

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1196 Session of 2019

INTRODUCED BY HARKINS, DONATUCCI, MERSKI, KINSEY, ROEBUCK, CALTAGIRONE, SCHLOSSBERG, YOUNGBLOOD, LONGIETTI, SAMUELSON, WHEATLEY, HILL-EVANS, PASHINSKI AND DeLUCA, APRIL 15, 2019

AS REPORTED FROM COMMITTEE ON EDUCATION, HOUSE OF REPRESENTATIVES, AS AMENDED, APRIL 17, 2019

AN ACT

1 Amending the act of March 10, 1949 (P.L.30, No.14), entitled "An
2 act relating to the public school system, including certain
3 provisions applicable as well to private and parochial
4 schools; amending, revising, consolidating and changing the
5 laws relating thereto," making editorial changes.

6 The General Assembly of the Commonwealth of Pennsylvania
7 hereby enacts as follows:

8 Section 1. Sections 502, 925(f), 923.2-A, 1328, 1338,
9 1372(3), 1376(a), 1377, 1377.1, 1378, 1379, 1414, 1502-E(b),
10 2108, 2501(11), 2509(b), ~~2510.17~~, 2517(e) and 2541(b)(3) of the <--
11 act of March 10, 1949 (P.L.30, No.14), known as the Public
12 School Code of 1949, are amended to read:

13 Section 502. Additional Schools and Departments.--In
14 addition to the elementary public schools, the board of school
15 directors in any school district may establish, equip, furnish,
16 and maintain the following additional schools or departments for
17 the education and recreation of persons residing in said
18 district, and for the proper operation of its schools, namely:--

1 High schools,
2 Trade schools,
3 Vocational schools,
4 Technical schools,
5 Cafeterias,
6 Agricultural schools,
7 Evening schools,
8 Kindergartens,
9 Libraries,
10 Museums,
11 Reading-rooms,
12 Gymnasiums,
13 Playgrounds,
14 Schools for [physically and mentally handicapped] children
15 with physical and OR mental disabilities, <--

16 Truant schools,
17 Parental schools,
18 Schools for adults,
19 Public lectures,

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

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

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

29 Section 925. Powers and Duties.--

30 (f) (1) Any county board of school directors may make

1 contracts of insurance with any insurance company, or nonprofit
2 hospitalization corporation, or nonprofit medical service
3 corporation, authorized to transact business within the
4 Commonwealth, insuring its employes, their spouses and
5 dependents and retired employes under a policy or policies of
6 group insurance covering life, health, hospitalization medical
7 service, or accident insurance, and for such purposes may agree
8 to pay part or all of the premiums or charges for carrying such
9 contracts, and may include the cost of such charges in its
10 estimate of the cost of operating and administering classes or
11 schools for [handicapped and institutionalized] children with
12 physical and OR mental disabilities to be operated by the county <--
13 board during the ensuing school year. No contract or contracts
14 of insurance authorized by this section shall be purchased from
15 or through any person employed by the county board in a teaching
16 or administrative capacity.

17 (2) The county board of school directors is hereby
18 authorized to deduct from the employe's pay, salary, or
19 compensation, such part of the premium as is payable by the
20 employe and as may be so authorized by the employe in writing.

21 (3) All contracts procured hereunder shall conform and be
22 subject to all the provisions of any existing or future laws
23 concerning group insurance contracts.

24 Section 923.2-A. Visual Services.--(a) Legislative Finding;
25 Declaration of Policy. [Defects] Impairments in vision are
26 health-related. It is today recognized that the diagnosis and
27 evaluation of those [defects] impairments and the rendering of
28 instruction in skills appropriate for the education, safety and
29 independence of children afflicted by visual impairments are
30 closely related to their physical, mental and emotional health.

1 Such services can best be rendered upon the premises of the
2 school which the child regularly attends and forcing children to
3 go to other premises in order to have such needed services is
4 found by the General Assembly to be both inadequate and harmful.
5 The General Assembly expressly finds and declares diagnostic,
6 evaluative and instructional services for such children to be
7 health services and it is the intention of the General Assembly
8 now to make these available, on a general and even-handed basis
9 to all school children in the Commonwealth.

10 (b) Definitions. As used in this section:

11 "Nonpublic school" means any nonprofit school, other than a
12 public school within the Commonwealth of Pennsylvania, wherein a
13 resident of the Commonwealth may legally fulfill the compulsory
14 school attendance requirements and which meets the requirements
15 of Title VI of the Civil Rights Act of 1964 (Public Law 88-352).

16 "Visual services" means diagnostic, evaluative and
17 instructional visual services for children.

18 (c) Provision of Services. The Secretary of Education,
19 directly or through the intermediate units out of their
20 allocation under section 922.1-A shall have the power and duty
21 to furnish free to nonpublic school students, upon the premises
22 of the nonpublic schools which they regularly attend, services
23 adequate for the diagnosis and evaluation of visual [defects]
24 impairments and instruction and training in skills advisable for
25 the education, independence and safety of such children,
26 including but not limited to mobility training, provided that
27 such services are also afforded to public school students by the
28 public school district in which such nonpublic school is
29 located.

30 Section 1328. Compulsory Education of CHILDREN WITH Physical <--

1 [Defectives] Impairments.--Every parent, guardian, or other
2 person, having control or charge of any child of compulsory
3 school age who is deaf or blind, [or is so crippled,] or whose
4 hearing or vision is so [defective] impaired as to make it
5 impracticable to have such child educated in the public schools
6 of the district in which he is a resident, shall allow such
7 child to be sent to some school where proper provision is made
8 for the education of the deaf, or of the blind, [or of crippled
9 children,] or shall provide for the tuition of such child by a
10 legally certified private tutor.

11 Section 1338. Dependent Children.--In case any child of
12 compulsory school age cannot be kept in school in compliance
13 with the provisions of this act, on account of incorrigibility,
14 truancy, insubordination, or other [bad] inappropriate conduct,
15 or if the presence of any child attending school is detrimental
16 to the welfare of such school, on account of incorrigibility,
17 truancy, insubordination, or other [bad] inappropriate conduct,
18 the board of school directors may, by its superintendent,
19 secretary, attendance officer or State, municipal, port
20 authority, transit authority or housing authority police
21 officer, under such rules and regulations as the board may
22 adopt, proceed against said child before the juvenile court, or
23 otherwise, as is now or may hereafter be provided by law for
24 incorrigible, truant, insubordinate, or dependent children.

25 Section 1372. Exceptional Children; Education and
26 Training.--* * *

27 (3) Special Classes or Schools Established and Maintained by
28 School Districts. Except as herein otherwise provided, it shall
29 be the duty of the board of school directors of every school
30 district to provide and maintain, or to jointly provide and

1 maintain with neighboring districts, special classes or schools
2 in accordance with the approved plan. The Secretary of Education
3 shall superintend the organization of such special classes and
4 such other arrangements for special education and shall enforce
5 the provisions of this act relating thereto. If the approved
6 plan indicates that it is not feasible to form a special class
7 in any district or to provide such education for any such child
8 in the public schools of the district, the board of school
9 directors of the district shall secure such proper education and
10 training outside the public schools of the district or in
11 special institutions, or by providing for teaching the child in
12 his home, in accordance with rules and regulations prescribed by
13 the Department of Education, on terms and conditions not
14 inconsistent with the terms of this act or of any other act then
15 in force applicable to such children. However, the institution
16 of special classes and programs at the secondary level for
17 exceptional children who are gifted and talented students may be
18 deferred until September 1978 at the discretion of the board of
19 the school directors of any school district.

20 In addition to the above and in accordance with rules and
21 regulations prescribed by the Department of Education,
22 ~~homebound~~ instruction shall be provided for children confined <--
23 in detention homes as provided in section 7, act of June 2, 1933
24 (P.L.1433, No.311), as amended, at the detention home for the
25 period of their confinement, if their confinement exceeds or is
26 expected to exceed ten days, even though such children are not
27 exceptional.

28 * * *

29 Section 1376. Cost of Tuition and Maintenance of Certain
30 Exceptional Children in Approved Institutions.--(a) When any

1 child between school entry age and twenty-one (21) years of age
2 and resident in this Commonwealth, who is blind or deaf, or has
3 cerebral palsy and/or neurological impairment and/or muscular
4 dystrophy and/or is [mentally retarded] ~~developmentally~~ <--
5 INTELLECTUALLY disabled and/or has a serious emotional <--
6 [disturbance] disability and/or has autism/pervasive
7 developmental disorder and is enrolled, with the approval of the
8 Department of Education, as a pupil in an approved private
9 school approved by the Department of Education, in accordance
10 with standards and regulations promulgated by the State Board of
11 Education, the school district in which such child is resident
12 or, for students placed by a charter school, the charter school
13 in which the student was enrolled shall pay the greater of
14 either twenty per centum (20%) of the actual audited cost of
15 tuition and maintenance of such child in such school, as
16 determined by the Department of Education, or its "tuition
17 charge per elementary pupil" or its "tuition charge per high
18 school pupil," as calculated pursuant to section 2561, and the
19 Commonwealth shall pay, out of funds appropriated to the
20 department for special education, the balance due for the costs
21 of such child's tuition and maintenance, as determined by the
22 department. For the school years 1989-1990, 1990-1991 and 1991-
23 1992, the school district payment shall be no greater than forty
24 percent (40%) of the actual audited costs of tuition and
25 maintenance of such child in such school. For the 1992-1993
26 school year through the 2003-2004 school year, the school
27 district or charter school payment shall be the greater of forty
28 percent (40%) of the actual audited costs of tuition and
29 maintenance of such child in such school, as determined by the
30 Department of Education, or its "tuition charge per elementary

1 pupil" or its "tuition charge per high school pupil," as
2 calculated pursuant to section 2561, and the Commonwealth shall
3 pay, out of funds appropriated to the department for approved
4 private schools, the balance due for the costs of such child's
5 tuition and maintenance, as determined by the department. For
6 the 2004-2005 school year and each school year thereafter, the
7 school district or charter school payment shall be the greater
8 of forty percent (40%) of the approved tuition rate as
9 established pursuant to subsection (c.3) or (c.5) or the school
10 district or charter school's "tuition charges per elementary
11 pupil" or "tuition charges per secondary pupil" as calculated
12 under section 2561, and the Commonwealth shall pay out of funds
13 appropriated to the department for approved private schools the
14 balance of the approved tuition rate due for the cost of such
15 child's tuition and maintenance. The department will credit the
16 district of residence with average daily membership for such
17 child consistent with the rules of procedure developed in
18 accordance with section 2501. If the residence of such child in
19 a particular school district cannot be determined, the
20 Commonwealth shall pay the whole cost of tuition and maintenance
21 of such child as established under subsection (c.3) or (c.5).

22 * * *

23 Section 1377. Payment of Cost of Tuition and Maintenance of
24 Certain Exceptional Children.--(a) To facilitate payments by
25 the several school districts to the schools or institutions in
26 which children who are deaf or blind, or cerebral palsied and/or
27 brain damaged and/or muscular dystrophied, or socially and
28 emotionally [disturbed] disabled or [mentally retarded children]
29 developmentally INTELLECTUALLY disabled are enrolled, of amounts <--
30 due by such districts for their proportion of the cost of

1 tuition and maintenance of such children, the Secretary of
2 Education shall withhold from any moneys due to such districts
3 out of any State appropriation for the assistance as
4 reimbursement of school districts, the amounts due by such
5 districts to such schools or institutions for the blind or the
6 deaf, or the cerebral palsied and/or brain damaged and/or
7 muscular dystrophied or the socially and emotionally [disturbed]
8 disabled and/or [mentally retarded] ~~developmentally~~ <--
9 INTELLECTUALLY disabled. Amounts so withheld shall be <--
10 specifically appropriated to the Department of Education.

11 (b) Payments of the Commonwealth's proportion of the cost of
12 tuition and maintenance of pupils who are blind or deaf, or
13 cerebral palsied and/or brain damaged and/or muscular
14 dystrophied, or socially and emotionally [disturbed] disabled
15 and/or [mentally retarded pupils] ~~developmentally~~ INTELLECTUALLY <--
16 disabled and are enrolled in schools or institutions for the
17 blind or for the deaf, or for the cerebral palsied and/or brain
18 damaged and/or muscular dystrophied, or for the socially and
19 emotionally [disturbed] disabled and of the cost of instruction
20 of parents of blind pupils less than school entry age, as
21 hereinbefore provided, shall be made quarterly, out of moneys
22 appropriated to the Department of Education for special
23 education. Except for the provisions of section 1376.1 providing
24 for the actual cost of tuition and maintenance of certain
25 exceptional children in the four chartered schools for education
26 of the deaf and of the blind, in no event shall the total
27 payment for the cost of tuition and maintenance of any such
28 child exceed the rates per year allowed under section 1376. The
29 maximum amount payable for the cost of tuition and maintenance
30 of such children shall be subject to review at least once every

1 two years for the purpose of recommending an adjustment thereof.

2 (c) For the purpose of enabling the Department of Education
3 to determine from time to time what amounts are due to schools
4 for the blind or for the deaf or for the cerebral palsied and/or
5 brain damaged and/or muscular dystrophied or for the socially
6 and emotionally [~~disturbed~~] disabled and/or [~~mentally retarded~~]
7 ~~developmentally~~ INTELLECTUALLY disabled hereunder, such schools <--
8 shall forward to the department, at such times and in such form
9 as the department shall prescribe, sworn statements setting
10 forth the names, ages, and residences of all pupils enrolled
11 hereunder, specifying the school districts liable for a part of
12 the cost of tuition and maintenance of any such pupils, the per
13 capita cost of and maintenance of pupils, and such other
14 information as the department shall require.

15 For the purpose of providing adequate administration of the
16 program and to carry out the preaudit functions authorized in
17 section 1376(a), one-half of one percent (.50%) of the total
18 appropriations for approved private schools from all funds shall
19 be allocated to the Department of Education.

20 (d) When, during the course of the 1982-1983 school year,
21 programs for exceptional children are caused to be transferred
22 from schools or institutions for the blind or deaf, or cerebral
23 palsied or brain damaged or muscular dystrophied or [~~mentally~~
24 ~~retarded~~] ~~developmentally~~ INTELLECTUALLY disabled, or socially <--
25 and emotionally [~~disturbed~~] disabled, as provided for in
26 sections 1376 and 1376.1, to school districts or intermediate
27 units, as provided for in sections 2509 and 2509.1, under
28 unanticipated or emergency circumstances, and when such
29 transfers necessitate the transfer of funds from the
30 appropriation to the Department of Education for special

1 education for approved private schools to the appropriation to
2 the Department of Education for payments on account of special
3 education of exceptional children in public schools, the
4 Secretary of Education shall be empowered so to transfer such
5 funds, upon approval of the Secretary of the Budget and written
6 notification to the State Treasurer and the chairmen of the
7 House and Senate Appropriations and Education Committees.

8 Section 1377.1. Transfer of Funds for Transferal Programs.--

9 When, during the course of a school year or after the end of a
10 school year, programs for exceptional children are caused to be
11 transferred from schools or institutions for the blind or deaf,
12 or cerebral palsied or brain damaged or muscular dystrophied or
13 [mentally retarded] ~~developmentally~~ INTELLECTUALLY disabled, or <--
14 socially and emotionally [disturbed] disabled, as provided for
15 in sections 1376 and 1376.1, to school districts or intermediate
16 units, as provided for in sections 2509 and 2509.1, and when
17 such transfers necessitate the transfer of funds from the
18 appropriation to the Department of Education for special
19 education for approved private schools to the appropriation to
20 the Department of Education for payments on account of special
21 education of exceptional children in public schools, the
22 Secretary of Education shall be empowered to transfer such
23 funds, upon approval of the Secretary of the Budget and written
24 notification to the State Treasurer and the chairmen of the
25 House and Senate Appropriations and Education Committees.

26 Section 1378. Medical Care for Children Under Six with
27 [Defective] Impaired Hearing.--Whenever the county medical
28 director of the Department of Health reports to the medical
29 examiner of any school district a case of a minor under six (6)
30 years of age, who is totally deaf or whose hearing is impaired,

1 who is not receiving adequate care and treatment, and whose
2 parent or guardian is financially unable to provide the same,
3 such medical examiner shall provide such care and treatment at
4 the expense of the school district or of the Commonwealth, as
5 the case may be, charged by law with the providing of medical
6 examinations for the schools of the school district. Such care
7 and treatment may be administered by the medical examiner or by
8 some doctor of medicine selected by him.

9 Section 1379. Children Under Six with [Defective] Impaired
10 Hearing; Parent or Guardian Advised of Schools, etc.--Whenever
11 notified by the Department of Health of the case of a minor
12 under six (6) years of age, who is totally deaf or whose hearing
13 is impaired, the Superintendent of Public Instruction, when in
14 his judgment the same is deemed desirable, shall communicate to
15 the parent or guardian the location of any special schools, and
16 also the nearest public school having special classes for the
17 instruction of the hard of hearing, with the information
18 concerning the advantages offered by such school or classes, the
19 benefits to accrue to the child from attending such school or
20 classes, and the manner in which the expenses of such
21 instruction will be provided for.

22 Section 1414. Care and Treatment of Pupils.--Any school
23 district or joint school board may provide for the care and
24 treatment of [defective] impaired eyes, ears and teeth of all
25 children of school age within the district.

26 Section 1502-E. Character education program.

27 * * *

28 (b) Curriculum contents.--The program may include and teach
29 the following basic civil values and character traits:

30 (1) Trustworthiness, including honesty, integrity,

1 reliability and loyalty.

2 (2) Respect, including regard for others, tolerance and
3 courtesy.

4 (3) Responsibility, including hard work, economic self-
5 reliance, accountability, diligence, perseverance and self-
6 control.

7 (4) Fairness, including justice, consequences of [bad]
8 inappropriate behavior, principles of nondiscrimination and
9 freedom from prejudice.

10 (5) Caring, including kindness, empathy, compassion,
11 consideration, generosity and charity.

12 (6) Citizenship, including love of country, concern for
13 the common good, respect for authority and the law and
14 community mindedness.

15 * * *

16 Section 2108. Qualifications of Principals and Teachers.--

17 The board of public education in each school district of the
18 first class shall prescribe the mode or modes of determining the
19 qualifications of applicants for positions as principals or
20 teachers in the schools of the district, and shall designate the
21 kinds or grades of teachers' certificates which may or shall be
22 used in the district, together with the scholastic,
23 professional, and personal qualifications required for each kind
24 or grade of certificate.

25 No certificate shall be granted to any person who is not of
26 good moral character, or to any person who shall not first have
27 presented a certificate, from a physician recognized by the
28 board of public education as competent for the purpose, setting
29 forth that said applicant is neither mentally nor physically
30 disqualified by reason of tuberculosis, or any other chronic or

1 acute physical [defect] impairment, from successfully performing
2 the duties of a teacher.

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

5 * * *

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

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

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

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

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

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

19 * * *

20 Section 2509. Payments on Account of Courses for Exceptional
21 Children.--* * *

22 (b) To find the "instruction cost per special class pupil,"
23 add (1) salaries of directors and supervisors of special
24 education, public school psychologists, principals of special
25 schools and assistants, teachers of approved special classes for
26 exceptional children, clerks and assistants employed in the
27 district's program for special education, (2) the district's
28 contribution to the retirement fund on behalf of directors and
29 supervisors of special education, public school psychologists,
30 principals of special schools and assistants, teachers of

1 approved special classes for exceptional children, clerks and
2 assistants employed in the district's program for special
3 education, (3) the cost of textbooks and supplies of the second
4 class used in the district's special education classes or
5 schools, (4) the cost of telephonic system equipment which
6 enables [handicapped] children with physical and OR mental <--
7 disabilities to remain in their homes and still participate in
8 classroom activities. Divide the sum of (1), (2), (3), and (4)
9 on that part thereof which is approved by the Department of
10 Education for reimbursement by the total number of pupils,
11 including those pupils who have available for use telephonic
12 system equipment whereby they may remain at home and still
13 participate in classroom activities, in average daily membership
14 in the district's approved special classes for exceptional
15 children. The quotient so obtained shall be the "instruction
16 cost per special class pupil."

17 * * *

18 ~~Section 2510.1. Payments on Account of [Homebound] Children <--~~
19 ~~Who Are Taught at Home. Every school district, regardless of~~
20 ~~classification, shall be paid by the Commonwealth for the school~~
21 ~~year 1966-1967, and for each school year thereafter, on account~~
22 ~~of the instruction of [homebound] children who are taught at~~
23 ~~home, an amount determined by multiplying the mandated minimum~~
24 ~~hourly rate for instructing [homebound] children who are taught~~
25 ~~at home by the district's aid ratio. Payments made to school~~
26 ~~districts for the instruction of [homebound] children who are~~
27 ~~taught at home shall only be made to the extent funds are~~
28 ~~appropriated for this purpose.~~

29 Section 2517. Payments.--* * *

30 (e) The Secretary of Education, with the approval of the

1 Governor, may make basic education funding allocation payments
2 to school districts, in advance of the dates set forth in this
3 section to school districts which are financially [handicapped]
4 burdened, when the secretary deems it necessary to enable the
5 school district to keep their public schools open.

6 Section 2541. Payments on Account of Pupil Transportation.--

7 * * *

8 (b) Such payments for pupil transportation shall be made in
9 the following cases:

10 * * *

11 (3) To all school districts, for the transportation of
12 [physically or mentally handicapped] children with physical and <--
13 OR mental disabilities regularly enrolled in special classes <--
14 approved by the Department of Education or enrolled in a regular
15 class in which approved educational provisions are made for
16 them.

17 * * *

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