

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL  
No. 1245 Session of  
1993

INTRODUCED BY LESCOVITZ, PISTELLA, BATTISTO, D. W. SNYDER AND  
MERRY, APRIL 19, 1993

SENATOR RHOADES, EDUCATION, IN SENATE, AS AMENDED, JUNE 7, 1994

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," further providing for the retention  
6 of records and for loans of certain equipment relating to  
7 nonpublic school children; ~~and~~ providing for access to <—  
8 personnel files by boards of school directors; AND RENAMING <—  
9 THE THADDEUS STEVENS STATE SCHOOL OF TECHNOLOGY TO THE  
10 THADDEUS STEVENS STATE COLLEGE OF TECHNOLOGY.

11 The General Assembly of the Commonwealth of Pennsylvania  
12 hereby enacts as follows:

13 Section 1. Section 518 of the act of March 10, 1949 (P.L.30,  
14 No.14), known as the Public School Code of 1949, amended June  
15 17, 1982 (P.L.525, No.149), is amended to read:

16 Section 518. Retention of Records.--Every board of school  
17 directors shall retain as a permanent record of the district,  
18 the minute book, each annual auditor's report, and each annual  
19 financial report. All other financial records of the district,  
20 including financial account books, orders, bills, contracts,  
21 invoices, receipts, and purchase orders shall be retained by the

1 district for a period of not less than six years. Records may be  
2 retained as [photographed, microphotographed or microfilmed  
3 copies] recorded or copied in accordance with the act of January  
4 18, 1968 (1967 P.L.961, No.428), known as the "Municipal Records  
5 Act."

6 Section 2. The act is amended by adding a section to read:

7 Section 528. Access to Personnel Files.--The board of school  
8 directors shall at all times have right of access to the  
9 personnel files of all school district employees.

10 Section 3. The definitions of "instructional equipment" and  
11 "textbooks" in section 923-A(b) of the act, amended or added  
12 July 12, 1972 (P.L.863, No.195) and July 18, 1974 (P.L.475,  
13 No.169), are amended to read:

14 Section 923-A. Loan of Textbooks, Instructional Materials  
15 and Equipment, Nonpublic School Children.--\* \* \*

16 (b) Definitions. The following terms, whenever used or  
17 referred to in this section, shall have the following meanings,  
18 except in those circumstances where the context clearly  
19 indicates otherwise:

20 "Instructional equipment" means instructional equipment,  
21 other than fixtures annexed to and forming part of the real  
22 estate, which is suitable for and to be used by children and/or  
23 teachers. The term includes but is not limited to projection  
24 equipment, recording equipment, satellite dishes and all  
25 essential components for the reception and telecast of satellite  
26 transmission, laboratory equipment, and any other educational  
27 secular, neutral, non-ideological equipment as may be of benefit  
28 to the instruction of nonpublic school children and are  
29 presently or hereafter provided for public school children of  
30 the Commonwealth.

1       \* \* \*

2       "Textbooks" means books, workbooks, including reusable and  
3 non-reusable workbooks, satellite dishes and all essential  
4 components for the reception and telecast of satellite  
5 transmission, and manuals, whether bound or in looseleaf form,  
6 intended for use as a principal source of study material for a  
7 given class or group of students, a copy of which is expected to  
8 be available for the individual use of each pupil in such class  
9 or group. Such textbooks shall be textbooks which are acceptable  
10 for use in any public, elementary, or secondary school of the  
11 Commonwealth.

12       \* \* \*

13       SECTION 4. SECTIONS 1902-B, 1903-B, 1904-B, 1906-B, 1907-B, <—  
14 1910-B, 1911-B, 1912-B AND 1913-B OF THE ACT, ADDED DECEMBER 19,  
15 1990 (P.L.1362, NO.211), ARE AMENDED TO READ:

16       SECTION 1902-B. LEGISLATIVE INTENT.--IT IS THE INTENT OF THE  
17 GENERAL ASSEMBLY TO PROVIDE FOR THE CONTINUED EXISTENCE,  
18 OPERATION AND ADMINISTRATION OF THE THADDEUS STEVENS STATE  
19 [SCHOOL] COLLEGE OF TECHNOLOGY.

20       SECTION 1903-B. AUTHORIZATION TO CONTINUE SCHOOL  
21 OPERATIONS.--THE INSTITUTION KNOWN AS THE THADDEUS STEVENS STATE  
22 [SCHOOL] COLLEGE OF TECHNOLOGY, ESTABLISHED AND OPERATED  
23 PURSUANT TO THE REPEALED PROVISIONS OF THE ACT OF MAY 11, 1905  
24 (P.L.518, NO.429), IS HEREBY AUTHORIZED TO CONTINUE OPERATIONS  
25 AND TO RECEIVE ANY STATE FUNDS OR AID TO WHICH IT MAY BE  
26 ENTITLED. ALL LAWFUL ACTIONS AND EXPENDITURES MADE BY SAID  
27 INSTITUTION BETWEEN OCTOBER 4, 1978, AND THE EFFECTIVE DATE OF  
28 THIS ACT ARE HEREBY RATIFIED AND APPROVED BY THE GENERAL  
29 ASSEMBLY.

30       SECTION 1904-B. SCHOOL PURPOSES.--(A) THE THADDEUS STEVENS

1 STATE [SCHOOL] COLLEGE OF TECHNOLOGY, LOCATED IN LANCASTER,  
2 PENNSYLVANIA, SHALL CONTINUE TO PROVIDE FOR THE POSTSECONDARY  
3 EDUCATION AND TRAINING OF INDIGENT ORPHANS.

4 (B) IF A SUFFICIENT NUMBER OF INDIGENT ORPHANS QUALIFIED FOR  
5 ADMISSION PURSUANT TO SCHOOL STANDARDS FAIL TO APPLY, THEN THE  
6 BOARD OF TRUSTEES OF THIS CORPORATION MAY ADMIT FIRST OTHER  
7 DESERVING PERSONS AND, THEREAFTER, ORPHANS WHO MAY NOT BE  
8 INDIGENT, AS THE TRUSTEES IN THEIR BEST JUDGMENT MAY THINK  
9 PROPER.

10 (C) THOSE SHALL BE DEEMED ORPHANS WHO HAVE LOST EITHER  
11 PARENT.

12 SECTION 1906-B. BOARD OF TRUSTEES.--THE BOARD OF TRUSTEES  
13 SHALL CONSIST OF NINE MEMBERS, WHO SHALL SERVE WITHOUT  
14 COMPENSATION AND BE APPOINTED BY THE GOVERNOR BY AND WITH THE  
15 ADVICE AND CONSENT OF THE SENATE. SAID TRUSTEES SHALL BE A BODY  
16 POLITIC OR CORPORATE OF THE NAME OF THE THADDEUS STEVENS STATE  
17 [SCHOOL] COLLEGE OF TECHNOLOGY. THEY SHALL, UNDER SECTION 1311  
18 OF THE ACT OF APRIL 9, 1929 (P.L.177, NO.175), KNOWN AS "THE  
19 ADMINISTRATIVE CODE OF 1929," HAVE GENERAL DIRECTION AND CONTROL  
20 OF THE PROPERTY AND MANAGEMENT OF THE INSTITUTION, DEVELOP BROAD  
21 INSTITUTIONAL POLICY AND MAKE ALL NECESSARY BYLAWS AND  
22 REGULATIONS, NOT INCONSISTENT WITH EITHER THE PROVISIONS OF THE  
23 CONSTITUTION, LAWS OF THE COMMONWEALTH OR RULES AND REGULATIONS  
24 OF THE STATE BOARD OF EDUCATION. OF THE TRUSTEES FIRST  
25 APPOINTED, THREE SHALL SERVE FOR ONE YEAR, THREE FOR TWO YEARS  
26 AND THREE FOR THREE YEARS, AND, AT THE EXPIRATION OF THE  
27 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

1 APPOINTMENT AS AFORESAID, FOR THE UNEXPIRED TERM OF SAID  
2 TRUSTEE. THE SECRETARY OF EDUCATION SHALL BE EX OFFICIO MEMBER  
3 OF THE BOARD OF TRUSTEES.

4 SECTION 1907-B. PRESIDENT OF SCHOOL.--THE CHIEF  
5 ADMINISTRATOR AND ACADEMIC OFFICER OF THE THADDEUS STEVENS STATE  
6 [SCHOOL] COLLEGE OF TECHNOLOGY SHALL BE THE PRESIDENT WHOSE  
7 DUTIES SHALL BE DEFINED BY THE BOARD OF TRUSTEES AND APPROVED BY  
8 THE SECRETARY OF EDUCATION.

9 SECTION 1910-B. RIGHTS OF FACULTY AND STAFF.--EXCEPT AS  
10 OTHERWISE PROVIDED BY LAW, FACULTY EMPLOYED IN THE THADDEUS  
11 STEVENS STATE [SCHOOL] COLLEGE OF TECHNOLOGY SHALL CONTINUE TO  
12 ENJOY THE SAME RIGHTS AND PRIVILEGES AS PROVIDED ON JUNE 30,  
13 1990. NOTHING CONTAINED HEREIN SHALL SUPERSEDE OR PREEMPT ANY  
14 PROVISIONS OF A COLLECTIVE BARGAINING AGREEMENT NEGOTIATED  
15 BETWEEN THE COMMONWEALTH AND AN EXCLUSIVE REPRESENTATIVE OF THE  
16 EMPLOYEES IN ACCORDANCE WITH THE ACT OF JULY 23, 1970 (P.L.563,  
17 NO.195), KNOWN AS THE "PUBLIC EMPLOYEE RELATIONS ACT." IN NO  
18 EVENT SHALL THE FACULTY BE CONSIDERED TO BE IN THE CLASSIFIED  
19 SERVICE, AS DEFINED BY THE ACT OF AUGUST 5, 1941 (P.L.752,  
20 NO.286), KNOWN AS THE "CIVIL SERVICE ACT."

21 SECTION 1911-B. VISITATION PRIVILEGES.--THE GOVERNOR,  
22 SECRETARY OF EDUCATION, JUDGES OF THE SEVERAL COURTS OF THE  
23 COMMONWEALTH AND SENATORS AND REPRESENTATIVES OF THE GENERAL  
24 ASSEMBLY SHALL BE EX OFFICIO VISITORS OF SAID INSTITUTION, AND  
25 IT SHALL BE SUBJECT TO INSPECTION BY THE DEPARTMENT OF  
26 EDUCATION, AND AN ANNUAL REPORT OF THE CONDUCT AND MANAGEMENT OF  
27 THE SCHOOL SHALL BE MADE BY THE PRESIDENT OF THE THADDEUS  
28 STEVENS STATE [SCHOOL] COLLEGE OF TECHNOLOGY TO THE GENERAL  
29 ASSEMBLY AND THE SECRETARY OF EDUCATION.

30 SECTION 1912-B. PRIOR REFERENCES.--WHENEVER, IN ANY LAW,

1 REFERENCE IS MADE TO THE THADDEUS STEVENS INDUSTRIAL AND REFORM  
2 SCHOOL OF PENNSYLVANIA OR THE THADDEUS STEVENS TRADE SCHOOL, IT  
3 SHALL BE DEEMED TO REFER TO AND INCLUDE THE THADDEUS STEVENS  
4 STATE [SCHOOL] COLLEGE OF TECHNOLOGY.

5 SECTION 1913-B. ACQUISITION AND DISPOSITION OF PROPERTY.--  
6 THE TRUSTEES OF THADDEUS STEVENS STATE [SCHOOL] COLLEGE OF  
7 TECHNOLOGY SHALL HAVE THE AUTHORITY TO ACQUIRE AND RETAIN ANY  
8 PROPERTY, REAL, PERSONAL OR MIXED, TANGIBLE OR INTANGIBLE,  
9 NECESSARY OR DESIRABLE FOR CARRYING OUT THE PURPOSES OF THE  
10 SCHOOL, AND TO SELL, TRANSFER AND DISPOSE OF ANY PROPERTY, REAL,  
11 PERSONAL OR MIXED, TANGIBLE OR INTANGIBLE, OR ANY INTEREST  
12 THEREIN AT ANY TIME ACQUIRED BY IT AND TO TAKE, DEMAND, RECEIVE  
13 AND POSSESS ALL MONEYS, REAL PROPERTY AND GOODS WHICH SHALL BE  
14 APPROPRIATED, GIVEN OR GRANTED TO AND FOR THE USE OF THE SCHOOL  
15 AND TO APPLY THE SAME ACCORDING TO THE WILL OF THE DONORS; AND,  
16 BY GIFT, PURCHASE OR DEVISE, TO RECEIVE, POSSESS, ENJOY AND  
17 RETAIN FOREVER ANY AND ALL REAL AND PERSONAL ESTATE AND FUNDS,  
18 OF WHATSOEVER KIND, NATURE OR QUALITY THE SAME MAY BE, IN  
19 SPECIAL TRUST AND CONFIDENCE THAT THE SAME, AND THE PROFITS  
20 THEREOF, SHALL BE APPLIED TO AND FOR THE USE AND PURPOSE OF  
21 ENDOWING THE SCHOOL, AND SHALL HAVE POWER TO RECEIVE DONATIONS  
22 FROM ANY SOURCE WHATEVER, TO BE EXCLUSIVELY DEVOTED TO THE  
23 PURPOSES OF THE SCHOOL OR ACCORDING TO THE TERMS OF DONATION.

24 Section 4 5. This act shall take effect immediately.

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