

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1980 Session of 2011

INTRODUCED BY AUMENT, CLYMER, BEAR, BLOOM, BOYD, CREIGHTON, CUTLER, DAY, DENLINGER, FARRY, GINGRICH, GROVE, HARRIS, HELM, HICKERNELL, KILLION, LAWRENCE, MAHER, MALONEY, METCALFE, QUIGLEY, REICHLEY, ROCK, SCHRODER, SWANGER, TALLMAN, TRUITT, MILLER, GILLEN AND PAYTON, OCTOBER 31, 2011

AS AMENDED ON SECOND CONSIDERATION, HOUSE OF REPRESENTATIVES, JUNE 27, 2012

AN ACT

1 Amending the act of March 10, 1949 (P.L.30, No.14), entitled "An
2 act relating to the public school system, including certain
3 provisions applicable as well to private and parochial
4 schools; amending, revising, consolidating and changing the
5 laws relating thereto," IN DISTRICT SUPERINTENDENTS AND
6 ASSISTANT DISTRICT SUPERINTENDENTS, FURTHER PROVIDING FOR
7 ELIGIBILITY; in professional employees, further providing for
8 rating system AND FOR PAYMENT OF SALARIES IN CASES OF
9 SICKNESS, INJURY OR DEATH; AND, IN STATE BOARD OF EDUCATION,
10 FURTHER PROVIDING FOR POWERS AND DUTIES OF BOARD.



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

13 ~~Section 1. Section 1123 of the act of March 10, 1949~~
14 ~~(P.L.30, No.14), known as the Public School Code of 1949,~~
15 ~~amended March 29, 1996 (P.L.47, No.16), is amended to read:~~



16 SECTION 1. SECTION 1003(B) OF THE ACT OF MARCH 10, 1949
17 (P.L.30, NO.14), KNOWN AS THE PUBLIC SCHOOL CODE OF 1949,
18 AMENDED JUNE 30, 2011 (P.L.112, NO.24), IS AMENDED TO READ:



19 SECTION 1003. ELIGIBILITY.--* * *
20 (B) NOTWITHSTANDING THE REQUIREMENTS OF SUBSECTION (A), A

1 PERSON SHALL BE ELIGIBLE FOR ELECTION OR APPOINTMENT AS A
2 DISTRICT SUPERINTENDENT OR ASSISTANT DISTRICT SUPERINTENDENT IF
3 HE HOLDS A GRADUATE DEGREE FROM AN ACCREDITED HIGHER EDUCATION
4 INSTITUTION IN BUSINESS, MANAGEMENT OR FINANCE OR HAS EARNED A
5 JURIS DOCTORATE DEGREE FROM AN ACCREDITED LAW SCHOOL AND HAS AT
6 LEAST FOUR (4) YEARS OF RELEVANT EXPERIENCE IN BUSINESS,
7 FINANCE, LAW OR MANAGEMENT.

8 * * *

9 SECTION 2. SECTION 1123 OF THE ACT, AMENDED MARCH 29, 1996
10 (P.L.47, NO.16), IS AMENDED TO READ:

11 Section 1123. Rating System.--(a) In determining whether a
12 professional employe shall be dismissed for ~~incompetency or~~ ←
13 unsatisfactory teaching performance as provided for in section
14 1122(a) of this act, and in rating [the services of a temporary
15 professional employe, the professional employe or temporary
16 professional employe shall be rated by an approved rating system
17 which shall give due consideration to personality, preparation,
18 technique, and pupil reaction, in accordance with standards and
19 regulations for such scoring as defined by rating cards to be
20 prepared by the Department of Education, and to be revised, from
21 time to time, by the Department of Education with the
22 cooperation and advice of a committee appointed by the Secretary
23 of Education, including representation from district
24 superintendents of schools, classroom teachers, school
25 directors, school supervisors, parents of school-age children
26 enrolled in a public school, a representative from a college or
27 department of education within a higher education institution
28 located within this Commonwealth, and such other groups or
29 interests as the Secretary of Education may deem appropriate.
30 Rating shall be done by or under the supervision of the

1 superintendent of schools or, if so directed by him, the same
2 may be done by an assistant superintendent, a supervisor, or a
3 principal, who has supervision over the work of the professional
4 employe or temporary professional employe who is being rated:
5 Provided, That no unsatisfactory rating shall be valid unless
6 approved by the district superintendent.] professional employes
7 and temporary professional employes, all professional employes
8 and temporary professional employes shall be rated through the
9 use of an approved rating tool developed by the Secretary of
10 Education in consultation with education experts, parents of
11 school-age children enrolled in a public school, teachers and
12 administrators, including research and collaboration conducted
13 by the department.

14 (b) For professional employes and temporary professional
15 employes who serve as classroom teachers, the following shall
16 apply:

17 (1) Beginning in the 2013-2014 school year, the evaluation
18 of the effectiveness of professional employes and temporary
19 professional employes serving as classroom teachers shall give
20 due consideration to the following:

21 (i) Classroom observation and practice models that are
22 related to student achievement in each of the following areas:

23 (A) Planning and preparation.

24 (B) Classroom environment.

25 (C) Instruction.

26 (D) Professional responsibilities.

27 (ii) Student performance, which shall comprise fifty per
28 centum (50%) of the overall rating of the professional employe
29 or temporary professional employe serving as a classroom teacher
30 and shall be based upon multiple measures of student

1 ~~achievement, including, but not limited to all of the following:~~ ←

2 ~~(A) Performance on assessments.~~

3 ~~(B) Value added assessment system data made available by the~~
4 ~~department under section 221.~~

5 ~~(C) Measures of student achievement that are approved by the~~
6 ~~department, a list of which the department shall publish in the~~
7 ~~Pennsylvania Bulletin by June 30 of each year, and which may~~
8 ~~include, but need not be limited to:~~

9 ~~(I) Other standardized tests, including nationally~~
10 ~~recognized standardized tests.~~

11 ~~(II) Industry certification examinations.~~

12 ~~(III) Examinations that have been developed or selected by~~
13 ~~the school district and approved by the department. ACHIEVEMENT.~~ ←

14 ~~THE FIFTY PER CENTUM (50%) SHALL BE COMPRISED OF THE FOLLOWING:~~

15 ~~(A) FIFTEEN PER CENTUM (15%) BUILDING LEVEL DATA INCLUDING,~~
16 ~~BUT NOT LIMITED TO, ALL OF THE FOLLOWING:~~

17 ~~(I) STUDENT PERFORMANCE ON ASSESSMENTS.~~

18 ~~(II) VALUE-ADDED ASSESSMENT SYSTEM DATA MADE AVAILABLE BY~~
19 ~~THE DEPARTMENT UNDER SECTION 221.~~

20 ~~(III) GRADUATION RATE AS REPORTED TO THE DEPARTMENT UNDER~~
21 ~~SECTION 222.~~

22 ~~(IV) PROMOTION RATE.~~

23 ~~(V) ATTENDANCE RATE AS REPORTED TO THE DEPARTMENT UNDER~~
24 ~~SECTION 2512.~~

25 ~~(VI) AP COURSE PARTICIPATION.~~

26 ~~(VII) SAT/PSAT DATA.~~

27 ~~(B) FIFTEEN PER CENTUM (15%) TEACHER-SPECIFIC DATA~~
28 ~~INCLUDING, BUT NOT LIMITED TO, STUDENT ACHIEVEMENT ATTRIBUTABLE~~
29 ~~TO A SPECIFIC TEACHER AS MEASURED BY ALL THE THE FOLLOWING:~~

30 ~~(I) STUDENT PERFORMANCE ON ASSESSMENTS.~~

1 (II) VALUE-ADDED ASSESSMENT SYSTEM DATA MADE AVAILABLE BY
2 THE DEPARTMENT UNDER SECTION 221.

3 (III) PROGRESS IN MEETING THE GOALS OF STUDENT
4 INDIVIDUALIZED EDUCATION PLANS REQUIRED UNDER THE INDIVIDUALS
5 WITH DISABILITIES EDUCATION ACT (PUBLIC LAW 91-230, 20 U.S.C. §
6 1400 ET SEQ.).

7 (IV) LOCALLY DEVELOPED SCHOOL DISTRICT RUBRICS.

8 (C) TWENTY PER CENTUM (20%) ELECTIVE DATA INCLUDING MEASURES
9 OF STUDENT ACHIEVEMENT THAT ARE LOCALLY DEVELOPED AND SELECTED
10 BY THE SCHOOL DISTRICT FROM A LIST APPROVED BY THE DEPARTMENT
11 AND PUBLISHED IN THE PENNSYLVANIA BULLETIN BY JUNE 30 OF EACH
12 YEAR, WHICH SHALL INCLUDE, BUT NOT BE LIMITED TO, THE FOLLOWING:

13 (I) DISTRICT-DESIGNED MEASURES AND EXAMINATIONS.

14 (II) NATIONALLY RECOGNIZED STANDARDIZED TESTS.

15 (III) INDUSTRY CERTIFICATION EXAMINATIONS.

16 (IV) STUDENT PROJECTS PURSUANT TO LOCAL REQUIREMENTS.

17 (V) STUDENT PORTFOLIOS PURSUANT TO LOCAL REQUIREMENTS.

18 (2) (i) No later than June 30, 2013, the department shall
19 develop, issue and publish in the Pennsylvania Bulletin a rating
20 tool for professional employes and temporary professional
21 employes serving as classroom teachers that is consistent with
22 this subsection AND INCLUDES THE WEIGHTS GIVEN TO THE MULTIPLE ←
23 MEASURES OF STUDENT PERFORMANCE CONTAINED IN PARAGRAPH (1)(II).

24 (ii) Following publication, the rating tool developed under
25 this subsection shall be used in the rating of all professional
26 employes and temporary professional employes serving as
27 classroom teachers.

28 (iii) After June 30, 2013, any changes to the rating tool
29 developed under this subsection shall be made by the State Board
30 of Education through regulations promulgated under the act of

1 June 25, 1982 (P.L.633, No.181), known as the "Regulatory Review
2 Act."

3 (c) For professional employes and temporary professional
4 employes serving as principals, the following shall apply:

5 (1) Beginning in the 2014-2015 school year, principal
6 effectiveness shall be measured using a rating tool designed
7 specifically for professional employes and temporary
8 professional employes serving as principals which shall give due
9 consideration to the following:

10 (i) Planning and preparation.

11 (ii) School environment.

12 (iii) Delivery of service.

13 (iv) Professional development.

14 ~~(v)~~ (2) (I) Student performance, SHALL BE measured as ←
15 provided in subsection (b) (1) (ii) for professional employes and
16 temporary professional employes supervised by the principal,
17 which shall comprise fifty per centum (50%) of the principal's
18 overall rating.

19 (II) THE FIFTY PER CENTUM (50%) SHALL BE COMPRISED OF THE ←
20 FOLLOWING:

21 (A) FIFTEEN PER CENTUM (15%) BUILDING LEVEL DATA INCLUDING,
22 BUT NOT LIMITED TO, ALL OF THE FOLLOWING:

23 (I) STUDENT PERFORMANCE ON ASSESSMENTS.

24 (II) VALUE-ADDED ASSESSMENT SYSTEM DATA MADE AVAILABLE BY
25 THE DEPARTMENT UNDER SECTION 221.

26 (III) GRADUATION RATE AS REPORTED TO THE DEPARTMENT UNDER
27 SECTION 222.

28 (IV) PROMOTION RATE.

29 (V) ATTENDANCE RATE AS REPORTED TO THE DEPARTMENT UNDER
30 SECTION 2512.

1 (VI) AP COURSE PARTICIPATION.

2 (VII) SAT/PSAT DATA.

3 (B) FIFTEEN PER CENTUM (15%) CORRELATION DATA BASED ON
4 TEACHER-LEVEL MEASURES.

5 (C) TWENTY PER CENTUM (20%) ELECTIVE DATA INCLUDING MEASURES
6 OF STUDENT ACHIEVEMENT THAT ARE LOCALLY DEVELOPED AND SELECTED
7 BY THE SCHOOL DISTRICT FROM A LIST APPROVED BY THE DEPARTMENT
8 AND PUBLISHED IN THE PENNSYLVANIA BULLETIN BY JUNE 30 OF EACH
9 YEAR, WHICH SHALL INCLUDE, BUT NOT BE LIMITED TO, THE FOLLOWING:

10 (I) DISTRICT DESIGNED MEASURES AND EXAMINATIONS.

11 (II) NATIONALLY RECOGNIZED STANDARDIZED TESTS.

12 (III) INDUSTRY CERTIFICATION EXAMINATIONS.

13 (IV) STUDENT PROJECTS PURSUANT TO LOCAL REQUIREMENTS.

14 (V) STUDENT PORTFOLIOS PURSUANT TO LOCAL REQUIREMENTS.

15 ~~(2)~~ (3) (i) No later than June 30, 2014, the department ←
16 shall develop, issue and publish in the Pennsylvania Bulletin a
17 rating tool for professional employes and temporary professional
18 employes serving as principals that is consistent with this
19 subsection AND INCLUDES THE WEIGHTS GIVEN TO THE MULTIPLE ←
20 MEASURES OF STUDENT PERFORMANCE CONTAINED IN PARAGRAPH (2) (II).

21 (ii) Following publication, the rating tool developed under
22 this subsection shall be used in the rating of all principals
23 superseding all other rating cards and forms used previously.

24 (iii) After June 30, 2014, any changes to the rating tool
25 developed under this subsection shall be made by the State Board
26 of Education through regulations promulgated under the
27 "Regulatory Review Act."

28 (d) For nonteaching professional employes, the following
29 shall apply:

30 (1) Beginning in the 2014-2015 school year, nonteaching

1 professional employes shall be evaluated using a rating tool
2 designed specifically for nonteaching professional employes
3 which shall give due consideration to the following:

4 (i) Planning and preparation.

5 (ii) Educational environment.

6 (iii) Delivery of service.

7 (iv) Professional development.

8 (v) Student performance of all students in the school

9 building in which the nonteaching professional employe is

10 employed, measured as provided for in subsection (b)(1)(ii), but ←

11 which shall comprise twenty per centum (20%) of the overall

12 rating of nonteaching professional employes and temporary

13 professional employes.

14 (2) (i) No later than June 30, 2014, the department shall

15 develop, issue and publish in the Pennsylvania Bulletin a rating

16 tool for nonteaching professional employes that is consistent

17 with this subsection AND INCLUDES THE WEIGHTS GIVEN TO THE ←

18 MULTIPLE MEASURES OF STUDENT ACHIEVEMENT CONTAINED IN SUBSECTION

19 (D)(1)(V).

20 (ii) Following publication, the rating tool developed under

21 this subsection shall be used in the rating of all nonteaching

22 professional employes.

23 (iii) After June 30, 2014, any subsequent changes to the

24 mandatory rating tool developed under this paragraph shall be

25 made by the State Board of Education through regulations

26 promulgated under the "Regulatory Review Act."

27 (e) Notwithstanding subsections (b), (c) and (d),

28 professional employes and temporary professional employes

29 serving as classroom teachers, principals and nonteaching

30 professional employes may be evaluated through the use of a

1 rating tool developed by an individual school district,
2 intermediate unit, area vocational-technical school, charter
3 school or cyber charter school that the department has approved
4 as meeting or exceeding the measures of effectiveness
5 established under this section.

6 (f) (1) Each rating tool developed or approved under this
7 section shall identify the overall performance rating of the
8 professional employes and temporary professional employes
9 serving as classroom teachers, principals and nonteaching
10 professional employes as one of the following:

11 (i) Distinguished.

12 (ii) Proficient.

13 (iii) Needs improvement.

14 (iv) Failing.

15 (2) An overall performance rating of either "distinguished"
16 or "proficient" shall be considered satisfactory.

17 (3) An overall performance rating of either "needs
18 improvement" or "failing" shall be considered unsatisfactory. ←

19 SHALL BE CONSIDERED SATISFACTORY, EXCEPT THAT ANY SUBSEQUENT ←
20 OVERALL RATING OF "NEEDS IMPROVEMENT" ISSUED BY THE SAME
21 EMPLOYER WITHIN TEN (10) YEARS OF THE FIRST OVERALL PERFORMANCE
22 RATING OF "NEEDS IMPROVEMENT" WHERE THE EMPLOYEE IS IN THE SAME
23 CERTIFICATION SHALL BE CONSIDERED UNSATISFACTORY.

24 (4) AN OVERALL PERFORMANCE RATING OF "FAILING" SHALL BE
25 CONSIDERED UNSATISFACTORY.

26 (5) AN OVERALL PERFORMANCE RATING OF "NEEDS IMPROVEMENT" OR
27 "FAILING" SHALL REQUIRE THE EMPLOYEE TO PARTICIPATE IN A
28 PERFORMANCE IMPROVEMENT PLAN. NO EMPLOYEE SHALL BE RATED "NEEDS
29 IMPROVEMENT" OR "FAILING" BASED SOLELY UPON STUDENT TEST SCORES.

30 (6) THE DEPARTMENT SHALL DEVELOP A RATING SCALE TO REFLECT

1 STUDENT PERFORMANCE MEASURES AND EMPLOYEE OBSERVATION RESULTS AND
2 TO ESTABLISH OVERALL SCORE RANGES FOR EACH OF THE FOUR RATING
3 CATEGORIES UNDER SUBSECTION (F) (1).

4 (g) Upon publication in the Pennsylvania Bulletin of a
5 rating tool developed under this section, the rating cards set
6 forth in 22 Pa. Code § 351.21 (relating to rating form) and any
7 alternative rating forms approved pursuant to 22 Pa. Code Ch.
8 351 (relating to teacher tenure hearings) prior to the
9 implementation of this section shall be discontinued for use in
10 the evaluation of professional and temporary professional
11 employees.

12 (h) The following shall apply to the ratings of all
13 professional employees and temporary professional employees:

14 (1) All ratings shall be completed using the rating tools
15 developed or approved under this section.

16 (2) Professional employees shall be rated at least annually
17 and temporary professional employees shall be rated at least
18 twice annually.

19 (3) Ratings shall be performed by or under the supervision
20 of the chief school administrator or, if so directed by the
21 chief school administrator, by an assistant administrator, a
22 supervisor or a principal who has supervision over the work of
23 the professional employe or temporary professional employe being
24 rated, provided that no unsatisfactory rating shall be valid
25 unless approved by the chief school administrator.

26 (4) NO EMPLOYEE SHALL BE DISMISSED UNDER SECTION 1122 UNLESS
27 THE EMPLOYEE HAS BEEN PROVIDED A DESCRIPTION BASED ON A COMPLETED
28 RATING TOOL PROVIDED FOR UNDER THIS SECTION, WHICH INCLUDES A
29 DESCRIPTION BASED UPON CLASSROOM OBSERVATIONS OF DEFICIENCIES IN
30 PRACTICE SUPPORTED BY DETAILED ANECDOTAL RECORDS THAT JUSTIFY



1 THE UNSATISFACTORY RATING.

2 (i) All school districts, intermediate units, area
3 vocational-technical schools, charter schools and cyber charter
4 schools shall provide to the department the aggregate results of
5 all professional employe and temporary professional employe,
6 principal and nonteaching professional employe evaluations.

7 (j) (1) Any rating tool developed by the Department of
8 Education under this section shall be exempt from:

9 (i) Sections 201, 202, 203, 204 and 205 of the act of July
10 31, 1968 (P.L.769, No.240), referred to as the Commonwealth
11 Documents Law.

12 (ii) Section 204(b) of the act of October 15, 1980 (P.L.950,
13 No.164), known as the "Commonwealth Attorneys Act."

14 (iii) The "Regulatory Review Act."

15 (2) This subsection shall not apply to any changes made to a
16 rating tool or new rating tool developed by the State Board of
17 Education pursuant to subsections (b) (2) (iii), ~~(e) (2) (iii)~~ (C) ←
18 (3) (III) and (d) (2) (iii).

19 (k) The State Board of Education may develop standards or
20 regulations consistent with this section.

21 (l) (1) The department's duty to develop a rating tool
22 under subsection (b) (2) shall expire on June 30, 2013.

23 (2) The department's duty to develop rating tools under
24 subsections ~~(e) (2)~~ (C) (3) and (d) (2) shall expire on June 30, ←
25 2014.

26 ~~(m) (1) The provisions of this section shall not be subject~~ ←
27 ~~to a collective bargaining agreement entered into after the~~
28 ~~effective date of this subsection.~~

29 ~~(2) Nothing contained in this section shall be construed to~~
30 ~~supersede or preempt any provisions of an existing collective~~

1 ~~bargaining agreement negotiated by a school district and an~~
2 ~~exclusive representative of the employees in accordance with the~~
3 ~~act of July 23, 1970 (P.L.563, No.195), known as the "Public~~
4 ~~Employe Relations Act."~~

5 ~~(3) A provision in any contract in effect on the effective~~
6 ~~date of this subsection that is in conflict with this section~~
7 ~~shall be discontinued in any new or renewed contract.~~

8 (M) FOR ANY COLLECTIVE BARGAINING AGREEMENTS NEGOTIATED BY A ←
9 SCHOOL DISTRICT AND AN EXCLUSIVE REPRESENTATIVE OF THE EMPLOYES
10 IN ACCORDANCE WITH THE ACT OF JULY 23, 1970 (P.L.563, NO.195),
11 KNOWN AS THE "PUBLIC EMPLOYE RELATIONS ACT," AFTER THE EFFECTIVE
12 DATE OF THIS SUBSECTION, THOSE AGREEMENTS CANNOT PROVIDE FOR A
13 RATING SYSTEM OTHER THAN AS PROVIDED FOR IN THIS SECTION. A
14 PROVISION IN ANY AGREEMENT OR CONTRACT IN EFFECT ON THE
15 EFFECTIVE DATE OF THIS SUBSECTION THAT PROVIDES FOR A RATING
16 SYSTEM IN CONFLICT WITH THIS SECTION SHALL BE DISCONTINUED IN
17 ANY NEW OR RENEWED AGREEMENT OR CONTRACT.

18 (n) The requirements of this section shall apply to all
19 school districts, intermediate units, area vocational-technical
20 schools, charter schools and cyber charter schools.

21 (o) For purposes of this section:

22 (1) The term "assessment" shall mean the Pennsylvania System
23 of School Assessment test, the Keystone Exam, an equivalent
24 local assessment or another test established by the State Board
25 of Education to meet the requirements of section 2603-B(d)(10)
26 (i) and required under the No Child Left Behind Act of 2001 or
27 its successor statute or required to achieve other standards
28 established by the department for the school or school district
29 under 22 Pa. Code § 403.3 (relating to single accountability
30 system).

1 (2) The term "chief school administrator" shall include
2 individuals who are employed as a school district
3 superintendent, an executive director of an intermediate unit, a
4 chief school administrator of an area vocational-technical
5 school and a charter school or cyber charter school chief
6 executive officer.

7 (3) The term "classroom teacher" shall mean a professional
8 employe or temporary professional employe who provides direct
9 instruction to students related to a specific subject or grade
10 level.

11 (4) The term "department" shall mean the Department of
12 Education of the Commonwealth.

13 (5) The term "education specialist" shall have the meaning
14 given to it under the act of December 12, 1973 (P.L.397,
15 No.141), known as the "Professional Educator Discipline Act."

16 (6) The term "nonteaching professional employe" shall mean
17 an education specialist or a professional employe or temporary
18 professional employe who provides services other than classroom
19 instruction.

20 (6.1) THE TERM "PERFORMANCE IMPROVEMENT PLAN" SHALL MEAN A ←
21 PLAN, DESIGNED BY A DISTRICT WITH THE INPUT OF THE EMPLOYE, THAT
22 MAY INCLUDE MENTORING, COACHING, RECOMMENDATIONS FOR
23 PROFESSIONAL DEVELOPMENT AND INTENSIVE SUPERVISION BASED ON THE
24 CONTENTS OF THE RATING TOOL PROVIDED FOR UNDER THIS SECTION.

25 (7) The term "principal" shall include a building principal,
26 an assistant principal, vice-principal and director of
27 vocational education.

28 (P) AN EMPLOYE'S INDIVIDUAL RATING FORM SHALL NOT BE SUBJECT ←
29 TO DISCLOSURE UNDER THE ACT OF FEBRUARY 14, 2008 (P.L.6, NO.3),
30 KNOWN AS THE "RIGHT-TO-KNOW LAW."

1 SECTION 3. SECTION 1154(C) OF THE ACT, AMENDED DECEMBER 22,
2 1965, (P.L.1180, NO.467), IS AMENDED TO READ:

3 SECTION 1154. PAYMENT OF SALARIES IN CASES OF SICKNESS,
4 INJURY OR DEATH.--* * *

5 (C) WHENEVER A PROFESSIONAL OR TEMPORARY PROFESSIONAL
6 EMPLOYE IS ABSENT BECAUSE OF THE DEATH OF A NEAR RELATIVE, THERE
7 SHALL BE NO DEDUCTION IN THE SALARY OF SAID EMPLOYE FOR ABSENCE
8 ON THE DAY OF THE FUNERAL. THE BOARD OF SCHOOL DIRECTORS MAY
9 EXTEND THE PERIOD OF ABSENCE WITH PAY IN ITS DISCRETION AS THE
10 EXIGENCIES OF THE CASE MAY WARRANT. A NEAR RELATIVE SHALL BE
11 DEFINED AS A FIRST COUSIN, GRANDFATHER, GRANDMOTHER, GRANDCHILD,
12 AUNT, UNCLE, NIECE, NEPHEW, SON-IN-LAW, DAUGHTER-IN-LAW,
13 BROTHER-IN-LAW OR SISTER-IN-LAW.

14 * * *

15 SECTION 4. SECTION 2603-B(H), ADDED MARCH 30, 1988 (P.L.321,
16 NO.43), IS AMENDED TO READ:

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

18 (H) EVERY FIVE (5) YEARS, THE BOARD SHALL ADOPT A MASTER
19 PLAN FOR HIGHER EDUCATION WHICH SHALL BE FOR THE GUIDANCE OF THE
20 GOVERNOR, THE GENERAL ASSEMBLY, AND ALL INSTITUTIONS OF HIGHER
21 EDUCATION FINANCED WHOLLY OR IN PART FROM STATE APPROPRIATIONS.
22 THE MASTER PLAN SHALL:

23 [(1) DEFINE THE ROLE OF EACH TYPE OF INSTITUTION (STATE-
24 OWNED UNIVERSITIES, STATE-RELATED UNIVERSITIES, COMMUNITY
25 COLLEGES, PRIVATE COLLEGES AND UNIVERSITIES AND OFF-CAMPUS
26 CENTERS OF ANY OF THESE AND OTHER INSTITUTIONS AUTHORIZED TO
27 GRANT DEGREES) IN THIS COMMONWEALTH;

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

29 (3) RECOMMEND METHODS FOR GOVERNANCE;

30 (4) RECOMMEND METHODS FOR THE DISTRIBUTION OF STATE FUNDS

1 AMONG THE INSTITUTIONS;

2 (5) EVALUATE THE STATUS OF PHYSICAL PLANTS AND TECHNICAL
3 EQUIPMENT AND PROJECT NEEDS;

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

5 (7) EVALUATE ENROLLMENT ACCESSIBILITY TO INSTITUTIONS OF
6 HIGHER LEARNING BY THE PUBLIC; AND

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

9 (1) DESCRIBE THE CURRENT HIGHER EDUCATION LANDSCAPE IN THIS
10 COMMONWEALTH;

11 (2) IDENTIFY UNMET NEEDS AND GAPS WITH REGARD TO CAREER
12 FIELDS, GEOGRAPHIC AND FINANCIAL ACCESS;

13 (3) IDENTIFY EMERGING HIGHER EDUCATION ISSUES AND RECOMMEND
14 STRATEGIES AND OPTIONS DESIGNED TO ADDRESS THE ISSUES;

15 (4) IDENTIFY GAPS AND OPPORTUNITIES FOR COLLABORATION WITH
16 BASIC EDUCATION, WORK FORCE DEVELOPMENT PROGRAMS, ECONOMIC
17 DEVELOPMENT AND OTHER RELATED SYSTEMS; AND

18 (5) OUTLINE A PLAN FOR ACTION BY THE BOARD TO REVISE OR
19 UPDATE ITS HIGHER EDUCATION REGULATIONS.

20 * * *

21 Section 2 5. This act shall take effect in 60 days.

