

MILITARY AND VETERANS CODE (51 PA.C.S.) - NATIONAL GUARD YOUTH  
CHALLENGE PROGRAM

Act of Jun. 28, 2018, P.L. 365, No. 51

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Session of 2018

No. 2018-51

HB 824

AN ACT

Amending Title 51 (Military Affairs) of the Pennsylvania Consolidated Statutes, providing for the National Guard Youth Challenge Program.

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

Section 1. Title 51 of the Pennsylvania Consolidated Statutes is amended by adding a chapter to read:

**CHAPTER 98**  
**NATIONAL GUARD YOUTH**  
**CHALLENGE PROGRAM**

Sec.

- 9801. Definitions.
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§ 9801. Definitions.

The following words and phrases when used in this chapter shall have the meanings given to them in this section unless the context clearly indicates otherwise:

"Institution of higher education." Any of the following:

(1) A community college operating under Article XIX-A of the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949.

(2) A university within the State System of Higher Education under Article XX-A of the Public School Code of 1949.

(3) A State-related institution as defined in section 1502-A of the Public School Code of 1949.

(4) Thaddeus Stevens College of Technology.

(5) Any accredited private or independent college or university.

"Program." The Keystone State Challenge Academy.

"School entity." A school district, charter school, cyber charter school, regional charter school, intermediate unit or area vocational-technical school.

§ 9802. Program established.

To the extent funds are appropriated for the purposes provided under this chapter, the department shall establish a youth challenge program as provided for under 32 U.S.C. § 509 (relating to National Guard Youth Challenge Program of opportunities for civilian youth). The program shall be known as the Keystone State Challenge Academy.

§ 9803. Description of program.

(a) General rule.--The department shall develop program guidelines in consultation with the Department of Education. Consistent with 32 U.S.C. § 509(a) (relating to National Guard Youth Challenge Program of opportunities for civilian youth), the program shall seek to improve the life skills and employment potential of participants by providing military-based training and supervised work experience, together with the core program components of assisting participants to receive a high school diploma or its equivalent, leadership development, promoting fellowship and community service, developing life coping skills and job skills and improving physical fitness and health and hygiene. The department shall post the program guidelines on the home page of the department's publicly accessible Internet website and shall provide the guidelines to the Department of Education.

(b) Duties of Department of Education.--The Department of Education shall post the program guidelines on the home page of the publicly accessible Internet website of the Department of Education and shall annually distribute the guidelines and relevant program information to all school entities.

§ 9804. Length of program.

The program shall be for a period of time as set forth in 32 U.S.C. § 509(a) (relating to National Guard Youth Challenge Program of opportunities for civilian youth).

§ 9805. Participants.

Requirements for participation in the program shall be as prescribed by the United States Secretary of Defense under 32 U.S.C. § 509(e) (relating to National Guard Youth Challenge Program of opportunities for civilian youth).

§ 9806. Administration.

Subject to 32 U.S.C. § 509 (relating to National Guard Youth Challenge Program of opportunities for civilian youth) and its implementing regulations and applicable agreements, the program shall be staffed by the administrative, professional, technical and clerical employees necessary for the operation of the program.

§ 9807. Funding.

The department shall apply for funding, as provided for under 32 U.S.C. § 509(d) (relating to National Guard Youth Challenge Program of opportunities for civilian youth). Under 32 U.S.C. § 509(j), the department may supplement such funding with other resources, including gifts, made available to the department and may also accept, use and dispose of gifts or donations of money, other property or services for the program.

§ 9808. Transferability of course credit.

All academic course credits earned by a program participant shall be recognized by any school entity in which the participant enrolls following completion of the program. The department, in consultation with the Department of Education, shall ensure that the program complies with all statutory and regulatory provisions as necessary to facilitate the transferability of course credit earned in the program to a school entity.

§ 9809. Advisory council.

(a) Establishment.--There is established an advisory council for the program. The advisory council shall consist of the following members and the Adjutant General, who shall serve as a nonvoting, ex officio member. Members of the advisory council shall be appointed as follows:

- (1) Three members appointed by the Governor as follows:

(i) The Deputy Adjutant General - Army, or a designee.

(ii) The Deputy Adjutant General - Air, or a designee.

(iii) The Secretary of Education or a designee.

(2) Three members of the Senate appointed by the President pro tempore of the Senate, in consultation with the Majority Leader and Minority Leader of the Senate, with two appointees from the majority party and one appointee from the minority party.

(3) Three members of the House of Representatives appointed by the Speaker of the House of Representatives, in consultation with the Majority Leader and Minority Leader of the House of Representatives, with two appointees from the majority party and one appointee from the minority party.

(b) Terms.--Each member of the advisory council shall serve for the duration of the term of the appointing authority, provided that each member may be removed for cause by the member's appointing authority.

(c) Chairperson.--The advisory council shall annually elect a chairperson.

(d) Quorum.--Five members of the advisory council shall constitute a quorum for the purpose of conducting the business of the advisory council. The advisory council shall meet at least quarterly and at other times at the call of the chairperson.

(e) Compensation.--Members of the advisory council shall receive no compensation for their services but shall receive reimbursement for their necessary and proper expenses for attendance at meetings.

(f) Program operation.--The advisory council shall advise the Adjutant General and the department concerning the operation of the program.

§ 9810. Report.

The department shall submit annually to the chairperson and minority chairperson of the Education Committee of the Senate, the chairperson and minority chairperson of the Veterans Affairs and Emergency Preparedness Committee of the Senate, the chairperson and minority chairperson of the Education Committee of the House of Representatives and the chairperson and minority chairperson of the Veterans Affairs and Emergency Preparedness Committee of the House of Representatives a written report concerning the program. The report shall include, but not be limited to, all of the following:

(1) The number of individuals who applied to the program in the previous fiscal year.

(2) The number of individuals who participated in the program in the previous fiscal year.

(3) The number and percentage of program participants in the previous fiscal year who achieved each of the following:

(i) Earned a high school diploma or its equivalent.

(ii) Enrolled in a course of study at an institution of higher education.

(iii) Accepted a position of full-time, paid employment.

(iv) Accepted a position of part-time, paid employment.

(v) Entered the armed forces of the United States, including a reserve component or the National Guard.

(4) The demographic makeup of the applicants to, and participants in, the program, including, but not limited to, the following:

- (i) Race.
- (ii) Age.
- (iii) Gender.

(5) Any information the department provides to the Secretary of Defense under 32 U.S.C. § 509(k) (relating to National Guard Youth Challenge Program of opportunities for civilian youth).

§ 9811. Audit required.

The department shall undergo an annual audit of the program. The audit shall be conducted by a qualified independent certified public accountant under generally accepted audit standards of the Governmental Accounting Standards Board. The audit shall be submitted to the following:

- (1) The chairperson and minority chairperson of the Education Committee of the Senate.
- (2) The chairperson and minority chairperson of the Veterans Affairs and Emergency Preparedness Committee of the Senate.
- (3) The chairperson and minority chairperson of the Education Committee of the House of Representatives.
- (4) The chairperson and minority chairperson of the Veterans Affairs and Emergency Preparedness Committee of the House of Representatives.

Section 2. This act shall take effect immediately.

APPROVED--The 28th day of June, A.D. 2018.

TOM WOLF