

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 20

Session of  
1995

INTRODUCED BY STAIRS, BAKER, SAYLOR, TRUE, HERMAN, KING, BROWN,  
FARGO, COLAIZZO, KREBS, ARMSTRONG, LYNCH, PLATTS, HERSHEY,  
FLEAGLE, EGOLF, COWELL, SCHULER, RUDY, RAYMOND, MILLER, HESS,  
HALUSKA, STERN, B. SMITH, GEIST, COY, TULLI, STEELMAN, MERRY,  
MARSICO, LLOYD, CIVERA, YOUNGBLOOD, GORDNER, LEH AND  
MAITLAND, JANUARY 19, 1995

SENATOR TILGHMAN, APPROPRIATIONS, IN SENATE, RE-REPORTED AS  
AMENDED, JUNE 20, 1995

AN ACT

1 ~~Providing for agricultural education programs; and imposing~~ <—  
2 ~~duties on the Department of Education.~~  
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," FURTHER PROVIDING FOR THE  
8 COMPENSATION OF THE SPECIAL BOARD OF CONTROL AND FOR TUITION  
9 GRANTS FOR CERTAIN CHILDREN WITH EXCEPTIONALITIES;  
10 PROHIBITING THE POSSESSION OF WEAPONS; FURTHER PROVIDING FOR  
11 CHILDREN WITH EXCEPTIONALITIES; PROVIDING FOR SAFE SCHOOLS  
12 AND FOR AGRICULTURAL EDUCATION PROGRAMS; IMPOSING DUTIES ON  
13 THE DEPARTMENT OF EDUCATION; FURTHER PROVIDING FOR COMMUNITY  
14 COLLEGE REIMBURSEMENT AND FOR SMALL DISTRICT ASSISTANCE;  
15 PROVIDING FOR BASIC EDUCATION FUNDING; FURTHER PROVIDING FOR  
16 PAYMENTS TO INTERMEDIATE UNITS, FOR PAYMENT FOR NONPUBLIC  
17 SCHOOL TRANSPORTATION, FOR SPECIAL EDUCATION PAYMENTS TO  
18 SCHOOL DISTRICTS AND EXTRAORDINARY SPECIAL EDUCATION PROGRAM  
19 EXPENSES; AND PROVIDING FOR DISTANCE LEARNING GRANTS.

20 The General Assembly of the Commonwealth of Pennsylvania  
21 hereby enacts as follows:

22 ~~Section 1. Short title.~~ <—

23 ~~This act shall be known and may be cited as the Agricultural~~

1 ~~Education Act.~~

2 ~~Section 2. Declaration of policy.~~

3 ~~The General Assembly declares it is the purpose of this act~~  
4 ~~to:~~

5 ~~(1) Require the Department of Education to develop and~~  
6 ~~disseminate agricultural education materials for school~~  
7 ~~entities or private or nonpublic kindergartens, elementary or~~  
8 ~~secondary schools in this Commonwealth. The materials shall~~  
9 ~~incorporate agricultural concepts into the basic school~~  
10 ~~curricula and shall be designed to educate the general~~  
11 ~~student population about the importance of the agriculture~~  
12 ~~industry and the role of agriculture in the students' lives.~~

13 ~~(2) Encourage the agricultural education efforts of~~  
14 ~~other agencies where appropriate, including, but not limited~~  
15 ~~to, those of the county conservation districts, the~~  
16 ~~Cooperative Extension Service of the Pennsylvania State~~  
17 ~~University, the University of Pennsylvania Veterinary School,~~  
18 ~~the Department of Agriculture, the Department of~~  
19 ~~Environmental Resources, the Department of Community Affairs,~~  
20 ~~the State System of Higher Education and the Department of~~  
21 ~~Transportation.~~

22 ~~Section 3. Definitions.~~

23 ~~The following words and phrases when used in this act shall~~  
24 ~~have the meanings given to them in this section unless the~~  
25 ~~context clearly indicates otherwise:~~

26 ~~"Department." The Department of Education of the~~  
27 ~~Commonwealth.~~

28 ~~"Farmer." Any person who engages in the accepted activities,~~  
29 ~~practices and procedures year after year to produce and prepare~~  
30 ~~for market poultry, livestock and their products or in the~~

1 ~~production and harvesting of agricultural, agronomic,~~  
2 ~~horticultural, silvicultural and aquacultural crops and~~  
3 ~~commodities and whose operation is conducted on not less than~~  
4 ~~ten contiguous acres in area or, if less than ten contiguous~~  
5 ~~acres in area, has an anticipated yearly gross income of at~~  
6 ~~least \$10,000.~~

7 ~~"School entity." A public school district, intermediate unit~~  
8 ~~or area vocational technical school.~~

9 ~~"Secretary." The Secretary of Education of the Commonwealth.~~

10 ~~Section 4. Powers and duties of department.~~

11 ~~The department shall have the power and its duty shall be to:~~

12 ~~(1) Provide resource information to educators and public~~  
13 ~~and private schools and organizations on agricultural~~  
14 ~~education.~~

15 ~~(2) Provide for distribution to school entities or~~  
16 ~~private or nonpublic kindergartens, elementary or secondary~~  
17 ~~schools in this Commonwealth materials on agricultural~~  
18 ~~education. Such materials may include instruction on issues~~  
19 ~~related to agriculture, including, but not limited to, food~~  
20 ~~safety, pesticides, farmland preservation, waste management,~~  
21 ~~wetlands, nutrient management, food production and food~~  
22 ~~processing, animal health and statutory and regulatory~~  
23 ~~protections of the right to farm.~~

24 ~~(3) Identify, recognize and establish awards for~~  
25 ~~exemplary agricultural education curricula developed in~~  
26 ~~Commonwealth schools.~~

27 ~~(4) Use local school district occupational advisory~~  
28 ~~committees to serve as the conduit to bring youth and adult~~  
29 ~~education programs into communities and schools, focusing on~~  
30 ~~agricultural industry issues of importance to this~~

1 ~~Commonwealth.~~

2 ~~Section 5. Agricultural education report.~~

3 ~~The secretary shall prepare and submit an annual report to~~  
4 ~~the Governor and the General Assembly outlining agricultural~~  
5 ~~education programs and achievements, highlighting new~~  
6 ~~initiatives and recommending future program needs.~~

7 ~~Section 6. Duties of the secretary.~~

8 ~~(a) Consultation. The Secretary of Education shall consult,~~  
9 ~~at least annually, with the Secretary of Agriculture and a cross~~  
10 ~~section of the agriculture and education communities to:~~

11 ~~(1) Assess the trends and needs in agricultural~~  
12 ~~education.~~

13 ~~(2) Consider the manner in which any funds are used to~~  
14 ~~support agricultural education activities.~~

15 ~~(3) Make recommendations to the Governor and the General~~  
16 ~~Assembly regarding legislative or regulatory changes to~~  
17 ~~improve agricultural education, pursuant to the preparation~~  
18 ~~and submittal of the report required by section 5.~~

19 ~~(b) Participating organizations. When consulting with a~~  
20 ~~cross section of the agriculture and education communities, the~~  
21 ~~secretary shall consider seeking comments from individuals named~~  
22 ~~in lists submitted by the State Council on Farm Organizations,~~  
23 ~~the Agricultural Awareness Foundation and the Pennsylvania~~  
24 ~~Vocational Agricultural Teachers Association. Such lists may~~  
25 ~~include, but not be limited to:~~

26 ~~(1) Farmers.~~

27 ~~(2) Representatives of the agricultural processing and~~  
28 ~~agricultural marketing industries.~~

29 ~~(3) Faculty members of the College of Agricultural~~  
30 ~~Sciences of the Commonwealth's land grant university.~~

~~(4) Faculty members from a State System of Higher Education institution, each of whom shall have background in or knowledge of agricultural education.~~

~~(5) A teacher of vocational agriculture.~~

~~(6) A teacher involved in agricultural education other than vocational agriculture.~~

~~(7) An administrator of a school entity which conducts an agricultural education program.~~

~~(8) A member of a local school district occupational advisory committee.~~

~~(9) Members of the public who are knowledgeable about agricultural education.~~

~~Section 7. Effective date.~~

~~This act shall take effect in 60 days.~~

SECTION 1. SECTION 692.2 OF THE ACT OF MARCH 10, 1949 (P.L.30, NO.14), KNOWN AS THE PUBLIC SCHOOL CODE OF 1949, AMENDED JANUARY 14, 1970 (1969 P.L.468, NO.192), IS AMENDED TO READ:

SECTION 692.2. COMPENSATION OF SPECIAL BOARD OF CONTROL.-- THE MEMBERS OF THE SPECIAL BOARD APPOINTED BY THE COURT, OR THE MEMBER OTHER THAN THE EXECUTIVE DIRECTOR OF THE INTERMEDIATE UNIT APPOINTED ON A TEMPORARY BASIS BY THE SUPERINTENDENT OF PUBLIC INSTRUCTION, SHALL BE PAID [TEN DOLLARS (\$10)] SEVENTY-FIVE DOLLARS (\$75) FOR EACH MEETING OF THE REGULAR BOARD OF SCHOOL DIRECTORS OF THE DISTRESSED SCHOOL DISTRICT WHICH THEY ATTEND: PROVIDED, HOWEVER, THAT THE TOTAL AMOUNT TO BE PAID IN ANY FISCAL YEAR TO EACH SUCH MEMBER SHALL NOT EXCEED [ONE HUNDRED TWENTY DOLLARS (\$120)] NINE HUNDRED DOLLARS (\$900). SUCH PAYMENTS SHALL BE MADE FROM THE FUNDS OF THE SCHOOL DISTRICT AND SHALL BE CHARGED TO ADMINISTRATIVE SERVICES EVEN THOUGH NO

1 PREVIOUS PROVISION HAS BEEN MADE IN THE BUDGET OF THE SCHOOL  
2 DISTRICT FOR SUCH EXPENSES.

3 SECTION 2. SECTION 1309 OF THE ACT, AMENDED JUNE 17, 1993  
4 (P.L.49, NO.16), IS AMENDED TO READ:

5 SECTION 1309. COST OF TUITION; HOW FIXED.--(A) THE COST OF  
6 TUITION IN SUCH CASES SHALL BE FIXED AS IS NOW PROVIDED BY LAW  
7 FOR TUITION COSTS IN OTHER CASES, EXCEPT IN THE FOLLOWING  
8 CIRCUMSTANCES:

9 (1) WHERE, FOR THE ACCOMMODATION OF SUCH CHILDREN, IT SHALL  
10 BE NECESSARY TO PROVIDE A SEPARATE SCHOOL OR TO ERECT ADDITIONAL  
11 SCHOOL BUILDINGS, THE CHARGE FOR TUITION FOR SUCH CHILDREN MAY  
12 INCLUDE A PROPORTIONATE COST OF THE OPERATING EXPENSES, RENTAL,  
13 AND INTEREST ON ANY INVESTMENT REQUIRED TO BE MADE IN ERECTING  
14 SUCH NEW SCHOOL BUILDINGS.

15 (2) WHEN A CHILD WHO IS AN INMATE OF AN INSTITUTION IS [AN  
16 EXCEPTIONAL CHILD] A CHILD WITH EXCEPTIONALITIES, THE DISTRICT  
17 IN WHICH THE INSTITUTION IS LOCATED MAY CHARGE THE DISTRICT OF  
18 RESIDENCE, AND THE DISTRICT OF RESIDENCE SHALL PAY A SPECIAL  
19 EDUCATION CHARGE IN ADDITION TO THE APPLICABLE TUITION CHARGE.  
20 SUCH SPECIAL EDUCATION CHARGE WHEN COMBINED WITH THE APPLICABLE  
21 TUITION CHARGE SHALL NOT EXCEED [AN ADDITIONAL FIFTY PERCENT  
22 (50%) OF THE APPLICABLE TUITION CHARGE.] THE TOTAL NET COST OF  
23 THE SPECIAL EDUCATION PROGRAM PROVIDED. IN THE CASE OF A CHILD  
24 WITH EXCEPTIONALITIES WHO IS AN INMATE OF AN INSTITUTION AND WHO  
25 IS SERVED UNDER SECTION 2509.1(B), THE DISTRICT IN WHICH THE  
26 INSTITUTION IS LOCATED MAY CHARGE THE DISTRICT OF RESIDENCE AN  
27 AMOUNT THAT DOES NOT EXCEED THE TOTAL COST OF THE SPECIAL  
28 EDUCATION PROGRAM PROVIDED MINUS THE AMOUNT RECEIVED PER CHILD  
29 FROM THE COMMONWEALTH UNDER SECTION 2509.1(B).

30 (B) THE TUITION HEREIN PROVIDED FOR SHALL BE PAID ANNUALLY

BY THE SECRETARY OF EDUCATION, THE DISTRICT OF RESIDENCE OR THE  
INSTITUTION AS THE CASE MAY BE.

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

SECTION 1317.2. POSSESSION OF WEAPONS PROHIBITED.--(A)  
EXCEPT AS OTHERWISE PROVIDED IN THIS SECTION, A SCHOOL DISTRICT  
OR AREA VOCATIONAL-TECHNICAL SCHOOL SHALL EXPEL, FOR A PERIOD OF  
NOT LESS THAN ONE YEAR, ANY STUDENT WHO IS DETERMINED TO HAVE  
BROUGHT A WEAPON ONTO ANY SCHOOL PROPERTY, ANY SCHOOL-SPONSORED  
ACTIVITY OR ANY PUBLIC CONVEYANCE PROVIDING TRANSPORTATION TO A  
SCHOOL OR SCHOOL-SPONSORED ACTIVITY.

(B) EVERY SCHOOL DISTRICT AND AREA VOCATIONAL-TECHNICAL  
SCHOOL SHALL DEVELOP A WRITTEN POLICY REGARDING EXPULSIONS FOR  
POSSESSION OF A WEAPON AS REQUIRED UNDER THIS SECTION.  
EXPULSIONS SHALL BE CONDUCTED PURSUANT TO ALL APPLICABLE  
REGULATIONS.

(C) THE SUPERINTENDENT OF A SCHOOL DISTRICT OR AN  
ADMINISTRATIVE DIRECTOR OF AN AREA VOCATIONAL-TECHNICAL SCHOOL  
MAY RECOMMEND DISCIPLINE SHORT OF EXPULSION ON A CASE-BY-CASE  
BASIS. THE SUPERINTENDENT OR OTHER CHIEF ADMINISTRATIVE OFFICER  
OF A SCHOOL ENTITY SHALL, IN THE CASE OF AN EXCEPTIONAL STUDENT,  
TAKE ALL STEPS NECESSARY TO COMPLY WITH THE INDIVIDUALS WITH  
DISABILITIES EDUCATION ACT (PUBLIC LAW 91-230, 20 U.S.C. § 1400  
ET SEQ.).

(D) THE PROVISIONS OF THIS SECTION SHALL NOT APPLY TO THE  
FOLLOWING:

(1) A WEAPON BEING USED AS PART OF A PROGRAM APPROVED BY A  
SCHOOL BY AN INDIVIDUAL WHO IS PARTICIPATING IN THE PROGRAM; OR

(2) A WEAPON THAT IS UNLOADED AND IS POSSESSED BY AN  
INDIVIDUAL WHILE TRAVERSING SCHOOL PROPERTY FOR THE PURPOSE OF  
OBTAINING ACCESS TO PUBLIC OR PRIVATE LANDS USED FOR LAWFUL

1 HUNTING, IF THE ENTRY ON SCHOOL PREMISES IS AUTHORIZED BY SCHOOL  
2 AUTHORITIES.

3 (E) NOTHING IN THIS SECTION SHALL BE CONSTRUED AS LIMITING  
4 THE AUTHORITY OR DUTY OF A SCHOOL OR AREA VOCATIONAL-TECHNICAL  
5 SCHOOL TO MAKE AN ALTERNATIVE ASSIGNMENT OR PROVIDE ALTERNATIVE  
6 EDUCATIONAL SERVICES DURING THE PERIOD OF EXPULSION.

7 (F) ALL SCHOOL DISTRICTS AND AREA VOCATIONAL-TECHNICAL  
8 SCHOOLS SHALL REPORT ALL INCIDENTS INVOLVING POSSESSION OF A  
9 WEAPON PROHIBITED BY THIS SECTION AS FOLLOWS:

10 (1) THE SCHOOL SUPERINTENDENT OR CHIEF ADMINISTRATOR SHALL  
11 REPORT THE DISCOVERY OF ANY WEAPON PROHIBITED BY THIS SECTION TO  
12 LOCAL LAW ENFORCEMENT OFFICIALS.

13 (2) THE SCHOOL SUPERINTENDENT OR CHIEF ADMINISTRATOR SHALL  
14 REPORT TO THE DEPARTMENT OF EDUCATION ALL INCIDENTS RELATING TO  
15 EXPULSIONS FOR POSSESSION OF A WEAPON ON SCHOOL GROUNDS, SCHOOL-  
16 SPONSORED ACTIVITIES OR PUBLIC CONVEYANCES PROVIDING  
17 TRANSPORTATION TO A SCHOOL OR SCHOOL-SPONSORED ACTIVITY. REPORTS  
18 SHALL INCLUDE ALL INFORMATION AS REQUIRED UNDER SECTION 1302-A.

19 (G) AS USED IN THIS SECTION, THE TERM "WEAPON" SHALL  
20 INCLUDE, BUT NOT BE LIMITED TO, ANY KNIFE, CUTTING INSTRUMENT,  
21 CUTTING TOOL, NUNCHAKU, FIREARM, SHOTGUN, RIFLE AND ANY OTHER  
22 TOOL, INSTRUMENT OR IMPLEMENT CAPABLE OF INFLICTING SERIOUS  
23 BODILY INJURY.

24 SECTION 4. SECTION 1371 OF THE ACT, AMENDED JANUARY 14, 1970  
25 (1969 P.L.468, NO.192), IS AMENDED TO READ:

26 SECTION 1371. DEFINITION OF [EXCEPTIONAL] CHILDREN WITH  
27 EXCEPTIONALITIES; REPORTS; EXAMINATION.--(1) THE TERM  
28 ["EXCEPTIONAL CHILDREN"] "CHILDREN WITH EXCEPTIONALITIES" SHALL  
29 MEAN CHILDREN OF SCHOOL AGE [WHO DEVIATE FROM THE AVERAGE IN  
30 PHYSICAL, MENTAL, EMOTIONAL OR SOCIAL CHARACTERISTICS TO SUCH AN



1 EXTENT THAT THEY REQUIRE SPECIAL EDUCATIONAL FACILITIES OR  
2 SERVICES AND SHALL INCLUDE ALL CHILDREN IN DETENTION HOMES.] WHO  
3 HAVE A DISABILITY OR WHO ARE GIFTED AND WHO, BY REASON THEREOF,  
4 NEED SPECIALLY DESIGNED INSTRUCTION.

5 (2) IT SHALL BE THE DUTY OF THE DISTRICT SUPERINTENDENT, IN  
6 EVERY SCHOOL DISTRICT IN ACCORDANCE WITH RULES OF PROCEDURE  
7 PRESCRIBED BY THE [SUPERINTENDENT OF PUBLIC INSTRUCTION]  
8 SECRETARY OF EDUCATION, TO SECURE INFORMATION AND REPORT TO THE  
9 [PROPER INTERMEDIATE UNIT] DEPARTMENT OF EDUCATION, ON OR BEFORE  
10 THE FIFTEENTH DAY OF OCTOBER OF EACH YEAR, AND THEREAFTER AS  
11 CASES ARISE, EVERY [EXCEPTIONAL CHILD] CHILD WITH  
12 EXCEPTIONALITIES WITHIN SAID DISTRICT. [AS SOON THEREAFTER AS  
13 POSSIBLE THE CHILD SHALL BE EXAMINED BY A PERSON CERTIFIED BY  
14 THE DEPARTMENT OF PUBLIC INSTRUCTION AS A PUBLIC SCHOOL  
15 PSYCHOLOGIST, AND ALSO BY ANY OTHER EXPERT WHICH THE TYPE OF  
16 HANDICAP AND THE CHILD'S CONDITION MAY NECESSITATE. A REPORT  
17 SHALL BE MADE TO THE PROPER INTERMEDIATE UNIT OF ALL SUCH  
18 CHILDREN EXAMINED AND OF ALL CHILDREN RESIDING IN THE DISTRICT  
19 WHO ARE ENROLLED IN SPECIAL CLASSES.] A REPORT SHALL BE MADE TO  
20 THE DEPARTMENT OF EDUCATION OF ALL CHILDREN DETERMINED TO NEED  
21 SPECIAL EDUCATION SERVICES OR PROGRAMS CONSISTENT WITH CHAPTER  
22 14 OF STATE BOARD OF EDUCATION REGULATIONS, AS WELL AS CHAPTER  
23 342 OF DEPARTMENT STANDARDS.

24 SECTION 5. SECTION 1376(C.1) OF THE ACT, AMENDED JUNE 7,  
25 1993 (P.L.49, NO.16), IS AMENDED TO READ:

26 SECTION 1376. COST OF TUITION AND MAINTENANCE OF CERTAIN  
27 EXCEPTIONAL CHILDREN IN APPROVED INSTITUTIONS.--\* \* \*

28 (C.1) ANY FUNDS REMAINING FROM THE APPROPRIATION LINE ITEMS  
29 "FOR SPECIAL EDUCATION - APPROVED PRIVATE SCHOOLS" FROM THE  
30 GENERAL APPROPRIATIONS ACTS FOR FISCAL YEARS 1978-1979 [THROUGH

1 1990-1991 INCLUSIVE] AND EACH FISCAL YEAR THEREAFTER SHALL BE  
2 TRANSFERRED BY THE STATE TREASURER INTO A RESTRICTED ACCOUNT  
3 (CONTINUING APPROPRIATION) FOR AUDIT RESOLUTION WHICH IS HEREBY  
4 ESTABLISHED. THE DEPARTMENT OF EDUCATION SHALL ALSO DEPOSIT INTO  
5 THIS RESTRICTED ACCOUNT ANY FUNDS RETURNED TO OR RECOVERED BY  
6 THE DEPARTMENT FROM APPROVED PRIVATE SCHOOLS FOR OVERPAYMENTS  
7 DURING FISCAL YEARS 1978-1979 [THROUGH 1990-1991 INCLUSIVE] AND  
8 EACH FISCAL YEAR THEREAFTER. THE FUNDS IN THE RESTRICTED ACCOUNT  
9 ARE HEREBY APPROPRIATED UPON APPROVAL OF THE GOVERNOR TO THE  
10 DEPARTMENT OF EDUCATION FOR PAYMENTS TO APPROVED PRIVATE SCHOOLS  
11 FOR AUDIT RESOLUTIONS FOR FISCAL YEARS 1978-1979 [THROUGH 1990-  
12 1991 INCLUSIVE] AND EACH FISCAL YEAR THEREAFTER. FUNDS IN THIS  
13 RESTRICTED ACCOUNT SHALL NOT BE SUBJECT TO THE LIMITATIONS IN  
14 SUBSECTION (C) WHICH PROHIBIT ADVANCE PAYMENTS AND FINAL  
15 REIMBURSEMENT FROM EXCEEDING THE APPROPRIATION AVAILABLE FOR  
16 APPROVED PRIVATE SCHOOLS. [ANY UNCOMMITTED FUNDS REMAINING IN  
17 THIS RESTRICTED ACCOUNT ON JUNE 30, 1995, SHALL LAPSE INTO THE  
18 GENERAL FUND.] DURING THE 1995-1996 FISCAL YEAR AND DURING EACH  
19 FISCAL YEAR THEREAFTER, THE DEPARTMENT OF EDUCATION SHALL REVIEW  
20 THE ACTIVITY IN THE RESTRICTED ACCOUNT AND MAY RECOMMEND THAT  
21 THE GOVERNOR AUTHORIZE THE LAPSING INTO THE GENERAL FUND OF ANY  
22 FUNDS THAT ARE ESTIMATED NOT TO BE NEEDED FOR AUDIT RESOLUTION.

23 \* \* \*

24 SECTION 6. THE ACT IS AMENDED BY ADDING AN ARTICLE TO READ:

25 ARTICLE XIII-A.

26 SAFE SCHOOLS.

27 SECTION 1301-A. DEFINITIONS.--AS USED IN THIS ARTICLE,

28 "OFFICE" SHALL MEAN THE OFFICE FOR SAFE SCHOOLS.

29 "SCHOOL ENTITY" SHALL MEAN ANY PUBLIC SCHOOL DISTRICT,

30 INTERMEDIATE UNIT OR AREA VOCATIONAL-TECHNICAL SCHOOL.

1 "SCHOOL PROPERTY" SHALL MEAN ANY PUBLIC SCHOOL GROUNDS, ANY  
2 SCHOOL-SPONSORED ACTIVITY OR ANY CONVEYANCE PROVIDING  
3 TRANSPORTATION TO A SCHOOL ENTITY OR SCHOOL-SPONSORED ACTIVITY.

4 "WEAPON" SHALL INCLUDE, BUT NOT BE LIMITED TO, ANY KNIFE,  
5 CUTTING INSTRUMENT, CUTTING TOOL, NUNCHAKU, FIREARM, SHOTGUN,  
6 RIFLE AND ANY OTHER TOOL, INSTRUMENT OR IMPLEMENT CAPABLE OF  
7 INFLICTING SERIOUS BODILY INJURY.

8 SECTION 1302-A. OFFICE FOR SAFE SCHOOLS.--(A) THERE IS  
9 HEREBY ESTABLISHED IN THE DEPARTMENT OF EDUCATION AN OFFICE FOR  
10 SAFE SCHOOLS.

11 (B) THE OFFICE SHALL HAVE THE FOLLOWING POWERS AND DUTIES:

12 (1) TO COORDINATE ANTI-VIOLENCE EFFORTS BETWEEN SCHOOL,  
13 PROFESSIONAL, PARENTAL, GOVERNMENTAL, LAW ENFORCEMENT AND  
14 COMMUNITY ORGANIZATIONS AND ASSOCIATIONS.

15 (2) TO COLLECT, DEVELOP AND DISSEMINATE INFORMATION,  
16 POLICIES, STRATEGIES AND OTHER INFORMATION TO ASSIST IN THE  
17 DEVELOPMENT OF PROGRAMS TO IMPACT SCHOOL VIOLENCE.

18 (3) TO PROVIDE DIRECT TRAINING TO SCHOOL EMPLOYEES, PARENTS,  
19 LAW ENFORCEMENT OFFICIALS AND COMMUNITIES ON EFFECTIVE MEASURES  
20 TO COMBAT SCHOOL VIOLENCE.

21 (4) TO ADVISE SCHOOL ENTITIES AND NONPUBLIC SCHOOLS ON THE  
22 DEVELOPMENT OF POLICIES TO BE USED REGARDING POSSESSION OF  
23 WEAPONS BY ANY PERSON, ACTS OF VIOLENCE AND PROTOCOLS FOR  
24 COORDINATION WITH AND REPORTING TO LAW ENFORCEMENT OFFICIALS AND  
25 THE DEPARTMENT OF EDUCATION.

26 (5) TO DEVELOP FORMS TO BE USED BY SCHOOL ENTITIES FOR  
27 REPORTING INCIDENTS INVOLVING ACTS OF VIOLENCE AND POSSESSION OF  
28 WEAPONS ON SCHOOL PROPERTY.

29 (C) IN ADDITION TO THE POWERS AND DUTIES SET FORTH UNDER  
30 SUBSECTION (A), THE OFFICE IS AUTHORIZED TO MAKE TARGETED GRANTS

TO SCHOOLS TO FUND PROGRAMS WHICH ADDRESS SCHOOL VIOLENCE,  
INCLUDING, BUT NOT LIMITED TO, THE FOLLOWING PROGRAMS:

(1) CONFLICT RESOLUTION OR DISPUTE MANAGEMENT.

(2) PEER HELPERS PROGRAMS.

(3) RISK ASSESSMENT OR VIOLENCE PREVENTION CURRICULA.

(4) CLASSROOM MANAGEMENT.

(D) GRANT APPLICATIONS SHALL CONTAIN INFORMATION AS THE  
OFFICE MAY REQUIRE. THE OFFICE SHALL CONDUCT A THOROUGH ANNUAL  
EVALUATION OF EACH PROGRAM FOR WHICH A GRANT UNDER THIS SECTION  
IS MADE.

SECTION 1303-A. REPORTING.--(A) THE OFFICE SHALL CONDUCT A  
ONE-TIME SURVEY OF ALL SCHOOL ENTITIES TO DETERMINE THE NUMBER  
OF INCIDENTS INVOLVING ACTS OF VIOLENCE ON SCHOOL PROPERTY AND  
ALL CASES INVOLVING POSSESSION OF A WEAPON BY ANY PERSON ON  
SCHOOL PROPERTY WHICH OCCURRED WITHIN THE LAST FIVE (5) YEARS.  
THE SURVEY SHALL BE BASED ON THE BEST AVAILABLE INFORMATION  
PROVIDED BY SCHOOL ENTITIES.

(B) ALL SCHOOL ENTITIES SHALL REPORT ALL NEW INCIDENTS  
INVOLVING ACTS OF VIOLENCE OR POSSESSION OF A WEAPON BY ANY  
PERSON ON SCHOOL PROPERTY AT LEAST TWICE A YEAR, AS PROVIDED BY  
THE OFFICE, ON A FORM TO BE DEVELOPED AND PROVIDED BY THE  
OFFICE. THE FORM SHALL INCLUDE:

(1) AGE OR GRADE OF STUDENT.

(2) NAME AND ADDRESS OF SCHOOL.

(3) CIRCUMSTANCES SURROUNDING THE INCIDENT, INCLUDING TYPE  
OF WEAPON.

(4) SANCTION IMPOSED BY THE SCHOOL.

(5) NOTIFICATION OF LAW ENFORCEMENT.

(6) REMEDIAL PROGRAMS INVOLVED.

(7) PARENTAL INVOLVEMENT REQUIRED.

1       (8) ARRESTS, CONVICTIONS AND ADJUDICATIONS, IF KNOWN.

2       IF A PERSON OTHER THAN A STUDENT IS INVOLVED, THE REPORT SHALL  
3       STATE THE RELATIONSHIP OF THE INDIVIDUAL INVOLVED TO THE SCHOOL  
4       ENTITY.

5       (C) ALL SCHOOL ENTITIES SHALL DEVELOP A MEMORANDUM OF  
6       UNDERSTANDING WITH LOCAL LAW ENFORCEMENT WHICH SETS FORTH  
7       PROCEDURES TO BE FOLLOWED WHEN AN INCIDENT INVOLVING AN ACT OF  
8       VIOLENCE OR POSSESSION OF A WEAPON BY ANY PERSON OCCURS ON  
9       SCHOOL PROPERTY. LAW ENFORCEMENT PROTOCOLS SHALL BE DEVELOPED IN  
10       COOPERATION WITH LOCAL LAW ENFORCEMENT AND THE PENNSYLVANIA  
11       STATE POLICE.

12       SECTION 1304-A. SWORN STATEMENT.--(A) PRIOR TO ADMISSION TO  
13       ANY SCHOOL ENTITY, THE PARENT, GUARDIAN OR OTHER PERSON HAVING  
14       CONTROL OR CHARGE OF A STUDENT SHALL, UPON REGISTRATION, PROVIDE  
15       A SWORN STATEMENT OR AFFIRMATION STATING WHETHER THE PUPIL WAS  
16       PREVIOUSLY SUSPENDED OR EXPELLED FROM ANY PUBLIC OR PRIVATE  
17       SCHOOL OF THIS COMMONWEALTH OR ANY OTHER STATE FOR AN ACT OR  
18       OFFENSE INVOLVING WEAPONS, ALCOHOL OR DRUGS, OR FOR THE WILFUL  
19       INFLICTION OF INJURY TO ANOTHER PERSON OR FOR ANY ACT OF  
20       VIOLENCE COMMITTED ON SCHOOL PROPERTY. THE REGISTRATION SHALL BE  
21       MAINTAINED AS PART OF THE STUDENT'S DISCIPLINARY RECORD.

22       (B) ANY WILFUL FALSE STATEMENT MADE UNDER THIS SECTION SHALL  
23       BE A MISDEMEANOR OF THE THIRD DEGREE.

24       SECTION 1305-A. TRANSFER OF RECORDS.--WHENEVER A PUPIL  
25       TRANSFERS TO ANOTHER SCHOOL ENTITY, A CERTIFIED COPY OF THE  
26       STUDENT'S DISCIPLINARY RECORD SHALL BE TRANSMITTED TO THE SCHOOL  
27       ENTITY TO WHICH THE PUPIL HAS TRANSFERRED. THE SCHOOL ENTITY TO  
28       WHICH THE STUDENT HAS TRANSFERRED SHOULD REQUEST THE RECORD. THE  
29       SENDING SCHOOL ENTITY SHALL HAVE TEN (10) DAYS FROM RECEIPT OF  
30       THE REQUEST TO SUPPLY A CERTIFIED COPY OF THE STUDENT'S

1 DISCIPLINARY RECORD.

2 SECTION 1306-A. AVAILABILITY OF RECORDS.--A STUDENT'S  
3 DISCIPLINARY RECORD AS WELL AS RECORDS MAINTAINED UNDER SECTION  
4 1307-A SHALL BE AVAILABLE FOR INSPECTION TO THE STUDENT AND HIS  
5 PARENT, GUARDIAN OR OTHER PERSON HAVING CONTROL OR CHARGE OF THE  
6 STUDENT, TO SCHOOL OFFICIALS AND TO STATE AND LOCAL LAW  
7 ENFORCEMENT OFFICIALS AS PROVIDED BY LAW. PERMISSION OF THE  
8 PARENT, GUARDIAN OR OTHER PERSON HAVING CONTROL OR CHARGE OF THE  
9 STUDENT SHALL NOT BE REQUIRED FOR TRANSFER OF THE INDIVIDUAL'S  
10 STUDENT RECORD TO ANOTHER SCHOOL ENTITY WITHIN THIS COMMONWEALTH  
11 OR IN ANOTHER STATE IN WHICH THE STUDENT SEEKS ENROLLMENT OR IS  
12 ENROLLED.

13 SECTION 1307-A. MAINTENANCE OF RECORDS.--ALL SCHOOL ENTITIES  
14 AND PRIVATE SCHOOLS WITHIN THIS COMMONWEALTH SHALL MAINTAIN  
15 UPDATED RECORDS OF ALL INCIDENTS OF VIOLENCE, INCIDENTS  
16 INVOLVING POSSESSION OF A WEAPON AND CONVICTIONS OR  
17 ADJUDICATIONS OF DELINQUENCY FOR ACTS COMMITTED ON SCHOOL  
18 PROPERTY BY STUDENTS ENROLLED THEREIN ON BOTH A DISTRICT-WIDE  
19 AND SCHOOL-BY-SCHOOL BASIS. RECORDS MAINTAINED UNDER THIS  
20 SECTION SHALL BE CONTAINED IN A FORMAT DEVELOPED BY THE  
21 PENNSYLVANIA STATE POLICE IN COOPERATION WITH THE OFFICE WITHIN  
22 NINETY (90) DAYS OF THE EFFECTIVE DATE OF THIS SECTION. A  
23 STATISTICAL SUMMARY OF THESE RECORDS SHALL BE MADE ACCESSIBLE TO  
24 THE PUBLIC FOR EXAMINATION BY THE PUBLIC DURING REGULAR BUSINESS  
25 HOURS.

26 SECTION 1308-A. REPORT.--THE SECRETARY OF EDUCATION SHALL  
27 SURVEY ALL SCHOOL DISTRICTS AND NONPUBLIC SCHOOLS TO DETERMINE  
28 THE EXTENT TO WHICH ADDITIONAL COSTS HAVE BEEN INCURRED IN  
29 IMPLEMENTING ADMINISTRATIVE AND REPORTING REQUIREMENTS  
30 ESTABLISHED FOR PUBLIC AND NONPUBLIC SCHOOLS IN SECTION 1317.2

1 AND IN SECTIONS 1304-A THROUGH 1307-A. THE SECRETARY OF  
2 EDUCATION SHALL ISSUE A REPORT TO THE CHAIRMAN AND THE MINORITY  
3 CHAIRMAN OF THE APPROPRIATIONS COMMITTEE AND THE EDUCATION  
4 COMMITTEE OF THE SENATE AND THE APPROPRIATIONS COMMITTEE AND  
5 EDUCATION COMMITTEE OF THE HOUSE OF REPRESENTATIVES BY APRIL 1,  
6 1996, CONCERNING THE EXTENT TO WHICH ADDITIONAL COSTS HAVE BEEN  
7 INCURRED BY SCHOOL DISTRICTS AND NONPUBLIC SCHOOLS.

8 SECTION 1309-A. TECHNICAL ASSISTANCE.--THE DEPARTMENT OF  
9 EDUCATION SHALL PROVIDE GUIDELINES AND TECHNICAL ASSISTANCE TO  
10 ASSIST SCHOOL DISTRICTS AND NONPUBLIC SCHOOLS IN IMPLEMENTING  
11 THE PROVISIONS OF THIS ACT.

12 SECTION 7. THE ACT IS AMENDED BY ADDING A SECTION TO READ:

13 SECTION 1549. AGRICULTURAL EDUCATION.--(A) THE GENERAL  
14 ASSEMBLY DECLARES IT IS THE PURPOSE OF THIS SECTION TO:

15 (1) REQUIRE THE DEPARTMENT TO DEVELOP AND DISSEMINATE  
16 AGRICULTURAL EDUCATION MATERIALS FOR SCHOOL ENTITIES OR PRIVATE  
17 OR NONPUBLIC KINDERGARTENS, ELEMENTARY OR SECONDARY SCHOOLS IN  
18 THIS COMMONWEALTH. THE MATERIALS SHALL INCORPORATE AGRICULTURAL  
19 CONCEPTS INTO THE BASIC SCHOOL CURRICULA AND SHALL BE DESIGNED  
20 TO EDUCATE THE GENERAL STUDENT POPULATION ABOUT THE IMPORTANCE  
21 OF THE AGRICULTURE INDUSTRY AND THE ROLE OF AGRICULTURE IN THE  
22 STUDENTS' LIVES.

23 (2) ENCOURAGE THE AGRICULTURAL EDUCATION EFFORTS OF OTHER  
24 AGENCIES WHERE APPROPRIATE, INCLUDING, BUT NOT LIMITED TO, THOSE  
25 OF THE COUNTY CONSERVATION DISTRICTS, THE COOPERATIVE EXTENSION  
26 SERVICE OF THE PENNSYLVANIA STATE UNIVERSITY, THE UNIVERSITY OF  
27 PENNSYLVANIA VETERINARY SCHOOL, THE DEPARTMENT OF AGRICULTURE,  
28 THE DEPARTMENT OF ENVIRONMENTAL RESOURCES, THE DEPARTMENT OF  
29 COMMUNITY AFFAIRS, THE STATE SYSTEM OF HIGHER EDUCATION AND THE  
30 DEPARTMENT OF TRANSPORTATION.

1       (B) THE DEPARTMENT SHALL HAVE THE POWER AND ITS DUTY SHALL  
2 BE TO:

3       (1) PROVIDE RESOURCE INFORMATION TO EDUCATORS AND PUBLIC AND  
4 PRIVATE SCHOOLS AND ORGANIZATIONS ON AGRICULTURAL EDUCATION.

5       (2) PROVIDE FOR DISTRIBUTION TO SCHOOL ENTITIES OR PRIVATE  
6 OR NONPUBLIC KINDERGARTENS, ELEMENTARY OR SECONDARY SCHOOLS IN  
7 THIS COMMONWEALTH MATERIALS ON AGRICULTURAL EDUCATION. SUCH  
8 MATERIALS MAY INCLUDE INSTRUCTION ON ISSUES RELATED TO  
9 AGRICULTURE, INCLUDING, BUT NOT LIMITED TO, FOOD SAFETY,  
10 PESTICIDES, FARMLAND PRESERVATION, WASTE MANAGEMENT, WETLANDS,  
11 NUTRIENT MANAGEMENT, FOOD PRODUCTION AND FOOD PROCESSING, ANIMAL  
12 HEALTH AND STATUTORY AND REGULATORY PROTECTIONS OF THE RIGHT TO  
13 FARM.

14       (3) IDENTIFY, RECOGNIZE AND ESTABLISH AWARDS FOR EXEMPLARY  
15 AGRICULTURAL EDUCATION CURRICULA DEVELOPED IN COMMONWEALTH  
16 SCHOOLS.

17       (4) USE LOCAL SCHOOL DISTRICT OCCUPATIONAL ADVISORY  
18 COMMITTEES TO SERVE AS THE CONDUIT TO BRING YOUTH AND ADULT  
19 EDUCATION PROGRAMS INTO COMMUNITIES AND SCHOOLS, FOCUSING ON  
20 AGRICULTURAL INDUSTRY ISSUES OF IMPORTANCE TO THIS COMMONWEALTH.

21       (C) THE SECRETARY SHALL PREPARE AND SUBMIT AN ANNUAL REPORT  
22 TO THE GOVERNOR AND THE GENERAL ASSEMBLY OUTLINING AGRICULTURAL  
23 EDUCATION PROGRAMS AND ACHIEVEMENTS, HIGHLIGHTING NEW  
24 INITIATIVES AND RECOMMENDING FUTURE PROGRAM NEEDS.

25       (D) (1) THE SECRETARY OF EDUCATION SHALL CONSULT, AT LEAST  
26 ANNUALLY, WITH THE SECRETARY OF AGRICULTURE AND A CROSS SECTION  
27 OF THE AGRICULTURE AND EDUCATION COMMUNITIES TO:

28       (I) ASSESS THE TRENDS AND NEEDS IN AGRICULTURAL EDUCATION.

29       (II) CONSIDER THE MANNER IN WHICH ANY FUNDS ARE USED TO  
30 SUPPORT AGRICULTURAL EDUCATION ACTIVITIES.



1       (III) MAKE RECOMMENDATIONS TO THE GOVERNOR AND THE GENERAL  
2 ASSEMBLY REGARDING LEGISLATIVE OR REGULATORY CHANGES TO IMPROVE  
3 AGRICULTURAL EDUCATION, PURSUANT TO THE PREPARATION AND  
4 SUBMITTAL OF THE REPORT REQUIRED BY SUBSECTION (C).

5       (2) WHEN CONSULTING WITH A CROSS SECTION OF THE AGRICULTURE  
6 AND EDUCATION COMMUNITIES, THE SECRETARY SHALL CONSIDER SEEKING  
7 COMMENTS FROM INDIVIDUALS NAMED IN LISTS SUBMITTED BY THE STATE  
8 COUNCIL ON FARM ORGANIZATIONS, THE AGRICULTURAL AWARENESS  
9 FOUNDATION AND THE PENNSYLVANIA VOCATIONAL-AGRICULTURAL TEACHERS  
10 ASSOCIATION. SUCH LISTS MAY INCLUDE, BUT NOT BE LIMITED TO:

11       (I) FARMERS.

12       (II) REPRESENTATIVES OF THE AGRICULTURAL PROCESSING AND  
13 AGRICULTURAL MARKETING INDUSTRIES.

14       (III) FACULTY MEMBERS OF THE COLLEGE OF AGRICULTURAL  
15 SCIENCES OF THE COMMONWEALTH'S LAND-GRANT UNIVERSITY.

16       (IV) FACULTY MEMBERS FROM A STATE SYSTEM OF HIGHER EDUCATION  
17 INSTITUTION, EACH OF WHOM SHALL HAVE BACKGROUND IN OR KNOWLEDGE  
18 OF AGRICULTURAL EDUCATION.

19       (V) A TEACHER OF VOCATIONAL AGRICULTURE.

20       (VI) A TEACHER INVOLVED IN AGRICULTURAL EDUCATION OTHER THAN  
21 VOCATIONAL AGRICULTURE.

22       (VII) AN ADMINISTRATOR OF A SCHOOL ENTITY WHICH CONDUCTS AN  
23 AGRICULTURAL EDUCATION PROGRAM.

24       (VIII) A MEMBER OF A LOCAL SCHOOL DISTRICT OCCUPATIONAL  
25 ADVISORY COMMITTEE.

26       (IX) MEMBERS OF THE PUBLIC WHO ARE KNOWLEDGEABLE ABOUT  
27 AGRICULTURAL EDUCATION.

28       (E) THE FOLLOWING WORDS AND PHRASES WHEN USED IN THIS  
29 SECTION SHALL HAVE THE MEANINGS GIVEN TO THEM IN THIS SUBSECTION  
30 UNLESS THE CONTEXT CLEARLY INDICATES OTHERWISE:

1       "DEPARTMENT." THE DEPARTMENT OF EDUCATION OF THE  
2       COMMONWEALTH.

3       "FARMER." ANY PERSON WHO ENGAGES IN THE ACCEPTED ACTIVITIES,  
4       PRACTICES AND PROCEDURES YEAR AFTER YEAR TO PRODUCE AND PREPARE  
5       FOR MARKET POULTRY, LIVESTOCK AND THEIR PRODUCTS OR IN THE  
6       PRODUCTION AND HARVESTING OF AGRICULTURAL, AGRONOMIC,  
7       HORTICULTURAL, SILVICULTURAL AND AQUACULTURAL CROPS AND  
8       COMMODITIES AND WHOSE OPERATION IS CONDUCTED ON NOT LESS THAN  
9       TEN CONTIGUOUS ACRES IN AREA OR, IF LESS THAN TEN CONTIGUOUS  
10      ACRES IN AREA, HAS AN ANTICIPATED YEARLY GROSS INCOME OF AT  
11      LEAST TEN THOUSAND DOLLARS (\$10,000).

12      "SCHOOL ENTITY." A PUBLIC SCHOOL DISTRICT, INTERMEDIATE UNIT  
13      OR AREA VOCATIONAL-TECHNICAL SCHOOL.

14      "SECRETARY." THE SECRETARY OF EDUCATION OF THE COMMONWEALTH.

15      SECTION 8. SECTIONS 1913-A(B)(1.4) AND 2502.13 OF THE ACT,  
16      AMENDED JUNE 7, 1993 (P.L.49, NO.16), ARE AMENDED TO READ:

17      SECTION 1913-A. FINANCIAL PROGRAM; REIMBURSEMENT OR  
18      PAYMENTS.--\* \* \*

19      (B) \* \* \*

20      (1.4) THE EQUIVALENT FULL-TIME STUDENT REIMBURSEMENT OF A  
21      COMMUNITY COLLEGE SHALL BE THE SUM OF CREDIT COURSE, NONCREDIT  
22      COURSE AND STIPEND REIMBURSEMENTS. THESE REIMBURSEMENTS SHALL BE  
23      CALCULATED USING A REIMBURSEMENT FACTOR OF ONE THOUSAND AND  
24      FORTY DOLLARS (\$1,040) FOR THE 1993-1994 FISCAL YEAR [AND], OF  
25      ONE THOUSAND EIGHTY DOLLARS (\$1,080) FOR THE 1994-1995 FISCAL  
26      YEAR AND OF ONE THOUSAND ONE HUNDRED EIGHTY DOLLARS (\$1,180) FOR  
27      THE 1995-1996 FISCAL YEAR AND FOR EACH YEAR THEREAFTER AND SHALL  
28      BE DETERMINED AS FOLLOWS:

29      (I) CREDIT COURSE REIMBURSEMENT SHALL BE CALCULATED BY  
30      MULTIPLYING THE REIMBURSEMENT FACTOR BY THE NUMBER OF EQUIVALENT

1 FULL-TIME STUDENTS ENROLLED IN CREDIT COURSES AS DETERMINED BY  
2 AN AUDIT TO BE MADE IN A MANNER PRESCRIBED BY THE STATE BOARD OF  
3 EDUCATION.

4 (II) NONCREDIT COURSE REIMBURSEMENT SHALL BE CALCULATED AS  
5 FOLLOWS:

6 (A) EIGHTY PERCENT (80%) OF THE REIMBURSEMENT FACTOR  
7 MULTIPLIED BY THE NUMBER OF EQUIVALENT FULL-TIME STUDENTS  
8 ENROLLED IN ELIGIBLE NONCREDIT COURSES FOR THE 1993-1994 FISCAL  
9 YEAR, AS DETERMINED BY THE AUDIT REFERRED TO IN PARAGRAPH (I);  
10 [OR]

11 (B) SEVENTY PERCENT (70%) OF THE REIMBURSEMENT FACTOR  
12 MULTIPLIED BY THE NUMBER OF EQUIVALENT FULL-TIME STUDENTS  
13 ENROLLED IN ELIGIBLE NONCREDIT COURSES FOR THE 1994-1995 FISCAL  
14 YEAR AND FOR EACH YEAR THEREAFTER, AS DETERMINED BY THE AUDIT  
15 REFERRED TO IN PARAGRAPH (I)[.]; OR

16 (C) ONE HUNDRED PERCENT (100%) OF THE REIMBURSEMENT FACTOR  
17 MULTIPLIED BY THE NUMBER OF EQUIVALENT FULL-TIME STUDENTS  
18 ENROLLED IN ELIGIBLE NONCREDIT PUBLIC SAFETY COURSES THAT  
19 PROVIDE TRAINING FOR VOLUNTEER FIREFIGHTERS AND EMERGENCY  
20 MEDICAL SERVICES FOR THE 1995-1996 FISCAL YEAR AND FOR EACH YEAR  
21 THEREAFTER, AS DETERMINED BY THE AUDIT REFERRED TO IN PARAGRAPH  
22 (I).

23 (III) STIPEND REIMBURSEMENT ON ACCOUNT OF A COMMUNITY  
24 COLLEGE'S OPERATING COSTS FOR ALL EQUIVALENT FULL-TIME STUDENTS  
25 ENROLLED IN THE FOLLOWING CATEGORIES OF TWO-YEAR OR LESS THAN  
26 TWO-YEAR OCCUPATIONAL OR TECHNICAL PROGRAMS, SHALL BE THE SUM OF  
27 THE FOLLOWING:

28 (A) ONE THOUSAND ONE HUNDRED DOLLARS (\$1,100) PER FULL-TIME  
29 EQUIVALENT STUDENT ENROLLED IN ADVANCED TECHNOLOGY PROGRAMS. FOR  
30 THE FISCAL YEAR 1995-1996 AND EACH YEAR THEREAFTER, THE

1 REIMBURSEMENT RATE SHALL BE CALCULATED AT ONE THOUSAND ONE  
2 HUNDRED SEVENTY-FIVE DOLLARS (\$1,175) PER FULL-TIME EQUIVALENT  
3 STUDENT ENROLLED IN ADVANCED TECHNOLOGY PROGRAMS. ADVANCED  
4 TECHNOLOGY PROGRAMS ARE PROGRAMS USING NEW OR ADVANCED  
5 TECHNOLOGIES WHICH HOLD PROMISE FOR CREATING NEW JOB  
6 OPPORTUNITIES, INCLUDING SUCH FIELDS AS ROBOTICS, BIOTECHNOLOGY,  
7 SPECIALIZED MATERIALS AND ENGINEERING AND ENGINEERING-RELATED  
8 PROGRAMS.

9 (B) ONE THOUSAND DOLLARS (\$1,000) PER FULL-TIME EQUIVALENT  
10 STUDENT ENROLLED IN PROGRAMS DESIGNATED AS STATEWIDE PROGRAMS.  
11 FOR THE FISCAL YEAR 1995-1996 AND EACH YEAR THEREAFTER, THE  
12 REIMBURSEMENT RATE SHALL BE CALCULATED AT ONE THOUSAND SEVENTY-  
13 FIVE DOLLARS (\$1,075) PER FULL-TIME EQUIVALENT STUDENT ENROLLED  
14 IN PROGRAMS DESIGNATED AS STATEWIDE PROGRAMS. A STATEWIDE  
15 PROGRAM IS A PROGRAM WHICH MEETS ONE OR MORE OF THE FOLLOWING  
16 CRITERIA:

17 (I) PROGRAM ENROLLMENT FROM OUT-OF-SPONSOR AREA IS TWENTY  
18 PER CENT OR MORE OF THE ENROLLMENT FOR THE PROGRAM.

19 (II) A CONSORTIAL ARRANGEMENT EXISTS WITH ANOTHER COMMUNITY  
20 COLLEGE TO COOPERATIVELY OPERATE A PROGRAM OR SHARE REGIONS IN  
21 ORDER TO AVOID UNNECESSARY PROGRAM DUPLICATION.

22 (C) FIVE HUNDRED DOLLARS (\$500) PER FULL-TIME EQUIVALENT  
23 STUDENT ENROLLED IN OTHER OCCUPATIONAL OR TECHNICAL PROGRAMS.  
24 FOR THE FISCAL YEAR 1995-1996 AND EACH YEAR THEREAFTER, THE  
25 REIMBURSEMENT RATE SHALL BE CALCULATED AT FIVE HUNDRED SEVENTY-  
26 FIVE DOLLARS (\$575) PER FULL-TIME EQUIVALENT STUDENT ENROLLED IN  
27 OTHER OCCUPATIONAL OR TECHNICAL PROGRAMS.

28 \* \* \*

29 SECTION 2502.13. SMALL DISTRICT ASSISTANCE.--FOR THE 1984-  
30 1985 AND 1985-1986 SCHOOL YEARS, THE COMMONWEALTH SHALL PAY TO

1 EACH SCHOOL DISTRICT WHICH HAS AN AVERAGE DAILY MEMBERSHIP OF  
2 ONE THOUSAND FIVE HUNDRED (1,500) OR LESS AND HAS A MARKET  
3 VALUE/INCOME AID RATIO OF FIVE THOUSAND TEN-THOUSANDTHS (0.5000)  
4 OR GREATER, AN AMOUNT EQUAL TO FIFTY DOLLARS (\$50) MULTIPLIED BY  
5 THAT DISTRICT'S AVERAGE DAILY MEMBERSHIP. FOR THE 1985-1986  
6 SCHOOL YEAR, NO SCHOOL DISTRICT SHALL RECEIVE LESS ON ACCOUNT OF  
7 THIS SECTION THAN IT DID FOR THE 1984-1985 SCHOOL YEAR. FOR THE  
8 SCHOOL YEAR 1986-1987, THE COMMONWEALTH SHALL PAY TO EACH SCHOOL  
9 DISTRICT WHICH HAS AN AVERAGE DAILY MEMBERSHIP OF ONE THOUSAND  
10 FIVE HUNDRED (1,500) OR LESS AND HAS A MARKET VALUE/INCOME AID  
11 RATIO OF FIVE THOUSAND TEN-THOUSANDTHS (0.5000) OR GREATER, OR  
12 RECEIVED PAYMENTS UNDER THIS SECTION FOR THE 1985-1986 SCHOOL  
13 YEAR, AN AMOUNT EQUAL TO SEVENTY-FIVE DOLLARS (\$75) MULTIPLIED  
14 BY THAT DISTRICT'S AVERAGE DAILY MEMBERSHIP. FOR THE SCHOOL YEAR  
15 1987-1988, THE COMMONWEALTH SHALL PAY TO EACH SCHOOL DISTRICT  
16 WHICH HAS AN AVERAGE DAILY MEMBERSHIP OF ONE THOUSAND FIVE  
17 HUNDRED (1,500) OR LESS AND A MARKET VALUE/INCOME AID RATIO OF  
18 FIVE THOUSAND TEN-THOUSANDTHS (0.5000) OR GREATER, OR RECEIVED  
19 PAYMENTS UNDER THIS SECTION FOR THE 1986-1987 SCHOOL YEAR, AN  
20 AMOUNT EQUAL TO EIGHTY-FIVE DOLLARS (\$85) MULTIPLIED BY THAT  
21 DISTRICT'S AVERAGE DAILY MEMBERSHIP. FOR THE SCHOOL YEAR 1988-  
22 1989, THE COMMONWEALTH SHALL PAY TO EACH SCHOOL DISTRICT WHICH  
23 HAS AN AVERAGE DAILY MEMBERSHIP OF ONE THOUSAND FIVE HUNDRED  
24 (1,500) OR LESS AND A MARKET VALUE/INCOME AID RATIO OF FIVE  
25 THOUSAND TEN THOUSANDTHS (0.5000) OR GREATER, OR RECEIVED  
26 PAYMENTS UNDER THIS SECTION FOR THE 1987-1988 OR 1988-1989  
27 SCHOOL YEAR, AN AMOUNT EQUAL TO ONE HUNDRED FIVE DOLLARS (\$105).  
28 FOR THE SCHOOL YEAR 1989-1990, THE COMMONWEALTH SHALL PAY TO  
29 EACH SCHOOL DISTRICT WHICH HAS AN AVERAGE DAILY MEMBERSHIP OF  
30 ONE THOUSAND FIVE HUNDRED (1,500) OR LESS AND A MARKET

1 VALUE/INCOME AID RATIO OF FIVE THOUSAND TEN-THOUSANDTHS (0.5000)  
2 OR GREATER, OR RECEIVED PAYMENTS UNDER THIS SECTION FOR THE  
3 1987-1988 SCHOOL YEAR, AN AMOUNT EQUAL TO ONE HUNDRED FIFTEEN  
4 DOLLARS (\$115) MULTIPLIED BY THE DISTRICT'S AVERAGE DAILY  
5 MEMBERSHIP AS PROVIDED FOR IN SECTION 212 OF THE ACT OF JULY 1,  
6 1990 (P.L.1591, NO.7A), KNOWN AS THE "GENERAL APPROPRIATION ACT  
7 OF 1990." FOR THE SCHOOL YEAR 1990-1991, THE COMMONWEALTH SHALL  
8 PAY TO EACH SCHOOL DISTRICT WHICH HAS AN AVERAGE DAILY  
9 MEMBERSHIP OF ONE THOUSAND FIVE HUNDRED (1,500) OR LESS AND A  
10 MARKET VALUE/INCOME AID RATIO OF FIVE THOUSAND TEN-THOUSANDTHS  
11 (0.5000) OR GREATER, OR RECEIVED PAYMENTS UNDER THIS SECTION FOR  
12 THE PRIOR SCHOOL YEAR, AN AMOUNT EQUAL TO ONE HUNDRED SEVENTY  
13 DOLLARS (\$170) MULTIPLIED BY THAT DISTRICT'S AVERAGE DAILY  
14 MEMBERSHIP. FOR THE SCHOOL YEAR 1990-1991, EACH SCHOOL DISTRICT  
15 WITH A POPULATION PER SQUARE MILE OF LESS THAN NINETY (90),  
16 WHICH OTHERWISE MEETS THE AVERAGE DAILY MEMBERSHIP AND MARKET  
17 VALUE/INCOME AID RATIO REQUIREMENTS OF THIS SECTION, OR RECEIVED  
18 PAYMENTS UNDER THIS SECTION FOR THE PRIOR SCHOOL YEAR, SHALL  
19 INSTEAD RECEIVE AN AMOUNT EQUAL TO ONE HUNDRED NINETY DOLLARS  
20 (\$190) MULTIPLIED BY THAT DISTRICT'S AVERAGE DAILY MEMBERSHIP.  
21 FOR THE 1987-1988 SCHOOL YEAR THROUGH THE 1990-1991 SCHOOL YEAR,  
22 NO SCHOOL DISTRICT SHALL RECEIVE LESS ON ACCOUNT OF THIS SECTION  
23 THAN IT DID FOR THE PRIOR SCHOOL YEAR. FOR THE SCHOOL YEAR 1994-  
24 1995, THE COMMONWEALTH SHALL PAY TO EACH SCHOOL DISTRICT WHICH  
25 HAS AN AVERAGE DAILY MEMBERSHIP OF ONE THOUSAND FIVE HUNDRED  
26 (1,500) OR LESS AND A MARKET VALUE/INCOME AID RATIO OF FIVE  
27 THOUSAND TEN-THOUSANDTHS (0.5000) OR GREATER, AN AMOUNT EQUAL TO  
28 NINETY FIVE DOLLARS (\$95) MULTIPLIED BY THAT DISTRICT'S AVERAGE  
29 DAILY MEMBERSHIP.

30 SECTION 9. THE ACT IS AMENDED BY ADDING A SECTION TO READ:

1       SECTION 2502.29. BASIC EDUCATION FUNDING.--(A) FOR THE  
2 PURPOSES OF THIS SECTION, THE PHRASE "BASE AMOUNT" SHALL MEAN  
3 FOR EACH SCHOOL DISTRICT THE AMOUNT OF FUNDS RECEIVED BY THE  
4 SCHOOL DISTRICT FOR THE SCHOOL YEAR 1993-1994 PURSUANT TO  
5 SECTION 2502.21 OF THIS ACT PLUS THE AMOUNT OF FUNDS RECEIVED BY  
6 THE SCHOOL DISTRICT FOR FOUNDATION FUNDING FOR EQUITY FOR SCHOOL  
7 YEAR 1993-1994 PURSUANT TO THE ACT OF JUNE 16, 1994 (P.L. ,  
8 NO.6A), KNOWN AS THE "GENERAL APPROPRIATION ACT OF 1994," AND  
9 ANY SUPPLEMENTS THERETO.

10       (B) (1) FOR 1994-1995, EACH SCHOOL DISTRICT SHALL RECEIVE  
11 THE AMOUNT CALCULATED PURSUANT TO PARAGRAPH (2) OR PARAGRAPH (3)  
12 OF THIS SUBSECTION, WHICHEVER IS GREATER.

13       (2) THE BASE AMOUNT OF THE DISTRICT DIVIDED BY THE AVERAGE  
14 DAILY MEMBERSHIP OF THE DISTRICT DURING THE 1993-1994 SCHOOL  
15 YEAR MULTIPLIED BY ONE HUNDRED THREE PER CENTUM (103%)  
16 MULTIPLIED BY THE AVERAGE DAILY MEMBERSHIP OF THE DISTRICT  
17 DURING THE 1994-1995 SCHOOL YEAR.

18       (3) THE BASE AMOUNT OF THE DISTRICT MULTIPLIED BY ONE  
19 HUNDRED ONE PER CENTUM (101%) IF THE MARKET VALUE/INCOME AID  
20 RATIO (MV/PIAR) IS LESS THAN FIVE THOUSAND TEN-THOUSANDTHS  
21 (0.5000), THE BASE AMOUNT OF THE DISTRICT MULTIPLIED BY ONE  
22 HUNDRED TWO PER CENTUM (102%) IF THE MARKET VALUE/INCOME AID  
23 RATIO (MV/PIAR) IS GREATER THAN OR EQUAL TO FIVE THOUSAND TEN-  
24 THOUSANDTHS (0.5000) AND LESS THAN SEVEN THOUSAND TEN-  
25 THOUSANDTHS (0.7000), AND THE BASE AMOUNT OF THE DISTRICT  
26 MULTIPLIED BY ONE HUNDRED FOUR PER CENTUM (104%) IF THE MARKET  
27 VALUE/INCOME AID RATIO (MV/PIAR) IS GREATER THAN OR EQUAL TO  
28 SEVEN THOUSAND TEN-THOUSANDTHS (0.7000).

29       SECTION 10. SECTION 2509.1 OF THE ACT, AMENDED AUGUST 5,  
30 1991 (P.L.219, NO.25), JULY 9, 1992 (P.L.392, NO.85) AND JUNE 7,

1 1993 (P.L.49, NO.16), IS AMENDED TO READ:

2 SECTION 2509.1. PAYMENTS TO INTERMEDIATE UNITS.--(A)  
3 ANNUALLY, BEFORE THE FIRST DAY OF JULY, EVERY INTERMEDIATE UNIT  
4 SHALL SUBMIT, FOR PRIOR REVIEW AND APPROVAL BY THE DEPARTMENT OF  
5 EDUCATION, AN ESTIMATE OF THE COST FOR TRANSPORTATION OF PUPILS  
6 TO AND FROM CLASSES AND SCHOOLS FOR EXCEPTIONAL CHILDREN, AND OF  
7 ELIGIBLE YOUNG CHILDREN TO AND FROM EARLY INTERVENTION PROGRAMS,  
8 WHETHER OR NOT SUCH CLASSES, SCHOOLS OR PROGRAMS ARE CONDUCTED  
9 BY THE INTERMEDIATE UNIT. ON OR BEFORE THE FIRST DAY OF  
10 SEPTEMBER, THE COMMONWEALTH SHALL PAY TO THE INTERMEDIATE UNIT A  
11 SUM EQUAL TO ONE-HALF OF THE APPROVED ANNUAL COST OF SUCH  
12 TRANSPORTATION IN THE PRIOR YEAR AND, ON OR BEFORE THE FIRST DAY  
13 OF FEBRUARY, SHALL PAY A SUM EQUAL TO ONE-QUARTER OF THE  
14 APPROVED ESTIMATED ANNUAL COST OF SUCH TRANSPORTATION FOR THE  
15 CURRENT SCHOOL YEAR, AND ON OR BEFORE JUNE 30, THE COMMONWEALTH  
16 SHALL PAY THE REMAINING QUARTER ADJUSTED TO REFLECT ACTUAL  
17 APPROVED COST.

18 (B) ON OR BEFORE THE FIRST DAY OF JULY 1991, EVERY  
19 INTERMEDIATE UNIT SHALL SUBMIT, FOR PRIOR REVIEW AND APPROVAL BY  
20 THE DEPARTMENT OF EDUCATION, AN ESTIMATE OF THE COST OF  
21 OPERATING AND ADMINISTERING CLASSES OR SCHOOLS FOR  
22 INSTITUTIONALIZED CHILDREN OPERATED BY THE INTERMEDIATE UNIT  
23 DURING THE 1990-1991 SCHOOL YEAR. DURING THE 1991-1992 SCHOOL  
24 YEAR, THE COMMONWEALTH SHALL PAY EACH INTERMEDIATE UNIT THE  
25 APPROVED AMOUNT.

26 (B.1) FOR PROGRAMS OPERATED DURING THE 1992-1993 SCHOOL YEAR  
27 [AND EACH SCHOOL YEAR THEREAFTER] AND THE 1993-1994 SCHOOL YEAR,  
28 THE COMMONWEALTH SHALL PAY INTERMEDIATE UNITS, BASED ON THEIR  
29 COSTS OF OPERATING AND ADMINISTERING CLASSES OR SCHOOLS FOR  
30 INSTITUTIONALIZED CHILDREN, AN AMOUNT TO BE DETERMINED BY THE



1 DEPARTMENT OF EDUCATION FOLLOWING REVIEW OF ANNUAL REPORTS OF  
2 THE COSTS OF SUCH CLASSES OR SCHOOLS FOR THE IMMEDIATELY  
3 PRECEDING YEAR. TO QUALIFY FOR SUCH PAYMENTS, EACH INTERMEDIATE  
4 UNIT THAT OPERATES AND ADMINISTERS CLASSES OR SCHOOLS FOR  
5 INSTITUTIONALIZED CHILDREN ANNUALLY SHALL SUBMIT TO THE  
6 DEPARTMENT OF EDUCATION ON OR BEFORE THE FIRST DAY OF JULY A  
7 REPORT OF THE COST OF OPERATING AND ADMINISTERING SUCH CLASSES  
8 OR SCHOOLS. NOTWITHSTANDING THE FOREGOING, INTERMEDIATE UNITS  
9 MAY SUBMIT THEIR ANNUAL REPORTS FOR THE 1991-1992 SCHOOL YEAR  
10 UNTIL JUNE 30, 1993, ALTHOUGH THIS DATE MAY BE EXTENDED AS  
11 DEEMED NECESSARY BY THE SECRETARY OF EDUCATION PROVIDED THAT FOR  
12 PROGRAMS OPERATED DURING THE 1992-1993 SCHOOL YEAR AND THE 1993-  
13 1994 SCHOOL YEAR THE AGGREGATE AMOUNTS PAID ON THIS ACCOUNT  
14 SHALL NOT EXCEED TWENTY MILLION SIX HUNDRED THOUSAND DOLLARS  
15 (\$20,600,000) PER YEAR.

16 (B.2) UP TO TWENTY-ONE MILLION TWO HUNDRED THOUSAND DOLLARS  
17 (\$21,200,000) MAY BE UTILIZED FOR PROGRAMS OPERATED DURING THE  
18 1994-1995 SCHOOL YEAR FOR INSTITUTIONALIZED CHILDREN BY  
19 INTERMEDIATE UNITS AS ESTABLISHED IN SECTION 2509.1(B.1).

20 (B.3) UP TO TWENTY-TWO MILLION DOLLARS (\$22,000,000) MAY BE  
21 UTILIZED FOR PROGRAMS OPERATED DURING THE 1995-1996 SCHOOL YEAR  
22 FOR INSTITUTIONALIZED CHILDREN BY INTERMEDIATE UNITS AS  
23 ESTABLISHED IN SECTION 2509.1(B.1).

24 (C) FOR THE 1991-1992 SCHOOL YEAR AND EACH SCHOOL YEAR  
25 THEREAFTER, FIVE PERCENT (5%) OF THE STATE SPECIAL EDUCATION  
26 APPROPRIATION SHALL BE PAID TO THE INTERMEDIATE UNITS ON ACCOUNT  
27 OF SPECIAL EDUCATION SERVICES. OF THIS FIVE PERCENT (5%),  
28 THIRTY-FIVE PERCENT (35%) SHALL BE DISTRIBUTED EQUALLY AMONG ALL  
29 TWENTY-NINE (29) INTERMEDIATE UNITS. THE REMAINING SIXTY-FIVE  
30 PERCENT (65%) SHALL BE DISTRIBUTED TO EACH INTERMEDIATE UNIT IN

1 PROPORTION TO THE NUMBER OF AVERAGE DAILY MEMBERSHIP OF THE  
2 COMPONENT SCHOOL DISTRICTS OF EACH INTERMEDIATE UNIT AS COMPARED  
3 TO THE STATEWIDE TOTAL AVERAGE DAILY MEMBERSHIP.

4 (D) (1) FOR THE 1991-1992 SCHOOL YEAR, EACH INTERMEDIATE  
5 UNIT WHICH IS COTERMINOUS TO A SCHOOL DISTRICT OF THE FIRST  
6 CLASS OR FIRST CLASS A SHALL BE PAID FIFTY PERCENT (50%) OF THE  
7 AMOUNT RECEIVED BY THE INTERMEDIATE UNIT FOR THE COST OF  
8 OPERATING AND ADMINISTERING CLASSES OR SCHOOLS FOR [EXCEPTIONAL  
9 CHILDREN] CHILDREN WITH EXCEPTIONALITIES, AS APPROVED BY THE  
10 DEPARTMENT OF EDUCATION FOR THE 1990-1991 SCHOOL YEAR. FOR THE  
11 1991-1992 SCHOOL YEAR, EACH INTERMEDIATE UNIT NOT COTERMINOUS  
12 WITH A SCHOOL DISTRICT WHICH OPERATES ALL THE SPECIAL EDUCATION  
13 PROGRAMS FOR [HANDICAPPED] CHILDREN WITH DISABILITIES FOR ITS  
14 CONSTITUENT SCHOOL DISTRICTS SHALL BE PAID TEN PERCENT (10%) OF  
15 THE AMOUNT RECEIVED BY THE INTERMEDIATE UNIT FOR THE COST OF  
16 OPERATING AND ADMINISTERING CLASSES OR SCHOOLS FOR [HANDICAPPED]  
17 CHILDREN WITH DISABILITIES, AS APPROVED BY THE DEPARTMENT OF  
18 EDUCATION FOR THE 1990-1991 SCHOOL YEAR. FOR THE 1992-1993 AND  
19 THE 1993-1994 SCHOOL YEARS UP TO AND INCLUDING THE 1994-1995  
20 SCHOOL YEAR, EACH INTERMEDIATE UNIT WHICH IS COTERMINOUS TO A  
21 SCHOOL DISTRICT OF THE FIRST CLASS OR FIRST CLASS A SHALL BE  
22 PAID TWENTY-FIVE PERCENT (25%) OF THE AMOUNT RECEIVED BY THE  
23 INTERMEDIATE UNIT FOR THE COST OF OPERATING AND ADMINISTERING  
24 CLASSES OR SCHOOLS FOR [EXCEPTIONAL CHILDREN] CHILDREN WITH  
25 EXCEPTIONALITIES, AS APPROVED BY THE DEPARTMENT OF EDUCATION FOR  
26 THE 1990-1991 SCHOOL YEAR.

27 (2) FOR THE 1995-1996 SCHOOL YEAR, EACH INTERMEDIATE UNIT  
28 WHICH IS COTERMINOUS TO A SCHOOL DISTRICT OF THE FIRST CLASS OR  
29 FIRST CLASS A SHALL BE PAID A PROPORTIONATE SHARE OF TWENTY-NINE  
30 MILLION NINE HUNDRED THOUSAND DOLLARS (\$29,900,000) BASED ON THE

1 AMOUNT RECEIVED BY THE INTERMEDIATE UNIT FOR THE COST OF  
2 OPERATING AND ADMINISTERING CLASSES OR SCHOOLS FOR CHILDREN WITH  
3 EXCEPTIONALITIES, AS APPROVED BY THE DEPARTMENT OF EDUCATION FOR  
4 THE 1990-1991 SCHOOL YEAR.

5 (3) FOR THE 1996-1997 SCHOOL YEAR, EACH INTERMEDIATE UNIT  
6 WHICH IS COTERMINOUS TO A SCHOOL DISTRICT OF THE FIRST CLASS OR  
7 FIRST CLASS A SHALL BE PAID A PROPORTIONATE SHARE OF TWENTY  
8 MILLION SIX HUNDRED THOUSAND DOLLARS (\$20,600,000) BASED ON THE  
9 AMOUNT RECEIVED BY THE INTERMEDIATE UNIT FOR THE COST OF  
10 OPERATING AND ADMINISTERING CLASSES OR SCHOOLS FOR CHILDREN WITH  
11 EXCEPTIONALITIES, AS APPROVED BY THE DEPARTMENT OF EDUCATION FOR  
12 THE 1990-1991 SCHOOL YEAR.

13 (4) FOR THE 1997-1998 SCHOOL YEAR, EACH INTERMEDIATE UNIT  
14 WHICH IS COTERMINOUS TO A SCHOOL DISTRICT OF THE FIRST CLASS OR  
15 FIRST CLASS A SHALL BE PAID A PROPORTIONATE SHARE OF TEN MILLION  
16 THREE HUNDRED THOUSAND DOLLARS (\$10,300,000) BASED ON THE AMOUNT  
17 RECEIVED BY THE INTERMEDIATE UNIT FOR THE COST OF OPERATING AND  
18 ADMINISTERING CLASSES OR SCHOOLS FOR CHILDREN WITH  
19 EXCEPTIONALITIES, AS APPROVED BY THE DEPARTMENT OF EDUCATION FOR  
20 THE 1990-1991 SCHOOL YEAR.

21 (E) FOR THE 1991-1992 SCHOOL YEAR AND FOR EACH SCHOOL YEAR  
22 THEREAFTER, PAYMENTS TO INTERMEDIATE UNITS UNDER THIS SECTION  
23 SHALL CONSIST OF AN AMOUNT PAYABLE IN THREE (3) INSTALLMENTS  
24 DURING THE SCHOOL YEAR AS FOLLOWS: IN AUGUST, FIFTY PERCENT  
25 (50%) OF THE PAYMENTS DUE; IN NOVEMBER, FORTY-FIVE PERCENT (45%)  
26 OF THE PAYMENTS DUE; AND ON JUNE 1, THE BALANCE OF THE PAYMENTS  
27 DUE.

28 (F) FOR EACH SCHOOL YEAR UP TO AND INCLUDING 1990-1991, FOR  
29 EACH CHILD ENROLLED IN ANY SPECIAL CLASS OR SCHOOL FOR  
30 EXCEPTIONAL CHILDREN OPERATED BY AN INTERMEDIATE UNIT, THE

1 SCHOOL DISTRICT IN WHICH THE CHILD IS RESIDENT SHALL PAY TO THE  
2 COMMONWEALTH A SUM EQUAL TO THE "TUITION CHARGE PER ELEMENTARY  
3 PUPIL" OR THE "TUITION CHARGE PER HIGH SCHOOL PUPIL," AS  
4 DETERMINED FOR THE SCHOOLS OPERATED BY THE DISTRICT OR BY A  
5 JOINT BOARD OF WHICH THE DISTRICT IS A MEMBER, FOR THE SAME YEAR  
6 IN WHICH THE SPECIAL CLASS OR SCHOOL IS OPERATED, AS PROVIDED  
7 FOR IN SECTION TWO THOUSAND FIVE HUNDRED SIXTY-ONE OF THE ACT TO  
8 WHICH THIS IS AN AMENDMENT. IN THE EVENT THAT ANY SCHOOL  
9 DISTRICT HAS NOT ESTABLISHED SUCH "TUITION CHARGE PER ELEMENTARY  
10 PUPIL" OR "TUITION CHARGE PER HIGH SCHOOL PUPIL," THE SECRETARY  
11 OF EDUCATION SHALL FIX A REASONABLE CHARGE FOR SUCH DISTRICT FOR  
12 THE YEAR IN QUESTION. EXCEPT THAT FOR THE 1990-1991 SCHOOL YEAR,  
13 THE SCHOOL DISTRICT PAYMENT TO THE COMMONWEALTH UNDER THIS  
14 SUBSECTION, FOR EACH CHILD ENROLLED IN OTHER THAN INTERMEDIATE  
15 UNIT CLASSES OR SCHOOLS FOR INSTITUTIONALIZED CHILDREN, SHALL BE  
16 LIMITED TO TWENTY-FIVE PERCENT (25%) OF THE APPLICABLE TUITION  
17 CHARGES IN THE CASE OF ALL INTERMEDIATE UNITS. IN ADDITION, THE  
18 DISTRICT SHALL PAY ON ACCOUNT OF TRANSPORTATION BY THE  
19 INTERMEDIATE UNIT OF PUPILS TO AND FROM CLASSES AND SCHOOLS FOR  
20 EXCEPTIONAL CHILDREN, WHETHER OR NOT CONDUCTED BY THE  
21 INTERMEDIATE UNIT, AN AMOUNT TO BE DETERMINED BY SUBTRACTING  
22 FROM THE COST OF TRANSPORTATION PER PUPIL THE REIMBURSEMENT DUE  
23 THE DISTRICT ON ACCOUNT OF SUCH TRANSPORTATION. IN ORDER TO  
24 FACILITATE SUCH PAYMENTS BY THE SEVERAL SCHOOL DISTRICTS, THE  
25 SECRETARY OF EDUCATION SHALL WITHHOLD FROM ANY MONEYS DUE TO  
26 SUCH DISTRICT OUT OF ANY STATE APPROPRIATION, EXCEPT FROM  
27 REIMBURSEMENTS DUE ON ACCOUNT OF RENTALS AS PROVIDED IN SECTION  
28 TWO THOUSAND FIVE HUNDRED ELEVEN POINT ONE OF THE ACT TO WHICH  
29 THIS IS AN AMENDMENT, THE AMOUNTS DUE BY SUCH SCHOOL DISTRICTS  
30 TO THE COMMONWEALTH. ALL AMOUNTS SO WITHHELD ARE HEREBY

1 SPECIFICALLY APPROPRIATED TO THE DEPARTMENT OF EDUCATION FOR THE  
2 SUPPORT OF PUBLIC SCHOOLS.

3 (G) (1) FOR THE 1991-1992 SCHOOL YEAR AND EACH SCHOOL YEAR  
4 THEREAFTER, FOR EACH CHILD ENROLLED IN AN INTERMEDIATE UNIT  
5 CLASS FOR INSTITUTIONALIZED CHILDREN, THE SCHOOL DISTRICT IN  
6 WHICH THE CHILD IS RESIDENT SHALL PAY TO THE COMMONWEALTH A SUM  
7 EQUAL TO THE "TUITION CHARGE PER ELEMENTARY PUPIL" OR THE  
8 "TUITION CHARGE PER HIGH SCHOOL PUPIL," AS DETERMINED FOR THE  
9 SCHOOLS OPERATED BY THE DISTRICT OR BY A JOINT BOARD OF WHICH  
10 THE DISTRICT IS A MEMBER, FOR THE SAME YEAR IN WHICH THE CLASS  
11 OR SCHOOL IS OPERATED, AS PROVIDED FOR IN SECTION 2561. IN THE  
12 EVENT THAT ANY SCHOOL DISTRICT HAS NOT ESTABLISHED SUCH "TUITION  
13 CHARGE PER ELEMENTARY PUPIL" OR "TUITION CHARGE PER HIGH SCHOOL  
14 PUPIL," THE SECRETARY OF EDUCATION SHALL FIX A REASONABLE CHARGE  
15 FOR SUCH DISTRICT FOR THE YEAR IN QUESTION.

16 (2) IN ADDITION, THE DISTRICT SHALL PAY TO THE COMMONWEALTH  
17 ON ACCOUNT OF TRANSPORTATION BY THE INTERMEDIATE UNIT OF PUPILS  
18 TO AND FROM CLASSES AND SCHOOLS FOR EXCEPTIONAL CHILDREN AND OF  
19 ELIGIBLE YOUNG CHILDREN TO AND FROM EARLY INTERVENTION PROGRAMS,  
20 WHETHER OR NOT CONDUCTED BY THE INTERMEDIATE UNIT, AN AMOUNT TO  
21 BE DETERMINED BY SUBTRACTING FROM THE COST OF TRANSPORTATION PER  
22 PUPIL THE REIMBURSEMENT DUE THE DISTRICT ON ACCOUNT OF SUCH  
23 TRANSPORTATION.

24 (3) IN ORDER TO FACILITATE SUCH PAYMENTS BY THE SEVERAL  
25 SCHOOL DISTRICTS, THE SECRETARY OF EDUCATION SHALL WITHHOLD FROM  
26 ANY MONEYS DUE TO SUCH DISTRICTS OUT OF A STATE APPROPRIATION,  
27 EXCEPT FROM REIMBURSEMENTS DUE ON ACCOUNT OF RENTALS, THE  
28 AMOUNTS DUE BY SUCH SCHOOL DISTRICTS TO THE COMMONWEALTH. ALL  
29 AMOUNTS SO WITHHELD ARE HEREBY SPECIFICALLY APPROPRIATED TO THE  
30 DEPARTMENT OF EDUCATION FOR THE SUPPORT OF PUBLIC SCHOOLS.

SECTION 11. SECTION 2509.3 OF THE ACT, AMENDED JULY 9, 1992 (P.L.392, NO.85) AND JULY 9, 1992 (P.L.403, NO.88), IS AMENDED TO READ:

SECTION 2509.3. PAYMENTS ON ACCOUNT OF TRANSPORTATION OF NONPUBLIC SCHOOL PUPILS.--EACH SCHOOL DISTRICT, REGARDLESS OF CLASSIFICATION, SHALL BE PAID BY THE COMMONWEALTH THE SUM OF THIRTY-FIVE DOLLARS (\$35) FOR EACH NONPUBLIC SCHOOL PUPIL TRANSPORTED IN THE SCHOOL YEAR 1978-1979 THROUGH THE SCHOOL YEAR 1983-1984. FOR THE SCHOOL YEAR 1984-1985 THROUGH THE SCHOOL YEAR 1989-1990, EACH SCHOOL DISTRICT SHALL BE PAID THE SUM OF SEVENTY DOLLARS (\$70) FOR EACH NONPUBLIC SCHOOL PUPIL TRANSPORTED. FOR THE SCHOOL YEARS 1990-1991 AND 1991-1992, EACH SCHOOL DISTRICT SHALL BE PAID THE SUM OF ONE HUNDRED TWENTY-FOUR DOLLARS (\$124) FOR EACH NONPUBLIC SCHOOL PUPIL TRANSPORTED. FOR THE SCHOOL YEAR 1992-1993 [AND EACH SCHOOL YEAR THEREAFTER] AND THE 1993-1994 SCHOOL YEAR, EACH SCHOOL DISTRICT SHALL BE PAID THE SUM OF ONE HUNDRED FIFTY-NINE DOLLARS (\$159) FOR EACH NONPUBLIC SCHOOL PUPIL TRANSPORTED. FOR THE SCHOOL YEAR 1994-1995 AND EACH SCHOOL YEAR THEREAFTER, EACH SCHOOL DISTRICT SHALL BE PAID THE SUM OF TWO HUNDRED DOLLARS (\$200) FOR EACH NONPUBLIC SCHOOL PUPIL TRANSPORTED.

SECTION 12. SECTION 2509.5 OF THE ACT IS AMENDED BY ADDING SUBSECTIONS TO READ:

SECTION 2509.5. SPECIAL EDUCATION PAYMENTS TO SCHOOL DISTRICTS.--\* \* \*

(H) DURING THE 1994-1995 SCHOOL YEAR, EACH SCHOOL DISTRICT SHALL BE PAID:

(1) AN AMOUNT TO BE DETERMINED BY MULTIPLYING FIFTEEN PERCENT (15%) OF ITS SCHOOL AGE AVERAGE DAILY MEMBERSHIP BY ONE THOUSAND THIRTY-FIVE DOLLARS (\$1,035); AND

1       (2) AN AMOUNT TO BE DETERMINED BY MULTIPLYING ONE PERCENT  
2       (1%) OF ITS SCHOOL AGE AVERAGE DAILY MEMBERSHIP BY TWELVE  
3       THOUSAND FIVE HUNDRED DOLLARS (\$12,500).

4       (I) DURING THE 1995-1996 SCHOOL YEAR, EACH SCHOOL DISTRICT  
5       SHALL BE PAID:

6       (1) AN AMOUNT TO BE DETERMINED BY MULTIPLYING FIFTEEN  
7       PERCENT (15%) OF ITS SCHOOL AGE AVERAGE DAILY MEMBERSHIP BY ONE  
8       THOUSAND FORTY DOLLARS (\$1,040); AND

9       (2) AN AMOUNT TO BE DETERMINED BY MULTIPLYING ONE PERCENT  
10       (1%) OF ITS SCHOOL AGE AVERAGE DAILY MEMBERSHIP BY THIRTEEN  
11       THOUSAND DOLLARS (\$13,000).

12       (J) (1) DURING THE 1994-1995 SCHOOL YEAR, UP TO TEN MILLION  
13       FIVE HUNDRED THOUSAND DOLLARS (\$10,500,000) OF THE FUNDS  
14       APPROPRIATED TO THE DEPARTMENT OF EDUCATION FOR SPECIAL  
15       EDUCATION SHALL PROVIDE SUPPLEMENTAL FUNDING FOR SPECIAL  
16       EDUCATION TO SCHOOL DISTRICTS WHICH OPERATE SPECIAL EDUCATION  
17       PROGRAMS AND WHOSE NET SPECIAL EDUCATION EXPENDITURE RATE  
18       EXCEEDS ONE HUNDRED FIFTY PERCENT (150%) OF THE STATEWIDE  
19       SPECIAL EDUCATION EXPENDITURE RATE WITH THE SPECIAL EDUCATION  
20       EXPENDITURE RATE BEING DETERMINED BY DIVIDING NET SPECIAL  
21       EDUCATION EXPENDITURES BY TOTAL EDUCATION EXPENDITURES AS  
22       DETERMINED BY THE SECRETARY OF EDUCATION. SUCH PAYMENTS SHALL BE  
23       IN AN AMOUNT TO BE DETERMINED BY THE SECRETARY OF EDUCATION AND  
24       SHALL BE MADE PURSUANT TO THE PAYMENT SCHEDULE ESTABLISHED IN  
25       SUBSECTION (C).

26       (2) DURING THE 1995-1996 SCHOOL YEAR, UP TO FIVE MILLION TWO  
27       HUNDRED FIFTY THOUSAND DOLLARS (\$5,250,000) OF THE FUNDS  
28       APPROPRIATED TO THE DEPARTMENT OF EDUCATION FOR SPECIAL  
29       EDUCATION SHALL PROVIDE SUPPLEMENTAL FUNDING PURSUANT TO THIS  
30       SUBSECTION AS DETERMINED BY THE SECRETARY OF EDUCATION. SUCH

1 PAYMENTS SHALL BE IN AN AMOUNT EQUAL TO FIFTY PERCENT (50%) OF  
2 THE AMOUNTS PAID TO DISTRICTS ELIGIBLE UNDER PARAGRAPH (1)  
3 DURING THE 1994-1995 SCHOOL YEAR AND SHALL BE MADE PURSUANT TO  
4 THE PAYMENT SCHEDULE ESTABLISHED IN SUBSECTION (C).

5 (3) DURING THE 1996-1997 SCHOOL YEAR, UP TO TWO MILLION SIX  
6 HUNDRED TWENTY-FIVE THOUSAND DOLLARS (\$2,625,000) OF THE FUNDS  
7 APPROPRIATED TO THE DEPARTMENT OF EDUCATION FOR SPECIAL  
8 EDUCATION SHALL PROVIDE SUPPLEMENTAL FUNDING PURSUANT TO THIS  
9 SUBSECTION AS DETERMINED BY THE SECRETARY OF EDUCATION. SUCH  
10 PAYMENTS SHALL BE IN AN AMOUNT EQUAL TO TWENTY-FIVE PERCENT  
11 (25%) OF THE AMOUNTS PAID TO DISTRICTS ELIGIBLE UNDER THIS  
12 SUBSECTION DURING THE 1994-1995 SCHOOL YEAR AND SHALL BE MADE  
13 PURSUANT TO THE PAYMENT SCHEDULE ESTABLISHED IN SUBSECTION (C).

14 SECTION 13. SECTION 2509.8 OF THE ACT, AMENDED JUNE 7, 1993  
15 (P.L.49, NO.16), IS AMENDED TO READ:

16 SECTION 2509.8. EXTRAORDINARY SPECIAL EDUCATION PROGRAM  
17 EXPENSES.--(A) THE DEPARTMENT OF EDUCATION SHALL, FOR THE 1991-  
18 1992 SCHOOL YEAR, THE 1994-1995 SCHOOL YEAR AND EACH SCHOOL YEAR  
19 THEREAFTER, SET ASIDE ONE PERCENT (1%) OF THE STATE SPECIAL  
20 EDUCATION APPROPRIATION FOR EXTRAORDINARY EXPENSES TO BE  
21 INCURRED IN PROVIDING A SPECIAL EDUCATION PROGRAM OR SERVICE TO  
22 [AN EXCEPTIONAL STUDENT] ONE OR MORE STUDENTS WITH DISABILITIES  
23 AS APPROVED BY THE SECRETARY OF EDUCATION.

24 (B) (1) SUBJECT TO THE LIMITATION IN CLAUSE (2), THE  
25 DEPARTMENT OF EDUCATION SHALL, FOR THE 1992-1993 AND 1993-1994  
26 SCHOOL YEARS, SET ASIDE TWO PERCENT (2%) OF THE STATE SPECIAL  
27 EDUCATION APPROPRIATION FOR EXTRAORDINARY EXPENSES INCURRED IN  
28 PROVIDING SPECIAL EDUCATION PROGRAMS OR SERVICES TO ONE OR MORE  
29 [EXCEPTIONAL STUDENTS] STUDENTS WITH DISABILITIES AS APPROVED BY  
30 THE SECRETARY OF EDUCATION.



(2) IN THE 1992-1993 SCHOOL YEAR, ONLY ONE-HALF OF THE TWO PERCENT (2%) SET ASIDE MAY BE EXPENDED IMMEDIATELY, AND THE OTHER ONE-HALF OF THE AMOUNT SET ASIDE SHALL NOT BE EXPENDED UNTIL ALL AUTHORIZED EXPENDITURES UNDER SECTIONS 2509, 2509.1, 2509.5, 2509.9 AND 2509.10 HAVE BEEN MADE TO THE QUALIFIED SCHOOL ENTITIES.

(C) THE SECRETARY OF EDUCATION SHALL ESTABLISH GUIDELINES FOR THE APPLICATION, APPROVAL, DISTRIBUTION AND EXPENDITURE OF THESE FUNDS AND SHALL REPORT ANNUALLY TO THE GENERAL ASSEMBLY ON SUCH EXPENDITURES.

SECTION 14. THE ACT IS AMENDED BY ADDING A SECTION TO READ:

SECTION 2597. DISTANCE LEARNING GRANTS.--(A) THE SECRETARY OF EDUCATION SHALL ALLOCATE GRANTS FOR DISTANCE LEARNING TO SCHOOL ENTITIES FROM FUNDS APPROPRIATED FOR THIS PURPOSE. THE AMOUNT OF A GRANT MAY VARY DEPENDING ON THE NEEDS OF THE APPLICANTS. GRANTS SHALL BE DIRECTED TOWARD RURAL SCHOOL ENTITIES AND OTHER SCHOOL ENTITIES DEMONSTRATING FINANCIAL NEED BASED ON THE WEALTH AND FISCAL CONDITION OF THE DISTRICT.

(B) AN APPLICATION FOR A GRANT SHALL ADDRESS THE MANNER IN WHICH A SCHOOL ENTITY SHALL ENHANCE INSTRUCTIONAL PROGRAMMING FOR STUDENTS THROUGH DISTANCE LEARNING.

(C) AS USED IN THIS SECTION, THE TERM "SCHOOL ENTITY" MEANS A SCHOOL DISTRICT, INTERMEDIATE UNIT, JOINT SCHOOL OR AREA VOCATIONAL-TECHNICAL SCHOOL.

SECTION 15. THIS ACT SHALL TAKE EFFECT AS FOLLOWS:

(1) THE ADDITION OF SECTION 1317.2, ARTICLE XIII-A AND SECTION 1549 OF THE ACT SHALL TAKE EFFECT IN 90 DAYS.

(2) THE REMAINDER OF THIS ACT SHALL TAKE EFFECT IMMEDIATELY.