

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1642 Session of 2021

INTRODUCED BY WHITE, ROTHMAN, RYAN, KAUFFMAN, GROVE, DRISCOLL, ZIMMERMAN, THOMAS, LEWIS, POLINCHOCK AND NEILSON, JUNE 16, 2021

AMENDMENTS TO SENATE AMENDMENTS, HOUSE OF REPRESENTATIVES, JULY 7, 2022

AN ACT

1 ~~Amending the act of March 10, 1949 (P.L.30, No.14), entitled "An~~<--
2 ~~act relating to the public school system, including certain~~
3 ~~provisions applicable as well to private and parochial~~
4 ~~schools; amending, revising, consolidating and changing the~~
5 ~~laws relating thereto," in educational tax credits, further~~
6 ~~providing for definitions, for qualification and application~~
7 ~~by organizations, for application by business firms, for tax~~
8 ~~credits, for limitations and for opportunity scholarships.~~
9 AMENDING THE ACT OF MARCH 10, 1949 (P.L.30, NO.14), ENTITLED "AN <--
10 ACT RELATING TO THE PUBLIC SCHOOL SYSTEM, INCLUDING CERTAIN
11 PROVISIONS APPLICABLE AS WELL TO PRIVATE AND PAROCHIAL
12 SCHOOLS; AMENDING, REVISING, CONSOLIDATING AND CHANGING THE
13 LAWS RELATING THERETO," IN PRELIMINARY PROVISIONS, FURTHER
14 PROVIDING FOR KEYSTONE EXAMS AND GRADUATION REQUIREMENTS, FOR
15 SPECIAL PROVISIONS APPLICABLE TO THE KEYSTONE EXAMS,
16 GRADUATION REQUIREMENTS AND ALTERNATIVE COMPETENCY ASSESSMENT
17 AND FOR SPECIAL EDUCATION FUNDING COMMISSION AND PROVIDING
18 FOR COMMISSION ON EDUCATION AND ECONOMIC COMPETITIVENESS; IN
19 GROUNDS AND BUILDINGS, FURTHER PROVIDING FOR LIMITATION ON
20 NEW APPLICATIONS FOR DEPARTMENT OF EDUCATION APPROVAL OF
21 PUBLIC SCHOOL BUILDING PROJECTS; IN PROFESSIONAL EMPLOYEES,
22 PROVIDING FOR LOCALLY TITLED POSITIONS; IN CERTIFICATION OF
23 TEACHERS, PROVIDING FOR OUT-OF-STATE APPLICANTS FOR CAREER
24 AND TECHNICAL EDUCATION CERTIFICATION, FURTHER PROVIDING FOR
25 PROGRAM OF CONTINUING PROFESSIONAL EDUCATION AND FOR
26 CONTINUING PROFESSIONAL EDUCATION FOR SCHOOL OR SYSTEM
27 LEADERS, PROVIDING FOR TEACHER SUPPORT IN THE STRUCTURED
28 LITERACY PROGRAM, REPEALING PROVISIONS RELATING TO
29 CERTIFICATES ISSUED BY OTHER STATES AND PROVIDING FOR OUT-OF-
30 STATE APPLICANTS FOR CERTIFICATION AND FOR PREKINDERGARTEN
31 THROUGH GRADE TWELVE DANCE CERTIFICATE; IN PUPILS AND
32 ATTENDANCE, FURTHER PROVIDING FOR DEFINITIONS, FOR HOME

1 EDUCATION PROGRAM, FOR ASSISTING STUDENTS EXPERIENCING
2 EDUCATION INSTABILITY, FOR NONPROFIT SCHOOL FOOD PROGRAM, FOR
3 EXCEPTIONAL CHILDREN AND EDUCATION AND TRAINING AND FOR
4 EXTENDED SPECIAL EDUCATION ENROLLMENT DUE TO COVID-19; IN
5 SCHOOL SAFETY AND SECURITY, FURTHER PROVIDING FOR SCHOOL
6 SAFETY AND SECURITY COMMITTEE, PROVIDING FOR SURVEY OF SCHOOL
7 MENTAL HEALTH SERVICES, FURTHER PROVIDING FOR SCHOOL SAFETY
8 AND SECURITY GRANT PROGRAM, FOR SCHOOL SAFETY AND SECURITY
9 COORDINATOR AND FOR SCHOOL SAFETY AND SECURITY TRAINING AND
10 PROVIDING FOR SCHOOL SAFETY AND SECURITY GRANTS FOR 2022-2023
11 SCHOOL YEAR, FOR SCHOOL MENTAL HEALTH GRANTS FOR 2022-2023
12 SCHOOL YEAR, FOR SCHOOL SAFETY AND SECURITY COORDINATOR
13 TRAINING, FOR SCHOOL SAFETY AND SECURITY TRAINING IN
14 EDUCATOR, ADMINISTRATOR AND SUPERVISORY PREPARATORY PROGRAMS
15 AND FOR SCHOOL-BASED MENTAL HEALTH INTERNSHIP GRANT PROGRAM;
16 IN THREAT ASSESSMENT, FURTHER PROVIDING FOR THREAT ASSESSMENT
17 TEAMS; IN SCHOOL HEALTH SERVICES, FURTHER PROVIDING FOR
18 HEALTH SERVICES; IN DRUG AND ALCOHOL RECOVERY HIGH SCHOOL
19 PILOT PROGRAM, FURTHER PROVIDING FOR DEFINITIONS, FOR
20 ESTABLISHMENT OF DRUG AND ALCOHOL RECOVERY HIGH SCHOOL PILOT
21 PROGRAM AND FOR SCOPE OF PROGRAM AND SELECTION OF STUDENTS,
22 REPEALING PROVISIONS RELATING TO TERM OF DRUG AND ALCOHOL
23 RECOVERY HIGH SCHOOL PILOT PROGRAM AND FURTHER PROVIDING FOR
24 REPORTING; IN TERMS AND COURSES OF STUDY, FURTHER PROVIDING
25 FOR AGREEMENTS WITH INSTITUTIONS OF HIGHER EDUCATION;
26 PROVIDING FOR TALENT RECRUITMENT AND ESTABLISHING THE
27 COMMITTEE ON EDUCATION TALENT RECRUITMENT, THE TALENT
28 RECRUITMENT GRANT PROGRAM AND THE TALENT RECRUITMENT ACCOUNT;
29 PROVIDING FOR EDUCATIONAL AND PROFESSIONAL DEVELOPMENT ONLINE
30 COURSE INITIATIVE, ESTABLISHING THE ONLINE COURSE
31 CLEARINGHOUSE ACCOUNT AND IMPOSING PENALTIES; IN CHARTER
32 SCHOOLS, PROVIDING FOR ABOLITION OF RULEMAKING AND FURTHER
33 PROVIDING FOR REGULATIONS; PROVIDING FOR DISABILITY INCLUSIVE
34 CURRICULUM AND ESTABLISHING THE DISABILITY INCLUSIVE
35 CURRICULUM PILOT PROGRAM; IN CAREER AND TECHNICAL EDUCATION,
36 PROVIDING FOR COSMETOLOGY TRAINING THROUGH CAREER AND
37 TECHNICAL CENTER PILOT PROGRAM AND FOR BARBER TRAINING
38 THROUGH CAREER AND TECHNICAL CENTER PILOT PROGRAM; IN
39 COMMUNITY COLLEGES, FURTHER PROVIDING FOR FINANCIAL PROGRAM
40 AND REIMBURSEMENT OF PAYMENTS; IN RURAL REGIONAL COLLEGE FOR
41 UNDERSERVED COUNTIES, FURTHER PROVIDING FOR REPORTS; IN THE
42 STATE SYSTEM OF HIGHER EDUCATION, FURTHER PROVIDING FOR
43 DEFINITIONS, FOR ESTABLISHMENT OF THE STATE SYSTEM OF HIGHER
44 EDUCATION AND ITS INSTITUTIONS, FOR BOARD OF GOVERNORS AND
45 FOR COUNCIL OF TRUSTEES AND PROVIDING FOR INTEGRATED
46 COUNCILS; IN EDUCATIONAL TAX CREDITS, FURTHER PROVIDING FOR
47 DEFINITIONS, FOR QUALIFICATION AND APPLICATION BY
48 ORGANIZATIONS, FOR APPLICATION BY BUSINESS FIRMS, FOR TAX
49 CREDITS, FOR LIMITATIONS AND FOR OPPORTUNITY SCHOLARSHIPS; IN
50 TRANSFERS OF CREDITS BETWEEN INSTITUTIONS OF HIGHER
51 EDUCATION, FURTHER PROVIDING FOR DEFINITIONS AND FOR DUTIES
52 OF PUBLIC INSTITUTIONS OF HIGHER EDUCATION; IN SEXUAL
53 VIOLENCE EDUCATION AT INSTITUTIONS OF HIGHER EDUCATION,
54 FURTHER PROVIDING FOR SCOPE OF ARTICLE, FOR DEFINITIONS AND
55 FOR EDUCATION PROGRAM, PROVIDING FOR CONSENT TO SEXUAL
56 ACTIVITY, FURTHER PROVIDING FOR FOLLOW-UP AND FOR REPORT AND
57 PROVIDING FOR MEMORANDUM OF UNDERSTANDING; IN MISCELLANEOUS
58 PROVISIONS RELATING TO INSTITUTIONS OF HIGHER EDUCATION,
59 FURTHER PROVIDING FOR PUBLIC HIGHER EDUCATION FUNDING
60 COMMISSION AND PROVIDING FOR STATE-RELATED UNIVERSITY

1 PERFORMANCE-BASED FUNDING MODEL AND FOR PROHIBITION ON
2 SCHOLARSHIP DISPLACEMENT AT PUBLIC INSTITUTIONS OF HIGHER
3 EDUCATION; IN READY-TO-SUCCEED SCHOLARSHIP, FURTHER PROVIDING
4 FOR AGENCY; IN FUNDING FOR PUBLIC LIBRARIES, PROVIDING FOR
5 STATE AID FOR FISCAL YEAR 2022-2023; IN REIMBURSEMENTS BY
6 COMMONWEALTH AND BETWEEN SCHOOL DISTRICTS, FURTHER PROVIDING
7 FOR PAYMENTS ON ACCOUNT OF PUPILS ENROLLED IN CAREER AND
8 TECHNICAL CURRICULUMS AND FOR STUDENT-WEIGHTED BASIC
9 EDUCATION FUNDING, PROVIDING FOR LEVEL-UP SUPPLEMENT FOR
10 2021-2022 SCHOOL YEAR AND FURTHER PROVIDING FOR PAYMENTS TO
11 INTERMEDIATE UNITS, FOR SPECIAL EDUCATION PAYMENTS TO SCHOOL
12 DISTRICTS, FOR ASSISTANCE TO SCHOOL DISTRICTS DECLARED TO BE
13 IN FINANCIAL RECOVERY STATUS OR IDENTIFIED FOR FINANCIAL
14 WATCH STATUS, FOR APPROVED REIMBURSABLE RENTAL FOR LEASES
15 HEREAFTER APPROVED AND APPROVED REIMBURSABLE SINKING FUND
16 CHARGES ON INDEBTEDNESS AND FOR READY-TO-LEARN BLOCK GRANT;
17 IN CONSTRUCTION AND RENOVATION OF BUILDINGS BY SCHOOL
18 ENTITIES, FURTHER PROVIDING FOR APPLICABILITY; AND MAKING
19 EDITORIAL CHANGES.

20 The General Assembly of the Commonwealth of Pennsylvania
21 hereby enacts as follows:

22 ~~Section 1. The definitions of "economically disadvantaged~~ <--
23 ~~school" and "household income" in section 2002 B of the act of~~
24 ~~March 10, 1949 (P.L.30, No.14), known as the Public School Code~~
25 ~~of 1949, are amended and the section is amended by adding~~
26 ~~definitions to read:~~

27 ~~Section 2002 B. Definitions.~~

28 ~~The following words and phrases when used in this article~~
29 ~~shall have the meanings given to them in this section unless the~~
30 ~~context clearly indicates otherwise:~~

31 * * *

32 ~~"Economically disadvantaged school." Any school within this~~
33 ~~Commonwealth at which at least [75%] 51% of the students~~
34 ~~attending the school in the immediately preceding school year~~
35 ~~received a scholarship of at least \$1,000 pursuant to this~~
36 ~~article.~~

37 * * *

38 ~~"Fiscal year." The Commonwealth's fiscal year beginning July~~
39 ~~1 and ending June 30.~~

1 ~~***~~

2 ~~"Household income." All money or property received of~~
3 ~~whatever nature and from whatever source derived. The term does~~
4 ~~not include the following:~~

5 ~~(1) Periodic payments for sickness and disability other~~
6 ~~than regular wages received during a period of sickness or~~
7 ~~disability.~~

8 ~~(2) Disability, retirement or other payments arising~~
9 ~~under workers' compensation acts, occupational disease acts~~
10 ~~and similar legislation by any government.~~

11 ~~(3) Payments commonly recognized as old age or~~
12 ~~retirement benefits paid to persons retired from service~~
13 ~~after reaching a specific age or after a stated period of~~
14 ~~employment.~~

15 ~~(4) Payments commonly known as public assistance or~~
16 ~~unemployment compensation payments by a governmental agency.~~

17 ~~(5) Payments to reimburse actual expenses.~~

18 ~~(6) Payments made by employers or labor unions for~~
19 ~~programs covering hospitalization, sickness, disability or~~
20 ~~death, supplemental unemployment benefits, strike benefits,~~
21 ~~Social Security and retirement.~~

22 ~~(7) Compensation received by United States servicemen~~
23 ~~serving in a combat zone.~~

24 ~~(8) Payments received from a governmental agency to~~
25 ~~relieve the economic effects of the COVID-19 pandemic.~~

26 ~~***~~

27 ~~"Tax year." A taxpayer's annual accounting period or, if a~~
28 ~~return is made for a period of less than 12 months, the period~~
29 ~~for which the return is made.~~

30 Section 2. Sections 2003 B(d.3) and 2004 B(a) (2) of the act

1 ~~are amended to read:~~

2 ~~Section 2003 B. Qualification and application by organizations.~~

3 ~~* * *~~

4 ~~(d.3) [Opportunity scholarship] Scholarship organization for~~
5 ~~economically disadvantaged schools.~~

6 ~~(1) [In] Effective July 1, 2022, in addition to the~~
7 ~~other requirements of this article, [an opportunity] a~~
8 ~~scholarship organization that intends to provide~~
9 ~~[opportunity] scholarship awards to applicants of~~
10 ~~economically disadvantaged schools must demonstrate a history~~
11 ~~of serving schools throughout this Commonwealth and the~~
12 ~~capacity to distribute [opportunity] scholarships Statewide~~
13 ~~to applicants of economically disadvantaged schools.~~

14 ~~(2) [An opportunity] A scholarship organization must~~
15 ~~agree to distribute [opportunity] scholarships to applicants~~
16 ~~of economically disadvantaged schools not later than~~
17 ~~[December] February 1 of the applicable school year.~~

18 ~~(3) Notwithstanding any other provision of this article~~
19 ~~to the contrary, the department may not for any school year~~
20 ~~qualify more than one [opportunity] scholarship organization~~
21 ~~for the provision of [opportunity] scholarships to applicants~~
22 ~~of economically disadvantaged schools.~~

23 ~~* * *~~

24 ~~Section 2004 B. Application by business firms.~~

25 ~~(a) Scholarship organization, pre kindergarten scholarship~~
26 ~~organization or opportunity scholarship organization.~~

27 ~~* * *~~

28 ~~(2) A business firm that intends to apply to the~~
29 ~~department for a tax credit for contributions [to the~~
30 ~~opportunity scholarship organization that qualifies under~~

~~section 2003 B(d.3)] for students attending an economically-
disadvantaged school must submit an application separate from
an application for tax credits to [a] another scholarship-
organization, pre kindergarten scholarship organization or
[other] opportunity scholarship organization. The
contribution shall be made to the designated scholarship
organization for the economically disadvantaged schools and
shall be separately accounted for and distributed by the
designated scholarship organization.~~

~~* * *~~

~~Section 3. Section 2005 B(i) (5) and (j) (1) and (2) of the
act are amended and subsection (i) is amended by adding a
paragraph to read:~~

~~Section 2005 B. Tax credits.~~

~~* * *~~

~~(i) Temporary increase in maximum tax credits available.~~

~~* * *~~

~~(4.1) If all tax credits authorized under this article
for contributions to the category of scholarship
organizations, opportunity scholarship organizations or pre-
kindergarten scholarship organizations have not been awarded
as of November 30 of any fiscal year, then for applications
accepted by the department from December 1 through the end of
the fiscal year, the limitations set forth in subsections
(a), (a.1), (c) and (d) relating to the maximum amount of tax
credits a business firm can receive during a fiscal year for
contributions to each such category of organizations shall
not apply. Under this paragraph, the department may accept
applications under section 2004 B from December 1 through the
end of the fiscal year and shall award tax credits under this~~

~~article for contributions to the category of scholarship organizations, opportunity scholarship organizations or pre-kindergarten scholarship organizations on a first come, first served basis until all tax credits available for the fiscal year have been exhausted.~~

~~(5) Notwithstanding a temporary increase in maximum tax credits available under this subsection, the limitations set forth in subsections (a), (a.1), (c) and (d) relating to the maximum amount of tax credits a business firm can receive during a year for contributions to a category of scholarship organizations, opportunity scholarship organizations or pre-kindergarten scholarship organizations shall be reinstated for all applications accepted by the department [on or] after [December 1] June 30 of the fiscal year.~~

~~(j) Reallocation of tax credits.~~

~~(1) Beginning on January 1 of any fiscal year, if any tax credits authorized under this article for contributions to any of the categories of scholarship organizations, opportunity scholarship organizations or pre-kindergarten scholarship organizations remain unawarded, such unawarded tax credits may be reallocated to any of the categories of scholarship organizations, opportunity scholarship organizations or pre-kindergarten scholarship organizations for which all available tax credits have been awarded. The department shall, within 10 business days, inform each business firm on the waiting list maintained by the department under subsection (h) that tax credits remain available under another category for which the business firm has not yet applied. If a business firm notified under this paragraph elects, the department shall reallocate available~~

1 ~~tax credits for award to the business firm in the business~~
2 ~~firm's preferred tax credit category, notwithstanding the~~
3 ~~limitations contained in section 2006 B(a). [The amount of~~
4 ~~tax credits to be awarded to a business firm under this~~
5 ~~paragraph shall not exceed the amount of tax credits~~
6 ~~available for reallocation or the maximum amount of tax~~
7 ~~credits for which a business firm is eligible under~~
8 ~~subsections (a), (a.1), (c) and (d).]~~ Each business firm
9 shall have 10 business days from the date of the department's
10 notice to elect a reallocation of tax credits under this
11 paragraph. The department shall award tax credits on a first-
12 come, first served basis.

13 ~~(2) After the department has awarded tax credits under~~
14 ~~paragraph (1), the department shall accept new applications~~
15 ~~for reallocation of tax credits from any of the categories of~~
16 ~~scholarship organizations, opportunity scholarship~~
17 ~~organizations or pre-kindergarten scholarship organizations~~
18 ~~for which tax credits remain available to the applicant's~~
19 ~~preferred category of scholarship organizations, opportunity~~
20 ~~scholarship organizations or pre-kindergarten scholarship~~
21 ~~organizations for which all available tax credits have been~~
22 ~~awarded, notwithstanding any limitations contained in section~~
23 ~~2006 B(a) [The amount of tax credits to be awarded to a~~
24 ~~business firm under this paragraph shall not exceed the~~
25 ~~amount of tax credits available for reallocation or the~~
26 ~~maximum amount of tax credits for which a business firm is~~
27 ~~eligible under] or the limitations in subsections (a), (a.1),~~
28 ~~(c) and (d). The department shall award tax credits on a~~
29 ~~first come, first served basis.~~

30 * * *

1 ~~Section 4. Section 2006 B(a) of the act, amended June 30,~~
2 ~~2021 (P.L.158, No.26), is amended to read:~~

3 ~~Section 2006 B. Limitations.~~

4 ~~(a) Amount.~~

5 ~~(1) The total aggregate amount of all tax credits~~
6 ~~approved for contributions from business firms to scholarship~~
7 ~~organizations, educational improvement organizations and pre~~
8 ~~kindergarten scholarship organizations shall not exceed~~
9 ~~[\$225,000,000] \$230,000,000 in a fiscal year. The following~~
10 ~~shall apply:~~

11 ~~(i) No less than \$175,000,000 of the total aggregate~~
12 ~~amount shall be used to provide tax credits for~~
13 ~~contributions from business firms to scholarship~~
14 ~~organizations.~~

15 ~~(ii) No less than \$37,500,000 of the total aggregate~~
16 ~~amount shall be used to provide tax credits for~~
17 ~~contributions from business firms to educational~~
18 ~~improvement organizations.~~

19 ~~(iii) The total aggregate amount of all tax credits~~
20 ~~approved for contributions from business firms to pre~~
21 ~~kindergarten scholarship organizations shall not exceed~~
22 ~~\$12,500,000 in a fiscal year.~~

23 ~~(iv) No less than \$5,000,000 of the total aggregate~~
24 ~~amount shall be used to provide tax credits for~~
25 ~~contributions from business firms to increase the~~
26 ~~scholarship or pre kindergarten scholarship by up to~~
27 ~~\$2,000 or, in the case of a scholarship for a student~~
28 ~~attending a secondary school, by up to \$4,000, for a~~
29 ~~student attending an economically disadvantaged school,~~
30 ~~to the extent that the total amount of scholarships, pre~~

1 ~~kindergarten scholarships and opportunity scholarships~~
2 ~~will not exceed the lesser of \$8,500 or the school's~~
3 ~~tuition.~~

4 ~~(2) The total aggregate amount of all tax credits~~
5 ~~approved for contributions from business firms to opportunity~~
6 ~~scholarship organizations shall not exceed [\$55,000,000 in a~~
7 ~~fiscal year and no less than \$5,000,000 of the total~~
8 ~~aggregate amount shall be used to provide tax credits for~~
9 ~~contributions from business firms to increase the scholarship~~
10 ~~amount to students attending an economically disadvantaged~~
11 ~~school by up to \$1,000 more than the amount provided during~~
12 ~~the immediately preceding school year.] \$50,000,000 in a~~
13 ~~fiscal year.~~

14 * * *

15 Section 5. ~~Section 2009 B(e) and (f) (5) of the act are~~
16 ~~amended to read:~~

17 ~~Section 2009 B. Opportunity scholarships.~~

18 * * *

19 ~~(e) Amount.~~

20 ~~(1) [(i) Except as otherwise provided in subparagraph~~
21 ~~(ii), the] The maximum amount of an opportunity scholarship~~
22 ~~awarded to an applicant without a disability shall be \$8,500.~~

23 ~~[(ii) For a student attending an economically~~
24 ~~disadvantaged school, the maximum amount of an~~
25 ~~opportunity scholarship awarded to an applicant without a~~
26 ~~disability shall be \$9,500.]~~

27 ~~(2) [(i) Except as otherwise provided in subparagraph~~
28 ~~(ii), the] The maximum amount of an opportunity scholarship~~
29 ~~awarded to an applicant with a disability shall be \$15,000.~~

30 ~~[(ii) For a student attending an economically~~

1 ~~disadvantaged school, the maximum amount of an~~
2 ~~opportunity scholarship awarded to an applicant with a~~
3 ~~disability shall be \$16,000.]~~

4 ~~(3) In no case shall the combined amount of the~~
5 ~~opportunity scholarship awarded to a recipient and any~~
6 ~~additional financial assistance provided to the recipient~~
7 ~~exceed the tuition rate and school related fees for the~~
8 ~~participating public school or participating nonpublic school~~
9 ~~that the recipient will attend.~~

10 ~~(f) Designation, reports and notices.~~

11 ~~* * *~~

12 ~~(5) (i) Each school that has been designated by the~~
13 ~~department as an economically disadvantaged school for an~~
14 ~~applicable school year shall notify the department by no~~
15 ~~later than [October 15] November 30 of the applicable~~
16 ~~school year of the following information for each~~
17 ~~recipient of a scholarship registered to attend the~~
18 ~~school for the applicable school year:~~

19 ~~(A) The recipient's name and address.~~

20 ~~(B) The grade of the recipient for the school~~
21 ~~year with respect to which the scholarship and~~
22 ~~tuition grant shall be received.~~

23 ~~(C) The type and amount of [scholarship]~~
24 ~~scholarships under this article entitled to~~
25 ~~educational tax credits that were received by the~~
26 ~~recipient.~~

27 ~~(D) The names and address of the recipient's~~
28 ~~parents or guardians.~~

29 ~~(E) The amount of tuition charged.~~

30 ~~(ii) The information submitted in this paragraph~~

1 ~~shall be provided to the [opportunity] scholarship~~
2 ~~organization for economically disadvantaged schools who~~
3 ~~shall distribute the money in accordance with section~~
4 ~~2003-B(d.3).~~

5 ~~(iii) Information submitted by a school designated~~
6 ~~by the department as an economically disadvantaged school~~
7 ~~shall remain confidential and shall not be subject to the~~
8 ~~act of February 14, 2008 (P.L.6, No.3), known as the~~
9 ~~Right to Know Law. The information can be used for~~
10 ~~administration of the program.~~

11 ~~Section 6. This act shall take effect July 1, 2022, or~~
12 ~~immediately, whichever is later.~~

13 SECTION 1. SECTION 121(C.1) (3) (I) (D) AND (D) OF THE ACT OF <--
14 MARCH 10, 1949 (P.L.30, NO.14), KNOWN AS THE PUBLIC SCHOOL CODE
15 OF 1949, ARE AMENDED AND THE SECTION IS AMENDED BY ADDING A
16 SUBSECTION TO READ:

17 SECTION 121. KEYSTONE EXAMS AND GRADUATION REQUIREMENTS.--*

18 * *

19 (C.1) NOTWITHSTANDING SECTION 2604-B(B) (2) (V), 22 PA. CODE §
20 4.24, 4.51 OR 4.51C OR ANY STATUTE OR REGULATION TO THE
21 CONTRARY, IN ANY SCHOOL YEAR IN WHICH A DEMONSTRATION OF
22 PROFICIENCY ON A KEYSTONE EXAM IS REQUIRED FOR HIGH SCHOOL
23 GRADUATION, A STUDENT SHALL BE DEEMED PROFICIENT IF THE STUDENT
24 DEMONSTRATES ONE OF THE FOLLOWING:

25 * * *

26 (3) SUCCESSFUL COMPLETION OF LOCALLY ESTABLISHED, GRADE-
27 BASED REQUIREMENTS FOR ACADEMIC CONTENT AREAS ASSOCIATED WITH
28 EACH KEYSTONE EXAM ON WHICH THE STUDENT DID NOT ACHIEVE AT LEAST
29 A PROFICIENT SCORE AND DEMONSTRATION OF THREE PIECES OF EVIDENCE
30 THAT REFLECT READINESS FOR MEANINGFUL POSTSECONDARY ENGAGEMENT

1 CONSISTENT WITH THE STUDENT'S GOALS AND CAREER PLAN, WHICH SHALL
2 INCLUDE:

3 (I) ONE OF THE FOLLOWING:

4 * * *

5 (D) ATTAINMENT OF AN INDUSTRY-RECOGNIZED CREDENTIAL [, AS
6 IDENTIFIED IN THE INDUSTRY CREDENTIAL RESOURCE BOOK OR IN THE
7 INDUSTRY-BASED LEARNING GUIDELINES COMPILED BY THE DEPARTMENT] .

8 * * *

9 (C.9A) NO LATER THAN THE BEGINNING OF THE 2022-2023 SCHOOL
10 YEAR, AN INDUSTRY-RECOGNIZED CREDENTIAL ATTAINED BY A STUDENT
11 SHALL BE INCLUDED ON THE STUDENT'S TRANSCRIPT.

12 * * *

13 (D) 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 "ACCREDITED FOUR-YEAR NONPROFIT INSTITUTION OF HIGHER
17 EDUCATION." ANY OF THE FOLLOWING:

18 (1) A UNIVERSITY WITHIN THE STATE SYSTEM OF HIGHER EDUCATION
19 UNDER ARTICLE XX-A.

20 (2) A STATE-RELATED INSTITUTION AS DEFINED IN SECTION 1502-
21 A.

22 (3) ANY ACCREDITED NONPROFIT PUBLIC, PRIVATE OR INDEPENDENT
23 COLLEGE OR UNIVERSITY THAT CONFERS FOUR-YEAR BACCALAUREATE
24 DEGREES.

25 "ACCREDITED NONPROFIT INSTITUTION OF HIGHER EDUCATION." ANY
26 OF THE FOLLOWING:

27 (1) A COMMUNITY COLLEGE OPERATING UNDER ARTICLE XIX-A.

28 (2) AN ACCREDITED FOUR-YEAR NONPROFIT INSTITUTION OF HIGHER
29 EDUCATION.

30 (3) ANY ACCREDITED NONPROFIT PUBLIC, PRIVATE OR INDEPENDENT

1 COLLEGE OR UNIVERSITY.

2 (4) THE THADDEUS STEVENS COLLEGE OF TECHNOLOGY.

3 "ACT." A STANDARDIZED TEST FOR THE ASSESSMENT OF COLLEGE
4 READINESS ADMINISTERED BY ACT.

5 "ACT WORKKEYS ASSESSMENT." AN ASSESSMENT OF WORKPLACE SKILLS
6 ADMINISTERED BY ACT.

7 "ADVANCED PLACEMENT PROGRAM." A PROGRAM AUTHORIZED BY THE
8 COLLEGE BOARD THAT ALLOWS A STUDENT TO STUDY COLLEGE-LEVEL
9 SUBJECTS WHILE ENROLLED IN HIGH SCHOOL AND TO RECEIVE ADVANCED
10 PLACEMENT AND COLLEGE CREDIT FOR EARNING A QUALIFIED SCORE ON
11 THE COURSE-RELATED ADVANCED PLACEMENT EXAM.

12 "APPROVED ALTERNATIVE ASSESSMENT." A SAT, PSAT, ACT OR ARMED
13 SERVICES VOCATIONAL APTITUDE BATTERY TEST.

14 "APPROVED INDUSTRY-BASED COMPETENCY ASSESSMENT." A NOCTI
15 EXAM, NIMS ASSESSMENT OR OTHER INDUSTRY-BASED COMPETENCY
16 ASSESSMENT IDENTIFIED BY THE SECRETARY OF EDUCATION AND APPROVED
17 BY THE STATE BOARD OF EDUCATION OR IDENTIFIED BY AN ACT OF THE
18 GENERAL ASSEMBLY.

19 "ARMED SERVICES VOCATIONAL APTITUDE BATTERY TEST." THE
20 APTITUDE TEST DEVELOPED AND MAINTAINED BY THE UNITED STATES
21 DEPARTMENT OF DEFENSE.

22 "CHIEF SCHOOL ADMINISTRATOR." THE SUPERINTENDENT OF A SCHOOL
23 DISTRICT, EXECUTIVE DIRECTOR OF AN INTERMEDIATE UNIT,
24 ADMINISTRATIVE DIRECTOR OF AN AREA CAREER AND TECHNICAL SCHOOL
25 OR CHIEF EXECUTIVE OFFICER OF A CHARTER SCHOOL, CYBER CHARTER
26 SCHOOL, REGIONAL CHARTER SCHOOL OR MULTIPLE CHARTER SCHOOL
27 ORGANIZATION.

28 "CONCURRENT ENROLLMENT COURSE." A COURSE IN WHICH A
29 SECONDARY STUDENT IS ENROLLED AND, UPON SUCCESSFUL COMPLETION OF
30 WHICH BOTH HIGH SCHOOL AND POSTSECONDARY CREDIT ARE EARNED.

1 "COOPERATIVE EDUCATION PROGRAM." A PROGRAM OF INSTRUCTION
2 WHEREBY STUDENTS ALTERNATE OR COORDINATE THEIR HIGH SCHOOL
3 STUDIES WITH A JOB IN A FIELD RELATED TO THEIR ACADEMIC OR
4 CAREER OBJECTIVES.

5 "CTE CONCENTRATOR." A STUDENT UNDER ARTICLE XVIII WHO, BY
6 THE END OF A REPORTING YEAR, WILL BE REPORTED AS SUCCESSFULLY
7 COMPLETING AT LEAST FIFTY PERCENT (50%) OF THE MINIMUM TECHNICAL
8 INSTRUCTIONAL HOURS REQUIRED UNDER 22 PA. CODE CH. 339 (RELATING
9 TO VOCATIONAL EDUCATION).

10 "DEPARTMENT." THE DEPARTMENT OF EDUCATION OF THE
11 COMMONWEALTH.

12 "ESTABLISHED SCORE." A SCORE RECOMMENDED BY THE SECRETARY
13 AND APPROVED BY THE STATE BOARD OF EDUCATION.

14 "GPA." GRADE POINT AVERAGE.

15 "INDUSTRY-RECOGNIZED CREDENTIAL." A CREDENTIAL IDENTIFIED IN
16 THE INDUSTRY CREDENTIAL RESOURCE BOOK OR IN THE INDUSTRY-BASED
17 LEARNING GUIDELINES COMPILED BY THE DEPARTMENT.

18 "INTERNATIONAL BACCALAUREATE DIPLOMA PROGRAM." AN
19 ACADEMICALLY CHALLENGING TWO-YEAR PRECOLLEGE DIPLOMA PROGRAM
20 COMPRISED OF THREE CORE REQUIREMENTS AND SIX ACADEMIC SUBJECT
21 AREAS WITH FINAL EXAMINATIONS THAT PREPARE STUDENTS SIXTEEN (16)
22 TO NINETEEN (19) YEARS OF AGE FOR HIGHER EDUCATION AND LIFE IN A
23 GLOBAL SOCIETY.

24 "NIMS ASSESSMENT." AN ASSESSMENT BASED ON THE NATIONAL
25 INSTITUTE FOR METALWORKING SKILLS STANDARDS.

26 "NOCTI EXAM." A NATIONAL OCCUPATIONAL COMPETENCY TESTING
27 INSTITUTE EXAM.

28 "POSTSECONDARY COURSE." A COURSE IN WHICH A SECONDARY
29 STUDENT IS ENROLLED AND, UPON SUCCESSFUL COMPLETION,
30 POSTSECONDARY CREDIT IS EARNED.

1 "PREAPPRENTICESHIP PROGRAM." AN APPRENTICESHIP PROGRAM
2 REGISTERED WITH THE PENNSYLVANIA APPRENTICESHIP AND TRAINING
3 COUNCIL.

4 "SAT." A STANDARDIZED TEST FOR THE ASSESSMENT OF COLLEGE
5 READINESS ADMINISTERED BY THE COLLEGE BOARD.

6 "SAT SUBJECT TEST." A STANDARDIZED TEST FOR THE ASSESSMENT
7 OF A SPECIFIC CONTENT AREA ADMINISTERED BY THE COLLEGE BOARD.

8 "SCHOOL ENTITY." A SCHOOL DISTRICT, INTERMEDIATE UNIT, AREA
9 CAREER AND TECHNICAL SCHOOL, CHARTER SCHOOL, CYBER CHARTER
10 SCHOOL, REGIONAL CHARTER SCHOOL OR MULTIPLE CHARTER SCHOOL
11 ORGANIZATION.

12 "SECRETARY." THE SECRETARY OF EDUCATION OF THE COMMONWEALTH.

13 SECTION 2. SECTION 121.1 OF THE ACT IS AMENDED TO READ:

14 SECTION 121.1. SPECIAL PROVISIONS APPLICABLE TO THE KEYSTONE
15 EXAMS, GRADUATION REQUIREMENTS AND ALTERNATIVE COMPETENCY
16 ASSESSMENT.--(A) FOR THE 2019-2020 SCHOOL YEAR AND ANY
17 SUBSEQUENT SCHOOL YEAR IN WHICH THE FEDERAL GOVERNMENT HAS
18 WAIVED THE TESTING AND ACCOUNTABILITY REQUIREMENTS OF THE
19 ELEMENTARY AND SECONDARY EDUCATION ACT OF 1965 (PUBLIC LAW 89-
20 10, 20 U.S.C. § 6301 ET SEQ.), AS AMENDED BY THE EVERY STUDENT
21 SUCCEEDS ACT (PUBLIC LAW 114-95, 129 STAT. 1802), ANY STUDENT
22 WHO COMPLETED A COURSE IN AN ACADEMIC CONTENT AREA ASSOCIATED
23 WITH A KEYSTONE EXAM SHALL NOT BE REQUIRED TO TAKE THE KEYSTONE
24 EXAM RELATED TO THAT COURSE AND SHALL BE DEEMED PROFICIENT FOR
25 PURPOSES OF SECTIONS 121 AND 2604-B(B)(2)(V) AND 22 PA. CODE §
26 4.24 (RELATING TO HIGH SCHOOL GRADUATION REQUIREMENTS), PROVIDED
27 THAT THE STUDENT DEMONSTRATES SUCCESSFUL COMPLETION OF LOCALLY
28 ESTABLISHED, GRADE-BASED REQUIREMENTS FOR THE ACADEMIC CONTENT
29 AREAS ASSOCIATED WITH EACH KEYSTONE EXAM.

30 (B) NOTWITHSTANDING SECTION 2604-B(B)(2)(V), 22 PA. CODE §

1 4.24, 4.51 (RELATING TO STATE ASSESSMENT SYSTEM) OR 4.51C
2 (RELATING TO PROJECT-BASED ASSESSMENT) OR ANY STATUTE OR
3 REGULATION TO THE CONTRARY, IN ANY SCHOOL YEAR IN WHICH A
4 DEMONSTRATION OF PROFICIENCY ON A KEYSTONE EXAM IS REQUIRED FOR
5 HIGH SCHOOL GRADUATION, A STUDENT SUBJECT TO THIS SECTION SHALL
6 BE DEEMED PROFICIENT IF THE STUDENT MEETS ALL OF THE FOLLOWING
7 REQUIREMENTS:

8 (1) DEMONSTRATES ATTAINMENT OF A SATISFACTORY COMPOSITE
9 SCORE OF AT LEAST 2939, USING THE HIGHEST SCORES ATTAINED BY THE
10 STUDENT ON TWO OF THE THREE KEYSTONE EXAMS IN ALGEBRA I,
11 LITERATURE AND BIOLOGY.

12 (2) ACHIEVES A MINIMUM SCORE OF PROFICIENT ON AT LEAST ONE
13 OF THE TWO KEYSTONE EXAMS AND A MINIMUM SCORE OF BASIC ON THE
14 OTHER KEYSTONE EXAM USED TO CALCULATE THE COMPOSITE SCORE UNDER
15 PARAGRAPH (1).

16 SECTION 3. SECTION 122(K) OF THE ACT IS AMENDED BY ADDING A
17 PARAGRAPH AND THE SECTION IS AMENDED BY ADDING A SUBSECTION TO
18 READ:

19 SECTION 122. SPECIAL EDUCATION FUNDING COMMISSION.--* * *

20 (K) * * *

21 (3) THE COMMISSION SHALL BE RECONSTITUTED JANUARY 15, 2024,
22 IN ACCORDANCE WITH SUBSECTION (C) AND SHALL MEET AND HOLD PUBLIC
23 HEARINGS TO REVIEW THE OPERATION OF THE SPECIAL EDUCATION
24 FUNDING PROVISIONS OF THIS SECTION, AND SHALL MAKE A FURTHER
25 REPORT AND SHALL ISSUE THE REPORT TO THE RECIPIENTS LISTED IN
26 SUBSECTION (I) (5) NO LATER THAN NOVEMBER 30, 2024. WHEN IN
27 RECEIPT OF THE REPORT RECOMMENDING CHANGES TO THE SPECIAL
28 EDUCATION FUNDING FORMULA, THE GENERAL ASSEMBLY SHALL CONSIDER
29 AND TAKE ACTION TO ENACT THE FORMULA INTO LAW IN ACCORDANCE WITH
30 SUBSECTION (J).

1 * * *

2 (M.1) THE INDEPENDENT FISCAL OFFICE SHALL COMPLETE A SURVEY
3 OF SCHOOL DISTRICT SPECIAL EDUCATION STUDENT COST DISTRIBUTION
4 IN CONJUNCTION WITH EACH RECONSTITUTION OF THE SPECIAL EDUCATION
5 FUNDING COMMISSION.

6 SECTION 4. THE ACT IS AMENDED BY ADDING A SECTION TO READ:

7 SECTION 123.1. COMMISSION ON EDUCATION AND ECONOMIC
8 COMPETITIVENESS.--(A) THE COMMISSION ON EDUCATION AND ECONOMIC
9 COMPETITIVENESS IS ESTABLISHED.

10 (B) MEMBERSHIP SHALL BE AS FOLLOWS:

11 (1) THE COMMISSION SHALL CONSIST OF THE FOLLOWING MEMBERS:

12 (I) THE SECRETARY OF EDUCATION.

13 (II) THE SECRETARY OF LABOR AND INDUSTRY.

14 (III) THE CHAIR AND MINORITY CHAIR OF THE EDUCATION
15 COMMITTEE OF THE SENATE AND THE CHAIR AND MINORITY CHAIR OF THE
16 EDUCATION COMMITTEE OF THE HOUSE OF REPRESENTATIVES.

17 (IV) THE CHAIR AND MINORITY CHAIR OF THE LABOR AND INDUSTRY
18 COMMITTEE OF THE SENATE AND THE CHAIR AND MINORITY CHAIR OF THE
19 LABOR AND INDUSTRY COMMITTEE OF THE HOUSE OF REPRESENTATIVES.

20 (V) TWO (2) LEGISLATORS FROM EACH OF THE FOUR (4) CAUCUSES
21 TO BE APPOINTED BY THE PRESIDENT PRO TEMPORE OF THE SENATE AND
22 THE SPEAKER OF THE HOUSE OF REPRESENTATIVES, IN CONSULTATION
23 WITH THE MAJORITY LEADER AND THE MINORITY LEADER OF THE SENATE
24 AND THE MAJORITY LEADER AND THE MINORITY LEADER OF THE HOUSE OF
25 REPRESENTATIVES.

26 (2) THE COMMISSION SHALL APPOINT A MEMBER TO SERVE AS CHAIR
27 OF THE COMMISSION AND SHALL DESIGNATE TWO (2) MEMBERS WHO SHALL
28 SERVE AS CHAIRS OF THE SUBCOMMITTEE.

29 (C) THE SUBCOMMITTEE ON EDUCATION PLANNING IS ESTABLISHED
30 WITHIN THE COMMISSION. THE SUBCOMMITTEE SHALL CONSULT WITH THE

1 COMMISSION FOR ADVISEMENT ON THE LONG-TERM EDUCATION GOALS OF
2 THE COMMONWEALTH, INCLUDING INTERIM GOALS. THE MEMBERSHIP OF THE
3 SUBCOMMITTEE SHALL CONSIST OF THE FOLLOWING MEMBERS:

4 (1) THE SECRETARY OF COMMUNITY AND ECONOMIC DEVELOPMENT OR A
5 DESIGNEE.

6 (2) THE DEPUTY SECRETARY OF THE OFFICE OF CHILD DEVELOPMENT
7 AND EARLY LEARNING.

8 (3) THE DEPUTY SECRETARY OF THE OFFICE OF ELEMENTARY AND
9 SECONDARY EDUCATION.

10 (4) THE DEPUTY SECRETARY OF THE OFFICE OF POSTSECONDARY AND
11 HIGHER EDUCATION.

12 (5) THE DEPUTY SECRETARY FOR WORKFORCE DEVELOPMENT.

13 (6) TWO (2) MEMBERS OF THE COMMISSION.

14 (7) ONE MEMBER REPRESENTING EACH OF THE FOLLOWING
15 ORGANIZATIONS:

16 (I) THE PENNSYLVANIA SCHOOL BOARDS ASSOCIATION.

17 (II) THE PENNSYLVANIA STATE EDUCATION ASSOCIATION.

18 (III) THE PENNSYLVANIA CHAPTER OF THE AMERICAN FEDERATION OF
19 TEACHERS.

20 (IV) THE PENNSYLVANIA ASSOCIATION OF SCHOOL BUSINESS
21 OFFICIALS.

22 (V) THE PENNSYLVANIA ASSOCIATION OF SCHOOL ADMINISTRATORS.

23 (VI) THE PENNSYLVANIA PRINCIPALS ASSOCIATION.

24 (VII) THE PENNSYLVANIA ASSOCIATION OF INTERMEDIATE UNITS.

25 (VIII) THE PENNSYLVANIA ASSOCIATION OF COLLEGES AND TEACHER
26 EDUCATORS.

27 (IX) THE PENNSYLVANIA ASSOCIATION OF RURAL AND SMALL
28 SCHOOLS.

29 (X) THE PENNSYLVANIA COALITION OF PUBLIC CHARTER SCHOOLS.

30 (XI) THE AFRICAN AMERICAN CHARTER SCHOOL COALITION.

1 (XII) THE PENNSYLVANIA CATHOLIC CONFERENCE.
2 (XIII) THE PENNSYLVANIA ASSOCIATION OF CAREER AND TECHNICAL
3 ADMINISTRATORS.
4 (XIV) THE PENNSYLVANIA ASSOCIATION OF INDEPENDENT SCHOOLS.
5 (XV) THE STATE SYSTEM OF HIGHER EDUCATION.
6 (XVI) THE PENNSYLVANIA COMMISSION FOR COMMUNITY COLLEGES.
7 (XVII) THE ASSOCIATION OF INDEPENDENT COLLEGES AND
8 UNIVERSITIES OF PENNSYLVANIA.
9 (XVIII) THE PENNSYLVANIA STATE UNIVERSITY.
10 (XIX) THE UNIVERSITY OF PITTSBURGH.
11 (XX) TEMPLE UNIVERSITY.
12 (XXI) LINCOLN UNIVERSITY.
13 (XXII) THADDEUS STEVENS COLLEGE OF TECHNOLOGY.
14 (XXIII) THE PENNSYLVANIA COLLEGE OF TECHNOLOGY.
15 (XXIV) THE PENNSYLVANIA CHAMBER OF BUSINESS AND INDUSTRY.
16 (XXV) THE PENNSYLVANIA AMERICAN FEDERATION OF LABOR AND
17 CONGRESS OF INDUSTRIAL ORGANIZATIONS.
18 (XXVI) THE MANUFACTURERS' ASSOCIATION.
19 (XXVII) THE NATIONAL FEDERATION OF INDEPENDENT BUSINESS
20 PENNSYLVANIA.
21 (XXVIII) THE PENNSYLVANIA FARM BUREAU.
22 (XXIX) THE HOSPITAL AND HEALTHSYSTEM ASSOCIATION OF
23 PENNSYLVANIA.
24 (XXX) THE SERVICE EMPLOYEES INTERNATIONAL UNION PENNSYLVANIA
25 STATE COUNCIL.
26 (XXXI) THE ARC OF PENNSYLVANIA.
27 (XXXII) THE NATIONAL ASSOCIATION FOR THE ADVANCEMENT OF
28 COLORED PEOPLE PENNSYLVANIA STATE CONFERENCE.
29 (XXXIII) THE SPANISH AMERICAN CIVIC ASSOCIATION.
30 (XXXIV) THE STATE LIBRARIAN.

1 (8) ANY MEMBERS ADDED BY THE COMMISSION UNDER SUBSECTION
2 (D).

3 (D) THE COMMISSION MAY ADD ADDITIONAL MEMBERSHIP TO THE
4 SUBCOMMITTEE AND CREATE SUBGROUPS WITHIN THE SUBCOMMITTEE.

5 (E) MEMBERS MAY NOT RECEIVE COMPENSATION FOR THEIR SERVICES
6 BUT SHALL BE REIMBURSED FOR NECESSARY TRAVEL AND OTHER
7 REASONABLE EXPENSES INCURRED IN CONNECTION WITH THE PERFORMANCE
8 OF THEIR DUTIES AS MEMBERS OF THE COMMISSION.

9 (F) THE FOLLOWING SHALL APPLY TO MEETINGS:

10 (1) THE COMMISSION SHALL HOLD ITS FIRST MEETING BY FEBRUARY
11 17, 2023, AND SHALL MEET NO LESS THAN QUARTERLY.

12 (2) THE SUBCOMMITTEE SHALL HOLD ITS FIRST MEETING BY MARCH
13 6, 2023, AND SHALL HOLD MONTHLY MEETINGS.

14 (G) THE COMMISSION AND SUBCOMMITTEE MAY UTILIZE THE
15 EXPERTISE OF A NONPROFIT ENTITY THAT HAS EXPERIENCE IN THE
16 CREATION OF LONG-TERM EDUCATION PLANNING EFFORTS. THE DEPARTMENT
17 OF EDUCATION, DEPARTMENT OF LABOR AND INDUSTRY AND DEPARTMENT OF
18 COMMUNITY AND ECONOMIC DEVELOPMENT SHALL PAY EQUAL SHARES OF THE
19 COSTS ASSOCIATED WITH THIS SUBSECTION AT THE REQUEST OF THE
20 COMMISSION FROM MONEY APPROPRIATED FOR GENERAL GOVERNMENT
21 OPERATIONS.

22 (H) THE GENERAL ASSEMBLY, DEPARTMENT OF EDUCATION,
23 DEPARTMENT OF LABOR AND INDUSTRY AND DEPARTMENT OF COMMUNITY AND
24 ECONOMIC DEVELOPMENT SHALL PROVIDE ADMINISTRATIVE SUPPORT,
25 MEETING SPACE AND ANY OTHER ASSISTANCE REQUIRED BY THE
26 COMMISSION TO CARRY OUT ITS DUTIES UNDER THIS SECTION.

27 (I) THE DEPARTMENT OF EDUCATION, DEPARTMENT OF LABOR AND
28 INDUSTRY AND THE DEPARTMENT OF COMMUNITY AND ECONOMIC
29 DEVELOPMENT AND ANY OTHER COMMONWEALTH AGENCY SHALL PROVIDE THE
30 COMMISSION WITH DATA, RESEARCH AND OTHER INFORMATION UPON

1 REQUEST.

2 (J) THE FOLLOWING SHALL APPLY TO DUTIES:

3 (1) THE SUBCOMMITTEE SHALL HOLD MONTHLY MEETINGS TO MAKE
4 RECOMMENDATIONS REGARDING LONG-TERM EDUCATIONAL GOALS FOR THE
5 FOLLOWING:

6 (I) EARLY CHILDHOOD EDUCATION AND NECESSARY SUPPORTS.

7 (II) AN ALIGNED INSTRUCTIONAL SYSTEM WITH SPECIAL ATTENTION
8 TO CURRICULUM, ASSESSMENT, PEDAGOGICAL APPROACH AND STANDARDS
9 THAT SPAN EARLY CHILDHOOD EDUCATION THROUGH CAREER AND TECHNICAL
10 EDUCATION AND HIGHER EDUCATION.

11 (III) EDUCATION ENVIRONMENTS THAT ARE CONDUCIVE FOR EACH
12 STUDENT TO LEARN, INCLUDING SCHOOL INFRASTRUCTURE.

13 (IV) EQUITABLE ACCESS TO EDUCATION AND EDUCATIONAL RESOURCES
14 TO ENSURE THAT STUDENTS WITH UNIQUE NEEDS ARE SUCCESSFUL.

15 (V) A HOLISTIC APPROACH TO EDUCATION THAT INCLUDES A FOCUS
16 ON DEVELOPMENT OF WELL-ROUNDED INDIVIDUALS THROUGH RESEARCH
17 BASED COMPETENCIES AND DISPOSITIONS ASSOCIATED WITH
18 POSTSECONDARY EDUCATION, CAREER AND LIFE-READINESS.

19 (VI) PROFESSIONAL WORK ENVIRONMENTS FOR EDUCATORS, SUPPORT
20 STAFF AND SCHOOL EMPLOYEES IN KINDERGARTEN THROUGH GRADE TWELVE
21 SCHOOLS.

22 (VII) CREATION OF A LEADERSHIP DEVELOPMENT SYSTEM FOR
23 KINDERGARTEN THROUGH GRADE TWELVE SCHOOLS.

24 (VIII) RECRUITMENT AND ATTAINMENT OF HIGH-PERFORMING
25 EDUCATORS.

26 (IX) COMMUNITY PARTNERSHIPS IN THE EDUCATION SYSTEM.

27 (X) MEETING THE EMPLOYMENT NEEDS OF THIS COMMONWEALTH.

28 (XI) CREATION OF A SYSTEM THAT EFFECTIVELY RE-TOOLS
29 DISPLACED WORKERS.

30 (XII) ADDRESSING THE IMPACT OF THIS COMMONWEALTH'S CHANGING

1 DEMOGRAPHICS.

2 (XIII) EFFECTIVE GOVERNANCE AND ACCOUNTABILITY.

3 (2) THE SUBCOMMITTEE SHALL HOLD A SERIES OF HEARINGS
4 THROUGHOUT THIS COMMONWEALTH TO GATHER FEEDBACK ON STATED TOPICS
5 FROM REPRESENTATIVES OF THIS COMMONWEALTH'S MAJOR INDUSTRIES,
6 INCLUDING AGRICULTURE, HEALTH CARE, BANKING, STEEL, INDUSTRIAL
7 MACHINERY AND PUBLISHING.

8 (3) THE SUBCOMMITTEE SHALL MAKE REGULAR REPORTS TO THE
9 COMMISSION AND ISSUE A FINAL REPORT WITH LEGISLATIVE
10 RECOMMENDATIONS WITHIN TWELVE (12) MONTHS OF THE SUBCOMMITTEE'S
11 CREATION.

12 (4) THE SUBCOMMITTEE SHALL INCLUDE IN ITS REPORT UNDER
13 PARAGRAPH (3) RECOMMENDATIONS ON PARENT AND COMMUNITY
14 PARTICIPATION IN THE EDUCATION SYSTEM AND THE CHALLENGES AND
15 OPPORTUNITIES PENNSYLVANIA'S CHANGING DEMOGRAPHICS PRESENT TO
16 THE COMMONWEALTH'S EDUCATION SYSTEM.

17 (5) UPON RECEIPT OF THE REPORT FROM THE SUBCOMMITTEE, THE
18 COMMISSION SHALL SEEK PUBLIC COMMENT ON THE PROPOSED LONG-TERM
19 VISION FOR A PERIOD THAT IS NO LESS THAN THREE (3) MONTHS AND
20 ISSUE A FINAL REPORT WITH LEGISLATIVE RECOMMENDATIONS TO THE
21 GENERAL ASSEMBLY WITHIN EIGHTEEN (18) MONTHS OF THE COMMISSION'S
22 CREATION.

23 (6) UPON THE ISSUANCE OF THE FINAL REPORT UNDER PARAGRAPH
24 (5), THE COMMISSION AND THE SUBCOMMITTEE SHALL TERMINATE AND THE
25 UTILIZATION OF THE EXPERTISE OF A NONPROFIT ENTITY UNDER
26 SUBSECTION (G) SHALL TERMINATE.

27 (7) UPON THE START OF THE FIRST LEGISLATIVE SESSION OF EACH
28 DECADE, THE COMMISSION AND SUBCOMMITTEE SHALL BE RECONSTITUTED
29 IN ACCORDANCE WITH THIS SECTION AND SHALL PERFORM THE
30 REQUIREMENTS OF THIS SECTION.

1 (K) AS USED IN THIS SECTION, THE FOLLOWING WORDS AND PHRASES
2 SHALL HAVE THE MEANINGS GIVEN TO THEM IN THIS SUBSECTION UNLESS
3 THE CONTEXT CLEARLY INDICATES OTHERWISE:

4 "COMMISSION." THE COMMISSION ON EDUCATION AND ECONOMIC
5 COMPETITIVENESS.

6 "SUBCOMMITTEE." THE SUBCOMMITTEE ON EDUCATION PLANNING.

7 SECTION 5. SECTION 732.1(A) OF THE ACT, AMENDED JUNE 30,
8 2021 (P.L.158, NO.26), IS AMENDED TO READ:

9 SECTION 732.1. LIMITATION ON NEW APPLICATIONS FOR DEPARTMENT
10 OF EDUCATION APPROVAL OF PUBLIC SCHOOL BUILDING PROJECTS.--(A)
11 FOR THE 2012-2013 FISCAL YEAR, 2013-2014 FISCAL YEAR, 2017-2018
12 FISCAL YEAR, 2018-2019 FISCAL YEAR, 2019-2020 FISCAL YEAR, 2020-
13 2021 FISCAL YEAR [AND], 2021-2022 FISCAL YEAR AND 2022-2023
14 FISCAL YEAR, THE DEPARTMENT OF EDUCATION SHALL NOT ACCEPT OR
15 APPROVE NEW SCHOOL BUILDING CONSTRUCTION OR RECONSTRUCTION
16 PROJECT APPLICATIONS.

17 * * *

18 SECTION 6. THE ACT IS AMENDED BY ADDING SECTIONS TO READ:

19 SECTION 1115. LOCALLY TITLED POSITIONS.--IN A SCHOOL
20 DISTRICT WHERE AN APPOINTMENT UNDER SECTION 695-A HAS BEEN MADE
21 AT ANY TIME, AN INDIVIDUAL EMPLOYED BY A SCHOOL DISTRICT PRIOR
22 TO JANUARY 1, 2012, AND SERVING IN THE POSITION OF MENTAL HEALTH
23 SPECIALIST, BEHAVIORAL SPECIALIST OR SIMILAR LOCALLY TITLED
24 POSITION MAY CONTINUE TO SERVE IN THAT POSITION UNDER THE DIRECT
25 SUPERVISION OF A CERTIFIED SCHOOL SOCIAL WORKER AS LONG AS THE
26 INDIVIDUAL REMAINS IN THE POSITION WITH THE SAME SCHOOL
27 DISTRICT.

28 SECTION 1204.3. OUT-OF-STATE APPLICANTS FOR CAREER AND
29 TECHNICAL EDUCATION CERTIFICATION.--(A) THE DEPARTMENT OF
30 EDUCATION SHALL ISSUE A COMPARABLE CAREER AND TECHNICAL

1 INSTRUCTIONAL I CERTIFICATE TO AN OUT-OF-STATE CANDIDATE WHO
2 SATISFIES THE FOLLOWING:

3 (1) THE CANDIDATE HOLDS A VALID AND CURRENT CAREER AND
4 TECHNICAL INSTRUCTIONAL CERTIFICATE OR EQUIVALENT CERTIFICATE
5 ISSUED BY ANOTHER STATE.

6 (2) THE CANDIDATE HAS COMPLETED A MINIMUM OF FOUR (4) YEARS
7 WAGE-EARNING EXPERIENCE IN THE OCCUPATION TO BE TAUGHT.

8 (3) THE CANDIDATE HAS AT LEAST TWO (2) YEARS OF CLASSROOM
9 TEACHING EXPERIENCE AND PROVIDES EVIDENCE OF SATISFACTORY
10 PROFESSIONAL EDUCATOR PERFORMANCE FOR THE CANDIDATE'S TWO (2)
11 MOST RECENT YEARS OF CLASSROOM TEACHING.

12 (4) THE CANDIDATE MEETS ALL REQUIREMENTS IN 22 PA CODE §
13 49.12 (RELATING TO ELIGIBILITY).

14 (B) A CAREER AND TECHNICAL INSTRUCTIONAL I CERTIFICATE
15 ISSUED UNDER SUBSECTION (A) SHALL BE VALID FOR EIGHT (8) ANNUAL
16 SCHOOL TERMS AND SHALL BE CONVERTED TO A CAREER AND TECHNICAL
17 INSTRUCTIONAL II CERTIFICATE IN ACCORDANCE WITH 22 PA. CODE §
18 49.143 (RELATING TO VOCATIONAL INSTRUCTIONAL II).

19 (C) AN OUT-OF-STATE CANDIDATE WHO IS SEEKING A CAREER AND
20 TECHNICAL INSTRUCTIONAL I CERTIFICATE AND MEETS THE REQUIREMENTS
21 OF SUBSECTION (A) SHALL BE ISSUED A CAREER AND TECHNICAL
22 INSTRUCTIONAL I CERTIFICATE ON AN EXPEDITED BASIS IN ACCORDANCE
23 WITH THIS SECTION.

24 SECTION 7. SECTION 1205.2 HEADING OF THE ACT IS AMENDED AND
25 THE SECTION IS AMENDED BY ADDING SUBSECTIONS TO READ:

26 SECTION 1205.2. PROGRAM OF CONTINUING PROFESSIONAL AND
27 PARAPROFESSIONAL EDUCATION.--* * *

28 (N.4) BEGINNING ON THE EFFECTIVE DATE OF THIS SUBSECTION AND
29 NOTWITHSTANDING ANY OTHER PROVISION OF THIS SECTION, EACH
30 PROFESSIONAL EDUCATOR'S CURRENT CONTINUING PROFESSIONAL

1 EDUCATION COMPLIANCE PERIOD UNDER SUBSECTION (A) SHALL BE
2 EXTENDED BY ONE YEAR. THIS SUBSECTION SHALL EXPIRE ONE YEAR FROM
3 THE EFFECTIVE DATE OF THIS SUBSECTION.

4 (N.5) BEGINNING ON THE EFFECTIVE DATE OF THIS SUBSECTION AND
5 NOTWITHSTANDING ANY OTHER PROVISION OF LAW TO THE CONTRARY, THE
6 DEADLINE BY WHICH ANY PARAPROFESSIONAL EMPLOYED BY A SCHOOL
7 ENTITY AS DEFINED IN 22 PA. CODE § 14.101 (RELATING TO
8 DEFINITIONS) AS OF MARCH 13, 2020, MUST SATISFY STAFF
9 DEVELOPMENT ACTIVITY HOUR REQUIREMENTS UNDER 22 PA. CODE §
10 14.105 (RELATING TO PERSONNEL) SHALL BE EXTENDED UNTIL JUNE 30,
11 2023. THIS SUBSECTION SHALL EXPIRE ONE YEAR FROM THE EFFECTIVE
12 DATE OF THIS SUBSECTION.

13 * * *

14 SECTION 8. SECTION 1205.5 OF THE ACT IS AMENDED BY ADDING A
15 SUBSECTION TO READ:

16 SECTION 1205.5. CONTINUING PROFESSIONAL EDUCATION FOR SCHOOL
17 OR SYSTEM LEADERS.--* * *

18 (I) BEGINNING ON THE EFFECTIVE DATE OF THIS SUBSECTION AND
19 NOTWITHSTANDING ANY OTHER PROVISION OF THIS SECTION, THE
20 REQUIREMENTS OF SUBSECTION (A) SHALL BE SUSPENDED FOR ONE YEAR.
21 THIS SUBSECTION SHALL EXPIRE ONE YEAR FROM THE EFFECTIVE DATE OF
22 THIS SUBSECTION.

23 SECTION 9. THE ACT IS AMENDED BY ADDING A SECTION TO READ:

24 SECTION 1205.8. TEACHER SUPPORT IN THE STRUCTURED LITERACY
25 PROGRAM.--(A) (1) IT IS THE INTENT OF THE GENERAL ASSEMBLY
26 THAT TEACHERS BE EQUIPPED TO FACILITATE HIGH-QUALITY READING
27 INSTRUCTION GROUNDED IN STRUCTURED LITERACY AND INTERVENTION
28 SERVICES TO ADDRESS STUDENT READING NEEDS.

29 (2) THE PROGRAM PROVIDED IN THIS SECTION WILL ASSIST
30 PARTICIPATING SCHOOL ENTITIES IN PROVIDING PROFESSIONAL

1 DEVELOPMENT FOR TEACHERS IN FOUNDATIONAL SKILLS AND
2 INSTRUCTIONAL INTERVENTIONS BASED ON STRUCTURED LITERACY AND
3 PROVIDING OPPORTUNITIES FOR SCHOOL PERSONNEL TO SERVE AS READING
4 COACHES TO SUPPORT TEACHERS IN DELIVERING HIGH-QUALITY READING
5 INSTRUCTION.

6 (B) (1) BEGINNING WITH THE 2022-2023 SCHOOL YEAR, THE
7 DEPARTMENT SHALL ESTABLISH A PROGRAM OF PROFESSIONAL DEVELOPMENT
8 AND APPLIED PRACTICE IN STRUCTURED LITERACY FOR SCHOOL PERSONNEL
9 THAT INCLUDES IN-CLASS DEMONSTRATION, MODELING AND COACHING
10 SUPPORT TO IMPROVE READING AND LITERACY OUTCOMES.

11 (2) SCHOOL PERSONNEL SELECTED BY THE PARTICIPATING SCHOOL
12 ENTITY TO SERVE AS PROFESSIONAL COACHES FOR THIS PROGRAM MUST
13 HAVE AT LEAST FIVE YEARS OF EXPERIENCE IN TEACHING OF READING
14 AND BE ABLE TO DEMONSTRATE THEIR SKILLS IN THE INSTRUCTION OF
15 AND INTERVENTION WITH STUDENTS, INCLUDING THOSE WITH DYSLEXIA
16 AND OTHER LANGUAGE-RELATED DISABILITIES.

17 (3) THE DEPARTMENT MAY CONTRACT WITH MULTIPLE SERVICE
18 PROVIDERS, INCLUDING SCHOOL ENTITIES AND INSTITUTIONS OF HIGHER
19 EDUCATION WITH DEMONSTRATED EXPERIENCE IN STRUCTURED LITERACY,
20 TO DEVELOP AND IMPLEMENT THE PROGRAM SO THAT EXPERIENCED SUPPORT
21 IS AVAILABLE LOCALLY.

22 (4) A SERVICE PROVIDER, INCLUDING A SCHOOL ENTITY OR
23 APPROVED EDUCATOR PREPARATION PROGRAM THAT DEMONSTRATES
24 SUCCESSFUL IMPLEMENTATION OF LITERACY OUTCOMES IS ELIGIBLE TO
25 PROVIDE PROFESSIONAL DEVELOPMENT AND ONSITE DEMONSTRATION AND
26 COACHING SUPPORT IN THE PROGRAM.

27 (5) A PARTICIPATING SCHOOL ENTITY SHALL ADOPT HIGH-QUALITY
28 INSTRUCTIONAL MATERIALS GROUNDED IN SCIENTIFIC-BASED READING
29 RESEARCH IN ACCORDANCE WITH THE STATE ACADEMIC STANDARDS
30 APPROVED BY THE STATE BOARD OF EDUCATION.

1 (C) (1) THE CONTINUING PROFESSIONAL EDUCATION PLAN OF EACH
2 SCHOOL ENTITY SHALL SATISFY THE CONTINUING EDUCATION
3 REQUIREMENTS OF 22 PA. CODE § 49.17 (RELATING TO CONTINUING
4 PROFESSIONAL EDUCATION), INCLUDING TRAINING IN STRUCTURED
5 LITERACY FOR PROFESSIONAL EMPLOYES WHO HOLD INSTRUCTIONAL
6 CERTIFICATES IN EARLY CHILDHOOD, ELEMENTARY-MIDDLE LEVEL,
7 SPECIAL EDUCATION-PK-12, ENGLISH AS A SECOND LANGUAGE AND
8 READING SPECIALIST. TO ENSURE THAT SCHOOL PERSONNEL HAVE THE
9 KNOWLEDGE AND SKILL TO TEACH ALL STUDENTS TO READ, INCLUDING
10 STUDENTS WITH DYSLEXIA AND OTHER LANGUAGE-BASED LEARNING
11 DISABILITIES, TRAINING SHALL ADDRESS, BUT SHALL NOT BE LIMITED
12 TO:

13 (I) EVIDENCE-BASED INTERVENTION PRACTICES ON STRUCTURED
14 LITERACY.

15 (II) EXPLICIT AND SYSTEMATIC INSTRUCTION IN PHONOLOGICAL AND
16 PHONEMIC AWARENESS.

17 (III) THE ALPHABETIC PRINCIPLE, DECODING AND ENCODING,
18 FLUENCY AND VOCABULARY.

19 (IV) READING COMPREHENSION AND BUILDING CONTENT KNOWLEDGE.

20 (2) SCHOOL EMPLOYES REQUIRED TO UNDERGO CONTINUING
21 PROFESSIONAL EDUCATION UNDER SECTION 1205.2 OR 1205.5 SHALL
22 RECEIVE CREDIT TOWARD THE SCHOOL EMPLOYEE'S CONTINUING
23 PROFESSIONAL EDUCATION REQUIREMENTS IF THE TRAINING PROGRAM HAS
24 BEEN APPROVED BY THE DEPARTMENT.

25 (D) THE DEPARTMENT SHALL CREATE AND PROVIDE GUIDELINES TO
26 DESCRIBE THE STANDARD COMPONENTS FOR PROFESSIONAL DEVELOPMENT
27 NEEDED FOR STRUCTURED LITERACY INSTRUCTION, INCLUDING REQUIRED
28 CONTENT KNOWLEDGE, AND ESTABLISH CRITERIA BY WHICH READING AND
29 LITERACY OUTCOMES MAY BE MEASURED.

30 (E) THE DEPARTMENT SHALL DEVELOP READING LITERACY SKILLS

1 STANDARDS FOR USE BY EDUCATOR PREPARATION PROGRAMS THAT PREPARE
2 CANDIDATES TO EARN AN INSTRUCTIONAL CERTIFICATE IN EARLY
3 CHILDHOOD, ELEMENTARY-MIDDLE LEVEL, SPECIAL EDUCATION-PK-12,
4 ENGLISH AS A SECOND LANGUAGE AND READING SPECIALIST. THE
5 STANDARDS SHALL INCLUDE, AT A MINIMUM, INSTRUCTION ON THE
6 FOLLOWING:

7 (1) EFFECTIVELY TEACHING THE READING LITERACY SKILLS OF
8 PHONEMIC AWARENESS, PHONICS, FLUENCY, VOCABULARY AND
9 COMPREHENSION.

10 (2) DIFFERENTIATING INSTRUCTION FOR TEACHING STUDENTS WITH
11 ADVANCED READING SKILLS AND STUDENTS WITH DYSLEXIA OR OTHER
12 LANGUAGE-BASED LEARNING DISABILITIES.

13 (3) IDENTIFYING AND TEACHING STUDENTS WITH DYSLEXIA AND
14 OTHER LANGUAGE-BASED LEARNING DISABILITIES USING APPROPRIATE
15 SCIENTIFIC RESEARCH AND BRAIN-BASED MULTISENSORY INTERVENTION
16 METHODS AND STRATEGIES.

17 (4) IMPLEMENTING READING INSTRUCTION USING HIGH-QUALITY
18 INSTRUCTIONAL MATERIALS.

19 (5) USING DEVELOPMENTALLY APPROPRIATE SUPPORTS TO ENSURE
20 THAT STUDENTS CAN EFFECTIVELY ACCESS READING INSTRUCTION.

21 (6) ADMINISTERING UNIVERSAL READING SCREENERS TO STUDENTS.

22 (F) BEGINNING AUGUST 1, 2024, AN APPROVED EDUCATOR
23 PREPARATION PROGRAM SHALL PROVIDE CANDIDATES SEEKING
24 CERTIFICATION IN EARLY CHILDHOOD, ELEMENTARY-MIDDLE LEVEL,
25 SPECIAL EDUCATION-PK-12, ENGLISH AS A SECOND LANGUAGE AND
26 READING SPECIALIST WITH TRAINING ON READING INSTRUCTION FOCUSED
27 PRIMARILY ON THE READING LITERACY SKILLS STANDARDS DEVELOPED
28 UNDER SUBSECTION (E).

29 (G) AS USED IN THIS SECTION, THE FOLLOWING WORDS AND PHRASES
30 SHALL HAVE THE MEANINGS GIVEN TO THEM IN THIS SUBSECTION UNLESS

1 THE CONTEXT CLEARLY INDICATES OTHERWISE:

2 "APPROVED EDUCATOR PREPARATION PROGRAM." A SEQUENCE OF
3 COURSES AND EXPERIENCES OFFERED BY A PREPARING INSTITUTION OR
4 ALTERNATIVE PROVIDER THAT IS REVIEWED AND APPROVED BY THE
5 DEPARTMENT.

6 "CHIEF SCHOOL ADMINISTRATOR." THE SUPERINTENDENT OF A SCHOOL
7 DISTRICT, EXECUTIVE DIRECTOR OF AN INTERMEDIATE UNIT,
8 ADMINISTRATIVE DIRECTOR OF AN AREA CAREER AND TECHNICAL SCHOOL
9 OR CHIEF EXECUTIVE OFFICER OF A CHARTER SCHOOL, CYBER CHARTER
10 SCHOOL OR REGIONAL CHARTER SCHOOL.

11 "DEPARTMENT." THE DEPARTMENT OF EDUCATION OF THE
12 COMMONWEALTH.

13 "PARTICIPATING SCHOOL ENTITY." A SCHOOL ENTITY THAT ELECTS
14 TO TAKE PART IN THE STRUCTURED LITERACY PROGRAM.

15 "SCHOOL ENTITY." A SCHOOL DISTRICT, INTERMEDIATE UNIT, AREA
16 CAREER AND TECHNICAL SCHOOL, CHARTER SCHOOL, CYBER CHARTER
17 SCHOOL OR REGIONAL CHARTER SCHOOL.

18 "STRUCTURED LITERACY." SYSTEMIC, EXPLICIT INSTRUCTION THAT:

19 (1) PROVIDES A STRONG CORE OF FOUNDATIONAL SKILLS IN THE
20 LANGUAGE SYSTEMS OF ENGLISH;

21 (2) INTEGRATES LISTENING, SPEAKING, READING, SPELLING AND
22 WRITING; AND

23 (3) EMPHASIZES THE STRUCTURE OF LANGUAGE ACROSS THE SPEECH
24 SOUND SYSTEM, THE WRITING SYSTEM, THE STRUCTURE OF SENTENCES,
25 THE MEANINGFUL PARTS OF WORDS, THE RELATIONSHIP AMONG WORDS AND
26 THE ORGANIZATION OF SPOKEN AND WRITTEN DISCOURSE.

27 SECTION 10. SECTION 1206 OF THE ACT IS REPEALED:

28 [SECTION 1206. CERTIFICATES ISSUED BY OTHER STATES.-- (A)
29 CANDIDATES HOLDING A VALID INSTRUCTIONAL CERTIFICATE ISSUED BY
30 ANOTHER STATE MAY BE ELIGIBLE FOR COMPARABLE PENNSYLVANIA

1 CERTIFICATION PROVIDED THAT THE CANDIDATE MEETS THE FOLLOWING
2 REQUIREMENTS:

3 (1) HOLDS A BACHELOR'S DEGREE FROM AN ACCREDITED COLLEGE OR
4 UNIVERSITY.

5 (2) HAS AT LEAST TWO (2) YEARS OF SUCCESSFUL CLASSROOM
6 EXPERIENCE.

7 (3) DEMONSTRATES SUBJECT MATTER COMPETENCY IN THE APPLICABLE
8 AREA OF PENNSYLVANIA CERTIFICATION.

9 (4) SATISFIES THE REQUIREMENTS OF SECTION 1209.

10 (B) THE SECRETARY OF EDUCATION SHALL ADOPT STANDARDS AND
11 GUIDELINES AS NECESSARY TO IMPLEMENT THIS SECTION.

12 (C) NOTHING IN THIS SECTION SHALL BE CONSTRUED TO PROHIBIT
13 THE SECRETARY OF EDUCATION FROM CERTIFYING OUT-OF-STATE
14 APPLICANTS IN ACCORDANCE WITH REGULATIONS OF THE DEPARTMENT OF
15 EDUCATION OR THE STATE BOARD OF EDUCATION.]

16 SECTION 11. THE ACT IS AMENDED BY ADDING SECTIONS TO READ:

17 SECTION 1206.1. OUT-OF-STATE APPLICANTS FOR CERTIFICATION.--

18 (A) THE DEPARTMENT OF EDUCATION SHALL ISSUE A COMPARABLE
19 PENNSYLVANIA CERTIFICATE TO AN OUT-OF-STATE CANDIDATE WHO
20 SATISFIES ONE OF THE FOLLOWING:

21 (1) HOLDS A VALID AND CURRENT INSTRUCTIONAL CERTIFICATE
22 ISSUED BY ANOTHER STATE AND SATISFIES THE FOLLOWING:

23 (I) COMPLETION OF A COLLEGE OR UNIVERSITY EDUCATOR
24 PREPARATION PROGRAM APPROVED BY THE CERTIFYING STATE AND
25 SATISFACTION OF TESTING REQUIREMENTS DEMONSTRATING SUBJECT
26 MATTER COMPETENCY IN THE APPLICABLE AREA OF PENNSYLVANIA
27 CERTIFICATION, INCLUDING PASSAGE OF RELATED CONTENT TESTS
28 REQUIRED BY THE CERTIFYING STATE AND FIELD EXPERIENCE.

29 (II) HAS TAUGHT ON THE OUT-OF-STATE CERTIFICATE AND
30 PRESENTED TO THE DEPARTMENT EVIDENCE OF SATISFACTORY

1 PROFESSIONAL EDUCATOR EXPERIENCE FOR THE CANDIDATE'S TWO MOST
2 RECENT YEARS OF CLASSROOM TEACHING.

3 (2) HOLDS A VALID CERTIFICATE ISSUED BY THE NATIONAL BOARD
4 FOR PROFESSIONAL TEACHING STANDARDS. A CANDIDATE WITH A
5 CERTIFICATE SHALL BE GRANTED THE HIGHEST-LEVEL PENNSYLVANIA
6 CERTIFICATION AVAILABLE IN THE CANDIDATE'S AREA OF
7 CERTIFICATION.

8 (B) AN OUT-OF-STATE CANDIDATE WHO SATISFIES THE REQUIREMENTS
9 OF SUBSECTION (A) MUST ALSO SATISFY THIS COMMONWEALTH'S
10 REQUIREMENTS UNDER SECTIONS 1202 AND 1209.

11 (C) AN OUT-OF-STATE CANDIDATE WHO IS SEEKING PENNSYLVANIA
12 CERTIFICATION IN A SUBJECT IDENTIFIED BY THE DEPARTMENT AS A
13 SHORTAGE AREA AND MEETS THE REQUIREMENTS OF SUBSECTIONS (A) AND
14 (B) SHALL BE ISSUED THE APPROPRIATE CERTIFICATE ON AN EXPEDITED
15 BASIS IN ACCORDANCE WITH THIS SECTION.

16 SECTION 1220. PREKINDERGARTEN THROUGH GRADE TWELVE DANCE
17 CERTIFICATE.--(A) THE DEPARTMENT SHALL DEVELOP AN INSTRUCTIONAL
18 CERTIFICATE IN PREKINDERGARTEN THROUGH GRADE TWELVE DANCE IN
19 ACCORDANCE WITH PROFESSIONAL PERSONNEL CERTIFICATE PROCEDURES
20 FOR CREATION OF A NEW CERTIFICATE AREA.

21 (B) THIS SECTION SHALL NOT APPLY TO AN INDIVIDUAL WHO:

22 (1) HAS A CURRENT DANCE TEACHING CERTIFICATE RECOGNIZED OR
23 ISSUED BY THE DEPARTMENT PRIOR TO THE EFFECTIVE DATE OF THIS
24 SECTION;

25 (2) IS IN THE PROCESS OF OBTAINING A DANCE TEACHING
26 CERTIFICATE FROM THE DEPARTMENT IN ACCORDANCE WITH PROCEDURES
27 ESTABLISHED BY THE DEPARTMENT PRIOR TO THE EFFECTIVE DATE OF
28 THIS SECTION; OR

29 (3) IS TEACHING DANCE TO STUDENTS AS PART OF AN
30 EXTRACURRICULAR ACTIVITY, INCLUDING, BUT NOT LIMITED TO, A

1 MUSICAL OR DANCE TEAM.

2 (C) AS USED IN THIS SECTION, THE FOLLOWING WORDS AND PHRASES
3 SHALL HAVE THE MEANINGS GIVEN TO THEM IN THIS SUBSECTION UNLESS
4 THE CONTEXT CLEARLY INDICATES OTHERWISE:

5 "DEPARTMENT." THE DEPARTMENT OF EDUCATION OF THE
6 COMMONWEALTH.

7 SECTION 12. THE DEFINITION OF "SCHOOL YEAR" IN SECTION 1326
8 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 "SCHOOL YEAR" SHALL HAVE THE SAME MEANING AS "SCHOOL TERM" AS
13 DEFINED IN SECTION 102, AS APPLICABLE TO A SCHOOL DISTRICT, AND
14 AS FURTHER DEFINED IN SECTION 1327(B) FOR A DAY SCHOOL WHICH IS
15 OPERATED BY A BONA FIDE CHURCH OR OTHER RELIGIOUS BODY, SECTION
16 [1327.1(C)] 1327(C) FOR A DAY SCHOOL OR BOARDING SCHOOL
17 ACCREDITED BY AN ACCREDITING ASSOCIATION WHICH IS APPROVED BY
18 THE STATE BOARD OF EDUCATION, SECTION [1327.1(D)] 1327.1(C) FOR
19 A HOME EDUCATION PROGRAM, SECTIONS 1501 AND 1504 FOR A PUBLIC
20 SCHOOL OR A SCHOOL DISTRICT, SECTION 1715-A(9) FOR A CHARTER
21 SCHOOL, SECTION 1749-A(A) (1) FOR A CYBER CHARTER SCHOOL AND
22 SECTION 1718-A(C) FOR A REGIONAL CHARTER SCHOOL.

23 * * *

24 SECTION 13. SECTION 1327.1 OF THE ACT IS AMENDED BY ADDING
25 SUBSECTIONS TO READ:

26 SECTION 1327.1. HOME EDUCATION PROGRAM.--* * *

27 (F.2) (1) BEGINNING WITH THE 2023-2024 SCHOOL YEAR AND EACH
28 SCHOOL YEAR THEREAFTER, THE SCHOOL DISTRICT OF RESIDENCE SHALL
29 DEVELOP POLICIES AND PROCEDURES TO PERMIT A CHILD WHO IS
30 ENROLLED IN A HOME EDUCATION PROGRAM TO PARTICIPATE, ON THE SAME

1 BASIS AS OTHER STUDENTS ENROLLED IN THE SCHOOL DISTRICT, IN ANY
2 COCURRICULAR ACTIVITY THAT MERGES EXTRACURRICULAR ACTIVITIES
3 WITH A REQUIRED ACADEMIC COURSE, INCLUDING, BUT NOT LIMITED TO,
4 BAND OR ORCHESTRA, AND MUST PERMIT A CHILD WHO IS ENROLLED IN A
5 HOME EDUCATION PROGRAM TO PARTICIPATE IN ACADEMIC COURSES
6 EQUALING UP TO AT LEAST ONE QUARTER OF THE SCHOOL DAY FOR FULL-
7 TIME STUDENTS, PURSUANT TO THE POLICIES AND PROCEDURES OF THE
8 SCHOOL DISTRICT OF RESIDENCE, ON THE SAME BASIS AS OTHER
9 STUDENTS ENROLLED IN THE SCHOOL DISTRICT, PROVIDED THAT THE
10 CHILD:

11 (I) MEETS THE ELIGIBILITY CRITERIA OR THEIR EQUIVALENT FOR
12 PARTICIPATION IN THE COCURRICULAR OR ACADEMIC COURSE THAT APPLY
13 TO STUDENTS ENROLLED FULL TIME IN THE SCHOOL DISTRICT;

14 (II) MEETS THE PREREQUISITE CRITERIA OR THEIR EQUIVALENT FOR
15 PARTICIPATION IN THE COCURRICULAR OR ACADEMIC COURSE THAT APPLY
16 TO STUDENTS ENROLLED FULL TIME IN THE SCHOOL DISTRICT; AND

17 (III) COMPLIES WITH ALL POLICIES, RULES AND REGULATIONS OR
18 THEIR EQUIVALENT OF THE SCHOOL DISTRICT OF RESIDENCE.

19 (2) FOR THE PURPOSES OF THIS SUBSECTION, THE SCHOOL DISTRICT
20 OF RESIDENCE SHALL PROVIDE THE GRADE FOR EACH COCURRICULAR OR
21 ACADEMIC COURSE TO THE HOME EDUCATION PROGRAM SUPERVISOR, WHO
22 SHALL BE RESPONSIBLE FOR MAINTAINING THE MATERIAL IN THE
23 PORTFOLIO OF RECORDS.

24 (3) THE PARENT OR LEGAL GUARDIAN OF THE CHILD SHALL BE
25 RESPONSIBLE FOR TRANSPORTATION OF THE CHILD TO AND FROM SCHOOL
26 FOR THE SELECTED COURSES, EXCEPT THAT A HOME EDUCATION STUDENT
27 MAY UTILIZE DISTRICT TRANSPORTATION TO OR FROM SCHOOL DURING THE
28 TIMES A BUS IS OTHERWISE ALREADY OPERATING AND SPACE IS
29 AVAILABLE.

30 (4) A BOARD OF SCHOOL DIRECTORS MAY ADOPT A POLICY TO

1 IMPLEMENT THE REQUIREMENTS OF THIS SUBSECTION. A POLICY UNDER
2 THIS PARAGRAPH MAY REQUIRE THAT THE COCURRICULAR OR ACADEMIC
3 COURSES TAKEN UNDER PARAGRAPH (1) BE TAKEN CONSECUTIVELY DURING
4 THE SCHOOL DAY IF THE SCHOOL OR A CHILD'S PARENT OR LEGAL
5 GUARDIAN IS NOT ABLE TO PROVIDE ADEQUATE SUPERVISION FOR THE
6 CHILD BETWEEN COCURRICULAR AND ACADEMIC COURSES. THE POLICY
7 SHALL ONLY APPLY TO PARTICIPATION IN COCURRICULAR OR ACADEMIC
8 COURSES AND SHALL NOT CONFLICT WITH ANY PROVISIONS OF THIS
9 SECTION.

10 (5) A HOME EDUCATION STUDENT ENROLLED IN A COCURRICULAR OR
11 ACADEMIC COURSE IN THE STUDENT'S SCHOOL DISTRICT OF RESIDENCE
12 SHALL BE INCLUDED IN THE AVERAGE DAILY MEMBERSHIP OF THE SCHOOL
13 DISTRICT OF RESIDENCE AND SHALL BE CALCULATED BY COUNTING THE
14 TIME THE HOME EDUCATION STUDENT SPENDS IN THE PUBLIC SCHOOL.

15 (F.3) (1) BEGINNING WITH THE 2023-2024 SCHOOL YEAR AND EACH
16 SCHOOL YEAR THEREAFTER, THE SCHOOL DISTRICT OF RESIDENCE SHALL
17 DEVELOP POLICIES AND PROCEDURES CONSISTENT WITH THE ENROLLMENT
18 OR SEAT ALLOCATION PROVISIONS OF THE WRITTEN AGREEMENT AMONG THE
19 PARTICIPATING SCHOOL DISTRICTS WHICH ESTABLISHED THE CAREER AND
20 TECHNICAL EDUCATION CENTER, OR IN THE CASE OF A SCHOOL DISTRICT
21 OPERATED CAREER AND TECHNICAL EDUCATION PROGRAM, THE SCHOOL
22 DISTRICT OF RESIDENCE SHALL DEVELOP POLICIES AND PROCEDURES
23 CONSISTENT WITH SUBSECTION (F.2), TO PERMIT A HOME EDUCATION
24 STUDENT TO PARTICIPATE IN A CAREER AND TECHNICAL EDUCATION
25 PROGRAM ON THE SAME BASIS AS OTHER STUDENTS ENROLLED IN THE
26 SCHOOL DISTRICT, PROVIDED THAT THE CHILD:

27 (I) MEETS THE ELIGIBILITY CRITERIA OR THEIR EQUIVALENT FOR
28 PARTICIPATION IN THE CAREER AND TECHNICAL EDUCATION PROGRAM THAT
29 APPLY TO STUDENTS ENROLLED FULL TIME IN THE SCHOOL DISTRICT;

30 (II) MEETS THE PREREQUISITE CRITERIA OR THEIR EQUIVALENT FOR

1 PARTICIPATION IN THE CAREER AND TECHNICAL EDUCATION PROGRAM THAT
2 APPLY TO STUDENTS ENROLLED FULL TIME IN THE SCHOOL DISTRICT; AND
3 (III) COMPLIES WITH ALL POLICIES, RULES AND REGULATIONS OR
4 THEIR EQUIVALENT OF THE SCHOOL DISTRICT OF RESIDENCE AND THE
5 CAREER AND TECHNICAL EDUCATION CENTER.

6 (2) FOR THE PURPOSES OF THIS SUBSECTION, THE SCHOOL DISTRICT
7 OF RESIDENCE OPERATED CAREER AND TECHNICAL EDUCATION PROGRAM OR
8 THE CAREER AND TECHNICAL EDUCATION CENTER SHALL PROVIDE THE
9 GRADES TO THE HOME EDUCATION PROGRAM SUPERVISOR, WHO SHALL BE
10 RESPONSIBLE FOR MAINTAINING THE MATERIAL IN THE PORTFOLIO OF
11 RECORDS.

12 (3) THE HOME EDUCATION STUDENTS MAY UTILIZE DISTRICT
13 TRANSPORTATION TO OR FROM THE CAREER AND TECHNICAL EDUCATION
14 PROGRAM DURING THE TIMES BUSES ARE OTHERWISE ALREADY OPERATING
15 AND SPACE IS AVAILABLE.

16 (4) A BOARD OF SCHOOL DIRECTORS MAY ADOPT A POLICY TO
17 IMPLEMENT THE REQUIREMENTS OF THIS SUBSECTION. SUCH POLICY SHALL
18 ONLY APPLY TO PARTICIPATION IN CAREER AND TECHNICAL EDUCATION
19 PROGRAMS AND SHALL NOT CONFLICT WITH ANY PROVISIONS OF THIS
20 SECTION.

21 (5) A HOME EDUCATION STUDENT ENROLLED IN THE CAREER AND
22 TECHNICAL EDUCATION PROGRAM SHALL BE INCLUDED IN THE AVERAGE
23 DAILY MEMBERSHIP OF THE SCHOOL DISTRICT OF RESIDENCE AND CAREER
24 AND TECHNICAL CENTER, IF APPLICABLE, AND SHALL BE CALCULATED BY
25 COUNTING THE TIME THE HOME EDUCATION STUDENT SPENDS IN THE
26 CAREER AND TECHNICAL EDUCATION PROGRAM.

27 (F.4) NOTHING IN SUBSECTIONS (F.2) AND (F.3) SHALL PROHIBIT
28 A SCHOOL DISTRICT OR A CAREER AND TECHNICAL CENTER FROM
29 ESTABLISHING POLICIES THAT PRIORITIZE PARTICIPATION IN COURSES
30 OR PROGRAMS WITH LIMITED SEATING OR ENROLLMENT.

1 * * *

2 SECTION 14. SECTION 1331.1(C) OF THE ACT IS AMENDED BY
3 ADDING A PARAGRAPH TO READ:

4 SECTION 1331.1. ASSISTING STUDENTS EXPERIENCING EDUCATION
5 INSTABILITY.--* * *

6 (C) A SCHOOL ENTITY SHALL WORK TO ENSURE THAT A STUDENT
7 EXPERIENCING EDUCATION INSTABILITY GRADUATES IN A TIMELY MANNER.
8 THE FOLLOWING SHALL APPLY:

9 * * *

10 (5.1) A STUDENT WHO ATTENDED SCHOOL IN THE 2021-2022 SCHOOL
11 YEAR MAY IMMEDIATELY REQUEST A DIPLOMA FROM THE SCHOOL THEY
12 ATTENDED IN THE 2021-2022 SCHOOL YEAR OR A PRIOR SCHOOL, OR
13 REQUEST A KEYSTONE DIPLOMA FROM THE DEPARTMENT RETROACTIVE TO
14 THE 2021-2022 SCHOOL YEAR.

15 * * *

16 SECTION 15. SECTIONS 1337(D)(2)(II), (3)(II) AND (5)(III)
17 AND 1372(8) OF THE ACT ARE AMENDED TO READ:

18 SECTION 1337. NONPROFIT SCHOOL FOOD PROGRAM.--* * *

19 (D) BOARDS OF SCHOOL DIRECTORS.

20 * * *

21 (2) * * *

22 (II) IF A STUDENT IS NOT ELIGIBLE FOR PARTICIPATION IN THE
23 SCHOOL FOOD PROGRAM AND OWES GREATER THAN [FIFTY DOLLARS (\$50)]
24 SEVENTY-FIVE DOLLARS (\$75) IN A SCHOOL YEAR FOR SCHOOL MEALS, A
25 SCHOOL MAY PROVIDE THE STUDENT WITH ALTERNATIVE MEALS INSTEAD OF
26 SCHOOL FOOD PROGRAM MEALS UNTIL THE STUDENT'S UNPAID BALANCE FOR
27 SCHOOL MEALS IS PAID OR A PAYMENT PLAN HAS BEEN ESTABLISHED WITH
28 THE SCHOOL TO REDUCE THE UNPAID BALANCE.

29 (3) EACH BOARD OF SCHOOL DIRECTORS SHALL REQUIRE SCHOOLS
30 UNDER ITS JURISDICTION TO COMPLY WITH THE FOLLOWING WHEN A

1 STUDENT OWES MONEY FOR FIVE OR MORE SCHOOL MEALS:

2 * * *

3 (II) THE SCHOOL [MAY] SHALL OFFER ASSISTANCE WITH APPLYING
4 FOR PARTICIPATION IN THE SCHOOL FOOD PROGRAM.

5 * * *

6 (5) EACH BOARD OF SCHOOL DIRECTORS SHALL PROHIBIT SCHOOLS
7 UNDER ITS JURISDICTION FROM IMPLEMENTING THE FOLLOWING:

8 * * *

9 (III) REQUIRING A STUDENT OR SCHOOL STAFF TO DISCARD A
10 SCHOOL MEAL AFTER IT WAS SERVED TO THE STUDENT DUE TO THE
11 STUDENT'S INABILITY TO PAY FOR THE SCHOOL MEAL OR THE AMOUNT OF
12 MONEY OWED BY THE STUDENT FOR EARLIER SCHOOL MEALS.

13 * * *

14 SECTION 1372. EXCEPTIONAL CHILDREN; EDUCATION AND
15 TRAINING.--* * *

16 (8) REPORTING OF EXPENDITURES RELATING TO EXCEPTIONAL
17 STUDENTS.

18 (I) BY DECEMBER 31, 2000, AND EACH YEAR THEREAFTER, EACH
19 SCHOOL DISTRICT SHALL COMPILE INFORMATION LISTING THE NUMBER OF
20 STUDENTS WITH DISABILITIES FOR WHICH EXPENDITURES ARE BETWEEN
21 TWENTY-FIVE THOUSAND DOLLARS (\$25,000) AND FIFTY THOUSAND
22 DOLLARS (\$50,000), WHICH SHALL BE KNOWN AS CATEGORY 2; BETWEEN
23 FIFTY THOUSAND DOLLARS (\$50,000) AND SEVENTY-FIVE THOUSAND
24 DOLLARS (\$75,000), WHICH SHALL BE KNOWN AS CATEGORY 3A; AND OVER
25 SEVENTY-FIVE THOUSAND DOLLARS (\$75,000), WHICH SHALL BE KNOWN AS
26 CATEGORY 3B, FOR THE PRIOR SCHOOL YEAR. THE INFORMATION SHALL BE
27 SUBMITTED TO THE DEPARTMENT IN A FORM PRESCRIBED BY THE
28 DEPARTMENT. BY FEBRUARY 1, 2001, AND EACH YEAR THEREAFTER, THE
29 DEPARTMENT SHALL SUBMIT TO THE CHAIRMAN AND MINORITY CHAIRMAN OF
30 THE EDUCATION AND APPROPRIATIONS COMMITTEES OF THE SENATE AND

1 THE CHAIRMAN AND MINORITY CHAIRMAN OF THE EDUCATION AND
2 APPROPRIATIONS COMMITTEES OF THE HOUSE OF REPRESENTATIVES A
3 REPORT LISTING THIS INFORMATION BY SCHOOL DISTRICT. BEGINNING
4 WITH THE REPORT DUE FEBRUARY 1, 2023, THE DEPARTMENT SHALL
5 INCLUDE THE INFORMATION REPORTED IN SUBPARAGRAPH (IV) ALONG WITH
6 THE REPORT MADE IN THIS SUBPARAGRAPH AND SHALL POST THE REPORT
7 ON THE DEPARTMENT'S PUBLICLY ACCESSIBLE INTERNET WEBSITE IN A
8 SORTABLE ELECTRONIC FORMAT.

9 (II) BY DECEMBER 31, 2016, AND EACH YEAR THEREAFTER, EACH
10 SCHOOL DISTRICT SHALL COMPILE INFORMATION LISTING THE NUMBER OF
11 STUDENTS WITH DISABILITIES FOR WHICH EXPENDITURES ARE UNDER
12 TWENTY-FIVE THOUSAND DOLLARS (\$25,000), WHICH SHALL BE KNOWN AS
13 CATEGORY 1. THE INFORMATION SHALL BE SUBMITTED TO THE DEPARTMENT
14 IN A FORM PRESCRIBED BY THE DEPARTMENT.

15 (III) BEGINNING WITH THE 2016-2017 SCHOOL YEAR THROUGH THE
16 2021-2022 SCHOOL YEAR, THE DEPARTMENT SHALL ANNUALLY ADJUST THE
17 DOLLAR RANGES FOR WHICH THE INFORMATION IS COLLECTED UNDER THIS
18 SECTION BY THE PERCENT CHANGE IN THE CONSUMER PRICE INDEX FOR
19 ALL URBAN CONSUMERS FOR THE PENNSYLVANIA, NEW JERSEY, DELAWARE
20 AND MARYLAND AREA REPORTED BY THE BUREAU OF LABOR STATISTICS FOR
21 THE TWELVE (12) MONTH PERIOD ENDING IN DECEMBER OF THE SCHOOL
22 YEAR FOR WHICH THE DATA IS BEING COLLECTED.

23 (IV) BY DECEMBER 31, 2022, AND EACH YEAR THEREAFTER, EACH
24 SCHOOL DISTRICT SHALL, IN ADDITION TO THE INFORMATION UNDER
25 SUBPARAGRAPH (I), COMPILE INFORMATION LISTING THE NUMBER OF
26 STUDENTS WITH DISABILITIES FOR WHICH EXPENDITURES ARE UNDER FIVE
27 THOUSAND DOLLARS (\$5,000), WHICH SHALL BE KNOWN AS CATEGORY 1A;
28 AND BETWEEN FIVE THOUSAND DOLLARS (\$5,000) AND LESS THAN THE
29 AMOUNT IN CATEGORY 2, WHICH SHALL BE KNOWN AS CATEGORY 1B, FOR
30 THE PRIOR SCHOOL YEAR. THE INFORMATION SHALL BE SUBMITTED TO THE

1 DEPARTMENT ALONG WITH THE INFORMATION IN, AND AS PRESCRIBED BY,
2 SUBPARAGRAPH (I).

3 (V) BEGINNING WITH THE 2022-2023 SCHOOL YEAR, THE DEPARTMENT
4 SHALL ANNUALLY ADJUST THE DOLLAR RANGES FOR WHICH THE
5 INFORMATION IS COLLECTED UNDER THIS SECTION BY THE PERCENTAGE
6 CHANGE IN THE TOTAL SPECIAL EDUCATION EXPENDITURES SUBMITTED BY
7 SCHOOL DISTRICTS IN THE ANNUAL FINANCIAL REPORTS DIVIDED BY THE
8 TOTAL WEIGHTED STUDENT HEADCOUNT DETERMINED UNDER SECTION 2509.5
9 FOR THE MOST RECENT YEAR WHERE DATA IS AVAILABLE AS DETERMINED
10 BY THE DEPARTMENT.

11 SECTION 16. SECTION 1383 OF THE ACT IS AMENDED BY ADDING
12 SUBSECTIONS TO READ:

13 SECTION 1383. EXTENDED SPECIAL EDUCATION ENROLLMENT DUE TO
14 COVID-19.--* * *

15 (B.1) A STUDENT WITH A DISABILITY AS DEFINED IN 22 PA. CODE
16 § 14.101 WHO HAS REACHED TWENTY-ONE (21) YEARS OF AGE DURING THE
17 2021-2022 SCHOOL YEAR OR BETWEEN THE END OF THE 2021-2022 SCHOOL
18 YEAR AND THE BEGINNING OF THE 2022-2023 SCHOOL YEAR AND IS
19 ENROLLED FOR THE 2021-2022 SCHOOL YEAR IS ENTITLED TO ATTEND A
20 SCHOOL ENTITY FOR THE 2022-2023 SCHOOL YEAR AND THE SCHOOL
21 ENTITY SHALL ENROLL THE STUDENT IF A PARENT OR GUARDIAN AND THE
22 STUDENT ELECT TO ENROLL NO LATER THAN AUGUST 1, 2022. THE
23 DEPARTMENT OF EDUCATION SHALL DEVELOP A STANDARD ELECTION FORM
24 FOR A PARENT OR GUARDIAN TO ELECT TO ENROLL THE STUDENT AND THE
25 FORM SHALL BE MADE AVAILABLE ON THE DEPARTMENT'S PUBLICLY
26 ACCESSIBLE INTERNET WEBSITE.

27 * * *

28 (C.1) NOTWITHSTANDING ANY OTHER PROVISION OF LAW TO THE
29 CONTRARY, THE FOLLOWING SHALL APPLY TO A STUDENT ENROLLED IN A
30 SCHOOL ENTITY UNDER SUBSECTION (B.1):

1 (1) THE SCHOOL ENTITY SHALL IMPLEMENT THE STUDENT'S MOST
2 RECENT IEP.

3 (2) THE STUDENT'S ATTENDANCE SHALL BE INCLUDED IN THE SCHOOL
4 ENTITY'S AVERAGE DAILY MEMBERSHIP.

5 (3) THE SCHOOL ENTITY SHALL PROVIDE EXTENDED SCHOOL YEAR
6 SERVICES DURING THE SUMMER AFTER THE 2021-2022 SCHOOL YEAR IN
7 ACCORDANCE WITH THE STUDENT'S MOST RECENT IEP.

8 (4) THE SCHOOL ENTITY SHALL TAKE ALL STEPS NECESSARY TO
9 COMPLY WITH THE INDIVIDUALS WITH DISABILITIES EDUCATION ACT
10 (PUBLIC LAW 91-230, 20 U.S.C. § 1400 ET SEQ.) AND 22 PA. CODE
11 CH. 14 (RELATING TO SPECIAL EDUCATION SERVICES AND PROGRAMS).

12 (5) A STUDENT OLDER THAN TWENTY-ONE (21) YEARS OF AGE WITH
13 AN ACTIVE IEP WHO IS ENROLLED IN A SCHOOL ENTITY DURING THE
14 2022-2023 SCHOOL YEAR SHALL NOT BECOME INELIGIBLE FOR CONTINUED
15 SERVICE UNDER THE INDIVIDUALS WITH DISABILITIES EDUCATION ACT
16 DURING THE ENTIRE 2022-2023 SCHOOL YEAR.

17 * * *

18 SECTION 16.1. SECTION 1302-B(E) OF THE ACT IS AMENDED TO
19 READ:

20 SECTION 1302-B. SCHOOL SAFETY AND SECURITY COMMITTEE.

21 * * *

22 (E) TERM.--[MEMBERS OF THE COMMITTEE SHALL SERVE A FOUR-YEAR
23 TERM.] MEMBERS APPOINTED UNDER SUBSECTION (B) (5), (6), (7), (8)
24 AND (12) SHALL SERVE FOR A FOUR-YEAR TERM AND MAY BE APPOINTED
25 FOR NO MORE THAN ONE ADDITIONAL CONSECUTIVE TERM. THE TERMS OF
26 THOSE MEMBERS WHO SERVE BY VIRTUE OF THE PUBLIC OFFICE THEY HOLD
27 SHALL BE CONCURRENT WITH THEIR SERVICE IN THE OFFICE FROM WHICH
28 THEY DERIVE THEIR MEMBERSHIP.

29 * * *

30 SECTION 17. THE ACT IS AMENDED BY ADDING A SECTION TO READ:

1 SECTION 1305.1-B. SURVEY OF SCHOOL MENTAL HEALTH SERVICES.

2 (A) DEVELOPMENT.--NO LATER THAN AUGUST 1, 2022, THE
3 COMMITTEE SHALL DEVELOP AND DISTRIBUTE TO SCHOOL ENTITIES,
4 ELIGIBLE FOR FUNDING UNDER SECTION 1315-B, A SURVEY INSTRUMENT
5 TO MEASURE MENTAL HEALTH SERVICES IN SCHOOL ENTITIES THROUGHOUT
6 THIS COMMONWEALTH. THE SURVEY SHALL INCLUDE, BUT NOT BE LIMITED
7 TO:

8 (1) WHETHER THE SCHOOL ENTITY OFFERS MENTAL HEALTH
9 EDUCATION IN THE CLASSROOM AND, IF OFFERED, HOW MANY
10 EMPLOYEES PROVIDE THE PROGRAMMING.

11 (2) WHETHER THE SCHOOL ENTITY HAS ADOPTED MENTAL OR
12 BEHAVIORAL HEALTH CURRICULUM AS PART OF ITS HEALTH EDUCATION
13 OR OTHER SUBJECT AREAS AND, IF OFFERED, HOW MANY EMPLOYEES
14 PROVIDE THE PROGRAMMING AND WHO PROVIDES THE PROGRAMMING.

15 (3) THE MANNER IN WHICH THE SCHOOL ENTITY OFFERS MENTAL
16 HEALTH PROGRAMMING UNDER PARAGRAPHS (1) AND (2).

17 (4) WHETHER ANY OF THE TIERED SUPPORTS FROM THE
18 COMMITTEE'S BEHAVIORAL HEALTH AND SCHOOL CLIMATE BASELINE
19 CRITERIA HAVE BEEN MET BY THE SCHOOL ENTITY.

20 (5) RESOURCES OR SUPPORT NEEDED TO IMPROVE
21 THE PROGRAMMING UNDER PARAGRAPHS (1) AND (2) AND TO MEET OR
22 INCREASE TIERED SUPPORTS FOR THE COMMITTEE'S BEHAVIORAL
23 HEALTH AND SCHOOL CLIMATE BASELINE CRITERIA.

24 (B) COMPLETION.--NO LATER THAN AUGUST 31, 2022, A SCHOOL
25 ENTITY SHALL COMPLETE THE SURVEY INSTRUMENT UNDER SUBSECTION
26 (A).

27 (C) CONFIDENTIALITY OF DATA.--

28 (1) SCHOOL SPECIFIC DATA COLLECTED THROUGH THE SURVEY
29 INSTRUMENT BY THE COMMITTEE AND THE FINDINGS OF THE COMMITTEE
30 SHALL REMAIN CONFIDENTIAL AND SHALL BE EXEMPT FROM ACCESS

1 UNDER THE ACT OF FEBRUARY 14, 2008 (P.L.6, NO.3), KNOWN AS
2 THE RIGHT-TO-KNOW LAW.

3 (2) THE COMMITTEE MAY RELEASE AGGREGATE DATA AT ITS
4 DISCRETION.

5 (D) SURVEY ADMINISTRATION.--THE COMMITTEE SHALL ADMINISTER
6 THE SURVEY INSTRUMENT ESTABLISHED IN SUBSECTION (A) AS PART OF
7 THE GRANT APPLICATION FOR GRANTS ISSUED UNDER SECTION 1315-B AND
8 PART OF THE SURVEY ISSUED UNDER SECTION 1305-B, AND MAY MAKE
9 REVISIONS TO THE SURVEY INSTRUMENT AS NEEDED.

10 SECTION 18. SECTION 1306-B(J) OF THE ACT IS AMENDED AND
11 SUBSECTION (H) IS AMENDED BY ADDING A PARAGRAPH TO READ:
12 SECTION 1306-B. SCHOOL SAFETY AND SECURITY GRANT PROGRAM.

13 * * *

14 (H) SCHOOL SAFETY AND SECURITY FUND.--

15 * * *

16 (9) NOTWITHSTANDING ANY OTHER PROVISION OF LAW, DURING
17 THE 2022-2023 FISCAL YEAR, MONEY IN THE FUND SHALL BE USED AS
18 FOLLOWS:

19 (I) NINETY-FIVE PERCENT OF THE AMOUNT APPROPRIATED
20 TO THE DEPARTMENT OF EDUCATION FOR TRANSFER TO THE SCHOOL
21 SAFETY AND SECURITY FUND FOR GRANTS UNDER SECTION 1314-B.

22 (II) NINETY-FIVE PERCENT OF THE AMOUNT APPROPRIATED
23 TO THE DEPARTMENT OF EDUCATION FOR THE READY-TO-LEARN
24 BLOCK GRANT AND TRANSFERRED TO THE SCHOOL SAFETY AND
25 SECURITY FUND FOR GRANTS UNDER SECTION 1315-B.

26 (III) FIVE PERCENT OF THE AMOUNT APPROPRIATED TO THE
27 DEPARTMENT OF EDUCATION FOR TRANSFER TO THE SCHOOL SAFETY
28 AND SECURITY FUND FOR TRAINING UNDER SECTION 1316-B.

29 (IV) FIVE PERCENT OF THE AMOUNT APPROPRIATED TO THE
30 DEPARTMENT OF EDUCATION FOR THE READY-TO-LEARN BLOCK

1 GRANT AND TRANSFERRED TO THE SCHOOL SAFETY AND SECURITY
2 FUND FOR THE PROGRAM UNDER SECTION 1318-B.

3 * * *

4 (J) SPECIFIC PURPOSES.--THE COMMITTEE SHALL PROVIDE GRANTS
5 TO SCHOOL ENTITIES FOR PROGRAMS THAT ADDRESS SCHOOL MENTAL
6 HEALTH AND SAFETY AND SECURITY, INCLUDING:

7 (1) SAFETY AND SECURITY ASSESSMENTS THAT MEET THE
8 COMMITTEE'S CRITERIA.

9 (2) CONFLICT RESOLUTION OR DISPUTE MANAGEMENT, INCLUDING
10 RESTORATIVE JUSTICE STRATEGIES.

11 (3) SCHOOL-WIDE POSITIVE BEHAVIOR SUPPORT THAT INCLUDES
12 PRIMARY OR UNIVERSAL, SECONDARY AND TERTIARY SUPPORTS AND
13 INTERVENTIONS IN SCHOOL ENTITIES.

14 (4) SCHOOL-BASED DIVERSION PROGRAMS.

15 (5) PEER HELPER PROGRAMS.

16 (6) RISK ASSESSMENT, SAFETY-RELATED, VIOLENCE PREVENTION
17 CURRICULA, INCLUDING DATING VIOLENCE CURRICULA [AND],
18 RESTORATIVE JUSTICE STRATEGIES, MENTAL HEALTH EARLY
19 INTERVENTION, SELF-CARE AND SUICIDE AWARENESS AND PREVENTION
20 CURRICULA.

21 (7) CLASSROOM MANAGEMENT.

22 (8) STUDENT CODES OF CONDUCT.

23 (9) TRAINING TO UNDERTAKE A DISTRICTWIDE ASSESSMENT OF
24 RISK FACTORS THAT INCREASE THE LIKELIHOOD OF PROBLEM
25 BEHAVIORS AMONG STUDENTS.

26 (10) DEVELOPMENT AND IMPLEMENTATION OF RESEARCH-BASED
27 VIOLENCE PREVENTION PROGRAMS THAT ADDRESS RISK FACTORS TO
28 REDUCE INCIDENTS OF PROBLEM BEHAVIORS AMONG STUDENTS,
29 INCLUDING, BUT NOT LIMITED TO, [BULLYING.] MENTAL HEALTH
30 EARLY INTERVENTION, SELF-CARE, BULLYING AND SUICIDE AWARENESS

1 AND PREVENTION.

2 (11) THOROUGH, DISTRICTWIDE SCHOOL SAFETY, VIOLENCE
3 PREVENTION, EMERGENCY PREPAREDNESS AND ALL-HAZARDS PLANS,
4 INCLUDING REVISIONS OR UPDATES TO SUCH PLANS AND CONDUCTING
5 EMERGENCY PREPAREDNESS DRILLS AND RELATED ACTIVITIES WITH
6 LOCAL EMERGENCY RESPONDERS.

7 (12) SECURITY PLANNING AND PURCHASE OF SECURITY-RELATED
8 TECHNOLOGY, WHICH MAY INCLUDE METAL DETECTORS, PROTECTIVE
9 LIGHTING, SPECIALTY TRAINED CANINES, SURVEILLANCE EQUIPMENT,
10 SPECIAL EMERGENCY COMMUNICATIONS EQUIPMENT, AUTOMATED
11 EXTERNAL DEFIBRILLATORS, ELECTRONIC LOCKSETS, DEADBOLTS,
12 TRAUMA KITS AND THEFT CONTROL DEVICES AND TRAINING IN THE USE
13 OF SECURITY-RELATED TECHNOLOGY. SECURITY PLANNING AND
14 PURCHASE OF SECURITY-RELATED TECHNOLOGY SHALL BE BASED ON
15 SAFETY NEEDS IDENTIFIED BY THE SCHOOL ENTITY'S BOARD OF
16 SCHOOL DIRECTORS.

17 (13) INSTITUTION OF STUDENT, STAFF AND VISITOR
18 IDENTIFICATION SYSTEMS, INCLUDING CRIMINAL BACKGROUND CHECK
19 SOFTWARE.

20 (14) PROVISION OF SPECIALIZED STAFF AND STUDENT TRAINING
21 PROGRAMS, INCLUDING TRAINING FOR STUDENT ASSISTANCE PROGRAM
22 TEAM MEMBERS IN THE REFERRAL OF STUDENTS AT RISK OF VIOLENT
23 BEHAVIOR TO APPROPRIATE COMMUNITY-BASED SERVICES AND
24 BEHAVIORAL HEALTH SERVICES AND TRAINING RELATED TO PREVENTION
25 AND EARLY INTERVENTION.

26 (15) COUNSELING SERVICES FOR STUDENTS [.] , INCLUDING
27 COSTS ASSOCIATED WITH THE TRAINING AND COMPENSATION OF MENTAL
28 HEALTH STAFF OR EXPANDING CONTRACTS WITH MENTAL HEALTH
29 PROVIDERS THAT PROVIDE SUPPORT TO STUDENTS IN A SCHOOL
30 SETTING.

1 (16) A SYSTEM FOR THE MANAGEMENT OF STUDENT DISCIPLINE,
2 INCLUDING MISCONDUCT AND CRIMINAL OFFENSES.

3 (17) STAFF TRAINING PROGRAMS IN THE USE OF POSITIVE
4 BEHAVIOR SUPPORTS, DE-ESCALATION TECHNIQUES [AND],
5 APPROPRIATE RESPONSES TO STUDENT BEHAVIOR THAT MAY REQUIRE
6 IMMEDIATE INTERVENTION AND TRAUMA-INFORMED TREATMENT FOR
7 MENTAL HEALTH PROVIDERS IN SCHOOLS.

8 (18) COSTS ASSOCIATED WITH THE TRAINING AND COMPENSATION
9 OF SCHOOL RESOURCE OFFICERS AND SCHOOL POLICE OFFICERS.

10 (19) COSTS ASSOCIATED WITH THE TRAINING AND COMPENSATION
11 OF CERTIFIED [GUIDANCE] SCHOOL COUNSELORS, LICENSED
12 PROFESSIONAL COUNSELORS, LICENSED SOCIAL WORKERS, LICENSED
13 CLINICAL SOCIAL WORKERS AND SCHOOL PSYCHOLOGISTS.

14 (20) ADMINISTRATION OF EVIDENCE-BASED SCREENINGS FOR
15 ADVERSE CHILDHOOD EXPERIENCES THAT ARE PROVEN TO BE
16 DETERMINANTS OF PHYSICAL, SOCIAL AND BEHAVIORAL HEALTH AND
17 PROVIDE TRAUMA-INFORMED COUNSELING SERVICES AS NECESSARY TO
18 STUDENTS BASED UPON THE SCREENING RESULTS.

19 (21) TRAUMA-INFORMED APPROACHES TO EDUCATION, INCLUDING:

20 (I) INCREASING STUDENT AND SCHOOL EMPLOYEE ACCESS TO
21 QUALITY TRAUMA SUPPORT SERVICES AND BEHAVIORAL HEALTH
22 CARE, INCLUDING THE FOLLOWING:

23 (A) HIRING OR CONTRACTING WITH CERTIFIED
24 [GUIDANCE] SCHOOL COUNSELORS, LICENSED PROFESSIONAL
25 COUNSELORS, LICENSED SOCIAL WORKERS, LICENSED
26 CLINICAL SOCIAL WORKERS, SCHOOL PSYCHOLOGISTS AND
27 OTHER PROFESSIONAL HEALTH PERSONNEL TO PROVIDE
28 SERVICES TO STUDENTS AND SCHOOL EMPLOYEES.

29 (B) DEVELOPING COLLABORATIVE EFFORTS BETWEEN THE
30 SCHOOL ENTITY AND BEHAVIORAL HEALTH PROFESSIONALS TO

1 IDENTIFY STUDENTS IN NEED OF TRAUMA SUPPORT AND TO
2 PROVIDE PREVENTION, SCREENING, REFERRAL AND TREATMENT
3 SERVICES TO STUDENTS POTENTIALLY IN NEED OF SERVICES.

4 (C) PARTNERING WITH COMMUNITY-BASED
5 ORGANIZATIONS FOR PEER OR FAMILY SUPPORT.

6 (D) TRAINING ON YOUTH-FOCUSED MENTAL HEALTH
7 FIRST AID FOR SCHOOL EMPLOYEES TO HELP RECOGNIZE
8 SIGNS OF MENTAL HEALTH DISTRESS IN STUDENTS.

9 (E) PROVIDING ACTIVITIES TO IMPROVE MENTAL
10 HEALTH IN A SCHOOL ENTITY AND AFTER SCHOOL
11 PROGRAMMING.

12 (II) PROGRAMS PROVIDING:

13 (A) TRAUMA-INFORMED APPROACHES TO EDUCATION IN
14 THE CURRICULUM, INCLUDING TRAINING OF SCHOOL
15 EMPLOYEES, SCHOOL DIRECTORS AND BEHAVIORAL HEALTH
16 PROFESSIONALS TO DEVELOP SAFE, STABLE AND NURTURING
17 LEARNING ENVIRONMENTS THAT PREVENT AND MITIGATE THE
18 EFFECTS OF TRAUMA.

19 (B) SERVICES FOR CHILDREN AND THEIR FAMILIES, AS
20 APPROPRIATE, WHO HAVE EXPERIENCED OR ARE AT RISK OF
21 EXPERIENCING TRAUMA, INCLUDING THOSE WHO ARE LOW-
22 INCOME, HOMELESS, INVOLVED IN THE CHILD WELFARE
23 SYSTEM OR INVOLVED IN THE JUVENILE JUSTICE SYSTEM.

24 (22) PROGRAMS DESIGNED TO REDUCE COMMUNITY VIOLENCE,
25 INCLUDING:

26 (I) INCREASING ACCESS TO QUALITY TRAUMA-INFORMED
27 SUPPORT SERVICES AND BEHAVIORAL HEALTH CARE BY LINKING
28 THE COMMUNITY WITH LOCAL TRAUMA SUPPORT AND BEHAVIORAL
29 HEALTH SYSTEMS.

30 (II) PROVIDING HEALTH SERVICES AND INTERVENTION

1 STRATEGIES BY COORDINATING THE SERVICES PROVIDED BY
2 ELIGIBLE APPLICANTS AND COORDINATED CARE ORGANIZATIONS,
3 PUBLIC HEALTH ENTITIES, NONPROFIT YOUTH SERVICE PROVIDERS
4 AND COMMUNITY-BASED ORGANIZATIONS.

5 (III) PROVIDING MENTORING AND OTHER INTERVENTION
6 MODELS TO CHILDREN AND THEIR FAMILIES WHO HAVE
7 EXPERIENCED TRAUMA OR ARE AT RISK OF EXPERIENCING TRAUMA,
8 INCLUDING THOSE WHO ARE LOW-INCOME, HOMELESS, IN FOSTER
9 CARE, INVOLVED IN THE CRIMINAL JUSTICE SYSTEM,
10 UNEMPLOYED, EXPERIENCING A MENTAL ILLNESS OR SUBSTANCE
11 ABUSE DISORDER OR NOT ENROLLED IN OR AT RISK OF DROPPING
12 OUT OF AN EDUCATIONAL INSTITUTION.

13 (IV) FOSTERING AND PROMOTING COMMUNICATION BETWEEN
14 THE SCHOOL ENTITY, COMMUNITY AND LAW ENFORCEMENT.

15 (V) ANY OTHER PROGRAM OR MODEL DESIGNED TO REDUCE
16 COMMUNITY VIOLENCE AND APPROVED BY THE COMMITTEE.

17 (23) THE IMPLEMENTATION OF ARTICLE XIII-E.

18 (24) EXPANDING TELEMEDICINE DELIVERY OF SCHOOL-BASED
19 MENTAL HEALTH SERVICES, INCLUDING EQUIPMENT.

20 (25) PROVIDING TECHNICAL ASSISTANCE FOR A SCHOOL ENTITY
21 RELATED TO BILLING INSURANCE PROVIDERS IN ORDER TO BETTER
22 PROVIDE MENTAL HEALTH SERVICES IN A SCHOOL SETTING.

23 (26) CREATING OR EXPANDING STATEWIDE PROGRAMS AND
24 INTERVENTION FRAMEWORKS, SUCH AS SCHOOL ASSISTANCE PROGRAMS,
25 POSITIVE BEHAVIORAL INTERVENTION AND SUPPORTS AND MULTITIERED
26 SYSTEMS OF SUPPORT.

27 (27) TRAINING AND RELATED MATERIALS FOR SCHOOL EMPLOYEES
28 OR STUDENTS THAT ARE EVIDENCE-BASED AND FOCUS ON IDENTIFYING
29 THE SIGNS AND SIGNALS OF ANXIETY, DEPRESSION, SUICIDE OR
30 SELF-HARM IN STUDENTS AND BEST PRACTICES FOR SEEKING

1 APPROPRIATE MENTAL HEALTH ASSISTANCE.

2 (28) PROVIDING, INCREASING OR ENHANCING PARTNERSHIPS
3 BETWEEN A SCHOOL ENTITY AND A COMMUNITY-BASED NONPROFIT
4 ORGANIZATION, A STATEWIDE YOUTH-SERVING NONPROFIT OR A
5 LIBRARY FOR OUT-OF-SCHOOL PROGRAMMING FOR AT-RISK SCHOOL-AGE
6 STUDENTS.

7 (29) COORDINATING AND INTEGRATING LOCAL AND COUNTY
8 MENTAL HEALTH SERVICES AND PROGRAMS FOR SCHOOL EMPLOYEES OR
9 STUDENTS.

10 (30) PROVIDING ONLINE PROGRAMS, EDUCATIONAL MATERIALS
11 AND APPLICATIONS TO PROVIDE SUPPLEMENTAL MENTAL HEALTH
12 SERVICES TO STUDENTS THAT MAY INCLUDE PEER SUPPORT, SELF-
13 GUIDED EVIDENCED BASED THERAPEUTIC TOOLS AND CLINICAL
14 INTERACTIONS.

15 * * *

16 SECTION 19. SECTION 1309-B OF THE ACT IS AMENDED BY ADDING
17 SUBSECTIONS TO READ:

18 SECTION 1309-B. SCHOOL SAFETY AND SECURITY COORDINATOR.

19 * * *

20 (A.1) DEADLINE FOR APPOINTMENT AND VACANCIES.--

21 (1) WITHIN 30 DAYS OF THE EFFECTIVE DATE OF THIS
22 SUBSECTION, THE CHIEF SCHOOL ADMINISTRATOR OF A SCHOOL ENTITY
23 SHALL ENSURE THE SCHOOL ENTITY HAS APPOINTED A SCHOOL
24 ADMINISTRATOR AS THE SCHOOL SAFETY AND SECURITY COORDINATOR
25 FOR THE SCHOOL ENTITY.

26 (2) WHENEVER A VACANCY IN A SCHOOL ENTITY'S SCHOOL
27 SAFETY AND SECURITY COORDINATOR OCCURS, THE CHIEF SCHOOL
28 ADMINISTRATOR OF A SCHOOL ENTITY SHALL, WITHIN 30 DAYS OF THE
29 VACANCY, APPOINT A NEW SCHOOL SAFETY AND SECURITY COORDINATOR
30 IN ACCORDANCE WITH THIS SECTION.

1 (A.2) SUBMISSION.--A SCHOOL ENTITY SHALL SUBMIT TO THE
2 COMMITTEE THE NAME AND CONTACT INFORMATION FOR A CHIEF SCHOOL
3 ADMINISTRATOR APPOINTED AS A SCHOOL SAFETY AND SECURITY
4 COORDINATOR WITHIN 30 DAYS OF THE APPOINTMENT.

5 * * *

6 (D) TRAINING REQUIRED.--

7 (1) SCHOOL ADMINISTRATORS APPOINTED AS SCHOOL SAFETY AND
8 SECURITY COORDINATORS SHALL COMPLETE THE TRAINING REQUIRED
9 UNDER SECTION 1316-B WITHIN ONE YEAR FROM THE TIME THE FIRST
10 TRAININGS THAT MEET THE CRITERIA ARE POSTED BY THE COMMITTEE.

11 (2) SCHOOL ADMINISTRATORS APPOINTED AS SAFETY AND
12 SECURITY COORDINATORS AFTER TRAININGS ARE POSTED SHALL
13 COMPLETE THE TRAINING WITHIN ONE YEAR OF APPOINTMENT.

14 SECTION 20. SECTION 1310-B OF THE ACT IS AMENDED TO READ:
15 SECTION 1310-B. SCHOOL SAFETY AND SECURITY TRAINING.

16 (A) SCHOOL ENTITY DUTIES.--SCHOOL ENTITIES SHALL PROVIDE
17 THEIR EMPLOYEES WITH MANDATORY TRAINING ON SCHOOL SAFETY AND
18 SECURITY SUBJECT TO THE FOLLOWING BASED ON THE NEEDS OF THE
19 SCHOOL ENTITY:

20 (1) TRAINING SHALL ADDRESS ANY COMBINATION OF ONE OR
21 MORE OF THE FOLLOWING, BASED ON THE NEEDS OF THE SCHOOL
22 ENTITY:

23 (I) SITUATIONAL AWARENESS.

24 (II) TRAUMA-INFORMED APPROACHES.

25 (III) BEHAVIORAL HEALTH AWARENESS.

26 (IV) SUICIDE AND BULLYING AWARENESS.

27 (V) SUBSTANCE USE AWARENESS.

28 [(VI) EMERGENCY TRAINING DRILLS, INCLUDING FIRE,
29 NATURAL DISASTER, ACTIVE SHOOTER, HOSTAGE SITUATION AND
30 BOMB THREAT.]

1 (VII) IDENTIFICATION OR RECOGNITION OF STUDENT
2 BEHAVIOR THAT MAY INDICATE A THREAT TO THE SAFETY OF THE
3 STUDENT, OTHER STUDENTS, SCHOOL EMPLOYEES, SCHOOL
4 FACILITIES, THE COMMUNITY OR OTHERS.]

5 (1.1) ANNUALLY, TRAINING SHALL ADDRESS THE FOLLOWING:

6 (I) EMERGENCY TRAINING DRILLS, INCLUDING FIRE,
7 NATURAL DISASTER, ACTIVE SHOOTER, HOSTAGE SITUATION AND
8 BOMB THREAT.

9 (II) IDENTIFICATION OR RECOGNITION OF STUDENT
10 BEHAVIOR THAT MAY INDICATE A THREAT TO THE SAFETY OF THE
11 STUDENT, OTHER STUDENTS, SCHOOL EMPLOYEES, OTHER
12 INDIVIDUALS, SCHOOL FACILITIES OR THE COMMUNITY.

13 (2) [TRAINING] EXCEPT FOR TRAINING UNDER PARAGRAPH (1.1)

14 (I), TRAINING MAY BE PROVIDED THROUGH THE INTERNET OR OTHER
15 DISTANCE COMMUNICATION SYSTEMS. TRAINING UNDER PARAGRAPH
16 (1.1) (I) SHALL BE CONDUCTED IN PERSON.

17 (3) EMPLOYEES SHALL COMPLETE A MINIMUM OF [THREE] TWO
18 HOURS OF TRAINING UNDER PARAGRAPH (1) EVERY [FIVE YEARS]
19 YEAR. EMPLOYEES SHALL COMPLETE A MINIMUM OF ONE HOUR OF
20 TRAINING UNDER PARAGRAPH (1.1) EVERY YEAR.

21 (4) EMPLOYEES REQUIRED TO UNDERGO CONTINUING
22 PROFESSIONAL EDUCATION UNDER SECTION 1205.2 SHALL RECEIVE
23 CREDIT TOWARD THEIR CONTINUING PROFESSIONAL EDUCATION
24 REQUIREMENTS [IF THE TRAINING PROGRAM HAS BEEN APPROVED BY
25 THE DEPARTMENT IN CONSULTATION WITH THE COMMITTEE].

26 (5) TRAINING SHALL COMPLY WITH THE MINIMUM STANDARDS
27 ADOPTED BY THE COMMITTEE UNDER SUBSECTION (B).

28 (B) COMMITTEE DUTIES.--NO LATER THAN SEPTEMBER 30, 2022, THE
29 COMMITTEE SHALL DEVELOP AND ADOPT MINIMUM STANDARDS FOR TRAINING
30 OF SCHOOL EMPLOYEES FOR EACH OF THE TRAINING TOPICS UNDER

1 SUBSECTION (A) (1) AND (1.1). THE COMMITTEE SHALL MAKE THE
2 STANDARDS ADOPTED AVAILABLE TO SCHOOL ENTITIES AND PROVIDE
3 GEOGRAPHICALLY DISBURSED TRAINING TO SCHOOL EMPLOYEES AT NO COST
4 THAT MEETS THE STANDARDS ADOPTED BY THE COMMITTEE. THE COMMITTEE
5 MAY APPROVE GROUPS, ORGANIZATIONS OR OTHER ENTITIES TO PROVIDE
6 THE TRAINING.

7 (C) REVIEW.--NOT LESS THAN EVERY THREE YEARS, THE COMMITTEE
8 SHALL REVIEW THE STANDARDS ADOPTED UNDER SUBSECTION (B) AND, IF
9 NECESSARY, REVISE OR UPDATE THE STANDARDS. WHENEVER A REVISION
10 OR UPDATE TO THE STANDARDS IS MADE UNDER THIS SUBSECTION, THE
11 COMMITTEE SHALL MAKE THE UPDATED STANDARDS AVAILABLE TO SCHOOL
12 ENTITIES.

13 SECTION 21. THE ACT IS AMENDED BY ADDING SECTIONS TO READ:
14 SECTION 1314-B. SCHOOL SAFETY AND SECURITY GRANTS FOR 2022-2023
15 SCHOOL YEAR.

16 (A) FUNDING.--FOR THE 2022-2023 SCHOOL YEAR, THE AMOUNT OF
17 MONEY UNDER SECTION 1306-B(H) (9) (I) SHALL BE USED BY THE
18 COMMITTEE TO AWARD SCHOOL SAFETY AND SECURITY GRANTS TO SCHOOL
19 ENTITIES.

20 (B) PURPOSES OF GRANTS.--

21 (1) A SCHOOL ENTITY SHALL BE ELIGIBLE FOR SCHOOL SAFETY
22 AND SECURITY GRANTS TO MEET THE TIER 1 BASELINE CRITERIA FOR
23 PHYSICAL SECURITY ESTABLISHED BY THE COMMITTEE.

24 (2) A SCHOOL ENTITY THAT HAS MET THE TIER 1 BASELINE
25 CRITERIA SHALL BE ELIGIBLE FOR SCHOOL SAFETY AND SECURITY
26 GRANTS FOR THE PURPOSES OUTLINED IN SECTION 1306-B(J) (1),
27 (2), (3), (4), (5), (7), (8), (9), (11), (12), (13), (14),
28 (16), (18), (22) AND (23).

29 (C) AMOUNT OF GRANTS.--THE COMMITTEE SHALL AWARD SCHOOL
30 SAFETY AND SECURITY GRANTS TO EACH SCHOOL ENTITY THAT SUBMITS AN

1 APPLICATION, IN THE FOLLOWING AMOUNTS:

2 (1) A SCHOOL DISTRICT SHALL RECEIVE \$100,000 PLUS AN
3 AMOUNT DETERMINED IN PARAGRAPH (3).

4 (2) AN INTERMEDIATE UNIT, AREA CAREER AND TECHNICAL
5 SCHOOL, CHARTER SCHOOL, REGIONAL CHARTER SCHOOL AND CYBER
6 CHARTER SCHOOL SHALL RECEIVE \$70,000.

7 (3) AN AMOUNT DETERMINED AS FOLLOWS:

8 (I) MULTIPLY THE 2020-2021 ADJUSTED AVERAGE DAILY
9 MEMBERSHIP FOR EACH SCHOOL DISTRICT BY THE DIFFERENCE
10 BETWEEN THE AMOUNT ALLOCATED IN SUBSECTION (A) AND THE
11 SUM OF THE AMOUNTS DISTRIBUTED UNDER PARAGRAPHS (1) AND
12 (2).

13 (II) DIVIDE THE PRODUCT FROM SUBPARAGRAPH (I) BY THE
14 2020-2021 ADJUSTED AVERAGE DAILY MEMBERSHIP FOR ALL
15 SCHOOL DISTRICTS.

16 (D) AVAILABILITY OF APPLICATIONS.--THE COMMITTEE SHALL MAKE
17 THE APPLICATION AVAILABLE TO SCHOOL ENTITIES NO LATER THAN
18 AUGUST 1, 2022. THE APPLICATION REQUIREMENTS SHALL BE LIMITED TO
19 THE SCHOOL ENTITY'S CONTACT INFORMATION, THE SPECIFIC PURPOSE OF
20 THE GRANT BASED ON THE CATEGORIES SPECIFIED IN SUBSECTION (B)
21 WITH BOXES ON THE APPLICATION FOR THE APPLICANT TO INDICATE THE
22 SCHOOL ENTITY'S ANTICIPATED USE AND CERTIFICATION BY THE
23 APPLICANT THAT THE FUNDS WILL BE USED FOR THE STATED PURPOSE.

24 (E) DEADLINES FOR APPLICATIONS.--A SCHOOL ENTITY MUST SUBMIT
25 AN APPLICATION FOR GRANT FUNDS NO LATER THAN AUGUST 31, 2022.

26 (F) EFFECT OF REVENUE RECEIVED.--GRANT MONEY RECEIVED UNDER
27 THIS SECTION MAY NOT BE INCLUDED WHEN CALCULATING THE AMOUNT TO
28 BE PAID UNDER SECTION 1725-A.

29 (G) AUDIT AND MONITORING.--THE COMMITTEE SHALL RANDOMLY
30 AUDIT AND MONITOR GRANT RECIPIENTS TO ENSURE THE APPROPRIATE USE

1 OF GRANT FUNDS AND COMPLIANCE WITH PROVISIONS OF THE GRANT
2 PROGRAM.

3 (H) DEFINITIONS.--AS USED IN THIS SECTION, THE TERM "SCHOOL
4 ENTITY" MEANS A SCHOOL DISTRICT, AREA CAREER AND TECHNICAL
5 SCHOOL, INTERMEDIATE UNIT, CHARTER SCHOOL, REGIONAL CHARTER
6 SCHOOL AND CYBER CHARTER SCHOOL.

7 SECTION 1315-B. SCHOOL MENTAL HEALTH GRANTS FOR 2022-2023
8 SCHOOL YEAR.

9 (A) FUNDING.--FOR THE 2022-2023 SCHOOL YEAR, THE AMOUNT OF
10 MONEY UNDER SECTION 1306-B(H) (9) (II) SHALL BE USED BY THE
11 COMMITTEE TO AWARD SCHOOL MENTAL HEALTH GRANTS TO SCHOOL
12 ENTITIES.

13 (B) PURPOSE OF GRANTS.--

14 (1) A SCHOOL ENTITY SHALL BE ELIGIBLE FOR SCHOOL MENTAL
15 HEALTH GRANTS TO MEET THE TIER 1 BASELINE CRITERIA FOR
16 BEHAVIORAL HEALTH AND SCHOOL CLIMATE CRITERIA ESTABLISHED BY
17 THE COMMITTEE.

18 (2) A SCHOOL ENTITY THAT HAS MET THE TIER 1 BASELINE
19 CRITERIA SHALL BE ELIGIBLE FOR SCHOOL MENTAL HEALTH GRANTS
20 FOR THE PURPOSES OUTLINED IN SECTION 1306-B(J) (6), (10),
21 (15), (17), (19), (20), (21), (23), (24), (25), (26), (27),
22 (28), (29) AND (30).

23 (C) AMOUNT OF GRANTS.--THE COMMITTEE SHALL AWARD SCHOOL
24 MENTAL HEALTH GRANTS TO A SCHOOL ENTITY THAT SUBMITS AN
25 APPLICATION, IN THE FOLLOWING AMOUNTS:

26 (1) A SCHOOL DISTRICT SHALL RECEIVE \$100,000 PLUS AN
27 AMOUNT DETERMINED IN PARAGRAPH (3).

28 (2) AN INTERMEDIATE UNIT, AREA CAREER AND TECHNICAL
29 SCHOOL, CHARTER SCHOOL, REGIONAL CHARTER SCHOOL AND CYBER
30 CHARTER SCHOOL SHALL RECEIVE \$70,000.

1 (3) AN AMOUNT DETERMINED AS FOLLOWS:

2 (I) MULTIPLY THE 2020-2021 ADJUSTED AVERAGE DAILY
3 MEMBERSHIP FOR EACH SCHOOL DISTRICT BY THE DIFFERENCE
4 BETWEEN THE AMOUNT ALLOCATED IN SUBSECTION (A) AND THE
5 SUM OF THE AMOUNTS DISTRIBUTED UNDER PARAGRAPHS (1) AND
6 (2).

7 (II) DIVIDE THE PRODUCT FROM SUBPARAGRAPH (I) BY THE
8 2020-2021 ADJUSTED AVERAGE DAILY MEMBERSHIP FOR ALL
9 SCHOOL DISTRICTS.

10 (D) AVAILABILITY OF APPLICATIONS.--THE COMMITTEE SHALL MAKE
11 THE APPLICATION AVAILABLE TO SCHOOL ENTITIES NO LATER THAN
12 AUGUST 1, 2022. THE APPLICATION REQUIREMENTS SHALL BE LIMITED TO
13 THE SCHOOL ENTITY'S CONTACT INFORMATION, THE SPECIFIC PURPOSE OF
14 THE GRANT BASED UPON THE CATEGORIES SPECIFIED IN SUBSECTION (B)
15 WITH BOXES ON THE APPLICATION FOR THE APPLICANT TO INDICATE THE
16 SCHOOL ENTITY'S ANTICIPATED USE AND CERTIFICATION BY THE
17 APPLICANT THAT THE FUNDS WILL BE USED FOR THE STATED PURPOSE.

18 (E) DEADLINES FOR APPLICATIONS.--A SCHOOL ENTITY MUST SUBMIT
19 AN APPLICATION FOR GRANT FUNDS NO LATER THAN AUGUST 31, 2022.

20 (F) EFFECT OF REVENUE RECEIVED.--GRANT MONEY RECEIVED UNDER
21 THIS SECTION MAY NOT BE INCLUDED WHEN CALCULATING THE AMOUNT TO
22 BE PAID UNDER SECTION 1725-A.

23 (G) AUDIT AND MONITORING.--THE COMMITTEE SHALL RANDOMLY
24 AUDIT AND MONITOR GRANT RECIPIENTS TO ENSURE THE APPROPRIATE USE
25 OF GRANT FUNDS AND COMPLIANCE WITH PROVISIONS OF THE GRANT
26 PROGRAM.

27 (H) DEFINITIONS.--AS USED IN THIS SECTION, THE TERM "SCHOOL
28 ENTITY" MEANS A SCHOOL DISTRICT, AREA CAREER AND TECHNICAL
29 SCHOOL, INTERMEDIATE UNIT, CHARTER SCHOOL, REGIONAL CHARTER
30 SCHOOL AND CYBER CHARTER SCHOOL.

1 SECTION 1316-B. SCHOOL SAFETY AND SECURITY COORDINATOR

2 TRAINING.

3 (A) ESTABLISHMENT.--NO LATER THAN SEPTEMBER 30, 2022, THE
4 COMMITTEE SHALL DEVELOP REQUIRED TRAINING CRITERIA FOR A SCHOOL
5 SAFETY AND SECURITY COORDINATOR. AT A MINIMUM, THE TRAINING
6 SHALL INCLUDE:

7 (1) PHYSICAL ASSESSMENTS AND PHYSICAL SECURITY.

8 (2) EMERGENCY PREPAREDNESS.

9 (3) LEADERSHIP.

10 (4) COORDINATION AND COMMUNICATION WITH LAW ENFORCEMENT
11 AND EMERGENCY PERSONNEL.

12 (5) APPROPRIATE STAFFING.

13 (6) SITUATIONAL AWARENESS.

14 (7) TRAUMA-INFORMED APPROACHES.

15 (8) BEHAVIORAL HEALTH AWARENESS.

16 (9) SUICIDE AND BULLYING AWARENESS.

17 (10) SUBSTANCE USE DISORDER AWARENESS.

18 (11) EMERGENCY PROCEDURES AND TRAINING DRILLS, INCLUDING
19 FIRE, NATURAL DISASTER, ACTIVE SHOOTER, HOSTAGE SITUATION AND
20 BOMB THREATS.

21 (B) REQUIRED TRAINING.--THE COMMITTEE SHALL ADOPT THE
22 REQUIRED TRAINING HOURS FOR THE TRAINING DEVELOPED UNDER
23 SUBSECTION (A). THE COMMITTEE MAY NOT REQUIRE MORE THAN SEVEN
24 HOURS OF TRAINING FOR THE SCHOOL SAFETY AND SECURITY COORDINATOR
25 ANNUALLY. THE TRAINING SHALL BE IN ADDITION TO OTHER TRAINING
26 REQUIREMENTS FOR SCHOOL ADMINISTRATORS.

27 (C) TRAINING.--THE COMMITTEE SHALL MAKE THE TRAINING
28 CRITERIA DEVELOPED UNDER THIS SECTION AVAILABLE TO SCHOOL
29 ADMINISTRATORS AND GROUPS, ORGANIZATIONS OR PROVIDERS. A GROUP,
30 ORGANIZATION OR PROVIDER THAT PROVIDES THE TRAINING TO SCHOOL

1 SAFETY AND SECURITY COORDINATORS SHALL, AT A MINIMUM, MEET THE
2 STANDARDS ADOPTED BY THE COMMITTEE.

3 (D) REVIEW.--THE COMMITTEE SHALL REVIEW AND UPDATE, IF
4 NECESSARY, THE TRAINING CRITERIA ESTABLISHED UNDER SUBSECTION
5 (A) NOT LESS THAN EVERY THREE YEARS. IF THE COMMITTEE UPDATES
6 THE TRAINING CRITERIA, THE COMMITTEE SHALL PROVIDE THE CRITERIA
7 TO SCHOOL ADMINISTRATORS AND GROUPS, ORGANIZATIONS OR PROVIDERS.

8 (E) FUNDING.--THE AMOUNT OF MONEY UNDER SECTION 1306-B(H) (9)
9 (III) SHALL BE USED BY THE COMMITTEE TO PROVIDE TRAINING AS
10 REQUIRED UNDER THIS SECTION. NO LESS THAN FOUR PERCENT OF THE
11 MONEY AVAILABLE FOR USE BY THE COMMITTEE UNDER THIS SECTION
12 SHALL BE USED TO SUPPORT THE PROGRAM IN SECTION 1303-D.
13 SECTION 1317-B. SCHOOL SAFETY AND SECURITY TRAINING IN
14 EDUCATOR, ADMINISTRATOR AND SUPERVISORY PREPARATORY
15 PROGRAMS.

16 THE STANDARDS DEVELOPED BY THE DEPARTMENT AS REQUIRED BY 22
17 PA. CODE § 49.14 (RELATING TO APPROVAL OF INSTITUTIONS AND
18 ALTERNATIVE PROGRAM PROVIDERS) FOR AN APPROVED EDUCATOR
19 PREPARATION PROGRAM OR APPROVED ALTERNATIVE PROGRAM, OR FOR AN
20 APPROVED PROGRAM OF GRADUATE STUDY OR AN APPROVED ALTERNATIVE
21 PROGRAM FOR THE PREPARATION OF SUPERVISORS OR CHIEF SCHOOL
22 ADMINISTRATORS, SHALL INCLUDE A MINIMUM OF THREE SEMESTER HOURS
23 OR THEIR EQUIVALENT OF INSTRUCTION WHICH INCORPORATES THE
24 SUBJECTS OF TRAINING LISTED UNDER SECTION 1310-B(1) (I) THROUGH
25 (V) AND AS APPROVED BY THE COMMITTEE FOR CANDIDATES WHO BEGIN A
26 PENNSYLVANIA PREPARATION PROGRAM OR ALTERNATE PROGRAM AFTER JULY
27 1, 2025.

28 SECTION 1318-B. SCHOOL-BASED MENTAL HEALTH INTERNSHIP GRANT
29 PROGRAM.

30 (A) ESTABLISHMENT OF PROGRAM.--THE SCHOOL-BASED MENTAL

1 HEALTH INTERNSHIP GRANT PROGRAM IS ESTABLISHED WITHIN THE
2 AGENCY.

3 (B) AGENCY DUTIES.--

4 (1) THE AGENCY SHALL ADMINISTER THE PROGRAM AND, IN ITS
5 SOLE DISCRETION, AWARD GRANTS TO INDIVIDUALS WHO SUBMIT A
6 COMPLETED APPLICATION AND SATISFY THE ELIGIBILITY CRITERIA IN
7 PARAGRAPH (3). THE AGENCY SHALL DEVELOP AN APPLICATION FORM
8 THAT INDIVIDUALS MAY USE TO APPLY FOR A GRANT UNDER THE
9 PROGRAM.

10 (2) THE AGENCY SHALL USE MONEY APPROPRIATED FOR THE
11 PURPOSE OF THE PROGRAM AND MAY ACCEPT FUNDING FROM PUBLIC AND
12 PRIVATE SOURCES, INCLUDING THE FEDERAL GOVERNMENT, FOR THE
13 PAYMENT OF GRANTS TO SUPPORT INDIVIDUALS WORKING IN
14 INTERNSHIPS IN EDUCATIONAL SPECIALIST PREPARATION PROGRAMS.

15 (3) THE AGENCY SHALL ESTABLISH ELIGIBILITY CRITERIA IN
16 ORDER FOR AN INDIVIDUAL TO RECEIVE A GRANT UNDER THE PROGRAM.
17 THE CRITERIA SHALL, AT A MINIMUM, INCLUDE THAT AN INDIVIDUAL:

18 (I) BE A COMMONWEALTH RESIDENT AS DEFINED BY THE
19 AGENCY;

20 (II) BE ENROLLED IN AN EDUCATIONAL SPECIALIST
21 PREPARATION PROGRAM AS DEFINED BY THIS ARTICLE;

22 (III) BE ACCEPTED IN AN INTERNSHIP AT A PENNSYLVANIA
23 SCHOOL ENTITY LOCATED IN THIS COMMONWEALTH; AND

24 (IV) ENTER INTO A CONTRACT WITH THE AGENCY TO WORK
25 IN A SCHOOL ENTITY LOCATED IN THIS COMMONWEALTH AS A
26 SCHOOL NURSE, SCHOOL PSYCHOLOGIST, SCHOOL COUNSELOR OR
27 SCHOOL SOCIAL WORKER FOR A MINIMUM OF THREE YEARS
28 FOLLOWING COMPLETION OF THEIR RESPECTIVE EDUCATIONAL
29 SPECIALIST PREPARATION PROGRAM.

30 (4) THE AGENCY SHALL DETERMINE THE AMOUNT OF THE GRANTS

1 TO BE AWARDED UNDER THE PROGRAM.

2 (5) THE AGENCY SHALL ESTABLISH AN ADVISORY COMMITTEE TO
3 ASSIST IN THE IMPLEMENTATION OF THE PROGRAM AND MAKE
4 RECOMMENDATIONS TO THE AGENCY REGARDING THE FUNDING FOR
5 INTERNSHIP GRANTS THAT REFLECT BARRIERS TO BECOMING A SCHOOL-
6 BASED MENTAL HEALTH PROFESSIONAL AND THE BEST PRACTICES OF
7 INTERNSHIPS IN OTHER STATES. THE ADVISORY COMMITTEE SHALL
8 INCLUDE REPRESENTATIVES OF EDUCATIONAL SPECIALIST PREPARATION
9 PROGRAMS AND ONE REPRESENTATIVE OF EACH OF THE FOLLOWING:

10 (I) THE ASSOCIATION OF SCHOOL PSYCHOLOGISTS OF
11 PENNSYLVANIA.

12 (II) THE PENNSYLVANIA ASSOCIATION OF SCHOOL SOCIAL
13 WORK PERSONNEL.

14 (III) THE PENNSYLVANIA SCHOOL COUNSELORS
15 ASSOCIATION.

16 (IV) THE PENNSYLVANIA STATE EDUCATION ASSOCIATION.

17 (V) THE PENNSYLVANIA SCHOOL BOARDS ASSOCIATION.

18 (VI) THE PENNSYLVANIA ASSOCIATION OF SCHOOL BUSINESS
19 OFFICIALS.

20 (VII) THE PENNSYLVANIA ASSOCIATION OF SCHOOL
21 ADMINISTRATORS.

22 (VIII) THE DEPARTMENT.

23 (IX) THE DEPARTMENT OF HEALTH.

24 (X) THE AMERICAN FEDERATION OF TEACHERS.

25 (XI) ADDITIONAL COMMITTEE MEMBERS FROM ORGANIZATIONS
26 SHALL BE ADDED BY THE AGENCY AS NECESSARY.

27 (C) CONSTRUCTION.--NOTHING IN THIS SECTION SHALL BE DEEMED
28 TO CREATE A RIGHT OF AN INDIVIDUAL TO RECEIVE A GRANT UNDER THE
29 PROGRAM.

30 (D) REPORT.--THE AGENCY SHALL PREPARE AND SUBMIT TO THE

1 GOVERNOR, THE SECRETARY OF EDUCATION AND THE GENERAL ASSEMBLY NO
2 LATER THAN SEPTEMBER 30, 2023, AND EACH YEAR THEREAFTER TO THE
3 EXTENT THAT FUNDS ARE AVAILABLE, A REPORT DETAILING THE
4 OPERATION OF THE PROGRAM. THE REPORT SHALL, AT A MINIMUM,
5 INCLUDE:

6 (1) THE NUMBER OF GRANT APPLICANTS.

7 (2) THE NUMBER OF GRANTS PROVIDED.

8 (3) THE AVERAGE VALUE OF A GRANT.

9 (4) THE NUMBER OF GRANTS PROVIDED TO INDIVIDUALS SEEKING
10 TO BECOME SCHOOL NURSES.

11 (5) THE NUMBER OF GRANTS PROVIDED TO INDIVIDUALS SEEKING
12 TO BECOME SCHOOL PSYCHOLOGISTS.

13 (6) THE NUMBER OF GRANTS PROVIDED TO INDIVIDUALS SEEKING
14 TO BECOME SCHOOL COUNSELORS.

15 (7) THE NUMBER OF GRANTS PROVIDED TO INDIVIDUALS SEEKING
16 TO BECOME SCHOOL SOCIAL WORKERS.

17 (8) A LIST OF SCHOOL ENTITIES WHERE GRANTEEES SERVE
18 INTERNSHIPS.

19 (9) A LIST OF SCHOOL ENTITIES WHERE GRANTEEES ARE
20 EMPLOYED.

21 (E) FUNDING.--THE COMMITTEE SHALL TRANSFER THE AMOUNT OF
22 MONEY UNDER SECTION 1306-B(H) (9) (IV) TO THE AGENCY TO IMPLEMENT
23 THIS SECTION.

24 (F) ADMINISTRATIVE FEE.--THE AGENCY MAY TAKE A REASONABLE
25 ADMINISTRATIVE FEE FOR DIRECT COSTS ASSOCIATED FOR
26 IMPLEMENTATION, ADMINISTRATION, AND SERVICING OF THIS SECTION.
27 THE FEE SHALL BE TAKEN FROM THE FUNDING RECEIVED UNDER
28 SUBSECTION (E).

29 (G) DEFINITIONS.--THE FOLLOWING WORDS AND PHRASES WHEN USED
30 IN THIS SECTION SHALL HAVE THE MEANINGS GIVEN TO THEM IN THIS

1 SUBSECTION UNLESS THE CONTEXT CLEARLY INDICATES OTHERWISE:

2 "AGENCY." THE PENNSYLVANIA HIGHER EDUCATION ASSISTANCE
3 AGENCY.

4 "DEPARTMENT." THE DEPARTMENT OF EDUCATION OF THE
5 COMMONWEALTH.

6 "EDUCATIONAL SPECIALIST PREPARATION PROGRAM." AN EDUCATOR
7 PREPARATION PROGRAM APPROVED BY THE DEPARTMENT OF EDUCATION THAT
8 LEADS TO EDUCATOR CERTIFICATION IN SCHOOL NURSING, SCHOOL
9 PSYCHOLOGY, SCHOOL COUNSELING OR SCHOOL SOCIAL WORK.

10 "INTERNSHIP." FIELD EDUCATION EXPERIENCE THAT:

11 (1) IS PART OF A PROGRAM FOR THE PREPARATION OF SCHOOL-
12 BASED MENTAL HEALTH PROFESSIONALS IN WHICH AN INDIVIDUAL IS
13 ENROLLED IN AN EDUCATIONAL SPECIALIST PREPARATION PROGRAM;

14 (2) IS SUPERVISED BY THE FACULTY OF AN EDUCATIONAL
15 SPECIALIST PREPARATION PROGRAM IN COORDINATION WITH A SCHOOL-
16 BASED MENTAL HEALTH PROFESSIONAL EMPLOYED BY A SCHOOL ENTITY;

17 (3) BUILDS ON CLASSROOM LEARNING EXPERIENCES USING BEST
18 PRACTICES; AND

19 (4) IS ESTABLISHED THROUGH AN AGREEMENT BETWEEN THE
20 SCHOOL ENTITY AND THE EDUCATIONAL SPECIALIST PREPARATION
21 PROGRAM.

22 "PROGRAM." THE SCHOOL-BASED MENTAL HEALTH INTERNSHIP GRANT
23 PROGRAM ESTABLISHED BY THIS SECTION.

24 "SCHOOL-BASED MENTAL HEALTH PROFESSIONAL." AN INDIVIDUAL WHO
25 IS CERTIFIED UNDER ARTICLE XI AND SATISFIES THE DEPARTMENT'S
26 REQUIREMENTS FOR PUBLIC SCHOOL EMPLOYMENT. THE TERM INCLUDES A
27 SCHOOL NURSE, SCHOOL COUNSELOR, SCHOOL SOCIAL WORKER OR SCHOOL
28 PSYCHOLOGIST.

29 "SCHOOL ENTITY." A SCHOOL DISTRICT, INTERMEDIATE UNIT, AREA
30 CAREER AND TECHNICAL SCHOOL, CHARTER SCHOOL, REGIONAL CHARTER

1 SCHOOL OR CYBER CHARTER SCHOOL.

2 SECTION 22. SECTION 1302-E(A) OF THE ACT IS AMENDED TO READ:
3 SECTION 1302-E. THREAT ASSESSMENT TEAMS.

4 (A) DUTIES OF SCHOOL ENTITIES AND CHIEF SCHOOL
5 ADMINISTRATORS.-- [THE FOLLOWING SHALL APPLY:]

6 (1) [EACH] A SCHOOL ENTITY SHALL ESTABLISH AT LEAST ONE
7 TEAM AS PROVIDED UNDER SUBSECTION (B) FOR THE ASSESSMENT OF
8 AND INTERVENTION WITH STUDENTS WHOSE BEHAVIOR MAY INDICATE A
9 THREAT TO THE SAFETY OF THE STUDENT, OTHER STUDENTS, SCHOOL
10 EMPLOYEES, SCHOOL FACILITIES, THE COMMUNITY OR OTHERS.

11 (2) [EACH] THE CHIEF SCHOOL ADMINISTRATOR OR A DESIGNEE,
12 AFTER CONSULTATION WITH THE SCHOOL ENTITY'S SAFETY AND
13 SECURITY COORDINATOR, SHALL:

14 (I) APPOINT THE MEMBERS OF THE TEAM AND DESIGNATE A
15 MEMBER TO SERVE AS TEAM LEADER.

16 (II) ENSURE AND ESTABLISH PROCEDURES FOR THE
17 IMPLEMENTATION OF THIS SECTION.

18 (III) [FACILITATE] ANNUALLY FACILITATE OPPORTUNITIES
19 FOR MEMBERS OF THE TEAM TO COMPLETE GROUP OR INDIVIDUAL
20 TRAINING CONSISTENT WITH NATIONALLY RECOGNIZED BEST
21 PRACTICES DURING PAID WORKING HOURS OR AS IN-SERVICE
22 TRAINING.

23 (IV) [ENSURE] ANNUALLY ENSURE THAT STUDENTS, SCHOOL
24 EMPLOYEES AND PARENTS AND GUARDIANS ARE INFORMED OF THE
25 EXISTENCE AND PURPOSE OF THE TEAM. THE INFORMATION UNDER
26 THIS SUBPARAGRAPH SHALL BE POSTED ON THE SCHOOL ENTITY'S
27 PUBLICLY ACCESSIBLE INTERNET WEBSITE.

28 (V) ANNUALLY DEVELOP AND PRESENT TO THE SCHOOL
29 ENTITY'S BOARD OF DIRECTORS AT AN EXECUTIVE SESSION A
30 REPORT GENERALLY OUTLINING THE SCHOOL ENTITY'S APPROACH

1 TO THREAT ASSESSMENT. THE REPORT SHALL ALSO BE SUBMITTED
2 TO THE SCHOOL ENTITY'S SCHOOL SAFETY AND SECURITY
3 COORDINATOR FOR INCLUSION IN THE REQUIRED REPORT UNDER
4 SECTION 1309-B(C) (5) TO THE COMMITTEE, WHICH SHALL
5 INCLUDE:

6 (A) A VERIFICATION THAT THE SCHOOL ENTITY IS IN
7 COMPLIANCE WITH THIS ARTICLE.

8 (B) THE NUMBER AND COMPOSITION OF ESTABLISHED
9 TEAMS.

10 (C) THE TOTAL NUMBER OF THREATS ASSESSED IN THE
11 SCHOOL ENTITY.

12 (D) [ANY ADDITIONAL] ADDITIONAL INFORMATION
13 DETERMINED BY THE CHIEF SCHOOL ADMINISTRATOR OR
14 DESIGNEE.

15 (VI) ANNUALLY PRESENT TO THE SCHOOL ENTITY'S BOARD
16 OF DIRECTORS AT AN EXECUTIVE SESSION THE FOLLOWING:

17 (A) A SUMMARY OF INTERACTIONS WITH OUTSIDE LAW
18 ENFORCEMENT, JUVENILE PROBATION AND BEHAVIORAL
19 SERVICE PROVIDERS.

20 (B) AN ASSESSMENT OF THE OPERATION OF THE SCHOOL
21 ENTITY'S TEAMS.

22 (C) RECOMMENDATIONS FOR IMPROVEMENT OF THE
23 SCHOOL ENTITY'S THREAT ASSESSMENT PROCESSES.

24 (D) ANY ADDITIONAL INFORMATION DETERMINED BY THE
25 CHIEF SCHOOL ADMINISTRATOR OR DESIGNEE.

26 * * *

27 SECTION 23. SECTION 1402 OF THE ACT IS AMENDED BY ADDING
28 SUBSECTIONS TO READ:

29 SECTION 1402. HEALTH SERVICES.--* * *

30 (A.2) IN A SCHOOL DISTRICT THAT PROVIDED SCHOOL NURSE

1 SERVICES TO A NONPUBLIC SCHOOL DURING THE 2018-2019 SCHOOL YEAR
2 AND RECEIVED STATE FUNDING IN ACCORDANCE WITH SECTION 2505.1,
3 THE SCHOOL DISTRICT SHALL CONTINUE TO PROVIDE NURSE SERVICES TO
4 EVERY CHILD OF SCHOOL AGE ENROLLED IN THE NONPUBLIC SCHOOL AND
5 RECEIVE STATE FUNDING FOR SCHOOL NURSE SERVICES IN ACCORDANCE
6 WITH SECTION 2505.1.

7 * * *

8 (G) 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 "NONPUBLIC SCHOOL" MEANS A SCHOOL, OTHER THAN A PUBLIC SCHOOL
12 WITHIN THIS COMMONWEALTH, WHEREIN A RESIDENT OF THIS
13 COMMONWEALTH MAY LEGALLY FULFILL THE COMPULSORY SCHOOL
14 ATTENDANCE REQUIREMENTS OF THIS ACT AND WHICH MEET THE
15 REQUIREMENTS OF TITLE VI OF THE CIVIL RIGHTS ACT OF 1964 (PUBLIC
16 LAW 88-352, 42 U.S.C. § 2000 ET SEQ.).

17 SECTION 24. ARTICLE XIV-A HEADING OF THE ACT IS AMENDED TO
18 READ:

19 ARTICLE XIV-A
20 DRUG AND ALCOHOL RECOVERY
21 HIGH SCHOOL [PILOT] PROGRAM

22 SECTION 25. THE DEFINITION OF "PROGRAM" IN SECTION 1401-A OF
23 THE ACT IS AMENDED TO READ:

24 SECTION 1401-A. 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 "PROGRAM." THE DRUG AND ALCOHOL RECOVERY HIGH SCHOOL [PILOT]
30 PROGRAM ESTABLISHED UNDER SECTION 1402-A.

1 * * *

2 SECTION 26. SECTIONS 1402-A HEADING AND (A) AND 1403-A(C) (2)
3 AND (D) OF THE ACT ARE AMENDED TO READ:

4 SECTION 1402-A. ESTABLISHMENT OF DRUG AND ALCOHOL RECOVERY HIGH
5 SCHOOL [PILOT] PROGRAM.

6 (A) [PILOT PROGRAM ESTABLISHED] ESTABLISHMENT.--THE DRUG AND
7 ALCOHOL RECOVERY HIGH SCHOOL [PILOT] PROGRAM IS ESTABLISHED TO
8 PROVIDE A PROGRAM OF INSTRUCTION IN GRADES 9 THROUGH 12 MEETING
9 STATE ACADEMIC STANDARDS FOR STUDENTS WHO ARE IN RECOVERY FROM
10 DRUG OR ALCOHOL ABUSE OR ADDICTION.

11 * * *

12 SECTION 1403-A. SCOPE OF PROGRAM AND SELECTION OF STUDENTS.

13 * * *

14 (C) STUDENT REQUIREMENTS.--A STUDENT MAY ENROLL IN THE
15 RECOVERY HIGH SCHOOL UNDER THE PROGRAM IF THE FOLLOWING APPLY:

16 * * *

17 (2) [THE STUDENT HAS AT LEAST 30 DAYS OF SOBRIETY AT THE
18 TIME OF APPLICATION FOR ENROLLMENT.] THE STUDENT COMMITS TO
19 SOBRIETY FROM DRUG OR ALCOHOL ABUSE OR ADDICTION AND
20 PARTICIPATES IN A DRUG AND ALCOHOL RECOVERY PROGRAM AT THE
21 TIME OF THE APPLICATION.

22 * * *

23 (D) APPROVAL OR DISAPPROVAL BY RESIDENT SCHOOL DISTRICT.--
24 WITHIN [30] 15 DAYS AFTER A STUDENT'S PARENT OR GUARDIAN SUBMITS
25 A WRITTEN REQUEST TO THE RESIDENT SCHOOL DISTRICT SEEKING THE
26 STUDENT'S ENROLLMENT IN THE RECOVERY HIGH SCHOOL UNDER THE
27 PROGRAM, THE RESIDENT SCHOOL DISTRICT SHALL ISSUE WRITTEN NOTICE
28 TO THE PARENT OR GUARDIAN APPROVING OR DISAPPROVING THE REQUEST.

29 * * *

30 SECTION 27. SECTION 1406-A OF THE ACT IS REPEALED:

1 [SECTION 1406-A. TERM OF DRUG AND ALCOHOL RECOVERY HIGH SCHOOL
2 PILOT PROGRAM.]

3 (A) ENROLLMENT OF NEW STUDENTS.--UNLESS THE PROGRAM IS
4 PERMANENTLY ESTABLISHED BY ACTION OF THE GENERAL ASSEMBLY, THE
5 RECOVERY HIGH SCHOOL SHALL NOT ENROLL NEW STUDENTS UNDER THE
6 PROGRAM AFTER JUNE 30, 2022.

7 (B) CONTINUED ENROLLMENT.--IF THE PROGRAM IS NOT PERMANENTLY
8 ESTABLISHED BY ACTION OF THE GENERAL ASSEMBLY ON OR BEFORE JUNE
9 30, 2022, A STUDENT ENROLLED IN THE RECOVERY HIGH SCHOOL UNDER
10 THE PROGRAM AS OF JUNE 30, 2022, MAY REMAIN ENROLLED IN THE
11 RECOVERY HIGH SCHOOL UNDER THE PROGRAM UNTIL THE EARLIER OF THE
12 FOLLOWING:

13 (1) THE STUDENT'S GRADUATION FROM THE RECOVERY HIGH
14 SCHOOL.

15 (2) THE STUDENT'S WITHDRAWAL FROM THE RECOVERY HIGH
16 SCHOOL.

17 (3) THE STUDENT'S COMPLETION OF FOUR YEARS OF ENROLLMENT
18 IN THE RECOVERY HIGH SCHOOL UNDER THE PROGRAM.]

19 SECTION 28. SECTIONS 1407-A(B) AND 1525 OF THE ACT IS
20 AMENDED TO READ:

21 SECTION 1407-A. REPORTING.

22 * * *

23 (B) REPORT BY DEPARTMENT OF EDUCATION AND DEPARTMENT OF DRUG
24 AND ALCOHOL PROGRAMS.--BY DECEMBER 31, 2021, AND EACH YEAR
25 THEREAFTER, THE DEPARTMENT OF EDUCATION AND THE DEPARTMENT OF
26 DRUG AND ALCOHOL PROGRAMS, JOINTLY, SHALL SUBMIT TO THE
27 CHAIRPERSON AND MINORITY CHAIRPERSON OF THE EDUCATION COMMITTEE
28 OF THE SENATE, THE CHAIRPERSON AND MINORITY CHAIRPERSON OF THE
29 EDUCATION COMMITTEE OF THE HOUSE OF REPRESENTATIVES, THE
30 CHAIRPERSON AND MINORITY CHAIRPERSON OF THE PUBLIC HEALTH AND

1 WELFARE COMMITTEE OF THE SENATE AND THE CHAIRPERSON AND MINORITY
2 CHAIRPERSON OF THE HEALTH COMMITTEE OF THE HOUSE OF
3 REPRESENTATIVES A WRITTEN REPORT ASSESSING THE SUCCESS OF THE
4 PROGRAM AND [MAKING RECOMMENDATIONS REGARDING THE POSSIBLE
5 EXTENSION AND EXPANSION OF THE PROGRAM, INCLUDING A PROPOSED
6 TIMELINE FOR ANY POTENTIAL EXPANSION.] ALL EXPENDITURES RELATING
7 TO THE PROGRAM.

8 SECTION 1525. AGREEMENTS WITH INSTITUTIONS OF HIGHER
9 EDUCATION.--(A) NOTWITHSTANDING ANY OTHER PROVISION OF LAW TO
10 THE CONTRARY, A SCHOOL [DISTRICT MAY] ENTITY SHALL ENTER INTO AN
11 AGREEMENT WITH [ONE OR MORE INSTITUTIONS] AN INSTITUTION OF
12 HIGHER EDUCATION APPROVED TO OPERATE IN THIS COMMONWEALTH IN
13 ORDER TO ALLOW [RESIDENT] STUDENTS TO ATTEND [SUCH INSTITUTIONS]
14 THE INSTITUTION OF HIGHER EDUCATION WHILE THE [RESIDENT]
15 STUDENTS ARE ENROLLED IN THE SCHOOL [DISTRICT. THE] ENTITY. A
16 SCHOOL ENTITY MAY ENTER INTO ADDITIONAL AGREEMENTS WITH OTHER
17 INSTITUTIONS OF HIGHER EDUCATION APPROVED TO OPERATE IN THIS
18 COMMONWEALTH IN ORDER TO ALLOW STUDENTS TO ATTEND THE
19 INSTITUTIONS OF HIGHER EDUCATION WHILE THE STUDENTS ARE ENROLLED
20 IN THE SCHOOL ENTITY.

21 (B) ANY AGREEMENT [MAY] BETWEEN A SCHOOL ENTITY AND AN
22 INSTITUTION OF HIGHER EDUCATION SHALL BE STRUCTURED SO THAT:

23 (1) [HIGH] SECONDARY SCHOOL STUDENTS [MAY] RECEIVE CREDITS
24 [TOWARD COMPLETION OF COURSES AT THE SCHOOL DISTRICT AND AT
25 INSTITUTIONS] AT OR THROUGH AN INSTITUTION OF HIGHER EDUCATION
26 APPROVED TO OPERATE IN THIS COMMONWEALTH. THE CREDITS EARNED BY
27 A SECONDARY SCHOOL STUDENT UNDER THIS SECTION SHALL BE THE SAME
28 CREDITS OFFERED TO A POSTSECONDARY SCHOOL STUDENT ENROLLED AT
29 THE INSTITUTION OF HIGHER EDUCATION;

30 (2) SECONDARY SCHOOL STUDENTS MAY ALSO RECEIVE CREDITS

1 TOWARD THE COMPLETION OF COURSES REQUIRED FOR GRADUATION AT THE
2 SCHOOL ENTITY;

3 (3) COURSES MAY BE OFFERED IN-PERSON, ONLINE OR A
4 COMBINATION OF IN-PERSON AND ONLINE;

5 (4) A SCHOOL ENTITY MAY PAY FOR TUITION, FEES, SUPPLIES OR
6 OTHER COSTS RELATED TO A SECONDARY SCHOOL STUDENT FROM THEIR
7 SCHOOL ENTITY ENROLLING IN COURSES AT AN INSTITUTION OF HIGHER
8 EDUCATION; AND

9 (5) IF A CHARTER SCHOOL, REGIONAL CHARTER SCHOOL OR CYBER
10 CHARTER SCHOOL DOES NOT PAY THE COST OF TUITION, FEES, SUPPLIES
11 AND RELATED MATERIALS FOR A SECONDARY SCHOOL STUDENT TO ENROLL
12 IN AN APPROVED COURSE AT AN INSTITUTION OF HIGHER EDUCATION
13 UNDER THIS SECTION, THE SECONDARY SCHOOL STUDENT'S SCHOOL
14 DISTRICT OF RESIDENCE MAY REDUCE THE TUITION PAID TO THE CHARTER
15 SCHOOL, REGIONAL CHARTER SCHOOL OR CYBER CHARTER SCHOOL FOR THE
16 SECONDARY SCHOOL STUDENT UNDER SECTION 1725-A BY THE COSTS
17 INCURRED BY THE SECONDARY SCHOOL STUDENT AS VERIFIED AND
18 APPROVED BY THE CHARTER SCHOOL, REGIONAL CHARTER SCHOOL OR CYBER
19 CHARTER SCHOOL.

20 (C) WHEN POSSIBLE, THE COURSES FOR WHICH A SECONDARY SCHOOL
21 STUDENT RECEIVES CREDITS UNDER AN AGREEMENT ENTERED INTO UNDER
22 THIS SECTION SHALL BE ALIGNED TO THE GRADUATION REQUIREMENTS OF
23 THE SECONDARY SCHOOL STUDENT'S SCHOOL ENTITY, THE REQUIREMENTS
24 OF A CAREER AND TECHNICAL EDUCATION PROGRAM OFFERED BY THE
25 SECONDARY SCHOOL STUDENT'S SCHOOL OR A CAREER PATHWAY OFFERED BY
26 THE SECONDARY SCHOOL STUDENT'S SCHOOL.

27 (D) A SCHOOL ENTITY THAT ENTERS INTO AN AGREEMENT UNDER THIS
28 SECTION SHALL WEIGHT CREDITS FOR A SECONDARY SCHOOL STUDENT IN A
29 MANNER SIMILAR TO ADVANCED PLACEMENT PROGRAM, INTERNATIONAL
30 BACCALAUREATE DIPLOMA PROGRAM OR CAMBRIDGE ADVANCED COURSES IN

1 THE SCHOOL ENTITY'S GRADING SYSTEM, INCLUDING BOTH ACADEMIC AND
2 TECHNICAL COURSES.

3 (E) NO LATER THAN JULY 31, 2023, AND EACH SCHOOL YEAR
4 THEREAFTER, A SCHOOL ENTITY SHALL PROVIDE TO THE DEPARTMENT OF
5 EDUCATION THE NUMBER AND FORM OF AGREEMENTS THE SCHOOL ENTITY
6 HAS ENTERED INTO UNDER THIS SECTION AND THE NUMBER OF SECONDARY
7 SCHOOL STUDENTS PARTICIPATING IN THE AGREEMENTS, INCLUDING TOTAL
8 CREDITS EARNED. THE DEPARTMENT OF EDUCATION SHALL COMPILE THE
9 INFORMATION RECEIVED UNDER THIS SUBSECTION AND INCLUDE IT IN THE
10 DEPARTMENT'S ELECTRONIC DATABASE OR SOFTWARE PROGRAM AND PORTAL
11 ESTABLISHED UNDER SECTION 2005-C(4).

12 (F) A SCHOOL ENTITY THAT DOES NOT ENROLL SECONDARY SCHOOL
13 STUDENTS IS NOT REQUIRED TO ENTER INTO AN AGREEMENT WITH AN
14 INSTITUTION OF HIGHER EDUCATION UNDER THIS SECTION.

15 (G) WHEN POSSIBLE, THE COURSES OFFERED BY AN INSTITUTION OF
16 HIGHER EDUCATION THROUGH AN AGREEMENT UNDER SUBSECTION (A) SHALL
17 SUPPLEMENT AND SHALL NOT SUPPLANT COURSES OFFERED BY THE SCHOOL
18 ENTITY TO ITS SECONDARY SCHOOL STUDENTS.

19 (H) (1) NOTHING IN THIS SECTION SHALL BE CONSTRUED TO
20 SUPERSEDE OR PREEMPT A PROVISION OF A COLLECTIVE BARGAINING
21 AGREEMENT BETWEEN A SCHOOL ENTITY AND AN EMPLOYE ORGANIZATION,
22 OR A RIGHT OF AN EMPLOYE ORGANIZATION UNDER THE PROVISIONS OF
23 THE ACT OF JULY 23, 1970 (P.L.563, NO.195), KNOWN AS THE "PUBLIC
24 EMPLOYE RELATIONS ACT."

25 (2) AS USED IN THIS SECTION, THE FOLLOWING WORDS AND PHRASES
26 SHALL HAVE THE MEANINGS GIVEN TO THEM IN THIS SUBSECTION UNLESS
27 THE CONTEXT CLEARLY INDICATES OTHERWISE:

28 "EMPLOYE ORGANIZATION." AS DEFINED IN SECTION 1101-A.

29 "SCHOOL ENTITY." A SCHOOL DISTRICT, AREA CAREER AND
30 TECHNICAL SCHOOL, CHARTER SCHOOL, CYBER CHARTER SCHOOL OR

1 REGIONAL CHARTER SCHOOL.

2 SECTION 29. THE ACT IS AMENDED BY ADDING ARTICLES TO READ:

3 ARTICLE XV-K

4 TALENT RECRUITMENT

5 SECTION 1501-K. SCOPE OF ARTICLE.

6 THIS ARTICLE RELATES TO TALENT RECRUITMENT IN THE
7 COMMONWEALTH'S EDUCATION FIELD.

8 SECTION 1502-K. DEFINITIONS.

9 THE FOLLOWING WORDS AND PHRASES WHEN USED IN THIS ARTICLE
10 SHALL HAVE THE MEANINGS GIVEN TO THEM IN THIS SECTION UNLESS THE
11 CONTEXT CLEARLY INDICATES OTHERWISE:

12 "BOARD." THE STATE BOARD OF EDUCATION.

13 "COMMITTEE." THE COMMITTEE ON EDUCATION TALENT RECRUITMENT
14 ESTABLISHED UNDER SECTION 1503-K(A).

15 "DEPARTMENT." THE DEPARTMENT OF EDUCATION OF THE
16 COMMONWEALTH.

17 "EVERY STUDENT SUCCEEDS ACT." THE EVERY STUDENT SUCCEEDS ACT
18 (PUBLIC LAW 114-95, 129 STAT. 1802).

19 "GRANT PROGRAM." THE TALENT RECRUITMENT GRANT PROGRAM
20 ESTABLISHED UNDER SECTION 1506-K.

21 "SCHOOL ENTITY." A SCHOOL DISTRICT, CHARTER SCHOOL, REGIONAL
22 CHARTER SCHOOL, CYBER CHARTER SCHOOL, AREA CAREER AND TECHNICAL
23 SCHOOL OR INTERMEDIATE UNIT.

24 "SECRETARY." THE SECRETARY OF EDUCATION OF THE COMMONWEALTH.
25 SECTION 1503-K. COMMITTEE ON EDUCATION TALENT RECRUITMENT.

26 (A) ESTABLISHMENT.--THE COMMITTEE ON EDUCATION TALENT
27 RECRUITMENT IS ESTABLISHED WITHIN THE DEPARTMENT.

28 (B) DUTIES.--

29 (1) WITHIN 30 DAYS OF THE EFFECTIVE DATE OF THIS
30 SECTION, THE DEPARTMENT SHALL APPOINT REPRESENTATIVES TO THE

1 COMMITTEE. THE COMMITTEE SHALL, AT A MINIMUM, INCLUDE A
2 REPRESENTATIVE FROM EACH OF THE FOLLOWING:

3 (I) THE PENNSYLVANIA SCHOOL BOARDS ASSOCIATION.

4 (II) THE PENNSYLVANIA ASSOCIATION OF CAREER AND
5 TECHNICAL ADMINISTRATORS.

6 (III) THE PENNSYLVANIA STATE EDUCATION ASSOCIATION.

7 (IV) THE AMERICAN FEDERATION OF TEACHERS.

8 (V) THE PENNSYLVANIA ASSOCIATION OF SCHOOL
9 ADMINISTRATORS.

10 (VI) THE CENTER FOR BLACK EDUCATOR DEVELOPMENT.

11 (VII) THE PENNSYLVANIA COALITION OF PUBLIC CHARTER
12 SCHOOLS.

13 (VIII) THE PENNSYLVANIA ASSOCIATION OF COLLEGES AND
14 TEACHER EDUCATORS.

15 (IX) THE PENNSYLVANIA ASSOCIATION OF SCHOOL BUSINESS
16 OFFICIALS.

17 (2) WITHIN 90 DAYS OF THE APPOINTMENT OF THE COMMITTEE
18 UNDER PARAGRAPH (1), THE COMMITTEE SHALL, AFTER CONSULTATION
19 AND INPUT FROM CAREER AND TECHNICAL EDUCATION PROGRAMS ACROSS
20 THIS COMMONWEALTH AND NATIONAL SOURCES, PROVIDE THE
21 DEPARTMENT WITH A BLENDED COMPETENCY LIST AND VALIDATED AND
22 ALIGNED MATERIALS AND DEVELOPMENT OF END-OF-PROGRAM
23 ASSESSMENTS NEEDED TO CREATE A PROGRAM OF STUDY IN THE
24 EDUCATION FIELD.

25 (3) WITHIN 120 DAYS OF THE DATE WHEN THE COMMITTEE
26 PROVIDED THE REQUIRED INFORMATION TO THE DEPARTMENT UNDER
27 PARAGRAPH (2), THE DEPARTMENT SHALL DEVELOP THE NECESSARY
28 GUIDELINES, STANDARDS AND MATERIALS TO IMPLEMENT ADDITIONAL
29 FIELDS OF STUDY IN EDUCATION INTO A PROGRAM OF STUDY FOR
30 CAREER AND TECHNICAL EDUCATION PROGRAMS ACROSS THIS

1 COMMONWEALTH.

2 SECTION 1504-K. PROGRAM OF STUDY.

3 (A) DEVELOPMENT.--THE DEPARTMENT SHALL DEVELOP, IN
4 ACCORDANCE WITH THE PROVISIONS OF THE CARL D. PERKINS CAREER AND
5 TECHNICAL EDUCATION ACT OF 2006 (PUBLIC LAW 88-210, 20 U.S.C. §
6 2301 ET SEQ.), A PROGRAM OF STUDY SPECIFIC TO OCCUPATIONS IN THE
7 EDUCATION FIELD CLASSIFIED UNDER THE CLASSIFICATION OF PROGRAM
8 CODE THAT REQUIRE A POSTSECONDARY CERTIFICATE, AN ASSOCIATE
9 DEGREE OR BACCALAUREATE DEGREE.

10 (B) REQUIREMENTS.--IN THE DEVELOPMENT OF THE PROGRAM OF
11 STUDY UNDER SUBSECTION (A), THE DEPARTMENT SHALL INCORPORATE
12 ELEMENTS OF SECONDARY AND POSTSECONDARY EDUCATION, INCLUDING
13 COHERENT AND RIGOROUS CONTENT ALIGNED WITH ANY NATIONALLY
14 RECOGNIZED ACADEMIC STANDARDS AND RELEVANT CAREER AND TECHNICAL
15 CONTENT IN A COORDINATED, NONDUPLICATIVE PROGRESSION OF COURSES
16 TO ADEQUATELY PREPARE STUDENTS TO SUCCEED IN POSTSECONDARY
17 EDUCATION.

18 (C) CREDITS.--THE PROGRAM OF STUDY UNDER SUBSECTION (A) MAY
19 INCLUDE THE OPPORTUNITY FOR SECONDARY EDUCATION STUDENTS TO EARN
20 POSTSECONDARY EDUCATION CREDITS THROUGH ARTICULATION AGREEMENTS
21 BETWEEN SCHOOL ENTITIES WITH PARTICIPATING POSTSECONDARY
22 INSTITUTIONS, WHICH MAY LEAD TO AN INDUSTRY RECOGNIZED
23 CREDENTIAL OR CERTIFICATE AT THE POSTSECONDARY LEVEL OR AN
24 ASSOCIATE DEGREE OR A BACCALAUREATE DEGREE.

25 (D) REVIEW OF PROGRAM.--THE BOARD SHALL EVALUATE THE
26 EFFICACY OF THE PROGRAM OF STUDY UNDER SUBSECTION (A) WITHIN ONE
27 YEAR OF THE PROGRAM FIRST BEING OFFERED AND, AT A MINIMUM, EVERY
28 THREE YEARS THEREAFTER. THE BOARD'S EVALUATION UNDER THIS
29 SUBSECTION SHALL INCLUDE ALL OF THE FOLLOWING:

30 (1) DISAGGREGATED DATA BY EVERY STUDENT SUCCEEDS ACT

1 SUBGROUPS ON ENROLLMENT AND PARTICIPATION IN THE PROGRAM OF
2 STUDY UNDER SUBSECTION (A).

3 (2) A DESCRIPTION OF THE EVALUATION PROCESS TO MEASURE
4 THE SUCCESS OF THE PROGRAM OF STUDY UNDER SUBSECTION (A).

5 SECTION 1505-K. TALENT RECRUITMENT ACCOUNT.

6 (A) ESTABLISHMENT.--THE TALENT RECRUITMENT ACCOUNT IS
7 ESTABLISHED AS A RESTRICTED ACCOUNT IN THE GENERAL FUND.

8 (B) USE OF FUNDS.--MONEY IN THE ACCOUNT IS APPROPRIATED TO
9 THE DEPARTMENT ON A CONTINUING BASIS TO PROVIDE GRANTS IN
10 ACCORDANCE WITH SECTION 1506-K. THE APPROPRIATION SHALL NOT
11 LAPSE AT THE END OF ANY FISCAL YEAR.

12 (C) CONTRIBUTIONS.--

13 (1) THE STATE TREASURER MAY ACCEPT GIFTS, DONATIONS,
14 LEGACIES OR ANY OTHER REVENUES, INCLUDING ALLOWABLE FEDERAL
15 FUNDS, FOR DEPOSIT INTO THE ACCOUNT.

16 (2) ANY INTEREST THAT ACCRUES IN THE ACCOUNT SHALL
17 REMAIN IN THE ACCOUNT.

18 SECTION 1506-K. TALENT RECRUITMENT GRANT PROGRAM.

19 (A) ESTABLISHMENT.--THE TALENT RECRUITMENT GRANT PROGRAM IS
20 ESTABLISHED WITHIN THE DEPARTMENT AS A COMPETITIVE GRANT PROGRAM
21 FOR INSTITUTIONS OF HIGHER EDUCATION TO INCREASE PARTICIPATION
22 IN THE EDUCATION WORKFORCE. THE DEPARTMENT SHALL AWARD GRANTS
23 UNDER THE GRANT PROGRAM IN ACCORDANCE WITH THE ELIGIBLE USES
24 UNDER SUBSECTION (B) AND THE GUIDELINES ESTABLISHED UNDER
25 SUBSECTION (D) TO THE EXTENT THAT FUNDING IS MADE AVAILABLE.

26 (B) ELIGIBLE USES OF FUNDS.--GRANTS UNDER THE PROGRAM MAY
27 ONLY BE USED FOR:

28 (1) COVERING TUITION, FEES, SUPPLIES OR OTHER COSTS
29 RELATING TO SECONDARY SCHOOL STUDENTS ENROLLED AT
30 INSTITUTIONS OF HIGHER EDUCATION THROUGH AN AGREEMENT BETWEEN

1 A SCHOOL ENTITY AND AN INSTITUTION OF HIGHER EDUCATION UNDER
2 SECTION 1525.

3 (2) PROGRAMS DESIGNED AND PROVEN TO INCREASE
4 PARTICIPATION IN THE EDUCATION WORKFORCE.

5 (C) APPLICATION.--THE DEPARTMENT SHALL DEVELOP AN
6 APPLICATION FOR AN INSTITUTION OF HIGHER EDUCATION TO APPLY FOR
7 FUNDING UNDER THIS SECTION. THE APPLICATION SHALL BE POSTED ON
8 THE DEPARTMENT'S PUBLICLY ACCESSIBLE INTERNET WEBSITE.

9 (D) PROGRAM GUIDELINES.--THE DEPARTMENT MAY ESTABLISH
10 GUIDELINES FOR IMPLEMENTING THE GRANT PROGRAM UNDER THIS
11 SECTION. THE GUIDELINES SHALL BE POSTED ON THE DEPARTMENT'S
12 PUBLICLY ACCESSIBLE INTERNET WEBSITE.

13 (E) EVALUATION.--THE DEPARTMENT SHALL EVALUATE THE
14 UTILIZATION OF THE GRANT PROGRAM MONEY, INCLUDING AN ANALYSIS OF
15 THE TOTAL AMOUNT OF GRANTS AWARDED, EACH INSTITUTION OF HIGHER
16 EDUCATION THAT RECEIVED A GRANT AND THE EFFICACY OF THE PROGRAMS
17 FUNDED THROUGH THE GRANT PROGRAM, BASED ON DISAGGREGATED DATA.
18 THE DEPARTMENT SHALL CONDUCT THE EVALUATION, AT A MINIMUM, EVERY
19 THREE YEARS AFTER THE ESTABLISHMENT AND FUNDING OF THE GRANT
20 PROGRAM AND SHALL POST THE EVALUATION ON THE DEPARTMENT'S
21 PUBLICLY ACCESSIBLE INTERNET WEBSITE.

22 SECTION 1507-K. CHIEF TALENT OFFICER.

23 WITHIN 60 DAYS OF THE EFFECTIVE DATE OF THIS SECTION, THE
24 SECRETARY SHALL DESIGNATE AN INDIVIDUAL, WHO MAY BE A CURRENT
25 EMPLOYEE OF THE DEPARTMENT, AS THE CHIEF TALENT OFFICER. THE
26 CHIEF TALENT OFFICER SHALL BE RESPONSIBLE FOR COORDINATING
27 RECRUITMENT AND RETENTION EFFORTS IN THE EDUCATION WORKFORCE AND
28 SHALL WORK TO INCREASE PARTICIPATION IN EDUCATION-RELATED JOBS,
29 INCLUDING OUTREACH EFFORTS TO COMMUNITIES THAT HAVE LOW
30 PARTICIPATION IN THE EDUCATION WORKFORCE.

1 SECTION 1508-K. REPORTING.

2 FOR THE PURPOSE OF IMPROVING DATA COLLECTION AND TRANSPARENCY
3 ABOUT THE DIVERSITY OF THE EDUCATION WORKFORCE, THE DEPARTMENT
4 SHALL ANNUALLY COLLECT AND POST INFORMATION ABOUT ALL OF THE
5 FOLLOWING ON THE DEPARTMENT'S PUBLICLY ACCESSIBLE INTERNET
6 WEBSITE:

7 (1) DEMOGRAPHICS OF INDIVIDUALS ENROLLED IN TEACHER
8 PREPARATION PROGRAMS AND THE DEMOGRAPHICS OF INDIVIDUALS WHO
9 COMPLETED A TEACHER PREPARATION PROGRAM IN THIS COMMONWEALTH.

10 (2) DEMOGRAPHIC DATA RELATING TO PASS RATES OF EDUCATOR
11 CERTIFICATION TEST TAKERS.

12 (3) DEMOGRAPHIC DATA RELATING TO TEACHING CERTIFICATES
13 ISSUED BY THE DEPARTMENT.

14 (4) DEMOGRAPHIC DATA RELATING TO NEW TEACHER APPLICANTS
15 AND HIRES AT EACH SCHOOL ENTITY BY SCHOOL ENTITY, SCHOOL
16 DISTRICT AND STATE LEVEL.

17 (5) DEMOGRAPHIC DATA RELATING TO ANNUAL TEACHER
18 RETENTION RATES BY SCHOOL ENTITY AND STATE LEVEL.

19 (6) DEMOGRAPHICS OF INDIVIDUALS ENROLLED IN A
20 SUPERINTENDENT OR PRINCIPAL CERTIFICATION PROGRAM.

21 (7) DEMOGRAPHICS OF INDIVIDUALS WHO HAVE COMPLETED A
22 SUPERINTENDENT OR PRINCIPAL CERTIFICATION PROGRAM.

23 (8) THE CURRENT SCHOOL YEAR'S PROFESSIONAL EMPLOYEES,
24 TEMPORARY PROFESSIONAL EMPLOYEES SERVING AS CLASSROOM
25 TEACHERS, PRINCIPALS AND NONTEACHING PROFESSIONAL EMPLOYEES
26 AS DELINEATED BY SCHOOL ENTITY AND STATE LEVEL.

27 (9) OTHER DATA RELATING TO DEMOGRAPHICS OF THE EDUCATION
28 WORKFORCE, IF AVAILABLE AND ALREADY COLLECTED BY THE SCHOOL
29 ENTITY, AS REQUESTED BY THE DEPARTMENT.

30 SECTION 1509-K. TEMPORARY WAIVER.

1 (A) WAIVER.--NOTWITHSTANDING ANY OTHER PROVISION OF LAW, THE
2 SECRETARY SHALL WAIVE THE REQUIREMENT TO SATISFACTORILY COMPLETE
3 THE ASSESSMENT OF BASIC SKILLS REQUIRED UNDER SECTION 1207.3 AND
4 22 PA. CODE § 49.18(C) (RELATING TO ASSESSMENT).

5 (B) EXPIRATION.--THE WAIVER UNDER SUBSECTION (A) SHALL
6 EXPIRE THREE YEARS AFTER THE EFFECTIVE DATE OF THIS SECTION.

7 ARTICLE XV-L

8 EDUCATIONAL AND PROFESSIONAL DEVELOPMENT

9 ONLINE COURSE INITIATIVE

10 SECTION 1501-L. DEFINITIONS.

11 THE FOLLOWING WORDS AND PHRASES WHEN USED IN THIS ARTICLE
12 SHALL HAVE THE MEANINGS GIVEN TO THEM IN THIS SECTION UNLESS THE
13 CONTEXT CLEARLY INDICATES OTHERWISE:

14 "ACCOUNT." THE ONLINE COURSE CLEARINGHOUSE ACCOUNT
15 ESTABLISHED UNDER SECTION 1502-L.

16 "CLEARINGHOUSE." THE CENTRAL ONLINE CLEARINGHOUSE
17 ESTABLISHED UNDER SECTION 1502-L.

18 "DEPARTMENT." THE DEPARTMENT OF EDUCATION OF THE
19 COMMONWEALTH.

20 "HOME EDUCATION PROGRAM." A PROGRAM CONDUCTED IN COMPLIANCE
21 WITH SECTION 1327.1.

22 "INSTITUTION OF HIGHER EDUCATION." ANY OF THE FOLLOWING:

23 (1) A COMMUNITY COLLEGE OPERATING UNDER ARTICLE XIX-A.

24 (2) A UNIVERSITY WITHIN THE STATE SYSTEM OF HIGHER
25 EDUCATION.

26 (3) THE PENNSYLVANIA STATE UNIVERSITY.

27 (4) THE UNIVERSITY OF PITTSBURGH.

28 (5) TEMPLE UNIVERSITY.

29 (6) LINCOLN UNIVERSITY.

30 (7) ANY OTHER INSTITUTION THAT IS DESIGNATED AS "STATE-

1 RELATED" BY THE COMMONWEALTH.

2 (8) THE THADDEUS STEVENS COLLEGE OF TECHNOLOGY.

3 (9) ANY ACCREDITED PRIVATE OR INDEPENDENT COLLEGE OR
4 UNIVERSITY.

5 (10) ANY PRIVATE LICENSED SCHOOL AS DEFINED IN THE ACT
6 OF DECEMBER 15, 1986 (P.L.1585, NO.174), KNOWN AS THE PRIVATE
7 LICENSED SCHOOLS ACT.

8 (11) A COLLEGE ESTABLISHED UNDER ARTICLE XIX-G.

9 "NONPUBLIC SCHOOL." A SCHOOL, OTHER THAN A PUBLIC SCHOOL,
10 LOCATED WITHIN THIS COMMONWEALTH WHERE A COMMONWEALTH RESIDENT
11 MAY LEGALLY FULFILL THE COMPULSORY SCHOOL ATTENDANCE
12 REQUIREMENTS OF THIS ACT AND THAT MEETS THE APPLICABLE
13 REQUIREMENTS OF TITLE VI OF THE CIVIL RIGHTS ACT OF 1964 (PUBLIC
14 LAW 88-352, 78 STAT. 241).

15 "ONLINE COURSE." A COURSE OF STUDY THAT USES TECHNOLOGY IN
16 ORDER TO PROVIDE A SIGNIFICANT PORTION OF ITS CURRICULUM AND TO
17 DELIVER A SIGNIFICANT PORTION OF INSTRUCTION TO STUDENTS THROUGH
18 THE INTERNET OR OTHER ELECTRONIC MEANS. THE TERM SHALL INCLUDE
19 ALL SERVICES AND MATERIALS RELATED TO THE COURSE.

20 "PROFESSIONAL DEVELOPMENT COURSE." A COURSE THAT USES
21 TECHNOLOGY TO PROVIDE A PROFESSIONAL EDUCATOR WITH CONTINUING
22 PROFESSIONAL EDUCATION CREDITS AS REQUIRED TO MAINTAIN ACTIVE
23 CERTIFICATION UNDER SECTION 1205.2.

24 "PROVIDER." AN INDIVIDUAL, NONPROFIT OR FOR-PROFIT
25 ORGANIZATION, BUSINESS, SCHOOL ENTITY OR INSTITUTION OF HIGHER
26 EDUCATION WHICH HAS SUBMITTED ONE OR MORE ONLINE COURSES OR
27 PROFESSIONAL DEVELOPMENT COURSES TO THE DEPARTMENT FOR INCLUSION
28 IN THE CLEARINGHOUSE ESTABLISHED UNDER THIS ARTICLE.

29 "SCHOOL ENTITY." A SCHOOL DISTRICT, CHARTER SCHOOL, REGIONAL
30 CHARTER SCHOOL, CYBER CHARTER SCHOOL, INTERMEDIATE UNIT OR AREA

1 CAREER AND TECHNICAL SCHOOL.

2 "SECRETARY." THE SECRETARY OF EDUCATION OF THE COMMONWEALTH.
3 SECTION 1502-L. CLEARINGHOUSE FOR ONLINE COURSE OFFERINGS.

4 (A) DUTY TO ESTABLISH.--THE DEPARTMENT SHALL ESTABLISH A
5 CENTRAL ONLINE CLEARINGHOUSE WHICH SHALL INCLUDE THE FOLLOWING:

6 (1) A DATABASE OF ONLINE COURSES FOR STUDENTS ENROLLED
7 IN GRADES KINDERGARTEN THROUGH TWELVE AND SHALL BE ACCESSIBLE
8 BY SCHOOL ENTITIES, NONPUBLIC SCHOOLS, HOME EDUCATION
9 SUPERVISORS AND THE GENERAL PUBLIC.

10 (2) A DATABASE OF ONLINE PROFESSIONAL DEVELOPMENT
11 COURSES FOR COMPLIANCE WITH SECTION 1205.2.

12 (B) IMPLEMENTATION SCHEDULE.--IN ESTABLISHING THE
13 CLEARINGHOUSE, THE DEPARTMENT SHALL ADHERE TO THE FOLLOWING
14 IMPLEMENTATION SCHEDULE:

15 (1) FROM THE DATE OF ESTABLISHMENT OF THE CLEARINGHOUSE,
16 WHICH SHALL BE NO LATER THAN THE COMMENCEMENT OF THE 2024-
17 2025 SCHOOL YEAR, AND IN EACH SCHOOL YEAR THEREAFTER, THE
18 CLEARINGHOUSE SHALL OFFER ONLINE COURSES WHICH PROVIDE
19 INSTRUCTION FOR GRADES NINE THROUGH TWELVE.

20 (2) BEGINNING IN THE 2025-2026 SCHOOL YEAR AND IN EACH
21 SCHOOL YEAR THEREAFTER, THE CLEARINGHOUSE SHALL OFFER ONLINE
22 COURSES WHICH PROVIDE INSTRUCTION FOR GRADES SEVEN THROUGH
23 EIGHT.

24 (3) BEGINNING IN THE 2026-2027 SCHOOL YEAR AND IN EACH
25 SCHOOL YEAR THEREAFTER, THE CLEARINGHOUSE SHALL OFFER ONLINE
26 COURSES WHICH PROVIDE INSTRUCTION FOR KINDERGARTEN THROUGH
27 SIXTH GRADE.

28 (4) BEGINNING IN THE 2027-2028 SCHOOL YEAR AND IN EACH
29 SCHOOL YEAR THEREAFTER, THE CLEARINGHOUSE SHALL OFFER
30 PROFESSIONAL DEVELOPMENT COURSES.

1 (C) PURCHASE OF ONLINE COURSES OR PROFESSIONAL DEVELOPMENT
2 COURSES.--ONLINE COURSES OR PROFESSIONAL DEVELOPMENT COURSES
3 INCLUDED IN THE CLEARINGHOUSE FROM PROVIDERS MAY BE OFFERED FOR
4 PURCHASE AS PROVIDED UNDER SUBSECTION (G).

5 (D) RESPONSIBILITIES OF DEPARTMENT.--THE DEPARTMENT SHALL:

6 (1) CREATE AN ONLINE DATABASE THAT CATALOGS THE ONLINE
7 COURSES AND PROFESSIONAL DEVELOPMENT COURSES FOR WHICH AN
8 APPLICATION WAS APPROVED UNDER SUBSECTION (E) AND MAKE THE
9 DATABASE AVAILABLE TO SCHOOL ENTITIES, NONPUBLIC SCHOOLS,
10 HOME EDUCATION PROGRAMS AND THE GENERAL PUBLIC.

11 (2) CONSTRUCT THE DATABASE PROVIDED FOR UNDER PARAGRAPH
12 (1) FOR ONLINE COURSES AND PROFESSIONAL DEVELOPMENT COURSES
13 IN SUCH A WAY AS TO:

14 (I) PROVIDE INFORMATION ON EACH COURSE LISTED IN THE
15 DATABASE, INCLUDING A DESCRIPTION OF THE CONTENT AND
16 APPLICABLE GRADE LEVELS OF EACH COURSE.

17 (II) FACILITATE COMMUNICATION BETWEEN SCHOOL
18 ENTITIES, NONPUBLIC SCHOOLS OR HOME EDUCATION PROGRAMS
19 AND PROVIDERS OF ONLINE COURSES AND PROFESSIONAL
20 DEVELOPMENT COURSES CATALOGED IN THE CLEARINGHOUSE TO
21 EXPEDITE THE PURCHASING OF THE ONLINE COURSES.

22 (3) AT LEAST ANNUALLY, OR AT ANY TIME THE STATUS OF AN
23 ONLINE COURSE OR PROFESSIONAL DEVELOPMENT COURSE CHANGES,
24 UPDATE THE DATABASE UNDER PARAGRAPH (1).

25 (4) COLLECT APPLICATION FEES PROVIDED FOR IN SUBSECTION
26 (F) AND DEPOSIT THE FEES INTO THE ACCOUNT.

27 (5) UTILIZE THE MONEY IN THE ACCOUNT, INCLUDING INTEREST
28 ON THE MONEY, TO PAY EXPENSES INCURRED BY THE DEPARTMENT IN
29 CARRYING OUT ITS DUTIES UNDER THIS ARTICLE.

30 (6) EXPLORE THE POSSIBILITY FOR FEDERAL AND PRIVATE

1 FUNDING TO SUPPORT THE CLEARINGHOUSE.

2 (7) UPON REQUEST, PROVIDE ASSISTANCE TO SCHOOL DISTRICTS
3 WHICH HAVE BEEN DECLARED TO BE IN FINANCIAL RECOVERY STATUS
4 OR IDENTIFIED FOR FINANCIAL WATCH STATUS UNDER ARTICLE VI-A
5 BY FACILITATING THE SCHOOL DISTRICTS' SEARCH FOR LOW-COST OR
6 NO-COST ONLINE COURSE OR PROFESSIONAL DEVELOPMENT COURSE
7 OPTIONS.

8 (E) APPLICATIONS.--

9 (1) THE DEPARTMENT SHALL DEVELOP AN APPLICATION AND AN
10 APPLICATION PROCESS THAT SPECIFY THE TIME, FORM AND MANNER BY
11 WHICH PROVIDERS MAY SUBMIT THEIR ONLINE COURSE OR
12 PROFESSIONAL DEVELOPMENT COURSE OFFERINGS TO THE DEPARTMENT
13 FOR INCLUSION IN THE CLEARINGHOUSE.

14 (2) A PROVIDER MAY SUBMIT AN APPLICATION TO THE
15 DEPARTMENT FOR APPROVAL OF THE ONLINE COURSE OR PROFESSIONAL
16 DEVELOPMENT COURSE THROUGH A CERTIFICATION PROCESS. THE
17 APPLICATION SHALL INCLUDE:

18 (I) A NOTARIZED AFFIDAVIT CERTIFYING THAT:

19 (A) THE ONLINE COURSE BEING SUBMITTED FOR
20 INCLUSION IN THE CLEARINGHOUSE IS ALIGNED TO THE
21 STATE ACADEMIC STANDARDS FOR EDUCATION PROVIDED FOR
22 IN 22 PA. CODE CH. 4 (RELATING TO ACADEMIC STANDARDS
23 AND ASSESSMENT); OR

24 (B) THE PROFESSIONAL DEVELOPMENT COURSE BEING
25 SUBMITTED FOR INCLUSION IN THE CLEARINGHOUSE IS
26 COMPLIANT WITH SECTION 1205.2.

27 (II) EVIDENCE THAT THE ONLINE COURSE BEING SUBMITTED
28 FOR INCLUSION IN THE CLEARINGHOUSE FULFILLS AT LEAST ONE
29 OF THE FOLLOWING CRITERIA:

30 (A) HAS BEEN APPROVED BY ANOTHER STATE FOR USE

1 BY ITS PUBLIC SCHOOLS;

2 (B) HAS BEEN DEVELOPED BY A PROVIDER THAT HAS
3 BEEEN ACCREDITED BY A NATIONAL ACCREDITATION BODY
4 RECOGNIZED BY THE UNITED STATES DEPARTMENT OF
5 EDUCATION; OR

6 (C) HAS BEEN DESIGNED BY A SCHOOL ENTITY THAT
7 UTILIZES THE ONLINE COURSE OR PROVIDES THE ONLINE
8 COURSE TO ANOTHER SCHOOL ENTITY FOR ITS USE.

9 (III) EVIDENCE THAT THE ONLINE COURSE BEING
10 SUBMITTED FOR INCLUSION IN THE CLEARINGHOUSE INCLUDES AN
11 ASSESSMENT COMPONENT FOR DETERMINING STUDENT PERFORMANCE.

12 (IV) EVIDENCE THAT THE PROFESSIONAL DEVELOPMENT
13 COURSE BEING SUBMITTED FOR INCLUSION IN THE CLEARINGHOUSE
14 IMPROVES TEACHING EFFECTIVENESS OR AIDS IN MAINTAINING A
15 TEACHING CERTIFICATE.

16 (V) A STATEMENT AS TO WHETHER THE ONLINE COURSE OR
17 PROFESSIONAL DEVELOPMENT COURSE IS BEING OFFERED THROUGH
18 THE CLEARINGHOUSE AT NO COST OR FOR A FEE.

19 (F) FEES, APPLICATION REVIEW AND APPROVAL.--THE FOLLOWING
20 SHALL APPLY TO THE ESTABLISHMENT OF FEES AND THE REVIEW AND
21 APPROVAL OF APPLICATIONS:

22 (1) THE DEPARTMENT MAY ESTABLISH A REASONABLE
23 NONREFUNDABLE ADMINISTRATIVE FEE FOR THE PURPOSE OF REVIEWING
24 EACH APPLICATION SUBMITTED BY AN ONLINE COURSE PROVIDER OR A
25 PROFESSIONAL DEVELOPMENT PROVIDER.

26 (2) IF, AFTER A REVIEW OF AN APPLICATION, THE DEPARTMENT
27 DETERMINES THAT THE APPLICATION MEETS THE APPLICABLE
28 REQUIREMENTS UNDER SUBSECTION (E) AND DOES NOT VIOLATE STATE
29 LAW OR DEPARTMENT PROCEDURES, STANDARDS OR POLICY, THE
30 DEPARTMENT SHALL APPROVE THE APPLICATION, NOTIFY THE PROVIDER

1 OF THE APPROVAL AND INCLUDE THE ONLINE COURSE OR PROFESSIONAL
2 DEVELOPMENT COURSE IN THE DATABASE UNDER SUBSECTION (D) (1)
3 UNTIL SUCH TIME AS THE PROVIDER REQUESTS THAT THE ONLINE
4 COURSE OR PROFESSIONAL DEVELOPMENT COURSE BE REMOVED OR THE
5 DEPARTMENT REMOVES THE ONLINE COURSE UNDER PARAGRAPH (4).

6 (3) IF, AFTER A REVIEW OF AN APPLICATION, THE DEPARTMENT
7 DETERMINES THAT THE APPLICATION DOES NOT MEET THE APPLICABLE
8 REQUIREMENTS UNDER SUBSECTION (E), THE DEPARTMENT SHALL
9 WITHHOLD APPROVAL OF THE APPLICATION AND NOTIFY THE PROVIDER
10 OF THE REASON APPROVAL WAS WITHHELD SO THAT THE PROVIDER MAY
11 REVISE AND RESUBMIT THE APPLICATION. ANY APPLICATION THAT HAS
12 BEEN RESUBMITTED FOR REVIEW SHALL BE SUBJECT TO THE
13 ASSOCIATED ADMINISTRATIVE FEE AUTHORIZED UNDER THIS
14 SUBSECTION.

15 (4) THE DEPARTMENT MAY REVISIT AND REVIEW ANY APPROVED
16 APPLICATION AND ASSOCIATED ONLINE COURSE OR PROFESSIONAL
17 DEVELOPMENT COURSE AT ANY TIME AND REMOVE THE ONLINE COURSE
18 OR PROFESSIONAL DEVELOPMENT COURSE FROM THE DATABASE UNDER
19 SUBSECTION (D) (1) IF THE DEPARTMENT DETERMINES THAT:

20 (I) THE INFORMATION CONTAINED IN THE APPLICATION WAS
21 FALSE OR MISLEADING OR IS NO LONGER ACCURATE;

22 (II) THE ONLINE COURSE OR PROFESSIONAL DEVELOPMENT
23 COURSE HAS BEEN MATERIALLY CHANGED OR REVISED IN SUCH A
24 WAY THAT THE APPROVAL PREVIOUSLY GRANTED FOR THE ONLINE
25 COURSE OR PROFESSIONAL DEVELOPMENT COURSE SHOULD NOT
26 APPLY AND THE PROVIDER OF THE ONLINE COURSE OR
27 PROFESSIONAL DEVELOPMENT COURSE HAS NOT SUBMITTED AN
28 APPLICATION TO THE DEPARTMENT SEEKING APPROVAL OF THE
29 REVISIONS TO THE ONLINE COURSE OR PROFESSIONAL
30 DEVELOPMENT COURSE IN ACCORDANCE WITH THE APPLICATION AND

1 FEE REQUIREMENTS OF THIS SECTION; OR

2 (III) THE STANDARDS APPLICABLE TO THE COURSE HAVE
3 MATERIALLY CHANGED IN SUCH A WAY THAT THE APPROVAL
4 PREVIOUSLY GRANTED FOR THE ONLINE COURSE OR PROFESSIONAL
5 DEVELOPMENT COURSE SHOULD NOT APPLY AND THE PROVIDER OF
6 THE ONLINE COURSE OR PROFESSIONAL DEVELOPMENT COURSE HAS
7 NOT SUBMITTED AN APPLICATION TO THE DEPARTMENT WITHIN 30
8 DAYS SEEKING APPROVAL OF THE ONLINE COURSE OR
9 PROFESSIONAL DEVELOPMENT COURSE WITH REVISIONS TO ADDRESS
10 THE REVISED STANDARDS IN ACCORDANCE WITH THE APPLICATION
11 AND FEE REQUIREMENTS OF THIS SECTION.

12 (G) CONTRACTS FOR THE PROVISION OF COURSES CATALOGED IN THE
13 CLEARINGHOUSE.--IF A SCHOOL ENTITY, NONPUBLIC SCHOOL OR HOME
14 EDUCATION PROGRAM ENTERS INTO A CONTRACT WITH A PROVIDER FOR THE
15 USE OF AN ONLINE COURSE OR PROFESSIONAL DEVELOPMENT COURSE
16 CATALOGED IN THE CLEARINGHOUSE, THE FOLLOWING SHALL APPLY:

17 (1) THE PURCHASE PRICE AND OTHER PAYMENT AND CONTRACT
18 TERMS OF AN ONLINE COURSE OR PROFESSIONAL DEVELOPMENT COURSE
19 CATALOGED IN THE CLEARINGHOUSE SHALL BE DETERMINED BY DIRECT
20 NEGOTIATIONS BETWEEN A SCHOOL ENTITY, NONPUBLIC SCHOOL OR
21 HOME EDUCATION PROGRAM AND A PROVIDER.

22 (2) IMMEDIATELY UPON COMMENCING NEGOTIATIONS OF THE
23 TERMS OF A CONTRACT FOR AN ONLINE COURSE OR PROFESSIONAL
24 DEVELOPMENT COURSE, A PROVIDER SHALL PROVIDE THE SCHOOL
25 ENTITY, NONPUBLIC SCHOOL OR HOME EDUCATION PROGRAM WITH
26 INFORMATION REGARDING REFUND POLICIES AND THE PROCESS FOR
27 CONTESTING PAYMENT AMOUNTS.

28 (H) FEES PROHIBITED BY SCHOOL ENTITIES.--NOTWITHSTANDING
29 SUBSECTION (G), A SCHOOL ENTITY MAY NOT CHARGE A FEE TO ANOTHER
30 SCHOOL ENTITY TO UTILIZE AN ONLINE COURSE OFFERED THROUGH THE

1 CLEARINGHOUSE.

2 (I) ONLINE COURSE CLEARINGHOUSE ACCOUNT.--

3 (1) THE ONLINE COURSE CLEARINGHOUSE ACCOUNT IS
4 ESTABLISHED AS A RESTRICTED RECEIPT ACCOUNT IN THE GENERAL
5 FUND.

6 (2) THE ACCOUNT MAY CONSIST OF FUNDING APPROPRIATED BY
7 THE GENERAL ASSEMBLY, APPLICATION FEES COLLECTED UNDER
8 SUBSECTION (F) AND INTEREST GENERATED BY MONEY IN THE
9 ACCOUNT.

10 (3) THE MONEY IN THE ACCOUNT IS APPROPRIATED TO THE
11 DEPARTMENT ON A CONTINUING BASIS FOR THE PURPOSES OF PAYING
12 EXPENSES INCURRED BY THE DEPARTMENT IN CARRYING OUT ITS
13 DUTIES RELATING TO THE ADMINISTRATION OF THE CLEARINGHOUSE.

14 SECTION 1503-L. SCHOOL ENTITIES.

15 A SCHOOL ENTITY THAT OFFERS ONLINE COURSES TO STUDENTS SHALL
16 DO ALL OF THE FOLLOWING:

17 (1) DETERMINE HOW INSTRUCTION RELATING TO AN ONLINE
18 COURSE SHALL BE DELIVERED.

19 (2) ESTABLISH POLICIES AND PROCEDURES FOR STUDENT
20 ELIGIBILITY AND PARTICIPATION, INCLUDING A POLICY ON THE
21 SELECTION OF ONLINE COURSES MADE AVAILABLE TO STUDENTS BY THE
22 SCHOOL ENTITY. THE POLICIES AND PROCEDURES SHALL BE MADE
23 ACCESSIBLE TO PARENTS AND STUDENTS AND POSTED ON THE SCHOOL
24 ENTITY'S PUBLICLY ACCESSIBLE INTERNET WEBSITE.

25 (3) ENSURE THAT PARENTS AND STUDENTS ARE MADE AWARE OF
26 THE OPPORTUNITY FOR ONLINE LEARNING AND MAKE INFORMATION
27 ABOUT AVAILABLE ONLINE COURSES EASILY ACCESSIBLE TO PARENTS
28 AND STUDENTS.

29 SECTION 1504-L. PENALTIES.

30 IF THE DEPARTMENT DETERMINES THAT A PROVIDER INTENTIONALLY

1 SUBMITTED FALSE OR MISLEADING INFORMATION ON AN APPLICATION, THE
2 PROVIDER SHALL BE PROHIBITED FROM PARTICIPATING IN THE
3 CLEARINGHOUSE FOR A PERIOD OF FIVE YEARS.

4 SECTION 1505-L. REPORT.

5 (A) SUBMISSION.--THE SECRETARY SHALL SUBMIT AN ANNUAL REPORT
6 TO THE GOVERNOR, THE CHAIRPERSON AND MINORITY CHAIRPERSON OF THE
7 EDUCATION COMMITTEE OF THE SENATE AND THE CHAIRPERSON AND
8 MINORITY CHAIRPERSON OF THE EDUCATION COMMITTEE OF THE HOUSE OF
9 REPRESENTATIVES AND POST THE REPORT ON THE DEPARTMENT'S PUBLICLY
10 ACCESSIBLE INTERNET WEBSITE NO LATER THAN JUNE 30, 2027, AND
11 EVERY FIVE YEARS THEREAFTER.

12 (B) CONTENT.--THE REPORT SHALL, AT A MINIMUM, INCLUDE ALL OF
13 THE FOLLOWING INFORMATION:

14 (1) THE NUMBER OF STUDENTS PARTICIPATING IN ONLINE
15 COURSES, DISAGGREGATED BY STUDENT GROUP.

16 (2) THE NUMBER OF STUDENTS PARTICIPATING IN ONLINE
17 COURSES FROM THE CLEARINGHOUSE, DISAGGREGATED BY STUDENT
18 GROUP.

19 (3) THE NUMBER OF ONLINE COURSES AVAILABLE THROUGH THE
20 CLEARINGHOUSE.

21 (4) A DESCRIPTION OF THE TYPES OF ONLINE COURSES
22 AVAILABLE THROUGH THE CLEARINGHOUSE.

23 (5) AN ASSESSMENT OF THE ACADEMIC IMPACT OF ONLINE
24 COURSES ON THE PARTICIPATING STUDENTS.

25 (6) THE NUMBER OF PROFESSIONAL EMPLOYEES PARTICIPATING
26 IN PROFESSIONAL DEVELOPMENT COURSES, DISAGGREGATED BY
27 DEMOGRAPHICS AND CERTIFICATION TYPE.

28 (7) THE NUMBER OF PROFESSIONAL DEVELOPMENT COURSES
29 AVAILABLE THROUGH THE CLEARINGHOUSE.

30 (8) A DESCRIPTION OF THE TYPES OF PROFESSIONAL

1 DEVELOPMENT COURSES AVAILABLE THROUGH THE CLEARINGHOUSE.

2 (9) RECOMMENDATIONS FOR IMPROVING THE CLEARINGHOUSE.

3 SECTION 1506-L. CONSTRUCTION.

4 NOTHING IN THIS ARTICLE SHALL BE CONSTRUED TO:

5 (1) PREVENT A SCHOOL ENTITY FROM ESTABLISHING AND
6 OFFERING ITS OWN ONLINE COURSE OR PROGRAM.

7 (2) PREVENT A SCHOOL ENTITY OR SCHOOL ENTITY PERSONNEL
8 FROM:

9 (I) SUPPLEMENTING AN ONLINE COURSE;

10 (II) PROVIDING ASSISTANCE, TUTORING OR ENRICHMENT TO
11 A STUDENT ENROLLED IN AN ONLINE COURSE;

12 (III) USING THE CONTENT OF AN ONLINE COURSE IN
13 INSTRUCTION DELIVERED BY SCHOOL DISTRICT PERSONNEL; OR

14 (IV) MONITORING A STUDENT'S PROGRESS AND ATTENTION
15 TO INSTRUCTION IN AN ONLINE COURSE.

16 (3) REQUIRE A STUDENT TO PARTICIPATE IN AN ONLINE COURSE
17 OFFERED BY A SCHOOL ENTITY.

18 (4) SUPERSEDE OR PREEMPT THE RIGHTS, REMEDIES AND
19 PROCEDURES AFFORDED TO SCHOOL EMPLOYEES OR LABOR
20 ORGANIZATIONS UNDER FEDERAL OR STATE LAW, INCLUDING THE ACT
21 OF JULY 23, 1970 (P.L.563, NO.195), KNOWN AS THE PUBLIC
22 EMPLOYE RELATIONS ACT, OR ANY PROVISION OF A COLLECTIVE
23 BARGAINING AGREEMENT NEGOTIATED BETWEEN A SCHOOL ENTITY AND
24 AN EXCLUSIVE REPRESENTATIVE OF THE EMPLOYEES IN ACCORDANCE
25 WITH THAT ACT.

26 SECTION 1507-L. REGULATIONS.

27 THE DEPARTMENT MAY ISSUE REGULATIONS UNDER THE ACT OF JUNE
28 25, 1982 (P.L.633, NO.181), KNOWN AS THE REGULATORY REVIEW ACT,
29 NECESSARY TO ESTABLISH REASONABLE FEES FOR THE PURPOSE OF
30 REVIEWING AND APPROVING COURSES UNDER SECTION 1502-L(F).

1 SECTION 29.1. THE ACT IS AMENDED BY ADDING A SECTION TO
2 READ:

3 SECTION 1704-A. ABOLITION OF RULEMAKING.--THE RULEMAKING,
4 DESIGNATED AS 6-349, RELATING TO CHARTER SCHOOLS AND CYBER
5 CHARTER SCHOOLS RECEIVED AS A FINAL-FORM REGULATION BY THE
6 INDEPENDENT REGULATORY REVIEW COMMISSION ON FEBRUARY 10, 2022,
7 AND APPROVED BY THE INDEPENDENT REGULATORY REVIEW COMMISSION ON
8 MARCH 21, 2022, IS ABOLISHED. THIS SECTION SHALL APPLY
9 NOTWITHSTANDING THE DATE OF PUBLICATION OF THE FINAL-FORM
10 REGULATION IN THE PENNSYLVANIA BULLETIN. NOTWITHSTANDING ANY
11 OTHER PROVISION OF LAW, IF THIS SECTION TAKES EFFECT PRIOR TO
12 THE DATE OF PUBLICATION OF THE FINAL-FORM REGULATION IN THE
13 PENNSYLVANIA BULLETIN, THE LEGISLATIVE REFERENCE BUREAU MAY NOT
14 PUBLISH THE REGULATION IN THE PENNSYLVANIA BULLETIN.

15 SECTION 29.2. SECTION 1751-A OF THE ACT IS AMENDED TO READ:
16 SECTION 1751-A. REGULATIONS.

17 [THE] SUBJECT TO SECTION 1704-A, THE DEPARTMENT MAY ISSUE
18 REGULATIONS TO IMPLEMENT THIS SUBDIVISION.

19 SECTION 29.3. THE ACT IS AMENDED BY ADDING AN ARTICLE TO
20 READ:

21 ARTICLE XVII-D

22 DISABILITY INCLUSIVE CURRICULUM

23 SECTION 1701-D. SCOPE OF ARTICLE.

24 THIS ARTICLE ESTABLISHES A PILOT PROGRAM TO PROVIDE
25 INSTRUCTION TO STUDENTS ON THE POLITICAL, ECONOMIC AND SOCIAL
26 CONTRIBUTIONS OF INDIVIDUALS WITH DISABILITIES.

27 SECTION 1702-D. DEFINITIONS.

28 THE FOLLOWING WORDS AND PHRASES WHEN USED IN THIS ARTICLE
29 SHALL HAVE THE MEANINGS GIVEN TO THEM IN THIS SECTION UNLESS THE
30 CONTEXT CLEARLY INDICATES OTHERWISE:

1 "DEPARTMENT." THE DEPARTMENT OF EDUCATION OF THE
2 COMMONWEALTH.

3 "NONPUBLIC SCHOOL." A SCHOOL, OTHER THAN A SCHOOL ENTITY,
4 WHEREIN A RESIDENT OF THIS COMMONWEALTH MAY LEGALLY FULFILL THE
5 COMPULSORY SCHOOL ATTENDANCE REQUIREMENTS OF THIS ACT AND WHICH
6 MEETS THE REQUIREMENTS OF TITLE VI OF THE CIVIL RIGHTS ACT OF
7 1964 (PUBLIC LAW 88-352, 78 STAT. 241).

8 "PENNSYLVANIA SPECIAL EDUCATION ADVISORY PANEL." A GROUP OF
9 REPRESENTATIVES THAT:

10 (1) ADVISE THE SECRETARY OF EDUCATION AND THE DEPARTMENT
11 ON:

12 (I) THE UNMET EDUCATIONAL NEEDS OF STUDENTS WITH
13 DISABILITIES;

14 (II) DEVELOPING CORRECTIVE ACTION PLANS;

15 (III) DEVELOPING AND IMPLEMENTING POLICIES TO
16 IMPROVE COORDINATION OF SERVICES TO STUDENTS WITH
17 DISABILITIES; AND

18 (2) REVIEW AND COMMENT ON PENNSYLVANIA'S ANNUAL
19 PERFORMANCE REPORT, PROPOSED SPECIAL EDUCATION REGULATIONS
20 AND FUNDING PROCEDURES; AND

21 (3) HELP THE DEPARTMENT DEVELOP AND REPORT INFORMATION
22 THAT IS REQUIRED BY LAW TO THE UNITED STATES SECRETARY OF
23 EDUCATION, IN ACCORDANCE WITH SECTION 612(A)(21) OF THE
24 INDIVIDUALS WITH DISABILITIES EDUCATION ACT (PUBLIC LAW 91-
25 310, 20 U.S.C. § 1412(A)(21)) AND 34 CFR 300.167-300.169
26 (RELATING TO STATE ADVISORY PANEL).

27 "PILOT PROGRAM." THE DISABILITY INCLUSIVE CURRICULUM PILOT
28 PROGRAM ESTABLISHED UNDER THIS ARTICLE.

29 "PROFESSIONAL EDUCATOR." AS DEFINED IN SECTION 1205.2(O).

30 "SCHOOL ENTITY." A SCHOOL DISTRICT, CHARTER SCHOOL, REGIONAL

1 CHARTER SCHOOL, CYBER CHARTER SCHOOL, INTERMEDIATE UNIT OR AREA
2 CAREER AND TECHNICAL SCHOOL.

3 SECTION 1703-D. PILOT PROGRAM.

4 (A) ESTABLISHMENT.--THE DISABILITY INCLUSIVE CURRICULUM
5 PILOT PROGRAM IS ESTABLISHED IN THE DEPARTMENT TO PROVIDE
6 INSTRUCTION TO STUDENTS ON THE POLITICAL, ECONOMIC AND SOCIAL
7 CONTRIBUTIONS OF INDIVIDUALS WITH DISABILITIES.

8 (B) OPERATION.--THE PILOT PROGRAM SHALL OPERATE FOR THREE
9 FULL SCHOOL YEARS, BEGINNING WITH THE 2023-2024 SCHOOL YEAR.

10 (C) SELECTION OF SCHOOL ENTITIES.--

11 (1) THE DEPARTMENT MAY SELECT SCHOOL ENTITIES AND
12 NONPUBLIC SCHOOLS TO PARTICIPATE IN THE PILOT PROGRAM BY JULY
13 15, 2023.

14 (2) TO BE ELIGIBLE FOR THE PILOT PROGRAM, THE SCHOOL
15 ENTITY OR NONPUBLIC SCHOOL MUST SUBMIT A PROPOSAL TO THE
16 DEPARTMENT BY MAY 15, 2023, THAT IDENTIFIES HOW THE SCHOOL
17 ENTITY OR NONPUBLIC SCHOOL WILL MEET THE GUIDELINES
18 ESTABLISHED BY THE DEPARTMENT FOR THE PILOT PROGRAM.

19 SECTION 1704-D. DEPARTMENT RESPONSIBILITIES.

20 (A) FUNDING.--THE DEPARTMENT MAY USE FEDERAL, STATE AND
21 OTHER MONEY TO THE EXTENT THAT IT IS MADE AVAILABLE FOR THE
22 PROGRAM.

23 (B) CONSULTATION.--NO LATER THAN SIX MONTHS AFTER THE
24 EFFECTIVE DATE OF THIS SECTION, THE DEPARTMENT SHALL CONSULT
25 WITH THE PENNSYLVANIA SPECIAL EDUCATION ADVISORY PANEL IN
26 ESTABLISHING, OPERATING AND EVALUATING THE PILOT PROGRAM.

27 (C) GUIDELINES.--BY MARCH 15, 2023, THE DEPARTMENT SHALL
28 ESTABLISH GUIDELINES AND PROCEDURES FOR THE PILOT PROGRAM IN
29 CONSULTATION WITH THE PENNSYLVANIA SPECIAL EDUCATION ADVISORY
30 PANEL. THE DEPARTMENT SHALL CONSIDER CURRICULUM OFFERED BY

1 ORGANIZATIONS WITH 50% OR GREATER DISABLED LEADERSHIP THAT
2 SPECIALIZE IN AND HAVE EXPERTISE WITH INDIVIDUALS WITH
3 DISABILITIES BEFORE SELECTING THE CURRICULUM TO BE USED FOR THE
4 PILOT PROGRAM.

5 SECTION 1705-D. PILOT PROGRAM EVALUATION.

6 (A) REPORT BY SCHOOL ENTITIES.--A PARTICIPATING SCHOOL
7 ENTITY OR NONPUBLIC SCHOOL SHALL ANNUALLY REPORT TO THE
8 DEPARTMENT DATA AND INFORMATION ABOUT THE OPERATION OF THE PILOT
9 PROGRAM, IN THE MANNER PRESCRIBED BY THE DEPARTMENT. AT A
10 MINIMUM, A PARTICIPATING SCHOOL ENTITY OR NONPUBLIC SCHOOL SHALL
11 ANNUALLY REPORT TO THE DEPARTMENT ABOUT HOW THE PARTICIPATING
12 SCHOOL ENTITY OR NONPUBLIC SCHOOL MET THE OBJECTIVES OF THE
13 PILOT PROGRAM AND ANY DIFFICULTY ENCOUNTERED IN SEEKING TO MEET
14 THE OBJECTIVES OF THE PILOT PROGRAM.

15 (B) EVALUATION.--THE DEPARTMENT SHALL CONTRACT WITH A
16 NATIONALLY RECOGNIZED EDUCATIONAL EVALUATION INSTITUTION OR
17 ORGANIZATION TO PROVIDE AN EVALUATION OF THE PILOT PROGRAM TO
18 REVIEW THE EFFECTIVENESS OF THE IMPLEMENTATION OF A CURRICULUM
19 INCLUSIVE TO INDIVIDUALS WITH A DISABILITY. THE EVALUATION SHALL
20 BE PUBLISHED ON THE DEPARTMENT'S PUBLICLY ACCESSIBLE INTERNET
21 WEBSITE.

22 (C) REPORT BY DEPARTMENT.--THE DEPARTMENT SHALL COMPILE AN
23 ANNUAL REPORT BASED ON THE DATA AND INFORMATION RECEIVED ABOUT
24 THE OPERATION OF THE PILOT PROGRAM UNDER SUBSECTION (A). THE
25 DEPARTMENT SHALL ANNUALLY SUBMIT THE REPORT UNDER THIS
26 SUBSECTION BY AUGUST 1 TO ALL OF THE FOLLOWING:

27 (1) THE CHAIR AND MINORITY CHAIR OF THE EDUCATION
28 COMMITTEE OF THE SENATE.

29 (2) THE CHAIR AND MINORITY CHAIR OF THE EDUCATION
30 COMMITTEE OF THE HOUSE OF REPRESENTATIVES.

1 SECTION 30. THE ACT IS AMENDED BY ADDING SECTIONS TO READ:

2 SECTION 1857. COSMETOLOGY TRAINING THROUGH CAREER AND

3 TECHNICAL CENTER PILOT PROGRAM.--(A) THE COSMETOLOGY TRAINING

4 THROUGH CAREER AND TECHNICAL CENTER PILOT PROGRAM IS ESTABLISHED

5 IN THE STATE BOARD OF COSMETOLOGY.

6 (A.1) A CTE COSMETOLOGY STUDENT MAY EARN UP TO THREE HUNDRED

7 FIFTY HOURS OF EDUCATION THROUGH PARTICIPATION IN OUT-OF-SCHOOL

8 PROGRAMS, SUBJECT TO THE FOLLOWING:

9 (1) THE CTE COSMETOLOGY STUDENT MUST BE SUPERVISED BY A

10 LICENSED COSMETOLOGIST OR COSMETOLOGY TEACHER WHO HAS AT LEAST

11 FIVE YEARS OF EXPERIENCE.

12 (2) THE PROGRAM EDUCATOR MAY USE INFORMATION OBTAINED FROM

13 THE OUT-OF-SCHOOL PROGRAM IN GAUGING AND GRADING THE CTE

14 COSMETOLOGY STUDENT'S SKILL LEVEL.

15 (3) THE OUT-OF-SCHOOL PROGRAM SHALL NOTIFY EACH CLIENT UPON

16 WHOM THE CTE COSMETOLOGY STUDENT PERFORMS A SERVICE THAT THE

17 SERVICE IS BEING PERFORMED BY A CTE COSMETOLOGY STUDENT.

18 (4) A CTE COSMETOLOGY STUDENT MAY RECEIVE COMPENSATION FOR

19 SERVICES RENDERED IN THE OUT-OF-SCHOOL PROGRAM.

20 (B) A CTE COSMETOLOGY STUDENT MAY NOT EARN LESS THAN TWO

21 HUNDRED FIFTY HOURS THROUGH IN-PERSON INSTRUCTION AT THE CTC OR

22 SECONDARY SCHOOL.

23 (C) THIS SECTION SHALL APPLY ONLY TO A CTE COSMETOLOGY

24 STUDENT AND SHALL NOT APPLY TO A POSTSECONDARY STUDENT ENROLLED

25 AND PARTICIPATING IN AN ADULT AND CONTINUING EDUCATION PROGRAM

26 OFFERED BY A CTC OR SECONDARY SCHOOL.

27 (D) NO LATER THAN JUNE 30, 2023, AND EACH YEAR THEREAFTER

28 THROUGH JUNE 30, 2025, EACH CTC AND SECONDARY SCHOOL

29 PARTICIPATING IN THE PILOT PROGRAM SHALL REPORT THE FOLLOWING

30 INFORMATION TO THE STATE BOARD OF COSMETOLOGY ON A FORM

1 PRESCRIBED BY THE BOARD:

2 (1) THE NUMBER OF CTE COSMETOLOGY STUDENTS PARTICIPATING IN
3 AN OUT-OF-SCHOOL PROGRAM.

4 (2) THE NUMBER OF SALONS AND SUPERVISING LICENSED
5 COSMETOLOGISTS PARTICIPATING IN AN OUT-OF-SCHOOL PROGRAM.

6 (3) THE AVERAGE NUMBER OF HOURS CTE COSMETOLOGY STUDENTS
7 PARTICIPATED IN AN OUT-OF-SCHOOL PROGRAM.

8 (4) THE AVERAGE NUMBER OF HOURS CTE COSMETOLOGY STUDENTS
9 PARTICIPATED IN ONLINE DISTANCE EDUCATION HOURS.

10 (5) THE NUMBER OF CTE COSMETOLOGY STUDENTS PARTICIPATING IN
11 AN OUT-OF-SCHOOL PROGRAM THAT RECEIVED EMPLOYMENT AS A RESULT OF
12 AN OUT-OF-SCHOOL PROGRAM.

13 (6) OTHER INFORMATION AS REQUESTED BY THE STATE BOARD OF
14 COSMETOLOGY.

15 (E) THE PILOT PROGRAM UNDER THIS SECTION SHALL EXPIRE THREE
16 YEARS FROM THE EFFECTIVE DATE OF THIS SECTION.

17 (F) AS USED IN THIS SECTION, THE FOLLOWING WORDS AND PHRASES
18 SHALL HAVE THE MEANINGS GIVEN TO THEM IN THIS SUBSECTION:

19 "CTC" MEANS A DEPARTMENT OF EDUCATION AREA CAREER AND
20 TECHNICAL SCHOOL AS DEFINED IN SECTION 1841.

21 "CTE COSMETOLOGY STUDENT" MEANS A CAREER AND TECHNICAL
22 EDUCATION STUDENT RECEIVING A SECONDARY EDUCATION FROM A CTC OR
23 SECONDARY SCHOOL IN A COSMETOLOGY PROGRAM OF STUDY UNDER THE ACT
24 OF MAY 3, 1933 (P.L.242, NO.86), REFERRED TO AS THE "COSMETOLOGY
25 LAW."

26 "OUT-OF-SCHOOL PROGRAM" MEANS A PROGRAM CONDUCTED OFF CTC OR
27 SECONDARY SCHOOL GROUNDS, INCLUDING COOPERATIVE EDUCATION, JOB
28 SHADOWING, INTERNSHIPS, COMMUNITY EXPLORATION, REGISTERED
29 APPRENTICESHIPS AND COMMUNITY SERVICE LEARNING DESIGNED TO
30 PROVIDE STUDENTS WITH REAL WORLD EXPERIENCES UNDER THE GENERAL

1 SUPERVISION OF A PROGRAM EDUCATOR.

2 "PROGRAM EDUCATOR" MEANS AN EDUCATOR HOLDING A CAREER AND
3 TECHNICAL CERTIFICATION ISSUED BY THE DEPARTMENT OF EDUCATION
4 AND A COSMETOLOGY TEACHER LICENSED UNDER THE "COSMETOLOGY LAW."

5 SECTION 1858. BARBER TRAINING THROUGH CAREER AND TECHNICAL
6 CENTER PILOT PROGRAM.-- (A) THE BARBER TRAINING THROUGH CAREER
7 AND TECHNICAL CENTER PILOT PROGRAM IS ESTABLISHED IN THE STATE
8 BOARD OF BARBER EXAMINERS.

9 (A.1) A CTE BARBER STUDENT MAY EARN UP TO THREE HUNDRED
10 FIFTY HOURS OF EDUCATION THROUGH PARTICIPATION IN OUT-OF-SCHOOL
11 PROGRAMS, SUBJECT TO THE FOLLOWING:

12 (1) THE CTE BARBER STUDENT MUST BE SUPERVISED BY A LICENSED
13 BARBER, BARBER MANAGER OR BARBER TEACHER WHO HAS AT LEAST FIVE
14 YEARS OF EXPERIENCE.

15 (2) THE PROGRAM EDUCATOR MAY USE INFORMATION OBTAINED FROM
16 THE OUT-OF-SCHOOL PROGRAM IN GAUGING AND GRADING THE CTE BARBER
17 STUDENT'S SKILL LEVEL.

18 (3) THE OUT-OF-SCHOOL PROGRAM SHALL NOTIFY EACH CLIENT UPON
19 WHOM THE CTE BARBER STUDENT PERFORMS A SERVICE THAT THE SERVICE
20 IS BEING PERFORMED BY A CTE BARBER STUDENT.

21 (4) A CTE BARBER STUDENT MAY RECEIVE COMPENSATION FOR
22 SERVICES RENDERED IN THE OUT-OF-SCHOOL PROGRAM.

23 (B) A CTE BARBER STUDENT MAY NOT EARN LESS THAN TWO HUNDRED
24 FIFTY HOURS THROUGH IN-PERSON INSTRUCTION AT THE CTC OR
25 SECONDARY SCHOOL.

26 (C) THIS SECTION SHALL APPLY ONLY TO A CTE BARBER STUDENT
27 AND SHALL NOT APPLY TO A POSTSECONDARY STUDENT ENROLLED AND
28 PARTICIPATING IN AN ADULT AND CONTINUING EDUCATION PROGRAM
29 OFFERED BY A CTC OR SECONDARY SCHOOL.

30 (D) NO LATER THAN JUNE 30, 2023, AND EACH YEAR THEREAFTER

1 THROUGH JUNE 30, 2025, EACH CTC AND SECONDARY SCHOOL
2 PARTICIPATING IN THE PILOT PROGRAM SHALL REPORT THE FOLLOWING
3 INFORMATION TO THE STATE BOARD OF BARBER EXAMINERS ON A FORM
4 PRESCRIBED BY THE BOARD:

5 (1) THE NUMBER OF CTE BARBER STUDENTS PARTICIPATING IN AN
6 OUT-OF-SCHOOL PROGRAM.

7 (2) THE NUMBER OF BARBER SHOPS AND SUPERVISING LICENSED
8 BARBERS PARTICIPATING IN AN OUT-OF-SCHOOL PROGRAM.

9 (3) THE AVERAGE NUMBER OF HOURS CTE BARBER STUDENTS
10 PARTICIPATED IN AN OUT-OF-SCHOOL PROGRAM.

11 (4) THE AVERAGE NUMBER OF HOURS CTE BARBER STUDENTS
12 PARTICIPATED IN ONLINE DISTANCE EDUCATION HOURS.

13 (5) THE NUMBER OF CTE BARBER STUDENTS PARTICIPATING IN AN
14 OUT-OF-SCHOOL PROGRAM THAT RECEIVED EMPLOYMENT AS A RESULT OF AN
15 OUT-OF-SCHOOL PROGRAM.

16 (6) OTHER INFORMATION AS REQUESTED BY THE STATE BOARD OF
17 BARBER EXAMINERS.

18 (E) THE PILOT PROGRAM UNDER THIS SECTION SHALL EXPIRE THREE
19 YEARS FROM THE EFFECTIVE DATE OF THIS SECTION.

20 (F) AS USED IN THIS SECTION, THE FOLLOWING WORDS AND PHRASES
21 SHALL HAVE THE MEANINGS GIVEN TO THEM IN THIS SUBSECTION:

22 "CTC" MEANS A DEPARTMENT OF EDUCATION AREA CAREER AND
23 TECHNICAL SCHOOL AS DEFINED IN SECTION 1841 OF THIS ACT.

24 "CTE BARBER STUDENT" MEANS A CAREER AND TECHNICAL EDUCATION
25 STUDENT RECEIVING A SECONDARY EDUCATION FROM A CTC OR SECONDARY
26 SCHOOL IN A BARBER PROGRAM OF STUDY UNDER THE ACT OF JUNE 19,
27 1931 (P.L.589, NO.202), REFERRED TO AS THE BARBERS' LICENSE LAW.

28 "OUT-OF-SCHOOL PROGRAM" MEANS A PROGRAM CONDUCTED OFF CTC OR
29 SECONDARY SCHOOL GROUNDS, INCLUDING COOPERATIVE EDUCATION, JOB
30 SHADOWING, INTERNSHIPS, COMMUNITY EXPLORATION, REGISTERED

1 APPRENTICESHIPS AND COMMUNITY SERVICE LEARNING DESIGNED TO
2 PROVIDE STUDENTS WITH REAL WORLD EXPERIENCES UNDER THE GENERAL
3 SUPERVISION OF A PROGRAM EDUCATOR.

4 "PROGRAM EDUCATOR" MEANS AN EDUCATOR HOLDING A CAREER AND
5 TECHNICAL CERTIFICATION ISSUED BY THE DEPARTMENT OF EDUCATION
6 AND A BARBER TEACHER LICENSED UNDER THE BARBER'S LICENSE LAW.

7 SECTION 31. SECTION 1913-A(B) (1.6) OF THE ACT IS AMENDED BY
8 ADDING SUBCLAUSES TO READ:

9 SECTION 1913-A. FINANCIAL PROGRAM; REIMBURSEMENT OF
10 PAYMENTS.--* * *

11 (B) * * *

12 (1.6) FOR THE 2006-2007 FISCAL YEAR AND EACH FISCAL YEAR
13 THEREAFTER, THE PAYMENT FOR A COMMUNITY COLLEGE SHALL CONSIST OF
14 THE FOLLOWING:

15 * * *

16 (XVI) FOR THE 2022-2023 FISCAL YEAR, EACH COMMUNITY COLLEGE
17 SHALL RECEIVE AN AMOUNT EQUAL TO THE FOLLOWING:

18 (A) AN AMOUNT EQUAL TO THE REIMBURSEMENT FOR OPERATING COSTS
19 RECEIVED IN FISCAL YEAR 2019-2020 UNDER SUBCLAUSE (XII) (A) AND
20 (C).

21 (B) AN AMOUNT EQUAL TO THE ECONOMIC DEVELOPMENT STIPEND
22 RECEIVED IN FISCAL YEAR 2019-2020 UNDER SUBCLAUSE (XII) (B).

23 (C) FOR EACH COMMUNITY COLLEGE THAT RECEIVES FUNDING UNDER
24 UNITS (A) AND (B), AN ADDITIONAL AMOUNT FOR OPERATING COSTS
25 DETERMINED FOR EACH COMMUNITY COLLEGE, AS FOLLOWS:

26 (I) MULTIPLY THE AUDITED FULL-TIME EQUIVALENT ENROLLMENT AS
27 VERIFIED UNDER SUBSECTION (K.1) FOR THE MOST RECENT YEAR
28 AVAILABLE FOR THE COMMUNITY COLLEGE BY \$9,755,000.

29 (II) DIVIDE THE PRODUCT IN SUBUNIT (I) BY THE SUM OF THE
30 AUDITED FULL-TIME EQUIVALENT ENROLLMENT AS VERIFIED UNDER

1 SUBSECTION (K.1) FOR THE MOST RECENT YEAR AVAILABLE FOR ALL
2 COMMUNITY COLLEGES THAT RECEIVE FUNDING UNDER UNITS (A) AND (B).
3 (XVII) FOR FISCAL YEAR 2022-2023, A COMMUNITY COLLEGE
4 APPROVED BY THE STATE BOARD OF EDUCATION DURING THE 2020
5 CALENDAR YEAR SHALL RECEIVE AN AMOUNT EQUAL TO THE DIFFERENCE
6 BETWEEN THE AMOUNT APPROPRIATED FOR THE ALLOCATION OF COMMUNITY
7 COLLEGE FUNDING AND THE SUM OF THE AMOUNTS DETERMINED FOR
8 COMMUNITY COLLEGES UNDER SUBCLAUSE (XVI).

9 * * *

10 SECTION 32. SECTION 1916-G INTRODUCTORY PARAGRAPH OF THE ACT
11 IS AMENDED TO READ:

12 SECTION 1916-G. REPORTS.

13 THE LEGISLATIVE BUDGET AND FINANCE COMMITTEE SHALL PREPARE
14 AND SUBMIT TO THE GENERAL ASSEMBLY WRITTEN INTERIM AND FINAL
15 REPORTS EVALUATING THE OPERATION OF THIS ARTICLE. THE INTERIM
16 REPORT SHALL BE SUBMITTED BY JUNE 30, 2018, AND THE FINAL REPORT
17 SHALL BE SUBMITTED BY [JUNE 30, 2022] DECEMBER 31, 2022. EACH
18 REPORT SHALL INCLUDE, BUT MAY NOT BE LIMITED TO, THE FOLLOWING:

19 * * *

20 SECTION 33. SECTION 2001-A OF THE ACT IS AMENDED BY ADDING
21 DEFINITIONS TO READ:

22 SECTION 2001-A. DEFINITIONS.--THE FOLLOWING WORDS AND
23 PHRASES WHEN USED IN THIS ARTICLE SHALL, FOR THE PURPOSE OF THIS
24 ARTICLE, HAVE THE FOLLOWING MEANINGS, RESPECTIVELY, EXCEPT IN
25 THOSE INSTANCES WHERE THE CONTEXT CLEARLY INDICATES A DIFFERENT
26 MEANING:

27 * * *

28 (4.1) "COMMONWEALTH UNIVERSITY OF PENNSYLVANIA" SHALL MEAN
29 THE INSTITUTION COMPRISED OF BLOOMSBURG UNIVERSITY OF
30 PENNSYLVANIA, LOCK HAVEN UNIVERSITY OF PENNSYLVANIA AND

1 MANSFIELD UNIVERSITY OF PENNSYLVANIA AS CONSOLIDATED UNDER
2 SECTION 2002-A.

3 * * *

4 (9.1) "INITIAL MEMBER" SHALL MEAN A TRUSTEE SERVING ON THE
5 COUNCIL OF TRUSTEES AS OF JUNE 30, 2022, FOR AN INSTITUTION
6 CONSOLIDATED UNDER SECTION 2002-A THAT HAS BEEN NOMINATED AND
7 APPOINTED BY THE GOVERNOR AND CONFIRMED BY THE SENATE.

8 * * *

9 (10.1) "INTEGRATED COUNCIL" SHALL MEAN EACH OF THE
10 FOLLOWING:

11 (1) THE COUNCIL OF TRUSTEES OF COMMONWEALTH UNIVERSITY OF
12 PENNSYLVANIA.

13 (2) THE COUNCIL OF TRUSTEES OF PENNSYLVANIA WESTERN
14 UNIVERSITY.

15 (10.2) "PENNSYLVANIA WESTERN UNIVERSITY" SHALL MEAN THE
16 INSTITUTION COMPRISED OF CALIFORNIA UNIVERSITY OF PENNSYLVANIA,
17 CLARION UNIVERSITY OF PENNSYLVANIA AND EDINBORO UNIVERSITY OF
18 PENNSYLVANIA AS CONSOLIDATED UNDER SECTION 2002-A.

19 * * *

20 (17.1) "TRANSITIONAL MEMBER" SHALL MEAN A TRUSTEE SERVING ON
21 THE COUNCIL OF TRUSTEES AS OF JUNE 30, 2022, FOR AN INSTITUTION
22 CONSOLIDATED UNDER SECTION 2002-A, WHO IS APPOINTED TO SERVE ON
23 AN INTEGRATED COUNCIL FOR A TERM BEGINNING ON JULY 15, 2022,
24 UNTIL SEPTEMBER 30, 2022, OR UPON CONFIRMATION OF INITIAL
25 MEMBERS BY THE SENATE, WHICHEVER OCCURS EARLIER.

26 * * *

27 SECTION 34. SECTIONS 2002-A(A.7) INTRODUCTORY PARAGRAPH AND
28 2004-A(C) (2) OF THE ACT ARE AMENDED TO READ:

29 SECTION 2002-A. ESTABLISHMENT OF THE STATE SYSTEM OF HIGHER
30 EDUCATION AND ITS INSTITUTIONS.--* * *

1 (A.7) UPON DEVELOPMENT OF A PROPOSED IMPLEMENTATION PLAN
2 UNDER SUBSECTION (A.3), THE CHANCELLOR SHALL REPORT ON A
3 QUARTERLY BASIS IN PERSON TO THE CHAIRPERSON AND MINORITY
4 CHAIRPERSON OF THE APPROPRIATIONS COMMITTEE OF THE SENATE, THE
5 CHAIRPERSON AND MINORITY CHAIRPERSON OF THE EDUCATION COMMITTEE
6 OF THE SENATE, THE CHAIRPERSON AND MINORITY CHAIRPERSON OF THE
7 APPROPRIATIONS COMMITTEE OF THE HOUSE OF REPRESENTATIVES AND THE
8 CHAIRPERSON AND MINORITY CHAIRPERSON OF THE EDUCATION COMMITTEE
9 OF THE HOUSE OF REPRESENTATIVES INFORMATION DETAILING THE
10 ACTIONS TAKEN, ACTIONS PLANNED TO BE TAKEN IN THE NEXT QUARTER
11 AND PROGRESS MADE TOWARD DEVELOPING AND IMPLEMENTING THE GOALS
12 OF THE PLAN ON THE RESPECTIVE UNIVERSITIES. WITHIN FIFTEEN (15)
13 DAYS OF THE ISSUANCE OF A REPORT TO THE CHAIRPERSONS, THE
14 CHANCELLOR SHALL, UPON REQUEST BY THE CHAIRPERSON OR MINORITY
15 CHAIRPERSON OF THE APPROPRIATIONS COMMITTEE OF THE SENATE, THE
16 CHAIRPERSON OR MINORITY CHAIRPERSON OF THE EDUCATION COMMITTEE
17 OF THE SENATE, THE CHAIRPERSON OR MINORITY CHAIRPERSON OF THE
18 APPROPRIATIONS COMMITTEE OF THE HOUSE OF REPRESENTATIVES OR THE
19 CHAIRPERSON OR MINORITY CHAIRPERSON OF THE EDUCATION COMMITTEE
20 OF THE HOUSE OF REPRESENTATIVES, PRESENT THE REPORT AT A JOINT
21 PUBLIC HEARING OF THE APPROPRIATIONS COMMITTEE OF THE SENATE AND
22 THE EDUCATION COMMITTEE OF THE SENATE AND A JOINT PUBLIC HEARING
23 OF THE APPROPRIATIONS COMMITTEE OF THE HOUSE OF REPRESENTATIVES
24 AND THE EDUCATION COMMITTEE OF THE HOUSE OF REPRESENTATIVES. A
25 REPORT UNDER THIS SUBSECTION SHALL CONTINUE UNTIL THE PLAN IS
26 EITHER REJECTED BY THE BOARD OR HAS BEEN FULLY IMPLEMENTED. A
27 REPORT SHALL INCLUDE, BUT IS NOT LIMITED TO, THE FOLLOWING
28 INFORMATION:

29 * * *

30 SECTION 2004-A. BOARD OF GOVERNORS.--* * *

1 (C) * * *

2 (2) A MEMBER OF THE GENERAL ASSEMBLY APPOINTED UNDER
3 SUBSECTION (A) MAY DESIGNATE AN OFFICIAL REPRESENTATIVE TO
4 ATTEND ANY MEETINGS OF THE BOARD, THE EXECUTIVE COMMITTEE OF THE
5 BOARD AND ANY COMMITTEE TO WHICH THE MEMBER OF THE GENERAL
6 ASSEMBLY IS ASSIGNED. [SUCH] THE OFFICIAL REPRESENTATIVE SHALL
7 HAVE THE RIGHT TO SPEAK ON ALL MATTERS BEFORE THE BOARD, THE
8 EXECUTIVE COMMITTEE AND ANY COMMITTEE TO WHICH THE MEMBER OF THE
9 GENERAL ASSEMBLY IS ASSIGNED [BUT SHALL NOT HAVE THE RIGHT TO
10 VOTE ON BEHALF OF THE MEMBER OF THE GENERAL ASSEMBLY] AND TO
11 VOTE.

12 * * *

13 SECTION 35. SECTION 2008-A OF THE ACT IS AMENDED BY ADDING A
14 SUBSECTION TO READ:

15 SECTION 2008-A. COUNCILS OF TRUSTEES.--* * *

16 (A.1) A TRUSTEE SERVING ON AN INTEGRATED COUNCIL AS OF JULY
17 1, 2022, SHALL CONTINUE TO SERVE ON THE INTEGRATED COUNCIL UNTIL
18 THE GOVERNOR APPOINTS TRANSITIONAL MEMBERS UNDER SECTION 2008.1-
19 A(B) (4).

20 * * *

21 SECTION 36. THE ACT IS AMENDED BY ADDING A SECTION TO READ:

22 SECTION 2008.1-A. INTEGRATED COUNCILS.--(A) AN INTEGRATED
23 COUNCIL SHALL CONSIST OF MEMBERS AS PROVIDED UNDER THIS SECTION.

24 (B) (1) TRANSITIONAL MEMBERS OF THE COUNCIL OF TRUSTEES OF
25 COMMONWEALTH UNIVERSITY OF PENNSYLVANIA SHALL BE EQUALLY
26 SELECTED FROM THE TRUSTEES SERVING UNDER ACTIVE TERMS THROUGH
27 JUNE 30, 2022, WITH FOUR (4) MEMBERS SELECTED FROM BLOOMSBURG
28 UNIVERSITY OF PENNSYLVANIA, FOUR (4) MEMBERS SELECTED FROM LOCK
29 HAVEN UNIVERSITY OF PENNSYLVANIA AND FOUR (4) MEMBERS SELECTED
30 FROM MANSFIELD UNIVERSITY OF PENNSYLVANIA.

1 (2) TRANSITIONAL MEMBERS OF THE COUNCIL OF TRUSTEES OF
2 PENNSYLVANIA WESTERN UNIVERSITY SHALL BE EQUALLY SELECTED FROM
3 THE TRUSTEES SERVING UNDER ACTIVE TERMS THROUGH JUNE 30, 2022,
4 WITH FOUR (4) MEMBERS SELECTED FROM CALIFORNIA UNIVERSITY OF
5 PENNSYLVANIA, FOUR (4) MEMBERS SELECTED FROM CLARION UNIVERSITY
6 OF PENNSYLVANIA AND FOUR (4) MEMBERS SELECTED FROM EDINBORO
7 UNIVERSITY OF PENNSYLVANIA.

8 (3) TRANSITIONAL MEMBERS SHALL NOT BE SUBJECT TO THE
9 REQUIREMENTS IN SUBSECTION (E).

10 (4) NO LATER THAN JULY 15, 2022, THE GOVERNOR SHALL PROVIDE
11 WRITTEN NOTIFICATION TO THE FOLLOWING MEMBERS OF THE GENERAL
12 ASSEMBLY TO INFORM THEM OF THE TRUSTEES THAT HAVE BEEN APPOINTED
13 TO SERVE AS TRANSITIONAL MEMBERS:

14 (I) THE PRESIDENT PRO TEMPORE OF THE SENATE.

15 (II) THE SPEAKER OF THE HOUSE OF REPRESENTATIVES.

16 (III) THE MAJORITY LEADER OF THE SENATE.

17 (IV) THE MINORITY LEADER OF THE SENATE.

18 (V) THE MAJORITY LEADER OF THE HOUSE OF REPRESENTATIVES.

19 (VI) THE MINORITY LEADER OF THE HOUSE OF REPRESENTATIVES.

20 (VII) THE CHAIRPERSON AND MINORITY CHAIRPERSON OF THE
21 EDUCATION COMMITTEE OF THE SENATE.

22 (VIII) THE CHAIRPERSON AND MINORITY CHAIRPERSON OF THE
23 EDUCATION COMMITTEE OF THE HOUSE OF REPRESENTATIVES.

24 (C) (1) NO LATER THAN AUGUST 31, 2022, THE GOVERNOR SHALL
25 SUBMIT TO THE SENATE THE NAMES OF INDIVIDUALS TO NOMINATE AND
26 APPOINT TO SERVE AS INITIAL MEMBERS ON AN INTEGRATED COUNCIL.

27 (2) INITIAL MEMBERS OF THE COUNCIL OF TRUSTEES OF
28 COMMONWEALTH UNIVERSITY OF PENNSYLVANIA SHALL BE EQUALLY
29 SELECTED FROM TRUSTEES SERVING UNDER ACTIVE TERMS THROUGH JUNE
30 30, 2022, WITH FOUR (4) MEMBERS SELECTED FROM BLOOMSBURG

1 UNIVERSITY OF PENNSYLVANIA, FOUR (4) MEMBERS SELECTED FROM LOCK
2 HAVEN UNIVERSITY OF PENNSYLVANIA AND FOUR (4) MEMBERS SELECTED
3 FROM MANSFIELD UNIVERSITY OF PENNSYLVANIA.

4 (3) INITIAL MEMBERS OF THE COUNCIL OF TRUSTEES OF
5 PENNSYLVANIA WESTERN UNIVERSITY SHALL BE EQUALLY SELECTED FROM
6 TRUSTEES SERVING UNDER ACTIVE TERMS THROUGH JUNE 30, 2022, WITH
7 FOUR (4) MEMBERS SELECTED FROM CALIFORNIA UNIVERSITY OF
8 PENNSYLVANIA, FOUR (4) MEMBERS SELECTED FROM CLARION UNIVERSITY
9 OF PENNSYLVANIA AND FOUR (4) MEMBERS SELECTED FROM EDINBORO
10 UNIVERSITY OF PENNSYLVANIA.

11 (4) TERMS OF INITIAL MEMBERS SHALL BEGIN UPON CONFIRMATION
12 BY THE SENATE.

13 (D) (1) THE GOVERNOR SHALL NOMINATE AND APPOINT INITIAL
14 MEMBERS TO SERVE STAGGERED TERMS AS FOLLOWS:

15 (I) TWO (2) INITIAL MEMBERS FROM EACH INSTITUTION
16 CONSOLIDATED UNDER SECTION 2002-A TO SERVE A TERM OF SIX (6)
17 YEARS.

18 (II) ONE (1) INITIAL MEMBER FROM EACH INSTITUTION
19 CONSOLIDATED UNDER SECTION 2002-A TO SERVE A TERM OF FOUR (4)
20 YEARS.

21 (III) ONE (1) INITIAL MEMBER FROM EACH INSTITUTION
22 CONSOLIDATED UNDER SECTION 2002-A TO SERVE A TERM OF TWO (2)
23 YEARS.

24 (2) EACH MEMBER APPOINTED OR REAPPOINTED TO SERVE ON AN
25 INTEGRATED COUNCIL AFTER THE EXPIRATION OF THE TERM OF AN
26 INITIAL MEMBER SHALL SERVE FOR A TERM OF SIX (6) YEARS.

27 (3) EACH MEMBER SHALL SERVE UNTIL THEIR RESPECTIVE SUCCESSOR
28 IS DULY APPOINTED AND QUALIFIED.

29 (E) THE MEMBERSHIP OF AN INTEGRATED COUNCIL SHALL CONSIST OF
30 THE FOLLOWING:

1 (1) AT LEAST THREE (3) MEMBERS OF EACH INTEGRATED COUNCIL
2 MUST BE ALUMNI, ONE FROM EACH INSTITUTION CONSOLIDATED UNDER
3 SECTION 2002-A.

4 (2) THREE (3) MEMBERS OF EACH INTEGRATED COUNCIL, ONE FROM
5 EACH INSTITUTION CONSOLIDATED UNDER SECTION 2002-A, SHALL BE A
6 STUDENT APPOINTED BY THE BOARD UNDER SECTION 2006-A(A) (17). THE
7 STUDENT TRUSTEE SHALL SERVE A TERM OF FOUR (4) YEARS OR FOR AS
8 LONG AS THE STUDENT IS A FULL-TIME STUDENT IN ATTENDANCE AT AN
9 INSTITUTION CONSOLIDATED UNDER SECTION 2002-A OF WHICH THE
10 STUDENT IS A MEMBER, WHICHEVER PERIOD IS SHORTER, AND IS IN GOOD
11 ACADEMIC STANDING. IF A STUDENT MEMBER IS TEMPORARILY UNABLE,
12 FOR MEDICAL OR VALID ACADEMIC REASONS, TO FULFILL THE
13 RESPONSIBILITIES OF OFFICE, THE INTEGRATED COUNCIL MAY APPOINT
14 AN OTHERWISE QUALIFIED STUDENT TO SERVE AS AN ALTERNATE UNTIL
15 THE RETURN OF THE STUDENT MEMBER.

16 (F) A VACANCY OCCURRING BEFORE THE EXPIRATION OF THE TERM OF
17 AN INITIAL MEMBER OR ANY SUBSEQUENT MEMBER SHALL BE FILLED IN
18 LIKE MANNER FOR THE UNEXPIRED TERM.

19 (G) EIGHT (8) MEMBERS OF AN INTEGRATED COUNCIL SHALL
20 CONSTITUTE A QUORUM. NO MORE THAN ONE STUDENT MEMBER SHALL BE
21 COUNTED TOWARD ESTABLISHING A QUORUM. THE INTEGRATED COUNCIL
22 SHALL SELECT FROM ITS MEMBERS A CHAIRPERSON AND A SECRETARY TO
23 SERVE AT THE PLEASURE OF THE INTEGRATED COUNCIL. THE INTEGRATED
24 COUNCIL SHALL MEET AT LEAST QUARTERLY AND ADDITIONALLY AT THE
25 CALL OF THE PRESIDENT, OR THE CHAIRPERSON, OR UPON REQUEST OF
26 FOUR (4) OF ITS MEMBERS.

27 (H) THE POWERS AND DUTIES CONFERRED TO COUNCILS OF TRUSTEES
28 UNDER THIS ARTICLE, INCLUDING, BUT NOT LIMITED TO, SECTIONS
29 2005-A, 2006-A AND 2009-A, SHALL APPLY TO THE COUNCIL OF
30 TRUSTEES OF COMMONWEALTH UNIVERSITY OF PENNSYLVANIA AND THE

1 COUNCIL OF TRUSTEES OF PENNSYLVANIA WESTERN UNIVERSITY.

2 SECTION 37. THE DEFINITIONS OF "ECONOMICALLY DISADVANTAGED
3 SCHOOL" AND "HOUSEHOLD INCOME" IN SECTION 2002-B OF THE ACT ARE
4 AMENDED AND THE SECTION IS AMENDED BY ADDING DEFINITIONS TO
5 READ:

6 SECTION 2002-B. DEFINITIONS.

7 THE FOLLOWING WORDS AND PHRASES WHEN USED IN THIS ARTICLE
8 SHALL HAVE THE MEANINGS GIVEN TO THEM IN THIS SECTION UNLESS THE
9 CONTEXT CLEARLY INDICATES OTHERWISE:

10 * * *

11 "ECONOMICALLY DISADVANTAGED SCHOOL." ANY SCHOOL WITHIN THIS
12 COMMONWEALTH AT WHICH AT LEAST [75%] 51% OF THE STUDENTS
13 ATTENDING THE SCHOOL IN THE IMMEDIATELY PRECEDING SCHOOL YEAR
14 RECEIVED A SCHOLARSHIP OF AT LEAST \$1,000 PURSUANT TO THIS
15 ARTICLE.

16 * * *

17 "FISCAL YEAR." THE COMMONWEALTH'S FISCAL YEAR BEGINNING JULY
18 1 AND ENDING JUNE 30.

19 * * *

20 "HOUSEHOLD INCOME." ALL MONEY OR PROPERTY RECEIVED OF
21 WHATEVER NATURE AND FROM WHATEVER SOURCE DERIVED. THE TERM DOES
22 NOT INCLUDE THE FOLLOWING:

23 (1) PERIODIC PAYMENTS FOR SICKNESS AND DISABILITY OTHER
24 THAN REGULAR WAGES RECEIVED DURING A PERIOD OF SICKNESS OR
25 DISABILITY.

26 (2) DISABILITY, RETIREMENT OR OTHER PAYMENTS ARISING
27 UNDER WORKERS' COMPENSATION ACTS, OCCUPATIONAL DISEASE ACTS
28 AND SIMILAR LEGISLATION BY ANY GOVERNMENT.

29 (3) PAYMENTS COMMONLY RECOGNIZED AS OLD-AGE OR
30 RETIREMENT BENEFITS PAID TO PERSONS RETIRED FROM SERVICE

1 AFTER REACHING A SPECIFIC AGE OR AFTER A STATED PERIOD OF
2 EMPLOYMENT.

3 (4) PAYMENTS COMMONLY KNOWN AS PUBLIC ASSISTANCE OR
4 UNEMPLOYMENT COMPENSATION PAYMENTS BY A GOVERNMENTAL AGENCY.

5 (5) PAYMENTS TO REIMBURSE ACTUAL EXPENSES.

6 (6) PAYMENTS MADE BY EMPLOYERS OR LABOR UNIONS FOR
7 PROGRAMS COVERING HOSPITALIZATION, SICKNESS, DISABILITY OR
8 DEATH, SUPPLEMENTAL UNEMPLOYMENT BENEFITS, STRIKE BENEFITS,
9 SOCIAL SECURITY AND RETIREMENT.

10 (7) COMPENSATION RECEIVED BY UNITED STATES SERVICEMEN
11 SERVING IN A COMBAT ZONE.

12 (8) PAYMENTS RECEIVED FROM A GOVERNMENTAL AGENCY TO
13 RELIEVE THE ECONOMIC EFFECTS OF THE COVID-19 PANDEMIC.

14 * * *

15 "SCHOOL-RELATED FEES." FEES CHARGED BY A SCHOOL TO ALL
16 STUDENTS FOR BOOKS, INSTRUCTIONAL MATERIALS, TECHNOLOGY
17 EQUIPMENT AND SERVICES, UNIFORMS [AND], ACTIVITIES AND
18 CONCURRENT ENROLLMENT PROGRAMS UNDER ARTICLE XVI-B.

19 * * *

20 "TAX YEAR." A TAXPAYER'S ANNUAL ACCOUNTING PERIOD OR, IF A
21 RETURN IS MADE FOR A PERIOD OF LESS THAN 12 MONTHS, THE PERIOD
22 FOR WHICH THE RETURN IS MADE.

23 SECTION 38. SECTIONS 2003-B(D.3) AND 2004-B(A)(2) OF THE ACT
24 ARE AMENDED TO READ:

25 SECTION 2003-B. QUALIFICATION AND APPLICATION BY ORGANIZATIONS.

26 * * *

27 (D.3) [OPPORTUNITY SCHOLARSHIP] SCHOLARSHIP ORGANIZATION FOR
28 ECONOMICALLY DISADVANTAGED SCHOOLS.--

29 (1) [IN] EFFECTIVE JULY 1, 2022, IN ADDITION TO THE
30 OTHER REQUIREMENTS OF THIS ARTICLE, [AN OPPORTUNITY] A

1 SCHOLARSHIP ORGANIZATION THAT INTENDS TO PROVIDE
2 [OPPORTUNITY] SCHOLARSHIP AWARDS TO APPLICANTS OF
3 ECONOMICALLY DISADVANTAGED SCHOOLS MUST DEMONSTRATE A HISTORY
4 OF SERVING SCHOOLS THROUGHOUT THIS COMMONWEALTH AND THE
5 CAPACITY TO DISTRIBUTE [OPPORTUNITY] SCHOLARSHIPS STATEWIDE
6 TO APPLICANTS OF ECONOMICALLY DISADVANTAGED SCHOOLS.

7 (2) [AN OPPORTUNITY] A SCHOLARSHIP ORGANIZATION MUST
8 AGREE TO DISTRIBUTE [OPPORTUNITY] SCHOLARSHIPS TO APPLICANTS
9 OF ECONOMICALLY DISADVANTAGED SCHOOLS NOT LATER THAN
10 [DECEMBER] FEBRUARY 1 OF THE APPLICABLE SCHOOL YEAR.

11 (3) NOTWITHSTANDING ANY OTHER PROVISION OF THIS ARTICLE
12 TO THE CONTRARY, THE DEPARTMENT MAY NOT FOR ANY SCHOOL YEAR
13 QUALIFY MORE THAN ONE [OPPORTUNITY] SCHOLARSHIP ORGANIZATION
14 FOR THE PROVISION OF [OPPORTUNITY] SCHOLARSHIPS TO APPLICANTS
15 OF ECONOMICALLY DISADVANTAGED SCHOOLS.

16 (4) A SCHOLARSHIP ORGANIZATION FOR ECONOMICALLY
17 DISADVANTAGED SCHOOLS SHALL ANNUALLY REPORT THE FOLLOWING
18 INFORMATION TO THE DEPARTMENT BY NOVEMBER 1 OF EACH YEAR:

19 (I) SCHOLARSHIP AWARDS BY FAMILY HOUSEHOLD INCOME.

20 (II) THE SCHOOL DISTRICT WHERE THE SCHOLARSHIP
21 RECIPIENT CURRENTLY RESIDES.

22 (III) THE SCHOOL THAT THE STUDENT ATTENDED IN THE
23 YEAR PRIOR TO THE SCHOLARSHIP AWARD.

24 (IV) THE TOTAL NUMBER, AMOUNT AND AVERAGE
25 SCHOLARSHIP AWARDED.

26 (5) THE DEPARTMENT MAY NOT REQUIRE ADDITIONAL
27 INFORMATION TO BE PROVIDED BY A SCHOLARSHIP ORGANIZATION FOR
28 ECONOMICALLY DISADVANTAGED SCHOOLS EXCEPT AS EXPRESSLY
29 AUTHORIZED UNDER THIS ARTICLE.

30 * * *

1 SECTION 2004-B. APPLICATION BY BUSINESS FIRMS.

2 (A) SCHOLARSHIP ORGANIZATION, PRE-KINDERGARTEN SCHOLARSHIP
3 ORGANIZATION OR OPPORTUNITY SCHOLARSHIP ORGANIZATION.--

4 * * *

5 (2) A BUSINESS FIRM THAT INTENDS TO APPLY TO THE
6 DEPARTMENT FOR A TAX CREDIT FOR CONTRIBUTIONS [TO THE
7 OPPORTUNITY SCHOLARSHIP ORGANIZATION THAT QUALIFIES UNDER
8 SECTION 2003-B(D.3)] FOR STUDENTS ATTENDING AN ECONOMICALLY
9 DISADVANTAGED SCHOOL MUST SUBMIT AN APPLICATION SEPARATE FROM
10 AN APPLICATION FOR TAX CREDITS TO [A] ANOTHER SCHOLARSHIP
11 ORGANIZATION, PRE-KINDERGARTEN SCHOLARSHIP ORGANIZATION OR
12 [OTHER] OPPORTUNITY SCHOLARSHIP ORGANIZATION. THE
13 CONTRIBUTION SHALL BE MADE TO THE DESIGNATED SCHOLARSHIP
14 ORGANIZATION FOR THE ECONOMICALLY DISADVANTAGED SCHOOLS AND
15 SHALL BE SEPARATELY ACCOUNTED FOR AND DISTRIBUTED BY THE
16 DESIGNATED SCHOLARSHIP ORGANIZATION.

17 * * *

18 SECTION 39. SECTION 2005-B(I) (5) AND (J) (1) AND (2) OF THE
19 ACT ARE AMENDED AND SUBSECTION (I) IS AMENDED BY ADDING A
20 PARAGRAPH TO READ:

21 SECTION 2005-B. TAX CREDITS.

22 * * *

23 (I) TEMPORARY INCREASE IN MAXIMUM TAX CREDITS AVAILABLE.--

24 * * *

25 (4.1) IF ALL TAX CREDITS AUTHORIZED UNDER THIS ARTICLE
26 FOR CONTRIBUTIONS TO THE CATEGORY OF SCHOLARSHIP
27 ORGANIZATIONS, OPPORTUNITY SCHOLARSHIP ORGANIZATIONS OR PRE-
28 KINDERGARTEN SCHOLARSHIP ORGANIZATIONS HAVE NOT BEEN AWARDED
29 AS OF NOVEMBER 30 OF ANY FISCAL YEAR, THEN FOR APPLICATIONS
30 ACCEPTED BY THE DEPARTMENT FROM DECEMBER 1 THROUGH THE END OF

1 THE FISCAL YEAR, THE LIMITATIONS SET FORTH IN SUBSECTIONS
2 (A), (A.1), (C) AND (D) RELATING TO THE MAXIMUM AMOUNT OF TAX
3 CREDITS A BUSINESS FIRM CAN RECEIVE DURING A FISCAL YEAR FOR
4 CONTRIBUTIONS TO EACH SUCH CATEGORY OF ORGANIZATIONS SHALL
5 NOT APPLY. UNDER THIS PARAGRAPH, THE DEPARTMENT MAY ACCEPT
6 APPLICATIONS UNDER SECTION 2004-B FROM DECEMBER 1 THROUGH THE
7 END OF THE FISCAL YEAR AND SHALL AWARD TAX CREDITS UNDER THIS
8 ARTICLE FOR CONTRIBUTIONS TO THE CATEGORY OF SCHOLARSHIP
9 ORGANIZATIONS, OPPORTUNITY SCHOLARSHIP ORGANIZATIONS OR PRE-
10 KINDERGARTEN SCHOLARSHIP ORGANIZATIONS ON A FIRST-COME,
11 FIRST-SERVED BASIS UNTIL ALL TAX CREDITS AVAILABLE FOR THE
12 FISCAL YEAR HAVE BEEN EXHAUSTED.

13 (5) NOTWITHSTANDING A TEMPORARY INCREASE IN MAXIMUM TAX
14 CREDITS AVAILABLE UNDER THIS SUBSECTION, THE LIMITATIONS SET
15 FORTH IN SUBSECTIONS (A), (A.1), (C) AND (D) RELATING TO THE
16 MAXIMUM AMOUNT OF TAX CREDITS A BUSINESS FIRM CAN RECEIVE
17 DURING A YEAR FOR CONTRIBUTIONS TO A CATEGORY OF SCHOLARSHIP
18 ORGANIZATIONS, OPPORTUNITY SCHOLARSHIP ORGANIZATIONS OR PRE-
19 KINDERGARTEN SCHOLARSHIP ORGANIZATIONS SHALL BE REINSTATED
20 FOR ALL APPLICATIONS ACCEPTED BY THE DEPARTMENT [ON OR] AFTER
21 [DECEMBER 1] JUNE 30 OF THE FISCAL YEAR.

22 (J) REALLOCATION OF TAX CREDITS.--

23 (1) BEGINNING ON JANUARY 1 OF ANY FISCAL YEAR, IF ANY
24 TAX CREDITS AUTHORIZED UNDER THIS ARTICLE FOR CONTRIBUTIONS
25 TO ANY OF THE CATEGORIES OF SCHOLARSHIP ORGANIZATIONS,
26 OPPORTUNITY SCHOLARSHIP ORGANIZATIONS OR PRE-KINDERGARTEN
27 SCHOLARSHIP ORGANIZATIONS REMAIN UNAWARDED, SUCH UNAWARDED
28 TAX CREDITS MAY BE REALLOCATED TO ANY OF THE CATEGORIES OF
29 SCHOLARSHIP ORGANIZATIONS, OPPORTUNITY SCHOLARSHIP
30 ORGANIZATIONS OR PRE-KINDERGARTEN SCHOLARSHIP ORGANIZATIONS

1 FOR WHICH ALL AVAILABLE TAX CREDITS HAVE BEEN AWARDED. THE
2 DEPARTMENT SHALL, WITHIN 10 BUSINESS DAYS, INFORM EACH
3 BUSINESS FIRM ON THE WAITING LIST MAINTAINED BY THE
4 DEPARTMENT UNDER SUBSECTION (H) THAT TAX CREDITS REMAIN
5 AVAILABLE UNDER ANOTHER CATEGORY FOR WHICH THE BUSINESS FIRM
6 HAS NOT YET APPLIED. IF A BUSINESS FIRM NOTIFIED UNDER THIS
7 PARAGRAPH ELECTS, THE DEPARTMENT SHALL REALLOCATE AVAILABLE
8 TAX CREDITS FOR AWARD TO THE BUSINESS FIRM IN THE BUSINESS
9 FIRM'S PREFERRED TAX CREDIT CATEGORY, NOTWITHSTANDING THE
10 LIMITATIONS CONTAINED IN SECTION 2006-B(A). [THE AMOUNT OF
11 TAX CREDITS TO BE AWARDED TO A BUSINESS FIRM UNDER THIS
12 PARAGRAPH SHALL NOT EXCEED THE AMOUNT OF TAX CREDITS
13 AVAILABLE FOR REALLOCATION OR THE MAXIMUM AMOUNT OF TAX
14 CREDITS FOR WHICH A BUSINESS FIRM IS ELIGIBLE UNDER
15 SUBSECTIONS (A), (A.1), (C) AND (D).] EACH BUSINESS FIRM
16 SHALL HAVE 10 BUSINESS DAYS FROM THE DATE OF THE DEPARTMENT'S
17 NOTICE TO ELECT A REALLOCATION OF TAX CREDITS UNDER THIS
18 PARAGRAPH. THE DEPARTMENT SHALL AWARD TAX CREDITS ON A FIRST-
19 COME, FIRST-SERVED BASIS.

20 (2) AFTER THE DEPARTMENT HAS AWARDED TAX CREDITS UNDER
21 PARAGRAPH (1), THE DEPARTMENT SHALL ACCEPT NEW APPLICATIONS
22 FOR REALLOCATION OF TAX CREDITS FROM ANY OF THE CATEGORIES OF
23 SCHOLARSHIP ORGANIZATIONS, OPPORTUNITY SCHOLARSHIP
24 ORGANIZATIONS OR PRE-KINDERGARTEN SCHOLARSHIP ORGANIZATIONS
25 FOR WHICH TAX CREDITS REMAIN AVAILABLE TO THE APPLICANT'S
26 PREFERRED CATEGORY OF SCHOLARSHIP ORGANIZATIONS, OPPORTUNITY
27 SCHOLARSHIP ORGANIZATIONS OR PRE-KINDERGARTEN SCHOLARSHIP
28 ORGANIZATIONS FOR WHICH ALL AVAILABLE TAX CREDITS HAVE BEEN
29 AWARDED, NOTWITHSTANDING ANY LIMITATIONS CONTAINED IN SECTION
30 2006-B(A) [. THE AMOUNT OF TAX CREDITS TO BE AWARDED TO A

1 BUSINESS FIRM UNDER THIS PARAGRAPH SHALL NOT EXCEED THE
2 AMOUNT OF TAX CREDITS AVAILABLE FOR REALLOCATION OR THE
3 MAXIMUM AMOUNT OF TAX CREDITS FOR WHICH A BUSINESS FIRM IS
4 ELIGIBLE UNDER] OR THE LIMITATIONS IN SUBSECTIONS (A), (A.1),
5 (C) AND (D). THE DEPARTMENT SHALL AWARD TAX CREDITS ON A
6 FIRST-COME, FIRST-SERVED BASIS.

7 * * *

8 SECTION 40. SECTION 2006-B(A) OF THE ACT, AMENDED JUNE 30,
9 2021 (P.L.158, NO.26), IS AMENDED TO READ:

10 SECTION 2006-B. LIMITATIONS.

11 (A) AMOUNT.--

12 (1) THE TOTAL AGGREGATE AMOUNT OF ALL TAX CREDITS
13 APPROVED FOR CONTRIBUTIONS FROM BUSINESS FIRMS TO SCHOLARSHIP
14 ORGANIZATIONS, EDUCATIONAL IMPROVEMENT ORGANIZATIONS AND PRE-
15 KINDERGARTEN SCHOLARSHIP ORGANIZATIONS SHALL NOT EXCEED
16 [\$225,000,000] \$340,000,000 IN A FISCAL YEAR. THE FOLLOWING
17 SHALL APPLY:

18 (I) NO LESS THAN [\$175,000,000] \$263,000,000 OF THE
19 TOTAL AGGREGATE AMOUNT SHALL BE USED TO PROVIDE TAX
20 CREDITS FOR CONTRIBUTIONS FROM BUSINESS FIRMS TO
21 SCHOLARSHIP ORGANIZATIONS.

22 (II) NO LESS THAN [\$37,500,000] \$44,500,000 OF THE
23 TOTAL AGGREGATE AMOUNT SHALL BE USED TO PROVIDE TAX
24 CREDITS FOR CONTRIBUTIONS FROM BUSINESS FIRMS TO
25 EDUCATIONAL IMPROVEMENT ORGANIZATIONS.

26 (III) THE TOTAL AGGREGATE AMOUNT OF ALL TAX CREDITS
27 APPROVED FOR CONTRIBUTIONS FROM BUSINESS FIRMS TO PRE-
28 KINDERGARTEN SCHOLARSHIP ORGANIZATIONS SHALL NOT EXCEED
29 [\$12,500,000] \$20,500,000 IN A FISCAL YEAR.

30 (IV) NO LESS THAN \$12,000,000 OF THE TOTAL AGGREGATE

1 AMOUNT SHALL BE USED TO PROVIDE TAX CREDITS FOR
2 CONTRIBUTIONS FROM BUSINESS FIRMS TO INCREASE THE
3 SCHOLARSHIP OR PRE-KINDERGARTEN SCHOLARSHIP BY UP TO
4 \$2,000 OR, IN THE CASE OF A SCHOLARSHIP FOR A STUDENT
5 ATTENDING A SECONDARY SCHOOL, BY UP TO \$4,000, FOR A
6 STUDENT ATTENDING AN ECONOMICALLY DISADVANTAGED SCHOOL,
7 TO THE EXTENT THAT THE TOTAL AMOUNT OF SCHOLARSHIPS, PRE-
8 KINDERGARTEN SCHOLARSHIPS AND OPPORTUNITY SCHOLARSHIPS
9 WILL NOT EXCEED THE LESSER OF \$8,500 OR THE SCHOOL'S
10 TUITION.

11 (2) THE TOTAL AGGREGATE AMOUNT OF ALL TAX CREDITS
12 APPROVED FOR CONTRIBUTIONS FROM BUSINESS FIRMS TO OPPORTUNITY
13 SCHOLARSHIP ORGANIZATIONS SHALL NOT EXCEED [~~\$55,000,000~~ IN A
14 FISCAL YEAR AND NO LESS THAN \$5,000,000 OF THE TOTAL
15 AGGREGATE AMOUNT SHALL BE USED TO PROVIDE TAX CREDITS FOR
16 CONTRIBUTIONS FROM BUSINESS FIRMS TO INCREASE THE SCHOLARSHIP
17 AMOUNT TO STUDENTS ATTENDING AN ECONOMICALLY DISADVANTAGED
18 SCHOOL BY UP TO \$1,000 MORE THAN THE AMOUNT PROVIDED DURING
19 THE IMMEDIATELY PRECEDING SCHOOL YEAR.] \$65,000,000 IN A
20 FISCAL YEAR.

21 * * *

22 SECTION 41. SECTION 2009-B(E) AND (F) (5) OF THE ACT ARE
23 AMENDED TO READ:

24 SECTION 2009-B. OPPORTUNITY SCHOLARSHIPS.

25 * * *

26 (E) AMOUNT.--

27 (1) [~~(I)~~ EXCEPT AS OTHERWISE PROVIDED IN SUBPARAGRAPH
28 ~~(II), THE]~~ THE MAXIMUM AMOUNT OF AN OPPORTUNITY SCHOLARSHIP
29 AWARDED TO AN APPLICANT WITHOUT A DISABILITY SHALL BE \$8,500.

30 [~~(II)~~ FOR A STUDENT ATTENDING AN ECONOMICALLY

1 DISADVANTAGED SCHOOL, THE MAXIMUM AMOUNT OF AN
2 OPPORTUNITY SCHOLARSHIP AWARDED TO AN APPLICANT WITHOUT A
3 DISABILITY SHALL BE \$9,500.]

4 (2) [(I) EXCEPT AS OTHERWISE PROVIDED IN SUBPARAGRAPH
5 (II), THE] THE MAXIMUM AMOUNT OF AN OPPORTUNITY SCHOLARSHIP
6 AWARDED TO AN APPLICANT WITH A DISABILITY SHALL BE \$15,000.

7 [(II) FOR A STUDENT ATTENDING AN ECONOMICALLY
8 DISADVANTAGED SCHOOL, THE MAXIMUM AMOUNT OF AN
9 OPPORTUNITY SCHOLARSHIP AWARDED TO AN APPLICANT WITH A
10 DISABILITY SHALL BE \$16,000.]

11 (3) IN NO CASE SHALL THE COMBINED AMOUNT OF THE
12 OPPORTUNITY SCHOLARSHIP AWARDED TO A RECIPIENT AND ANY
13 ADDITIONAL FINANCIAL ASSISTANCE PROVIDED TO THE RECIPIENT
14 EXCEED THE TUITION RATE AND SCHOOL-RELATED FEES FOR THE
15 PARTICIPATING PUBLIC SCHOOL OR PARTICIPATING NONPUBLIC SCHOOL
16 THAT THE RECIPIENT WILL ATTEND.

17 (F) DESIGNATION, REPORTS AND NOTICES.--

18 * * *

19 (5) (I) EACH SCHOOL THAT HAS BEEN DESIGNATED BY THE
20 DEPARTMENT AS AN ECONOMICALLY DISADVANTAGED SCHOOL FOR AN
21 APPLICABLE SCHOOL YEAR SHALL NOTIFY THE DEPARTMENT BY NO
22 LATER THAN [OCTOBER 15] NOVEMBER 30 OF THE APPLICABLE
23 SCHOOL YEAR OF THE FOLLOWING INFORMATION FOR EACH
24 RECIPIENT OF A SCHOLARSHIP REGISTERED TO ATTEND THE
25 SCHOOL FOR THE APPLICABLE SCHOOL YEAR:

26 (A) THE RECIPIENT'S NAME AND ADDRESS.

27 (B) THE GRADE OF THE RECIPIENT FOR THE SCHOOL
28 YEAR WITH RESPECT TO WHICH THE SCHOLARSHIP AND
29 TUITION GRANT SHALL BE RECEIVED.

30 (C) THE TYPE AND AMOUNT OF [SCHOLARSHIP]

1 SCHOLARSHIPS UNDER THIS ARTICLE ENTITLED TO
2 EDUCATIONAL TAX CREDITS THAT WERE RECEIVED BY THE
3 RECIPIENT.

4 (D) THE NAMES AND ADDRESS OF THE RECIPIENT'S
5 PARENTS OR GUARDIANS.

6 (E) THE AMOUNT OF TUITION CHARGED.

7 (II) THE INFORMATION SUBMITTED IN THIS PARAGRAPH
8 SHALL BE PROVIDED TO THE [OPPORTUNITY] SCHOLARSHIP
9 ORGANIZATION FOR ECONOMICALLY DISADVANTAGED SCHOOLS WHO
10 SHALL DISTRIBUTE THE MONEY IN ACCORDANCE WITH SECTION
11 2003-B(D.3).

12 (III) INFORMATION SUBMITTED BY A SCHOOL DESIGNATED
13 BY THE DEPARTMENT AS AN ECONOMICALLY DISADVANTAGED SCHOOL
14 SHALL REMAIN CONFIDENTIAL AND SHALL NOT BE SUBJECT TO THE
15 ACT OF FEBRUARY 14, 2008 (P.L.6, NO.3), KNOWN AS THE
16 RIGHT-TO-KNOW LAW. THE INFORMATION CAN BE USED FOR
17 ADMINISTRATION OF THE PROGRAM.

18 SECTION 42. THE DEFINITION OF "CREDIT FOR PRIOR LEARNING" IN
19 SECTION 2001-C OF THE ACT IS AMENDED AND THE SECTION IS AMENDED
20 BY ADDING A DEFINITION TO READ:

21 SECTION 2001-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 "CAMBRIDGE ADVANCED." AN ACADEMICALLY RIGOROUS COLLEGE-LEVEL
27 PROGRAM OFFERED BY CAMBRIDGE ASSESSMENT INTERNATIONAL EDUCATION,
28 A PART OF THE UNIVERSITY OF CAMBRIDGE, COMPRISED OF A ONE-YEAR
29 AS-LEVEL AND A TWO-YEAR A-LEVEL COURSE AND EXAM AND THE CORE
30 REQUIREMENTS OF THE AICE DIPLOMA PROGRAM.

1 * * *

2 "CREDIT FOR PRIOR LEARNING." COLLEGE-LEVEL CREDIT GRANTED
3 TOWARD THE AWARD OF A POSTSECONDARY DEGREE OR CERTIFICATE FOR
4 EXPERIENTIAL LEARNING THAT CAN BE DEMONSTRATED THROUGH VARIOUS
5 MEANS OF ASSESSMENT TO BE THE EQUIVALENT OF LEARNING GAINED
6 THROUGH FORMAL COLLEGIATE INSTRUCTION, INCLUDING AN ADVANCED
7 PLACEMENT PROGRAM EXAM, INTERNATIONAL BACCALAUREATE DIPLOMA
8 PROGRAM EXAM, A COLLEGE-LEVEL EXAMINATION PROGRAM EXAM,
9 CAMBRIDGE ADVANCED EXAM AND DANTES SUBJECT STANDARDIZED TESTS.

10 * * *

11 SECTION 43. SECTION 2002-C(D) (5) OF THE ACT IS AMENDED TO
12 READ:

13 SECTION 2002-C. DUTIES OF PUBLIC INSTITUTIONS OF HIGHER
14 EDUCATION.

15 * * *

16 (D) CREDIT FOR PRIOR LEARNING.--EACH PUBLIC INSTITUTION OF
17 HIGHER EDUCATION SHALL DO ALL OF THE FOLLOWING:

18 * * *

19 (5) FOR EACH ACADEMIC YEAR, REPORT TO THE DEPARTMENT ALL
20 OF THE FOLLOWING:

21 (I) THE TOTAL NUMBER OF STUDENTS AWARDED CREDITS FOR
22 PRIOR LEARNING, INCLUDING ADVANCED PLACEMENT PROGRAM
23 EXAMS, INTERNATIONAL BACCALAUREATE DIPLOMA PROGRAM EXAMS
24 AND COLLEGE-LEVEL EXAMINATION PROGRAM EXAMS [AND], DANTES
25 SUBJECT STANDARDIZED TESTS AND CAMBRIDGE ADVANCED EXAMS.

26 (II) THE TOTAL NUMBER OF CREDITS AWARDED TO STUDENTS
27 FOR PRIOR LEARNING, INCLUDING ADVANCED PLACEMENT PROGRAM
28 EXAMS, INTERNATIONAL BACCALAUREATE DIPLOMA PROGRAM EXAMS
29 AND COLLEGE-LEVEL EXAMINATION PROGRAM EXAMS [AND], DANTES
30 SUBJECT STANDARDIZED TESTS AND CAMBRIDGE ADVANCED EXAMS.

1 (III) THE NUMBER OF CREDITS AWARDED TO MATRICULATING
2 STUDENTS WHO PRESENT ADVANCED PLACEMENT PROGRAM,
3 INTERNATIONAL BACCALAUREATE DIPLOMA PROGRAM AND COLLEGE-
4 LEVEL EXAMINATION PROGRAM EXAMS [AND], DANTES SUBJECT
5 STANDARDIZED TESTS AND CAMBRIDGE ADVANCED EXAMS THAT MEET
6 THE STANDARDS ESTABLISHED UNDER SECTION 2004-C(C) (6) AND,
7 OF THOSE CREDITS, THE NUMBER OF CREDITS APPLIED TOWARD
8 MAJOR REQUIREMENTS AND THE NUMBER OF CREDITS APPLIED
9 TOWARD ELECTIVE REQUIREMENTS.

10 (IV) ANY OTHER INFORMATION RELATED TO AWARDING OF
11 CREDIT FOR PRIOR LEARNING AS REQUESTED BY THE DEPARTMENT
12 OR THE TRANSFER AND ARTICULATION OVERSIGHT COMMITTEE,
13 INCLUDING THE USABILITY OF TRANSFER CREDITS.

14 SECTION 44. (RESERVED).

15 SECTION 45. ARTICLE XX-G HEADING AND SECTIONS 2001-G, 2002-G
16 AND 2003-G OF THE ACT ARE AMENDED TO READ:

17 ARTICLE XX-G

18 SEXUAL VIOLENCE [EDUCATION], DATING VIOLENCE,

19 DOMESTIC VIOLENCE AND STALKING EDUCATION,

20 PREVENTION AND RESPONSE AT

21 INSTITUTIONS OF HIGHER EDUCATION

22 AND PRIVATE LICENSED SCHOOLS

23 SECTION 2001-G. SCOPE OF ARTICLE.

24 THIS ARTICLE RELATES TO COLLEGE AND UNIVERSITY SEXUAL
25 VIOLENCE [EDUCATION], DATING VIOLENCE, DOMESTIC VIOLENCE AND
26 STALKING EDUCATION, PREVENTION AND RESPONSE.

27 SECTION 2002-G. DEFINITIONS.

28 THE FOLLOWING WORDS AND PHRASES WHEN USED IN THIS ARTICLE
29 SHALL HAVE THE MEANINGS GIVEN TO THEM IN THIS SECTION UNLESS THE
30 CONTEXT CLEARLY INDICATES OTHERWISE:

1 "DATING VIOLENCE." AS DEFINED IN SECTION 1553(F).

2 "DEPARTMENT." THE DEPARTMENT OF EDUCATION OF THE
3 COMMONWEALTH.

4 "DOMESTIC VIOLENCE." AS DEFINED IN SECTION 2333(E) OF THE
5 ACT OF APRIL 9, 1929 (P.L.177, NO.175), KNOWN AS THE
6 ADMINISTRATIVE CODE OF 1929.

7 "DOMESTIC VIOLENCE PROGRAM." AS DEFINED IN 23 PA.C.S. § 6102
8 (RELATING TO DEFINITIONS).

9 "EDUCATION PROGRAM." [A] AN EVIDENCE-BASED SEXUAL VIOLENCE,
10 DATING VIOLENCE, DOMESTIC VIOLENCE AND STALKING PREVENTION AND
11 AWARENESS EDUCATION PROGRAM UNDER THIS ARTICLE.

12 "INDEPENDENT INSTITUTION OF HIGHER EDUCATION." AS DEFINED IN
13 THE ACT OF NOVEMBER 29, 2004 (P.L.1383, NO.180), KNOWN AS THE
14 UNIFORM CRIME REPORTING ACT.

15 "INSTITUTION OF HIGHER [EDUCATION.] EDUCATION" OR
16 "INSTITUTION." AN INDEPENDENT INSTITUTION OF HIGHER EDUCATION,
17 A COMMUNITY COLLEGE, A STATE-RELATED INSTITUTION OR A MEMBER
18 INSTITUTION OF THE STATE SYSTEM OF HIGHER EDUCATION.

19 "MATRICULATING." ENROLLING IN AN INSTITUTION OF HIGHER
20 EDUCATION OR PRIVATE LICENSED SCHOOL.

21 "PRIVATE LICENSED SCHOOL" OR "SCHOOL." AS DEFINED IN THE ACT
22 OF DECEMBER 15, 1986 (P.L.1585, NO.174), KNOWN AS THE PRIVATE
23 LICENSED SCHOOLS ACT.

24 "RAPE CRISIS CENTER." AS DEFINED IN 42 PA.C.S. § 5945.1
25 (RELATING TO CONFIDENTIAL COMMUNICATIONS WITH SEXUAL ASSAULT
26 COUNSELORS).

27 "SEXUAL VIOLENCE." AN ACT OF SEXUAL VIOLENCE AS DEFINED IN
28 42 PA.C.S. § 6402 (RELATING TO DEFINITIONS).

29 "STALKING." AN ACT OF STALKING AS DEFINED IN 18 PA.C.S. §
30 2709.1 (RELATING TO STALKING).

1 "STUDENT." A PERSON WHO IS ENROLLED ON A FULL-TIME BASIS AT
2 AN INSTITUTION OF HIGHER EDUCATION OR PRIVATE LICENSED SCHOOL.
3 SECTION 2003-G. EDUCATION PROGRAM.

4 (A) GENERAL RULE.--INSTITUTIONS OF HIGHER EDUCATION AND
5 PRIVATE LICENSED SCHOOLS SHALL ESTABLISH [A SEXUAL VIOLENCE
6 AWARENESS EDUCATIONAL PROGRAM. INSTITUTIONS OF HIGHER EDUCATION
7 AND PRIVATE LICENSED SCHOOLS MAY COLLABORATE WITH A STATEWIDE
8 NONPROFIT ORGANIZATION, LOCAL RAPE CRISIS CENTER OR LOCAL SEXUAL
9 ASSAULT PROGRAM THAT ARRANGES FOR THE PROVISION OF SERVICES TO
10 SEXUAL VIOLENCE AND RAPE VICTIMS IN THE DEVELOPMENT OF A SEXUAL
11 VIOLENCE AWARENESS EDUCATION PROGRAM.] AND IMPLEMENT AN
12 EDUCATION PROGRAM FOR ALL STUDENTS. IN DEVELOPING OR
13 IMPLEMENTING AN EDUCATION PROGRAM, INSTITUTIONS OF HIGHER
14 EDUCATION AND PRIVATE LICENSED SCHOOLS SHALL CONSULT WITH A
15 LOCAL RAPE CRISIS CENTER AND DOMESTIC VIOLENCE PROGRAM, AS
16 APPROPRIATE AND IF AVAILABLE. THE DEPARTMENT, IN CONSULTATION
17 WITH THE PENNSYLVANIA COALITION AGAINST RAPE AND THE
18 PENNSYLVANIA COALITION AGAINST DOMESTIC VIOLENCE, SHALL DEVELOP
19 AN ONLINE CLEARINGHOUSE OF MODEL EDUCATION PROGRAMS AND OTHER
20 RESOURCES TO AID INSTITUTIONS OF HIGHER EDUCATION AND PRIVATE
21 LICENSED SCHOOLS IN FULFILLING THIS REQUIREMENT. EACH EDUCATION
22 PROGRAM SHALL PROVIDE THE FOLLOWING:

23 (1) A DISCUSSION OF SEXUAL VIOLENCE, DATING VIOLENCE,
24 DOMESTIC VIOLENCE AND STALKING.

25 (2) A DISCUSSION OF CONSENT, INCLUDING AN EXPLANATION
26 THAT THE VICTIM IS NOT AT FAULT.

27 (3) A DISCUSSION OF DRUG AND ALCOHOL-FACILITATED SEXUAL
28 VIOLENCE.

29 (4) INFORMATION RELATING TO RISK EDUCATION AND PERSONAL
30 PROTECTION.

1 (5) INFORMATION ON WHERE AND HOW TO GET ASSISTANCE,
2 INCLUDING THE IMPORTANCE OF MEDICAL TREATMENT AND EVIDENCE
3 COLLECTION, AND HOW TO REPORT SEXUAL VIOLENCE TO CAMPUS
4 AUTHORITIES AND LOCAL LAW ENFORCEMENT.

5 (6) THE POSSIBILITY OF PREGNANCY AND TRANSMISSION OF
6 SEXUAL DISEASES.

7 (7) INTRODUCTION OF MEMBERS OF THE EDUCATIONAL COMMUNITY
8 FROM:

9 (I) CAMPUS POLICE OR SECURITY AND LOCAL LAW
10 ENFORCEMENT.

11 (II) CAMPUS HEALTH CENTER, WOMEN'S CENTER AND RAPE
12 CRISIS CENTER.

13 (III) CAMPUS COUNSELING SERVICE OR ANY SERVICE
14 RESPONSIBLE FOR PSYCHOLOGICAL COUNSELING AND STUDENT
15 AFFAIRS.

16 (8) A PROMISE OF DISCRETION AND DIGNITY.

17 (9) A PROMISE OF CONFIDENTIALITY FOR VICTIMS OF SEXUAL
18 ASSAULT TO THE EXTENT ALLOWABLE BY LAW.

19 (10) INFORMATION REGARDING CONFIDENTIAL RESOURCES AND
20 SERVICES AVAILABLE FOR VICTIMS OF SEXUAL VIOLENCE, DATING
21 VIOLENCE, DOMESTIC VIOLENCE AND STALKING.

22 (B) [STUDENT BILL OF RIGHTS.--CONSISTENT WITH THE CAMPUS
23 SEXUAL ASSAULT VICTIMS' BILL OF RIGHTS UNDER SECTION 485(F)(8)
24 OF THE HIGHER EDUCATION ACT OF 1965 (PUBLIC LAW 89-329, 20
25 U.S.C. § 1092(F)(8)), A STUDENT BILL OF RIGHTS SHALL BE MADE
26 AVAILABLE TO STUDENTS.] (RESERVED).

27 (C) NOTIFICATION OF RIGHTS, ACCOMMODATIONS AND PROTECTIVE
28 MEASURES.--A CONCISE NOTIFICATION OF RIGHTS, ACCOMMODATIONS AND
29 PROTECTIVE MEASURES SHALL BE MADE AVAILABLE IN WRITING AND ON
30 THE INSTITUTION OF HIGHER EDUCATION'S OR PRIVATE LICENSED

1 SCHOOL'S PUBLICLY ACCESSIBLE INTERNET WEBSITE TO STUDENTS AND
2 EMPLOYEES, INCLUDING VICTIMS OF DATING VIOLENCE, DOMESTIC
3 VIOLENCE, SEXUAL VIOLENCE AND STALKING, REGARDLESS OF WHERE THE
4 INCIDENCES OCCURRED, INCLUDING INFORMATION REGARDING:

5 (1) EXISTING COUNSELING, MENTAL HEALTH, HEALTH CARE,
6 VICTIM ADVOCACY, LEGAL ASSISTANCE AND OTHER SERVICES
7 AVAILABLE FOR VICTIMS, BOTH WITHIN THE INSTITUTION OR SCHOOL
8 AND IN THE COMMUNITY.

9 (2) AVAILABLE OPTIONS AND ASSISTANCE REGARDING HOW TO
10 REPORT TO THE INSTITUTION OR SCHOOL, REPORT TO LAW
11 ENFORCEMENT, OBTAIN PROTECTIONS FROM ABUSE AND SEXUAL
12 VIOLENCE PROTECTION ORDERS, FILE FOR CRIME VICTIMS'
13 COMPENSATION AND ASSISTANCE PROGRAM AND REQUEST PROTECTIVE
14 MEASURES OR CHANGES TO ACADEMIC, LIVING, TRANSPORTATION,
15 WORKING SITUATIONS OR OTHER EDUCATIONAL ACTIVITIES.

16 (D) NOTIFICATION.--THE NOTIFICATION OF RIGHTS,
17 ACCOMMODATIONS AND PROTECTIVE MEASURES REQUIRED UNDER THE HIGHER
18 EDUCATION ACT OF 1965 (PUBLIC LAW 89-329, 20 U.S.C. § 1092(F)
19 (8)) SHALL SATISFY THE REQUIREMENTS OF SUBSECTION (C).

20 (E) ACCOMMODATIONS AND PROTECTIVE MEASURES.--AN INSTITUTION
21 AND A SCHOOL SHALL MAKE ACCOMMODATIONS OR PROVIDE PROTECTIVE
22 MEASURES, AS NECESSARY AND REASONABLY AVAILABLE, AT THE VICTIM'S
23 REQUEST, REGARDLESS OF WHETHER THE VICTIM CHOOSES TO REPORT THE
24 CRIME TO CAMPUS POLICE OR LOCAL LAW ENFORCEMENT AND REGARDLESS
25 OF WHERE AN INCIDENCE OCCURRED.

26 SECTION 46. THE ACT IS AMENDED BY ADDING A SECTION TO READ:
27 SECTION 2003.1-G. CONSENT TO SEXUAL ACTIVITY.

28 EACH INSTITUTION OF HIGHER EDUCATION AND PRIVATE LICENSED
29 SCHOOL SHALL ADOPT A DEFINITION OF CONSENT AS PART OF THE
30 INSTITUTION'S OR SCHOOL'S CODE OF CONDUCT OR SEXUAL MISCONDUCT

1 OR HARASSMENT POLICY.

2 SECTION 47. SECTIONS 2004-G AND 2006-G OF THE ACT ARE
3 AMENDED TO READ:

4 SECTION 2004-G. FOLLOW-UP.

5 AN INSTITUTION OF HIGHER EDUCATION AND PRIVATE LICENSED
6 SCHOOL SHALL CONDUCT [A] AT LEAST ONE FOLLOW-UP PROGRAM FOR THE
7 [DURATION OF THE SCHOOL YEAR FOR NEW] STUDENTS IN THE EDUCATION
8 PROGRAM. THE FOLLOW-UP PROGRAM MAY CONSIST OF THE FOLLOWING:

9 (1) LECTURERS AND INTERACTIVE LEARNING PROGRAMS RELATING
10 TO SEXUAL VIOLENCE, DATING VIOLENCE, DOMESTIC VIOLENCE AND
11 STALKING PREVENTION AND AWARENESS.

12 (2) INSTITUTIONAL ACTIVITIES RELATING TO SEXUAL
13 VIOLENCE, DATING VIOLENCE, DOMESTIC VIOLENCE AND STALKING
14 PREVENTION AND AWARENESS.

15 (3) VIDEOS AND OTHER EDUCATIONAL MATERIALS RELATING TO
16 SEXUAL VIOLENCE, DATING VIOLENCE, DOMESTIC VIOLENCE AND
17 STALKING PREVENTION AND AWARENESS.

18 SECTION 2006-G. REPORT.

19 AN INSTITUTION OF HIGHER EDUCATION AND A PRIVATE LICENSED
20 SCHOOL SHALL REPORT TO THE DEPARTMENT ON THE IMPLEMENTATION OF
21 THE EDUCATION PROGRAM [BY THE INSTITUTION OR SCHOOL.] UNDER
22 SECTION 2003-G AND AN INSTITUTION OF HIGHER EDUCATION AND A
23 PRIVATE LICENSED SCHOOL SHALL REPORT TO THE DEPARTMENT ON THE
24 IMPLEMENTATION OF THE MEMORANDUM OF UNDERSTANDING UNDER SECTION
25 2007-G THROUGH THE ANNUAL ATTESTATION OF COMPLIANCE TO THE
26 DEPARTMENT.

27 SECTION 48. THE ACT IS AMENDED BY ADDING A SECTION TO READ:
28 SECTION 2007-G. MEMORANDUM OF UNDERSTANDING.

29 (A) GENERAL RULE.--AN INSTITUTION OF HIGHER EDUCATION AND A
30 PRIVATE LICENSED SCHOOL SHALL ENTER INTO OR UPDATE AT THE NEXT

1 RENEWAL AND MAINTAIN A MEMORANDUM OF UNDERSTANDING WITH AT LEAST
2 ONE RAPE CRISIS CENTER AND ONE DOMESTIC VIOLENCE PROGRAM TO:

3 (1) ASSIST IN DEVELOPING THE INSTITUTION'S AND SCHOOL'S
4 POLICIES, PROGRAMMING AND TRAINING REGARDING SEXUAL
5 MISCONDUCT AND OTHER PROHIBITED BEHAVIOR, SUCH AS SEXUAL
6 VIOLENCE, DATING VIOLENCE, DOMESTIC VIOLENCE AND STALKING,
7 INVOLVING STUDENTS AND EMPLOYEES.

8 (2) PROVIDE AN OFF-CAMPUS ALTERNATIVE FOR STUDENTS AND
9 EMPLOYEES OF THE INSTITUTION OR SCHOOL TO RECEIVE FREE AND
10 CONFIDENTIAL SERVICES TO ADDRESS SEXUAL HARASSMENT AND SEXUAL
11 VIOLENCE, DATING VIOLENCE, DOMESTIC VIOLENCE AND STALKING,
12 INCLUDING:

13 (I) CRISIS AND LONGER-TERM COUNSELING;

14 (II) SUPPORT IN NAVIGATING CAMPUS AND COMMUNITY
15 REPORTING OPTIONS; AND

16 (III) ACCESS TO LEGAL ASSISTANCE, SEXUAL VIOLENCE
17 PROTECTION AND PROTECTION FROM INTIMIDATION ORDERS, CRIME
18 VICTIMS' COMPENSATION, A FORENSIC RAPE EXAM CONDUCTED BY
19 A SEXUAL ASSAULT NURSE EXAMINER, IF AVAILABLE, AND OTHER
20 SERVICES.

21 (3) ENSURE THAT A STUDENT OR EMPLOYEE OF THE INSTITUTION
22 OR SCHOOL IS NOTIFIED OF FREE AND CONFIDENTIAL SOURCES OF
23 SUPPORT, COUNSELING AND ADVOCACY SERVICES AND HOW TO ACCESS
24 THE SERVICES BOTH ON AND OFF CAMPUS.

25 (4) ENSURE COOPERATION AND CROSS-TRAINING BETWEEN THE
26 INSTITUTION OR SCHOOL AND THE RAPE CRISIS CENTER OR DOMESTIC
27 VIOLENCE CENTER TO ENSURE AN UNDERSTANDING OF THE ROLES THAT
28 EACH RESPECTIVELY SHOULD PLAY IN RESPONDING TO REPORTS AND
29 DISCLOSURES OF SEXUAL MISCONDUCT AND OTHER PROHIBITED
30 BEHAVIOR, SUCH AS DATING VIOLENCE, DOMESTIC VIOLENCE AND

1 STALKING AGAINST STUDENTS AND EMPLOYEES OF THE INSTITUTION OR
2 SCHOOL AND THE INSTITUTION'S OR SCHOOL'S PROTOCOLS FOR
3 INVESTIGATING AND ADJUDICATING SUCH MISCONDUCT AND FOR
4 PROVIDING SUPPORT AND SERVICES TO STUDENTS AND EMPLOYEES.

5 (5) CONSULT IN THE DEVELOPMENT OR IMPLEMENTATION OF AN
6 EDUCATION PROGRAM UNDER SECTION 2003-G.

7 (B) AGREEMENT TO PROVIDE SERVICES.--EACH MEMORANDUM OF
8 UNDERSTANDING MAY INCLUDE AN AGREEMENT, INCLUDING A FEE
9 STRUCTURE, BETWEEN THE RAPE CRISIS CENTER OR DOMESTIC VIOLENCE
10 PROGRAM AND THE INSTITUTION OF HIGHER EDUCATION OR PRIVATE
11 LICENSED SCHOOL TO PROVIDE CONFIDENTIAL VICTIM SERVICES.

12 (C) FEE STRUCTURE.--IF THERE IS A FEE STRUCTURE IN A
13 MEMORANDUM OF UNDERSTANDING UNDER SUBSECTION (B), AN INSTITUTION
14 OF HIGHER EDUCATION OR PRIVATE LICENSED SCHOOL MAY APPLY TO THE
15 DEPARTMENT FOR AN IT'S ON US GRANT TO OFFSET THOSE COSTS FROM
16 FUNDS APPROPRIATED TO THE DEPARTMENT FOR SEXUAL ASSAULT
17 PREVENTION.

18 (D) GOOD-FAITH WAIVER.--THE DEPARTMENT MAY WAIVE THE
19 REQUIREMENTS OF THIS SECTION IN THE CASE OF AN INSTITUTION OR
20 SCHOOL THAT PROVIDES AN ATTESTATION THROUGH THE ANNUAL
21 ATTESTATION OF COMPLIANCE SUBMITTED TO THE DEPARTMENT THAT IT
22 ACTED IN GOOD FAITH BUT WAS UNABLE TO OBTAIN A SIGNED
23 MEMORANDUM.

24 SECTION 49. SECTION 2001-I(D) AND (I)(13) OF THE ACT,
25 AMENDED JUNE 30, 2021 (P.L.158, NO.26), IS AMENDED TO READ:
26 SECTION 2001-I. PUBLIC HIGHER EDUCATION FUNDING COMMISSION.

27 * * *

28 (D) MEETINGS.--

29 (1) THE COMMISSION SHALL HOLD ITS FIRST MEETING WITHIN
30 45 DAYS OF THE EFFECTIVE DATE OF THIS SECTION, REGARDLESS OF

1 WHETHER ALL LEGISLATIVE CAUCUSES HAVE APPROVED MEMBERS TO THE
2 COMMISSION.

3 (2) THE COMMISSION SHALL HOLD MEETINGS AT THE CALL OF
4 THE CHAIR.

5 (3) NOTWITHSTANDING PARAGRAPHS (1) AND (2), THE
6 COMMISSION MAY NOT CONVENE A MEETING UNTIL JANUARY 23, 2023.

7 * * *

8 (I) ADDITIONAL POWERS AND DUTIES.--* * *

9 (13) ISSUE A REPORT OF THE COMMISSION'S FINDINGS AND
10 RECOMMENDATIONS TO THE GOVERNOR, THE PRESIDENT PRO TEMPORE OF
11 THE SENATE, THE SPEAKER OF THE HOUSE OF REPRESENTATIVES, THE
12 MAJORITY LEADER AND MINORITY LEADER OF THE SENATE, THE
13 MAJORITY LEADER AND MINORITY LEADER OF THE HOUSE OF
14 REPRESENTATIVES, THE SECRETARY OF EDUCATION, THE STATE BOARD
15 OF EDUCATION, THE APPROPRIATIONS COMMITTEE OF THE SENATE, THE
16 APPROPRIATIONS COMMITTEE OF THE HOUSE OF REPRESENTATIVES, THE
17 EDUCATION COMMITTEE OF THE SENATE AND THE EDUCATION COMMITTEE
18 OF THE HOUSE OF REPRESENTATIVES NOT LATER THAN [MAY 31, 2022]
19 OCTOBER 31, 2024.

20 * * *

21 SECTION 50. THE ACT IS AMENDED BY ADDING SECTIONS TO READ:

22 SECTION 2002-I. STATE-RELATED UNIVERSITY PERFORMANCE-BASED
23 FUNDING MODEL.

24 (A) DUTY OF COMMISSION.--BEGINNING JANUARY 23, 2023, THE
25 COMMISSION SHALL DEVELOP A PERFORMANCE-BASED FUNDING MODEL NO
26 LATER THAN JUNE 15, 2023, TO DISTRIBUTE STATE FUNDING TO THE
27 STATE-RELATED UNIVERSITIES. A PERFORMANCE-BASED FUNDING MODEL
28 MAY INCLUDE A BASE FUNDING AMOUNT AND MINIMUM ELIGIBILITY
29 THRESHOLDS TO EVALUATE ACHIEVEMENT OF PERFORMANCE-BASED METRICS.
30 THE COMMISSION MAY INCLUDE THE FOLLOWING METRICS IN THE MODEL:

1 (1) THE FOUR-YEAR GRADUATION RATE FOR BACCALAUREATE
2 STUDENTS.

3 (2) THE FOUR-YEAR GRADUATION RATE FOR FIRST-TIME-IN-
4 COLLEGE STUDENTS.

5 (3) THE SIX-YEAR GRADUATION RATE FOR STUDENTS WHO ARE
6 AWARDED A PELL GRANT IN THEIR FIRST YEAR.

7 (4) THE PERCENTAGE OF UNDERGRADUATE STUDENTS ENROLLED
8 WHO RECEIVED A PELL GRANT DURING THE PREVIOUS SCHOOL YEAR.

9 (5) STUDENT RETENTION RATES.

10 (6) BACHELOR'S DEGREE PRODUCTION.

11 (7) NET TUITION AND FEES PER 120 CREDIT HOURS.

12 (8) POSTGRADUATION EMPLOYMENT RATES AND SALARIES,
13 INCLUDING WAGE THRESHOLDS, THAT REFLECT THE ADDED VALUE OF A
14 BACCALAUREATE DEGREE.

15 (9) THE NUMBER AND PERCENTAGE OF STUDENTS ENROLLED, AND
16 DEGREES ATTAINED IN FIELDS DETERMINED TO BE OF IMPORTANCE TO
17 THIS COMMONWEALTH BY THE COMMISSION.

18 (10) THE NUMBER AND PERCENTAGE OF HIGH SCHOOL STUDENTS
19 WHO ARE DUAL-ENROLLED AND THE NUMBER OF CREDITS EARNED.

20 (11) THE PERCENTAGE OF CREDITS ARTICULATED.

21 (12) OTHER METRICS LISTED IN SECTION 2001-I(H), OR AS
22 DETERMINED BY THE COMMISSION.

23 (B) OTHER CONSIDERATIONS.--AS PART OF THE DEVELOPMENT OF THE
24 PERFORMANCE-BASED FUNDING MODEL, THE COMMISSION MAY CONSIDER THE
25 FOLLOWING:

26 (1) ADJUSTING A PERFORMANCE-BASED FUNDING INCENTIVE
27 PAYMENT IF A STATE-RELATED UNIVERSITY FAILS TO MEET THE
28 MINIMUM ELIGIBILITY THRESHOLDS.

29 (2) ESTABLISHING AN IMPROVEMENT PLAN TO ASSIST A STATE-
30 RELATED UNIVERSITY TO MAKE SATISFACTORY PROGRESS TOWARD

1 MEETING THE MINIMUM ELIGIBILITY THRESHOLDS.

2 (3) A PROCESS TO AWARD OR REDISTRIBUTE MONEY FOR MEETING
3 THE MINIMUM ELIGIBILITY THRESHOLDS AND REWARDING
4 INSTITUTIONAL EXCELLENCE.

5 (C) EFFECTIVE DATE OF THE PERFORMANCE-BASED FUNDING MODEL.--
6 THE PERFORMANCE-BASED FUNDING MODEL DEVELOPED BY THE COMMISSION
7 SHALL NOT GO INTO EFFECT UNLESS THE MODEL IS APPROVED BY AN ACT
8 OF THE GENERAL ASSEMBLY ENACTED AFTER THE EFFECTIVE DATE OF THIS
9 SECTION.

10 (D) LEVEL OF STATE FUNDING.--THE GENERAL ASSEMBLY SHALL,
11 THROUGH THE ANNUAL NONPREFERRED APPROPRIATIONS PROCESS,
12 DETERMINE THE LEVEL OF STATE FUNDING FOR A STATE-RELATED
13 UNIVERSITY.

14 (E) DEFINITIONS.--AS USED IN THIS SECTION, THE FOLLOWING
15 WORDS AND PHRASES SHALL HAVE THE MEANINGS GIVEN TO THEM IN THIS
16 SUBSECTION UNLESS THE CONTEXT CLEARLY INDICATES OTHERWISE:

17 "BASE STATE FUNDING." THE MINIMUM AMOUNT OF FUNDING, AS
18 RECOMMENDED BY THE COMMISSION, TO BE APPROPRIATED TO EACH STATE-
19 RELATED UNIVERSITY FOR THE 2023-2024 FISCAL YEAR.

20 "COMMISSION." THE PUBLIC HIGHER EDUCATION FUNDING COMMISSION
21 ESTABLISHED UNDER SECTION 2001-I.

22 "INSTITUTIONAL INVESTMENT." A REALLOCATED PERCENTAGE OF THE
23 BASE STATE FUNDING.

24 "PERFORMANCE-BASED FUNDING INCENTIVE PAYMENT." CONSISTS OF
25 THE FOLLOWING:

26 (1) INSTITUTIONAL INVESTMENT.

27 (2) STATE INVESTMENT FOR EXCELLENCE.

28 "STATE-RELATED UNIVERSITY." THE PENNSYLVANIA STATE
29 UNIVERSITY, THE UNIVERSITY OF PITTSBURGH AND TEMPLE UNIVERSITY
30 AND ASSOCIATED BRANCH CAMPUSES.

1 "STATE INVESTMENT FOR EXCELLENCE." AN AMOUNT APPROPRIATED BY
2 THE GENERAL ASSEMBLY THAT EXCEEDS THE BASE STATE FUNDING AND IS
3 USED TO REWARD EXCELLENCE AS MEASURED BY THE PERFORMANCE-BASED
4 FUNDING METRICS DETERMINED BY THE COMMISSION.

5 SECTION 2003-I. PROHIBITION ON SCHOLARSHIP DISPLACEMENT AT
6 PUBLIC INSTITUTIONS OF HIGHER EDUCATION.

7 (A) GENERAL RULE.--A PUBLIC INSTITUTION OF HIGHER EDUCATION
8 MAY REDUCE A STUDENT'S INSTITUTIONAL FINANCIAL AID AS A RESULT
9 OF THE AWARDING OF PRIVATE SCHOLARSHIPS TO THE STUDENT ONLY
10 UNDER THE CIRCUMSTANCES ENUMERATED IN SUBSECTIONS (B) AND (C).

11 (B) WHEN INSTITUTIONAL FINANCIAL AID EXCEEDS COST OF
12 ATTENDANCE.--IF A STUDENT'S TOTAL FINANCIAL AID FROM ALL SOURCES
13 EXCEEDS THE STUDENT'S COST OF ATTENDANCE, A PUBLIC INSTITUTION
14 OF HIGHER EDUCATION MAY REDUCE THE STUDENT'S INSTITUTIONAL
15 FINANCIAL AID UNTIL THE STUDENT'S TOTAL FINANCIAL AID NO LONGER
16 EXCEEDS THE STUDENT'S COST OF ATTENDANCE.

17 (C) STUDENT ATHLETES.--IF A STUDENT IS AN ATHLETE AT A
18 PUBLIC INSTITUTION OF HIGHER EDUCATION, THE PUBLIC INSTITUTION
19 OF HIGHER EDUCATION MAY REDUCE THE STUDENT'S INSTITUTIONAL
20 FINANCIAL AID IN ORDER TO COMPLY WITH THE INDIVIDUAL OR TEAM
21 FINANCIAL AID RESTRICTIONS OF AN ATHLETIC ASSOCIATION,
22 CONFERENCE OR OTHER GROUP OR ORGANIZATION WITH AUTHORITY OVER
23 INTERCOLLEGIATE ATHLETICS, INCLUDING, BUT NOT LIMITED TO, THE
24 NATIONAL COLLEGIATE ATHLETIC ASSOCIATION.

25 (D) AS USED IN THIS SECTION, THE FOLLOWING WORDS AND PHRASES
26 SHALL HAVE THE MEANINGS GIVEN TO THEM IN THIS SUBSECTION UNLESS
27 THE CONTEXT CLEARLY INDICATES OTHERWISE:

28 "COST OF ATTENDANCE." THE AVERAGE ANNUAL COST FOR A STUDENT
29 TO ATTEND A COLLEGE OR UNIVERSITY, INCLUDING TUITION AND FEES,
30 ROOM AND BOARD, BOOKS, SUPPLIES AND OTHER EXPENSES AND IS USED

1 TO CALCULATE FINANCIAL AID OF AN ELIGIBLE STUDENT UNDER TITLE IV
2 OF THE HIGHER EDUCATION ACT OF 1965 (PUBLIC LAW 89-329, 20
3 U.S.C. § 1070 ET. SEQ.).

4 "INSTITUTIONAL FINANCIAL AID." THE SUM OF ALL NEED-BASED AND
5 MERIT-BASED GRANTS, SCHOLARSHIPS, TUITION WAIVERS AND ALL OTHER
6 FORMS OF FINANCIAL ASSISTANCE PROVIDED TO A STUDENT BY A PUBLIC
7 INSTITUTION OF HIGHER EDUCATION THAT ARE NOT LOANS OR WORK-STUDY
8 PROGRAMS.

9 "PRIVATE SCHOLARSHIP." A SCHOLARSHIP AWARDED BY A BUSINESS,
10 PRIVATE FOUNDATION, NONPROFIT ORGANIZATION OR SERVICE GROUP.
11 THE TERM DOES NOT INCLUDE AN AWARD FUNDED BY A PRIVATE
12 ORGANIZATION WHICH IS AFFILIATED WITH A PUBLIC INSTITUTION OF
13 HIGHER EDUCATION AND REQUESTS THE PUBLIC INSTITUTION OF HIGHER
14 EDUCATION'S ASSISTANCE IN SELECTING THE RECIPIENT OF THE AWARD.

15 "PUBLIC INSTITUTION OF HIGHER EDUCATION." ANY OF THE
16 FOLLOWING:

17 (1) A COMMUNITY COLLEGE OPERATING UNDER ARTICLE XIX-A.

18 (2) A RURAL REGIONAL COLLEGE ESTABLISHED UNDER ARTICLE
19 XIX-G.

20 (3) A UNIVERSITY WITHIN THE STATE SYSTEM OF HIGHER
21 EDUCATION UNDER ARTICLE XX-A.

22 (4) A STATE-RELATED INSTITUTION AS DEFINED IN SECTION
23 2001-C.

24 (5) THE THADDEUS STEVENS COLLEGE OF TECHNOLOGY.

25 (6) THE PENNSYLVANIA COLLEGE OF TECHNOLOGY.

26 "STUDENT." AN INDIVIDUAL ENROLLED AT A PUBLIC INSTITUTION OF
27 HIGHER EDUCATION.

28 SECTION 51. SECTION 2204-B(B) (1) OF THE ACT IS AMENDED TO
29 READ:

30 SECTION 2204-B. AGENCY.

1 * * *

2 (B) ELIGIBILITY CRITERIA.--THE ELIGIBILITY CRITERIA
3 DEVELOPED FOR THE RECEIPT OF A SCHOLARSHIP UNDER SUBSECTION (A)
4 SHALL, AT A MINIMUM, REQUIRE ALL OF THE FOLLOWING:

5 (1) TOTAL ANNUAL HOUSEHOLD INCOME NOT TO EXCEED
6 ~~[\$110,000]~~ \$126,000. WITH EACH NEW AWARD YEAR, THE AGENCY MAY
7 ANNUALLY ADJUST THE TOTAL ANNUAL HOUSEHOLD INCOME THRESHOLD
8 UNDER THIS PARAGRAPH TO REFLECT ANY UPWARD CHANGES IN THE
9 CONSUMER PRICE INDEX FOR ALL URBAN CONSUMERS (CPI-U) FOR THE
10 PENNSYLVANIA, NEW JERSEY, DELAWARE AND MARYLAND AREA.

11 * * *

12 SECTION 52. THE ACT IS AMENDED BY ADDING A SECTION TO READ:
13 SECTION 2326. STATE AID FOR FISCAL YEAR 2022-2023.

14 NOTWITHSTANDING ANY OTHER PROVISION OF LAW TO THE CONTRARY,
15 EACH LIBRARY SUBJECT TO 24 PA.C.S. CH. 93 (RELATING TO PUBLIC
16 LIBRARY CODE), SHALL BE ELIGIBLE FOR STATE AID FOR FISCAL YEAR
17 2022-2023 AS FOLLOWS:

18 (1) FUNDS APPROPRIATED FOR LIBRARIES SHALL BE
19 DISTRIBUTED TO EACH LIBRARY UNDER THE FOLLOWING FORMULA:

20 (I) DIVIDE THE AMOUNT OF FUNDING THAT THE LIBRARY
21 RECEIVED IN FISCAL YEAR 2021-2022 UNDER SECTION 2325 BY
22 THE TOTAL STATE-AID SUBSIDY FOR FISCAL YEAR 2021-2022.

23 (II) MULTIPLY THE QUOTIENT UNDER SUBPARAGRAPH (I) BY
24 \$69,720,000.

25 (2) THE AMOUNT OF \$750,000 SHALL BE DISTRIBUTED BY THE
26 STATE LIBRARIAN TO DISTRICT LIBRARY CENTERS THAT RECEIVED
27 LESS THAN THE AMOUNT SPECIFIED UNDER 24 PA.C.S. § 9338(B)(2)
28 (RELATING TO DISTRICT LIBRARY CENTER AID) IN FISCAL YEAR
29 2012-2013 THROUGH FISCAL YEAR 2021-2022.

30 (3) FOLLOWING DISTRIBUTION OF FUNDS APPROPRIATED FOR

1 STATE AID TO LIBRARIES UNDER PARAGRAPHS (1) AND (2), ANY
2 REMAINING FUNDS MAY BE DISTRIBUTED AT THE DISCRETION OF THE
3 STATE LIBRARIAN.

4 (4) IF FUNDS APPROPRIATED FOR STATE AID TO LIBRARIES IN
5 FISCAL YEAR 2022-2023 ARE LESS THAN FUNDS APPROPRIATED IN
6 FISCAL YEAR 2002-2003, THE STATE LIBRARIAN MAY WAIVE
7 STANDARDS AS PRESCRIBED IN 24 PA.C.S. CH. 93 (RELATING TO
8 PUBLIC LIBRARY CODE).

9 (5) EACH LIBRARY SYSTEM RECEIVING STATE AID UNDER THIS
10 SECTION MAY DISTRIBUTE THE LOCAL LIBRARY SHARE OF THAT AID IN
11 A MANNER AS DETERMINED BY THE BOARD OF DIRECTORS OF THE
12 LIBRARY SYSTEM.

13 (6) IN THE CASE OF A LIBRARY SYSTEM THAT CONTAINS A
14 LIBRARY OPERATING IN A CITY OF THE SECOND CLASS, CHANGES TO
15 THE DISTRIBUTION OF STATE AID TO THE LIBRARY SHALL BE MADE BY
16 MUTUAL AGREEMENT BETWEEN THE LIBRARY AND THE LIBRARY SYSTEM.

17 (7) IN THE EVENT OF A CHANGE IN DISTRICT LIBRARY CENTER
18 POPULATION PRIOR TO THE EFFECTIVE DATE OF THIS SECTION AS A
19 RESULT OF:

20 (I) A CITY, BOROUGH, TOWN, TOWNSHIP, SCHOOL DISTRICT
21 OR COUNTY MOVING FROM ONE LIBRARY CENTER TO ANOTHER; OR

22 (II) A TRANSFER OF DISTRICT LIBRARY CENTER STATUS TO
23 A COUNTY LIBRARY SYSTEM;

24 FUNDING OF DISTRICT LIBRARY CENTER AID SHALL BE PAID BASED ON
25 THE POPULATION OF THE NEWLY ESTABLISHED OR RECONFIGURED
26 DISTRICT LIBRARY CENTER.

27 (8) IN THE EVENT OF A CHANGE IN DIRECT SERVICE AREA FROM
28 ONE LIBRARY TO ANOTHER, THE STATE LIBRARIAN, UPON AGREEMENT
29 OF THE AFFECTED LIBRARIES, MAY REDISTRIBUTE THE LOCAL LIBRARY
30 SHARE OF AID TO THE LIBRARY CURRENTLY SERVICING THE AREA.

1 SECTION 53. SECTION 2502.8(B) OF THE ACT IS AMENDED TO READ:

2 SECTION 2502.8. PAYMENTS ON ACCOUNT OF PUPILS ENROLLED IN
3 CAREER AND TECHNICAL CURRICULUMS.--* * *

4 (B) FOR THE 1981-1982 SCHOOL YEAR THROUGH THE 1984-1985
5 SCHOOL YEAR, EACH SCHOOL DISTRICT SO ENTITLED SHALL BE PAID, IN
6 ADDITION TO ANY OTHER SUBSIDY TO WHICH IT IS ENTITLED, AN AMOUNT
7 ON ACCOUNT OF RESIDENT PUPILS ENROLLED IN CAREER AND TECHNICAL
8 CURRICULUMS; FOR THE 1985-1986 SCHOOL YEAR THROUGH THE 1999-2000
9 SCHOOL YEAR, EACH SCHOOL DISTRICT AND AREA CAREER AND TECHNICAL
10 SCHOOL SHALL BE PAID AN AMOUNT ON ACCOUNT OF STUDENTS ENROLLED
11 IN CAREER AND TECHNICAL CURRICULUMS; FOR THE 2000-2001 SCHOOL
12 YEAR AND EACH SCHOOL YEAR THEREAFTER, EACH SCHOOL DISTRICT, AREA
13 CAREER AND TECHNICAL SCHOOL AND CHARTER SCHOOL SHALL BE PAID AN
14 AMOUNT ON ACCOUNT OF STUDENTS ENROLLED IN CAREER AND TECHNICAL
15 CURRICULUMS, DETERMINED AS FOLLOWS:

16 (1) DETERMINE THE INCREASE IN THE WEIGHTED AVERAGE DAILY
17 MEMBERSHIP BY MULTIPLYING THE NUMBER OF STUDENTS IN AVERAGE
18 DAILY MEMBERSHIP IN CAREER AND TECHNICAL CURRICULUMS IN AREA
19 CAREER AND TECHNICAL SCHOOLS BY TWENTY-ONE HUNDREDTHS (.21) AND
20 THE NUMBER OF STUDENTS IN AVERAGE DAILY MEMBERSHIP IN SCHOOL
21 DISTRICT AND CHARTER SCHOOL CAREER AND TECHNICAL CURRICULUMS BY
22 SEVENTEEN HUNDREDTHS (.17) [■]; EXCEPT, FOR THE 2021-2022 SCHOOL
23 YEAR AND EACH FISCAL YEAR THEREAFTER, DETERMINE THE INCREASE IN
24 THE WEIGHTED AVERAGE DAILY MEMBERSHIP BY MULTIPLYING THE NUMBER
25 OF STUDENTS IN AVERAGE DAILY MEMBERSHIP IN CAREER AND TECHNICAL
26 CURRICULUMS IN AREA CAREER AND TECHNICAL SCHOOLS BY TWO THOUSAND
27 TWO HUNDRED SEVENTY-SIX TEN THOUSANDTHS (.2276) AND THE NUMBER
28 OF STUDENTS IN AVERAGE DAILY MEMBERSHIP IN SCHOOL DISTRICT AND
29 CHARTER SCHOOL CAREER AND TECHNICAL CURRICULUMS BY ONE THOUSAND
30 EIGHT HUNDRED FORTY-FOUR TEN THOUSANDTHS (.1844).

1 (2) MULTIPLY THE LESSER OF THE DISTRICT'S ACTUAL INSTRUCTION
2 EXPENSE PER WEIGHTED AVERAGE DAILY MEMBERSHIP OR THE BASE EARNED
3 FOR REIMBURSEMENT BY THE MARKET VALUE/INCOME AID RATIO OR BY
4 THREE HUNDRED SEVENTY-FIVE THOUSANDTHS (.375), WHICHEVER IS
5 GREATER.

6 (3) MULTIPLY THE INCREASE IN WEIGHTED AVERAGE DAILY
7 MEMBERSHIP DETERMINED IN CLAUSE (1) BY THE RESULT OF CLAUSE (2).

8 (4) FOR THE 1985-1986 THROUGH 1999-2000 SCHOOL YEARS, THE
9 COMMONWEALTH SHALL PAY THE AMOUNT REQUIRED BY THIS SECTION TO
10 THE SCHOOL DISTRICT OR AREA CAREER AND TECHNICAL SCHOOL WHICH
11 PROVIDES THE PROGRAM UPON WHICH REIMBURSEMENT IS BASED.

12 (5) FOR THE 2000-2001 SCHOOL YEAR AND EACH SCHOOL YEAR
13 THEREAFTER, THE COMMONWEALTH SHALL PAY THE AMOUNT REQUIRED UNDER
14 THIS SECTION TO THE SCHOOL DISTRICT, AREA CAREER AND TECHNICAL
15 SCHOOL OR CHARTER SCHOOL WHICH PROVIDES THE PROGRAMS UPON WHICH
16 REIMBURSEMENT IS BASED.

17 * * *

18 SECTION 54. SECTION 2502.53(B) OF THE ACT, AMENDED JUNE 30,
19 2021 (P.L.158, NO.26), IS AMENDED TO READ:

20 SECTION 2502.53. STUDENT-WEIGHTED BASIC EDUCATION FUNDING.--

21 * * *

22 (B) FOR THE 2015-2016 SCHOOL YEAR AND EACH SCHOOL YEAR
23 THEREAFTER, EXCEPT THE 2019-2020 SCHOOL YEAR WHICH SHALL BE
24 GOVERNED BY SUBSECTION (B.1), THE COMMONWEALTH SHALL PAY TO EACH
25 SCHOOL DISTRICT A BASIC EDUCATION FUNDING ALLOCATION WHICH SHALL
26 CONSIST OF THE FOLLOWING:

27 (1) AN AMOUNT EQUAL TO THE SCHOOL DISTRICT'S BASIC EDUCATION
28 FUNDING ALLOCATION FOR THE 2013-2014 SCHOOL YEAR.

29 (2) A STUDENT-BASED ALLOCATION TO BE CALCULATED AS FOLLOWS:

30 (I) MULTIPLY THE SCHOOL DISTRICT'S STUDENT-WEIGHTED AVERAGE

1 DAILY MEMBERSHIP BY THE MEDIAN HOUSEHOLD INCOME INDEX AND LOCAL
2 EFFORT CAPACITY INDEX.

3 (II) MULTIPLY THE PRODUCT IN SUBPARAGRAPH (I) BY THE
4 DIFFERENCE BETWEEN THE AMOUNT APPROPRIATED FOR THE ALLOCATION OF
5 BASIC EDUCATION FUNDING TO SCHOOL DISTRICTS AND THE AMOUNT
6 APPROPRIATED FOR THE ALLOCATION IN PARAGRAPH (1).

7 (III) DIVIDE THE PRODUCT IN SUBPARAGRAPH (II) BY THE SUM OF
8 THE PRODUCTS IN SUBPARAGRAPH (I) FOR ALL SCHOOL DISTRICTS.

9 (IV) FOR THE 2018-2019 SCHOOL YEAR, THE DIFFERENCE
10 DETERMINED UNDER SUBPARAGRAPH (II) SHALL BE \$698,667,244.

11 (V) FOR THE 2020-2021 SCHOOL YEAR, THE DIFFERENCE DETERMINED
12 UNDER SUBPARAGRAPH (II) SHALL BE \$898,667,244.

13 (VI) FOR THE 2021-2022 SCHOOL YEAR, THE DIFFERENCE
14 DETERMINED UNDER SUBPARAGRAPH (II) SHALL BE \$1,423,667,244.

15 * * *

16 SECTION 55. THE ACT IS AMENDED BY ADDING A SECTION TO READ:

17 SECTION 2502.55. LEVEL-UP SUPPLEMENT FOR 2021-2022 SCHOOL
18 YEAR.--THE COMMONWEALTH SHALL PAY TO QUALIFYING SCHOOL DISTRICTS
19 A LEVEL-UP SUPPLEMENT ALLOCATION FOR THE 2021-2022 SCHOOL YEAR
20 AS FOLLOWS:

21 (1) THERE SHALL BE A DETERMINATION OF THE QUALIFYING SCHOOL
22 DISTRICTS WITH AN AMOUNT LESS THAN OR EQUAL TO THE AMOUNT THAT
23 REPRESENTS THE TWENTIETH PERCENTILE FOR ALL SCHOOL DISTRICTS IN
24 THE FOLLOWING CALCULATION:

25 (I) FOR EACH OF THE FIVE PRECEDING SCHOOL YEARS, CALCULATE
26 THE FOLLOWING:

27 (A) FOR EACH SCHOOL DISTRICT, THE SUM OF THE AMOUNT OF
28 STUDENT WEIGHTS CALCULATED UNDER SECTION 2502.53(C) (1) (II),
29 (III), (IV), (V) AND (VI) AND THE AMOUNT OF WEIGHTED SPECIAL
30 EDUCATION HEADCOUNTS CALCULATED UNDER SECTION 2509.5(BBB) (2) (I).

1 (B) FOR EACH SCHOOL DISTRICT, DIVIDE THE CURRENT
2 EXPENDITURES BY THE SUM CALCULATED FOR THE SCHOOL DISTRICT IN
3 CLAUSE (A).

4 (C) FOR EACH SCHOOL DISTRICT, CALCULATE THE AVERAGE OF THE
5 QUOTIENTS CALCULATED UNDER CLAUSE (B).

6 (II) (RESERVED).

7 (2) QUALIFYING SCHOOL DISTRICTS DETERMINED UNDER PARAGRAPH
8 (1) SHALL RECEIVE AN AMOUNT CALCULATED AS FOLLOWS:

9 (I) FOR EACH QUALIFYING SCHOOL DISTRICT, MULTIPLY THE
10 PRODUCT IN SECTION 2502.53(B)(2)(I) FOR THE 2021-2022 SCHOOL
11 YEAR BY \$225,000,000.

12 (II) DIVIDE THE PRODUCT IN SUBPARAGRAPH (I) BY THE SUM OF
13 THE PRODUCTS IN SECTION 2502.53(B)(2)(I) FOR THE 2021-2022
14 SCHOOL YEAR FOR ALL QUALIFYING SCHOOL DISTRICTS.

15 (3) PAYMENTS MADE UNDER THIS SECTION SHALL BE DEEMED TO BE
16 PART OF THE SCHOOL DISTRICT'S ALLOCATION AMOUNT UNDER SECTION
17 2502.53(B)(1) FOR THE 2022-2023 SCHOOL YEAR AND EACH SCHOOL YEAR
18 THEREAFTER.

19 (4) THE PROVISIONS CONTAINED IN SECTIONS 2502.53 AND 2509.5
20 SHALL APPLY TO THE CALCULATION OF THE RESPECTIVE FACTORS IN THIS
21 SECTION.

22 SECTION 56. SECTION 2509.1(C.2)(1) OF THE ACT, AMENDED JUNE
23 30, 2021 (P.L.158, NO.26), IS AMENDED TO READ:

24 SECTION 2509.1. PAYMENTS TO INTERMEDIATE UNITS.--* * *

25 (C.2) THE FOLLOWING APPLY:

26 (1) FOR THE 2016-2017, 2017-2018, 2018-2019, 2019-2020,
27 2020-2021 [AND], 2021-2022 AND 2022-2023 SCHOOL YEARS, FIVE AND
28 FIVE-TENTHS PERCENT (5.5%) OF THE STATE SPECIAL EDUCATION
29 APPROPRIATION SHALL BE PAID TO INTERMEDIATE UNITS ON ACCOUNT OF
30 SPECIAL EDUCATION SERVICES.

1 * * *

2 SECTION 57. SECTION 2509.5 (BBB) (2) (I), (VII) AND (VIII) OF
3 THE ACT ARE AMENDED AND THE PARAGRAPH IS AMENDED BY ADDING
4 SUBPARAGRAPHS TO READ:

5 SECTION 2509.5. SPECIAL EDUCATION PAYMENTS TO SCHOOL
6 DISTRICTS.--* * *

7 (BBB) * * *

8 (2) FOR THE PURPOSES OF PARAGRAPH (1) (I):

9 (I) [THE] EXCEPT AS OTHERWISE PROVIDED IN SUBPARAGRAPH
10 (I.1), THE WEIGHTED SPECIAL EDUCATION STUDENT HEADCOUNT FOR EACH
11 SCHOOL DISTRICT SHALL BE THE SUM OF THE FOLLOWING:

12 (A) THE NUMBER OF SPECIAL EDUCATION STUDENTS WHO RESIDE IN
13 THE SCHOOL DISTRICT FOR WHICH THE ANNUAL EXPENDITURE IS IN
14 CATEGORY 1 MULTIPLIED BY ONE AND FIFTY-ONE HUNDREDTHS (1.51).

15 (B) THE NUMBER OF SPECIAL EDUCATION STUDENTS WHO RESIDE IN
16 THE SCHOOL DISTRICT FOR WHICH THE ANNUAL EXPENDITURE IS IN
17 CATEGORY 2 MULTIPLIED BY THREE AND SEVENTY-SEVEN HUNDREDTHS
18 (3.77).

19 (C) THE NUMBER OF SPECIAL EDUCATION STUDENTS WHO RESIDE IN
20 THE SCHOOL DISTRICT FOR WHICH THE ANNUAL EXPENDITURE IS IN
21 CATEGORY 3 MULTIPLIED BY SEVEN AND FORTY-SIX HUNDREDTHS (7.46).

22 (I.1) BEGINNING IN THE 2022-2023 SCHOOL YEAR AND EACH YEAR
23 THEREAFTER, THE WEIGHTED SPECIAL EDUCATION STUDENT HEADCOUNT FOR
24 EACH SCHOOL DISTRICT SHALL BE THE SUM OF THE FOLLOWING:

25 (A) THE MOST RECENT THREE-YEAR AVERAGE OF THE NUMBER OF
26 SPECIAL EDUCATION STUDENTS WHO RESIDE IN THE SCHOOL DISTRICT FOR
27 WHICH THE ANNUAL EXPENDITURE IS IN CATEGORY 1 MULTIPLIED BY ONE
28 AND SIXTY-FOUR HUNDREDTHS (1.64).

29 (B) THE MOST RECENT THREE-YEAR AVERAGE OF THE NUMBER OF
30 SPECIAL EDUCATION STUDENTS WHO RESIDE IN THE SCHOOL DISTRICT FOR

1 WHICH THE ANNUAL EXPENDITURE IS IN CATEGORY 2 MULTIPLIED BY
2 THREE AND EIGHT HUNDREDTHS (3.08).

3 (C) THE MOST RECENT THREE-YEAR AVERAGE OF THE NUMBER OF
4 SPECIAL EDUCATION STUDENTS WHO RESIDE IN THE SCHOOL DISTRICT FOR
5 WHICH THE ANNUAL EXPENDITURE IS IN CATEGORY 3 MULTIPLIED BY SIX
6 AND THIRTY-FOUR HUNDREDTHS (6.34).

7 * * *

8 (VII) THE DOLLAR RANGES FOR THE ANNUAL EXPENDITURE AMOUNTS
9 DESIGNATED AS CATEGORY 1, CATEGORY 2 AND CATEGORY 3 UNDER
10 SUBPARAGRAPH (I) SHALL BE BASED ON THE INFORMATION REPORTED TO
11 THE DEPARTMENT UNDER SECTION 1372(8). FOR THE PURPOSES OF
12 SUBPARAGRAPH (I), CATEGORY 3 SHALL BE THE SUM OF THE STUDENTS
13 REPORTED IN CATEGORIES 3A AND 3B UNDER SECTION 1372(8) [.] , AND
14 FOR ANY SCHOOL YEAR IN WHICH INFORMATION IS COMPILED AND
15 AVAILABLE FOR CATEGORY 1A AND CATEGORY 1B UNDER SECTION 1372(8),
16 CATEGORY 1 SHALL BE THE SUM OF CATEGORY 1A AND CATEGORY 1B.

17 (VIII) [THE DATA USED TO CALCULATE THE WEIGHTED SPECIAL
18 EDUCATION STUDENT HEADCOUNT UNDER SUBPARAGRAPH (I) SHALL BE
19 BASED ON INFORMATION FROM THE MOST RECENT YEAR FOR WHICH DATA IS
20 AVAILABLE AS DETERMINED BY THE DEPARTMENT OF EDUCATION.] THE
21 DATA USED TO CALCULATE THE PROVISIONS UNDER SUBPARAGRAPHS (II),
22 (III) AND (VI) SHALL BE AVERAGED FOR THE THREE MOST RECENT YEARS
23 FOR WHICH DATA IS AVAILABLE AS DETERMINED BY THE DEPARTMENT OF
24 EDUCATION.

25 (IX) THE DATA USED FOR THE CALCULATIONS MADE IN THIS SECTION
26 SHALL BE FIXED AS OF THE FIRST DAY OF JUNE PRECEDING THE SCHOOL
27 YEAR IN WHICH THE ALLOCATION OCCURS. DATA FIXED ON THE FIRST DAY
28 OF JUNE SHALL BE REVISED BY THE DEPARTMENT OF EDUCATION IF IT IS
29 SUBSEQUENTLY FOUND TO BE INCORRECT.

30 * * *

1 SECTION 58. SECTION 2510.3(A)(2) OF THE ACT, AMENDED JUNE
2 30, 2021 (P.L.158, NO.26), IS AMENDED TO READ:

3 SECTION 2510.3. ASSISTANCE TO SCHOOL DISTRICTS DECLARED TO
4 BE IN FINANCIAL RECOVERY STATUS OR IDENTIFIED FOR FINANCIAL
5 WATCH STATUS.--(A) THE FOLLOWING APPLY:

6 * * *

7 (2) FOR THE 2017-2018, 2018-2019, 2019-2020, 2020-2021
8 [AND], 2021-2022 AND 2022-2023 FISCAL YEARS, THE DEPARTMENT OF
9 EDUCATION MAY UTILIZE UP TO SEVEN MILLION DOLLARS (\$7,000,000)
10 OF UNDISTRIBUTED FUNDS NOT EXPENDED, ENCUMBERED OR COMMITTED
11 FROM APPROPRIATIONS FOR GRANTS, SUBSIDIES AND ASSESSMENTS MADE
12 TO THE DEPARTMENT OF EDUCATION TO ASSIST SCHOOL DISTRICTS
13 DECLARED TO BE IN FINANCIAL RECOVERY STATUS UNDER SECTION 621-A,
14 IDENTIFIED FOR FINANCIAL WATCH STATUS UNDER SECTION 611-A OR
15 IDENTIFIED FOR FINANCIAL WATCH STATUS UNDER SECTION 694-A;
16 EXCEPT THAT THE FUNDS MUST BE FIRST UTILIZED TO ACCOMPLISH THE
17 PROVISIONS CONTAINED IN SECTION 695-A. THE FUNDS SHALL BE
18 TRANSFERRED BY THE SECRETARY OF THE BUDGET TO A RESTRICTED
19 ACCOUNT AS NECESSARY TO MAKE PAYMENTS UNDER THIS SECTION AND,
20 WHEN TRANSFERRED, ARE HEREBY APPROPRIATED TO CARRY OUT THE
21 PROVISIONS OF THIS SECTION.

22 * * *

23 SECTION 59. SECTIONS 2574 AND 2599.6 OF THE ACT ARE AMENDED
24 BY ADDING SUBSECTIONS TO READ:

25 SECTION 2574. APPROVED REIMBURSABLE RENTAL FOR LEASES
26 HEREAFTER APPROVED AND APPROVED REIMBURSABLE SINKING FUND
27 CHARGES ON INDEBTEDNESS.--* * *

28 (G) (1) REIMBURSEMENT DOCUMENTATION FOR AN APPROVED SCHOOL
29 BUILDING PROJECT THAT HAS UNCLAIMED PRIOR YEAR REIMBURSEMENTS
30 FOR PAYMENTS MADE PRIOR TO JULY 1, 2017, MUST BE SUBMITTED, IN A

1 COMPLETE AND APPROVABLE FORM, TO THE DEPARTMENT BY DECEMBER 31,
2 2023. A CLAIM FOR REIMBURSEMENT THAT IS NOT SUBMITTED OR REMAINS
3 INCOMPLETE OR UNAPPROVED BY THE DEPARTMENT AS OF DECEMBER 31,
4 2023, SHALL EXPIRE.

5 (2) THE DEPARTMENT SHALL SEND TO APPLICANTS A NOTICE THAT
6 DETAILS THE UNCLAIMED PRIOR YEAR REIMBURSEMENTS FOR WHICH
7 DOCUMENTATION MUST BE SUBMITTED NO LATER THAN 60 DAYS AFTER THE
8 EFFECTIVE DATE OF THIS SUBSECTION. THE DEPARTMENT SHALL SEND A
9 SUBSEQUENT NOTICE NO LATER THAN JANUARY 1, 2023.

10 SECTION 2599.6. READY-TO-LEARN BLOCK GRANT.--* * *

11 (A.2) FOR THE 2022-2023 SCHOOL YEAR AND EACH SCHOOL YEAR
12 THEREAFTER, EACH SCHOOL ENTITY SHALL RECEIVE A READY-TO-LEARN
13 BLOCK GRANT IN AN AMOUNT NOT LESS THAN THE AMOUNT RECEIVED BY
14 THE SCHOOL ENTITY FROM THE APPROPRIATION FOR THE READY-TO-LEARN
15 BLOCK GRANT DURING 2021-2022 FISCAL YEAR.

16 (A.3) FOR THE 2022-2023 SCHOOL YEAR, THE SUM OF \$100,000,000
17 SHALL BE TRANSFERRED WITHIN 15 DAYS OF THE EFFECTIVE DATE OF
18 THIS SUBSECTION FROM THE APPROPRIATION TO THE DEPARTMENT OF
19 EDUCATION FOR THE READY-TO-LEARN BLOCK GRANT TO THE SCHOOL
20 SAFETY AND SECURITY FUND.

21 * * *

22 SECTION 60. SECTION 2608-J OF THE ACT, AMENDED JUNE 30, 2021
23 (P.L.158, NO.26), IS AMENDED TO READ:

24 SECTION 2608-J. APPLICABILITY.

25 THIS ARTICLE SHALL APPLY TO PROJECTS FOR WHICH APPROVAL AND
26 REIMBURSEMENT IS SOUGHT AND TO THE MAINTENANCE PROJECT GRANT
27 PROGRAM BEGINNING JULY 1, [2022] 2023.

28 SECTION 61. THE FOLLOWING SHALL APPLY:

29 (1) THE AMENDMENT OF SECTION 1525 OF THE ACT SHALL APPLY
30 TO ANY AGREEMENT BETWEEN A SCHOOL DISTRICT AND AN INSTITUTION

1 OF HIGHER EDUCATION ENTERED INTO OR RENEWED AFTER THE
2 EFFECTIVE DATE OF THIS SECTION.

3 (2) THE ADDITION OF SECTION 2003.1-G OF THE ACT SHALL
4 APPLY TO SCHOOL YEARS THAT BEGIN AFTER THE EFFECTIVE DATE OF
5 THIS SECTION.

6 SECTION 62. THIS ACT SHALL TAKE EFFECT AS FOLLOWS:

7 (1) THE FOLLOWING SHALL TAKE EFFECT DECEMBER 31, 2022:

8 (I) THE ADDITION OF SECTION 2007-G OF THE ACT.

9 (II) (RESERVED).

10 (2) THE FOLLOWING SHALL TAKE EFFECT JULY 1, 2023:

11 (I) THE AMENDMENT OF SECTIONS 2001-G, 2003-G, 2004-G
12 AND 2006-G.

13 (II) (RESERVED).

14 (3) THE REMAINDER OF THIS ACT SHALL TAKE EFFECT
15 IMMEDIATELY.