

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 301 Session of 2023

INTRODUCED BY HARKINS, SAMUELSON, KINSEY, HOHENSTEIN, SCHLOSSBERG, HILL-EVANS, CIRESI, SANCHEZ, D. WILLIAMS, PASHINSKI, MADDEN, NEILSON, WARREN, GALLOWAY, MALAGARI, FREEMAN, STURLA, KINKEAD, N. NELSON, CEPEDA-FREYTIZ AND WAXMAN, MARCH 10, 2023

AS REPORTED FROM COMMITTEE ON EDUCATION, HOUSE OF REPRESENTATIVES, AS AMENDED, APRIL 21, 2023

AN ACT

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

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

8 Section 1. Sections 502, 925, 923.2-A, 1328, 1338, 1376(a),
9 1377, 1377.1, 1379, 1502-E(b), 2108, 2501(11), ~~2509(b)~~ 2509 <--

10 HEADING AND (B), 2517(e) and 2541(b) (3) of the act of March 10,
11 1949 (P.L.30, No.14), known as the Public School Code of 1949,
12 are amended to read:

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

1 district, and for the proper operation of its schools, namely:--

2 High schools,

3 Trade schools,

4 Career and technical schools,

5 Cafeterias,

6 Agricultural schools,

7 Evening schools,

8 Kindergartens,

9 Libraries,

10 Museums,

11 Reading-rooms,

12 Gymnasiums,

13 Playgrounds,

14 Schools for [physically and mentally handicapped] children

15 with physical or ~~mental~~ INTELLECTUAL disabilities,

<--

16 [Truant schools] ALTERNATIVE EDUCATION SCHOOLS,

<--

17 Parental schools,

18 Schools for adults,

19 Public lectures,

20 Such other schools or educational departments as the

21 directors, in their wisdom, may see proper to establish.

22 Said additional schools or departments, when established,

23 shall be an integral part of the public school system in such

24 school district and shall be so administered.

25 No pupil shall be refused admission to the courses in these

26 additional schools or departments, by reason of the fact that

27 his elementary or academic education is being or has been

28 received in a school other than a public school.

29 Section 925. Powers and Duties.--

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

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

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

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

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

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

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

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

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

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

30 Section 1328. Compulsory Education of Children with Physical

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

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

28 Section 1376. Cost of Tuition and Maintenance of Certain
29 Exceptional Children in Approved Institutions.--(a) When any
30 child between school entry age and twenty-one (21) years of age

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

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

21 * * *

22 Section 1377. Payment of Cost of Tuition and Maintenance of
23 Certain **[Exceptional]** Children WITH DISABILITIES.--(a) To <--
24 facilitate payments by the several school districts to the
25 schools or institutions in which ~~children who are~~ **[deaf or** <--
26 **blind]** CHILDREN WHO ARE HEARING IMPAIRED OR VISUALLY IMPAIRED, <--
27 or cerebral palsied and/or **[brain damaged]** HAVE A TRAUMATIC <--
28 BRAIN INJURY and/or muscular dystrophied, or socially and
29 emotionally **[disturbed]** disabled or **[mentally retarded children]**
30 intellectually disabled are enrolled, of amounts due by such

1 districts for their proportion of the cost of tuition and
2 maintenance of such children, the Secretary of Education shall
3 withhold from any moneys due to such districts out of any State
4 appropriation for the assistance as reimbursement of school
5 districts, the amounts due by such districts to such schools or
6 institutions for the [blind or the deaf] VISUALLY IMPAIRED OR <--
7 HEARING IMPAIRED, or the cerebral palsied and/or [brain damaged] <--
8 WHO HAVE A TRAUMATIC BRAIN INJURY and/or muscular dystrophied or
9 the socially and emotionally [disturbed] disabled and/or
10 [mentally retarded] intellectually disabled. Amounts so withheld
11 shall be specifically appropriated to the Department of
12 Education.

13 (b) Payments of the Commonwealth's proportion of the cost of
14 tuition and maintenance of ~~pupils who are~~ [blind or deaf] <--
15 STUDENTS WHO ARE VISUALLY IMPAIRED OR HEARING IMPAIRED, or
16 cerebral palsied and/or [brain damaged] WHO HAVE A TRAUMATIC <--
17 BRAIN INJURY and/or muscular dystrophied, or socially and
18 emotionally [disturbed] disabled and/or [mentally retarded
19 pupils] intellectually disabled and are enrolled in schools or
20 institutions for the [blind or for the deaf] VISUALLY IMPAIRED <--
21 OR HEARING IMPAIRED, or for the cerebral palsied and/or [brain <--
22 damaged] TRAUMATIC BRAIN INJURED and/or muscular dystrophied, or <--
23 for the socially and emotionally [disturbed] disabled and of the
24 cost of instruction of parents of [blind] VISUALLY IMPAIRED <--
25 pupils less than school entry age, as hereinbefore provided,
26 shall be made quarterly, out of moneys appropriated to the
27 Department of Education for special education. Except for the
28 provisions of section 1376.1 providing for the actual cost of
29 tuition and maintenance of certain [exceptional] children WITH <--
30 DISABILITIES in the four chartered schools for education of the

1 [deaf and of the blind] HEARING IMPAIRED OR VISUALLY IMPAIRED, <--
2 in no event shall the total payment for the cost of tuition and
3 maintenance of any such child exceed the rates per year allowed
4 under section 1376. The maximum amount payable for the cost of
5 tuition and maintenance of such children shall be subject to
6 review at least once every two years for the purpose of
7 recommending an adjustment thereof.

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

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

27 (d) When, during the course of the 1982-1983 school year,
28 programs for [exceptional] children WITH DISABILITIES are caused <--
29 to be transferred from schools or institutions for the [blind or <--
30 deaf] VISUALLY IMPAIRED OR HEARING IMPAIRED, or cerebral palsied <--

1 or [brain damaged] TRAUMATIC BRAIN INJURED or muscular <--
2 dystrophied or [mentally retarded] intellectually disabled, or
3 socially and emotionally [disturbed] disabled, as provided for
4 in sections 1376 and 1376.1, to school districts or intermediate
5 units, as provided for in sections 2509 and 2509.1, under
6 unanticipated or emergency circumstances, and when such
7 transfers necessitate the transfer of funds from the
8 appropriation to the Department of Education for special
9 education for approved private schools to the appropriation to
10 the Department of Education for payments on account of special
11 education of [exceptional] children WITH DISABILITIES in public <--
12 schools, the Secretary of Education shall be empowered so to
13 transfer such funds, upon approval of the Secretary of the
14 Budget and written notification to the State Treasurer and the
15 chairmen of the House and Senate Appropriations and Education
16 Committees.

17 Section 1377.1. Transfer of Funds for Transferral Programs.--
18 When, during the course of a school year or after the end of a
19 school year, programs for [exceptional] children WITH <--
20 DISABILITIES are caused to be transferred from schools or
21 institutions for the [blind or deaf] VISUALLY IMPAIRED OR <--
22 HEARING IMPAIRED, or cerebral palsied or [brain damaged] <--
23 TRAUMATIC BRAIN INJURED or muscular dystrophied or [mentally
24 retarded] intellectually disabled, or socially and emotionally
25 [disturbed] disabled, as provided for in sections 1376 and
26 1376.1, to school districts or intermediate units, as provided
27 for in sections 2509 and 2509.1, and when such transfers
28 necessitate the transfer of funds from the appropriation to the
29 Department of Education for special education for approved
30 private schools to the appropriation to the Department of

1 Education for payments on account of special education of
2 [exceptional] children WITH DISABILITIES in public schools, the <--
3 Secretary of Education shall be empowered to transfer such
4 funds, upon approval of the Secretary of the Budget and written
5 notification to the State Treasurer and the chairmen of the
6 House and Senate Appropriations and Education Committees.

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

21 Section 1502-E. Character education program.

22 * * *

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

25 (1) Trustworthiness, including honesty, integrity,
26 reliability and loyalty.

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

29 (3) Responsibility, including hard work, economic self-
30 reliance, accountability, diligence, perseverance and self-

1 control.

2 (4) Fairness, including justice, consequences of [bad]-- <--
3 inappropriate behavior] BEHAVIORS THAT IMPEDE THE LEARNING OF <--
4 SELF OR OTHERS, principles of nondiscrimination and freedom
5 from prejudice.

6 (5) Caring, including kindness, empathy, compassion,
7 consideration, generosity and charity.

8 (6) Citizenship, including love of country, concern for
9 the common good, respect for authority and the law and
10 community mindedness.

11 * * *

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

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

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

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

1 * * *

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

1 Commonwealth. In each case, actual instruction expense per
2 teaching unit shall be the sum of (i) and (ii) below but in no
3 case shall include expenses for debt service, capital outlay,
4 rentals of capital facilities and equipment, salaries and
5 expenses for school nurses, for medical and dental services, for
6 driver education courses, for reimbursable transportation of
7 pupils, for tuition paid to other school districts, for
8 reimbursable board and lodging in lieu of transportation, for
9 salaries of directors and supervisors of special education,
10 public school psychologists, principals of special schools and
11 assistants, teachers of approved special classes for [physically
12 and mentally handicapped] children with physical or mental
13 disabilities, clerks and assistants employed in programs for
14 special education, for school district contributions to the
15 retirement fund on behalf of directors and supervisors of
16 special education, public school psychologists, principals of
17 special schools and assistants, teachers of approved special
18 classes for [physically and mentally handicapped] children with
19 physical or mental disabilities, clerks and assistants employed
20 in programs for special education, for the cost of textbooks and
21 supplies of the second class used in special education classes
22 or schools, for extension schools and classes, for extension
23 recreation activities, for career and technical extension
24 education, or for instruction of homebound children. (i)
25 Expenses of general control per teaching unit. Expenses of
26 general control shall include: salaries, supplies and other
27 expenses of the secretary's office; commission or salary of
28 treasurer, tax collector, auditors and legal service; expenses
29 of census enumeration and other expenses of business
30 administration; salaries of the superintendent of schools and

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

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

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

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

14 * * *

15 Section 2509. Payments on Account of Courses for

16 **[Exceptional]** Children WITH DISABILITIES.--* * * <--

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

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

14 * * *

15 Section 2517. Payments.--* * *

16 (e) The Secretary of Education, with the approval of the
17 Governor, may make basic education funding allocation payments
18 to school districts, in advance of the dates set forth in this
19 section to school districts which are financially [handicapped]
20 burdened, when the secretary deems it necessary to enable the
21 school district to keep their public schools open.

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

23 * * *

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

26 * * *

27 (3) To all school districts, for the transportation of
28 [physically or mentally handicapped] children with physical or
29 mental INTELLECTUAL disabilities regularly enrolled in special <--
30 classes approved by the Department of Education or enrolled in a

1 regular class in which approved educational provisions are made
2 for them.

3 * * *

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