

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 178 Session of
2017

INTRODUCED BY DAY, STAATS, KAVULICH, DRISCOLL, CONKLIN, SAYLOR,
O'NEILL, DONATUCCI, D. COSTA, MARSICO, WARD, GABLER, PEIFER,
R. BROWN, KORTZ, PHILLIPS-HILL, BARBIN, MICCARELLI, ROE AND
JOZWIAK, JANUARY 23, 2017

AMENDMENTS TO SENATE AMENDMENTS, HOUSE OF REPRESENTATIVES,
OCTOBER 18, 2017

AN ACT

1 Amending the act of March 10, 1949 (P.L.30, No.14), entitled "An
2 act relating to the public school system, including certain
3 provisions applicable as well to private and parochial
4 schools; amending, revising, consolidating and changing the
5 laws relating thereto," in preliminary provisions, further
6 providing for Keystone Exams and providing for Every Student
7 Succeeds Act State Plan Review; in school directors,
8 providing for school director training programs; in school
9 district financial recovery, further providing for additional
10 criteria and providing for financial administrator in
11 financial watch school district; in grounds and buildings,
12 further providing for limitation on new applications for
13 Department of Education approval of public school building
14 projects; in district superintendents and assistant district
15 superintendents, further providing for reports, for manner of
16 election or approval and for term and salary of assistants;
17 in professional employees, further providing for causes for
18 suspension, for persons to be suspended and for appeals to
19 superintendent of public instruction; in certification of
20 teachers, further providing for granting provisional college
21 certificates and for evaluation of applications for
22 certification; in pupils and attendance, further providing
23 for nonprofit school food program; in drug and alcohol
24 recovery high school pilot program, further providing for
25 establishment of drug and alcohol recovery high school pilot
26 program, for scope of program and selection of students, for
27 establishment and payment of tuition, for term of drug and
28 alcohol recovery high school pilot program and for reporting;
29 in terms and courses of study, further providing for fire and
30 emergency evacuation drills, for alcohol, chemical and

1 tobacco abuse program and for agriculture education and
2 providing for Commission for Agricultural Education
3 Excellence; IN CHARTER SCHOOLS, PROVIDING FOR MULTIPLE <--
4 CHARTER SCHOOL ORGANIZATIONS; in community colleges, further
5 providing for financial program and reimbursement of payments
6 and repealing provisions relating to annual report; in rural
7 regional college for underserved counties, further providing
8 for establishment; IN EDUCATIONAL TAX CREDITS, FURTHER <--
9 PROVIDING FOR LIMITATIONS; in transfers of credits between
10 institutions of higher education, further providing for
11 definitions, for duties of public institutions of higher
12 education and for Transfer and Articulation Oversight
13 Committee; in funding for public libraries, providing for
14 State aid for fiscal year 2017-2018; in reimbursements by
15 Commonwealth and between school districts, further providing
16 for definitions, for student-weighted basic education
17 funding, for payments to intermediate units, for assistance
18 to school districts declared to be in financial recovery
19 status or identified for financial watch status and for
20 Ready-to-Learn Block Grant; in State Board of Education,
21 further providing for powers and duties of the board; further
22 providing for the applicability of Act 2016-138; and making
23 editorial changes.

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

26 Section 1. Section 121(b) (1) of the act of March 10, 1949
27 (P.L.30, No.14), known as the Public School Code of 1949,
28 amended February 3, 2016 (P.L.1, No.1), is amended to read:

29 Section 121. Keystone Exams.--* * *

30 (b) The following shall apply:

31 (1) Notwithstanding section 2604-B(b) (2) (v), 22 Pa. Code §
32 4.24 (relating to high school graduation requirements), 4.51
33 (relating to State assessment system) or 4.51c (relating to
34 project-based assessment) or any statute or regulation to the
35 contrary, the use of the Keystone Exams as a graduation
36 requirement or as a benchmark for the need for participation in
37 a project-based assessment shall be delayed until the [2018-
38 2019] 2019-2020 school year.

39 * * *

40 Section 2. The act is amended by adding sections to read:

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

1 (a) ~~A new State~~ STATE plan SUBMISSIONS shall be developed by <--
2 the department under section 1111 of the Elementary and
3 Secondary Education Act of 1965 (Public Law 89-110, 20 U.S.C. §
4 6311), as amended by the Every Student Succeeds Act (Public Law
5 114-95, 129 Stat. 1802), and submitted to the General Assembly
6 as follows:

7 (1) The department shall develop ~~the~~ State plan SUBMISSIONS <--
8 with timely and meaningful consultation with the chair and
9 minority chair of the Education Committee of the Senate and the
10 chair and minority chair of the Education Committee of the House
11 of Representatives, with opportunity for input into the ~~plan's~~ <--
12 STATE PLAN SUBMISSION'S formation. Consultation shall occur with <--
13 regard to the initiatives that are newly created or that retain
14 or modify existing law ~~and~~ OR regulation with regard to the <--
15 following:

16 (i) The use and format of student academic assessments,
17 adjustments or alternatives to existing student academic
18 assessments.

19 (ii) Ongoing parental involvement in assessment and
20 accountability measures.

21 (iii) Teacher evaluation and accountability.

22 (iv) Low-performing school assessment and improvement.

23 (v) Vocational and career education academic assessments,
24 pathways and standards.

25 (vi) Comparability and fairness in assessments of school
26 districts, intermediate units, area vocational-technical
27 schools, charter schools and cyber charter schools.

28 (vii) School district or school building performance
29 measures.

30 (viii) Contracting standards with regard to a third-party

1 provision of the assessments or evaluations provided for in the
2 State plan.

3 (2) The department shall not ~~submit an initial~~ MAKE A State <--
4 plan SUBMISSION to the United States Secretary of Education <--
5 until the Education Committee of the Senate and the Education
6 Committee of the House of Representatives have been provided at
7 least fifteen (15) days, prior to the date of submission, to
8 review and comment on the State plan SUBMISSION. The department <--
9 shall present the ~~initial~~ State plan SUBMISSION at a joint <--
10 hearing of the Education Committee of the Senate and the
11 Education Committee of the House of Representatives, if
12 requested.

13 ~~(3) Any future State plan submissions shall require the~~ <--
14 ~~department to present the details of the submission at a joint~~
15 ~~hearing of the Education Committee of the Senate and the~~
16 ~~Education Committee of the House of Representatives, if~~
17 ~~requested. The department shall provide the committees with at~~
18 ~~least fifteen (15) days to review and comment on the State plan~~
19 ~~prior to any submission.~~

20 ~~(4) The initial (3) ANY State plan submission and any~~ <--
21 ~~future submissions by the department shall include the comments~~
22 ~~submitted by the Education Committee of the Senate and the~~
23 ~~Education Committee of the House of Representatives.~~

24 ~~(5) (4) The department shall report on a quarterly basis to~~ <--
25 ~~the Education Committee of the Senate and the Education~~
26 ~~Committee of the House of Representatives regarding the progress~~
27 ~~toward implementation of the State plan and its components.~~

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

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

3 "State plan." The State plan prepared by the department for
4 the Commonwealth to implement, and submitted to the United
5 States Secretary of Education for approval as provided in,
6 section 1111 of the Elementary and Secondary Education Act of
7 1965. The term includes:

8 (1) A provision within the State plan that is an election by
9 the department to retain and modify an existing law or
10 regulation and a provision that will necessitate the enactment
11 of laws or the promulgation of regulations.

12 (2) A revision of the State plan which is:

13 (i) required by the United States Secretary of Education
14 based on Federal law or its regulations;

15 (ii) pursued under a waiver process authorized under Federal
16 law; or

17 (iii) required by a Federal reauthorization.

18 Section 328. School Director Training Programs.--(a)
19 Beginning in the 2018-2019 school year and in each school year
20 thereafter, the following shall apply:

21 (1) Each newly elected or appointed school director shall
22 complete, during the first year of the school director's first
23 term, a training program made available by the Department of
24 Education, in consultation with a Statewide organization
25 representing school directors and a Statewide organization
26 representing school business officials, pertaining to the skills
27 and knowledge necessary to serve as a school director. The
28 training program shall consist of a minimum of four (4) hours of
29 instruction, including, at a minimum, information regarding the
30 following:

1 (i) Instruction and academic programs.
2 (ii) Personnel.
3 (iii) Fiscal management.
4 (iv) Operations.
5 (v) Governance.
6 (vi) Ethics and open meetings, to include the requirements
7 under 65 Pa.C.S. Pt. II (relating to accountability).

8 (2) Within one (1) year after each reelection or
9 reappointment to the board of school directors, each school
10 director shall complete an advanced training program made
11 available by the Department of Education in consultation with a
12 Statewide organization representing school directors and a
13 Statewide organization representing school business officials.
14 The advanced training program shall consist of a minimum of two
15 (2) hours of instruction, including information on relevant
16 changes to Federal and State public school law and regulations,
17 fiscal management and other information deemed appropriate by
18 the Department of Education to enable the school director to
19 serve effectively.

20 (3) The training programs required under this subsection
21 shall be made available by the Department of Education at no
22 cost to school districts or school directors. The Department of
23 Education shall approve alternative training programs that
24 fulfill the requirements of this subsection which may be
25 provided by school districts, intermediate units, postsecondary
26 institutions or Statewide education organizations. The
27 department shall post on its publicly accessible Internet
28 website all alternative training programs approved under this
29 paragraph.

30 (4) This subsection shall apply to members of a school

1 reform commission established under section 696, provided that
2 the training programs provided to members of a school reform
3 commission shall include information regarding sections 693 and
4 696 and other information deemed appropriate to enable a member
5 of a school reform commission to serve effectively.

6 (b) Beginning in the 2018-2019 school year, and in each
7 school year thereafter, the following shall apply:

8 (1) Each newly appointed trustee of a charter school entity
9 shall complete, within the trustee's first year of service, a
10 training program made available by the Department of Education,
11 in consultation with Statewide organizations representing
12 charter school entities, pertaining to the skills and knowledge
13 necessary to serve as a charter school entity trustee. The
14 training program shall consist of a minimum of four (4) hours of
15 instruction, including, at a minimum, the information listed in
16 subsection (a) (1) and information concerning Article XVII-A.

17 (2) During the fifth year of a trustee's service on the
18 board of trustees and every four (4) years thereafter, each
19 trustee shall complete an advanced training program made
20 available by the Department of Education in consultation with
21 Statewide organizations representing charter school entities.
22 The advanced training program shall consist of a minimum of two
23 (2) hours of instruction, including information on relevant
24 changes to Federal and State public school law and regulations,
25 including Article XVII-A, fiscal management and other
26 information deemed appropriate by the Department of Education to
27 enable the trustee to serve effectively.

28 (3) The training programs required under this subsection
29 shall be made available by the Department of Education at no
30 cost to charter school entities or charter school entity

1 trustees. The Department of Education shall approve alternative
2 training programs that fulfill the requirements of this
3 subsection which may be provided by charter school entities,
4 school districts, intermediate units, postsecondary
5 institutions, Statewide organizations representing charter
6 school entities or other Statewide education organizations. The
7 department shall post on its publicly accessible Internet
8 website all alternative training programs approved under this
9 paragraph.

10 (c) The Department of Education or any other entity
11 providing training programs under this section shall examine
12 options for making the training programs available through
13 online or other distance learning media or through regional-
14 based training.

15 (d) As used in this section, "charter school entity" shall
16 mean a charter school, regional charter school or cyber charter
17 school.

18 Section 3. Section 694-A of the act, added July 13, 2016
19 (P.L.716, No.86), is amended to read:
20 Section 694-A. Additional criteria.

21 (a) Notification to school districts and plan.--

22 (1) The secretary shall notify each school district that
23 receives educational access program funding that is equal to
24 or greater than \$2,000,000 in any one fiscal year, and
25 \$4,000,000 in any one fiscal year beginning with the 2017-
26 2018 fiscal year, that the school district has been
27 identified for financial watch status.

28 (2) A school district identified for financial watch
29 status under this subsection shall receive technical
30 assistance as a financial watch district from the department

1 as provided for in section 611-A(b) and shall develop a plan
2 to improve the school district's finances based on the
3 technical assistance provided by the department for approval
4 by the secretary. The plan shall be submitted to the
5 secretary no later than 180 days after the school district
6 has been identified for financial watch status under this
7 subsection.

8 (3) Each year after the initial submission of the plan,
9 until the secretary determines otherwise, a school district
10 subject to this subsection shall submit a report to the
11 secretary outlining the status of the school district's plan,
12 meet with the secretary or a designee of the secretary to
13 review the report and the status of the school district's
14 finances and hold an annual public hearing regarding the
15 plan.

16 (b) Publication of plan.--A copy of the school district's
17 approved plan and any subsequent annual reports to the secretary
18 shall be posted on the publicly accessible Internet website of
19 the school district and transmitted to the chairperson and
20 minority chairperson of the Appropriations Committee of the
21 Senate, the chairperson and minority chairperson of the
22 Appropriations Committee of the House of Representatives, the
23 chairperson and minority chairperson of the Education Committee
24 of the Senate and the chairperson and minority chairperson of
25 the Education Committee of the House of Representatives.

26 (c) Nonapplicability.--The duty to submit an annual plan
27 under subsection (a) (2) and (3) shall not apply to a school
28 district that has been placed under the supervision of a
29 financial administrator under section 695-A.

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

1 Section 695-A. Financial administrator in financial watch
2 school district.

3 (a) Appointment of financial administrator.--A school
4 district that has been identified for financial watch status
5 under section 694-A and, in the 2017-2018 fiscal year or any
6 fiscal year thereafter, receives educational access program
7 funding shall be placed under the supervision of a financial
8 administrator. The financial administrator:

9 (1) Shall be appointed by the Governor from a list of at
10 least three names submitted by the President pro tempore of
11 the Senate within 30 days of the effective date of this
12 section.

13 (2) Must possess knowledge and experience in such areas
14 as business administration, budget development or fiscal
15 management and facilities management.

16 (3) Shall be considered a Commonwealth employee.

17 (4) Shall be paid by the department for actual and
18 necessary expenses incurred in the performance of the duties
19 as a financial administrator and a reasonable salary, as
20 determined by the secretary.

21 (b) Powers and duties of the financial administrator.--The
22 financial administrator shall:

23 (1) Have complete access to the school district finances
24 and may engage an independent audit of the school district at
25 any time.

26 (2) Utilize the expertise of the department or hire
27 technical staff as necessary to assist in the development of
28 the financial improvement plan.

29 (c) Financial improvement plan development.--The financial
30 administrator shall develop a financial improvement plan in

1 consultation with the secretary that includes:

2 (1) Performance goals, benchmarks and timetables to
3 improve the financial performance and ensure fiscal solvency
4 of the school district.

5 (2) Cash flow analysis.

6 (3) Projections of revenues and expenditures for the
7 current year and next five years, both assuming the
8 continuation of present operations and as impacted by
9 measures included in the plan.

10 (4) Annual training for members of the board of school
11 directors, to include no less than 10 hours in school finance
12 and policy provided by a Statewide organization specializing
13 in school finance and administration and approved by the
14 financial administrator.

15 (5) Facility maintenance and improvement.

16 (d) Financial improvement plan requirements.--The financial
17 administrator shall review existing school policy and procedure
18 and may require changes to be included in the financial
19 improvement plan regarding:

20 (1) Accounting and automation procedures.

21 (2) Permanent staffing levels.

22 (3) Performance goals that administrative staff must
23 meet for contract renewal.

24 (4) Changes in school district policy.

25 (5) Sale, lease, conveyance, assignment or disposition
26 of school district assets.

27 (6) Consolidation of existing school buildings, existing
28 noninstructional programs or other school district services.

29 (7) Greater use of intermediate unit programs.

30 (e) Plan approval.--When the financial administrator

1 completes the financial improvement plan, the financial
2 administrator shall submit the plan to the secretary for
3 approval and provide a copy to the board of school directors.
4 Within 45 days of submission of the plan, the secretary shall
5 approve or disapprove the plan. If the secretary disapproves the
6 plan, the secretary shall include suggested revisions to the
7 plan that will allow for the plan to be resubmitted and
8 approved.

9 (f) Report of final financial improvement plan.--When the
10 financial improvement plan is approved by the secretary, the
11 financial administrator and the secretary shall present the plan
12 to the board of school directors at a public meeting and
13 transmit copies of the plan to the Governor and the chair and
14 minority chair of the Appropriations Committee of the Senate,
15 the chair and minority chair of the Education Committee of the
16 Senate, the chair and minority chair of the Appropriations
17 Committee of the House of Representatives and the chair and
18 minority chair of the Education Committee of the House of
19 Representatives. The school district shall post the final
20 financial improvement plan and any subsequent revision on the
21 school district's publicly accessible Internet website.

22 (g) Implementation of financial improvement plan.--

23 (1) The board of school directors shall reopen the
24 school district's budget and revise its budget and other
25 policies to reflect the financial improvement plan. Future
26 budgets and policies shall adhere to the financial
27 improvement plan as determined by the financial
28 administrator.

29 (2) At any time, the financial administrator may make
30 revisions to the plan as necessary with the approval of the

1 secretary.

2 (h) Noncompliance with financial improvement plan.--If the
3 financial administrator and the secretary determine that the
4 board of school directors has not complied with the provisions
5 of the plan, the financial administrator shall assume the
6 authority of the ~~school~~ board of SCHOOL directors, except for <--
7 the authority to levy taxes under section 507, and implement the
8 provisions of the financial improvement plan in consultation
9 with the secretary.

10 (i) Removal from financial watch status.--The financial
11 administrator, upon consultation with the secretary, PROVIDED <--
12 THAT THE SCHOOL DISTRICT HAS DEMONSTRATED THE ABILITY TO
13 MAINTAIN A STRUCTURALLY BALANCED BUDGET, may remove the school
14 district from financial watch status and, at that time, the
15 provisions of this section shall no longer apply to the school
16 district.

17 Section 5. Sections 732.1(a), 1006, 1073(b), 1077(b), 1124,
18 1125.1 and 1131 of the act are amended to read:

19 Section 732.1. Limitation on New Applications for Department
20 of Education Approval of Public School Building Projects.--(a)
21 For the 2012-2013 fiscal year [and the], 2013-2014 fiscal year
22 and 2017-2018 fiscal year, the Department of Education shall not
23 accept or approve new school building construction or
24 reconstruction project applications. [Completed school building
25 construction or reconstruction project applications received by
26 the Department of Education by October 1, 2012, are not subject
27 to this provision.]

28 * * *

29 Section 1006. Reports.--Every district superintendent shall
30 [annually, on or before the first Monday of August, forward to

1 the Superintendent of Public Instruction the reports of the
2 several school districts under his supervision, and shall
3 accompany the same with such extended report of the public
4 schools under his supervision as he may think proper, suggesting
5 such improvements or changes in the public school system as he
6 may see fit to suggest. He shall further] furnish to the
7 [Superintendent of Public Instruction] Secretary of Education,
8 whenever required so to do, such additional reports and
9 information as the [Superintendent of Public Instruction]
10 Secretary of Education may request.

11 Section 1073. Manner of Election or Approval.--* * *

12 (b) At a [regular] public meeting of the board of school
13 directors occurring at least [one hundred fifty (150)] ninety
14 (90) days prior to the expiration date of the term of office of
15 the district superintendent, the agenda shall include an item
16 requiring affirmative action by five or more members of the
17 board of school directors to notify the district superintendent
18 that the board intends to retain him for a further term of three
19 (3) to five (5) years or that another or other candidates will
20 be considered for the office. In the event that the board fails
21 to take such action at a [regular] public meeting of the board
22 of school directors occurring at least [one hundred fifty (150)]
23 ninety (90) days prior to the expiration date of the term of
24 office of the district superintendent, [he shall continue in
25 office for a further term of similar length to that] the term of
26 office which he is currently serving[.] shall be extended one
27 time for a one (1) year period, upon the conclusion of which the
28 term of office shall terminate unless the board has taken action
29 prior to the end of the one (1) year extension to retain the
30 district superintendent for a further term as provided in this

1 subsection. The notification shall not prevent the
2 superintendent from being considered for or appointed to a
3 further term of office notwithstanding the consideration of
4 other candidates.

5 * * *

6 Section 1077. Term and Salary of Assistants.--* * *

7 (b) At a [regular] public meeting of the board of school
8 directors occurring at least [one hundred fifty (150)] ninety
9 (90) days prior to the expiration date of the term of office of
10 the assistant district superintendent, the agenda shall include
11 an item requiring affirmative action by five (5) or more members
12 of the board of school directors to notify the assistant
13 district superintendent that the board intends to retain him for
14 a further term extending through the term of the school district
15 superintendent or of three (3) to five (5) years or instead that
16 another or other candidates will be considered for the office.
17 In the event that the board fails to take such action at a
18 [regular] public meeting of the board of school directors
19 occurring at least [one hundred fifty (150)] ninety (90) days
20 prior to the expiration date of the term of office of the
21 assistant district superintendent, [he shall continue in office
22 for a further term of similar length to that] the term of office
23 which he is currently serving[.] shall be extended one time for
24 a one (1) year period, upon the conclusion of which the term of
25 office shall terminate unless the board has taken action prior
26 to the end of the one (1) year extension to retain the assistant
27 district superintendent for a further term as provided in this
28 subsection. The notification shall not prevent the assistant
29 district superintendent from being considered for or appointed
30 to a further term of office notwithstanding the consideration of

1 other candidates.

2 Section 1124. Causes for Suspension.--(a) Any board of
3 school directors may suspend the necessary number of
4 professional employes, for any of the causes hereinafter
5 enumerated:

6 (1) substantial decrease in pupil enrollment in the school
7 district;

8 (2) curtailment or alteration of the educational program on
9 recommendation of the superintendent and on concurrence by the
10 board of school directors, as a result of substantial decline in
11 class or course enrollments or to conform with standards of
12 organization or educational activities required by law or
13 recommended by the Department of [Public Instruction] Education;

14 (3) consolidation of schools, whether within a single
15 district, through a merger of districts, or as a result of joint
16 board agreements, when such consolidation makes it unnecessary
17 to retain the full staff of professional employes; [or]

18 (4) when new school districts are established as the result
19 of reorganization of school districts pursuant to Article II.,
20 subdivision (i) of this act, and when such reorganization makes
21 it unnecessary to retain the full staff of professional
22 employes[.]; or

23 (5) economic reasons that require a reduction in
24 professional employes.

25 (a.1) The following apply:

26 (1) A school district may not use an employe's compensation
27 in determining which professional employes to suspend, but shall
28 use the procedures in section 1125.1 to determine the order in
29 which professional employes are suspended.

30 (2) A chief school administrator or other administrator who

1 knowingly approves a suspension that violates paragraph (1)
2 shall have a letter from the Secretary of Education indicating
3 the violation included as part of the individual's permanent
4 employment record.

5 (b) Notwithstanding an existing or future provision in a
6 collective bargaining agreement or other similar employment
7 contract to the contrary, suspension of a professional employe
8 due to the curtailment or alteration of the educational program
9 as set forth in subsection (a) (2) may be effectuated without the
10 approval of the curtailment or alteration of the educational
11 program by the Department of Education, provided that, where an
12 educational program is altered or curtailed as set forth in
13 subsection (a) (2), the school district shall notify the
14 Department of Education of the actions taken pursuant to
15 subsection (a) (2). The Department of Education shall post all
16 notifications received from a school district pursuant to this
17 subsection on the Department of Education's publicly accessible
18 Internet website.

19 (c) The following shall apply in the case of a suspension
20 pursuant to subsection (a) (5) in which a board of school
21 directors suspends professional employes who are assigned to
22 provide instruction directly to students:

23 (1) A board of school directors may suspend the necessary
24 number of professional employes assigned to provide instruction
25 directly to students only if the board of school directors also
26 suspends at least an equal percentage proportion of
27 administrative staff.

28 (2) The Secretary of Education may grant a board of school
29 directors a waiver of paragraph (1) if all of the following
30 apply:

1 (i) The Secretary of Education determines that the school
2 district's operations are already sufficiently streamlined or
3 the suspension of administrative staff pursuant to paragraph (1)
4 would cause harm to school stability and student programs.

5 (ii) The Secretary of Education submits the determination to
6 the State Board of Education.

7 (iii) The State Board of Education approves the
8 determination by a majority of its members.

9 (3) Any five administrative staff positions selected by the
10 board of school directors, one of whom shall be the business
11 manager of the school district or another staff member with the
12 primary responsibility of managing the business operations of
13 the school district, shall be exempt from the requirements of
14 paragraph (1).

15 (d) A board of school directors may suspend professional
16 employees pursuant to subsection (a) (5) only if all of the
17 following apply:

18 (1) The board of school directors approves the proposed
19 suspensions by a majority vote of all school directors at a
20 public meeting of the board of school directors.

21 (2) No later than sixty (60) days prior to the date of
22 adoption of a final budget, the board of school directors has
23 adopted a resolution of intent to suspend professional employees
24 in the following fiscal year, which shall set forth the
25 following:

26 (i) The economic conditions of the school district making
27 the proposed suspensions necessary and how those economic
28 conditions will be alleviated by the proposed suspensions,
29 including:

30 (A) The total cost savings expected to result from the

1 proposed suspensions.

2 (B) A description of other cost-saving actions taken by the
3 board of school directors, if any.

4 (C) The projected expenditures of the school district for
5 the following fiscal year with and without the proposed
6 suspensions.

7 (D) The projected total revenues of the school district for
8 the following fiscal year.

9 (ii) The number and percentage of employes to be suspended
10 who are professional employes assigned to provide instruction
11 directly to students.

12 (iii) The number and percentage of employes to be suspended
13 who are administrative staff.

14 (iv) The number and percentage of employes to be suspended
15 who are professional employes who are not assigned to provide
16 instruction directly to students and who are not administrative
17 staff.

18 (v) The impact of the proposed suspensions on academic
19 programs to be offered to students following the proposed
20 suspensions, as well as the impact on academic programs to be
21 offered to students if the proposed suspensions are not
22 undertaken, compared to the current school year, and the
23 actions, if any, that will be taken to minimize the impact on
24 student achievement.

25 (e) Following the 2021-2022 school year, the Legislative
26 Budget and Finance Committee shall conduct a study of the
27 effectiveness of the provisions of subsections (a)(5), (c) and
28 (d) and section 1125.1, including whether these provisions of
29 law are being used effectively by school districts to improve
30 school district efficiency and the impact of these provisions on

1 programs offered to students, as well as the impact on programs
2 that would have been offered to students if these provisions had
3 not been enacted, if such information is available, and shall
4 deliver a written report of its findings to the Governor, the
5 chairperson and minority chairperson of the Education Committee
6 of the Senate and the chairperson and minority chairperson of
7 the Education Committee of the House of Representatives by
8 December 31, 2022.

9 (f) The following apply:

10 (1) A collective bargaining agreement negotiated by a school
11 district and an exclusive representative of professional
12 employees in accordance with the act of July 23, 1970 (P.L.563,
13 No.195), known as the "Public Employe Relations Act," after the
14 effective date of this subsection may not prohibit the
15 suspension of professional employes for economic reasons other
16 than as provided for in this section.

17 (2) A provision in any agreement or contract in effect on
18 the effective date of this subsection that prohibits the
19 suspension of professional employes for economic reasons in
20 conflict with this section shall be discontinued in any new or
21 renewed agreement or contract or during the period of status quo
22 following an expired contract.

23 Section 1125.1. Persons to be Suspended.--(a) Professional
24 employes shall be suspended under section 1124 [(relating to
25 causes for suspension) in inverse order of seniority within the
26 school entity of current employment. Approved leaves of absence
27 shall not constitute a break in service for purposes of
28 computing seniority for suspension purposes.] in the following
29 order, within the area of certification required by law for the
30 professional employe's current position:

1 (1) Each professional employe who received, on the
2 professional employe's two most recent annual performance
3 evaluations, consecutive ratings that are considered
4 unsatisfactory pursuant to section 1123 shall be suspended
5 first.

6 (2) After suspending professional employes under paragraph
7 (1), each professional employe who received, on the professional
8 employe's two most recent annual performance evaluations, one
9 rating that is considered unsatisfactory pursuant to section
10 1123 and one rating that is considered satisfactory pursuant to
11 section 1123 shall be suspended second.

12 (3) After suspending professional employes pursuant to
13 paragraph (2), each professional employe who received, on the
14 professional employe's two most recent annual performance
15 evaluations, consecutive ratings which are considered
16 satisfactory pursuant to section 1123 and which are either
17 consecutive ratings of "proficient" or a combination of one
18 rating of "proficient" or "distinguished" and one rating of
19 "needs improvement" pursuant to section 1123 shall be suspended
20 third.

21 (4) After suspending professional employes pursuant to
22 paragraph (3), each professional employe who received, on the
23 professional employe's two most recent annual performance
24 evaluations, consecutive ratings which are considered
25 satisfactory pursuant to section 1123, and which are consecutive
26 ratings of "distinguished" or a combination of one rating of
27 "proficient" and one rating of "distinguished" pursuant to
28 section 1123 shall be suspended last.

29 (a.1) When more professional employes receive the same
30 overall performance rating than there are suspensions, seniority

1 within the school entity and within the area of certification
2 required by law for the professional employe's current position
3 shall be used to determine suspensions among professional
4 employes with the same overall performance rating on the
5 professional employe's two most recent annual performance
6 evaluations pursuant to section 1123. An approved leave of
7 absence shall not constitute a break in service for purposes of
8 computing seniority for suspension purposes.

9 (a.2) Seniority shall continue to accrue during suspension
10 and all approved leaves of absence.

11 (b) Where there is or has been a consolidation of schools,
12 departments or programs, all professional employes shall retain
13 the seniority rights they had prior to the reorganization or
14 consolidation.

15 [(c) A school entity shall realign its professional staff so
16 as to insure that more senior employes are provided with the
17 opportunity to fill positions for which they are certificated
18 and which are being filled by less senior employes.]

19 (d) The following apply:

20 (1) No suspended employe shall be prevented from engaging in
21 another occupation during the period of suspension.

22 (2) Suspended professional employes or professional employes
23 demoted for the reasons set forth in section 1124 shall be
24 reinstated [on the basis of their seniority within the school
25 entity.] in the following order, within the area of
26 certification required by law for the vacancy being filled and
27 within the school entity:

28 (i) Professional employes suspended pursuant to subsection
29 (a) (4) shall be reinstated first, on the basis of their
30 seniority within the school entity.

1 (ii) After reinstating professional employes under subclause
2 (i), professional employes suspended pursuant to subsection (a)
3 (3) shall be reinstated second, on the basis of their seniority
4 within the school entity.

5 (iii) After reinstating professional employes under
6 subclause (ii), professional employes suspended pursuant to
7 subsection (a)(2) shall be reinstated third, on the basis of
8 their seniority within the school entity.

9 (iv) After reinstating professional employes under subclause
10 (iii), professional employes suspended pursuant to subsection
11 (a)(1) shall be reinstated last, on the basis of their seniority
12 within the school entity.

13 No new appointment shall be made while there is such a suspended
14 or demoted professional employe available who is properly
15 certificated to fill such vacancy. For the purpose of this
16 subsection, positions from which professional employes are on
17 approved leaves of absence shall also be considered temporary
18 vacancies.

19 (3) To be considered available a suspended professional
20 employe must annually report to the governing board in writing
21 his current address and his intent to accept the same or similar
22 position when offered.

23 (4) A suspended employe enrolled in a college program during
24 a period of suspension and who is recalled shall be given the
25 option of delaying his return to service until the end of the
26 current semester.

27 (e) Nothing contained in [section 1125.1(a) through (d)]
28 this section shall be construed to:

29 (1) limit the cause for which a temporary professional
30 employe may be suspended; or

1 (2) supersede or preempt any provisions of a collective
2 bargaining agreement negotiated by a school entity and an
3 exclusive representative of the employes in accordance with the
4 act of July 23, 1970 (P.L.563, No.195), known as the "Public
5 Employe Relations Act"; however, no agreement shall prohibit the
6 right of a professional employe who is not a member of a
7 bargaining unit from retaining seniority rights under the
8 provisions of this act.

9 (f) A decision to suspend in accordance with this section
10 shall be considered an adjudication within the meaning of the
11 "Local Agency Law."

12 (g) The following apply:

13 (1) No collective bargaining agreement negotiated by a
14 school district and an exclusive representative of the employes
15 in accordance with the "Public Employe Relations Act" after the
16 effective date of this subsection shall provide for suspending,
17 reinstating or realigning professional employes based on
18 seniority other than as provided for in this section.

19 (2) Upon the expiration, amendment or adoption of any
20 agreement or contract, a provision that provides for suspending,
21 reinstating or realigning professional employes based on
22 seniority in conflict with section 1124 or this section shall be
23 discontinued in any new or renewed agreement or contract or
24 during the period of status quo following an expired contract.

25 Section 1131. Appeals to [Superintendent of Public
26 Instruction] Secretary of Education.--In case the professional
27 employe concerned considers himself or herself aggrieved by the
28 action of the board of school directors, an appeal by petition,
29 setting forth the grounds for such appeal, may be taken to the
30 [Superintendent of Public Instruction] Secretary of Education at

1 Harrisburg. Such appeal shall be filed within [thirty (30)]
2 fifteen (15) days after receipt by registered mail of the
3 written notice of the decision of the board. A copy of such
4 appeal shall be served by registered mail on the secretary of
5 the school board.

6 The [Superintendent of Public Instruction] Secretary of
7 Education shall fix a day and time for hearing, which shall be
8 not sooner than ten (10) days nor more than thirty (30) days
9 after presentation of such petition, and shall give written
10 notice to all parties interested.

11 The [Superintendent of Public Instruction] Secretary of
12 Education shall review the official transcript of the record of
13 the hearing before the board, and may hear and consider such
14 additional testimony as he may deem advisable to enable him to
15 make a proper order. At said hearing the litigants shall have
16 the right to be heard in person or by counsel or both.

17 After hearing and argument and reviewing all the testimony
18 filed or taken before him, the [Superintendent of Public
19 Instruction] Secretary of Education shall enter such order,
20 either affirming or reversing the action of the board of school
21 directors, as to him appears just and proper.

22 Section 6. Section 1204 of the act, amended July 13, 2016
23 (P.L.716, No.86), is amended to read:

24 Section 1204. Granting Provisional College Certificates.--
25 The Secretary of Education may grant a provisional college
26 certificate to every person who presents to the Department of
27 Education satisfactory evidence of good moral character, and of
28 being a graduate of an approved college or university, who has
29 completed such work in education as may be required by the
30 standards of the State Board of Education, and to every person

1 who presents to the Department of Education satisfactory
2 evidence of good moral character, and of being a graduate of
3 music, with the degree of bachelor of music of an approved
4 college or university, who has during such musical course
5 completed the prescribed number of hours of professional
6 studies, which certificate shall entitle the individual to teach
7 for three annual school terms, and may be renewed for one
8 additional three-year period in accordance with standards to be
9 established by the State Board of Education. The Department of
10 Education shall process an application for provisional college
11 certification submitted by an individual who is a member of the
12 United States Armed Forces, including a reserve component or
13 National Guard, or a veteran, or the spouse of the member of the
14 United States Armed Forces or the spouse of the veteran, within
15 fourteen (14) days of the date the department received the
16 completed application. For the purposes of this section, the
17 term "veteran" shall mean an individual who has served in the
18 United States Armed Forces, including a reserve component or
19 National Guard, and who was discharged or released from such
20 service under conditions other than dishonorable.

21 Section 7. Sections 1216 and 1337(d) of the act are amended
22 to read:

23 Section 1216. Evaluation of Applications for
24 Certification.--(a) All applications for certification shall be
25 evaluated in their entirety. The Department of Education shall
26 notify the applicant if the application is incomplete and
27 include a listing of all materials or information needed to
28 complete the application. The applicant's pending application
29 shall remain open for one year following the date of such
30 notification. No letter of denial of certification shall be

1 issued unless all deficiencies in the application are stated in
2 the letter of denial.

3 (b) The grade point average used by the department in
4 evaluating the grade point average requirements for
5 certification pursuant to 22 Pa. Code § 354.24 (relating to
6 academic performance) shall be as follows:

7 (1) For applicants whose initial preparation culminated in a
8 bachelor's degree or higher prior to October 7, 2000, the grade
9 point average in effect on the date of application for
10 certification.

11 (2) For applicants whose initial preparation culminates in a
12 bachelor's degree or higher on or after October 7, 2000, the
13 grade point average in effect on the date of graduation.

14 (c) A teacher preparation program approved by the Department
15 of Education shall recommend applicants for certification who
16 meet either of the standards for grade point average set forth
17 in 22 Pa. Code § 354.33(5) or (6) (relating to professional
18 competency).

19 (d) (1) A teacher preparation program approved by the
20 Department of Education shall not require a student enrolled in
21 the program to obtain a passing score on an assessment
22 administered pursuant to 22 Pa. Code § 49.18 (relating to
23 assessment) as a condition of program completion or graduation
24 or include the student's score on the assessment as a component
25 of a student's grade in any course, provided that the
26 observational assessment of professional knowledge and practice
27 may be included as a component of a student's student teaching
28 grade.

29 (2) Subject to section 1207.3(a), a teacher preparation
30 program approved by the Department of Education shall not

1 include a student's score on the assessment of basic skills
2 administered pursuant to 22 Pa. Code § 49.18 as a component of a
3 student's grade in any course.

4 (3) For purposes of this paragraph:

5 (i) "Assessment" shall include the assessment of general
6 knowledge, the assessment of professional knowledge and practice
7 or the assessment of subject matter as such terms are defined in
8 22 Pa. Code § 49.1 (relating to definitions).

9 (ii) "Assessment of basic skills" shall have the meaning
10 given in 22 Pa. Code § 49.1.

11 (iii) "Assessment of professional knowledge and practice"
12 shall have the meaning given in 22 Pa. Code § 49.1.

13 Section 1337. Nonprofit School Food Program.--* * *

14 (d) Boards of School Directors.

15 (1) Pursuant to any power of boards of school directors to
16 operate or provide for the operation of school food programs in
17 schools under their jurisdiction, boards of school directors may
18 use therefore funds disbursed to them under the provisions of
19 this section, gifts and other funds, received from sale of
20 school food under such programs.

21 (2) Regardless of whether a student has money to pay for a
22 school meal or owes money for school meals, each board of school
23 directors shall establish a requirement for schools under its
24 jurisdiction to provide a school food program meal to a student
25 who requests one, unless the student's parent or guardian has
26 specifically provided written directive to the school to
27 withhold a school meal.

28 (3) Each board of school directors shall require schools
29 under its jurisdiction to comply with the following when a
30 student owes money for five or more school meals:

1 (i) The school shall make at least two attempts to reach the
2 student's parent or guardian and have the parent or guardian
3 apply for participation in the school food program.

4 (ii) The school may offer assistance with applying for
5 participation in the school food program.

6 (4) Each board of school directors shall:

7 (i) Require schools under its jurisdiction to direct
8 communications regarding money owed by a student for school
9 meals to the student's parent or guardian and not to the
10 student.

11 (ii) Permit schools under its jurisdiction to contact the
12 student's parent or guardian by means of a letter addressed to
13 the parent or guardian that is delivered by the student.

14 (5) Each board of school directors shall prohibit schools
15 under its jurisdiction from implementing the following:

16 (i) Publicly identifying or stigmatizing a student who
17 cannot pay for a school meal or who owes money for school meals.

18 (ii) Requiring a student who cannot pay for a school meal to
19 perform chores or other work to pay for the school meal. This
20 subclause shall not apply if chores or other work are required
21 of all students regardless of the student's inability to pay for
22 the school meal.

23 (iii) Requiring a student to discard a school meal after it
24 was served to the student due to the student's inability to pay
25 for the school meal or the amount of money owed by the student
26 for earlier school meals.

27 * * *

28 Section 8. Sections 1402-A(b), 1403-A(a), 1405-A(a), 1406-A
29 and 1407-A of the act, added July 13, 2016 (P.L.716, No.86), are
30 amended to read:

1 Section 1402-A. Establishment of Drug and Alcohol Recovery High
2 School Pilot Program.

3 * * *

4 (b) Designation.--[Within 60 days of the effective date of
5 this section] Not later than August 7, NOVEMBER 1, 2017, the <--
6 Secretary of Education, in consultation with the Department of
7 Drug and Alcohol Programs, shall:

8 (1) Designate[, through a request for proposal process,]
9 a facility that satisfies all of the following to serve as
10 the recovery high school for purposes of the program:

11 (i) Is licensed as a private academic school under
12 the act of January 28, 1988 (P.L.24, No.11), known as the
13 Private Academic Schools Act.

14 (ii) Is located in a school district of the first
15 class.

16 (iii) [Has experience providing drug and alcohol
17 recovery services] Is currently operating as a recovery
18 high school.

19 (iv) Has adopted and follows accreditation standards
20 and best practices set forth by the Association of
21 Recovery Schools.

22 (v) Has been a member of the Association of Recovery
23 Schools during the 2016-2017 school year.

24 (2) Post notice of the designation on the department's
25 publicly accessible Internet website.

26 Section 1403-A. Scope of program and selection of students.

27 (a) Maximum participation.--Beginning in the [2016-2017]
28 2017-2018 school year, a maximum of 20 students in grades 9
29 through 12 may be enrolled in the recovery high school under the
30 program at any one time.

1 * * *

2 Section 1405-A. Establishment and payment of tuition.

3 (a) Tuition rate.--No later than June 30 of each year, the
4 department shall establish a per-student regular education
5 tuition rate for each student enrolled in the recovery high
6 school under the program, provided that the recovery high school
7 may not set a per-student regular education tuition rate for
8 students enrolled in the recovery high school who are not
9 participants in the program that is lower than the per-student
10 regular education tuition rate established for students enrolled
11 in the recovery high school under the program. The per-student
12 regular education tuition rate for students enrolled in the
13 recovery high school under the program shall be determined as
14 follows:

15 (1) For the [2016-2017] 2017-2018 school year, the per-
16 student regular education tuition rate for each student
17 enrolled in the recovery high school under the program shall
18 be \$20,000.

19 (2) Beginning in the [2017-2018] 2018-2019 school year,
20 and in each school year thereafter, annual adjustments to the
21 amount set forth in paragraph (1) shall be made as follows:

22 (i) The Department of Labor and Industry shall
23 determine the percentage change in the Consumer Price
24 Index for All Urban Consumers: All Items (CPI-U) for the
25 United States City Average as published by the United
26 States Department of Labor, Bureau of Labor Statistics,
27 for the 12-month period ending September 30, [2016] 2017,
28 and for each successive 12-month period thereafter.

29 (ii) If the Department of Labor and Industry
30 determines that there is no positive percentage change,

1 then no adjustment to the amount set forth in paragraph
2 (1) shall occur for the relevant time period.

3 (iii) The following apply:

4 (A) If the Department of Labor and Industry
5 determines that there is a positive percentage change
6 in the first year that the determination is made
7 under subparagraph (i), the positive percentage
8 change shall be multiplied by the amount set forth in
9 paragraph (1), and the product shall be added to the
10 amount set forth in paragraph (1), and the sum shall
11 be the preliminary adjusted per-student tuition rate.

12 (B) The preliminary adjusted per-student tuition
13 rate shall be rounded to the nearest \$100 to
14 determine the final adjusted per-student tuition
15 rate.

16 (iv) In each successive year in which there is a
17 positive percentage change in the CPI-U for the United
18 States City Average, the positive percentage change shall
19 be multiplied by the most recent preliminary per-student
20 tuition rate, and the product shall be added to the
21 preliminary adjusted per-student tuition rate of the
22 prior year to calculate the preliminary adjusted per-
23 student tuition rate for the current year. The sum
24 thereof shall be rounded to the nearest \$100 to determine
25 the new final adjusted per-student tuition rate.

26 (v) The determinations and adjustments required
27 under this subparagraph shall be made in the period
28 between April 1, [2017] 2018, and April 30, [2017] 2018,
29 and annually between April 1 and April 30 of each year
30 thereafter.

1 (vi) The final adjusted per-student tuition rates
2 obtained under subparagraphs (iii) and (iv) shall become
3 effective July 1 for the school year following the year
4 in which the determination required under this paragraph
5 is made.

6 (vii) The department shall publish notice in the
7 Pennsylvania Bulletin prior to July 1 of each year of the
8 annual percentage change determined under subparagraph
9 (i) and the unadjusted or final adjusted per-student
10 tuition rate determined under subparagraphs (iii) and
11 (iv) for the school year following the year in which the
12 per-student tuition rate is determined. The notice shall
13 include a written and illustrative explanation of the
14 calculations performed by the department in establishing
15 the unadjusted or final adjusted per-student tuition rate
16 under this section for the ensuing calendar year.

17 (viii) The annual increase in the preliminary
18 adjusted per-student tuition rate determined under
19 subparagraphs (iii) and (iv) shall not exceed 3%.

20 * * *

21 Section 1406-A. Term of Drug and Alcohol Recovery High School
22 Pilot Program.

23 (a) Enrollment of new students.--Unless the program is
24 permanently established by action of the General Assembly, the
25 recovery high school shall not enroll new students under the
26 program after June 30, [2020] 2021.

27 (b) Continued enrollment.--If the program is not permanently
28 established by action of the General Assembly on or before June
29 30, [2020] 2021, a student enrolled in the recovery high school
30 under the program as of June 30, [2020] 2021, may remain

1 enrolled in the recovery high school under the program until the
2 earlier of the following:

3 (1) The student's graduation from the recovery high
4 school.

5 (2) The student's withdrawal from the recovery high
6 school.

7 (3) The student's completion of four years of enrollment
8 in the recovery high school under the program.

9 Section 1407-A. Reporting.

10 (a) Report by recovery high school.--By August 31, [2018]
11 2019, and by August 31 of each year thereafter, the recovery
12 high school shall submit annually to the Secretary of Education,
13 the Secretary of Drug and Alcohol Programs, the chairperson and
14 minority chairperson of the Education Committee of the Senate,
15 the chairperson and minority chairperson of the Education
16 Committee of the House of Representatives, the chairperson and
17 minority chairperson of the Public Health and Welfare Committee
18 of the Senate and the chairperson and minority chairperson of
19 the Health Committee of the House of Representatives a written
20 report concerning the program. The report shall include, but not
21 be limited to, all of the following, subject to the requirements
22 of the Family Educational Rights and Privacy Act of 1974 (Public
23 Law 90-247, 20 U.S.C. § 1232g) and to the extent such reporting
24 does not reveal identifying information concerning any
25 individual student:

26 (1) The number of students who:

27 (i) Enrolled in the recovery high school under the
28 program for the preceding reporting period.

29 (ii) Requested enrollment in the recovery high
30 school under the program but were denied participation in

1 the program for the preceding reporting period.

2 (iii) Enrolled in the recovery high school but who
3 were not participants in the program for the preceding
4 reporting period.

5 (2) The number and percentage of students enrolled in
6 the recovery high school during the previous reporting period
7 to whom each of the following apply, reported separately
8 based on whether or not the students were participants in the
9 program:

10 (i) Earned a high school diploma from the recovery
11 high school.

12 (ii) Withdrew from the recovery high school and
13 requested transfer of educational records to another
14 school.

15 (iii) Withdrew from the recovery high school without
16 requesting transfer of educational records to another
17 school.

18 (iv) Maintained enrollment in the recovery high
19 school in good standing.

20 (3) A narrative description of the academic outcomes for
21 students enrolled in the recovery high school, including
22 aggregate assessment results, reported separately based on
23 whether or not the students were participants in the program.

24 (4) A narrative description of student success in
25 managing issues concerning drug or alcohol abuse or
26 addiction, reported separately based on whether or not the
27 students were participants in the program.

28 (5) Recommendations for improvements to the program.

29 (6) Any information regarding the program that the
30 recovery high school determines would be useful to the

1 General Assembly, the Department of Education and the
2 Department of Drug and Alcohol Programs in determining
3 whether changes to the program are necessary and whether the
4 program should be continued.

5 (b) Report by Department of Education and Department of Drug
6 and Alcohol Programs.--By December 31, [2019] 2020, the
7 Department of Education and the Department of Drug and Alcohol
8 Programs, jointly, shall submit to the chairperson and minority
9 chairperson of the Education Committee of the Senate, the
10 chairperson and minority chairperson of the Education Committee
11 of the House of Representatives, the chairperson and minority
12 chairperson of the Public Health and Welfare Committee of the
13 Senate and the chairperson and minority chairperson of the
14 Health Committee of the House of Representatives a written
15 report assessing the success of the program and making
16 recommendations regarding the possible extension and expansion
17 of the program, including a proposed timeline for any potential
18 expansion.

19 Section 9. Sections 1517, 1547 and 1549 of the act are
20 amended to read:

21 Section 1517. Fire and Emergency Evacuation Drills.--(a)
22 [In] Except as provided under subsection (a.1), in all [public
23 schools] school buildings of school entities where fire-escapes,
24 appliances for the extinguishment of fires, or proper and
25 sufficient exits in case of fire or panic, either or all, are
26 required by law to be maintained, fire drills shall be
27 periodically conducted, not less than one a month, by the
28 teacher or teachers in charge, under rules and regulations to be
29 promulgated by the [district superintendent] chief school
30 administrator under whose supervision such [schools] school

1 entities are. In such fire drills the pupils and teachers shall
2 be instructed in, and made thoroughly familiar with, the use of
3 the fire-escapes, appliances and exits. The drill shall include
4 the actual use thereof, and the complete removal of the pupils
5 and teachers, in an expeditious and orderly manner, by means of
6 fire-escapes and exits, from the building to a place of safety
7 on the ground outside.

8 (a.1) Within ninety (90) days of the commencement of the
9 school year after the effective date of this subsection and
10 within ninety (90) days of the commencement of each school year
11 thereafter, each school entity may conduct one school security
12 drill per school year in each school building in place of a fire
13 drill required under subsection (a). All of the following shall
14 apply:

15 (1) The school security drill may be conducted while the
16 school entity is in session and students are present under
17 policies adopted by the chief school administrator.

18 (2) The chief school administrator or a designee shall
19 oversee the instruction and training of students and school
20 employees in the procedures to be used in the school security
21 drill.

22 (3) The chief school administrator shall notify and request
23 assistance from the local law enforcement agency and emergency
24 management agency before conducting the school security drill.

25 (4) The chief school administrator shall provide notice of
26 the school security drill in advance to parents and legal
27 guardians of the students attending the school building for
28 which the school security drill is scheduled.

29 (b) [District superintendents] Chief school administrators
30 are hereby required to see that the provisions of this section

1 are faithfully carried out in the [schools] school entities over
2 which they have charge.

3 (c) Any person who violates or fails to comply with the
4 provisions of this section shall be guilty of a misdemeanor, and
5 on conviction shall be sentenced to pay a fine of not less than
6 twenty-five dollars (\$25) nor more than five hundred dollars
7 (\$500), or to undergo imprisonment in the county jail for not
8 less than (10) days or more than sixty (60) days, or both.

9 (d) All [schools] school entities using or contracting for
10 school buses for the transportation of school children shall
11 conduct on school grounds two emergency evacuation drills on
12 buses during each school year, the first to be conducted during
13 the first week of the first school term and the second during
14 the month of March, and at such other times as the chief school
15 administrator may require. Each such drill shall include the
16 practice and instruction concerning the location, use and
17 operation of emergency exit doors and fire extinguishers and the
18 proper evacuation of buses in the event of fires or accidents.

19 Bus operators shall be provided with proper training and
20 instructions to enable them to carry out the provisions of this
21 subsection and may be required to attend classes and drills in
22 connection therewith.

23 (e) On or before the tenth day of April of each year, each
24 [district superintendent] chief school administrator shall
25 certify to the Department of [Public Instruction] Education that
26 the emergency evacuation drills and school security drills
27 herein required have been [held] conducted in accordance with
28 this section.

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

1 "Chief school administrator" shall mean the superintendent of
2 a school district, superintendent of an area vocational-
3 technical school, executive director of an intermediate unit or
4 chief executive officer of a charter school or regional charter
5 school.

6 "School entity" shall mean an area vocational-technical
7 school, school district, intermediate unit, charter school or
8 regional charter school.

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

14 Section 1547. Alcohol, Chemical and Tobacco Abuse Program.--

15 (a) Beginning with school year 1991-1992 and each year
16 thereafter, each public school student shall receive mandatory
17 instruction in alcohol, chemical and tobacco abuse in every year
18 in every grade from kindergarten through grade twelve. The
19 instruction shall be integrated within the health course of
20 study required in accordance with the State Board of Education
21 regulations. In grades where health is offered, instruction may
22 also be integrated into other appropriate courses of study. In
23 grades where health is not offered, instruction shall be
24 integrated into an appropriate curriculum requirement as listed
25 in 22 Pa. Code [§ 5.4(b).] §§ 4.21 (relating to elementary
26 education: primary and intermediate levels), 4.22 (relating to
27 middle level education) and 4.23 (relating to high school
28 education).

29 (1) This instruction:

30 (i) Shall be age appropriate.

1 (ii) Shall be sequential in method of study.

2 (iii) Shall discourage the use of alcohol, tobacco and
3 controlled substances.

4 (iv) Shall communicate that the use of illicit drugs and the
5 improper use of legally obtained drugs is wrong.

6 (2) School districts may utilize any appropriate public or
7 private materials, personnel and other resources in developing
8 and implementing this program of instruction. The Department of
9 ~~Health, [Office] Department~~ HEALTH[, OFFICE] AND THE DEPARTMENT <--
10 of Drug and Alcohol Programs, JOINTLY, shall make available <--
11 information about appropriate curriculum materials upon request
12 of a school district. In developing its alcohol, chemical and
13 tobacco abuse instructional program, each school district shall
14 consult with the single county authority designated by the
15 Department of [Health] Drug and Alcohol Programs to provide drug
16 and alcohol services in the school district's area.

17 (a.1) Beginning with the 2018-2019 school year, for students
18 in grades six through twelve, the instruction required under
19 subsection (a) shall include instruction related to the
20 prevention of opioid abuse, with an emphasis on the prescription
21 drug epidemic and the connection between prescription opioid
22 abuse and addiction to other drugs, including heroin. Not later
23 than the beginning of the 2018-2019 school year, the Department
24 of Education, the Department of Health and the Department of
25 Drug and Alcohol Programs shall develop jointly a model
26 curriculum for this purpose and each department shall post the
27 model curriculum on its publicly accessible Internet website.
28 The model curriculum developed under this subsection shall be
29 revised when necessary to ensure that the model curriculum
30 provides the most current information. In providing the

1 instruction required under this subsection, a school district
2 may, but shall not be required to, use the model curriculum.

3 (b) Each school district is hereby authorized to develop and
4 offer programs relating to alcohol, chemical and tobacco abuse
5 for parents of students enrolled in the public schools. If a
6 school district does develop such programs, they shall be
7 developed in consultation with the single county authority
8 designated by the Department of [Health] Drug and Alcohol
9 Programs to provide drug and alcohol services in the school
10 district's area. Such programs shall be offered at no cost to
11 parents.

12 (c) The Secretary of Education, in consultation with the
13 Secretary of Health and the Secretary of Drug and Alcohol
14 Programs, shall develop curriculum guidelines for instruction on
15 alcohol, chemical and tobacco abuse and the laws governing their
16 use and misuse. These guidelines shall encourage the inclusion
17 of the following elements where appropriate in the instruction:

18 (1) Detailed factual information regarding the
19 physiological, psychological, sociological and legal aspects of
20 substance abuse.

21 (2) Detailed information regarding the availability of help
22 and assistance for students and their families with alcohol,
23 chemical and tobacco dependency problems.

24 (3) The goals of quality education as set forth in 22 Pa.
25 Code [§ 5.13(f)] (relating to education).

26 (4) Skills needed to evaluate advertisements for and media
27 portrayals of alcohol, chemical and tobacco products.

28 (5) Detailed instruction on the need for and the role of
29 lawful authority and law-abiding behavior, including interaction
30 with members of the legal and justice community.

1 (d) The following apply:

2 (1) Beginning with the 1991-1992 school year and each year
3 thereafter, the Secretary of Education, in consultation with the
4 Secretary of Health and the Secretary of Drug and Alcohol
5 Programs, shall make available, to all school districts and
6 intermediate units, in-service training programs based upon the
7 instruction requirements established in subsection (a) and the
8 curriculum guidelines established in subsection (c). The
9 programs shall provide preparation for the teaching of mandated
10 instruction in alcohol, chemical and tobacco abuse. The in-
11 service programs may utilize the single county authorities
12 designated by the Department of [Health] Drug and Alcohol
13 Programs or such other institutions, agencies or persons as the
14 Secretary of Education or the Secretary of Health deems
15 appropriate.

16 (2) Beginning with the 2018-2019 school year, the Department
17 of Education, the Department of Health and the Department of
18 Drug and Alcohol Programs shall develop jointly and shall make
19 available to all school districts and nonpublic schools in-
20 service training programs based upon the instruction
21 requirements established under subsection (a.1) and the model
22 curriculum developed under subsection (a.1). The in-service
23 training programs developed under this subsection shall be
24 revised when necessary to ensure that the in-service training
25 programs provide the most current information.

26 (e) The following apply:

27 (1) Beginning with the 1991-1992 school year, each school
28 district shall provide, as part of its in-service training,
29 programs on alcohol, drugs, tobacco and dangerous controlled
30 substances for all instructors whose teaching responsibilities

1 include courses of study in which mandated instruction
2 concerning alcohol, chemical and tobacco abuse is integrated. To
3 comply with this requirement, a school district may utilize the
4 programs made available by the Department of Education or use
5 other alternative programs.

6 (2) Beginning with the 2018-2019 school year and every three
7 (3) years thereafter, each school district shall provide, as
8 part of its in-service training, programs based upon the
9 instruction requirements established under subsection (a.1) for
10 all instructors whose teaching responsibilities include courses
11 of study in which such mandated instruction is integrated. To
12 comply with this requirement, a school district may utilize the
13 in-service training programs made available under subsection (d)
14 (2).

15 (f) The governing board of each intermediate unit in which a
16 nonpublic school is located shall have the authority and the
17 duty to loan to all students attending nonpublic schools within
18 the intermediate unit all educational materials developed by
19 [either] the Department of Education [or], the Department of
20 Health or the Department of Drug and Alcohol Programs, pursuant
21 to this act for the instruction of public school students on the
22 nature and effects of drugs, alcohol, tobacco and dangerous
23 controlled substances. Local school boards need not expend funds
24 which are not provided by either the Federal or State Government
25 for drug education programs for the use or loan of these
26 materials. A nonpublic school may utilize the in-service
27 training programs made available by the Department of Education
28 through the intermediate unit.

29 (g) On or before June 1, 1991, the Secretary of Education
30 shall recommend to the General Assembly a plan to require and

1 assist each school district to establish and maintain a program
2 to provide appropriate counseling and support services to
3 students who experience problems related to the use of drugs,
4 alcohol and dangerous controlled substances.

5 [(h) On or before June 1, 1992, the Secretary of Education
6 shall report to the General Assembly concerning the 1991-1992
7 school year activities of the Department of Education pertaining
8 to the provisions of this section and concerning proposed 1992-
9 1993 school year activities of the Department of Education
10 pertaining to this section.]

11 (g.1) Beginning in the 2018-2019 school year, and each
12 school year thereafter, professional educators who complete in-
13 service training under this section may apply such in-service
14 training toward their continuing professional education
15 requirements under section 1205.2.

16 (h.1) By September 1, 2020, and by September 1 of every
17 fifth year thereafter, the Department of Education, in
18 consultation with the Department of Health and the Department of
19 Drug and Alcohol Programs, shall report to the General Assembly
20 concerning the preceding school year activities of the
21 Department of Education, the Department of Health and the
22 Department of Drug and Alcohol Programs pertaining to the
23 provisions of this section. The report shall include:

24 (1) A description of efforts by the Department of Education,
25 the Department of Health and the Department of Drug and Alcohol
26 Programs to assist school districts in providing the instruction
27 required under subsections (a) and (a.1), including efforts to
28 develop and post the model curriculum required under subsection
29 (a.1) and to develop and make available the in-service training
30 programs required under subsection (d)(2).

1 (2) An evaluation of the effectiveness of the instruction
2 required under subsections (a) and (a.1) and of curriculum
3 materials and in-service training programs developed by the
4 Department of Education, the Department of Health and the
5 Department of Drug and Alcohol Programs under this section in
6 reducing the use of alcohol, tobacco and other drugs, including
7 prescription opioids, by students.

8 (i) The State Board of Education shall adopt rules and
9 regulations necessary for the implementation of this section.

10 Section 1549. Agricultural Education.--(a) The General
11 Assembly declares it is the purpose of this section to:

12 (1) Require the department to develop and disseminate
13 agricultural education materials for school entities or private
14 or nonpublic kindergartens, elementary or secondary schools in
15 this Commonwealth. The materials shall incorporate agricultural
16 concepts into the basic school curricula and shall be designed
17 to educate the general student population about the importance
18 of the agriculture industry and the role of agriculture in the
19 students' lives.

20 (2) Encourage the agricultural education efforts of other
21 agencies where appropriate, including, but not limited to, those
22 of the county conservation districts, the Cooperative Extension
23 Service of The Pennsylvania State University, the University of
24 Pennsylvania Veterinary School, the Department of Agriculture,
25 the Department of Environmental [Resources] Protection, the
26 Department of [Community Affairs] Community and Economic
27 Development, the State System of Higher Education and the
28 Department of Transportation.

29 (b) The department shall have the power and its duty shall
30 be to:

1 (1) Provide, in conjunction with the Department of
2 Agriculture, resource information to educators and public and
3 private schools and organizations on agricultural education.

4 (2) Provide, in conjunction with the Department of
5 Agriculture, for the development and distribution to school
6 entities or private or nonpublic kindergartens, elementary or
7 secondary schools in this Commonwealth materials on agricultural
8 education. Such materials may include instruction on issues
9 related to agriculture, including, but not limited to, food
10 safety, forestry, pesticides, farmland preservation, waste
11 management, wetlands, nutrient management, food production and
12 food processing, animal health and statutory and regulatory
13 protections of the right to farm.

14 (3) Identify, recognize and establish, in conjunction with
15 the Department of Agriculture, awards for exemplary agricultural
16 education curricula developed in Commonwealth schools.

17 (4) Use local school district occupational advisory
18 committees, as well as the facilities and equipment of the
19 Department of Agriculture, to serve as the conduit to bring
20 youth and adult education programs into communities and schools,
21 focusing on agricultural industry issues of importance to this
22 Commonwealth.

23 (5) Maintain, in conjunction with the Department of
24 Agriculture, an inventory of agricultural education materials,
25 programs and resources available in Commonwealth agencies.

26 [(c) The secretary shall prepare and submit, in conjunction
27 with the Department of Agriculture, an annual report to the
28 Governor and the General Assembly on the status of agricultural
29 education in this Commonwealth. The report shall outline
30 agricultural education programs and achievements, highlight new

1 initiatives and recommend future program needs.

2 (d) (1) The Secretary of Education shall consult, at least
3 annually, with the Secretary of Agriculture and a cross section
4 of the agriculture and education communities to:

5 (i) Assess the trends and needs in agricultural education.

6 (ii) Consider the manner in which any funds are used to
7 support agricultural education activities.

8 (iii) Make recommendations to the Governor and the General
9 Assembly regarding legislative or regulatory changes to improve
10 agricultural education, pursuant to the preparation and
11 submittal of the report required by subsection (c).

12 (2) When consulting with a cross section of the agriculture
13 and education communities, the secretary shall consider seeking
14 comments from individuals named in lists submitted by the State
15 Council on Farm Organizations, the Agricultural Awareness
16 Foundation and the Pennsylvania Vocational-Agricultural Teachers
17 Association. Such lists may include, but not be limited to:

18 (i) Farmers.

19 (ii) Representatives of the agricultural processing and
20 agricultural marketing industries.

21 (iii) Faculty members of the College of Agricultural
22 Sciences of the Commonwealth's land-grant university.

23 (iv) Faculty members from a State System of Higher Education
24 institution, each of whom shall have background in or knowledge
25 of agricultural education.

26 (v) A teacher of vocational agriculture.

27 (vi) A teacher involved in agricultural education other than
28 vocational agriculture.

29 (vii) An administrator of a school entity which conducts an
30 agricultural education program.

1 (viii) A member of a local school district occupational
2 advisory committee.

3 (ix) Members of the public who are knowledgeable about
4 agricultural education.]

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

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

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

19 "School entity." A public school district, intermediate unit
20 or area vocational-technical school.

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

22 Section 10. The act is amended by adding ~~a section~~ SECTIONS <--
23 to read:

24 Section 1549.1. Commission for Agricultural Education
25 Excellence.--(a) There is established a Commission for
26 Agricultural Education Excellence as a departmental
27 administrative commission under the concurrent authority of the
28 Department of Agriculture and the Department of Education with
29 all the powers and duties generally vested in and imposed upon
30 the commissions under the act of April 9, 1929 (P.L.177,

1 No.175), known as "The Administrative Code of 1929."

2 (b) The commission shall assist in developing a Statewide
3 plan for agricultural education and coordinate the
4 implementation of related agricultural education programming
5 with the Department of Agriculture and the Department of
6 Education.

7 (c) The commission shall be administratively housed within
8 the Department of Agriculture and shall be staffed and supported
9 by the Department of Agriculture and the Department of
10 Education, as provided under this section.

11 (d) In order for the commission to fulfill its duties and
12 exercise its authority under this section, an agreement shall be
13 executed between the Department of Agriculture, the Department
14 of Education and the commission, which shall define and
15 delineate the role and responsibility of each agency in
16 assisting the commission in fulfilling its duties under this
17 section.

18 (e) In order for the commission to fulfill its duties and
19 exercise its authority under this section, the Department of
20 Agriculture, the Department of Education and the commission
21 shall cooperate with each other in the use of staff, land,
22 buildings, quarters, facilities and equipment.

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

24 (1) The Secretary of Education, or a designee.

25 (2) The Secretary of Agriculture, or a designee.

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

1 Majority Leader and Minority Leader of the House of

2 Representatives:

3 (i) Two farmers.

4 (ii) A representative of the agricultural processing and
5 agricultural marketing industries.

6 (iii) Two representatives of agricultural sciences, not more
7 than one of whom shall be a faculty member of the College of
8 Agricultural Sciences of The Pennsylvania State University.

9 (iv) A representative of the State System of Higher
10 Education with a background in or knowledge of agricultural
11 education.

12 (v) Two teachers of vocational agriculture, one from a
13 career and technical center and one from a school district.

14 (vi) A representative of a community college with a
15 background in or knowledge of agricultural education.

16 (vii) An administrator of a school entity which conducts an
17 agricultural education program.

18 (viii) A member of a school district occupational advisory
19 committee.

20 (ix) Two members of the business community with knowledge of
21 agricultural education.

22 (g) To the extent practicable, from members initially
23 appointed, an equal number shall draw lots to serve for a term
24 of three years, for a term of two years and for a term of one
25 year. Thereafter, all members shall be appointed for a term of
26 three years.

27 (h) The chairmanship of the commission shall rotate on an
28 annual basis between the Secretary of Agriculture and the
29 Secretary of Education, with the Secretary of Education chairing
30 the first annual rotation.

1 (i) The commission shall keep a record of its official
2 actions and may perform acts and promulgate policies, procedures
3 and guidelines as may be necessary.

4 (j) A majority of members of the commission shall constitute
5 a quorum.

6 (k) The members of the commission shall not receive
7 compensation or reimbursement for services.

8 (l) The commission shall have all the following powers and
9 duties:

10 (1) Develop a model for Statewide curriculum for
11 agricultural education programs based on high priority
12 occupations.

13 (2) Consult with the Transfer and Articulation Oversight
14 Committee and school entities to facilitate articulation
15 agreements with postsecondary institutions of higher education.

16 (3) Provide support and technical assistance to supervised
17 agricultural experience programs based on student needs.

18 (4) Provide support and coordination for Statewide and local
19 activities related to FFA programs.

20 (5) Investigate, review and issue an annual report on the
21 status of agricultural education required under subsection (m).

22 (m) By May 1, 2018, and by May 1 of each year thereafter,
23 the commission shall submit a report to the Governor and the
24 General Assembly on the status of agricultural education in this
25 Commonwealth. The report shall:

26 (1) Outline agricultural education programs and
27 achievements.

28 (2) Assess the trends and needs in secondary and both formal
29 and informal postsecondary agricultural education and training.

30 (3) Investigate and assess work force trends of the

1 agriculture and food industry.

2 (4) Assess and make programming recommendations for meeting
3 the training needs for individuals not pursuing formal
4 postsecondary education.

5 (5) Consider the manner in which funds are used to support
6 agricultural education activities.

7 (6) Highlight new initiatives and recommend future program
8 needs.

9 (7) Make recommendations to the Governor and the General
10 Assembly regarding legislative or regulatory changes to improve
11 agricultural education.

12 (n) The Department of Agriculture and the Department of
13 Education shall provide staff to assist the commission with the
14 commission's duties. The Department of Agriculture and the
15 Department of Education shall provide an executive director who
16 shall oversee elementary, secondary, postsecondary and adult
17 agricultural education activities in this Commonwealth and shall
18 serve as the director of outreach for the commission and staff
19 who may be employed on or after the effective date of this
20 section and who shall be assigned within either agency as
21 follows:

22 (1) A curriculum specialist to assist school entities in
23 developing agricultural education curricula and integrating
24 national agriculture, food and natural resource standards into
25 elementary and secondary curricula.

26 (2) A program approval specialist to assist school entities
27 with the program approval process for agricultural education
28 established by the Department of Education and serve as a
29 liaison between the Department of Education and school entities
30 for data collection.

1 (3) An FFA program specialist to oversee State-related FFA
2 activities and implement initiatives for local agricultural
3 education program success.

4 (4) A work force development specialist to identify career
5 pathways in the agricultural and food industries and promote
6 agriculture and food careers among students and adult job
7 seekers.

8 (5) An agricultural education support specialist to provide
9 support to the staff of the commission.

10 (o) The implementation of this section shall be subject to
11 funds appropriated by the General Assembly to the Department of
12 Education or the Department of Agriculture, and the funds shall
13 be used to carry out the purposes of this section. The
14 Department of Education and the Department of Agriculture may
15 accept grants and donations from all public and private sources,
16 including the Federal Government, to pay for costs incurred for
17 the implementation and continuance of the provisions of this
18 section.

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

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

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

1 anticipated yearly gross income of at least ten thousand dollars
2 (\$10,000).

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

6 "School entity." A public school district, intermediate unit
7 or area vocational-technical school.

8 SECTION 1729.2-A. MULTIPLE CHARTER SCHOOL ORGANIZATIONS.-- <--

9 (A) ESTABLISHMENT SHALL BE AS FOLLOWS:

10 (1) SUBJECT TO THE REQUIREMENTS OF THIS SECTION AND 15
11 PA.C.S. PT. II SUBPT. C (RELATING TO NONPROFIT CORPORATIONS),
12 TWO (2) OR MORE CHARTER SCHOOLS MAY CONSOLIDATE INTO A MULTIPLE
13 CHARTER SCHOOL ORGANIZATION IF BOTH OF THE FOLLOWING APPLY:

14 (I) THE DEPARTMENT APPROVES THE CONSOLIDATION AS PROPOSED IN
15 THE APPLICATION FORM SUBMITTED TO THE DEPARTMENT PURSUANT TO
16 SUBSECTION (C). IF THE DEPARTMENT DOES NOT APPROVE OR DISAPPROVE
17 THE PROPOSED CONSOLIDATION WITHIN FORTY-FIVE (45) DAYS AFTER
18 RECEIPT OF THE APPLICATION, THE DEPARTMENT WILL BE DEEMED TO
19 HAVE APPROVED THE CONSOLIDATION.

20 (II) EACH SCHOOL DISTRICT THAT GRANTED THE INITIAL CHARTER
21 OF ANY CHARTER SCHOOL INCLUDED IN THE PROPOSED CONSOLIDATION
22 APPROVES, BY A MAJORITY VOTE OF THE LOCAL BOARD OF SCHOOL
23 DIRECTORS, A RESOLUTION APPROVING THE CONSOLIDATION AS PROPOSED
24 IN THE APPLICATION SUBMITTED TO THE LOCAL BOARD OF SCHOOL
25 DIRECTORS PURSUANT TO SUBSECTION (C). IF A LOCAL BOARD OF SCHOOL
26 DIRECTORS DOES NOT ADOPT A RESOLUTION UNDER THIS CLAUSE
27 APPROVING OR REJECTING THE PROPOSED CONSOLIDATION WITHIN FORTY-
28 FIVE (45) DAYS AFTER RECEIPT OF THE APPLICATION, THE SCHOOL
29 DISTRICT WILL BE DEEMED TO HAVE APPROVED THE CONSOLIDATION.

30 (2) THE MULTIPLE CHARTER SCHOOL ORGANIZATION SHALL BE:

1 (I) GRANTED LEGAL AUTHORITY TO OPERATE TWO (2) OR MORE
2 INDIVIDUAL CHARTER SCHOOLS UNDER THE OVERSIGHT OF A SINGLE BOARD
3 OF TRUSTEES AND A CHIEF ADMINISTRATOR WHO SHALL OVERSEE AND
4 MANAGE THE OPERATION OF THE INDIVIDUAL CHARTER SCHOOLS UNDER ITS
5 ORGANIZATION; AND

6 (II) SUBJECT TO ALL OF THE REQUIREMENTS OF THIS ARTICLE
7 UNLESS OTHERWISE PROVIDED FOR UNDER THIS SECTION.

8 (3) NOTHING UNDER THIS SECTION SHALL BE CONSTRUED TO AFFECT
9 OR CHANGE THE TERMS OR CONDITIONS OF ANY INDIVIDUAL CHARTER
10 PREVIOUSLY GRANTED THAT IS CONSOLIDATED UNDER THIS SECTION,
11 INCLUDING, BUT NOT LIMITED TO, ANY OBLIGATION OF A SCHOOL
12 DISTRICT TO PROVIDE TRANSPORTATION FOR STUDENTS ENROLLED IN AN
13 INDIVIDUAL CHARTER SCHOOL WITHIN A MULTIPLE CHARTER SCHOOL
14 ORGANIZATION.

15 (B) (1) A CHARTER SCHOOL THAT, WITHIN EITHER OF THE MOST
16 RECENT TWO (2) SCHOOL YEARS, HAS FAILED TO MEET ANY OF THE
17 FOLLOWING SHALL NOT BE ELIGIBLE TO CONSOLIDATE WITH ANOTHER
18 CHARTER SCHOOL:

19 (I) REQUIREMENTS FOR STUDENT PERFORMANCE SET FORTH IN 22 PA.
20 CODE CH. 4 (RELATING TO ACADEMIC STANDARDS AND ASSESSMENT).

21 (II) ACCEPTED STANDARDS OF FISCAL MANAGEMENT OR AUDIT
22 REQUIREMENTS.

23 (III) A SCHOOL PERFORMANCE PROFILE SCORE THAT IS AMONG THE
24 TOP TWENTY-FIFTH PERCENTILE OF PENNSYLVANIA CHARTER SCHOOLS AS
25 MEASURED BY THE SCHOOL PERFORMANCE PROFILE FOR THE MOST RECENT
26 YEAR FOR WHICH A SCHOOL PERFORMANCE PROFILE SCORE IS AVAILABLE.

27 (2) A CHARTER SCHOOL THAT HAS FAILED TO MEET ANY OF THE
28 REQUIREMENTS OF PARAGRAPH (1) MAY CONSOLIDATE IF THE
29 CONSOLIDATION INCLUDES A CHARTER SCHOOL DEMONSTRATING THAT IT
30 HAS SATISFIED SUCH REQUIREMENTS FOR THE MOST RECENT TWO (2)

1 SCHOOL YEARS.

2 (C) WITHIN NINETY (90) DAYS OF THE EFFECTIVE DATE OF THIS
3 SECTION, THE DEPARTMENT SHALL DEVELOP AND ISSUE A STANDARD
4 APPLICATION FORM THAT MULTIPLE CHARTER SCHOOL ORGANIZATION
5 APPLICANTS MUST SUBMIT TO THE DEPARTMENT AND TO THE LOCAL BOARD
6 OF SCHOOL DIRECTORS OF EACH SCHOOL DISTRICT THAT GRANTED THE
7 INITIAL CHARTER OF ANY CHARTER SCHOOL INCLUDED IN THE PROPOSED
8 CONSOLIDATION. THE APPLICATION FORM SHALL CONTAIN THE FOLLOWING
9 INFORMATION:

10 (1) THE NAME OF THE MULTIPLE CHARTER SCHOOL ORGANIZATION.

11 (2) THE NAMES OF THE CHARTER SCHOOLS SEEKING CONSOLIDATION
12 UNDER THIS SECTION.

13 (3) A COPY OF THE APPROVED CHARTER OF EACH CHARTER SCHOOL
14 SEEKING TO CONSOLIDATE UNDER THIS SECTION.

15 (4) AN ORGANIZATIONAL CHART CLEARLY PRESENTING THE PROPOSED
16 GOVERNANCE STRUCTURE OF THE MULTIPLE CHARTER SCHOOL
17 ORGANIZATION, INCLUDING LINES OF AUTHORITY AND REPORTING BETWEEN
18 THE BOARD OF TRUSTEES, CHIEF ADMINISTRATOR, ADMINISTRATORS,
19 STAFF AND ANY EDUCATIONAL MANAGEMENT SERVICE PROVIDER THAT WILL
20 PLAY A ROLE IN PROVIDING MANAGEMENT SERVICES TO THE CHARTER
21 SCHOOLS UNDER ITS JURISDICTION.

22 (5) A CLEAR DESCRIPTION OF THE ROLES AND RESPONSIBILITIES
23 FOR THE BOARD OF TRUSTEES, CHIEF ADMINISTRATOR, ADMINISTRATORS
24 AND ANY OTHER ENTITIES, INCLUDING A CHARTER SCHOOL FOUNDATION,
25 SHOWN IN THE ORGANIZATIONAL CHART.

26 (6) A CLEAR DESCRIPTION OF THE METHOD FOR THE APPOINTMENT OR
27 ELECTION OF MEMBERS OF THE BOARD OF TRUSTEES.

28 (7) STANDARDS FOR BOARD OF TRUSTEES PERFORMANCE, INCLUDING
29 COMPLIANCE WITH ALL APPLICABLE LAWS, REGULATIONS AND TERMS OF
30 THE CHARTER.

1 (8) ENROLLMENT PROCEDURES FOR EACH INDIVIDUAL CHARTER SCHOOL
2 INCLUDED IN ITS CHARTER.

3 (9) ANY OTHER INFORMATION AS DEEMED NECESSARY BY THE
4 DEPARTMENT.

5 (D) A MULTIPLE CHARTER SCHOOL ORGANIZATION MAY:

6 (1) PARTICIPATE IN THE ASSESSMENT SYSTEM IN THE SAME MANNER
7 IN WHICH A SCHOOL DISTRICT PARTICIPATES, WITH ITS INDIVIDUAL
8 CHARTER SCHOOLS PARTICIPATING IN THE ASSESSMENT SYSTEM IN THE
9 SAME MANNER AS INDIVIDUAL SCHOOLS WITHIN SCHOOL DISTRICTS. ALL
10 DATA GATHERED FOR PURPOSES OF EVALUATION SHALL BE GATHERED IN
11 THE SAME MANNER IN WHICH DATA IS GATHERED IN THE CASE OF SCHOOL
12 DISTRICTS AND INDIVIDUAL SCHOOLS WITHIN SCHOOL DISTRICTS.

13 NOTHING IN THIS PARAGRAPH SHALL ALTER THE MANNER IN WHICH
14 CHARTER SCHOOL PERFORMANCE ON ASSESSMENTS IS MEASURED AS
15 REQUIRED UNDER THE EVERY STUDENT SUCCEEDS ACT (PUBLIC LAW 114-
16 95, 129 STAT. 1802), OR ITS SUCCESSOR FEDERAL STATUTE.

17 (2) ADD EXISTING CHARTER SCHOOLS TO ITS ORGANIZATION BY
18 OBTAINING THE APPROVAL OF THE DEPARTMENT AND OF THE LOCAL BOARD
19 OF SCHOOL DIRECTORS THAT GRANTED THE INITIAL CHARTER OF EACH
20 CHARTER SCHOOL PROPOSED TO BE ADDED UNDER SUBSECTION (A) (1).

21 (3) ALLOW STUDENTS ENROLLED IN AN INDIVIDUAL CHARTER SCHOOL
22 TO MATRICULATE TO ANOTHER INDIVIDUAL CHARTER SCHOOL UNDER ITS
23 OVERSIGHT SO AS TO COMPLETE A COURSE OF INSTRUCTION IN AN
24 EDUCATIONAL INSTITUTION FROM KINDERGARTEN THROUGH GRADE TWELVE
25 OR OTHERWISE IN THE BEST INTERESTS OF THE STUDENT.

26 (E) A MULTIPLE CHARTER SCHOOL ORGANIZATION SHALL BE REGARDED
27 AS THE HOLDER OF THE CHARTER OF EACH INDIVIDUAL CHARTER SCHOOL
28 UNDER ITS OVERSIGHT AND EACH PREVIOUSLY OR SUBSEQUENTLY AWARDED
29 CHARTER SHALL BE SUBJECT TO NONRENEWAL OR REVOCATION BY THE
30 LOCAL BOARD OF SCHOOL DIRECTORS THAT GRANTED THE INITIAL CHARTER

1 IN ACCORDANCE WITH THIS ACT. THE NONRENEWAL OR REVOCATION OF THE
2 CHARTER OF AN INDIVIDUAL CHARTER SCHOOL UNDER THE OVERSIGHT OF A
3 MULTIPLE CHARTER SCHOOL ORGANIZATION SHALL NOT AFFECT THE STATUS
4 OF A CHARTER AWARDED FOR ANY OTHER INDIVIDUAL CHARTER SCHOOL
5 UNDER THE OVERSIGHT OF THE MULTIPLE CHARTER SCHOOL ORGANIZATION.

6 (F) APPEALS SHALL BE AS FOLLOWS:

7 (1) THE APPEAL BOARD SHALL HAVE THE EXCLUSIVE REVIEW OF AN
8 APPEAL BY AN APPLICANT FOR CONSOLIDATION, WITH RESPECT TO THE
9 REJECTION OF A PROPOSED CONSOLIDATION BY EITHER THE DEPARTMENT
10 OR A SCHOOL DISTRICT.

11 (2) IN CONSIDERING AN APPEAL UNDER THIS SECTION, THE APPEAL
12 BOARD SHALL:

13 (I) REVIEW THE DECISION MADE BY EITHER THE DEPARTMENT OR THE
14 SCHOOL DISTRICT ON THE RECORD AS CERTIFIED BY THE ENTITY THAT
15 MADE THE DECISION BEING APPEALED, PROVIDED THAT THE APPEAL BOARD
16 MAY ALLOW THE DEPARTMENT, A SCHOOL DISTRICT OR THE APPLICANT FOR
17 CONSOLIDATION TO SUPPLEMENT THE RECORD IF THE SUPPLEMENTAL
18 INFORMATION WAS PREVIOUSLY UNAVAILABLE.

19 (II) MEET TO OFFICIALLY REVIEW THE CERTIFIED RECORD NO LATER
20 THAN THIRTY (30) DAYS AFTER THE DATE OF FILING THE APPEAL.

21 (III) ISSUE A WRITTEN DECISION AFFIRMING OR DENYING THE
22 APPEAL NO LATER THAN SIXTY (60) DAYS FOLLOWING ITS REVIEW OF THE
23 CERTIFIED RECORD.

24 (IV) MAKE ITS DECISION BASED ON WHETHER THE PROPOSED
25 CONSOLIDATION SATISFIES THE REQUIREMENTS OF SUBSECTIONS (B) AND
26 (C).

27 (3) THE SECRETARY SHALL RECUSE HIMSELF FROM ALL APPEALS OF
28 DECISIONS BY THE DEPARTMENT AND SHALL NOT PARTICIPATE IN A
29 HEARING, DELIBERATION OR VOTE ON ANY APPEAL OF A DECISION MADE
30 BY THE DEPARTMENT.

1 (4) ALL DECISIONS OF THE APPEAL BOARD SHALL BE SUBJECT TO
2 APPELLATE REVIEW BY THE COMMONWEALTH COURT. IN THE EVENT OF AN
3 APPEAL OF A DECISION BY THE APPEAL BOARD TO THE COMMONWEALTH
4 COURT, THE DECISION OF THE APPEAL BOARD SHALL BE STAYED ONLY
5 UPON ORDER OF THE APPEAL BOARD, THE COMMONWEALTH COURT OR THE
6 PENNSYLVANIA SUPREME COURT.

7 (G) FOR PURPOSES OF THIS SECTION, THE TERM "CHARTER SCHOOL"
8 SHALL INCLUDE A REGIONAL CHARTER SCHOOL.

9 Section 11. Section 1913-A(b) (1.8) of the act is amended and
10 paragraph (1.6) is amended by adding a subparagraph to read:

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

13 (b) * * *

14 (1.6) For the 2006-2007 fiscal year and each fiscal year
15 thereafter, the payment for a community college shall consist of
16 the following:

17 * * *

18 (x) For the 2017-2018 fiscal year, each community college
19 shall receive the following:

20 (A) For operating costs, an amount equal to the amounts
21 received in fiscal year 2016-2017 under subclause (ix)(A) and
22 (C).

23 (B) For the economic development stipend, an amount equal to
24 the amount received in fiscal year 2016-2017 under subclause
25 (ix)(B).

26 * * *

27 [(1.8) (i) The Department of Education shall annually
28 approve high-priority and high-instructional-cost occupation
29 programs, high-priority occupation programs and noncredit
30 workforce development courses.]

1 (ii) In order to qualify as a high-priority and high-
2 instructional-cost occupation program, the program must:

3 (A) Provide training:

4 (I) in a high-priority occupation as defined by the Center
5 for Workforce Information and Analysis within the Department of
6 Labor and Industry; or

7 (II) in an occupation designed to meet regional workforce
8 needs as documented through collaboration with one or more
9 employers.

10 (B) Bear an instructional cost to the community college, per
11 full-time-equivalent student, of at least one hundred thirty
12 percent (130%) of the average cost per full-time-equivalent
13 student enrolled in the community college's credit courses.

14 Instructional costs shall be defined by the Department of
15 Education and may include personnel, equipment, curricula and
16 other costs necessary for the program.

17 (iii) In order to qualify as a high-priority occupation
18 program or a noncredit workforce development course, the high-
19 priority occupation program or noncredit workforce development
20 course must:

21 (A) provide training in a high-priority occupation as
22 defined by the Center for Workforce Information and Analysis
23 within the Department of Labor and Industry; or

24 (B) provide training in an occupation designed to meet
25 regional workforce needs as documented through collaboration
26 with one or more employers.

27 (iv) In order to qualify under subclause (ii) (A) (II) or
28 (iii) (B), the community college shall submit an application to
29 the Department of Education. The application shall contain:

30 (A) Evidence of collaboration with one or more employers.

1 (B) Information as to the nature of the proposed program.

2 (C) Evidence as to how the program will increase workforce
3 opportunities for participants.

4 (v) The Department of Education shall:

5 (A) Determine the form and manner by which applications are
6 to be submitted under subclause (iv).

7 (B) Approve or reject applications received pursuant to
8 subclause (iv) within twenty (20) days of receipt of a completed
9 application; otherwise, such applications will be deemed
10 approved.

11 (C) Annually publish guidelines listing criteria and
12 establishing the approval process for programs and courses under
13 this clause.]

14 * * *

15 Section 11.1. Section 1918-A of the act is repealed:

16 [Section 1918-A. Annual Report.--(a) No later than January
17 1, 2006, the Department of Education shall, in consultation with
18 the community colleges, complete development of a format for
19 collecting uniform data relative to the operations of community
20 colleges. The data shall be used in making an annual report to
21 the Governor and the chairmen and minority chairmen of the
22 Appropriations and Education Committees of the Senate and the
23 chairmen and minority chairmen of the Appropriations and
24 Education Committees of the House of Representatives. The report
25 and the data shall be made available to the Governor and the
26 committees via electronic transmission. The report shall cover
27 the immediately preceding academic year and shall include, but
28 not be limited to:

29 (1) Demographic and program data, including information on
30 full-time and part-time faculty and student enrollments, in

1 total and within curricular areas, dual enrollment
2 participation, credit hours taught by faculty, distance learning
3 courses offered, articulation agreements with higher education
4 institutions, numbers and courses with fewer than twenty (20)
5 students and numbers and courses with more than fifty (50)
6 students.

7 (2) Student progress and achievement measures, including
8 retention rates, first-time, full-time graduation rates after
9 two, three and four years, passing rates on certification and
10 licensure examinations, number of students employed within one
11 year of program completion and placement into additional
12 education or employment in the student's field of study.

13 (3) Economic and workforce development measures, including
14 employer satisfaction, customized job training offerings,
15 employment status and numbers of businesses and organizations
16 served.

17 (b) Where available, data shall be disaggregated by
18 categories, including gender, race and age.

19 (c) The Department of Education, in consultation with the
20 community colleges, shall annually review the uniform data
21 collection format and make any revisions deemed necessary.

22 (d) Reports required under this section shall be submitted
23 prior to September 1, 2006, and September 1 of each year
24 thereafter.]

25 Section 12. ~~Section~~ SECTIONS 1906-G(a) (1) AND 2006-B(A) of <--
26 the act, added July 13, 2016 (P.L.716, No.86), ~~is~~ ARE amended to <--
27 read:

28 Section 1906-G. Establishment.

29 (a) General rule.--No later than December 31, 2016, the
30 board of trustees appointed under section 1905-G shall submit to

1 the secretary a proposed rural regional college plan in such
2 form and containing such information as the secretary may
3 require. In addition to other information which may be required
4 by the secretary, the plan shall include the following:

5 (1) A designation of the name of the proposed rural
6 regional college which shall be the "Rural Regional College
7 of " or " Rural Regional
8 [College."] College"; except that the board of trustees of
9 the rural regional college may later change the college's
10 name or adopt a fictitious name for the purpose of conducting
11 business under 54 Pa.C.S. Ch. 3 (relating to fictitious
12 names).

13 * * *

14 SECTION 2006-B. LIMITATIONS. <--

15 (A) AMOUNT.--

16 (1) THE TOTAL AGGREGATE AMOUNT OF ALL TAX CREDITS
17 APPROVED FOR CONTRIBUTIONS FROM BUSINESS FIRMS TO SCHOLARSHIP
18 ORGANIZATIONS, EDUCATIONAL IMPROVEMENT ORGANIZATIONS AND PRE-
19 KINDERGARTEN SCHOLARSHIP ORGANIZATIONS SHALL NOT EXCEED
20 [\$125,000,000] \$135,000,000 IN A FISCAL YEAR.

21 (I) NO LESS THAN [\$75,000,000] \$85,000,000 OF THE
22 TOTAL AGGREGATE AMOUNT SHALL BE USED TO PROVIDE TAX
23 CREDITS FOR CONTRIBUTIONS FROM BUSINESS FIRMS TO
24 SCHOLARSHIP ORGANIZATIONS.

25 (II) NO LESS THAN \$37,500,000 OF THE TOTAL AGGREGATE
26 AMOUNT SHALL BE USED TO PROVIDE TAX CREDITS FOR
27 CONTRIBUTIONS FROM BUSINESS FIRMS TO EDUCATIONAL
28 IMPROVEMENT ORGANIZATIONS.

29 (III) THE TOTAL AGGREGATE AMOUNT OF ALL TAX CREDITS
30 APPROVED FOR CONTRIBUTIONS FROM BUSINESS FIRMS TO PRE-

1 KINDERGARTEN SCHOLARSHIP ORGANIZATIONS SHALL NOT EXCEED
2 \$12,500,000 IN A FISCAL YEAR.

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

7 * * *

8 Section 13. (Reserved).

9 Section 14. Section 2001-C of the act is amended by adding
10 definitions to read:

11 Section 2001-C. Definitions.

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

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

20 * * *

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

24 * * *

25 "Credit for prior learning." College-level credit granted
26 toward the award of a postsecondary degree or certificate for
27 experiential learning that can be demonstrated through various
28 means of assessment to be the equivalent of learning gained
29 through formal collegiate instruction, including an Advanced
30 Placement Program exam, International Baccalaureate Diploma

1 Program exam, a College-Level Examination Program exam and
2 Dantes Subject Standardized Tests.

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

6 * * *

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

12 * * *

13 Section 15. Section 2002-C of the act is amended by adding a
14 subsection to read:

15 Section 2002-C. Duties of public institutions of higher
16 education.

17 * * *

18 (d) Credit for prior learning.--Each public institution of
19 higher education shall do all of the following:

20 (1) Adopt and make public uniform standards for
21 determining academic credit for prior learning as outlined in
22 paragraph (4) within 18 months of the effective date of this
23 subsection.

24 (2) Agree to award academic credit for prior learning,
25 which is determined to meet the standards established under
26 section 2004-C(c)(6) and apply the credit toward graduation,
27 unless prohibited by external accreditation or licensure.

28 (3) Submit to the department interim reports outlining
29 the actions that a public institution of higher education has
30 undertaken or intends to undertake to comply with paragraphs

1 (1) and (2).

2 (4) As a member of the Transfer and Articulation
3 Oversight Committee established in section 2004-C:

4 (i) Consult with the department on a process and
5 timeline, subject to approval by the department, to
6 develop uniform standards for determining academic credit
7 for prior learning, in consultation with faculty and
8 personnel.

9 (ii) Develop and implement uniform standards for
10 determining academic credit for prior learning, in
11 consultation with faculty and personnel.

12 (iii) Participate in submitting a status report to
13 the department, the Education Committee of the Senate and
14 the Education Committee of the House of Representatives.

15 (5) For each academic year, report to the department all
16 of the following:

17 (i) The total number of students awarded credits for
18 prior learning, including Advanced Placement Program
19 exams, International Baccalaureate Diploma Program exams
20 and College-Level Examination Program exams and Dantes
21 Subject Standardized Tests.

22 (ii) The total number of credits awarded to students
23 for prior learning, including Advanced Placement Program
24 exams, International Baccalaureate Diploma Program exams
25 and College-Level Examination Program exams and Dantes
26 Subject Standardized Tests.

27 (iii) The number of credits awarded to matriculating
28 students who present Advanced Placement program,
29 International Baccalaureate Diploma Program and College-
30 Level Examination Program exams and Dantes Subject

1 Standardized Tests that meet the standards established
2 under section 2004-C(c)(6) and, of those credits, the
3 number of credits applied toward major requirements and
4 the number of credits applied toward elective
5 requirements.

6 (iv) Any other information related to awarding of
7 credit for prior learning as requested by the department
8 or the Transfer and Articulation Oversight Committee,
9 including the usability of transfer credits.

10 Section 16. Section 2004-C(c) of the act is amended by
11 adding a paragraph to read:

12 Section 2004-C. Transfer and Articulation Oversight Committee.

13 * * *

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

16 * * *

17 (6) Within one year of the effective date of this
18 paragraph, develop and implement uniform standards for
19 awarding academic credit for prior learning, in consultation
20 with faculty and personnel for public institutions of higher
21 education and institutions that elect to participate under
22 section 2006-C.

23 Section 17. The act is amended by adding a section to read:
24 Section 2321. State aid for fiscal year 2017-2018.

25 Notwithstanding any other provision of law to the contrary,
26 each library subject to 24 Pa.C.S. Ch. 93 (relating to public
27 library code), shall be eligible for State aid for fiscal year
28 2017-2018, as follows:

29 (1) Funds appropriated for libraries shall be
30 distributed to each library under the following formula:

1 (i) Divide the amount of funding that the library
2 received in fiscal year 2016-2017 under section 2320 by
3 the total State-aid subsidy for fiscal year 2016-2017.

4 (ii) Multiply the quotient under subparagraph (i) by
5 the total State-aid subsidy for fiscal year 2017-2018.

6 (2) Following distribution of funds appropriated for
7 State aid to libraries under paragraph (1), any remaining
8 funds may be distributed at the discretion of the State
9 Librarian.

10 (3) If funds appropriated for State aid to libraries in
11 fiscal year 2017-2018 are less than funds appropriated in
12 fiscal year 2002-2003, the State Librarian may waive
13 standards as prescribed in 24 Pa.C.S. Ch. 93.

14 (4) Each library system receiving State aid under this
15 section may distribute the local library share of that aid in
16 a manner as determined by the board of directors of the
17 library system.

18 (5) In the case of a library system that contains a
19 library operating in a city of the second class, changes to
20 the distribution of State aid to the library shall be made by
21 mutual agreement between the library and the library system.

22 (6) In the event of a change in district library center
23 population prior to the effective date of this section as a
24 result of:

25 (i) a city, borough, town, township, school district
26 or county moving from one library center to another; or

27 (ii) a transfer of district library center status to
28 a county library system;

29 funding of district library center aid shall be paid based on
30 the population of the newly established or reconfigured

1 district library center.

2 (7) In the event of a change in direct service area from
3 one library to another, the State Librarian, upon agreement
4 of the affected libraries, may redistribute the local library
5 share of aid to the library currently servicing the area.

6 Section 17.1. Section 2501 of the act is amended by adding a
7 clause to read:

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

10 * * *

11 (14.2) "Market value." For purposes of the calculations
12 described in clauses (14) and (14.1), in the fiscal year
13 beginning July 1, 2017, a school district's market value shall
14 not exceed \$47,000,000,000 and, in each subsequent fiscal year,
15 the maximum market value shall be increased by the percentage
16 increase in market value for all school districts.

17 * * *

18 Section 18. Section 2502.53(c) (5) and (d) (3) of the act,
19 added June 1, 2016 (P.L.252, No.35), are amended and subsection
20 (d) is amended by adding a paragraph to read:

21 Section 2502.53. Student-Weighted Basic Education Funding.--

22 * * *

23 (c) For the purpose of this section:

24 * * *

25 (5) The data used to calculate the factors and indexes in
26 this section shall be based on the most recent years for which
27 data is available as determined by the Department of
28 Education[.] and be fixed as of the first day of June preceding
29 the school year in which the allocation occurs. Data fixed on
30 the first day of June shall be revised by the Department of

1 Education if it is subsequently found to be incorrect.

2 (d) For purposes of this section:

3 * * *

4 (1.1) "Current expenditures" shall mean the General Fund
5 expenditures in functional classifications of instruction,
6 support services and operation of noninstructional services.
7 Beginning with the 2016-2017 school year, "current expenditures"
8 shall mean the General Fund expenditures in functional
9 classifications of instruction, support services and operation
10 of noninstructional services, minus General Fund revenues for
11 tuition from patrons.

12 * * *

13 (3) "Local tax-related revenue" shall mean the sum of school
14 district revenues for State property tax reduction allocation,
15 taxes levied and assessed, delinquencies on taxes levied and
16 assessed, revenue from local government units and other local
17 revenues not specified elsewhere, as designated in the Manual of
18 Accounting and Financial Reporting for Pennsylvania Public
19 Schools. Beginning with the 2016-2017 school year, revenues
20 received by a school district from the sales and use tax and the
21 cigarette tax shall be included when determining a school
22 district's local tax-related revenue under this section.

23 * * *

24 Section 19. Sections 2509.1(c.2), 2510.3(a) and 2599.6 of
25 the act, amended or added July 13, 2016 (P.L.716, No.86), are
26 amended to read:

27 Section 2509.1. Payments to Intermediate Units.--* * *

28 (c.2) The following apply:

29 (1) For the 2016-2017 and 2017-2018 school [year] years,
30 five and five-tenths percent (5.5%) of the State special

1 education appropriation shall be paid to intermediate units on
2 account of special education services.

3 (2) Thirty-five percent (35%) of the amount under paragraph
4 (1) shall be distributed equally among all intermediate units.

5 (3) Sixty-five percent (65%) of the amount under paragraph
6 (1) shall be distributed to each intermediate unit in proportion
7 to the number of average daily membership of the component
8 school districts of each intermediate unit as compared to the
9 Statewide total average daily membership.

10 * * *

11 Section 2510.3. Assistance to School Districts Declared to
12 be in Financial Recovery Status or Identified for Financial
13 Watch Status.--(a) The following apply:

14 (1) For the 2013-2014 and 2016-2017 fiscal years, the
15 Department of Education may utilize up to four million five
16 hundred thousand dollars (\$4,500,000) of undistributed funds not
17 expended, encumbered or committed from appropriations for grants
18 and subsidies made to the Department of Education to assist
19 school districts declared to be in financial recovery status
20 under section 621-A or identified for financial watch status
21 under section 611-A . The funds shall be transferred by the
22 Secretary of the Budget to a restricted account as necessary to
23 make payments under this section and, when transferred, are
24 hereby appropriated to carry out the provisions of this section.

25 (2) For the 2017-2018 fiscal year, the Department of
26 Education may utilize up to five million dollars (\$5,000,000) of
27 undistributed funds not expended, encumbered or committed from
28 appropriations for grants and subsidies made to the Department
29 of Education to assist school districts declared to be in
30 financial recovery status under section 621-A, identified for

1 financial watch status under section 611-A or identified for
2 financial watch status under section 694-A; except that the
3 funds must be first utilized to accomplish the provisions
4 contained in section 695-A. The funds shall be transferred by
5 the Secretary of the Budget to a restricted account as necessary
6 to make payments under this section and, when transferred, are
7 hereby appropriated to carry out the provisions of this section.

8 * * *

9 Section 2599.6. Ready-to-Learn Block Grant.--(a) For the
10 2016-2017 and 2017-2018 school [year] years, each school entity
11 shall receive a Ready-to-Learn Block Grant as follows:

12 (1) An amount equal to the amount the school entity received
13 during the 2013-2014 school year under section 2599.2.

14 (2) An amount equal to the amount the school entity received
15 during the 2014-2015 school year under section 1722-J(21)(ii) of
16 the act of April 9, 1929 (P.L.343, No.176), known as The Fiscal
17 Code.

18 (3) An amount equal to the amount the school entity received
19 during the 2015-2016 school year under section 1722-L(21)(i)(C)
20 of The Fiscal Code.

21 (b) Funding received by a school entity under this section
22 shall be used in accordance with the provisions contained in
23 sections 2599.2 and 1722-J(21)(v) of The Fiscal Code and may be
24 used for integrated student supports.

25 (c) To be eligible to receive funding under this section,
26 each school entity shall submit a plan for approval to the
27 department outlining how the funding will be used.

28 (d) Revenues received by a school district under subsection
29 (a)(2) shall not be included in the school district's budgeted
30 total expenditure per average daily membership used to calculate

1 the amount to be paid to a charter school under section 1725-
2 A(a) (2) and (3).

3 (e) For the purposes of this section, a "school entity"
4 shall be a school district, charter school, cyber charter school
5 or regional charter school.

6 Section 20. Section 2603-B(h) and (i) of the act are amended
7 to read:

8 Section 2603-B. Powers and Duties of the Board.--* * *

9 (h) Every [five (5)] ten (10) years, the board shall adopt a
10 master plan for higher education which shall be for the guidance
11 of the Governor, the General Assembly, and all institutions of
12 higher education financed wholly or in part from State
13 appropriations. The master plan shall:

14 (1) define the role of each type of institution (State-owned
15 universities, State-related universities, community colleges,
16 private colleges and universities and off-campus centers of any
17 of these and other institutions authorized to grant degrees) in
18 this Commonwealth;

19 (2) recommend enrollment levels for each such institution;

20 (3) recommend methods for governance;

21 (4) recommend methods for the distribution of State funds
22 among the institutions;

23 (5) evaluate the status of physical plants and technical
24 equipment and project needs;

25 (6) evaluate the status of and projection of manpower needs;

26 (7) evaluate enrollment accessibility to institutions of
27 higher learning by the public; and

28 (8) otherwise provide for an orderly development of
29 institutions of higher education in this Commonwealth.

30 (i) Every [five (5)] ten (10) years, the board shall adopt a

1 master plan for basic education which shall be for the guidance
2 of the Governor, the General Assembly, and all public school
3 entities. The master plan shall consider and make
4 recommendations on the following areas, and any other areas
5 which the board deems appropriate:

6 (1) school program approval, evaluation and requirements;

7 (2) school personnel training and certification;

8 (3) student testing and assessment;

9 (4) school governance and organization;

10 (5) curriculum materials development;

11 (6) school finance;

12 (7) school buildings and facilities;

13 (8) transportation;

14 (9) technical services and support services to local
15 education agencies; and

16 (10) projected long-range needs of the public school system
17 of this Commonwealth.

18 * * *

19 Section 21. Notwithstanding section 10 of the act of
20 November 3, 2016 (P.L.1061, No.138), the act of November 3, 2016
21 (P.L.1061, No.138), shall apply as follows:

22 (1) For a public school district, a charter school, a
23 cyber charter school, a regional charter school or an area
24 vocational-technical school, the act of November 3, 2016
25 (P.L.1061, No.138), shall apply to the 2017-2018 school year
26 and each school year thereafter.

27 (2) For a nonpublic school, the act of November 3, 2016
28 (P.L.1061, No.138), shall apply to the 2018-2019 school year
29 and each school year thereafter.

30 Section 22. The following provisions shall apply

1 retroactively to July 1, 2017:

2 (1) The amendment of section 732.1 of the act.

3 (2) The amendment or addition of section 1913-A(b) (1.6)
4 (x) and (1.8) of the act.

5 (3) ~~(Reserved)~~. THE AMENDMENT OF SECTION 2006-B(A) OF <--
6 THE ACT.

7 (4) The addition of section 2321 of the act.

8 (5) The amendment or addition of section 2502.53(c) (5)
9 and (d) (1.1) and (3) of the act.

10 (6) The amendment of section 2509.1(c.2) of the act.

11 (7) The amendment of section 2599.6 of the act.

12 Section 23. This act shall take effect as follows:

13 (1) The amendment of section 1337(d) of the act shall
14 take effect in 30 days.

15 (2) The amendment or addition of sections 1549 and
16 1549.1 of the act shall take effect in 60 days.

17 (3) The remainder of this act shall take effect
18 immediately.