
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1346 Session of
2013

INTRODUCED BY HARKINS, HARHAI, LONGIETTI, YOUNGBLOOD, ROZZI,
CALTAGIRONE, WHEATLEY, O'BRIEN, HEFFLEY, MUNDY, D. COSTA,
COHEN, V. BROWN, SWANGER, FRANKEL, MOLCHANY, QUINN, MURT,
MILNE, PARKER AND FABRIZIO, MAY 8, 2013

REFERRED TO COMMITTEE ON EDUCATION, MAY 8, 2013

AN ACT

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

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

8 Section 1. Section 502 of the act of March 10, 1949 (P.L.30,
9 No.14), known as the Public School Code of 1949, amended May 9,
10 1949 (P.L.939, No.263), is amended to read:

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

17 High schools,

18 Trade schools,

1 Vocational schools,
2 Technical schools,
3 Cafeterias,
4 Agricultural schools,
5 Evening schools,
6 Kindergartens,
7 Libraries,
8 Museums,
9 Reading-rooms,
10 Gymnasiums,
11 Playgrounds,
12 Schools for [physically and mentally handicapped] children
13 with physical and mental disabilities,
14 Truant schools,
15 Parental schools,
16 Schools for adults,
17 Public lectures,

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

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

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

27 Section 2. Section 925(f) of the act, added July 24, 1970
28 (P.L.613, No.205), is amended to read:

29 Section 925. Powers and Duties.--

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

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

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

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

24 Section 3. Section 923.2-A of the act, added October 10,
25 1980 (P.L.924, No.159), is amended to read:

26 Section 923.2-A. Visual Services.--(a) Legislative Finding;
27 Declaration of Policy. [Defects] Impairments in vision are
28 health-related. It is today recognized that the diagnosis and
29 evaluation of those [defects] impairments and the rendering of
30 instruction in skills appropriate for the education, safety and

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

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

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

18 "Visual services" means diagnostic, evaluative and
19 instructional visual services for children.

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

1 located.

2 Section 4. Section 1328 of the act is amended to read:

3 Section 1328. Compulsory Education of Physical [Defectives]
4 Impairments.--Every parent, guardian, or other person, having
5 control or charge of any child of compulsory school age who is
6 deaf or blind, [or is so crippled,] or whose hearing or vision
7 is so [defective] impaired as to make it impracticable to have
8 such child educated in the public schools of the district in
9 which he is a resident, shall allow such child to be sent to
10 some school where proper provision is made for the education of
11 the deaf, or of the blind, [or of crippled children,] or shall
12 provide for the tuition of such child by a legally certified
13 private tutor.

14 Section 5. Section 1338 of the act, amended November 17,
15 1995 (1st Sp.Sess., P.L.1110, No.29), is amended to read:

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

30 Section 6. Section 1372(3) of the act, amended August 24,

1 1977 (P.L.199, No.59), is amended to read:

2 Section 1372. Exceptional Children; Education and
3 Training.--* * *

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

27 In addition to the above and in accordance with rules and
28 regulations prescribed by the Department of Education,
29 [homebound] instruction shall be provided for children confined
30 in detention homes as provided in section 7, act of June 2, 1933

1 (P.L.1433, No.311), as amended, at the detention home for the
2 period of their confinement, if their confinement exceeds or is
3 expected to exceed ten days, even though such children are not
4 exceptional.

5 * * *

6 Section 7. Section 1376(a) of the act, amended July 4, 2004
7 (P.L.536, No.70), is amended to read:

8 Section 1376. Cost of Tuition and Maintenance of Certain
9 Exceptional Children in Approved Institutions.--(a) When any
10 child between school entry age and twenty-one (21) years of age
11 and resident in this Commonwealth, who is blind or deaf, or has
12 cerebral palsy and/or neurological impairment and/or muscular
13 dystrophy and/or is [mentally retarded] developmentally disabled
14 and/or has a serious emotional [disturbance] disability and/or
15 has autism/pervasive developmental disorder and is enrolled,
16 with the approval of the Department of Education, as a pupil in
17 an approved private school approved by the Department of
18 Education, in accordance with standards and regulations
19 promulgated by the State Board of Education, the school district
20 in which such child is resident or, for students placed by a
21 charter school, the charter school in which the student was
22 enrolled shall pay the greater of either twenty per centum (20%)
23 of the actual audited cost of tuition and maintenance of such
24 child in such school, as determined by the Department of
25 Education, or its "tuition charge per elementary pupil" or its
26 "tuition charge per high school pupil," as calculated pursuant
27 to section 2561, and the Commonwealth shall pay, out of funds
28 appropriated to the department for special education, the
29 balance due for the costs of such child's tuition and
30 maintenance, as determined by the department. For the school

1 years 1989-1990, 1990-1991 and 1991-1992, the school district
2 payment shall be no greater than forty percent (40%) of the
3 actual audited costs of tuition and maintenance of such child in
4 such school. For the 1992-1993 school year through the 2003-2004
5 school year, the school district or charter school payment shall
6 be the greater of forty percent (40%) of the actual audited
7 costs of tuition and maintenance of such child in such school,
8 as determined by the Department of Education, or its "tuition
9 charge per elementary pupil" or its "tuition charge per high
10 school pupil," as calculated pursuant to section 2561, and the
11 Commonwealth shall pay, out of funds appropriated to the
12 department for approved private schools, the balance due for the
13 costs of such child's tuition and maintenance, as determined by
14 the department. For the 2004-2005 school year and each school
15 year thereafter, the school district or charter school payment
16 shall be the greater of forty percent (40%) of the approved
17 tuition rate as established pursuant to subsection (c.3) or
18 (c.5) or the school district or charter school's "tuition
19 charges per elementary pupil" or "tuition charges per secondary
20 pupil" as calculated under section 2561, and the Commonwealth
21 shall pay out of funds appropriated to the department for
22 approved private schools the balance of the approved tuition
23 rate due for the cost of such child's tuition and maintenance.
24 The department will credit the district of residence with
25 average daily membership for such child consistent with the
26 rules of procedure developed in accordance with section 2501. If
27 the residence of such child in a particular school district
28 cannot be determined, the Commonwealth shall pay the whole cost
29 of tuition and maintenance of such child as established under
30 subsection (c.3) or (c.5).

1 * * *

2 Section 8. Section 1377 of the act, amended May 31, 1979
3 (P.L.33, No.11), December 17, 1982 (P.L.1378, No.316) and July
4 8, 1989 (P.L.253, No.43), is amended to read:

5 Section 1377. Payment of Cost of Tuition and Maintenance of
6 Certain Exceptional Children.--(a) To facilitate payments by
7 the several school districts to the schools or institutions in
8 which children who are deaf or blind, or cerebral palsied and/or
9 brain damaged and/or muscular dystrophied, or socially and
10 emotionally [disturbed] disabled or [mentally retarded children]
11 developmentally disabled are enrolled, of amounts due by such
12 districts for their proportion of the cost of tuition and
13 maintenance of such children, the Secretary of Education shall
14 withhold from any moneys due to such districts out of any State
15 appropriation for the assistance as reimbursement of school
16 districts, the amounts due by such districts to such schools or
17 institutions for the blind or the deaf, or the cerebral palsied
18 and/or brain damaged and/or muscular dystrophied or the socially
19 and emotionally [disturbed] disabled and/or [mentally retarded]
20 developmentally disabled. Amounts so withheld shall be
21 specifically appropriated to the Department of Education.

22 (b) Payments of the Commonwealth's proportion of the cost of
23 tuition and maintenance of pupils who are blind or deaf, or
24 cerebral palsied and/or brain damaged and/or muscular
25 dystrophied, or socially and emotionally [disturbed] disabled
26 and/or [mentally retarded pupils] developmentally disabled and
27 are enrolled in schools or institutions for the blind or for the
28 deaf, or for the cerebral palsied and/or brain damaged and/or
29 muscular dystrophied, or for the socially and emotionally
30 [disturbed] disabled and of the cost of instruction of parents

1 of blind pupils less than school entry age, as hereinbefore
2 provided, shall be made quarterly, out of moneys appropriated to
3 the Department of Education for special education. Except for
4 the provisions of section 1376.1 providing for the actual cost
5 of tuition and maintenance of certain exceptional children in
6 the four chartered schools for education of the deaf and of the
7 blind, in no event shall the total payment for the cost of
8 tuition and maintenance of any such child exceed the rates per
9 year allowed under section 1376. The maximum amount payable for
10 the cost of tuition and maintenance of such children shall be
11 subject to review at least once every two years for the purpose
12 of recommending an adjustment thereof.

13 (c) For the purpose of enabling the Department of Education
14 to determine from time to time what amounts are due to schools
15 for the blind or for the deaf or for the cerebral palsied and/or
16 brain damaged and/or muscular dystrophied or for the socially
17 and emotionally [disturbed] disabled and/or [mentally retarded]
18 developmentally disabled hereunder, such schools shall forward
19 to the department, at such times and in such form as the
20 department shall prescribe, sworn statements setting forth the
21 names, ages, and residences of all pupils enrolled hereunder,
22 specifying the school districts liable for a part of the cost of
23 tuition and maintenance of any such pupils, the per capita cost
24 of and maintenance of pupils, and such other information as the
25 department shall require.

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

1 (d) When, during the course of the 1982-1983 school year,
2 programs for exceptional children are caused to be transferred
3 from schools or institutions for the blind or deaf, or cerebral
4 palsied or brain damaged or muscular dystrophied or [mentally
5 retarded] developmentally disabled, or socially and emotionally
6 [disturbed] disabled, as provided for in sections 1376 and
7 1376.1, to school districts or intermediate units, as provided
8 for in sections 2509 and 2509.1, under unanticipated or
9 emergency circumstances, and when such transfers necessitate the
10 transfer of funds from the appropriation to the Department of
11 Education for special education for approved private schools to
12 the appropriation to the Department of Education for payments on
13 account of special education of exceptional children in public
14 schools, the Secretary of Education shall be empowered so to
15 transfer such funds, upon approval of the Secretary of the
16 Budget and written notification to the State Treasurer and the
17 chairmen of the House and Senate Appropriations and Education
18 Committees.

19 Section 9. Section 1377.1 of the act, added December 20,
20 1983 (P.L.267, No.73), is amended to read:

21 Section 1377.1. Transfer of Funds for Transferal Programs.--
22 When, during the course of a school year or after the end of a
23 school year, programs for exceptional children are caused to be
24 transferred from schools or institutions for the blind or deaf,
25 or cerebral palsied or brain damaged or muscular dystrophied or
26 [mentally retarded] developmentally disabled, or socially and
27 emotionally [disturbed] disabled, as provided for in sections
28 1376 and 1376.1, to school districts or intermediate units, as
29 provided for in sections 2509 and 2509.1, and when such
30 transfers necessitate the transfer of funds from the

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

9 Section 10. Sections 1378 and 1379 of the act are amended to
10 read:

11 Section 1378. Medical Care for Children Under Six with
12 [Defective] Impaired Hearing.--Whenever the county medical
13 director of the Department of Health reports to the medical
14 examiner of any school district a case of a minor under six (6)
15 years of age, who is totally deaf or whose hearing is impaired,
16 who is not receiving adequate care and treatment, and whose
17 parent or guardian is financially unable to provide the same,
18 such medical examiner shall provide such care and treatment at
19 the expense of the school district or of the Commonwealth, as
20 the case may be, charged by law with the providing of medical
21 examinations for the schools of the school district. Such care
22 and treatment may be administered by the medical examiner or by
23 some doctor of medicine selected by him.

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

1 also the nearest public school having special classes for the
2 instruction of the hard of hearing, with the information
3 concerning the advantages offered by such school or classes, the
4 benefits to accrue to the child from attending such school or
5 classes, and the manner in which the expenses of such
6 instruction will be provided for.

7 Section 11. Section 1414 of the act, added July 15, 1957
8 (P.L.937, No.404), is amended to read:

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

13 Section 12. Section 1502-E(b) of the act, added July 4, 2004
14 (P.L.536, No.70), is amended to read:

15 Section 1502-E. Character education program.

16 * * *

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

19 (1) Trustworthiness, including honesty, integrity,
20 reliability and loyalty.

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

23 (3) Responsibility, including hard work, economic self-
24 reliance, accountability, diligence, perseverance and self-
25 control.

26 (4) Fairness, including justice, consequences of [bad]
27 inappropriate behavior, principles of nondiscrimination and
28 freedom from prejudice.

29 (5) Caring, including kindness, empathy, compassion,
30 consideration, generosity and charity.

1 (6) Citizenship, including love of country, concern for
2 the common good, respect for authority and the law and
3 community mindedness.

4 * * *

5 Section 13. Section 2108 of the act is amended to read:

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

7 The board of public education in each school district of the
8 first class shall prescribe the mode or modes of determining the
9 qualifications of applicants for positions as principals or
10 teachers in the schools of the district, and shall designate the
11 kinds or grades of teachers' certificates which may or shall be
12 used in the district, together with the scholastic,
13 professional, and personal qualifications required for each kind
14 or grade of certificate.

15 No certificate shall be granted to any person who is not of
16 good moral character, or to any person who shall not first have
17 presented a certificate, from a physician recognized by the
18 board of public education as competent for the purpose, setting
19 forth that said applicant is neither mentally nor physically
20 disqualified by reason of tuberculosis, or any other chronic or
21 acute physical [defect] impairment, from successfully performing
22 the duties of a teacher.

23 Section 14. Section 2501(11) of the act, amended September
24 12, 1961 (P.L.1277, No.560), is amended to read:

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

27 * * *

28 (11) "Actual Instruction Expense Per Elementary Teaching
29 Unit, Actual Instruction Expense Per Elementary Teaching Unit in
30 a Laboratory School of a State-owned College, Actual Instruction

1 Expense Per Secondary Teaching Unit, Actual Instruction Expense
2 Per Secondary Teaching Unit in a Laboratory School of a State-
3 owned College, Actual Instruction Expense Per Joint Elementary
4 Teaching Unit, Actual Instruction Expense Per Joint Secondary
5 Teaching Unit, Actual Instruction Expense Per Area Technical
6 School Teaching Unit." In 1958 in the month of September and
7 thereafter annually in the month of September, the Department of
8 Public Instruction shall calculate for each school district for
9 the immediately preceding school year the actual instruction
10 expense per elementary teaching unit for elementary pupils
11 educated in the district's public schools, the actual
12 instruction expense per secondary teaching unit for secondary
13 pupils educated in the district's public schools, the actual
14 instruction expense per joint elementary teaching unit for
15 elementary pupils educated in elementary schools of jointures of
16 which the district is a member, the actual instruction expense
17 per joint secondary teaching unit for secondary pupils educated
18 in secondary schools of jointures of which the district is a
19 member, the actual instruction expense per area technical school
20 teaching unit for pupils educated in area technical schools in
21 which the district participates, the actual instruction expense
22 per elementary teaching unit for elementary pupils residing in
23 the district and educated in the public schools of other
24 districts within the Commonwealth, and the actual instruction
25 expense per secondary teaching unit for secondary pupils
26 residing in the district and educated in the public schools of
27 other districts within the Commonwealth. In each case, actual
28 instruction expense per teaching unit shall be the sum of (i)
29 and (ii) below but in no case shall include expenses for debt
30 service, capital outlay, rentals of capital facilities and

1 equipment, salaries and expenses for school nurses, for medical
2 and dental services, for driver education courses, for
3 reimbursable transportation of pupils, for tuition paid to other
4 school districts, for reimbursable board and lodging in lieu of
5 transportation, for salaries of directors and supervisors of
6 special education, public school psychologists, principals of
7 special schools and assistants, teachers of approved special
8 classes for [physically and mentally handicapped] children with
9 physical and mental disabilities, clerks and assistants employed
10 in programs for special education, for school district
11 contributions to the retirement fund on behalf of directors and
12 supervisors of special education, public school psychologists,
13 principals of special schools and assistants, teachers of
14 approved special classes for [physically and mentally
15 handicapped] children with physical and mental disabilities,
16 clerks and assistants employed in programs for special
17 education, for the cost of textbooks and supplies of the second
18 class used in special education classes or schools, for
19 extension schools and classes, for extension recreation
20 activities, for vocational extension education, or for
21 instruction of [homebound] children who are taught at home. (i)
22 Expenses of general control per teaching unit. Expenses of
23 general control shall include: salaries, supplies and other
24 expenses of the secretary's office; commission or salary of
25 treasurer, tax collector, auditors and legal service; expenses
26 of census enumeration and other expenses of business
27 administration; salaries of the superintendent of schools and
28 clerks of the superintendent of schools; expenses of supplies
29 and other expenses of the superintendent of schools' office; and
30 other expenses of general control. In the case of computation of

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

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

1 expenses of attending teachers' institutes, commencement
2 exercise and exhibit expenses, and other expenses of
3 instruction, (b) expenses of auxiliary agencies and coordinate
4 activities, to include salaries, books, repairs, replacements,
5 and other expenses of public libraries, and non-reimbursable
6 transportation and board and lodging in lieu of transportation,
7 and provisions for tubercular and undernourished children,
8 community lectures, social centers and recreation, enforcement
9 of attendance, and other expenses of auxiliary agencies and
10 coordinate activities, (c) expenses of operation of school
11 plant, to include wages of janitors and other employes, fuel,
12 water, light, power, janitors' supplies, care of grounds,
13 services other than personal, telephone rental, and other
14 expenses of operation, (d) expenses of maintenance of school
15 plant, to include upkeep of grounds, repair of buildings,
16 repairs and replacements, heating, plumbing, lighting, apparatus
17 used in instruction, furniture, and other equipment, (e)
18 expenses of fixed charges, to include payments made to the
19 retirement board, rent, all insurance, and other fixed charges:
20 Provided, That the actual instruction expense for elementary
21 teaching unit for district pupils educated in the elementary
22 grades of a laboratory school of a State-owned college and the
23 actual instruction expenses for secondary teaching unit for
24 district pupils educated in the high school grades of a
25 laboratory school of a State-owned college shall be computed by
26 (i) dividing the total amount of money paid to the State-owned
27 college by the resident district for the education of all
28 resident elementary children enrolled in a laboratory school of
29 a State-owned college by the number of such elementary teaching
30 units based on the total number of such resident children in

1 average daily membership in the laboratory school, (ii) dividing
2 the total amount of money paid to the State-owned college by the
3 resident district for the education of all resident secondary
4 children enrolled in a laboratory school of a State-owned
5 college by the number of such secondary teaching units based on
6 the total number of such resident children in average daily
7 membership in the laboratory school. The teaching units are
8 computed on the basis of thirty (30) equivalent full time
9 elementary children and twenty-two (22) equivalent full time
10 secondary children.

11 * * *

12 Section 15. Section 2509(b) of the act, amended August 5,
13 1991 (P.L.219, No.25), is amended to read:

14 Section 2509. Payments on Account of Courses for Exceptional
15 Children.--* * *

16 (b) To find the "instruction cost per special class pupil,"
17 add (1) salaries of directors and supervisors of special
18 education, public school psychologists, principals of special
19 schools and assistants, teachers of approved special classes for
20 exceptional children, clerks and assistants employed in the
21 district's program for special education, (2) the district's
22 contribution to the retirement fund on behalf of directors and
23 supervisors of special education, public school psychologists,
24 principals of special schools and assistants, teachers of
25 approved special classes for exceptional children, clerks and
26 assistants employed in the district's program for special
27 education, (3) the cost of textbooks and supplies of the second
28 class used in the district's special education classes or
29 schools, (4) the cost of telephonic system equipment which
30 enables [handicapped] children with physical and mental

1 disabilities to remain in their homes and still participate in
2 classroom activities. Divide the sum of (1), (2), (3), and (4)
3 on that part thereof which is approved by the Department of
4 Education for reimbursement by the total number of pupils,
5 including those pupils who have available for use telephonic
6 system equipment whereby they may remain at home and still
7 participate in classroom activities, in average daily membership
8 in the district's approved special classes for exceptional
9 children. The quotient so obtained shall be the "instruction
10 cost per special class pupil."

11 * * *

12 Section 16. Section 2510.1 of the act, amended June 30, 2011
13 (P.L.112, No.24), is amended to read:

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

25 Section 17. Section 2517(e) of the act, added July 11, 2006
26 (P.L.1092, No.114), is amended to read:

27 Section 2517. Payments.--* * *

28 (e) The Secretary of Education, with the approval of the
29 Governor, may make basic education funding allocation payments
30 to school districts, in advance of the dates set forth in this

1 section to school districts which are financially [handicapped]
2 burdened, when the secretary deems it necessary to enable the
3 school district to keep their public schools open.

4 Section 18. Section 2541(b)(3) of the act, amended November
5 20, 1979 (P.L.465, No.97), is amended to read:

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

7 * * *

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

10 * * *

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

17 * * *

18 Section 19. This act shall take effect in 60 days.