

No. 55

AN ACT

SB 31

Amending the act of August 24, 1963 (P.L.1132), entitled "An act providing for the creation, establishment and operation of community colleges, granting certain powers to the State Board of Education, the Council of Higher Education and the Department of Public Instruction; authorizing school districts, county boards of school directors and municipalities to sponsor community colleges; authorizing school districts and municipalities to levy certain taxes; providing for reimbursements by the Commonwealth of certain costs and expenses, and making an appropriation," including provisions for lease or rental of capital equipment and furniture; deleting the provisions dealing with the crediting of Federal funds; making community college employes eligible for inclusion in the Pennsylvania State Employes' Retirement System, increasing the maximum reimbursement by the Commonwealth of certain costs and expenses and making an editorial change.

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

Section 1. Subsections (a), (b) and (c) of section 14, act of August 24, 1963 (P.L.1132), known as the "Community College Act of 1963," amended October 26, 1965 (P.L.651), are amended to read:

Section 14. Financial Program; Reimbursement or Payments.—(a) The plan submitted by the local sponsor shall set forth a financial program for the operation of the community college. The plan shall provide that at least two-thirds of the annual operating costs and up to one-half of the annual capital expenses shall be appropriated or provided by the local sponsor to the community college and such allocation may in part be represented by real or personal property or services made available to the community college. The plan shall indicate whether the appropriation shall come from general revenues, loan funds, special tax levies or from other sources, including student tuitions.

(b) The Commonwealth shall pay to a community college on behalf of the sponsor on account of its operating costs during an academic year from funds appropriated for that purpose an amount equal to one-third of such college's approved operating costs not to exceed [**one thousand dollars (\$1,000)**] *one thousand two hundred dollars (\$1,200)* per student multiplied by the number of equivalent full-time students determined by an audit to be made in a manner prescribed by the State Board of Education. In addition the Commonwealth shall pay to a community college on account of its operating costs during a summer term from funds appropriated for that purpose an amount equal to one-third of such college's approved operating costs not to exceed [**five hundred dollars (\$500)**] *six hundred dollars (\$600)* per student multiplied by the number of equivalent full-time students. Each community college shall maintain such accounting and student attendance records on generally accepted

principles and standards as will lend themselves to satisfactory audit. The Commonwealth shall pay to a community college on behalf of the sponsor on account of its capital expenses an amount equal to one-half of such college's annual capital expenses from funds appropriated for that purpose to the extent that said capital expenses have been approved as herein provided.

(c) Capital expenses shall mean only such expenses as are incurred with the approval of the Department of Public Instruction for amortization of the purchase of lands; purchase, construction or improvement of buildings for administrative and instructional purposes, including libraries; the lease of lands or buildings, or for rentals to an authority for the same purpose; and for the purchase, *lease or rental* of capital equipment and furniture used for instructional or administrative purposes. Capital expenses shall include library books and complementary audio-visual equipment purchased during the first five years after establishment. *For the purpose of calculating the Commonwealth's share of operating, and capital costs incurred prior to the actual admission of students to a community college, all such costs shall be interpreted as capital costs.* No costs and expenses incurred in the establishment, construction, operation or maintenance of dormitories, or the equipment or furnishings for such purposes shall be included in capital expenses or operating costs for purposes of Commonwealth reimbursement.

The provisions of this paragraph shall not prevent the Commonwealth from reimbursing a community college for capital expenses incurred prior to the effective date of this act. Such reimbursement must have approval of the **[Superintendent of Public Instruction.] Secretary of Education.**

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Section 2. Subsection (f) of section 14 of the act is repealed.

Section 3. Subsection (g) of section 14 of the act, amended October 26, 1965 (P.L.651), is amended to read:

Section 14. Financial Program; Reimbursement or Payments.—

* * *

(g) All administrative personnel, faculty, and other employes of the community colleges in the Commonwealth shall be eligible for inclusion in the Public School Employes' Retirement System of Pennsylvania, *the Pennsylvania State Employes' Retirement System*, or any independent retirement program approved by the Board of Trustees of a community college, and the **[Superintendent of Public Instruction.] Secretary of Education.**

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Section 4. This act shall take effect immediately and be retroactive to July 1, 1971.

APPROVED—The 27th day of March, A. D. 1972.

MILTON J. SHAPP

The foregoing is a true and correct copy of Act of the General Assembly
No. 55.

A handwritten signature in black ink, reading "C. McLaughlin Tucker". The signature is written in a cursive style with a large initial "C" and a prominent "M".

Secretary of the Commonwealth.