
THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No.

532

Session of

1961

INTRODUCED BY MESSRS. FLEMING, STASEY, DEVLIN AND
RIPP, APRIL 17, 1961.

REFERRED TO COMMITTEE ON EDUCATION, APRIL 17, 1961.

AN ACT

Amending the act of March 10 1949 (P L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" providing for higher education in the public school system in counties of the second class through the establishment and operation of junior colleges conferring powers and duties on school directors county superintendents county boards of school direc-

EXPLANATION—CAPITAL LETTERS indicate new matter added to bill. Matter ~~stricken through~~ is to be omitted from bill. Underscoring indicates new matter added to existing law. [Brackets] indicate matter ~~stricken from~~ existing law.

tors the Superintendent of Public Instruction and the State Council of Education and providing for advancements and reimbursements by the Commonwealth

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

1 Section 1 Section 1051 act of March 10 1949 (P L. 30) known
2 as the "Public School Code of 1949" is amended by adding at the end
3 thereof a new clause to read

4 Section 1051 Number of Assistant County Superintendents County
5 superintendents shall have the following number of assistant county
6 superintendents

7 * * *

8 (7) Notwithstanding the limitations on the number of assistant
9 superintendents hereinbefore imposed the county superintendent in
10 any county of the second class establishing one or more junior colleges
11 shall have an additional assistant superintendent who shall be president
12 of the junior college or colleges of the county

13 The State Council of Education shall prescribe qualifications for
14 assistant superintendents who serve as president of the junior college
15 or colleges in a second class county equal to the qualifications required

1 of persons holding positions as presidents of institutions of higher
2 learning

3 Section 2 Article XIX of the act is amended by adding at the
4 end thereof a new subdivision to read

5 (c) Junior Colleges

6 Section 1931 Creation of Junior Colleges A county board of school
7 directors in any second class county may with the approval of the State
8 Council of Education establish one or more junior college community
9 college or technical institute hereinafter referred to as "junior col-
10 leges" offering post high school educational programs less than four
11 years in length

12 The Department of Public Instruction shall prepare subject to
13 approval of the State Council of Education a plan for the establish-
14 ment of junior colleges in counties of the second class The plan shall
15 take into consideration topography density of population community
16 interests roads transportation facilities financial ability of school dis-
17 tricts and the adequacy of existing institutions of higher learning

18 In addition to adopting a plan for establishing junior colleges the
19 State Council of Education shall establish rules regulations and stand-

1 ards concerning the organization curricula physical facilities faculty
2 and financing for all junior colleges

3 The action of a county board of school directors in a county of
4 the second class to establish junior colleges shall have the prior author-
5 ization of a convention of school directors of the districts desiring to
6 participate in the establishment and operation of a junior college

7 In the event the plan approved by the State Council of Education
8 provides for the establishment of more than one junior college in a
9 county of the second class the county board of school directors shall
10 limit participation in any convention to the school directors of the
11 districts to be served by a junior college and desiring to participate in
12 the establishment of a junior college The directors in each convention
13 may by majority vote of those present and voting authorize the county
14 board to establish a junior college and to determine the share of oper-
15 ating expenses and debt service or rental to an authority or nonprofit
16 corporation to be borne by the school districts

17 Section 1932 Payment of Buildings Equipment Library The cost
18 of establishing constructing equipping and furnishing a junior college
19 shall be paid by the several districts participating in its establishment
20 in such manner and in such proportions as the boards of school directors

1 may agree Any school district joining in the establishment of a junior
2 college through the county board shall have the same power to raise
3 the necessary funds to pay its share of establishing and maintaining
4 such junior college as it has to raise funds and maintain elementary
5 schools or any additional schools and departments as defined in section
6 502 of the act to which this is an amendment

7 The Commonwealth shall reimburse school districts participating
8 in the acquisition of land and the construction of buildings for junior
9 college purposes on account of sinking fund and rental payments
10 Reimbursement to each district shall be determined by multiplying the
11 districts sinking fund or rental payment by fifty one-hundredths or
12 by the product of the capital account reimbursement fraction multi-
13 plied by itself whichever is more

14 Section 1933 Discontinuance Any county board of school directors
15 in a second class county establishing a junior college shall at any time
16 by a vote of two-thirds of the participating boards and by a majority
17 of all the directors of the participating districts discontinue the junior
18 college The property belonging thereto when discontinued shall unless
19 otherwise agreed upon by the several districts be disposed of and dis-
20 tributed among the school districts participating in the establishment

1 of such junior college in the same proportion as it was originally con-
2 tributed or as they may agree

3 Section 1934 Advisory Boards Every county board in counties of
4 the second class operating one or more junior colleges shall create an
5 advisory board of at least five members The members of the advisory
6 board shall be the presidents or heads of colleges and universities within
7 the service area of such junior college or citizens residing in the area

8 Section 1935 Powers and Duties The county board of school direc-
9 tors in each county of the second class with respect to the establishment
10 and operation of one or more junior colleges for the education and
11 training of residents of all the school districts of the second third and
12 fourth class and with the approval of the Board of Public Education
13 for residents of school districts of the first class A shall have power and
14 its duty shall be

15 (1) To employ administrators supervisors and teachers and all other
16 persons necessary to carry on the work of the junior college and to
17 determine the salaries to be paid All persons so employed shall have the
18 same rights of minimum salaries and increments and membership in the
19 Public School Employes' Retirement Association as employes of school
20 districts

1 (2) To purchase lease rent improve or sell land and to build repair
2 improve lease rent buy and sell buildings

3 (3) To acquire real property by purchase gift or condemnation for
4 the purposes of junior colleges Condemnation proceedings shall be in-
5 stituted and conducted in the name of the school districts participating
6 through the county board in the same manner as provided by this act
7 in the case of school districts

8 (4) To receive gifts and Federal State and local moneys and to
9 expend the same

10 (5) To accept and use buildings constructed by Federal State and
11 local agencies for junior college purposes

12 (6) To purchase all necessary furniture implements books materials
13 equipment and supplies

14 (7) To make contracts with counties cities boroughs towns town-
15 ships and school districts or other agencies for carrying out the purposes
16 of this subdivision of this article

17 (8) To make an annual report by writing to the Department of
18 Public Instruction and such other reports as the departments requires

1 (9) When authorized by the participating school districts and on
2 behalf of such districts to enter into agreements with the State Public
3 School Building Authority or municipality authorities or other agencies
4 to buy land and build alter lease equip and operate facilities for junior
5 colleges

6 (10) To accept students in junior colleges from districts not par-
7 ticipating in their establishment and maintenance

8 (11) To assess each school district participating in the establish-
9 ment of a junior college a proportionate share of the total cost as here-
10 inafter defined of operating such junior college The proportionate share
11 of a school district shall be determined by the majority vote of the
12 directors present and voting in convention from districts participating
13 in the establishment of a junior college as follows

14 (i) Agreeing to levy a uniform tax or taxes in all districts partici-
15 pating in the establishment of a junior college to pay the difference
16 between the total cost of operating a junior college and share the total
17 cost borne by the Commonwealth plus tuition and other charges paid
18 by students

19 (ii) Establishing an amount per student to be paid by each district
20 multiplied by the number of resident pupils in average daily membership

1 enrolled in the junior college

2 (iii) Paying the difference between the total cost per pupil and an
 3 amount to be determined by adding the State share per student to the
 4 tuition and other charge paid by each student multiplied by the number
 5 of resident students in average daily membership enrolled in the junior
 6 college

7 In the event the school directors elect to finance a junior college
 8 by means of a uniform tax levy on real property or some form of wealth
 9 the proportionate share of all of the participating school districts shall
 10 not be less than one-third of the total cost of operating the junior college

11 In the event the school directors elect to share the cost on a per
 12 pupil basis the proportionate share of any participating district shall
 13 not be less than one-third of the total cost per student multiplied by the
 14 number of resident students in average daily membership enrolled in
 15 the junior college

16 (12) To fix tuition charges and laboratory fees to be paid by students
 17 attending the junior college

18 (13) To arrange with other junior colleges and other institutions of
 19 higher learning for the transfer of credits given by the junior college

1 and the acceptance of credits from other junior colleges and institutions
2 of higher learning

3 (14) Such other powers and duties as are necessary to carry into
4 effect the purposes of this subdivision of this article

5 Section 1936 Attendance of Students from Nonparticipating Dis-
6 tricts On obtaining the consent of the board of school directors in any
7 county of the second class operating a junior college and without the
8 consent of the board of school directors of the district in which the
9 student resides any student residing in a district not participating in
10 the establishment of a junior college through a county board of school
11 directors in a second class county may attend such junior college The
12 school district in which the student resides shall be charged for each
13 student attending the junior college an amount equal to the total cost
14 for operating expenses plus sinking fund payments or rental payments
15 to an authority or nonprofit corporation divided by the number of
16 students enrolled in the college less the State payment per student and
17 any tuition charge that may be made

18 Section 1937 Associate Degrees Junior colleges approved by the
19 State Council of Education may issue a diploma bearing title of an
20 associate degree as testimonial for the completion of two years of post

1 high school education to each student who has successfully completed
2 the course prescribed for the freshman and sophomore years and to
3 each student who successfully completed a two-year course prescribed
4 for occupational preparation

5 Section 1938 Right to Attend No person shall be prevented from
6 attending any junior college because of color religious creed national
7 origin or sex

8 Section 3 The act is amended by adding after section 2510 two
9 new sections to read

10 Section 2510.1 Payments on Account of Junior Colleges The county
11 board of school directors in a county of the second class shall be paid
12 by the Commonwealth for every school term an amount equal to one-
13 third the total cost not in excess of two hundred twenty-five dollars
14 (\$225) per student in average daily membership in a junior college
15 regardless of the classification of the school district in which the student
16 resides Total cost shall include all expenses of operating a junior college
17 excepting sinking fund charges and rentals paid to a municipality
18 school district State school building or other authority or nonprofit
19 corporation

1 Section 2510.2 Advancements to County Boards and Boards of
2 Trustees by Commonwealth for Junior Colleges Repayment Withhold-
3 ing Annually before the first day of July every county board in coun-
4 ties of the second class operating one or more junior colleges shall
5 submit for prior review and approval by the Department of Public
6 Instruction an estimate of the cost of operating the junior college or
7 colleges during the ensuing school year On or before the first day of
8 August the Commonwealth shall pay to the county board a sum equal
9 to one-half of the estimated cost per student less any tuition or other
10 charges paid by each student multiplied by the estimated number of
11 students enrolled in the junior college and on or before the first day
12 of January shall pay an equal or adjusted sum as may be shown to be
13 necessary by an adjusted budget based upon expenditures during the
14 first half of the school term At the end of each school year all unex-
15 pended funds shall be credited to Commonwealth payments due for the
16 succeeding school year on account of the operation of junior colleges
17 or upon direction of the Superintendent of Public Instruction shall be re-
18 turned to the Commonwealth All funds returned are appropriated to the
19 Department of Public Instruction for support of the public schools For
20 each student enrolled in any junior college operated by a county board

1 the school district in which the student is resident shall pay to the
2 Commonwealth an amount equal the difference between the total cost
3 per student as hereinbefore defined and a sum obtained by adding the
4 State payment per student and tuition and other payments made by
5 each student In order to facilitate payments by the several school
6 districts the Department of Public Instruction shall withhold from any
7 moneys due to the district out of any State appropriation except from
8 reimbursement due on account of school buildings rentals and sinking
9 fund charges the amounts due by the school district to the Common-
10 wealth All amounts so withheld are appropriated to the Department
11 of Public Instruction for the support of public schools

We certify that this bill has passed the Senate and the House of Representatives.

.....
Chief Clerk, Senate

.....
President pro tempore, Senate

.....
Speaker, House of Representatives

Approved The day of A. D. 1961.

.....
Governor