

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 381

Session of
1983

INTRODUCED BY BURNS, GALLAGHER, COWELL, COLAFELLA, COY,
KOSINSKI, FATTAH, EVANS, DAVIES, E. Z. TAYLOR AND REINARD,
MARCH 15, 1983

REFERRED TO COMMITTEE ON EDUCATION, MARCH 15, 1983

AN ACT

1 Amending the act of March 10, 1949 (P.L.30, No.14), entitled "An
2 act relating to the public school system, including certain
3 provisions applicable as well to private and parochial
4 schools; amending, revising, consolidating and changing the
5 laws relating thereto," establishing alternative education
6 programs for the education of disruptive students.

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

9 Section 1. The act of March 10, 1949 (P.L.30, No.14), known
10 as the Public School Code of 1949, is amended by adding a
11 section to read:

12 Section 1338.1. Alternative Education Programs.--(a) As
13 used in this section:

14 (1) "Alternative education program" shall mean any program
15 implemented by a school district which removes disruptive,
16 delinquent or chronically truant students from the traditional
17 school environment in order to provide those students with a
18 sound educational program and a school counseling program
19 designed to help modify disruptive or delinquent behavior or

1 chronic truancy.

2 (2) "School" shall mean any secondary public school in any
3 school district in the Commonwealth.

4 (b) In order to provide disruptive, delinquent and
5 chronically truant students with a sound education and
6 counseling, every school district shall develop and implement an
7 alternative education program. The alternative education program
8 shall be designed as a means of dealing with disruptive,
9 delinquent or chronically truant students. No program of
10 alternative education shall be eligible for State funds unless
11 that program meets the minimum requirements as set forth in
12 subsection (d). The program shall be developed in consultation
13 with the faculty and administrative staff of the school
14 district. The board shall establish a policy to determine which
15 students are eligible for placement in an alternative education
16 program. No student shall be placed in the program unless he has
17 been informed of the reasons for the placement and has been
18 given an opportunity to respond before the placement becomes
19 effective. However, in the case of an assault by a student, or
20 other serious offense, the offending student shall be
21 transferred immediately into the alternate education program,
22 absent any legal action against the student by the district. The
23 opportunity to respond to such placement shall be provided to
24 the student as soon thereafter as is practical.

25 (c) School districts may:

26 (1) Pool monetary and manpower resources among the other
27 districts or with their respective intermediate unit if it is in
28 the best interests of the students and the alternative education
29 program.

30 (2) Work with vocational-technical schools in providing an

1 alternative education program if it is in the best interest of
2 the student and the program.

3 (d) In order to qualify for State funding, any alternative
4 education program shall meet the following minimum requirements:

5 (1) The program shall utilize appropriate certificated
6 school personnel to help modify disruptive or delinquent
7 behavior or chronic truancy.

8 (2) The program shall provide participating students with
9 the courses of instruction which recognize their special needs
10 and to qualify the students for graduation.

11 (3) The program shall only be used when other established
12 methods of discipline have been utilized and have failed unless
13 the seriousness of the student's behavior warrants immediate
14 placement.

15 (e) The department shall adopt such rules and regulations
16 and require the completion of such forms as are necessary to
17 administer the program of alternative education.

18 Section 2. Section 2501(10.1) and (10.2) of the act, added
19 February 1, 1966 (1965 P.L.1642, No.580), are amended to read:

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

22 * * *

23 (10.1) "Weighted Pupil" shall mean a value placed upon
24 district pupils in average daily membership at various levels of
25 instruction. Such values shall be as follows:

26	Kindergarten	0.50, if attending one
27		session per day;
28		1.00, if attending two
29		sessions per day.
30	Elementary	1.00

1 programs which will start July 1, 1984.

2 Section 4. Nothing contained in this act shall be construed
3 to supersede or preempt any provisions of a collective
4 bargaining agreement negotiated by a school entity and an
5 exclusive representative of the employes in accordance with the
6 act of July 23, 1970 (P.L.563, No.195), known as the Public
7 Employe Relations Act.

8 Section 5. This act shall take effect in 60 days.