

PUBLIC SCHOOL CODE OF 1949 - OMNIBUS AMENDMENTS

Act of Oct. 30, 2019, P.L. 460, No. 76

Cl. 24

Session of 2019

No. 2019-76

HB 265

AN ACT

Amending the act of March 10, 1949 (P.L.30, No.14), entitled "An act relating to the public school system, including certain provisions applicable as well to private and parochial schools; amending, revising, consolidating and changing the laws relating thereto," in preliminary provisions, providing for career information and recruitment; in terms and courses of study, further providing for Commission for Agricultural Education Excellence; in vocational education, further providing for advisory committees, providing for a workforce development program clearinghouse and for PAsmart online career resource center, further providing for career and technical education equipment grants and providing for utilization of credits; establishing the Schools-to-Work Program and providing for powers and duties of the Department of Labor and Industry; providing for classification of program code; in transfers of credits between institutions of higher education, further providing for definitions, for duties of public institutions of higher education and State-related institutions, for Transfer and Articulation Oversight Committee and for duties of department; replacing references to "vocational-technical" with "career and technical," replacing references to "vocational" with "career and technical" and replacing references to "vocation" with "career and technical"; deleting references to vocational school districts; and renaming the State Board for Vocational Education as the State Board of Career and Technical Education.

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

Section 1. Sections 111(a.1) introductory paragraph, (1), (2) and (3), (b), (e) introductory paragraph, (f.2) and (j)(1) and (2) and 111.1(n) of the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, are amended to read:

Section 111. Criminal History of Employes and Prospective Employes; Conviction of Certain Offenses.--

(a.1) Beginning April 1, 2007, this section shall apply to all current and prospective employes of public and private schools, intermediate units and area [vocational-technical] **career and technical** schools, including, but not limited to, teachers, substitutes, janitors, cafeteria workers, independent contractors and their employes, except those employes and independent contractors and their employes who have no direct contact with children.

(1) Beginning April 1, 2007, this section shall apply to bus drivers employed or offered employment by a school district, private school, nonpublic school, intermediate unit or area [vocational-technical] **career and technical** school or by an independent contractor.

(2) Beginning April 1, 2007, this section shall apply to student teachers and student teacher candidates assigned to all

public and private schools, intermediate units and area [vocational-technical] **career and technical** schools.

(3) For purposes of this section, "student teacher" or "student teacher candidate" shall mean an individual participating in a classroom teaching, internship, clinical or field experience who, as part of a program for the initial or advanced preparation of professional educators, performs classroom teaching or assists in the education program in a public or private school, intermediate unit or area [vocational-technical] **career and technical** school under the supervision of educator preparation program faculty.

* * *

(b) Administrators of public and private schools, intermediate units and area [vocational-technical] **career and technical** schools shall require prospective employes to submit with their employment application, pursuant to 18 Pa.C.S. Ch. 91 (relating to criminal history record information), a report of criminal history record information from the Pennsylvania State Police or a statement from the Pennsylvania State Police that the State Police central repository contains no such information relating to that person. Such report of criminal history record information shall be no more than five (5) years old. An applicant may submit a copy of the required information with the application for employment. Administrators shall maintain a copy of the required information. Administrators shall require contractors to produce a report of criminal history record information for each prospective employe of such contractor prior to employment. A copy of the report of criminal history record information from the Pennsylvania State Police shall be made available to the applicant in a manner prescribed by the Department of Education.

* * *

(e) No person subject to this act shall be employed or remain employed in a public or private school, intermediate unit or area [vocational-technical] **career and technical** school where a report of criminal history record information or a form submitted by an employe under subsection (j) indicates the person has been convicted of any of the following offenses:

* * *

(f.2) Nothing in this section shall be construed to interfere with the ability of a public or private school, intermediate unit or area [vocational-technical] **career and technical** school to make employment, discipline or termination decisions, provided that this subsection shall not be construed to conflict with subsection (e), (f.1) or (j)(6).

* * *

(j) (1) The department shall develop a standardized form to be used by current and prospective employes of public and private schools, intermediate units and area [vocational-technical] **career and technical** schools for the written reporting by current and prospective employes of any arrest or conviction for an offense enumerated under subsections (e) and (f.1). The form shall provide a space in which a current or prospective employe who has not been convicted of or arrested for any such offense will respond "no conviction" and "no arrest." The form also shall provide that failure to accurately report any arrest or conviction for an offense enumerated under subsection (e) or (f.1) shall subject the current or prospective employe to criminal prosecution under 18 Pa.C.S. § 4904 (relating to unsworn falsification to authorities). The department shall publish the form on its publicly accessible Internet website and in the Pennsylvania Bulletin.

(2) All current and prospective employes of a public or private school, intermediate unit or area [vocational-technical] **career and technical** school shall complete the form described in clause (1), indicating whether or not they have been arrested for or convicted of an offense enumerated under subsections (e) and (f.1), provided that any current employe who completed the form on or before December 27, 2011, in compliance with clauses (1) and (2) on that date and who has not been arrested for or convicted of an offense enumerated under subsections (e) and (f.1) shall not be required to complete an additional form under this subsection.

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Section 111.1. Employment History Review.--* * *

(n) As used in this section, the following words and phrases shall have the meanings given to them in this subsection:

"Abuse." Conduct that falls under the purview and reporting requirements of 23 Pa.C.S. Ch. 63 and is directed toward or against a child or a student, regardless of the age of the child or student.

"Direct contact with children." The possibility of care, supervision, guidance or control of children or routine interaction with children.

"School entity." Any public school, including a charter school or cyber charter school, private school, nonpublic school, intermediate unit or area [vocational-technical] **career and technical** school operating within this Commonwealth.

"Sexual misconduct." Any act, including, but not limited to, any verbal, nonverbal, written or electronic communication or physical activity, directed toward or with a child or a student regardless of the age of the child or student that is designed to establish a romantic or sexual relationship with the child or student. Such acts include, but are not limited to:

- (1) Sexual or romantic invitation.
- (2) Dating or soliciting dates.
- (3) Engaging in sexualized or romantic dialog.
- (4) Making sexually suggestive comments.
- (5) Self-disclosure or physical exposure of a sexual, romantic or erotic nature.
- (6) Any sexual, indecent, romantic or erotic contact with the child or student.

Section 2. Section 121(b)(2)(iii), (c)(2) and (d) of the act, amended October 24, 2018 (P.L.1146, No.158), are amended to read:

Section 121. Keystone Exams and Graduation Requirements.--* * *

(b) The following shall apply:

* * *

(2) The Department of Education shall investigate and develop alternatives in addition to the use of the Keystone Exams as a requirement for graduation and shall, within six (6) months of the effective date of this paragraph, issue a report of the Department of Education's findings and recommendations, including proposed legislation, to the chairman and minority chairman of the Education Committee of the Senate and the chairman and minority chairman of the Education Committee of the House of Representatives. The report shall, at a minimum, contain a detailed plan and timeline within which the Department of Education shall accomplish all of the following:

* * *

(iii) Ensure that no student is prohibited from participation in [vocational-technical] **career and technical**

education or elective courses or programs as a result of supplemental instruction required in 22 Pa. Code §§ 4.24(k) and 4.51b(f) (relating to Keystone Exams).

(c) Notwithstanding section 2604-B(b)(2)(v), 22 Pa. Code § 4.24 or 4.51 or any statute or regulation to the contrary, in any school year in which a demonstration of proficiency on a Keystone Exam is required for high school graduation, a CTE Concentrator shall be deemed proficient provided that the CTE Concentrator shall meet all of the following requirements:

* * *

(2) completes one of the following:

(i) attains an industry-based competency certification related to the CTE Concentrator's program of study; or
(ii) demonstrates a high likelihood of success on an approved industry-based competency assessment or readiness for continued meaningful engagement in the CTE Concentrator's program of study as demonstrated by performance on benchmark assessments, course grades and other factors consistent with the CTE Concentrator's goals and career plan and determined for the CTE Concentrator by a chief school administrator in consultation with an area [vocational-technical] **career and technical** school director or principal of a comprehensive high school. The determination shall be made no later than the end of eleventh grade, or, for a student enrolled in a one-year program, the end of the first semester of twelfth grade.

* * *

(d) As used in this section, the following words and phrases shall have the meanings given to them in this subsection unless the context clearly indicates otherwise:

"Accredited four-year nonprofit institution of higher education." Any of the following:

(1) A university within the State System of Higher Education under Article XX-A.

(2) A State-related institution as defined in section 1502-A.

(3) Any accredited nonprofit public, private or independent college or university that confers four-year baccalaureate degrees.

"Accredited nonprofit institution of higher education." Any of the following:

(1) A community college operating under Article XIX-A.

(2) An accredited four-year nonprofit institution of higher education.

(3) Any accredited nonprofit public, private or independent college or university.

(4) The Thaddeus Stevens College of Technology.

"ACT." A standardized test for the assessment of college readiness administered by ACT.

"ACT WorkKeys assessment." An assessment of workplace skills administered by ACT.

"Advanced Placement Program." A program authorized by the college board that allows a student to study college-level subjects while enrolled in high school and to receive advanced placement and college credit for earning a qualified score on the course-related Advanced Placement exam.

"Approved alternative assessment." A SAT, PSAT, ACT or Armed Services Vocational Aptitude Battery test.

"Approved industry-based competency assessment." A NOCTI exam, NIMS assessment or other industry-based competency assessment identified by the Secretary of Education and approved by the State Board of Education or identified by an act of the General Assembly.

"Armed Services Vocational Aptitude Battery Test." The aptitude test developed and maintained by the United States Department of Defense.

"Chief school administrator." The superintendent of a school district, executive director of an intermediate unit, administrative director of an area [vocational-technical] **career and technical** school or chief executive officer of a charter school, cyber charter school, regional charter school or multiple charter school organization.

"Concurrent enrollment course." A course in which a secondary student is enrolled and, upon successful completion of which both high school and postsecondary credit are earned.

"Cooperative education program." A program of instruction whereby students alternate or coordinate their high school studies with a job in a field related to their academic or career objectives.

"CTE Concentrator." A student who, by the end of a reporting year, will be reported as successfully completing at least fifty percent (50%) of the minimum technical instructional hours required under 22 Pa. Code Ch. 339 (relating to vocational education).

"Department." The Department of Education of the Commonwealth.

"Established score." A score recommended by the secretary and approved by the State Board of Education.

"GPA." Grade point average.

"International Baccalaureate Diploma Program." An academically challenging two-year precollege diploma program comprised of three core requirements and six academic subject areas with final examinations that prepare students sixteen (16) to nineteen (19) years of age for higher education and life in a global society.

"NIMS assessment." An assessment based on the National Institute for Metalworking Skills standards.

"NOCTI exam." A National Occupational Competency Testing Institute exam.

"Postsecondary course." A course in which a secondary student is enrolled and, upon successful completion, postsecondary credit is earned.

"Preapprenticeship program." An apprenticeship program registered with the Pennsylvania Apprenticeship and Training Council.

"SAT." A standardized test for the assessment of college readiness administered by the College Board.

"SAT Subject Test." A standardized test for the assessment of a specific content area administered by the College Board.

"School entity." A school district, intermediate unit, area [vocational-technical] **career and technical** school, charter school, cyber charter school, regional charter school or multiple charter school organization.

"Secretary." The Secretary of Education of the Commonwealth.

Section 3. Section 126(a)(1)(v) and (vi) of the act are amended to read:

Section 126. Every Student Succeeds Act State Plan Review.--(a) State plan submissions shall be developed by the department under section 1111 of the Elementary and Secondary Education Act of 1965 (Public Law 89-110, 20 U.S.C. § 6311), as amended by the Every Student Succeeds Act (Public Law 114-95, 129 Stat. 1802), and submitted to the General Assembly as follows:

(1) The department shall develop State plan submissions with timely and meaningful consultation with the chair and

minority chair of the Education Committee of the Senate and the chair and minority chair of the Education Committee of the House of Representatives, with opportunity for input into the State plan submission's formation. Consultation shall occur with regard to the initiatives that are newly created or that retain or modify existing law or regulation with regard to the following:

* * *

(v) [Vocational and career] **Career and technical** education academic assessments, pathways and standards.

(vi) Comparability and fairness in assessments of school districts, intermediate units, area [vocational-technical] **career and technical** schools, charter schools and cyber charter schools.

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Section 4. The act is amended by adding a section to read:

Section 128. Career Information and Recruitment.--(a)

Subject to subsection (d), a school entity shall offer representatives of skilled trades, publicly identified priority occupations, area career and technical schools, community colleges operating under Article XIX-A and institutions of higher education the opportunity to participate in the following:

(1) Delivery of information regarding employment, employment training or education opportunities to students enrolled in the school entity.

(2) Recruitment of students enrolled in the school entity.

(b) Each school entity receiving assistance under the Every Student Succeeds Act (Public Law 114-95, 129 Stat. 1802) shall provide military recruiters the same access to students as provided under subsection (a).

(c) Representatives under subsection (a) must be compliant with the requirements under 23 Pa.C.S. § 6344.2 (relating to volunteers having contact with children) and shall give no less than thirty (30) days' notice when requesting access from a school entity under subsection (a)(1) or (2).

(d) A school entity shall:

(1) Offer each of the representatives under subsections (a) and (b) at least one opportunity during the school year to provide age-appropriate information to all students in grades four through twelve regarding educational opportunities, employment training or career opportunities, individually or in a group setting, through making a presentation at a school assembly, hosting students for a visit to an area career and technical school, community college, institution of higher education or place of employment or any other method of speaking directly to students.

(2) Document annually the following in the plan developed under 22 Pa. Code § 339.31 (relating to plan):

(i) The school entity's compliance with this section for the immediately preceding school year.

(ii) The school entity's plan to provide students with access to informational materials and career presenters as required under this section in the following school year.

(3) Post the plan on the school entity's publicly accessible Internet website.

(e) A school entity may not discourage students from pursuing any educational or career path and shall ensure that each student enrolled in the school entity has access to the information and activities required to be provided under this section.

(f) The Department of Education, in collaboration with the Department of Labor and Industry, shall develop:

(1) Standard informational materials which include, but are not limited to, a summary of regional workforce needs produced biennially by the Department of Labor and Industry, career cluster occupations, publicly identified priority occupations, training opportunities and future earning potential. The materials shall be reviewed and updated annually. Each school entity shall ensure that all students in grades four through twelve are provided access to the materials during the school year and the materials are also made available at any scheduled educational or career fair or activity under subsection (a) or (d).

(2) Guidelines to assist school entities in the implementation of this section.

(g) As used in this section, the following words and phrases shall have the meanings given to them in this subsection unless the context clearly indicates otherwise:

"Institution of higher education." An accredited entity which is any of the following:

(1) A university within the State System of Higher Education under Article XX-A.

(2) The Pennsylvania State University, the University of Pittsburgh, Temple University, Lincoln University or any other institution designated as State-related by the Commonwealth.

(3) The Thaddeus Stevens College of Technology.

(4) A college established under Article XIX-G.

(5) An institution of higher education located in and incorporated or chartered by the Commonwealth and entitled to confer degrees as specified in 24 Pa.C.S. § 6505 (relating to power to confer degrees) and as provided for by the standards and qualifications prescribed by the State Board of Education under 24 Pa.C.S. Ch. 65 (relating to private colleges, universities and seminaries).

(6) A private school licensed under the act of December 15, 1986 (P.L.1585, No.174), known as the "Private Licensed Schools Act."

(7) A foreign corporation approved to operate an educational enterprise under 22 Pa. Code Ch. 36 (relating to foreign corporation standards).

"Publicly identified priority occupation." A profession that:

(1) Is high-wage and high-skill for which there is excess employer demand as may be included in the Department of Labor and Industry's current year's high-priority or in-demand occupations list or the State System of Higher Education's workforce needs assessment.

(2) Requires a credential, certification, licensing, postsecondary training, associate's degree, bachelor's degree, master's degree or doctoral or first professional degree.

"School entity." An area career and technical school, school district, intermediate unit, cyber charter school, charter school or regional charter school.

Section 5. Sections 218, 220(c), 221.2(c)(1)(iv) and (f)(4)(i), 222(c) and 322 of the act are amended to read:

Section 218. Reports to Department of Education.--(a) An annual financial report shall be submitted to the Secretary of Education by each school district, charter school, cyber charter school and area [vocational-technical] **career and technical** school not later than the 31st day of October. All financial accounting and reporting by school districts, charter schools, cyber charter schools and area [vocational-technical] **career**

and technical schools to the Department of Education shall be in accordance with generally accepted accounting and reporting standards, except that management discussion and analysis and related notes and the following financial statements shall not be required components of the annual financial report:

entity-wide financial statements, including the statement of activities and the statement of net assets; the reconciliation of the balance sheet - governmental funds to statement of net assets; and the reconciliation of the statement of revenues, expenditures and changes in fund balances - governmental funds to statement of activities. The Department of Education shall establish a reporting standard for the annual financial report.

(b) The chief school administrator and board secretary of a school district, charter school, cyber charter school or area [vocational-technical] **career and technical** school shall submit a signed statement to the Department of Education not later than the 31st day of December of each year certifying that: the audited financial statements of the school district, charter school, cyber charter school or area [vocational-technical] **career and technical** school have been properly audited pursuant to Article XXIV and that in the independent auditor's professional opinion, the financial information submitted in the annual financial report was materially consistent with the audited financial statements.

(c) If the financial information submitted in the annual financial report was not materially consistent with the audited financial statements, the school district, charter school, cyber charter school or area [vocational-technical] **career and technical** school shall submit a revised annual financial report to the Department of Education not later than the 31st day of December.

(d) The Department of Education shall order the forfeiture penalties provided for under section 2552.1(a.1) against a school district, charter school, cyber charter school or area [vocational-technical] **career and technical** school for failure to timely submit an annual financial report or revised annual financial report.

Section 220. State Report Card.--* * *

(c) Definitions.--As used in this section, the following words and phrases shall have the meanings given to them in this subsection:

"Department." The Department of Education of the Commonwealth.

"Local education agency." A school district, cyber charter school, charter school, area [vocational-technical] **career and technical** school or intermediate unit.

Section 221.2. Data Collection Reduction.--* * *

(c) (1) Within thirty (30) days of the effective date of this section, the State Board shall establish an advisory committee consisting of:

* * *

(iv) The following members, to be appointed by the State Board in consultation with education associations representing school districts, intermediate units, public school employes, charter school entities and area [vocational-technical] **career and technical** schools:

(A) Two school district business managers.

(B) Two intermediate unit business managers.

(C) Two charter school entity business managers.

(D) Two area [vocational-technical] **career and technical** school business managers.

(E) One representative from a school district board of school directors.

(F) One representative from an intermediate unit board of directors.

(G) One representative from a charter school entity board of trustees.

(H) One representative from an area [vocational-technical] **career and technical** school joint operating committee.

(I) One member of a Statewide association representing public school entity employes that has a membership on the effective date of this section of greater than 140,000 public school entity employes.

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(f) For purposes of this section:

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(4) "Public school entity" shall mean any of the following:

(i) An area [vocational-technical] **career and technical** school.

* * *

Section 222. Drop-out Data Collection.--* * *

(c) As used in this section, the following words and phrases shall have the meanings given to them in this subsection unless the context clearly indicates otherwise:

"Department." The Department of Education of the Commonwealth.

"School entity." A public school district, charter school, cyber charter school or area [vocational-technical] **career and technical** school.

Section 322. Eligibility; Incompatible Offices.--Any citizen of this Commonwealth, having a good moral character, being eighteen (18) years of age or upwards, and having been a resident of the district for at least one (1) year prior to the date of his election or appointment, shall be eligible to the office of school director therein: Provided, That any person holding any office or position of profit under the government of any city of the first class, or the office of mayor, chief burgess, county commissioner, district attorney, city, borough, or township treasurer, member of council in any municipality, township commissioner, township supervisor, tax collector, assessor, assistant assessor, any comptroller, auditor, constable, executive director or assistant executive director of an intermediate unit, supervisor, principal, teacher, or employe of any school district, shall not be eligible as a school director in this Commonwealth. This section shall not prevent any district superintendent, assistant district superintendent, supervisor, teacher, or employe of any school district, from being a school director in a district other than the one in which he is so employed, and other than in a district with which the district in which he is employed operates a joint school or department. Provided, however, That a joint school or department does not include a [vocational] **career and technical** school, intermediate unit or community college: And provided further, That a school director who is a supervisor, principal, teacher or employe of a [vocational] **career and technical** school, intermediate unit or community college shall not serve as a member of a board of the [vocational] **career and technical** school, intermediate unit or community college in which he is a supervisor, principal, teacher or employe: And provided further, That a school director who is a supervisor, principal, teacher or employe of a [vocational] **career and technical** school, intermediate unit or community college, shall not be assigned to a position of employment under the

supervision of the district in which he or she serves as a member of the board of school directors. A school director shall not be eligible to the office of member of council in any municipality.

Section 6. Section 425(d) of the act, added June 22, 2018 (P.L.241, No.39), is amended to read:

Section 425. Executive Sessions.--* * *

(d) As used in this section, the following words and phrases shall have the meanings given to them in this subsection:

"Executive session" shall have the meaning given to the term under 65 Pa.C.S. § 703 (relating to definitions).

"School entity" shall mean a school district, intermediate unit, joint school, area [vocational-technical] **career and technical** school, charter school, regional charter school or cyber charter school.

Section 7. Sections 502, 513(b.1)(1) and (6), 522 and 527 of the act are amended to read:

Section 502. Additional Schools and Departments.--In addition to the elementary public schools, the board of school directors in any school district may establish, equip, furnish, and maintain the following additional schools or departments for the education and recreation of persons residing in said district, and for the proper operation of its schools, namely:--

High schools,
Trade schools,
[Vocational] **Career and technical** schools,
[Technical schools,]
Cafeterias,
Agricultural schools,
Evening schools,
Kindergartens,
Libraries,
Museums,
Reading-rooms,
Gymnasiums,
Playgrounds,
Schools for physically and mentally handicapped,
Truant schools,
Parental schools,
Schools for adults,
Public lectures,

Such other schools or educational departments as the directors, in their wisdom, may see proper to establish.

Said additional schools or departments, when established, shall be an integral part of the public school system in such school district and shall be so administered.

No pupil shall be refused admission to the courses in these additional schools or departments, by reason of the fact that his elementary or academic education is being or has been received in a school other than a public school.

Section 513. Group Insurance Contracts.--* * *

(b.1) (1) School districts, intermediate units and area [vocational-technical] **career and technical** schools shall give employes and their dependents, upon the employe's retirement, the option of continuing coverage in the group health plan to which they belonged as employes.

* * *

(6) School districts, intermediate units and area [vocational-technical] **career and technical** schools shall report annually to the Department of Education the increased costs resulting exclusively from the inclusion of qualified annuitants and their dependents in the entity's group health plan, for the

purpose of evaluating the feasibility of future Commonwealth funding.

* * *

Section 522. Payments of Salaries of Professional Employees Granted Leaves of Absence as Exchange Teachers Authorized; Rights Preserved.--Any board of public education or board of school directors of any school district [or vocational school district] of this Commonwealth is hereby authorized to pay any professional employe the salary he would be entitled to if teaching in the school district from which he is granted a leave of absence to serve as an exchange teacher in any foreign country or territory or possession of the United States of America.

Any professional employe, while on leave as an exchange teacher, shall be considered to be in regular full-time daily attendance in the position from which the leave was granted, during the period of said leave, for the purpose of determining the employe's length of service, the right to receive increments as provided by law, and the right to make contributions as a member of the Public School Employees' Retirement Fund and continue his or her membership therein, the right to service credits toward the time necessary for a sabbatical leave for health or a leave of absence for professional development, and the right to accumulate days of leave on account of illness or accidental injury.

Section 527. Drug Law Convictions.--(a) Any employe, professional or otherwise, of a school district, intermediate unit or area [vocational-technical] **career and technical** school who is convicted of delivery of a controlled substance or convicted of possession of a controlled substance with the intent to deliver, as prohibited by the act of April 14, 1972 (P.L.233, No.64), known as "The Controlled Substance, Drug, Device and Cosmetic Act," shall be terminated from his or her employment with the school entity. The governing body of the school entity shall enforce this section.

(b) Notwithstanding any other provisions of this act, any person subject to this section who, while employed in a public or private school, intermediate unit or area [vocational-technical] **career and technical** school, is convicted of any of the offenses enumerated in subsection (e) of section 111 of this act shall be immediately terminated from such employment.

Section 8. Section 528(d) of the act, added June 22, 2018 (P.L.241, No.39), is amended to read:

Section 528. Third-Party Services.--* * *

(d) As used in this section, the following words and phrases shall have the meanings given to them in this subsection unless the context clearly indicates otherwise:

"Non-instructional services" shall mean services provided by a school employe whose terms and conditions of employment are governed by a collective bargaining agreement negotiated between the school employer and the exclusive representative of the employe and excluding services provided by a professional employe, a substitute or a temporary professional employe as those terms are defined under section 1101.

"School employer" shall mean a board of school directors, an intermediate unit board of directors or an area [vocational-technical] **career and technical** board of directors.

"Third party" shall mean a for-profit service provider, including a business or corporation, that contracts with a school employer to provide non-instructional services. The term shall not include an individual.

Section 9. Section 613(f) of the act is amended to read:
Section 613. Management Information Reports.--* * *

(f) Beginning with the 2001-2002 school year and each school year thereafter, the mandatory reporting requirements of this section shall apply, as prescribed by the department, to area [vocational-technical] **career and technical** schools, intermediate units and charter schools to the extent that funding is available. Area [vocational-technical] **career and technical** schools, intermediate units and charter schools shall apply for funding in a form and manner prescribed by the department.

Section 10. The definitions of "area vocational-technical school," "market value/personal income aid ratio" and "public school entity" in section 602-B of the act are amended to read:
Section 602-B. Definitions.

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

* * *

"Area [vocational-technical] **career and technical** school."
As defined in section 1841.

* * *

"Market value/personal income aid ratio." A school district's combined market value and personal income wealth per pupil relative to the State average.

(1) For an area [vocational-technical] **career and technical** school, this amount shall be calculated based on the sum of market value and personal income wealth data for each of the area [vocational-technical] **career and technical** school's component school districts.

(2) For a charter school or regional charter school, this amount shall be calculated based on the sum of market value and personal income wealth data for each school district that granted a charter to the charter school or regional charter school under section 1717-A or 1718-A.

(3) For a cyber charter school, this amount shall be calculated based on the sum of market value and personal income wealth data for the school district in which the cyber charter school's administrative offices are located.

* * *

"Public school entity." Any of the following:

(1) An area [vocational-technical] **career and technical** school.

(2) A school district.

(3) A charter school entity.

* * *

Section 11. Sections 701.1 second paragraph, 772.1(c), 772.2(e), 776.1, 909-A, 914-A(16), 1089(f), 1101(1), 1113(d)(1), 1123(e), (i), (n) and (o)(2) and (8), 1141, 1142(a) and (b), 1142.1(d), 1144.1, 1145, 1146(4), 1164(a), 1166(a) and 1176(a) of the act are amended to read:

Section 701.1. Referendum or Public Hearing Required Prior to Construction or Lease.--* * *

The applicable aggregate building expenditure standard shall be a total amount calculated for each building or substantial addition by multiplying the rated pupil capacity under the approved room schedule by the following: two thousand eight hundred dollars (\$2,800) for each pupil of rated elementary capacity; four thousand two hundred dollars (\$4,200) for each pupil of rated secondary capacity in grades seven, eight and nine and five thousand two hundred dollars (\$5,200) for each pupil of rated secondary capacity in grades ten, eleven and

twelve and five thousand two hundred dollars (\$5,200) for each pupil of rated [vocational-technical] **career and technical** capacity in grades ten, eleven and twelve to not include the cost of equipment and fixtures in such [vocational-technical] **career and technical** schools: Provided, however, That each of the preceding per pupil amounts shall be adjusted by the Department of Education on July 1, 1974; and annually thereafter through July 1, 2003, by multiplying said amounts by the ratio of the composite construction cost index compiled and published by the United States Department of Commerce for the preceding calendar year to such index for the next preceding calendar year; and Further Provided, however, That each of the preceding per pupil amounts shall be adjusted by the Department of Education on July 1, 2004; and annually thereafter by multiplying said amounts by the ratio of the Building Cost Index published by the McGraw-Hill Companies for the preceding calendar year to such index for the next preceding calendar year. Rated elementary pupil capacity or rated secondary pupil capacity for any school building shall be the rated pupil capacity determined on the basis of the method used by the Department for school building reimbursement purposes during the school year 1971-1972.

* * *

Section 772.1. Integrated Pest Management Programs.--* * *

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

"Department." The Department of Agriculture of the Commonwealth.

"Integrated pest management plan." A plan which establishes a sustainable approach to managing pests by combining biological, cultural, physical and chemical tools in a way which minimizes economic, health and environmental risks.

"Pest." An insect, rodent, nematode, fungus, weed or other form of terrestrial or aquatic plant or animal life or virus, bacteria or other microorganism, except viruses, bacteria or other microorganisms on or in living man or other living animals, declared to be a pest under section 25(c)(1) of the Federal Insecticide, Fungicide, and Rodenticide Act (61 Stat. 163, 7 U.S.C. § 136w).

"Pesticide." A substance or mixture of substances intended for preventing, destroying, repelling or mitigating a pest and a substance or mixture of substances intended for use as a plant regulator, defoliant or desiccant.

"School." A school district, an intermediate unit, an area [vocational-technical] **career and technical** school or any of these entities acting jointly.

Section 772.2. Notification of Pesticide Treatments at Schools.--* * *

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

"Applicator." A certified applicator, commercial applicator or public applicator.

"Certified applicator." An individual who is certified under section 16.1, 17 or 17.1 of the act of March 1, 1974 (P.L.90, No.24), known as the "Pennsylvania Pesticide Control Act of 1973," as competent to use or supervise the use or application of any pesticide.

"Commercial applicator." A certified applicator, whether or not he is a private applicator with respect to some uses, who uses or supervises the use of any pesticide on the property

or premises of another or on easements granted under State law, or any applicator who uses or supervises the use of any restricted-use pesticide on property owned or rented by him or his employer, when not for purposes of producing an agricultural product. The secretary may by regulation deem certain types of applicators using any pesticide on their own property or that of their employer as commercial applicators.

"Department." The Department of Agriculture of the Commonwealth.

"Insect." Any of the numerous small invertebrate animals generally having a more or less obviously segmented body, for the most part belonging to the class Insecta, comprising six-legged, usually winged forms, as, for example, beetles, bugs, bees and flies, and to other allied classes of arthropods whose members are wingless and usually have more than six (6) legs, as, for example, spiders, mites, ticks, centipedes and wood lice.

"Nematode." An invertebrate animal of the phylum Nemathelminthes and class Nematoda, that is, unsegmented round worms with elongated, fusiform or saclike bodies covered with cuticle and inhabiting soil, water, plants or plant parts. The term includes nemas and eelworms.

"Person." An individual, partnership, association, corporation or any organized group of persons, whether incorporated or not.

"Pest." An insect, rodent, nematode, fungus, weed or other form of terrestrial or aquatic plant or animal life or virus, bacteria or other microorganism, except viruses, bacteria or other microorganisms on or in living man or other living animals, declared to be a pest under section 25(c)(1) of the Federal Insecticide, Fungicide, and Rodenticide Act (61 Stat. 163, 7 U.S.C. § 136w).

"Pest control information sheet." A document which contains the date of treatment, the name, address and telephone number of the applicator, the pesticide utilized and any other information that is required by the Secretary of Agriculture.

"Pesticide." A substance or mixture of substances intended for preventing, destroying, repelling or mitigating a pest and a substance or mixture of substances intended for use as a plant regulator, defoliant or desiccant.

"Pesticide application technician." An individual employed by a commercial applicator or governmental agency who, having met the competency requirements as set forth in the act of March 1, 1974 (P.L.90, No.24), known as the "Pennsylvania Pesticide Control Act of 1973," is registered by the Secretary of Agriculture to apply pesticides under the direct supervision of a certified applicator.

"Public applicator." A certified applicator who applies pesticides as an employe of the Commonwealth or its instrumentalities or a local agency.

"School." A school district, an intermediate unit or an area [vocational-technical] **career and technical** school or any of these entities acting jointly.

Section 776.1. Child Day-Care Centers in School Buildings.--For purposes of the issuance or renewal of any license, or for inspections, under section 1007 of the act of June 13, 1967 (P.L.31, No.21), known as the ["Public Welfare Code,"] "**Human Services Code**," child day-care centers operated for school-age children in public and private school buildings, buildings utilized by intermediate units or area [vocational-technical] **career and technical** school buildings which meet the physical site requirements provided for by the

department shall be deemed to comply with any Department of [Public Welfare] **Human Services** child day-care service requirements or regulation concerning physical site requirements.

Section 909-A. [Vocational-Technical] **Career and Technical Education**.--All powers and duties of county boards of school directors with respect to vocational-technical education are hereby transferred to intermediate unit boards of directors, effective July 1, 1971; and all Commonwealth payments theretofore paid to county boards of school directors on account of vocational-technical education shall thereafter be paid to intermediate unit boards of directors **for career and technical education**.

Section 914-A. Powers and Duties of the Intermediate Unit Board of Directors.--An intermediate unit board of directors shall have the power and its duty shall be:

* * *

(16) To prepare and submit to the State Board [for Vocational] **of Career and Technical Education** proposals for arranging school districts of the intermediate unit into area [vocational-technical] **career and technical** attendance areas or any revisions thereof. A school district in an adjacent intermediate unit may be included in such proposed attendance area with the concurring approval of the board of school directors of the school district and the intermediate unit to which it belongs.

* * *

Section 1089. Business Administrator.--* * *

(f) For purposes of this section, the term "school entity" shall mean a school district, intermediate unit or an area [vocational-technical] **career and technical** school. The term "governing board" shall mean the board of directors or joint board of such entity.

Section 1101. Definitions.--As used in this article,

(1) The term "professional employe" shall include those who are certificated as teachers, supervisors, supervising principals, principals, assistant principals, vice-principals, directors of [vocational] **career and technical** education, dental hygienists, visiting teachers, home and school visitors, school counselors, child nutrition program specialists, school librarians, school secretaries the selection of whom is on the basis of merit as determined by eligibility lists and school nurses.

* * *

Section 1113. Transferred Programs and Classes.--* * *

(d) (1) As used in this section, the term "school entity" or "school entities" shall mean an intermediate unit and its participating school districts or an area [vocational-technical] **career and technical** school and its sending school districts.

* * *

Section 1123. Rating System.--* * *

(e) Notwithstanding subsections (b), (c) and (d), professional employes and temporary professional employes serving as classroom teachers, principals and nonteaching professional employes may be evaluated through the use of a rating tool developed by an individual school district, intermediate unit or area [vocational-technical] **career and technical** school that the department has approved as meeting or exceeding the measures of effectiveness established under this section.

* * *

(i) All school districts, intermediate units and area [vocational-technical] **career and technical** schools shall provide to the department the aggregate results of all professional employe and temporary professional employe, principal and nonteaching professional employe evaluations.

* * *

(n) The requirements of this section shall apply to all school districts, intermediate units and area [vocational-technical] **career and technical** schools.

(o) For purposes of this section:

* * *

(2) The term "chief school administrator" shall include individuals who are employed as a school district superintendent, an executive director of an intermediate unit or a chief school administrator of an area [vocational-technical] **career and technical** school.

* * *

(8) The term "principal" shall include a building principal, an assistant principal, a vice principal or a director of [vocational] **career and technical** education.

* * *

Section 1141. Definitions.--For the purposes of this subdivision.--

(1) "Teacher" shall include all professional employes and temporary professional employes, who devote fifty per centum (50%) of their time, or more, to teaching or other direct educational activities, such as classroom teachers, demonstration teachers, museum teachers, counsellors, librarians, school nurses, dental hygienists, home and school visitors, and other similar professional employes and temporary professional employes, certificated in accordance with the qualifications established by the State Board of Education.

(2) "Service increments" shall mean increases in annual salary granted to all professional employes by reason of their years of service in the school district or [vocational] **career and technical** school district.

(3) "Standard certificate" shall mean any one of the following certificates: permanent State certificate, State Normal School certificate, State Normal School diploma, temporary standard certificate, permanent standard certificate, State standard limited certificate, temporary extension standard certificate, permanent extension standard certificate.

(4) "College certificate" shall mean a college provisional certificate, a college permanent certificate, or its equivalent.

(5) "Master's Degree" shall mean a degree secured at a college or university approved by the Department of [Public Instruction] **Education**.

The State Board of Education shall establish equivalents for both college certificates and master's degrees. In determining the equivalents, in the case of teachers of applied arts and [vocational] **career and technical** subjects, the State Board of Education shall give due consideration to practical experience in the field taught.

Section 1142. Minimum Salaries and Increments.--(a) Except as hereinafter otherwise provided, all school districts and [vocational] **career and technical** school districts shall pay all regular and temporary teachers, supervisors, directors and coordinators of [vocational] **career and technical** education, psychologists, teachers of classes for exceptional children, supervising principals, [vocational] **career and technical** teachers, and principals in the public schools of the district the minimum salaries and increments for the school year

1968-1969 and each school year thereafter, as provided in the following tabulation in accordance with the column in which the professional employe is grouped and the step which the professional employe has attained by years of experience within the school district each step after step 1 constituting one year of service. When a school district, by agreement, places a professional employe on a step in the salary scale, each step thereafter shall constitute one year of service. When a district adopts a salary scale in excess of the mandated scale, it shall not be deemed to have altered or increased the step which the employe has gained through years of service.

(b) Professional employes shall be grouped in the following columns:

Class A. Teachers holding a standard certificate valid for the subject or grades in which the teacher is giving instruction.

Class B. Teachers holding a college certificate valid for the subjects or grades in which the teacher is giving instruction.

Class C. Teachers of classes approved by the Department of [Public Instruction] **Education** for exceptional children holding a standard certificate valid for the subjects or grades in which the teacher is giving instruction.

Class D. Teachers of classes approved by the Department of [Public Instruction] **Education** for exceptional children holding a college certificate valid for the subjects or grades in which the teacher is giving instruction.

Class E. Supervisors, directors and coordinators of [vocational] **career and technical** education, who devote one-half or more of their time to supervision of instruction, and psychologists, holding a standard or college certificate.

Class F. Principals, who devote one-half or more of their time to supervision and administration and having less than twenty (20) teachers under their supervision, who hold a standard certificate, or college certificate.

Class G. Such principals, having twenty (20) or more teachers under their supervision, but less than forty (40), and who hold a standard certificate, or college certificate.

Class H. Such principals, having forty (40) or more teachers under their supervision, but less than sixty (60), and who hold a standard certificate, or college certificate.

Class I. Such principals, having sixty (60) or more but less than eighty (80) teachers under their supervision, and who hold a standard certificate, or college certificate.

Class J. Such principals, having eighty (80) or more teachers under their supervision, and who hold a standard certificate, or college certificate.

Class K. Supervising principals, having less than forty (40) teachers under their supervision, and who hold a standard certificate, or college certificate.

Class L. Supervising principals, having forty (40) or more teachers under their supervision, but less than sixty (60), who hold a standard certificate, or college certificate.

Class M. Supervising principals, having sixty (60) or more but less than eighty (80) teachers under their supervision, and who hold a standard certificate, or college certificate.

Class N. Supervising principals, having eighty (80) or more but less than one hundred (100) teachers under their supervision, and who hold a standard certificate, or college certificate.

Class O. Supervising principals, having one hundred (100) or more teachers under their supervision, and who hold a standard certificate or college certificate.

Class P. [Vocational] **Career and technical** teachers, holding a standard or college certificate valid for the subjects or grades in which the teacher is giving instruction, and who is employed for the entire calendar year because of seasonal activities.

* * *

Section 1142.1. Minimum Salaries for Teachers.--* * *

(d) For purposes of this section, the following terms shall have the following meanings:

"Board of school directors" shall mean board of school directors, intermediate unit board of directors and area [vocational-technical] **career and technical** board.

"School district" shall mean school district, intermediate unit and area [vocational-technical] **career and technical** school.

"Teacher" shall mean classroom teachers and all others included within the definition of "teacher" in section 1141, including speech correctionists and instructional department chairmen employed by a school district.

Section 1144.1. Teachers of Applied Arts and [Vocational] **Career and Technical** Subjects.--Teachers of applied arts and [vocational] **career and technical** subjects who hold a standard certificate shall be entitled to the same minimum salary and increments as teachers who hold a college certificate.

Teachers of applied arts and [vocational] **career and technical** subjects who hold a standard certificate and have earned an additional thirty (30) semester hours of credit in professional education in the teaching field in which said teacher is engaged or related thereto shall be entitled to the same minimum salary and increments as teachers holding a Master's Degree.

Section 1145. Minimum Salaries for Teachers With Emergency Certificates.--In all school districts [and vocational school districts], the minimum annual salary of teachers, who hold only emergency certificates for any grade or subject which they teach, shall be one thousand six hundred dollars (\$1600).

Section 1146. Part-time Teachers, etc.--The minimum salary of all part-time teachers, supervisors and principals shall be as follows:

* * *

(4) [Vocational] **Career and Technical** Extension Education.

(a) Teachers and supervisors in approved programs of [vocational] **career and technical** adult extension education, four dollars (\$4.00) per hour.

(b) All part-time teachers and supervisors in approved [vocational] **career and technical** extension education shall be limited to a maximum of ten (10) hours per week at the rate of four dollars (\$4.00) per hour. When hours in excess of ten (10) hours per week are assigned the hourly rate shall be adjusted by the district to conform with the established schedule but shall be not less than one dollar and seventy-five cents (\$1.75) per hour.

* * *

Section 1164. Compensation Plans for School Administrators.--(a) As used in this section, the following words will have the following meanings:

"Administrative compensation" shall mean administrator salaries and fringe benefits and shall include any board

decision that directly affects administrator compensation such as administrative evaluation and early retirement programs.

"School administrator" shall mean any employe of the school entity below the rank of district superintendent, executive director, director of [vocational-technical] **career and technical** school, assistant district superintendent or assistant executive director, but including the rank of first level supervisor, who by virtue of assigned duties is not in a bargaining unit of public employes as created under the act of July 23, 1970 (P.L.563, No.195), known as the "Public Employe Relations Act." However, this definition shall not apply to anyone who has the duties and responsibilities of the position of business manager or personnel director, but not to include principals.

"School employer" shall mean a board of school directors, the area [vocational-technical] **career and technical** school board of directors or the intermediate unit board of school directors as defined in this act.

* * *

Section 1166. Persons Entitled.--(a) Any person employed in the public school system of this Commonwealth who has completed ten (10) years of satisfactory service as a professional employe or member of the supervisory, instructional or administrative staff, or as a commissioned officer, of any board of school directors, county board of school directors, or any other part of the public school system of the Commonwealth, shall be entitled to a leave of absence for professional development or a sabbatical leave for restoration of health or, at the discretion of the board of school directors, for other purposes. At least five consecutive years of such service shall have been in the school district from which leave of absence for professional development or sabbatical leave for restoration of health is sought, unless the board of school directors shall in its discretion allow a shorter time: Provided, however, That in the case of professional employes of area [vocational-technical] **career and technical** schools or technical institutes prior service in the participating school districts shall be credited toward such service requirement. A leave of absence for professional development or sabbatical leave for restoration of health shall be for a half or full school term or for two half school terms during a period of two years, at the option of such person: Provided, however, if a sabbatical leave is requested because of the illness of an employe, a leave shall be granted for a period equivalent to a half or full school term or equivalent to two half school terms during a period of two years: Provided further, That if a sabbatical leave for restoration of health or a leave of absence for professional development for one half school term or its equivalent has been granted and the employe is unable to return to school service because of illness or physical disability, the employe, upon written request prior to the expiration of the original leave, shall be entitled to a further leave for one half school term or its equivalent: Provided further, That if a leave for a full school term or its equivalent has been granted and the employe is unable to return to school service because of illness or physical disability, the board of school directors may extend such leave for such periods as it may determine but not to exceed one full school term or its equivalent. Thereafter, one leave of absence for professional development or a sabbatical leave for restoration of health shall be allowed after each seven years of service.

* * *

Section 1176. Leave of Absence.--

(a) Any employe of any school district, who shall have been regularly employed by any school district or [vocational school district] **career and technical school** for any period, and who shall volunteer for military service in the armed forces of the United States of America in time of war or during a state of national emergency or who shall be inducted for military service in the Armed Forces of the United States of America at any time, shall, within thirty (30) days after the receipt of notice to report for duty, send a copy of such notice to the secretary of the school board by which he is employed.

* * *

Section 12. Section 1183(d) of the act, added October 24, 2018 (P.L.736, No.119), is amended to read:

Section 1183. Military Parent Student Support.--* * *

(d) As used in this section, the following words and phrases shall have the meanings given to them in this subsection unless the context clearly indicates otherwise:

"Public school entity." Any public school, including a school district, charter school, regional charter school, cyber charter school, intermediate unit or area [vocational-technical] **career and technical** school operating within this Commonwealth.

Section 13. Section 1195(h) of the act is amended to read:

Section 1195. Distinguished Educators Program.--* * *

(h) Any school district, intermediate unit or area [vocational-technical] **career and technical** school may grant leave to a Distinguished Educator to serve under and in accordance with the provisions of this article.

* * *

Section 14. The definition of "school entity" in section 1101-A of the act is amended to read:

Section 1101-A. Definitions.--When used in this article, the following words and phrases shall have the following meanings:

* * *

"School entity" shall mean a public school district, intermediate unit or area [vocational-technical] **career and technical** school.

* * *

Section 15. The definition of "public school" in section 1101-B of the act is amended to read:

Section 1101-B. Definitions.

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

* * *

"Public school." A school operated by a school district, intermediate unit, charter school, cyber charter school or an area [vocational-technical] **career and technical** school.

Section 16. Sections 1105-B(c)(1)(i), 1201.1(a) introductory paragraph, (2), (5) and (7) and 1204.1(a) of the act are amended to read:

Section 1105-B. Repayment.

* * *

(c) Waiver of repayment.--Upon the application of the eligible teacher, the department:

(1) Shall waive the repayment requirement if the department finds that the teacher was unable to complete the process or meet the requirements of section 1104-B(b) due to:

(i) administrative action on the part of the school district or area [vocational-technical] **career and**

technical school for other than causes enumerated in section 1122;

* * *

Section 1201.1. Substitute Teaching Permit for Prospective Teachers.--(a) An individual who does not hold a certificate under section 1201 shall be eligible to teach as a substitute in a school district, an area [vocational-technical] **career and technical** school or an intermediate unit provided that:

* * *

(2) The chief school administrator of a school district, an area [vocational-technical] **career and technical** school or an intermediate unit may issue a Substitute Teaching Permit for Prospective Teachers to an uncertified individual meeting the requirements of clause (1) who provides verification of the individual's enrollment status under paragraph (1)(i) and completed hours under paragraph (1)(ii).

* * *

(5) The individual shall receive a salary fixed by the governing body of the school district, area [vocational-technical] **career and technical** school or intermediate unit.

* * *

(7) The Department of Education shall provide an annual report on the use of the permits under this section to the chairperson and minority chairperson of the Education Committee of the Senate and the chairperson and minority chairperson of the Education Committee of the House of Representatives. To complete the report, the department shall annually survey school districts, [vocational-technical] **career and technical** schools and intermediate units.

* * *

Section 1204.1. Standard Employment Application.--(a) The Secretary of Education, in consultation with organizations representing school administrators, including personnel administrators, teachers and school boards, shall develop a standard employment application form for use by individuals eligible for or in possession of instructional, [vocational] **career and technical** instructional, intern or [vocational] **career and technical** intern teaching certificates in making application for employment with school districts within this Commonwealth.

* * *

Section 17. Section 1204.2 of the act, amended June 22, 2018 (P.L.241, No.39), is amended to read:

Section 1204.2. [Vocational] **Career and Technical** Instructional Certificate.--(a) The Secretary of Education may grant a certificate under this section to every person who presents to the Department of Education satisfactory evidence of good moral character and who has completed such work in [vocational] **career and technical** education as may be required by the standards of the State Board of Education.

(b) In addition to other requirements promulgated by the State Board of Education, the State Board of Education shall require an applicant to present evidence of at least four (4) years of wage-earning experience in the occupation to be taught in order for the Secretary of Education to grant the applicant a [Vocational] **Career and Technical** Intern Certificate under 22 Pa. Code § 49.151 (relating to eligibility and criteria).

(c) Notwithstanding any other requirement promulgated by the State Board of Education, the State Board of Education shall not require an applicant to have completed more than eighteen (18) credit hours in an approved program of [vocational] **career**

and technical teacher education in order for the Secretary of Education to grant the applicant a [Vocational] **Career and Technical** Instructional I Certificate under 22 Pa. Code § 49.142 (relating to Vocational Instructional I), which certificate shall entitle the individual to teach for eight (8) annual school terms.

(d) Notwithstanding any other requirement promulgated by the State Board of Education, the State Board of Education shall not require an applicant to have completed more than sixty (60) total credit hours in an approved program of [vocational] **career and technical** teacher education in order for the Secretary of Education to grant the applicant a [Vocational] **Career and Technical** Instructional II Certificate under 22 Pa. Code § 49.143 (relating to Vocational Instructional II). Credit hours in an approved program of [vocational] **career and technical** teacher education completed by the applicant toward the fulfillment of the requirements for a [Vocational] **Career and Technical** Instructional I Certificate shall be counted toward the total credit hours required for a [Vocational] **Career and Technical** Instructional II Certificate.

(e) The Department of Education shall form a professional advisory committee for the purposes of reviewing [vocational] **career and technical** instructional certification program guidelines every five (5) years to ensure that the requirements for program design and delivery pertain to the professional responsibilities of a [vocational] **career and technical** educator. The professional advisory committee shall, at a minimum, include representatives whose primary responsibility is teaching occupational skills in State-approved [vocational] **career and technical** education programs.

Section 18. Sections 1205.1(f)(2), 1205.2(n.1)(2) and (o), 1205.4(d), 1205.5(g) and (h)(2), 1205.6(b), 1207.1(d)(1) introductory paragraph, 1217(a)(2)(i) and (c) and 1317.2(a), (b), (c), (e) and (f) introductory paragraph of the act are amended to read:

Section 1205.1. Continuing Professional Development.--* *

(f) * * *

(2) Notwithstanding this subsection, the provisions of sections 1003(a)(3) and (c) and 1207.1(d)(1)(iv) requiring that candidates for appointment as a district superintendent or assistant district superintendent and candidates for administrative and [vocational] **career and technical** director certificates complete a leadership development program that meets the Pennsylvania school leadership standards under section 1217 shall not be suspended.

Section 1205.2. Program of Continuing Professional Education.--* * *

(n.1) * * *

(2) Notwithstanding this subsection, the provisions of sections 1003(a)(3) and (c) and 1207.1(d)(1)(iv) requiring that candidates for appointment as a district superintendent or assistant district superintendent and candidates for administrative and [vocational] **career and technical** director certificates complete a leadership development program that meets the Pennsylvania school leadership standards under section 1217 shall not be suspended.

* * *

(o) Definitions.--As used in this section, the following words and phrases shall have the meanings given to them in this subsection:

"Approved provider" is an institution of higher education, school entity, individual, corporation, partnership, limited liability company or association approved by the department to provide continuing professional education credits or hours under this section. Provided, a school entity may approve a provider of continuing professional education credits or hours in accordance with department guidelines.

"Area of a professional educator's assignment or certification" shall mean any component of the education profession as it relates to the current job title or description of the professional educator or to any area of certification listed on the professional employe's Pennsylvania certification or to the type of certificate or endorsement held by the professional educator.

"Collegiate studies" shall mean a formal program or course of study at an institution of higher education leading to the award of academic credit.

"Compliance period" shall mean the period of time in which a professional educator must satisfactorily complete continuing professional education as required under subsection (a) and which concludes every five years beginning:

(1) July 1, 2000, for those professional educators who were issued a State certificate prior to July 1, 2000; or

(2) on the date on which the professional educator is issued a State certificate for those professional educators who were certified after July 1, 2000.

"Continuing professional education courses" shall mean courses for credit, other than collegiate studies, conducted by providers approved by the department.

"Professional educator" shall mean an individual who holds a Pennsylvania teacher, educational specialist or administrative certification or letter of eligibility.

"School entity" shall mean a school district, an intermediate unit, a joint school district, an area [vocational-technical] **career and technical** school, a charter school[, the Scotland School for Veterans' Children] and the Scranton School for the Deaf or any of these acting jointly.

Section 1205.4. CPR Instruction.--* * *

(d) For purposes of this section, a school entity shall be defined as a local school district, intermediate unit or area [vocational-technical] **career and technical** school.

Section 1205.5. Continuing Professional Education for School or System Leaders.--* * *

(g) For the purpose of this section, the term "school or system leader" shall mean an individual who serves on a certificate as a principal, vice principal, assistant principal, superintendent, assistant superintendent, intermediate unit executive director, assistant intermediate unit executive director or director of an area [vocational-technical] **career and technical** school.

(h) * * *

(2) Notwithstanding this subsection, the provisions of sections 1003(a)(3) and (c) and 1207.1(d)(1)(iv) requiring that candidates for appointment as a district superintendent or assistant district superintendent and candidates for administrative and [vocational] **career and technical** director certificates complete a leadership development program that meets the Pennsylvania school leadership standards under section 1217 shall not be suspended.

Section 1205.6. Child Abuse Recognition and Reporting Training.--* * *

(b) Definitions.--As used in this section, the following words and phrases shall have the meanings given to them in this subsection unless the context clearly indicates otherwise:

"Abuse." Conduct that falls under the purview and reporting requirements of 23 Pa.C.S. Ch. 63 (relating to child protective services) and is directed toward or against a child or student, regardless of the age of the child or student.

"Direct contact with children." The possibility of care, supervision, guidance or control of children or routine interaction with children.

"School entity." A public school, charter school, cyber charter school, private school, nonpublic school, intermediate unit or area [vocational-technical] **career and technical** school.

"Sexual misconduct." Any act, including, but not limited to, any verbal, nonverbal, written or electronic communication or physical activity, directed toward or with a child or student that is designed to establish a romantic or sexual relationship with the child or student. Such acts include, but are not limited to:

- (1) Sexual or romantic invitation.
- (2) Dating or soliciting dates.
- (3) Engaging in sexualized or romantic dialog.
- (4) Making sexually suggestive comments.
- (5) Self-disclosure or physical exposure of a sexual, romantic or erotic nature.
- (6) Any sexual, indecent, romantic or erotic contact with the child or student.

Section 1207.1. Postbaccalaureate Certification.--* * *

(d) (1) Notwithstanding any other provision of law, no person shall be granted an administrative certificate or a [vocational] **career and technical** director certificate by the Department of Education unless:

* * *

Section 1217. Pennsylvania School Leadership Standards.--(a) Programs provided under section 1205.5(c) and (d) to prepare school or system leaders and for purposes of issuing administrator certificates or letters of eligibility and approved programs for the induction and continuing professional education of school or system leaders shall address:

* * *

- (2) The following corollary standards:
 - (i) Creating a culture of teaching and learning with an emphasis on learning, including teaching and learning in manufacturing and [vocational] **career and technical** fields.

* * *

(c) For the purpose of this section, the term "school or system leader" shall mean an individual who serves on a certificate as a principal, vice principal, assistant principal, superintendent, assistant superintendent, intermediate unit executive director, assistant intermediate unit executive director or director of an area [vocational-technical] **career and technical** school.

Section 1317.2. Possession of Weapons Prohibited.--(a)

Except as otherwise provided in this section, a school district or area [vocational-technical] **career and technical** school shall expel, for a period of not less than one year, any student who is determined to have brought onto or is in possession of a weapon on any school property, any school-sponsored activity or any public conveyance providing transportation to a school or school-sponsored activity.

(b) Every school district and area [vocational-technical] **career and technical** school shall develop a written policy

regarding expulsions for possession of a weapon as required under this section. Expulsions shall be conducted pursuant to all applicable regulations.

(c) The superintendent of a school district or an administrative director of an area [vocational-technical] **career and technical** school may recommend modifications of such expulsion requirements for a student on a case-by-case basis. The superintendent or other chief administrative officer of a school entity shall, in the case of an exceptional student, take all steps necessary to comply with the Individuals with Disabilities Education Act (Public Law 91-230, 20 U.S.C. § 1400 et seq.).

* * *

(e) Nothing in this section shall be construed as limiting the authority or duty of a school or area [vocational-technical] **career and technical** school to make an alternative assignment or provide alternative educational services during the period of expulsion.

* * *

(f) All school districts and area [vocational-technical] **career and technical** schools shall report all incidents involving possession of a weapon prohibited by this section as follows:

* * *

Section 19. The definition of "educational entity" in section 1326 of the act, amended June 22, 2018 (P.L.241, No.39), is amended to read:

Section 1326. Definitions.--When used in this article, the following words and phrases shall have the following meanings:

* * *

"Educational entity" shall mean a public school district, charter school, regional charter school, cyber charter school or area [vocational-technical] **career and technical** school.

* * *

Section 20. Sections 1327(a), 1361(1) and 1381 of the act are amended to read:

Section 1327. Compulsory School Attendance.--(a) Except as hereinafter provided, every child of compulsory school age having a legal residence in this Commonwealth, as provided in this article, and every migratory child of compulsory school age, is required to attend a day school in which the subjects and activities prescribed by the standards of the State Board of Education are taught in the English language. In lieu of such school attendance, any child fifteen years of age with the approval of the district superintendent and the approval of the Secretary of Education, and any child sixteen years of age with the approval of the district superintendent of schools, may enroll as a day student in a private trade school or in a private business school licensed by the Department of Education, or in a trade or business school, or department operated by a local school district or districts. Such modified program offered in a public school must meet the standards prescribed by the State Board of Education or the State Board [for Vocational] **of Career and Technical** Education. Except as hereinafter provided, every parent, guardian, or other person having control or charge of any child or children of compulsory school age is required to send such child or children to a day school in which the subjects and activities prescribed by the standards of the State Board of Education are taught in the English language. Such parent, guardian, or other person having control or charge of any child or children, fifteen or sixteen years of age, in accordance with the provisions of this act,

may send such child or children to a private trade school or private business school licensed by the Department of Education, or to a trade or business school, or department operated by a local school district or districts. Such modified program offered in a public school must meet the standards prescribed by the State Board of Education or the State Board [for Vocational] **of Career and Technical** Education. Such child or children shall attend such school continuously through the entire term, during which the public schools in their respective districts shall be in session, or in cases of children of migrant laborers during the time the schools are in session in the districts in which such children are temporarily domiciled. The financial responsibility for the education of such children of migrant laborers shall remain with the school district in which such children of migrant laborers are temporarily domiciled; except in the case of special schools or classes conducted by an intermediate unit and approved by the Department of Education or conducted by the Department of Education. The certificate of any principal or teacher of a private school, or of any institution for the education of children, in which the subjects and activities prescribed by the standards of the State Board of Education are taught in the English language, setting forth that the work of said school is in compliance with the provisions of this act, shall be sufficient and satisfactory evidence thereof. Regular daily instruction in the English language, for the time herein required, by a properly qualified private tutor, shall be considered as complying with the provisions of this section. For the purposes of this section, "properly qualified private tutor" shall mean a person who is certified by the Commonwealth of Pennsylvania to teach in the public schools of Pennsylvania; who is teaching one or more children who are members of a single family; who provides the majority of the instruction to such child or children; and who is receiving a fee or other consideration for such instructional services. No person who would be disqualified from school employment by the provisions of subsection (e) of section 111 may be a private tutor, as provided for in this section. The private tutor must file a copy of his Pennsylvania certification and the required criminal history record with the student's district of residence superintendent.

* * *

Section 1361. When Provided.--(1) The board of school directors in any school district may, out of the funds of the district, provide for the free transportation of any resident pupil to and from the kindergarten, elementary school, or secondary school in which he is lawfully enrolled, provided that such school is not operated for profit and is located within the district boundaries or outside the district boundaries at a distance not exceeding ten miles by the nearest public highway, except that such ten-mile limit shall not apply to area [vocational technical] **career and technical** schools which regularly serve eligible district pupils or to special schools and classes approved by the Department of Education, and to and from any points within or without the Commonwealth in order to provide field trips for any purpose connected with the educational pursuits of the pupils. When provision is made by a board of school directors for the transportation of public school pupils to and from such schools or to and from any points within or without the Commonwealth in order to provide field trips as herein provided, the board of school directors shall also make identical provision for the free transportation of pupils who regularly attend nonpublic kindergarten, elementary

and high schools not operated for profit to and from such schools or to and from any points within or without the Commonwealth in order to provide field trips as herein provided. Such transportation of pupils attending nonpublic schools shall be provided during regular school hours on such dates and periods that the nonpublic school not operated for profit is in regular session, according to the school calendar officially adopted by the directors of the same in accordance with provisions of law. The board of school directors shall provide such transportation whenever so required by any of the provisions of this act or of any other act of Assembly.

* * *

Section 1381. Higher Education for Blind or Deaf Students.--The Department of [Public Instruction] **Education** is authorized to make provision for defraying the necessary expense of any students who are blind or deaf and are regularly enrolled students pursuing any course of study, profession, art, or science in any university, college, conservatory of music, normal, professional, or [vocational] **career and technical** school approved by the Department of [Public Instruction] **Education**, and who are residents of [the] **this** Commonwealth. Before any contract is entered into, the Department of [Public Instruction] **Education** shall make a careful investigation of all circumstances surrounding the case. If, after such investigation, it appears that any [blind or deaf] student **who is deaf or blind** who desires to attend any such school or institution, or who is attending such school or institution, seems to be fitted for special work, the Department of [Public Instruction] **Education** is authorized to expend the necessary amount, out of the general sum appropriated for this purpose, not to exceed five hundred dollars (\$500) per year for each such [blind or deaf] student **who is deaf or blind**.

Section 21. The definitions of "chief school administrator" and "school entity" in section 1301-A of the act are amended to read:

Section 1301-A. Definitions.--As used in this article, "Chief school administrator" shall mean the superintendent of a public school district, superintendent of an area [vocational-technical] **career and technical** school, executive director of an intermediate unit or chief executive officer of a charter school.

* * *

"School entity" shall mean any public school district, intermediate unit, area [vocational-technical] **career and technical** school or charter school.

* * *

Section 22. The definition of "school entity" in section 1301-C of the act, amended July 2, 2019 (P.L.406, No.67), is amended to read:

Section 1301-C. Definitions.

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

* * *

"School entity." A school district, intermediate unit, area [vocational-technical] **career and technical** school, charter school or private residential rehabilitative institution.

* * *

Section 23. The definition of "school entity" in section 1302-D of the act, added June 22, 2018 (P.L.327, No.44), is amended to read:

Section 1302-D. Definitions.

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

* * *

"School entity." A school district, charter school, cyber charter school, private school, nonpublic school, intermediate unit or area [vocational-technical] **career and technical** school operating within this Commonwealth.

Section 24. Sections 1414.1(d), 1414.2(j), 1414.3(e), 1414.4(d), 1414.5(d), 1423(l), 1424(c) and 1505(e) of the act are amended to read:

Section 1414.1. Possession and Use of Asthma Inhalers and Epinephrine Auto-Injectors.--* * *

(d) As used in this section, "school entity" means a school district, intermediate unit, charter school or area [vocational-technical] **career and technical** school.

* * *

Section 1414.2. School Access to Emergency Epinephrine.--* * *

(j) As used in this section, "school entity" means a school district, intermediate unit, charter school, cyber charter school, regional charter school or area [vocational-technical] **career and technical** school.

Section 1414.3. Education of School Employees in Diabetes Care and Management.--* * *

(e) For purposes of this section, "school entity" means a school district, intermediate unit, area [vocational-technical] **career and technical** school, charter school or cyber charter school.

Section 1414.4. Diabetes Care in Schools.--* * *

(d) For purposes of this section:

"School bus" means a school bus as defined in 75 Pa.C.S. § 102 (relating to definitions).

"School entity" means a school district, intermediate unit, area [vocational-technical] **career and technical** school, charter school or cyber charter school.

"School vehicle" means a school vehicle as defined in 75 Pa.C.S. § 102.

Section 1414.5. Possession and Use of Diabetes Medication and Monitoring Equipment.--* * *

(d) For purposes of this section, the following terms shall have the following meanings:

"School entity" means a school district, intermediate unit, area [vocational-technical] **career and technical** school, charter school or cyber charter school.

"Diabetes medication" means glucagon and insulin.

Section 1423. Automatic External Defibrillators.--* * *

(l) As used in this section--

"Automatic external defibrillator" means a portable device that uses electric shock to restore a stable heart rhythm to an individual in cardiac arrest.

"Department" means the Department of Education of the Commonwealth.

"Nonpublic school" means a nonprofit school, other than a public school within this Commonwealth, wherein a resident of this Commonwealth may legally fulfill the compulsory school attendance requirements of this act and which meets the applicable requirements of Title VI of the Civil Rights Act of 1964 (Public Law 88-352, 78 Stat. 241).

"School building" means a building owned by or under the control of a school entity or nonpublic school where classes

are taught or extracurricular activities are conducted on a regular basis.

"School entity" means an area [vocational-technical] **career and technical** school, a charter school, a cyber charter school, an intermediate unit or a school district.

"Secretary" means the Secretary of Education of the Commonwealth.

Section 1424. Cardiopulmonary Resuscitation.--* * *

(c) As used in this section, "school entity" means an area [vocational-technical] **career and technical** school, a charter school, a cyber charter school, an intermediate unit, a nonpublic school or a school district.

Section 1505. Secretary Declaration of Emergencies.--* * *

(e) As used in this section, the following words and phrases shall have the meanings given to them in this subsection unless the context clearly indicates otherwise:

"Charter school entity" shall mean a charter school, regional charter school or cyber charter school.

"Department" shall mean the Department of Education of the Commonwealth.

"School entity" shall mean a school district, area [vocational-technical] **career and technical** school or intermediate unit.

Section 25. The definition of "public school entity" in section 1506(h) of the act, added July 2, 2019 (P.L.396, No.64), is amended to read:

Section 1506. Flexible Instructional Days.--* * *

(h) As used in this section, the following words and phrases shall have the meanings given to them in this subsection:

* * *

"Public school entity" shall mean any of the following:

(1) A school district.

(2) An intermediate unit.

(3) An area [vocational-technical] **career and technical** school.

(4) A charter school or regional charter school, as defined in section 1703-A.

* * *

Section 26. Sections 1517(f), 1526(d) and 1527(c) of the act are amended to read:

Section 1517. Fire and Emergency Evacuation Drills.--* * *

(f) As used in this section, the following words and phrases shall have the meanings given to them in this subsection:

"Chief school administrator" shall mean the superintendent of a school district, superintendent of an area [vocational-technical] **career and technical** school, executive director of an intermediate unit or chief executive officer of a charter school or regional charter school.

"School entity" shall mean an area [vocational-technical] **career and technical** school, school district, intermediate unit, charter school or regional charter school.

"School security drill" shall mean a planned exercise, other than a fire drill or natural disaster drill, designed to practice procedures to respond to an emergency situation that may include, but is not limited to, an act of terrorism, armed intruder situation or other violent threat.

Section 1526. Youth Suicide Awareness and Prevention.--* * *

(d) As used in this section, the following words and phrases shall have the meanings given to them in this subsection unless the context clearly indicates otherwise:

"Department." The Department of Education of the Commonwealth.

"Nonpublic school." A nonprofit school, other than a school entity, wherein a resident of this Commonwealth may legally fulfill the compulsory school attendance requirements of this act and which meets the requirements of Title VI of the Civil Rights Act of 1964 (Public Law 88-352, 78 Stat. 241).

"Professional educator." As defined in section 1205.2(o).

"School entity." A school district, joint school district, charter school, regional charter school, cyber charter school, intermediate unit or area [vocational-technical] **career and technical** school.

"Secretary." The Secretary of Education of the Commonwealth.

Section 1527. Child Exploitation Awareness Education.--* *

*

(c) As used in this section, the following words and phrases shall have the meanings given to them in this subsection unless the context clearly indicates otherwise:

"Department." The Department of Education of the Commonwealth.

"Nonpublic school." A nonprofit school, other than a school entity, wherein a resident of this Commonwealth may legally fulfill the compulsory school attendance requirements of this act and which meets the requirements of Title VI of the Civil Rights Act of 1964 (Public Law 88-352, 78 Stat. 241).

"Professional educator." As defined in section 1205.2(o).

"School entity." A school district, joint school district, charter school, regional charter school, cyber charter school, intermediate unit or area [vocational-technical] **career and technical** school.

"Secretary." The Secretary of Education of the Commonwealth.

Section 27. The definition of "school entity" in section 1528(f) of the act, added June 12, 2019 (P.L.31, No.7), is amended to read:

Section 1528. Cardiopulmonary Resuscitation Education.--*

* *

(f) As used in this section, the following words and phrases shall have the meanings given to them in this subsection unless the context clearly indicates otherwise:

* * *

"School entity." A school district, joint school district, charter school, regional charter school, cyber charter school, intermediate unit or area [vocational-technical] **career and technical** school.

Section 28. Section 1549(e) of the act is amended to read:

Section 1549. Agricultural Education.--* * *

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

"Department." The Department of Education of the Commonwealth.

"School entity." A public school district, intermediate unit or area [vocational-technical] **career and technical** school.

"Secretary." The Secretary of Education of the Commonwealth.

Section 29. Section 1549.1(f) (3) (v) and (p) of the act are amended and subsection (l) is amended by adding a paragraph to read:

Section 1549.1. Commission for Agricultural Education Excellence.--* * *

(f) The commission shall consist of the following members:

* * *

(3) The following members jointly appointed by the Secretary of Education and the Secretary of Agriculture from lists submitted by the President pro tempore of the Senate and the Speaker of the House of Representatives, in consultation with the Majority Leader and Minority Leader of the Senate and the Majority Leader and Minority Leader of the House of Representatives:

* * *

(v) Two teachers of [vocational] **career and technical** agriculture, one from a career and technical center and one from a school district.

* * *

(1) The commission shall have all the following powers and duties:

* * *

(6) **In consultation with and with the approval of the Department of Education, develop guidelines to identify the circumstances when a student who successfully completes an academic course, program or activity for credit may apply the credit toward the completion of an agricultural education program. The guidelines developed under this paragraph shall be posted on the Department of Education's publicly accessible Internet website within fifteen (15) days of approval. The Department of Education shall review the guidelines at least every five years. Any proposed update to the guidelines shall be developed in consultation with the commission.**

* * *

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

"Commission." The Commission for Agricultural Education Excellence established under this section.

"Farmer." A person who engages in activities, practices and procedures to produce and prepare for market poultry, livestock and their products or who engages in the production and harvesting of agricultural, agronomic, horticultural, silvicultural and aquacultural crops and commodities and whose operation is conducted on not less than ten contiguous acres in area or, if less than ten contiguous acres in area, has an anticipated yearly gross income of at least ten thousand dollars (\$10,000).

"FFA." A career and technical student organization that encourages leadership, personal growth and career success through agricultural education.

"School entity." A public school district, intermediate unit or area [vocational-technical] **career and technical** school.

Section 30. Sections 1551(f), 1554(g) and 1503-A(a) and (c)(2) and (4) of the act are amended to read:

Section 1551. Economic Education and Personal Financial Literacy Programs.--* * *

(f) The following words and phrases when used in this section shall have the meanings given to them in this subsection:

"Department." The Department of Education of the Commonwealth.

"Personal financial literacy." The integration of various factors relating to personal financial management, including understanding financial institutions, using money, learning to manage personal assets and liabilities, creating budgets and any other factors that may assist an individual in this Commonwealth to be financially responsible.

"School entity." A public school district, charter school, cyber charter school, intermediate unit or area [vocational-technical] **career and technical** school.

"Secretary." The Secretary of Education of the Commonwealth. Section 1554. Holocaust, Genocide and Human Rights Violations Instruction.--* * *

(g) For purposes of this section, the term "school entity" shall mean a school district, charter school, regional charter school, cyber charter school, intermediate unit or area [vocational-technical] **career and technical** school.

Section 1503-A. Basic Education Grants.--(a) Grants shall be allocated to school districts and to area [vocational-technical] **career and technical** schools by the department from funds appropriated for this purpose. A nonpublic school, an intermediate unit or local library may participate in the grant process through a partnership with a school district.

* * *

(c) * * *

(2) School districts, charter schools, area [vocational-technical] **career and technical** schools and intermediate units are eligible to apply for grants as prescribed by the department. Maximum grant awards will be established by the department based on a formula that considers the market value/income aid ratio and average daily membership. The department may establish matching requirements for grant recipients.

* * *

(4) An applicant may collaborate or form a partnership with one or more of the following: a political subdivision, a school district, an area [vocational-technical] **career and technical** school, an intermediate unit, a nonpublic school, a local library, an independent institution of higher education, a State-owned institution, a State-related institution, a community education council or any other entity approved by the Department of Education.

Section 31. The definition of "school entity" in section 1501-C of the act is amended to read:

Section 1501-C. Definitions.

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

* * *

"School entity." Shall mean:

(1) For purposes of the Educational Support Services Program, any of the following located in this Commonwealth: a school district, intermediate unit, joint school district, area [vocational-technical] **career and technical** school, charter school, independent school, licensed private academic school, accredited school, a school registered under section 1327(b) [, the Scotland School for Veterans' Children] or the Scranton School for the Deaf.

(2) For purposes of the Educational Assistance Program established in section 1502-C, any of the following located in this Commonwealth: a school district, joint school district, area [vocational-technical] **career and technical** school or independent school.

Section 32. The definition of "school entity" in section 1502-I of the act is amended to read:

Section 1502-I. Definitions.

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

* * *

"School entity." Any of the following:

- (1) A school district.
- (2) An intermediate unit.
- (3) An area [vocational-technical] **career and technical** school.
- (4) A charter school or regional charter school, as defined in section 1703-A.

* * *

Section 33. Section 1605(c)(2) of the act is amended to read:

Section 1605. Courses of Study.--* * *

(c) * * *

(2) As used in this subsection, "public high school" shall mean a public school, including a school within a school district, a charter school, a cyber charter school, a regional charter school or an area [vocational-technical] **career and technical** school, that offers twelfth grade.

Section 34. The definition of "school entity" in section 1605.1(d) of the act, added June 19, 2018 (P.L.227, No.35), is amended to read:

Section 1605.1. Assessment of Civic Knowledge.--* * *

(d) As used in this section, the following words and phrases shall have the meanings given to them in this subsection unless the context clearly indicates otherwise:

* * *

"School entity" shall mean a school district, area [vocational-technical] **career and technical** school, intermediate unit, charter school, cyber charter school or regional charter school.

* * *

Section 35. Sections 1607(a) and 1614(a) of the act are amended to read:

Section 1607. Attendance in Other Districts.--(a) Except as set forth in subsection (b), pupils residing in a school district in which no public high school is maintained may attend, during the entire term, at the expense of the school district of which they are residents, the nearest or most conveniently located high school of such class as they may desire to attend, unless the board of school directors of the district of residence shall have assigned the pupils to a high school and adequate transportation is provided thereto. Pupils who reside in a school district in which no public high school, other than a [vocational] **career and technical** high school is maintained, may attend, during the entire term, the nearest or most conveniently located academic high school. In any district which maintains a high school whose program of studies terminates before the end of the twelfth year, pupils who have satisfactorily completed the program of studies there available in other than [vocational] **career and technical** schools or departments, or have completed a program of studies equivalent to said program of studies in some other school or schools, may attend, at the expense of the school district in which they live, and for the purpose of pursuing academic studies of a higher grade, the nearest or most conveniently located high school of such type as they may desire to attend giving further high school work.

* * *

Section 1614. Participation By Students With Disabilities in High School Graduation Ceremonies.--(a) For the 2005-2006 school year and each school year thereafter, a board of school directors of a school district, an area [vocational-technical] **career and technical** school or a charter school shall allow a student with a disability, whose individualized education program as established pursuant to 22 Pa. Code § 14.131 (relating to IEP) prescribes continued special education programs beyond the fourth year of high school, to participate in commencement ceremonies with the student's graduating class and receive a certificate of attendance, provided that the student has attended four years of high school regardless of whether the student has completed the individualized education program.

* * *

Section 36. The definitions of "concurrent student" and "school entity" in section 1602-B of the act are amended to read:

Section 1602-B. Definitions.

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

* * *

"Concurrent student." A student who is enrolled in a school district, a charter school, an area [vocational-technical] **career and technical** school, a nonpublic school, a private school or a home education program under section 1327.1 and who takes a concurrent course through a concurrent enrollment program.

* * *

"School entity." A school district or an area [vocational-technical] **career and technical** school.

* * *

Section 37. Sections 1603-B(c) (1), 1614-B(b) and 1615-B(a) of the act are amended to read:

Section 1603-B. Responsibilities of department and State Board of Education.

* * *

(c) Grants.--

(1) The department shall provide a grant to any school entity that has applied for grant funds under section 1611-B(c) and has approved a concurrent enrollment program as set forth in this article. The grant amount to each school entity shall be calculated for each concurrent course as follows:

(i) Determine the total approved cost for all concurrent students who are residents of the school district or enrolled in the area [vocational-technical] **career and technical** school.

(ii) Multiply the amount from subparagraph (i) by the sum of 0.425 and the market value/income aid ratio of the school entity, provided that where a concurrent student is enrolled in an area [vocational-technical] **career and technical** school, the market value/income aid ratio shall be the average of the market value/income aid ratios of the concurrent students' school districts of residence.

* * *

Section 1614-B. Enrollment in concurrent courses.

* * *

(b) Optional enrollment.--A student enrolled in a school district, charter school, area [vocational-technical] **career**

and technical school, nonpublic school, private school or home education program who does not qualify under subsection (a) may enroll in concurrent courses that are part of a concurrent enrollment program approved by the student's school district of residence or the area [vocational-technical] **career and technical** school in which the student is enrolled by meeting alternate criteria agreed upon by the school entity and the eligible postsecondary institution at which the student seeks to enroll in concurrent courses, provided that the charter school, nonpublic school, private school or home education program awards secondary credit for a successfully completed concurrent course. The student shall be included in the number of students reported to the department under section 1611-B(b) and (c).

Section 1615-B. Credit for concurrent courses.

(a) Award.--A school district, charter school, area [vocational-technical] **career and technical** school, nonpublic school, private school or home education program shall award secondary credit for a successfully completed concurrent course, with success being determined by the eligible postsecondary institution and set forth in the concurrent enrollment agreement under section 1613-B(b) (4).

* * *

Section 38. The definition of "school entity" in section 1602-C of the act is amended to read:

Section 1602-C. Definitions.

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

* * *

"School entity." A school of a school district, joint school district, area [vocational-technical] **career and technical** school or charter school that provides interscholastic athletic opportunities for secondary school students.

* * *

Section 39. Section 1707 of the act is amended to read:

Section 1707. Joint School Committee.--The boards of school directors, establishing any joint school or department, may supervise and direct its affairs, jointly, in the same manner as the affairs of individual school districts are managed; or they may agree that the affairs of such joint school or department may be managed by a joint school committee within the limits of the budget adopted by the joint board. Where such management is delegated to a joint school committee, every school board establishing joint schools or departments shall, at the annual meeting during the month of December, select one or more of its members who, with the members chosen in like manner in the other districts, shall constitute the joint school committee. Every such school board may also select at any annual or regular meeting one or more alternates from its members to serve in the event selected members are unable to attend a meeting of the joint school committee. The alternate, when directed by the president of the school board to attend a meeting of the joint school committee in the absence of the selected member, shall have all the powers and duties of a regular member of such committee. This committee shall have all the powers and duties and be subject to all the liabilities with reference to the supervision, maintenance and regulation of such joint schools or departments as are now conferred or imposed by law upon school boards generally. The affirmative vote of a majority of all the members of this committee, duly recorded, showing how each member voted, shall be required in

order to take action upon those subjects enumerated in section five hundred eight of this act. Such votes may be recorded in a joint meeting or by mail ballot. Failure to comply with the provisions of this act shall render void and unenforceable the acts of the joint school committee with reference thereto. The joint board and the joint school committee, if authorized, shall organize annually during the month of December by electing a president, vice-president and secretary, who shall perform the duties imposed by this act on the president, vice-president and secretary of regular school boards. The secretary so elected shall serve for a term of four years. The expenses of maintaining the joint school or department shall be paid by warrant drawn on the joint board treasurer by the president and secretary of the joint board or the joint school committee.

Whenever two or more boards of school directors, who are at the time members of a joint board operating a joint school or department, join with other boards of school directors in the formation of a joint school committee operating an area [vocational-technical] **career and technical** school or technical institute, the joint committee may be formed as may be agreed: Provided, That each joint school or department have at least one member on the joint school committee.

Section 40. The definition of "school entity" in section 1703-A of the act is amended to read:

Section 1703-A. Definitions.--As used in this article,
* * *

"School entity" shall mean a school district, intermediate unit, joint school or area [vocational-technical] **career and technical** school.

* * *

Section 41. The heading of Article XVIII of the act is amended to read:

ARTICLE XVIII.

[VOCATIONAL] **CAREER AND TECHNICAL** EDUCATION.

Section 42. Sections 1801, 1802, 1803, 1803.1 introductory paragraph and (1), 1804, 1805, 1806, 1807, 1808, 1809, 1810 and 1811 of the act are amended to read:

Section 1801. Definitions.--The following words and phrases as used in this article shall, unless a different meaning is plainly required by the context, have the following meanings:

(1) "State Board [for Vocational] **of Career and Technical Education**" shall mean the State Board of Education, herein invested with powers to administer this article of this act under the designation of the State Board [for Vocational] **of Career and Technical Education**.

(2) "[Vocational] **Career and technical** education" shall mean any form of education of less than college grade, given in school or elsewhere, the purpose of which is to fit an individual to pursue effectively a recognized profitable employment, whether pursued for wages or otherwise.

(3) "[Vocational] **Career and technical** industrial education" shall mean those forms of [vocational] **career and technical** education that fit for industrial pursuits. It includes occupational training for [women and girls other than training for the vocation of homemaking] **nontraditional employment**. It includes also public and other service occupations.

(4) "[Vocational] **Career and technical** agricultural education" shall mean that form of [vocational] **career and technical** education which develops student potential for success in entering and advancing through careers in the food, agriculture and natural resources sciences, such as production agriculture, animal science, agribusiness management and

marketing, agricultural research, energy systems, agricultural mechanics and engineering, biotechnology, food science, processing and retailing, banking, agricultural education, forestry, horticulture, landscape contracting, nursery and floriculture production, retail garden center management, leadership and career development, management, economics and marketing, natural resource management, plant and soil science, power and systems technology, rural-urban interfacing and other related fields.

(5) "[Vocational] **Career and technical marketing and distributive occupational education**" shall mean those forms of [vocational] **career and technical** education [designed for those workers engaged in or preparing for employment as distributors to consumers, retailers, jobbers, wholesalers, and others of the products of farm and industry, including, also, managers operating or conducting a commercial service or personal service business, or selling the services of such a business.] **which develops student potential for success in entering and advancing through careers in distribution, financing, marketing, storing and warehousing, pricing, product and service management and sales promotion and small business.**

(6) "[Vocational homemaking] **Career and technical family and consumer sciences** education" shall mean that form [attitudes in the subject matter areas of home economics] **of career and technical education which develops student potential for success in entering and advancing through careers involving parenting and child development, human development, nutrition, wellness and food science, along with hospitality and tourism, independent living, interpersonal relationships, home management, fashion marketing, resource management, consumer rights and financial literacy and career and family connections** and useful programs that are designed to help individuals and families [improve home environment and the quality of family life] **manage the multiple roles necessary to balance family, career and community responsibilities.**

(7) "[Vocational] **Career and technical** industrial, [vocational] **career and technical** agricultural, [vocational] **career and technical marketing and distributive occupational education**, or [vocational homemaking] **career and technical family and consumer sciences** school or department," or "[vocational] **career and technical** school or department," shall mean a distinctive organization of courses, pupils, and teachers approved by the State Board [for Vocational] **of Career and Technical** Education, designed to give either [vocational] **career and technical** industrial, [vocational] **career and technical** agricultural, [vocational] **career and technical marketing and distributive occupational**, or [vocational homemaking] **career and technical family and consumer sciences** education, as herein defined.

(8) "[Vocational] **Career and technical** evening class" shall mean a class providing such instruction for persons sixteen years of age or over, who have left full-time school. These classes may be conducted in the evening, or at hours when workers are able to attend, and shall include instruction that will either increase the skill or knowledge of the worker in the occupation in which he is employed, or include instruction for those who are unemployed or about to become unemployed because of changing conditions in industry, and whose previous experience, as a background, prepares them for employment in related fields within a limited time.

(9) "[Vocational] **Career and technical** evening class" in [vocational homemaking] **career and technical family and consumer sciences** shall mean a class giving training as indicated in clause (6) for students during the evening.

(10) "[Vocational homemaking] **Career and technical family and consumer sciences** school or department" shall mean a [vocational] **career and technical** school or department designed to develop, on a [vocational] **career and technical** basis, the capacity for useful employment as indicated in clause (6).

(11) "Part-time schools or classes" shall mean those schools or classes which provide instruction in subjects given to enlarge the civic or [vocational] **career and technical** knowledge or skill of workers over fourteen years of age who have entered upon employment. Such schools must be so organized as to permit workers, who are qualified for admission, to spend part of their time during the day, week, month, or year in employment, and part of the time in school.

(12) "Part-time cooperative [vocational] **career and technical** education" refers to that form of [vocational] **career and technical** instruction that involves attendance on alternate, equal periods of school and work at the [vocation] **career** during the school year, given in accordance with an agreement by which the school and industry cooperate and coordinate in making available the combined educational and training facilities of both.

(13) "Practical" refers to manipulative or "practice-of-the-trade" aspects of a [vocation] **career**. It includes such work given in shops, laboratories, mines, drafting rooms, and other places, and is to distinguish such work from "academic" or ["nonvocational"] "**noncareer and nontechnical**" education.

(14) "Public service-school" refers to schools, departments, classes, and conferences for the in-service training of public and other service occupations, including [policemen, firemen] **police officers, firefighters**, finance officers, school board officials, and others.

(15) "[Vocational] Technical Education" shall mean a subject, or combination of subjects, of less than college grade designed to prepare an individual to enter or advance in an occupational field wherein success is largely dependent upon knowledge or techniques and applied sciences, the practice of which involves aspects of planning, managing, controlling, processing or distributing products, sales and services.

(16) "[Vocational] **Career and technical** business [and office education]", **computer and information technology**" shall mean a subject or combination of subjects of less than college grade designed to prepare an individual to enter or advance in an occupational field wherein success is largely dependent upon skill and knowledge necessary to obtain competency in [bookkeeping,] **the areas of accounting and information technologies**, clerical, data processing, [or stenographic] **computer applications, programming and operating systems, including hardware and software applications, entrepreneurship, international business, business math, finance, management concepts, consumer economics, budgeting, investing and taxes, personal finance, electronic commerce, business and consumer law or business communications** occupations, and similar business pursuits.

Section 1802. State Board [for Vocational] **of Career and Technical** Education; Executive Officer; Employes.--The [Superintendent of Public Instruction] **Secretary of Education**

shall be the executive officer of the State Board [for Vocational] **of Career and Technical** Education for the administration of this act. Except as hereinafter otherwise provided, he, as executive officer, shall appoint, from time to time, with the approval of the State Board [for Vocational] **of Career and Technical** Education, such expert assistants, other than those already provided for by law, as may be necessary in [vocational] **career and technical** industrial, [vocational homemaking, vocational] **career and technical family and consumer sciences, career and technical** agricultural, [vocational] **career and technical marketing and distributive occupational education** or [vocational] **career and technical** business [and office occupational], **computer and information technology** education, and all clerical and other agents necessary in carrying out the provisions of this act.

Section 1803. Duties of State Board [for Vocational] **of Career and Technical** Education; Reports.--The State Board [for Vocational] **of Career and Technical** Education is hereby authorized and directed to investigate and to aid in the introduction of [vocational] **career and technical** industrial, [vocational] **career and technical** agricultural, [vocational homemaking, vocational] **career and technical family and consumer science, career and technical marketing and distributive occupational education** and [vocational] **career and technical** business [and office occupational], **computer and information technology** education; to assist in the establishment of schools and departments for said forms of education, and to inspect and approve such schools or departments as are hereinafter provided. The State Board [for Vocational] **of Career and Technical** Education shall make a report annually to the Governor and Legislature describing the condition and progress of [vocational] **career and technical** industrial, [vocational] **career and technical** agricultural, [vocational homemaking, vocational] **career and technical family and consumer science, career and technical marketing and distributive occupational education** and [vocational] **career and technical** business [and office occupational], **computer and information technology** education during the year, and shall also make such recommendations as the board may deem advisable.

Section 1803.1. Duty of Secretary to Report Annually.--The Secretary of Education shall report annually, to the Standing Committees on Education of the Senate and House of Representatives, the following information for each area [vocational-technical] **career and technical** school:

(1) Number of approved [vocational] **career and technical** programs during the current and prior years.

* * *

Section 1804. Schools or Classes; Supervisors; Principals; Instructors, etc.--In carrying out the provisions of this act, the State Board [for Vocational] **of Career and Technical** Education shall provide for [vocational] **career and technical** schools or classes, with the necessary staffs, in accordance with the State Plan for [Vocational] **Career and Technical** Education, approved by the [Federal Board for Vocational Education].

Principals, instructors and lecturers for the Public Service Institute shall be elected by the State Board for Vocational Education. They shall possess the qualifications established in the State Plan for Vocational Education approved by the Federal Board for Vocational Education.] **United States Department of Education.**

Section 1805. Instruction in Theory and Practice.--In order that instruction in theory and practice may go on together, [vocational] **career and technical** industrial, [vocational] **career and technical** agricultural, [vocational homemaking, and vocational] **career and technical family and consumer science, and career and technical marketing and distributive occupational education** schools or departments may offer instruction in day, part-time, and evening classes. Attendance upon such day, evening, or part-time classes shall be restricted to those over fourteen years of age.

Section 1806. Administration by School Districts.--Any school district may, through its board of school directors--

(1) Establish and maintain [vocational] **career and technical** industrial, [vocational] **career and technical** agricultural, [vocational homemaking, and vocational] **career and technical family and consumer sciences, and career and technical marketing and distributive occupational education** schools or departments.

(2) Receive any donation made to the school district for the conduct of any [vocational] **career and technical** school or department or [vocational] **career and technical** evening classes. The donation shall be administered by or under the direction of the board of directors of the district to which it is made, subject to the approval of the [Superintendent of Public Instruction] **Secretary of Education**. The board of school directors in any district shall not be obliged to accept any such donation unless it seems proper so to do.

(3) Require a deposit fee of a sum not to exceed ten dollars (\$10) from each person enrolling in evening [vocational] **career and technical** schools or classes. Such deposit fee shall be returned at the close of each term of instruction to all persons so enrolled who have attended seventy-five per cent (75%) or more of the class sessions of the term and may be returned at any time because of death, sickness, or any other cause which the board may deem justifiable.

(4) Acquire land for the purpose of an agricultural school and equip and maintain the same in a proper manner, to be used in connection therewith.

Section 1807. Joint [Vocational] **Career and Technical** Schools or Departments.--Two or more districts may, as provided in article seventeen of this act, through a joint school committee, establish and maintain [vocational] **career and technical** industrial, [vocational] **career and technical** agricultural, [vocational homemaking, or vocational] **career and technical family and consumer sciences, or career and technical marketing and distributive occupational education** schools or departments, to be known as joint [vocational] **career and technical** schools or departments.

Section 1808. Advisory Committees.--Local school boards and joint school committees administering approved [vocational] **career and technical** industrial, [vocational] **career and technical** agricultural, [vocational homemaking, or vocational] **career and technical family and consumer sciences or career and technical marketing and distributive occupational education** schools or departments may, under a plan to be approved by the State Board [for Vocational] **of Career and Technical Education**, appoint an advisory committee composed of members representing local trades, industries, and occupations. It shall be the duty of such a committee to counsel with and advise the local or joint board of trustees, and other school officials, having the management and supervision of such schools.

Section 1809. Attendance in Other Districts and Other States; Pupils from Other States.--(a) Any resident of any school district which does not maintain an approved [vocational] **career and technical** industrial, [vocational] **career and technical** agricultural, [vocational homemaking, or vocational] **career and technical family and consumer sciences or career and technical marketing and** distributive occupational education day, part-time, or evening class, school or department, offering the type of training which he desires, may make application to the board of school directors of any other district for admission to such school or department maintained by said board. If the board refuses him admission, he may apply to the State Board [for Vocational] **of Career and Technical** Education for admission to such school or department. The State Board [for Vocational] **of Career and Technical** Education may approve or disapprove such application. In making such decision the State Board [for Vocational] **of Career and Technical** Education shall take into consideration the opportunities for free [vocational] **career and technical** training in the community in which the applicant resides, the financial status of the community, the age, preparation, aptitude, and previous record of the applicant, and all other relevant circumstances. The decision of the State Board [for Vocational] **of Career and Technical** Education shall be final.

(b) Where any child of school age in any school district resides by the nearest traveled road three miles or more from the nearest [vocational] **career and technical** high school in any district in this Commonwealth, such child, unless proper free transportation is furnished to a suitable school in this Commonwealth, may, on request of his parents or legal guardian, be assigned by the board of school directors to a more convenient school in another state: Provided, That the consent of the proper school officials in charge of such school in another state to such an arrangement is permitted by the laws of such state, and is agreed to by such officials.

(c) The school district in which the person resides, who has been admitted, as above provided, to an approved [vocational] **career and technical** industrial, [vocational] **career and technical** agricultural, [vocational homemaking, vocational] **career and technical family and consumer sciences, career and technical** high or [vocational] **career and technical marketing and** distributive occupational **education** school or department maintained by another school district, shall pay the high school charge provided for by this act. If any school district neglects or refuses to pay for such tuition, it shall be liable therefor, in an action of contract, to the school district or school districts maintaining the school which the pupil, with the approval of the board, attended.

(d) The board of school directors in any school district in this Commonwealth, situate adjacent to another state, may admit to the [vocational] **career and technical** high school in such district pupils resident in such other state, and may receive tuition for such pupils as in the case of pupils admitted from other districts in this Commonwealth.

Section 1810. Approved Local or Joint [Vocational] **Career and Technical** Schools; State Reimbursement.--[Vocational] **Career and technical** industrial, [vocational] **career and technical** agricultural, [vocational homemaking, and vocational] **career and technical family and consumer sciences, and career and technical marketing and** distributive occupational **education** schools or departments shall, so long as they are approved by

the State Board [for Vocational] **of Career and Technical Education** as to organization, control, location, equipment, courses of study, qualifications of teachers, methods of instruction, conditions of admission, employment of pupils, and expenditures of money, constitute approved local or joint [vocational] **career and technical** schools. School districts maintaining such approved local or joint [vocational] **career and technical** schools or departments shall receive reimbursement from the Commonwealth, as provided for in this act, and shall make such certificates to the [Superintendent of Public Instruction] **Secretary of Education** as are required by article twenty-five of this act.

Section 1811. Estimate of Expenses and Reimbursements; Appropriations.--On or before the first Wednesday of January of any year in which the regular session of the Legislature is held, the State Board [for Vocational] **of Career and Technical Education** shall present to the Legislature an estimate of the amount of money necessary to meet the expenditures to be incurred in the administration of this act for the fiscal year beginning with the first day of the ensuing June, 1961, and beginning with the first day of July of each year thereafter; and the amount necessary to meet the claims of school districts and unions of school districts maintaining approved [vocational] **career and technical** schools or departments, under the provisions of this act for the school year beginning with the first day of the preceding July. On the basis of such statement, the Legislature shall make an appropriation of such amounts as may be necessary to meet the expense of carrying this act into effect, and of reimbursing such school districts and unions of school districts for such school year as herein provided.

Section 43. The headings of subdivisions B and C of Article XVIII are amended to read:

(b) [Vocational] **Career and Technical** School Districts.

(c) Area [Vocational-Technical] **Career and Technical** Schools and Technical Institutes.

Section 44. Sections 1840.1, 1841 and 1842 of the act are amended to read:

Section 1840.1. Definitions.--When used in Article XVIII of this act, the following words and phrases shall have the following meanings unless otherwise required by the context:

"School." The word "school" shall mean an area [vocational-technical] **career and technical** school.

"Institute." The word "institute" shall mean technical institute.

"Attendance area." An "attendance area" shall mean a geographical area of school districts and pupils to be served by an area [vocational-technical] **career and technical** school or institute which has been approved by the State Board [for Vocational] **of Career and Technical Education**.

"Area [vocational-technical] **career and technical** board." An "area [vocational-technical] **career and technical** board" shall mean the boards of school directors of all of the participating districts acting jointly.

Section 1841. Area [Vocational-Technical] **Career and Technical** Schools and Technical Institutes Authorized.--An area [vocational-technical] **career and technical** board may establish, maintain, conduct and operate schools, departments or classes to prepare for [vocational] **career and technical** industrial, [vocational] **career and technical** agricultural, [vocational homemaking, business and vocational] **career and technical family and consumer sciences, business, computer and information**

technology and career and technical marketing and distributive occupations, technical occupations, such as aides and assistants, in physical, biological, space and other sciences, mathematics, engineering, construction and design, computer programming and maintenance, and health occupations and for any other occupations requiring [vocational] **career** or technical training and education, to be known as "area [vocational-technical] **career and technical** schools," for the education of pupils, out-of-school youth and adults residing in the attendance area.

An area [vocational-technical] **career and technical** board or several area [vocational-technical] **career and technical** boards jointly may provide for, establish, maintain, conduct and operate schools, departments, or classes to be known as "technical institute" to educate, train and offer post high school programs and courses of not more than two years' duration, which will prepare out-of-school youth and adults for competency in sub-professional, technical, health service, business, commercial, merchandising and skilled occupations and for any other occupations for which technical training is helpful to an employer and increases students' qualifications for employment. Technical institute programs and courses shall be coordinated with those offered in area [vocational-technical] **career and technical** schools to [insure] **ensure** progressive advancement of students. Such institutes shall be organized in accordance with proposals of area [vocational-technical] **career and technical** boards of school directors, which are approved by the State Board [for Vocational] **of Career and Technical** Education. All technical institutes shall be established, operated and in all respects conform to standards prepared by the Department of Education and adopted by the State Board [for Vocational] **of Career and Technical** Education. Area [vocational-technical] **career and technical** schools, as approved by the State Board [for Vocational] **of Career and Technical** Education, may be organized as [vocational-technical] **career and technical** service centers in which pupils may enroll full-time or in which pupils enrolled in academic high schools may elect to attend part-time. Technical institutes approved by the State Board [for Vocational] **of Career and Technical** Education may enroll out-of-school youth and adults full-time or part-time as the students may elect.

Area [vocational-technical] **career and technical** school and technical institute attendance areas and standards for courses and equipment shall be in conformity with standards prepared by the Department of Education and approved by the State Board [for Vocational] **of Career and Technical** Education.

Section 1842. Advisory Committees.--(a) Each area [vocational-technical] **career and technical** board operating an area [vocational-technical] **career and technical** school and/or technical institute shall appoint an advisory committee, composed of representatives of local trades, industries, business research and educational agencies, occupations, and administrators of the participating school districts. The advisory committee shall advise the area [vocational-technical] **career and technical** board on such matters as the need for a particular shop, laboratory, occupation, equipment, curriculum, labor management coordination, business and industrial requirements or selection of personnel.

(b) An occupational advisory committee shall be established for each career and technical education program or cluster of related career and technical education programs offered by an

area career and technical school or school district. The occupational advisory committee shall be appointed by the board of directors of the area career and technical school or school district, as applicable. A majority of the members of the occupational advisory committee shall be employees and employers in the occupation for which the career and technical education program is provided. Each occupational advisory committee shall meet at least twice each year to:

(1) advise the board of directors, administrators and staff on curriculum, equipment, instructional materials, safety requirements, program evaluation and other related matters; and

(2) verify that the programs meet industry standards and, if appropriate, licensing board criteria, and that the programs prepare students with occupation-related competencies.

(c) Notwithstanding subsection (b), to increase employer participation in an occupational advisory committee required under this section, the boards of directors of multiple area career and technical schools or school districts operating career and technical education programs may agree to establish a shared occupational advisory committee to serve all agreeing area career and technical schools or school districts, provided that all agreeing area career and technical schools or school districts are located within the same intermediate unit. If a shared occupational advisory committee is formed under this subsection, the occupational advisory committee shall be designed to provide equal opportunities for all agreeing area career and technical schools or school districts to participate, including scheduling meetings at each area career and technical school or school district on a rotating basis.

Section 45. The act is amended by adding sections to read:

Section 1842.1. PAsmart Online Career Resource Center.--(a)

The Department of Education and the Department of Labor and Industry, in consultation with the Department of Agriculture, shall establish a central online clearinghouse to be made available on a publicly accessible Internet website maintained by the Department of Labor and Industry. The website, which shall be available no later than the commencement of the 2021-2022 school year, shall at a minimum include an online database of the following:

(1) Postsecondary pathways and options.

(2) Career and technical education and workforce opportunities.

(3) Career pathways.

(4) Data and statistics on employment opportunities and compensation.

(5) Statewide and regional articulation agreements.

(6) Other relevant career resources.

(b) The online database shall be easily accessible by students, parents, educators, school officials and the public. Participating State agencies may utilize existing resources or clearinghouses available from other agencies to compile the clearinghouse information.

(c) Participating State agencies shall explore the possibility of Federal or private funding to support the clearinghouse.

(d) The Department of Labor and Industry, in cooperation with the Department of Education and the Department of Agriculture, shall ensure that the clearinghouse is updated annually.

Section 1842.2. Workforce Development Program Clearinghouse.--(a) The Pennsylvania Workforce Development Board shall, with assistance from the Department of Education,

conduct a survey to determine the number and types of workforce development programs offered at secondary and postsecondary institutions. The Pennsylvania Workforce Development Board may, in consultation with the Department of Education, compile a clearinghouse of model programs discovered during the survey.

(b) The Department of Education and the Department of Labor and Industry shall encourage the use of the model programs, which may include prioritizing available grant funding for applicants seeking funds to establish workforce development programs which are modeled after the programs included in the survey, by secondary career and technical education programs, postsecondary programs and business and industry to:

(1) expand existing programs into areas of this Commonwealth where there is a need; and

(2) foster business-education partnerships.

(c) The Pennsylvania Workforce Development Board shall report its findings and actions under this section to the chairperson and minority chairperson of the Appropriations Committee of the Senate, the chairperson and minority chairperson of the Appropriations Committee of the House of Representatives, the chairperson and minority chairperson of the Education Committee of the Senate and the chairperson and minority chairperson of the Education Committee of the House of Representatives, no later than one year after the effective date of this section.

Section 46. Sections 1844, 1845, 1847, 1849, 1850.1, 1850.2, 1850.3, 1850.4, 1851, 1852, 1853 and 1855 of the act are amended to read:

Section 1844. Establishment of Schools and Institutes.--(a) The intermediate unit board of directors of each intermediate unit shall call a convention of school directors of all school districts in the intermediate unit to meet separately by attendance areas, to discuss the establishment of an area [vocational-technical] **career and technical** school or technical institute, as the case may be and to call upon each district to vote for or against participation in the establishment of a school or institute.

In addition to the method of establishing area [vocational-technical] **career and technical** schools and technical institutes as provided above, the intermediate unit board of directors may, at any meeting call for an election by the school directors of the districts within an attendance area to determine if an area [vocational-technical] **career and technical** school or technical institute shall be established. The intermediate unit board of directors shall notify, by certified mail, each school district within an attendance area of its action. At a regular or special meeting of each school board within an attendance area and within sixty days of the receipt of notification, an election shall be held to determine if the district desires to participate in the establishment of an area [vocational-technical] **career and technical** school or technical institute. The results of this election and the number of votes cast each way shall be certified to the intermediate unit board of directors.

The intermediate unit board of directors shall certify the vote conducted in convention or by mail ballot to the Department of Education and if sufficient school districts vote in the affirmative, the intermediate unit board of directors shall proceed to act as the agency to initiate the final procedures necessary to organize and establish an area [vocational-technical] **career and technical** school or technical

institute in the attendance area. School districts indicating unwillingness to participate in the establishment of an area [vocational-technical] **career and technical** school or technical institute may become participating districts at a later date according to terms and conditions defined by the then participating districts.

In the event the intermediate unit board of directors fails to call for an election and one or more districts within an attendance area desire an election, they may request the Department of Education to conduct such election in the same manner prescribed for the intermediate unit board of directors.

(c) In cases where a second or third class school district maintains an approved [vocational] **career and technical** program, individually or jointly, such district or districts, individually or jointly, may (1) make the program part of the area [vocational-technical] **career and technical** school, or (2) continue to operate the program independently either as a participating or non-participating district.

(d) Boards of Public Education of districts of the first class A and first class may establish area [vocational-technical] **career and technical** schools and technical institutes by the majority vote of the members of such boards, provided such action is approved by the State Board [for Vocational] **of Career and Technical** Education.

Section 1845. Cost of Establishment, Etc., Ownership of Property.--All expenses in connection with the establishment of area [vocational-technical] **career and technical** schools or technical institutes and additions and improvements thereof shall be borne by the school districts participating therein in the proportions agreed on by the respective districts. Any school district not participating in the original establishment of an area [vocational-technical] **career and technical** school or technical institute, which later elects to become a participant, shall contribute to the cost of the school an amount agreed on with the then participating districts, and shall make such further annual payments on account of obligations to the State Public School Building Authority or rentals under leases with municipality authorities as shall be agreed on. All property of each area [vocational-technical] **career and technical** school or technical institute shall be owned jointly by the several school districts participating in the establishment, maintenance and operation thereof, in the proportion the contribution of each to the cost of acquisition, construction and improvement bears to the total cost.

Section 1847. Attendance of Pupils from Nonparticipating Districts.--On obtaining the consent of the area [vocational-technical] **career and technical** board operating an area [vocational-technical] **career and technical** school or technical institute, and with or without the consent of the board of school directors of the district in which the pupil resides, any pupil residing in a nonparticipating district may attend the area [vocational-technical] **career and technical** school or technical institute. The school district in which the pupil resides shall be charged, for each pupil attending the area [vocational-technical] **career and technical** school or technical institute, an amount equal to the total approved budget for current expenses, debt service and capital outlay divided by the number of pupils enrolled in the school.

Section 47. The act is amended by adding a section to read:

Section 1856. Utilization of Credits.--The Department of Education shall issue guidelines and update the guidelines every five years to identify the circumstances when a student who

successfully completes a course, program or activity in science, technology, engineering or mathematics for credit may apply the credit toward the completion of a course, program or activity offered by any area career and technical school, technical institute or career and technical school or department.

Section 48. The act is amended by adding an article to read:

ARTICLE XVIII-A
SCHOOLS-TO-WORK PROGRAM

Section 1801-A. Scope of article.

This article relates to the Schools-to-Work Program.

Section 1802-A. Definitions.

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

"Department." The Department of Labor and Industry of the Commonwealth.

"Program." The Schools-to-Work Program established under section 1803-A.

"School." A school in a school district, charter school, regional charter school, cyber charter school, intermediate unit or career and technical school in this Commonwealth.

"Sponsor." An entity which is or will be registered with the department as a pre-apprenticeship program and which will have the full responsibility for the administration and operation of the program.

Section 1803-A. Schools-to-Work Program.

(a) Establishment.--The department shall, in consultation with the Department of Education, establish a Schools-to-Work Program to award grants on a competitive basis to support the establishment or enhancement of workforce development partnerships between schools, employers, organizations or associations to create employment and training pathways.

(b) Grant proposals.--In order to apply for a grant under the program, a sponsor must submit a grant proposal to the department that includes all of the following:

(1) Partnership with at least one school.

(2) Learning opportunities for participating students, including classroom training, workplace visits, internships, apprenticeships, mentorships, employment opportunities, special education transition, Capstone Cooperative Education, job shadowing or externships.

(3) Identification of the qualifications and certifications necessary to fill current and anticipated regional labor market needs.

(4) Description of outcomes from the successful completion of the program, which may include the attainment of industry-recognized qualifications and certifications or college credits, and an explanation of how college credits earned will be transcribed and transferrable.

(5) Pathways for transition to a registered apprenticeship program, post-secondary education program or employment.

(6) Demonstration of existing qualified program personnel, or identification of additional personnel needed, if any, to establish or increase program capacity to meet or contribute toward meeting current and anticipated regional labor market needs.

(7) Description of program curricula.

(8) A program budget, including the amount of grant money being requested and any additional financial resources being used for the program.

(c) Priority of applications.--The department shall give priority to proposals that:

(1) Demonstrate a strong need to build new or existing program capacity to meet or contribute toward meeting current and anticipated regional labor market needs.

(2) Incorporate students from grades nine through twelve.

(3) Prioritize program completion and transition to post-secondary training, education or employment.

(4) Involve a partnership between multiple schools or school districts, employers, organizations or associations.

(5) Demonstrate sustainability by leveraging additional financial or personnel resources that will be used for the program.

(d) Grant distribution.--The department shall, in consultation with the Department of Education, award grants under the program. The department shall consider geographic diversity when selecting grant recipients.

(e) Limitation.--Grant money may be used only for the purposes stated in the grant proposal. Any remaining grant money not used for the program shall be returned to the department. Section 1804-A. Reporting requirements.

(a) Reports to the department.--A grant recipient shall be required to report to the department annually data related to a program, including all of the following:

(1) The number of students who entered the program, successfully completed the program or earned industry-recognized qualifications, certifications or college credits, including descriptions and totals of each credential.

(2) The number of students who transitioned to post-secondary training, education or employment.

(3) Other data deemed relevant or necessary by the department in consultation with the Department of Education.

(b) Annual reporting.--The department shall provide an initial report to the General Assembly within two years of commencement of the program and a report each year thereafter that the program is in effect.

Section 1805-A. Notice of funding.

Upon the initial appropriation of sufficient money to carry out the provisions of this article or a determination by the department that sufficient money is available from existing sources to carry out the provisions of this article, the department shall transmit notice that the program will be implemented with available funds to the Legislative Reference Bureau for publication in the Pennsylvania Bulletin.

Section 1806-A. Expiration.

This article shall expire June 30, 2024, or five years after the effective date of this article, whichever is later.

Section 49. Sections 1922, 1925, 1901-A(4) and (5), 1905-A(a)(7), 1913-A(b)(1.2), 1908-B(b), 1901-C(1) and (6), 1901-D(5) and 1903-D(b)(1) of the act are amended to read:

Section 1922. [Vocational] **Career and technical** Education for Out-of-School Youth and Adults.--The board of school directors of any school district, when requested in writing by twenty (20) or more out-of-school youth or adults having an administratively feasible educational objective which has been provided for in the State Plan for [Vocational] **Career and Technical** Education for which facilities are available, shall inaugurate and maintain such programs so long as enrollment conditions warrant.

Section 1925. Pupils Less than Six or More than Twenty-one.--Any board of school directors may admit persons less than six years of age, or more than twenty-one years of age, to suitable special or [vocational] **career and technical** schools or departments.

Section 1901-A. Definitions.--The following words and phrases, as used in this article, shall, unless a different meaning is plainly required by the context, have the following meaning:

* * *

(4) "Community college" shall mean a public college or technical institute which is established and operated in accordance with the provisions of this act by a local sponsor which provides a two-year, postsecondary, college-parallel, terminal-general, terminal-technical, out-of-school youth or adult education program or any combination of these. The community college may also provide area [vocational-technical] **career and technical** education services and credit, nonremedial college courses to secondary senior high school students.

(5) "Community college plan" shall mean a plan prepared in accordance with the policies, standards, rules and regulations of the State Board of Education for the establishment or operation of a community college and shall include a survey of any industrial development and manpower needs of the area and of any [vocational] **career and technical** and occupational shortage and the means by which the community college program and curriculum shall further industrial development, reduce unemployment and improve employable skills of residents of the area to be served by the community college.

* * *

Section 1905-A. Powers and Duties of Board of Trustees.--(a) The affairs of any community college established under this act shall be administered and supervised by a board of trustees. Subject to any law and to any policies, standards, rules and regulations adopted by the State Board of Education provided for community colleges, the board shall, for the purpose of establishing, operating and maintaining a community college, have the power, and its duty shall be:

* * *

(7) To enter into contracts for services to high schools of member districts to provide area [vocational-technical] **career and technical** education services.

* * *

Section 1913-A. Financial Program; Reimbursement of Payments.--* * *

(b) * * *

(1.2) The Secretary of Education, in consultation with the community colleges, shall promulgate standards for credit courses and for noncredit courses that will be eligible for Commonwealth reimbursement. The standards shall specifically exclude from eligibility for reimbursement any course or program in [avocational] **noncareer, nontechnical** or recreational pursuits. The standards shall be promulgated by the beginning of the 1994-1995 fiscal year. Until such standards are promulgated, no community college will be reimbursed for any credit course which was offered by such college as a noncredit course during the college's 1992-1993 fiscal year.

* * *

Section 1908-B. Individuals Eligible for Admission.--* * *

(b) The course of instruction shall be the equivalent level of a two-year postsecondary institution which shall include [vocational-technical] **career and technical** education of no

more than two years leading to the awarding of certificates or associate degrees, when approved by the Secretary of Education in accordance with rules and regulations established by the State Board for this level of education, for the purpose of fitting pupils to pursue effectively a recognized profitable employment.

Section 1901-C. Definitions.--For purposes of this article, the following terms shall have the following meanings:

(1) "Alternative education program" or "program." Any applicant's program applying for funds under this article, which program is implemented by a school district, an area [vocational-technical] **career and technical** school, a group of school districts or an intermediate unit, which removes disruptive students from regular school programs in order to provide those students with a sound educational course of study and counseling designed to modify disruptive behavior and return the students to a regular school curriculum. Notwithstanding section 1502, alternative education programs may operate outside the normal school day of the applicant district, including Saturdays. School districts and private alternative education institutions operating pursuant to the provisions of Article XIX-E shall adopt a policy for periodic review of those students placed in their respective alternative education program for disruptive students. This review shall occur, at a minimum, at the end of every semester the student is in the program or more frequently at the district's or private alternative education institution's discretion. The purpose of this review is to determine whether or not the student is ready to return to the regular school curriculum. Programs may include services for students returning from placements or who are on probation resulting from being adjudicated delinquent in a proceeding under 42 Pa.C.S. Ch. 63 (relating to juvenile matters) or who have been judged to have committed a crime under an adult criminal proceeding.

* * *

(6) "School." Any school classified by the Department of Education as a middle school, junior high school, senior high school or area [vocational-technical] **career and technical** school.

* * *

Section 1901-D. Definitions.--For purposes of this article:

* * *

(5) "Postsecondary education resources." The term includes, but is not limited to, area [vocational-technical] **career and technical** schools, degree-granting institutions of higher education accredited by an accrediting agency recognized by the Federal Government, institutions licensed under the act of December 15, 1986 (P.L.1585, No.174), known as the "Private Licensed Schools Act," professional, [vocational] **career and technical** or occupational certification or licensure programs and educational technology.

* * *

Section 1903-D. Powers and Duties of Community Education Council.--* * *

(b) Postsecondary educational opportunities may include, but are not limited to, any of the following:

(1) Programs, courses or classes leading to professional, [vocational] **career and technical** or occupational certification or licensure, an associate degree, a bachelor's degree or a master's degree.

* * *

Section 50. The definition of "school entity" in section 1901-E of the act is amended to read:

Section 1901-E. Definitions.--For purposes of this article, the following terms shall have the following meanings:

* * *

"School entity." A school district, joint school, charter school, area [vocational-technical] **career and technical** school, combination of school districts or intermediate unit.

Section 51. The definition of "eligible applicant" in section 1901-F of the act is amended to read:

Section 1901-F. Definitions.

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

* * *

"Eligible applicant." Any of the following:

- (1) An institution of higher education.
- (2) An institution of higher education in partnership with one or more of the following:
 - (i) Another institution of higher education.
 - (ii) An area [vocational-technical] **career and technical** school or [ATVS] **area vocational-technical school**, as defined under 22 Pa. Code § 4.3 (relating to definitions).
 - (iii) A community education council as defined under section 1901-D.
 - (iv) A private licensed school as the term is defined under section 2 of the act of December 15, 1986 (P.L.1585, No.174), known as the Private Licensed Schools Act, that is authorized to confer the degree of Associate in Specialized Technology or Associate in Specialized Business and is accredited by the Accrediting Commission of Career Schools and Colleges of Technology or the Accrediting Council for Independent Colleges and Schools.

* * *

Section 52. Sections 1906-G(a)(2) and 1907-G(a)(9) of the act are amended to read:

Section 1906-G. Establishment.

(a) General rule.--No later than December 31, 2016, the board of trustees appointed under section 1905-G shall submit to the secretary a proposed rural regional college plan in such form and containing such information as the secretary may require. In addition to other information which may be required by the secretary, the plan shall include the following:

* * *

(2) A survey of the educational, [vocational] **career and technical** and occupational needs of the area and the means by which the proposed rural regional college will meet those needs, reengage high school dropouts to earn their secondary credentials and postsecondary credentials or industry certification, reduce unemployment and improve the employable skills of residents of the area to be served by the rural regional college.

* * *

Section 1907-G. Powers and duties of board of trustees.

(a) General rule.--The board of trustees appointed under section 1905-G shall administer and supervise the affairs of the rural regional college established under this article. Subject to any other law and to any regulations promulgated by the State Board pertaining to rural regional colleges, the board of trustees shall have the following powers and duties:

* * *

(9) To enter into contracts for services to high schools located in the area designated by the secretary under section 1904-G to provide services, including area [vocational-technical] **career and technical** education services.

* * *

Section 53. The act is amended by adding an article to read:

ARTICLE XIX-H

CLASSIFICATION OF PROGRAM CODE

Section 1901-H. Definitions.

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

"Classification of program code." A numerical coding of instructional programs developed by the United States Department of Education used to identify career and technical programs.

"Department." The Department of Education of the Commonwealth.

"Public school entity." A school district, charter school, regional charter school, cyber charter school, intermediate unit or area career and technical school.

Section 1902-H. Establishment or renewal of classification of program code.

The department shall establish a standard application form for a public school entity seeking approval to establish or renew a classification of program code. The form shall be published on the department's publicly accessible Internet website. The form shall require the following information:

(1) The name of the public school entity seeking approval to establish or renew a classification of program code.

(2) The title of the classification of program code.

(3) The occupational competency area of the classification of program code.

(4) A description of the classification of program code.

(5) A list of skills that a student must attain in order to complete the classification of program code.

(6) Evidence of financial support for the classification of program code from the public school entity.

(7) Any additional information that the department deems necessary to determine whether to approve or disapprove of the classification of program code.

Section 1903-H. Submission of applications.

No later than January 31 of each year, a public school entity may submit the application under section 1902-H to the department for approval or disapproval of a classification of program code.

Section 1904-H. Notice of approval or denial of applications.

(a) Notice.--No later than May 31 of the year the department receives an application under section 1902-H, the department shall notify a public school entity which submitted the application whether the department approved or denied the application.

(b) Posting.--No later than June 15 of the year the department approved the application under subsection (a), the department shall post the classification of program code on its publicly accessible Internet website.

Section 54. The definition of "low-achieving school" in section 2002-B of the act is amended to read:

Section 2002-B. Definitions.

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

* * *

"Low-achieving school." A public school that ranked in the lowest 15% of the school's designation as an elementary school or a secondary school based on combined mathematics and reading scores from the annual assessment administered in the previous school year and for which the Department of Education has posted results on the Department of Education's publicly accessible Internet website. The term does not include a charter school, cyber charter school or area [vocational-technical] **career and technical** school.

* * *

Section 55. Sections 2001-C and 2003-C of the act are amended to read:

Section 2001-C. Definitions.

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

"Advanced Placement Program." A program authorized by the college board that allows a student to study college-level subjects while enrolled in high school and to receive advanced placement and college credit for earning a qualified score on the course-related Advanced Placement Program exam.

"Career, technical or applied courses." Courses usually offered as part of an associate degree curriculum designed to prepare students for entry-level professions, not for transfer to baccalaureate programs for advanced studies.

"College-Level Examination Program." A set of standardized tests developed by the college board for various subjects, and on which a qualifying score can be used to earn college credit.

"Community college." An institution created pursuant to Article XIX-A or the act of August 24, 1963 (P.L.1132, No.484), known as the Community College Act of 1963.

"Credit for prior learning." College-level credit granted toward the award of a postsecondary degree or certificate for experiential learning that can be demonstrated through various means of assessment to be the equivalent of learning gained through formal collegiate instruction, including an Advanced Placement Program exam, International Baccalaureate Diploma Program exam, a College-Level Examination Program exam and Dantes Subject Standardized Tests.

"Dantes Subject Standardized Tests." A set of subject exams approved by the American Council on Education that tests knowledge of both lower-level and upper-level college material.

["Degree objective courses." Courses required for completion of a major in a subject area.]

"Department." The Department of Education of the Commonwealth.

"Developmental or remedial courses." Courses typically consisting of reading, writing and math designed to prepare students for college-level courses and that are not transferable.

"Equivalent courses." Courses determined to have generally equivalent content and level as determined by the faculty of an institution of higher education consistent with the policy at each institution **of higher education**.

"Foundation courses." Courses required to be completed by students that provide an academic foundation for the degree, general education or advanced study in a major.

"Independent institution of higher education." An institution of higher education which is operated not for profit, located in and incorporated or chartered by the Commonwealth and entitled to confer degrees as set forth in 24 Pa.C.S. § 6505 (relating to power to confer degrees) and to apply to itself the designation "college" or "university" as provided for by the standards and qualifications prescribed by the State Board of Education pursuant to 24 Pa.C.S. Ch. 65 (relating to private colleges, universities and seminaries).

"Industry-recognized credential." A credential that:

(1) is sought or accepted by employers within the industry or sector involved as a recognized, preferred or required credential for recruitment, screening, hiring, retention or advancement purposes;

(2) where appropriate, is endorsed by a nationally recognized trade association or organization representing a significant part of the industry or sector; and

(3) is approved by the department.

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

(1) A public institution of higher education.

(2) A rural regional college.

(3) A State-related institution.

(4) The Thaddeus Stevens College of Technology.

"International Baccalaureate Diploma Program." An academically challenging two-year precollege diploma program comprised of three core requirements and six academic subject areas with final examinations that prepare students, 16 to 19 years of age, for higher education and life in a global society.

"Public institution of higher education." A community college or an institution which is part of the State System of Higher Education pursuant to Article XX-A.

"Public school." Any of the following:

(1) A school district.

(2) An intermediate unit.

(3) An area career and technical school.

(4) A charter school as defined in section 1703-A.

(5) A regional charter school as defined in section 1703-A.

(6) A cyber charter school as defined in section 1703-A.

"Rural regional college." A rural regional college operating under Article XIX-G.

"State-related institution." The Pennsylvania State University, the University of Pittsburgh, Temple University, Lincoln University and their branch campuses.

"Transfer and Articulation Oversight Committee." The committee established under section 2004-C.

Section 2003-C. Duties of [public] institutions of higher education and [State-related institutions] public schools.

(a) Agreements.--Each [public] institution of higher education and [State-related institution] **public school** shall provide the Transfer and Articulation Oversight Committee **and the department** with copies of all articulation agreements for inclusion in the electronic database or software program and portal provided for under section 2005-C(4) within 180 days of the effective date of this section **and within 30 days of entering into any subsequent articulation agreement.**

(b) Reporting requirements.--The following shall apply to reporting requirements:

(1) Each [public] institution of higher education [and State-related institution] shall submit to the department a

series of interim reports that describe the status of the institution's articulation agreements, which shall include all of the following:

(i) The number of students who have transferred to the [public] institution of higher education [or State-related institution] by institution of origin within the last academic year or since submittal of the institution's last interim report required under this section.

(ii) The total number of credits completed by transfer students at the institution of origin.

(iii) The total number of credits from each institution of origin that transferred to the [public] institution of higher education [or State-related institution] for each academic year. **This subparagraph shall not apply to a community college.**

(iv) An explanation of the credit transfer process at the institution.

(v) Any other information related to the credit transfer process as requested by the department, including the useability of transfer credits.

(2) Each [public] institution of higher education [and State-related institution] shall submit its first interim report required under this section 180 days after the effective date of this section **and by September 30 of each year thereafter.**

Section 56. Section 2004-C(a)(1) introductory paragraph is amended and subsection (c) is amended by adding a paragraph to read:

Section 2004-C. Transfer and Articulation Oversight Committee.

(a) Establishment and membership.--

(1) In order to develop and implement equivalency standards as provided for in subsection (c)(1) **and provide access to articulation agreements**, there is hereby established within the department, the Transfer and Articulation Oversight Committee. The committee shall be comprised of the following members:

* * *

(c) Duties of Transfer and Articulation Oversight Committee.--The committee shall:

* * *

(7) Meet on a regular basis at least quarterly.

Section 57. Section 2005-C(4) of the act is amended to read:
Section 2005-C. Duties of department.

The department shall:

* * *

(4) Provide for an electronic database or software program and portal for the purpose of providing access to all of the following information on an Internet website:

(i) Articulation agreements **and agreements that award credit for an industry-recognized credential** entered into by [public institutions of higher education and institutions that elect to participate under section 2006-C.] **institutions of higher education, public schools and institutions described under clause (C). The following apply:**

(A) The department shall extract transfer information from each articulation agreement and each agreement that awards credit for an industry-recognized credential and enter the information into the electronic database or software program and portal and provide a meaningful,

user-friendly and interactive search engine for access to the information.

(B) The department shall, within 60 days of receiving an articulation agreement or agreement that awards credit for an industry-recognized credential, update the database and post each articulation agreement and each agreement that awards credit for an industry-recognized credential on its publicly accessible Internet website.

(C) An institution which is not subject to the duties under section 2003-C may submit to the department any articulation agreement or agreement that awards credit for an industry-recognized credential into which the institution enters. Each submitted articulation agreement and each agreement that awards credit for an industry-recognized credential shall be subject to this paragraph.

(ii) The annual report to the General Assembly as required by section 2004-C(c)(5).

[(iii) At the request of a public institution of higher education or an institution that elects to participate under section 2006-C, any articulation agreements.]

Section 58. The definition of "school entity" in section 2001-H of the act, added June 22, 2018 (P.L.241, No.39), is amended to read:

Section 2001-H. Definitions.

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

* * *

"School entity." A school district, intermediate unit, area [vocational-technical] **career and technical** school, charter school, cyber charter school or regional charter school.

* * *

Section 59. Sections 2110(b), 2401(8), 2501(1), (9), (10), (11), (11.1) and (14.1), 2502(a) and (c) and 2502.6(b) of the act are amended to read:

Section 2110. Eligible Lists of Persons Qualified to Teach; Appointments.--* * *

(b) Except as superintendent of schools, associate superintendent, assistant district superintendent, director of a special branch, or as a principal of a high school, junior high school, state teachers' college, or [vocational] **career and technical** school, no person shall be appointed, promoted, or transferred to any educational position in the public school system, in school districts of the first class, whose name does not appear among the three highest names upon the proper eligible list, and in school districts of the first class A, whose name does not appear among the top five names upon the proper eligible list, or within the top ten per centum (10%) of the names upon the list, whichever is greater. No person holding a position at the time of the passage of this act shall be displaced by the above provisions.

Section 2401. By Whom Audited.--The finances of every school district and of every joint school board, in every department thereof, together with the accounts of all school treasurers, school depositories, teachers' retirement funds, teachers' institute funds, directors' association funds, sinking funds, and other funds belonging to or controlled by the district, shall be properly audited as follows:

* * *

[(8) In county vocational school districts, by the county auditors or county controller.]

* * *

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

(1) "District Pupils" of a school district shall designate all pupils enrolled in the public schools of the Commonwealth, and of adjacent states, who are residents of a given school district. [, except those pupils who are enrolled in the public schools maintained by the vocational school district, the territorial limits of which include the school district. "District Pupils" of a vocational school district shall designate all pupils enrolled in the public schools, maintained by the vocational school district who are residents of the district.]

* * *

(9) "Real Property Valuation." A school district's[, vocational school district's] or municipality's real property valuation, to be used for purposes of computing the basic account standard reimbursement fraction, the subsidiary account reimbursement fraction, the aid ratio, the market value/income aid ratio and the equalized millage, shall be the valuation placed upon its taxable real property by the State Tax Equalization Board.

* * *

(10) "Number of District Teaching Units for Purposes of Determination of Basic Account Standard Reimbursement Fraction, and Subsidiary Account Reimbursement Fraction." A school district's [or vocational school district's] number of district teaching units for purposes of determination of the basic account standard reimbursement fraction and the subsidiary account reimbursement fraction shall be obtained as follows: (i) divide by twenty-two (22) the number of district pupils in average daily membership in a public high school and in high school grades of a laboratory school of a State-owned college during the preceding school term, (ii) divide by thirty (30) the number of district pupils in average daily membership in a public elementary school and laboratory school of a State-owned college during the preceding school term, and (iii) add the quotients obtained under (i) and (ii) above, except when the pupil-teacher ratio exceeds thirty-three (33), in which case, the sum obtained under (i) and (ii) above shall be multiplied by thirty-three (33) and the product so obtained shall be divided by the pupil-teacher ratio of the district. No school district [or vocational school district] shall be credited with less than one teaching unit. No school district [or vocational school district] shall be assigned a basic account standard reimbursement fraction lower in value than the minimum instruction subsidy divided by the maximum instruction subsidy. All one-room schools operated in accordance with the provisions of this act shall, if their operation is approved, be credited with at least one teaching unit. The State Board of Education shall withhold its approval of any one-room one-teacher school, unless (i) topography, distance or condition of roads are such as to make transportation of pupils impractical, or (ii) it is impossible to accommodate pupils in existing graded schools in the district or other districts, or (iii) the district is financially unable to construct a consolidated school.

* * *

(11) "Actual Instruction Expense Per Elementary Teaching Unit, Actual Instruction Expense Per Elementary Teaching Unit in a Laboratory School of a State-owned College, Actual

Instruction Expense Per Secondary Teaching Unit, Actual Instruction Expense Per Secondary Teaching Unit in a Laboratory School of a State-owned College, Actual Instruction Expense Per Joint Elementary Teaching Unit, Actual Instruction Expense Per Joint Secondary Teaching Unit, Actual Instruction Expense Per Area Technical School Teaching Unit." In 1958 in the month of September and thereafter annually in the month of September, the Department of [Public Instruction] **Education** shall calculate for each school district for the immediately preceding school year the actual instruction expense per elementary teaching unit for elementary pupils educated in the district's public schools, the actual instruction expense per secondary teaching unit for secondary pupils educated in the district's public schools, the actual instruction expense per joint elementary teaching unit for elementary pupils educated in elementary schools of jointures of which the district is a member, the actual instruction expense per joint secondary teaching unit for secondary pupils educated in secondary schools of jointures of which the district is a member, the actual instruction expense per area technical school teaching unit for pupils educated in area technical schools in which the district participates, the actual instruction expense per elementary teaching unit for elementary pupils residing in the district and educated in the public schools of other districts within the Commonwealth, and the actual instruction expense per secondary teaching unit for secondary pupils residing in the district and educated in the public schools of other districts within the Commonwealth. In each case, actual instruction expense per teaching unit shall be the sum of (i) and (ii) below but in no case shall include expenses for debt service, capital outlay, rentals of capital facilities and equipment, salaries and expenses for school nurses, for medical and dental services, for driver education courses, for reimbursable transportation of pupils, for tuition paid to other school districts, for reimbursable board and lodging in lieu of transportation, for salaries of directors and supervisors of special education, public school psychologists, principals of special schools and assistants, teachers of approved special classes for physically and mentally handicapped children, clerks and assistants employed in programs for special education, for school district contributions to the retirement fund on behalf of directors and supervisors of special education, public school psychologists, principals of special schools and assistants, teachers of approved special classes for physically and mentally handicapped children, clerks and assistants employed in programs for special education, for the cost of textbooks and supplies of the second class used in special education classes or schools, for extension schools and classes, for extension recreation activities, for [vocational] **career and technical** extension education, or for instruction of homebound children. (i) Expenses of general control per teaching unit. Expenses of general control shall include: salaries, supplies and other expenses of the secretary's office; commission or salary of treasurer, tax collector, auditors and legal service; expenses of census enumeration and other expenses of business administration; salaries of the superintendent of schools and clerks of the superintendent of schools; expenses of supplies and other expenses of the superintendent of schools' office; and other expenses of general control. In the case of computation of actual instruction expense per elementary teaching unit for district pupils educated in the schools of the district and for district pupils educated in the public

schools of other districts within the Commonwealth and actual instruction expense per secondary teaching unit for district pupils educated in the schools of the district and for district pupils educated in the public schools of other districts within the Commonwealth, expenses of general control per teaching unit shall be calculated by dividing the foregoing listed expenses of general control of the school district by the number of teaching units based on the number of all pupils who are residents of the school district and are in average daily membership in the public schools of the Commonwealth. In the case of computation of actual instruction expense per joint elementary teaching unit and actual instruction expense per joint secondary teaching unit, expenses of general control per teaching unit shall be calculated by dividing the foregoing listed expenses of general control of the school district by the number of teaching units based on the number of all pupils who are residents of the school district and are in average daily membership in the public schools of the Commonwealth, and adding thereto the quotient obtained by dividing the foregoing listed expenses of general control of the joint school district by the number of joint teaching units based on the number of pupils who are residents of school districts that are members of the joint school district and are in average daily membership in the schools of the joint school district. In the case of computation of actual instruction expense per area technical school teaching unit, expenses of general control per teaching unit shall be computed by dividing the foregoing listed expenses of general control of the school district by the number of teaching units based on the total number of all pupils who are residents of the school district and are in average daily membership in the public schools of the Commonwealth, and adding thereto the quotient obtained by dividing the foregoing listed expenses of general control of the area technical school by the number of area technical school teaching units based on the number of pupils who are residents of districts participating in the area technical school and are in average daily membership in the area technical school. (ii) Expenses of the school district, joint school district, area technical school, or such other school district within the Commonwealth in which the districts' pupils are educated, as the case may be, on account of instruction, auxiliary agencies and coordinate activities, operation of school plant, maintenance of school plant, and fixed charges, and each separately for elementary and for secondary schools, per teaching unit, calculated by dividing the sums of (a), (b), (c), (d), and (e) below by the numbers of elementary, secondary, joint elementary, joint secondary, and area technical school teaching units, respectively, based on the number of all pupils on an equivalent full-time basis in average daily membership in the public schools of the district, or joint district, or the area technical school, or other school district within the Commonwealth in which pupils of the district are educated, as the case may be; (a) expenses of instruction, to include salaries of supervisors and other expenses of supervisors, salaries of principals and principals' clerks, supplies of the principals' offices, other expenses of supervision, teachers' and teacher-librarians, salaries, textbooks, library books, supplies used in instruction including library supplies, expenses of attending teachers' institutes, commencement exercise and exhibit expenses, and other expenses of instruction, (b) expenses of auxiliary agencies and coordinate activities, to include salaries, books, repairs, replacements, and other expenses of public libraries, and

non-reimbursable transportation and board and lodging in lieu of transportation, and provisions for tubercular and undernourished children, community lectures, social centers and recreation, enforcement of attendance, and other expenses of auxiliary agencies and coordinate activities, (c) expenses of operation of school plant, to include wages of janitors and other employes, fuel, water, light, power, janitors' supplies, care of grounds, services other than personal, telephone rental, and other expenses of operation, (d) expenses of maintenance of school plant, to include upkeep of grounds, repair of buildings, repairs and replacements, heating, plumbing, lighting, apparatus used in instruction, furniture, and other equipment, (e) expenses of fixed charges, to include payments made to the retirement board, rent, all insurance, and other fixed charges: Provided, That the actual instruction expense for elementary teaching unit for district pupils educated in the elementary grades of a laboratory school of a State-owned college and the actual instruction expenses for secondary teaching unit for district pupils educated in the high school grades of a laboratory school of a State-owned college shall be computed by (i) dividing the total amount of money paid to the State-owned college by the resident district for the education of all resident elementary children enrolled in a laboratory school of a State-owned college by the number of such elementary teaching units based on the total number of such resident children in average daily membership in the laboratory school, (ii) dividing the total amount of money paid to the State-owned college by the resident district for the education of all resident secondary children enrolled in a laboratory school of a State-owned college by the number of such secondary teaching units based on the total number of such resident children in average daily membership in the laboratory school. The teaching units are computed on the basis of thirty (30) equivalent full time elementary children and twenty-two (22) equivalent full time secondary children.

(11.1) "Actual Instruction Expense per Weighted Average Daily Membership." For the school year 1966-1967, and each school year thereafter, the [Superintendent of Public Instruction] **Secretary of Education** shall calculate for each school district the actual instruction expense per weighted average daily membership for each district pupil. The actual instruction expense shall include all General Fund expenses of the district except those for health services, transportation, debt service, capital outlay, home-bound instruction, and outgoing transfers to community colleges and technical institutes. From this cost shall be deducted the amount received from the State for driver's education; special class operation; [vocational] **career and technical** curriculums; area [vocational] **career and technical** schools; payments of tuition by district patrons, parents, the State and Federal government; and all moneys received from the State or Federal government under Public Laws 89-10 (Elementary and Secondary Education Act), 88-452 (Economic Opportunity Act), and 87-415 (Manpower Training and Development Act) and for projects under section 2508.3 of this act. The actual instruction expense so determined, when divided by the weighted average daily membership for the district shall be the actual instruction expense per weighted average daily membership.

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(14.1) "Market Value/Income Aid Ratio." For purposes of reimbursement to a school district under subsections (d), (e), and (f) of section 2502, section 2502.8, section 2502.22,

section 2502.25, section 2502.26 and section 2592, or to an intermediate unit or area [vocational-technical] **career and technical** school, shall be the Commonwealth's method of determining the combined market value and income wealth for each pupil, and shall be computed, for the school year for which reimbursement is being paid, as follows:

(a) (i) Divide the market value per weighted average daily membership of the district, intermediate unit or area [vocational-technical] **career and technical** school by the market value per weighted average daily membership of the State;

(ii) Determine the product of subsection (a)(i) multiplied by .5;

(iii) Subtract the resultant product in subsection (a)(ii) from 1.000 to determine the market value portion of the aid ratio.

(iv) For purposes of the calculation described in subsection (a)(i) through (iii), the market value of a district shall be the real property valuation of the district for the calendar year that concluded during the school year immediately preceding the school year for which reimbursement is being paid. The market value of an intermediate unit or area [vocational-technical] **career and technical** school shall be the sum of the real property valuations of each of its component districts for the calendar year that concluded during the school year immediately preceding the school year for which reimbursement is being paid. The weighted average daily membership of a district shall be the weighted average daily membership for the school year immediately preceding the school year for which reimbursement is being paid. The weighted average daily membership of an intermediate unit or area [vocational-technical] **career and technical** school shall be the sum of the weighted average daily memberships of each of its component districts for the school year immediately preceding the school year for which reimbursement is being paid.

(b) (i) Divide the income per weighted average daily membership of the district, the intermediate unit or area [vocational-technical] **career and technical** school by the average personal income per weighted average daily membership of the State;

(ii) Determine the product of subsection (b)(i) multiplied by .5;

(iii) Subtract the resultant product in subsection (b)(ii) from 1.000 to determine the income aid ratio.

(iv) For purposes of the calculation described in subsection (b)(i) through (iii), the income of a district shall be the personal income valuation of the district. The income of an intermediate unit or area [vocational-technical] **career and technical** school shall be the sum of the personal income valuations of each of its component districts. The weighted average daily membership of the district shall be the weighted average daily membership for the school year immediately preceding the school year for which reimbursement is being paid. The weighted average daily membership of an intermediate unit or area [vocational-technical] **career and technical** school shall be the sum of the weighted average daily memberships of each of its component districts for the school year immediately preceding the school year for which reimbursement is being paid.

(c) Add sixty percent (60%) of the market value aid ratio to forty percent (40%) of the income aid ratio to determine the market value/income aid ratio.

(d) For payments beginning in the 1989-1990 school year and each school year thereafter, the Department of Education shall

utilize an adjusted personal income valuation for the 1987 tax year and each tax year thereafter respectively in computing the market value/income aid ratio for such districts. The adjusted personal income valuation shall be calculated by dividing the total out-of-State tax credits claimed by the residents of a school district by the State personal income tax rate and subtracting that amount from the total personal income valuation for the individual school district. The State total personal income valuation shall remain that as certified by the Department of Revenue and shall not be adjusted to reflect out-of-State tax credits.

* * *

Section 2502. Payments on Account of Instruction.--(a)

Every school district [and every vocational school district] shall be paid by the Commonwealth on account of the instruction of pupils an amount to be determined by multiplying the numbers of elementary, secondary, joint elementary, joint secondary, State-owned college laboratory school, or area technical school teaching units, each based on the number of all pupils, except kindergarten pupils, who are residents of the district and are in average daily membership in the district's public schools, joint elementary schools, joint high schools, laboratory schools of State-owned colleges, or area technical schools respectively, and in the case of kindergarten pupils based on the number of kindergarten teachers employed: Provided, That for the school year 1962-1963, and for each school year thereafter, the number of equivalent full time kindergarten teachers in a laboratory school of a State-owned college shall be prorated among all the districts having children enrolled in the laboratory school kindergarten on the basis of the total number of kindergarten pupils who are legal residents of such districts and who are in average daily membership in the laboratory school kindergarten, and for the school year 1957-1958 and for each school year thereafter, the numbers of elementary or secondary teaching units, each based on the number of all pupils who are residents of the district and who are in average daily membership in the elementary schools or secondary schools of other school districts within the Commonwealth, by the district's basic account standard reimbursement fraction; and for the school year 1955-1956 by four thousand nine hundred dollars (\$4900); for the school year 1956-1957 by five thousand three hundred dollars (\$5300); for the school year 1957-1958 and for each school year thereafter by the lesser of actual instruction expense per elementary, secondary, joint elementary, joint secondary, laboratory school elementary, laboratory school secondary, area technical school, elementary educated in the public schools of other districts within the Commonwealth, secondary educated in the public schools of other districts within the Commonwealth teaching unit, each as the case may be, or five thousand eight hundred dollars (\$5800); for the school year 1962-1963 by the lesser of actual instruction expense per elementary, secondary, joint elementary, joint secondary, laboratory school elementary, laboratory school secondary, area technical school, elementary educated in the public schools of other districts within the Commonwealth, secondary educated in the public schools of other districts within the Commonwealth teaching unit, each as the case may be, or six thousand five hundred dollars (\$6500); and for the school year 1963-1964 and for each school year thereafter by the lesser of actual instruction expense per elementary, secondary, joint elementary, joint secondary, laboratory school elementary, laboratory school secondary, area technical school, elementary educated in the

public schools of other districts within the Commonwealth, secondary educated in the public schools of other districts within the Commonwealth teaching unit, each as the case may be, or six thousand eight hundred dollars (\$6800). For the school year 1953-1954 and each school year thereafter, teaching units shall be based on the number of all pupils, except kindergarten pupils, who are residents of the school district in average daily membership in the district's public schools in State-owned college laboratory schools and in elementary schools and high schools operated by joint boards of which the district of residence is a member, and in area technical schools in which the district of residence participates. In the case of kindergarten pupils, teaching units shall be one for each kindergarten teacher employed by the district: Provided, That for the school year 1957-1958 and for each school year thereafter, additional teaching units shall be based on the numbers of all pupils who are residents of the district and are in average daily membership in the elementary schools of other districts in the Commonwealth or who are in average daily membership in the secondary schools of other districts within the Commonwealth: Further provided, That in the case of such pupils teaching units shall be calculated on the basis of thirty-five (35) elementary pupils and twenty-six (26) secondary pupils per teaching unit, respectively.

* * *

(c) For no year shall any school district [or vocational school district] receive less than the minimum subsidy per teaching unit, nor shall any school district of the first class A, during the school year 1953-1954 for the school year 1952-1953, or during the school year 1954-1955 for the school year 1953-1954, or during the school year 1955-1956 for the school year 1954-1955, receive less per teaching unit than the amount received by any district of the first class.

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Section 2502.6. Proportionate Reduction of Payments.--* * *

(b) If the sums appropriated for the 1982-1983 school year and each school year thereafter are not sufficient to pay in full the total amounts to which all qualified school districts, intermediate units, area [vocational-technical] **career and technical** schools and nonpublic schools are entitled to receive under the provisions of sections 917.1-A, 919.1-A, 922.1-A, 923-A(d) and 2502.8 for such year, the allocations to the school districts, intermediate units, area [vocational-technical] **career and technical** schools and nonpublic schools shall be proportionately reduced to the extent necessary to bring the aggregate of the school district, intermediate unit, area [vocational-technical] **career and technical** school and nonpublic school allocations within the limits of the amounts appropriated.

Section 60. Section 2502.8 of the act, amended June 28, 2019 (P.L.117, No.16), is amended to read:

Section 2502.8. Payments on Account of Pupils Enrolled in Career and Technical Curriculums.--(a) For the purpose of reimbursement in accordance with this section, [vocational] **career and technical** curriculums are agriculture education, **marketing and distributive occupational** education, health occupations education, [home economics] **family and consumer sciences** education (gainful), business education, **computer and information technology**, technical education, trade and industrial education, or any other occupational oriented program approved by the Secretary of Education.

(b) For the 1981-1982 school year through the 1984-1985 school year, each school district so entitled shall be paid, in addition to any other subsidy to which it is entitled, an amount on account of resident pupils enrolled in [vocational] **career and technical** curriculums; for the 1985-1986 school year through the 1999-2000 school year, each school district and area [vocational-technical] **career and technical** school shall be paid an amount on account of students enrolled in [vocational] **career and technical** curriculums; for the 2000-2001 school year and each school year thereafter, each school district, area [vocational-technical] **career and technical** school and charter school shall be paid an amount on account of students enrolled in [vocational] **career and technical** curriculums, determined as follows:

(1) Determine the increase in the weighted average daily membership by multiplying the number of students in average daily membership in [vocational] **career and technical** curriculums in area [vocational-technical] **career and technical** schools by twenty-one hundredths (.21) and the number of students in average daily membership in school district and charter school [vocational] **career and technical** curriculums by seventeen hundredths (.17).

(2) Multiply the lesser of the district's actual instruction expense per weighted average daily membership or the base earned for reimbursement by the market value/income aid ratio or by three hundred seventy-five thousandths (.375), whichever is greater.

(3) Multiply the increase in weighted average daily membership determined in clause (1) by the result of clause (2).

(4) For the 1985-1986 through 1999-2000 school years, the Commonwealth shall pay the amount required by this section to the school district or area [vocational-technical] **career and technical** school which provides the program upon which reimbursement is based.

(5) For the 2000-2001 school year and each school year thereafter, the Commonwealth shall pay the amount required under this section to the school district, area [vocational-technical] **career and technical** school or charter school which provides the programs upon which reimbursement is based.

(c) For the school year 1998-1999, any additional funding provided by the Commonwealth over the amount provided for the school year 1997-1998 will be distributed to area [vocational-technical] **career and technical** schools and to school districts with eight (8) or more [vocational] **career and technical** programs based on subsection (b).

(d) For the school year 1999-2000, any additional funding provided by the Commonwealth over the amount provided for the school year 1998-1999 will be distributed to area [vocational-technical] **career and technical** schools, to school districts with eight (8) or more [vocational] **career and technical** programs and to school districts offering a [vocational] **career and technical** agricultural education program, based on subsection (b).

(e) For the school year 2000-2001 and each school year thereafter, any additional funding provided by the Commonwealth over the amount provided for the school year 1998-1999 will be distributed to area [vocational-technical] **career and technical** schools, to school districts and charter schools with eight (8) or more [vocational] **career and technical** programs and to school districts and charter schools offering a [vocational] **career**

and technical agricultural education program based on subsection (b).

(f) For the school year 2018-2019 and each school year thereafter, payments made under this section shall be funded from the appropriation for career and technical education and shall not be proportionately reduced in accordance with section 2502.6(b) or any other law.

Section 61. Sections 2506.1, 2507, 2508, 2508.1, 2508.3, 2508.4, 2508.5, 2509.5(n)(1)(i), (r)(1)(i), (w)(1)(i) and (dd)(1)(i) and (iii)(A), 2513.1, 2515, 2518 second paragraph, 2552.1 (a), (a.1) and (b), 2561 introductory paragraph and (4), 2562, 2563, 2574(e), 2574.2, 2574.3(a), 2575(b), 2577(b) and (c), 2578(b), 2593 heading and (b), 2594, 2595(b), (c)(1)(iv) and (h), 2597.3, 2597.4(2)(iv), 2597.5(c)(4), 2599(b) and (d)(6), 2599.1(c), 2599.2(f), 2602-B(e) and (f) and 2604-B(b)(2)(i) and (3) of the act are amended to read:

Section 2506.1. Payments on Account of Approved Adult Program Travel.--(a) Every school district and area [vocational-technical] **career and technical** school shall be paid by the Commonwealth for every school year, on account of approved adult [vocational] **career and technical** program traveling expenses in the discharge of teaching and supervisory responsibilities of teachers, coordinators, supervisors and directors in [vocational] **career and technical** education, eighty per centum (80%) of the sum expended by the school district or area [vocational-technical] **career and technical** school for such approved travel.

(b) For the 1991-1992 school year and each school year thereafter, the Commonwealth shall pay the amount required by this section to the school district or area [vocational-technical] **career and technical** school which provides the program upon which such reimbursement is based.

Section 2507. Payments on Account of Approved [Vocational] **Career and Technical** Extension Classes and Pre-employment Training.--Every school district and every [vocational school district and area vocational-technical] **area career and technical** school, regardless of classification, shall be paid by the Commonwealth for every school year, on account of approved [vocational] **career and technical** extension classes and pre-employment training, eighty per cent (80%) of the sum which was expended by the district or area [vocational-technical] **career and technical** school for the compensation of [vocational] **career and technical** extension and pre-employment training teachers and supervisors. For the purpose of computing reimbursement, the maximum compensation shall be four dollars (\$4.00) per hour for the 1985-1986 through the 1989-1990 school years and eight dollars and sixty cents (\$8.60) per hour for the 1990-1991 school year and each school year thereafter and the amount expended for supervisory salaries shall not exceed twenty per cent (20%) of the sum expended for teachers' salaries: Provided, That in special cases when travel time or unusual preparation of instructional materials or other factors result in an inadequate compensation, the Department of Education may approve additional reimbursable employment time for such additional services upon the submission of adequate substantiative evidence from the responsible superintendent of schools. For the 1985-1986 school year and each school year thereafter, the Commonwealth shall pay the amount required by this section to the school district or area [vocational-technical] **career and technical** school which provided the approved [vocational] **career and technical**

extension classes and pre-employment training for which reimbursement is made.

Section 2508. Distribution of Unencumbered Funds for [Vocational] **Career and Technical** Education.--The State Board [for Vocational] **of Career and Technical** Education shall administer the allocation of Federal and State [vocational] **career and technical** education funds which are otherwise unencumbered. Allocations shall be made for the furtherance of the provisions of the State and Federal [vocational] **career and technical** education acts with emphasis on the improvement of facilities, reimbursement of teachers' salaries, research and projects which will contribute to the economic welfare of youth and adults.

Section 2508.1. Payment on Account of Equipment Purchased for Area [Vocational-Technical] **Career and Technical** Schools and Technical Institutes.--Every area [vocational-technical] **career and technical** board operating approved area [vocational-technical] **career and technical** schools or technical institutes shall be paid by the Commonwealth, annually, on account of instructional equipment approved by the Department of [Public Instruction] **Education**, purchased and installed, a proportionate share of Federal and State funds available and expendable for that purpose. The Department of [Public Instruction] **Education** may make advanced payment of available but unencumbered State and Federal funds to expedite the purchase of equipment.

Section 2508.3. Payments for [Vocational] **Career and Technical** Training of Recipients of Public Assistance and Unemployment Compensation.--The State Board [for Vocational] **of Career and Technical** Education shall establish rules and regulations and thereunder, approve and authorize payment of the full cost of intensive [vocational] **career and technical** education classes for qualified public assistance recipients or other unemployed, to take definite available employment which may be contingent upon such training.

The State Board [for Vocational] **of Career and Technical** Education shall further establish rules and regulations and thereunder approve and authorize payments from funds specifically appropriated for that purpose up to the full cost, including administration, of intensive [vocational] **career and technical** educational classes to increase skill levels for those persons for whom there are no public training programs available as the unfilled and expanding needs of the Pennsylvania economy shall require in the following categories:

- (1) Part-time workers not otherwise employed;
- (2) Employed persons who are working below their skill levels and capacities.

Said rules and regulations shall further provide for the implementation of emergency training programs, as the needs of the Pennsylvania economy and the requirements of the above-categorized persons shall require. The board shall authorize said emergency programs and the funding thereof, under said rules and regulations as the necessity therefor shall become apparent.

Said board shall, from time to time, conduct necessary studies and surveys to determine the need for the establishment of said programs and facilities as the needs of the Pennsylvania economy and such persons shall require.

Section 2508.4. Payments on Account of Improvements and Additions in [Vocational-Technical] **Career and Technical** Curricula.--Every area [vocational] **career and technical** board

operating an approved program of [vocational] **career** or technical education in its own or rented space shall be paid by the Commonwealth for every school year on account of approved replacement, updating and improvement of equipment and on account of approved new or additional equipment up to fifty per cent of the cost of such improvements and additions.

Section 2508.5. Payment on Account of Equipment Purchased for Area [Vocational-Technical] **Career and Technical** Schools and School Districts.--(a) For the 2013-2014 school year, each area [vocational-technical] **career and technical** school and school district with an approved [vocational] **career and technical** program that applies to and is approved by the Department of Education under subsection (b) for funding for the purchase of equipment that meets industry standards for the purpose of training to students shall receive a grant in an amount equal to the sum of the following:

(1) An equal share of one million five hundred thousand dollars (\$1,500,000), determined by dividing one million five hundred thousand dollars (\$1,500,000) by the total number of area [vocational-technical] **career and technical** schools and school districts that have been approved for funding by the Department of Education under subsection (b).

(2) A per student amount calculated as follows:

(i) Multiply the 2012-2013 average daily membership in approved [vocational] **career and technical** education programs for each area [vocational-technical] **career and technical** school or school district that has been approved for funding by the Department of Education under subsection (b) by one million five hundred thousand dollars (\$1,500,000).

(ii) Divide the product from subclause (i) by the sum of the 2012-2013 average daily membership in approved [vocational] **career and technical** education programs for all area [vocational-technical] **career and technical** schools and school districts that have been approved for funding by the Department of Education under subsection (b).

(b) (1) Within thirty (30) days of the effective date of this subsection, the Department of Education shall establish guidelines under which area [vocational-technical] **career and technical** schools, and school districts with approved [vocational] **career and technical** programs may apply to the department for funding for the purchase of equipment, which shall include a funding application and an application deadline.

(2) The funding application established by the Department of Education pursuant to clause (1) shall require only the following information which may be collected electronically:

(i) Name, address, e-mail address and telephone number of the area [vocational-technical] **career and technical** school or school district.

(ii) Name, e-mail address and telephone number of an employee of the area [vocational-technical] **career and technical** school or school district who will be available to answer questions regarding the funding application.

(iii) Description of the equipment for which the requested funding will be used.

(3) In approving funding applications under this section, the Department of Education shall request and consider no information other than the information provided in the funding application established under clause (2). Each area [vocational-technical] **career and technical** school or school district with an approved [vocational] **career and technical** program that submits a completed funding application under this

subsection shall receive funding in the amount determined under subsection (a).

Section 2509.5. Special Education Payments to School Districts.--* * *

(n) School districts will qualify for supplemental payments under subsection (m) if:

(1) (i) the school district's special education expenditures for the 1994-1995 school year, as a percentage of the sum of the school district's 1994-1995 school year expenditures for regular education, [vocational-technical] **career and technical** education and special education, are equal to or greater than the special education expenditures of all school districts for the 1994-1995 school year, as a percentage of the sum of the 1994-1995 school year expenditures of all school districts for regular education, [vocational-technical] **career and technical** education and special education; and

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(r) School districts will qualify for supplemental payments under subsection (q) if:

(1) (i) the school district's special education expenditures for the 1995-1996 school year as a percentage of the sum of the school district's 1995-1996 school year expenditures for regular education, [vocational-technical] **career and technical** education and special education is equal to or greater than the special education expenditures of all school districts for the 1995-1996 school year as a percentage of the sum of the 1995-1996 school year expenditures of all school districts for regular education, [vocational-technical] **career and technical** education and special education; and

* * *

(w) School districts shall qualify for supplemental payments under subsection (v) if:

(1) (i) The school district's special education expenditures for the 1996-1997 school year as a percentage of the sum of the school district's 1996-1997 school year expenditures for regular education, [vocational-technical] **career and technical** education and special education is equal to or greater than the special education expenditures of all school districts for the 1996-1997 school year as a percentage of the sum of the 1996-1997 school year expenditures of all school districts for regular education, [vocational-technical] **career and technical** education and special education;

* * *

(dd) Supplemental payments shall be as follows:

(1) School districts shall qualify for additional supplemental payments if all of the following apply:

(i) The school district's special education expenditures for the 1997-1998 school year, as a percentage of the sum of the school district's 1997-1998 school year expenditures for regular education, [vocational-technical] **career and technical** education and special education, is equal to or greater than the special education expenditures of all school districts for the 1997-1998 school year, as a percentage of the sum of the 1997-1998 school year expenditures of all school districts for regular education, [vocational-technical] **career and technical** education and special education.

* * *

(iii) The district does not meet all of the following criteria:

(A) The school district's special education expenditures for the 1997-1998 school year, as a percentage of the sum of the school district's 1997-1998 school year expenditures for

regular education, [vocational-technical] **career and technical** education and special education, is equal to or greater than the special education expenditures of all school districts for the 1997-1998 school year, as a percentage of the sum of the 1997-1998 school year expenditures of all school districts for regular education, [vocational-technical] **career and technical** education and special education.

* * *

Section 2513.1. Certificates of Expenditures for [Vocational] **Career and Technical** Schools.--On or before the tenth day of July of each year, the school directors of each district shall present to the [Superintendent of Public Instruction] **Secretary of Education** a statement of the amount expended during the school year previous to such first day of July for instruction in approved local or joint [vocational] **career and technical** industrial, [vocational homemaking, vocational] **career and technical family and consumer sciences, career and technical marketing and distributive occupational** or [vocational] **career and technical agricultural** schools or departments. On the basis of such a statement the [Superintendent of Public Instruction] **Secretary of Education**, as the executive officer of the State Board [for Vocational] **of Career and Technical** Education, shall pay such school districts and joint school districts such reimbursement for the previous school year as is provided for in this act.

Section 2515. Ascertainment of Amounts Required; Apportionment.--The [Superintendent of Public Instruction] **Secretary of Education** shall ascertain and determine the amount of funds required to meet each payment to school districts[,] **and** intermediate units [and vocational school districts] which become due and payable within each fiscal year, on the data and material contained in the certificates which school districts[,] **and** intermediate units [and vocational school districts] are required to file with the [superintendent] **Secretary of Education** at such time as [he] **the secretary** shall determine. The [superintendent] **Secretary of Education** shall apportion and allot the same to and among the respective districts and intermediate units. The amount paid to any district or intermediate unit within any fiscal year shall be computed on the data and information contained in the certificates required to be filed each year, as herein provided. Each district's valuation to be used for purposes of computing its standard reimbursement fraction for the school year 1949-1950 and thereafter or for purposes of computing the aid ratio for the school year 1966-1967, and thereafter, shall be the valuation placed upon its taxable real property by the State Tax Equalization Board.

Section 2518. Forfeitures for Employing Improperly Certified Individuals.--* * *

The foregoing forfeitures of reimbursement units on account of employes uncertificated for the position in which employed, and on account of substitutes, shall not apply in the case of employes in positions after July 1, 1966: Provided, however, That any school district or any county board of school directors with respect to area technical schools that from July 1, 1966, to July 1, 1992, has had in its employ any person in a teaching, specialist, supervisory or administrative capacity who has not been certificated for said position by the Department of Education, or that has had in its employ a substitute in a position where a vacancy exists for a full year or more without the specific written approval of the Secretary of Education,

shall forfeit an amount equal to the minimum salary mandated by law for the position less the product of said salary and the aid ratio of the district. Notwithstanding the above, after July 1, 1992, any school district, intermediate unit, area [vocational-technical] **career and technical** school or other public school in this Commonwealth that has in its employ any person in a position that is subject to the certification requirements of the Department of Education but who has not been certificated for his position by the Department of Education or that has in its employ a substitute in a position where a vacancy exists for a full year or more without the specific written approval of the Secretary of Education shall forfeit an amount equal to six thousand dollars (\$6,000) less the product of six thousand dollars (\$6,000) and the district's market value/income aid ratio. Any exemption from forfeiture by reason of employment on or before July 1, 1962 as provided elsewhere in this section shall not be invalidated by this amendment.

Section 2552.1. Effect of Failure to File Reports.--(a)

The Department of Education shall order the forfeiture of three hundred dollars (\$300) per day by a school district, charter school, cyber charter school, area [vocational-technical] **career and technical** school or intermediate unit that does not submit its annual budget to the Department of Education within thirty (30) days of the submittal date established by the Department of Education. The forfeiture shall continue until a report and annual budget that meet established criteria are submitted. The Department of Education shall deduct the amount of the forfeiture from any and all State payments made to the school district, charter school, cyber charter school, area [vocational-technical] **career and technical** school or intermediate unit.

(a.1) (1) The Department of Education shall order the following forfeitures against a school district, charter school, cyber charter school, area [vocational-technical] **career and technical** school or intermediate unit that does not submit its annual financial report to the Department of Education within thirty (30) days of the submittal date established under sections 218 and 921-A:

(i) Three hundred dollars (\$300) per day for the first violation.

(ii) Five hundred dollars (\$500) per day for the second or subsequent violations.

(2) The forfeiture shall continue until a report that meets established criteria is submitted. The Department of Education shall deduct the amount of the forfeiture from any and all State payments made to the school district, charter school, cyber charter school, area [vocational-technical] **career and technical** school or intermediate unit.

(b) The Department of Education shall order the forfeiture of three hundred dollars (\$300) per day by a school district, charter school, area [vocational-technical] **career and technical** school or intermediate unit that does not submit its pupil membership/child accounting reports within thirty (30) days of the submittal date established by the Department of Education. The forfeiture shall continue until a report that meets established criteria is submitted. The Department of Education shall deduct the amount of the forfeiture from any and all State payments made to the school district, charter school, area [vocational-technical] **career and technical** school or intermediate unit.

* * *

Section 2561. Tuition Charges for Pupils of Other Districts.--A school district [or vocational school district] receiving elementary or high school pupils or [vocational] **career and technical** or other extension education pupils who are residents of another school district [or another vocational school district] shall compute the tuition charges as follows:

* * *

(4) [Vocational] **Career and Technical** or Other Extension Tuition Charge. Add the salaries of administrators, supervisors, instructors, clerks and custodians specifically employed in the school district's [or vocational school district's] annual program of [Vocational] **Career and Technical** or other Extension Education, the cost of textbooks, and supplies of the second class issued for the program incurred for the school year immediately preceding. A charge of five cents (.05) per pupil hour of instruction for the district overhead and plant usage. Subtract from the sum so obtained the amount of State appropriation applicable. The remainder shall be designated as the "district cost for [vocational] **career and technical** or other extension education." Determine the total pupil hours of instruction during the school year immediately preceding, divide the "district cost for [vocational] **career and technical** or other extension education" by the total pupil hours of instruction. The cost so determined shall be the "[vocational] **career and technical** or other extension tuition [charge] **charge**" per pupil hour of instruction.

* * *

Section 2562. Payments by Districts for Pupils Attending in Other Districts.--For each elementary or high school pupil attending a public school of another district, the receiving district shall bill the sending district, and the sending district shall pay the amount of the tuition charge per elementary pupil, or the tuition charge per high school pupil, as the case may be. In the case of pupils attending the receiving district's public schools for less than a full school term, the tuition charge per elementary or high school pupil shall be prorated by reference to the period of time over which such pupils actually attended the receiving district's schools.

For each [vocational] **career and technical** or other extension education pupil attending an extension class of another district, the receiving district shall bill the sending district if the attendance is previously approved by the sending district and the sending district shall pay the [vocational] **career and technical** or other extension tuition charge per pupil hour of instruction for each hour of attendance of each such pupil.

Nothing herein shall prohibit the payment of a tuition for [vocational] **career and technical** or other extension pupils by a non-resident adult pupil sponsoring agency or employer.

Section 2563. Certification of Pupils Admitted from Other Districts; Monthly Payments.--The board of school directors in any school district [or the board of directors of vocational schools in any vocational school district] maintaining an elementary school or a high school or an extension class which is attended by any pupils residing in another district shall, upon admission of such pupils, properly certify to the board of school directors of the school district in which such pupils reside, the names of all such pupils and whether they are attending an elementary school or a high school or an extension class, together with a statement of the tuition charge per elementary pupil and the tuition charge per high school pupil and the [vocational] **career and technical** or other extension tuition charge per pupil hour of instruction. All such tuition

charges shall be paid monthly to the school district [or the vocational school district] maintaining such elementary school or high school by the school district to which the same was certified.

Section 2574. Approved Reimbursable Rental for Leases Hereafter Approved and Approved Reimbursable Sinking Fund Charges on Indebtedness.--* * *

(e) For area [vocational-technical] **career and technical** school and technical institute projects leased subsequent to July 1, 1964, by or for lease to a board of school directors authorized to operate such a school, the Department of Education shall calculate an approved reimbursable rental charge.

For area [vocational-technical] **career and technical** school and technical institute projects constructed or purchased subsequent to July 1, 1964, by a board of school directors authorized to operate such a school, the Department of Education may calculate an approved reimbursable sinking fund charge.

Approved reimbursable rental or sinking fund charge shall consist of that part of the annual rental or sinking fund attributable to:

(1) Cost of acquiring land and preparing it for use to the extent that such costs are deemed reasonable by the Department of Education and the interest on such cost of acquisition, cost of preparation and the cost of sewage treatment and the interest on such cost.

(2) Machinery, apparatus, furniture and equipment and all other necessary expenses and interest charges, but excluding architects' fees in excess of six percent of the construction cost.

The approved building construction cost and the interest on such construction cost shall not exceed the product of the rated full-time pupil capacity, as determined by the Department of Education at the time the project is approved and two thousand two hundred dollars (\$2,200).

The provisions of the foregoing paragraph shall apply to all school building projects for which the general construction contract is awarded prior to July 1, 1966, and for approved school building projects for which a lease was approved by the Department of Education prior to July 1, 1966. For school buildings for which the general construction contract is awarded subsequent to July 1, 1966, and for approved school building projects for which the general construction contract was awarded but for which a lease was not approved by the Department of Education prior to July 1, 1966, the approved building construction cost and the interest on such construction cost shall not exceed the product of the rated full-time pupil capacity, as determined by the Department of Education at the time the project is approved, and three thousand seven hundred dollars [(\$3700)] **(\$3,700)**.

For school buildings for which the general construction contract is awarded subsequent to July 1, 1984, and for approved school building projects for which the general construction contract was awarded but for which a lease or general obligation bond resolution was not approved by the Department of Education prior to July 1, 1984, the approved building construction cost and the interest on such construction cost shall not exceed the product of the rated full-time pupil capacity, as determined by the Department of Education at the time the project is approved, and six thousand three hundred dollars (\$6,300).

For school buildings for which the general construction contract is awarded subsequent to January 1, 2005, and for approved school building projects for which the general

construction contract was awarded but for which a lease or general obligation bond resolution was not approved by the Department of Education prior to January 1, 2005, the approved building construction cost shall not exceed the product of the rated full-time pupil capacity, as determined by the Department of Education at the time the project is approved, and seven thousand six hundred dollars (\$7,600).

The Department of Education shall not approve the expenditure of any funds borrowed or obtained by the sale of bonds by any authority, nonprofit corporation, profit corporation, company or individual for construction of area [vocational-technical] **career and technical** schools or technical institutes for bleachers, athletic field, lighting equipment or apparatus used to promote and conduct interscholastic athletics.

* * *

Section 2574.2. Approved Reimbursable Annual Rental for Leases of Buildings and Facilities for School Use.--For extended leases of buildings and facilities for school use authorized under the provisions of section 703.1 which have been approved by the Secretary of Education, the Department of Education shall calculate an approved reimbursable annual rental charge.

Approved reimbursable annual rental for such approved leases of building facilities constructed for school use shall be the lesser of (i) the product of the annual rental payable under the provisions of the approved lease agreement times the ratio of the pupil scheduled area to the architectural area, or (ii) the product of the rated pupil capacity as determined by the Department of Education at the time of initial lease times one hundred sixty dollars (\$160) for elementary schools, two hundred twenty dollars (\$220) for secondary schools, or two hundred seventy dollars (\$270) for area [vocational-technical] **career and technical** schools.

Annual approved rental payable for approved leases of existing facilities altered for school use shall be the lesser of (i) the product of the annual rental payable under the provisions of the approved lease agreement times the ratio of the pupil scheduled area to the architectural area, or (ii) the product of the rated pupil capacity, as determined by the Department of Education at the time of initial lease, times one hundred twelve dollars (\$112) for elementary, one hundred fifty-four dollars (\$154) for secondary, or one hundred eighty-nine dollars (\$189) for area [vocational-technical] **career and technical** schools.

Section 2574.3. Approved Reimbursable Annual Rental for Leases of Buildings or Portions of Buildings for Charter School Use.--(a) For leases of buildings or portions of buildings for charter school use which have been approved by the Secretary of Education on or after July 1, 2001, the Department of Education shall calculate an approved reimbursable annual rental charge. Approved reimbursable annual rental for such approved leases of buildings or portions of buildings for charter school use shall be the lesser of (i) the annual rental payable under the provisions of the approved lease agreement, or (ii) the product of the enrollment, as determined by the Department of Education, times one hundred sixty dollars (\$160) for elementary schools, two hundred twenty dollars (\$220) for secondary schools or two hundred seventy dollars (\$270) for area [vocational-technical] **career and technical** schools. The Commonwealth shall pay annually for the school year 2001-2002 and each school year thereafter to each charter school which leases with the approval of the Department of Education buildings or portions of buildings for charter school use under

these provisions an amount determined by multiplying the aid ratio of the charter school by the approved reimbursable annual rental.

* * *

Section 2575. Payments on Account of Leases Hereafter Approved and on Account of Sinking Fund Charges on Indebtedness for School Buildings Hereafter Constructed.--* * *

(b) The Commonwealth shall pay, annually, to each school district which constructs, purchases or leases with the approval of the Department of [Public Instruction] **Education** an area [vocational-technical] **career and technical** school building or technical institute building or which shares in the construction, purchase or lease of such building or buildings under provisions of the Public School Building Authority Act, the Municipality Authority Act, section 758 [of the Public School Code of 1949, or section] **or** 791 of [the Public School Code of 1949] **this act**, or other agency, or through the incurring of indebtedness by the issuance of general obligation bonds, an amount to be determined by multiplying the district's aid ratio or fifty per cent, whichever is more, by the approved reimbursable rental approved reimbursable sinking fund charge multiplied by the district's proportionate share of such rental sinking fund charge.

Section 2577. Limitations on Approval of Projects for Reimbursement Purposes.--

(b) The Department of [Public Instruction] **Education** shall determine reimbursement eligibility of all projects including projects submitted for approval prior to the effective date of this act in the order of date of filing of applications for project approval with the department, except that in the case of application for area [vocational-technical] **career and technical** schools, the department may grant priority to such applications in the order in which said applications are received and process them immediately. If a delay in departmental processing of any application on file is occasioned by the applying school district, the department shall proceed to determine reimbursement eligibility of projects next in order, except that in the event of any emergency due to fire, flood, orders from the Department of Labor and Industry to close school buildings or parts thereof where such school buildings or parts thereof are determined to be [irreparable] **irreparable** and are closed finally by the Department of Labor and Industry, or an act of God, which causes undue hardship beyond the control of the applying school district, the department may grant priority over the eligibility of projects submitted prior to the emergency application[: Provided, however, That in cases where priority is granted due to closed schools or parts thereof by orders of the Department of Labor and Industry, the approved reimbursable costs of such projects shall not be included within the aggregate for projects already undertaken or to be undertaken as provided in subsection (a) of this section].

(c) Unless the general construction contract for any project is awarded within ten months subsequent to the date of approval by the Department of [Public Instruction] **Education** and by any other agency as required by existing law, approval shall be withdrawn, except that when a district shows to the satisfaction of the department that the contract has not been let for reasons beyond its control or that withdrawal of approval would work undue hardship, the department may grant extensions beyond the ten-months period for three periods of ninety days each before approval is withdrawn. [Any project for which approval was withdrawn under the provisions of act 417, approved March 22,

1956 (P.L.1315), may be reinstated by the Department of Public Instruction and granted extensions which, together with the time already elapsed, shall not exceed nineteen months beyond the date of approval given by the Department of Public Instruction or any agency as required by existing law.] A project for which approval is withdrawn may be resubmitted to the department as a new project.

Section 2578. Payments.--* * *

(b) All payments due school districts by the Commonwealth on account of obligations to the State Public School Building Authority, sinking fund charges, or rentals under leases with municipality authorities, nonprofit corporations or profit on nonprofit corporations, partnerships, associations or persons for building or educational equipment for area technical schools, shall be paid to the intermediate unit operating the school. School districts not originally parties to an agreement with the State Public School Building Authority or a lease with a municipality authority, a nonprofit corporation or a profit or nonprofit corporation, partnership, association or person for buildings or educational equipment for an area technical school but later electing to participate in the operation of the school and agreeing to pay a part of the annual payments due under the agreement or lease shall be entitled to payments by the Commonwealth to the same extent as though they had originally been parties to the agreement or lease. The amount thereof shall be paid to the intermediate unit. No payments shall be made on account of obligations or rentals for buildings or educational equipment for area technical schools unless the schools conform to plans approved by the State Board [for Vocational] **of Career and Technical** Education.

Section 2593. Responsibility for [Vocational] **Career and Technical** Programs.--* * *

(b) It shall be the responsibility of every school district to comply with all provisions of the act and of regulations of the State Board of Education and standards of the department promulgated hereunder with regard to the provision of [vocational] **career and technical** education programs and to make such financing arrangements as it deems proper with area [vocational-technical] **career and technical** schools in order so to comply.

Section 2594. Special Payments on Account of Minimum Salary Increases.--(a) For the school year 1988-1989 and each school year thereafter beginning before the expiration of the term of any contract or agreement effective on or before the effective date of this section between a public employer and a public employe or employe organization pursuant to the act of July 23, 1970 (P.L.563, No.195), known as the "Public Employe Relations Act," each school district, intermediate unit and area [vocational-technical] **career and technical** school which elects to increase minimum salaries pursuant to section 1142.1 shall be paid in the manner provided in subsection (b), in addition to any other payments to which it is entitled, a special payment to cover the cost of implementing section 1142.1.

(b) For the school year 1988-1989, the amount paid to each school district, intermediate unit and area [vocational-technical] **career and technical** school shall be the difference between the salary paid to each full-time teacher at the beginning of the school term 1988-1989 that is less than eighteen thousand five hundred dollars (\$18,500) and an amount equal to eighteen thousand five hundred dollars (\$18,500). For the school year 1989-1990 and each school year thereafter, the amount paid shall be the difference between the salary payable

to each full-time teacher at the beginning of the school term under the terms of the contract or agreement in effect on the effective date of this section which is less than eighteen thousand five hundred dollars (\$18,500) and an amount equal to eighteen thousand five hundred dollars (\$18,500). The amount so calculated shall be paid to each qualifying school district, intermediate unit and area [vocational-technical] **career and technical** school by the Department of Education during each school year for which each school district, intermediate unit and area [vocational-technical] **career and technical** school qualifies out of the funds appropriated to the department for this purpose.

(c) For each school year for which a school district, intermediate unit and area [vocational-technical] **career and technical** school qualifies for a special payment under subsection (a), the entire employer's share of contributions to the Public School Employee's Retirement Fund and Social Security attributable to the salary increase implemented pursuant to section 1142.1 shall be paid for each school district, intermediate unit and area [vocational-technical] **career and technical** school out of funds appropriated to the Department of Education for such purposes.

Section 2595. School Performance Incentives.--* * *

(b) Any public elementary school, secondary school or area [vocational-technical] **career and technical** school is eligible to participate in the school performance program.

(c) (1) School performance will be determined by improvements in student accomplishment or maintenance of high standards using the following criteria:

* * *

(iv) rates of employment related to the training received by area [vocational-technical] **career and technical** school graduates until such time as an occupational competency testing program is established and which meets the measurement requirements in this section; or

* * *

(h) Nothing contained in this section shall be construed to supersede or preempt any provisions of a collective bargaining agreement negotiated by a school and the employe organization district, intermediate unit or area [vocational-technical] **career and technical** school that is in effect on the effective date of this section.

Section 2597.3. Eligible Grant Applicants.--Applications for grants may be submitted by school districts and nonprofit community-based organizations. Community-based organizations must demonstrate that the program will operate in collaboration with a school district, intermediate unit or area [vocational-technical] **career and technical** school.

Section 2597.4. Program Requirements.--Services and programs may be provided to students in grades kindergarten through twelve. Services and programs shall include the following:

* * *

(2) Dropout Prevention Programs. Services and programs shall include the following:

* * *

(iv) [Vocational] **Career and technical** education and school-to-work transition.

* * *

Section 2597.5. Criteria for Awarding Grants.--* * *

(c) Dropout prevention is to be measured by:

* * *

(4) The extent to which the school district program is linked to those of other relevant service providers, such as literacy councils, area [vocational-technical] **career and technical** schools, post-secondary educational and training institutions, private industry councils, social service agencies and community-based organizations.

* * *

Section 2599. Administrative/Instructional Consolidation Incentives.--* * *

(b) Any school district, area [vocational-technical] **career and technical** school, intermediate unit or joint school is eligible to participate in the consolidation incentives program and shall be considered a school entity for the purposes of this section.

* * *

(d) * * *

(6) Nothing contained in this section shall be construed to supersede or preempt any provisions of a collective bargaining agreement negotiated by a school district, intermediate unit or area [vocational-technical] **career and technical** school and the employe organization that is in effect on the effective date of this section.

Section 2599.1. Multipurpose Service Center Grant Program.--* * *

(c) As used in this section, the following words and phrases shall have the meanings given to them in this subsection:

"Displaced homemaker" or "single parent." An individual who:

- (1) Has worked in the home, providing unpaid household services for family members.
- (2) Is underemployed.
- (3) Has had or is having difficulty securing employment.
- (4) Has been dependent on the income of another family member but is no longer supported by such income, has been dependent on government assistance or is supported as the parent of minor children by government assistance or other support.

"Multipurpose service center." A community-based organization, school district, joint school district or intermediate unit, postsecondary school, institution of higher learning or area [vocational-education] **career and technical education** school that provides job counseling services; job training, education and placement services; financial management services, outreach information services with respect to Federal and State employment and education, health and unemployment assistance programs to displaced homemakers and single parents.

Section 2599.2. Pennsylvania Accountability Grants.--* * *

(f) As used in this section, the following words and phrases shall have the meanings given to them in this subsection:

"Applied knowledge." Information technology, computer equipment, education software and related advanced technologies necessary to increase students' access to worldwide information and their expertise in this regard.

"Career awareness program." An educational program that introduces students to a variety of career and [vocational] **technical** options and includes such activities as job shadowing, field trips and tours, career days or the administration of career assessment tests and inventories.

"Career days." Special events that allow students to meet with employers, career development specialists, community-based organization representatives and postsecondary educators and are designed to encourage students to gain information about careers and job opportunities.

"Department." The Department of Education of the Commonwealth.

"Grant." A Pennsylvania accountability grant awarded under this section.

"Highly qualified." A highly qualified elementary teacher or a highly qualified middle or secondary teacher as defined in 22 Pa. Code § 403.2 (relating to definitions).

"Job shadowing." As part of career exploration activities in late middle and early high school, activity of a student following an employe for one or more days to learn about a particular occupation or industry, which activity is intended to help students explore a range of career objectives and possibly to select a career pathway.

"Science." A curricular offering in support of the science and technology content area as defined in 22 Pa. Code § 4.12 (relating to academic standards).

Section 2602-B. Membership.--* * *

(e) For the purpose of formulating policy proposals applicable to elementary, secondary, [vocational-technical] **career and technical** education and higher education in this Commonwealth, there shall be two councils, which shall consist of ten (10) members of the board each, the chairman being a member of both councils, and shall be known as the Council of Basic Education and the Council of Higher Education. The Governor shall designate to serve at his pleasure a member serving on each council to act as chairman of the council. Each council shall meet at the call of its chairman or at the request of a majority of the members of the council. The chairman of the board may appoint special joint committees from among the members of the board to formulate policy proposals in those areas which fall within the purview of both of the councils.

(f) Except for the chairman, not more than two (2) members serving on each council shall be employed either in a school system or in the Department of Education. For purposes of this subsection, the State System of Higher Education shall not be considered a school system. Three (3) members of the Council of Higher Education shall be actively employed by an institution of higher education, at least one holding an administrative position and at least one holding a professional position on a faculty of an institution of higher education. At least two (2) members serving on each council shall have had previous experience with [vocational-technical] **career and technical** education or training.

* * *

Section 2604-B. Powers and Duties of Council of Basic Education and Council of Higher Education.--* * *

(b) The Council of Basic Education shall have the power, and its duty shall be to:

* * *

(2) investigate programs, conduct research studies and formulate policy proposals in all educational areas not within the purview of higher education, including, but not limited to:

(i) the creation, merger, consolidation and reorganization of school districts, the establishment of joint schools, area [vocational-technical] **career and technical** schools and such other administrative organizations as may be provided by law;

* * *

(3) encourage and promote such agricultural, industrial, [vocational] **career** and technical education programs as the needs of this Commonwealth may, from time to time, require; and

* * *

Section 62. A reference in statute or regulation to "area vocational-technical school" shall be deemed a reference to "area career and technical school."

Section 63. This act shall take effect as follows:

(1) The following provisions shall take effect immediately:

(i) This section.

(ii) The addition of section 1842.1 of the act.

(iii) Section 62 of this act.

(2) The remainder of this act shall take effect in 60 days.

APPROVED--The 30th day of October, A.D. 2019.

TOM WOLF

Section 1849. Petitions for Change of Plan.--Future development of area [vocational technical] **career and technical** schools shall, after approval of the State plan, conform to the plan, and the school directors of a specified attendance area, having reason to question the practicability of the State plan for the specific attendance area or desiring to change the specified area, may present the case to a committee of the State Board [for Vocational] **of Career and Technical** Education with petition for change. The decision of the State board thereon shall be final.

Section 1850.1. Organization and Operation of Schools and Institutes.--(a) Schools and institutes shall be the responsibility of the participating boards of school directors of an approved attendance area. Such boards of school directors shall have authority to enter into a written agreement by and among themselves establishing such school or institute setting forth, inter alia, the rights and obligations of the participating districts. No change shall be made in such agreement without the consent of each participating school district first obtained, by the affirmative vote of a majority of the school directors thereof. The several participating boards of school directors shall collectively be known as the area [vocational-technical] **career and technical** board.

(b) The area [vocational-technical] **career and technical** board shall have authority and its duty shall be:

(1) To provide, as the participating districts may agree, for the assumption by the area [vocational-technical] **career and technical** board of obligations including, but not limited to, operating expenses, architect's fees, engineering costs, professional salaries, expenses of acquiring and maintaining sites for schools and institutes, incurred by any county board of school directors or county boards of school directors on behalf of such participating districts pursuant to prior agreements;

(2) To formulate and adopt policies relating to the organization, establishment and operation of the school or institute;

(3) To provide for the administration and operation of the school or institute;

(4) To adopt the budgets for operation of the school or institute as prepared in the same manner provided for in section 687 of this act;

(5) To designate a superintendent of the school or institute, provided, that [when a county board or boards is selected as the operating agent as hereinafter provided, a county superintendent of schools shall be designated as the superintendent of the school or institute, and that] when the

several boards or a committee thereof operate the school or institute as hereinafter provided, a chief school administrator of a participating school district [or a county superintendent] shall be designated as superintendent of the school or institute;

(6) To exercise all the powers, perform the duties, and be subject to all liabilities with reference to the operation of schools and/or institutes as are now or hereafter shall be conferred or imposed by law;

(7) To make from time to time surveys to determine the current [vocational] **career** and technical needs of the participating school districts;

(8) To make and establish, and from time to time alter and amend, rules and regulations for the transaction of its business and for the administration of the work under its charge;

(9) To employ temporary professional and professional employes, supervisors and teachers, and to employ all other persons necessary to carry on [vocational-technical] **career and technical** education and technical institutes, and to determine the salaries to be paid. All temporary professional and professional employes so employed shall have the same rights of tenure, minimum salaries and increments, leaves of absence because of illness or physical disability, leaves of absence because of death in the immediate family or death of a near relative, sabbatical leaves, military leaves, exchange teacher leaves, and membership in the Public School Employes' Retirement System as temporary professional and professional employes of school districts. No professional employe who has attained tenure status as an employe of any area [vocational-technical] **career and technical** board shall, thereafter, be required to serve as a temporary professional employe before being tendered such a contract when employed by any other part of the public school system of the Commonwealth;

(10) To purchase, lease, rent, improve and sell land, and to build, repair, improve, lease, rent, buy and sell buildings;

(11) To acquire real property by purchase, gift or condemnation, for the purposes of area [vocational-technical] **career and technical** schools and technical institutes. Such condemnation proceedings shall be instituted and conducted by the board in the name of the participating school districts in the same manner and with like authority as provided by law in the case of school districts. The title to any real estate, acquired for the purpose of establishing any such area [vocational-technical] **career and technical** school or institute shall be held in the name of one or more of the school districts establishing the same, as they may agree;

(12) To purchase, lease, rent or otherwise acquire all necessary furniture, implements, books, materials, equipment and supplies;

(13) When authorized by the participating school districts in the attendance area, to provide for free mandated transportation of district pupils to and from the area [vocational-technical] **career and technical** school in which they have been accepted, and to apply and receive on behalf of the school districts in the attendance area reimbursements on account of such transportation provided;

(14) To make contracts with counties, cities, boroughs, towns, townships, school districts, other political subdivisions, community colleges, public and private agencies, quasi-public agencies, nonprofit corporations, the Federal Government and its agencies and instrumentalities, municipalities and other public authorities, or other persons

for carrying out the purposes of this subdivision of this article;

(15) To make an annual report, in writing, to the Department of [Public Instruction] **Education**, and such other reports as the department may require;

(16) To adopt criteria for admitting students to area [vocational-technical] **career and technical** schools and technical institutes;

(17) To receive Federal, State, school district and other public and private funds and to expend such funds to establish, operate, improve and expand area [vocational-technical] **career and technical** schools and technical institutes;

(18) When authorized by the participating school districts, and on behalf of such districts, to enter into agreement with the State Public School Building Authority, municipal authorities, political subdivisions, municipal corporations, public and private agencies, quasi-public agencies, authorities, nonprofit corporations and the Federal Government and its agents and instrumentalities to buy land, build, alter, lease, equip and operate facilities for public [vocational-technical] **career and technical** education and technical institutes;

(19) To prepare and submit to the Department of [Public Instruction] **Education** on or before July 1 of each year, for approval, a budget of proposed expenditures for area [vocational-technical] **career and technical** schools and technical institutes for the ensuing year;

(20) To accept pupils in area [vocational-technical] **career and technical** schools and technical institutes from districts not participating in their establishment and maintenance and to establish tuition charges therefor;

(21) To assign pupils residing within school districts participating in an area [vocational-technical] **career and technical** school and/or technical institutes to [vocational] **career and technical** schools or departments maintained by other area [vocational-technical] **career and technical** boards and school districts with the approval of the area [vocational-technical] **career and technical** boards and the district boards maintaining such schools or departments, and to pay tuition for pupils permitted to attend such area [vocational-technical] **career and technical** schools, technical institutes and [vocational] **career and technical** schools or departments;

(22) To locate area [vocational-technical] **career and technical** schools and technical institutes;

(23) To collect tuition and fees;

(24) To do all things necessary to carry into effect the purposes of this act;

(25) Whenever such schools and technical institutes are authorized, to prepare an estimate of the total cost of and expenditures to be made on account of each area [vocational-technical] **career and technical** school and technical institute for the following year, such estimate shall be filed with the Department of [Public Instruction] **Education** no later than July 1 of each year for the approval of the department;

(26) When authorized by the participating school districts, to establish capital reserve funds under the provisions of section 1850.4 for the purposes of purchasing equipment and maintaining facilities;

(c) All actions of an area [vocational-technical] **career and technical** board shall be by a majority vote of the members of the board either in convention or by mail ballot, whichever

procedure the board shall select: Provided, That the approval of each operating budget shall require an affirmative vote of two-thirds of the participating school districts and a majority vote of all the school directors of all participating districts; and provided further, for purposes of this requirement only, the vote of any participating school district shall be determined by a majority vote of all school directors comprising such participating boards. All votes shall be duly recorded and shall show how each member voted;

(d) An area [vocational-technical] **career and technical** board shall have power to delegate the operation, administration and management of the school or institute [(1) to one or more county boards of school directors acting as agent for the area vocational-technical board; or (2)] to a joint committee elected from among the several participating boards of school directors.

Section 1850.2. Operation by Intermediate Unit Board of Directors Acting as an Operating Agent.--When an intermediate unit board of directors is designated as agent to operate, administer and manage a school and/or institute, such agent shall discharge its duties and responsibilities in accordance with the provisions of a written agreement entered into by the area [vocational-technical] **career and technical** board and the intermediate unit board of directors. The agreement shall give the agent the power and authority to operate, administer and manage a school and/or institute given by law to an area [vocational-technical] **career and technical** board and shall provide that the agent shall conduct the affairs of the school and/or institute within the limits of the budget adopted by the area [vocational-technical] **career and technical** board. In no event shall the powers granted an area [vocational-technical] **career and technical** board by clauses (1), (4), (11), (17), (19), (22) and (25) of section 1850.1 (b) be delegated hereunder nor shall the powers granted an area [vocational-technical] **career and technical** board by clauses (9), (10), (12) and (14) of section 1850.1 (b) be delegated hereunder, except to the extent that the subject items are fully provided for within the current budget.

These same provisions shall apply when a joint committee is designated to operate and manage a school and/or institute.

Section 1850.3. Operation by a Joint Committee.--(a) When a joint committee is selected to operate a school and/or institute, it shall be known as the area [vocational-technical] **career and technical** school committee.

(b) The membership on such joint committee shall be determined by agreement among the boards of participating school districts, provided always that each participating school district shall have at least one member thereon.

(c) Each participating board of school directors shall elect one or more of its members, as the case may be, to serve on the area [vocational-technical] **career and technical** committee. The committee members, so elected, shall serve for a three-year term, commencing the day of their election in the month of December: Provided, however, That in the first election, the terms of office of one-third of the members shall expire at the end of the first year, the terms of office of one-third of the members shall expire at the end of two years, and the terms of office of the remaining one-third shall expire at the end of the third year. The length of the terms of office of the initial members shall be determined by the casting of lots.

(d) Each year, during the month of December, the joint committee shall choose from its members a chairman and vice-chairman, each to serve for one year; and shall, annually,

during the month of May, elect a treasurer to serve for one year, beginning the first Monday in July following such election; and shall, during the month of May, once every four years, elect a secretary, who may or may not be a member of the area [vocational-technical] **career and technical** board, to serve for a term of four years, beginning the first Monday of July following such election. The joint committee shall elect interim officers to serve until the first regular December and May election meetings.

Section 1850.4. Capital Reserve Fund for Approved Purchases of Equipment and Facility Maintenance.--(a) Any area [vocational-technical] **career and technical** board shall have the power to create a special fund which may be designated as a capital reserve fund and to accumulate therein moneys to be expended, in accordance with the provisions of this section, during a period not to exceed five years from the date when the first payment was made into the fund, for the purpose of purchasing equipment or maintaining facilities.

(b) The capital reserve fund herein provided for shall consist of funds transferred during any fiscal year from appropriations made for this particular purpose and of unencumbered funds remaining from the current and/or prior years' general fund.

(c) The moneys in the capital reserve fund shall be kept separate and apart from any other fund by the treasurer of the area [vocational-technical] **career and technical** board, and the moneys in the fund may be invested by the operating agent in securities legal for the investment of sinking fund moneys of the school district. The interest earnings on investments shall be paid into the capital reserve fund. The area [vocational-technical] **career and technical** school shall annually show in its financial report the amount of moneys in the capital reserve fund which shall at all times be properly identified as to purpose.

(d) The moneys in any such capital reserve fund may be expended only upon approval of a majority of the members of the operating agent only during the period of time for which the fund was created and only for equipment purchases or facilities maintenance projects and for no other purpose.

Section 1851. Establishment and Operation by the Department of [Public Instruction] **Education**.--Where, in the judgment of the [State Superintendent of Public Instruction] **Secretary of Education**, the provisions of this act relating to the proper [vocational] **career and technical** education and training of children and adults have not been complied with or the [vocational] **career and technical** education needs of children and adults are not being adequately served, the Department of [Public Instruction] **Education** is hereby authorized to provide, including the payment of rental when necessary, establish, maintain, administer, supervise and operate [vocational] **career and technical**, [vocational] **career and technical** industrial, [vocational] **career and technical** agricultural, [vocational] **career and technical** family and consumer sciences, **career and technical** marketing and distributive[,] occupational **education**, post high school [vocational] **career and technical** education or less than college level, schools, departments or classes for the proper [vocational] **career and technical** education and training of children and adults. Eligibility for enrollment in such classes shall be determined according to standards and regulations promulgated by the State Board [for Vocational] **of Career and Technical** Education.

Section 1852. Payment of Shares.--Any school district of the first, first A, second, third or fourth class establishing or participating in the establishment of an area [vocational-technical] **career and technical** school or a technical institute, individually, or jointly, with two or more districts, shall have the same power and authority to levy taxes to pay or to pay its share of buildings, grounds, equipment, operating expenses and other necessary expenses to establish, maintain and operate such school or institute as it has to levy taxes, to purchase land, construct and equip buildings, and operate elementary schools and any additional schools and departments as defined in section 502 of this act.

Section 1853. Contracts to Lease.--An area [vocational-technical] **career and technical** board authorized to establish and operate an area [vocational-technical] **career and technical** school or technical institute may enter into contracts with the State Public School Building Authority, [the General State Authority,] municipal authorities, nonprofit corporations, municipal corporations, political subdivisions, public and quasi-public and private agencies, Federal Government and its agencies and instrumentalities to lease lands and buildings for the purpose of operating an area [vocational-technical] **career and technical** school or technical institute.

Section 1855. Career and Technical Education Equipment Grants.--(a) For the 2000-2001 fiscal year and the 2001-2002 fiscal year, the Department of Education shall establish a grant program to assist area [vocational-technical] **career and technical** schools, school districts offering approved [vocational-technical] **career and technical** programs and the Thaddeus Stevens State College of Technology in purchasing equipment that meets industry standards for the purpose of providing training to students. Grants shall be limited to the purchase of equipment in the following program areas: automotive technology, auto body, diesel technology, precision machine technology, heating ventilation and air conditioning, printing, dental assisting, electronics, building trades and other program areas approved by the Secretary of Education. Grants shall be awarded by the Department of Education on a matching basis, two State dollars (\$2) for every local dollar (\$1), and shall be limited to funds appropriated for that purpose.

(b) For the 2016-2017 school year and for each school year thereafter, the Department of Education shall establish a grant program to assist each area [vocational-technical] **career and technical** school and school district with an approved [vocational] **career and technical** program that applies for and is approved for funding by the Department of Education to purchase equipment that meets industry standards. Grants shall be distributed in an amount to be calculated as follows:

(1) A base amount of three thousand dollars (\$3,000).

(2) A per-student amount calculated as follows:

(i) Multiply the average daily membership in approved [vocational] **career and technical** education programs for the most recent year available for each area [vocational-technical] **career and technical** school or school district that has been approved for funding by the Department of Education by the difference between the amount appropriated for career and technical education equipment grants and the sum of the funding distributed under paragraph (1) to all area [vocational-technical] **career and technical** schools and school districts.

(ii) Divide the product from subparagraph (i) by the sum of the average daily membership in approved [vocational] **career and technical** education programs for the most recent year available for all area [vocational-technical] **career and technical** schools and school districts that have been approved for funding by the Department of Education.

(b.1) A piece of equipment purchased with money from the grant program must satisfy the following criteria:

(1) Support student hands-on training in approved career and technical education programs that lead to high-growth or high-demand careers.

(2) Cost three thousand dollars (\$3,000) or more per unit or per complete set of tools.

(3) Retain its original shape, appearance and character with use.

(4) Retain its identity through fabrication or incorporation into a different or more complex unit or substance.

(5) Be nonexpendable, such that if the equipment is damaged or some of its parts are lost or worn out, it is more feasible to repair the equipment than to replace the equipment with an entirely new unit.

(6) Be expected to serve its principal purpose for more than a twelve-month fiscal period under normal conditions of use, including reasonable care and maintenance.

(7) Be in compliance with any other criteria determined by the Department of Education.

(c) The application to apply for funding under subsection (b) shall be developed by the Department of Education within thirty days of the effective date of this section and only require the following, which may be collected electronically:

(1) Name, address, e-mail address and telephone number of the area [vocational-technical] **career and technical** school or school district.

(2) Name, e-mail address and telephone number of an employee of the area [vocational-technical] **career and technical** school or school district who will be available to answer questions regarding the funding application.

(3) Description of the equipment for which the requested funding will be used, the career and technical education program in which the equipment will be used, the date on which the occupational advisory committee recommended the purchase of the equipment and verification that the equipment will be used for technical classroom instruction.

(d) The Department of Education may not request or consider any information other than the information provided in the funding application.

(e) Each area [vocational-technical] **career and technical** school or school district with an approved [vocational] **career and technical** program that submits a completed funding application shall receive funding in the amount determined under subsection (b).

(f) If insufficient funds are appropriated to make payments under subsection (b), payments shall be made on a pro rata basis.

(g) For purposes of this section, "occupational advisory committee" shall mean an occupational advisory committee established under 22 Pa. Code Ch. 339 (relating to vocational education).