

## THE GENERAL ASSEMBLY OF PENNSYLVANIA

## SENATE BILL

No. 227 Session of  
2017

INTRODUCED BY EICHELBERGER, VULAKOVICH, SCAVELLO, FOLMER, WHITE,  
RAFFERTY, SCARNATI, RESCHENTHALER, MENSCH, STEFANO AND  
DINNIMAN, JANUARY 26, 2017

AS RE-REPORTED FROM COMMITTEE ON APPROPRIATIONS, HOUSE OF  
REPRESENTATIVES, AS AMENDED, JULY 10, 2017

## 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," IN PRELIMINARY PROVISIONS, FURTHER <--  
6 PROVIDING FOR KEYSTONE EXAMS AND PROVIDING FOR EVERY STUDENT  
7 SUCCEEDS ACT STATE PLAN REVIEW; IN SCHOOL DIRECTORS,  
8 PROVIDING FOR SCHOOL DIRECTOR TRAINING PROGRAMS; IN SCHOOL,  
9 DISTRICT FINANCIAL RECOVERY, FURTHER PROVIDING FOR ADDITIONAL  
10 CRITERIA AND PROVIDING FOR FINANCIAL ADMINISTRATOR IN  
11 FINANCIAL WATCH SCHOOL DISTRICT; IN GROUNDS AND BUILDINGS,  
12 FURTHER PROVIDING FOR LIMITATION ON NEW APPLICATIONS FOR  
13 DEPARTMENT OF EDUCATION APPROVAL OF PUBLIC SCHOOL BUILDING  
14 PROJECTS; in district superintendents and assistant district  
15 superintendents, further providing for REPORTS, FOR manner of <--  
16 election or approval and for term and salary of assistants; <--  
17 IN PROFESSIONAL EMPLOYEES, FURTHER PROVIDING FOR CAUSES FOR  
18 SUSPENSION, FOR PERSONS TO BE SUSPENDED AND FOR APPEALS TO  
19 SUPERINTENDENT OF PUBLIC INSTRUCTION; IN CERTIFICATION OF  
20 TEACHERS, FURTHER PROVIDING FOR GRANTING PROVISIONAL COLLEGE  
21 CERTIFICATES AND FOR EVALUATION OF APPLICANTS FOR  
22 CERTIFICATION; IN PUPILS AND ATTENDANCE, FURTHER PROVIDING  
23 FOR NONPROFIT SCHOOL FOOD PROGRAM; IN DRUG AND ALCOHOL  
24 RECOVERY HIGH SCHOOL PILOT PROGRAM, FURTHER PROVIDING FOR  
25 ESTABLISHMENT OF DRUG AND ALCOHOL RECOVERY HIGH SCHOOL PILOT  
26 PROGRAM, FOR SCOPE OF PROGRAM AND SELECTION OF STUDENTS, FOR  
27 ESTABLISHMENT AND PAYMENT OF TUITION, FOR TERM OF DRUG AND  
28 ALCOHOL RECOVERY HIGH SCHOOL PILOT PROGRAM AND FOR REPORTING;  
29 IN TERMS AND COURSES OF STUDY, FURTHER PROVIDING FOR ALCOHOL,  
30 CHEMICAL AND TOBACCO ABUSE PROGRAM AND FOR AGRICULTURAL  
31 EDUCATION AND PROVIDING FOR COMMISSION FOR AGRICULTURAL

1 EDUCATION EXCELLENCE; IN COMMUNITY COLLEGES, FURTHER  
2 PROVIDING FOR FINANCIAL PROGRAM AND REIMBURSEMENT OF PAYMENTS  
3 AND REPEALING PROVISIONS RELATING TO ANNUAL REPORT; IN RURAL  
4 REGIONAL COLLEGE FOR UNDERSERVED COUNTIES, FURTHER PROVIDING  
5 FOR ESTABLISHMENT; IN EDUCATIONAL TAX CREDITS, FURTHER  
6 PROVIDING FOR LIMITATIONS; IN TRANSFERS OF CREDITS BETWEEN  
7 INSTITUTIONS OF HIGHER EDUCATION, FURTHER PROVIDING FOR  
8 DEFINITIONS, FOR DUTIES OF PUBLIC INSTITUTIONS OF HIGHER  
9 EDUCATION AND FOR TRANSFER AND ARTICULATION OVERSIGHT  
10 COMMITTEE; IN FUNDING FOR PUBLIC LIBRARIES, PROVIDING FOR  
11 STATE AID FOR FISCAL YEAR 2017-2018; IN REIMBURSEMENTS BY  
12 COMMONWEALTH AND BETWEEN SCHOOL DISTRICTS, FURTHER PROVIDING  
13 FOR STUDENT-WEIGHTED BASIC EDUCATION FUNDING, FOR PAYMENTS TO  
14 INTERMEDIATE UNITS, FOR ASSISTANCE TO SCHOOL DISTRICTS  
15 DECLARED TO BE IN FINANCIAL RECOVERY STATUS OR IDENTIFIED FOR  
16 FINANCIAL WATCH STATUS AND FOR READY-TO-LEARN BLOCK GRANT; IN  
17 THE STATE BOARD OF EDUCATION, FURTHER PROVIDING FOR POWERS  
18 AND DUTIES OF THE BOARD; FURTHER PROVIDING FOR THE  
19 APPLICABILITY OF ACT 2016-138; AND MAKING RELATED REPEALS.

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

22 ~~Section 1. Sections 1073(b) and 1077(b) of the act of March <--~~  
23 ~~10, 1949 (P.L.30, No.14), known as the Public School Code of~~  
24 ~~1949, are amended to read:~~

25 SECTION 1. SECTION 121(B) (1) OF THE ACT OF MARCH 10, 1949 <--  
26 (P.L.30, NO.14), KNOWN AS THE PUBLIC SCHOOL CODE OF 1949,  
27 AMENDED FEBRUARY 3, 2016 (P.L.1, NO.1), IS AMENDED TO READ:

28 SECTION 121. KEYSTONE EXAMS.--\* \* \*

29 (B) THE FOLLOWING SHALL APPLY:

30 (1) NOTWITHSTANDING SECTION 2604-B(B) (2) (V), 22 PA. CODE §  
31 4.24 (RELATING TO HIGH SCHOOL GRADUATION REQUIREMENTS), 4.51  
32 (RELATING TO STATE ASSESSMENT SYSTEM) OR 4.51C (RELATING TO  
33 PROJECT-BASED ASSESSMENT) OR ANY STATUTE OR REGULATION TO THE  
34 CONTRARY, THE USE OF THE KEYSTONE EXAMS AS A GRADUATION  
35 REQUIREMENT OR AS A BENCHMARK FOR THE NEED FOR PARTICIPATION IN  
36 A PROJECT-BASED ASSESSMENT SHALL BE DELAYED UNTIL THE [2018-  
37 2019] 2019-2020 SCHOOL YEAR.

38 \* \* \*

39 SECTION 2. THE ACT IS AMENDED BY ADDING SECTIONS TO READ:

1 SECTION 126. EVERY STUDENT SUCCEEDS ACT STATE PLAN REVIEW.--

2 (A) A NEW STATE PLAN SHALL BE DEVELOPED BY THE DEPARTMENT UNDER  
3 SECTION 1111 OF THE ELEMENTARY AND SECONDARY EDUCATION ACT OF  
4 1965 (PUBLIC LAW 89-110, 20 U.S.C. § 6311), AS AMENDED BY THE  
5 EVERY STUDENT SUCCEEDS ACT (PUBLIC LAW 114-95, 129 STAT. 1802)  
6 AND SUBMITTED TO THE GENERAL ASSEMBLY AS FOLLOWS:

7 (1) THE DEPARTMENT SHALL DEVELOP THE STATE PLAN WITH TIMELY  
8 AND MEANINGFUL CONSULTATION WITH THE CHAIR AND MINORITY CHAIR OF  
9 THE EDUCATION COMMITTEE OF THE SENATE AND THE CHAIR AND MINORITY  
10 CHAIR OF THE EDUCATION COMMITTEE OF THE HOUSE OF  
11 REPRESENTATIVES, WITH OPPORTUNITY FOR INPUT INTO THE PLAN'S  
12 FORMATION. CONSULTATION SHALL OCCUR WITH REGARD TO THE  
13 INITIATIVES THAT ARE NEWLY CREATED OR THAT RETAIN OR MODIFY  
14 EXISTING LAW, REGULATION OR DEPARTMENT POLICY OR DIRECTIVE WITH  
15 REGARD TO THE FOLLOWING:

16 (I) THE USE AND FORMAT OF STUDENT ACADEMIC ASSESSMENTS,  
17 ADJUSTMENTS OR ALTERNATIVES TO EXISTING STUDENT ACADEMIC  
18 ASSESSMENTS.

19 (II) ONGOING PARENTAL INVOLVEMENT IN ASSESSMENT AND  
20 ACCOUNTABILITY MEASURES.

21 (III) TEACHER EVALUATION AND ACCOUNTABILITY.

22 (IV) LOW-PERFORMING SCHOOL ASSESSMENT AND IMPROVEMENT.

23 (V) VOCATIONAL AND CAREER EDUCATION ACADEMIC ASSESSMENTS,  
24 PATHWAYS AND STANDARDS.

25 (VI) COMPARABILITY AND FAIRNESS IN ASSESSMENTS OF SCHOOL  
26 DISTRICTS, INTERMEDIATE UNITS, AREA VOCATIONAL-TECHNICAL  
27 SCHOOLS, CHARTER SCHOOLS AND CYBER CHARTER SCHOOLS.

28 (VII) SCHOOL DISTRICT OR SCHOOL BUILDING PERFORMANCE  
29 MEASURES.

30 (VIII) CONTRACTING STANDARDS WITH REGARD TO A THIRD-PARTY

1 PROVISION OF THE ASSESSMENTS OR EVALUATIONS PROVIDED FOR IN THE  
2 STATE PLAN.

3 (2) THE DEPARTMENT SHALL NOT SUBMIT AN INITIAL STATE PLAN TO  
4 THE UNITED STATES SECRETARY OF EDUCATION UNTIL THE EDUCATION  
5 COMMITTEE OF THE SENATE AND THE EDUCATION COMMITTEE OF THE HOUSE  
6 OF REPRESENTATIVES HAVE BEEN PROVIDED AT LEAST FIFTEEN (15)  
7 DAYS, PRIOR TO THE DATE OF SUBMISSION, TO REVIEW AND COMMENT ON  
8 THE STATE PLAN. THE DEPARTMENT SHALL PRESENT THE INITIAL STATE  
9 PLAN AT A JOINT HEARING OF THE EDUCATION COMMITTEE OF THE SENATE  
10 AND THE EDUCATION COMMITTEE OF THE HOUSE OF REPRESENTATIVES, IF  
11 REQUESTED.

12 (3) ANY FUTURE STATE PLAN SUBMISSIONS SHALL REQUIRE THE  
13 DEPARTMENT TO PRESENT THE DETAILS OF THE SUBMISSION AT A JOINT  
14 HEARING OF THE EDUCATION COMMITTEE OF THE SENATE AND THE  
15 EDUCATION COMMITTEE OF THE HOUSE OF REPRESENTATIVES, IF  
16 REQUESTED. THE DEPARTMENT SHALL PROVIDE THE COMMITTEES WITH AT  
17 LEAST FIFTEEN (15) DAYS TO REVIEW AND COMMENT ON THE STATE PLAN  
18 PRIOR TO ANY SUBMISSION.

19 (4) THE INITIAL STATE PLAN SUBMISSION AND ANY FUTURE  
20 SUBMISSIONS BY THE DEPARTMENT SHALL INCLUDE THE COMMENTS  
21 SUBMITTED BY THE EDUCATION COMMITTEE OF THE SENATE AND THE  
22 EDUCATION COMMITTEE OF THE HOUSE OF REPRESENTATIVES.

23 (5) THE DEPARTMENT SHALL REPORT ON A QUARTERLY BASIS TO THE  
24 EDUCATION COMMITTEE OF THE SENATE AND THE EDUCATION COMMITTEE OF  
25 THE HOUSE OF REPRESENTATIVES REGARDING THE PROGRESS TOWARD  
26 IMPLEMENTATION OF THE STATE PLAN AND ITS COMPONENTS.

27 (B) AS USED IN THIS SECTION, THE FOLLOWING WORDS AND PHRASES  
28 SHALL HAVE THE MEANINGS GIVEN TO THEM IN THIS SUBSECTION UNLESS  
29 THE CONTEXT CLEARLY INDICATES OTHERWISE:

30 "DEPARTMENT." THE DEPARTMENT OF EDUCATION OF THE

1 COMMONWEALTH.

2 "STATE PLAN." THE STATE PLAN PREPARED BY THE DEPARTMENT FOR  
3 THE COMMONWEALTH TO IMPLEMENT, AND SUBMITTED TO THE UNITED  
4 STATES SECRETARY OF EDUCATION FOR APPROVAL AS PROVIDED IN,  
5 SECTION 1111 OF THE ELEMENTARY AND SECONDARY EDUCATION ACT OF  
6 1965. THE TERM INCLUDES:

7 (1) A PROVISION WITHIN THE STATE PLAN THAT IS AN ELECTION BY  
8 THE DEPARTMENT TO RETAIN AND MODIFY AN EXISTING LAW OR  
9 REGULATION OR DEPARTMENT POLICY AND A PROVISION THAT WILL  
10 NECESSITATE THE ENACTMENT OF LAWS OR THE PROMULGATION OF  
11 REGULATIONS.

12 (2) A REVISION OF THE STATE PLAN WHICH IS:

13 (I) REQUIRED BY THE UNITED STATES SECRETARY OF EDUCATION  
14 BASED ON FEDERAL LAW OR ITS REGULATIONS;

15 (II) PURSUED UNDER A WAIVER PROCESS AUTHORIZED UNDER FEDERAL  
16 LAW; OR

17 (III) REQUIRED BY A FEDERAL REAUTHORIZATION.

18 SECTION 328. SCHOOL DIRECTOR TRAINING PROGRAMS.--(A)  
19 BEGINNING IN THE 2018-2019 SCHOOL YEAR AND IN EACH SCHOOL YEAR  
20 THEREAFTER, THE FOLLOWING SHALL APPLY:

21 (1) EACH NEWLY ELECTED OR APPOINTED SCHOOL DIRECTOR SHALL  
22 COMPLETE, DURING THE FIRST YEAR OF THE SCHOOL DIRECTOR'S FIRST  
23 TERM, A TRAINING PROGRAM MADE AVAILABLE BY THE DEPARTMENT OF  
24 EDUCATION, IN CONSULTATION WITH A STATEWIDE ORGANIZATION  
25 REPRESENTING SCHOOL DIRECTORS AND A STATEWIDE ORGANIZATION  
26 REPRESENTING SCHOOL BUSINESS OFFICIALS, PERTAINING TO THE SKILLS  
27 AND KNOWLEDGE NECESSARY TO SERVE AS A SCHOOL DIRECTOR. THE  
28 TRAINING PROGRAM SHALL CONSIST OF A MINIMUM OF FOUR (4) HOURS OF  
29 INSTRUCTION, INCLUDING, AT A MINIMUM, INFORMATION REGARDING THE  
30 FOLLOWING:

1 (I) INSTRUCTION AND ACADEMIC PROGRAMS.  
2 (II) PERSONNEL.  
3 (III) FISCAL MANAGEMENT.  
4 (IV) OPERATIONS.  
5 (V) GOVERNANCE.  
6 (VI) ETHICS AND OPEN MEETINGS, TO INCLUDE THE REQUIREMENTS  
7 UNDER 65 PA.C.S. PT. II (RELATING TO ACCOUNTABILITY).

8 (2) WITHIN ONE (1) YEAR AFTER EACH REELECTION OR  
9 REAPPOINTMENT TO THE BOARD OF SCHOOL DIRECTORS, EACH SCHOOL  
10 DIRECTOR SHALL COMPLETE AN ADVANCED TRAINING PROGRAM MADE  
11 AVAILABLE BY THE DEPARTMENT OF EDUCATION IN CONSULTATION WITH A  
12 STATEWIDE ORGANIZATION REPRESENTING SCHOOL DIRECTORS AND A  
13 STATEWIDE ORGANIZATION REPRESENTING SCHOOL BUSINESS OFFICIALS.  
14 THE ADVANCED TRAINING PROGRAM SHALL CONSIST OF A MINIMUM OF TWO  
15 (2) HOURS OF INSTRUCTION, INCLUDING INFORMATION ON RELEVANT  
16 CHANGES TO FEDERAL AND STATE PUBLIC SCHOOL LAW AND REGULATIONS,  
17 FISCAL MANAGEMENT AND OTHER INFORMATION DEEMED APPROPRIATE BY  
18 THE DEPARTMENT OF EDUCATION TO ENABLE THE SCHOOL DIRECTOR TO  
19 SERVE EFFECTIVELY.

20 (3) THE TRAINING PROGRAMS REQUIRED UNDER THIS SUBSECTION  
21 SHALL BE MADE AVAILABLE BY THE DEPARTMENT OF EDUCATION AT NO  
22 COST TO SCHOOL DISTRICTS OR SCHOOL DIRECTORS. THE DEPARTMENT OF  
23 EDUCATION SHALL APPROVE ALTERNATIVE TRAINING PROGRAMS THAT  
24 FULFILL THE REQUIREMENTS OF THIS SUBSECTION WHICH MAY BE  
25 PROVIDED BY SCHOOL DISTRICTS, INTERMEDIATE UNITS, POSTSECONDARY  
26 INSTITUTIONS OR OTHER STATEWIDE EDUCATION ORGANIZATIONS. THE  
27 DEPARTMENT SHALL POST ON ITS PUBLICLY ACCESSIBLE INTERNET  
28 WEBSITE ALL ALTERNATIVE TRAINING PROGRAMS APPROVED UNDER THIS  
29 PARAGRAPH.

30 (4) THIS SUBSECTION SHALL APPLY TO MEMBERS OF A SCHOOL

1 REFORM COMMISSION ESTABLISHED UNDER SECTION 696, PROVIDED THAT  
2 THE TRAINING PROGRAMS PROVIDED TO MEMBERS OF A SCHOOL REFORM  
3 COMMISSION SHALL INCLUDE INFORMATION REGARDING SECTIONS 693 AND  
4 696 AND OTHER INFORMATION DEEMED APPROPRIATE TO ENABLE A MEMBER  
5 OF A SCHOOL REFORM COMMISSION TO SERVE EFFECTIVELY.

6 (B) BEGINNING IN THE 2018-2019 SCHOOL YEAR, AND IN EACH  
7 SCHOOL YEAR THEREAFTER, THE FOLLOWING SHALL APPLY:

8 (1) EACH NEWLY APPOINTED TRUSTEE OF A CHARTER SCHOOL ENTITY  
9 SHALL COMPLETE, WITHIN THE TRUSTEE'S FIRST YEAR OF SERVICE, A  
10 TRAINING PROGRAM MADE AVAILABLE BY THE DEPARTMENT OF EDUCATION,  
11 IN CONSULTATION WITH STATEWIDE ORGANIZATIONS REPRESENTING  
12 CHARTER SCHOOL ENTITIES, PERTAINING TO THE SKILLS AND KNOWLEDGE  
13 NECESSARY TO SERVE AS A CHARTER SCHOOL ENTITY TRUSTEE. THE  
14 TRAINING PROGRAM SHALL CONSIST OF A MINIMUM OF FOUR (4) HOURS OF  
15 INSTRUCTION, INCLUDING, AT A MINIMUM, THE INFORMATION LISTED IN  
16 SUBSECTION (A) (1) AND INFORMATION CONCERNING ARTICLE XVII-A.

17 (2) DURING THE FIFTH YEAR OF A TRUSTEE'S SERVICE ON THE  
18 BOARD OF TRUSTEES AND EVERY FOUR (4) YEARS THEREAFTER, EACH  
19 TRUSTEE SHALL COMPLETE AN ADVANCED TRAINING PROGRAM MADE  
20 AVAILABLE BY THE DEPARTMENT OF EDUCATION IN CONSULTATION WITH  
21 STATEWIDE ORGANIZATIONS REPRESENTING CHARTER SCHOOL ENTITIES.  
22 THE ADVANCED TRAINING PROGRAM SHALL CONSIST OF A MINIMUM OF TWO  
23 (2) HOURS OF INSTRUCTION, INCLUDING INFORMATION ON RELEVANT  
24 CHANGES TO FEDERAL AND STATE PUBLIC SCHOOL LAW AND REGULATIONS,  
25 INCLUDING ARTICLE XVII-A, FISCAL MANAGEMENT AND OTHER  
26 INFORMATION DEEMED APPROPRIATE BY THE DEPARTMENT OF EDUCATION TO  
27 ENABLE THE TRUSTEE TO SERVE EFFECTIVELY.

28 (3) THE TRAINING PROGRAMS REQUIRED UNDER THIS SUBSECTION  
29 SHALL BE MADE AVAILABLE BY THE DEPARTMENT OF EDUCATION AT NO  
30 COST TO CHARTER SCHOOL ENTITIES OR CHARTER SCHOOL ENTITY

1 TRUSTEES. THE DEPARTMENT OF EDUCATION SHALL APPROVE ALTERNATIVE  
2 TRAINING PROGRAMS THAT FULFILL THE REQUIREMENTS OF THIS  
3 SUBSECTION WHICH MAY BE PROVIDED BY CHARTER SCHOOL ENTITIES,  
4 SCHOOL DISTRICTS, INTERMEDIATE UNITS, POSTSECONDARY  
5 INSTITUTIONS, STATEWIDE ORGANIZATIONS REPRESENTING CHARTER  
6 SCHOOL ENTITIES OR OTHER STATEWIDE EDUCATION ORGANIZATIONS. THE  
7 DEPARTMENT SHALL POST ON ITS PUBLICLY ACCESSIBLE INTERNET  
8 WEBSITE ALL ALTERNATIVE TRAINING PROGRAMS APPROVED UNDER THIS  
9 PARAGRAPH.

10 (4) AS USED IN THIS SUBSECTION, THE TERM "CHARTER SCHOOL  
11 ENTITY" SHALL MEAN A CHARTER SCHOOL, REGIONAL CHARTER SCHOOL OR  
12 CYBER CHARTER SCHOOL.

13 (C) THE DEPARTMENT OF EDUCATION OR ANY OTHER ENTITY  
14 PROVIDING TRAINING PROGRAMS UNDER THIS SECTION SHALL EXAMINE  
15 OPTIONS FOR MAKING THE TRAINING PROGRAMS AVAILABLE THROUGH  
16 ONLINE OR OTHER DISTANCE LEARNING MEDIA OR THROUGH REGIONAL-  
17 BASED TRAINING.

18 SECTION 2.1. SECTION 694-A OF THE ACT, ADDED JULY 13, 2016  
19 (P.L.716, NO.86), IS AMENDED TO READ:  
20 SECTION 694-A. ADDITIONAL CRITERIA.

21 (A) NOTIFICATION TO SCHOOL DISTRICTS AND PLAN.--

22 (1) THE SECRETARY SHALL NOTIFY EACH SCHOOL DISTRICT THAT  
23 RECEIVES EDUCATIONAL ACCESS PROGRAM FUNDING THAT IS EQUAL TO  
24 OR GREATER THAN \$2,000,000 IN ANY ONE FISCAL YEAR, AND  
25 \$4,000,000 IN ANY ONE FISCAL YEAR BEGINNING WITH THE 2017-  
26 2018 FISCAL YEAR, THAT THE SCHOOL DISTRICT HAS BEEN  
27 IDENTIFIED FOR FINANCIAL WATCH STATUS.

28 (2) A SCHOOL DISTRICT IDENTIFIED FOR FINANCIAL WATCH  
29 STATUS UNDER THIS SUBSECTION SHALL RECEIVE TECHNICAL  
30 ASSISTANCE AS A FINANCIAL WATCH DISTRICT FROM THE DEPARTMENT



1 AS PROVIDED FOR IN SECTION 611-A(B) AND SHALL DEVELOP A PLAN  
2 TO IMPROVE THE SCHOOL DISTRICT'S FINANCES BASED ON THE  
3 TECHNICAL ASSISTANCE PROVIDED BY THE DEPARTMENT FOR APPROVAL  
4 BY THE SECRETARY. THE PLAN SHALL BE SUBMITTED TO THE  
5 SECRETARY NO LATER THAN 180 DAYS AFTER THE SCHOOL DISTRICT  
6 HAS BEEN IDENTIFIED FOR FINANCIAL WATCH STATUS UNDER THIS  
7 SUBSECTION.

8 (3) EACH YEAR AFTER THE INITIAL SUBMISSION OF THE PLAN,  
9 UNTIL THE SECRETARY DETERMINES OTHERWISE, A SCHOOL DISTRICT  
10 SUBJECT TO THIS SUBSECTION SHALL SUBMIT A REPORT TO THE  
11 SECRETARY OUTLINING THE STATUS OF THE SCHOOL DISTRICT'S PLAN,  
12 MEET WITH THE SECRETARY OR A DESIGNEE OF THE SECRETARY TO  
13 REVIEW THE REPORT AND THE STATUS OF THE SCHOOL DISTRICT'S  
14 FINANCES AND HOLD AN ANNUAL PUBLIC HEARING REGARDING THE  
15 PLAN.

16 (B) PUBLICATION OF PLAN.--A COPY OF THE SCHOOL DISTRICT'S  
17 APPROVED PLAN AND ANY SUBSEQUENT ANNUAL REPORTS TO THE SECRETARY  
18 SHALL BE POSTED ON THE PUBLICLY ACCESSIBLE INTERNET WEBSITE OF  
19 THE SCHOOL DISTRICT AND TRANSMITTED TO THE CHAIRPERSON AND  
20 MINORITY CHAIRPERSON OF THE APPROPRIATIONS COMMITTEE OF THE  
21 SENATE, THE CHAIRPERSON AND MINORITY CHAIRPERSON OF THE  
22 APPROPRIATIONS COMMITTEE OF THE HOUSE OF REPRESENTATIVES, THE  
23 CHAIRPERSON AND MINORITY CHAIRPERSON OF THE EDUCATION COMMITTEE  
24 OF THE SENATE AND THE CHAIRPERSON AND MINORITY CHAIRPERSON OF  
25 THE EDUCATION COMMITTEE OF THE HOUSE OF REPRESENTATIVES.

26 (C) NONAPPLICABILITY.--THE DUTY TO SUBMIT AN ANNUAL PLAN  
27 UNDER SUBSECTION (A) (2) AND (3) SHALL NOT APPLY TO A SCHOOL  
28 DISTRICT THAT HAS BEEN PLACED UNDER THE SUPERVISION OF A  
29 FINANCIAL ADMINISTRATOR UNDER SECTION 695-A.

30 SECTION 2.2. THE ACT IS AMENDED BY ADDING A SECTION TO READ:

1 SECTION 695-A. FINANCIAL ADMINISTRATOR IN FINANCIAL WATCH  
2 SCHOOL DISTRICT.

3 (A) APPOINTMENT OF FINANCIAL ADMINISTRATOR.--A SCHOOL  
4 DISTRICT THAT HAS BEEN IDENTIFIED FOR FINANCIAL WATCH STATUS  
5 UNDER SECTION 694-A AND, IN THE 2017-2018 FISCAL YEAR OR ANY  
6 FISCAL YEAR THEREAFTER, RECEIVES EDUCATIONAL ACCESS PROGRAM  
7 FUNDING SHALL BE PLACED UNDER THE SUPERVISION OF A FINANCIAL  
8 ADMINISTRATOR. THE FINANCIAL ADMINISTRATOR:

9 (1) SHALL BE APPOINTED BY THE GOVERNOR FROM A LIST OF AT  
10 LEAST THREE NAMES SUBMITTED BY THE PRESIDENT PRO TEMPORE OF  
11 THE SENATE WITHIN 30 DAYS OF THE EFFECTIVE DATE OF THIS  
12 SECTION.

13 (2) MUST POSSESS KNOWLEDGE AND EXPERIENCE IN SUCH AREAS  
14 AS BUSINESS ADMINISTRATION, BUDGET DEVELOPMENT OR FISCAL  
15 MANAGEMENT AND FACILITIES MANAGEMENT.

16 (3) SHALL BE CONSIDERED A COMMONWEALTH EMPLOYEE.

17 (4) SHALL BE PAID BY THE DEPARTMENT FOR ACTUAL AND  
18 NECESSARY EXPENSES INCURRED IN THE PERFORMANCE OF THE DUTIES  
19 AS A FINANCIAL ADMINISTRATOR AND A REASONABLE SALARY, AS  
20 DETERMINED BY THE SECRETARY.

21 (B) POWERS AND DUTIES OF THE FINANCIAL ADMINISTRATOR.--THE  
22 FINANCIAL ADMINISTRATOR SHALL:

23 (1) HAVE COMPLETE ACCESS TO THE SCHOOL DISTRICT FINANCES  
24 AND MAY ENGAGE AN INDEPENDENT AUDIT OF THE SCHOOL DISTRICT AT  
25 ANY TIME.

26 (2) UTILIZE THE EXPERTISE OF THE DEPARTMENT OR HIRE  
27 TECHNICAL STAFF AS NECESSARY TO ASSIST IN THE DEVELOPMENT OF  
28 THE FINANCIAL IMPROVEMENT PLAN.

29 (C) FINANCIAL IMPROVEMENT PLAN DEVELOPMENT.--THE FINANCIAL  
30 ADMINISTRATOR SHALL DEVELOP A FINANCIAL IMPROVEMENT PLAN IN

1 CONSULTATION WITH THE SECRETARY THAT INCLUDES:

2 (1) PERFORMANCE GOALS, BENCHMARKS AND TIMETABLES TO  
3 IMPROVE THE FINANCIAL PERFORMANCE AND ENSURE FISCAL SOLVENCY  
4 OF THE SCHOOL DISTRICT.

5 (2) CASH FLOW ANALYSIS.

6 (3) PROJECTIONS OF REVENUES AND EXPENDITURES FOR THE  
7 CURRENT YEAR AND NEXT FIVE YEARS, BOTH ASSUMING THE  
8 CONTINUATION OF PRESENT OPERATIONS AND AS IMPACTED BY  
9 MEASURES INCLUDED IN THE PLAN.

10 (4) ANNUAL TRAINING FOR MEMBERS OF THE BOARD OF SCHOOL  
11 DIRECTORS, TO INCLUDE NO LESS THAN 10 HOURS IN SCHOOL FINANCE  
12 AND POLICY PROVIDED BY A STATEWIDE ORGANIZATION SPECIALIZING  
13 IN SCHOOL FINANCE AND ADMINISTRATION AND APPROVED BY THE  
14 FINANCIAL ADMINISTRATOR.

15 (5) FACILITY MAINTENANCE AND IMPROVEMENT.

16 (D) FINANCIAL IMPROVEMENT PLAN REQUIREMENTS.--THE FINANCIAL  
17 ADMINISTRATOR SHALL REVIEW EXISTING SCHOOL POLICY AND PROCEDURE  
18 AND MAY REQUIRE CHANGES TO BE INCLUDED IN THE FINANCIAL  
19 IMPROVEMENT PLAN REGARDING:

20 (1) ACCOUNTING AND AUTOMATION PROCEDURES.

21 (2) PERMANENT STAFFING LEVELS.

22 (3) PERFORMANCE GOALS THAT ADMINISTRATIVE STAFF MUST  
23 MEET FOR CONTRACT RENEWAL.

24 (4) CHANGES IN SCHOOL DISTRICT POLICY.

25 (5) SALE, LEASE, CONVEYANCE, ASSIGNMENT OR DISPOSITION  
26 OF SCHOOL DISTRICT ASSETS.

27 (6) CONSOLIDATION OF EXISTING SCHOOL BUILDINGS, EXISTING  
28 NONINSTRUCTIONAL PROGRAMS OR OTHER SCHOOL DISTRICT SERVICES.

29 (7) GREATER USE OF INTERMEDIATE UNIT PROGRAMS.

30 (E) PLAN APPROVAL.--WHEN THE FINANCIAL ADMINISTRATOR

1 COMPLETES THE FINANCIAL IMPROVEMENT PLAN, THE FINANCIAL  
2 ADMINISTRATOR SHALL SUBMIT THE PLAN TO THE SECRETARY FOR  
3 APPROVAL AND PROVIDE A COPY TO THE BOARD OF SCHOOL DIRECTORS.  
4 WITHIN 45 DAYS OF SUBMISSION OF THE PLAN, THE SECRETARY SHALL  
5 APPROVE OR DISAPPROVE THE PLAN. IF THE SECRETARY DISAPPROVES THE  
6 PLAN, THE SECRETARY SHALL INCLUDE SUGGESTED REVISIONS TO THE  
7 PLAN THAT WILL ALLOW FOR THE PLAN TO BE RESUBMITTED AND  
8 APPROVED.

9 (F) REPORT OF FINAL FINANCIAL IMPROVEMENT PLAN.--WHEN THE  
10 FINANCIAL IMPROVEMENT PLAN IS APPROVED BY THE SECRETARY, THE  
11 FINANCIAL ADMINISTRATOR AND THE SECRETARY SHALL PRESENT THE PLAN  
12 TO THE BOARD OF SCHOOL DIRECTORS AT A PUBLIC MEETING AND  
13 TRANSMIT COPIES OF THE PLAN TO THE GOVERNOR AND THE CHAIR AND  
14 MINORITY CHAIR OF THE APPROPRIATIONS COMMITTEE OF THE SENATE,  
15 THE CHAIR AND MINORITY CHAIR OF THE EDUCATION COMMITTEE OF THE  
16 SENATE, THE CHAIR AND MINORITY CHAIR OF THE APPROPRIATIONS  
17 COMMITTEE OF THE HOUSE OF REPRESENTATIVES AND THE CHAIR AND  
18 MINORITY CHAIR OF THE EDUCATION COMMITTEE OF THE HOUSE OF  
19 REPRESENTATIVES. THE SCHOOL DISTRICT SHALL POST THE FINAL  
20 FINANCIAL IMPROVEMENT PLAN AND ANY SUBSEQUENT REVISION ON THE  
21 SCHOOL DISTRICT'S PUBLICLY ACCESSIBLE INTERNET WEBSITE.

22 (G) IMPLEMENTATION OF FINANCIAL IMPROVEMENT PLAN.--

23 (1) THE BOARD OF SCHOOL DIRECTORS SHALL REOPEN THE  
24 SCHOOL DISTRICT'S BUDGET AND REVISE ITS BUDGET AND OTHER  
25 POLICIES TO REFLECT THE FINANCIAL IMPROVEMENT PLAN. FUTURE  
26 BUDGETS AND POLICIES SHALL ADHERE TO THE FINANCIAL  
27 IMPROVEMENT PLAN AS DETERMINED BY THE FINANCIAL  
28 ADMINISTRATOR.

29 (2) AT ANY TIME, THE FINANCIAL ADMINISTRATOR MAY MAKE  
30 REVISIONS TO THE PLAN AS NECESSARY WITH THE APPROVAL OF THE

1       SECRETARY.

2       (H) NONCOMPLIANCE WITH FINANCIAL IMPROVEMENT PLAN.--IF THE  
3 FINANCIAL ADMINISTRATOR AND THE SECRETARY DETERMINE THAT THE  
4 BOARD OF SCHOOL DIRECTORS HAS NOT COMPLIED WITH THE PROVISIONS  
5 OF THE PLAN, THE FINANCIAL ADMINISTRATOR SHALL ASSUME THE  
6 AUTHORITY OF THE BOARD OF SCHOOL DIRECTORS AND IMPLEMENT THE  
7 PROVISIONS OF THE FINANCIAL IMPROVEMENT PLAN IN CONSULTATION  
8 WITH THE SECRETARY.

9       (I) REMOVAL FROM FINANCIAL WATCH STATUS.--THE FINANCIAL  
10 ADMINISTRATOR, UPON CONSULTATION WITH THE SECRETARY, MAY REMOVE  
11 THE SCHOOL DISTRICT FROM FINANCIAL WATCH STATUS AND, AT THAT  
12 TIME, THE PROVISIONS OF THIS SECTION SHALL NO LONGER APPLY TO  
13 THE SCHOOL DISTRICT.

14       SECTION 3. SECTIONS 732.1(A), 1006, 1073(B), 1077(B), 1124,  
15 1125.1 AND 1131 OF THE ACT ARE AMENDED TO READ:

16       SECTION 732.1. LIMITATION ON NEW APPLICATIONS FOR DEPARTMENT  
17 OF EDUCATION APPROVAL OF PUBLIC SCHOOL BUILDING PROJECTS.--(A)  
18 FOR THE 2012-2013 FISCAL YEAR [AND THE], 2013-2014 FISCAL YEAR  
19 AND 2017-2018 FISCAL YEAR, THE DEPARTMENT OF EDUCATION SHALL NOT  
20 ACCEPT OR APPROVE NEW SCHOOL BUILDING CONSTRUCTION OR  
21 RECONSTRUCTION PROJECT APPLICATIONS. [COMPLETED SCHOOL BUILDING  
22 CONSTRUCTION OR RECONSTRUCTION PROJECT APPLICATIONS RECEIVED BY  
23 THE DEPARTMENT OF EDUCATION BY OCTOBER 1, 2012, ARE NOT SUBJECT  
24 TO THIS PROVISION.]

25       \* \* \*

26       SECTION 1006. REPORTS.--EVERY DISTRICT SUPERINTENDENT SHALL  
27 [ANNUALLY, ON OR BEFORE THE FIRST MONDAY OF AUGUST, FORWARD TO  
28 THE SUPERINTENDENT OF PUBLIC INSTRUCTION THE REPORTS OF THE  
29 SEVERAL SCHOOL DISTRICTS UNDER HIS SUPERVISION, AND SHALL  
30 ACCOMPANY THE SAME WITH SUCH EXTENDED REPORT OF THE PUBLIC

1 SCHOOLS UNDER HIS SUPERVISION AS HE MAY THINK PROPER, SUGGESTING  
2 SUCH IMPROVEMENTS OR CHANGES IN THE PUBLIC SCHOOL SYSTEM AS HE  
3 MAY SEE FIT TO SUGGEST. HE SHALL FURTHER] FURNISH TO THE  
4 [SUPERINTENDENT OF PUBLIC INSTRUCTION] SECRETARY OF EDUCATION,  
5 WHENEVER REQUIRED SO TO DO, SUCH ADDITIONAL REPORTS AND  
6 INFORMATION AS THE [SUPERINTENDENT OF PUBLIC INSTRUCTION]  
7 SECRETARY OF EDUCATION MAY REQUEST.

8 Section 1073. Manner of Election or Approval.--\* \* \*

9 (b) At a [regular] public meeting of the board of school  
10 directors occurring at least [one hundred fifty (150)] ninety  
11 (90) days prior to the expiration date of the term of office of  
12 the district superintendent, the agenda shall include an item  
13 requiring affirmative action by five or more members of the  
14 board of school directors to notify the district superintendent  
15 that the board intends to retain him for a further term of three  
16 (3) to five (5) years or that another or other candidates will  
17 be considered for the office. In the event that the board fails  
18 to take such action at a [regular] public meeting of the board  
19 of school directors occurring at least [one hundred fifty (150)]  
20 ninety (90) days prior to the expiration date of the term of  
21 office of the district superintendent, [he shall continue in  
22 office for a further term of similar length to that] the term of  
23 office which he is currently serving[.] shall be extended for <--  
24 one (1) year. ONE TIME FOR A ONE-YEAR PERIOD, UPON THE <--  
25 CONCLUSION OF WHICH THE TERM OF OFFICE SHALL TERMINATE UNLESS  
26 THE BOARD HAS TAKEN ACTION PRIOR TO THE END OF THE ONE-YEAR  
27 EXTENSION TO RETAIN THE DISTRICT SUPERINTENDENT FOR A FURTHER  
28 TERM AS PROVIDED IN THIS SUBSECTION. The notification shall not  
29 prevent the superintendent from being considered for or  
30 appointed to a further term of office notwithstanding the

1 consideration of other candidates.

2 \* \* \*

3 Section 1077. Term and Salary of Assistants.--\* \* \*

4 (b) At a [regular] public meeting of the board of school  
5 directors occurring at least [one hundred fifty (150)] ninety  
6 (90) days prior to the expiration date of the term of office of  
7 the assistant district superintendent, the agenda shall include  
8 an item requiring affirmative action by five (5) or more members  
9 of the board of school directors to notify the assistant  
10 district superintendent that the board intends to retain him for  
11 a further term extending through the term of the school district  
12 superintendent or of three (3) to five (5) years or instead that  
13 another or other candidates will be considered for the office.  
14 In the event that the board fails to take such action at a  
15 [regular] public meeting of the board of school directors  
16 occurring at least [one hundred fifty (150)] ninety (90) days  
17 prior to the expiration date of the term of office of the  
18 assistant district superintendent, [he shall continue in office  
19 for a further term of similar length to that] the term of office  
20 which he is currently serving[.] shall be extended for one (1) <--  
21 year. ONE TIME FOR A ONE-YEAR PERIOD, UPON THE CONCLUSION OF <--  
22 WHICH THE TERM OF OFFICE SHALL TERMINATE UNLESS THE BOARD HAS  
23 TAKEN ACTION PRIOR TO THE END OF THE ONE-YEAR EXTENSION TO  
24 RETAIN THE ASSISTANT DISTRICT SUPERINTENDENT FOR A FURTHER TERM  
25 AS PROVIDED IN THIS SUBSECTION. The notification shall not  
26 prevent the assistant district superintendent from being  
27 considered for or appointed to a further term of office  
28 notwithstanding the consideration of other candidates.

29 ~~Section 2. This act shall take effect in 60 days.~~ <--

30 SECTION 1124. CAUSES FOR SUSPENSION.--(A) ANY BOARD OF <--

1 SCHOOL DIRECTORS MAY SUSPEND THE NECESSARY NUMBER OF  
2 PROFESSIONAL EMPLOYES, FOR ANY OF THE CAUSES HEREINAFTER  
3 ENUMERATED:

4 (1) SUBSTANTIAL DECREASE IN PUPIL ENROLLMENT IN THE SCHOOL  
5 DISTRICT;

6 (2) CURTAILMENT OR ALTERATION OF THE EDUCATIONAL PROGRAM ON  
7 RECOMMENDATION OF THE SUPERINTENDENT AND ON CONCURRENCE BY THE  
8 BOARD OF SCHOOL DIRECTORS, AS A RESULT OF SUBSTANTIAL DECLINE IN  
9 CLASS OR COURSE ENROLLMENTS OR TO CONFORM WITH STANDARDS OF  
10 ORGANIZATION OR EDUCATIONAL ACTIVITIES REQUIRED BY LAW OR  
11 RECOMMENDED BY THE DEPARTMENT OF [PUBLIC INSTRUCTION] EDUCATION;

12 (3) CONSOLIDATION OF SCHOOLS, WHETHER WITHIN A SINGLE  
13 DISTRICT, THROUGH A MERGER OF DISTRICTS, OR AS A RESULT OF JOINT  
14 BOARD AGREEMENTS, WHEN SUCH CONSOLIDATION MAKES IT UNNECESSARY  
15 TO RETAIN THE FULL STAFF OF PROFESSIONAL EMPLOYES; [OR]

16 (4) WHEN NEW SCHOOL DISTRICTS ARE ESTABLISHED AS THE RESULT  
17 OF REORGANIZATION OF SCHOOL DISTRICTS PURSUANT TO ARTICLE II.,  
18 SUBDIVISION (I) OF THIS ACT, AND WHEN SUCH REORGANIZATION MAKES  
19 IT UNNECESSARY TO RETAIN THE FULL STAFF OF PROFESSIONAL  
20 EMPLOYES[.]; OR

21 (5) ECONOMIC REASONS THAT REQUIRE A REDUCTION IN  
22 PROFESSIONAL EMPLOYES.

23 (A.1) (1) A SCHOOL DISTRICT MAY NOT USE AN EMPLOYEE'S  
24 COMPENSATION IN DETERMINING WHICH PROFESSIONAL EMPLOYES TO  
25 SUSPEND, BUT SHALL USE THE PROCEDURES IN SECTION 1125.1 TO  
26 DETERMINE THE ORDER IN WHICH PROFESSIONAL EMPLOYES ARE  
27 SUSPENDED.

28 (2) A CHIEF SCHOOL ADMINISTRATOR OR OTHER ADMINISTRATOR WHO  
29 KNOWINGLY APPROVES A SUSPENSION THAT VIOLATES PARAGRAPH (1)  
30 SHALL HAVE A LETTER FROM THE SECRETARY OF EDUCATION INDICATING



1 THE VIOLATION INCLUDED AS PART OF THE INDIVIDUAL'S PERMANENT  
2 EMPLOYMENT RECORD.

3 (B) NOTWITHSTANDING AN EXISTING OR FUTURE PROVISION IN A  
4 COLLECTIVE BARGAINING AGREEMENT OR OTHER SIMILAR EMPLOYMENT  
5 CONTRACT TO THE CONTRARY, SUSPENSION OF A PROFESSIONAL EMPLOYEE  
6 DUE TO THE CURTAILMENT OR ALTERATION OF THE EDUCATIONAL PROGRAM  
7 AS SET FORTH IN SUBSECTION (A) (2) MAY BE EFFECTUATED WITHOUT THE  
8 APPROVAL OF THE CURTAILMENT OR ALTERATION OF THE EDUCATIONAL  
9 PROGRAM BY THE DEPARTMENT OF EDUCATION, PROVIDED THAT, WHERE AN  
10 EDUCATIONAL PROGRAM IS ALTERED OR CURTAILED AS SET FORTH IN  
11 SUBSECTION (A) (2), THE SCHOOL DISTRICT SHALL NOTIFY THE  
12 DEPARTMENT OF EDUCATION OF THE ACTIONS TAKEN PURSUANT TO  
13 SUBSECTION (A) (2). THE DEPARTMENT OF EDUCATION SHALL POST ALL  
14 NOTIFICATIONS RECEIVED FROM A SCHOOL DISTRICT PURSUANT TO THIS  
15 SUBSECTION ON THE DEPARTMENT OF EDUCATION'S PUBLICLY ACCESSIBLE  
16 INTERNET WEBSITE.

17 (C) THE FOLLOWING SHALL APPLY IN THE CASE OF A SUSPENSION  
18 PURSUANT TO SUBSECTION (A) (5) IN WHICH A BOARD OF SCHOOL  
19 DIRECTORS SUSPENDS PROFESSIONAL EMPLOYEES WHO ARE ASSIGNED TO  
20 PROVIDE INSTRUCTION DIRECTLY TO STUDENTS:

21 (1) A BOARD OF SCHOOL DIRECTORS MAY SUSPEND THE NECESSARY  
22 NUMBER OF PROFESSIONAL EMPLOYEES ASSIGNED TO PROVIDE INSTRUCTION  
23 DIRECTLY TO STUDENTS ONLY IF THE BOARD OF SCHOOL DIRECTORS ALSO  
24 SUSPENDS AT LEAST AN EQUAL PERCENTAGE PROPORTION OF  
25 ADMINISTRATIVE STAFF.

26 (2) THE SECRETARY OF EDUCATION MAY GRANT A BOARD OF SCHOOL  
27 DIRECTORS A WAIVER OF PARAGRAPH (1) IF ALL OF THE FOLLOWING  
28 APPLY:

29 (I) THE SECRETARY OF EDUCATION DETERMINES THAT THE SCHOOL  
30 DISTRICT'S OPERATIONS ARE ALREADY SUFFICIENTLY STREAMLINED OR

1 THE SUSPENSION OF ADMINISTRATIVE STAFF PURSUANT TO PARAGRAPH (1)  
2 WOULD CAUSE HARM TO SCHOOL STABILITY AND STUDENT PROGRAMS.

3 (II) THE SECRETARY OF EDUCATION SUBMITS THE DETERMINATION TO  
4 THE STATE BOARD OF EDUCATION.

5 (III) THE STATE BOARD OF EDUCATION APPROVES THE  
6 DETERMINATION BY A MAJORITY OF ITS MEMBERS.

7 (3) ANY FIVE ADMINISTRATIVE STAFF POSITIONS SELECTED BY THE  
8 BOARD OF SCHOOL DIRECTORS, ONE OF WHOM SHALL BE THE BUSINESS  
9 MANAGER OF THE SCHOOL DISTRICT OR ANOTHER STAFF MEMBER WITH THE  
10 PRIMARY RESPONSIBILITY OF MANAGING THE BUSINESS OPERATIONS OF  
11 THE SCHOOL DISTRICT, SHALL BE EXEMPT FROM THE REQUIREMENTS OF  
12 PARAGRAPH (1).

13 (D) A BOARD OF SCHOOL DIRECTORS MAY SUSPEND PROFESSIONAL  
14 EMPLOYES PURSUANT TO SUBSECTION (A) (5) ONLY IF ALL OF THE  
15 FOLLOWING APPLY:

16 (1) THE BOARD OF SCHOOL DIRECTORS APPROVES THE PROPOSED  
17 SUSPENSIONS BY A MAJORITY VOTE OF ALL SCHOOL DIRECTORS AT A  
18 PUBLIC MEETING OF THE BOARD OF SCHOOL DIRECTORS.

19 (2) NO LATER THAN SIXTY (60) DAYS PRIOR TO THE DATE OF  
20 ADOPTION OF A FINAL BUDGET, THE BOARD OF SCHOOL DIRECTORS HAS  
21 ADOPTED A RESOLUTION OF INTENT TO SUSPEND PROFESSIONAL EMPLOYES  
22 IN THE FOLLOWING FISCAL YEAR, WHICH SHALL SET FORTH THE  
23 FOLLOWING:

24 (I) THE ECONOMIC CONDITIONS OF THE SCHOOL DISTRICT MAKING  
25 THE PROPOSED SUSPENSIONS NECESSARY AND HOW THOSE ECONOMIC  
26 CONDITIONS WILL BE ALLEVIATED BY THE PROPOSED SUSPENSIONS,  
27 INCLUDING:

28 (A) THE TOTAL COST SAVINGS EXPECTED TO RESULT FROM THE  
29 PROPOSED SUSPENSIONS.

30 (B) A DESCRIPTION OF OTHER COST-SAVING ACTIONS TAKEN BY THE

1 BOARD OF SCHOOL DIRECTORS, IF ANY.

2 (C) THE PROJECTED EXPENDITURES OF THE SCHOOL DISTRICT FOR  
3 THE FOLLOWING FISCAL YEAR WITH AND WITHOUT THE PROPOSED  
4 SUSPENSIONS.

5 (D) THE PROJECTED TOTAL REVENUES OF THE SCHOOL DISTRICT FOR  
6 THE FOLLOWING FISCAL YEAR.

7 (II) THE NUMBER AND PERCENTAGE OF EMPLOYES TO BE SUSPENDED  
8 WHO ARE PROFESSIONAL EMPLOYES ASSIGNED TO PROVIDE INSTRUCTION  
9 DIRECTLY TO STUDENTS.

10 (III) THE NUMBER AND PERCENTAGE OF EMPLOYES TO BE SUSPENDED  
11 WHO ARE ADMINISTRATIVE STAFF.

12 (IV) THE NUMBER AND PERCENTAGE OF EMPLOYES TO BE SUSPENDED  
13 WHO ARE PROFESSIONAL EMPLOYES WHO ARE NOT ASSIGNED TO PROVIDE  
14 INSTRUCTION DIRECTLY TO STUDENTS AND WHO ARE NOT ADMINISTRATIVE  
15 STAFF.

16 (V) THE IMPACT OF THE PROPOSED SUSPENSIONS ON ACADEMIC  
17 PROGRAMS TO BE OFFERED TO STUDENTS FOLLOWING THE PROPOSED  
18 SUSPENSIONS, AS WELL AS THE IMPACT ON ACADEMIC PROGRAMS TO BE  
19 OFFERED TO STUDENTS IF THE PROPOSED SUSPENSIONS ARE NOT  
20 UNDERTAKEN, COMPARED TO THE CURRENT SCHOOL YEAR, AND THE  
21 ACTIONS, IF ANY, THAT WILL BE TAKEN TO MINIMIZE THE IMPACT ON  
22 STUDENT ACHIEVEMENT.

23 (E) FOLLOWING THE 2021-2022 SCHOOL YEAR, THE LEGISLATIVE  
24 BUDGET AND FINANCE COMMITTEE SHALL CONDUCT A STUDY OF THE  
25 EFFECTIVENESS OF THE PROVISIONS OF SUBSECTIONS (A) (5), (C) AND  
26 (D) AND SECTION 1125.1, INCLUDING WHETHER THESE PROVISIONS OF  
27 LAW ARE BEING USED EFFECTIVELY BY SCHOOL DISTRICTS TO IMPROVE  
28 SCHOOL DISTRICT EFFICIENCY AND THE IMPACT OF THESE PROVISIONS ON  
29 PROGRAMS OFFERED TO STUDENTS, AS WELL AS THE IMPACT ON PROGRAMS  
30 THAT WOULD HAVE BEEN OFFERED TO STUDENTS IF THESE PROVISIONS HAD

1 NOT BEEN ENACTED, IF SUCH INFORMATION IS AVAILABLE, AND SHALL  
2 DELIVER A WRITTEN REPORT OF ITS FINDINGS TO THE GOVERNOR, THE  
3 CHAIRPERSON AND MINORITY CHAIRPERSON OF THE EDUCATION COMMITTEE  
4 OF THE SENATE AND THE CHAIRPERSON AND MINORITY CHAIRPERSON OF  
5 THE EDUCATION COMMITTEE OF THE HOUSE OF REPRESENTATIVES BY  
6 DECEMBER 31, 2022.

7 (F) (1) A COLLECTIVE BARGAINING AGREEMENT NEGOTIATED BY A  
8 SCHOOL DISTRICT AND AN EXCLUSIVE REPRESENTATIVE OF PROFESSIONAL  
9 EMPLOYES IN ACCORDANCE WITH THE ACT OF JULY 23, 1970 (P.L.563,  
10 NO.195), KNOWN AS THE "PUBLIC EMPLOYE RELATIONS ACT," AFTER THE  
11 EFFECTIVE DATE OF THIS SUBSECTION MAY NOT PROHIBIT THE  
12 SUSPENSION OF PROFESSIONAL EMPLOYES FOR ECONOMIC REASONS OTHER  
13 THAN AS PROVIDED FOR IN THIS SECTION.

14 (2) A PROVISION IN ANY AGREEMENT OR CONTRACT IN EFFECT ON  
15 THE EFFECTIVE DATE OF THIS SUBSECTION THAT PROHIBITS THE  
16 SUSPENSION OF PROFESSIONAL EMPLOYES FOR ECONOMIC REASONS IN  
17 CONFLICT WITH THIS SECTION SHALL BE DISCONTINUED IN ANY NEW OR  
18 RENEWED AGREEMENT OR CONTRACT OR DURING THE PERIOD OF STATUS QUO  
19 FOLLOWING AN EXPIRED CONTRACT.

20 SECTION 1125.1. PERSONS TO BE SUSPENDED.-- (A) PROFESSIONAL  
21 EMPLOYES SHALL BE SUSPENDED UNDER SECTION 1124 [(RELATING TO  
22 CAUSES FOR SUSPENSION) IN INVERSE ORDER OF SENIORITY WITHIN THE  
23 SCHOOL ENTITY OF CURRENT EMPLOYMENT. APPROVED LEAVES OF ABSENCE  
24 SHALL NOT CONSTITUTE A BREAK IN SERVICE FOR PURPOSES OF  
25 COMPUTING SENIORITY FOR SUSPENSION PURPOSES.] IN THE FOLLOWING  
26 ORDER, WITHIN THE AREA OF CERTIFICATION REQUIRED BY LAW FOR THE  
27 PROFESSIONAL EMPLOYEE'S CURRENT POSITION:

28 (1) EACH PROFESSIONAL EMPLOYEE WHO RECEIVED, ON THE  
29 PROFESSIONAL EMPLOYEE'S TWO MOST RECENT ANNUAL PERFORMANCE  
30 EVALUATIONS, CONSECUTIVE RATINGS THAT ARE CONSIDERED

1 UNSATISFACTORY PURSUANT TO SECTION 1123 SHALL BE SUSPENDED  
2 FIRST.

3 (2) AFTER SUSPENDING PROFESSIONAL EMPLOYEES UNDER PARAGRAPH  
4 (1), EACH PROFESSIONAL EMPLOYEE WHO RECEIVED, ON THE PROFESSIONAL  
5 EMPLOYEE'S TWO MOST RECENT ANNUAL PERFORMANCE EVALUATIONS, ONE  
6 RATING THAT IS CONSIDERED UNSATISFACTORY PURSUANT TO SECTION  
7 1123 AND ONE RATING THAT IS CONSIDERED SATISFACTORY PURSUANT TO  
8 SECTION 1123 SHALL BE SUSPENDED SECOND.

9 (3) AFTER SUSPENDING PROFESSIONAL EMPLOYEES PURSUANT TO  
10 PARAGRAPH (2), EACH PROFESSIONAL EMPLOYEE WHO RECEIVED, ON THE  
11 PROFESSIONAL EMPLOYEE'S TWO MOST RECENT ANNUAL PERFORMANCE  
12 EVALUATIONS, CONSECUTIVE RATINGS THAT ARE CONSIDERED  
13 SATISFACTORY PURSUANT TO SECTION 1123, AND THAT ARE EITHER  
14 CONSECUTIVE RATINGS OF "PROFICIENT" OR A COMBINATION OF ONE  
15 RATING OF "PROFICIENT" OR "DISTINGUISHED" AND ONE RATING OF  
16 "NEEDS IMPROVEMENT" PURSUANT TO SECTION 1123, SHALL BE SUSPENDED  
17 THIRD.

18 (4) AFTER SUSPENDING PROFESSIONAL EMPLOYEES PURSUANT TO  
19 PARAGRAPH (3), EACH PROFESSIONAL EMPLOYEE WHO RECEIVED, ON THE  
20 PROFESSIONAL EMPLOYEE'S TWO MOST RECENT ANNUAL PERFORMANCE  
21 EVALUATIONS, CONSECUTIVE RATINGS THAT ARE CONSIDERED  
22 SATISFACTORY PURSUANT TO SECTION 1123, AND WHICH ARE CONSECUTIVE  
23 RATINGS OF "DISTINGUISHED" OR A COMBINATION OF ONE RATING OF  
24 "PROFICIENT" AND ONE RATING OF "DISTINGUISHED" PURSUANT TO  
25 SECTION 1123, SHALL BE SUSPENDED LAST.

26 (A.1) WHEN MORE PROFESSIONAL EMPLOYEES RECEIVE THE SAME  
27 OVERALL PERFORMANCE RATING THAN THERE ARE SUSPENSIONS, SENIORITY  
28 WITHIN THE SCHOOL ENTITY AND WITHIN THE AREA OF CERTIFICATION  
29 REQUIRED BY LAW FOR THE PROFESSIONAL EMPLOYEE'S CURRENT POSITION  
30 SHALL BE USED TO DETERMINE SUSPENSIONS AMONG PROFESSIONAL

1 EMPLOYES WITH THE SAME OVERALL PERFORMANCE RATING ON THE  
2 PROFESSIONAL EMPLOYEE'S TWO MOST RECENT ANNUAL PERFORMANCE  
3 EVALUATIONS PURSUANT TO SECTION 1123. AN APPROVED LEAVE OF  
4 ABSENCE SHALL NOT CONSTITUTE A BREAK IN SERVICE FOR PURPOSES OF  
5 COMPUTING SENIORITY FOR SUSPENSION PURPOSES.

6 (A.2) SENIORITY SHALL CONTINUE TO ACCRUE DURING SUSPENSION  
7 AND ALL APPROVED LEAVES OF ABSENCE.

8 (B) WHERE THERE IS OR HAS BEEN A CONSOLIDATION OF SCHOOLS,  
9 DEPARTMENTS OR PROGRAMS, ALL PROFESSIONAL EMPLOYEES SHALL RETAIN  
10 THE SENIORITY RIGHTS THEY HAD PRIOR TO THE REORGANIZATION OR  
11 CONSOLIDATION.

12 [(C) A SCHOOL ENTITY SHALL REALIGN ITS PROFESSIONAL STAFF SO  
13 AS TO INSURE THAT MORE SENIOR EMPLOYEES ARE PROVIDED WITH THE  
14 OPPORTUNITY TO FILL POSITIONS FOR WHICH THEY ARE CERTIFICATED  
15 AND WHICH ARE BEING FILLED BY LESS SENIOR EMPLOYEES.]

16 (D) (1) NO SUSPENDED EMPLOYEE SHALL BE PREVENTED FROM  
17 ENGAGING IN ANOTHER OCCUPATION DURING THE PERIOD OF SUSPENSION.

18 (2) SUSPENDED PROFESSIONAL EMPLOYEES OR PROFESSIONAL EMPLOYEES  
19 DEMOTED FOR THE REASONS SET FORTH IN SECTION 1124 SHALL BE  
20 REINSTATED [ON THE BASIS OF THEIR SENIORITY WITHIN THE SCHOOL  
21 ENTITY.] IN THE FOLLOWING ORDER, WITHIN THE AREA OF  
22 CERTIFICATION REQUIRED BY LAW FOR THE VACANCY BEING FILLED AND  
23 WITHIN THE SCHOOL ENTITY:

24 (I) PROFESSIONAL EMPLOYEES SUSPENDED PURSUANT TO SUBSECTION  
25 (A) (4) SHALL BE REINSTATED FIRST, ON THE BASIS OF THEIR  
26 SENIORITY WITHIN THE SCHOOL ENTITY.

27 (II) AFTER REINSTATING PROFESSIONAL EMPLOYEES UNDER SUBCLAUSE  
28 (I), PROFESSIONAL EMPLOYEES SUSPENDED PURSUANT TO SUBSECTION (A)  
29 (3) SHALL BE REINSTATED SECOND, ON THE BASIS OF THEIR SENIORITY  
30 WITHIN THE SCHOOL ENTITY.

1 (III) AFTER REINSTATING PROFESSIONAL EMPLOYES UNDER  
2 SUBCLAUSE (II), PROFESSIONAL EMPLOYES SUSPENDED PURSUANT TO  
3 SUBSECTION (A) (2) SHALL BE REINSTATED THIRD, ON THE BASIS OF  
4 THEIR SENIORITY WITHIN THE SCHOOL ENTITY.

5 (IV) AFTER REINSTATING PROFESSIONAL EMPLOYES UNDER SUBCLAUSE  
6 (III), PROFESSIONAL EMPLOYES SUSPENDED PURSUANT TO SUBSECTION  
7 (A) (1) SHALL BE REINSTATED LAST, ON THE BASIS OF THEIR SENIORITY  
8 WITHIN THE SCHOOL ENTITY.

9 NO NEW APPOINTMENT SHALL BE MADE WHILE THERE IS SUCH A SUSPENDED  
10 OR DEMOTED PROFESSIONAL EMPLOYEE AVAILABLE WHO IS PROPERLY  
11 CERTIFICATED TO FILL SUCH VACANCY. FOR THE PURPOSE OF THIS  
12 SUBSECTION, POSITIONS FROM WHICH PROFESSIONAL EMPLOYES ARE ON  
13 APPROVED LEAVES OF ABSENCE SHALL ALSO BE CONSIDERED TEMPORARY  
14 VACANCIES.

15 (3) TO BE CONSIDERED AVAILABLE A SUSPENDED PROFESSIONAL  
16 EMPLOYEE MUST ANNUALLY REPORT TO THE GOVERNING BOARD IN WRITING  
17 HIS CURRENT ADDRESS AND HIS INTENT TO ACCEPT THE SAME OR SIMILAR  
18 POSITION WHEN OFFERED.

19 (4) A SUSPENDED EMPLOYEE ENROLLED IN A COLLEGE PROGRAM DURING  
20 A PERIOD OF SUSPENSION AND WHO IS RECALLED SHALL BE GIVEN THE  
21 OPTION OF DELAYING HIS RETURN TO SERVICE UNTIL THE END OF THE  
22 CURRENT SEMESTER.

23 (E) NOTHING CONTAINED IN [SECTION 1125.1(A) THROUGH (D)]  
24 SECTION 1125.1 SHALL BE CONSTRUED TO:

25 (1) LIMIT THE CAUSE FOR WHICH A TEMPORARY PROFESSIONAL  
26 EMPLOYEE MAY BE SUSPENDED; OR

27 (2) SUPERSEDE OR PREEMPT ANY PROVISIONS OF A COLLECTIVE  
28 BARGAINING AGREEMENT NEGOTIATED BY A SCHOOL ENTITY AND AN  
29 EXCLUSIVE REPRESENTATIVE OF THE EMPLOYEES IN ACCORDANCE WITH THE  
30 ACT OF JULY 23, 1970 (P.L.563, NO.195), KNOWN AS THE "PUBLIC

1 EMPLOYE RELATIONS ACT"; HOWEVER, NO AGREEMENT SHALL PROHIBIT THE  
2 RIGHT OF A PROFESSIONAL EMPLOYE WHO IS NOT A MEMBER OF A  
3 BARGAINING UNIT FROM RETAINING SENIORITY RIGHTS UNDER THE  
4 PROVISIONS OF THIS ACT.

5 (F) A DECISION TO SUSPEND IN ACCORDANCE WITH THIS SECTION  
6 SHALL BE CONSIDERED AN ADJUDICATION WITHIN THE MEANING OF THE  
7 "LOCAL AGENCY LAW."

8 (G) (1) NO COLLECTIVE BARGAINING AGREEMENT NEGOTIATED BY A  
9 SCHOOL DISTRICT AND AN EXCLUSIVE REPRESENTATIVE OF THE EMPLOYES  
10 IN ACCORDANCE WITH THE "PUBLIC EMPLOYE RELATIONS ACT" AFTER THE  
11 EFFECTIVE DATE OF THIS SUBSECTION SHALL PROVIDE FOR SUSPENDING,  
12 REINSTATING OR REALIGNING PROFESSIONAL EMPLOYES BASED ON  
13 SENIORITY OTHER THAN AS PROVIDED FOR IN THIS SECTION.

14 (2) UPON THE EXPIRATION, AMENDMENT OR ADOPTION OF ANY  
15 AGREEMENT OR CONTRACT, A PROVISION THAT PROVIDES FOR SUSPENDING,  
16 REINSTATING OR REALIGNING PROFESSIONAL EMPLOYES BASED ON  
17 SENIORITY IN CONFLICT WITH SECTION 1124 OR THIS SECTION SHALL BE  
18 DISCONTINUED IN ANY NEW OR RENEWED AGREEMENT OR CONTRACT OR  
19 DURING THE PERIOD OF STATUS QUO FOLLOWING AN EXPIRED CONTRACT.

20 SECTION 1131. APPEALS TO [SUPERINTENDENT OF PUBLIC  
21 INSTRUCTION] SECRETARY OF EDUCATION.--IN CASE THE PROFESSIONAL  
22 EMPLOYE CONCERNED CONSIDERS HIMSELF OR HERSELF AGGRIEVED BY THE  
23 ACTION OF THE BOARD OF SCHOOL DIRECTORS, AN APPEAL BY PETITION,  
24 SETTING FORTH THE GROUNDS FOR SUCH APPEAL, MAY BE TAKEN TO THE  
25 [SUPERINTENDENT OF PUBLIC INSTRUCTION] SECRETARY OF EDUCATION AT  
26 HARRISBURG. SUCH APPEAL SHALL BE FILED WITHIN [THIRTY (30)]  
27 FIFTEEN (15) DAYS AFTER RECEIPT BY REGISTERED MAIL OF THE  
28 WRITTEN NOTICE OF THE DECISION OF THE BOARD. A COPY OF SUCH  
29 APPEAL SHALL BE SERVED BY REGISTERED MAIL ON THE SECRETARY OF  
30 THE SCHOOL BOARD.



1 THE [SUPERINTENDENT OF PUBLIC INSTRUCTION] SECRETARY OF  
2 EDUCATION SHALL FIX A DAY AND TIME FOR HEARING, WHICH SHALL BE  
3 NOT SOONER THAN TEN (10) DAYS NOR MORE THAN THIRTY (30) DAYS  
4 AFTER PRESENTATION OF SUCH PETITION, AND SHALL GIVE WRITTEN  
5 NOTICE TO ALL PARTIES INTERESTED.

6 THE [SUPERINTENDENT OF PUBLIC INSTRUCTION] SECRETARY OF  
7 EDUCATION SHALL REVIEW THE OFFICIAL TRANSCRIPT OF THE RECORD OF  
8 THE HEARING BEFORE THE BOARD, AND MAY HEAR AND CONSIDER SUCH  
9 ADDITIONAL TESTIMONY AS HE MAY DEEM ADVISABLE TO ENABLE HIM TO  
10 MAKE A PROPER ORDER. AT SAID HEARING THE LITIGANTS SHALL HAVE  
11 THE RIGHT TO BE HEARD IN PERSON OR BY COUNSEL OR BOTH.

12 AFTER HEARING AND ARGUMENT AND REVIEWING ALL THE TESTIMONY  
13 FILED OR TAKEN BEFORE HIM, THE [SUPERINTENDENT OF PUBLIC  
14 INSTRUCTION] SECRETARY OF EDUCATION SHALL ENTER SUCH ORDER,  
15 EITHER AFFIRMING OR REVERSING THE ACTION OF THE BOARD OF SCHOOL  
16 DIRECTORS, AS TO HIM APPEARS JUST AND PROPER.

17 SECTION 4. SECTION 1204 OF THE ACT, AMENDED JULY 13, 2016  
18 (P.L.716, NO.86), IS AMENDED TO READ:

19 SECTION 1204. GRANTING PROVISIONAL COLLEGE CERTIFICATES.--  
20 THE SECRETARY OF EDUCATION MAY GRANT A PROVISIONAL COLLEGE  
21 CERTIFICATE TO EVERY PERSON WHO PRESENTS TO THE DEPARTMENT OF  
22 EDUCATION SATISFACTORY EVIDENCE OF GOOD MORAL CHARACTER, AND OF  
23 BEING A GRADUATE OF AN APPROVED COLLEGE OR UNIVERSITY, WHO HAS  
24 COMPLETED SUCH WORK IN EDUCATION AS MAY BE REQUIRED BY THE  
25 STANDARDS OF THE STATE BOARD OF EDUCATION, AND TO EVERY PERSON  
26 WHO PRESENTS TO THE DEPARTMENT OF EDUCATION SATISFACTORY  
27 EVIDENCE OF GOOD MORAL CHARACTER, AND OF BEING A GRADUATE OF  
28 MUSIC, WITH THE DEGREE OF BACHELOR OF MUSIC OF AN APPROVED  
29 COLLEGE OR UNIVERSITY, WHO HAS DURING SUCH MUSICAL COURSE  
30 COMPLETED THE PRESCRIBED NUMBER OF HOURS OF PROFESSIONAL

1 STUDIES, WHICH CERTIFICATE SHALL ENTITLE THE INDIVIDUAL TO TEACH  
2 FOR THREE ANNUAL SCHOOL TERMS, AND MAY BE RENEWED FOR ONE  
3 ADDITIONAL THREE-YEAR PERIOD IN ACCORDANCE WITH STANDARDS TO BE  
4 ESTABLISHED BY THE STATE BOARD OF EDUCATION. THE DEPARTMENT OF  
5 EDUCATION SHALL PROCESS AN APPLICATION FOR PROVISIONAL COLLEGE  
6 CERTIFICATION SUBMITTED BY AN INDIVIDUAL WHO IS A MEMBER OF THE  
7 UNITED STATES ARMED FORCES, INCLUDING A RESERVE COMPONENT OR  
8 NATIONAL GUARD, OR A VETERAN, OR THE SPOUSE OF THE MEMBER OF THE  
9 UNITED STATES ARMED FORCES OR THE SPOUSE OF THE VETERAN, WITHIN  
10 FOURTEEN (14) DAYS OF THE DATE THE DEPARTMENT RECEIVED THE  
11 COMPLETED APPLICATION. FOR THE PURPOSES OF THIS SECTION, THE  
12 TERM "VETERAN" SHALL MEAN AN INDIVIDUAL WHO HAS SERVED IN THE  
13 UNITED STATES ARMED FORCES, INCLUDING A RESERVE COMPONENT OR  
14 NATIONAL GUARD, AND WHO WAS DISCHARGED OR RELEASED FROM SUCH  
15 SERVICE UNDER CONDITIONS OTHER THAN DISHONORABLE.

16 SECTION 5. SECTIONS 1216 AND 1337(D) OF THE ACT ARE AMENDED  
17 TO READ:

18 SECTION 1216. EVALUATION OF APPLICATIONS FOR  
19 CERTIFICATION.--(A) ALL APPLICATIONS FOR CERTIFICATION SHALL BE  
20 EVALUATED IN THEIR ENTIRETY. THE DEPARTMENT OF EDUCATION SHALL  
21 NOTIFY THE APPLICANT IF THE APPLICATION IS INCOMPLETE AND  
22 INCLUDE A LISTING OF ALL MATERIALS OR INFORMATION NEEDED TO  
23 COMPLETE THE APPLICATION. THE APPLICANT'S PENDING APPLICATION  
24 SHALL REMAIN OPEN FOR ONE YEAR FOLLOWING THE DATE OF SUCH  
25 NOTIFICATION. NO LETTER OF DENIAL OF CERTIFICATION SHALL BE  
26 ISSUED UNLESS ALL DEFICIENCIES IN THE APPLICATION ARE STATED IN  
27 THE LETTER OF DENIAL.

28 (B) THE GRADE POINT AVERAGE USED BY THE DEPARTMENT IN  
29 EVALUATING THE GRADE POINT AVERAGE REQUIREMENTS FOR  
30 CERTIFICATION PURSUANT TO 22 PA. CODE § 354.24 (RELATING TO

1 ACADEMIC PERFORMANCE) SHALL BE AS FOLLOWS:

2 (1) FOR APPLICANTS WHOSE INITIAL PREPARATION CULMINATED IN A  
3 BACHELOR'S DEGREE OR HIGHER PRIOR TO OCTOBER 7, 2000, THE GRADE  
4 POINT AVERAGE IN EFFECT ON THE DATE OF APPLICATION FOR  
5 CERTIFICATION.

6 (2) FOR APPLICANTS WHOSE INITIAL PREPARATION CULMINATES IN A  
7 BACHELOR'S DEGREE OR HIGHER ON OR AFTER OCTOBER 7, 2000, THE  
8 GRADE POINT AVERAGE IN EFFECT ON THE DATE OF GRADUATION.

9 (C) A TEACHER PREPARATION PROGRAM APPROVED BY THE DEPARTMENT  
10 OF EDUCATION SHALL RECOMMEND APPLICANTS FOR CERTIFICATION WHO  
11 MEET EITHER OF THE STANDARDS FOR GRADE POINT AVERAGE SET FORTH  
12 IN 22 PA. CODE § 354.33(5) OR (6) (RELATING TO PROFESSIONAL  
13 COMPETENCY).

14 (D) (1) A TEACHER PREPARATION PROGRAM APPROVED BY THE  
15 DEPARTMENT OF EDUCATION SHALL NOT REQUIRE A STUDENT ENROLLED IN  
16 THE PROGRAM TO OBTAIN A PASSING SCORE ON AN ASSESSMENT  
17 ADMINISTERED PURSUANT TO 22 PA. CODE § 49.18 (RELATING TO  
18 ASSESSMENT) AS A CONDITION OF PROGRAM COMPLETION OR GRADUATION  
19 OR INCLUDE THE STUDENT'S SCORE ON THE ASSESSMENT AS A COMPONENT  
20 OF A STUDENT'S GRADE IN ANY COURSE, PROVIDED THAT THE  
21 OBSERVATIONAL ASSESSMENT OF PROFESSIONAL KNOWLEDGE AND PRACTICE  
22 MAY BE INCLUDED AS A COMPONENT OF A STUDENT'S STUDENT TEACHING  
23 GRADE.

24 (2) SUBJECT TO SECTION 1207.3(A), A TEACHER PREPARATION  
25 PROGRAM APPROVED BY THE DEPARTMENT OF EDUCATION SHALL NOT  
26 INCLUDE A STUDENT'S SCORE ON THE ASSESSMENT OF BASIC SKILLS  
27 ADMINISTERED PURSUANT TO 22 PA. CODE § 49.18 AS A COMPONENT OF A  
28 STUDENT'S GRADE IN ANY COURSE.

29 (3) FOR PURPOSES OF THIS PARAGRAPH:

30 (I) "ASSESSMENT" SHALL INCLUDE THE ASSESSMENT OF GENERAL

1 KNOWLEDGE, THE ASSESSMENT OF PROFESSIONAL KNOWLEDGE AND PRACTICE  
2 OR THE ASSESSMENT OF SUBJECT MATTER AS SUCH TERMS ARE DEFINED IN  
3 22 PA. CODE § 49.1 (RELATING TO DEFINITIONS).

4 (II) "ASSESSMENT OF BASIC SKILLS" SHALL HAVE THE MEANING  
5 GIVEN IN 22 PA. CODE § 49.1.

6 (III) "ASSESSMENT OF PROFESSIONAL KNOWLEDGE AND PRACTICE"  
7 SHALL HAVE THE MEANING GIVEN IN 22 PA. CODE § 49.1.

8 SECTION 1337. NONPROFIT SCHOOL FOOD PROGRAM.--\* \* \*

9 (D) BOARDS OF SCHOOL DIRECTORS.

10 (1) PURSUANT TO ANY POWER OF BOARDS OF SCHOOL DIRECTORS TO  
11 OPERATE OR PROVIDE FOR THE OPERATION OF SCHOOL FOOD PROGRAMS IN  
12 SCHOOLS UNDER THEIR JURISDICTION, BOARDS OF SCHOOL DIRECTORS MAY  
13 USE THEREFORE FUNDS DISBURSED TO THEM UNDER THE PROVISIONS OF  
14 THIS SECTION, GIFTS AND OTHER FUNDS, RECEIVED FROM SALE OF  
15 SCHOOL FOOD UNDER SUCH PROGRAMS.

16 (2) REGARDLESS OF WHETHER A STUDENT HAS MONEY TO PAY FOR A  
17 SCHOOL MEAL OR OWES MONEY FOR SCHOOL MEALS, EACH BOARD OF SCHOOL  
18 DIRECTORS SHALL ESTABLISH A REQUIREMENT FOR SCHOOLS UNDER ITS  
19 JURISDICTION TO PROVIDE A SCHOOL FOOD PROGRAM MEAL TO A STUDENT  
20 WHO REQUESTS ONE, UNLESS THE STUDENT'S PARENT OR GUARDIAN HAS  
21 SPECIFICALLY PROVIDED WRITTEN PERMISSION TO THE SCHOOL TO  
22 WITHHOLD A SCHOOL MEAL.

23 (3) EACH BOARD OF SCHOOL DIRECTORS SHALL REQUIRE SCHOOLS  
24 UNDER ITS JURISDICTION TO COMPLY WITH THE FOLLOWING WHEN A  
25 STUDENT OWES MONEY FOR FIVE OR MORE SCHOOL MEALS:

26 (I) THE SCHOOL SHALL MAKE AT LEAST TWO ATTEMPTS TO REACH THE  
27 STUDENT'S PARENT OR GUARDIAN AND HAVE THE PARENT OR GUARDIAN  
28 APPLY FOR PARTICIPATION IN THE SCHOOL FOOD PROGRAM.

29 (II) THE SCHOOL MAY OFFER ASSISTANCE WITH APPLYING FOR  
30 PARTICIPATION IN THE SCHOOL FOOD PROGRAM.

1       (4) EACH BOARD OF SCHOOL DIRECTORS SHALL:

2       (I) REQUIRE SCHOOLS UNDER ITS JURISDICTION TO DIRECT  
3 COMMUNICATIONS REGARDING MONEY OWED BY A STUDENT FOR SCHOOL  
4 MEALS TO THE STUDENT'S PARENT OR GUARDIAN AND NOT TO THE  
5 STUDENT.

6       (II) PERMIT SCHOOLS UNDER ITS JURISDICTION TO CONTACT THE  
7 STUDENT'S PARENT OR GUARDIAN BY MEANS OF A LETTER ADDRESSED TO  
8 THE PARENT OR GUARDIAN THAT IS DELIVERED BY THE STUDENT.

9       (5) EACH BOARD OF SCHOOL DIRECTORS SHALL PROHIBIT SCHOOLS  
10 UNDER ITS JURISDICTION FROM IMPLEMENTING THE FOLLOWING:

11       (I) PUBLICLY IDENTIFYING OR STIGMATIZING A STUDENT WHO  
12 CANNOT PAY FOR A SCHOOL MEAL OR WHO OWES MONEY FOR SCHOOL MEALS.

13       (II) REQUIRING A STUDENT WHO CANNOT PAY FOR A SCHOOL MEAL TO  
14 PERFORM CHORES OR OTHER WORK TO PAY FOR THE SCHOOL MEAL. THIS  
15 SUBCLAUSE SHALL NOT APPLY IF CHORES OR OTHER WORK ARE REQUIRED  
16 OF ALL STUDENTS REGARDLESS OF THE STUDENT'S INABILITY TO PAY FOR  
17 THE SCHOOL MEAL.

18       (III) REQUIRING A STUDENT TO DISCARD A SCHOOL MEAL AFTER IT  
19 WAS SERVED TO THE STUDENT DUE TO THE STUDENT'S INABILITY TO PAY  
20 FOR THE SCHOOL MEAL OR THE AMOUNT OF MONEY OWED BY THE STUDENT  
21 FOR EARLIER SCHOOL MEALS.

22       \* \* \*

23       SECTION 6. SECTIONS 1402-A(B), 1403-A(A), 1405-A(A), 1406-A  
24 AND 1407-A OF THE ACT, ADDED JULY 13, 2016 (P.L.716, NO.86), ARE  
25 AMENDED TO READ:

26 SECTION 1402-A. ESTABLISHMENT OF DRUG AND ALCOHOL RECOVERY HIGH  
27 SCHOOL PILOT PROGRAM.

28       \* \* \*

29       (B) DESIGNATION.--[WITHIN 60 DAYS OF THE EFFECTIVE DATE OF  
30 THIS SECTION] NOT LATER THAN JULY 31, 2017, THE SECRETARY OF

1 EDUCATION, IN CONSULTATION WITH THE DEPARTMENT OF DRUG AND  
2 ALCOHOL PROGRAMS, SHALL:

3 (1) DESIGNATE[, THROUGH A REQUEST FOR PROPOSAL PROCESS,]  
4 A FACILITY THAT SATISFIES ALL OF THE FOLLOWING TO SERVE AS  
5 THE RECOVERY HIGH SCHOOL FOR PURPOSES OF THE PROGRAM:

6 (I) IS LICENSED AS A PRIVATE ACADEMIC SCHOOL UNDER  
7 THE ACT OF JANUARY 28, 1988 (P.L.24, NO.11), KNOWN AS THE  
8 PRIVATE ACADEMIC SCHOOLS ACT.

9 (II) IS LOCATED IN A SCHOOL DISTRICT OF THE FIRST  
10 CLASS.

11 (III) [HAS EXPERIENCE PROVIDING DRUG AND ALCOHOL  
12 RECOVERY SERVICES.] IS CURRENTLY OPERATING AS A RECOVERY  
13 HIGH SCHOOL.

14 (IV) HAS ADOPTED AND FOLLOWS ACCREDITATION STANDARDS  
15 AND BEST PRACTICES SET FORTH BY THE ASSOCIATION OF  
16 RECOVERY SCHOOLS.

17 (V) HAS BEEN A MEMBER OF THE ASSOCIATION OF RECOVERY  
18 SCHOOLS DURING THE 2016-2017 SCHOOL YEAR.

19 (2) POST NOTICE OF THE DESIGNATION ON THE DEPARTMENT'S  
20 PUBLICLY ACCESSIBLE INTERNET WEBSITE.

21 SECTION 1403-A. SCOPE OF PROGRAM AND SELECTION OF STUDENTS.

22 (A) MAXIMUM PARTICIPATION.--BEGINNING IN THE [2016-2017]  
23 2017-2018 SCHOOL YEAR, A MAXIMUM OF 20 STUDENTS IN GRADES 9  
24 THROUGH 12 MAY BE ENROLLED IN THE RECOVERY HIGH SCHOOL UNDER THE  
25 PROGRAM AT ANY ONE TIME.

26 \* \* \*

27 SECTION 1405-A. ESTABLISHMENT AND PAYMENT OF TUITION.

28 (A) TUITION RATE.--NO LATER THAN JUNE 30 OF EACH YEAR, THE  
29 DEPARTMENT SHALL ESTABLISH A PER-STUDENT REGULAR EDUCATION  
30 TUITION RATE FOR EACH STUDENT ENROLLED IN THE RECOVERY HIGH

1 SCHOOL UNDER THE PROGRAM, PROVIDED THAT THE RECOVERY HIGH SCHOOL  
2 MAY NOT SET A PER-STUDENT REGULAR EDUCATION TUITION RATE FOR  
3 STUDENTS ENROLLED IN THE RECOVERY HIGH SCHOOL WHO ARE NOT  
4 PARTICIPANTS IN THE PROGRAM THAT IS LOWER THAN THE PER-STUDENT  
5 REGULAR EDUCATION TUITION RATE ESTABLISHED FOR STUDENTS ENROLLED  
6 IN THE RECOVERY HIGH SCHOOL UNDER THE PROGRAM. THE PER-STUDENT  
7 REGULAR EDUCATION TUITION RATE FOR STUDENTS ENROLLED IN THE  
8 RECOVERY HIGH SCHOOL UNDER THE PROGRAM SHALL BE DETERMINED AS  
9 FOLLOWS:

10 (1) FOR THE [2016-2017] 2017-2018 SCHOOL YEAR, THE PER-  
11 STUDENT REGULAR EDUCATION TUITION RATE FOR EACH STUDENT  
12 ENROLLED IN THE RECOVERY HIGH SCHOOL UNDER THE PROGRAM SHALL  
13 BE \$20,000.

14 (2) BEGINNING IN THE [2017-2018] 2018-2019 SCHOOL YEAR,  
15 AND IN EACH SCHOOL YEAR THEREAFTER, ANNUAL ADJUSTMENTS TO THE  
16 AMOUNT SET FORTH IN PARAGRAPH (1) SHALL BE MADE AS FOLLOWS:

17 (I) THE DEPARTMENT OF LABOR AND INDUSTRY SHALL  
18 DETERMINE THE PERCENTAGE CHANGE IN THE CONSUMER PRICE  
19 INDEX FOR ALL URBAN CONSUMERS: ALL ITEMS (CPI-U) FOR THE  
20 UNITED STATES CITY AVERAGE AS PUBLISHED BY THE UNITED  
21 STATES DEPARTMENT OF LABOR, BUREAU OF LABOR STATISTICS,  
22 FOR THE 12-MONTH PERIOD ENDING SEPTEMBER 30, [2016] 2017,  
23 AND FOR EACH SUCCESSIVE 12-MONTH PERIOD THEREAFTER.

24 (II) IF THE DEPARTMENT OF LABOR AND INDUSTRY  
25 DETERMINES THAT THERE IS NO POSITIVE PERCENTAGE CHANGE,  
26 THEN NO ADJUSTMENT TO THE AMOUNT SET FORTH IN PARAGRAPH  
27 (1) SHALL OCCUR FOR THE RELEVANT TIME PERIOD.

28 (III) (A) IF THE DEPARTMENT OF LABOR AND INDUSTRY  
29 DETERMINES THAT THERE IS A POSITIVE PERCENTAGE CHANGE  
30 IN THE FIRST YEAR THAT THE DETERMINATION IS MADE

1 UNDER SUBPARAGRAPH (I), THE POSITIVE PERCENTAGE  
2 CHANGE SHALL BE MULTIPLIED BY THE AMOUNT SET FORTH IN  
3 PARAGRAPH (1), AND THE PRODUCT SHALL BE ADDED TO THE  
4 AMOUNT SET FORTH IN PARAGRAPH (1), AND THE SUM SHALL  
5 BE THE PRELIMINARY ADJUSTED PER-STUDENT TUITION RATE.

6 (B) THE PRELIMINARY ADJUSTED PER-STUDENT TUITION  
7 RATE SHALL BE ROUNDED TO THE NEAREST \$100 TO  
8 DETERMINE THE FINAL ADJUSTED PER-STUDENT TUITION  
9 RATE.

10 (IV) IN EACH SUCCESSIVE YEAR IN WHICH THERE IS A  
11 POSITIVE PERCENTAGE CHANGE IN THE CPI-U FOR THE UNITED  
12 STATES CITY AVERAGE, THE POSITIVE PERCENTAGE CHANGE SHALL  
13 BE MULTIPLIED BY THE MOST RECENT PRELIMINARY PER-STUDENT  
14 TUITION RATE, AND THE PRODUCT SHALL BE ADDED TO THE  
15 PRELIMINARY ADJUSTED PER-STUDENT TUITION RATE OF THE  
16 PRIOR YEAR TO CALCULATE THE PRELIMINARY ADJUSTED PER-  
17 STUDENT TUITION RATE FOR THE CURRENT YEAR. THE SUM  
18 THEREOF SHALL BE ROUNDED TO THE NEAREST \$100 TO DETERMINE  
19 THE NEW FINAL ADJUSTED PER-STUDENT TUITION RATE.

20 (V) THE DETERMINATIONS AND ADJUSTMENTS REQUIRED  
21 UNDER THIS SUBPARAGRAPH SHALL BE MADE IN THE PERIOD  
22 BETWEEN APRIL 1, [2017] 2018, AND APRIL 30, [2017] 2018,  
23 AND ANNUALLY BETWEEN APRIL 1 AND APRIL 30 OF EACH YEAR  
24 THEREAFTER.

25 (VI) THE FINAL ADJUSTED PER-STUDENT TUITION RATES  
26 OBTAINED UNDER SUBPARAGRAPHS (III) AND (IV) SHALL BECOME  
27 EFFECTIVE JULY 1 FOR THE SCHOOL YEAR FOLLOWING THE YEAR  
28 IN WHICH THE DETERMINATION REQUIRED UNDER THIS PARAGRAPH  
29 IS MADE.

30 (VII) THE DEPARTMENT SHALL PUBLISH NOTICE IN THE



1 PENNSYLVANIA BULLETIN PRIOR TO JULY 1 OF EACH YEAR OF THE  
2 ANNUAL PERCENTAGE CHANGE DETERMINED UNDER SUBPARAGRAPH  
3 (I) AND THE UNADJUSTED OR FINAL ADJUSTED PER-STUDENT  
4 TUITION RATE DETERMINED UNDER SUBPARAGRAPHS (III) AND  
5 (IV) FOR THE SCHOOL YEAR FOLLOWING THE YEAR IN WHICH THE  
6 PER-STUDENT TUITION RATE IS DETERMINED. THE NOTICE SHALL  
7 INCLUDE A WRITTEN AND ILLUSTRATIVE EXPLANATION OF THE  
8 CALCULATIONS PERFORMED BY THE DEPARTMENT IN ESTABLISHING  
9 THE UNADJUSTED OR FINAL ADJUSTED PER-STUDENT TUITION RATE  
10 UNDER THIS SECTION FOR THE ENSUING CALENDAR YEAR.

11 (VIII) THE ANNUAL INCREASE IN THE PRELIMINARY  
12 ADJUSTED PER-STUDENT TUITION RATE DETERMINED UNDER  
13 SUBPARAGRAPHS (III) AND (IV) SHALL NOT EXCEED 3%.

14 \* \* \*

15 SECTION 1406-A. TERM OF DRUG AND ALCOHOL RECOVERY HIGH SCHOOL  
16 PILOT PROGRAM.

17 (A) ENROLLMENT OF NEW STUDENTS.--UNLESS THE PROGRAM IS  
18 PERMANENTLY ESTABLISHED BY ACTION OF THE GENERAL ASSEMBLY, THE  
19 RECOVERY HIGH SCHOOL SHALL NOT ENROLL NEW STUDENTS UNDER THE  
20 PROGRAM AFTER JUNE 30, [2020] 2021.

21 (B) CONTINUED ENROLLMENT.--IF THE PROGRAM IS NOT PERMANENTLY  
22 ESTABLISHED BY ACTION OF THE GENERAL ASSEMBLY ON OR BEFORE JUNE  
23 30, [2020] 2021, A STUDENT ENROLLED IN THE RECOVERY HIGH SCHOOL  
24 UNDER THE PROGRAM AS OF JUNE 30, [2020] 2021, MAY REMAIN  
25 ENROLLED IN THE RECOVERY HIGH SCHOOL UNDER THE PROGRAM UNTIL THE  
26 EARLIER OF THE FOLLOWING:

27 (1) THE STUDENT'S GRADUATION FROM THE RECOVERY HIGH  
28 SCHOOL.

29 (2) THE STUDENT'S WITHDRAWAL FROM THE RECOVERY HIGH  
30 SCHOOL.

1 (3) THE STUDENT'S COMPLETION OF FOUR YEARS OF ENROLLMENT  
2 IN THE RECOVERY HIGH SCHOOL UNDER THE PROGRAM.  
3 SECTION 1407-A. REPORTING.

4 (A) REPORT BY RECOVERY HIGH SCHOOL.--BY AUGUST 31, [2018]  
5 2019, AND BY AUGUST 31 OF EACH YEAR THEREAFTER, THE RECOVERY  
6 HIGH SCHOOL SHALL SUBMIT ANNUALLY TO THE SECRETARY OF EDUCATION,  
7 THE SECRETARY OF DRUG AND ALCOHOL PROGRAMS, THE CHAIRPERSON AND  
8 MINORITY CHAIRPERSON OF THE EDUCATION COMMITTEE OF THE SENATE,  
9 THE CHAIRPERSON AND MINORITY CHAIRPERSON OF THE EDUCATION  
10 COMMITTEE OF THE HOUSE OF REPRESENTATIVES, THE CHAIRPERSON AND  
11 MINORITY CHAIRPERSON OF THE PUBLIC HEALTH AND WELFARE COMMITTEE  
12 OF THE SENATE AND THE CHAIRPERSON AND MINORITY CHAIRPERSON OF  
13 THE HEALTH COMMITTEE OF THE HOUSE OF REPRESENTATIVES A WRITTEN  
14 REPORT CONCERNING THE PROGRAM. THE REPORT SHALL INCLUDE, BUT NOT  
15 BE LIMITED TO, ALL OF THE FOLLOWING, SUBJECT TO THE REQUIREMENTS  
16 OF THE FAMILY EDUCATIONAL RIGHTS AND PRIVACY ACT OF 1974 (PUBLIC  
17 LAW 90-247, 20 U.S.C. § 1232G) AND TO THE EXTENT SUCH REPORTING  
18 DOES NOT REVEAL IDENTIFYING INFORMATION CONCERNING ANY  
19 INDIVIDUAL STUDENT:

20 (1) THE NUMBER OF STUDENTS WHO:

21 (I) ENROLLED IN THE RECOVERY HIGH SCHOOL UNDER THE  
22 PROGRAM FOR THE PRECEDING REPORTING PERIOD.

23 (II) REQUESTED ENROLLMENT IN THE RECOVERY HIGH  
24 SCHOOL UNDER THE PROGRAM BUT WERE DENIED PARTICIPATION IN  
25 THE PROGRAM FOR THE PRECEDING REPORTING PERIOD.

26 (III) ENROLLED IN THE RECOVERY HIGH SCHOOL BUT WHO  
27 WERE NOT PARTICIPANTS IN THE PROGRAM FOR THE PRECEDING  
28 REPORTING PERIOD.

29 (2) THE NUMBER AND PERCENTAGE OF STUDENTS ENROLLED IN  
30 THE RECOVERY HIGH SCHOOL DURING THE PREVIOUS REPORTING PERIOD

1 TO WHOM EACH OF THE FOLLOWING APPLY, REPORTED SEPARATELY  
2 BASED ON WHETHER OR NOT THE STUDENTS WERE PARTICIPANTS IN THE  
3 PROGRAM:

4 (I) EARNED A HIGH SCHOOL DIPLOMA FROM THE RECOVERY  
5 HIGH SCHOOL.

6 (II) WITHDREW FROM THE RECOVERY HIGH SCHOOL AND  
7 REQUESTED TRANSFER OF EDUCATIONAL RECORDS TO ANOTHER  
8 SCHOOL.

9 (III) WITHDREW FROM THE RECOVERY HIGH SCHOOL WITHOUT  
10 REQUESTING TRANSFER OF EDUCATIONAL RECORDS TO ANOTHER  
11 SCHOOL.

12 (IV) MAINTAINED ENROLLMENT IN THE RECOVERY HIGH  
13 SCHOOL IN GOOD STANDING.

14 (3) A NARRATIVE DESCRIPTION OF THE ACADEMIC OUTCOMES FOR  
15 STUDENTS ENROLLED IN THE RECOVERY HIGH SCHOOL, INCLUDING  
16 AGGREGATE ASSESSMENT RESULTS, REPORTED SEPARATELY BASED ON  
17 WHETHER OR NOT THE STUDENTS WERE PARTICIPANTS IN THE PROGRAM.

18 (4) A NARRATIVE DESCRIPTION OF STUDENT SUCCESS IN  
19 MANAGING ISSUES CONCERNING DRUG OR ALCOHOL ABUSE OR  
20 ADDICTION, REPORTED SEPARATELY BASED ON WHETHER OR NOT THE  
21 STUDENTS WERE PARTICIPANTS IN THE PROGRAM.

22 (5) RECOMMENDATIONS FOR IMPROVEMENTS TO THE PROGRAM.

23 (6) ANY INFORMATION REGARDING THE PROGRAM THAT THE  
24 RECOVERY HIGH SCHOOL DETERMINES WOULD BE USEFUL TO THE  
25 GENERAL ASSEMBLY, THE DEPARTMENT OF EDUCATION AND THE  
26 DEPARTMENT OF DRUG AND ALCOHOL PROGRAMS IN DETERMINING  
27 WHETHER CHANGES TO THE PROGRAM ARE NECESSARY AND WHETHER THE  
28 PROGRAM SHOULD BE CONTINUED.

29 (B) REPORT BY DEPARTMENT OF EDUCATION AND DEPARTMENT OF DRUG  
30 AND ALCOHOL PROGRAMS.--BY DECEMBER 31, [2019] 2020, THE

1 DEPARTMENT OF EDUCATION AND THE DEPARTMENT OF DRUG AND ALCOHOL  
2 PROGRAMS, JOINTLY, SHALL SUBMIT TO THE CHAIRPERSON AND MINORITY  
3 CHAIRPERSON OF THE EDUCATION COMMITTEE OF THE SENATE, THE  
4 CHAIRPERSON AND MINORITY CHAIRPERSON OF THE EDUCATION COMMITTEE  
5 OF THE HOUSE OF REPRESENTATIVES, THE CHAIRPERSON AND MINORITY  
6 CHAIRPERSON OF THE PUBLIC HEALTH AND WELFARE COMMITTEE OF THE  
7 SENATE AND THE CHAIRPERSON AND MINORITY CHAIRPERSON OF THE  
8 HEALTH COMMITTEE OF THE HOUSE OF REPRESENTATIVES A WRITTEN  
9 REPORT ASSESSING THE SUCCESS OF THE PROGRAM AND MAKING  
10 RECOMMENDATIONS REGARDING THE POSSIBLE EXTENSION AND EXPANSION  
11 OF THE PROGRAM, INCLUDING A PROPOSED TIMELINE FOR ANY POTENTIAL  
12 EXPANSION.

13 SECTION 7. SECTIONS 1547 AND 1549 OF THE ACT ARE AMENDED TO  
14 READ:

15 SECTION 1547. ALCOHOL, CHEMICAL AND TOBACCO ABUSE PROGRAM.--

16 (A) BEGINNING WITH SCHOOL YEAR 1991-1992 AND EACH YEAR  
17 THEREAFTER, EACH PUBLIC SCHOOL STUDENT SHALL RECEIVE MANDATORY  
18 INSTRUCTION IN ALCOHOL, CHEMICAL AND TOBACCO ABUSE IN EVERY YEAR  
19 IN EVERY GRADE FROM KINDERGARTEN THROUGH GRADE TWELVE. THE  
20 INSTRUCTION SHALL BE INTEGRATED WITHIN THE HEALTH COURSE OF  
21 STUDY REQUIRED IN ACCORDANCE WITH THE STATE BOARD OF EDUCATION  
22 REGULATIONS. IN GRADES WHERE HEALTH IS OFFERED, INSTRUCTION MAY  
23 ALSO BE INTEGRATED INTO OTHER APPROPRIATE COURSES OF STUDY. IN  
24 GRADES WHERE HEALTH IS NOT OFFERED, INSTRUCTION SHALL BE  
25 INTEGRATED INTO AN APPROPRIATE CURRICULUM REQUIREMENT AS LISTED  
26 IN 22 PA. CODE [§ 5.4(B).] §§ 4.21 (RELATING TO ELEMENTARY  
27 EDUCATION: PRIMARY AND INTERMEDIATE LEVELS), 4.22 (RELATING TO  
28 MIDDLE LEVEL EDUCATION) AND 4.23 (RELATING TO HIGH SCHOOL  
29 EDUCATION).

30 (1) THIS INSTRUCTION:

1 (I) SHALL BE AGE APPROPRIATE.

2 (II) SHALL BE SEQUENTIAL IN METHOD OF STUDY.

3 (III) SHALL DISCOURAGE THE USE OF ALCOHOL, TOBACCO AND  
4 CONTROLLED SUBSTANCES.

5 (IV) SHALL COMMUNICATE THAT THE USE OF ILLICIT DRUGS AND THE  
6 IMPROPER USE OF LEGALLY OBTAINED DRUGS IS WRONG.

7 (2) SCHOOL DISTRICTS MAY UTILIZE ANY APPROPRIATE PUBLIC OR  
8 PRIVATE MATERIALS, PERSONNEL AND OTHER RESOURCES IN DEVELOPING  
9 AND IMPLEMENTING THIS PROGRAM OF INSTRUCTION. THE DEPARTMENT OF  
10 HEALTH, OFFICE OF DRUG AND ALCOHOL PROGRAMS, SHALL MAKE  
11 AVAILABLE INFORMATION ABOUT APPROPRIATE CURRICULUM MATERIALS  
12 UPON REQUEST OF A SCHOOL DISTRICT. IN DEVELOPING ITS ALCOHOL,  
13 CHEMICAL AND TOBACCO ABUSE INSTRUCTIONAL PROGRAM, EACH SCHOOL  
14 DISTRICT SHALL CONSULT WITH THE SINGLE COUNTY AUTHORITY  
15 DESIGNATED BY THE DEPARTMENT OF HEALTH TO PROVIDE DRUG AND  
16 ALCOHOL SERVICES IN THE SCHOOL DISTRICT'S AREA.

17 (A.1) BEGINNING WITH THE 2018-2019 SCHOOL YEAR, FOR STUDENTS  
18 IN GRADES SIX THROUGH TWELVE, THE INSTRUCTION REQUIRED UNDER  
19 SUBSECTION (A) SHALL INCLUDE INSTRUCTION RELATED TO THE  
20 PREVENTION OF OPIOID ABUSE, WITH AN EMPHASIS ON THE PRESCRIPTION  
21 DRUG EPIDEMIC AND THE CONNECTION BETWEEN PRESCRIPTION OPIOID  
22 ABUSE AND ADDICTION TO OTHER DRUGS, INCLUDING HEROIN. NOT LATER  
23 THAN THE BEGINNING OF THE 2018-2019 SCHOOL YEAR, THE DEPARTMENT  
24 OF EDUCATION AND THE DEPARTMENT OF HEALTH SHALL DEVELOP JOINTLY  
25 A MODEL CURRICULUM FOR THIS PURPOSE AND EACH DEPARTMENT SHALL  
26 POST THE MODEL CURRICULUM ON ITS PUBLICLY ACCESSIBLE INTERNET  
27 WEBSITE. THE MODEL CURRICULUM DEVELOPED UNDER THIS SUBSECTION  
28 SHALL BE REVISED WHEN NECESSARY TO ENSURE THAT THE MODEL  
29 CURRICULUM PROVIDES THE MOST CURRENT INFORMATION. IN PROVIDING  
30 THE INSTRUCTION REQUIRED UNDER THIS SUBSECTION, A SCHOOL

1 DISTRICT MAY, BUT SHALL NOT BE REQUIRED TO, USE THE MODEL  
2 CURRICULUM.

3 (B) EACH SCHOOL DISTRICT IS HEREBY AUTHORIZED TO DEVELOP AND  
4 OFFER PROGRAMS RELATING TO ALCOHOL, CHEMICAL AND TOBACCO ABUSE  
5 FOR PARENTS OF STUDENTS ENROLLED IN THE PUBLIC SCHOOLS. IF A  
6 SCHOOL DISTRICT DOES DEVELOP SUCH PROGRAMS, THEY SHALL BE  
7 DEVELOPED IN CONSULTATION WITH THE SINGLE COUNTY AUTHORITY  
8 DESIGNATED BY THE DEPARTMENT OF HEALTH TO PROVIDE DRUG AND  
9 ALCOHOL SERVICES IN THE SCHOOL DISTRICT'S AREA. SUCH PROGRAMS  
10 SHALL BE OFFERED AT NO COST TO PARENTS.

11 (C) THE SECRETARY OF EDUCATION, IN CONSULTATION WITH THE  
12 SECRETARY OF HEALTH, SHALL DEVELOP CURRICULUM GUIDELINES FOR  
13 INSTRUCTION ON ALCOHOL, CHEMICAL AND TOBACCO ABUSE AND THE LAWS  
14 GOVERNING THEIR USE AND MISUSE. THESE GUIDELINES SHALL ENCOURAGE  
15 THE INCLUSION OF THE FOLLOWING ELEMENTS WHERE APPROPRIATE IN THE  
16 INSTRUCTION:

17 (1) DETAILED FACTUAL INFORMATION REGARDING THE  
18 PHYSIOLOGICAL, PSYCHOLOGICAL, SOCIOLOGICAL AND LEGAL ASPECTS OF  
19 SUBSTANCE ABUSE.

20 (2) DETAILED INFORMATION REGARDING THE AVAILABILITY OF HELP  
21 AND ASSISTANCE FOR STUDENTS AND THEIR FAMILIES WITH ALCOHOL,  
22 CHEMICAL AND TOBACCO DEPENDENCY PROBLEMS.

23 (3) THE GOALS OF QUALITY EDUCATION AS SET FORTH IN 22 PA.  
24 CODE [§ 5.13(F)] (RELATING TO EDUCATION).

25 (4) SKILLS NEEDED TO EVALUATE ADVERTISEMENTS FOR AND MEDIA  
26 PORTRAYALS OF ALCOHOL, CHEMICAL AND TOBACCO PRODUCTS.

27 (5) DETAILED INSTRUCTION ON THE NEED FOR AND THE ROLE OF  
28 LAWFUL AUTHORITY AND LAW-ABIDING BEHAVIOR, INCLUDING INTERACTION  
29 WITH MEMBERS OF THE LEGAL AND JUSTICE COMMUNITY.

30 (D) (1) BEGINNING WITH THE 1991-1992 SCHOOL YEAR AND EACH

1 YEAR THEREAFTER, THE SECRETARY OF EDUCATION, IN CONSULTATION  
2 WITH THE SECRETARY OF HEALTH, SHALL MAKE AVAILABLE, TO ALL  
3 SCHOOL DISTRICTS AND INTERMEDIATE UNITS, IN-SERVICE TRAINING  
4 PROGRAMS BASED UPON THE INSTRUCTION REQUIREMENTS ESTABLISHED IN  
5 SUBSECTION (A) AND THE CURRICULUM GUIDELINES ESTABLISHED IN  
6 SUBSECTION (C). THE PROGRAMS SHALL PROVIDE PREPARATION FOR THE  
7 TEACHING OF MANDATED INSTRUCTION IN ALCOHOL, CHEMICAL AND  
8 TOBACCO ABUSE. THE IN-SERVICE PROGRAMS MAY UTILIZE THE SINGLE  
9 COUNTY AUTHORITIES DESIGNATED BY THE DEPARTMENT OF HEALTH OR  
10 SUCH OTHER INSTITUTIONS, AGENCIES OR PERSONS AS THE SECRETARY OF  
11 EDUCATION DEEMS APPROPRIATE.

12 (2) BEGINNING WITH THE 2018-2019 SCHOOL YEAR, THE DEPARTMENT  
13 OF EDUCATION AND THE DEPARTMENT OF HEALTH SHALL DEVELOP JOINTLY  
14 AND SHALL MAKE AVAILABLE TO ALL SCHOOL DISTRICTS AND NONPUBLIC  
15 SCHOOLS IN-SERVICE TRAINING PROGRAMS BASED UPON THE INSTRUCTION  
16 REQUIREMENTS ESTABLISHED UNDER SUBSECTION (A.1) AND THE MODEL  
17 CURRICULUM DEVELOPED UNDER SUBSECTION (A.1). THE IN-SERVICE  
18 TRAINING PROGRAMS DEVELOPED UNDER THIS SUBSECTION SHALL BE  
19 REVISED WHEN NECESSARY TO ENSURE THAT THE IN-SERVICE TRAINING  
20 PROGRAMS PROVIDE THE MOST CURRENT INFORMATION.

21 (E) (1) BEGINNING WITH THE 1991-1992 SCHOOL YEAR, EACH  
22 SCHOOL DISTRICT SHALL PROVIDE, AS PART OF ITS IN-SERVICE  
23 TRAINING, PROGRAMS ON ALCOHOL, DRUGS, TOBACCO AND DANGEROUS  
24 CONTROLLED SUBSTANCES FOR ALL INSTRUCTORS WHOSE TEACHING  
25 RESPONSIBILITIES INCLUDE COURSES OF STUDY IN WHICH MANDATED  
26 INSTRUCTION CONCERNING ALCOHOL, CHEMICAL AND TOBACCO ABUSE IS  
27 INTEGRATED. TO COMPLY WITH THIS REQUIREMENT, A SCHOOL DISTRICT  
28 MAY UTILIZE THE PROGRAMS MADE AVAILABLE BY THE DEPARTMENT OF  
29 EDUCATION OR USE OTHER ALTERNATIVE PROGRAMS.

30 (2) BEGINNING WITH THE 2018-2019 SCHOOL YEAR AND EVERY THREE

1 (3) YEARS THEREAFTER, EACH SCHOOL DISTRICT SHALL PROVIDE, AS  
2 PART OF ITS IN-SERVICE TRAINING, PROGRAMS BASED UPON THE  
3 INSTRUCTION REQUIREMENTS ESTABLISHED UNDER SUBSECTION (A.1) FOR  
4 ALL INSTRUCTORS WHOSE TEACHING RESPONSIBILITIES INCLUDE COURSES  
5 OF STUDY IN WHICH SUCH MANDATED INSTRUCTION IS INTEGRATED. TO  
6 COMPLY WITH THIS REQUIREMENT, A SCHOOL DISTRICT MAY UTILIZE THE  
7 IN-SERVICE TRAINING PROGRAMS MADE AVAILABLE UNDER SUBSECTION (D)  
8 (2).

9 (F) THE GOVERNING BOARD OF EACH INTERMEDIATE UNIT IN WHICH A  
10 NONPUBLIC SCHOOL IS LOCATED SHALL HAVE THE AUTHORITY AND THE  
11 DUTY TO LOAN TO ALL STUDENTS ATTENDING NONPUBLIC SCHOOLS WITHIN  
12 THE INTERMEDIATE UNIT ALL EDUCATIONAL MATERIALS DEVELOPED BY  
13 EITHER THE DEPARTMENT OF EDUCATION OR THE DEPARTMENT OF HEALTH,  
14 PURSUANT TO THIS ACT FOR THE INSTRUCTION OF PUBLIC SCHOOL  
15 STUDENTS ON THE NATURE AND EFFECTS OF DRUGS, ALCOHOL, TOBACCO  
16 AND DANGEROUS CONTROLLED SUBSTANCES. LOCAL SCHOOL BOARDS NEED  
17 NOT EXPEND FUNDS WHICH ARE NOT PROVIDED BY EITHER THE FEDERAL OR  
18 STATE GOVERNMENT FOR DRUG EDUCATION PROGRAMS FOR THE USE OR LOAN  
19 OF THESE MATERIALS. A NONPUBLIC SCHOOL MAY UTILIZE THE IN-  
20 SERVICE TRAINING PROGRAMS MADE AVAILABLE BY THE DEPARTMENT OF  
21 EDUCATION THROUGH THE INTERMEDIATE UNIT.

22 (G) ON OR BEFORE JUNE 1, 1991, THE SECRETARY OF EDUCATION  
23 SHALL RECOMMEND TO THE GENERAL ASSEMBLY A PLAN TO REQUIRE AND  
24 ASSIST EACH SCHOOL DISTRICT TO ESTABLISH AND MAINTAIN A PROGRAM  
25 TO PROVIDE APPROPRIATE COUNSELING AND SUPPORT SERVICES TO  
26 STUDENTS WHO EXPERIENCE PROBLEMS RELATED TO THE USE OF DRUGS,  
27 ALCOHOL AND DANGEROUS CONTROLLED SUBSTANCES.

28 [(H) ON OR BEFORE JUNE 1, 1992, THE SECRETARY OF EDUCATION  
29 SHALL REPORT TO THE GENERAL ASSEMBLY CONCERNING THE 1991-1992  
30 SCHOOL YEAR ACTIVITIES OF THE DEPARTMENT OF EDUCATION PERTAINING



1 TO THE PROVISIONS OF THIS SECTION AND CONCERNING PROPOSED 1992-  
2 1993 SCHOOL YEAR ACTIVITIES OF THE DEPARTMENT OF EDUCATION  
3 PERTAINING TO THIS SECTION.]

4 (G.1) BEGINNING IN THE 2018-2019 SCHOOL YEAR, AND EACH  
5 SCHOOL YEAR THEREAFTER, PROFESSIONAL EDUCATORS WHO COMPLETE IN-  
6 SERVICE TRAINING UNDER THIS SECTION MAY APPLY SUCH IN-SERVICE  
7 TRAINING TOWARD THEIR CONTINUING PROFESSIONAL EDUCATION  
8 REQUIREMENTS UNDER SECTION 1205.2.

9 (H.1) BY SEPTEMBER 1, 2020, AND BY SEPTEMBER 1 OF EVERY  
10 FIFTH YEAR THEREAFTER, THE DEPARTMENT OF EDUCATION, IN  
11 CONSULTATION WITH THE DEPARTMENT OF HEALTH, SHALL REPORT TO THE  
12 GENERAL ASSEMBLY CONCERNING THE PRECEDING SCHOOL YEAR ACTIVITIES  
13 OF THE DEPARTMENT OF EDUCATION AND THE DEPARTMENT OF HEALTH  
14 PERTAINING TO THE PROVISIONS OF THIS SECTION. THE REPORT SHALL  
15 INCLUDE:

16 (1) A DESCRIPTION OF EFFORTS BY THE DEPARTMENT OF EDUCATION  
17 AND THE DEPARTMENT OF HEALTH TO ASSIST SCHOOL DISTRICTS IN  
18 PROVIDING THE INSTRUCTION REQUIRED UNDER SUBSECTIONS (A) AND  
19 (A.1), INCLUDING EFFORTS TO DEVELOP AND POST THE MODEL  
20 CURRICULUM REQUIRED UNDER SUBSECTION (A.1) AND TO DEVELOP AND  
21 MAKE AVAILABLE THE IN-SERVICE TRAINING PROGRAMS REQUIRED UNDER  
22 SUBSECTION (D) (2).

23 (2) AN EVALUATION OF THE EFFECTIVENESS OF THE INSTRUCTION  
24 REQUIRED UNDER SUBSECTIONS (A) AND (A.1) AND OF CURRICULUM  
25 MATERIALS AND IN-SERVICE TRAINING PROGRAMS DEVELOPED BY THE  
26 DEPARTMENT OF EDUCATION AND THE DEPARTMENT OF HEALTH UNDER THIS  
27 SECTION IN REDUCING THE USE OF ALCOHOL, TOBACCO AND OTHER DRUGS,  
28 INCLUDING PRESCRIPTION OPIOIDS, BY STUDENTS.

29 (I) THE STATE BOARD OF EDUCATION SHALL ADOPT RULES AND  
30 REGULATIONS NECESSARY FOR THE IMPLEMENTATION OF THIS SECTION.

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

3 (1) REQUIRE THE DEPARTMENT TO DEVELOP AND DISSEMINATE  
4 AGRICULTURAL EDUCATION MATERIALS FOR SCHOOL ENTITIES OR PRIVATE  
5 OR NONPUBLIC KINDERGARTENS, ELEMENTARY OR SECONDARY SCHOOLS IN  
6 THIS COMMONWEALTH. THE MATERIALS SHALL INCORPORATE AGRICULTURAL  
7 CONCEPTS INTO THE BASIC SCHOOL CURRICULA AND SHALL BE DESIGNED  
8 TO EDUCATE THE GENERAL STUDENT POPULATION ABOUT THE IMPORTANCE  
9 OF THE AGRICULTURE INDUSTRY AND THE ROLE OF AGRICULTURE IN THE  
10 STUDENTS' LIVES.

11 (2) ENCOURAGE THE AGRICULTURAL EDUCATION EFFORTS OF OTHER  
12 AGENCIES WHERE APPROPRIATE, INCLUDING, BUT NOT LIMITED TO, THOSE  
13 OF THE COUNTY CONSERVATION DISTRICTS, THE COOPERATIVE EXTENSION  
14 SERVICE OF THE PENNSYLVANIA STATE UNIVERSITY, THE UNIVERSITY OF  
15 PENNSYLVANIA VETERINARY SCHOOL, THE DEPARTMENT OF AGRICULTURE,  
16 THE DEPARTMENT OF ENVIRONMENTAL [RESOURCES] PROTECTION, THE  
17 DEPARTMENT OF COMMUNITY [AFFAIRS] AND ECONOMIC DEVELOPMENT, THE  
18 STATE SYSTEM OF HIGHER EDUCATION AND THE DEPARTMENT OF  
19 TRANSPORTATION.

20 (B) THE DEPARTMENT SHALL HAVE THE POWER AND ITS DUTY SHALL  
21 BE TO:

22 (1) PROVIDE, IN CONJUNCTION WITH THE DEPARTMENT OF  
23 AGRICULTURE, RESOURCE INFORMATION TO EDUCATORS AND PUBLIC AND  
24 PRIVATE SCHOOLS AND ORGANIZATIONS ON AGRICULTURAL EDUCATION.

25 (2) PROVIDE, IN CONJUNCTION WITH THE DEPARTMENT OF  
26 AGRICULTURE, FOR THE DEVELOPMENT AND DISTRIBUTION TO SCHOOL  
27 ENTITIES OR PRIVATE OR NONPUBLIC KINDERGARTENS, ELEMENTARY OR  
28 SECONDARY SCHOOLS IN THIS COMMONWEALTH MATERIALS ON AGRICULTURAL  
29 EDUCATION. SUCH MATERIALS MAY INCLUDE INSTRUCTION ON ISSUES  
30 RELATED TO AGRICULTURE, INCLUDING, BUT NOT LIMITED TO, FOOD

1 SAFETY, FORESTRY, PESTICIDES, FARMLAND PRESERVATION, WASTE  
2 MANAGEMENT, WETLANDS, NUTRIENT MANAGEMENT, FOOD PRODUCTION AND  
3 FOOD PROCESSING, ANIMAL HEALTH AND STATUTORY AND REGULATORY  
4 PROTECTIONS OF THE RIGHT TO FARM.

5 (3) IDENTIFY, RECOGNIZE AND ESTABLISH, IN CONJUNCTION WITH  
6 THE DEPARTMENT OF AGRICULTURE, AWARDS FOR EXEMPLARY AGRICULTURAL  
7 EDUCATION CURRICULA DEVELOPED IN COMMONWEALTH SCHOOLS.

8 (4) USE LOCAL SCHOOL DISTRICT OCCUPATIONAL ADVISORY  
9 COMMITTEES, AS WELL AS THE FACILITIES AND EQUIPMENT OF THE  
10 DEPARTMENT OF AGRICULTURE, TO SERVE AS THE CONDUIT TO BRING  
11 YOUTH AND ADULT EDUCATION PROGRAMS INTO COMMUNITIES AND SCHOOLS,  
12 FOCUSING ON AGRICULTURAL INDUSTRY ISSUES OF IMPORTANCE TO THIS  
13 COMMONWEALTH.

14 (5) MAINTAIN, IN CONJUNCTION WITH THE DEPARTMENT OF  
15 AGRICULTURE, AN INVENTORY OF AGRICULTURAL EDUCATION MATERIALS,  
16 PROGRAMS AND RESOURCES AVAILABLE IN COMMONWEALTH AGENCIES.

17 [(C) THE SECRETARY SHALL PREPARE AND SUBMIT, IN CONJUNCTION  
18 WITH THE DEPARTMENT OF AGRICULTURE, AN ANNUAL REPORT TO THE  
19 GOVERNOR AND THE GENERAL ASSEMBLY ON THE STATUS OF AGRICULTURAL  
20 EDUCATION IN THIS COMMONWEALTH. THE REPORT SHALL OUTLINE  
21 AGRICULTURAL EDUCATION PROGRAMS AND ACHIEVEMENTS, HIGHLIGHT NEW  
22 INITIATIVES AND RECOMMEND FUTURE PROGRAM NEEDS.

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

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

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

29 (III) MAKE RECOMMENDATIONS TO THE GOVERNOR AND THE GENERAL  
30 ASSEMBLY REGARDING LEGISLATIVE OR REGULATORY CHANGES TO IMPROVE

1 AGRICULTURAL EDUCATION, PURSUANT TO THE PREPARATION AND  
2 SUBMITTAL OF THE REPORT REQUIRED BY SUBSECTION (C).

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

9 (I) FARMERS.

10 (II) REPRESENTATIVES OF THE AGRICULTURAL PROCESSING AND  
11 AGRICULTURAL MARKETING INDUSTRIES.

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

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

17 (V) A TEACHER OF VOCATIONAL AGRICULTURE.

18 (VI) A TEACHER INVOLVED IN AGRICULTURAL EDUCATION OTHER THAN  
19 VOCATIONAL AGRICULTURE.

20 (VII) AN ADMINISTRATOR OF A SCHOOL ENTITY WHICH CONDUCTS AN  
21 AGRICULTURAL EDUCATION PROGRAM.

22 (VIII) A MEMBER OF A LOCAL SCHOOL DISTRICT OCCUPATIONAL  
23 ADVISORY COMMITTEE.

24 (IX) MEMBERS OF THE PUBLIC WHO ARE KNOWLEDGEABLE ABOUT  
25 AGRICULTURAL EDUCATION.]

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

29 "DEPARTMENT." THE DEPARTMENT OF EDUCATION OF THE  
30 COMMONWEALTH.

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

10 "SCHOOL ENTITY." A PUBLIC SCHOOL DISTRICT, INTERMEDIATE UNIT  
11 OR AREA VOCATIONAL-TECHNICAL SCHOOL.

12 "SECRETARY." THE SECRETARY OF EDUCATION OF THE COMMONWEALTH.

13 SECTION 8. THE ACT IS AMENDED BY ADDING A SECTION TO READ:

14 SECTION 1549.1. COMMISSION FOR AGRICULTURAL EDUCATION

15 EXCELLENCE.--(A) THERE IS ESTABLISHED A COMMISSION FOR

16 AGRICULTURAL EDUCATION EXCELLENCE AS A DEPARTMENTAL

17 ADMINISTRATIVE COMMISSION UNDER THE CONCURRENT AUTHORITY OF THE

18 DEPARTMENT OF AGRICULTURE AND THE DEPARTMENT OF EDUCATION WITH

19 ALL THE POWERS AND DUTIES GENERALLY VESTED IN AND IMPOSED UPON

20 THE COMMISSIONS UNDER THE ACT OF APRIL 9, 1929 (P.L.177,

21 NO.175), KNOWN AS "THE ADMINISTRATIVE CODE OF 1929."

22 (B) THE COMMISSION SHALL ASSIST IN DEVELOPING A STATEWIDE

23 PLAN FOR AGRICULTURAL EDUCATION AND COORDINATE THE

24 IMPLEMENTATION OF RELATED AGRICULTURAL EDUCATION PROGRAMMING

25 WITH THE DEPARTMENT OF AGRICULTURE AND THE DEPARTMENT OF

26 EDUCATION.

27 (C) THE COMMISSION SHALL BE ADMINISTRATIVELY HOUSED WITHIN

28 THE DEPARTMENT OF AGRICULTURE AND SHALL BE STAFFED AND SUPPORTED

29 BY THE DEPARTMENT OF AGRICULTURE AND THE DEPARTMENT OF

30 EDUCATION, AS PROVIDED UNDER THIS SECTION.

1 (D) IN ORDER FOR THE COMMISSION TO FULFILL ITS DUTIES AND  
2 EXERCISE ITS AUTHORITY UNDER THIS SECTION, AN AGREEMENT SHALL BE  
3 EXECUTED BETWEEN THE DEPARTMENT OF AGRICULTURE, THE DEPARTMENT  
4 OF EDUCATION AND THE COMMISSION, WHICH SHALL DEFINE AND  
5 DELINEATE THE ROLE AND RESPONSIBILITY OF EACH AGENCY IN  
6 ASSISTING THE COMMISSION IN FULFILLING ITS DUTIES UNDER THIS  
7 SECTION.

8 (E) IN ORDER FOR THE COMMISSION TO FULFILL ITS DUTIES AND  
9 EXERCISE ITS AUTHORITY UNDER THIS SECTION, THE DEPARTMENT OF  
10 AGRICULTURE, THE DEPARTMENT OF EDUCATION AND THE COMMISSION  
11 SHALL COOPERATE WITH EACH OTHER IN THE USE OF STAFF, LAND,  
12 BUILDINGS, QUARTERS, FACILITIES AND EQUIPMENT.

13 (F) THE COMMISSION SHALL CONSIST OF THE FOLLOWING MEMBERS:

14 (1) THE SECRETARY OF EDUCATION, OR A DESIGNEE.

15 (2) THE SECRETARY OF AGRICULTURE, OR A DESIGNEE.

16 (3) THE FOLLOWING MEMBERS JOINTLY APPOINTED BY THE SECRETARY  
17 OF EDUCATION AND THE SECRETARY OF AGRICULTURE FROM LISTS  
18 SUBMITTED BY THE PRESIDENT PRO TEMPORE OF THE SENATE AND THE  
19 SPEAKER OF THE HOUSE OF REPRESENTATIVES, IN CONSULTATION WITH  
20 THE MAJORITY LEADER AND MINORITY LEADER OF THE SENATE AND THE  
21 MAJORITY LEADER AND MINORITY LEADER OF THE HOUSE OF  
22 REPRESENTATIVES:

23 (I) TWO FARMERS.

24 (II) A REPRESENTATIVE OF THE AGRICULTURAL PROCESSING AND  
25 AGRICULTURAL MARKETING INDUSTRIES.

26 (III) TWO REPRESENTATIVES OF AGRICULTURAL SCIENCES, NOT MORE  
27 THAN ONE OF WHOM SHALL BE A FACULTY MEMBER OF THE COLLEGE OF  
28 AGRICULTURAL SCIENCES OF THE PENNSYLVANIA STATE UNIVERSITY.

29 (IV) A REPRESENTATIVE OF THE STATE SYSTEM OF HIGHER  
30 EDUCATION WITH A BACKGROUND IN OR KNOWLEDGE OF AGRICULTURAL

1 EDUCATION.

2 (V) TWO TEACHERS OF VOCATIONAL AGRICULTURE, ONE FROM AN AREA  
3 VOCATIONAL-TECHNICAL SCHOOL AND ONE FROM A SCHOOL DISTRICT.

4 (VI) A REPRESENTATIVE OF A COMMUNITY COLLEGE WITH A  
5 BACKGROUND IN OR KNOWLEDGE OF AGRICULTURAL EDUCATION.

6 (VII) AN ADMINISTRATOR OF A SCHOOL ENTITY WHICH CONDUCTS AN  
7 AGRICULTURAL EDUCATION PROGRAM.

8 (VIII) A MEMBER OF A SCHOOL DISTRICT OCCUPATIONAL ADVISORY  
9 COMMITTEE.

10 (IX) TWO MEMBERS OF THE BUSINESS COMMUNITY WITH KNOWLEDGE OF  
11 AGRICULTURAL EDUCATION.

12 (G) TO THE EXTENT PRACTICABLE, FROM MEMBERS INITIALLY  
13 APPOINTED, AN EQUAL NUMBER SHALL DRAW LOTS TO SERVE FOR A TERM  
14 OF THREE YEARS, FOR A TERM OF TWO YEARS AND FOR A TERM OF ONE  
15 YEAR. THEREAFTER, ALL MEMBERS SHALL BE APPOINTED FOR A TERM OF  
16 THREE YEARS.

17 (H) THE CHAIRMANSHIP OF THE COMMISSION SHALL ROTATE ON AN  
18 ANNUAL BASIS BETWEEN THE SECRETARY OF AGRICULTURE AND THE  
19 SECRETARY OF EDUCATION, WITH THE SECRETARY OF EDUCATION CHAIRING  
20 THE FIRST ANNUAL ROTATION.

21 (I) THE COMMISSION SHALL KEEP A RECORD OF ITS OFFICIAL  
22 ACTIONS AND MAY PERFORM ACTS AND PROMULGATE POLICIES, PROCEDURES  
23 AND GUIDELINES AS MAY BE NECESSARY.

24 (J) A MAJORITY OF MEMBERS OF THE COMMISSION SHALL CONSTITUTE  
25 A QUORUM.

26 (K) THE MEMBERS OF THE COMMISSION SHALL NOT RECEIVE  
27 COMPENSATION OR REIMBURSEMENT FOR SERVICES.

28 (L) THE COMMISSION SHALL HAVE ALL THE FOLLOWING POWERS AND  
29 DUTIES:

30 (1) DEVELOP A MODEL FOR STATEWIDE CURRICULUM FOR

1 AGRICULTURAL EDUCATION PROGRAMS BASED ON HIGH PRIORITY  
2 OCCUPATIONS.

3 (2) CONSULT WITH THE TRANSFER AND ARTICULATION OVERSIGHT  
4 COMMITTEE AND SCHOOL ENTITIES TO FACILITATE ARTICULATION  
5 AGREEMENTS WITH POSTSECONDARY INSTITUTIONS OF HIGHER EDUCATION.

6 (3) PROVIDE SUPPORT AND TECHNICAL ASSISTANCE TO SUPERVISED  
7 AGRICULTURAL EXPERIENCE PROGRAMS BASED ON STUDENT NEEDS.

8 (4) PROVIDE SUPPORT AND COORDINATION FOR STATEWIDE AND LOCAL  
9 ACTIVITIES RELATED TO FFA PROGRAMS.

10 (5) INVESTIGATE, REVIEW AND ISSUE AN ANNUAL REPORT ON THE  
11 STATUS OF AGRICULTURAL EDUCATION REQUIRED UNDER SUBSECTION (M).

12 (M) BY MAY 1, 2018, AND BY MAY 1 OF EACH YEAR THEREAFTER,  
13 THE COMMISSION SHALL SUBMIT A REPORT TO THE GOVERNOR AND THE  
14 GENERAL ASSEMBLY ON THE STATUS OF AGRICULTURAL EDUCATION IN THIS  
15 COMMONWEALTH. THE REPORT SHALL:

16 (1) OUTLINE AGRICULTURAL EDUCATION PROGRAMS AND  
17 ACHIEVEMENTS.

18 (2) ASSESS THE TRENDS AND NEEDS IN SECONDARY AND BOTH FORMAL  
19 AND INFORMAL POSTSECONDARY AGRICULTURAL EDUCATION AND TRAINING.

20 (3) INVESTIGATE AND ASSESS WORK FORCE TRENDS OF THE  
21 AGRICULTURE AND FOOD INDUSTRY.

22 (4) ASSESS AND MAKE PROGRAMMING RECOMMENDATIONS FOR MEETING  
23 THE TRAINING NEEDS FOR INDIVIDUALS NOT PURSUING FORMAL  
24 POSTSECONDARY EDUCATION.

25 (5) CONSIDER THE MANNER IN WHICH FUNDS ARE USED TO SUPPORT  
26 AGRICULTURAL EDUCATION ACTIVITIES.

27 (6) HIGHLIGHT NEW INITIATIVES AND RECOMMEND FUTURE PROGRAM  
28 NEEDS.

29 (7) MAKE RECOMMENDATIONS TO THE GOVERNOR AND THE GENERAL  
30 ASSEMBLY REGARDING LEGISLATIVE OR REGULATORY CHANGES TO IMPROVE



1 AGRICULTURAL EDUCATION.

2 (N) THE DEPARTMENT OF AGRICULTURE AND THE DEPARTMENT OF  
3 EDUCATION SHALL PROVIDE STAFF TO ASSIST THE COMMISSION WITH ITS  
4 DUTIES. THE DEPARTMENT OF AGRICULTURE AND THE DEPARTMENT OF  
5 EDUCATION SHALL, AT A MINIMUM, PROVIDE AN EXECUTIVE DIRECTOR WHO  
6 SHALL OVERSEE ALL ELEMENTARY, SECONDARY, POSTSECONDARY AND ADULT  
7 AGRICULTURAL EDUCATION ACTIVITIES IN THIS COMMONWEALTH AND SERVE  
8 AS THE DIRECTOR OF OUTREACH FOR THE COMMISSION, AS WELL AS STAFF  
9 WHO MAY BE EMPLOYED CURRENTLY OR IN THE FUTURE, EITHER FULL-TIME  
10 OR PART-TIME, AND WHO SHALL BE ASSIGNED THE FOLLOWING DUTIES  
11 WITHIN EITHER AGENCY:

12 (1) A CURRICULUM SPECIALIST TO ASSIST SCHOOL ENTITIES IN  
13 DEVELOPING AGRICULTURAL EDUCATION CURRICULA AND INTEGRATING  
14 NATIONAL AGRICULTURE, FOOD AND NATURAL RESOURCE STANDARDS INTO  
15 ELEMENTARY AND SECONDARY CURRICULA.

16 (2) A PROGRAM APPROVAL SPECIALIST TO ASSIST SCHOOL ENTITIES  
17 WITH THE PROGRAM APPROVAL PROCESS FOR AGRICULTURAL EDUCATION  
18 ESTABLISHED BY THE DEPARTMENT OF EDUCATION AND SERVE AS A  
19 LIAISON BETWEEN THE DEPARTMENT OF EDUCATION AND SCHOOL ENTITIES  
20 FOR DATA COLLECTION.

21 (3) AN FFA PROGRAM SPECIALIST TO OVERSEE STATE-RELATED FFA  
22 ACTIVITIES AND IMPLEMENT INITIATIVES FOR LOCAL AGRICULTURAL  
23 EDUCATION PROGRAM SUCCESS.

24 (4) A WORK FORCE DEVELOPMENT SPECIALIST TO IDENTIFY CAREER  
25 PATHWAYS IN THE AGRICULTURAL AND FOOD INDUSTRIES AND PROMOTE  
26 AGRICULTURE AND FOOD CAREERS AMONG STUDENTS AND ADULT JOB  
27 SEEKERS.

28 (5) AN AGRICULTURAL EDUCATION SUPPORT SPECIALIST TO PROVIDE  
29 SUPPORT TO THE STAFF OF THE COMMISSION.

30 (O) THE IMPLEMENTATION OF THIS SECTION IS SUBJECT TO FUNDS

1 APPROPRIATED BY THE GENERAL ASSEMBLY TO THE DEPARTMENT OF  
2 EDUCATION OR THE DEPARTMENT OF AGRICULTURE, AND SUCH FUNDS SHALL  
3 BE USED TO CARRY OUT THE PURPOSES OF THIS SECTION. THE  
4 DEPARTMENT OF EDUCATION AND THE DEPARTMENT OF AGRICULTURE MAY  
5 ACCEPT GRANTS AND DONATIONS FROM ALL PUBLIC AND PRIVATE SOURCES,  
6 INCLUDING THE FEDERAL GOVERNMENT, TO PAY FOR COSTS INCURRED FOR  
7 THE IMPLEMENTATION AND CONTINUANCE OF THE PROVISIONS OF THIS  
8 SECTION.

9 (P) THE FOLLOWING WORDS AND PHRASES WHEN USED IN THIS  
10 SECTION SHALL HAVE THE MEANINGS GIVEN TO THEM IN THIS SUBSECTION  
11 UNLESS THE CONTEXT CLEARLY INDICATES OTHERWISE:

12 "COMMISSION." THE COMMISSION FOR AGRICULTURAL EDUCATION  
13 EXCELLENCE ESTABLISHED UNDER THIS SECTION.

14 "FARMER." ANY PERSON WHO ENGAGES IN ACTIVITIES, PRACTICES  
15 AND PROCEDURES TO PRODUCE AND PREPARE FOR MARKET POULTRY,  
16 LIVESTOCK AND THEIR PRODUCTS OR IN THE PRODUCTION AND HARVESTING  
17 OF AGRICULTURAL, AGRONOMIC, HORTICULTURAL, SILVICULTURAL AND  
18 AQUACULTURAL CROPS AND COMMODITIES AND WHOSE OPERATION IS  
19 CONDUCTED ON NOT LESS THAN TEN CONTIGUOUS ACRES IN AREA OR, IF  
20 LESS THAN TEN CONTIGUOUS ACRES IN AREA, HAS AN ANTICIPATED  
21 YEARLY GROSS INCOME OF AT LEAST TEN THOUSAND DOLLARS (\$10,000).

22 "FFA." A CAREER AND TECHNICAL STUDENT ORGANIZATION THAT  
23 ENCOURAGES LEADERSHIP, PERSONAL GROWTH AND CAREER SUCCESS  
24 THROUGH AGRICULTURAL EDUCATION.

25 "SCHOOL ENTITY." A PUBLIC SCHOOL DISTRICT, INTERMEDIATE UNIT  
26 OR AREA VOCATIONAL-TECHNICAL SCHOOL.

27 SECTION 9. SECTION 1913-A(B)(1.8) OF THE ACT IS AMENDED AND  
28 PARAGRAPH (1.6) IS AMENDED BY ADDING A SUBCLAUSE TO READ:

29 SECTION 1913-A. FINANCIAL PROGRAM; REIMBURSEMENT OF  
30 PAYMENTS.--\* \* \*

1 (B) \* \* \*

2 (1.6) FOR THE 2006-2007 FISCAL YEAR AND EACH FISCAL YEAR  
3 THEREAFTER, THE PAYMENT FOR A COMMUNITY COLLEGE SHALL CONSIST OF  
4 THE FOLLOWING:

5 \* \* \*

6 (X) FOR THE 2017-2018 FISCAL YEAR, EACH COMMUNITY COLLEGE  
7 SHALL RECEIVE THE FOLLOWING:

8 (A) FOR OPERATING COSTS, AN AMOUNT EQUAL TO THE AMOUNTS  
9 RECEIVED IN FISCAL YEAR 2016-2017 UNDER SUBCLAUSE (IX) (A) AND  
10 (C).

11 (B) FOR THE ECONOMIC DEVELOPMENT STIPEND, AN AMOUNT EQUAL TO  
12 THE AMOUNT RECEIVED IN FISCAL YEAR 2016-2017 UNDER SUBCLAUSE  
13 (IX) (B).

14 \* \* \*

15 [(1.8) (I) THE DEPARTMENT OF EDUCATION SHALL ANNUALLY  
16 APPROVE HIGH-PRIORITY AND HIGH-INSTRUCTIONAL-COST OCCUPATION  
17 PROGRAMS, HIGH-PRIORITY OCCUPATION PROGRAMS AND NONCREDIT  
18 WORKFORCE DEVELOPMENT COURSES.

19 (II) IN ORDER TO QUALIFY AS A HIGH-PRIORITY AND HIGH-  
20 INSTRUCTIONAL-COST OCCUPATION PROGRAM, THE PROGRAM MUST:

21 (A) PROVIDE TRAINING:

22 (I) IN A HIGH-PRIORITY OCCUPATION AS DEFINED BY THE CENTER  
23 FOR WORKFORCE INFORMATION AND ANALYSIS WITHIN THE DEPARTMENT OF  
24 LABOR AND INDUSTRY; OR

25 (II) IN AN OCCUPATION DESIGNED TO MEET REGIONAL WORKFORCE  
26 NEEDS AS DOCUMENTED THROUGH COLLABORATION WITH ONE OR MORE  
27 EMPLOYERS.

28 (B) BEAR AN INSTRUCTIONAL COST TO THE COMMUNITY COLLEGE, PER  
29 FULL-TIME-EQUIVALENT STUDENT, OF AT LEAST ONE HUNDRED THIRTY  
30 PERCENT (130%) OF THE AVERAGE COST PER FULL-TIME-EQUIVALENT

1 STUDENT ENROLLED IN THE COMMUNITY COLLEGE'S CREDIT COURSES.  
2 INSTRUCTIONAL COSTS SHALL BE DEFINED BY THE DEPARTMENT OF  
3 EDUCATION AND MAY INCLUDE PERSONNEL, EQUIPMENT, CURRICULA AND  
4 OTHER COSTS NECESSARY FOR THE PROGRAM.

5 (III) IN ORDER TO QUALIFY AS A HIGH-PRIORITY OCCUPATION  
6 PROGRAM OR A NONCREDIT WORKFORCE DEVELOPMENT COURSE, THE HIGH-  
7 PRIORITY OCCUPATION PROGRAM OR NONCREDIT WORKFORCE DEVELOPMENT  
8 COURSE MUST:

9 (A) PROVIDE TRAINING IN A HIGH-PRIORITY OCCUPATION AS  
10 DEFINED BY THE CENTER FOR WORKFORCE INFORMATION AND ANALYSIS  
11 WITHIN THE DEPARTMENT OF LABOR AND INDUSTRY; OR

12 (B) PROVIDE TRAINING IN AN OCCUPATION DESIGNED TO MEET  
13 REGIONAL WORKFORCE NEEDS AS DOCUMENTED THROUGH COLLABORATION  
14 WITH ONE OR MORE EMPLOYERS.

15 (IV) IN ORDER TO QUALIFY UNDER SUBCLAUSE (II) (A) (II) OR  
16 (III) (B), THE COMMUNITY COLLEGE SHALL SUBMIT AN APPLICATION TO  
17 THE DEPARTMENT OF EDUCATION. THE APPLICATION SHALL CONTAIN:

18 (A) EVIDENCE OF COLLABORATION WITH ONE OR MORE EMPLOYERS.

19 (B) INFORMATION AS TO THE NATURE OF THE PROPOSED PROGRAM.

20 (C) EVIDENCE AS TO HOW THE PROGRAM WILL INCREASE WORKFORCE  
21 OPPORTUNITIES FOR PARTICIPANTS.

22 (V) THE DEPARTMENT OF EDUCATION SHALL:

23 (A) DETERMINE THE FORM AND MANNER BY WHICH APPLICATIONS ARE  
24 TO BE SUBMITTED UNDER SUBCLAUSE (IV).

25 (B) APPROVE OR REJECT APPLICATIONS RECEIVED PURSUANT TO  
26 SUBCLAUSE (IV) WITHIN TWENTY (20) DAYS OF RECEIPT OF A COMPLETED  
27 APPLICATION; OTHERWISE, SUCH APPLICATIONS WILL BE DEEMED  
28 APPROVED.

29 (C) ANNUALLY PUBLISH GUIDELINES LISTING CRITERIA AND  
30 ESTABLISHING THE APPROVAL PROCESS FOR PROGRAMS AND COURSES UNDER

1 THIS CLAUSE.]

2 \* \* \*

3 SECTION 10. SECTION 1918-A OF THE ACT IS REPEALED:

4 [SECTION 1918-A. ANNUAL REPORT.--(A) NO LATER THAN JANUARY  
5 1, 2006, THE DEPARTMENT OF EDUCATION SHALL, IN CONSULTATION WITH  
6 THE COMMUNITY COLLEGES, COMPLETE DEVELOPMENT OF A FORMAT FOR  
7 COLLECTING UNIFORM DATA RELATIVE TO THE OPERATIONS OF COMMUNITY  
8 COLLEGES. THE DATA SHALL BE USED IN MAKING AN ANNUAL REPORT TO  
9 THE GOVERNOR AND THE CHAIRMEN AND MINORITY CHAIRMEN OF THE  
10 APPROPRIATIONS AND EDUCATION COMMITTEES OF THE SENATE AND THE  
11 CHAIRMEN AND MINORITY CHAIRMEN OF THE APPROPRIATIONS AND  
12 EDUCATION COMMITTEES OF THE HOUSE OF REPRESENTATIVES. THE REPORT  
13 AND THE DATA SHALL BE MADE AVAILABLE TO THE GOVERNOR AND THE  
14 COMMITTEES VIA ELECTRONIC TRANSMISSION. THE REPORT SHALL COVER  
15 THE IMMEDIATELY PRECEDING ACADEMIC YEAR AND SHALL INCLUDE, BUT  
16 NOT BE LIMITED TO:

17 (1) DEMOGRAPHIC AND PROGRAM DATA, INCLUDING INFORMATION ON  
18 FULL-TIME AND PART-TIME FACULTY AND STUDENT ENROLLMENTS, IN  
19 TOTAL AND WITHIN CURRICULAR AREAS, DUAL ENROLLMENT  
20 PARTICIPATION, CREDIT HOURS TAUGHT BY FACULTY, DISTANCE LEARNING  
21 COURSES OFFERED, ARTICULATION AGREEMENTS WITH HIGHER EDUCATION  
22 INSTITUTIONS, NUMBERS AND COURSES WITH FEWER THAN TWENTY (20)  
23 STUDENTS AND NUMBERS AND COURSES WITH MORE THAN FIFTY (50)  
24 STUDENTS.

25 (2) STUDENT PROGRESS AND ACHIEVEMENT MEASURES, INCLUDING  
26 RETENTION RATES, FIRST-TIME, FULL-TIME GRADUATION RATES AFTER  
27 TWO, THREE AND FOUR YEARS, PASSING RATES ON CERTIFICATION AND  
28 LICENSURE EXAMINATIONS, NUMBER OF STUDENTS EMPLOYED WITHIN ONE  
29 YEAR OF PROGRAM COMPLETION AND PLACEMENT INTO ADDITIONAL  
30 EDUCATION OR EMPLOYMENT IN THE STUDENT'S FIELD OF STUDY.

1 (3) ECONOMIC AND WORKFORCE DEVELOPMENT MEASURES, INCLUDING  
2 EMPLOYER SATISFACTION, CUSTOMIZED JOB TRAINING OFFERINGS,  
3 EMPLOYMENT STATUS AND NUMBERS OF BUSINESSES AND ORGANIZATIONS  
4 SERVED.

5 (B) WHERE AVAILABLE, DATA SHALL BE DISAGGREGATED BY  
6 CATEGORIES, INCLUDING GENDER, RACE AND AGE.

7 (C) THE DEPARTMENT OF EDUCATION, IN CONSULTATION WITH THE  
8 COMMUNITY COLLEGES, SHALL ANNUALLY REVIEW THE UNIFORM DATA  
9 COLLECTION FORMAT AND MAKE ANY REVISIONS DEEMED NECESSARY.

10 (D) REPORTS REQUIRED UNDER THIS SECTION SHALL BE SUBMITTED  
11 PRIOR TO SEPTEMBER 1, 2006, AND SEPTEMBER 1 OF EACH YEAR  
12 THEREAFTER.]

13 SECTION 11. SECTIONS 1906-G(A) (1) AND 2006-B(A) OF THE ACT,  
14 ADDED JULY 13, 2016 (P.L.716, NO.86), ARE AMENDED TO READ:  
15 SECTION 1906-G. ESTABLISHMENT.

16 (A) GENERAL RULE.--NO LATER THAN DECEMBER 31, 2016, THE  
17 BOARD OF TRUSTEES APPOINTED UNDER SECTION 1905-G SHALL SUBMIT TO  
18 THE SECRETARY A PROPOSED RURAL REGIONAL COLLEGE PLAN IN SUCH  
19 FORM AND CONTAINING SUCH INFORMATION AS THE SECRETARY MAY  
20 REQUIRE. IN ADDITION TO OTHER INFORMATION WHICH MAY BE REQUIRED  
21 BY THE SECRETARY, THE PLAN SHALL INCLUDE THE FOLLOWING:

22 (1) A DESIGNATION OF THE NAME OF THE PROPOSED RURAL  
23 REGIONAL COLLEGE WHICH SHALL BE THE "RURAL REGIONAL COLLEGE  
24 OF " OR " RURAL REGIONAL  
25 [COLLEGE." ] COLLEGE"; EXCEPT THAT THE BOARD OF TRUSTEES OF  
26 THE RURAL REGIONAL COLLEGE MAY LATER CHANGE THE COLLEGE'S  
27 NAME OR ADOPT A FICTITIOUS NAME FOR THE PURPOSE OF CONDUCTING  
28 BUSINESS UNDER 54 PA.C.S. CH. 3 (RELATING TO FICTITIOUS  
29 NAMES) .

30 \* \* \*

1 SECTION 2006-B. LIMITATIONS.

2 (A) AMOUNT.--

3 (1) THE TOTAL AGGREGATE AMOUNT OF ALL TAX CREDITS  
4 APPROVED FOR CONTRIBUTIONS FROM BUSINESS FIRMS TO SCHOLARSHIP  
5 ORGANIZATIONS, EDUCATIONAL IMPROVEMENT ORGANIZATIONS AND PRE-  
6 KINDERGARTEN SCHOLARSHIP ORGANIZATIONS SHALL NOT EXCEED  
7 [\$125,000,000] \$145,000,000 IN A FISCAL YEAR.

8 (I) NO LESS THAN [\$75,000,000] \$87,000,000 OF THE  
9 TOTAL AGGREGATE AMOUNT SHALL BE USED TO PROVIDE TAX  
10 CREDITS FOR CONTRIBUTIONS FROM BUSINESS FIRMS TO  
11 SCHOLARSHIP ORGANIZATIONS.

12 (II) NO LESS THAN [\$37,500,000] \$43,500,000 OF THE  
13 TOTAL AGGREGATE AMOUNT SHALL BE USED TO PROVIDE TAX  
14 CREDITS FOR CONTRIBUTIONS FROM BUSINESS FIRMS TO  
15 EDUCATIONAL IMPROVEMENT ORGANIZATIONS.

16 (III) THE TOTAL AGGREGATE AMOUNT OF ALL TAX CREDITS  
17 APPROVED FOR CONTRIBUTIONS FROM BUSINESS FIRMS TO PRE-  
18 KINDERGARTEN SCHOLARSHIP ORGANIZATIONS SHALL NOT EXCEED  
19 [\$12,500,000] \$14,500,000 IN A FISCAL YEAR.

20 (2) THE TOTAL AGGREGATE AMOUNT OF ALL TAX CREDITS  
21 APPROVED FOR CONTRIBUTIONS FROM BUSINESS FIRMS TO OPPORTUNITY  
22 SCHOLARSHIP ORGANIZATIONS SHALL NOT EXCEED \$50,000,000 IN A  
23 FISCAL YEAR.

24 \* \* \*

25 SECTION 12. SECTION 2001-C OF THE ACT IS AMENDED BY ADDING  
26 DEFINITIONS TO READ:

27 SECTION 2001-C. DEFINITIONS.

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

1 "ADVANCED PLACEMENT PROGRAM (AP)." A PROGRAM AUTHORIZED BY  
2 THE COLLEGE BOARD THAT ALLOWS A STUDENT TO STUDY COLLEGE-LEVEL  
3 SUBJECTS WHILE ENROLLED IN HIGH SCHOOL AND TO RECEIVE ADVANCED  
4 PLACEMENT AND COLLEGE CREDIT FOR EARNING A QUALIFIED SCORE ON  
5 THE COURSE-RELATED ADVANCED PLACEMENT PROGRAM EXAM.

6 \* \* \*

7 "COLLEGE-LEVEL EXAMINATION PROGRAM (CLEP)." A SET OF  
8 STANDARDIZED TESTS DEVELOPED BY THE COLLEGE BOARD FOR VARIOUS  
9 SUBJECTS, AND ON WHICH A QUALIFYING SCORE CAN BE USED TO EARN  
10 COLLEGE CREDIT.

11 \* \* \*

12 "CREDIT FOR PRIOR LEARNING." COLLEGE-LEVEL CREDIT GRANTED  
13 TOWARD THE AWARD OF A POSTSECONDARY DEGREE OR CERTIFICATE FOR  
14 EXPERIENTIAL LEARNING THAT CAN BE DEMONSTRATED THROUGH VARIOUS  
15 MEANS OF ASSESSMENT TO BE THE EQUIVALENT OF LEARNING GAINED  
16 THROUGH FORMAL COLLEGIATE INSTRUCTION, INCLUDING AN ADVANCED  
17 PLACEMENT PROGRAM EXAM, INTERNATIONAL BACCALAUREATE DIPLOMA  
18 PROGRAM EXAM, COLLEGE-LEVEL EXAMINATION PROGRAM EXAM AND DANTES  
19 SUBJECT STANDARDIZED TESTS.

20 "DANTES SUBJECT STANDARDIZED TESTS (DSST)." A SET OF SUBJECT  
21 EXAMS APPROVED BY THE AMERICAN COUNCIL ON EDUCATION THAT TESTS  
22 KNOWLEDGE OF BOTH LOWER-LEVEL AND UPPER-LEVEL COLLEGE MATERIAL.

23 \* \* \*

24 "INTERNATIONAL BACCALAUREATE DIPLOMA PROGRAM (IB)." AN  
25 ACADEMICALLY CHALLENGING TWO-YEAR PRECOLLEGE DIPLOMA PROGRAM  
26 COMPRISED OF THREE CORE REQUIREMENTS AND SIX ACADEMIC SUBJECT  
27 AREAS WITH FINAL EXAMINATIONS THAT PREPARE STUDENTS, 16 TO 19  
28 YEARS OF AGE, FOR HIGHER EDUCATION AND LIFE IN A GLOBAL SOCIETY.

29 \* \* \*

30 SECTION 13. SECTION 2002-C OF THE ACT IS AMENDED BY ADDING A



1 SUBSECTION TO READ:

2 SECTION 2002-C. DUTIES OF PUBLIC INSTITUTIONS OF HIGHER  
3 EDUCATION.

4 \* \* \*

5 (D) CREDIT FOR PRIOR LEARNING.--EACH PUBLIC INSTITUTION OF  
6 HIGHER EDUCATION SHALL DO ALL OF THE FOLLOWING:

7 (1) ADOPT AND MAKE PUBLIC UNIFORM STANDARDS FOR  
8 DETERMINING ACADEMIC CREDIT FOR PRIOR LEARNING AS OUTLINED IN  
9 PARAGRAPH (4) WITHIN 18 MONTHS OF THE EFFECTIVE DATE OF THIS  
10 SUBSECTION.

11 (2) AGREE TO AWARD ACADEMIC CREDIT FOR PRIOR LEARNING,  
12 WHICH IS DETERMINED TO MEET THE STANDARDS ESTABLISHED UNDER  
13 SECTION 2004-C(C) (6) AND APPLY THE CREDIT TOWARD GRADUATION,  
14 UNLESS PROHIBITED BY EXTERNAL ACCREDITATION OR LICENSURE.

15 (3) SUBMIT TO THE DEPARTMENT INTERIM REPORTS OUTLINING  
16 THE ACTIONS THAT A PUBLIC INSTITUTION OF HIGHER EDUCATION HAS  
17 UNDERTAKEN OR INTENDS TO UNDERTAKE TO COMPLY WITH PARAGRAPHS  
18 (1) AND (2).

19 (4) AS A MEMBER OF THE TRANSFER AND ARTICULATION  
20 OVERSIGHT COMMITTEE ESTABLISHED IN SECTION 2004-C:

21 (I) CONSULT WITH THE DEPARTMENT ON A PROCESS AND  
22 TIMELINE, SUBJECT TO APPROVAL BY THE DEPARTMENT, TO  
23 DEVELOP UNIFORM STANDARDS FOR DETERMINING ACADEMIC CREDIT  
24 FOR PRIOR LEARNING, IN CONSULTATION WITH FACULTY AND  
25 PERSONNEL.

26 (II) DEVELOP AND IMPLEMENT UNIFORM STANDARDS FOR  
27 DETERMINING ACADEMIC CREDIT FOR PRIOR LEARNING, IN  
28 CONSULTATION WITH FACULTY AND PERSONNEL.

29 (III) PARTICIPATE IN SUBMITTING A STATUS REPORT TO  
30 THE DEPARTMENT, THE EDUCATION COMMITTEE OF THE SENATE AND

1 THE EDUCATION COMMITTEE OF THE HOUSE OF REPRESENTATIVES.

2 (5) FOR EACH ACADEMIC YEAR, REPORT TO THE DEPARTMENT ALL  
3 OF THE FOLLOWING:

4 (I) THE TOTAL NUMBER OF STUDENTS AWARDED CREDITS FOR  
5 PRIOR LEARNING, INCLUDING ADVANCED PLACEMENT PROGRAM  
6 EXAMS, INTERNATIONAL BACCALAUREATE DIPLOMA PROGRAM EXAMS,  
7 COLLEGE-LEVEL EXAMINATION PROGRAM EXAMS AND DANTES  
8 SUBJECT STANDARDIZED TESTS.

9 (II) THE TOTAL NUMBER OF CREDITS AWARDED TO STUDENTS  
10 FOR PRIOR LEARNING, INCLUDING ADVANCED PLACEMENT PROGRAM  
11 EXAMS, INTERNATIONAL BACCALAUREATE DIPLOMA PROGRAM EXAMS,  
12 COLLEGE-LEVEL EXAMINATION PROGRAM EXAMS AND DANTES  
13 SUBJECT STANDARDIZED TESTS.

14 (III) THE NUMBER OF CREDITS AWARDED TO MATRICULATING  
15 STUDENTS WHO PRESENT ADVANCED PLACEMENT PROGRAM,  
16 INTERNATIONAL BACCALAUREATE DIPLOMA PROGRAM AND COLLEGE-  
17 LEVEL EXAMINATION PROGRAM EXAMS AND DANTES SUBJECT  
18 STANDARDIZED TESTS THAT MEET THE STANDARDS ESTABLISHED  
19 UNDER SECTION 2004-C(C) (6) AND, OF THOSE CREDITS, THE  
20 NUMBER OF CREDITS APPLIED TOWARD MAJOR REQUIREMENTS AND  
21 THE NUMBER OF CREDITS APPLIED TOWARD ELECTIVE  
22 REQUIREMENTS.

23 (IV) ANY OTHER INFORMATION RELATED TO AWARDING OF  
24 CREDIT FOR PRIOR LEARNING AS REQUESTED BY THE DEPARTMENT  
25 OR THE TRANSFER AND ARTICULATION OVERSIGHT COMMITTEE,  
26 INCLUDING THE USABILITY OF TRANSFER CREDITS.

27 SECTION 14. SECTION 2004-C(C) OF THE ACT IS AMENDED BY  
28 ADDING A PARAGRAPH TO READ:  
29 SECTION 2004-C. TRANSFER AND ARTICULATION OVERSIGHT COMMITTEE.

30 \* \* \*

1 (C) DUTIES OF TRANSFER AND ARTICULATION OVERSIGHT  
2 COMMITTEE.--THE COMMITTEE SHALL:

3 \* \* \*

4 (6) WITHIN ONE YEAR OF THE EFFECTIVE DATE OF THIS  
5 PARAGRAPH, DEVELOP AND IMPLEMENT UNIFORM STANDARDS FOR  
6 AWARDING ACADEMIC CREDIT FOR PRIOR LEARNING, IN CONSULTATION  
7 WITH FACULTY AND PERSONNEL FOR PUBLIC INSTITUTIONS OF HIGHER  
8 EDUCATION AND INSTITUTIONS THAT ELECT TO PARTICIPATE UNDER  
9 SECTION 2006-C.

10 SECTION 15. THE ACT IS AMENDED BY ADDING A SECTION TO READ:  
11 SECTION 2321. STATE AID FOR FISCAL YEAR 2017-2018.

12 NOTWITHSTANDING ANY OTHER PROVISION OF LAW TO THE CONTRARY,  
13 EACH LIBRARY SUBJECT TO 24 PA.C.S. CH. 93 (RELATING TO PUBLIC  
14 LIBRARY CODE), SHALL BE ELIGIBLE FOR STATE AID FOR FISCAL YEAR  
15 2017-2018, AS FOLLOWS:

16 (1) FUNDS APPROPRIATED FOR LIBRARIES SHALL BE  
17 DISTRIBUTED TO EACH LIBRARY UNDER THE FOLLOWING FORMULA:

18 (I) DIVIDE THE AMOUNT OF FUNDING THAT THE LIBRARY  
19 RECEIVED IN FISCAL YEAR 2016-2017 UNDER SECTION 2320 BY  
20 THE TOTAL STATE-AID SUBSIDY FOR FISCAL YEAR 2016-2017.

21 (II) MULTIPLY THE QUOTIENT UNDER SUBPARAGRAPH (I) BY  
22 THE TOTAL STATE-AID SUBSIDY FOR FISCAL YEAR 2017-2018.

23 (2) FOLLOWING DISTRIBUTION OF FUNDS APPROPRIATED FOR  
24 STATE AID TO LIBRARIES UNDER PARAGRAPH (1), ANY REMAINING  
25 FUNDS MAY BE DISTRIBUTED AT THE DISCRETION OF THE STATE  
26 LIBRARIAN.

27 (3) IF FUNDS APPROPRIATED FOR STATE AID TO LIBRARIES IN  
28 FISCAL YEAR 2017-2018 ARE LESS THAN FUNDS APPROPRIATED IN  
29 FISCAL YEAR 2002-2003, THE STATE LIBRARIAN MAY WAIVE  
30 STANDARDS AS PRESCRIBED IN 24 PA.C.S. CH. 93.

1           (4) EACH LIBRARY SYSTEM RECEIVING STATE AID UNDER THIS  
2 SECTION MAY DISTRIBUTE THE LOCAL LIBRARY SHARE OF THAT AID IN  
3 A MANNER AS DETERMINED BY THE BOARD OF DIRECTORS OF THE  
4 LIBRARY SYSTEM.

5           (5) IN THE CASE OF A LIBRARY SYSTEM THAT CONTAINS A  
6 LIBRARY OPERATING IN A CITY OF THE SECOND CLASS, CHANGES TO  
7 THE DISTRIBUTION OF STATE AID TO THE LIBRARY SHALL BE MADE BY  
8 MUTUAL AGREEMENT BETWEEN THE LIBRARY AND THE LIBRARY SYSTEM.

9           (6) IN THE EVENT OF A CHANGE IN DISTRICT LIBRARY CENTER  
10 POPULATION PRIOR TO THE EFFECTIVE DATE OF THIS SECTION AS A  
11 RESULT OF:

12           (I) A CITY, BOROUGH, TOWN, TOWNSHIP, SCHOOL DISTRICT  
13 OR COUNTY MOVING FROM ONE LIBRARY CENTER TO ANOTHER; OR

14           (II) A TRANSFER OF DISTRICT LIBRARY CENTER STATUS TO  
15 A COUNTY LIBRARY SYSTEM;

16 FUNDING OF DISTRICT LIBRARY CENTER AID SHALL BE PAID BASED ON  
17 THE POPULATION OF THE NEWLY ESTABLISHED OR RECONFIGURED  
18 DISTRICT LIBRARY CENTER.

19           (7) IN THE EVENT OF A CHANGE IN DIRECT SERVICE AREA FROM  
20 ONE LIBRARY TO ANOTHER, THE STATE LIBRARIAN, UPON AGREEMENT  
21 OF THE AFFECTED LIBRARIES, MAY REDISTRIBUTE THE LOCAL LIBRARY  
22 SHARE OF AID TO THE LIBRARY CURRENTLY SERVICING THE AREA.

23 SECTION 16. SECTION 2502.53(C) (5) AND (D) (3) OF THE ACT,  
24 ADDED JUNE 1, 2016 (P.L.252, NO.35), ARE AMENDED AND SUBSECTION  
25 (D) IS AMENDED BY ADDING A PARAGRAPH TO READ:

26 SECTION 2502.53. STUDENT-WEIGHTED BASIC EDUCATION FUNDING.--

27 \* \* \*

28 (C) FOR THE PURPOSE OF THIS SECTION:

29 \* \* \*

30 (5) THE DATA USED TO CALCULATE THE FACTORS AND INDEXES IN

1 THIS SECTION SHALL BE BASED ON THE MOST RECENT YEARS FOR WHICH  
2 DATA IS AVAILABLE AS DETERMINED BY THE DEPARTMENT OF  
3 EDUCATION[.] AND BE FIXED AS OF THE FIRST DAY OF JUNE PRECEDING  
4 THE SCHOOL YEAR IN WHICH THE ALLOCATION OCCURS. DATA FIXED ON  
5 THE FIRST DAY OF JUNE SHALL BE REVISED BY THE DEPARTMENT OF  
6 EDUCATION IF IT IS SUBSEQUENTLY FOUND TO BE INCORRECT.

7 (D) FOR PURPOSES OF THIS SECTION:

8 \* \* \*

9 (1.1) "CURRENT EXPENDITURES" SHALL MEAN THE GENERAL FUND  
10 EXPENDITURES IN FUNCTIONAL CLASSIFICATIONS OF INSTRUCTION,  
11 SUPPORT SERVICES AND OPERATION OF NONINSTRUCTIONAL SERVICES.  
12 BEGINNING WITH THE 2016-2017 SCHOOL YEAR, "CURRENT EXPENDITURES"  
13 SHALL MEAN THE GENERAL FUND EXPENDITURES IN FUNCTIONAL  
14 CLASSIFICATIONS OF INSTRUCTION, SUPPORT SERVICES AND OPERATION  
15 OF NONINSTRUCTIONAL SERVICES, MINUS GENERAL FUND REVENUES FOR  
16 TUITION FROM PATRONS.

17 \* \* \*

18 (3) "LOCAL TAX-RELATED REVENUE" SHALL MEAN THE SUM OF SCHOOL  
19 DISTRICT REVENUES FOR STATE PROPERTY TAX REDUCTION ALLOCATION,  
20 TAXES LEVIED AND ASSESSED, DELINQUENCIES ON TAXES LEVIED AND  
21 ASSESSED, REVENUE FROM LOCAL GOVERNMENT UNITS AND OTHER LOCAL  
22 REVENUES NOT SPECIFIED ELSEWHERE, AS DESIGNATED IN THE MANUAL OF  
23 ACCOUNTING AND FINANCIAL REPORTING FOR PENNSYLVANIA PUBLIC  
24 SCHOOLS. BEGINNING WITH THE 2016-2017 SCHOOL YEAR, REVENUES  
25 RECEIVED BY A SCHOOL DISTRICT FROM THE SALES AND USE TAX AND THE  
26 CIGARETTE TAX SHALL BE INCLUDED WHEN DETERMINING A SCHOOL  
27 DISTRICT'S LOCAL TAX-RELATED REVENUE UNDER THIS SECTION.

28 \* \* \*

29 SECTION 17. SECTIONS 2509.1(C.2), 2510.3(A) AND 2599.6 OF  
30 THE ACT, AMENDED OR ADDED JULY 13, 2016 (P.L.716, NO.86), ARE

1 AMENDED TO READ:

2 SECTION 2509.1. PAYMENTS TO INTERMEDIATE UNITS.--\* \* \*

3 (C.2) (1) FOR THE 2016-2017 AND 2017-2018 SCHOOL [YEAR]  
4 YEARS, FIVE AND FIVE-TENTHS PERCENT (5.5%) OF THE STATE SPECIAL  
5 EDUCATION APPROPRIATION SHALL BE PAID TO INTERMEDIATE UNITS ON  
6 ACCOUNT OF SPECIAL EDUCATION SERVICES.

7 (2) THIRTY-FIVE PERCENT (35%) OF THE AMOUNT UNDER PARAGRAPH  
8 (1) SHALL BE DISTRIBUTED EQUALLY AMONG ALL INTERMEDIATE UNITS.

9 (3) SIXTY-FIVE PERCENT (65%) OF THE AMOUNT UNDER PARAGRAPH  
10 (1) SHALL BE DISTRIBUTED TO EACH INTERMEDIATE UNIT IN PROPORTION  
11 TO THE NUMBER OF AVERAGE DAILY MEMBERSHIP OF THE COMPONENT  
12 SCHOOL DISTRICTS OF EACH INTERMEDIATE UNIT AS COMPARED TO THE  
13 STATEWIDE TOTAL AVERAGE DAILY MEMBERSHIP.

14 \* \* \*

15 SECTION 2510.3. ASSISTANCE TO SCHOOL DISTRICTS DECLARED TO  
16 BE IN FINANCIAL RECOVERY STATUS OR IDENTIFIED FOR FINANCIAL  
17 WATCH STATUS.--(A) THE FOLLOWING APPLY:

18 (1) FOR THE 2013-2014 AND 2016-2017 FISCAL YEARS, THE  
19 DEPARTMENT OF EDUCATION MAY UTILIZE UP TO FOUR MILLION FIVE  
20 HUNDRED THOUSAND DOLLARS (\$4,500,000) OF UNDISTRIBUTED FUNDS NOT  
21 EXPENDED, ENCUMBERED OR COMMITTED FROM APPROPRIATIONS FOR GRANTS  
22 AND SUBSIDIES MADE TO THE DEPARTMENT OF EDUCATION TO ASSIST  
23 SCHOOL DISTRICTS DECLARED TO BE IN FINANCIAL RECOVERY STATUS  
24 UNDER SECTION 621-A OR IDENTIFIED FOR FINANCIAL WATCH STATUS  
25 UNDER SECTION 611-A . THE FUNDS SHALL BE TRANSFERRED BY THE  
26 SECRETARY OF THE BUDGET TO A RESTRICTED ACCOUNT AS NECESSARY TO  
27 MAKE PAYMENTS UNDER THIS SECTION AND, WHEN TRANSFERRED, ARE  
28 HEREBY APPROPRIATED TO CARRY OUT THE PROVISIONS OF THIS SECTION.

29 (2) FOR THE 2017-2018 FISCAL YEAR, THE DEPARTMENT OF  
30 EDUCATION MAY UTILIZE UP TO FIVE MILLION DOLLARS (\$5,000,000) OF

1 UNDISTRIBUTED FUNDS NOT EXPENDED, ENCUMBERED OR COMMITTED FROM  
2 APPROPRIATIONS FOR GRANTS AND SUBSIDIES MADE TO THE DEPARTMENT  
3 OF EDUCATION TO ASSIST SCHOOL DISTRICTS DECLARED TO BE IN  
4 FINANCIAL RECOVERY STATUS UNDER SECTION 621-A, IDENTIFIED FOR  
5 FINANCIAL WATCH STATUS UNDER SECTION 611-A OR IDENTIFIED FOR  
6 FINANCIAL WATCH STATUS UNDER SECTION 694-A; EXCEPT THAT THE  
7 FUNDS MUST BE FIRST UTILIZED TO ACCOMPLISH THE PROVISIONS  
8 CONTAINED IN SECTION 695-A. THE FUNDS SHALL BE TRANSFERRED BY  
9 THE SECRETARY OF THE BUDGET TO A RESTRICTED ACCOUNT AS NECESSARY  
10 TO MAKE PAYMENTS UNDER THIS SECTION AND, WHEN TRANSFERRED, ARE  
11 HEREBY APPROPRIATED TO CARRY OUT THE PROVISIONS OF THIS SECTION.

12 \* \* \*

13 SECTION 2599.6. READY-TO-LEARN BLOCK GRANT.-- (A) FOR THE  
14 2016-2017 AND 2017-2018 SCHOOL [YEAR] YEARS, EACH SCHOOL ENTITY  
15 SHALL RECEIVE A READY-TO-LEARN BLOCK GRANT AS FOLLOWS:

16 (1) AN AMOUNT EQUAL TO THE AMOUNT THE SCHOOL ENTITY RECEIVED  
17 DURING THE 2013-2014 SCHOOL YEAR UNDER SECTION 2599.2.

18 (2) AN AMOUNT EQUAL TO THE AMOUNT THE SCHOOL ENTITY RECEIVED  
19 DURING THE 2014-2015 SCHOOL YEAR UNDER SECTION 1722-J(21) (II) OF  
20 THE ACT OF APRIL 9, 1929 (P.L.343, NO.176), KNOWN AS THE FISCAL  
21 CODE.

22 (3) AN AMOUNT EQUAL TO THE AMOUNT THE SCHOOL ENTITY RECEIVED  
23 DURING THE 2015-2016 SCHOOL YEAR UNDER SECTION 1722-L(21) (I) (C)  
24 OF THE FISCAL CODE.

25 (B) FUNDING RECEIVED BY A SCHOOL ENTITY UNDER THIS SECTION  
26 SHALL BE USED IN ACCORDANCE WITH THE PROVISIONS CONTAINED IN  
27 SECTIONS 2599.2 AND 1722-J(21) (V) OF THE FISCAL CODE AND MAY BE  
28 USED FOR INTEGRATED STUDENT SUPPORTS.

29 (C) TO BE ELIGIBLE TO RECEIVE FUNDING UNDER THIS SECTION,  
30 EACH SCHOOL ENTITY SHALL SUBMIT A PLAN FOR APPROVAL TO THE

1 DEPARTMENT OUTLINING HOW THE FUNDING WILL BE USED.

2 (D) REVENUES RECEIVED BY A SCHOOL DISTRICT UNDER SUBSECTION  
3 (A) (2) SHALL NOT BE INCLUDED IN THE SCHOOL DISTRICT'S BUDGETED  
4 TOTAL EXPENDITURE PER AVERAGE DAILY MEMBERSHIP USED TO CALCULATE  
5 THE AMOUNT TO BE PAID TO A CHARTER SCHOOL UNDER SECTION 1725-  
6 A(A) (2) AND (3).

7 (E) FOR THE PURPOSES OF THIS SECTION, A "SCHOOL ENTITY"  
8 SHALL BE A SCHOOL DISTRICT, CHARTER SCHOOL, CYBER CHARTER SCHOOL  
9 OR REGIONAL CHARTER SCHOOL.

10 SECTION 18. SECTION 2603-B(H) AND (I) OF THE ACT ARE AMENDED  
11 TO READ:

12 SECTION 2603-B. POWERS AND DUTIES OF THE BOARD.--\* \* \*

13 (H) EVERY [FIVE (5)] TEN (10) YEARS, THE BOARD SHALL ADOPT A  
14 MASTER PLAN FOR HIGHER EDUCATION WHICH SHALL BE FOR THE GUIDANCE  
15 OF THE GOVERNOR, THE GENERAL ASSEMBLY, AND ALL INSTITUTIONS OF  
16 HIGHER EDUCATION FINANCED WHOLLY OR IN PART FROM STATE  
17 APPROPRIATIONS. THE MASTER PLAN SHALL:

18 (1) DEFINE THE ROLE OF EACH TYPE OF INSTITUTION (STATE-OWNED  
19 UNIVERSITIES, STATE-RELATED UNIVERSITIES, COMMUNITY COLLEGES,  
20 PRIVATE COLLEGES AND UNIVERSITIES AND OFF-CAMPUS CENTERS OF ANY  
21 OF THESE AND OTHER INSTITUTIONS AUTHORIZED TO GRANT DEGREES) IN  
22 THIS COMMONWEALTH;

23 (2) RECOMMEND ENROLLMENT LEVELS FOR EACH SUCH INSTITUTION;

24 (3) RECOMMEND METHODS FOR GOVERNANCE;

25 (4) RECOMMEND METHODS FOR THE DISTRIBUTION OF STATE FUNDS  
26 AMONG THE INSTITUTIONS;

27 (5) EVALUATE THE STATUS OF PHYSICAL PLANTS AND TECHNICAL  
28 EQUIPMENT AND PROJECT NEEDS;

29 (6) EVALUATE THE STATUS OF AND PROJECTION OF MANPOWER NEEDS;

30 (7) EVALUATE ENROLLMENT ACCESSIBILITY TO INSTITUTIONS OF



1 HIGHER LEARNING BY THE PUBLIC; AND

2 (8) OTHERWISE PROVIDE FOR AN ORDERLY DEVELOPMENT OF  
3 INSTITUTIONS OF HIGHER EDUCATION IN THIS COMMONWEALTH.

4 (I) EVERY [FIVE (5)] TEN (10) YEARS, THE BOARD SHALL ADOPT A  
5 MASTER PLAN FOR BASIC EDUCATION WHICH SHALL BE FOR THE GUIDANCE  
6 OF THE GOVERNOR, THE GENERAL ASSEMBLY, AND ALL PUBLIC SCHOOL  
7 ENTITIES. THE MASTER PLAN SHALL CONSIDER AND MAKE  
8 RECOMMENDATIONS ON THE FOLLOWING AREAS, AND ANY OTHER AREAS  
9 WHICH THE BOARD DEEMS APPROPRIATE:

10 (1) SCHOOL PROGRAM APPROVAL, EVALUATION AND REQUIREMENTS;

11 (2) SCHOOL PERSONNEL TRAINING AND CERTIFICATION;

12 (3) STUDENT TESTING AND ASSESSMENT;

13 (4) SCHOOL GOVERNANCE AND ORGANIZATION;

14 (5) CURRICULUM MATERIALS DEVELOPMENT;

15 (6) SCHOOL FINANCE;

16 (7) SCHOOL BUILDINGS AND FACILITIES;

17 (8) TRANSPORTATION;

18 (9) TECHNICAL SERVICES AND SUPPORT SERVICES TO LOCAL  
19 EDUCATION AGENCIES; AND

20 (10) PROJECTED LONG-RANGE NEEDS OF THE PUBLIC SCHOOL SYSTEM  
21 OF THIS COMMONWEALTH.

22 \* \* \*

23 SECTION 19. NOTWITHSTANDING SECTION 10 OF THE ACT OF  
24 NOVEMBER 3, 2016 (P.L.1061, NO.138), THE ACT OF NOVEMBER 3, 2016  
25 (P.L.1061, NO.138), SHALL APPLY AS FOLLOWS:

26 (1) FOR A PUBLIC SCHOOL DISTRICT, A CHARTER SCHOOL, A  
27 CYBER CHARTER SCHOOL, A REGIONAL CHARTER SCHOOL OR AN AREA  
28 VOCATIONAL-TECHNICAL SCHOOL, THE ACT OF NOVEMBER 3, 2016  
29 (P.L.1061, NO.138), SHALL APPLY TO THE 2017-2018 SCHOOL YEAR  
30 AND EACH SCHOOL YEAR THEREAFTER.

1           (2) FOR A NONPUBLIC SCHOOL, THE ACT OF NOVEMBER 3, 2016  
2           (P.L.1061, NO.138), SHALL APPLY TO THE 2018-2019 SCHOOL YEAR  
3           AND EACH SCHOOL YEAR THEREAFTER.

4           SECTION 20. REPEALS ARE AS FOLLOWS:

5           (1) THE GENERAL ASSEMBLY DECLARES THAT THE REPEAL UNDER  
6           PARAGRAPH (2) IS NECESSARY TO EFFECTUATE THE PROVISIONS OF  
7           SECTION 19.

8           (2) SECTION 10 OF THE ACT OF NOVEMBER 3, 2016 (P.L.1061,  
9           NO.138), IS REPEALED INSOFAR AS IT IS INCONSISTENT WITH  
10          SECTION 19.

11          SECTION 21. THE FOLLOWING SHALL TAKE EFFECT RETROACTIVELY TO  
12          JULY 1, 2017:

13          (1) THE AMENDMENT OF SECTION 732.1 OF THE ACT.

14          (2) THE AMENDMENT OF SECTION 1913-A OF THE ACT.

15          (3) THE AMENDMENT OF SECTION 2006-B(A) OF THE ACT.

16          (4) THE AMENDMENT OF SECTION 2321 OF THE ACT.

17          (5) THE AMENDMENT OF SECTION 2502.53 OF THE ACT.

18          (6) THE AMENDMENT OF SECTION 2509.1 OF THE ACT.

19          (7) THE AMENDMENT OF SECTION 2599.6 OF THE ACT.

20          SECTION 22. THIS ACT SHALL TAKE EFFECT AS FOLLOWS:

21          (1) THE AMENDMENT OF SECTION 1337(D) OF THE ACT SHALL  
22          TAKE EFFECT IN 30 DAYS.

23          (2) THE FOLLOWING SHALL TAKE EFFECT IN 60 DAYS:

24                  (I) THE AMENDMENT OF SECTION 1549 OF THE ACT.

25                  (II) THE ADDITION OF SECTION 1549.1 OF THE ACT.

26          (3) THE REMAINDER OF THIS ACT SHALL TAKE EFFECT  
27          IMMEDIATELY.