

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL
No. 2508 Session of
1990

INTRODUCED BY COWELL, MILLER, SCHULER, BARLEY, STRITTMATTER,
BRANDT, SCHEETZ AND COLAFELLA, APRIL 24, 1990

SENATOR HESS, EDUCATION, IN SENATE, AS AMENDED, OCTOBER 3, 1990

AN ACT

1 ~~Amending the act of April 6, 1980 (P.L.82, No.28), entitled "An~~ <—
2 ~~act providing for the continuation, operation and~~
3 ~~administration of the school for indigent orphans known as~~
4 ~~the Thaddeus Stevens State School of Technology in Lancaster,~~
5 ~~Pennsylvania in which school instruction shall be given in~~
6 ~~all basic educational subjects and additional training given~~
7 ~~in elementary manual skills, elements of farming and other~~
8 ~~programs of similar nature," further providing for the powers~~
9 ~~and duties of the board of trustees and the president, for~~
10 ~~admissions, for the course of instruction and for rights of~~
11 ~~faculty and staff; and making an editorial change.~~

12 AMENDING THE ACT OF MARCH 10, 1949 (P.L.30, NO.14), ENTITLED "AN <—
13 ACT RELATING TO THE PUBLIC SCHOOL SYSTEM, INCLUDING CERTAIN
14 PROVISIONS APPLICABLE AS WELL TO PRIVATE AND PAROCHIAL
15 SCHOOLS; AMENDING, REVISING, CONSOLIDATING AND CHANGING THE
16 LAWS RELATING THERETO," FURTHER PROVIDING FOR THE
17 CONTINUATION, OPERATION AND ADMINISTRATION OF THE SCHOOL FOR
18 INDIGENT ORPHANS KNOWN AS THE THADDEUS STEVENS STATE SCHOOL
19 OF TECHNOLOGY IN LANCASTER, PENNSYLVANIA IN WHICH SHALL BE
20 OFFERED TWO-YEAR POSTSECONDARY VOCATIONAL-TECHNICAL EDUCATION
21 PROGRAMS; FURTHER PROVIDING FOR THE FACTOR FOR EDUCATIONAL
22 EXPENSES AND AID TO SMALL DISTRICTS; PROVIDING FOR CERTAIN
23 EQUIPMENT GRANTS; AND MAKING A REPEAL.

24 The General Assembly of the Commonwealth of Pennsylvania
25 hereby enacts as follows:

26 ~~Section 1. The title and sections 6, 7 and 8 of the act of~~ <—
27 ~~April 6, 1980 (P.L.82, No.28), known as the Thaddeus Stevens~~

1 ~~State School of Technology Act, are amended to read:~~

2 ~~AN ACT~~

3 ~~Providing for the continuation, operation and administration of~~
4 ~~the school for indigent orphans known as the Thaddeus Stevens~~
5 ~~State School of Technology in Lancaster, Pennsylvania in~~
6 ~~which [school instruction shall be given in all basic~~
7 ~~educational subjects and additional training given in~~
8 ~~elementary manual skills, elements of farming and other~~
9 ~~programs of similar nature] two year postsecondary programs~~
10 ~~in vocational technical education shall be given.~~

11 ~~Section 6. Board of trustees.~~

12 ~~The board of trustees shall consist of nine members, who~~
13 ~~shall serve without compensation, and be appointed by the~~
14 ~~Governor, by and with the advice and consent of the Senate. Said~~
15 ~~trustees shall be a body politic or corporate, of the name of~~
16 ~~the Thaddeus Stevens State School of Technology. They shall~~
17 ~~[manage and direct the affairs of the institution], under~~
18 ~~section 1311 of the act of April 9, 1929 (P.L.177, No.175),~~
19 ~~known as "The Administrative Code of 1929," have general~~
20 ~~direction and control of the property and management of the~~
21 ~~institution; develop broad institutional policy; and make all~~
22 ~~necessary bylaws and regulations, not inconsistent with either~~
23 ~~the provisions of the Constitution, laws of the Commonwealth, or~~
24 ~~rules and regulations of the State Board of Education. Of the~~
25 ~~trustees first appointed, three shall serve for one year, three~~
26 ~~for two years, and three for three years, and at the expiration~~
27 ~~of the respective periods the vacancies shall be filled by the~~
28 ~~Governor, by appointment, for three years, as hereinbefore~~
29 ~~provided; and should any vacancy occur by death or resignation,~~
30 ~~or otherwise, of any trustee, such vacancy shall be filled, by~~

~~appointment as aforesaid, for the unexpired term of said trustee. The Secretary of Education shall be ex officio member of the board of trustees.~~

~~Section 7. President of the school.~~

~~The chief administrator and academic officer of the Thaddeus Stevens State School of Technology shall be the president whose duties shall be defined by the board of trustees and approved by the Secretary of Education. [Other administrative personnel shall be designated at the discretion of the board of trustees.]~~

~~Section 8. [Individuals eligible for admission] Admission of students and educational program.~~

~~(a) [There shall be received into the institution indigent orphan persons or other deserving persons, from the State of Pennsylvania, above the age of 15 years, whose admission may be applied for under such regulations as the board of trustees may adopt.] The school shall provide a program of education hereinafter defined for those persons admitted to the institution pursuant to section 4. In considering such admission no preference shall be shown on account of race, color, sex, marital status, ethnic group or religion.~~

~~(b) The course of instruction shall be the equivalent level of [the junior and senior year of a four year public vocational technical high school and/or a two year] a two year postsecondary institution which shall include[:~~

~~(1) vocational] vocational technical education of no more than two years leading to the awarding of [diplomas,] certificates or associate degrees, when approved by the Secretary of Education in accordance with rules and regulations established by the State Board for this level of education, for the purpose of fitting pupils to pursue~~

effectively a recognized profitable employment[; and

(2) evening or other classes providing such instruction for persons who have left full time school providing the board of trustees shall establish and charge tuition for such instruction that will cover the total cost of instruction including all direct costs and the allocable portion of all applicable indirect costs].

Section 2. Section 10 of the act is repealed.

Section 3. The act is amended by adding a section to read:

Section 10.1. Rights of faculty and staff.

Except as otherwise provided by law, faculty employed in the Thaddeus Stevens State School of Technology shall enjoy the same privileges, including tenure rights, and be subject to the same laws, except certification, as faculty in the public schools of this Commonwealth and to collective bargaining agreements entered into under the act of July 23, 1970 (P.L.563, No.195), known as the "Public Employe Relations Act."

Section 4. This act shall take effect immediately.

SECTION 1. THE ACT OF MARCH 10, 1949 (P.L.30, NO.14), KNOWN AS THE PUBLIC SCHOOL CODE OF 1949, IS AMENDED BY ADDING AN ARTICLE TO READ:

ARTICLE XIX-B.

THADDEUS STEVENS STATE SCHOOL OF TECHNOLOGY.

SECTION 1901-B. SHORT TITLE.--THIS ARTICLE SHALL BE KNOWN AND MAY BE CITED AS THE "THADDEUS STEVENS STATE SCHOOL OF TECHNOLOGY ACT."

SECTION 1902-B. LEGISLATIVE INTENT.--IT IS THE INTENT OF THE GENERAL ASSEMBLY TO PROVIDE FOR THE CONTINUED EXISTENCE, OPERATION AND ADMINISTRATION OF THE THADDEUS STEVENS STATE SCHOOL OF TECHNOLOGY.

1 SECTION 1903-B. AUTHORIZATION TO CONTINUE SCHOOL
2 OPERATIONS.--THE INSTITUTION KNOWN AS THE THADDEUS STEVENS STATE
3 SCHOOL OF TECHNOLOGY, ESTABLISHED AND OPERATED PURSUANT TO THE
4 REPEALED PROVISIONS OF THE ACT OF MAY 11, 1905 (P.L.518,
5 NO.429), IS HEREBY AUTHORIZED TO CONTINUE OPERATIONS AND TO
6 RECEIVE ANY STATE FUNDS OR AID TO WHICH IT MAY BE ENTITLED. ALL
7 LAWFUL ACTIONS AND EXPENDITURES MADE BY SAID INSTITUTION BETWEEN
8 OCTOBER 4, 1978, AND THE EFFECTIVE DATE OF THIS ACT ARE HEREBY
9 RATIFIED AND APPROVED BY THE GENERAL ASSEMBLY.

10 SECTION 1904-B. SCHOOL PURPOSES.--(A) THE THADDEUS STEVENS
11 STATE SCHOOL OF TECHNOLOGY, LOCATED IN LANCASTER, PENNSYLVANIA,
12 SHALL CONTINUE TO PROVIDE FOR THE POST SECONDARY EDUCATION AND
13 TRAINING OF INDIGENT ORPHANS.

14 (B) IF A SUFFICIENT NUMBER OF INDIGENT ORPHANS QUALIFIED FOR
15 ADMISSION PURSUANT TO SCHOOL STANDARDS FAIL TO APPLY, THEN THE
16 BOARD OF TRUSTEES OF THIS COOPERATION MAY ADMIT, FIRST OTHER
17 DESERVING PERSONS, AND, THEREAFTER ORPHANS WHO MAY NOT BE
18 INDIGENT, AS THE TRUSTEES IN THEIR BEST JUDGMENT MAY THINK
19 PROPER.

20 (C) THOSE SHALL BE DEEMED ORPHANS WHO HAVE LOST EITHER
21 PARENT.

22 SECTION 1905-B. SCHOOL BUILDINGS.--THE BUILDINGS SHALL BE
23 SEPARATED, AND SHALL EMBRACE ONE OR MORE SCHOOLHOUSES, AND ONE
24 OR MORE WORKSHOPS, AND AN ISOLATING HOSPITAL, ALL ON SUCH SCALE
25 AS WILL CREATE AN INSTITUTION ACCOMMODATING NOT LESS THEN TWO
26 HUNDRED PERSONS, PLANNED AND LOCATED FOR EASY AND NATURAL
27 ADDITIONS, AS THE NEEDS OF THE INSTITUTION MAY DEMAND.

28 SECTION 1906-B. BOARD OF TRUSTEES.--THE BOARD OF TRUSTEES
29 SHALL CONSIST OF NINE MEMBERS, WHO SHALL SERVE WITHOUT
30 COMPENSATION, AND BE APPOINTED BY THE GOVERNOR, BY AND WITH THE

1 ADVICE AND CONSENT OF THE SENATE. SAID TRUSTEES SHALL BE A BODY
2 POLITIC OR CORPORATE, OF THE NAME OF THE THADDEUS STEVENS STATE
3 SCHOOL OF TECHNOLOGY. THEY SHALL, UNDER SECTION 1311 OF THE ACT
4 OF APRIL 9, 1929 (P.L.177, NO.175), KNOWN AS "THE ADMINISTRATIVE
5 CODE OF 1929," HAVE GENERAL DIRECTION AND CONTROL OF THE
6 PROPERTY AND MANAGEMENT OF THE INSTITUTION; DEVELOP BROAD
7 INSTITUTIONAL POLICY; AND MAKE ALL NECESSARY BYLAWS AND
8 REGULATIONS, NOT INCONSISTENT WITH EITHER THE PROVISIONS OF THE
9 CONSTITUTION, LAWS OF THE COMMONWEALTH, OR RULES AND REGULATIONS
10 OF THE STATE BOARD OF EDUCATION. OF THE TRUSTEES FIRST
11 APPOINTED, THREE SHALL SERVE FOR ONE YEAR, THREE FOR TWO YEARS,
12 AND THREE FOR THREE YEARS, AND AT THE EXPIRATION OF THE
13 RESPECTIVE PERIODS THE VACANCIES SHALL BE FILLED BY THE
14 GOVERNOR, BY APPOINTMENT, FOR THREE YEARS, AS HEREINBEFORE
15 PROVIDED; AND SHOULD ANY VACANCY OCCUR BY DEATH OR RESIGNATION,
16 OR OTHERWISE, OF ANY TRUSTEE, SUCH VACANCY SHALL BE FILLED, BY
17 APPOINTMENT AS AFORESAID, FOR THE UNEXPIRED TERM OF SAID
18 TRUSTEE. THE SECRETARY OF EDUCATION SHALL BE EX OFFICIO MEMBER
19 OF THE BOARD OF TRUSTEES.

20 SECTION 1907-B. PRESIDENT OF SCHOOL.--THE CHIEF
21 ADMINISTRATOR AND ACADEMIC OFFICER OF THE THADDEUS STEVENS STATE
22 SCHOOL OF TECHNOLOGY SHALL BE THE PRESIDENT WHOSE DUTIES SHALL
23 BE DEFINED BY THE BOARD OF TRUSTEES AND APPROVED BY THE
24 SECRETARY OF EDUCATION.

25 SECTION 1908-B. INDIVIDUALS ELIGIBLE FOR ADMISSION.--(A)
26 THE SCHOOL BOARD SHALL PROVIDE A PROGRAM OF EDUCATION
27 HEREINAFTER DEFINED FOR THOSE PERSONS ADMITTED TO THE
28 INSTITUTION PURSUANT TO SECTION 1904-B. IN CONSIDERING SUCH
29 ADMISSION NO PREFERENCE SHALL BE SHOWN ON ACCOUNT OF RACE,
30 COLOR, SEX, MARITAL STATUS, ETHNIC GROUP OR RELIGION.

1 (B) THE COURSE OF INSTRUCTION SHALL BE THE EQUIVALENT LEVEL
2 A TWO-YEAR POSTSECONDARY INSTITUTION WHICH SHALL INCLUDE
3 VOCATIONAL-TECHNICAL EDUCATION OF NO MORE THAN TWO YEARS LEADING
4 TO THE AWARDING OF CERTIFICATES OR ASSOCIATE DEGREES, WHEN
5 APPROVED BY THE SECRETARY OF EDUCATION IN ACCORDANCE WITH RULES
6 AND REGULATIONS ESTABLISHED BY THE STATE BOARD FOR THIS LEVEL OF
7 EDUCATION, FOR THE PURPOSE OF FITTING PUPILS TO PURSUE
8 EFFECTIVELY A RECOGNIZED PROFITABLE EMPLOYMENT.

9 SECTION 1909-B. TUITION STUDENTS.--IN ADDITION TO STATE-
10 SUPPORTED RESIDENT STUDENTS AS DEFINED IN SECTION 1904-B, THE
11 BOARD OF TRUSTEES MAY ADMIT FOR STUDY AT THE SCHOOL PART-TIME OR
12 FULL-TIME TUITION STUDENTS, AND SHALL FIX AND CHARGE TUITION
13 RATES AS APPROVED BY THE SECRETARY OF EDUCATION FOR SUCH
14 STUDENTS. ALL MONEY COLLECTED AS TUITION BY THE INSTITUTION
15 SHALL BE PAID INTO THE GENERAL FUND AND CREDITED TO THE
16 APPROPRIATIONS MADE TO THE INSTITUTION.

17 SECTION 1910-B. RIGHTS OF FACULTY AND STAFF.--EXCEPT AS
18 OTHERWISE PROVIDED BY LAW, FACULTY EMPLOYED IN THE THADDEUS
19 STEVENS STATE SCHOOL OF TECHNOLOGY SHALL CONTINUE TO ENJOY THE
20 SAME RIGHTS AND PRIVILEGES AS PROVIDED ON JUNE 30, 1990. NOTHING
21 CONTAINED HEREIN SHALL SUPERSEDE OR PREEMPT ANY PROVISIONS OF A
22 COLLECTIVE BARGAINING AGREEMENT NEGOTIATED BETWEEN THE
23 COMMONWEALTH AND AN EXCLUSIVE REPRESENTATIVE OF THE EMPLOYEES IN
24 ACCORDANCE WITH THE ACT OF JULY 23, 1970 (P.L.563, NO.195),
25 KNOWN AS THE "PUBLIC EMPLOYE RELATIONS ACT." IN NO EVENT SHALL
26 THE FACULTY BE CONSIDERED TO BE IN THE CLASSIFIED SERVICE, AS
27 DEFINED BY THE ACT OF AUGUST 5, 1941 (P.L.752, NO.286), KNOWN AS
28 THE "CIVIL SERVICE ACT."

29 SECTION 1911-B. VISITATION PRIVILEGES.--THE GOVERNOR,
30 SECRETARY OF EDUCATION, JUDGES OF THE SEVERAL COURTS OF THE

1 COMMONWEALTH, AND SENATORS AND REPRESENTATIVES OF THE GENERAL
2 ASSEMBLY SHALL BE EX OFFICIO VISITORS OF SAID INSTITUTION; AND
3 IT SHALL BE SUBJECT TO INSPECTION BY THE DEPARTMENT OF
4 EDUCATION; AND AN ANNUAL REPORT OF THE CONDUCT AND MANAGEMENT OF
5 THE SCHOOL SHALL BE MADE BY THE PRESIDENT OF THE THADDEUS
6 STEVENS STATE SCHOOL OF TECHNOLOGY TO THE GENERAL ASSEMBLY AND
7 THE SECRETARY OF EDUCATION.

8 SECTION 1912-B. PRIOR REFERENCES.--WHENEVER, IN ANY LAW,
9 REFERENCE IS MADE TO THE THADDEUS STEVENS INDUSTRIAL AND REFORM
10 SCHOOL OF PENNSYLVANIA OR THE THADDEUS STEVENS TRADE SCHOOL, IT
11 SHALL BE DEEMED TO REFER TO AND INCLUDE THE THADDEUS STEVENS
12 STATE SCHOOL OF TECHNOLOGY.

13 SECTION 2. SECTIONS 2501(19) AND 2502.13 OF THE ACT, AMENDED
14 JULY 8, 1989 (P.L.253, NO.43), ARE AMENDED TO READ:

15 SECTION 2501. DEFINITIONS.--FOR THE PURPOSES OF THIS ARTICLE
16 THE FOLLOWING TERMS SHALL HAVE THE FOLLOWING MEANINGS:

17 * * *

18 (19) "FACTOR FOR EDUCATIONAL EXPENSE." FOR THE SCHOOL YEARS
19 1982-1983 AND 1983-1984, THE FACTOR FOR EDUCATIONAL EXPENSE USED
20 TO COMPUTE SCHOOL DISTRICT ENTITLEMENTS TO PAYMENTS ON ACCOUNT
21 OF INSTRUCTION, AS PROVIDED FOR IN SUBSECTION (D) OF SECTION
22 2502, SHALL BE ONE THOUSAND SIX HUNDRED FIFTY-SIX DOLLARS
23 (\$1,656) UNLESS LATER CHANGED BY STATUTE. FOR THE SCHOOL YEAR
24 1983-1984, THE FACTOR FOR EDUCATIONAL EXPENSE SHALL BE ONE
25 THOUSAND SEVEN HUNDRED TWENTY-FIVE DOLLARS (\$1,725), UNLESS
26 LATER CHANGED BY STATUTE, FOR THOSE SCHOOL DISTRICTS
27 PARTICIPATING, DURING THE 1984-1985 SCHOOL YEAR, IN A STATEWIDE
28 PROGRAM FOR TESTING AND REMEDIATION WHICH IS DESIGNED TO
29 IDENTIFY AND PROVIDE REMEDIATION SERVICES TO INDIVIDUAL STUDENTS
30 PURSUANT TO SECTION 1511.1. FOR THE 1984-1985 SCHOOL YEAR,

1 NOTWITHSTANDING ANY OTHER PROVISIONS OF THIS ACT TO THE
2 CONTRARY, THE FACTOR FOR EDUCATIONAL EXPENSE USED TO COMPUTE ALL
3 SCHOOL DISTRICTS' ENTITLEMENTS TO PAYMENTS ON ACCOUNT OF
4 INSTRUCTION, AS PROVIDED FOR IN SUBSECTION (D) OF SECTION 2502,
5 SHALL BE ONE THOUSAND EIGHT HUNDRED SEVENTY-FIVE DOLLARS
6 (\$1,875). FOR THE 1985-1986 SCHOOL YEAR, THE FACTOR FOR
7 EDUCATIONAL EXPENSE USED TO COMPUTE ALL SCHOOL DISTRICTS'
8 ENTITLEMENTS TO PAYMENTS ON ACCOUNT OF INSTRUCTION, AS PROVIDED
9 FOR IN SUBSECTION (D) OF SECTION 2502, SHALL BE ONE THOUSAND
10 NINE HUNDRED SEVENTY DOLLARS (\$1,970). FOR THE 1986-1987 SCHOOL
11 YEAR, THE FACTOR FOR EDUCATIONAL EXPENSE USED TO COMPUTE ALL
12 SCHOOL DISTRICTS' ENTITLEMENTS TO PAYMENTS ON ACCOUNT OF
13 INSTRUCTION, AS PROVIDED FOR IN SUBSECTION (D) OF SECTION 2502,
14 SHALL BE TWO THOUSAND ONE HUNDRED TWENTY-FIVE DOLLARS (\$2,125).
15 FOR THE SCHOOL YEAR 1987-1988, THE FACTOR FOR EDUCATIONAL
16 EXPENSE USED TO COMPUTE ALL SCHOOL DISTRICTS' ENTITLEMENTS TO
17 PAYMENTS ON ACCOUNT OF INSTRUCTION, AS PROVIDED FOR IN
18 SUBSECTION (D) OF SECTION 2502, SHALL BE TWO THOUSAND TWO
19 HUNDRED THIRTY DOLLARS (\$2,230). FOR THE SCHOOL YEAR 1988-1989
20 [AND EACH SCHOOL YEAR THEREAFTER], THE FACTOR FOR EDUCATIONAL
21 EXPENSE USED TO COMPUTE ALL SCHOOL DISTRICTS' ENTITLEMENTS TO
22 PAYMENTS ON ACCOUNT OF INSTRUCTION, AS PROVIDED FOR IN
23 SUBSECTION (D) OF SECTION 2502, SHALL BE TWO THOUSAND THREE
24 HUNDRED THIRTY DOLLARS (\$2,330). FOR THE SCHOOL YEAR 1989-1990
25 AND EACH YEAR THEREAFTER, THE FACTOR FOR EDUCATIONAL EXPENSE
26 USED TO COMPUTE ALL SCHOOL DISTRICTS' ENTITLEMENT TO PAYMENTS ON
27 ACCOUNT OF INSTRUCTION AS PROVIDED FOR IN SUBSECTION (D) OF
28 SECTION 2502, SHALL BE TWO THOUSAND THREE HUNDRED EIGHTY DOLLARS
29 (\$2,380).

30 SECTION 2502.13. SMALL DISTRICT ASSISTANCE.--FOR THE 1984-

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

1 THEREAFTER, THE COMMONWEALTH SHALL PAY EACH SCHOOL DISTRICT
2 WHICH HAS AN AVERAGE DAILY MEMBERSHIP OF ONE THOUSAND FIVE
3 HUNDRED (1,500) OR LESS AND A MARKET VALUE/INCOME AID RATIO OF
4 FIVE THOUSAND TEN-THOUSANDTHS (0.5000) OR GREATER, OR RECEIVED
5 PAYMENTS UNDER THIS SECTION FOR THE 1988-1989 SCHOOL YEAR, AN
6 AMOUNT EQUAL TO ONE HUNDRED FIFTEEN DOLLARS (\$115) MULTIPLIED BY
7 THAT DISTRICT'S AVERAGE DAILY MEMBERSHIP. FOR THE 1987-1988
8 SCHOOL YEAR AND EACH SCHOOL YEAR THEREAFTER, NO SCHOOL DISTRICT
9 SHALL RECEIVE LESS ON ACCOUNT OF THIS SECTION THAN IT DID FOR
10 THE PRIOR SCHOOL YEAR.

11 SECTION 3. THE ACT IS AMENDED BY ADDING AN ARTICLE TO READ:

12 ARTICLE XXVII-E

13 EQUIPMENT GRANTS

14 SECTION 2701-E. DEFINITIONS.--WHEN USED IN THIS ARTICLE THE
15 FOLLOWING WORDS AND PHRASES SHALL HAVE THE FOLLOWING MEANINGS:

16 "COMMUNITY COLLEGES" SHALL MEAN INSTITUTIONS NOW, OR
17 HEREAFTER, CREATED PURSUANT TO THE ACT OF AUGUST 24, 1963
18 (P.L.1132, NO.484), KNOWN AS THE "COMMUNITY COLLEGE ACT OF 1963"
19 OR ARTICLE XIX-A OF THIS ACT.

20 "DEPARTMENT" SHALL MEAN THE DEPARTMENT OF EDUCATION OF THE
21 COMMONWEALTH.

22 "EDUCATIONAL EQUIPMENT" SHALL MEAN TANGIBLE PROPERTY USED BY
23 INSTITUTIONS OF HIGHER EDUCATION IN SUPPORT OF INSTRUCTION. THE
24 TERM SHALL NOT INCLUDE EQUIPMENT USED IN SUPPORT OF SECTARIAN
25 AND DENOMINATIONAL INSTRUCTION OR FOR ANY OTHER SECTARIAN AND
26 DENOMINATIONAL PURPOSE OR ACTIVITY.

27 "ELIGIBLE INSTITUTION" SHALL MEAN AN INDEPENDENT INSTITUTION
28 OF HIGHER EDUCATION WHICH IS APPROVED BY THE DEPARTMENT FOR
29 EQUIPMENT GRANTS PURSUANT TO THE PROVISIONS OF THIS ACT. THE
30 TERM DOES NOT INCLUDE AN INSTITUTION WHICH IS DETERMINED BY THE

1 DEPARTMENT TO BE A COMMUNITY COLLEGE, A THEOLOGICAL SEMINARY OR
2 SCHOOL OF THEOLOGY OR A SECTARIAN AND DENOMINATIONAL
3 INSTITUTION, NOR DOES IT INCLUDE A STATE-OWNED OR STATE-RELATED
4 INSTITUTION.

5 "EQUIPMENT GRANT" SHALL MEAN AN AMOUNT DETERMINED BY DIVIDING
6 THE FUNDS APPROPRIATED PURSUANT TO THIS ACT, LESS REASONABLE
7 ADMINISTRATIVE EXPENSES, BY THE TOTAL OF ALL CERTIFIED FULL-TIME
8 EQUIVALENT STUDENTS FROM ALL ELIGIBLE INSTITUTIONS APPLYING FOR
9 GRANTS.

10 "FULL-TIME EQUIVALENT STUDENTS" SHALL MEAN THE ENROLLMENT IN
11 PROGRAMS AT ELIGIBLE INSTITUTIONS EXPRESSED IN TERMS OF FULL-
12 TIME STUDENTS AS DETERMINED BY THE DEPARTMENT OF EDUCATION.

13 "INDEPENDENT INSTITUTION OF HIGHER EDUCATION" SHALL MEAN AN
14 INSTITUTION OF HIGHER EDUCATION WHICH IS OPERATED NOT-FOR-
15 PROFIT, LOCATED IN AND INCORPORATED OR CHARTERED BY THE
16 COMMONWEALTH, ENTITLED TO CONFER DEGREES AS SET FORTH IN SECTION
17 211 OF THE ACT OF MAY 5, 1933 (P.L.289, NO.105), KNOWN AS THE
18 "NONPROFIT CORPORATION LAW," AND ENTITLED TO APPLY TO ITSELF THE
19 DESIGNATION "COLLEGE" OR "UNIVERSITY" AS PROVIDED FOR BY
20 STANDARDS AND QUALIFICATIONS PRESCRIBED BY THE STATE BOARD OF
21 EDUCATION PURSUANT TO THE ACT OF MAY 7, 1937 (P.L.585, NO.150),
22 ENTITLED, AS AMENDED, "AN ACT PROHIBITING THE USE OF THE
23 DESIGNATION OF 'COLLEGE' BY ANY INSTITUTION NOT CONFORMING TO
24 THE STANDARDS OF A COLLEGE PRESCRIBED BY THE STATE BOARD OF
25 EDUCATION; AND PROVIDING FOR INJUNCTIONS, AND PENALTIES."

26 "PENNSYLVANIA BASED" SHALL MEAN EDUCATIONAL EQUIPMENT
27 MANUFACTURED OR ASSEMBLED WITHIN THIS COMMONWEALTH, OR SOLD,
28 LEASED OR OTHERWISE PROVIDED TO AN ELIGIBLE INSTITUTION BY A
29 VENDOR WHICH HAS A PLACE OF BUSINESS IN THIS COMMONWEALTH.

30 "STATE-OWNED INSTITUTION" SHALL MEAN A MEMBER INSTITUTION OF

1 THE STATE SYSTEM OF HIGHER EDUCATION.

2 "STATE-RELATED INSTITUTIONS" SHALL MEAN THE PENNSYLVANIA
3 STATE UNIVERSITY, THE UNIVERSITY OF PITTSBURGH, TEMPLE
4 UNIVERSITY AND LINCOLN UNIVERSITY AND THEIR BRANCH CAMPUSES.

5 SECTION 2702-E. CERTIFICATION OF RECIPIENTS.--FROM THE
6 INFORMATION IT RECEIVES FROM COLLEGES AND UNIVERSITIES THE
7 DEPARTMENT SHALL CERTIFY THE NUMBER OF FULL-TIME EQUIVALENT
8 STUDENTS ATTENDING EACH ELIGIBLE INSTITUTION DURING THE MOST
9 RECENT YEAR FOR WHICH DATA IS AVAILABLE.

10 SECTION 2703-E. INSTITUTIONAL EQUIPMENT GRANTS.--FOR THE
11 ACADEMIC YEAR BEGINNING ON OR ABOUT SEPTEMBER 1, 1990, THE
12 DEPARTMENT SHALL ALLOT A ONE-TIME EQUIPMENT GRANT ON BEHALF OF
13 EACH FULL-TIME EQUIVALENT STUDENT ATTENDING THE ELIGIBLE
14 INSTITUTION AS CERTIFIED PURSUANT TO SECTION 2702-E. THE
15 ALLOTMENT SHALL BE MADE TO EACH ELIGIBLE INSTITUTION FROM THE
16 FUNDS APPROPRIATED TO THE DEPARTMENT PURSUANT TO THIS ARTICLE.
17 FOLLOWING AN INITIAL ALLOCATION AND ALLOTMENT, IF ANY FUNDS
18 APPROPRIATED HAVE NOT BEEN AND CANNOT BE ALLOCATED TO ONE OR
19 MORE INSTITUTIONS OTHERWISE ELIGIBLE FOR FUNDS, THE DEPARTMENT
20 SHALL REALLOCATE THESE FUNDS TO THE REMAINING ELIGIBLE
21 INSTITUTIONS SO THAT ALL FUNDS APPROPRIATED UNDER THIS ARTICLE
22 HAVE BEEN ALLOTTED.

23 SECTION 2704-E. USE OF MONEYS.--THE MONEYS APPROPRIATED
24 SHALL BE USED ONLY FOR, OR IN CONNECTION WITH, EXPENSES INCURRED
25 BY THE ELIGIBLE INSTITUTION TO PURCHASE, LEASE OR OTHERWISE
26 ACQUIRE EDUCATIONAL EQUIPMENT WHICH IS PENNSYLVANIA BASED. IF
27 THE ELIGIBLE INSTITUTION PURCHASES, LEASES OR OTHERWISE ACQUIRES
28 EDUCATIONAL EQUIPMENT WHICH IS NOT PENNSYLVANIA BASED, IT MUST
29 FILE WITH THE DEPARTMENT A STATEMENT OF JUSTIFICATION AS TO WHY
30 PENNSYLVANIA-BASED EDUCATIONAL EQUIPMENT WAS NOT OBTAINED.

1 SECTION 2705-E. FORFEITURE.--ANY ELIGIBLE INSTITUTION WHICH
2 REFUSES TO SUBMIT SUCH INFORMATION FOR AUDIT AS REQUIRED BY THIS
3 ARTICLE OR KNOWINGLY SUBMITS MISREPRESENTATIONS OR FALSE
4 STATEMENTS WITH THE INTENTION OF FRAUDULENTLY OBTAINING MONEYS
5 FROM THE DEPARTMENT SHALL BE DENIED STATUS AS AN ELIGIBLE
6 INSTITUTION UNDER THE PROVISIONS OF THIS ARTICLE.

7 SECTION 2706-E. EXPIRATION.--THIS ARTICLE SHALL EXPIRE ON
8 JUNE 30, 1991.

9 SECTION 4. THE ACT OF APRIL 6, 1980 (P.L.82, NO.28), KNOWN
10 AS THE THADDEUS STEVENS STATE SCHOOL OF TECHNOLOGY ACT, IS
11 REPEALED.

12 SECTION 5. THIS ACT SHALL TAKE EFFECT IMMEDIATELY.