

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 89 Session of 2019

INTRODUCED BY HUGHES, AUMENT, BARTOLOTTA, BREWSTER, STEFANO, FONTANA, STREET, SCHWANK, GORDNER, MENSCH, KEARNEY, BAKER, K. WARD, WHITE, SANTARSIERO, BROWNE, PHILLIPS-HILL, TARTAGLIONE, KILLION, COSTA, YUDICHAK, SABATINA, BLAKE, COLLETT, FARNESE, L. WILLIAMS, LEACH, HAYWOOD, J. WARD AND MUTH, JANUARY 29, 2019

AS AMENDED ON THIRD CONSIDERATION, MAY 6, 2019

AN ACT

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

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

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

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

1 (a.1) Beginning April 1, 2007, this section shall apply to
2 all current and prospective employes of public and private
3 schools, intermediate units and area [vocational-technical]
4 career and technical schools, including, but not limited to,
5 teachers, substitutes, janitors, cafeteria workers, independent
6 contractors and their employes, except those employes and
7 independent contractors and their employes who have no direct
8 contact with children.

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

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

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

27 * * *

28 (b) Administrators of public and private schools,
29 intermediate units and area [vocational-technical] career and
30 technical schools shall require prospective employes to submit

1 with their employment application, pursuant to 18 Pa.C.S. Ch. 91
2 (relating to criminal history record information), a report of
3 criminal history record information from the Pennsylvania State
4 Police or a statement from the Pennsylvania State Police that
5 the State Police central repository contains no such information
6 relating to that person. Such report of criminal history record
7 information shall be no more than five (5) years old. An
8 applicant may submit a copy of the required information with the
9 application for employment. Administrators shall maintain a copy
10 of the required information. Administrators shall require
11 contractors to produce a report of criminal history record
12 information for each prospective employe of such contractor
13 prior to employment. A copy of the report of criminal history
14 record information from the Pennsylvania State Police shall be
15 made available to the applicant in a manner prescribed by the
16 Department of Education.

17 * * *

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

24 * * *

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

1 * * *

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

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

29 * * *

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

1 (n) As used in this section, the following words and phrases
2 shall have the meanings given to them in this subsection:

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

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

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

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

20 (1) Sexual or romantic invitation.

21 (2) Dating or soliciting dates.

22 (3) Engaging in sexualized or romantic dialog.

23 (4) Making sexually suggestive comments.

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

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

28 Section 2. Section 121(b)(2)(iii), (c)(2) and (d) of the
29 act, amended October 24, 2018 (P.L.1146, No.158), are amended to
30 read:

1 Section 121. Keystone Exams.--* * *

2 (b) The following shall apply:

3 * * *

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

15 * * *

16 (iii) Ensure that no student is prohibited from
17 participation in [~~vocational-technical~~] career and technical
18 education or elective courses or programs as a result of
19 supplemental instruction required in 22 Pa. Code §§ 4.24(k) and
20 4.51b(f) (relating to Keystone Exams).

21 (c) Notwithstanding section 2604-B(b)(2)(v), 22 Pa. Code §
22 4.24 or 4.51 or any statute or regulation to the contrary, in
23 any school year in which a demonstration of proficiency on a
24 Keystone Exam is required for high school graduation, a CTE
25 Concentrator shall be deemed proficient provided that the CTE
26 Concentrator shall meet all of the following requirements:

27 * * *

28 (2) completes one of the following:

29 (i) attains an industry-based competency certification
30 related to the CTE Concentrator's program of study; or

1 (ii) demonstrates a high likelihood of success on an
2 approved industry-based competency assessment or readiness for
3 continued meaningful engagement in the CTE Concentrator's
4 program of study as demonstrated by performance on benchmark
5 assessments, course grades and other factors consistent with the
6 CTE Concentrator's goals and career plan and determined for the
7 CTE Concentrator by a chief school administrator in consultation
8 with an area [vocational-technical] career and technical school
9 director or principal of a comprehensive high school. The
10 determination shall be made no later than the end of eleventh
11 grade, or, for a student enrolled in a one-year program, the end
12 of the first semester of twelfth grade.

13 * * *

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

17 "Accredited four-year nonprofit institution of higher
18 education." Any of the following:

19 (1) A university within the State System of Higher Education
20 under Article XX-A.

21 (2) A State-related institution as defined in section 1502-
22 A.

23 (3) Any accredited nonprofit public, private or independent
24 college or university that confers four-year baccalaureate
25 degrees.

26 "Accredited nonprofit institution of higher education." Any
27 of the following:

28 (1) A community college operating under Article XIX-A.

29 (2) An accredited four-year nonprofit institution of higher
30 education.

1 (3) Any accredited nonprofit public, private or independent
2 college or university.

3 (4) The Thaddeus Stevens College of Technology.

4 "ACT." A standardized test for the assessment of college
5 readiness administered by ACT.

6 "ACT WorkKeys assessment." An assessment of workplace skills
7 administered by ACT.

8 "Advanced Placement Program." A program authorized by the
9 college board that allows a student to study college-level
10 subjects while enrolled in high school and to receive advanced
11 placement and college credit for earning a qualified score on
12 the course-related Advanced Placement exam.

13 "Approved alternative assessment." A SAT, PSAT, ACT or Armed
14 Services Vocational Aptitude Battery test.

15 "Approved industry-based competency assessment." A NOCTI
16 exam, NIMS assessment or other industry-based competency
17 assessment identified by the Secretary of Education and approved
18 by the State Board of Education or identified by an act of the
19 General Assembly.

20 "Armed Services Vocational Aptitude Battery Test." The
21 aptitude test developed and maintained by the United States
22 Department of Defense.

23 "Chief school administrator." The superintendent of a school
24 district, executive director of an intermediate unit,
25 administrative director of an area [vocational-technical] career
26 and technical school or chief executive officer of a charter
27 school, cyber charter school, regional charter school or
28 multiple charter school organization.

29 "Concurrent enrollment course." A course in which a
30 secondary student is enrolled and, upon successful completion of

1 which both high school and postsecondary credit are earned.

2 "Cooperative education program." A program of instruction
3 whereby students alternate or coordinate their high school
4 studies with a job in a field related to their academic or
5 career objectives.

6 "CTE Concentrator." A student who, by the end of a reporting
7 year, will be reported as successfully completing at least fifty
8 percent (50%) of the minimum technical instructional hours
9 required under 22 Pa. Code Ch. 339 (relating to vocational
10 education).

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

13 "Established score." A score recommended by the secretary
14 and approved by the State Board of Education.

15 "GPA." Grade point average.

16 "International Baccalaureate Diploma Program." An
17 academically challenging two-year precollege diploma program
18 comprised of three core requirements and six academic subject
19 areas with final examinations that prepare students sixteen (16)
20 to nineteen (19) years of age for higher education and life in a
21 global society.

22 "NIMS assessment." An assessment based on the National
23 Institute for Metalworking Skills standards.

24 "NOCTI exam." A National Occupational Competency Testing
25 Institute exam.

26 "Postsecondary course." A course in which a secondary
27 student is enrolled and, upon successful completion,
28 postsecondary credit is earned.

29 "Preapprenticeship program." An apprenticeship program
30 registered with the Pennsylvania Apprenticeship and Training

1 Council.

2 "SAT." A standardized test for the assessment of college
3 readiness administered by the College Board.

4 "SAT Subject Test." A standardized test for the assessment
5 of a specific content area administered by the College Board.

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

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

11 Section 3. Section 126(a)(1)(v) and (vi) of the act, added
12 November 6, 2017 (P.L.142, No.55), are amended to read:

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

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

19 (1) The department shall develop State plan submissions with
20 timely and meaningful consultation with the chair and minority
21 chair of the Education Committee of the Senate and the chair and
22 minority chair of the Education Committee of the House of
23 Representatives, with opportunity for input into the State plan
24 submission's formation. Consultation shall occur with regard to
25 the initiatives that are newly created or that retain or modify
26 existing law or regulation with regard to the following:

27 * * *

28 (v) [~~Vocational and career~~] Career and technical education
29 academic assessments, pathways and standards.

30 (vi) Comparability and fairness in assessments of school

1 districts, intermediate units, area [vocational-technical]
2 career and technical schools, charter schools and cyber charter
3 schools.

4 * * *

5 Section 4. Sections 218, 220(c), 221.2(c)(1)(iv) and (f)(4)
6 (i), 222(c) and 322 of the act are amended to read:

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

26 (b) The chief school administrator and board secretary of a
27 school district, charter school, cyber charter school or area
28 [vocational-technical] career and technical school shall submit
29 a signed statement to the Department of Education not later than
30 the 31st day of December of each year certifying that: the

1 audited financial statements of the school district, charter
2 school, cyber charter school or area [vocational-technical]
3 career and technical school have been properly audited pursuant
4 to Article XXIV and that in the independent auditor's
5 professional opinion, the financial information submitted in the
6 annual financial report was materially consistent with the
7 audited financial statements.

8 (c) If the financial information submitted in the annual
9 financial report was not materially consistent with the audited
10 financial statements, the school district, charter school, cyber
11 charter school or area [vocational-technical] career and
12 technical school shall submit a revised annual financial report
13 to the Department of Education not later than the 31st day of
14 December.

15 (d) The Department of Education shall order the forfeiture
16 penalties provided for under section 2552.1(a.1) against a
17 school district, charter school, cyber charter school or area
18 [vocational-technical] career and technical school for failure
19 to timely submit an annual financial report or revised annual
20 financial report.

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

22 (c) Definitions.--As used in this section, the following
23 words and phrases shall have the meanings given to them in this
24 subsection:

25 "Department." The Department of Education of the
26 Commonwealth.

27 "Local education agency." A school district, cyber charter
28 school, charter school, area [vocational-technical] career and
29 technical school or intermediate unit.

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

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

4 * * *

5 (iv) The following members, to be appointed by the State
6 Board in consultation with education associations representing
7 school districts, intermediate units, public school employes,
8 charter school entities and area [vocational-technical] career
9 and technical schools:

10 (A) Two school district business managers.

11 (B) Two intermediate unit business managers.

12 (C) Two charter school entity business managers.

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

15 (E) One representative from a school district board of
16 school directors.

17 (F) One representative from an intermediate unit board of
18 directors.

19 (G) One representative from a charter school entity board of
20 trustees.

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

23 (I) One member of a Statewide association representing
24 public school entity employes that has a membership on the
25 effective date of this section of greater than 140,000 public
26 school entity employes.

27 * * *

28 (f) For purposes of this section:

29 * * *

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

1 (i) An area [vocational-technical] career and technical
2 school.

3 * * *

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

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

8 "Department." The Department of Education of the
9 Commonwealth.

10 "School entity." A public school district, charter school,
11 cyber charter school or area [vocational-technical] career and
12 technical school.

13 Section 322. Eligibility; Incompatible Offices.--Any citizen
14 of this Commonwealth, having a good moral character, being
15 eighteen (18) years of age or upwards, and having been a
16 resident of the district for at least one (1) year prior to the
17 date of his election or appointment, shall be eligible to the
18 office of school director therein: Provided, That any person
19 holding any office or position of profit under the government of
20 any city of the first class, or the office of mayor, chief
21 burgess, county commissioner, district attorney, city, borough,
22 or township treasurer, member of council in any municipality,
23 township commissioner, township supervisor, tax collector,
24 assessor, assistant assessor, any comptroller, auditor,
25 constable, executive director or assistant executive director of
26 an intermediate unit, supervisor, principal, teacher, or employe
27 of any school district, shall not be eligible as a school
28 director in this Commonwealth. This section shall not prevent
29 any district superintendent, assistant district superintendent,
30 supervisor, teacher, or employe of any school district, from

1 being a school director in a district other than the one in
2 which he is so employed, and other than in a district with which
3 the district in which he is employed operates a joint school or
4 department. Provided, however, That a joint school or department
5 does not include a [vocational] career and technical school,
6 intermediate unit or community college: And provided further,
7 That a school director who is a supervisor, principal, teacher
8 or employe of a [vocational] career and technical school,
9 intermediate unit or community college shall not serve as a
10 member of a board of the [vocational] career and technical
11 school, intermediate unit or community college in which he is a
12 supervisor, principal, teacher or employe: And provided further,
13 That a school director who is a supervisor, principal, teacher
14 or employe of a [vocational] career and technical school,
15 intermediate unit or community college, shall not be assigned to
16 a position of employment under the supervision of the district
17 in which he or she serves as a member of the board of school
18 directors. A school director shall not be eligible to the office
19 of member of council in any municipality.

20 Section 5. Section 425(d) of the act, added June 22, 2018
21 (P.L.241, No.39), is amended to read:

22 Section 425. Executive Sessions.--* * *

23 (d) As used in this section, the following words and phrases
24 shall have the meanings given to them in this subsection:

25 "Executive session" shall have the meaning given to the term
26 under 65 Pa.C.S. § 703 (relating to definitions).

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

1 Section 6. Sections 502, 513(b.1)(1) and (6), 522 and 527 of
2 the act are amended to read:

3 Section 502. Additional Schools and Departments.--In
4 addition to the elementary public schools, the board of school
5 directors in any school district may establish, equip, furnish,
6 and maintain the following additional schools or departments for
7 the education and recreation of persons residing in said
8 district, and for the proper operation of its schools, namely:--

9 High schools,

10 Trade schools,

11 [Vocational] Career and technical schools,

12 [Technical schools,]

13 Cafeterias,

14 Agricultural schools,

15 Evening schools,

16 Kindergartens,

17 Libraries,

18 Museums,

19 Reading-rooms,

20 Gymnasiums,

21 Playgrounds,

22 Schools for physically and mentally handicapped,

23 Truant schools,

24 Parental schools,

25 Schools for adults,

26 Public lectures,

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

29 Said additional schools or departments, when established,
30 shall be an integral part of the public school system in such

1 school district and shall be so administered.

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

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

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

12 * * *

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

20 * * *

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

1 Any professional employe, while on leave as an exchange
2 teacher, shall be considered to be in regular full-time daily
3 attendance in the position from which the leave was granted,
4 during the period of said leave, for the purpose of determining
5 the employe's length of service, the right to receive increments
6 as provided by law, and the right to make contributions as a
7 member of the Public School Employees' Retirement Fund and
8 continue his or her membership therein, the right to service
9 credits toward the time necessary for a sabbatical leave for
10 health or a leave of absence for professional development, and
11 the right to accumulate days of leave on account of illness or
12 accidental injury.

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

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

29 Section 7. Section 528(d) of the act, added June 22, 2018
30 (P.L.241, No.39), is amended to read:

1 Section 528. Third-Party Services.--* * *

2 (d) 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 "Non-instructional services" shall mean services provided by
6 a school employee whose terms and conditions of employment are
7 governed by a collective bargaining agreement negotiated between
8 the school employer and the exclusive representative of the
9 employe and excluding services provided by a professional
10 employe, a substitute or a temporary professional employe as
11 those terms are defined under section 1101.

12 "School employer" shall mean a board of school directors, an
13 intermediate unit board of directors or an area [vocational-
14 technical] career and technical board of directors.

15 "Third party" shall mean a for-profit service provider,
16 including a business or corporation, that contracts with a
17 school employer to provide non-instructional services. The term
18 shall not include an individual.

19 Section 8. Section 613(f) of the act is amended to read:

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

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

30 Section 9. The definitions of "area vocational-technical

1 school," "market value/personal income aid ratio" and "public
2 school entity" in section 602-B of the act are amended to read:
3 Section 602-B. Definitions.

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

7 * * *

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

10 * * *

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

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

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

24 (3) For a cyber charter school, this amount shall be
25 calculated based on the sum of market value and personal
26 income wealth data for the school district in which the cyber
27 charter school's administrative offices are located.

28 * * *

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

30 (1) An area [vocational-technical] career and technical

1 school.

2 (2) A school district.

3 (3) A charter school entity.

4 * * *

5 Section 10. Sections 701.1 second paragraph, 772.1(c),
6 772.2(e), 776.1, 909-A, 914-A(16), 1089(f), 1101(1), 1113(d)(1),
7 1123(e), (i), (n) and (o)(2) and (8), 1141, 1142(a) and (b),
8 1142.1(d), 1144.1, 1145, 1146(4), 1164(a), 1166(a), 1176(a) and
9 1195(h) of the act are amended to read:

10 Section 701.1. Referendum or Public Hearing Required Prior
11 to Construction or Lease.--* * *

12 The applicable aggregate building expenditure standard shall
13 be a total amount calculated for each building or substantial
14 addition by multiplying the rated pupil capacity under the
15 approved room schedule by the following: two thousand eight
16 hundred dollars (\$2,800) for each pupil of rated elementary
17 capacity; four thousand two hundred dollars (\$4,200) for each
18 pupil of rated secondary capacity in grades seven, eight and
19 nine and five thousand two hundred dollars (\$5,200) for each
20 pupil of rated secondary capacity in grades ten, eleven and
21 twelve and five thousand two hundred dollars (\$5,200) for each
22 pupil of rated [vocational-technical] career and technical
23 capacity in grades ten, eleven and twelve to not include the
24 cost of equipment and fixtures in such [vocational-technical]
25 career and technical schools: Provided, however, That each of
26 the preceding per pupil amounts shall be adjusted by the
27 Department of Education on July 1, 1974; and annually thereafter
28 through July 1, 2003, by multiplying said amounts by the ratio
29 of the composite construction cost index compiled and published
30 by the United States Department of Commerce for the preceding

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

13 * * *

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

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

18 "Department." The Department of Agriculture of the
19 Commonwealth.

20 "Integrated pest management plan." A plan which establishes
21 a sustainable approach to managing pests by combining
22 biological, cultural, physical and chemical tools in a way which
23 minimizes economic, health and environmental risks.

24 "Pest." An insect, rodent, nematode, fungus, weed or other
25 form of terrestrial or aquatic plant or animal life or virus,
26 bacteria or other microorganism, except viruses, bacteria or
27 other microorganisms on or in living man or other living
28 animals, declared to be a pest under section 25(c)(1) of the
29 Federal Insecticide, Fungicide, and Rodenticide Act (61 Stat.
30 163, 7 U.S.C. § 136w).

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

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

8 Section 772.2. Notification of Pesticide Treatments at
9 Schools.--* * *

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

13 "Applicator." A certified applicator, commercial applicator
14 or public applicator.

15 "Certified applicator." An individual who is certified under
16 section 16.1, 17 or 17.1 of the act of March 1, 1974 (P.L.90,
17 No.24), known as the "Pennsylvania Pesticide Control Act of
18 1973," as competent to use or supervise the use or application
19 of any pesticide.

20 "Commercial applicator." A certified applicator, whether or
21 not he is a private applicator with respect to some uses, who
22 uses or supervises the use of any pesticide on the property or
23 premises of another or on easements granted under State law, or
24 any applicator who uses or supervises the use of any restricted-
25 use pesticide on property owned or rented by him or his
26 employer, when not for purposes of producing an agricultural
27 product. The secretary may by regulation deem certain types of
28 applicators using any pesticide on their own property or that of
29 their employer as commercial applicators.

30 "Department." The Department of Agriculture of the

1 Commonwealth.

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

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

15 "Person." An individual, partnership, association,
16 corporation or any organized group of persons, whether
17 incorporated or not.

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

25 "Pest control information sheet." A document which contains
26 the date of treatment, the name, address and telephone number of
27 the applicator, the pesticide utilized and any other information
28 that is required by the Secretary of Agriculture.

29 "Pesticide." A substance or mixture of substances intended
30 for preventing, destroying, repelling or mitigating a pest and a

1 substance or mixture of substances intended for use as a plant
2 regulator, defoliant or desiccant.

3 "Pesticide application technician." An individual employed
4 by a commercial applicator or governmental agency who, having
5 met the competency requirements as set forth in the act of March
6 1, 1974 (P.L.90, No.24), known as the "Pennsylvania Pesticide
7 Control Act of 1973," is registered by the Secretary of
8 Agriculture to apply pesticides under the direct supervision of
9 a certified applicator.

10 "Public applicator." A certified applicator who applies
11 pesticides as an employe of the Commonwealth or its
12 instrumentalities or a local agency.

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

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

28 Section 909-A. [Vocational-Technical] Career and Technical
29 Education.--All powers and duties of county boards of school
30 directors with respect to vocational-technical education are

1 hereby transferred to intermediate unit boards of directors,
2 effective July 1, 1971; and all Commonwealth payments
3 theretofore paid to county boards of school directors on account
4 of vocational-technical education shall thereafter be paid to
5 intermediate unit boards of directors for career and technical
6 education.

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

10 * * *

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

20 * * *

21 Section 1089. Business Administrator.--* * *

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

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

28 (1) The term "professional employe" shall include those who
29 are certificated as teachers, supervisors, supervising
30 principals, principals, assistant principals, vice-principals,

1 directors of [vocational] career and technical education, dental
2 hygienists, visiting teachers, home and school visitors, school
3 counselors, child nutrition program specialists, school
4 librarians, school secretaries the selection of whom is on the
5 basis of merit as determined by eligibility lists and school
6 nurses.

7 * * *

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

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

13 * * *

14 Section 1123. Rating System.--* * *

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

24 * * *

25 (i) All school districts, intermediate units and area
26 [vocational-technical] career and technical schools shall
27 provide to the department the aggregate results of all
28 professional employe and temporary professional employe,
29 principal and nonteaching professional employe evaluations.

30 * * *

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

4 (o) For purposes of this section:

5 * * *

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

11 * * *

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

15 * * *

16 Section 1141. Definitions.--For the purposes of this
17 subdivision.--

18 (1) "Teacher" shall include all professional employes and
19 temporary professional employes, who devote fifty per centum
20 (50%) of their time, or more, to teaching or other direct
21 educational activities, such as classroom teachers,
22 demonstration teachers, museum teachers, counsellors,
23 librarians, school nurses, dental hygienists, home and school
24 visitors, and other similar professional employes and temporary
25 professional employes, certificated in accordance with the
26 qualifications established by the State Board of Education.

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

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

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

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

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

18 Section 1142. Minimum Salaries and Increments.--(a) Except
19 as hereinafter otherwise provided, all school districts and
20 [vocational] career and technical school districts shall pay all
21 regular and temporary teachers, supervisors, directors and
22 coordinators of [vocational] career and technical education,
23 psychologists, teachers of classes for exceptional children,
24 supervising principals, [vocational] career and technical
25 teachers, and principals in the public schools of the district
26 the minimum salaries and increments for the school year 1968-
27 1969 and each school year thereafter, as provided in the
28 following tabulation in accordance with the column in which the
29 professional employe is grouped and the step which the
30 professional employe has attained by years of experience within

1 the school district each step after step 1 constituting one year
2 of service. When a school district, by agreement, places a
3 professional employe on a step in the salary scale, each step
4 thereafter shall constitute one year of service. When a district
5 adopts a salary scale in excess of the mandated scale, it shall
6 not be deemed to have altered or increased the step which the
7 employe has gained through years of service.

8 (b) Professional employes shall be grouped in the following
9 columns:

10 Class A. Teachers holding a standard certificate valid for
11 the subject or grades in which the teacher is giving
12 instruction.

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

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

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

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

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

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

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

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

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

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

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

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

22 Class N. Supervising principals, having eighty (80) or more
23 but less than one hundred (100) teachers under their
24 supervision, and who hold a standard certificate, or college
25 certificate.

26 Class O. Supervising principals, having one hundred (100) or
27 more teachers under their supervision, and who hold a standard
28 certificate or college certificate.

29 Class P. [Vocational] Career and technical teachers, holding
30 a standard or college certificate valid for the subjects or

1 grades in which the teacher is giving instruction, and who is
2 employed for the entire calendar year because of seasonal
3 activities.

4 * * *

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

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

8 "Board of school directors" shall mean board of school
9 directors, intermediate unit board of directors and area
10 [vocational-technical] career and technical board.

11 "School district" shall mean school district, intermediate
12 unit and area [vocational-technical] career and technical
13 school.

14 "Teacher" shall mean classroom teachers and all others
15 included within the definition of "teacher" in section 1141,
16 including speech correctionists and instructional department
17 chairmen employed by a school district.

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

23 Teachers of applied arts and [vocational] career and
24 technical subjects who hold a standard certificate and have
25 earned an additional thirty (30) semester hours of credit in
26 professional education in the teaching field in which said
27 teacher is engaged or related thereto shall be entitled to the
28 same minimum salary and increments as teachers holding a
29 Master's Degree.

30 Section 1145. Minimum Salaries for Teachers With Emergency

1 Certificates.--In all school districts [and vocational school
2 districts], the minimum annual salary of teachers, who hold only
3 emergency certificates for any grade or subject which they
4 teach, shall be one thousand six hundred dollars (\$1600).

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

8 * * *

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

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

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

21 * * *

22 Section 1164. Compensation Plans for School

23 Administrators.--(a) As used in this section, the following
24 words will have the following meanings:

25 "Administrative compensation" shall mean administrator
26 salaries and fringe benefits and shall include any board
27 decision that directly affects administrator compensation such
28 as administrative evaluation and early retirement programs.

29 "School administrator" shall mean any employe of the school
30 entity below the rank of district superintendent, executive

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

11 "School employer" shall mean a board of school directors, the
12 area [vocational-technical] career and technical school board of
13 directors or the intermediate unit board of school directors as
14 defined in this act.

15 * * *

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

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

28 * * *

29 Section 1176. Leave of Absence.--

30 (a) Any employe of any school district, who shall have been

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

10 * * *

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

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

16 * * *

17 Section 11. The definition of "school entity" in section
18 1101-A of the act is amended to read:

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

21 * * *

22 "School entity" shall mean a public school district,
23 intermediate unit or area [vocational-technical] career and
24 technical school.

25 * * *

26 Section 12. The definition of "public school" in section
27 1101-B of the act is amended to read:

28 Section 1101-B. Definitions.

29 The following words and phrases when used in this article
30 shall have the meanings given to them in this section unless the

1 context clearly indicates otherwise:

2 * * *

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

6 Section 13. Sections 1105-B(c) (1) (i), 1201.1(a) introductory
7 paragraph, (2), (5) and (7) and 1204.1(a) of the act are amended
8 to read:

9 Section 1105-B. Repayment.

10 * * *

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

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

16 (i) administrative action on the part of the school
17 district or area [vocational-technical] career and
18 technical school for other than causes enumerated in
19 section 1122;

20 * * *

21 Section 1201.1. Substitute Teaching Permit for Prospective
22 Teachers.--(a) An individual who does not hold a certificate
23 under section 1201 shall be eligible to teach as a substitute in
24 a school district, an area [vocational-technical] career and
25 technical school or an intermediate unit provided that:

26 * * *

27 (2) The chief school administrator of a school district, an
28 area [vocational-technical] career and technical school or an
29 intermediate unit may issue a Substitute Teaching Permit for
30 Prospective Teachers to an uncertified individual meeting the

1 requirements of clause (1) who provides verification of the
2 individual's enrollment status under paragraph (1)(i) and
3 completed hours under paragraph (1)(ii).

4 * * *

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

8 * * *

9 (7) The Department of Education shall provide an annual
10 report on the use of the permits under this section to the
11 chairperson and minority chairperson of the Education Committee
12 of the Senate and the chairperson and minority chairperson of
13 the Education Committee of the House of Representatives. To
14 complete the report, the department shall annually survey school
15 districts, [vocational-technical] career and technical schools
16 and intermediate units.

17 * * *

18 Section 1204.1. Standard Employment Application.--(a) The
19 Secretary of Education, in consultation with organizations
20 representing school administrators, including personnel
21 administrators, teachers and school boards, shall develop a
22 standard employment application form for use by individuals
23 eligible for or in possession of instructional, [vocational]
24 career and technical instructional, intern or [vocational]
25 career and technical intern teaching certificates in making
26 application for employment with school districts within this
27 Commonwealth.

28 * * *

29 Section 14. Section 1204.2 of the act, amended June 22, 2018
30 (P.L.241, No.39), is amended to read:

1 Section 1204.2. [Vocational] Career and Technical
2 Instructional Certificate.--(a) The Secretary of Education may
3 grant a certificate under this section to every person who
4 presents to the Department of Education satisfactory evidence of
5 good moral character and who has completed such work in
6 [vocational] career and technical education as may be required
7 by the standards of the State Board of Education.

8 (b) In addition to other requirements promulgated by the
9 State Board of Education, the State Board of Education shall
10 require an applicant to present evidence of at least four (4)
11 years of wage-earning experience in the occupation to be taught
12 in order for the Secretary of Education to grant the applicant a
13 [Vocational] Career and Technical Intern Certificate under 22
14 Pa. Code § 49.151 (relating to eligibility and criteria).

15 (c) Notwithstanding any other requirement promulgated by the
16 State Board of Education, the State Board of Education shall not
17 require an applicant to have completed more than eighteen (18)
18 credit hours in an approved program of [vocational] career and
19 technical teacher education in order for the Secretary of
20 Education to grant the applicant a [Vocational] Career and
21 Technical Instructional I Certificate under 22 Pa. Code § 49.142
22 (relating to Vocational Instructional I), which certificate
23 shall entitle the individual to teach for eight (8) annual
24 school terms.

25 (d) Notwithstanding any other requirement promulgated by the
26 State Board of Education, the State Board of Education shall not
27 require an applicant to have completed more than sixty (60)
28 total credit hours in an approved program of [vocational] career
29 and technical teacher education in order for the Secretary of
30 Education to grant the applicant a [Vocational] Career and

1 Technical Instructional II Certificate under 22 Pa. Code §
2 49.143 (relating to Vocational Instructional II). Credit hours
3 in an approved program of [vocational] career and technical
4 teacher education completed by the applicant toward the
5 fulfillment of the requirements for a [Vocational] Career and
6 Technical Instructional I Certificate shall be counted toward
7 the total credit hours required for a [Vocational] Career and
8 Technical Instructional II Certificate.

9 (e) The Department of Education shall form a professional
10 advisory committee for the purposes of reviewing [vocational]
11 career and technical instructional certification program
12 guidelines every five (5) years to ensure that the requirements
13 for program design and delivery pertain to the professional
14 responsibilities of a [vocational] career and technical
15 educator. The professional advisory committee shall, at a
16 minimum, include representatives whose primary responsibility is
17 teaching occupational skills in State-approved [vocational]
18 career and technical education programs.

19 Section 15. Sections 1205.1(f)(2), 1205.2(n.1)(2) and (o),
20 1205.4(d), 1205.5(g) and (h)(2), 1205.6(b), 1207.1(d)(1)
21 introductory paragraph, 1217(a)(2)(i) and (c) and 1317.2(a),
22 (b), (c), (e) and (f) introductory paragraph of the act are
23 amended to read:

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

25 (f) * * *

26 (2) Notwithstanding this subsection, the provisions of
27 sections 1003(a)(3) and (c) and 1207.1(d)(1)(iv) requiring that
28 candidates for appointment as a district superintendent or
29 assistant district superintendent and candidates for
30 administrative and [vocational] career and technical director

1 certificates complete a leadership development program that
2 meets the Pennsylvania school leadership standards under section
3 1217 shall not be suspended.

4 Section 1205.2. Program of Continuing Professional
5 Education.--* * *

6 (n.1) * * *

7 (2) Notwithstanding this subsection, the provisions of
8 sections 1003(a)(3) and (c) and 1207.1(d)(1)(iv) requiring that
9 candidates for appointment as a district superintendent or
10 assistant district superintendent and candidates for
11 administrative and [vocational] career and technical director
12 certificates complete a leadership development program that
13 meets the Pennsylvania school leadership standards under section
14 1217 shall not be suspended.

15 * * *

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

19 "Approved provider" is an institution of higher education,
20 school entity, individual, corporation, partnership, limited
21 liability company or association approved by the department to
22 provide continuing professional education credits or hours under
23 this section. Provided, a school entity may approve a provider
24 of continuing professional education credits or hours in
25 accordance with department guidelines.

26 "Area of a professional educator's assignment or
27 certification" shall mean any component of the education
28 profession as it relates to the current job title or description
29 of the professional educator or to any area of certification
30 listed on the professional employe's Pennsylvania certification

1 or to the type of certificate or endorsement held by the
2 professional educator.

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

6 "Compliance period" shall mean the period of time in which a
7 professional educator must satisfactorily complete continuing
8 professional education as required under subsection (a) and
9 which concludes every five years beginning:

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

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

15 "Continuing professional education courses" shall mean
16 courses for credit, other than collegiate studies, conducted by
17 providers approved by the department.

18 "Professional educator" shall mean an individual who holds a
19 Pennsylvania teacher, educational specialist or administrative
20 certification or letter of eligibility.

21 "School entity" shall mean a school district, an intermediate
22 unit, a joint school district, an area [vocational-technical]
23 career and technical school, a charter school[, the Scotland
24 School for Veterans' Children] and the Scranton School for the
25 Deaf or any of these acting jointly.

26 Section 1205.4. CPR Instruction.--* * *

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

30 Section 1205.5. Continuing Professional Education for School

1 or System Leaders.--* * *

2 (g) For the purpose of this section, the term "school or
3 system leader" shall mean an individual who serves on a
4 certificate as a principal, vice principal, assistant principal,
5 superintendent, assistant superintendent, intermediate unit
6 executive director, assistant intermediate unit executive
7 director or director of an area [vocational-technical] career
8 and technical school.

9 (h) * * *

10 (2) Notwithstanding this subsection, the provisions of
11 sections 1003(a)(3) and (c) and 1207.1(d)(1)(iv) requiring that
12 candidates for appointment as a district superintendent or
13 assistant district superintendent and candidates for
14 administrative and [vocational] career and technical director
15 certificates complete a leadership development program that
16 meets the Pennsylvania school leadership standards under section
17 1217 shall not be suspended.

18 Section 1205.6. Child Abuse Recognition and Reporting
19 Training.--* * *

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

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

27 "Direct contact with children." The possibility of care,
28 supervision, guidance or control of children or routine
29 interaction with children.

30 "School entity." A public school, charter school, cyber

1 charter school, private school, nonpublic school, intermediate
2 unit or area [vocational-technical] career and technical school.

3 "Sexual misconduct." Any act, including, but not limited to,
4 any verbal, nonverbal, written or electronic communication or
5 physical activity, directed toward or with a child or student
6 that is designed to establish a romantic or sexual relationship
7 with the child or student. Such acts include, but are not
8 limited to:

9 (1) Sexual or romantic invitation.

10 (2) Dating or soliciting dates.

11 (3) Engaging in sexualized or romantic dialog.

12 (4) Making sexually suggestive comments.

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

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

17 Section 1207.1. Postbaccalaureate Certification.--* * *

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

22 * * *

23 Section 1217. Pennsylvania School Leadership Standards.--(a)
24 Programs provided under section 1205.5(c) and (d) to prepare
25 school or system leaders and for purposes of issuing
26 administrator certificates or letters of eligibility and
27 approved programs for the induction and continuing professional
28 education of school or system leaders shall address:

29 * * *

30 (2) The following corollary standards:

1 (i) Creating a culture of teaching and learning with an
2 emphasis on learning, including teaching and learning in
3 manufacturing and [vocational] career and technical fields.

4 * * *

5 (c) For the purpose of this section, the term "school or
6 system leader" shall mean an individual who serves on a
7 certificate as a principal, vice principal, assistant principal,
8 superintendent, assistant superintendent, intermediate unit
9 executive director, assistant intermediate unit executive
10 director or director of an area [vocational-technical] career
11 and technical school.

12 Section 1317.2. Possession of Weapons Prohibited.--(a)
13 Except as otherwise provided in this section, a school district
14 or area [vocational-technical] career and technical school shall
15 expel, for a period of not less than one year, any student who
16 is determined to have brought onto or is in possession of a
17 weapon on any school property, any school-sponsored activity or
18 any public conveyance providing transportation to a school or
19 school-sponsored activity.

20 (b) Every school district and area [vocational-technical]
21 career and technical school shall develop a written policy
22 regarding expulsions for possession of a weapon as required
23 under this section. Expulsions shall be conducted pursuant to
24 all applicable regulations.

25 (c) The superintendent of a school district or an
26 administrative director of an area [vocational-technical] career
27 and technical school may recommend modifications of such
28 expulsion requirements for a student on a case-by-case basis.
29 The superintendent or other chief administrative officer of a
30 school entity shall, in the case of an exceptional student, take

1 all steps necessary to comply with the Individuals with
2 Disabilities Education Act (Public Law 91-230, 20 U.S.C. § 1400
3 et seq.).

4 * * *

5 (e) Nothing in this section shall be construed as limiting
6 the authority or duty of a school or area [vocational-technical]
7 career and technical school to make an alternative assignment or
8 provide alternative educational services during the period of
9 expulsion.

10 * * *

11 (f) All school districts and area [vocational-technical]
12 career and technical schools shall report all incidents
13 involving possession of a weapon prohibited by this section as
14 follows:

15 * * *

16 Section 16. The definition of "educational entity" in
17 section 1326 of the act, amended June 22, 2018 (P.L.241, No.39),
18 is amended to read:

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

21 * * *

22 "Educational entity" shall mean a public school district,
23 charter school, regional charter school, cyber charter school or
24 area [vocational-technical] career and technical school.

25 * * *

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

28 Section 1327. Compulsory School Attendance.--(a) Except as
29 hereinafter provided, every child of compulsory school age
30 having a legal residence in this Commonwealth, as provided in

1 this article, and every migratory child of compulsory school
2 age, is required to attend a day school in which the subjects
3 and activities prescribed by the standards of the State Board of
4 Education are taught in the English language. In lieu of such
5 school attendance, any child fifteen years of age with the
6 approval of the district superintendent and the approval of the
7 Secretary of Education, and any child sixteen years of age with
8 the approval of the district superintendent of schools, may
9 enroll as a day student in a private trade school or in a
10 private business school licensed by the Department of Education,
11 or in a trade or business school, or department operated by a
12 local school district or districts. Such modified program
13 offered in a public school must meet the standards prescribed by
14 the State Board of Education or the State Board [for Vocational]
15 of Career and Technical Education. Except as hereinafter
16 provided, every parent, guardian, or other person having control
17 or charge of any child or children of compulsory school age is
18 required to send such child or children to a day school in which
19 the subjects and activities prescribed by the standards of the
20 State Board of Education are taught in the English language.
21 Such parent, guardian, or other person having control or charge
22 of any child or children, fifteen or sixteen years of age, in
23 accordance with the provisions of this act, may send such child
24 or children to a private trade school or private business school
25 licensed by the Department of Education, or to a trade or
26 business school, or department operated by a local school
27 district or districts. Such modified program offered in a public
28 school must meet the standards prescribed by the State Board of
29 Education or the State Board [for Vocational] of Career and
30 Technical Education. Such child or children shall attend such

1 school continuously through the entire term, during which the
2 public schools in their respective districts shall be in
3 session, or in cases of children of migrant laborers during the
4 time the schools are in session in the districts in which such
5 children are temporarily domiciled. The financial responsibility
6 for the education of such children of migrant laborers shall
7 remain with the school district in which such children of
8 migrant laborers are temporarily domiciled; except in the case
9 of special schools or classes conducted by an intermediate unit
10 and approved by the Department of Education or conducted by the
11 Department of Education. The certificate of any principal or
12 teacher of a private school, or of any institution for the
13 education of children, in which the subjects and activities
14 prescribed by the standards of the State Board of Education are
15 taught in the English language, setting forth that the work of
16 said school is in compliance with the provisions of this act,
17 shall be sufficient and satisfactory evidence thereof. Regular
18 daily instruction in the English language, for the time herein
19 required, by a properly qualified private tutor, shall be
20 considered as complying with the provisions of this section. For
21 the purposes of this section, "properly qualified private tutor"
22 shall mean a person who is certified by the Commonwealth of
23 Pennsylvania to teach in the public schools of Pennsylvania; who
24 is teaching one or more children who are members of a single
25 family; who provides the majority of the instruction to such
26 child or children; and who is receiving a fee or other
27 consideration for such instructional services. No person who
28 would be disqualified from school employment by the provisions
29 of subsection (e) of section 111 may be a private tutor, as
30 provided for in this section. The private tutor must file a copy

1 of his Pennsylvania certification and the required criminal
2 history record with the student's district of residence
3 superintendent.

4 * * *

5 Section 1361. When Provided.--(1) The board of school
6 directors in any school district may, out of the funds of the
7 district, provide for the free transportation of any resident
8 pupil to and from the kindergarten, elementary school, or
9 secondary school in which he is lawfully enrolled, provided that
10 such school is not operated for profit and is located within the
11 district boundaries or outside the district boundaries at a
12 distance not exceeding ten miles by the nearest public highway,
13 except that such ten-mile limit shall not apply to area
14 [vocational technical] career and technical schools which
15 regularly serve eligible district pupils or to special schools
16 and classes approved by the Department of Education, and to and
17 from any points within or without the Commonwealth in order to
18 provide field trips for any purpose connected with the
19 educational pursuits of the pupils. When provision is made by a
20 board of school directors for the transportation of public
21 school pupils to and from such schools or to and from any points
22 within or without the Commonwealth in order to provide field
23 trips as herein provided, the board of school directors shall
24 also make identical provision for the free transportation of
25 pupils who regularly attend nonpublic kindergarten, elementary
26 and high schools not operated for profit to and from such
27 schools or to and from any points within or without the
28 Commonwealth in order to provide field trips as herein provided.
29 Such transportation of pupils attending nonpublic schools shall
30 be provided during regular school hours on such dates and

1 periods that the nonpublic school not operated for profit is in
2 regular session, according to the school calendar officially
3 adopted by the directors of the same in accordance with
4 provisions of law. The board of school directors shall provide
5 such transportation whenever so required by any of the
6 provisions of this act or of any other act of Assembly.

7 * * *

8 Section 1381. Higher Education for Blind or Deaf Students.--
9 The Department of [Public Instruction] Education is authorized
10 to make provision for defraying the necessary expense of any
11 students who are blind or deaf and are regularly enrolled
12 students pursuing any course of study, profession, art, or
13 science in any university, college, conservatory of music,
14 normal, professional, or [vocational] career and technical
15 school approved by the Department of [Public Instruction]
16 Education, and who are residents of [the] this Commonwealth.
17 Before any contract is entered into, the Department of [Public
18 Instruction] Education shall make a careful investigation of all
19 circumstances surrounding the case. If, after such
20 investigation, it appears that any [blind or deaf] student who
21 is deaf or blind who desires to attend any such school or
22 institution, or who is attending such school or institution,
23 seems to be fitted for special work, the Department of [Public
24 Instruction] Education is authorized to expend the necessary
25 amount, out of the general sum appropriated for this purpose,
26 not to exceed five hundred dollars (\$500) per year for each such
27 [blind or deaf] student who is deaf or blind.

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

1 Section 1301-A. Definitions.--As used in this article,
2 "Chief school administrator" shall mean the superintendent of
3 a public school district, superintendent of an area [vocational-
4 technical] career and technical school, executive director of an
5 intermediate unit or chief executive officer of a charter
6 school.

7 * * *

8 "School entity" shall mean any public school district,
9 intermediate unit, area [vocational-technical] career and
10 technical school or charter school.

11 * * *

12 Section 19. Sections 1414.1(d), 1414.2(j), 1414.3(e),
13 1414.4(d), 1414.5(d), 1423(1), 1424(c) and 1505(e) of the act
14 are amended to read:

15 Section 1414.1. Possession and Use of Asthma Inhalers and
16 Epinephrine Auto-Injectors.--* * *

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

20 * * *

21 Section 1414.2. School Access to Emergency Epinephrine.--* *
22 *

23 (j) As used in this section, "school entity" means a school
24 district, intermediate unit, charter school, cyber charter
25 school, regional charter school or area [vocational-technical]
26 career and technical school.

27 Section 1414.3. Education of School Employes in Diabetes
28 Care and Management.--* * *

29 (e) For purposes of this section, "school entity" means a
30 school district, intermediate unit, area [vocational-technical]

1 career and technical school, charter school or cyber charter
2 school.

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

4 (d) For purposes of this section:

5 "School bus" means a school bus as defined in 75 Pa.C.S. §
6 102 (relating to definitions).

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

10 "School vehicle" means a school vehicle as defined in 75
11 Pa.C.S. § 102.

12 Section 1414.5. Possession and Use of Diabetes Medication
13 and Monitoring Equipment.--* * *

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

16 "School entity" means a school district, intermediate unit,
17 area [vocational-technical] career and technical school, charter
18 school or cyber charter school.

19 "Diabetes medication" means glucagon and insulin.

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

21 (1) As used in this section--

22 "Automatic external defibrillator" means a portable device
23 that uses electric shock to restore a stable heart rhythm to an
24 individual in cardiac arrest.

25 "Department" means the Department of Education of the
26 Commonwealth.

27 "Nonpublic school" means a nonprofit school, other than a
28 public school within this Commonwealth, wherein a resident of
29 this Commonwealth may legally fulfill the compulsory school
30 attendance requirements of this act and which meets the

1 applicable requirements of Title VI of the Civil Rights Act of
2 1964 (Public Law 88-352, 78 Stat. 241).

3 "School building" means a building owned by or under the
4 control of a school entity or nonpublic school where classes are
5 taught or extracurricular activities are conducted on a regular
6 basis.

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

10 "Secretary" means the Secretary of Education of the
11 Commonwealth.

12 Section 1424. Cardiopulmonary Resuscitation.--* * *

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

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

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

21 "Charter school entity" shall mean a charter school, regional
22 charter school or cyber charter school.

23 "Department" shall mean the Department of Education of the
24 Commonwealth.

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

28 Section 20. Section 1517(f) of the act, amended November 6,
29 2017 (P.L.1142, No.55), is amended to read:

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

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

3 "Chief school administrator" shall mean the superintendent of
4 a school district, superintendent of an area [~~vocational-~~
5 ~~technical~~] career and technical school, executive director of an
6 intermediate unit or chief executive officer of a charter school
7 or regional charter school.

8 "School entity" shall mean an area [~~vocational-technical~~]
9 career and technical school, school district, intermediate unit,
10 charter school or regional charter school.

11 "School security drill" shall mean a planned exercise, other
12 than a fire drill or natural disaster drill, designed to
13 practice procedures to respond to an emergency situation that
14 may include, but is not limited to, an act of terrorism, armed
15 intruder situation or other violent threat.

16 Section 21. Sections 1526(d) and 1527(c) of the act are
17 amended to read:

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

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

22 "Department." The Department of Education of the
23 Commonwealth.

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

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

30 "School entity." A school district, joint school district,

1 charter school, regional charter school, cyber charter school,
2 intermediate unit or area [~~vocational-technical~~] career and
3 technical school.

4 "Secretary." The Secretary of Education of the Commonwealth.
5 Section 1527. Child Exploitation Awareness Education.--* * *

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

9 "Department." The Department of Education of the
10 Commonwealth.

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

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

17 "School entity." A school district, joint school district,
18 charter school, regional charter school, cyber charter school,
19 intermediate unit or area [~~vocational-technical~~] career and
20 technical school.

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

22 Section 22. Sections 1549(e) and 1549.1(f)(3)(v) and (p) of
23 the act, amended or added November 6, 2017 (P.L.1142, No.55),
24 are amended to read:

25 Section 1549. Agricultural Education.--* * *

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

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

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

3 "Secretary." The Secretary of Education of the Commonwealth.
4 Section 1549.1. Commission for Agricultural Education
5 Excellence.--* * *

6 (f) The commission shall consist of the following members:
7 * * *

8 (3) The following members jointly appointed by the Secretary
9 of Education and the Secretary of Agriculture from lists
10 submitted by the President pro tempore of the Senate and the
11 Speaker of the House of Representatives, in consultation with
12 the Majority Leader and Minority Leader of the Senate and the
13 Majority Leader and Minority Leader of the House of
14 Representatives:

15 * * *

16 (v) Two teachers of [vocational] career and technical
17 agriculture, one from a career and technical center and one from
18 a school district.

19 * * *

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

23 "Commission." The Commission for Agricultural Education
24 Excellence established under this section.

25 "Farmer." A person who engages in activities, practices and
26 procedures to produce and prepare for market poultry, livestock
27 and their products or who engages in the production and
28 harvesting of agricultural, agronomic, horticultural,
29 silvicultural and aquacultural crops and commodities and whose
30 operation is conducted on not less than ten contiguous acres in

1 area or, if less than ten contiguous acres in area, has an
2 anticipated yearly gross income of at least ten thousand dollars
3 (\$10,000).

4 "FFA." A career and technical student organization that
5 encourages leadership, personal growth and career success
6 through agricultural education.

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

9 Section 23. Sections 1551(f), 1554(g) and 1503-A(a) and (c)
10 (2) and (4) of the act are amended to read:

11 Section 1551. Economic Education and Personal Financial
12 Literacy Programs.--* * *

13 (f) The following words and phrases when used in this
14 section shall have the meanings given to them in this
15 subsection:

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

18 "Personal financial literacy." The integration of various
19 factors relating to personal financial management, including
20 understanding financial institutions, using money, learning to
21 manage personal assets and liabilities, creating budgets and any
22 other factors that may assist an individual in this Commonwealth
23 to be financially responsible.

24 "School entity." A public school district, charter school,
25 cyber charter school, intermediate unit or area [vocational-
26 technical] career and technical school.

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

28 Section 1554. Holocaust, Genocide and Human Rights
29 Violations Instruction.--* * *

30 (g) For purposes of this section, the term "school entity"

1 shall mean a school district, charter school, regional charter
2 school, cyber charter school, intermediate unit or area
3 [~~vocational-technical~~] career and technical school.

4 Section 1503-A. Basic Education Grants.--(a) Grants shall
5 be allocated to school districts and to area [~~vocational-~~
6 ~~technical~~] career and technical schools by the department from
7 funds appropriated for this purpose. A nonpublic school, an
8 intermediate unit or local library may participate in the grant
9 process through a partnership with a school district.

10 * * *

11 (c) * * *

12 (2) School districts, charter schools, area [~~vocational-~~
13 ~~technical~~] career and technical schools and intermediate units
14 are eligible to apply for grants as prescribed by the
15 department. Maximum grant awards will be established by the
16 department based on a formula that considers the market
17 value/income aid ratio and average daily membership. The
18 department may establish matching requirements for grant
19 recipients.

20 * * *

21 (4) An applicant may collaborate or form a partnership with
22 one or more of the following: a political subdivision, a school
23 district, an area [~~vocational-technical~~] career and technical
24 school, an intermediate unit, a nonpublic school, a local
25 library, an independent institution of higher education, a
26 State-owned institution, a State-related institution, a
27 community education council or any other entity approved by the
28 Department of Education.

29 Section 24. The definition of "school entity" in section
30 1501-C of the act is amended to read:

1 Section 1501-C. Definitions.

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

5 * * *

6 "School entity." Shall mean:

7 (1) For purposes of the Educational Support Services
8 Program, any of the following located in this Commonwealth: a
9 school district, intermediate unit, joint school district,
10 area [vocational-technical] career and technical school,
11 charter school, independent school, licensed private academic
12 school, accredited school, a school registered under section
13 1327(b) [, the Scotland School for Veterans' Children] or the
14 Scranton School for the Deaf.

15 (2) For purposes of the Educational Assistance Program
16 established in section 1502-C, any of the following located
17 in this Commonwealth: a school district, joint school
18 district, area [vocational-technical] career and technical
19 school or independent school.

20 Section 25. The definition of "school entity" in section
21 1502-I of the act is amended to read:

22 Section 1502-I. Definitions.

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

26 * * *

27 "School entity." Any of the following:

28 (1) A school district.

29 (2) An intermediate unit.

30 (3) An area [vocational-technical] career and technical

1 school.

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

4 * * *

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

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

8 (c) * * *

9 (2) As used in this subsection, "public high school" shall
10 mean a public school, including a school within a school
11 district, a charter school, a cyber charter school, a regional
12 charter school or an area [vocational-technical] career and
13 technical school, that offers twelfth grade.

14 Section 1607. Attendance in Other Districts.--(a) Except as
15 set forth in subsection (b), pupils residing in a school
16 district in which no public high school is maintained may
17 attend, during the entire term, at the expense of the school
18 district of which they are residents, the nearest or most
19 conveniently located high school of such class as they may
20 desire to attend, unless the board of school directors of the
21 district of residence shall have assigned the pupils to a high
22 school and adequate transportation is provided thereto. Pupils
23 who reside in a school district in which no public high school,
24 other than a [vocational] career and technical high school is
25 maintained, may attend, during the entire term, the nearest or
26 most conveniently located academic high school. In any district
27 which maintains a high school whose program of studies
28 terminates before the end of the twelfth year, pupils who have
29 satisfactorily completed the program of studies there available
30 in other than [vocational] career and technical schools or

1 departments, or have completed a program of studies equivalent
2 to said program of studies in some other school or schools, may
3 attend, at the expense of the school district in which they
4 live, and for the purpose of pursuing academic studies of a
5 higher grade, the nearest or most conveniently located high
6 school of such type as they may desire to attend giving further
7 high school work.

8 * * *

9 Section 1614. Participation By Students With Disabilities in
10 High School Graduation Ceremonies.--(a) For the 2005-2006
11 school year and each school year thereafter, a board of school
12 directors of a school district, an area [vocational-technical]
13 career and technical school or a charter school shall allow a
14 student with a disability, whose individualized education
15 program as established pursuant to 22 Pa. Code § 14.131
16 (relating to IEP) prescribes continued special education
17 programs beyond the fourth year of high school, to participate
18 in commencement ceremonies with the student's graduating class
19 and receive a certificate of attendance, provided that the
20 student has attended four years of high school regardless of
21 whether the student has completed the individualized education
22 program.

23 * * *

24 Section 27. The definitions of "concurrent student" and
25 "school entity" in section 1602-B of the act are amended to
26 read:

27 Section 1602-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:

1 * * *

2 "Concurrent student." A student who is enrolled in a school
3 district, a charter school, an area [vocational-technical]
4 career and technical school, a nonpublic school, a private
5 school or a home education program under section 1327.1 and who
6 takes a concurrent course through a concurrent enrollment
7 program.

8 * * *

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

11 * * *

12 Section 28. Sections 1603-B(c) (1), 1614-B(b) and 1615-B(a)
13 of the act are amended to read:

14 Section 1603-B. Responsibilities of department and State Board
15 of Education.

16 * * *

17 (c) Grants.--

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

23 (i) Determine the total approved cost for all
24 concurrent students who are residents of the school
25 district or enrolled in the area [vocational-technical]
26 career and technical school.

27 (ii) Multiply the amount from subparagraph (i) by
28 the sum of 0.425 and the market value/income aid ratio of
29 the school entity, provided that where a concurrent
30 student is enrolled in an area [vocational-technical]

1 career and technical school, the market value/income aid
2 ratio shall be the average of the market value/income aid
3 ratios of the concurrent students' school districts of
4 residence.

5 * * *

6 Section 1614-B. Enrollment in concurrent courses.

7 * * *

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

23 Section 1615-B. Credit for concurrent courses.

24 (a) Award.--A school district, charter school, area
25 [vocational-technical] career and technical school, nonpublic
26 school, private school or home education program shall award
27 secondary credit for a successfully completed concurrent course,
28 with success being determined by the eligible postsecondary
29 institution and set forth in the concurrent enrollment agreement
30 under section 1613-B(b) (4).

1 * * *

2 Section 29. The definition of "school entity" in section
3 1602-C of the act is amended to read:

4 Section 1602-C. Definitions.

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

8 * * *

9 "School entity." A school of a school district, joint school
10 district, area [~~vocational-technical~~] career and technical
11 school or charter school that provides interscholastic athletic
12 opportunities for secondary school students.

13 * * *

14 Section 30. Section 1707 of the act is amended to read:

15 Section 1707. Joint School Committee.--The boards of school
16 directors, establishing any joint school or department, may
17 supervise and direct its affairs, jointly, in the same manner as
18 the affairs of individual school districts are managed; or they
19 may agree that the affairs of such joint school or department
20 may be managed by a joint school committee within the limits of
21 the budget adopted by the joint board. Where such management is
22 delegated to a joint school committee, every school board
23 establishing joint schools or departments shall, at the annual
24 meeting during the month of December, select one or more of its
25 members who, with the members chosen in like manner in the other
26 districts, shall constitute the joint school committee. Every
27 such school board may also select at any annual or regular
28 meeting one or more alternates from its members to serve in the
29 event selected members are unable to attend a meeting of the
30 joint school committee. The alternate, when directed by the

1 president of the school board to attend a meeting of the joint
2 school committee in the absence of the selected member, shall
3 have all the powers and duties of a regular member of such
4 committee. This committee shall have all the powers and duties
5 and be subject to all the liabilities with reference to the
6 supervision, maintenance and regulation of such joint schools or
7 departments as are now conferred or imposed by law upon school
8 boards generally. The affirmative vote of a majority of all the
9 members of this committee, duly recorded, showing how each
10 member voted, shall be required in order to take action upon
11 those subjects enumerated in section five hundred eight of this
12 act. Such votes may be recorded in a joint meeting or by mail
13 ballot. Failure to comply with the provisions of this act shall
14 render void and unenforceable the acts of the joint school
15 committee with reference thereto. The joint board and the joint
16 school committee, if authorized, shall organize annually during
17 the month of December by electing a president, vice-president
18 and secretary, who shall perform the duties imposed by this act
19 on the president, vice-president and secretary of regular school
20 boards. The secretary so elected shall serve for a term of four
21 years. The expenses of maintaining the joint school or
22 department shall be paid by warrant drawn on the joint board
23 treasurer by the president and secretary of the joint board or
24 the joint school committee.

25 Whenever two or more boards of school directors, who are at
26 the time members of a joint board operating a joint school or
27 department, join with other boards of school directors in the
28 formation of a joint school committee operating an area
29 [~~vocational-technical~~] career and technical school or technical
30 institute, the joint committee may be formed as may be agreed:

1 Provided, That each joint school or department have at least one
2 member on the joint school committee.

3 Section 31. The definition of "school entity" in section
4 1703-A of the act is amended to read:

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

6 * * *

7 "School entity" shall mean a school district, intermediate
8 unit, joint school or area [vocational-technical] career and
9 technical school.

10 * * *

11 Section 32. The heading of Article XVIII of the act is
12 amended to read:

13 ARTICLE XVIII.

14 [VOCATIONAL] CAREER AND TECHNICAL EDUCATION.

15 Section 33. Sections 1801, 1802, 1803, 1803.1 introductory
16 paragraph and (1), 1804, 1805, 1806, 1807, 1808, 1809, 1810 and
17 1811 of the act are amended to read:

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

21 (1) "State Board [for Vocational] of Career and Technical
22 Education" shall mean the State Board of Education, herein
23 invested with powers to administer this article of this act
24 under the designation of the State Board [for Vocational] of
25 Career and Technical Education.

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

1 (3) "[Vocational] Career and technical industrial education"
2 shall mean those forms of [vocational] career and technical
3 education that fit for industrial pursuits. It includes
4 occupational training ~~for~~ [women and girls] other than training <--
5 for the ~~for~~ career of homemaking] NONTRADITIONAL <--
6 EMPLOYMENT. It includes also public and other service
7 occupations.

8 (4) "[Vocational] Career and technical agricultural
9 education" shall mean that form of [vocational] career and
10 technical education which develops student potential for success
11 in entering and advancing through careers in the food,
12 agriculture and natural resources sciences, such as production
13 agriculture, animal science, agribusiness management and
14 marketing, agricultural research, energy systems, agricultural
15 mechanics and engineering, biotechnology, food science,
16 processing and retailing, banking, agricultural education,
17 forestry, horticulture, landscape contracting, nursery and
18 floriculture production, retail garden center management,
19 leadership and career development, management, economics and
20 marketing, natural resource management, plant and soil science,
21 power and systems technology, rural-urban interfacing and other
22 related fields.

23 (5) "[Vocational] Career and technical MARKETING AND <--
24 distributive occupational education" shall mean those forms of
25 [vocational] career and technical education [designed for those <--
26 workers engaged in or preparing for employment as distributors
27 to consumers, retailers, jobbers, wholesalers, and others of the
28 products of farm and industry, including, also, managers
29 operating or conducting a commercial service or personal service
30 business, or selling the services of such a business.] WHICH <--

1 DEVELOPS STUDENT POTENTIAL FOR SUCCESS IN ENTERING AND ADVANCING
2 THROUGH CAREERS IN DISTRIBUTION, FINANCING, MARKETING, STORING
3 AND WAREHOUSING, PRICING, PRODUCT AND SERVICE MANAGEMENT AND
4 SALES PROMOTION AND SMALL BUSINESS.

5 (6) "[~~Vocational~~] ~~Career and technical~~ homemaking] CAREER <--
6 AND TECHNICAL FAMILY AND CONSUMER SCIENCES education" shall mean
7 that form [~~attitudes in the subject matter areas of home~~ <--
8 ~~economics~~] OF CAREER AND TECHNICAL EDUCATION WHICH DEVELOPS <--
9 STUDENT POTENTIAL FOR SUCCESS IN ENTERING AND ADVANCING THROUGH
10 CAREERS INVOLVING PARENTING AND CHILD DEVELOPMENT, HUMAN
11 DEVELOPMENT, NUTRITION, WELLNESS AND FOOD SCIENCE, ALONG WITH
12 HOSPITALITY AND TOURISM, INDEPENDENT LIVING, INTERPERSONAL
13 RELATIONSHIPS, HOME MANAGEMENT, FASHION MARKETING, RESOURCE
14 MANAGEMENT, CONSUMER RIGHTS AND FINANCIAL LITERACY AND CAREER
15 AND FAMILY CONNECTIONS and useful programs that are designed to
16 help individuals and families [~~improve home environment and the~~ <--
17 ~~quality of family life~~] MANAGE THE MULTIPLE ROLES NECESSARY TO <--
18 BALANCE FAMILY, CAREER AND COMMUNITY RESPONSIBILITIES.

19 (7) "[~~Vocational~~] Career and technical industrial,
20 [~~vocational~~] career and technical agricultural, [~~vocational~~]
21 career and technical MARKETING AND distributive occupational <--
22 EDUCATION, or [~~vocational~~] ~~career and technical~~ homemaking] <--
23 CAREER AND TECHNICAL FAMILY AND CONSUMER SCIENCES school or
24 department," or "[~~vocational~~] career and technical school or
25 department," shall mean a distinctive organization of courses,
26 pupils, and teachers approved by the State Board [~~for~~
27 ~~Vocational~~] of Career and Technical Education, designed to give
28 either [~~vocational~~] career and technical industrial,
29 [~~vocational~~] career and technical agricultural, [~~vocational~~]
30 career and technical MARKETING AND distributive occupational, or <--

1 ~~[vocational] career and technical~~ homemaking] CAREER AND <--
2 TECHNICAL FAMILY AND CONSUMER SCIENCES education, as herein
3 defined.

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

15 (9) "[Vocational] Career and technical evening class" in
16 ~~[vocational] career and technical~~ homemaking] CAREER AND <--
17 TECHNICAL FAMILY AND CONSUMER SCIENCES shall mean a class giving
18 training as indicated in clause (6) for students during the
19 evening.

20 (10) "~~[Vocational] Career and technical~~ homemaking] CAREER <--
21 AND TECHNICAL FAMILY AND CONSUMER SCIENCES school or department"
22 shall mean a [vocational] career and technical school or
23 department designed to develop, on a [vocational] career and
24 technical basis, the capacity for useful employment as indicated
25 in clause (6).

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

1 workers, who are qualified for admission, to spend part of their
2 time during the day, week, month, or year in employment, and
3 part of the time in school.

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

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

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

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

29 (16) "[Vocational] Career and technical business [and office <--
30 education"], COMPUTER AND INFORMATION TECHNOLOGY" shall mean a <--

1 subject or combination of subjects of less than college grade
2 designed to prepare an individual to enter or advance in an
3 occupational field wherein success is largely dependent upon
4 skill and knowledge necessary to obtain competency in <--
5 [bookkeeping,] THE AREAS OF ACCOUNTING AND INFORMATION <--
6 TECHNOLOGIES, clerical, data processing, [or stenographic] <--
7 COMPUTER APPLICATIONS, PROGRAMMING AND OPERATING SYSTEMS,
8 INCLUDING HARDWARE AND SOFTWARE APPLICATIONS, ENTREPRENEURSHIP,
9 INTERNATIONAL BUSINESS, BUSINESS MATH, FINANCE, MANAGEMENT
10 CONCEPTS, CONSUMER ECONOMICS, BUDGETING, INVESTING AND TAXES,
11 PERSONAL FINANCE, ELECTRONIC COMMERCE, BUSINESS AND CONSUMER LAW
12 OR BUSINESS COMMUNICATIONS occupations, and similar business
13 pursuits.

14 Section 1802. State Board [for Vocational] of Career and
15 Technical Education; Executive Officer; Employes.--The
16 [Superintendent of Public Instruction] Secretary of Education
17 shall be the executive officer of the State Board [for
18 Vocational] of Career and Technical Education for the
19 administration of this act. Except as hereinafter otherwise
20 provided, he, as executive officer, shall appoint, from time to
21 time, with the approval of the State Board [for Vocational] of
22 Career and Technical Education, such expert assistants, other
23 than those already provided for by law, as may be necessary in
24 [vocational] career and technical industrial, [vocational] <--
25 ~~career and technical homemaking,~~ [HOMEMAKING, vocational] <--
26 career and technical FAMILY AND CONSUMER SCIENCES, CAREER AND <--
27 TECHNICAL agricultural, [vocational] career and technical
28 MARKETING AND distributive OCCUPATIONAL EDUCATION or <--
29 [vocational] career and technical business [and office <--
30 occupational], COMPUTER AND INFORMATION TECHNOLOGY education, <--

1 and all clerical and other agents necessary in carrying out the
2 provisions of this act.

3 Section 1803. Duties of State Board [~~for Vocational~~] of
4 Career and Technical Education; Reports.--The State Board [~~for~~
5 ~~Vocational~~] of Career and Technical Education is hereby
6 authorized and directed to investigate and to aid in the
7 introduction of [~~vocational~~] career and technical industrial,
8 [~~vocational~~] career and technical agricultural, [~~vocational~~]
9 ~~career and technical~~ homemaking, [~~HOMEMAKING, vocational~~]
10 career and technical FAMILY AND CONSUMER SCIENCE, CAREER AND
11 TECHNICAL MARKETING AND distributive OCCUPATIONAL EDUCATION and
12 [~~vocational~~] career and technical business [~~and office~~
13 ~~occupational~~], COMPUTER AND INFORMATION TECHNOLOGY education; to
14 assist in the establishment of schools and departments for said
15 forms of education, and to inspect and approve such schools or
16 departments as are hereinafter provided. The State Board [~~for~~
17 ~~Vocational~~] of Career and Technical Education shall make a
18 report annually to the Governor and Legislature describing the
19 condition and progress of [~~vocational~~] career and technical
20 industrial, [~~vocational~~] career and technical agricultural,
21 [~~vocational~~] ~~career and technical~~ homemaking, [~~HOMEMAKING,~~
22 ~~vocational~~] career and technical FAMILY AND CONSUMER SCIENCE,
23 CAREER AND TECHNICAL MARKETING AND distributive OCCUPATIONAL
24 EDUCATION and [~~vocational~~] career and technical business [~~and~~
25 ~~office occupational~~], COMPUTER AND INFORMATION TECHNOLOGY
26 education during the year, and shall also make such
27 recommendations as the board may deem advisable.

28 Section 1803.1. Duty of Secretary to Report Annually.--The
29 Secretary of Education shall report annually, to the Standing
30 Committees on Education of the Senate and House of

1 Representatives, the following information for each area

2 [vocational-technical] career and technical school:

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

5 * * *

6 Section 1804. Schools or Classes; Supervisors; Principals;
7 Instructors, etc.--In carrying out the provisions of this act,
8 the State Board [for Vocational] of Career and Technical
9 Education shall provide for [vocational] career and technical
10 schools or classes, with the necessary staffs, in accordance
11 with the State Plan for [Vocational] Career and Technical
12 Education, approved by the [Federal Board for Vocational
13 Education].

14 Principals, instructors and lecturers for the Public Service
15 Institute shall be elected by the State Board for Vocational
16 Education. They shall possess the qualifications established in
17 the State Plan for Vocational Education approved by the Federal
18 Board for Vocational Education.] United States Department of

19 Education.
20 Section 1805. Instruction in Theory and Practice.--In order
21 that instruction in theory and practice may go on together,
22 [vocational] career and technical industrial, [vocational]
23 career and technical agricultural, [vocational] ~~career and~~ <--
24 ~~technical homemaking, and~~ [HOMEMAKING, AND vocational] career <--
25 and technical FAMILY AND CONSUMER SCIENCE, AND CAREER AND <--
26 TECHNICAL MARKETING AND distributive occupational EDUCATION <--

27 schools or departments may offer instruction in day, part-time,
28 and evening classes. Attendance upon such day, evening, or part-
29 time classes shall be restricted to those over fourteen years of
30 age.

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

3 (1) Establish and maintain [vocational] career and technical
4 industrial, [vocational] career and technical agricultural,
5 [~~vocational~~] ~~career and technical~~ homemaking, and [~~HOMEMAKING,~~ <--
6 AND vocational] career and technical FAMILY AND CONSUMER <--
7 SCIENCES, AND CAREER AND TECHNICAL MARKETING AND distributive
8 occupational EDUCATION schools or departments. <--

9 (2) Receive any donation made to the school district for the
10 conduct of any [vocational] career and technical school or
11 department or [vocational] career and technical evening classes.
12 The donation shall be administered by or under the direction of
13 the board of directors of the district to which it is made,
14 subject to the approval of the [Superintendent of Public
15 Instruction] Secretary of Education. The board of school
16 directors in any district shall not be obliged to accept any
17 such donation unless it seems proper so to do.

18 (3) Require a deposit fee of a sum not to exceed ten dollars
19 (\$10) from each person enrolling in evening [vocational] career
20 and technical schools or classes. Such deposit fee shall be
21 returned at the close of each term of instruction to all persons
22 so enrolled who have attended seventy-five per cent (75%) or
23 more of the class sessions of the term and may be returned at
24 any time because of death, sickness, or any other cause which
25 the board may deem justifiable.

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

29 Section 1807. Joint [Vocational] Career and Technical
30 Schools or Departments.--Two or more districts may, as provided

1 in article seventeen of this act, through a joint school
2 committee, establish and maintain [vocational] career and
3 technical industrial, [vocational] career and technical
4 agricultural, [vocational] ~~career and technical~~ homemaking, or <--
5 ~~[HOMEMAKING, OR vocational]~~ career and technical FAMILY AND <--
6 CONSUMER SCIENCES, OR CAREER AND TECHNICAL MARKETING AND
7 distributive occupational EDUCATION schools or departments, to <--
8 be known as joint [vocational] career and technical schools or
9 departments.

10 Section 1808. Advisory Committees.--Local school boards and
11 joint school committees administering approved [vocational]
12 career and technical industrial, [vocational] career and
13 technical agricultural, [vocational] ~~career and technical~~ <--
14 ~~homemaking, or [HOMEMAKING, OR vocational]~~ career and technical <--
15 FAMILY AND CONSUMER SCIENCES OR CAREER AND TECHNICAL MARKETING <--
16 AND distributive occupational EDUCATION schools or departments <--
17 may, under a plan to be approved by the State Board [for
18 Vocational] of Career and Technical Education, appoint an
19 advisory committee composed of members representing local
20 trades, industries, and occupations. It shall be the duty of
21 such a committee to counsel with and advise the local or joint
22 board of trustees, and other school officials, having the
23 management and supervision of such schools.

24 Section 1809. Attendance in Other Districts and Other
25 States; Pupils from Other States.--(a) Any resident of any
26 school district which does not maintain an approved [vocational]
27 career and technical industrial, [vocational] career and
28 technical agricultural, [vocational] ~~career and technical~~ <--
29 ~~homemaking, or [HOMEMAKING, OR vocational]~~ career and technical <--
30 FAMILY AND CONSUMER SCIENCES OR CAREER AND TECHNICAL MARKETING <--

1 AND distributive occupational education day, part-time, or
2 evening class, school or department, offering the type of
3 training which he desires, may make application to the board of
4 school directors of any other district for admission to such
5 school or department maintained by said board. If the board
6 refuses him admission, he may apply to the State Board [for
7 Vocational] of Career and Technical Education for admission to
8 such school or department. The State Board [for Vocational] of
9 Career and Technical Education may approve or disapprove such
10 application. In making such decision the State Board [for
11 Vocational] of Career and Technical Education shall take into
12 consideration the opportunities for free [vocational] career and
13 technical training in the community in which the applicant
14 resides, the financial status of the community, the age,
15 preparation, aptitude, and previous record of the applicant, and
16 all other relevant circumstances. The decision of the State
17 Board [for Vocational] of Career and Technical Education shall
18 be final.

19 (b) Where any child of school age in any school district
20 resides by the nearest traveled road three miles or more from
21 the nearest [vocational] career and technical high school in any
22 district in this Commonwealth, such child, unless proper free
23 transportation is furnished to a suitable school in this
24 Commonwealth, may, on request of his parents or legal guardian,
25 be assigned by the board of school directors to a more
26 convenient school in another state: Provided, That the consent
27 of the proper school officials in charge of such school in
28 another state to such an arrangement is permitted by the laws of
29 such state, and is agreed to by such officials.

30 (c) The school district in which the person resides, who has

1 been admitted, as above provided, to an approved [vocational]
2 career and technical industrial, [vocational] career and
3 technical agricultural, [~~vocational] career and technical~~ <--
4 ~~homemaking,~~ [~~HOMEMAKING,~~ vocational] career and technical <--
5 FAMILY AND CONSUMER SCIENCES, CAREER AND TECHNICAL high or <--
6 [vocational] career and technical MARKETING AND distributive <--
7 occupational EDUCATION school or department maintained by <--
8 another school district, shall pay the high school charge
9 provided for by this act. If any school district neglects or
10 refuses to pay for such tuition, it shall be liable therefor, in
11 an action of contract, to the school district or school
12 districts maintaining the school which the pupil, with the
13 approval of the board, attended.

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

20 Section 1810. Approved Local or Joint [Vocational] Career
21 and Technical Schools; State Reimbursement.--[Vocational] Career
22 and technical industrial, [vocational] career and technical
23 agricultural, [~~vocational] career and technical homemaking, and~~ <--
24 [~~HOMEMAKING,~~ AND vocational] career and technical FAMILY AND <--
25 CONSUMER SCIENCES, AND CAREER AND TECHNICAL MARKETING AND
26 distributive occupational EDUCATION schools or departments <--
27 shall, so long as they are approved by the State Board [for
28 Vocational] of Career and Technical Education as to
29 organization, control, location, equipment, courses of study,
30 qualifications of teachers, methods of instruction, conditions

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

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

27 Section 34. The headings of Subarticles B and C of Article
28 XVIII are amended to read:

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

30 (c) Area [Vocational-Technical] Career and Technical

1 Schools and Technical Institutes.

2 Section 35. Sections 1840.1, 1841, 1842, 1844, 1845, 1847,
3 1849, 1850.1, 1850.2, 1850.3, 1850.4, 1851, 1852, 1853, 1855,
4 1922, 1925, 1901-A(4) and (5), 1905-A(a) (7), 1913-A(b) (1.2),
5 1908-B(b), 1901-C(1) and (6), 1901-D(5) and 1903-D(b) (1) of the
6 act are amended to read:

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

10 "School." The word "school" shall mean an area [~~vocational-~~
11 ~~technical~~] career and technical school.

12 "Institute." The word "institute" shall mean technical
13 institute.

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

19 "Area [~~vocational-technical~~] career and technical board." An
20 "area [~~vocational-technical~~] career and technical board" shall
21 mean the boards of school directors of all of the participating
22 districts acting jointly.

23 Section 1841. Area [~~Vocational-Technical~~] Career and
24 Technical Schools and Technical Institutes Authorized.--An area
25 [~~vocational-technical~~] career and technical board may establish,
26 maintain, conduct and operate schools, departments or classes to
27 prepare for [~~vocational~~] career and technical industrial,
28 [~~vocational~~] career and technical agricultural, [~~vocational~~]- <--
29 ~~career and technical~~ homemaking, business and { ~~HOMEMAKING,~~ <--
30 ~~BUSINESS AND~~ career and technical FAMILY AND <--

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

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

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

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

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

29 Section 1844. Establishment of Schools and Institutes.--(a)
30 The intermediate unit board of directors of each intermediate

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

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

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

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

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

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

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

26 Section 1845. Cost of Establishment, Etc., Ownership of
27 Property.--All expenses in connection with the establishment of
28 area [vocational-technical] career and technical schools or
29 technical institutes and additions and improvements thereof
30 shall be borne by the school districts participating therein in

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

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

30 Section 1849. Petitions for Change of Plan.--Future

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

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

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

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

1 of school directors or county boards of school directors on
2 behalf of such participating districts pursuant to prior
3 agreements;

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

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

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

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

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

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

29 (8) To make and establish, and from time to time alter and
30 amend, rules and regulations for the transaction of its business

1 and for the administration of the work under its charge;

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

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

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

1 shall be held in the name of one or more of the school districts
2 establishing the same, as they may agree;

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

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

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

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

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

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

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

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

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

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

30 (22) To locate area [vocational-technical] career and

1 technical schools and technical institutes;

2 (23) To collect tuition and fees;

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

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

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

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

28 (d) An area [vocational-technical] career and technical
29 board shall have power to delegate the operation, administration
30 and management of the school or institute [(1) to one or more

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

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

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

28 Section 1850.3. Operation by a Joint Committee.--(a) When a
29 joint committee is selected to operate a school and/or
30 institute, it shall be known as the area [vocational-technical]

1 career and technical school committee.

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

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

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

30 Section 1850.4. Capital Reserve Fund for Approved Purchases

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

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

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

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

30 Section 1851. Establishment and Operation by the Department

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

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

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

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

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

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

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

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

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

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

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

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

1 require the following, which may be collected electronically:

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

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

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

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

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

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

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

30 Section 1922. [Vocational] Career and technical Education

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

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

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

18 * * *

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

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

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

8 * * *

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

17 * * *

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

21 * * *

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

24 (b) * * *

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

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

6 * * *

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

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

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

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

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

15 * * *

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

20 * * *

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

22 * * *

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

1 and educational technology.

2 * * *

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

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

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

11 * * *

12 Section 36. The definition of "school entity" in section
13 1901-E of the act is amended to read:

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

16 * * *

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

20 Section 37. The definition of "eligible applicant" in
21 section 1901-F of the act is amended to read:

22 Section 1901-F. Definitions.

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

26 * * *

27 "Eligible applicant." Any of the following:

28 (1) An institution of higher education.

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

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

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

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

16 * * *

17 Section 38. Sections 1906-G(a) (2) and 1907-G(a) (9) of the
18 act are amended to read:

19 Section 1906-G. Establishment.

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

26 * * *

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

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

5 * * *

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

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

13 * * *

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

18 * * *

19 Section 39. The definition of "low-achieving school" in
20 section 2002-B of the act is amended to read:

21 Section 2002-B. Definitions.

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

25 * * *

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

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

5 * * *

6 Section 40. The definition of "school entity" in section
7 2001-H of the act, added June 22, 2018 (P.L.241, No.39), is
8 amended to read:

9 Section 2001-H. Definitions.

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

13 * * *

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

17 Section 41. Sections 2110(b), 2401(8), 2501(1), (9), (10),
18 (11), (11.1) and (14.1), 2502(a) and (c), 2502.6(b), 2502.8,
19 2506.1, 2507, 2508, 2508.1, 2508.3, 2508.4, 2508.5, 2509.5(n) (1)
20 (i), (r) (1) (i), (w) (1) (i) and (dd) (1) (i) and (iii) (A), 2513.1,
21 2515, 2518 second paragraph, 2552.1(a), (a.1) and (b), 2561
22 introductory paragraph and (4), 2562, 2563, 2574(e), 2574.2,
23 2574.3(a), 2575(b), 2577(b) and (c), 2578(b), 2593 heading and
24 (b), 2594, 2595(b), (c) (1) (iv) and (h), 2597.3, 2597.4(2) (iv),
25 2597.5(c) (4), 2599(b) and (d) (6), 2599.1(c), 2599.2(f), 2602-
26 B(e) and (f) and 2604-B(b) (2) (i) and (3) of the act are amended
27 to read:

28 Section 2110. Eligible Lists of Persons Qualified to Teach;
29 Appointments.--* * *

30 (b) Except as superintendent of schools, associate

1 superintendent, assistant district superintendent, director of a
2 special branch, or as a principal of a high school, junior high
3 school, state teachers' college, or [vocational] career and
4 technical school, no person shall be appointed, promoted, or
5 transferred to any educational position in the public school
6 system, in school districts of the first class, whose name does
7 not appear among the three highest names upon the proper
8 eligible list, and in school districts of the first class A,
9 whose name does not appear among the top five names upon the
10 proper eligible list, or within the top ten per centum (10%) of
11 the names upon the list, whichever is greater. No person holding
12 a position at the time of the passage of this act shall be
13 displaced by the above provisions.

14 Section 2401. By Whom Audited.--The finances of every school
15 district and of every joint school board, in every department
16 thereof, together with the accounts of all school treasurers,
17 school depositories, teachers' retirement funds, teachers'
18 institute funds, directors' association funds, sinking funds,
19 and other funds belonging to or controlled by the district,
20 shall be properly audited as follows:

21 * * *

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

24 * * *

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

27 (1) "District Pupils" of a school district shall designate
28 all pupils enrolled in the public schools of the Commonwealth,
29 and of adjacent states, who are residents of a given school
30 district.[, except those pupils who are enrolled in the public

1 schools maintained by the vocational school district, the
2 territorial limits of which include the school district.
3 "District Pupils" of a vocational school district shall
4 designate all pupils enrolled in the public schools, maintained
5 by the vocational school district who are residents of the
6 district.]

7 * * *

8 (9) "Real Property Valuation." A school district's[,
9 vocational school district's] or municipality's real property
10 valuation, to be used for purposes of computing the basic
11 account standard reimbursement fraction, the subsidiary account
12 reimbursement fraction, the aid ratio, the market value/income
13 aid ratio and the equalized millage, shall be the valuation
14 placed upon its taxable real property by the State Tax
15 Equalization Board.

16 * * *

17 (10) "Number of District Teaching Units for Purposes of
18 Determination of Basic Account Standard Reimbursement Fraction,
19 and Subsidiary Account Reimbursement Fraction." A school
20 district's [or vocational school district's] number of district
21 teaching units for purposes of determination of the basic
22 account standard reimbursement fraction and the subsidiary
23 account reimbursement fraction shall be obtained as follows: (i)
24 divide by twenty-two (22) the number of district pupils in
25 average daily membership in a public high school and in high
26 school grades of a laboratory school of a State-owned college
27 during the preceding school term, (ii) divide by thirty (30) the
28 number of district pupils in average daily membership in a
29 public elementary school and laboratory school of a State-owned
30 college during the preceding school term, and (iii) add the

1 quotients obtained under (i) and (ii) above, except when the
2 pupil-teacher ratio exceeds thirty-three (33), in which case,
3 the sum obtained under (i) and (ii) above shall be multiplied by
4 thirty-three (33) and the product so obtained shall be divided
5 by the pupil-teacher ratio of the district. No school district
6 [or vocational school district] shall be credited with less than
7 one teaching unit. No school district [or vocational school
8 district] shall be assigned a basic account standard
9 reimbursement fraction lower in value than the minimum
10 instruction subsidy divided by the maximum instruction subsidy.
11 All one-room schools operated in accordance with the provisions
12 of this act shall, if their operation is approved, be credited
13 with at least one teaching unit. The State Board of Education
14 shall withhold its approval of any one-room one-teacher school,
15 unless (i) topography, distance or condition of roads are such
16 as to make transportation of pupils impractical, or (ii) it is
17 impossible to accommodate pupils in existing graded schools in
18 the district or other districts, or (iii) the district is
19 financially unable to construct a consolidated school.

20 * * *

21 (11) "Actual Instruction Expense Per Elementary Teaching
22 Unit, Actual Instruction Expense Per Elementary Teaching Unit in
23 a Laboratory School of a State-owned College, Actual Instruction
24 Expense Per Secondary Teaching Unit, Actual Instruction Expense
25 Per Secondary Teaching Unit in a Laboratory School of a State-
26 owned College, Actual Instruction Expense Per Joint Elementary
27 Teaching Unit, Actual Instruction Expense Per Joint Secondary
28 Teaching Unit, Actual Instruction Expense Per Area Technical
29 School Teaching Unit." In 1958 in the month of September and
30 thereafter annually in the month of September, the Department of

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

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

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

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

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

1 secondary children.

2 (11.1) "Actual Instruction Expense per Weighted Average
3 Daily Membership." For the school year 1966-1967, and each
4 school year thereafter, the [Superintendent of Public
5 Instruction] Secretary of Education shall calculate for each
6 school district the actual instruction expense per weighted
7 average daily membership for each district pupil. The actual
8 instruction expense shall include all General Fund expenses of
9 the district except those for health services, transportation,
10 debt service, capital outlay, home-bound instruction, and
11 outgoing transfers to community colleges and technical
12 institutes. From this cost shall be deducted the amount received
13 from the State for driver's education; special class operation;
14 [vocational] career and technical curriculums; area [vocational]
15 career and technical schools; payments of tuition by district
16 patrons, parents, the State and Federal government; and all
17 moneys received from the State or Federal government under
18 Public Laws 89-10 (Elementary and Secondary Education Act), 88-
19 452 (Economic Opportunity Act), and 87-415 (Manpower Training
20 and Development Act) and for projects under section 2508.3 of
21 this act. The actual instruction expense so determined, when
22 divided by the weighted average daily membership for the
23 district shall be the actual instruction expense per weighted
24 average daily membership.

25 * * *

26 (14.1) "Market Value/Income Aid Ratio." For purposes of
27 reimbursement to a school district under subsections (d), (e),
28 and (f) of section 2502, section 2502.8, section 2502.22,
29 section 2502.25, section 2502.26 and section 2592, or to an
30 intermediate unit or area [vocational-technical] career and

1 technical school, shall be the Commonwealth's method of
2 determining the combined market value and income wealth for each
3 pupil, and shall be computed, for the school year for which
4 reimbursement is being paid, as follows:

5 (a) (i) Divide the market value per weighted average daily
6 membership of the district, intermediate unit or area
7 [~~vocational-technical~~] career and technical school by the market
8 value per weighted average daily membership of the State;

9 (ii) Determine the product of subsection (a)(i) multiplied
10 by .5;

11 (iii) Subtract the resultant product in subsection (a)(ii)
12 from 1.000 to determine the market value portion of the aid
13 ratio.

14 (iv) For purposes of the calculation described in subsection
15 (a)(i) through (iii), the market value of a district shall be
16 the real property valuation of the district for the calendar
17 year that concluded during the school year immediately preceding
18 the school year for which reimbursement is being paid. The
19 market value of an intermediate unit or area [~~vocational-~~
20 ~~technical~~] career and technical school shall be the sum of the
21 real property valuations of each of its component districts for
22 the calendar year that concluded during the school year
23 immediately preceding the school year for which reimbursement is
24 being paid. The weighted average daily membership of a district
25 shall be the weighted average daily membership for the school
26 year immediately preceding the school year for which
27 reimbursement is being paid. The weighted average daily
28 membership of an intermediate unit or area [~~vocational-~~
29 ~~technical~~] career and technical school shall be the sum of the
30 weighted average daily memberships of each of its component

1 districts for the school year immediately preceding the school
2 year for which reimbursement is being paid.

3 (b) (i) Divide the income per weighted average daily
4 membership of the district, the intermediate unit or area
5 [~~vocational-technical~~] career and technical school by the
6 average personal income per weighted average daily membership of
7 the State;

8 (ii) Determine the product of subsection (b) (i) multiplied
9 by .5;

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

12 (iv) For purposes of the calculation described in subsection
13 (b) (i) through (iii), the income of a district shall be the
14 personal income valuation of the district. The income of an
15 intermediate unit or area [~~vocational-technical~~] career and
16 technical school shall be the sum of the personal income
17 valuations of each of its component districts. The weighted
18 average daily membership of the district shall be the weighted
19 average daily membership for the school year immediately
20 preceding the school year for which reimbursement is being paid.
21 The weighted average daily membership of an intermediate unit or
22 area [~~vocational-technical~~] career and technical school shall be
23 the sum of the weighted average daily memberships of each of its
24 component districts for the school year immediately preceding
25 the school year for which reimbursement is being paid.

26 (c) Add sixty percent (60%) of the market value aid ratio to
27 forty percent (40%) of the income aid ratio to determine the
28 market value/income aid ratio.

29 (d) For payments beginning in the 1989-1990 school year and
30 each school year thereafter, the Department of Education shall

1 utilize an adjusted personal income valuation for the 1987 tax
2 year and each tax year thereafter respectively in computing the
3 market value/income aid ratio for such districts. The adjusted
4 personal income valuation shall be calculated by dividing the
5 total out-of-State tax credits claimed by the residents of a
6 school district by the State personal income tax rate and
7 subtracting that amount from the total personal income valuation
8 for the individual school district. The State total personal
9 income valuation shall remain that as certified by the
10 Department of Revenue and shall not be adjusted to reflect out-
11 of-State tax credits.

12 * * *

13 Section 2502. Payments on Account of Instruction.--(a)
14 Every school district [and every vocational school district]
15 shall be paid by the Commonwealth on account of the instruction
16 of pupils an amount to be determined by multiplying the numbers
17 of elementary, secondary, joint elementary, joint secondary,
18 State-owned college laboratory school, or area technical school
19 teaching units, each based on the number of all pupils, except
20 kindergarten pupils, who are residents of the district and are
21 in average daily membership in the district's public schools,
22 joint elementary schools, joint high schools, laboratory schools
23 of State-owned colleges, or area technical schools respectively,
24 and in the case of kindergarten pupils based on the number of
25 kindergarten teachers employed: Provided, That for the school
26 year 1962-1963, and for each school year thereafter, the number
27 of equivalent full time kindergarten teachers in a laboratory
28 school of a State-owned college shall be prorated among all the
29 districts having children enrolled in the laboratory school
30 kindergarten on the basis of the total number of kindergarten

1 pupils who are legal residents of such districts and who are in
2 average daily membership in the laboratory school kindergarten,
3 and for the school year 1957-1958 and for each school year
4 thereafter, the numbers of elementary or secondary teaching
5 units, each based on the number of all pupils who are residents
6 of the district and who are in average daily membership in the
7 elementary schools or secondary schools of other school
8 districts within the Commonwealth, by the district's basic
9 account standard reimbursement fraction; and for the school year
10 1955-1956 by four thousand nine hundred dollars (\$4900); for the
11 school year 1956-1957 by five thousand three hundred dollars
12 (\$5300); for the school year 1957-1958 and for each school year
13 thereafter by the lesser of actual instruction expense per
14 elementary, secondary, joint elementary, joint secondary,
15 laboratory school elementary, laboratory school secondary, area
16 technical school, elementary educated in the public schools of
17 other districts within the Commonwealth, secondary educated in
18 the public schools of other districts within the Commonwealth
19 teaching unit, each as the case may be, or five thousand eight
20 hundred dollars (\$5800); for the school year 1962-1963 by the
21 lesser of actual instruction expense per elementary, secondary,
22 joint elementary, joint secondary, laboratory school elementary,
23 laboratory school secondary, area technical school, elementary
24 educated in the public schools of other districts within the
25 Commonwealth, secondary educated in the public schools of other
26 districts within the Commonwealth teaching unit, each as the
27 case may be, or six thousand five hundred dollars (\$6500); and
28 for the school year 1963-1964 and for each school year
29 thereafter by the lesser of actual instruction expense per
30 elementary, secondary, joint elementary, joint secondary,

1 laboratory school elementary, laboratory school secondary, area
2 technical school, elementary educated in the public schools of
3 other districts within the Commonwealth, secondary educated in
4 the public schools of other districts within the Commonwealth
5 teaching unit, each as the case may be, or six thousand eight
6 hundred dollars (\$6800). For the school year 1953-1954 and each
7 school year thereafter, teaching units shall be based on the
8 number of all pupils, except kindergarten pupils, who are
9 residents of the school district in average daily membership in
10 the district's public schools in State-owned college laboratory
11 schools and in elementary schools and high schools operated by
12 joint boards of which the district of residence is a member, and
13 in area technical schools in which the district of residence
14 participates. In the case of kindergarten pupils, teaching units
15 shall be one for each kindergarten teacher employed by the
16 district: Provided, That for the school year 1957-1958 and for
17 each school year thereafter, additional teaching units shall be
18 based on the numbers of all pupils who are residents of the
19 district and are in average daily membership in the elementary
20 schools of other districts in the Commonwealth or who are in
21 average daily membership in the secondary schools of other
22 districts within the Commonwealth: Further provided, That in the
23 case of such pupils teaching units shall be calculated on the
24 basis of thirty-five (35) elementary pupils and twenty-six (26)
25 secondary pupils per teaching unit, respectively.

26 * * *

27 (c) For no year shall any school district [or vocational
28 school district] receive less than the minimum subsidy per
29 teaching unit, nor shall any school district of the first class
30 A, during the school year 1953-1954 for the school year 1952-

1 1953, or during the school year 1954-1955 for the school year
2 1953-1954, or during the school year 1955-1956 for the school
3 year 1954-1955, receive less per teaching unit than the amount
4 received by any district of the first class.

5 * * *

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

7 (b) If the sums appropriated for the 1982-1983 school year
8 and each school year thereafter are not sufficient to pay in
9 full the total amounts to which all qualified school districts,
10 intermediate units, area [vocational-technical] career and
11 technical schools and nonpublic schools are entitled to receive
12 under the provisions of sections 917.1-A, 919.1-A, 922.1-A, 923-
13 A(d) and 2502.8 for such year, the allocations to the school
14 districts, intermediate units, area [vocational-technical]
15 career and technical schools and nonpublic schools shall be
16 proportionately reduced to the extent necessary to bring the
17 aggregate of the school district, intermediate unit, area
18 [vocational-technical] career and technical school and nonpublic
19 school allocations within the limits of the amounts
20 appropriated.

21 Section 2502.8. Payments on Account of Pupils Enrolled in

22 [Vocational] Career and Technical Curriculums.--(a) For the

23 purpose of reimbursement in accordance with this section,

24 [vocational] career and technical curriculums are agriculture

25 education, MARKETING AND distributive OCCUPATIONAL education, <--

26 health occupations education, [home economics] FAMILY AND <--

27 CONSUMER SCIENCES education (gainful), business education,

28 COMPUTER AND INFORMATION TECHNOLOGY, technical education, trade <--

29 and industrial education, or any other occupational oriented

30 program approved by the Secretary of Education.

1 (b) For the 1981-1982 school year through the 1984-1985
2 school year, each school district so entitled shall be paid, in
3 addition to any other subsidy to which it is entitled, an amount
4 on account of resident pupils enrolled in [vocational] career
5 and technical curriculums; for the 1985-1986 school year through
6 the 1999-2000 school year, each school district and area
7 [vocational-technical] career and technical school shall be paid
8 an amount on account of students enrolled in [vocational] career
9 and technical curriculums; for the 2000-2001 school year and
10 each school year thereafter, each school district, area
11 [vocational-technical] career and technical school and charter
12 school shall be paid an amount on account of students enrolled
13 in [vocational] career and technical curriculums, determined as
14 follows:

15 (1) Determine the increase in the weighted average daily
16 membership by multiplying the number of students in average
17 daily membership in [vocational] career and technical
18 curriculums in area [vocational-technical] career and technical
19 schools by twenty-one hundredths (.21) and the number of
20 students in average daily membership in school district and
21 charter school [vocational] career and technical curriculums by
22 seventeen hundredths (.17).

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

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

30 (4) For the 1985-1986 through 1999-2000 school years, the

1 Commonwealth shall pay the amount required by this section to
2 the school district or area [vocational-technical] career and
3 technical school which provides the program upon which
4 reimbursement is based.

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

10 (c) For the school year 1998-1999, any additional funding
11 provided by the Commonwealth over the amount provided for the
12 school year 1997-1998 will be distributed to area [vocational-
13 technical] career and technical schools and to school districts
14 with eight (8) or more [vocational] career and technical
15 programs based on subsection (b).

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

24 (e) For the school year 2000-2001 and each school year
25 thereafter, any additional funding provided by the Commonwealth
26 over the amount provided for the school year 1998-1999 will be
27 distributed to area [vocational-technical] career and technical
28 schools, to school districts and charter schools with eight (8)
29 or more [vocational] career and technical programs and to school
30 districts and charter schools offering a [vocational] career and

1 technical agricultural education program based on subsection
2 (b).

3 Section 2506.1. Payments on Account of Approved Adult
4 Program Travel.--(a) Every school district and area
5 [vocational-technical] career and technical school shall be paid
6 by the Commonwealth for every school year, on account of
7 approved adult [vocational] career and technical program
8 traveling expenses in the discharge of teaching and supervisory
9 responsibilities of teachers, coordinators, supervisors and
10 directors in [vocational] career and technical education, eighty
11 per centum (80%) of the sum expended by the school district or
12 area [vocational-technical] career and technical school for such
13 approved travel.

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

19 Section 2507. Payments on Account of Approved [Vocational]
20 Career and Technical Extension Classes and Pre-employment
21 Training.--Every school district and every [vocational school
22 district and area vocational-technical] area career and
23 technical school, regardless of classification, shall be paid by
24 the Commonwealth for every school year, on account of approved
25 [vocational] career and technical extension classes and pre-
26 employment training, eighty per cent (80%) of the sum which was
27 expended by the district or area [vocational-technical] career
28 and technical school for the compensation of [vocational] career
29 and technical extension and pre-employment training teachers and
30 supervisors. For the purpose of computing reimbursement, the

1 maximum compensation shall be four dollars (\$4.00) per hour for
2 the 1985-1986 through the 1989-1990 school years and eight
3 dollars and sixty cents (\$8.60) per hour for the 1990-1991
4 school year and each school year thereafter and the amount
5 expended for supervisory salaries shall not exceed twenty per
6 cent (20%) of the sum expended for teachers' salaries: Provided,
7 That in special cases when travel time or unusual preparation of
8 instructional materials or other factors result in an inadequate
9 compensation, the Department of Education may approve additional
10 reimbursable employment time for such additional services upon
11 the submission of adequate substantiative evidence from the
12 responsible superintendent of schools. For the 1985-1986 school
13 year and each school year thereafter, the Commonwealth shall pay
14 the amount required by this section to the school district or
15 area [vocational-technical] career and technical school which
16 provided the approved [vocational] career and technical
17 extension classes and pre-employment training for which
18 reimbursement is made.

19 Section 2508. Distribution of Unencumbered Funds for
20 [Vocational] Career and Technical Education.--The State Board
21 [for Vocational] of Career and Technical Education shall
22 administer the allocation of Federal and State [vocational]
23 career and technical education funds which are otherwise
24 unencumbered. Allocations shall be made for the furtherance of
25 the provisions of the State and Federal [vocational] career and
26 technical education acts with emphasis on the improvement of
27 facilities, reimbursement of teachers' salaries, research and
28 projects which will contribute to the economic welfare of youth
29 and adults.

30 Section 2508.1. Payment on Account of Equipment Purchased

1 for Area [Vocational-Technical] Career and Technical Schools and
2 Technical Institutes.--Every area [vocational-technical] career
3 and technical board operating approved area [vocational-
4 technical] career and technical schools or technical institutes
5 shall be paid by the Commonwealth, annually, on account of
6 instructional equipment approved by the Department of [Public
7 Instruction] Education, purchased and installed, a proportionate
8 share of Federal and State funds available and expendable for
9 that purpose. The Department of [Public Instruction] Education
10 may make advanced payment of available but unencumbered State
11 and Federal funds to expedite the purchase of equipment.

12 Section 2508.3. Payments for [Vocational] Career and
13 Technical Training of Recipients of Public Assistance and
14 Unemployment Compensation.--The State Board [for Vocational] of
15 Career and Technical Education shall establish rules and
16 regulations and thereunder, approve and authorize payment of the
17 full cost of intensive [vocational] career and technical
18 education classes for qualified public assistance recipients or
19 other unemployed, to take definite available employment which
20 may be contingent upon such training.

21 The State Board [for Vocational] of Career and Technical
22 Education shall further establish rules and regulations and
23 thereunder approve and authorize payments from funds
24 specifically appropriated for that purpose up to the full cost,
25 including administration, of intensive [vocational] career and
26 technical educational classes to increase skill levels for those
27 persons for whom there are no public training programs available
28 as the unfilled and expanding needs of the Pennsylvania economy
29 shall require in the following categories:

30 (1) Part-time workers not otherwise employed;

1 (2) Employed persons who are working below their skill
2 levels and capacities.

3 Said rules and regulations shall further provide for the
4 implementation of emergency training programs, as the needs of
5 the Pennsylvania economy and the requirements of the above-
6 categorized persons shall require. The board shall authorize
7 said emergency programs and the funding thereof, under said
8 rules and regulations as the necessity therefor shall become
9 apparent.

10 Said board shall, from time to time, conduct necessary
11 studies and surveys to determine the need for the establishment
12 of said programs and facilities as the needs of the Pennsylvania
13 economy and such persons shall require.

14 Section 2508.4. Payments on Account of Improvements and
15 Additions in [Vocational-Technical] Career and Technical
16 Curriculums.--Every area [vocational] career and technical board
17 operating an approved program of [vocational] career or
18 technical education in its own or rented space shall be paid by
19 the Commonwealth for every school year on account of approved
20 replacement, updating and improvement of equipment and on
21 account of approved new or additional equipment up to fifty per
22 cent of the cost of such improvements and additions.

23 Section 2508.5. Payment on Account of Equipment Purchased
24 for Area [Vocational-Technical] Career and Technical Schools and
25 School Districts.--(a) For the 2013-2014 school year, each area
26 [vocational-technical] career and technical school and school
27 district with an approved [vocational] career and technical
28 program that applies to and is approved by the Department of
29 Education under subsection (b) for funding for the purchase of
30 equipment that meets industry standards for the purpose of

1 training to students shall receive a grant in an amount equal to
2 the sum of the following:

3 (1) An equal share of one million five hundred thousand
4 dollars (\$1,500,000), determined by dividing one million five
5 hundred thousand dollars (\$1,500,000) by the total number of
6 area [vocational-technical] career and technical schools and
7 school districts that have been approved for funding by the
8 Department of Education under subsection (b).

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

10 (i) Multiply the 2012-2013 average daily membership in
11 approved [vocational] career and technical education programs
12 for each area [vocational-technical] career and technical school
13 or school district that has been approved for funding by the
14 Department of Education under subsection (b) by one million five
15 hundred thousand dollars (\$1,500,000).

16 (ii) Divide the product from subclause (i) by the sum of the
17 2012-2013 average daily membership in approved [vocational]
18 career and technical education programs for all area
19 [vocational-technical] career and technical schools and school
20 districts that have been approved for funding by the Department
21 of Education under subsection (b).

22 (b) (1) Within thirty (30) days of the effective date of
23 this subsection, the Department of Education shall establish
24 guidelines under which area [vocational-technical] career and
25 technical schools, and school districts with approved
26 [vocational] career and technical programs may apply to the
27 department for funding for the purchase of equipment, which
28 shall include a funding application and an application deadline.

29 (2) The funding application established by the Department of
30 Education pursuant to clause (1) shall require only the

1 following information which may be collected electronically:

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

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

9 (iii) Description of the equipment for which the requested
10 funding will be used.

11 (3) In approving funding applications under this section,
12 the Department of Education shall request and consider no
13 information other than the information provided in the funding
14 application established under clause (2). Each area [vocational-
15 technical] career and technical school or school district with
16 an approved [vocational] career and technical program that
17 submits a completed funding application under this subsection
18 shall receive funding in the amount determined under subsection
19 (a).

20 Section 2509.5. Special Education Payments to School
21 Districts.--* * *

22 (n) School districts will qualify for supplemental payments
23 under subsection (m) if:

24 (1) (i) the school district's special education
25 expenditures for the 1994-1995 school year, as a percentage of
26 the sum of the school district's 1994-1995 school year
27 expenditures for regular education, [vocational-technical]
28 career and technical education and special education, are equal
29 to or greater than the special education expenditures of all
30 school districts for the 1994-1995 school year, as a percentage

1 of the sum of the 1994-1995 school year expenditures of all
2 school districts for regular education, [vocational-technical]
3 career and technical education and special education; and

4 * * *

5 (r) School districts will qualify for supplemental payments
6 under subsection (q) if:

7 (1) (i) the school district's special education
8 expenditures for the 1995-1996 school year as a percentage of
9 the sum of the school district's 1995-1996 school year
10 expenditures for regular education, [vocational-technical]
11 career and technical education and special education is equal to
12 or greater than the special education expenditures of all school
13 districts for the 1995-1996 school year as a percentage of the
14 sum of the 1995-1996 school year expenditures of all school
15 districts for regular education, [vocational-technical] career
16 and technical education and special education; and

17 * * *

18 (w) School districts shall qualify for supplemental payments
19 under subsection (v) if:

20 (1) (i) The school district's special education
21 expenditures for the 1996-1997 school year as a percentage of
22 the sum of the school district's 1996-1997 school year
23 expenditures for regular education, [vocational-technical]
24 career and technical education and special education is equal to
25 or greater than the special education expenditures of all school
26 districts for the 1996-1997 school year as a percentage of the
27 sum of the 1996-1997 school year expenditures of all school
28 districts for regular education, [vocational-technical] career
29 and technical education and special education;

30 * * *

1 (dd) Supplemental payments shall be as follows:

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

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

14 * * *

15 (iii) The district does not meet all of the following
16 criteria:

17 (A) The school district's special education expenditures for
18 the 1997-1998 school year, as a percentage of the sum of the
19 school district's 1997-1998 school year expenditures for regular
20 education, [vocational-technical] career and technical education
21 and special education, is equal to or greater than the special
22 education expenditures of all school districts for the 1997-1998
23 school year, as a percentage of the sum of the 1997-1998 school
24 year expenditures of all school districts for regular education,
25 [vocational-technical] career and technical education and
26 special education.

27 * * *

28 Section 2513.1. Certificates of Expenditures for
29 [Vocational] Career and Technical Schools.--On or before the
30 tenth day of July of each year, the school directors of each

1 district shall present to the [Superintendent of Public
2 Instruction] Secretary of Education a statement of the amount
3 expended during the school year previous to such first day of
4 July for instruction in approved local or joint [vocational]
5 career and technical industrial, [vocational] ~~career and~~ <--
6 ~~technical homemaking,~~ [HOMEMAKING, vocational] career and <--
7 technical FAMILY AND CONSUMER SCIENCES, CAREER AND TECHNICAL <--
8 MARKETING AND distributive occupational or [vocational] career
9 and technical agricultural schools or departments. On the basis
10 of such a statement the [Superintendent of Public Instruction]
11 Secretary of Education, as the executive officer of the State
12 Board [for Vocational] of Career and Technical Education, shall
13 pay such school districts and joint school districts such
14 reimbursement for the previous school year as is provided for in
15 this act.

16 Section 2515. Ascertainment of Amounts Required;
17 Apportionment.--The [Superintendent of Public Instruction]
18 Secretary of Education shall ascertain and determine the amount
19 of funds required to meet each payment to school districts[,]
20 and intermediate units [and vocational school districts] which
21 become due and payable within each fiscal year, on the data and
22 material contained in the certificates which school districts[,]
23 and intermediate units [and vocational school districts] are
24 required to file with the [superintendent] Secretary of
25 Education at such time as [he] the secretary shall determine.
26 The [superintendent] Secretary of Education shall apportion and
27 allot the same to and among the respective districts and
28 intermediate units. The amount paid to any district or
29 intermediate unit within any fiscal year shall be computed on
30 the data and information contained in the certificates required

1 to be filed each year, as herein provided. Each district's
2 valuation to be used for purposes of computing its standard
3 reimbursement fraction for the school year 1949-1950 and
4 thereafter or for purposes of computing the aid ratio for the
5 school year 1966-1967, and thereafter, shall be the valuation
6 placed upon its taxable real property by the State Tax
7 Equalization Board.

8 Section 2518. Forfeitures for Employing Improperly Certified
9 Individuals.--* * *

10 The foregoing forfeitures of reimbursement units on account
11 of employes uncertificated for the position in which employed,
12 and on account of substitutes, shall not apply in the case of
13 employes in positions after July 1, 1966: Provided, however,
14 That any school district or any county board of school directors
15 with respect to area technical schools that from July 1, 1966,
16 to July 1, 1992, has had in its employ any person in a teaching,
17 specialist, supervisory or administrative capacity who has not
18 been certificated for said position by the Department of
19 Education, or that has had in its employ a substitute in a
20 position where a vacancy exists for a full year or more without
21 the specific written approval of the Secretary of Education,
22 shall forfeit an amount equal to the minimum salary mandated by
23 law for the position less the product of said salary and the aid
24 ratio of the district. Notwithstanding the above, after July 1,
25 1992, any school district, intermediate unit, area [vocational-
26 technical] career and technical school or other public school in
27 this Commonwealth that has in its employ any person in a
28 position that is subject to the certification requirements of
29 the Department of Education but who has not been certificated
30 for his position by the Department of Education or that has in

1 its employ a substitute in a position where a vacancy exists for
2 a full year or more without the specific written approval of the
3 Secretary of Education shall forfeit an amount equal to six
4 thousand dollars (\$6,000) less the product of six thousand
5 dollars (\$6,000) and the district's market value/income aid
6 ratio. Any exemption from forfeiture by reason of employment on
7 or before July 1, 1962 as provided elsewhere in this section
8 shall not be invalidated by this amendment.

9 Section 2552.1. Effect of Failure to File Reports.--(a) The
10 Department of Education shall order the forfeiture of three
11 hundred dollars (\$300) per day by a school district, charter
12 school, cyber charter school, area [vocational-technical] career
13 and technical school or intermediate unit that does not submit
14 its annual budget to the Department of Education within thirty
15 (30) days of the submittal date established by the Department of
16 Education. The forfeiture shall continue until a report and
17 annual budget that meet established criteria are submitted. The
18 Department of Education shall deduct the amount of the
19 forfeiture from any and all State payments made to the school
20 district, charter school, cyber charter school, area
21 [vocational-technical] career and technical school or
22 intermediate unit.

23 (a.1) (1) The Department of Education shall order the
24 following forfeitures against a school district, charter school,
25 cyber charter school, area [vocational-technical] career and
26 technical school or intermediate unit that does not submit its
27 annual financial report to the Department of Education within
28 thirty (30) days of the submittal date established under
29 sections 218 and 921-A:

30 (i) Three hundred dollars (\$300) per day for the first

1 violation.

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

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

10 (b) The Department of Education shall order the forfeiture
11 of three hundred dollars (\$300) per day by a school district,
12 charter school, area [vocational-technical] career and technical
13 school or intermediate unit that does not submit its pupil
14 membership/child accounting reports within thirty (30) days of
15 the submittal date established by the Department of Education.
16 The forfeiture shall continue until a report that meets
17 established criteria is submitted. The Department of Education
18 shall deduct the amount of the forfeiture from any and all State
19 payments made to the school district, charter school, area
20 [vocational-technical] career and technical school or
21 intermediate unit.

22 * * *

23 Section 2561. Tuition Charges for Pupils of Other
24 Districts.--A school district [or vocational school district]
25 receiving elementary or high school pupils or [vocational]
26 career and technical or other extension education pupils who are
27 residents of another school district [or another vocational
28 school district] shall compute the tuition charges as follows:

29 * * *

30 (4) [Vocational] Career and Technical or Other Extension

1 Tuition Charge. Add the salaries of administrators, supervisors,
2 instructors, clerks and custodians specifically employed in the
3 school district's [or vocational school district's] annual
4 program of [Vocational] Career and Technical or other Extension
5 Education, the cost of textbooks, and supplies of the second
6 class issued for the program incurred for the school year
7 immediately preceding. A charge of five cents (.05) per pupil
8 hour of instruction for the district overhead and plant usage.
9 Subtract from the sum so obtained the amount of State
10 appropriation applicable. The remainder shall be designated as
11 the "district cost for [vocational] career and technical or
12 other extension education." Determine the total pupil hours of
13 instruction during the school year immediately preceding, divide
14 the "district cost for [vocational] career and technical or
15 other extension education" by the total pupil hours of
16 instruction. The cost so determined shall be the "[vocational]
17 career and technical or other extension tuition [charge] charge"
18 per pupil hour of instruction.

19 * * *

20 Section 2562. Payments by Districts for Pupils Attending in
21 Other Districts.--For each elementary or high school pupil
22 attending a public school of another district, the receiving
23 district shall bill the sending district, and the sending
24 district shall pay the amount of the tuition charge per
25 elementary pupil, or the tuition charge per high school pupil,
26 as the case may be. In the case of pupils attending the
27 receiving district's public schools for less than a full school
28 term, the tuition charge per elementary or high school pupil
29 shall be prorated by reference to the period of time over which
30 such pupils actually attended the receiving district's schools.

1 For each [vocational] career and technical or other extension
2 education pupil attending an extension class of another
3 district, the receiving district shall bill the sending district
4 if the attendance is previously approved by the sending district
5 and the sending district shall pay the [vocational] career and
6 technical or other extension tuition charge per pupil hour of
7 instruction for each hour of attendance of each such pupil.

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

11 Section 2563. Certification of Pupils Admitted from Other
12 Districts; Monthly Payments.--The board of school directors in
13 any school district [or the board of directors of vocational
14 schools in any vocational school district] maintaining an
15 elementary school or a high school or an extension class which
16 is attended by any pupils residing in another district shall,
17 upon admission of such pupils, properly certify to the board of
18 school directors of the school district in which such pupils
19 reside, the names of all such pupils and whether they are
20 attending an elementary school or a high school or an extension
21 class, together with a statement of the tuition charge per
22 elementary pupil and the tuition charge per high school pupil
23 and the [vocational] career and technical or other extension
24 tuition charge per pupil hour of instruction. All such tuition
25 charges shall be paid monthly to the school district [or the
26 vocational school district] maintaining such elementary school
27 or high school by the school district to which the same was
28 certified.

29 Section 2574. Approved Reimbursable Rental for Leases
30 Hereafter Approved and Approved Reimbursable Sinking Fund

1 Charges on Indebtedness.--* * *

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

7 For area [~~vocational-technical~~] career and technical school
8 and technical institute projects constructed or purchased
9 subsequent to July 1, 1964, by a board of school directors
10 authorized to operate such a school, the Department of Education
11 may calculate an approved reimbursable sinking fund charge.

12 Approved reimbursable rental or sinking fund charge shall
13 consist of that part of the annual rental or sinking fund
14 attributable to:

15 (1) Cost of acquiring land and preparing it for use to the
16 extent that such costs are deemed reasonable by the Department
17 of Education and the interest on such cost of acquisition, cost
18 of preparation and the cost of sewage treatment and the interest
19 on such cost.

20 (2) Machinery, apparatus, furniture and equipment and all
21 other necessary expenses and interest charges, but excluding
22 architects' fees in excess of six percent of the construction
23 cost.

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

29 The provisions of the foregoing paragraph shall apply to all
30 school building projects for which the general construction

1 contract is awarded prior to July 1, 1966, and for approved
2 school building projects for which a lease was approved by the
3 Department of Education prior to July 1, 1966. For school
4 buildings for which the general construction contract is awarded
5 subsequent to July 1, 1966, and for approved school building
6 projects for which the general construction contract was awarded
7 but for which a lease was not approved by the Department of
8 Education prior to July 1, 1966, the approved building
9 construction cost and the interest on such construction cost
10 shall not exceed the product of the rated full-time pupil
11 capacity, as determined by the Department of Education at the
12 time the project is approved, and three thousand seven hundred
13 dollars [(\$3700)] (\$3,700).

14 For school buildings for which the general construction
15 contract is awarded subsequent to July 1, 1984, and for approved
16 school building projects for which the general construction
17 contract was awarded but for which a lease or general obligation
18 bond resolution was not approved by the Department of Education
19 prior to July 1, 1984, the approved building construction cost
20 and the interest on such construction cost shall not exceed the
21 product of the rated full-time pupil capacity, as determined by
22 the Department of Education at the time the project is approved,
23 and six thousand three hundred dollars (\$6,300).

24 For school buildings for which the general construction
25 contract is awarded subsequent to January 1, 2005, and for
26 approved school building projects for which the general
27 construction contract was awarded but for which a lease or
28 general obligation bond resolution was not approved by the
29 Department of Education prior to January 1, 2005, the approved
30 building construction cost shall not exceed the product of the

1 rated full-time pupil capacity, as determined by the Department
2 of Education at the time the project is approved, and seven
3 thousand six hundred dollars (\$7,600).

4 The Department of Education shall not approve the expenditure
5 of any funds borrowed or obtained by the sale of bonds by any
6 authority, nonprofit corporation, profit corporation, company or
7 individual for construction of area [vocational-technical]
8 career and technical schools or technical institutes for
9 bleachers, athletic field, lighting equipment or apparatus used
10 to promote and conduct interscholastic athletics.

11 * * *

12 Section 2574.2. Approved Reimbursable Annual Rental for
13 Leases of Buildings and Facilities for School Use.--For extended
14 leases of buildings and facilities for school use authorized
15 under the provisions of section 703.1 which have been approved
16 by the Secretary of Education, the Department of Education shall
17 calculate an approved reimbursable annual rental charge.

18 Approved reimbursable annual rental for such approved leases
19 of building facilities constructed for school use shall be the
20 lesser of (i) the product of the annual rental payable under the
21 provisions of the approved lease agreement times the ratio of
22 the pupil scheduled area to the architectural area, or (ii) the
23 product of the rated pupil capacity as determined by the
24 Department of Education at the time of initial lease times one
25 hundred sixty dollars (\$160) for elementary schools, two hundred
26 twenty dollars (\$220) for secondary schools, or two hundred
27 seventy dollars (\$270) for area [vocational-technical] career
28 and technical schools.

29 Annual approved rental payable for approved leases of
30 existing facilities altered for school use shall be the lesser

1 of (i) the product of the annual rental payable under the
2 provisions of the approved lease agreement times the ratio of
3 the pupil scheduled area to the architectural area, or (ii) the
4 product of the rated pupil capacity, as determined by the
5 Department of Education at the time of initial lease, times one
6 hundred twelve dollars (\$112) for elementary, one hundred fifty-
7 four dollars (\$154) for secondary, or one hundred eighty-nine
8 dollars (\$189) for area [vocational-technical] career and
9 technical schools.

10 Section 2574.3. Approved Reimbursable Annual Rental for
11 Leases of Buildings or Portions of Buildings for Charter School
12 Use.--(a) For leases of buildings or portions of buildings for
13 charter school use which have been approved by the Secretary of
14 Education on or after July 1, 2001, the Department of Education
15 shall calculate an approved reimbursable annual rental charge.
16 Approved reimbursable annual rental for such approved leases of
17 buildings or portions of buildings for charter school use shall
18 be the lesser of (i) the annual rental payable under the
19 provisions of the approved lease agreement, or (ii) the product
20 of the enrollment, as determined by the Department of Education,
21 times one hundred sixty dollars (\$160) for elementary schools,
22 two hundred twenty dollars (\$220) for secondary schools or two
23 hundred seventy dollars (\$270) for area [vocational-technical]
24 career and technical schools. The Commonwealth shall pay
25 annually for the school year 2001-2002 and each school year
26 thereafter to each charter school which leases with the approval
27 of the Department of Education buildings or portions of
28 buildings for charter school use under these provisions an
29 amount determined by multiplying the aid ratio of the charter
30 school by the approved reimbursable annual rental.

1 * * *

2 Section 2575. Payments on Account of Leases Hereafter
3 Approved and on Account of Sinking Fund Charges on Indebtedness
4 for School Buildings Hereafter Constructed.--* * *

5 (b) The Commonwealth shall pay, annually, to each school
6 district which constructs, purchases or leases with the approval
7 of the Department of [Public Instruction] Education an area
8 [vocational-technical] career and technical school building or
9 technical institute building or which shares in the
10 construction, purchase or lease of such building or buildings
11 under provisions of the Public School Building Authority Act,
12 the Municipality Authority Act, section 758 [of the Public
13 School Code of 1949, or section] or 791 of [the Public School
14 Code of 1949] this act, or other agency, or through the
15 incurring of indebtedness by the issuance of general obligation
16 bonds, an amount to be determined by multiplying the district's
17 aid ratio or fifty per cent, whichever is more, by the approved
18 reimbursable rental approved reimbursable sinking fund charge
19 multiplied by the district's proportionate share of such rental
20 sinking fund charge.

21 Section 2577. Limitations on Approval of Projects for
22 Reimbursement Purposes.--

23 (b) The Department of [Public Instruction] Education shall
24 determine reimbursement eligibility of all projects including
25 projects submitted for approval prior to the effective date of
26 this act in the order of date of filing of applications for
27 project approval with the department, except that in the case of
28 application for area [vocational-technical] career and technical
29 schools, the department may grant priority to such applications
30 in the order in which said applications are received and process

1 them immediately. If a delay in departmental processing of any
2 application on file is occasioned by the applying school
3 district, the department shall proceed to determine
4 reimbursement eligibility of projects next in order, except that
5 in the event of any emergency due to fire, flood, orders from
6 the Department of Labor and Industry to close school buildings
7 or parts thereof where such school buildings or parts thereof
8 are determined to be [~~irreparable~~] IRREPARABLE and are closed <--
9 finally by the Department of Labor and Industry, or an act of
10 God, which causes undue hardship beyond the control of the
11 applying school district, the department may grant priority over
12 the eligibility of projects submitted prior to the emergency
13 application[: Provided, however, That in cases where priority is
14 granted due to closed schools or parts thereof by orders of the
15 Department of Labor and Industry, the approved reimbursable
16 costs of such projects shall not be included within the
17 aggregate for projects already undertaken or to be undertaken as
18 provided in subsection (a) of this section].

19 (c) Unless the general construction contract for any project
20 is awarded within ten months subsequent to the date of approval
21 by the Department of [~~Public Instruction~~] Education and by any
22 other agency as required by existing law, approval shall be
23 withdrawn, except that when a district shows to the satisfaction
24 of the department that the contract has not been let for reasons
25 beyond its control or that withdrawal of approval would work
26 undue hardship, the department may grant extensions beyond the
27 ten-months period for three periods of ninety days each before
28 approval is withdrawn. [Any project for which approval was
29 withdrawn under the provisions of act 417, approved March 22,
30 1956 (P.L.1315), may be reinstated by the Department of Public

1 Instruction and granted extensions which, together with the time
2 already elapsed, shall not exceed nineteen months beyond the
3 date of approval given by the Department of Public Instruction
4 or any agency as required by existing law.] A project for which
5 approval is withdrawn may be resubmitted to the department as a
6 new project.

7 Section 2578. Payments.--* * *

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

30 Section 2593. Responsibility for [Vocational] Career and

1 Technical Programs.--* * *

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

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

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

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

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

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

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

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

1 * * *

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

7 * * *

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

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

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

23 * * *

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

26 * * *

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

29 * * *

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

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

2 * * *

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

9 * * *

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

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

17 * * *

18 (d) * * *

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

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

26 * * *

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

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

30 (1) Has worked in the home, providing unpaid household

1 services for family members.

2 (2) Is underemployed.

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

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

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

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

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

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

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

29 "Career days." Special events that allow students to meet
30 with employers, career development specialists, community-based

1 organization representatives and postsecondary educators and are
2 designed to encourage students to gain information about careers
3 and job opportunities.

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

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

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

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

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

20 Section 2602-B. Membership.--* * *

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

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

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

17 * * *

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

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

22 * * *

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

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

30 * * *

1 (3) encourage and promote such agricultural, industrial,
2 [vocational] career and technical education programs as the
3 needs of this Commonwealth may, from time to time, require; and

4 * * *

5 Section 42. This act shall take effect in 60 days.