

No. 462

AN ACT

Amending the act of May 2, 1929 (P. L. 1237), entitled "An act affecting marital relations; prescribing grounds and regulating proceedings for divorce and the annulment of bigamous marriages; and amending, revising, and consolidating the law relating thereto," authorizing the entry of judgment for arrearages on an award for alimony pendente lite, counsel fees and expenses.

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

The Divorce Law.

Section 1. Section 46, act of May 2, 1929 (P. L. 1237), known as "The Divorce Law," amended May 25, 1933 (P. L. 1020), is amended to read:

Section 46, act of May 2, 1929, P. L. 1237, amended May 25, 1933, P. L. 1020, further amended.

Section 46. Alimony Pendente Lite, Counsel Fees and Expenses.—In case of divorce from the bonds of matrimony or bed and board, the court may, upon petition, in proper cases, allow a wife reasonable alimony pendente lite and reasonable counsel fees and expenses. *If at any time the husband is in arrears in the payment of the alimony pendente lite, counsel fees and expenses so allowed, the wife may, by affidavit of default, upon praecipe to the prothonotary, obtain a judgment for such arrearages.*

Section 2. This act shall take effect in sixty days.

Effective date.

APPROVED—The 14th day of August, A. D. 1963.

WILLIAM W. SCRANTON

No. 463

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 vocational-technical education and technical institutes, providing payments on account thereof, and authorizing the Department of Public Instruction to grant priority to applications for area *vocational-technical schools.

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

Public School Code of 1949.

Section 1. Section 925, act of March 10, 1949 (P. L. 30), known as the "Public School Code of 1949," is amended by adding, at the end thereof, two new subsections to read:

Section 925, act of March 10, 1949, P. L. 30, amended by adding two new subsections (d) and (e).

* "vocational" not in original.

Section 925. Powers and Duties.—* * *

(d) The county board of school directors in respect to school districts of the second, third or fourth class shall have power and its duty shall be—

*(1) To prepare and submit to the State Board for Vocational Education on or before January *1, 1965, a proposal for arranging all school districts of the second, third and fourth class of the county into one or more area vocational-technical school attendance areas. County boards in counties in which the pupil population is not adequate to permit a diversity of courses or to use essential equipment, apparatus and machinery economically, or in which part or parts of the county may, to the advantage of the residents, be part of an attendance area with districts in one or more adjacent counties, shall, in conjunction with the county board of such county or counties, propose an attendance area or areas which may include part or all of the districts of two or more counties.*

In the event a county board fails (i) to submit a proposal for arranging all school districts of the second, third or fourth class of the county into one or more area vocational-technical school attendance areas, (ii) to confer and agree with a county board or boards in adjacent counties on the districts to be included in area vocational-technical attendance areas crossing county lines, and (iii) to include all school districts of the second, third or fourth class in the proposal. Boards of school directors from districts affected by the county board's failure to carry out the provisions as herein defined, desiring to establish and operate an area vocational-technical school, may prepare and submit to the State Board for Vocational Education a proposal for arranging districts or including districts in area vocational-technical school attendance areas. The board of school directors of a school district not included in an attendance area proposal may petition the State Board for Vocational Education to include such district in an area vocational-technical attendance area. The State Board for Vocational Education is hereby authorized to place in an attendance area any district of the second, third or fourth class which is not included in any proposed attendance area.

Area vocational-technical school attendance areas and standards for courses and equipment shall be in conformity with standards prepared by the Department of Public Instruction and approved by the State Board for Vocational Education.

(2) In the case of a county of the second class to prepare and submit on or before January 1, 1965, to the State Board for Vocational Education a proposal

* "1" not in original.

for arranging all school districts of the second, third or fourth class of the county into one or more technical institute attendance areas.

Technical institute attendance areas and standards for courses and equipment shall be in conformity with standards prepared by the Department of Public Instruction and approved by the State Board for Vocational Education.

(e) The county board of school directors in a county of the second class may, at the request of the board of public education of a district of first class A:

(1) Include part or parts of such school district in area vocational-technical school and technical institute attendance area proposals hereinbefore described.

(2) Make a county-wide proposal for area vocational-technical and technical institute attendance areas to include all classes of school districts within the county.

Section 2. Section 1707 of the act, amended April 28, 1961 (P. L. 151), is amended to read:

Section 1707 of act, amended April 28, 1961, P. L. 151, further amended.

Section 1707. Joint School Committee.—The boards of school directors, establishing any joint school or department, may supervise and direct its affairs, jointly, in the same manner as the affairs of individual school districts are managed; or they may agree that the affairs of such joint school or department may be managed by a joint school committee within the limits of the budget adopted by the joint board. Where such management is delegated to a joint school committee, every school board establishing joint schools or departments shall, at the annual meeting during the month of December, select one or more of its members who, with the members chosen in like manner in the other districts, shall constitute the joint school committee. Every such school board may also select at any annual or regular meeting one or more alternates from its members to serve in the event selected members are unable to attend a meeting of the joint school committee. The alternate, when directed by the president of the school board to attend a meeting of the joint school committee in the absence of the selected member, shall have all the powers and duties of a regular member of such committee. This committee shall have all the powers and duties and be subject to all the liabilities with reference to the supervision, maintenance and regulation of such joint schools or departments as are now conferred or imposed by law upon school boards generally. The affirmative vote of a majority of all the members of this committee, duly recorded; showing how each member voted, shall be required in order to take action upon those subjects enumerated in section five hundred eight of this act.

Failure to comply with the provisions of this act shall render void and unenforceable the acts of the joint school committee with reference thereto. The joint board and the joint school committee, if authorized, shall organize annually during the month of December by electing a president, vice-president and secretary, who shall perform the duties imposed by this act on the president, vice-president and secretary of regular school boards. The secretary so elected shall serve for a term of four years. The expenses of maintaining the joint school or department shall be paid by warrant drawn on the joint board treasurer by the president and secretary of the joint board or the joint school committee.

Whenever two or more boards of school directors, who are at the time members of a joint board operating a joint school or department, join with other boards of school directors in the formation of a joint school committee operating [a vocational or technical school] *an area vocational-technical school or technical institute*, the joint committee may be formed as may be agreed: Provided, That each joint school or department have at least one member on the joint school committee.

Subdivision (c), Article XVIII, of act, amended as to subdivision heading and adding a new section 1840.

Section 3. Subdivision (c) of Article XVIII. of the act is amended by amending the subdivision heading and by adding a new section to read:

(c) *Area Vocational-Technical Schools and Technical Institutes.*

Section 1840. Definitions.—“Area vocational-technical board.” An area vocational-technical board may be a county board of school directors, two or more county boards acting jointly, the board of public education of a school district of the first class and first class A, or joint board comprising school districts of the first class A, second, third or fourth class. An area vocational-technical board may establish and operate, as herein-after described, area vocational-technical schools and technical institutes.

“Area vocational-technical attendance area.” An area vocational-technical attendance area may comprise part of a school district of the first class and first class A, a county, two or more counties, part of a county, or parts of two or more counties.

“Technical institute attendance area.” A technical institute attendance area may be coterminous with an area vocational-technical school attendance area or may comprise two or more such attendance areas.

Sections 1841 and 1842 of act, added August 21, 1953, P. L. 1223, amended.

Section 4. Sections 1841 and 1842 of the act, added August 21, 1953 (P. L. 1223), are amended to read:

Section 1841. *Area Vocational-Technical Schools and Technical Institutes Authorized.—[The county board of*

school directors of each county individually or jointly with the board of one or more other counties] *An area vocational-technical board* may [on or subsequent to the first day of June, one thousand nine hundred fifty-five,] establish, maintain, conduct and operate schools, departments or classes *to prepare* for vocational industrial [education], vocational agricultural [education], vocational homemaking [education], *business* and vocational distributive [occupational education] *occupations, technical occupations, such as aides and assistants, in physical, biological, space and other sciences, mathematics, engineering, construction and design, computer programming and maintenance, and health occupations* and for any other occupations requiring vocational or technical training and education, to be known as "area vocational-technical schools," for the [benefit] education of pupils, *out-of-school youth* and adults residing in [school districts not providing trade and industrial schools and departments] *the attendance area.*

In counties of the first and second class, an area vocational-technical board may establish a school or schools to be known as "technical institute." Such technical institute shall offer post high school programs and courses of two years' duration, which will prepare out-of-school youth and adults for competency in sub-professional, technical, health service, business, commercial, merchandising and skilled occupations and for any other occupations for which technical training is helpful to an employer and increases students' qualifications for employment. Technical institute programs and courses shall be coordinated with those offered in area vocational-technical schools to insure progressive advancement of students. Such institutes shall be organized in accordance with proposals of county boards, boards of public education, or two or more boards of school directors, jointly, which are approved by the State Board for Vocational Education. All technical institutes shall be established, operated and in all respects conform to standards prepared by the Department of Public Instruction and adopted by the State Board for Vocational Education. Area vocational-technical schools, as approved by the State Board for Vocational Education, may be organized as vocational-technical service centers in which pupils may enroll full-time or in which pupils enrolled in academic high schools may elect to attend part-time. Technical institutes approved by the State Board for Vocational Education may enroll out-of-school youth and adults full-time or part-time as the students may elect.

Section 1842. Advisory Committees.—Each [county board of school directors] *area vocational-technical board*

operating an area vocational-technical school and/or technical institute shall appoint an advisory committee, composed of [members representing] representatives of local trades, industries, business research and educational agencies, occupations, and administrators of the participating school districts. The advisory [board] committee shall advise the [county board of school directors, boards of school directors operating vocational schools or departments, and school administrators having the management of area technical schools or of vocational schools or departments,] area vocational-technical board on such matters as the need for a particular shop, laboratory, occupation, equipment, curriculum, labor management coordination, business and industrial requirements or selection of personnel.

Section 1843 of act, added August 21, 1953, P. L. 1223, and amended June 1, 1956, P. L. 2018, further amended.

Section 5. Section 1843 of the act, added August 21, 1953 (P. L. 1223), and amended June 1, 1956 (P. L. 2018), is amended to read:

Section 1843. Powers and Duties of [County Boards] *Area Vocational-Technical Boards*.—Subject to the applicable provisions of this act, each [county board of directors of technical schools] *area vocational-technical board* shall have power and its duty shall be:

(1) To make a survey to determine the vocational and technical education needs of the school districts [under the jurisdiction of the county superintendent and other districts] wishing to participate.

(2) To make and establish, and from time to time alter and amend, rules and regulations for the transaction of its business and for the administration of the work under its charge.

(3) To employ temporary professional and professional employes, supervisors and teachers, and to employ all other persons necessary to carry on vocational-technical education and technical institutes, and to determine the salaries to be paid. All professional employes so employed shall have the same rights of tenure, minimum salaries and increments, and membership in the Public School Employes' Retirement Association, as professional employes of school districts.

(4) To purchase, lease, rent, improve, or sell land, and to build, repair, improve, lease, rent, buy and sell buildings.

(5) To acquire real property by purchase, gift, or condemnation, for the purposes of area vocational-technical schools and technical institutes. Such condemnation proceedings shall be instituted and conducted by the board in the name of the participating school districts in the same manner as provided by this act in the case of school districts.

(6) To purchase all necessary furniture, implements, books, materials, equipment and supplies.

(7) To make contracts with counties, cities, boroughs, towns, townships, and school districts, or other agencies, for carrying out the purposes of this subdivision of this article.

(8) To make an annual report, in writing, to the Department of Public Instruction, and such other reports as the department may require.

(8.1) To adopt criteria for admitting students to area vocational-technical schools and technical institutes.

*(8.2) To receive Federal, State, school district and other funds and to *expend such funds to establish, operate, improve **and expand area vocational-technical schools and technical institutes.*

(9) When authorized by the participating school districts, and on behalf of such districts, to enter into agreements with the State Public School Building Authority or municipality authorities to buy land, build, alter, lease, equip and operate facilities for public vocational-technical education [or less than college grade] and technical institutes.

(10) [To establish attendance areas and to assign the school districts to be included in each.] *To prepare and submit to the Department of Public Instruction on or before July 1 of each year for preapproval a budget of proposed expenditures for area vocational-technical schools and technical institutes for the ensuing year.*

(11) To accept pupils in area vocational-technical schools and technical institutes from districts not participating in their establishment and maintenance.

(12) To assign pupils residing within school districts [under the jurisdiction of the county superintendent] *participating in an area vocational-technical school and/or technical institute to area vocational-technical schools and/or technical institutes, vocational schools or departments maintained by [school districts of the first, first A, second, or third class,] other area vocational-technical boards and school districts with the approval of the [districts] area vocational-technical boards and the district boards maintaining such schools or departments, and to pay tuition for pupils permitted to attend such area vocational-technical schools, technical institutes and vocational schools or departments.*

(13) To locate area vocational-technical schools [according to the majority vote of the school directors present in convention from the school districts served by the area technical school] and technical institutes.

* "expand" in original.

** "and" not in original.

(14) [To enter into joint agreements with school districts of the second or third class operating vocational schools suitable for use as area technical schools] *To collect tuition and fees.*

(15) Such other powers and duties as are necessary to carry into effect the purposes of this act.

(16) To estimate and file with the Department of Public Instruction *for preapproval*, on or before the first day of July each year, the cost of [classes and schools operated as] area *vocational-technical* schools [or classes for area technical schools] *and technical institutes for the following year* whenever such [classes and] schools *and technical institutes* are authorized.

[Nothing herein contained shall be construed to authorize the expenditure of any funds prior to the first day of June, one thousand nine hundred fifty-five.]

Section 1844 of act, amended September 12, 1961, P. L. 1253, further amended.

Section 6. Section 1844 of the act, amended September 12, 1961 (P. L. 1253), is amended to read :

Section 1844. Establishment of Schools *and Institutes*.—(a) The County Board of School Directors of each county *having such a board* shall call a convention of school directors of the school districts of the *second, third and fourth class* in each attendance area, to meet separately by attendance areas, [on or before the first day of April, one thousand nine hundred fifty-four,] to discuss [and vote on] the establishment of *an area vocational-technical [schools] school or technical institute, as the case may be. The secretary of the county board shall call on each district to state its desire or unwillingness to participate in the establishment of an area vocational-technical school or technical institute, as the case may be. Then the question of establishing an area vocational-technical school or technical institute shall be placed before the convention.* If approved by a majority of all the school directors of the districts [within an attendance area] *expressing a desire to participate in the establishment of an area vocational-technical school or technical institute*, the county board of school directors shall proceed, *following approval of the Department of Public Instruction*, to organize, establish and operate an *area vocational-technical school or technical institute* in the attendance area [on or subsequent to the first day of June, one thousand nine hundred fifty-five]. School districts [voting against participating in the area technical school shall again vote on the question at least once during each two years thereafter] *indicating unwillingness to participate in the establishment of an area vocational-technical school or technical institute may become participating districts at a later date according to terms and conditions defined*

by the then participating districts. In the event a county board does not call a convention of school directors from districts within an approved vocational-technical or technical institute attendance area (1) to discuss the establishment of an area vocational-technical school or technical institute, (2) to poll each board to determine whether it desires or is unwilling to participate in establishing an area vocational-technical school or technical institute, and (3) to conduct a vote of the directors from districts desiring to participate in an area vocational-technical school or technical institute, one or more boards of school directors of school districts from an approved attendance area may invite the directors from other school districts within the attendance area to a meeting. The directors assembled in meeting shall discuss the establishment of an area vocational-technical school or technical institute, determine which districts desire to participate, and conduct a vote of directors from school districts desiring to participate in the establishing of an area vocational-technical school or technical institute. If a majority of the school directors from districts indicating interest in participating vote to establish an area vocational-technical school or technical institute, following approval of the Department of Public Instruction, the boards of school directors may request the county board to establish and operate an area vocational-technical school or technical institute or they may organize a joint board for the purpose of establishing and operating such school or institute.

(b) In addition to the method of establishing area vocational-technical schools and technical institutes as provided in subsection (a) above, the county board of school directors may, at any meeting, or if the county board fails to act, one or more boards of school directors from districts within an approved attendance area may call for an election by the school directors of the district within an attendance area desiring to participate in establishing an area vocational-technical school or technical institute to determine if an area vocational-technical school or technical institute shall be established. The county board of school directors shall notify, by certified mail, each school district within an attendance area of its action. In the event the county board fails to call for an election and one or more districts within an attendance area desire an election, the Department of Public Instruction may conduct such election in the same manner prescribed for the county board. At the next regular meeting of each school board within an attendance area desiring to participate in the establishment of an area vocational-technical school or technical institute, or at a special meeting called prior thereto, an election shall be

held to determine if an area *vocational-technical school or technical institute* shall be established. The results of this election and the number of votes cast each way shall be certified to the county board of school directors or to the *Department of Public Instruction, whichever calls for the election*, within sixty (60) days of the receipt of the notice to hold the election. A canvass of the votes shall be taken and if a majority of the school directors of the districts [within an attendance area] *in which the election is being held* vote in the affirmative, the county board of school directors shall proceed to organize, establish and operate an area *vocational-technical school or technical institute* in the attendance area. *If the county board fails to act, the boards of school directors of the districts concerned may organize a joint board to establish and operate such school or institute.*

(c) In cases where a second or third class school district maintains an approved vocational program, individually or jointly, such district or districts, individually or jointly, may [enter into an agreement with a county board or boards of school directors to organize and operate an area technical school in accordance with a plan approved by the State Board for Vocational Education, in which event, the county board or boards of school directors shall not be required to call a convention of school directors as herein provided] (1) *make the program part of the area vocational-technical school, or (2) continue to operate the program independently either as a participating or non-participating district.*

(d) *Boards of Public Education of districts of the first class A and first class may establish area vocational-technical schools and technical institutes by the majority vote of the members of such boards, provided such action is approved by the State Board for Vocational Education. A Board of Public Education of a school district of the first class A may request the county board of school directors in a county of the second class to include part or parts of such school district in proposals for area vocational-technical and technical institute attendance areas comprising school districts of the second, third and fourth class or to include all of such school district in a county-wide proposal for arranging all school districts in area vocational-technical and technical institute attendance areas.*

Section 1845 of act, added August 21, 1953, P. L. 1223, amended.

Section 7. Section 1845 of the act, added August 21, 1953 (P. L. 1223), is amended to read:

Section 1845. Cost of Establishment, Etc., Ownership of Property.—All expenses in connection with the establishment of area *vocational-technical schools or technical institutes* and additions and improvements thereof shall be borne by the school districts participating therein

in the proportions agreed on by the respective districts. Any school district not participating in the original establishment of an area *vocational-technical school or technical institute*, which later elects to become a participant, shall contribute to the cost of the school an amount agreed on with the then participating districts, and shall make such further annual payments on account of obligations to the State Public School Building Authority or rentals under leases with municipality authorities as shall be agreed on. All property of each area *vocational-technical school or technical institute* shall be owned jointly by the several school districts participating in the establishment, maintenance and operation thereof, in the proportion the contribution of each to the cost of acquisition, construction and improvement bears to the total cost.

Section 8. Section 1847 of the act, amended June 1, 1956 (P. L. 2018), is amended to read:

Section 1847 of act, amended June 1, 1956, P. L. 2018, further amended.

Section 1847. Attendance of Pupils from Nonparticipating Districts.—On obtaining the consent of the [county board of school directors] *area vocational-technical board* operating an area *vocational-technical school or technical institute*, and with or without the consent of the board of school directors of the district [where] *in which* the pupil resides, any pupil residing in a nonparticipating district [within an attendance area where an area technical school is being operated] may attend the area *vocational-technical school or technical institute*. The school district [where] *in which* the pupil resides shall be charged, for each pupil attending the area *vocational-technical school or technical institute*, an amount equal to the total *approved* budget for [operating] *current* expenses, [including] debt service and capital outlay divided by the number of pupils enrolled in the school.

Section 9. Section 1850 of the act, added July 13, 1957 (P. L. 899), is amended to read:

Section 1850 of act, added July 13, 1957, P. L. 899, amended.

Section 1850. Area Vocational Technical Joint School [Board] Committee.—Determination of the type of school administration organization established to operate the area vocational technical school [or classes under the county board of school directors] *or technical institute* shall be according to mutual agreement between the school directors of the participating school districts. When the organization so agreed upon is approved by [the county board of school directors and] the State Board for Vocational Education, the organization of school directors shall be designated as the Area Vocational Technical Joint School [Board] Committee and shall be extended all rights, privileges and authority

provided by law to [area vocational technical schools] joint school committees.

Act amended by adding two new sections 1852 and 1853.

Section 10. The act is amended by adding, after section 1851 thereof, two new sections to read:

Section 1852. Payment of Shares.—Any school district of the first, first A, second, third or fourth class establishing or participating in the establishment of a technical institute, individually, jointly, with two or more districts or through a county board, shall have the same power and authority to levy taxes to pay or to pay its share of buildings, grounds, equipment, operating expenses and other necessary expenses to establish, maintain and operate such technical institute as it has to levy taxes, to purchase land, construct and equip buildings, and operate elementary schools and any additional schools and departments as defined in section 502 of this act.

Section 1853. Contracts to Lease.—An area vocational-technical board authorized to establish and operate an area vocational-technical school or technical institute may enter into contracts with the State Public School Building Authority or the General State Authority to lease lands and buildings for the purpose of operating an area vocational-technical school or technical institute.

Subsection (c), section 2502.1 of act, repealed.

Section 11. Subsection (c) of section 2502.1 of the act is repealed.

Act amended by adding two new sections 2504.2 and 2504.3.

Section 12. The act is amended by adding, after section 2504.1, two new sections to read:

Section 2504.2. Payments on Account of Pupils Enrolled in Area Vocational-Technical Schools.—The Commonwealth shall pay every school district for every school term on account of resident pupils enrolled in area vocational-technical schools as follows:

(1) For each full-time pupil in attendance, either the difference between the per pupil cost as provided in the approved budget or the per pupil cost for current expenses, whichever is less, for current expenses in such area vocational-technical school and the per pupil cost for current expenses in the district's high school or in the high school which the pupil attends as a tuition pupil or seventy-five dollars (\$75), whichever is less.

(2) For each part-time pupil attending an area vocational technical school, the difference between the cost per pupil as provided in the approved budget or the per pupil cost for current expenses, whichever is less, for current expenses in the area vocational-technical school and an amount to be determined by multiplying

the cost per pupil for current expenses in the district's high school or in the high school which the pupil attends as a tuition pupil by a fraction the numerator of which shall be the number of hours per day the pupil attends an area vocational-technical school and the denominator shall be six or seventy-five dollars (\$75), whichever is less.

"Current expenses" shall include all expenditures classified administration through community services according to the Manual of Accounting and Related Financial Procedures for Pennsylvania School Systems published by the Department of Public Instruction.

Section 2504.3. Payments on Account of Students Enrolled in Technical Institutes.—The Commonwealth shall pay every school district having out-of-school youth or adults enrolled in a technical institute for each pupil in average daily membership one-third of the total current expenses per pupil as provided in the approved budget, or the per pupil cost for current expenses, whichever is less. The remainder of the cost of total current expenses may be borne by the district of residence or by the district of residence and the pupil, but in no event shall the pupil bear more than one-third of the total current expenses per pupil.

Section 13. Section 2508.1 of the act, amended July 13, 1957 (P. L. 898), is amended to read:

Section 2508.1
of act, amended
July 13, 1957,
P. L. 898, further
amended.

Section 2508.1. Payment on Account of Equipment Purchased for Area Vocational-Technical Schools and Technical Institutes.—Every [county board of school directors] area vocational-technical board operating approved area vocational-technical schools or [classes] technical institutes shall be paid by the Commonwealth, annually, on account of instructional equipment approved by the Department of Public Instruction, purchased and installed, a proportionate share of Federal and State funds available and expendable for that purpose. The Department of Public Instruction may make advanced payment of available but unencumbered State and Federal funds to expedite the purchase of equipment.

Section 14. Section 2508.2 of the act, added June 1, 1956 (P. L. 2018), is amended to read:

Section 2508.2 of
act, added June
1, 1956, P. L.
2018, amended.

Section 2508.2. Payments on Account of Area Vocational-Technical Schools and Technical Institutes.—Every county board of school directors authorized to operate an area vocational-technical school individually or jointly with one or more county boards shall be paid, on or before the first day of August and on or before the first day of January of each school year that area vocational-technical schools are operated, in equal in-

installments, the amount of estimated cost for the operation thereof, including approved vocational extension classes. Deductions to equal the above installments paid to the county board of *school directors* shall be made from reimbursements due the [participating] districts of *residence of pupils attending vocational-technical schools*. These deductions shall be made on the basis of the *approved* per pupil cost of the program, including current expenses and capital outlay multiplied by the number of pupils in average daily membership [from each participating district]. Reimbursement on account of children attending area *vocational-technical schools* shall be made to the district of residence even though the child attends an area *vocational-technical school* conducted by the county board of school directors.

On or before the first day of August of each year, the Commonwealth shall pay to every county board authorized to establish and operate a technical institute or institutes individually, or jointly with one or more county boards, a sum obtained by adding one-third of the current expenses and one-half of the capital expenses as shown in the budget filed by the county board. On or before the first day of January and approved by the Department of Public Instruction, the Commonwealth shall pay an equal sum or a sum shown to be necessary by an adjusted budget based upon expenditures made during the first half of the school term. At the end of each school year, all unexpended funds shall be credited to Commonwealth payments due for the succeeding year on account of the operation of such institute or institutes or upon the direction of the Superintendent of Public Instruction shall be returned to the Commonwealth. All funds returned shall be credited to the accounts from which they were paid. For each student enrolled in a technical institute, the district of residence shall pay to the Commonwealth the district's proportionate share of the expenses. Such district share of expenses shall be deducted from reimbursement due to the district.

Act amended by
adding a new
section 2508.4.

Section 15. The act is amended by adding, after section 2508.3, a new section to read:

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

Section 16. Section 2574 of the act is amended by adding, at the end thereof, a new subsection to read:

Section 2574 of act, amended by adding a new subsection (e).

Section 2574. Approved Reimbursable Rental for Leases Hereafter Approved and Approved Reimbursable Sinking Fund Charges on Indebtedness.—* * *

(e) For area vocational-technical school and technical institute projects leased subsequent to July 1, 1964, by or for lease to a board of school directors authorized to operate such a school, the Department of Public Instruction shall calculate an approved reimbursable rental charge.

For area vocational-technical school and technical institute projects constructed or purchased subsequent to July 1, 1964, by a board of school directors authorized to operate such a school, the Department of Public Instruction may calculate an approved reimbursable sinking fund charge.

Approved reimbursable rental or sinking fund charge shall be the total cost of the project which shall include:

(1) Cost of acquiring land and preparing it for use to the extent that such costs are deemed reasonable by the Department of Public Instruction and the interest on such cost of acquisition, and the cost of sewage treatment.

** (2) Machinery, apparatus, furniture and equipment and all other necessary expenses and interest charges.*

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

The Department of Public Instruction shall not approve the expenditure of any funds borrowed or obtained by the sale of bonds by any authority, nonprofit corporation, profit corporation, company or individual for construction of area vocational-technical schools or technical institutes for bleachers, athletic field, lighting equipment or apparatus used to promote and conduct interscholastic athletics.

Section 17. Section 2575 of the act, amended July 11, 1957 (P. L. 775) and July 13, 1957 (P. L. 864), is amended to read:

Section 2575 of act, amended July 11, 1957, P. L. 775 and July 13, 1957, P. L. 864, further amended.

Section 2575. Payments on Account of Leases Hereafter Approved and on Account of Sinking Fund Charges on Indebtedness for School Buildings Hereafter

* "(2)" omitted in original.

Constructed.—(a) The Commonwealth shall pay annually to each school district erecting or sharing in the erection of a building or buildings under the provisions of the Public School Building Authority Act, the Municipality Authority Act, section 758 of the Public School Code of 1949, or section 791 of the Public School Code of 1949, on account of buildings for which the lease is approved on or after March 22, 1956, or through the incurring of indebtedness by the issuance of general obligation bonds on account of buildings for which the general construction contract is awarded on or after March 22, 1956, an amount to be determined by multiplying the district's capital account reimbursement fraction by the approved reimbursable rental or approved reimbursable sinking fund charge.

(b) *The Commonwealth shall pay, annually, to each school district which constructs, purchases or leases with the approval of the Department of Public Instruction an area vocational-technical school building or technical institute building or which shares in the construction, purchase or lease of such building or buildings under provisions of the Public School Building Authority Act, the Municipality Authority Act, section 758 of the Public School Code of 1949, or section 791 of the Public School Code of 1949, or other agency, or through the incurring of indebtedness by the issuance of general obligation bonds, an amount to be determined by multiplying the district's capital account reimbursement fraction or fifty per cent, whichever is more, by the approved reimbursable rental approved reimbursable sinking fund charge multiplied by the district's proportionate share of such rental sinking fund charge.*

The capital account reimbursement fraction of each school district to be used in determining reimbursement payable to a school district on account of the annual rental or sinking fund charge for area vocational-technical schools shall be computed by subtracting from four thousand five hundred dollars (\$4,500) an amount to be determined by multiplying the school district's valuation per teaching unit by four one-thousandth (.004) and dividing the difference so obtained by four thousand five hundred dollars (\$4,500).

Section 2577 of act, amended by adding a new subsection (a.1).

Section 18. Section 2577 of the act is amended by adding, immediately before subsection (b) thereof, a new subsection to read:

Section 2577. Limitations on Approval of Projects for Reimbursement Purposes.—(a.1) *The Superintendent of Public Instruction may approve, for capital reimbursement purposes, notwithstanding any limita-*

tions hereinbefore imposed, area vocational-technical school and technical institute projects not to exceed a total of ten million dollars (\$10,000,000) in any fiscal year.

* * * * *

Section 19. Subsection (b) of section 2577 of the act, amended August 25, 1959 (P. L. 764), is amended to read:

Subsection (b).
section 2577 of
act, amended Au-
gust 25, 1959,
P. L. 764, fur-
ther amended.

Section 2577. Limitations on Approval of Projects for Reimbursement Purposes.—

* * * * *

(b) The Department of Public Instruction shall determine reimbursement eligibility of all projects including projects submitted for approval prior to the effective date of this act in the order of date of filing of applications for project approval with the department, *except that in the case of application for area *vocational-technical schools, the department may grant priority to such applications in the order in which said applications are received and process them immediately.* If a delay in departmental processing of any application on file is occasioned by the applying school district, the department shall proceed to determine reimbursement eligibility of projects next in order, except that in the event of any emergency due to fire, flood, orders from the Department of Labor and Industry to close school buildings or parts thereof where such school buildings or parts thereof are determined to be irreparable and are closed finally by the Department of Labor and Industry, or an act of God, which causes undue hardship beyond the control of the applying school district, the department may grant priority over the eligibility of projects submitted prior to the emergency application: Provided, however, That in cases where priority is granted due to closed schools or parts thereof by orders of the Department of Labor and Industry, the approved reimbursable costs of such projects shall not be included within the aggregate for projects already undertaken or to be undertaken as provided in subsection (a) of this section.

* * * * *

Section 20. This act shall take effect immediately.

Act effective
immediately.

APPROVED—The 14th day of August, A. D. 1963.

WILLIAM W. SCRANTON

* "vocational" not in original.