

No. 1984-107

## AN ACT

SB 1436

Establishing a program within the Department of Education for the acquisition of new vocational-technical equipment and the upgrading of existing vocational-technical equipment that is necessary to provide secondary, post-secondary and adult students with relevant occupational training; providing for allocations and grants of money; and making a nonlapsing appropriation.

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

Section 1. Short title.

This act shall be known and may be cited as the Updating of Vocational-Technical Equipment Act.

Section 2. Definitions.

The following words and phrases when used in this act shall have the meanings given to them in this section unless the context clearly indicates otherwise:

“Department.” The Department of Education.

“Enrollment.” Secondary and adult enrollments collected through the Vocational Education Management Information System.

“Equivalent full-time students.” Equivalent full-time students enrolled in two-year or less than two-year terminal nonliberal arts programs as set forth in the act of August 24, 1963 (P.L.1132, No.484), known as the Community College Act of 1963.

“Private industry council.” The private industry councils established under the Federal Job Training Partnership Act (Public Law 97-300, 29 U.S.C. § 1501 et seq.).

“Secretary.” The Secretary of Education.

Section 3. Acquisition and upgrading of vocational-technical equipment.

(a) Program.—There is established within the department a program to provide funds directly to school districts, area vocational-technical schools and community colleges for the acquisition and upgrading of vocational-technical equipment. The program shall provide funds to be used exclusively for the purchase or lease of new vocational-technical equipment and the upgrading of existing vocational-technical equipment that is necessary to offer vocational-technical courses or programs to secondary, postsecondary and adult students that provide skills needed in the labor market.

(b) Funds available to school districts and area vocational-technical schools.—Of the total funds appropriated under this act, school districts and area vocational-technical schools shall be allocated 55% to acquire or lease new equipment or to upgrade existing equipment necessary to provide occupationally related vocational-technical courses to secondary and adult students. The department shall compute the grants for each school district or area vocational-technical school using the grant formula provided in section 5(a).

(c) Funds available to community colleges.—Of the total funds appropriated under this act, community colleges shall be allocated 45% to acquire new equipment or to upgrade existing equipment necessary to provide courses to students enrolled in two-year or less than two-year terminal non-liberal arts programs. The department shall compute the grants for each community college using the grant formula provided in section 5(b).

#### Section 4. Receipt of funds.

(a) Distribution approval requirements.—Before the department distributes any of the funds, it shall require the appropriate school district, area vocational-technical school or community college to document that:

(1) The courses to be provided with the equipment will provide students with occupational skills in demand in the labor market.

(2) The funds will be expended only for equipment.

(3) The funds shall not be used to supplant existing Federal, State or local funds used for equipment acquisition and upgrading. Fund applicants shall report their average annual expenditures for vocational-technical equipment for the fiscal years 1981-1982, 1982-1983 and 1983-1984 and shall certify that their average annual expenditures from funds other than those appropriated by this act for the fiscal years 1984-1985, 1985-1986 and 1986-1987 equal or exceed the average annual expenditures for the fiscal years 1981-1982, 1982-1983 and 1983-1984.

(4) The funds will not be used as matching funds for any other State program.

Further, the department shall allow 90 days to receive comments from the appropriate private industry council before distributing funds.

(b) Private industry council review.—Documentation provided to the department pursuant to subsection (a) shall be provided by the school district, area vocational-technical school or community college to the private industry council in the geographical area in which the school district, area vocational-technical school or community college is located or serves. It shall be the responsibility of the private industry council to review the proposed acquisition or lease of new equipment or upgrading of existing equipment and submit to the department within 90 days from the date it receives the documentation its comments on the appropriateness of the proposed equipment plans in light of labor market needs and other existing or planned training programs.

#### Section 5. Grant formula.

(a) Formula for school districts and regional vocational-technical schools.—Each school district and area vocational-technical school shall receive a portion of the funds provided pursuant to section 3(b), which shall be determined by dividing the number of enrollments for the school district or area vocational-technical school by the Statewide enrollment and multiplying the result by the total amount allocated pursuant to section 3(b). Enrollments shall be determined by the department using the latest available data.

(b) Formula for community colleges.—Each community college shall receive a portion of the funds provided pursuant to section 3(c), which shall

be determined by dividing the number of equivalent full-time students enrolled in the community colleges by the number of equivalent full-time students for all community colleges and multiplying the results by the total amount allocated pursuant to section 3(c). Equivalent full-time students shall be determined by the department using latest available data.

**Section 6. Equipment sharing agreements.**

In order to maximize the use of the equipment provided by funds appropriated in this act, the recipient may enter into agreements with other government-sponsored vocational training providers for the use of the equipment.

**Section 7. Indicators of program need and impact.**

(a) **Timely documentation.**—The department shall require the school districts, area vocational-technical schools and community colleges to specify the extent to which the documentation provided pursuant to section 4 reflects the demand for labor market skills based upon analyses conducted within the last five years.

(b) **Annual legislative report required.**—By March 1 of each year, the department shall submit to the Chief Clerk of the House of Representatives and the Secretary of the Senate a report which shall include, but need not be limited to, a measure of the extent to which the comments of the private industry councils were taken into consideration, the amount and types of equipment funded by the labor market area, the number of persons trained by the major vocational program area and the labor market area, the job placement rate of persons trained by the major vocational program area and the labor market area and the number of agreements entered into by recipients with other vocational training providers.

(c) **Impact survey required.**—Upon the termination of this act or July 1, 1987, whichever shall occur sooner, the department shall undertake a survey to update the report “Vocational Education Tool and Equipment Inventory” in order to inform the General Assembly of the impact which this act had on bringing the equipment used in vocational-training programs closer to the technology used in industry.

**Section 8. Duty to inform department.**

All recipients of funds under this act shall be required to provide any and all information requested by the department for the purposes of this act.

**Section 9. Appropriation.**

The sum of \$27,000,000 is hereby appropriated to the Department of Education from the Pennsylvania Economic Revitalization Fund for the purposes of this program. This appropriation shall be a continuing appropriation and shall not lapse at the end of the fiscal year. Any funds from this appropriation remaining unexpended or unencumbered upon the termination of this act shall automatically lapse into the Pennsylvania Economic Revitalization Fund.

**Section 10. Expiration.**

This act shall expire on June 30, 1987.

Section 11. Effective date.

This act shall take effect immediately.

APPROVED—The 2nd day of July, A. D. 1984.

DICK THORNBURGH