

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 89 Session of
2019

INTRODUCED BY HUGHES, AUMENT, BARTOLOTTA, BREWSTER, STEFANO,
FONTANA, STREET, SCHWANK, GORDNER, MENSCH, KEARNEY, BAKER,
K. WARD, WHITE, SANTARSIERO, BROWNE, PHILLIPS-HILL,
TARTAGLIONE, KILLION, COSTA, YUDICHAK, SABATINA, BLAKE,
COLLETT, FARNESE AND L. WILLIAMS, JANUARY 29, 2019

REFERRED TO EDUCATION, JANUARY 29, 2019

AN ACT

1 Amending the act of March 10, 1949 (P.L.30, No.14), entitled "An
2 act relating to the public school system, including certain
3 provisions applicable as well to private and parochial
4 schools; amending, revising, consolidating and changing the
5 laws relating thereto," replacing references to "vocational-
6 technical" with "career and technical," replacing references
7 to "vocational" with "career and technical" and replacing
8 references to "vocation" with "career and technical";
9 deleting references to vocational school districts; renaming
10 the State Board for Vocational Education as the State Board
11 of Career and Technical Education; and making editorial
12 changes.

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

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

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



(a.1) Beginning April 1, 2007, this section shall apply to all current and prospective employees 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 employees, except those employees and independent contractors and their employees 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 employees to submit



1 with their employment application, pursuant to 18 Pa.C.S. Ch. 91
2 (relating to criminal history record information), a report of
3 criminal history record information from the Pennsylvania State
4 Police or a statement from the Pennsylvania State Police that
5 the State Police central repository contains no such information
6 relating to that person. Such report of criminal history record
7 information shall be no more than five (5) years old. An
8 applicant may submit a copy of the required information with the
9 application for employment. Administrators shall maintain a copy
10 of the required information. Administrators shall require
11 contractors to produce a report of criminal history record
12 information for each prospective employe of such contractor
13 prior to employment. A copy of the report of criminal history
14 record information from the Pennsylvania State Police shall be
15 made available to the applicant in a manner prescribed by the
16 Department of Education.

17 * * *

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

24 * * *

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



1 * * *

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

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

29 * * *

30 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.--* * *

(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



1 which both high school and postsecondary credit are earned.

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

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

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

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

15 "GPA." Grade point average.

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

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

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

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

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



1 Council.

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

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

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

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

11 Section 3. Section 126(a)(1)(v) and (vi) of the act, added
12 November 6, 2017 (P.L.142, No.55), are amended to read:

13 Section 126. Every Student Succeeds Act State Plan Review.--

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

19 (1) The department shall develop State plan submissions with
20 timely and meaningful consultation with the chair and minority
21 chair of the Education Committee of the Senate and the chair and
22 minority chair of the Education Committee of the House of
23 Representatives, with opportunity for input into the State plan
24 submission's formation. Consultation shall occur with regard to
25 the initiatives that are newly created or that retain or modify
26 existing law or regulation with regard to the following:

27 * * *

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

30 (vi) Comparability and fairness in assessments of school



1 districts, intermediate units, area [vocational-technical]
2 career and technical schools, charter schools and cyber charter
3 schools.

4 * * *

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

7 Section 218. Reports to Department of Education.--(a) An
8 annual financial report shall be submitted to the Secretary of
9 Education by each school district, charter school, cyber charter
10 school and area [vocational-technical] career and technical
11 school not later than the 31st day of October. All financial
12 accounting and reporting by school districts, charter schools,
13 cyber charter schools and area [vocational-technical] career and
14 technical schools to the Department of Education shall be in
15 accordance with generally accepted accounting and reporting
16 standards, except that management discussion and analysis and
17 related notes and the following financial statements shall not
18 be required components of the annual financial report: entity-
19 wide financial statements, including the statement of activities
20 and the statement of net assets; the reconciliation of the
21 balance sheet - governmental funds to statement of net assets;
22 and the reconciliation of the statement of revenues,
23 expenditures and changes in fund balances - governmental funds
24 to statement of activities. The Department of Education shall
25 establish a reporting standard for the annual financial report.

26 (b) The chief school administrator and board secretary of a
27 school district, charter school, cyber charter school or area
28 [vocational-technical] career and technical school shall submit
29 a signed statement to the Department of Education not later than
30 the 31st day of December of each year certifying that: the



1 audited financial statements of the school district, charter
2 school, cyber charter school or area [vocational-technical]
3 career and technical school have been properly audited pursuant
4 to Article XXIV and that in the independent auditor's
5 professional opinion, the financial information submitted in the
6 annual financial report was materially consistent with the
7 audited financial statements.

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

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

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

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

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

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

30 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 employees, 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 employees that has a membership on the effective date of this section of greater than 140,000 public school entity employees.

* * *

(f) For purposes of this section:

* * *

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



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

3 * * *

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

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

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

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

13 Section 322. Eligibility; Incompatible Offices.--Any citizen
14 of this Commonwealth, having a good moral character, being
15 eighteen (18) years of age or upwards, and having been a
16 resident of the district for at least one (1) year prior to the
17 date of his election or appointment, shall be eligible to the
18 office of school director therein: Provided, That any person
19 holding any office or position of profit under the government of
20 any city of the first class, or the office of mayor, chief
21 burgess, county commissioner, district attorney, city, borough,
22 or township treasurer, member of council in any municipality,
23 township commissioner, township supervisor, tax collector,
24 assessor, assistant assessor, any comptroller, auditor,
25 constable, executive director or assistant executive director of
26 an intermediate unit, supervisor, principal, teacher, or employe
27 of any school district, shall not be eligible as a school
28 director in this Commonwealth. This section shall not prevent
29 any district superintendent, assistant district superintendent,
30 supervisor, teacher, or employe of any school district, from



1 being a school director in a district other than the one in
2 which he is so employed, and other than in a district with which
3 the district in which he is employed operates a joint school or
4 department. Provided, however, That a joint school or department
5 does not include a [vocational] career and technical school,
6 intermediate unit or community college: And provided further,
7 That a school director who is a supervisor, principal, teacher
8 or employe of a [vocational] career and technical school,
9 intermediate unit or community college shall not serve as a
10 member of a board of the [vocational] career and technical
11 school, intermediate unit or community college in which he is a
12 supervisor, principal, teacher or employe: And provided further,
13 That a school director who is a supervisor, principal, teacher
14 or employe of a [vocational] career and technical school,
15 intermediate unit or community college, shall not be assigned to
16 a position of employment under the supervision of the district
17 in which he or she serves as a member of the board of school
18 directors. A school director shall not be eligible to the office
19 of member of council in any municipality.

20 Section 5. Section 425(d) of the act, added June 22, 2018
21 (P.L.241, No.39), is amended to read:

22 Section 425. Executive Sessions.--* * *

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

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

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



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

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

9 High schools,

10 Trade schools,

11 [Vocational] Career and technical schools,

12 [Technical schools,]

13 Cafeterias,

14 Agricultural schools,

15 Evening schools,

16 Kindergartens,

17 Libraries,

18 Museums,

19 Reading-rooms,

20 Gymnasiums,

21 Playgrounds,

22 Schools for physically and mentally handicapped,

23 Truant schools,

24 Parental schools,

25 Schools for adults,

26 Public lectures,

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

29 Said additional schools or departments, when established,
30 shall be an integral part of the public school system in such



1 school district and shall be so administered.

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

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

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

12 * * *

13 (6) School districts, intermediate units and area
14 [vocational-technical] career and technical schools shall report
15 annually to the Department of Education the increased costs
16 resulting exclusively from the inclusion of qualified annuitants
17 and their dependents in the entity's group health plan, for the
18 purpose of evaluating the feasibility of future Commonwealth
19 funding.

20 * * *

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



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

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

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

29 Section 7. Section 528(d) of the act, added June 22, 2018
30 (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 employee 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 [vocalational-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 8. 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 [vocalational-technical] career and technical schools, intermediate units and charter schools to the extent that funding is available. Area [vocalational-technical] career and technical schools, intermediate units and charter schools shall apply for funding in a form and manner prescribed by the department.

Section 9. The definitions of "area vocational-technical



1 school," "market value/personal income aid ratio" and "public
2 school entity" in section 602-B of the act are amended to read:
3 Section 602-B. Definitions.

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

7 * * *

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

10 * * *

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

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

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

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

28 * * *

29 "Public school entity." Any of the following:

30 (1) An area [vocational-technical] career and technical



1 school.

2 (2) A school district.

3 (3) A charter school entity.

4 * * *

5 Section 10. Sections 701.1 second paragraph, 772.1(c),
6 772.2(e), 776.1, 909-A, 914-A(16), 1089(f), 1101(1), 1113(d)(1),
7 1123(e), (i), (n) and (o)(2) and (8), 1141, 1142(a) and (b),
8 1142.1(d), 1144.1, 1145, 1146(4), 1164(a), 1166(a), 1176(a) and
9 1195(h) of the act are amended to read:

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

12 The applicable aggregate building expenditure standard shall
13 be a total amount calculated for each building or substantial
14 addition by multiplying the rated pupil capacity under the
15 approved room schedule by the following: two thousand eight
16 hundred dollars (\$2,800) for each pupil of rated elementary
17 capacity; four thousand two hundred dollars (\$4,200) for each
18 pupil of rated secondary capacity in grades seven, eight and
19 nine and five thousand two hundred dollars (\$5,200) for each
20 pupil of rated secondary capacity in grades ten, eleven and
21 twelve and five thousand two hundred dollars (\$5,200) for each
22 pupil of rated [vocational-technical] career and technical
23 capacity in grades ten, eleven and twelve to not include the
24 cost of equipment and fixtures in such [vocational-technical]
25 career and technical schools: Provided, however, That each of
26 the preceding per pupil amounts shall be adjusted by the
27 Department of Education on July 1, 1974; and annually thereafter
28 through July 1, 2003, by multiplying said amounts by the ratio
29 of the composite construction cost index compiled and published
30 by the United States Department of Commerce for the preceding



1 calendar year to such index for the next preceding calendar
2 year; and Further Provided, however, That each of the preceding
3 per pupil amounts shall be adjusted by the Department of
4 Education on July 1, 2004; and annually thereafter by
5 multiplying said amounts by the ratio of the Building Cost Index
6 published by the McGraw-Hill Companies for the preceding
7 calendar year to such index for the next preceding calendar
8 year. Rated elementary pupil capacity or rated secondary pupil
9 capacity for any school building shall be the rated pupil
10 capacity determined on the basis of the method used by the
11 Department for school building reimbursement purposes during the
12 school year 1971-1972.

13 * * *

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

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

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

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

24 "Pest." An insect, rodent, nematode, fungus, weed or other
25 form of terrestrial or aquatic plant or animal life or virus,
26 bacteria or other microorganism, except viruses, bacteria or
27 other microorganisms on or in living man or other living
28 animals, declared to be a pest under section 25(c)(1) of the
29 Federal Insecticide, Fungicide, and Rodenticide Act (61 Stat.
30 163, 7 U.S.C. § 136w).



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

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

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

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

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

15 "Certified applicator." An individual who is certified under
16 section 16.1, 17 or 17.1 of the act of March 1, 1974 (P.L.90,
17 No.24), known as the "Pennsylvania Pesticide Control Act of
18 1973," as competent to use or supervise the use or application
19 of any pesticide.

20 "Commercial applicator." A certified applicator, whether or
21 not he is a private applicator with respect to some uses, who
22 uses or supervises the use of any pesticide on the property or
23 premises of another or on easements granted under State law, or
24 any applicator who uses or supervises the use of any restricted-
25 use pesticide on property owned or rented by him or his
26 employer, when not for purposes of producing an agricultural
27 product. The secretary may by regulation deem certain types of
28 applicators using any pesticide on their own property or that of
29 their employer as commercial applicators.

30 "Department." The Department of Agriculture of the



1 Commonwealth.

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

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

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

18 "Pest." An insect, rodent, nematode, fungus, weed or other
19 form of terrestrial or aquatic plant or animal life or virus,
20 bacteria or other microorganism, except viruses, bacteria or
21 other microorganisms on or in living man or other living
22 animals, declared to be a pest under section 25(c)(1) of the
23 Federal Insecticide, Fungicide, and Rodenticide Act (61 Stat.
24 163, 7 U.S.C. § 136w).

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

29 "Pesticide." A substance or mixture of substances intended
30 for preventing, destroying, repelling or mitigating a pest and a



1 substance or mixture of substances intended for use as a plant
2 regulator, defoliant or desiccant.

3 "Pesticide application technician." An individual employed
4 by a commercial applicator or governmental agency who, having
5 met the competency requirements as set forth in the act of March
6 1, 1974 (P.L.90, No.24), known as the "Pennsylvania Pesticide
7 Control Act of 1973," is registered by the Secretary of
8 Agriculture to apply pesticides under the direct supervision of
9 a certified applicator.

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

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

16 Section 776.1. Child Day-Care Centers in School Buildings.--
17 For purposes of the issuance or renewal of any license, or for
18 inspections, under section 1007 of the act of June 13, 1967
19 (P.L.31, No.21), known as the ["Public Welfare Code,"] "Human
20 Services Code," child day-care centers operated for school-age
21 children in public and private school buildings, buildings
22 utilized by intermediate units or area [vocational-technical]
23 career and technical school buildings which meet the physical
24 site requirements provided for by the department shall be deemed
25 to comply with any Department of [Public Welfare] Human Services
26 child day-care service requirements or regulation concerning
27 physical site requirements.

28 Section 909-A. [Vocational-Technical] Career and Technical
29 Education.--All powers and duties of county boards of school
30 directors with respect to vocational-technical education are



1 hereby transferred to intermediate unit boards of directors,
2 effective July 1, 1971; and all Commonwealth payments
3 theretofore paid to county boards of school directors on account
4 of vocational-technical education shall thereafter be paid to
5 intermediate unit boards of directors for career and technical
6 education.

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

10 * * *

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

20 * * *

21 Section 1089. Business Administrator.--* * *

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

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

28 (1) The term "professional employe" shall include those who
29 are certificated as teachers, supervisors, supervising
30 principals, principals, assistant principals, vice-principals,



1 directors of [vocational] career and technical education, dental
2 hygienists, visiting teachers, home and school visitors, school
3 counselors, child nutrition program specialists, school
4 librarians, school secretaries the selection of whom is on the
5 basis of merit as determined by eligibility lists and school
6 nurses.

7 * * *

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

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

13 * * *

14 Section 1123. Rating System.--* * *

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

24 * * *

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

30 * * *



(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



1 the school district each step after step 1 constituting one year
2 of service. When a school district, by agreement, places a
3 professional employe on a step in the salary scale, each step
4 thereafter shall constitute one year of service. When a district
5 adopts a salary scale in excess of the mandated scale, it shall
6 not be deemed to have altered or increased the step which the
7 employe has gained through years of service.

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

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

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

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

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

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

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



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

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

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

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

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

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

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

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

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

29 Class P. [Vocational] Career and technical teachers, holding
30 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



1 Certificates.--In all school districts [and vocational school
2 districts], the minimum annual salary of teachers, who hold only
3 emergency certificates for any grade or subject which they
4 teach, shall be one thousand six hundred dollars (\$1600).

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

8 * * *

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

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

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

21 * * *

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

25 "Administrative compensation" shall mean administrator
26 salaries and fringe benefits and shall include any board
27 decision that directly affects administrator compensation such
28 as administrative evaluation and early retirement programs.

29 "School administrator" shall mean any employe of the school
30 entity below the rank of district superintendent, executive



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

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

15 * * *

16 Section 1166. Persons Entitled.--(a) Any person employed in
17 the public school system of this Commonwealth who has completed
18 ten (10) years of satisfactory service as a professional employe
19 or member of the supervisory, instructional or administrative
20 staff, or as a commissioned officer, of any board of school
21 directors, county board of school directors, or any other part
22 of the public school system of the Commonwealth, shall be
23 entitled to a leave of absence for professional development or a
24 sabbatical leave for restoration of health or, at the discretion
25 of the board of school directors, for other purposes. At least
26 five consecutive years of such service shall have been in the
27 school district from which leave of absence for professional
28 development or sabbatical leave for restoration of health is
29 sought, unless the board of school directors shall in its
30 discretion allow a shorter time: Provided, however, That in the



1 case of professional employes of area [vocational-technical]
2 career and technical schools or technical institutes prior
3 service in the participating school districts shall be credited
4 toward such service requirement. A leave of absence for
5 professional development or sabbatical leave for restoration of
6 health shall be for a half or full school term or for two half
7 school terms during a period of two years, at the option of such
8 person: Provided, however, if a sabbatical leave is requested
9 because of the illness of an employe, a leave shall be granted
10 for a period equivalent to a half or full school term or
11 equivalent to two half school terms during a period of two
12 years: Provided further, That if a sabbatical leave for
13 restoration of health or a leave of absence for professional
14 development for one half school term or its equivalent has been
15 granted and the employe is unable to return to school service
16 because of illness or physical disability, the employe, upon
17 written request prior to the expiration of the original leave,
18 shall be entitled to a further leave for one half school term or
19 its equivalent: Provided further, That if a leave for a full
20 school term or its equivalent has been granted and the employe
21 is unable to return to school service because of illness or
22 physical disability, the board of school directors may extend
23 such leave for such periods as it may determine but not to
24 exceed one full school term or its equivalent. Thereafter, one
25 leave of absence for professional development or a sabbatical
26 leave for restoration of health shall be allowed after each
27 seven years of service.

28 * * *

29 Section 1176. Leave of Absence.--

30 (a) Any employe of any school district, who shall have been



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

10 * * *

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

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

16 * * *

17 Section 11. The definition of "school entity" in section
18 1101-A of the act is amended to read:

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

21 * * *

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

25 * * *

26 Section 12. The definition of "public school" in section
27 1101-B of the act is amended to read:

28 Section 1101-B. Definitions.

29 The following words and phrases when used in this article
30 shall have the meanings given to them in this section unless the



1 context clearly indicates otherwise:

2 * * *

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

6 Section 13. Sections 1105-B(c) (1) (i), 1201.1(a) introductory
7 paragraph, (2), (5) and (7) and 1204.1(a) of the act are amended
8 to read:

9 Section 1105-B. Repayment.

10 * * *

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

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

16 (i) administrative action on the part of the school
17 district or area [vocational-technical] career and
18 technical school for other than causes enumerated in
19 section 1122;

20 * * *

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

26 * * *

27 (2) The chief school administrator of a school district, an
28 area [vocational-technical] career and technical school or an
29 intermediate unit may issue a Substitute Teaching Permit for
30 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 14. Section 1204.2 of the act, amended June 22, 2018 (P.L.241, No.39), is amended to read:



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

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

15 (c) Notwithstanding any other requirement promulgated by the
16 State Board of Education, the State Board of Education shall not
17 require an applicant to have completed more than eighteen (18)
18 credit hours in an approved program of [vocational] career and
19 technical teacher education in order for the Secretary of
20 Education to grant the applicant a [Vocational] Career and
21 Technical Instructional I Certificate under 22 Pa. Code § 49.142
22 (relating to Vocational Instructional I), which certificate
23 shall entitle the individual to teach for eight (8) annual
24 school terms.

25 (d) Notwithstanding any other requirement promulgated by the
26 State Board of Education, the State Board of Education shall not
27 require an applicant to have completed more than sixty (60)
28 total credit hours in an approved program of [vocational] career
29 and technical teacher education in order for the Secretary of
30 Education to grant the applicant a [Vocational] Career and



1 Technical Instructional II Certificate under 22 Pa. Code §
2 49.143 (relating to Vocational Instructional II). Credit hours
3 in an approved program of [vocational] career and technical
4 teacher education completed by the applicant toward the
5 fulfillment of the requirements for a [Vocational] Career and
6 Technical Instructional I Certificate shall be counted toward
7 the total credit hours required for a [Vocational] Career and
8 Technical Instructional II Certificate.

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

19 Section 15. Sections 1205.1(f)(2), 1205.2(n.1)(2) and (o),
20 1205.4(d), 1205.5(g) and (h)(2), 1205.6(b), 1207.1(d)(1)
21 introductory paragraph, 1217(a)(2)(i) and (c) and 1317.2(a),
22 (b), (c), (e) and (f) introductory paragraph of the act are
23 amended to read:

24 Section 1205.1. Continuing Professional Development.--* * *

25 (f) * * *

26 (2) Notwithstanding this subsection, the provisions of
27 sections 1003(a)(3) and (c) and 1207.1(d)(1)(iv) requiring that
28 candidates for appointment as a district superintendent or
29 assistant district superintendent and candidates for
30 administrative and [vocational] career and technical director



1 certificates complete a leadership development program that
2 meets the Pennsylvania school leadership standards under section
3 1217 shall not be suspended.

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

6 (n.1) * * *

7 (2) Notwithstanding this subsection, the provisions of
8 sections 1003(a)(3) and (c) and 1207.1(d)(1)(iv) requiring that
9 candidates for appointment as a district superintendent or
10 assistant district superintendent and candidates for
11 administrative and [vocational] career and technical director
12 certificates complete a leadership development program that
13 meets the Pennsylvania school leadership standards under section
14 1217 shall not be suspended.

15 * * *

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

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

26 "Area of a professional educator's assignment or
27 certification" shall mean any component of the education
28 profession as it relates to the current job title or description
29 of the professional educator or to any area of certification
30 listed on the professional employee's Pennsylvania certification



1 or to the type of certificate or endorsement held by the
2 professional educator.

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

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

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

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

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

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

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

26 Section 1205.4. CPR Instruction.--* * *

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

30 Section 1205.5. Continuing Professional Education for School



1 or System Leaders.--* * *

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

9 (h) * * *

10 (2) Notwithstanding this subsection, the provisions of
11 sections 1003(a)(3) and (c) and 1207.1(d)(1)(iv) requiring that
12 candidates for appointment as a district superintendent or
13 assistant district superintendent and candidates for
14 administrative and [vocational] career and technical director
15 certificates complete a leadership development program that
16 meets the Pennsylvania school leadership standards under section
17 1217 shall not be suspended.

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

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

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

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

30 "School entity." A public school, charter school, cyber



1 charter school, private school, nonpublic school, intermediate
2 unit or area [vocational-technical] career and technical school.

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

9 (1) Sexual or romantic invitation.

10 (2) Dating or soliciting dates.

11 (3) Engaging in sexualized or romantic dialog.

12 (4) Making sexually suggestive comments.

13 (5) Self-disclosure or physical exposure of a sexual,
14 romantic or erotic nature.

15 (6) Any sexual, indecent, romantic or erotic contact with
16 the child or student.

17 Section 1207.1. Postbaccalaureate Certification.--* * *

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

22 * * *

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

29 * * *

30 (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



1 all steps necessary to comply with the Individuals with
2 Disabilities Education Act (Public Law 91-230, 20 U.S.C. § 1400
3 et seq.).

4 * * *

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

10 * * *

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

15 * * *

16 Section 16. The definition of "educational entity" in
17 section 1326 of the act, amended June 22, 2018 (P.L.241, No.39),
18 is amended to read:

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

21 * * *

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

25 * * *

26 Section 17. Sections 1327(a), 1361(1) and 1381 of the act
27 are amended to read:

28 Section 1327. Compulsory School Attendance.--(a) Except as
29 hereinafter provided, every child of compulsory school age
30 having a legal residence in this Commonwealth, as provided in



1 this article, and every migratory child of compulsory school
2 age, is required to attend a day school in which the subjects
3 and activities prescribed by the standards of the State Board of
4 Education are taught in the English language. In lieu of such
5 school attendance, any child fifteen years of age with the
6 approval of the district superintendent and the approval of the
7 Secretary of Education, and any child sixteen years of age with
8 the approval of the district superintendent of schools, may
9 enroll as a day student in a private trade school or in a
10 private business school licensed by the Department of Education,
11 or in a trade or business school, or department operated by a
12 local school district or districts. Such modified program
13 offered in a public school must meet the standards prescribed by
14 the State Board of Education or the State Board [for Vocational]
15 of Career and Technical Education. Except as hereinafter
16 provided, every parent, guardian, or other person having control
17 or charge of any child or children of compulsory school age is
18 required to send such child or children to a day school in which
19 the subjects and activities prescribed by the standards of the
20 State Board of Education are taught in the English language.
21 Such parent, guardian, or other person having control or charge
22 of any child or children, fifteen or sixteen years of age, in
23 accordance with the provisions of this act, may send such child
24 or children to a private trade school or private business school
25 licensed by the Department of Education, or to a trade or
26 business school, or department operated by a local school
27 district or districts. Such modified program offered in a public
28 school must meet the standards prescribed by the State Board of
29 Education or the State Board [for Vocational] of Career and
30 Technical Education. Such child or children shall attend such



1 school continuously through the entire term, during which the
2 public schools in their respective districts shall be in
3 session, or in cases of children of migrant laborers during the
4 time the schools are in session in the districts in which such
5 children are temporarily domiciled. The financial responsibility
6 for the education of such children of migrant laborers shall
7 remain with the school district in which such children of
8 migrant laborers are temporarily domiciled; except in the case
9 of special schools or classes conducted by an intermediate unit
10 and approved by the Department of Education or conducted by the
11 Department of Education. The certificate of any principal or
12 teacher of a private school, or of any institution for the
13 education of children, in which the subjects and activities
14 prescribed by the standards of the State Board of Education are
15 taught in the English language, setting forth that the work of
16 said school is in compliance with the provisions of this act,
17 shall be sufficient and satisfactory evidence thereof. Regular
18 daily instruction in the English language, for the time herein
19 required, by a properly qualified private tutor, shall be
20 considered as complying with the provisions of this section. For
21 the purposes of this section, "properly qualified private tutor"
22 shall mean a person who is certified by the Commonwealth of
23 Pennsylvania to teach in the public schools of Pennsylvania; who
24 is teaching one or more children who are members of a single
25 family; who provides the majority of the instruction to such
26 child or children; and who is receiving a fee or other
27 consideration for such instructional services. No person who
28 would be disqualified from school employment by the provisions
29 of subsection (e) of section 111 may be a private tutor, as
30 provided for in this section. The private tutor must file a copy



1 of his Pennsylvania certification and the required criminal
2 history record with the student's district of residence
3 superintendent.

4 * * *

5 Section 1361. When Provided.--(1) The board of school
6 directors in any school district may, out of the funds of the
7 district, provide for the free transportation of any resident
8 pupil to and from the kindergarten, elementary school, or
9 secondary school in which he is lawfully enrolled, provided that
10 such school is not operated for profit and is located within the
11 district boundaries or outside the district boundaries at a
12 distance not exceeding ten miles by the nearest public highway,
13 except that such ten-mile limit shall not apply to area
14 [vocational technical] career and technical schools which
15 regularly serve eligible district pupils or to special schools
16 and classes approved by the Department of Education, and to and
17 from any points within or without the Commonwealth in order to
18 provide field trips for any purpose connected with the
19 educational pursuits of the pupils. When provision is made by a
20 board of school directors for the transportation of public
21 school pupils to and from such schools or to and from any points
22 within or without the Commonwealth in order to provide field
23 trips as herein provided, the board of school directors shall
24 also make identical provision for the free transportation of
25 pupils who regularly attend nonpublic kindergarten, elementary
26 and high schools not operated for profit to and from such
27 schools or to and from any points within or without the
28 Commonwealth in order to provide field trips as herein provided.
29 Such transportation of pupils attending nonpublic schools shall
30 be provided during regular school hours on such dates and



1 periods that the nonpublic school not operated for profit is in
2 regular session, according to the school calendar officially
3 adopted by the directors of the same in accordance with
4 provisions of law. The board of school directors shall provide
5 such transportation whenever so required by any of the
6 provisions of this act or of any other act of Assembly.

7 * * *

8 Section 1381. Higher Education for Blind or Deaf Students.--

9 The Department of [Public Instruction] Education is authorized
10 to make provision for defraying the necessary expense of any
11 students who are blind or deaf and are regularly enrolled
12 students pursuing any course of study, profession, art, or
13 science in any university, college, conservatory of music,
14 normal, professional, or [vocational] career and technical
15 school approved by the Department of [Public Instruction]
16 Education, and who are residents of [the] this Commonwealth.

17 Before any contract is entered into, the Department of [Public
18 Instruction] Education shall make a careful investigation of all
19 circumstances surrounding the case. If, after such
20 investigation, it appears that any [blind or deaf] student who
21 is deaf or blind who desires to attend any such school or
22 institution, or who is attending such school or institution,
23 seems to be fitted for special work, the Department of [Public
24 Instruction] Education is authorized to expend the necessary
25 amount, out of the general sum appropriated for this purpose,
26 not to exceed five hundred dollars (\$500) per year for each such
27 [blind or deaf] student who is deaf or blind.

28 Section 18. The definitions of "chief school administrator"
29 and "school entity" in section 1301-A of the act are amended to
30 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 19. Sections 1414.1(d), 1414.2(j), 1414.3(e), 1414.4(d), 1414.5(d), 1423(1), 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]



1 career and technical school, charter school or cyber charter
2 school.

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

4 (d) For purposes of this section:

5 "School bus" means a school bus as defined in 75 Pa.C.S. §
6 102 (relating to definitions).

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

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

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

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

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

19 "Diabetes medication" means glucagon and insulin.

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

21 (1) As used in this section--

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

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

27 "Nonpublic school" means a nonprofit school, other than a
28 public school within this Commonwealth, wherein a resident of
29 this Commonwealth may legally fulfill the compulsory school
30 attendance requirements of this act and which meets the



1 applicable requirements of Title VI of the Civil Rights Act of
2 1964 (Public Law 88-352, 78 Stat. 241).

3 "School building" means a building owned by or under the
4 control of a school entity or nonpublic school where classes are
5 taught or extracurricular activities are conducted on a regular
6 basis.

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

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

12 Section 1424. Cardiopulmonary Resuscitation.--* * *

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

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

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

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

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

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

28 Section 20. Section 1517(f) of the act, amended November 6,
29 2017 (P.L.1142, No.55), is amended to read:

30 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 21. Sections 1526(d) and 1527(c) of the act are amended to read:

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,



1 charter school, regional charter school, cyber charter school,
2 intermediate unit or area [vocational-technical] career and
3 technical school.

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

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

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

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

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

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

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

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

22 Section 22. Sections 1549(e) and 1549.1(f)(3)(v) and (p) of
23 the act, amended or added November 6, 2017 (P.L.1142, No.55),
24 are amended to read:

25 Section 1549. Agricultural Education.--* * *

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

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



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

3 "Secretary." The Secretary of Education of the Commonwealth.
4 Section 1549.1. Commission for Agricultural Education
5 Excellence.--* * *

6 (f) The commission shall consist of the following members:
7 * * *

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

15 * * *

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

19 * * *

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

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

25 "Farmer." A person who engages in activities, practices and
26 procedures to produce and prepare for market poultry, livestock
27 and their products or who engages in the production and
28 harvesting of agricultural, agronomic, horticultural,
29 silvicultural and aquacultural crops and commodities and whose
30 operation is conducted on not less than ten contiguous acres in



1 area or, if less than ten contiguous acres in area, has an
2 anticipated yearly gross income of at least ten thousand dollars
3 (\$10,000).

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

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

9 Section 23. Sections 1551(f), 1554(g) and 1503-A(a) and (c)
10 (2) and (4) of the act are amended to read:

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

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

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

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

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

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

28 Section 1554. Holocaust, Genocide and Human Rights
29 Violations Instruction.--* * *

30 (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 24. The definition of "school entity" in section 1501-C of the act is amended to read:



1 Section 1501-C. Definitions.

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

5 * * *

6 "School entity." Shall mean:

7 (1) For purposes of the Educational Support Services
8 Program, any of the following located in this Commonwealth: a
9 school district, intermediate unit, joint school district,
10 area [vocational-technical] career and technical school,
11 charter school, independent school, licensed private academic
12 school, accredited school, a school registered under section
13 1327(b) [, the Scotland School for Veterans' Children] or the
14 Scranton School for the Deaf.

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

20 Section 25. The definition of "school entity" in section
21 1502-I of the act is amended to read:

22 Section 1502-I. Definitions.

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

26 * * *

27 "School entity." Any of the following:

28 (1) A school district.

29 (2) An intermediate unit.

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



1 school.

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

4 * * *

5 Section 26. Sections 1605(c)(2), 1607(a) and 1614(a) of the
6 act are amended to read:

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

8 (c) * * *

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

14 Section 1607. Attendance in Other Districts.--(a) Except as
15 set forth in subsection (b), pupils residing in a school
16 district in which no public high school is maintained may
17 attend, during the entire term, at the expense of the school
18 district of which they are residents, the nearest or most
19 conveniently located high school of such class as they may
20 desire to attend, unless the board of school directors of the
21 district of residence shall have assigned the pupils to a high
22 school and adequate transportation is provided thereto. Pupils
23 who reside in a school district in which no public high school,
24 other than a [vocational] career and technical high school is
25 maintained, may attend, during the entire term, the nearest or
26 most conveniently located academic high school. In any district
27 which maintains a high school whose program of studies
28 terminates before the end of the twelfth year, pupils who have
29 satisfactorily completed the program of studies there available
30 in other than [vocational] career and technical schools or



1 departments, or have completed a program of studies equivalent
2 to said program of studies in some other school or schools, may
3 attend, at the expense of the school district in which they
4 live, and for the purpose of pursuing academic studies of a
5 higher grade, the nearest or most conveniently located high
6 school of such type as they may desire to attend giving further
7 high school work.

8 * * *

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

23 * * *

24 Section 27. The definitions of "concurrent student" and
25 "school entity" in section 1602-B of the act are amended to
26 read:

27 Section 1602-B. Definitions.

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



1 * * *

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

8 * * *

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

11 * * *

12 Section 28. Sections 1603-B(c)(1), 1614-B(b) and 1615-B(a)
13 of the act are amended to read:

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

16 * * *

17 (c) Grants.--

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

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

27 (ii) Multiply the amount from subparagraph (i) by
28 the sum of 0.425 and the market value/income aid ratio of
29 the school entity, provided that where a concurrent
30 student is enrolled in an area [vocational-technical]



1 career and technical school, the market value/income aid
2 ratio shall be the average of the market value/income aid
3 ratios of the concurrent students' school districts of
4 residence.

5 * * *

6 Section 1614-B. Enrollment in concurrent courses.

7 * * *

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

23 Section 1615-B. Credit for concurrent courses.

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



1 * * *

2 Section 29. The definition of "school entity" in section
3 1602-C of the act is amended to read:

4 Section 1602-C. Definitions.

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

8 * * *

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

13 * * *

14 Section 30. Section 1707 of the act is amended to read:

15 Section 1707. Joint School Committee.--The boards of school
16 directors, establishing any joint school or department, may
17 supervise and direct its affairs, jointly, in the same manner as
18 the affairs of individual school districts are managed; or they
19 may agree that the affairs of such joint school or department
20 may be managed by a joint school committee within the limits of
21 the budget adopted by the joint board. Where such management is
22 delegated to a joint school committee, every school board
23 establishing joint schools or departments shall, at the annual
24 meeting during the month of December, select one or more of its
25 members who, with the members chosen in like manner in the other
26 districts, shall constitute the joint school committee. Every
27 such school board may also select at any annual or regular
28 meeting one or more alternates from its members to serve in the
29 event selected members are unable to attend a meeting of the
30 joint school committee. The alternate, when directed by the



1 president of the school board to attend a meeting of the joint
2 school committee in the absence of the selected member, shall
3 have all the powers and duties of a regular member of such
4 committee. This committee shall have all the powers and duties
5 and be subject to all the liabilities with reference to the
6 supervision, maintenance and regulation of such joint schools or
7 departments as are now conferred or imposed by law upon school
8 boards generally. The affirmative vote of a majority of all the
9 members of this committee, duly recorded, showing how each
10 member voted, shall be required in order to take action upon
11 those subjects enumerated in section five hundred eight of this
12 act. Such votes may be recorded in a joint meeting or by mail
13 ballot. Failure to comply with the provisions of this act shall
14 render void and unenforceable the acts of the joint school
15 committee with reference thereto. The joint board and the joint
16 school committee, if authorized, shall organize annually during
17 the month of December by electing a president, vice-president
18 and secretary, who shall perform the duties imposed by this act
19 on the president, vice-president and secretary of regular school
20 boards. The secretary so elected shall serve for a term of four
21 years. The expenses of maintaining the joint school or
22 department shall be paid by warrant drawn on the joint board
23 treasurer by the president and secretary of the joint board or
24 the joint school committee.

25 Whenever two or more boards of school directors, who are at
26 the time members of a joint board operating a joint school or
27 department, join with other boards of school directors in the
28 formation of a joint school committee operating an area
29 [vocational-technical] career and technical school or technical
30 institute, the joint committee may be formed as may be agreed:



1 Provided, That each joint school or department have at least one
2 member on the joint school committee.

3 Section 31. The definition of "school entity" in section
4 1703-A of the act is amended to read:

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

6 * * *

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

10 * * *

11 Section 32. The heading of Article XVIII of the act is
12 amended to read:

13 ARTICLE XVIII.

14 [VOCATIONAL] CAREER AND TECHNICAL EDUCATION.

15 Section 33. Sections 1801, 1802, 1803, 1803.1 introductory
16 paragraph and (1), 1804, 1805, 1806, 1807, 1808, 1809, 1810 and
17 1811 of the act are amended to read:

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

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

26 (2) "[Vocational] Career and technical education" shall mean
27 any form of education of less than college grade, given in
28 school or elsewhere, the purpose of which is to fit an
29 individual to pursue effectively a recognized profitable
30 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] career of homemaking. 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 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.

(6) "[Vocational] Career and technical homemaking education"



1 shall mean that form attitudes in the subject matter areas of
2 home economics and useful programs that are designed to help
3 individuals and families improve home environment and the
4 quality of family life.

5 (7) "[Vocational] Career and technical industrial,
6 [vocational] career and technical agricultural, [vocational]
7 career and technical distributive occupational, or [vocational]
8 career and technical homemaking school or department," or
9 "[vocational] career and technical school or department," shall
10 mean a distinctive organization of courses, pupils, and teachers
11 approved by the State Board [for Vocational] of Career and
12 Technical Education, designed to give either [vocational] career
13 and technical industrial, [vocational] career and technical
14 agricultural, [vocational] career and technical distributive
15 occupational, or [vocational] career and technical homemaking
16 education, as herein defined.

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

28 (9) "[Vocational] Career and technical evening class" in
29 [vocational] career and technical homemaking shall mean a class
30 giving training as indicated in clause (6) for students during



1 the evening.

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

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

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

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

28 (14) "Public service-school" refers to schools, departments,
29 classes, and conferences for the in-service training of public
30 and other service occupations, including policemen, firemen,



1 finance officers, school board officials, and others.

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

9 (16) "[Vocational] Career and technical business and office
10 education" shall mean a subject or combination of subjects of
11 less than college grade designed to prepare an individual to
12 enter or advance in an occupational field wherein success is
13 largely dependent upon skill and knowledge necessary to obtain
14 competency in bookkeeping, clerical, data processing, or
15 stenographic occupations, and similar business pursuits.

16 Section 1802. State Board [for Vocational] of Career and
17 Technical Education; Executive Officer; Employees.--The
18 [Superintendent of Public Instruction] Secretary of Education
19 shall be the executive officer of the State Board [for
20 Vocational] of Career and Technical Education for the
21 administration of this act. Except as hereinafter otherwise
22 provided, he, as executive officer, shall appoint, from time to
23 time, with the approval of the State Board [for Vocational] of
24 Career and Technical Education, such expert assistants, other
25 than those already provided for by law, as may be necessary in
26 [vocational] career and technical industrial, [vocational]
27 career and technical homemaking, [vocational] career and
28 technical agricultural, [vocational] career and technical
29 distributive or [vocational] career and technical business and
30 office occupational education, and all clerical and other agents



1 necessary in carrying out the provisions of this act.

2 Section 1803. Duties of State Board [for Vocational] of
3 Career and Technical Education; Reports.--The State Board [for
4 Vocational] of Career and Technical Education is hereby
5 authorized and directed to investigate and to aid in the
6 introduction of [vocational] career and technical industrial,
7 [vocational] career and technical agricultural, [vocational]
8 career and technical homemaking, [vocational] career and
9 technical distributive and [vocational] career and technical
10 business and office occupational education; to assist in the
11 establishment of schools and departments for said forms of
12 education, and to inspect and approve such schools or
13 departments as are hereinafter provided. The State Board [for
14 Vocational] of Career and Technical Education shall make a
15 report annually to the Governor and Legislature describing the
16 condition and progress of [vocational] career and technical
17 industrial, [vocational] career and technical agricultural,
18 [vocational] career and technical homemaking, [vocational]
19 career and technical distributive and [vocational] career and
20 technical business and office occupational education during the
21 year, and shall also make such recommendations as the board may
22 deem advisable.

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

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

30 * * *



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

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

15 Section 1805. Instruction in Theory and Practice.--In order
16 that instruction in theory and practice may go on together,
17 [vocational] career and technical industrial, [vocational]
18 career and technical agricultural, [vocational] career and
19 technical homemaking, and [vocational] career and technical
20 distributive occupational schools or departments may offer
21 instruction in day, part-time, and evening classes. Attendance
22 upon such day, evening, or part-time classes shall be restricted
23 to those over fourteen years of age.

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

26 (1) Establish and maintain [vocational] career and technical
27 industrial, [vocational] career and technical agricultural,
28 [vocational] career and technical homemaking, and [vocational]
29 career and technical distributive occupational schools or
30 departments.



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

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

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

21 Section 1807. Joint [Vocational] Career and Technical
22 Schools or Departments.--Two or more districts may, as provided
23 in article seventeen of this act, through a joint school
24 committee, establish and maintain [vocational] career and
25 technical industrial, [vocational] career and technical
26 agricultural, [vocational] career and technical homemaking, or
27 [vocational] career and technical distributive occupational
28 schools or departments, to be known as joint [vocational] career
29 and technical schools or departments.

30 Section 1808. Advisory Committees.--Local school boards and



1 joint school committees administering approved [vocational]
2 career and technical industrial, [vocational] career and
3 technical agricultural, [vocational] career and technical
4 homemaking, or [vocational] career and technical distributive
5 occupational schools or departments may, under a plan to be
6 approved by the State Board [for Vocational] of Career and
7 Technical Education, appoint an advisory committee composed of
8 members representing local trades, industries, and occupations.
9 It shall be the duty of such a committee to counsel with and
10 advise the local or joint board of trustees, and other school
11 officials, having the management and supervision of such
12 schools.

13 Section 1809. Attendance in Other Districts and Other
14 States; Pupils from Other States.--(a) Any resident of any
15 school district which does not maintain an approved [vocational]
16 career and technical industrial, [vocational] career and
17 technical agricultural, [vocational] career and technical
18 homemaking, or [vocational] career and technical distributive
19 occupational education day, part-time, or evening class, school
20 or department, offering the type of training which he desires,
21 may make application to the board of school directors of any
22 other district for admission to such school or department
23 maintained by said board. If the board refuses him admission, he
24 may apply to the State Board [for Vocational] of Career and
25 Technical Education for admission to such school or department.
26 The State Board [for Vocational] of Career and Technical
27 Education may approve or disapprove such application. In making
28 such decision the State Board [for Vocational] of Career and
29 Technical Education shall take into consideration the
30 opportunities for free [vocational] career and technical



1 training in the community in which the applicant resides, the
2 financial status of the community, the age, preparation,
3 aptitude, and previous record of the applicant, and all other
4 relevant circumstances. The decision of the State Board [for
5 Vocational] of Career and Technical Education shall be final.

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

17 (c) The school district in which the person resides, who has
18 been admitted, as above provided, to an approved [vocational]
19 career and technical industrial, [vocational] career and
20 technical agricultural, [vocational] career and technical
21 homemaking, [vocational] career and technical high or
22 [vocational] career and technical distributive occupational
23 school or department maintained by another school district,
24 shall pay the high school charge provided for by this act. If
25 any school district neglects or refuses to pay for such tuition,
26 it shall be liable therefor, in an action of contract, to the
27 school district or school districts maintaining the school which
28 the pupil, with the approval of the board, attended.

29 (d) The board of school directors in any school district in
30 this Commonwealth, situate adjacent to another state, may admit



1 to the [vocational] career and technical high school in such
2 district pupils resident in such other state, and may receive
3 tuition for such pupils as in the case of pupils admitted from
4 other districts in this Commonwealth.

5 Section 1810. Approved Local or Joint [Vocational] Career
6 and Technical Schools; State Reimbursement.--[Vocational] Career
7 and technical industrial, [vocational] career and technical
8 agricultural, [vocational] career and technical homemaking, and
9 [vocational] career and technical distributive occupational
10 schools or departments shall, so long as they are approved by
11 the State Board [for Vocational] of Career and Technical
12 Education as to organization, control, location, equipment,
13 courses of study, qualifications of teachers, methods of
14 instruction, conditions of admission, employment of pupils, and
15 expenditures of money, constitute approved local or joint
16 [vocational] career and technical schools. School districts
17 maintaining such approved local or joint [vocational] career and
18 technical schools or departments shall receive reimbursement
19 from the Commonwealth, as provided for in this act, and shall
20 make such certificates to the [Superintendent of Public
21 Instruction] Secretary of Education as are required by article
22 twenty-five of this act.

23 Section 1811. Estimate of Expenses and Reimbursements;
24 Appropriations.--On or before the first Wednesday of January of
25 any year in which the regular session of the Legislature is
26 held, the State Board [for Vocational] of Career and Technical
27 Education shall present to the Legislature an estimate of the
28 amount of money necessary to meet the expenditures to be
29 incurred in the administration of this act for the fiscal year
30 beginning with the first day of the ensuing June, 1961, and



1 beginning with the first day of July of each year thereafter;
2 and the amount necessary to meet the claims of school districts
3 and unions of school districts maintaining approved [vocational]
4 career and technical schools or departments, under the
5 provisions of this act for the school year beginning with the
6 first day of the preceding July. On the basis of such statement,
7 the Legislature shall make an appropriation of such amounts as
8 may be necessary to meet the expense of carrying this act into
9 effect, and of reimbursing such school districts and unions of
10 school districts for such school year as herein provided.

11 Section 34. The headings of Subarticles B and C of Article
12 XVIII are amended to read:

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

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

16 Section 35. Sections 1840.1, 1841, 1842, 1844, 1845, 1847,
17 1849, 1850.1, 1850.2, 1850.3, 1850.4, 1851, 1852, 1853, 1855,
18 1922, 1925, 1901-A(4) and (5), 1905-A(a) (7), 1913-A(b) (1.2),
19 1908-B(b), 1901-C(1) and (6), 1901-D(5) and 1903-D(b) (1) of the
20 act are amended to read:

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

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

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

28 "Attendance area." An "attendance area" shall mean a
29 geographical area of school districts and pupils to be served by
30 an area [vocational-technical] career and technical school or



1 institute which has been approved by the State Board [for
2 Vocational] of Career and Technical Education.

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

7 Section 1841. Area [Vocational-Technical] Career and
8 Technical Schools and Technical Institutes Authorized.--An area
9 [vocational-technical] career and technical board may establish,
10 maintain, conduct and operate schools, departments or classes to
11 prepare for [vocational] career and technical industrial,
12 [vocational] career and technical agricultural, [vocational]
13 career and technical homemaking, business and [vocational]
14 career and technical distributive occupations, technical
15 occupations, such as aides and assistants, in physical,
16 biological, space and other sciences, mathematics, engineering,
17 construction and design, computer programming and maintenance,
18 and health occupations and for any other occupations requiring
19 [vocational] career or technical training and education, to be
20 known as "area [vocational-technical] career and technical
21 schools," for the education of pupils, out-of-school youth and
22 adults residing in the attendance area.

23 An area [vocational-technical] career and technical board or
24 several area [vocational-technical] career and technical boards
25 jointly may provide for, establish, maintain, conduct and
26 operate schools, departments, or classes to be known as
27 "technical institute" to educate, train and offer post high
28 school programs and courses of not more than two years'
29 duration, which will prepare out-of-school youth and adults for
30 competency in sub-professional, technical, health service,



1 business, commercial, merchandising and skilled occupations and
2 for any other occupations for which technical training is
3 helpful to an employer and increases students' qualifications
4 for employment. Technical institute programs and courses shall
5 be coordinated with those offered in area [vocational-technical]
6 career and technical schools to [insure] ensure progressive
7 advancement of students. Such institutes shall be organized in
8 accordance with proposals of area [vocational-technical] career
9 and technical boards of school directors, which are approved by
10 the State Board [for Vocational] of Career and Technical
11 Education. All technical institutes shall be established,
12 operated and in all respects conform to standards prepared by
13 the Department of Education and adopted by the State Board [for
14 Vocational] of Career and Technical Education. Area [vocational-
15 technical] career and technical schools, as approved by the
16 State Board [for Vocational] of Career and Technical Education,
17 may be organized as [vocational-technical] career and technical
18 service centers in which pupils may enroll full-time or in which
19 pupils enrolled in academic high schools may elect to attend
20 part-time. Technical institutes approved by the State Board [for
21 Vocational] of Career and Technical Education may enroll out-of-
22 school youth and adults full-time or part-time as the students
23 may elect.

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

29 Section 1842. Advisory Committees.--Each area [vocational-
30 technical] career and technical board operating an area



1 [vocational-technical] career and technical school and/or
2 technical institute shall appoint an advisory committee,
3 composed of representatives of local trades, industries,
4 business research and educational agencies, occupations, and
5 administrators of the participating school districts. The
6 advisory committee shall advise the area [vocational-technical]
7 career and technical board on such matters as the need for a
8 particular shop, laboratory, occupation, equipment, curriculum,
9 labor management coordination, business and industrial
10 requirements or selection of personnel.

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

20 In addition to the method of establishing area [vocational-
21 technical] career and technical schools and technical institutes
22 as provided above, the intermediate unit board of directors may,
23 at any meeting call for an election by the school directors of
24 the districts within an attendance area to determine if an area
25 [vocational-technical] career and technical school or technical
26 institute shall be established. The intermediate unit board of
27 directors shall notify, by certified mail, each school district
28 within an attendance area of its action. At a regular or special
29 meeting of each school board within an attendance area and
30 within sixty days of the receipt of notification, an election



1 shall be held to determine if the district desires to
2 participate in the establishment of an area [~~vocational-~~
3 ~~technical~~] career and technical school or technical institute.
4 The results of this election and the number of votes cast each
5 way shall be certified to the intermediate unit board of
6 directors.

7 The intermediate unit board of directors shall certify the
8 vote conducted in convention or by mail ballot to the Department
9 of Education and if sufficient school districts vote in the
10 affirmative, the intermediate unit board of directors shall
11 proceed to act as the agency to initiate the final procedures
12 necessary to organize and establish an area [~~vocational-~~
13 ~~technical~~] career and technical school or technical institute in
14 the attendance area. School districts indicating unwillingness
15 to participate in the establishment of an area [~~vocational-~~
16 ~~technical~~] career and technical school or technical institute
17 may become participating districts at a later date according to
18 terms and conditions defined by the then participating
19 districts.

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

25 (c) In cases where a second or third class school district
26 maintains an approved [~~vocational~~] career and technical program,
27 individually or jointly, such district or districts,
28 individually or jointly, may (1) make the program part of the
29 area [~~vocational-technical~~] career and technical school, or (2)
30 continue to operate the program independently either as a



1 participating or non-participating district.

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

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

28 Section 1847. Attendance of Pupils from Nonparticipating
29 Districts.--On obtaining the consent of the area [vocational-
30 technical] career and technical board operating an area



1 [vocational-technical] career and technical school or technical
2 institute, and with or without the consent of the board of
3 school directors of the district in which the pupil resides, any
4 pupil residing in a nonparticipating district may attend the
5 area [vocational-technical] career and technical school or
6 technical institute. The school district in which the pupil
7 resides shall be charged, for each pupil attending the area
8 [vocational-technical] career and technical school or technical
9 institute, an amount equal to the total approved budget for
10 current expenses, debt service and capital outlay divided by the
11 number of pupils enrolled in the school.

12 Section 1849. Petitions for Change of Plan.--Future
13 development of area [vocational technical] career and technical
14 schools shall, after approval of the State plan, conform to the
15 plan, and the school directors of a specified attendance area,
16 having reason to question the practicability of the State plan
17 for the specific attendance area or desiring to change the
18 specified area, may present the case to a committee of the State
19 Board [for Vocational] of Career and Technical Education with
20 petition for change. The decision of the State board thereon
21 shall be final.

22 Section 1850.1. Organization and Operation of Schools and
23 Institutes.--(a) Schools and institutes shall be the
24 responsibility of the participating boards of school directors
25 of an approved attendance area. Such boards of school directors
26 shall have authority to enter into a written agreement by and
27 among themselves establishing such school or institute setting
28 forth, inter alia, the rights and obligations of the
29 participating districts. No change shall be made in such
30 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



1 of a participating school district [or a county superintendent]
2 shall be designated as superintendent of the school or
3 institute+;

4 (6) To exercise all the powers, perform the duties, and be
5 subject to all liabilities with reference to the operation of
6 schools and/or institutes as are now or hereafter shall be
7 conferred or imposed by law;

8 (7) To make from time to time surveys to determine the
9 current [vocational] career and technical needs of the
10 participating school districts;

11 (8) To make and establish, and from time to time alter and
12 amend, rules and regulations for the transaction of its business
13 and for the administration of the work under its charge;

14 (9) To employ temporary professional and professional
15 employes, supervisors and teachers, and to employ all other
16 persons necessary to carry on [vocational-technical] career and
17 technical education and technical institutes, and to determine
18 the salaries to be paid. All temporary professional and
19 professional employes so employed shall have the same rights of
20 tenure, minimum salaries and increments, leaves of absence
21 because of illness or physical disability, leaves of absence
22 because of death in the immediate family or death of a near
23 relative, sabbatical leaves, military leaves, exchange teacher
24 leaves, and membership in the Public School Employees' Retirement
25 System as temporary professional and professional employes of
26 school districts. No professional employe who has attained
27 tenure status as an employe of any area [vocational-technical]
28 career and technical board shall, thereafter, be required to
29 serve as a temporary professional employe before being tendered
30 such a contract when employed by any other part of the public



1 school system of the Commonwealth;

2 (10) To purchase, lease, rent, improve and sell land, and to
3 build, repair, improve, lease, rent, buy and sell buildings;

4 (11) To acquire real property by purchase, gift or
5 condemnation, for the purposes of area [vocational-technical]
6 career and technical schools and technical institutes. Such
7 condemnation proceedings shall be instituted and conducted by
8 the board in the name of the participating school districts in
9 the same manner and with like authority as provided by law in
10 the case of school districts. The title to any real estate,
11 acquired for the purpose of establishing any such area
12 [vocational-technical] career and technical school or institute
13 shall be held in the name of one or more of the school districts
14 establishing the same, as they may agree;

15 (12) To purchase, lease, rent or otherwise acquire all
16 necessary furniture, implements, books, materials, equipment and
17 supplies;

18 (13) When authorized by the participating school districts
19 in the attendance area, to provide for free mandated
20 transportation of district pupils to and from the area
21 [vocational-technical] career and technical school in which they
22 have been accepted, and to apply and receive on behalf of the
23 school districts in the attendance area reimbursements on
24 account of such transportation provided;

25 (14) To make contracts with counties, cities, boroughs,
26 towns, townships, school districts, other political
27 subdivisions, community colleges, public and private agencies,
28 quasi-public agencies, nonprofit corporations, the Federal
29 Government and its agencies and instrumentalities,
30 municipalities and other public authorities, or other persons



1 for carrying out the purposes of this subdivision of this
2 article;

3 (15) To make an annual report, in writing, to the Department
4 of [Public Instruction] Education, and such other reports as the
5 department may require;

6 (16) To adopt criteria for admitting students to area
7 [vocational-technical] career and technical schools and
8 technical institutes;

9 (17) To receive Federal, State, school district and other
10 public and private funds and to expend such funds to establish,
11 operate, improve and expand area [vocational-technical] career
12 and technical schools and technical institutes;

13 (18) When authorized by the participating school districts,
14 and on behalf of such districts, to enter into agreement with
15 the State Public School Building Authority, municipal
16 authorities, political subdivisions, municipal corporations,
17 public and private agencies, quasi-public agencies, authorities,
18 nonprofit corporations and the Federal Government and its agents
19 and instrumentalities to buy land, build, alter, lease, equip
20 and operate facilities for public [vocational-technical] career
21 and technical education and technical institutes;

22 (19) To prepare and submit to the Department of [Public
23 Instruction] Education on or before July 1 of each year, for
24 approval, a budget of proposed expenditures for area
25 [vocational-technical] career and technical schools and
26 technical institutes for the ensuing year;

27 (20) To accept pupils in area [vocational-technical] career
28 and technical schools and technical institutes from districts
29 not participating in their establishment and maintenance and to
30 establish tuition charges therefor;



1 (21) To assign pupils residing within school districts
2 participating in an area [vocational-technical] career and
3 technical school and/or technical institutes to [vocational]
4 career and technical schools or departments maintained by other
5 area [vocational-technical] career and technical boards and
6 school districts with the approval of the area [vocational-
7 technical] career and technical boards and the district boards
8 maintaining such schools or departments, and to pay tuition for
9 pupils permitted to attend such area [vocational-technical]
10 career and technical schools, technical institutes and
11 [vocational] career and technical schools or departments;

12 (22) To locate area [vocational-technical] career and
13 technical schools and technical institutes;

14 (23) To collect tuition and fees;

15 (24) To do all things necessary to carry into effect the
16 purposes of this act;

17 (25) Whenever such schools and technical institutes are
18 authorized, to prepare an estimate of the total cost of and
19 expenditures to be made on account of each area [vocational-
20 technical] career and technical school and technical institute
21 for the following year, such estimate shall be filed with the
22 Department of [Public Instruction] Education no later than July
23 1 of each year for the approval of the department;

24 (26) When authorized by the participating school districts,
25 to establish capital reserve funds under the provisions of
26 section 1850.4 for the purposes of purchasing equipment and
27 maintaining facilities;

28 (c) All actions of an area [vocational-technical] career and
29 technical board shall be by a majority vote of the members of
30 the board either in convention or by mail ballot, whichever



1 procedure the board shall select: Provided, That the approval of
2 each operating budget shall require an affirmative vote of two-
3 thirds of the participating school districts and a majority vote
4 of all the school directors of all participating districts; and
5 provided further, for purposes of this requirement only, the
6 vote of any participating school district shall be determined by
7 a majority vote of all school directors comprising such
8 participating boards. All votes shall be duly recorded and shall
9 show how each member voted;

10 (d) An area [vocational-technical] career and technical
11 board shall have power to delegate the operation, administration
12 and management of the school or institute [(1) to one or more
13 county boards of school directors acting as agent for the area
14 vocational-technical board; or (2)] to a joint committee elected
15 from among the several participating boards of school directors.

16 Section 1850.2. Operation by Intermediate Unit Board of
17 Directors Acting as an Operating Agent.--When an intermediate
18 unit board of directors is designated as agent to operate,
19 administer and manage a school and/or institute, such agent
20 shall discharge its duties and responsibilities in accordance
21 with the provisions of a written agreement entered into by the
22 area [vocational-technical] career and technical board and the
23 intermediate unit board of directors. The agreement shall give
24 the agent the power and authority to operate, administer and
25 manage a school and/or institute given by law to an area
26 [vocational-technical] career and technical board and shall
27 provide that the agent shall conduct the affairs of the school
28 and/or institute within the limits of the budget adopted by the
29 area [vocational-technical] career and technical board. In no
30 event shall the powers granted an area [vocational-technical]



1 career and technical board by clauses (1), (4), (11), (17),
2 (19), (22) and (25) of section 1850.1 (b) be delegated hereunder
3 nor shall the powers granted an area [vocational-technical]
4 career and technical board by clauses (9), (10), (12) and (14)
5 of section 1850.1 (b) be delegated hereunder, except to the
6 extent that the subject items are fully provided for within the
7 current budget.

8 These same provisions shall apply when a joint committee is
9 designated to operate and manage a school and/or institute.

10 Section 1850.3. Operation by a Joint Committee.--(a) When a
11 joint committee is selected to operate a school and/or
12 institute, it shall be known as the area [vocational-technical]
13 career and technical school committee.

14 (b) The membership on such joint committee shall be
15 determined by agreement among the boards of participating school
16 districts, provided always that each participating school
17 district shall have at least one member thereon.

18 (c) Each participating board of school directors shall elect
19 one or more of its members, as the case may be, to serve on the
20 area [vocational-technical] career and technical committee. The
21 committee members, so elected, shall serve for a three-year
22 term, commencing the day of their election in the month of
23 December: Provided, however, That in the first election, the
24 terms of office of one-third of the members shall expire at the
25 end of the first year, the terms of office of one-third of the
26 members shall expire at the end of two years, and the terms of
27 office of the remaining one-third shall expire at the end of the
28 third year. The length of the terms of office of the initial
29 members shall be determined by the casting of lots.

30 (d) Each year, during the month of December, the joint



1 committee shall choose from its members a chairman and vice-
2 chairman, each to serve for one year; and shall, annually,
3 during the month of May, elect a treasurer to serve for one
4 year, beginning the first Monday in July following such
5 election; and shall, during the month of May, once every four
6 years, elect a secretary, who may or may not be a member of the
7 area [vocational-technical] career and technical board, to serve
8 for a term of four years, beginning the first Monday of July
9 following such election. The joint committee shall elect interim
10 officers to serve until the first regular December and May
11 election meetings.

12 Section 1850.4. Capital Reserve Fund for Approved Purchases
13 of Equipment and Facility Maintenance.--(a) Any area
14 [vocational-technical] career and technical board shall have the
15 power to create a special fund which may be designated as a
16 capital reserve fund and to accumulate therein moneys to be
17 expended, in accordance with the provisions of this section,
18 during a period not to exceed five years from the date when the
19 first payment was made into the fund, for the purpose of
20 purchasing equipment or maintaining facilities.

21 (b) The capital reserve fund herein provided for shall
22 consist of funds transferred during any fiscal year from
23 appropriations made for this particular purpose and of
24 unencumbered funds remaining from the current and/or prior
25 years' general fund.

26 (c) The moneys in the capital reserve fund shall be kept
27 separate and apart from any other fund by the treasurer of the
28 area [vocational-technical] career and technical board, and the
29 moneys in the fund may be invested by the operating agent in
30 securities legal for the investment of sinking fund moneys of



1 the school district. The interest earnings on investments shall
2 be paid into the capital reserve fund. The area [vocalional-
3 technical] career and technical school shall annually show in
4 its financial report the amount of moneys in the capital reserve
5 fund which shall at all times be properly identified as to
6 purpose.

7 (d) The moneys in any such capital reserve fund may be
8 expended only upon approval of a majority of the members of the
9 operating agent only during the period of time for which the
10 fund was created and only for equipment purchases or facilities
11 maintenance projects and for no other purpose.

12 Section 1851. Establishment and Operation by the Department
13 of [Public Instruction] Education.--Where, in the judgment of
14 the [State Superintendent of Public Instruction] Secretary of
15 Education, the provisions of this act relating to the proper
16 [vocalional] career and technical education and training of
17 children and adults have not been complied with or the
18 [vocalional] career and technical education needs of children
19 and adults are not being adequately served, the Department of
20 [Public Instruction] Education is hereby authorized to provide,
21 including the payment of rental when necessary, establish,
22 maintain, administer, supervise and operate [vocalional] career
23 and technical, [vocalional] career and technical industrial,
24 [vocalional] career and technical agricultural, [vocalional]
25 career and technical homemaking, [vocalional] career and
26 technical distributive, occupational, post high school
27 [vocalional] career and technical education or less than college
28 level, schools, departments or classes for the proper
29 [vocalional] career and technical education and training of
30 children and adults. Eligibility for enrollment in such classes



1 shall be determined according to standards and regulations
2 promulgated by the State Board [~~for Vocational~~] of Career and
3 Technical Education.

4 Section 1852. Payment of Shares.--Any school district of the
5 first, first A, second, third or fourth class establishing or
6 participating in the establishment of an area [~~vocational-~~
7 ~~technical~~] career and technical school or a technical institute,
8 individually, or jointly, with two or more districts, shall have
9 the same power and authority to levy taxes to pay or to pay its
10 share of buildings, grounds, equipment, operating expenses and
11 other necessary expenses to establish, maintain and operate such
12 school or institute as it has to levy taxes, to purchase land,
13 construct and equip buildings, and operate elementary schools
14 and any additional schools and departments as defined in section
15 502 of this act.

16 Section 1853. Contracts to Lease.--An area [~~vocational-~~
17 ~~technical~~] career and technical board authorized to establish
18 and operate an area [~~vocational-technical~~] career and technical
19 school or technical institute may enter into contracts with the
20 State Public School Building Authority, [~~the General State~~
21 ~~Authority,~~] municipal authorities, nonprofit corporations,
22 municipal corporations, political subdivisions, public and
23 quasi-public and private agencies, Federal Government and its
24 agencies and instrumentalities to lease lands and buildings for
25 the purpose of operating an area [~~vocational-technical~~] career
26 and technical school or technical institute.

27 Section 1855. Career and Technical Education Equipment
28 Grants.--(a) For the 2000-2001 fiscal year and the 2001-2002
29 fiscal year, the Department of Education shall establish a grant
30 program to assist area [~~vocational-technical~~] career and



1 technical schools, school districts offering approved
2 [vocational-technical] career and technical programs and the
3 Thaddeus Stevens State College of Technology in purchasing
4 equipment that meets industry standards for the purpose of
5 providing training to students. Grants shall be limited to the
6 purchase of equipment in the following program areas: automotive
7 technology, auto body, diesel technology, precision machine
8 technology, heating ventilation and air conditioning, printing,
9 dental assisting, electronics, building trades and other program
10 areas approved by the Secretary of Education. Grants shall be
11 awarded by the Department of Education on a matching basis, two
12 State dollars (\$2) for every local dollar (\$1), and shall be
13 limited to funds appropriated for that purpose.

14 (b) For the 2016-2017 school year and for each school year
15 thereafter, the Department of Education shall establish a grant
16 program to assist each area [vocational-technical] career and
17 technical school and school district with an approved
18 [vocational] career and technical program that applies for and
19 is approved for funding by the Department of Education to
20 purchase equipment that meets industry standards. Grants shall
21 be distributed in an amount to be calculated as follows:

22 (1) A base amount of three thousand dollars (\$3,000).

23 (2) A per-student amount calculated as follows:

24 (i) Multiply the average daily membership in approved
25 [vocational] career and technical education programs for the
26 most recent year available for each area [vocational-technical]
27 career and technical school or school district that has been
28 approved for funding by the Department of Education by the
29 difference between the amount appropriated for career and
30 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.

(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



1 and technical program that submits a completed funding
2 application shall receive funding in the amount determined under
3 subsection (b).

4 (f) If insufficient funds are appropriated to make payments
5 under subsection (b), payments shall be made on a pro rata
6 basis.

7 (g) For purposes of this section, "occupational advisory
8 committee" shall mean an occupational advisory committee
9 established under 22 Pa. Code Ch. 339 (relating to vocational
10 education).

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

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

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

29 * * *

30 (4) "Community college" shall mean a public college or



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

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

19 * * *

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

28 * * *

29 (7) To enter into contracts for services to high schools of
30 member districts to provide area [vocational-technical] career



1 and technical education services.

2 * * *

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

5 (b) * * *

6 (1.2) The Secretary of Education, in consultation with the
7 community colleges, shall promulgate standards for credit
8 courses and for noncredit courses that will be eligible for
9 Commonwealth reimbursement. The standards shall specifically
10 exclude from eligibility for reimbursement any course or program
11 in [avocational] noncareer, nontechnical or recreational
12 pursuits. The standards shall be promulgated by the beginning of
13 the 1994-1995 fiscal year. Until such standards are promulgated,
14 no community college will be reimbursed for any credit course
15 which was offered by such college as a noncredit course during
16 the college's 1992-1993 fiscal year.

17 * * *

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

19 (b) The course of instruction shall be the equivalent level
20 of a two-year postsecondary institution which shall include
21 [vocational-technical] career and technical education of no more
22 than two years leading to the awarding of certificates or
23 associate degrees, when approved by the Secretary of Education
24 in accordance with rules and regulations established by the
25 State Board for this level of education, for the purpose of
26 fitting pupils to pursue effectively a recognized profitable
27 employment.

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

30 (1) "Alternative education program" or "program." Any



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

26 * * *

27 (6) "School." Any school classified by the Department of
28 Education as a middle school, junior high school, senior high
29 school or area [vocational-technical] career and technical
30 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 36. 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 37. 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 [vocalational-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 38. Sections 1906-G(a)(2) and 1907-G(a)(9) of the act are amended to read:

Section 1906-G. Establishment.



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

7 * * *

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

16 * * *

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

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

24 * * *

25 (9) To enter into contracts for services to high schools
26 located in the area designated by the secretary under section
27 1904-G to provide services, including area [vocational-
28 technical] career and technical education services.

29 * * *

30 Section 39. The definition of "low-achieving school" in



1 section 2002-B of the act is amended to read:

2 Section 2002-B. Definitions.

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

6 * * *

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

16 * * *

17 Section 40. The definition of "school entity" in section
18 2001-H of the act, added June 22, 2018 (P.L.241, No.39), is
19 amended to read:

20 Section 2001-H. Definitions.

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

24 * * *

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

28 Section 41. Sections 2110(b), 2401(8), 2501(1), (9), (10),
29 (11), (11.1) and (14.1), 2502(a) and (c), 2502.6(b), 2502.8,
30 2506.1, 2507, 2508, 2508.1, 2508.3, 2508.4, 2508.5, 2509.5(n) (1)



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

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

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

25 Section 2401. By Whom Audited.--The finances of every school
26 district and of every joint school board, in every department
27 thereof, together with the accounts of all school treasurers,
28 school depositories, teachers' retirement funds, teachers'
29 institute funds, directors' association funds, sinking funds,
30 and other funds belonging to or controlled by the district,



1 shall be properly audited as follows:

2 * * *

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

5 * * *

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

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

18 * * *

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

27 * * *

28 (10) "Number of District Teaching Units for Purposes of
29 Determination of Basic Account Standard Reimbursement Fraction,
30 and Subsidiary Account Reimbursement Fraction." A school



1 district's [or vocational school district's] number of district
2 teaching units for purposes of determination of the basic
3 account standard reimbursement fraction and the subsidiary
4 account reimbursement fraction shall be obtained as follows: (i)
5 divide by twenty-two (22) the number of district pupils in
6 average daily membership in a public high school and in high
7 school grades of a laboratory school of a State-owned college
8 during the preceding school term, (ii) divide by thirty (30) the
9 number of district pupils in average daily membership in a
10 public elementary school and laboratory school of a State-owned
11 college during the preceding school term, and (iii) add the
12 quotients obtained under (i) and (ii) above, except when the
13 pupil-teacher ratio exceeds thirty-three (33), in which case,
14 the sum obtained under (i) and (ii) above shall be multiplied by
15 thirty-three (33) and the product so obtained shall be divided
16 by the pupil-teacher ratio of the district. No school district
17 [or vocational school district] shall be credited with less than
18 one teaching unit. No school district [or vocational school
19 district] shall be assigned a basic account standard
20 reimbursement fraction lower in value than the minimum
21 instruction subsidy divided by the maximum instruction subsidy.
22 All one-room schools operated in accordance with the provisions
23 of this act shall, if their operation is approved, be credited
24 with at least one teaching unit. The State Board of Education
25 shall withhold its approval of any one-room one-teacher school,
26 unless (i) topography, distance or condition of roads are such
27 as to make transportation of pupils impractical, or (ii) it is
28 impossible to accommodate pupils in existing graded schools in
29 the district or other districts, or (iii) the district is
30 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



1 other districts within the Commonwealth. In each case, actual
2 instruction expense per teaching unit shall be the sum of (i)
3 and (ii) below but in no case shall include expenses for debt
4 service, capital outlay, rentals of capital facilities and
5 equipment, salaries and expenses for school nurses, for medical
6 and dental services, for driver education courses, for
7 reimbursable transportation of pupils, for tuition paid to other
8 school districts, for reimbursable board and lodging in lieu of
9 transportation, for salaries of directors and supervisors of
10 special education, public school psychologists, principals of
11 special schools and assistants, teachers of approved special
12 classes for physically and mentally handicapped children, clerks
13 and assistants employed in programs for special education, for
14 school district contributions to the retirement fund on behalf
15 of directors and supervisors of special education, public school
16 psychologists, principals of special schools and assistants,
17 teachers of approved special classes for physically and mentally
18 handicapped children, clerks and assistants employed in programs
19 for special education, for the cost of textbooks and supplies of
20 the second class used in special education classes or schools,
21 for extension schools and classes, for extension recreation
22 activities, for [vocational] career and technical extension
23 education, or for instruction of homebound children. (i)
24 Expenses of general control per teaching unit. Expenses of
25 general control shall include: salaries, supplies and other
26 expenses of the secretary's office; commission or salary of
27 treasurer, tax collector, auditors and legal service; expenses
28 of census enumeration and other expenses of business
29 administration; salaries of the superintendent of schools and
30 clerks of the superintendent of schools; expenses of supplies



1 and other expenses of the superintendent of schools' office; and
2 other expenses of general control. In the case of computation of
3 actual instruction expense per elementary teaching unit for
4 district pupils educated in the schools of the district and for
5 district pupils educated in the public schools of other
6 districts within the Commonwealth and actual instruction expense
7 per secondary teaching unit for district pupils educated in the
8 schools of the district and for district pupils educated in the
9 public schools of other districts within the Commonwealth,
10 expenses of general control per teaching unit shall be
11 calculated by dividing the foregoing listed expenses of general
12 control of the school district by the number of teaching units
13 based on the number of all pupils who are residents of the
14 school district and are in average daily membership in the
15 public schools of the Commonwealth. In the case of computation
16 of actual instruction expense per joint elementary teaching unit
17 and actual instruction expense per joint secondary teaching
18 unit, expenses of general control per teaching unit shall be
19 calculated by dividing the foregoing listed expenses of general
20 control of the school district by the number of teaching units
21 based on the number of all pupils who are residents of the
22 school district and are in average daily membership in the
23 public schools of the Commonwealth, and adding thereto the
24 quotient obtained by dividing the foregoing listed expenses of
25 general control of the joint school district by the number of
26 joint teaching units based on the number of pupils who are
27 residents of school districts that are members of the joint
28 school district and are in average daily membership in the
29 schools of the joint school district. In the case of computation
30 of actual instruction expense per area technical school teaching



1 unit, expenses of general control per teaching unit shall be
2 computed by dividing the foregoing listed expenses of general
3 control of the school district by the number of teaching units
4 based on the total number of all pupils who are residents of the
5 school district and are in average daily membership in the
6 public schools of the Commonwealth, and adding thereto the
7 quotient obtained by dividing the foregoing listed expenses of
8 general control of the area technical school by the number of
9 area technical school teaching units based on the number of
10 pupils who are residents of districts participating in the area
11 technical school and are in average daily membership in the area
12 technical school. (ii) Expenses of the school district, joint
13 school district, area technical school, or such other school
14 district within the Commonwealth in which the districts' pupils
15 are educated, as the case may be, on account of instruction,
16 auxiliary agencies and coordinate activities, operation of
17 school plant, maintenance of school plant, and fixed charges,
18 and each separately for elementary and for secondary schools,
19 per teaching unit, calculated by dividing the sums of (a), (b),
20 (c), (d), and (e) below by the numbers of elementary, secondary,
21 joint elementary, joint secondary, and area technical school
22 teaching units, respectively, based on the number of all pupils
23 on an equivalent full-time basis in average daily membership in
24 the public schools of the district, or joint district, or the
25 area technical school, or other school district within the
26 Commonwealth in which pupils of the district are educated, as
27 the case may be; (a) expenses of instruction, to include
28 salaries of supervisors and other expenses of supervisors,
29 salaries of principals and principals' clerks, supplies of the
30 principals' offices, other expenses of supervision, teachers'



1 and teacher-librarians, salaries, textbooks, library books,
2 supplies used in instruction including library supplies,
3 expenses of attending teachers' institutes, commencement
4 exercise and exhibit expenses, and other expenses of
5 instruction, (b) expenses of auxiliary agencies and coordinate
6 activities, to include salaries, books, repairs, replacements,
7 and other expenses of public libraries, and non-reimbursable
8 transportation and board and lodging in lieu of transportation,
9 and provisions for tubercular and undernourished children,
10 community lectures, social centers and recreation, enforcement
11 of attendance, and other expenses of auxiliary agencies and
12 coordinate activities, (c) expenses of operation of school
13 plant, to include wages of janitors and other employes, fuel,
14 water, light, power, janitors' supplies, care of grounds,
15 services other than personal, telephone rental, and other
16 expenses of operation, (d) expenses of maintenance of school
17 plant, to include upkeep of grounds, repair of buildings,
18 repairs and replacements, heating, plumbing, lighting, apparatus
19 used in instruction, furniture, and other equipment, (e)
20 expenses of fixed charges, to include payments made to the
21 retirement board, rent, all insurance, and other fixed charges:
22 Provided, That the actual instruction expense for elementary
23 teaching unit for district pupils educated in the elementary
24 grades of a laboratory school of a State-owned college and the
25 actual instruction expenses for secondary teaching unit for
26 district pupils educated in the high school grades of a
27 laboratory school of a State-owned college shall be computed by
28 (i) dividing the total amount of money paid to the State-owned
29 college by the resident district for the education of all
30 resident elementary children enrolled in a laboratory school of



1 a State-owned college by the number of such elementary teaching
2 units based on the total number of such resident children in
3 average daily membership in the laboratory school, (ii) dividing
4 the total amount of money paid to the State-owned college by the
5 resident district for the education of all resident secondary
6 children enrolled in a laboratory school of a State-owned
7 college by the number of such secondary teaching units based on
8 the total number of such resident children in average daily
9 membership in the laboratory school. The teaching units are
10 computed on the basis of thirty (30) equivalent full time
11 elementary children and twenty-two (22) equivalent full time
12 secondary children.

13 (11.1) "Actual Instruction Expense per Weighted Average
14 Daily Membership." For the school year 1966-1967, and each
15 school year thereafter, the [Superintendent of Public
16 Instruction] Secretary of Education shall calculate for each
17 school district the actual instruction expense per weighted
18 average daily membership for each district pupil. The actual
19 instruction expense shall include all General Fund expenses of
20 the district except those for health services, transportation,
21 debt service, capital outlay, home-bound instruction, and
22 outgoing transfers to community colleges and technical
23 institutes. From this cost shall be deducted the amount received
24 from the State for driver's education; special class operation;
25 [vocational] career and technical curriculums; area [vocational]
26 career and technical schools; payments of tuition by district
27 patrons, parents, the State and Federal government; and all
28 moneys received from the State or Federal government under
29 Public Laws 89-10 (Elementary and Secondary Education Act), 88-
30 452 (Economic Opportunity Act), and 87-415 (Manpower Training



1 and Development Act) and for projects under section 2508.3 of
2 this act. The actual instruction expense so determined, when
3 divided by the weighted average daily membership for the
4 district shall be the actual instruction expense per weighted
5 average daily membership.

6 * * *

7 (14.1) "Market Value/Income Aid Ratio." For purposes of
8 reimbursement to a school district under subsections (d), (e),
9 and (f) of section 2502, section 2502.8, section 2502.22,
10 section 2502.25, section 2502.26 and section 2592, or to an
11 intermediate unit or area [vocational-technical] career and
12 technical school, shall be the Commonwealth's method of
13 determining the combined market value and income wealth for each
14 pupil, and shall be computed, for the school year for which
15 reimbursement is being paid, as follows:

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

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

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

25 (iv) For purposes of the calculation described in subsection
26 (a)(i) through (iii), the market value of a district shall be
27 the real property valuation of the district for the calendar
28 year that concluded during the school year immediately preceding
29 the school year for which reimbursement is being paid. The
30 market value of an intermediate unit or area [vocational-



1 ~~technical~~] career and technical school shall be the sum of the
2 real property valuations of each of its component districts for
3 the calendar year that concluded during the school year
4 immediately preceding the school year for which reimbursement is
5 being paid. The weighted average daily membership of a district
6 shall be the weighted average daily membership for the school
7 year immediately preceding the school year for which
8 reimbursement is being paid. The weighted average daily
9 membership of an intermediate unit or area [~~vocational-~~
10 ~~technical~~] career and technical school shall be the sum of the
11 weighted average daily memberships of each of its component
12 districts for the school year immediately preceding the school
13 year for which reimbursement is being paid.

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

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

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

23 (iv) For purposes of the calculation described in subsection
24 (b) (i) through (iii), the income of a district shall be the
25 personal income valuation of the district. The income of an
26 intermediate unit or area [~~vocational-technical~~] career and
27 technical school shall be the sum of the personal income
28 valuations of each of its component districts. The weighted
29 average daily membership of the district shall be the weighted
30 average daily membership for the school year immediately



1 preceding the school year for which reimbursement is being paid.
2 The weighted average daily membership of an intermediate unit or
3 area [vocational-technical] career and technical school shall be
4 the sum of the weighted average daily memberships of each of its
5 component districts for the school year immediately preceding
6 the school year for which reimbursement is being paid.

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

10 (d) For payments beginning in the 1989-1990 school year and
11 each school year thereafter, the Department of Education shall
12 utilize an adjusted personal income valuation for the 1987 tax
13 year and each tax year thereafter respectively in computing the
14 market value/income aid ratio for such districts. The adjusted
15 personal income valuation shall be calculated by dividing the
16 total out-of-State tax credits claimed by the residents of a
17 school district by the State personal income tax rate and
18 subtracting that amount from the total personal income valuation
19 for the individual school district. The State total personal
20 income valuation shall remain that as certified by the
21 Department of Revenue and shall not be adjusted to reflect out-
22 of-State tax credits.

23 * * *

24 Section 2502. Payments on Account of Instruction.--(a)
25 Every school district [and every vocational school district]
26 shall be paid by the Commonwealth on account of the instruction
27 of pupils an amount to be determined by multiplying the numbers
28 of elementary, secondary, joint elementary, joint secondary,
29 State-owned college laboratory school, or area technical school
30 teaching units, each based on the number of all pupils, except



1 kindergarten pupils, who are residents of the district and are
2 in average daily membership in the district's public schools,
3 joint elementary schools, joint high schools, laboratory schools
4 of State-owned colleges, or area technical schools respectively,
5 and in the case of kindergarten pupils based on the number of
6 kindergarten teachers employed: Provided, That for the school
7 year 1962-1963, and for each school year thereafter, the number
8 of equivalent full time kindergarten teachers in a laboratory
9 school of a State-owned college shall be prorated among all the
10 districts having children enrolled in the laboratory school
11 kindergarten on the basis of the total number of kindergarten
12 pupils who are legal residents of such districts and who are in
13 average daily membership in the laboratory school kindergarten,
14 and for the school year 1957-1958 and for each school year
15 thereafter, the numbers of elementary or secondary teaching
16 units, each based on the number of all pupils who are residents
17 of the district and who are in average daily membership in the
18 elementary schools or secondary schools of other school
19 districts within the Commonwealth, by the district's basic
20 account standard reimbursement fraction; and for the school year
21 1955-1956 by four thousand nine hundred dollars (\$4900); for the
22 school year 1956-1957 by five thousand three hundred dollars
23 (\$5300); for the school year 1957-1958 and for each school year
24 thereafter by the lesser of actual instruction expense per
25 elementary, secondary, joint elementary, joint secondary,
26 laboratory school elementary, laboratory school secondary, area
27 technical school, elementary educated in the public schools of
28 other districts within the Commonwealth, secondary educated in
29 the public schools of other districts within the Commonwealth
30 teaching unit, each as the case may be, or five thousand eight



1 hundred dollars (\$5800); for the school year 1962-1963 by the
2 lesser of actual instruction expense per elementary, secondary,
3 joint elementary, joint secondary, laboratory school elementary,
4 laboratory school secondary, area technical school, elementary
5 educated in the public schools of other districts within the
6 Commonwealth, secondary educated in the public schools of other
7 districts within the Commonwealth teaching unit, each as the
8 case may be, or six thousand five hundred dollars (\$6500); and
9 for the school year 1963-1964 and for each school year
10 thereafter by the lesser of actual instruction expense per
11 elementary, secondary, joint elementary, joint secondary,
12 laboratory school elementary, laboratory school secondary, area
13 technical school, elementary educated in the public schools of
14 other districts within the Commonwealth, secondary educated in
15 the public schools of other districts within the Commonwealth
16 teaching unit, each as the case may be, or six thousand eight
17 hundred dollars (\$6800). For the school year 1953-1954 and each
18 school year thereafter, teaching units shall be based on the
19 number of all pupils, except kindergarten pupils, who are
20 residents of the school district in average daily membership in
21 the district's public schools in State-owned college laboratory
22 schools and in elementary schools and high schools operated by
23 joint boards of which the district of residence is a member, and
24 in area technical schools in which the district of residence
25 participates. In the case of kindergarten pupils, teaching units
26 shall be one for each kindergarten teacher employed by the
27 district: Provided, That for the school year 1957-1958 and for
28 each school year thereafter, additional teaching units shall be
29 based on the numbers of all pupils who are residents of the
30 district and are in average daily membership in the elementary



1 schools of other districts in the Commonwealth or who are in
2 average daily membership in the secondary schools of other
3 districts within the Commonwealth: Further provided, That in the
4 case of such pupils teaching units shall be calculated on the
5 basis of thirty-five (35) elementary pupils and twenty-six (26)
6 secondary pupils per teaching unit, respectively.

7 * * *

8 (c) For no year shall any school district [or vocational
9 school district] receive less than the minimum subsidy per
10 teaching unit, nor shall any school district of the first class
11 A, during the school year 1953-1954 for the school year 1952-
12 1953, or during the school year 1954-1955 for the school year
13 1953-1954, or during the school year 1955-1956 for the school
14 year 1954-1955, receive less per teaching unit than the amount
15 received by any district of the first class.

16 * * *

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

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



1 appropriated.

2 Section 2502.8. Payments on Account of Pupils Enrolled in
3 [Vocational] Career and Technical Curriculums.--(a) For the
4 purpose of reimbursement in accordance with this section,
5 [vocational] career and technical curriculums are agriculture
6 education, distributive education, health occupations education,
7 home economics education (gainful), business education,
8 technical education, trade and industrial education, or any
9 other occupational oriented program approved by the Secretary of
10 Education.

11 (b) For the 1981-1982 school year through the 1984-1985
12 school year, each school district so entitled shall be paid, in
13 addition to any other subsidy to which it is entitled, an amount
14 on account of resident pupils enrolled in [vocational] career
15 and technical curriculums; for the 1985-1986 school year through
16 the 1999-2000 school year, each school district and area
17 [vocational-technical] career and technical school shall be paid
18 an amount on account of students enrolled in [vocational] career
19 and technical curriculums; for the 2000-2001 school year and
20 each school year thereafter, each school district, area
21 [vocational-technical] career and technical school and charter
22 school shall be paid an amount on account of students enrolled
23 in [vocational] career and technical curriculums, determined as
24 follows:

25 (1) Determine the increase in the weighted average daily
26 membership by multiplying the number of students in average
27 daily membership in [vocational] career and technical
28 curriculums in area [vocational-technical] career and technical
29 schools by twenty-one hundredths (.21) and the number of
30 students in average daily membership in school district and



1 charter school [vocational] career and technical curriculums by
2 seventeen hundredths (.17).

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

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

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

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

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

26 (d) For the school year 1999-2000, any additional funding
27 provided by the Commonwealth over the amount provided for the
28 school year 1998-1999 will be distributed to area [vocational-
29 technical] career and technical schools, to school districts
30 with eight (8) or more [vocational] career and technical



1 programs and to school districts offering a [vocational] career
2 and technical agricultural education program, based on
3 subsection (b).

4 (e) For the school year 2000-2001 and each school year
5 thereafter, any additional funding provided by the Commonwealth
6 over the amount provided for the school year 1998-1999 will be
7 distributed to area [vocational-technical] career and technical
8 schools, to school districts and charter schools with eight (8)
9 or more [vocational] career and technical programs and to school
10 districts and charter schools offering a [vocational] career and
11 technical agricultural education program based on subsection
12 (b).

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

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

29 Section 2507. Payments on Account of Approved [Vocational]
30 Career and Technical Extension Classes and Pre-employment



1 Training.--Every school district and every [vocational school
2 district and area vocational-technical] area career and
3 technical school, regardless of classification, shall be paid by
4 the Commonwealth for every school year, on account of approved
5 [vocational] career and technical extension classes and pre-
6 employment training, eighty per cent (80%) of the sum which was
7 expended by the district or area [vocational-technical] career
8 and technical school for the compensation of [vocational] career
9 and technical extension and pre-employment training teachers and
10 supervisors. For the purpose of computing reimbursement, the
11 maximum compensation shall be four dollars (\$4.00) per hour for
12 the 1985-1986 through the 1989-1990 school years and eight
13 dollars and sixty cents (\$8.60) per hour for the 1990-1991
14 school year and each school year thereafter and the amount
15 expended for supervisory salaries shall not exceed twenty per
16 cent (20%) of the sum expended for teachers' salaries: Provided,
17 That in special cases when travel time or unusual preparation of
18 instructional materials or other factors result in an inadequate
19 compensation, the Department of Education may approve additional
20 reimbursable employment time for such additional services upon
21 the submission of adequate substantiative evidence from the
22 responsible superintendent of schools. For the 1985-1986 school
23 year and each school year thereafter, the Commonwealth shall pay
24 the amount required by this section to the school district or
25 area [vocational-technical] career and technical school which
26 provided the approved [vocational] career and technical
27 extension classes and pre-employment training for which
28 reimbursement is made.

29 Section 2508. Distribution of Unencumbered Funds for
30 [Vocational] Career and Technical Education.--The State Board



1 [for Vocational] of Career and Technical Education shall
2 administer the allocation of Federal and State [vocational]
3 career and technical education funds which are otherwise
4 unencumbered. Allocations shall be made for the furtherance of
5 the provisions of the State and Federal [vocational] career and
6 technical education acts with emphasis on the improvement of
7 facilities, reimbursement of teachers' salaries, research and
8 projects which will contribute to the economic welfare of youth
9 and adults.

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

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



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

10 (1) Part-time workers not otherwise employed;

11 (2) Employed persons who are working below their skill
12 levels and capacities.

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

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

24 Section 2508.4. Payments on Account of Improvements and
25 Additions in [Vocational-Technical] Career and Technical
26 Curriculums.--Every area [vocational] career and technical board
27 operating an approved program of [vocational] career or
28 technical education in its own or rented space shall be paid by
29 the Commonwealth for every school year on account of approved
30 replacement, updating and improvement of equipment and on



1 account of approved new or additional equipment up to fifty per
2 cent of the cost of such improvements and additions.

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

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

19 (2) A per student amount calculated as follows:

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

26 (ii) Divide the product from subclause (i) by the sum of the
27 2012-2013 average daily membership in approved [vocational]
28 career and technical education programs for all area
29 [vocational-technical] career and technical schools and school
30 districts that have been approved for funding by the Department



1 of Education under subsection (b).

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

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

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

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

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

21 (3) In approving funding applications under this section,
22 the Department of Education shall request and consider no
23 information other than the information provided in the funding
24 application established under clause (2). Each area [vocational-
25 technical] career and technical school or school district with
26 an approved [vocational] career and technical program that
27 submits a completed funding application under this subsection
28 shall receive funding in the amount determined under subsection
29 (a).

30 Section 2509.5. Special Education Payments to School



1 Districts.--* * *

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

4 (1) (i) the school district's special education
5 expenditures for the 1994-1995 school year, as a percentage of
6 the sum of the school district's 1994-1995 school year
7 expenditures for regular education, [vocational-technical]
8 career and technical education and special education, are equal
9 to or greater than the special education expenditures of all
10 school districts for the 1994-1995 school year, as a percentage
11 of the sum of the 1994-1995 school year expenditures of all
12 school districts for regular education, [vocational-technical]
13 career and technical education and special education; and

14 * * *

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

17 (1) (i) the school district's special education
18 expenditures for the 1995-1996 school year as a percentage of
19 the sum of the school district's 1995-1996 school year
20 expenditures for regular education, [vocational-technical]
21 career and technical education and special education is equal to
22 or greater than the special education expenditures of all school
23 districts for the 1995-1996 school year as a percentage of the
24 sum of the 1995-1996 school year expenditures of all school
25 districts for regular education, [vocational-technical] career
26 and technical education and special education; and

27 * * *

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

30 (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



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

7 * * *

8 Section 2513.1. Certificates of Expenditures for
9 [Vocational] Career and Technical Schools.--On or before the
10 tenth day of July of each year, the school directors of each
11 district shall present to the [Superintendent of Public
12 Instruction] Secretary of Education a statement of the amount
13 expended during the school year previous to such first day of
14 July for instruction in approved local or joint [vocational]
15 career and technical industrial, [vocational] career and
16 technical homemaking, [vocational] career and technical
17 distributive occupational or [vocational] career and technical
18 agricultural schools or departments. On the basis of such a
19 statement the [Superintendent of Public Instruction] Secretary
20 of Education, as the executive officer of the State Board [for
21 Vocational] of Career and Technical Education, shall pay such
22 school districts and joint school districts such reimbursement
23 for the previous school year as is provided for in this act.

24 Section 2515. Ascertainment of Amounts Required;
25 Apportionment.--The [Superintendent of Public Instruction]
26 Secretary of Education shall ascertain and determine the amount
27 of funds required to meet each payment to school districts[,]
28 and intermediate units [and vocational school districts] which
29 become due and payable within each fiscal year, on the data and
30 material contained in the certificates which school districts[,]



1 and intermediate units [and vocational school districts] are
2 required to file with the [superintendent] Secretary of
3 Education at such time as [he] the secretary shall determine.
4 The [superintendent] Secretary of Education shall apportion and
5 allot the same to and among the respective districts and
6 intermediate units. The amount paid to any district or
7 intermediate unit within any fiscal year shall be computed on
8 the data and information contained in the certificates required
9 to be filed each year, as herein provided. Each district's
10 valuation to be used for purposes of computing its standard
11 reimbursement fraction for the school year 1949-1950 and
12 thereafter or for purposes of computing the aid ratio for the
13 school year 1966-1967, and thereafter, shall be the valuation
14 placed upon its taxable real property by the State Tax
15 Equalization Board.

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

18 The foregoing forfeitures of reimbursement units on account
19 of employes uncertificated for the position in which employed,
20 and on account of substitutes, shall not apply in the case of
21 employes in positions after July 1, 1966: Provided, however,
22 That any school district or any county board of school directors
23 with respect to area technical schools that from July 1, 1966,
24 to July 1, 1992, has had in its employ any person in a teaching,
25 specialist, supervisory or administrative capacity who has not
26 been certificated for said position by the Department of
27 Education, or that has had in its employ a substitute in a
28 position where a vacancy exists for a full year or more without
29 the specific written approval of the Secretary of Education,
30 shall forfeit an amount equal to the minimum salary mandated by



1 law for the position less the product of said salary and the aid
2 ratio of the district. Notwithstanding the above, after July 1,
3 1992, any school district, intermediate unit, area [vocational-
4 technical] career and technical school or other public school in
5 this Commonwealth that has in its employ any person in a
6 position that is subject to the certification requirements of
7 the Department of Education but who has not been certificated
8 for his position by the Department of Education or that has in
9 its employ a substitute in a position where a vacancy exists for
10 a full year or more without the specific written approval of the
11 Secretary of Education shall forfeit an amount equal to six
12 thousand dollars (\$6,000) less the product of six thousand
13 dollars (\$6,000) and the district's market value/income aid
14 ratio. Any exemption from forfeiture by reason of employment on
15 or before July 1, 1962 as provided elsewhere in this section
16 shall not be invalidated by this amendment.

17 Section 2552.1. Effect of Failure to File Reports.--(a) The
18 Department of Education shall order the forfeiture of three
19 hundred dollars (\$300) per day by a school district, charter
20 school, cyber charter school, area [vocational-technical] career
21 and technical school or intermediate unit that does not submit
22 its annual budget to the Department of Education within thirty
23 (30) days of the submittal date established by the Department of
24 Education. The forfeiture shall continue until a report and
25 annual budget that meet established criteria are submitted. The
26 Department of Education shall deduct the amount of the
27 forfeiture from any and all State payments made to the school
28 district, charter school, cyber charter school, area
29 [vocational-technical] career and technical school or
30 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.

* * *



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

7 * * *

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

27 * * *

28 Section 2562. Payments by Districts for Pupils Attending in
29 Other Districts.--For each elementary or high school pupil
30 attending a public school of another district, the receiving



1 district shall bill the sending district, and the sending
2 district shall pay the amount of the tuition charge per
3 elementary pupil, or the tuition charge per high school pupil,
4 as the case may be. In the case of pupils attending the
5 receiving district's public schools for less than a full school
6 term, the tuition charge per elementary or high school pupil
7 shall be prorated by reference to the period of time over which
8 such pupils actually attended the receiving district's schools.

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

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

19 Section 2563. Certification of Pupils Admitted from Other
20 Districts; Monthly Payments.--The board of school directors in
21 any school district [or the board of directors of vocational
22 schools in any vocational school district] maintaining an
23 elementary school or a high school or an extension class which
24 is attended by any pupils residing in another district shall,
25 upon admission of such pupils, properly certify to the board of
26 school directors of the school district in which such pupils
27 reside, the names of all such pupils and whether they are
28 attending an elementary school or a high school or an extension
29 class, together with a statement of the tuition charge per
30 elementary pupil and the tuition charge per high school pupil



1 and the [vocational] career and technical or other extension
2 tuition charge per pupil hour of instruction. All such tuition
3 charges shall be paid monthly to the school district [or the
4 vocational school district] maintaining such elementary school
5 or high school by the school district to which the same was
6 certified.

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

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

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

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

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

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



1 cost.

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

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

22 For school buildings for which the general construction
23 contract is awarded subsequent to July 1, 1984, and for approved
24 school building projects for which the general construction
25 contract was awarded but for which a lease or general obligation
26 bond resolution was not approved by the Department of Education
27 prior to July 1, 1984, the approved building construction cost
28 and the interest on such construction cost shall not exceed the
29 product of the rated full-time pupil capacity, as determined by
30 the Department of Education at the time the project is approved,



1 and six thousand three hundred dollars (\$6,300).

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

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

19 * * *

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

26 Approved reimbursable annual rental for such approved leases
27 of building facilities constructed for school use shall be the
28 lesser of (i) the product of the annual rental payable under the
29 provisions of the approved lease agreement times the ratio of
30 the pupil scheduled area to the architectural area, or (ii) the



1 product of the rated pupil capacity as determined by the
2 Department of Education at the time of initial lease times one
3 hundred sixty dollars (\$160) for elementary schools, two hundred
4 twenty dollars (\$220) for secondary schools, or two hundred
5 seventy dollars (\$270) for area [vocational-technical] career
6 and technical schools.

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

18 Section 2574.3. Approved Reimbursable Annual Rental for
19 Leases of Buildings or Portions of Buildings for Charter School
20 Use.--(a) For leases of buildings or portions of buildings for
21 charter school use which have been approved by the Secretary of
22 Education on or after July 1, 2001, the Department of Education
23 shall calculate an approved reimbursable annual rental charge.
24 Approved reimbursable annual rental for such approved leases of
25 buildings or portions of buildings for charter school use shall
26 be the lesser of (i) the annual rental payable under the
27 provisions of the approved lease agreement, or (ii) the product
28 of the enrollment, as determined by the Department of Education,
29 times one hundred sixty dollars (\$160) for elementary schools,
30 two hundred twenty dollars (\$220) for secondary schools or two



1 hundred seventy dollars (\$270) for area [vocational-technical]
2 career and technical schools. The Commonwealth shall pay
3 annually for the school year 2001-2002 and each school year
4 thereafter to each charter school which leases with the approval
5 of the Department of Education buildings or portions of
6 buildings for charter school use under these provisions an
7 amount determined by multiplying the aid ratio of the charter
8 school by the approved reimbursable annual rental.

9 * * *

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

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

29 Section 2577. Limitations on Approval of Projects for
30 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 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



1 withdrawn, except that when a district shows to the satisfaction
2 of the department that the contract has not been let for reasons
3 beyond its control or that withdrawal of approval would work
4 undue hardship, the department may grant extensions beyond the
5 ten-months period for three periods of ninety days each before
6 approval is withdrawn. [Any project for which approval was
7 withdrawn under the provisions of act 417, approved March 22,
8 1956 (P.L.1315), may be reinstated by the Department of Public
9 Instruction and granted extensions which, together with the time
10 already elapsed, shall not exceed nineteen months beyond the
11 date of approval given by the Department of Public Instruction
12 or any agency as required by existing law.] A project for which
13 approval is withdrawn may be resubmitted to the department as a
14 new project.

15 Section 2578. Payments.--* * *

16 (b) All payments due school districts by the Commonwealth on
17 account of obligations to the State Public School Building
18 Authority, sinking fund charges, or rentals under leases with
19 municipality authorities, nonprofit corporations or profit on
20 nonprofit corporations, partnerships, associations or persons
21 for building or educational equipment for area technical
22 schools, shall be paid to the intermediate unit operating the
23 school. School districts not originally parties to an agreement
24 with the State Public School Building Authority or a lease with
25 a municipality authority, a nonprofit corporation or a profit or
26 nonprofit corporation, partnership, association or person for
27 buildings or educational equipment for an area technical school
28 but later electing to participate in the operation of the school
29 and agreeing to pay a part of the annual payments due under the
30 agreement or lease shall be entitled to payments by the



1 Commonwealth to the same extent as though they had originally
2 been parties to the agreement or lease. The amount thereof shall
3 be paid to the intermediate unit. No payments shall be made on
4 account of obligations or rentals for buildings or educational
5 equipment for area technical schools unless the schools conform
6 to plans approved by the State Board [for Vocational] of Career
7 and Technical Education.

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

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

18 Section 2594. Special Payments on Account of Minimum Salary
19 Increases.--(a) For the school year 1988-1989 and each school
20 year thereafter beginning before the expiration of the term of
21 any contract or agreement effective on or before the effective
22 date of this section between a public employer and a public
23 employe or employe organization pursuant to the act of July 23,
24 1970 (P.L.563, No.195), known as the "Public Employe Relations
25 Act," each school district, intermediate unit and area
26 [vocational-technical] career and technical school which elects
27 to increase minimum salaries pursuant to section 1142.1 shall be
28 paid in the manner provided in subsection (b), in addition to
29 any other payments to which it is entitled, a special payment to
30 cover the cost of implementing section 1142.1.



1 (b) For the school year 1988-1989, the amount paid to each
2 school district, intermediate unit and area [~~vocational-~~
3 ~~technical~~] career and technical school shall be the difference
4 between the salary paid to each full-time teacher at the
5 beginning of the school term 1988-1989 that is less than
6 eighteen thousand five hundred dollars (\$18,500) and an amount
7 equal to eighteen thousand five hundred dollars (\$18,500). For
8 the school year 1989-1990 and each school year thereafter, the
9 amount paid shall be the difference between the salary payable
10 to each full-time teacher at the beginning of the school term
11 under the terms of the contract or agreement in effect on the
12 effective date of this section which is less than eighteen
13 thousand five hundred dollars (\$18,500) and an amount equal to
14 eighteen thousand five hundred dollars (\$18,500). The amount so
15 calculated shall be paid to each qualifying school district,
16 intermediate unit and area [~~vocational-technical~~] career and
17 technical school by the Department of Education during each
18 school year for which each school district, intermediate unit
19 and area [~~vocational-technical~~] career and technical school
20 qualifies out of the funds appropriated to the department for
21 this purpose.

22 (c) For each school year for which a school district,
23 intermediate unit and area [~~vocational-technical~~] career and
24 technical school qualifies for a special payment under
25 subsection (a), the entire employer's share of contributions to
26 the Public School Employee's Retirement Fund and Social Security
27 attributable to the salary increase implemented pursuant to
28 section 1142.1 shall be paid for each school district,
29 intermediate unit and area [~~vocational-technical~~] career and
30 technical school out of funds appropriated to the Department of



1 Education for such purposes.

2 Section 2595. School Performance Incentives.--* * *

3 (b) Any public elementary school, secondary school or area
4 [vocational-technical] career and technical school is eligible
5 to participate in the school performance program.

6 (c) (1) School performance will be determined by
7 improvements in student accomplishment or maintenance of high
8 standards using the following criteria:

9 * * *

10 (iv) rates of employment related to the training received by
11 area [vocational-technical] career and technical school
12 graduates until such time as an occupational competency testing
13 program is established and which meets the measurement
14 requirements in this section; or

15 * * *

16 (h) Nothing contained in this section shall be construed to
17 supersede or preempt any provisions of a collective bargaining
18 agreement negotiated by a school and the employe organization
19 district, intermediate unit or area [vocational-technical]
20 career and technical school that is in effect on the effective
21 date of this section.

22 Section 2597.3. Eligible Grant Applicants.--Applications for
23 grants may be submitted by school districts and nonprofit
24 community-based organizations. Community-based organizations
25 must demonstrate that the program will operate in collaboration
26 with a school district, intermediate unit or area [vocational-
27 technical] career and technical school.

28 Section 2597.4. Program Requirements.--Services and programs
29 may be provided to students in grades kindergarten through
30 twelve. Services and programs shall include the following:



1 * * *

2 (2) Dropout Prevention Programs. Services and programs shall
3 include the following:

4 * * *

5 (iv) [Vocational] Career and technical education and school-
6 to-work transition.

7 * * *

8 Section 2597.5. Criteria for Awarding Grants.--* * *

9 (c) Dropout prevention is to be measured by:

10 * * *

11 (4) The extent to which the school district program is
12 linked to those of other relevant service providers, such as
13 literacy councils, area [vocational-technical] career and
14 technical schools, post-secondary educational and training
15 institutions, private industry councils, social service agencies
16 and community-based organizations.

17 * * *

18 Section 2599. Administrative/Instructional Consolidation
19 Incentives.--* * *

20 (b) Any school district, area [vocational-technical] career
21 and technical school, intermediate unit or joint school is
22 eligible to participate in the consolidation incentives program
23 and shall be considered a school entity for the purposes of this
24 section.

25 * * *

26 (d) * * *

27 (6) Nothing contained in this section shall be construed to
28 supersede or preempt any provisions of a collective bargaining
29 agreement negotiated by a school district, intermediate unit or
30 area [vocational-technical] career and technical school and the



1 employe organization that is in effect on the effective date of
2 this section.

3 Section 2599.1. Multipurpose Service Center Grant Program.--

4 * * *

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

7 "Displaced homemaker" or "single parent." An individual who:

8 (1) Has worked in the home, providing unpaid household
9 services for family members.

10 (2) Is underemployed.

11 (3) Has had or is having difficulty securing employment.

12 (4) Has been dependent on the income of another family
13 member but is no longer supported by such income, has been
14 dependent on government assistance or is supported as the parent
15 of minor children by government assistance or other support.

16 "Multipurpose service center." A community-based
17 organization, school district, joint school district or
18 intermediate unit, postsecondary school, institution of higher
19 learning or area [vocational-education] career and technical
20 education school that provides job counseling services; job
21 training, education and placement services; financial management
22 services, outreach information services with respect to Federal
23 and State employment and education, health and unemployment
24 assistance programs to displaced homemakers and single parents.

25 Section 2599.2. Pennsylvania Accountability Grants.--* * *

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

28 "Applied knowledge." Information technology, computer
29 equipment, education software and related advanced technologies
30 necessary to increase students' access to worldwide information



1 and their expertise in this regard.

2 "Career awareness program." An educational program that
3 introduces students to a variety of career and [vocational]
4 technical options and includes such activities as job shadowing,
5 field trips and tours, career days or the administration of
6 career assessment tests and inventories.

7 "Career days." Special events that allow students to meet
8 with employers, career development specialists, community-based
9 organization representatives and postsecondary educators and are
10 designed to encourage students to gain information about careers
11 and job opportunities.

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

14 "Grant." A Pennsylvania accountability grant awarded under
15 this section.

16 "Highly qualified." A highly qualified elementary teacher or
17 a highly qualified middle or secondary teacher as defined in 22
18 Pa. Code § 403.2 (relating to definitions).

19 "Job shadowing." As part of career exploration activities in
20 late middle and early high school, activity of a student
21 following an employe for one or more days to learn about a
22 particular occupation or industry, which activity is intended to
23 help students explore a range of career objectives and possibly
24 to select a career pathway.

25 "Science." A curricular offering in support of the science
26 and technology content area as defined in 22 Pa. Code § 4.12
27 (relating to academic standards).

28 Section 2602-B. Membership.--* * *

29 (e) For the purpose of formulating policy proposals
30 applicable to elementary, secondary, [vocational-technical]



1 career and technical education and higher education in this
2 Commonwealth, there shall be two councils, which shall consist
3 of ten (10) members of the board each, the chairman being a
4 member of both councils, and shall be known as the Council of
5 Basic Education and the Council of Higher Education. The
6 Governor shall designate to serve at his pleasure a member
7 serving on each council to act as chairman of the council. Each
8 council shall meet at the call of its chairman or at the request
9 of a majority of the members of the council. The chairman of the
10 board may appoint special joint committees from among the
11 members of the board to formulate policy proposals in those
12 areas which fall within the purview of both of the councils.

13 (f) Except for the chairman, not more than two (2) members
14 serving on each council shall be employed either in a school
15 system or in the Department of Education. For purposes of this
16 subsection, the State System of Higher Education shall not be
17 considered a school system. Three (3) members of the Council of
18 Higher Education shall be actively employed by an institution of
19 higher education, at least one holding an administrative
20 position and at least one holding a professional position on a
21 faculty of an institution of higher education. At least two (2)
22 members serving on each council shall have had previous
23 experience with [vocational-technical] career and technical
24 education or training.

25 * * *

26 Section 2604-B. Powers and Duties of Council of Basic
27 Education and Council of Higher Education.--* * *

28 (b) The Council of Basic Education shall have the power, and
29 its duty shall be to:

30 * * *



1 (2) investigate programs, conduct research studies and
2 formulate policy proposals in all educational areas not within
3 the purview of higher education, including, but not limited to:

4 (i) the creation, merger, consolidation and reorganization
5 of school districts, the establishment of joint schools, area
6 [vocational-technical] career and technical schools and such
7 other administrative organizations as may be provided by law;

8 * * *

9 (3) encourage and promote such agricultural, industrial,
10 [vocational] career and technical education programs as the
11 needs of this Commonwealth may, from time to time, require; and

12 * * *

13 Section 42. This act shall take effect in 60 days.

