

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 1173 Session of 2018

INTRODUCED BY HUGHES, AUMENT, FONTANA, SABATINA, KILLION, RESCHENTHALER, RAFFERTY, COSTA, WHITE, WAGNER, SCHWANK, BREWSTER, TARTAGLIONE, VULAKOVICH, BAKER, YUDICHAK, MENSCH, STEFANO, BROWNE AND BARTOLOTTA, MAY 18, 2018

REFERRED TO EDUCATION, MAY 18, 2018

AN ACT

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

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

15 Section 1. Sections 111(a.1) introductory paragraph, (1),
 16 (2) and (3), (b), (e) introductory paragraph, (f.2) and (j)(1)
 17 and (2), 111.1(n) and 121(b)(2)(iii) of the act of March 10,
 18 1949 (P.L.30, No.14), known as the Public School Code of 1949,
 19 are amended to read:

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

22 (a.1) Beginning April 1, 2007, this section shall apply to

1 all current and prospective employes of public and private
2 schools, intermediate units and area [vocational-technical]
3 career and technical schools, including, but not limited to,
4 teachers, substitutes, janitors, cafeteria workers, independent
5 contractors and their employes, except those employes and
6 independent contractors and their employes who have no direct
7 contact with children.

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

13 (2) Beginning April 1, 2007, this section shall apply to
14 student teachers and student teacher candidates assigned to all
15 public and private schools, intermediate units and area
16 [vocational-technical] career and technical schools.

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

26 * * *

27 (b) Administrators of public and private schools,
28 intermediate units and area [vocational-technical] career and
29 technical schools shall require prospective employes to submit
30 with their employment application, pursuant to 18 Pa.C.S. Ch. 91

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

16 * * *

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

23 * * *

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

30 * * *

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

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

28 * * *

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

30 (n) As used in this section, the following words and phrases

1 shall have the meanings given to them in this subsection:

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

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

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

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

19 (1) Sexual or romantic invitation.

20 (2) Dating or soliciting dates.

21 (3) Engaging in sexualized or romantic dialog.

22 (4) Making sexually suggestive comments.

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

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

27 Section 121. Keystone Exams.--* * *

28 (b) The following shall apply:

29 * * *

30 (2) The Department of Education shall investigate and

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

11 * * *

12 (iii) Ensure that no student is prohibited from
13 participation in [vocational-technical] career and technical
14 education or elective courses or programs as a result of
15 supplemental instruction required in 22 Pa. Code §§ 4.24(k) and
16 4.51b(f) (relating to Keystone Exams).

17 * * *

18 Section 2. Section 126(a)(1)(v) and (vi) of the act, added
19 November 6, 2017 (P.L.142, No.55), are amended to read:

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

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

26 (1) The department shall develop State plan submissions with
27 timely and meaningful consultation with the chair and minority
28 chair of the Education Committee of the Senate and the chair and
29 minority chair of the Education Committee of the House of
30 Representatives, with opportunity for input into the State plan

1 submission's formation. Consultation shall occur with regard to
2 the initiatives that are newly created or that retain or modify
3 existing law or regulation with regard to the following:

4 * * *

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

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

11 * * *

12 Section 3. Sections 218, 220(c), 221.2(c)(1)(iv) and (f)(4)
13 (i), 222(c), 322, 502, 513(b.1)(1) and (6), 522, 527 and 613(f)
14 of the act are amended to read:

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

1 expenditures and changes in fund balances - governmental funds
2 to statement of activities. The Department of Education shall
3 establish a reporting standard for the annual financial report.

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

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

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

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

30 (c) Definitions.--As used in this section, the following

1 words and phrases shall have the meanings given to them in this
2 subsection:

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

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

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

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

12 * * *

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

18 (A) Two school district business managers.

19 (B) Two intermediate unit business managers.

20 (C) Two charter school entity business managers.

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

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

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

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

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

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

5 * * *

6 (f) For purposes of this section:

7 * * *

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

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

11 * * *

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

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

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

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

21 Section 322. Eligibility; Incompatible Offices.--Any citizen
22 of this Commonwealth, having a good moral character, being
23 eighteen (18) years of age or upwards, and having been a
24 resident of the district for at least one (1) year prior to the
25 date of his election or appointment, shall be eligible to the
26 office of school director therein: Provided, That any person
27 holding any office or position of profit under the government of
28 any city of the first class, or the office of mayor, chief
29 burgess, county commissioner, district attorney, city, borough,
30 or township treasurer, member of council in any municipality,

1 township commissioner, township supervisor, tax collector,
2 assessor, assistant assessor, any comptroller, auditor,
3 constable, executive director or assistant executive director of
4 an intermediate unit, supervisor, principal, teacher, or employe
5 of any school district, shall not be eligible as a school
6 director in this Commonwealth. This section shall not prevent
7 any district superintendent, assistant district superintendent,
8 supervisor, teacher, or employe of any school district, from
9 being a school director in a district other than the one in
10 which he is so employed, and other than in a district with which
11 the district in which he is employed operates a joint school or
12 department. Provided, however, That a joint school or department
13 does not include a [vocational] career and technical school,
14 intermediate unit or community college: And provided further,
15 That a school director who is a supervisor, principal, teacher
16 or employe of a [vocational] career and technical school,
17 intermediate unit or community college shall not serve as a
18 member of a board of the [vocational] career and technical
19 school, intermediate unit or community college in which he is a
20 supervisor, principal, teacher or employe: And provided further,
21 That a school director who is a supervisor, principal, teacher
22 or employe of a [vocational] career and technical school,
23 intermediate unit or community college, shall not be assigned to
24 a position of employment under the supervision of the district
25 in which he or she serves as a member of the board of school
26 directors. A school director shall not be eligible to the office
27 of member of council in any municipality.

28 Section 502. Additional Schools and Departments.--In
29 addition to the elementary public schools, the board of school
30 directors in any school district may establish, equip, furnish,

1 and maintain the following additional schools or departments for
2 the education and recreation of persons residing in said
3 district, and for the proper operation of its schools, namely:--

4 High schools,

5 Trade schools,

6 [Vocational] Career and technical schools,

7 [Technical schools,]

8 Cafeterias,

9 Agricultural schools,

10 Evening schools,

11 Kindergartens,

12 Libraries,

13 Museums,

14 Reading-rooms,

15 Gymnasiums,

16 Playgrounds,

17 Schools for physically and mentally handicapped,

18 Truant schools,

19 Parental schools,

20 Schools for adults,

21 Public lectures,

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

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

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

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

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

7 * * *

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

15 * * *

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

26 Any professional employe, while on leave as an exchange
27 teacher, shall be considered to be in regular full-time daily
28 attendance in the position from which the leave was granted,
29 during the period of said leave, for the purpose of determining
30 the employe's length of service, the right to receive increments

1 as provided by law, and the right to make contributions as a
2 member of the Public School Employees' Retirement Fund and
3 continue his or her membership therein, the right to service
4 credits toward the time necessary for a sabbatical leave for
5 health or a leave of absence for professional development, and
6 the right to accumulate days of leave on account of illness or
7 accidental injury.

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

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

24 Section 613. Management Information Reports.--* * *

25 (f) Beginning with the 2001-2002 school year and each school
26 year thereafter, the mandatory reporting requirements of this
27 section shall apply, as prescribed by the department, to area
28 [vocational-technical] career and technical schools,
29 intermediate units and charter schools to the extent that
30 funding is available. Area [vocational-technical] career and

1 technical schools, intermediate units and charter schools shall
2 apply for funding in a form and manner prescribed by the
3 department.

4 Section 4. The definitions of "area vocational-technical
5 school," "market value/personal income aid ratio" and "public
6 school entity" in section 602-B of the act are amended to read:
7 Section 602-B. Definitions.

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

11 * * *

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

14 * * *

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

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

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

28 (3) For a cyber charter school, this amount shall be
29 calculated based on the sum of market value and personal
30 income wealth data for the school district in which the cyber

1 charter school's administrative offices are located.

2 * * *

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

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

6 (2) A school district.

7 (3) A charter school entity.

8 * * *

9 Section 5. Sections 701.1 second paragraph, 772.1(c),
10 772.2(e), 776.1, 909-A, 914-A(16), 1089(f), 1101(1), 1113(d)(1),
11 1123(e), (i), (n) and (o)(2) and (8), 1141, 1142(a) and (b),
12 1142.1(d), 1144.1, 1145, 1146(4), 1164(a), 1166(a), 1176(a) and
13 1195(h) of the act are amended to read:

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

16 The applicable aggregate building expenditure standard shall
17 be a total amount calculated for each building or substantial
18 addition by multiplying the rated pupil capacity under the
19 approved room schedule by the following: two thousand eight
20 hundred dollars (\$2,800) for each pupil of rated elementary
21 capacity; four thousand two hundred dollars (\$4,200) for each
22 pupil of rated secondary capacity in grades seven, eight and
23 nine and five thousand two hundred dollars (\$5,200) for each
24 pupil of rated secondary capacity in grades ten, eleven and
25 twelve and five thousand two hundred dollars (\$5,200) for each
26 pupil of rated [vocational-technical] career and technical
27 capacity in grades ten, eleven and twelve to not include the
28 cost of equipment and fixtures in such [vocational-technical]
29 career and technical schools: Provided, however, That each of
30 the preceding per pupil amounts shall be adjusted by the

1 Department of Education on July 1, 1974; and annually thereafter
2 through July 1, 2003, by multiplying said amounts by the ratio
3 of the composite construction cost index compiled and published
4 by the United States Department of Commerce for the preceding
5 calendar year to such index for the next preceding calendar
6 year; and Further Provided, however, That each of the preceding
7 per pupil amounts shall be adjusted by the Department of
8 Education on July 1, 2004; and annually thereafter by
9 multiplying said amounts by the ratio of the Building Cost Index
10 published by the McGraw-Hill Companies for the preceding
11 calendar year to such index for the next preceding calendar
12 year. Rated elementary pupil capacity or rated secondary pupil
13 capacity for any school building shall be the rated pupil
14 capacity determined on the basis of the method used by the
15 Department for school building reimbursement purposes during the
16 school year 1971-1972.

17 * * *

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

19 (c) 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 "Department." The Department of Agriculture of the
23 Commonwealth.

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

28 "Pest." An insect, rodent, nematode, fungus, weed or other
29 form of terrestrial or aquatic plant or animal life or virus,
30 bacteria or other microorganism, except viruses, bacteria or

1 other microorganisms on or in living man or other living
2 animals, declared to be a pest under section 25(c)(1) of the
3 Federal Insecticide, Fungicide, and Rodenticide Act (61 Stat.
4 163, 7 U.S.C. § 136w).

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

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

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

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

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

19 "Certified applicator." An individual who is certified under
20 section 16.1, 17 or 17.1 of the act of March 1, 1974 (P.L.90,
21 No.24), known as the "Pennsylvania Pesticide Control Act of
22 1973," as competent to use or supervise the use or application
23 of any pesticide.

24 "Commercial applicator." A certified applicator, whether or
25 not he is a private applicator with respect to some uses, who
26 uses or supervises the use of any pesticide on the property or
27 premises of another or on easements granted under State law, or
28 any applicator who uses or supervises the use of any restricted-
29 use pesticide on property owned or rented by him or his
30 employer, when not for purposes of producing an agricultural

1 product. The secretary may by regulation deem certain types of
2 applicators using any pesticide on their own property or that of
3 their employer as commercial applicators.

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

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

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

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

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

29 "Pest control information sheet." A document which contains
30 the date of treatment, the name, address and telephone number of

1 the applicator, the pesticide utilized and any other information
2 that is required by the Secretary of Agriculture.

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

7 "Pesticide application technician." An individual employed
8 by a commercial applicator or governmental agency who, having
9 met the competency requirements as set forth in the act of March
10 1, 1974 (P.L.90, No.24), known as the "Pennsylvania Pesticide
11 Control Act of 1973," is registered by the Secretary of
12 Agriculture to apply pesticides under the direct supervision of
13 a certified applicator.

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

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

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

1 physical site requirements.

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

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

14 * * *

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

24 * * *

25 Section 1089. Business Administrator.--* * *

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

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

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

11 * * *

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

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

17 * * *

18 Section 1123. Rating System.--* * *

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

28 * * *

29 (i) All school districts, intermediate units and area
30 [vocational-technical] career and technical schools shall

1 provide to the department the aggregate results of all
2 professional employe and temporary professional employe,
3 principal and nonteaching professional employe evaluations.

4 * * *

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

8 (o) For purposes of this section:

9 * * *

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

15 * * *

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

19 * * *

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

22 (1) "Teacher" shall include all professional employes and
23 temporary professional employes, who devote fifty per centum
24 (50%) of their time, or more, to teaching or other direct
25 educational activities, such as classroom teachers,
26 demonstration teachers, museum teachers, counsellors,
27 librarians, school nurses, dental hygienists, home and school
28 visitors, and other similar professional employes and temporary
29 professional employes, certificated in accordance with the
30 qualifications established by the State Board of Education.

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

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

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

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

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

22 Section 1142. Minimum Salaries and Increments.--(a) Except
23 as hereinafter otherwise provided, all school districts and
24 [vocational] career and technical school districts shall pay all
25 regular and temporary teachers, supervisors, directors and
26 coordinators of [vocational] career and technical education,
27 psychologists, teachers of classes for exceptional children,
28 supervising principals, [vocational] career and technical
29 teachers, and principals in the public schools of the district
30 the minimum salaries and increments for the school year 1968-

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

30 Class O. Supervising principals, having one hundred (100) or

1 more teachers under their supervision, and who hold a standard
2 certificate or college certificate.

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

8 * * *

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

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

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

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

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

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

27 Teachers of applied arts and [vocational] career and
28 technical subjects who hold a standard certificate and have
29 earned an additional thirty (30) semester hours of credit in
30 professional education in the teaching field in which said

1 teacher is engaged or related thereto shall be entitled to the
2 same minimum salary and increments as teachers holding a
3 Master's Degree.

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

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

12 * * *

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

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

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

25 * * *

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

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

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

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

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

19 * * *

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

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

1 seven years of service.

2 * * *

3 Section 1176. Leave of Absence.--

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

14 * * *

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

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

20 * * *

21 Section 6. The definition of "school entity" in section
22 1101-A of the act is amended to read:

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

25 * * *

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

29 * * *

30 Section 7. The definition of "public school" in section

1 1101-B of the act is amended to read:

2 Section 1101-B. Definitions.

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

6 * * *

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

10 Section 8. Sections 1105-B(c)(1)(i), 1201.1(a) introductory
11 paragraph, (2), (5) and (7), 1204.1(a), 1204.2, 1205.1(f)(2),
12 1205.2(n.1)(2) and (o), 1205.4(d), 1205.5(g) and (h)(2),
13 1205.6(b), 1207.1(d)(1) introductory paragraph, 1217(a)(2)(i)
14 and (c) and 1317.2(a), (b), (c), (e) and (f) introductory
15 paragraph of the act are amended to read:

16 Section 1105-B. Repayment.

17 * * *

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

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

23 (i) administrative action on the part of the school
24 district or area [vocational-technical] career and
25 technical school for other than causes enumerated in
26 section 1122;

27 * * *

28 Section 1201.1. Substitute Teaching Permit for Prospective
29 Teachers.--(a) An individual who does not hold a certificate
30 under section 1201 shall be eligible to teach as a substitute in

1 a school district, an area [vocational-technical] career and
2 technical school or an intermediate unit provided that:

3 * * *

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

11 * * *

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

15 * * *

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

24 * * *

25 Section 1204.1. Standard Employment Application.--(a) The
26 Secretary of Education, in consultation with organizations
27 representing school administrators, including personnel
28 administrators, teachers and school boards, shall develop a
29 standard employment application form for use by individuals
30 eligible for or in possession of instructional, [vocational]

1 career and technical instructional, intern or [vocational]
2 career and technical intern teaching certificates in making
3 application for employment with school districts within this
4 Commonwealth.

5 * * *

6 Section 1204.2. Provisional [Vocational] Career and
7 Technical Education Certificate.--The Secretary of Education may
8 grant a provisional [vocational] career and technical education
9 certificate to every person who presents to the Department of
10 Education satisfactory evidence of good moral character and who
11 has completed such work in [vocational] career and technical
12 education as may be required by the standards of the State Board
13 of Education, which certificate shall entitle the individual to
14 teach for eight annual school terms.

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

16 (f) * * *

17 (2) Notwithstanding this subsection, the provisions of
18 sections 1003(a) (3) and (c) and 1207.1(d) (1) (iv) requiring that
19 candidates for appointment as a district superintendent or
20 assistant district superintendent and candidates for
21 administrative and [vocational] career and technical director
22 certificates complete a leadership development program that
23 meets the Pennsylvania school leadership standards under section
24 1217 shall not be suspended.

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

27 (n.1) * * *

28 (2) Notwithstanding this subsection, the provisions of
29 sections 1003(a) (3) and (c) and 1207.1(d) (1) (iv) requiring that
30 candidates for appointment as a district superintendent or

1 assistant district superintendent and candidates for
2 administrative and [vocational] career and technical director
3 certificates complete a leadership development program that
4 meets the Pennsylvania school leadership standards under section
5 1217 shall not be suspended.

6 * * *

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

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

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

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

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

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

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

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

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

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

17 Section 1205.4. CPR Instruction.--* * *

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

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

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

30 (h) * * *

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

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

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

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

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

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

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

30 (1) Sexual or romantic invitation.

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

8 Section 1207.1. Postbaccalaureate Certification.--* * *

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

13 * * *

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

20 * * *

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

25 * * *

26 (c) For the purpose of this section, the term "school or
27 system leader" shall mean an individual who serves on a
28 certificate as a principal, vice principal, assistant principal,
29 superintendent, assistant superintendent, intermediate unit
30 executive director, assistant intermediate unit executive

1 director or director of an area [vocational-technical] career
2 and technical school.

3 Section 1317.2. Possession of Weapons Prohibited.--(a)
4 Except as otherwise provided in this section, a school district
5 or area [vocational-technical] career and technical school shall
6 expel, for a period of not less than one year, any student who
7 is determined to have brought onto or is in possession of a
8 weapon on any school property, any school-sponsored activity or
9 any public conveyance providing transportation to a school or
10 school-sponsored activity.

11 (b) Every school district and area [vocational-technical]
12 career and technical school shall develop a written policy
13 regarding expulsions for possession of a weapon as required
14 under this section. Expulsions shall be conducted pursuant to
15 all applicable regulations.

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

25 * * *

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

1 * * *

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

6 * * *

7 Section 9. The definition of "educational entity" in section
8 1326 of the act is amended to read:

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

11 * * *

12 "Educational entity" shall mean a public school district,
13 nonpublic school or area [vocational-technical] career and
14 technical school.

15 * * *

16 Section 10. Sections 1327(a), 1361(1) and 1381 of the act
17 are amended to read:

18 Section 1327. Compulsory School Attendance.--(a) Except as
19 hereinafter provided, every child of compulsory school age
20 having a legal residence in this Commonwealth, as provided in
21 this article, and every migratory child of compulsory school
22 age, is required to attend a day school in which the subjects
23 and activities prescribed by the standards of the State Board of
24 Education are taught in the English language. In lieu of such
25 school attendance, any child fifteen years of age with the
26 approval of the district superintendent and the approval of the
27 Secretary of Education, and any child sixteen years of age with
28 the approval of the district superintendent of schools, may
29 enroll as a day student in a private trade school or in a
30 private business school licensed by the Department of Education,

1 or in a trade or business school, or department operated by a
2 local school district or districts. Such modified program
3 offered in a public school must meet the standards prescribed by
4 the State Board of Education or the State Board [for Vocational]
5 of Career and Technical Education. Except as hereinafter
6 provided, every parent, guardian, or other person having control
7 or charge of any child or children of compulsory school age is
8 required to send such child or children to a day school in which
9 the subjects and activities prescribed by the standards of the
10 State Board of Education are taught in the English language.
11 Such parent, guardian, or other person having control or charge
12 of any child or children, fifteen or sixteen years of age, in
13 accordance with the provisions of this act, may send such child
14 or children to a private trade school or private business school
15 licensed by the Department of Education, or to a trade or
16 business school, or department operated by a local school
17 district or districts. Such modified program offered in a public
18 school must meet the standards prescribed by the State Board of
19 Education or the State Board [for Vocational] of Career and
20 Technical Education. Such child or children shall attend such
21 school continuously through the entire term, during which the
22 public schools in their respective districts shall be in
23 session, or in cases of children of migrant laborers during the
24 time the schools are in session in the districts in which such
25 children are temporarily domiciled. The financial responsibility
26 for the education of such children of migrant laborers shall
27 remain with the school district in which such children of
28 migrant laborers are temporarily domiciled; except in the case
29 of special schools or classes conducted by an intermediate unit
30 and approved by the Department of Education or conducted by the

1 Department of Education. The certificate of any principal or
2 teacher of a private school, or of any institution for the
3 education of children, in which the subjects and activities
4 prescribed by the standards of the State Board of Education are
5 taught in the English language, setting forth that the work of
6 said school is in compliance with the provisions of this act,
7 shall be sufficient and satisfactory evidence thereof. Regular
8 daily instruction in the English language, for the time herein
9 required, by a properly qualified private tutor, shall be
10 considered as complying with the provisions of this section. For
11 the purposes of this section, "properly qualified private tutor"
12 shall mean a person who is certified by the Commonwealth of
13 Pennsylvania to teach in the public schools of Pennsylvania; who
14 is teaching one or more children who are members of a single
15 family; who provides the majority of the instruction to such
16 child or children; and who is receiving a fee or other
17 consideration for such instructional services. No person who
18 would be disqualified from school employment by the provisions
19 of subsection (e) of section 111 may be a private tutor, as
20 provided for in this section. The private tutor must file a copy
21 of his Pennsylvania certification and the required criminal
22 history record with the student's district of residence
23 superintendent.

24 * * *

25 Section 1361. When Provided.--(1) The board of school
26 directors in any school district may, out of the funds of the
27 district, provide for the free transportation of any resident
28 pupil to and from the kindergarten, elementary school, or
29 secondary school in which he is lawfully enrolled, provided that
30 such school is not operated for profit and is located within the

1 district boundaries or outside the district boundaries at a
2 distance not exceeding ten miles by the nearest public highway,
3 except that such ten-mile limit shall not apply to area
4 [vocational technical] career and technical schools which
5 regularly serve eligible district pupils or to special schools
6 and classes approved by the Department of Education, and to and
7 from any points within or without the Commonwealth in order to
8 provide field trips for any purpose connected with the
9 educational pursuits of the pupils. When provision is made by a
10 board of school directors for the transportation of public
11 school pupils to and from such schools or to and from any points
12 within or without the Commonwealth in order to provide field
13 trips as herein provided, the board of school directors shall
14 also make identical provision for the free transportation of
15 pupils who regularly attend nonpublic kindergarten, elementary
16 and high schools not operated for profit to and from such
17 schools or to and from any points within or without the
18 Commonwealth in order to provide field trips as herein provided.
19 Such transportation of pupils attending nonpublic schools shall
20 be provided during regular school hours on such dates and
21 periods that the nonpublic school not operated for profit is in
22 regular session, according to the school calendar officially
23 adopted by the directors of the same in accordance with
24 provisions of law. The board of school directors shall provide
25 such transportation whenever so required by any of the
26 provisions of this act or of any other act of Assembly.

27 * * *

28 Section 1381. Higher Education for Blind or Deaf Students.--
29 The Department of [Public Instruction] Education is authorized
30 to make provision for defraying the necessary expense of any

1 students who are blind or deaf and are regularly enrolled
2 students pursuing any course of study, profession, art, or
3 science in any university, college, conservatory of music,
4 normal, professional, or [vocational] career and technical
5 school approved by the Department of [Public Instruction]
6 Education, and who are residents of [the] this Commonwealth.
7 Before any contract is entered into, the Department of [Public
8 Instruction] Education shall make a careful investigation of all
9 circumstances surrounding the case. If, after such
10 investigation, it appears that any [blind or deaf] student who
11 is deaf or blind who desires to attend any such school or
12 institution, or who is attending such school or institution,
13 seems to be fitted for special work, the Department of [Public
14 Instruction] Education is authorized to expend the necessary
15 amount, out of the general sum appropriated for this purpose,
16 not to exceed five hundred dollars (\$500) per year for each such
17 [blind or deaf] student who is deaf or blind.

18 Section 11. The definitions of "chief school administrator"
19 and "school entity" in section 1301-A of the act are amended to
20 read:

21 Section 1301-A. Definitions.--As used in this article,

22 "Chief school administrator" shall mean the superintendent of
23 a public school district, superintendent of an area [vocational-
24 technical] career and technical school, executive director of an
25 intermediate unit or chief executive officer of a charter
26 school.

27 * * *

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

1 * * *

2 Section 12. Sections 1414.1(d), 1414.2(j), 1414.3(e),
3 1414.4(d), 1414.5(d), 1423(1), 1424(c) and 1505(e) of the act
4 are amended to read:

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

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

10 * * *

11 Section 1414.2. School Access to Emergency Epinephrine.--* *
12 *

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

17 Section 1414.3. Education of School Employes in Diabetes
18 Care and Management.--* * *

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

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

24 (d) For purposes of this section:

25 "School bus" means a school bus as defined in 75 Pa.C.S. §
26 102 (relating to definitions).

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

30 "School vehicle" means a school vehicle as defined in 75

1 Pa.C.S. § 102.

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

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

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

9 "Diabetes medication" means glucagon and insulin.

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

11 (1) As used in this section--

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

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

17 "Nonpublic school" means a nonprofit school, other than a
18 public school within this Commonwealth, wherein a resident of
19 this Commonwealth may legally fulfill the compulsory school
20 attendance requirements of this act and which meets the
21 applicable requirements of Title VI of the Civil Rights Act of
22 1964 (Public Law 88-352, 78 Stat. 241).

23 "School building" means a building owned by or under the
24 control of a school entity or nonpublic school where classes are
25 taught or extracurricular activities are conducted on a regular
26 basis.

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

30 "Secretary" means the Secretary of Education of the

1 Commonwealth.

2 Section 1424. Cardiopulmonary Resuscitation.--* * *

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

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

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

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

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

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

18 Section 13. Section 1517(f) of the act, amended November 6,
19 2017 (P.L.1142, No.55), is amended to read:

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

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

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

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

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

6 Section 14. Sections 1526(d) and 1527(c) of the act are
7 amended to read:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

12 Section 15. Sections 1549(e) and 1549.1(f) (3) (v) and (p) of
13 the act, amended or added November 6, 2017 (P.L.1142, No.55),
14 are amended to read:

15 Section 1549. Agricultural Education.--* * *

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

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

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

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

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

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

27 * * *

28 (3) The following members jointly appointed by the Secretary
29 of Education and the Secretary of Agriculture from lists
30 submitted by the President pro tempore of the Senate and the

1 Speaker of the House of Representatives, in consultation with
2 the Majority Leader and Minority Leader of the Senate and the
3 Majority Leader and Minority Leader of the House of
4 Representatives:

5 * * *

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

9 * * *

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

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

15 "Farmer." A person who engages in activities, practices and
16 procedures to produce and prepare for market poultry, livestock
17 and their products or who engages in the production and
18 harvesting of agricultural, agronomic, horticultural,
19 silvicultural and aquacultural crops and commodities and whose
20 operation is conducted on not less than ten contiguous acres in
21 area or, if less than ten contiguous acres in area, has an
22 anticipated yearly gross income of at least ten thousand dollars
23 (\$10,000).

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

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

29 Section 16. Sections 1551(f), 1554(g) and 1503-A(a) and (c)
30 (2) and (4) of the act are amended to read:

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

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

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

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

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

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

18 Section 1554. Holocaust, Genocide and Human Rights
19 Violations Instruction.--* * *

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

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

30 * * *

1 (c) * * *

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

10 * * *

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

19 Section 17. The definition of "school entity" in section
20 1501-C of the act is amended to read:

21 Section 1501-C. Definitions.

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

25 * * *

26 "School entity." Shall mean:

27 (1) For purposes of the Educational Support Services
28 Program, any of the following located in this Commonwealth: a
29 school district, intermediate unit, joint school district,
30 area [vocational-technical] career and technical school,

1 charter school, independent school, licensed private academic
2 school, accredited school, a school registered under section
3 1327(b) [, the Scotland School for Veterans' Children] or the
4 Scranton School for the Deaf.

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

10 Section 18. The definition of "school entity" in section
11 1502-I of the act is amended to read:

12 Section 1502-I. Definitions.

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

16 * * *

17 "School entity." Any of the following:

18 (1) A school district.

19 (2) An intermediate unit.

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

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

24 * * *

25 Section 19. Sections 1605(c) (2), 1607(a) and 1614(a) of the
26 act are amended to read:

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

28 (c) * * *

29 (2) As used in this subsection, "public high school" shall
30 mean a public school, including a school within a school

1 district, a charter school, a cyber charter school, a regional
2 charter school or an area [vocational-technical] career and
3 technical school, that offers twelfth grade.

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

28 * * *

29 Section 1614. Participation By Students With Disabilities in
30 High School Graduation Ceremonies.--(a) For the 2005-2006

1 school year and each school year thereafter, a board of school
2 directors of a school district, an area [vocational-technical]
3 career and technical school or a charter school shall allow a
4 student with a disability, whose individualized education
5 program as established pursuant to 22 Pa. Code § 14.131
6 (relating to IEP) prescribes continued special education
7 programs beyond the fourth year of high school, to participate
8 in commencement ceremonies with the student's graduating class
9 and receive a certificate of attendance, provided that the
10 student has attended four years of high school regardless of
11 whether the student has completed the individualized education
12 program.

13 * * *

14 Section 20. The definitions of "concurrent student" and
15 "school entity" in section 1602-B of the act are amended to
16 read:

17 Section 1602-B. Definitions.

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

21 * * *

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

28 * * *

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

1 * * *

2 Section 21. Sections 1603-B(c) (1), 1614-B(b) and 1615-B(a)
3 of the act are amended to read:

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

6 * * *

7 (c) Grants.--

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

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

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

25 * * *

26 Section 1614-B. Enrollment in concurrent courses.

27 * * *

28 (b) Optional enrollment.--A student enrolled in a school
29 district, charter school, area [vocational-technical] career and
30 technical school, nonpublic school, private school or home

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

13 Section 1615-B. Credit for concurrent courses.

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

21 * * *

22 Section 22. The definition of "school entity" in section
23 1602-C of the act is amended to read:

24 Section 1602-C. Definitions.

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

28 * * *

29 "School entity." A school of a school district, joint school
30 district, area [vocational-technical] career and technical

1 school or charter school that provides interscholastic athletic
2 opportunities for secondary school students.

3 * * *

4 Section 23. Section 1707 of the act is amended to read:

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

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

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

23 Section 24. The definition of "school entity" in section
24 1703-A of the act is amended to read:

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

26 * * *

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

30 * * *

1 Section 25. The heading of Article XVIII of the act is
2 amended to read:

3 ARTICLE XVIII.

4 [VOCATIONAL] CAREER AND TECHNICAL EDUCATION.

5 Section 26. Sections 1801, 1802, 1803, 1803.1 introductory
6 paragraph and (1), 1804, 1805, 1806, 1807, 1808, 1809, 1810 and
7 1811 of the act are amended to read:

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

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

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

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

27 (4) "[Vocational] Career and technical agricultural
28 education" shall mean that form of [vocational] career and
29 technical education which develops student potential for success
30 in entering and advancing through careers in the food,

1 agriculture and natural resources sciences, such as production
2 agriculture, animal science, agribusiness management and
3 marketing, agricultural research, energy systems, agricultural
4 mechanics and engineering, biotechnology, food science,
5 processing and retailing, banking, agricultural education,
6 forestry, horticulture, landscape contracting, nursery and
7 floriculture production, retail garden center management,
8 leadership and career development, management, economics and
9 marketing, natural resource management, plant and soil science,
10 power and systems technology, rural-urban interfacing and other
11 related fields.

12 (5) "[Vocational] Career and technical distributive
13 occupational education" shall mean those forms of [vocational]
14 career and technical education designed for those workers
15 engaged in or preparing for employment as distributors to
16 consumers, retailers, jobbers, wholesalers, and others of the
17 products of farm and industry, including, also, managers
18 operating or conducting a commercial service or personal service
19 business, or selling the services of such a business.

20 (6) "[Vocational] Career and technical homemaking education"
21 shall mean that form attitudes in the subject matter areas of
22 home economics and useful programs that are designed to help
23 individuals and families improve home environment and the
24 quality of family life.

25 (7) "[Vocational] Career and technical industrial,
26 [vocational] career and technical agricultural, [vocational]
27 career and technical distributive occupational, or [vocational]
28 career and technical homemaking school or department," or
29 "[vocational] career and technical school or department," shall
30 mean a distinctive organization of courses, pupils, and teachers

1 approved by the State Board [for Vocational] of Career and
2 Technical Education, designed to give either [vocational] career
3 and technical industrial, [vocational] career and technical
4 agricultural, [vocational] career and technical distributive
5 occupational, or [vocational] career and technical homemaking
6 education, as herein defined.

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

18 (9) "[Vocational] Career and technical evening class" in
19 [vocational] career and technical homemaking shall mean a class
20 giving training as indicated in clause (6) for students during
21 the evening.

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

27 (11) "Part-time schools or classes" shall mean those schools
28 or classes which provide instruction in subjects given to
29 enlarge the civic or [vocational] career and technical knowledge
30 or skill of workers over fourteen years of age who have entered

1 upon employment. Such schools must be so organized as to permit
2 workers, who are qualified for admission, to spend part of their
3 time during the day, week, month, or year in employment, and
4 part of the time in school.

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

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

18 (14) "Public service-school" refers to schools, departments,
19 classes, and conferences for the in-service training of public
20 and other service occupations, including policemen, firemen,
21 finance officers, school board officials, and others.

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

29 (16) "[Vocational] Career and technical business and office
30 education" shall mean a subject or combination of subjects of

1 less than college grade designed to prepare an individual to
2 enter or advance in an occupational field wherein success is
3 largely dependent upon skill and knowledge necessary to obtain
4 competency in bookkeeping, clerical, data processing, or
5 stenographic occupations, and similar business pursuits.

6 Section 1802. State Board [for Vocational] of Career and
7 Technical Education; Executive Officer; Employes.--The
8 [Superintendent of Public Instruction] Secretary of Education
9 shall be the executive officer of the State Board [for
10 Vocational] of Career and Technical Education for the
11 administration of this act. Except as hereinafter otherwise
12 provided, he, as executive officer, shall appoint, from time to
13 time, with the approval of the State Board [for Vocational] of
14 Career and Technical Education, such expert assistants, other
15 than those already provided for by law, as may be necessary in
16 [vocational] career and technical industrial, [vocational]
17 career and technical homemaking, [vocational] career and
18 technical agricultural, [vocational] career and technical
19 distributive or [vocational] career and technical business and
20 office occupational education, and all clerical and other agents
21 necessary in carrying out the provisions of this act.

22 Section 1803. Duties of State Board [for Vocational] of
23 Career and Technical Education; Reports.--The State Board [for
24 Vocational] of Career and Technical Education is hereby
25 authorized and directed to investigate and to aid in the
26 introduction of [vocational] career and technical industrial,
27 [vocational] career and technical agricultural, [vocational]
28 career and technical homemaking, [vocational] career and
29 technical distributive and [vocational] career and technical
30 business and office occupational education; to assist in the

1 establishment of schools and departments for said forms of
2 education, and to inspect and approve such schools or
3 departments as are hereinafter provided. The State Board [for
4 Vocational] of Career and Technical Education shall make a
5 report annually to the Governor and Legislature describing the
6 condition and progress of [vocational] career and technical
7 industrial, [vocational] career and technical agricultural,
8 [vocational] career and technical homemaking, [vocational]
9 career and technical distributive and [vocational] career and
10 technical business and office occupational education during the
11 year, and shall also make such recommendations as the board may
12 deem advisable.

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

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

20 * * *

21 Section 1804. Schools or Classes; Supervisors; Principals;
22 Instructors, etc.--In carrying out the provisions of this act,
23 the State Board [for Vocational] of Career and Technical
24 Education shall provide for [vocational] career and technical
25 schools or classes, with the necessary staffs, in accordance
26 with the State Plan for [Vocational] Career and Technical
27 Education, approved by the [Federal Board for Vocational
28 Education] United States Department of Education.

29 [Principals, instructors and lecturers for the Public Service
30 Institute shall be elected by the State Board for Vocational

1 Education. They shall possess the qualifications established in
2 the State Plan for Vocational Education approved by the Federal
3 Board for Vocational Education.]

4 Section 1805. Instruction in Theory and Practice.--In order
5 that instruction in theory and practice may go on together,
6 [vocational] career and technical industrial, [vocational]
7 career and technical agricultural, [vocational] career and
8 technical homemaking, and [vocational] career and technical
9 distributive occupational schools or departments may offer
10 instruction in day, part-time, and evening classes. Attendance
11 upon such day, evening, or part-time classes shall be restricted
12 to those over fourteen years of age.

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

15 (1) Establish and maintain [vocational] career and technical
16 industrial, [vocational] career and technical agricultural,
17 [vocational] career and technical homemaking, and [vocational]
18 career and technical distributive occupational schools or
19 departments.

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

29 (3) Require a deposit fee of a sum not to exceed ten dollars
30 (\$10) from each person enrolling in evening [vocational] career

1 and technical schools or classes. Such deposit fee shall be
2 returned at the close of each term of instruction to all persons
3 so enrolled who have attended seventy-five per cent (75%) or
4 more of the class sessions of the term and may be returned at
5 any time because of death, sickness, or any other cause which
6 the board may deem justifiable.

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

10 Section 1807. Joint [Vocational] Career and Technical
11 Schools or Departments.--Two or more districts may, as provided
12 in article seventeen of this act, through a joint school
13 committee, establish and maintain [vocational] career and
14 technical industrial, [vocational] career and technical
15 agricultural, [vocational] career and technical homemaking, or
16 [vocational] career and technical distributive occupational
17 schools or departments, to be known as joint [vocational] career
18 and technical schools or departments.

19 Section 1808. Advisory Committees.--Local school boards and
20 joint school committees administering approved [vocational]
21 career and technical industrial, [vocational] career and
22 technical agricultural, [vocational] career and technical
23 homemaking, or [vocational] career and technical distributive
24 occupational schools or departments may, under a plan to be
25 approved by the State Board [for Vocational] of Career and
26 Technical Education, appoint an advisory committee composed of
27 members representing local trades, industries, and occupations.
28 It shall be the duty of such a committee to counsel with and
29 advise the local or joint board of trustees, and other school
30 officials, having the management and supervision of such

1 schools.

2 Section 1809. Attendance in Other Districts and Other
3 States; Pupils from Other States.--(a) Any resident of any
4 school district which does not maintain an approved [vocational]
5 career and technical industrial, [vocational] career and
6 technical agricultural, [vocational] career and technical
7 homemaking, or [vocational] career and technical distributive
8 occupational education day, part-time, or evening class, school
9 or department, offering the type of training which he desires,
10 may make application to the board of school directors of any
11 other district for admission to such school or department
12 maintained by said board. If the board refuses him admission, he
13 may apply to the State Board [for Vocational] of Career and
14 Technical Education for admission to such school or department.
15 The State Board [for Vocational] of Career and Technical
16 Education may approve or disapprove such application. In making
17 such decision the State Board [for Vocational] of Career and
18 Technical Education shall take into consideration the
19 opportunities for free [vocational] career and technical
20 training in the community in which the applicant resides, the
21 financial status of the community, the age, preparation,
22 aptitude, and previous record of the applicant, and all other
23 relevant circumstances. The decision of the State Board [for
24 Vocational] of Career and Technical Education shall be final.

25 (b) Where any child of school age in any school district
26 resides by the nearest traveled road three miles or more from
27 the nearest [vocational] career and technical high school in any
28 district in this Commonwealth, such child, unless proper free
29 transportation is furnished to a suitable school in this
30 Commonwealth, may, on request of his parents or legal guardian,

1 be assigned by the board of school directors to a more
2 convenient school in another state: Provided, That the consent
3 of the proper school officials in charge of such school in
4 another state to such an arrangement is permitted by the laws of
5 such state, and is agreed to by such officials.

6 (c) The school district in which the person resides, who has
7 been admitted, as above provided, to an approved [vocational]
8 career and technical industrial, [vocational] career and
9 technical agricultural, [vocational] career and technical
10 homemaking, [vocational] career and technical high or
11 [vocational] career and technical distributive occupational
12 school or department maintained by another school district,
13 shall pay the high school charge provided for by this act. If
14 any school district neglects or refuses to pay for such tuition,
15 it shall be liable therefor, in an action of contract, to the
16 school district or school districts maintaining the school which
17 the pupil, with the approval of the board, attended.

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

24 Section 1810. Approved Local or Joint [Vocational] Career
25 and Technical Schools; State Reimbursement.--[Vocational] Career
26 and technical industrial, [vocational] career and technical
27 agricultural, [vocational] career and technical homemaking, and
28 [vocational] career and technical distributive occupational
29 schools or departments shall, so long as they are approved by
30 the State Board [for Vocational] of Career and Technical

1 Education as to organization, control, location, equipment,
2 courses of study, qualifications of teachers, methods of
3 instruction, conditions of admission, employment of pupils, and
4 expenditures of money, constitute approved local or joint
5 [vocational] career and technical schools. School districts
6 maintaining such approved local or joint [vocational] career and
7 technical schools or departments shall receive reimbursement
8 from the Commonwealth, as provided for in this act, and shall
9 make such certificates to the [Superintendent of Public
10 Instruction] Secretary of Education as are required by article
11 twenty-five of this act.

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

30 Section 27. The headings of Subarticles B and C of Article

1 XVIII are amended to read:

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

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

5 Section 28. Sections 1840.1, 1841, 1842, 1844, 1845, 1847,
6 1849, 1850.1, 1850.2, 1850.3, 1850.4, 1851, 1852, 1853, 1855,
7 1922, 1925, 1901-A(4) and (5), 1905-A(a) (7), 1913-A(b) (1.2),
8 1908-B(b), 1901-C(1) and (6), 1901-D(5) and 1903-D(b) (1) of the
9 act are amended to read:

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

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

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

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

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

26 Section 1841. Area [Vocational-Technical] Career and
27 Technical Schools and Technical Institutes Authorized.--An area
28 [vocational-technical] career and technical board may establish,
29 maintain, conduct and operate schools, departments or classes to
30 prepare for [vocational] career and technical industrial,

1 [vocational] career and technical agricultural, [vocational]
2 career and technical homemaking, business and [vocational]
3 career and technical distributive occupations, technical
4 occupations, such as aides and assistants, in physical,
5 biological, space and other sciences, mathematics, engineering,
6 construction and design, computer programming and maintenance,
7 and health occupations and for any other occupations requiring
8 [vocational] career or technical training and education, to be
9 known as "area [vocational-technical] career and technical
10 schools," for the education of pupils, out-of-school youth and
11 adults residing in the attendance area.

12 An area [vocational-technical] career and technical board or
13 several area [vocational-technical] career and technical boards
14 jointly may provide for, establish, maintain, conduct and
15 operate schools, departments, or classes to be known as
16 "technical institute" to educate, train and offer post high
17 school programs and courses of not more than two years'
18 duration, which will prepare out-of-school youth and adults for
19 competency in sub-professional, technical, health service,
20 business, commercial, merchandising and skilled occupations and
21 for any other occupations for which technical training is
22 helpful to an employer and increases students' qualifications
23 for employment. Technical institute programs and courses shall
24 be coordinated with those offered in area [vocational-technical]
25 career and technical schools to [insure] ensure progressive
26 advancement of students. Such institutes shall be organized in
27 accordance with proposals of area [vocational-technical] career
28 and technical boards of school directors, which are approved by
29 the State Board [for Vocational] of Career and Technical
30 Education. All technical institutes shall be established,

1 operated and in all respects conform to standards prepared by
2 the Department of Education and adopted by the State Board [for
3 Vocational] of Career and Technical Education. Area [vocational-
4 technical] career and technical schools, as approved by the
5 State Board [for Vocational] of Career and Technical Education,
6 may be organized as [vocational-technical] career and technical
7 service centers in which pupils may enroll full-time or in which
8 pupils enrolled in academic high schools may elect to attend
9 part-time. Technical institutes approved by the State Board [for
10 Vocational] of Career and Technical Education may enroll out-of-
11 school youth and adults full-time or part-time as the students
12 may elect.

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

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

30 Section 1844. Establishment of Schools and Institutes.--(a)

1 The intermediate unit board of directors of each intermediate
2 unit shall call a convention of school directors of all school
3 districts in the intermediate unit to meet separately by
4 attendance areas, to discuss the establishment of an area
5 [vocational-technical] career and technical school or technical
6 institute, as the case may be and to call upon each district to
7 vote for or against participation in the establishment of a
8 school or institute.

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

26 The intermediate unit board of directors shall certify the
27 vote conducted in convention or by mail ballot to the Department
28 of Education and if sufficient school districts vote in the
29 affirmative, the intermediate unit board of directors shall
30 proceed to act as the agency to initiate the final procedures

1 necessary to organize and establish an area [vocational-
2 technical] career and technical school or technical institute in
3 the attendance area. School districts indicating unwillingness
4 to participate in the establishment of an area [vocational-
5 technical] career and technical school or technical institute
6 may become participating districts at a later date according to
7 terms and conditions defined by the then participating
8 districts.

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

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

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

27 Section 1845. Cost of Establishment, Etc., Ownership of
28 Property.--All expenses in connection with the establishment of
29 area [vocational-technical] career and technical schools or
30 technical institutes and additions and improvements thereof

1 shall be borne by the school districts participating therein in
2 the proportions agreed on by the respective districts. Any
3 school district not participating in the original establishment
4 of an area [vocational-technical] career and technical school or
5 technical institute, which later elects to become a participant,
6 shall contribute to the cost of the school an amount agreed on
7 with the then participating districts, and shall make such
8 further annual payments on account of obligations to the State
9 Public School Building Authority or rentals under leases with
10 municipality authorities as shall be agreed on. All property of
11 each area [vocational-technical] career and technical school or
12 technical institute shall be owned jointly by the several school
13 districts participating in the establishment, maintenance and
14 operation thereof, in the proportion the contribution of each to
15 the cost of acquisition, construction and improvement bears to
16 the total cost.

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

1 Section 1849. Petitions for Change of Plan.--Future
2 development of area [vocational technical] career and technical
3 schools shall, after approval of the State plan, conform to the
4 plan, and the school directors of a specified attendance area,
5 having reason to question the practicability of the State plan
6 for the specific attendance area or desiring to change the
7 specified area, may present the case to a committee of the State
8 Board [for Vocational] of Career and Technical Education with
9 petition for change. The decision of the State board thereon
10 shall be final.

11 Section 1850.1. Organization and Operation of Schools and
12 Institutes.--(a) Schools and institutes shall be the
13 responsibility of the participating boards of school directors
14 of an approved attendance area. Such boards of school directors
15 shall have authority to enter into a written agreement by and
16 among themselves establishing such school or institute setting
17 forth, inter alia, the rights and obligations of the
18 participating districts. No change shall be made in such
19 agreement without the consent of each participating school
20 district first obtained, by the affirmative vote of a majority
21 of the school directors thereof. The several participating
22 boards of school directors shall collectively be known as the
23 area [vocational-technical] career and technical board.

24 (b) The area [vocational-technical] career and technical
25 board shall have authority and its duty shall be:

26 (1) To provide, as the participating districts may agree,
27 for the assumption by the area [vocational-technical] career and
28 technical board of obligations including, but not limited to,
29 operating expenses, architect's fees, engineering costs,
30 professional salaries, expenses of acquiring and maintaining

1 sites for schools and institutes, incurred by any county board
2 of school directors or county boards of school directors on
3 behalf of such participating districts pursuant to prior
4 agreements;

5 (2) To formulate and adopt policies relating to the
6 organization, establishment and operation of the school or
7 institute;

8 (3) To provide for the administration and operation of the
9 school or institute;

10 (4) To adopt the budgets for operation of the school or
11 institute as prepared in the same manner provided for in section
12 687 of this act;

13 (5) To designate a superintendent of the school or
14 institute[, provided, that when a county board or boards is
15 selected as the operating agent as hereinafter provided, a
16 county superintendent of schools shall be designated as the
17 superintendent of the school or institute, and that when the
18 several boards or a committee thereof operate the school or
19 institute as hereinafter provided, a chief school administrator
20 of a participating school district or a county superintendent
21 shall be designated as superintendent of the school or
22 institute];

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

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

30 (8) To make and establish, and from time to time alter and

1 amend, rules and regulations for the transaction of its business
2 and for the administration of the work under its charge;

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

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

23 (11) To acquire real property by purchase, gift or
24 condemnation, for the purposes of area [vocational-technical]
25 career and technical schools and technical institutes. Such
26 condemnation proceedings shall be instituted and conducted by
27 the board in the name of the participating school districts in
28 the same manner and with like authority as provided by law in
29 the case of school districts. The title to any real estate,
30 acquired for the purpose of establishing any such area

1 [vocational-technical] career and technical school or institute
2 shall be held in the name of one or more of the school districts
3 establishing the same, as they may agree;

4 (12) To purchase, lease, rent or otherwise acquire all
5 necessary furniture, implements, books, materials, equipment and
6 supplies;

7 (13) When authorized by the participating school districts
8 in the attendance area, to provide for free mandated
9 transportation of district pupils to and from the area
10 [vocational-technical] career and technical school in which they
11 have been accepted, and to apply and receive on behalf of the
12 school districts in the attendance area reimbursements on
13 account of such transportation provided;

14 (14) To make contracts with counties, cities, boroughs,
15 towns, townships, school districts, other political
16 subdivisions, community colleges, public and private agencies,
17 quasi-public agencies, nonprofit corporations, the Federal
18 Government and its agencies and instrumentalities,
19 municipalities and other public authorities, or other persons
20 for carrying out the purposes of this subdivision of this
21 article;

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

25 (16) To adopt criteria for admitting students to area
26 [vocational-technical] career and technical schools and
27 technical institutes;

28 (17) To receive Federal, State, school district and other
29 public and private funds and to expend such funds to establish,
30 operate, improve and expand area [vocational-technical] career

1 and technical schools and technical institutes;

2 (18) When authorized by the participating school districts,
3 and on behalf of such districts, to enter into agreement with
4 the State Public School Building Authority, municipal
5 authorities, political subdivisions, municipal corporations,
6 public and private agencies, quasi-public agencies, authorities,
7 nonprofit corporations and the Federal Government and its agents
8 and instrumentalities to buy land, build, alter, lease, equip
9 and operate facilities for public [vocational-technical] career
10 and technical education and technical institutes;

11 (19) To prepare and submit to the Department of [Public
12 Instruction] Education on or before July 1 of each year, for
13 approval, a budget of proposed expenditures for area
14 [vocational-technical] career and technical schools and
15 technical institutes for the ensuing year;

16 (20) To accept pupils in area [vocational-technical] career
17 and technical schools and technical institutes from districts
18 not participating in their establishment and maintenance and to
19 establish tuition charges therefor;

20 (21) To assign pupils residing within school districts
21 participating in an area [vocational-technical] career and
22 technical school and/or technical institutes to [vocational]
23 career and technical schools or departments maintained by other
24 area [vocational-technical] career and technical boards and
25 school districts with the approval of the area [vocational-
26 technical] career and technical boards and the district boards
27 maintaining such schools or departments, and to pay tuition for
28 pupils permitted to attend such area [vocational-technical]
29 career and technical schools, technical institutes and
30 [vocational] career and technical schools or departments;

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

3 (23) To collect tuition and fees;

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

6 (25) Whenever such schools and technical institutes are
7 authorized, to prepare an estimate of the total cost of and
8 expenditures to be made on account of each area [vocational-
9 technical] career and technical school and technical institute
10 for the following year, such estimate shall be filed with the
11 Department of [Public Instruction] Education no later than July
12 1 of each year for the approval of the department;

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

17 (c) All actions of an area [vocational-technical] career and
18 technical board shall be by a majority vote of the members of
19 the board either in convention or by mail ballot, whichever
20 procedure the board shall select: Provided, That the approval of
21 each operating budget shall require an affirmative vote of two-
22 thirds of the participating school districts and a majority vote
23 of all the school directors of all participating districts; and
24 provided further, for purposes of this requirement only, the
25 vote of any participating school district shall be determined by
26 a majority vote of all school directors comprising such
27 participating boards. All votes shall be duly recorded and shall
28 show how each member voted;

29 (d) An area [vocational-technical] career and technical
30 board shall have power to delegate the operation, administration

1 and management of the school or institute [(1) to one or more
2 county boards of school directors acting as agent for the area
3 vocational-technical board; or (2)] to a joint committee elected
4 from among the several participating boards of school directors.

5 Section 1850.2. Operation by Intermediate Unit Board of
6 Directors Acting as an Operating Agent.--When an intermediate
7 unit board of directors is designated as agent to operate,
8 administer and manage a school and/or institute, such agent
9 shall discharge its duties and responsibilities in accordance
10 with the provisions of a written agreement entered into by the
11 area [vocational-technical] career and technical board and the
12 intermediate unit board of directors. The agreement shall give
13 the agent the power and authority to operate, administer and
14 manage a school and/or institute given by law to an area
15 [vocational-technical] career and technical board and shall
16 provide that the agent shall conduct the affairs of the school
17 and/or institute within the limits of the budget adopted by the
18 area [vocational-technical] career and technical board. In no
19 event shall the powers granted an area [vocational-technical]
20 career and technical board by clauses (1), (4), (11), (17),
21 (19), (22) and (25) of section 1850.1 (b) be delegated hereunder
22 nor shall the powers granted an area [vocational-technical]
23 career and technical board by clauses (9), (10), (12) and (14)
24 of section 1850.1 (b) be delegated hereunder, except to the
25 extent that the subject items are fully provided for within the
26 current budget.

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

29 Section 1850.3. Operation by a Joint Committee.--(a) When a
30 joint committee is selected to operate a school and/or

1 institute, it shall be known as the area [vocational-technical]
2 career and technical school committee.

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

7 (c) Each participating board of school directors shall elect
8 one or more of its members, as the case may be, to serve on the
9 area [vocational-technical] career and technical committee. The
10 committee members, so elected, shall serve for a three-year
11 term, commencing the day of their election in the month of
12 December: Provided, however, That in the first election, the
13 terms of office of one-third of the members shall expire at the
14 end of the first year, the terms of office of one-third of the
15 members shall expire at the end of two years, and the terms of
16 office of the remaining one-third shall expire at the end of the
17 third year. The length of the terms of office of the initial
18 members shall be determined by the casting of lots.

19 (d) Each year, during the month of December, the joint
20 committee shall choose from its members a chairman and vice-
21 chairman, each to serve for one year; and shall, annually,
22 during the month of May, elect a treasurer to serve for one
23 year, beginning the first Monday in July following such
24 election; and shall, during the month of May, once every four
25 years, elect a secretary, who may or may not be a member of the
26 area vocational-technical board, to serve for a term of four
27 years, beginning the first Monday of July following such
28 election. The joint committee shall elect interim officers to
29 serve until the first regular December and May election
30 meetings.

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

10 (b) The capital reserve fund herein provided for shall
11 consist of funds transferred during any fiscal year from
12 appropriations made for this particular purpose and of
13 unencumbered funds remaining from the current and/or prior
14 years' general fund.

15 (c) The moneys in the capital reserve fund shall be kept
16 separate and apart from any other fund by the treasurer of the
17 area [vocational-technical] career and technical board, and the
18 moneys in the fund may be invested by the operating agent in
19 securities legal for the investment of sinking fund moneys of
20 the school district. The interest earnings on investments shall
21 be paid into the capital reserve fund. The area [vocational-
22 technical] career and technical school shall annually show in
23 its financial report the amount of moneys in the capital reserve
24 fund which shall at all times be properly identified as to
25 purpose.

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

1 Section 1851. Establishment and Operation by the Department
2 of [Public Instruction] Education.--Where, in the judgment of
3 the [State Superintendent of Public Instruction] Secretary of
4 Education, the provisions of this act relating to the proper
5 [vocational] career and technical education and training of
6 children and adults have not been complied with or the
7 [vocational] career and technical education needs of children
8 and adults are not being adequately served, the Department of
9 [Public Instruction] Education is hereby authorized to provide,
10 including the payment of rental when necessary, establish,
11 maintain, administer, supervise and operate [vocational] career
12 and technical technical, [vocational] career and technical
13 industrial, [vocational] career and technical agricultural,
14 [vocational] career and technical homemaking, [vocational]
15 career and technical distributive, occupational, post high
16 school [vocational] career and technical education or less than
17 college level, schools, departments or classes for the proper
18 [vocational] career and technical education and training of
19 children and adults. Eligibility for enrollment in such classes
20 shall be determined according to standards and regulations
21 promulgated by the State Board [for Vocational] of Career and
22 Technical Education.

23 Section 1852. Payment of Shares.--Any school district of the
24 first, first A, second, third or fourth class establishing or
25 participating in the establishment of an area [vocational-
26 technical] career and technical school or a technical institute,
27 individually, or jointly, with two or more districts, shall have
28 the same power and authority to levy taxes to pay or to pay its
29 share of buildings, grounds, equipment, operating expenses and
30 other necessary expenses to establish, maintain and operate such

1 school or institute as it has to levy taxes, to purchase land,
2 construct and equip buildings, and operate elementary schools
3 and any additional schools and departments as defined in section
4 502 of this act.

5 Section 1853. Contracts to Lease.--An area [vocational-
6 technical] career and technical board authorized to establish
7 and operate an area [vocational-technical] career and technical
8 school or technical institute may enter into contracts with the
9 State Public School Building Authority, [the General State
10 Authority,] municipal authorities, nonprofit corporations,
11 municipal corporations, political subdivisions, public and
12 quasi-public and private agencies, Federal Government and its
13 agencies and instrumentalities to lease lands and buildings for
14 the purpose of operating an area [vocational-technical] career
15 and technical school or technical institute.

16 Section 1855. Career and Technical Education Equipment
17 Grants.--(a) For the 2000-2001 fiscal year and the 2001-2002
18 fiscal year, the Department of Education shall establish a grant
19 program to assist area [vocational-technical] career and
20 technical schools, school districts offering approved
21 [vocational-technical] career and technical programs and the
22 Thaddeus Stevens State College of Technology in purchasing
23 equipment that meets industry standards for the purpose of
24 providing training to students. Grants shall be limited to the
25 purchase of equipment in the following program areas: automotive
26 technology, auto body, diesel technology, precision machine
27 technology, heating ventilation and air conditioning, printing,
28 dental assisting, electronics, building trades and other program
29 areas approved by the Secretary of Education. Grants shall be
30 awarded by the Department of Education on a matching basis, two

1 State dollars (\$2) for every local dollar (\$1), and shall be
2 limited to funds appropriated for that purpose.

3 (b) For the 2016-2017 school year and for each school year
4 thereafter, the Department of Education shall establish a grant
5 program to assist each area [vocational-technical] career and
6 technical school and school district with an approved
7 [vocational] career and technical program that applies for and
8 is approved for funding by the Department of Education to
9 purchase equipment that meets industry standards. Grants shall
10 be distributed in an amount to be calculated as follows:

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

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

13 (i) Multiply the average daily membership in approved
14 [vocational] career and technical education programs for the
15 most recent year available for each area [vocational-technical]
16 career and technical school or school district that has been
17 approved for funding by the Department of Education by the
18 difference between the amount appropriated for career and
19 technical education equipment grants and the sum of the funding
20 distributed under paragraph (1) to all area [vocational-
21 technical] career and technical schools and school districts.

22 (ii) Divide the product from subparagraph (i) by the sum of
23 the average daily membership in approved [vocational] career and
24 technical education programs for the most recent year available
25 for all area [vocational-technical] career and technical schools
26 and school districts that have been approved for funding by the
27 Department of Education.

28 (c) The application to apply for funding under subsection
29 (b) shall be developed by the Department of Education within
30 thirty days of the effective date of this section and only

1 require the following, which may be collected electronically:

2 (1) Name, address, e-mail address and telephone number of
3 the area [vocational-technical] career and technical school or
4 school district.

5 (2) Name, e-mail address and telephone number of an employe
6 of the area [vocational-technical] career and technical school
7 or school district who will be available to answer questions
8 regarding the funding application.

9 (3) Description of the equipment for which the requested
10 funding will be used, the career and technical education program
11 in which the equipment will be used, the date on which the
12 occupational advisory committee recommended the purchase of the
13 equipment and verification that the equipment will be used for
14 technical classroom instruction.

15 (d) The Department of Education may not request or consider
16 any information other than the information provided in the
17 funding application.

18 (e) Each area [vocational-technical] career and technical
19 school or school district with an approved [vocational] career
20 and technical program that submits a completed funding
21 application shall receive funding in the amount determined under
22 subsection (b).

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

26 (g) For purposes of this section, "occupational advisory
27 committee" shall mean an occupational advisory committee
28 established under 22 Pa. Code Ch. 339 (relating to vocational
29 education).

30 Section 1922. [Vocational] Career and technical Education

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

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

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

18 * * *

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

28 (5) "Community college plan" shall mean a plan prepared in
29 accordance with the policies, standards, rules and regulations
30 of the State Board of Education for the establishment or

1 operation of a community college and shall include a survey of
2 any industrial development and manpower needs of the area and of
3 any [vocational] career and technical and occupational shortage
4 and the means by which the community college program and
5 curriculum shall further industrial development, reduce
6 unemployment and improve employable skills of residents of the
7 area to be served by the community college.

8 * * *

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

17 * * *

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

21 * * *

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

24 (b) * * *

25 (1.2) The Secretary of Education, in consultation with the
26 community colleges, shall promulgate standards for credit
27 courses and for noncredit courses that will be eligible for
28 Commonwealth reimbursement. The standards shall specifically
29 exclude from eligibility for reimbursement any course or program
30 in [avocational] noncareer, nontechnical or recreational

1 pursuits. The standards shall be promulgated by the beginning of
2 the 1994-1995 fiscal year. Until such standards are promulgated,
3 no community college will be reimbursed for any credit course
4 which was offered by such college as a noncredit course during
5 the college's 1992-1993 fiscal year.

6 * * *

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

8 (b) The course of instruction shall be the equivalent level
9 of a two-year postsecondary institution which shall include
10 [vocational-technical] career and technical education of no more
11 than two years leading to the awarding of certificates or
12 associate degrees, when approved by the Secretary of Education
13 in accordance with rules and regulations established by the
14 State Board for this level of education, for the purpose of
15 fitting pupils to pursue effectively a recognized profitable
16 employment.

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

19 (1) "Alternative education program" or "program." Any
20 applicant's program applying for funds under this article, which
21 program is implemented by a school district, an area
22 [vocational-technical] career and technical school, a group of
23 school districts or an intermediate unit, which removes
24 disruptive students from regular school programs in order to
25 provide those students with a sound educational course of study
26 and counseling designed to modify disruptive behavior and return
27 the students to a regular school curriculum. Notwithstanding
28 section 1502, alternative education programs may operate outside
29 the normal school day of the applicant district, including
30 Saturdays. School districts and private alternative education

1 institutions operating pursuant to the provisions of Article
2 XIX-E shall adopt a policy for periodic review of those students
3 placed in their respective alternative education program for
4 disruptive students. This review shall occur, at a minimum, at
5 the end of every semester the student is in the program or more
6 frequently at the district's or private alternative education
7 institution's discretion. The purpose of this review is to
8 determine whether or not the student is ready to return to the
9 regular school curriculum. Programs may include services for
10 students returning from placements or who are on probation
11 resulting from being adjudicated delinquent in a proceeding
12 under 42 Pa.C.S. Ch. 63 (relating to juvenile matters) or who
13 have been judged to have committed a crime under an adult
14 criminal proceeding.

15 * * *

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

20 * * *

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

22 * * *

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

1 and educational technology.

2 * * *

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

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

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

11 * * *

12 Section 29. The definition of "school entity" in section
13 1901-E of the act is amended to read:

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

16 * * *

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

20 Section 30. The definition of "eligible applicant" in
21 section 1901-F of the act is amended to read:

22 Section 1901-F. Definitions.

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

26 * * *

27 "Eligible applicant." Any of the following:

28 (1) An institution of higher education.

29 (2) An institution of higher education in partnership
30 with one or more of the following:

1 (i) Another institution of higher education.
2 (ii) An area [vocational-technical] career and
3 technical school or [ATVS] area vocational-technical
4 school, as defined under 22 Pa. Code § 4.3 (relating to
5 definitions).

6 (iii) A community education council as defined under
7 section 1901-D.

8 (iv) A private licensed school as the term is
9 defined under section 2 of the act of December 15, 1986
10 (P.L.1585, No.174), known as the Private Licensed Schools
11 Act, that is authorized to confer the degree of Associate
12 in Specialized Technology or Associate in Specialized
13 Business and is accredited by the Accrediting Commission
14 of Career Schools and Colleges of Technology or the
15 Accrediting Council for Independent Colleges and Schools.

16 * * *

17 Section 31. Sections 1906-G(a) (2) and 1907-G(a) (9) of the
18 act are amended to read:

19 Section 1906-G. Establishment.

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

26 * * *

27 (2) A survey of the educational, [vocational] career and
28 technical and occupational needs of the area and the means by
29 which the proposed rural regional college will meet those
30 needs, reengage high school dropouts to earn their secondary

1 credentials and postsecondary credentials or industry
2 certification, reduce unemployment and improve the employable
3 skills of residents of the area to be served by the rural
4 regional college.

5 * * *

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

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

13 * * *

14 (9) To enter into contracts for services to high schools
15 located in the area designated by the secretary under section
16 1904-G to provide services, including area [vocational-
17 technical] career and technical education services.

18 * * *

19 Section 32. The definition of "low-achieving school" in
20 section 2002-B of the act is amended to read:

21 Section 2002-B. Definitions.

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

25 * * *

26 "Low-achieving school." A public school that ranked in the
27 lowest 15% of the school's designation as an elementary school
28 or a secondary school based on combined mathematics and reading
29 scores from the annual assessment administered in the previous
30 school year and for which the Department of Education has posted

1 results on the Department of Education's publicly accessible
2 Internet website. The term does not include a charter school,
3 cyber charter school or area [vocational-technical] career and
4 technical school.

5 * * *

6 Section 33. Sections 2110(b), 2401(8), 2501(1), (9), (10),
7 (11), (11.1) and (14.1), 2502(a) and (c), 2502.6(b), 2502.8,
8 2506.1, 2507, 2508, 2508.1, 2508.3, 2508.4, 2508.5, 2509.5(n) (1)
9 (i), (r) (1) (i), (w) (1) (i) and (dd) (1) (i) and (iii) (A), 2513.1,
10 2515, 2518 second paragraph, 2552.1(a), (a.1) and (b), 2561
11 introductory paragraph and (4), 2562, 2563, 2574(e), 2574.2,
12 2574.3(a), 2575(b), 2577(b), 2578(b), 2593 heading and (b),
13 2594, 2595(b), (c) (1) (iv) and (h), 2597.3, 2597.4(2) (iv),
14 2597.5(c) (4), 2599(b) and (d) (6), 2599.1(c), 2599.2(f), 2602-
15 B(e) and (f) and 2604-B(b) (2) (i) and (3) of the act are amended
16 to read:

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

19 (b) Except as superintendent of schools, associate
20 superintendent, assistant district superintendent, director of a
21 special branch, or as a principal of a high school, junior high
22 school, state teachers' college, or [vocational] career and
23 technical school, no person shall be appointed, promoted, or
24 transferred to any educational position in the public school
25 system, in school districts of the first class, whose name does
26 not appear among the three highest names upon the proper
27 eligible list, and in school districts of the first class A,
28 whose name does not appear among the top five names upon the
29 proper eligible list, or within the top ten per centum (10%) of
30 the names upon the list, whichever is greater. No person holding

1 a position at the time of the passage of this act shall be
2 displaced by the above provisions.

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

10 * * *

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

13 * * *

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

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

22 "District Pupils" of a vocational school district shall
23 designate all pupils enrolled in the public schools, maintained
24 by the vocational school district who are residents of the
25 district.]

26 * * *

27 (9) "Real Property Valuation." A school district's[,
28 vocational school district's] or municipality's real property
29 valuation, to be used for purposes of computing the basic
30 account standard reimbursement fraction, the subsidiary account

1 reimbursement fraction, the aid ratio, the market value/income
2 aid ratio and the equalized millage, shall be the valuation
3 placed upon its taxable real property by the State Tax
4 Equalization Board.

5 * * *

6 (10) "Number of District Teaching Units for Purposes of
7 Determination of Basic Account Standard Reimbursement Fraction,
8 and Subsidiary Account Reimbursement Fraction." A school
9 district's [or vocational school district's] number of district
10 teaching units for purposes of determination of the basic
11 account standard reimbursement fraction and the subsidiary
12 account reimbursement fraction shall be obtained as follows: (i)
13 divide by twenty-two (22) the number of district pupils in
14 average daily membership in a public high school and in high
15 school grades of a laboratory school of a State-owned college
16 during the preceding school term, (ii) divide by thirty (30) the
17 number of district pupils in average daily membership in a
18 public elementary school and laboratory school of a State-owned
19 college during the preceding school term, and (iii) add the
20 quotients obtained under (i) and (ii) above, except when the
21 pupil-teacher ratio exceeds thirty-three (33), in which case,
22 the sum obtained under (i) and (ii) above shall be multiplied by
23 thirty-three (33) and the product so obtained shall be divided
24 by the pupil-teacher ratio of the district. No school district
25 [or vocational school district] shall be credited with less than
26 one teaching unit. No school district [or vocational school
27 district] shall be assigned a basic account standard
28 reimbursement fraction lower in value than the minimum
29 instruction subsidy divided by the maximum instruction subsidy.
30 All one-room schools operated in accordance with the provisions

1 of this act shall, if their operation is approved, be credited
2 with at least one teaching unit. The State Board of Education
3 shall withhold its approval of any one-room one-teacher school,
4 unless (i) topography, distance or condition of roads are such
5 as to make transportation of pupils impractical, or (ii) it is
6 impossible to accommodate pupils in existing graded schools in
7 the district or other districts, or (iii) the district is
8 financially unable to construct a consolidated school.

9 * * *

10 (11) "Actual Instruction Expense Per Elementary Teaching
11 Unit, Actual Instruction Expense Per Elementary Teaching Unit in
12 a Laboratory School of a State-owned College, Actual Instruction
13 Expense Per Secondary Teaching Unit, Actual Instruction Expense
14 Per Secondary Teaching Unit in a Laboratory School of a State-
15 owned College, Actual Instruction Expense Per Joint Elementary
16 Teaching Unit, Actual Instruction Expense Per Joint Secondary
17 Teaching Unit, Actual Instruction Expense Per Area Technical
18 School Teaching Unit." In 1958 in the month of September and
19 thereafter annually in the month of September, the Department of
20 [Public Instruction] Education shall calculate for each school
21 district for the immediately preceding school year the actual
22 instruction expense per elementary teaching unit for elementary
23 pupils educated in the district's public schools, the actual
24 instruction expense per secondary teaching unit for secondary
25 pupils educated in the district's public schools, the actual
26 instruction expense per joint elementary teaching unit for
27 elementary pupils educated in elementary schools of jointures of
28 which the district is a member, the actual instruction expense
29 per joint secondary teaching unit for secondary pupils educated
30 in secondary schools of jointures of which the district is a

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

1 education, or for instruction of homebound children. (i)
2 Expenses of general control per teaching unit. Expenses of
3 general control shall include: salaries, supplies and other
4 expenses of the secretary's office; commission or salary of
5 treasurer, tax collector, auditors and legal service; expenses
6 of census enumeration and other expenses of business
7 administration; salaries of the superintendent of schools and
8 clerks of the superintendent of schools; expenses of supplies
9 and other expenses of the superintendent of schools' office; and
10 other expenses of general control. In the case of computation of
11 actual instruction expense per elementary teaching unit for
12 district pupils educated in the schools of the district and for
13 district pupils educated in the public schools of other
14 districts within the Commonwealth and actual instruction expense
15 per secondary teaching unit for district pupils educated in the
16 schools of the district and for district pupils educated in the
17 public schools of other districts within the Commonwealth,
18 expenses of general control per teaching unit shall be
19 calculated by dividing the foregoing listed expenses of general
20 control of the school district by the number of teaching units
21 based on the number of all pupils who are residents of the
22 school district and are in average daily membership in the
23 public schools of the Commonwealth. In the case of computation
24 of actual instruction expense per joint elementary teaching unit
25 and actual instruction expense per joint secondary teaching
26 unit, expenses of general control per teaching unit shall be
27 calculated by dividing the foregoing listed expenses of general
28 control of the school district by the number of teaching units
29 based on the number of all pupils who are residents of the
30 school district and are in average daily membership in the

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

1 on an equivalent full-time basis in average daily membership in
2 the public schools of the district, or joint district, or the
3 area technical school, or other school district within the
4 Commonwealth in which pupils of the district are educated, as
5 the case may be; (a) expenses of instruction, to include
6 salaries of supervisors and other expenses of supervisors,
7 salaries of principals and principals' clerks, supplies of the
8 principals' offices, other expenses of supervision, teachers'
9 and teacher-librarians, salaries, textbooks, library books,
10 supplies used in instruction including library supplies,
11 expenses of attending teachers' institutes, commencement
12 exercise and exhibit expenses, and other expenses of
13 instruction, (b) expenses of auxiliary agencies and coordinate
14 activities, to include salaries, books, repairs, replacements,
15 and other expenses of public libraries, and non-reimbursable
16 transportation and board and lodging in lieu of transportation,
17 and provisions for tubercular and undernourished children,
18 community lectures, social centers and recreation, enforcement
19 of attendance, and other expenses of auxiliary agencies and
20 coordinate activities, (c) expenses of operation of school
21 plant, to include wages of janitors and other employes, fuel,
22 water, light, power, janitors' supplies, care of grounds,
23 services other than personal, telephone rental, and other
24 expenses of operation, (d) expenses of maintenance of school
25 plant, to include upkeep of grounds, repair of buildings,
26 repairs and replacements, heating, plumbing, lighting, apparatus
27 used in instruction, furniture, and other equipment, (e)
28 expenses of fixed charges, to include payments made to the
29 retirement board, rent, all insurance, and other fixed charges:
30 Provided, That the actual instruction expense for elementary

1 teaching unit for district pupils educated in the elementary
2 grades of a laboratory school of a State-owned college and the
3 actual instruction expenses for secondary teaching unit for
4 district pupils educated in the high school grades of a
5 laboratory school of a State-owned college shall be computed by
6 (i) dividing the total amount of money paid to the State-owned
7 college by the resident district for the education of all
8 resident elementary children enrolled in a laboratory school of
9 a State-owned college by the number of such elementary teaching
10 units based on the total number of such resident children in
11 average daily membership in the laboratory school, (ii) dividing
12 the total amount of money paid to the State-owned college by the
13 resident district for the education of all resident secondary
14 children enrolled in a laboratory school of a State-owned
15 college by the number of such secondary teaching units based on
16 the total number of such resident children in average daily
17 membership in the laboratory school. The teaching units are
18 computed on the basis of thirty (30) equivalent full time
19 elementary children and twenty-two (22) equivalent full time
20 secondary children.

21 (11.1) "Actual Instruction Expense per Weighted Average
22 Daily Membership." For the school year 1966-1967, and each
23 school year thereafter, the [Superintendent of Public
24 Instruction] Secretary of Education shall calculate for each
25 school district the actual instruction expense per weighted
26 average daily membership for each district pupil. The actual
27 instruction expense shall include all General Fund expenses of
28 the district except those for health services, transportation,
29 debt service, capital outlay, home-bound instruction, and
30 outgoing transfers to community colleges and technical

1 institutes. From this cost shall be deducted the amount received
2 from the State for driver's education; special class operation;
3 [vocational] career and technical curriculums; area [vocational]
4 career and technical schools; payments of tuition by district
5 patrons, parents, the State and Federal government; and all
6 moneys received from the State or Federal government under
7 Public Laws 89-10 (Elementary and Secondary Education Act), 88-
8 452 (Economic Opportunity Act), and 87-415 (Manpower Training
9 and Development Act) and for projects under section 2508.3 of
10 this act. The actual instruction expense so determined, when
11 divided by the weighted average daily membership for the
12 district shall be the actual instruction expense per weighted
13 average daily membership.

14 * * *

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

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

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

30 (iii) Subtract the resultant product in subsection (a) (ii)

1 from 1.000 to determine the market value portion of the aid
2 ratio.

3 (iv) For purposes of the calculation described in subsection
4 (a) (i) through (iii), the market value of a district shall be
5 the real property valuation of the district for the calendar
6 year that concluded during the school year immediately preceding
7 the school year for which reimbursement is being paid. The
8 market value of an intermediate unit or area [vocational-
9 technical] career and technical school shall be the sum of the
10 real property valuations of each of its component districts for
11 the calendar year that concluded during the school year
12 immediately preceding the school year for which reimbursement is
13 being paid. The weighted average daily membership of a district
14 shall be the weighted average daily membership for the school
15 year immediately preceding the school year for which
16 reimbursement is being paid. The weighted average daily
17 membership of an intermediate unit or area [vocational-
18 technical] career and technical school shall be the sum of the
19 weighted average daily memberships of each of its component
20 districts for the school year immediately preceding the school
21 year for which reimbursement is being paid.

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

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

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

1 (iv) For purposes of the calculation described in subsection
2 (b) (i) through (iii), the income of a district shall be the
3 personal income valuation of the district. The income of an
4 intermediate unit or area [vocational-technical] career and
5 technical school shall be the sum of the personal income
6 valuations of each of its component districts. The weighted
7 average daily membership of the district shall be the weighted
8 average daily membership for the school year immediately
9 preceding the school year for which reimbursement is being paid.
10 The weighted average daily membership of an intermediate unit or
11 area [vocational-technical] career and technical school shall be
12 the sum of the weighted average daily memberships of each of its
13 component districts for the school year immediately preceding
14 the school year for which reimbursement is being paid.

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

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

1 * * *

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

3 Every school district [and every vocational school district]

4 shall be paid by the Commonwealth on account of the instruction

5 of pupils an amount to be determined by multiplying the numbers

6 of elementary, secondary, joint elementary, joint secondary,

7 State-owned college laboratory school, or area technical school

8 teaching units, each based on the number of all pupils, except

9 kindergarten pupils, who are residents of the district and are

10 in average daily membership in the district's public schools,

11 joint elementary schools, joint high schools, laboratory schools

12 of State-owned colleges, or area technical schools respectively,

13 and in the case of kindergarten pupils based on the number of

14 kindergarten teachers employed: Provided, That for the school

15 year 1962-1963, and for each school year thereafter, the number

16 of equivalent full time kindergarten teachers in a laboratory

17 school of a State-owned college shall be prorated among all the

18 districts having children enrolled in the laboratory school

19 kindergarten on the basis of the total number of kindergarten

20 pupils who are legal residents of such districts and who are in

21 average daily membership in the laboratory school kindergarten,

22 and for the school year 1957-1958 and for each school year

23 thereafter, the numbers of elementary or secondary teaching

24 units, each based on the number of all pupils who are residents

25 of the district and who are in average daily membership in the

26 elementary schools or secondary schools of other school

27 districts within the Commonwealth, by the district's basic

28 account standard reimbursement fraction; and for the school year

29 1955-1956 by four thousand nine hundred dollars (\$4900); for the

30 school year 1956-1957 by five thousand three hundred dollars

1 (\$5300); for the school year 1957-1958 and for each school year
2 thereafter by the lesser of actual instruction expense per
3 elementary, secondary, joint elementary, joint secondary,
4 laboratory school elementary, laboratory school secondary, area
5 technical school, elementary educated in the public schools of
6 other districts within the Commonwealth, secondary educated in
7 the public schools of other districts within the Commonwealth
8 teaching unit, each as the case may be, or five thousand eight
9 hundred dollars (\$5800); for the school year 1962-1963 by the
10 lesser of actual instruction expense per elementary, secondary,
11 joint elementary, joint secondary, laboratory school elementary,
12 laboratory school secondary, area technical school, elementary
13 educated in the public schools of other districts within the
14 Commonwealth, secondary educated in the public schools of other
15 districts within the Commonwealth teaching unit, each as the
16 case may be, or six thousand five hundred dollars (\$6500); and
17 for the school year 1963-1964 and for each school year
18 thereafter by the lesser of actual instruction expense per
19 elementary, secondary, joint elementary, joint secondary,
20 laboratory school elementary, laboratory school secondary, area
21 technical school, elementary educated in the public schools of
22 other districts within the Commonwealth, secondary educated in
23 the public schools of other districts within the Commonwealth
24 teaching unit, each as the case may be, or six thousand eight
25 hundred dollars (\$6800). For the school year 1953-1954 and each
26 school year thereafter, teaching units shall be based on the
27 number of all pupils, except kindergarten pupils, who are
28 residents of the school district in average daily membership in
29 the district's public schools in State-owned college laboratory
30 schools and in elementary schools and high schools operated by

1 joint boards of which the district of residence is a member, and
2 in area technical schools in which the district of residence
3 participates. In the case of kindergarten pupils, teaching units
4 shall be one for each kindergarten teacher employed by the
5 district: Provided, That for the school year 1957-1958 and for
6 each school year thereafter, additional teaching units shall be
7 based on the numbers of all pupils who are residents of the
8 district and are in average daily membership in the elementary
9 schools of other districts in the Commonwealth or who are in
10 average daily membership in the secondary schools of other
11 districts within the Commonwealth: Further provided, That in the
12 case of such pupils teaching units shall be calculated on the
13 basis of thirty-five (35) elementary pupils and twenty-six (26)
14 secondary pupils per teaching unit, respectively.

15 * * *

16 (c) For no year shall any school district [or vocational
17 school district] receive less than the minimum subsidy per
18 teaching unit, nor shall any school district of the first class
19 A, during the school year 1953-1954 for the school year 1952-
20 1953, or during the school year 1954-1955 for the school year
21 1953-1954, or during the school year 1955-1956 for the school
22 year 1954-1955, receive less per teaching unit than the amount
23 received by any district of the first class.

24 * * *

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

26 (b) If the sums appropriated for the 1982-1983 school year
27 and each school year thereafter are not sufficient to pay in
28 full the total amounts to which all qualified school districts,
29 intermediate units, area [vocational-technical] career and
30 technical schools and nonpublic schools are entitled to receive

1 under the provisions of sections 917.1-A, 919.1-A, 922.1-A, 923-
2 A(d) and 2502.8 for such year, the allocations to the school
3 districts, intermediate units, area [vocational-technical]
4 career and technical schools and nonpublic schools shall be
5 proportionately reduced to the extent necessary to bring the
6 aggregate of the school district, intermediate unit, area
7 [vocational-technical] career and technical school and nonpublic
8 school allocations within the limits of the amounts
9 appropriated.

10 Section 2502.8. Payments on Account of Pupils Enrolled in
11 [Vocational] Career and Technical Curriculums.--(a) For the
12 purpose of reimbursement in accordance with this section,
13 [vocational] career and technical curriculums are agriculture
14 education, distributive education, health occupations education,
15 home economics education (gainful), business education,
16 technical education, trade and industrial education, or any
17 other occupational oriented program approved by the Secretary of
18 Education.

19 (b) For the 1981-1982 school year through the 1984-1985
20 school year, each school district so entitled shall be paid, in
21 addition to any other subsidy to which it is entitled, an amount
22 on account of resident pupils enrolled in [vocational] career
23 and technical curriculums; for the 1985-1986 school year through
24 the 1999-2000 school year, each school district and area
25 [vocational-technical] career and technical school shall be paid
26 an amount on account of students enrolled in [vocational] career
27 and technical curriculums; for the 2000-2001 school year and
28 each school year thereafter, each school district, area
29 [vocational-technical] career and technical school and charter
30 school shall be paid an amount on account of students enrolled

1 in [vocational] career and technical curriculums, determined as
2 follows:

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

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

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

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

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

28 (c) For the school year 1998-1999, any additional funding
29 provided by the Commonwealth over the amount provided for the
30 school year 1997-1998 will be distributed to area [vocalional-

1 technical] career and technical schools and to school districts
2 with eight (8) or more [vocational] career and technical
3 programs based on subsection (b).

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

12 (e) For the school year 2000-2001 and each school year
13 thereafter, any additional funding provided by the Commonwealth
14 over the amount provided for the school year 1998-1999 will be
15 distributed to area [vocational-technical] career and technical
16 schools, to school districts and charter schools with eight (8)
17 or more [vocational] career and technical programs and to school
18 districts and charter schools offering a [vocational] career and
19 technical agricultural education program based on subsection
20 (b).

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

1 approved travel.

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

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

1 year and each school year thereafter, the Commonwealth shall pay
2 the amount required by this section to the school district or
3 area [vocational-technical] career and technical school which
4 provided the approved [vocational] career and technical
5 extension classes and pre-employment training for which
6 reimbursement is made.

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

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

30 Section 2508.3. Payments for [Vocational] Career and

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

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

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

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

28 Said board shall, from time to time, conduct necessary
29 studies and surveys to determine the need for the establishment
30 of said programs and facilities as the needs of the Pennsylvania

1 economy and such persons shall require.

2 Section 2508.4. Payments on Account of Improvements and
3 Additions in [Vocational-Technical] Career and Technical
4 Curriculums.--Every area [vocational] career and technical board
5 operating an approved program of [vocational] career or
6 technical education in its own or rented space shall be paid by
7 the Commonwealth for every school year on account of approved
8 replacement, updating and improvement of equipment and on
9 account of approved new or additional equipment up to fifty per
10 cent of the cost of such improvements and additions.

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

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

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

28 (i) Multiply the 2012-2013 average daily membership in
29 approved [vocational] career and technical education programs
30 for each area [vocational-technical] career and technical school

1 or school district that has been approved for funding by the
2 Department of Education under subsection (b) by one million five
3 hundred thousand dollars (\$1,500,000).

4 (ii) Divide the product from subclause (i) by the sum of the
5 2012-2013 average daily membership in approved [vocational]
6 career and technical education programs for all area
7 [vocational-technical] career and technical schools and school
8 districts that have been approved for funding by the Department
9 of Education under subsection (b).

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

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

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

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

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

29 (3) In approving funding applications under this section,
30 the Department of Education shall request and consider no

1 information other than the information provided in the funding
2 application established under clause (2). Each area [vocational-
3 technical] career and technical school or school district with
4 an approved [vocational] career and technical program that
5 submits a completed funding application under this subsection
6 shall receive funding in the amount determined under subsection
7 (a).

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

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

12 (1) (i) the school district's special education
13 expenditures for the 1994-1995 school year, as a percentage of
14 the sum of the school district's 1994-1995 school year
15 expenditures for regular education, [vocational-technical]
16 career and technical education and special education, are equal
17 to or greater than the special education expenditures of all
18 school districts for the 1994-1995 school year, as a percentage
19 of the sum of the 1994-1995 school year expenditures of all
20 school districts for regular education, [vocational-technical]
21 career and technical education and special education; and

22 * * *

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

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

1 districts for the 1995-1996 school year as a percentage of the
2 sum of the 1995-1996 school year expenditures of all school
3 districts for regular education, [vocational-technical] career
4 and technical education and special education; and

5 * * *

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

8 (1) (i) The school district's special education
9 expenditures for the 1996-1997 school year as a percentage of
10 the sum of the school district's 1996-1997 school year
11 expenditures for regular education, [vocational-technical]
12 career and technical education and special education is equal to
13 or greater than the special education expenditures of all school
14 districts for the 1996-1997 school year as a percentage of the
15 sum of the 1996-1997 school year expenditures of all school
16 districts for regular education, [vocational-technical] career
17 and technical education and special education;

18 * * *

19 (dd) Supplemental payments shall be as follows:

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

22 (i) The school district's special education expenditures for
23 the 1997-1998 school year, as a percentage of the sum of the
24 school district's 1997-1998 school year expenditures for regular
25 education, [vocational-technical] career and technical education
26 and special education, is equal to or greater than the special
27 education expenditures of all school districts for the 1997-1998
28 school year, as a percentage of the sum of the 1997-1998 school
29 year expenditures of all school districts for regular education,
30 [vocational-technical] career and technical education and

1 special education.

2 * * *

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

5 (A) The school district's special education expenditures for
6 the 1997-1998 school year, as a percentage of the sum of the
7 school district's 1997-1998 school year expenditures for regular
8 education, [vocational-technical] career and technical education
9 and special education, is equal to or greater than the special
10 education expenditures of all school districts for the 1997-1998
11 school year, as a percentage of the sum of the 1997-1998 school
12 year expenditures of all school districts for regular education,
13 [vocational-technical] career and technical education and
14 special education.

15 * * *

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

1 for the previous school year as is provided for in this act.

2 Section 2515. Ascertainment of Amounts Required;

3 Apportionment.--The [Superintendent of Public Instruction]

4 Secretary of Education shall ascertain and determine the amount

5 of funds required to meet each payment to school districts[,]

6 and intermediate units [and vocational school districts] which

7 become due and payable within each fiscal year, on the data and

8 material contained in the certificates which school districts[,]

9 and intermediate units [and vocational school districts] are

10 required to file with the [superintendent] Secretary of

11 Education at such time as [he] the secretary shall determine.

12 The [superintendent] Secretary of Education shall apportion and

13 allot the same to and among the respective districts and

14 intermediate units. The amount paid to any district or

15 intermediate unit within any fiscal year shall be computed on

16 the data and information contained in the certificates required

17 to be filed each year, as herein provided. Each district's

18 valuation to be used for purposes of computing its standard

19 reimbursement fraction for the school year 1949-1950 and

20 thereafter or for purposes of computing the aid ratio for the

21 school year 1966-1967, and thereafter, shall be the valuation

22 placed upon its taxable real property by the State Tax

23 Equalization Board.

24 Section 2518. Forfeitures for Employing Improperly Certified

25 Individuals.--* * *

26 The foregoing forfeitures of reimbursement units on account

27 of employes uncertificated for the position in which employed,

28 and on account of substitutes, shall not apply in the case of

29 employes in positions after July 1, 1966: Provided, however,

30 That any school district or any county board of school directors

1 with respect to area technical schools that from July 1, 1966,
2 to July 1, 1992, has had in its employ any person in a teaching,
3 specialist, supervisory or administrative capacity who has not
4 been certificated for said position by the Department of
5 Education, or that has had in its employ a substitute in a
6 position where a vacancy exists for a full year or more without
7 the specific written approval of the Secretary of Education,
8 shall forfeit an amount equal to the minimum salary mandated by
9 law for the position less the product of said salary and the aid
10 ratio of the district. Notwithstanding the above, after July 1,
11 1992, any school district, intermediate unit, area [vocational-
12 technical] career and technical school or other public school in
13 this Commonwealth that has in its employ any person in a
14 position that is subject to the certification requirements of
15 the Department of Education but who has not been certificated
16 for his position by the Department of Education or that has in
17 its employ a substitute in a position where a vacancy exists for
18 a full year or more without the specific written approval of the
19 Secretary of Education shall forfeit an amount equal to six
20 thousand dollars (\$6,000) less the product of six thousand
21 dollars (\$6,000) and the district's market value/income aid
22 ratio. Any exemption from forfeiture by reason of employment on
23 or before July 1, 1962 as provided elsewhere in this section
24 shall not be invalidated by this amendment.

25 Section 2552.1. Effect of Failure to File Reports.--(a) The
26 Department of Education shall order the forfeiture of three
27 hundred dollars (\$300) per day by a school district, charter
28 school, cyber charter school, area [vocational-technical] career
29 and technical school or intermediate unit that does not submit
30 its annual budget to the Department of Education within thirty

1 (30) days of the submittal date established by the Department of
2 Education. The forfeiture shall continue until a report and
3 annual budget that meet established criteria are submitted. The
4 Department of Education shall deduct the amount of the
5 forfeiture from any and all State payments made to the school
6 district, charter school, cyber charter school, area
7 [vocational-technical] career and technical school or
8 intermediate unit.

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

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

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

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

26 (b) The Department of Education shall order the forfeiture
27 of three hundred dollars (\$300) per day by a school district,
28 charter school, area [vocational-technical] career and technical
29 school or intermediate unit that does not submit its pupil
30 membership/child accounting reports within thirty (30) days of

1 the submittal date established by the Department of Education.
2 The forfeiture shall continue until a report that meets
3 established criteria is submitted. The Department of Education
4 shall deduct the amount of the forfeiture from any and all State
5 payments made to the school district, charter school, area
6 [vocational-technical] career and technical school or
7 intermediate unit.

8 * * *

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

15 * * *

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

1 other extension education" by the total pupil hours of
2 instruction. The cost so determined shall be the "[vocational]
3 career and technical or other extension tuition [charge] charge"
4 per pupil hour of instruction.

5 * * *

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

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

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

27 Section 2563. Certification of Pupils Admitted from Other
28 Districts; Monthly Payments.--The board of school directors in
29 any school district [or the board of directors of vocational
30 schools in any vocational school district] maintaining an

1 elementary school or a high school or an extension class which
2 is attended by any pupils residing in another district shall,
3 upon admission of such pupils, properly certify to the board of
4 school directors of the school district in which such pupils
5 reside, the names of all such pupils and whether they are
6 attending an elementary school or a high school or an extension
7 class, together with a statement of the tuition charge per
8 elementary pupil and the tuition charge per high school pupil
9 and the [vocational] career and technical or other extension
10 tuition charge per pupil hour of instruction. All such tuition
11 charges shall be paid monthly to the school district [or the
12 vocational school district] maintaining such elementary school
13 or high school by the school district to which the same was
14 certified.

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

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

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

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

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

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

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

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

30 For school buildings for which the general construction

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

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

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

27 * * *

28 Section 2574.2. Approved Reimbursable Annual Rental for
29 Leases of Buildings and Facilities for School Use.--For extended
30 leases of buildings and facilities for school use authorized

1 under the provisions of section 703.1 which have been approved
2 by the Secretary of Education, the Department of Education shall
3 calculate an approved reimbursable annual rental charge.

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

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

26 Section 2574.3. Approved Reimbursable Annual Rental for
27 Leases of Buildings or Portions of Buildings for Charter School
28 Use.--(a) For leases of buildings or portions of buildings for
29 charter school use which have been approved by the Secretary of
30 Education on or after July 1, 2001, the Department of Education

1 shall calculate an approved reimbursable annual rental charge.
2 Approved reimbursable annual rental for such approved leases of
3 buildings or portions of buildings for charter school use shall
4 be the lesser of (i) the annual rental payable under the
5 provisions of the approved lease agreement, or (ii) the product
6 of the enrollment, as determined by the Department of Education,
7 times one hundred sixty dollars (\$160) for elementary schools,
8 two hundred twenty dollars (\$220) for secondary schools or two
9 hundred seventy dollars (\$270) for area [vocational-technical]
10 career and technical schools. The Commonwealth shall pay
11 annually for the school year 2001-2002 and each school year
12 thereafter to each charter school which leases with the approval
13 of the Department of Education buildings or portions of
14 buildings for charter school use under these provisions an
15 amount determined by multiplying the aid ratio of the charter
16 school by the approved reimbursable annual rental.

17 * * *

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

21 (b) The Commonwealth shall pay, annually, to each school
22 district which constructs, purchases or leases with the approval
23 of the Department of [Public Instruction] Education an area
24 [vocational-technical] career and technical school building or
25 technical institute building or which shares in the
26 construction, purchase or lease of such building or buildings
27 under provisions of the Public School Building Authority Act,
28 the Municipality Authority Act, section 758 [of the Public
29 School Code of 1949, or section] or 791 of [the Public School
30 Code of 1949] this act, or other agency, or through the

1 incurring of indebtedness by the issuance of general obligation
2 bonds, an amount to be determined by multiplying the district's
3 aid ratio or fifty per cent, whichever is more, by the approved
4 reimbursable rental approved reimbursable sinking fund charge
5 multiplied by the district's proportionate share of such rental
6 sinking fund charge.

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

9 (b) The Department of [Public Instruction] Education shall
10 determine reimbursement eligibility of all projects including
11 projects submitted for approval prior to the effective date of
12 this act in the order of date of filing of applications for
13 project approval with the department, except that in the case of
14 application for area [vocational-technical] career and technical
15 schools, the department may grant priority to such applications
16 in the order in which said applications are received and process
17 them immediately. If a delay in departmental processing of any
18 application on file is occasioned by the applying school
19 district, the department shall proceed to determine
20 reimbursement eligibility of projects next in order, except that
21 in the event of any emergency due to fire, flood, orders from
22 the Department of Labor and Industry to close school buildings
23 or parts thereof where such school buildings or parts thereof
24 are determined to be irreparable and are closed finally by the
25 Department of Labor and Industry, or an act of God, which causes
26 undue hardship beyond the control of the applying school
27 district, the department may grant priority over the eligibility
28 of projects submitted prior to the emergency application:
29 Provided, however, That in cases where priority is granted due
30 to closed schools or parts thereof by orders of the Department

1 of Labor and Industry, the approved reimbursable costs of such
2 projects shall not be included within the aggregate for projects
3 already undertaken or to be undertaken as provided in subsection
4 (a) of this section.

5 * * *

6 Section 2578. Payments.--* * *

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

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

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

9 Section 2594. Special Payments on Account of Minimum Salary
10 Increases.--(a) For the school year 1988-1989 and each school
11 year thereafter beginning before the expiration of the term of
12 any contract or agreement effective on or before the effective
13 date of this section between a public employer and a public
14 employe or employe organization pursuant to the act of July 23,
15 1970 (P.L.563, No.195), known as the "Public Employe Relations
16 Act," each school district, intermediate unit and area
17 [vocational-technical] career and technical school which elects
18 to increase minimum salaries pursuant to section 1142.1 shall be
19 paid in the manner provided in subsection (b), in addition to
20 any other payments to which it is entitled, a special payment to
21 cover the cost of implementing section 1142.1.

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

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

13 (c) For each school year for which a school district,
14 intermediate unit and area [vocational-technical] career and
15 technical school qualifies for a special payment under
16 subsection (a), the entire employer's share of contributions to
17 the Public School Employee's Retirement Fund and Social Security
18 attributable to the salary increase implemented pursuant to
19 section 1142.1 shall be paid for each school district,
20 intermediate unit and area [vocational-technical] career and
21 technical school out of funds appropriated to the Department of
22 Education for such purposes.

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

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

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

30 * * *

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

6 * * *

7 (h) Nothing contained in this section shall be construed to
8 supersede or preempt any provisions of a collective bargaining
9 agreement negotiated by a school and the employe organization
10 district, intermediate unit or area [vocational-technical]
11 career and technical school that is in effect on the effective
12 date of this section.

13 Section 2597.3. Eligible Grant Applicants.--Applications for
14 grants may be submitted by school districts and nonprofit
15 community-based organizations. Community-based organizations
16 must demonstrate that the program will operate in collaboration
17 with a school district, intermediate unit or area [vocational-
18 technical] career and technical school.

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

22 * * *

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

25 * * *

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

28 * * *

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

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

1 * * *

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

8 * * *

9 Section 2599. Administrative/Instructional Consolidation
10 Incentives.--* * *

11 (b) Any school district, area [vocational-technical] career
12 and technical school, intermediate unit or joint school is
13 eligible to participate in the consolidation incentives program
14 and shall be considered a school entity for the purposes of this
15 section.

16 * * *

17 (d) * * *

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

24 Section 2599.1. Multipurpose Service Center Grant Program.--
25 * * *

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

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

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

1 (2) Is underemployed.

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

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

7 "Multipurpose service center." A community-based
8 organization, school district, joint school district or
9 intermediate unit, postsecondary school, institution of higher
10 learning or area [vocational-education] career and technical
11 education school that provides job counseling services; job
12 training, education and placement services; financial management
13 services, outreach information services with respect to Federal
14 and State employment and education, health and unemployment
15 assistance programs to displaced homemakers and single parents.

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

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

19 "Applied knowledge." Information technology, computer
20 equipment, education software and related advanced technologies
21 necessary to increase students' access to worldwide information
22 and their expertise in this regard.

23 "Career awareness program." An educational program that
24 introduces students to a variety of career and [vocational]
25 technical options and includes such activities as job shadowing,
26 field trips and tours, career days or the administration of
27 career assessment tests and inventories.

28 "Career days." Special events that allow students to meet
29 with employers, career development specialists, community-based
30 organization representatives and postsecondary educators and are

1 designed to encourage students to gain information about careers
2 and job opportunities.

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

5 "Grant." A Pennsylvania accountability grant awarded under
6 this section.

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

10 "Job shadowing." As part of career exploration activities in
11 late middle and early high school, activity of a student
12 following an employe for one or more days to learn about a
13 particular occupation or industry, which activity is intended to
14 help students explore a range of career objectives and possibly
15 to select a career pathway.

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

19 Section 2602-B. Membership.--* * *

20 (e) For the purpose of formulating policy proposals
21 applicable to elementary, secondary, [vocational-technical]
22 career and technical education and higher education in this
23 Commonwealth, there shall be two councils, which shall consist
24 of ten (10) members of the board each, the chairman being a
25 member of both councils, and shall be known as the Council of
26 Basic Education and the Council of Higher Education. The
27 Governor shall designate to serve at his pleasure a member
28 serving on each council to act as chairman of the council. Each
29 council shall meet at the call of its chairman or at the request
30 of a majority of the members of the council. The chairman of the

1 board may appoint special joint committees from among the
2 members of the board to formulate policy proposals in those
3 areas which fall within the purview of both of the councils.

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

16 * * *

17 Section 2604-B. Powers and Duties of Council of Basic
18 Education and Council of Higher Education.--* * *

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

21 * * *

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

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

29 * * *

30 (3) encourage and promote such agricultural, industrial,

1 [vocational] career and technical education programs as the
2 needs of this Commonwealth may, from time to time, require; and

3 * * *

4 Section 34. This act shall take effect in 60 days.