures in functional classifications of instruction,
34 support services and operation of noninstructional services.
35 Beginning with the 2016-2017 school year, "current expenditures"
36 shall mean the General Fund expenditures in functional
37 classifications of instruction, support services and operation
38 of noninstructional services, minus General Fund revenues for
39 tuition from patrons.

40 * * *

41 (3) "Local tax-related revenue" shall mean the sum of school
42 district revenues for State property tax reduction allocation,
43 taxes levied and assessed, delinquencies on taxes levied and
44 assessed, revenue from local government units and other local
45 revenues not specified elsewhere, as designated in the Manual of
46 Accounting and Financial Reporting for Pennsylvania Public
47 Schools. Beginning with the 2016-2017 school year, revenues
48 received by a school district from the sales and use tax and the
49 cigarette tax shall be included when determining a school
50 district's local tax-related revenue under this section.

51 * * *

1 Section 19. Sections 2509.1(c.2), 2510.3(a) and 2599.6 of
2 the act, amended or added July 13, 2016 (P.L.716, No.86), are
3 amended to read:

4 Section 2509.1. Payments to Intermediate Units.--* * *

5 (c.2) The following apply:

6 (1) For the 2016-2017 and 2017-2018 school [year] years,
7 five and five-tenths percent (5.5%) of the State special
8 education appropriation shall be paid to intermediate units on
9 account of special education services.

10 (2) Thirty-five percent (35%) of the amount under paragraph
11 (1) shall be distributed equally among all intermediate units.

12 (3) Sixty-five percent (65%) of the amount under paragraph
13 (1) shall be distributed to each intermediate unit in proportion
14 to the number of average daily membership of the component
15 school districts of each intermediate unit as compared to the
16 Statewide total average daily membership.

17 * * *

18 Section 2510.3. Assistance to School Districts Declared to
19 be in Financial Recovery Status or Identified for Financial
20 Watch Status.--(a) The following apply:

21 (1) For the 2013-2014 and 2016-2017 fiscal years, the
22 Department of Education may utilize up to four million five
23 hundred thousand dollars (\$4,500,000) of undistributed funds not
24 expended, encumbered or committed from appropriations for grants
25 and subsidies made to the Department of Education to assist
26 school districts declared to be in financial recovery status
27 under section 621-A or identified for financial watch status
28 under section 611-A . The funds shall be transferred by the
29 Secretary of the Budget to a restricted account as necessary to
30 make payments under this section and, when transferred, are
31 hereby appropriated to carry out the provisions of this section.

32 (2) For the 2017-2018 fiscal year, the Department of
33 Education may utilize up to five million dollars (\$5,000,000) of
34 undistributed funds not expended, encumbered or committed from
35 appropriations for grants and subsidies made to the Department
36 of Education to assist school districts declared to be in
37 financial recovery status under section 621-A, identified for
38 financial watch status under section 611-A or identified for
39 financial watch status under section 694-A; except that the
40 funds must be first utilized to accomplish the provisions
41 contained in section 695-A. The funds shall be transferred by
42 the Secretary of the Budget to a restricted account as necessary
43 to make payments under this section and, when transferred, are
44 hereby appropriated to carry out the provisions of this section.

45 * * *

46 Section 2599.6. Ready-to-Learn Block Grant.--(a) For the
47 2016-2017 and 2017-2018 school [year] years, each school entity
48 shall receive a Ready-to-Learn Block Grant as follows:

49 (1) An amount equal to the amount the school entity received
50 during the 2013-2014 school year under section 2599.2.

51 (2) An amount equal to the amount the school entity received

1 during the 2014-2015 school year under section 1722-J(21)(ii) of
2 the act of April 9, 1929 (P.L.343, No.176), known as The Fiscal
3 Code.

4 (3) An amount equal to the amount the school entity received
5 during the 2015-2016 school year under section 1722-L(21)(i)(C)
6 of The Fiscal Code.

7 (b) Funding received by a school entity under this section
8 shall be used in accordance with the provisions contained in
9 sections 2599.2 and 1722-J(21)(v) of The Fiscal Code and may be
10 used for integrated student supports.

11 (c) To be eligible to receive funding under this section,
12 each school entity shall submit a plan for approval to the
13 department outlining how the funding will be used.

14 (d) Revenues received by a school district under subsection
15 (a)(2) shall not be included in the school district's budgeted
16 total expenditure per average daily membership used to calculate
17 the amount to be paid to a charter school under section 1725-
18 A(a)(2) and (3).

19 (e) For the purposes of this section, a "school entity"
20 shall be a school district, charter school, cyber charter school
21 or regional charter school.

22 Section 20. Section 2603-B(h) and (i) of the act are amended
23 to read:

24 Section 2603-B. Powers and Duties of the Board.--* * *

25 (h) Every [five (5)] ten (10) years, the board shall adopt a
26 master plan for higher education which shall be for the guidance
27 of the Governor, the General Assembly, and all institutions of
28 higher education financed wholly or in part from State
29 appropriations. The master plan shall:

30 (1) define the role of each type of institution (State-owned
31 universities, State-related universities, community colleges,
32 private colleges and universities and off-campus centers of any
33 of these and other institutions authorized to grant degrees) in
34 this Commonwealth;

35 (2) recommend enrollment levels for each such institution;

36 (3) recommend methods for governance;

37 (4) recommend methods for the distribution of State funds
38 among the institutions;

39 (5) evaluate the status of physical plants and technical
40 equipment and project needs;

41 (6) evaluate the status of and projection of manpower needs;

42 (7) evaluate enrollment accessibility to institutions of
43 higher learning by the public; and

44 (8) otherwise provide for an orderly development of
45 institutions of higher education in this Commonwealth.

46 (i) Every [five (5)] ten (10) years, the board shall adopt a
47 master plan for basic education which shall be for the guidance
48 of the Governor, the General Assembly, and all public school
49 entities. The master plan shall consider and make
50 recommendations on the following areas, and any other areas
51 which the board deems appropriate:

- (1) school program approval, evaluation and requirements;
- (2) school personnel training and certification;
- (3) student testing and assessment;
- (4) school governance and organization;
- (5) curriculum materials development;
- (6) school finance;
- (7) school buildings and facilities;
- (8) transportation;
- (9) technical services and support services to local education agencies; and
- (10) projected long-range needs of the public school system of this Commonwealth.

* * *

Section 21. Notwithstanding section 10 of the act of November 3, 2016 (P.L.1061, No.138), the act of November 3, 2016 (P.L.1061, No.138), shall apply as follows:

(1) For a public school district, a charter school, a cyber charter school, a regional charter school or an area vocational-technical school, the act of November 3, 2016 (P.L.1061, No.138), shall apply to the 2017-2018 school year and each school year thereafter.

(2) For a nonpublic school, the act of November 3, 2016 (P.L.1061, No.138), shall apply to the 2018-2019 school year and each school year thereafter.

Section 22. The following provisions shall apply retroactively to July 1, 2017:

(1) The amendment of section 732.1 of the act.

(2) The amendment or addition of section 1913-A(b) (1.6) (x) and (1.8) of the act.

(3) (Reserved).

(4) The addition of section 2321 of the act.

(5) The amendment or addition of section 2502.53(c) (5) and (d) (1.1) and (3) of the act.

(6) The amendment of section 2509.1(c.2) of the act.

(7) The amendment of section 2599.6 of the act.

Section 23. This act shall take effect as follows:

(1) The amendment of section 1337(d) of the act shall take effect in 30 days.

(2) The amendment or addition of sections 1549 and 1549.1 of the act shall take effect in 60 days.

(3) The remainder of this act shall take effect immediately.