

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 52 Session of 2017

INTRODUCED BY GREENLEAF, VULAKOVICH, HUTCHINSON, SCHWANK, BREWSTER, FONTANA, COSTA, BOSCOLA, HAYWOOD, RAFFERTY AND BROWNE, JANUARY 12, 2017

AS AMENDED ON THIRD CONSIDERATION, JANUARY 23, 2018

AN ACT

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

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

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

8 CHAPTER 98

9 NATIONAL GUARD YOUTH

10 CHALLENGE PROGRAM

11 Sec.

12 9801. Definitions.

13 9802. Program established.

14 9803. Description of program.

15 9804. Length of program.

16 9805. Participants.

17 9806. Administration.

18 9807. Funding.

1 9808. Transferability of course credit.

2 9809. Advisory council.

3 9810. Report.

4 9811. Audit required.

5 § 9801. Definitions.

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

9 "Institution of higher education." ~~Any institution of higher~~ <--
10 ~~learning that is approved by the Pennsylvania Higher Education~~
11 ~~Assistance Agency to participate in the award of State grants~~
12 ~~under the act of January 25, 1966 (1965 P.L.1546, No.541),~~
13 ~~referred to as the Higher Education Scholarship Law.~~ ANY OF THE <--
14 FOLLOWING:

15 (1) A COMMUNITY COLLEGE OPERATING UNDER ARTICLE XIX-A OF
16 THE ACT OF MARCH 10, 1949 (P.L.30, NO.14), KNOWN AS THE
17 PUBLIC SCHOOL CODE OF 1949.

18 (2) A UNIVERSITY WITHIN THE STATE SYSTEM OF HIGHER
19 EDUCATION UNDER ARTICLE XX-A OF THE PUBLIC SCHOOL CODE OF
20 1949.

21 (3) A STATE-RELATED INSTITUTION AS DEFINED IN SECTION
22 1502-A OF THE PUBLIC SCHOOL CODE OF 1949.

23 (4) THADDEUS STEVENS COLLEGE OF TECHNOLOGY.

24 (5) ANY ACCREDITED PRIVATE OR INDEPENDENT COLLEGE OR
25 UNIVERSITY.

26 "Program." The Keystone State Challenge Academy established
27 under section 9802 (relating to program established).

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

1 § 9802. Program established.

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

8 § 9803. Description of program.

9 (A) GENERAL RULE.--THE DEPARTMENT SHALL DEVELOP PROGRAM <--
10 GUIDELINES IN CONSULTATION WITH THE DEPARTMENT OF EDUCATION.
11 Consistent with 32 U.S.C. § 509(a) (relating to National Guard
12 Youth Challenge Program of opportunities for civilian youth),
13 the program shall seek to improve the life skills and employment
14 potential of participants by providing military-based training
15 and supervised work experience, together with the core program
16 components of assisting participants to receive a high school
17 diploma or its equivalent; leadership development; promoting
18 fellowship and community service; developing life coping skills
19 and job skills; and improving physical fitness and health and
20 hygiene. THE DEPARTMENT SHALL POST THE PROGRAM GUIDELINES ON THE <--
21 HOME PAGE OF THE DEPARTMENT'S PUBLICLY ACCESSIBLE INTERNET
22 WEBSITE AND SHALL PROVIDE THE GUIDELINES TO THE DEPARTMENT OF
23 EDUCATION.

24 (B) DUTIES OF DEPARTMENT OF EDUCATION.--THE DEPARTMENT OF
25 EDUCATION SHALL POST THE PROGRAM GUIDELINES ON THE HOME PAGE OF
26 THE DEPARTMENT'S PUBLICLY ACCESSIBLE INTERNET WEBSITE AND SHALL
27 ANNUALLY DISTRIBUTE THE GUIDELINES AND RELEVANT PROGRAM
28 INFORMATION TO ALL SCHOOL ENTITIES.

29 § 9804. Length of program.

30 The program shall be for a period of time as set forth in 32

1 U.S.C. § 509(a) (relating to National Guard Youth Challenge
2 Program of opportunities for civilian youth).

3 § 9805. Participants.

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

8 § 9806. Administration.

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

15 § 9807. Funding.

16 The department shall apply for funding, as provided for under
17 32 U.S.C. § 509(d) (relating to National Guard Youth Challenge
18 Program of opportunities for civilian youth). Under 32 U.S.C. §
19 509(j), the department may supplement the funding with other
20 resources, including gifts, made available to the department and
21 may also accept, use and dispose of gifts or donations of money,
22 other property or services for the program.

23 § 9808. Transferability of course credit.

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

1 school entity.

2 § 9809. Advisory council.

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

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

9 (i) The Deputy Adjutant General for Army or a
10 designee.

11 (ii) The Deputy Adjutant General for Air or a
12 designee.

13 (iii) The Secretary of Education or a designee.

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

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

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

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

30 (d) Quorum.--Five members of the advisory council shall

1 constitute a quorum for the purpose of conducting the business
2 of the advisory council. The advisory council shall meet at
3 least quarterly and at other times at the call of the
4 chairperson.

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

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

12 § 9810. Report.

13 (a) Annual report.--The department shall prepare annually a
14 written report concerning the program. The report shall include,
15 but not be limited to, all of the following:

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

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

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

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

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

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

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

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

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

4 (i) Race.

5 (ii) Age.

6 (iii) Gender.

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

11 (b) Submission.--The report shall be submitted to the
12 following:

13 (1) The chairperson and minority chairperson of the
14 Education Committee of the Senate.

15 (2) The chairperson and minority chairperson of the
16 Veterans Affairs and Emergency Preparedness Committee of the
17 Senate.

18 (3) The chairperson and minority chairperson of the
19 Education Committee of the House of Representatives.

20 (4) The chairperson and minority chairperson of the
21 Veterans Affairs and Emergency Preparedness Committee of the
22 House of Representatives.

23 § 9811. Audit required.

24 ~~The department shall submit annually to the chairperson and~~ <--
25 ~~minority chairperson of the Veterans Affairs and Emergency~~
26 ~~Preparedness Committee of the Senate and the chairperson and~~
27 ~~minority chairperson of the Veterans Affairs and Emergency~~
28 ~~Preparedness Committee of the House of Representatives a~~
29 ~~complete certified audit of the program. The audit shall be~~
30 ~~conducted by a qualified independent certified public accountant~~

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1 ~~under generally accepted audit standards of the Governmental~~
2 ~~Accounting Standards Board.~~ THE DEPARTMENT SHALL UNDERGO AN
3 ANNUAL AUDIT OF THE PROGRAM. THE AUDIT SHALL BE CONDUCTED BY A
4 QUALIFIED INDEPENDENT CERTIFIED PUBLIC ACCOUNTANT UNDER
5 GENERALLY ACCEPTED AUDIT STANDARDS OF THE GOVERNMENTAL
6 ACCOUNTING STANDARDS BOARD. THE AUDIT SHALL BE SUBMITTED TO THE
7 FOLLOWING:

8 (1) THE CHAIRPERSON AND MINORITY CHAIRPERSON OF THE
9 EDUCATION COMMITTEE OF THE SENATE.

10 (2) THE CHAIRPERSON AND MINORITY CHAIRPERSON OF THE
11 VETERANS AFFAIRS AND EMERGENCY PREPAREDNESS COMMITTEE OF THE
12 SENATE.

13 (3) THE CHAIRPERSON AND MINORITY CHAIRPERSON OF THE
14 EDUCATION COMMITTEE OF THE HOUSE OF REPRESENTATIVES.

15 (4) THE CHAIRPERSON AND MINORITY CHAIRPERSON OF THE
16 VETERANS AFFAIRS AND EMERGENCY PREPAREDNESS COMMITTEE OF THE
17 HOUSE OF REPRESENTATIVES.

18 Section 2. This act shall take effect in 60 days.