
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 365 Session of
2021

INTRODUCED BY HARKINS, GALLOWAY, SAMUELSON, SANCHEZ, FREEMAN,
HILL-EVANS, SCHLEGEL CULVER, KINSEY, McNEILL, SCHLOSSBERG,
MALAGARI, NEILSON, BRIGGS, LONGIETTI, SCHWEYER, FRANKEL,
CIRESI, HOWARD, DELLOSO AND McCLINTON, FEBRUARY 3, 2021

REFERRED TO COMMITTEE ON EDUCATION, FEBRUARY 3, 2021

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. Section 502 of the act of March 10, 1949 (P.L.30,
9 No.14), known as the Public School Code of 1949, amended October
10 30, 2019 (P.L.460, No.76), is amended to read:

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

17 High schools,

18 Trade schools,

1 Career and technical schools,
2 Cafeterias,
3 Agricultural schools,
4 Evening schools,
5 Kindergartens,
6 Libraries,
7 Museums,
8 Reading-rooms,
9 Gymnasiums,
10 Playgrounds,
11 Schools for [physically and mentally handicapped] children
12 with physical or mental disabilities,
13 Truant schools,
14 Parental schools,
15 Schools for adults,
16 Public lectures,
17 Such other schools or educational departments as the
18 directors, in their wisdom, may see proper to establish.

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

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

26 Section 2. Sections 925(f), 923.2-A, 1328, 1338, 1376(a),
27 1377, 1377.1, 1379, 1502-E(b) and 2108 of the act are amended to
28 read:

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 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 1376. Cost of Tuition and Maintenance of Certain
26 Exceptional Children in Approved Institutions.--(a) When any
27 child between school entry age and twenty-one (21) years of age
28 and resident in this Commonwealth, who is blind or deaf, or has
29 cerebral palsy and/or neurological impairment and/or muscular
30 dystrophy and/or is [mentally retarded] intellectually disabled

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

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

18 * * *

19 Section 1377. Payment of Cost of Tuition and Maintenance of
20 Certain Exceptional Children.--(a) To facilitate payments by
21 the several school districts to the schools or institutions in
22 which children who are deaf or blind, or cerebral palsied and/or
23 brain damaged and/or muscular dystrophied, or socially and
24 emotionally [disturbed] disabled or [mentally retarded children]
25 intellectually disabled are enrolled, of amounts due by such
26 districts for their proportion of the cost of tuition and
27 maintenance of such children, the Secretary of Education shall
28 withhold from any moneys due to such districts out of any State
29 appropriation for the assistance as reimbursement of school
30 districts, the amounts due by such districts to such schools or

1 institutions for the blind or the deaf, or the cerebral palsied
2 and/or brain damaged and/or muscular dystrophied or the socially
3 and emotionally [disturbed] disabled and/or [mentally retarded]
4 intellectually disabled. Amounts so withheld shall be
5 specifically appropriated to the Department of Education.

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

27 (c) For the purpose of enabling the Department of Education
28 to determine from time to time what amounts are due to schools
29 for the blind or for the deaf or for the cerebral palsied and/or
30 brain damaged and/or muscular dystrophied or for the socially

1 and emotionally [disturbed] disabled and/or [mentally retarded]
2 intellectually disabled hereunder, such schools shall forward to
3 the department, at such times and in such form as the department
4 shall prescribe, sworn statements setting forth the names, ages,
5 and residences of all pupils enrolled hereunder, specifying the
6 school districts liable for a part of the cost of tuition and
7 maintenance of any such pupils, the per capita cost of and
8 maintenance of pupils, and such other information as the
9 department shall require.

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

15 (d) When, during the course of the 1982-1983 school year,
16 programs for exceptional children are caused to be transferred
17 from schools or institutions for the blind or deaf, or cerebral
18 palsied or brain damaged or muscular dystrophied or [mentally
19 retarded] intellectually disabled, or socially and emotionally
20 [disturbed] disabled, as provided for in sections 1376 and
21 1376.1, to school districts or intermediate units, as provided
22 for in sections 2509 and 2509.1, under unanticipated or
23 emergency circumstances, and when such transfers necessitate the
24 transfer of funds from the appropriation to the Department of
25 Education for special education for approved private schools to
26 the appropriation to the Department of Education for payments on
27 account of special education of exceptional children in public
28 schools, the Secretary of Education shall be empowered so to
29 transfer such funds, upon approval of the Secretary of the
30 Budget and written notification to the State Treasurer and the

1 chairmen of the House and Senate Appropriations and Education
2 Committees.

3 Section 1377.1. Transfer of Funds for Transferral Programs.--

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

21 Section 1379. Children Under Six with [Defective] Impaired
22 Hearing; Parent or Guardian Advised of Schools, etc.--Whenever
23 notified by the Department of Health of the case of a minor
24 under six (6) years of age, who is totally deaf or whose hearing
25 is impaired, the Superintendent of Public Instruction, when in
26 his judgment the same is deemed desirable, shall communicate to
27 the parent or guardian the location of any special schools, and
28 also the nearest public school having special classes for the
29 instruction of the hard of hearing, with the information
30 concerning the advantages offered by such school or classes, the

1 benefits to accrue to the child from attending such school or
2 classes, and the manner in which the expenses of such
3 instruction will be provided for.

4 Section 1502-E. Character education program.

5 * * *

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

8 (1) Trustworthiness, including honesty, integrity,
9 reliability and loyalty.

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

12 (3) Responsibility, including hard work, economic self-
13 reliance, accountability, diligence, perseverance and self-
14 control.

15 (4) Fairness, including justice, consequences of [bad]
16 inappropriate behavior, principles of nondiscrimination and
17 freedom from prejudice.

18 (5) Caring, including kindness, empathy, compassion,
19 consideration, generosity and charity.

20 (6) Citizenship, including love of country, concern for
21 the common good, respect for authority and the law and
22 community mindedness.

23 * * *

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

25 The board of public education in each school district of the
26 first class shall prescribe the mode or modes of determining the
27 qualifications of applicants for positions as principals or
28 teachers in the schools of the district, and shall designate the
29 kinds or grades of teachers' certificates which may or shall be
30 used in the district, together with the scholastic,

1 professional, and personal qualifications required for each kind
2 or grade of certificate.

3 No certificate shall be granted to any person who is not of
4 good moral character, or to any person who shall not first have
5 presented a certificate, from a physician recognized by the
6 board of public education as competent for the purpose, setting
7 forth that said applicant is neither mentally nor physically
8 disqualified by reason of tuberculosis, or any other chronic or
9 acute physical [defect] impairment, from successfully performing
10 the duties of a teacher.

11 Section 3. Section 2501(11) of the act, amended October 30,
12 2019 (P.L.460, No.76), is amended to read:

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

15 * * *

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

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

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

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

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

1 expenses of operation, (d) expenses of maintenance of school
2 plant, to include upkeep of grounds, repair of buildings,
3 repairs and replacements, heating, plumbing, lighting, apparatus
4 used in instruction, furniture, and other equipment, (e)
5 expenses of fixed charges, to include payments made to the
6 retirement board, rent, all insurance, and other fixed charges:
7 Provided, That the actual instruction expense for elementary
8 teaching unit for district pupils educated in the elementary
9 grades of a laboratory school of a State-owned college and the
10 actual instruction expenses for secondary teaching unit for
11 district pupils educated in the high school grades of a
12 laboratory school of a State-owned college shall be computed by
13 (i) dividing the total amount of money paid to the State-owned
14 college by the resident district for the education of all
15 resident elementary children enrolled in a laboratory school of
16 a State-owned college by the number of such elementary teaching
17 units based on the total number of such resident children in
18 average daily membership in the laboratory school, (ii) dividing
19 the total amount of money paid to the State-owned college by the
20 resident district for the education of all resident secondary
21 children enrolled in a laboratory school of a State-owned
22 college by the number of such secondary teaching units based on
23 the total number of such resident children in average daily
24 membership in the laboratory school. The teaching units are
25 computed on the basis of thirty (30) equivalent full time
26 elementary children and twenty-two (22) equivalent full time
27 secondary children.

28 * * *

29 Section 4. Sections 2509(b), 2517(e) and 2541(b) (3) of the
30 act are amended to read:

1 Section 2509. Payments on Account of Courses for Exceptional
2 Children.--* * *

3 (b) To find the "instruction cost per special class pupil,"
4 add (1) salaries of directors and supervisors of special
5 education, public school psychologists, principals of special
6 schools and assistants, teachers of approved special classes for
7 exceptional children, clerks and assistants employed in the
8 district's program for special education, (2) the district's
9 contribution to the retirement fund on behalf of directors and
10 supervisors of special education, public school psychologists,
11 principals of special schools and assistants, teachers of
12 approved special classes for exceptional children, clerks and
13 assistants employed in the district's program for special
14 education, (3) the cost of textbooks and supplies of the second
15 class used in the district's special education classes or
16 schools, (4) the cost of telephonic system equipment which
17 enables [handicapped] children with physical or mental
18 disabilities to remain in their homes and still participate in
19 classroom activities. Divide the sum of (1), (2), (3), and (4)
20 on that part thereof which is approved by the Department of
21 Education for reimbursement by the total number of pupils,
22 including those pupils who have available for use telephonic
23 system equipment whereby they may remain at home and still
24 participate in classroom activities, in average daily membership
25 in the district's approved special classes for exceptional
26 children. The quotient so obtained shall be the "instruction
27 cost per special class pupil."

28 * * *

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 or
13 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 5. This act shall take effect in 60 days.