

LEGISLATIVE REFERENCE BUREAU

AMENDMENTS TO SENATE BILL NO. 56

Sponsor:

Printer's No. 35

1 Amend Bill, page 1, lines 2 and 3, by striking out "in
2 Pennsylvania National Guard," in line 2 and all of line 3 and
3 inserting
4 providing for the National Guard Youth Challenge Program.

5 Amend Bill, page 1, lines 6 through 18; page 2, lines 1
6 through 21; by striking out all of said lines on said pages and
7 inserting

8 Section 1. Title 51 of the Pennsylvania Consolidated
9 Statutes is amended by adding a chapter to read:

10 CHAPTER 98
11 NATIONAL GUARD YOUTH
12 CHALLENGE PROGRAM

- 13 Sec.
- 14 9801. Definitions.
- 15 9802. Program established.
- 16 9803. Description of program.
- 17 9804. Length of program.
- 18 9805. Participants.
- 19 9806. Administration.
- 20 9807. Funding.
- 21 9808. Transferability of course credit.
- 22 9809. Advisory council.
- 23 9810. Report.
- 24 9811. Audit required.
- 25 § 9801. Definitions.

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

29 "Institution of higher education." Any institution of higher
30 learning that is approved by the Pennsylvania Higher Education
31 Assistance Agency to participate in the award of State grants
32 under the act of January 25, 1966 (1965 P.L.1546, No.541),
33 referred to as the Higher Education Scholarship Law.

34 "Program." The Keystone State Challenge Academy established

1 under section 9802 (relating to program established).

2 "School entity." A school district, charter school, cyber
3 charter school, regional charter school, intermediate unit or
4 area vocational-technical school.

5 § 9802. Program established.

6 To the extent funds are appropriated for the purposes
7 provided under this chapter, the department shall establish a
8 youth challenge program as provided for under 32 U.S.C. § 509
9 (relating to National Guard Youth Challenge Program of
10 opportunities for civilian youth). The program shall be known as
11 the Keystone State Challenge Academy.

12 § 9803. Description of program.

13 Consistent with 32 U.S.C. § 509(a) (relating to National
14 Guard Youth Challenge Program of opportunities for civilian
15 youth), the program shall seek to improve the life skills and
16 employment potential of participants by providing military-based
17 training and supervised work experience, together with the core
18 program components of assisting participants to receive a high
19 school diploma or its equivalent, leadership development,
20 promoting fellowship and community service, developing life
21 coping skills and job skills, and improving physical fitness and
22 health and hygiene.

23 § 9804. Length of program.

24 The program shall be for a period of time as set forth in 32
25 U.S.C. § 509(a) (relating to National Guard Youth Challenge
26 Program of opportunities for civilian youth).

27 § 9805. Participants.

28 Requirements for participation in the program shall be as
29 prescribed by the United States Secretary of Defense under 32
30 U.S.C. § 509(e) (relating to National Guard Youth Challenge
31 Program of opportunities for civilian youth).

32 § 9806. Administration.

33 Subject to 32 U.S.C. § 509 (relating to National Guard Youth
34 Challenge Program of opportunities for civilian youth) and its
35 implementing regulations and applicable agreements, the program
36 shall be staffed by the administrative, professional, technical
37 and clerical employees necessary for the operation of the
38 program.

39 § 9807. Funding.

40 (a) Federal and supplemental funding.--The department shall
41 apply for funding, as provided for under 32 U.S.C. § 509(d)
42 (relating to National Guard Youth Challenge Program of
43 opportunities for civilian youth). Under 32 U.S.C. § 509(j), the
44 department may supplement the funding with other resources,
45 including gifts, made available to the department and may also
46 accept, use and dispose of gifts or donations of money, other
47 property or services for the program.

48 (b) School district payments.--The following apply:

49 (1) There shall be no tuition charge for a Commonwealth
50 resident student attending the program.

51 (2) For non-special education students, the program

1 shall receive for each student enrolled no less than the
2 budgeted total expenditure per average daily membership of
3 the prior school year, as defined in section 2501(20) of the
4 act of March 10, 1949 (P.L.30, No.14), known as the Public
5 School Code of 1949, minus the budgeted expenditures of the
6 district of residence for nonpublic school programs; adult
7 education programs; community/junior college programs;
8 student transportation services; for special education
9 programs; facilities acquisition, construction and
10 improvement services; and other financing uses, including
11 debt service and fund transfers as provided in the Manual of
12 Accounting and Related Financial Procedures for Pennsylvania
13 School Systems established by the Department of Education.
14 This amount shall be paid by the district of residence of
15 each student.

16 (3) For special education students, the program shall
17 receive for each student enrolled the same funding as for
18 each non-special education student as provided in paragraph
19 (2), plus an additional amount determined by dividing the
20 district of residence's total special education expenditure
21 by the product of multiplying the combined percentage of
22 section 2509.5(k) of the Public School Code of 1949 times the
23 district of residence's total average daily membership for
24 the prior school year. This amount shall be paid by the
25 district of residence of each student.

26 (4) The program may request the intermediate unit in
27 which the program is located to provide services to assist
28 the program to address the specific needs of exceptional
29 students. The intermediate unit shall assist the program and
30 bill the program for the services. The intermediate unit may
31 not charge the program more for any service than it charges
32 the constituent districts of the intermediate unit.

33 (5) Payments shall be made to the program in 12 equal
34 monthly payments, by the fifth day of each month, within the
35 operating school year. A student enrolled in the program
36 shall be included in the average daily membership of the
37 student's district of residence for the purpose of providing
38 basic education funding payments and special education
39 funding under Article XXV of the Public School Code of 1949.
40 If a school district fails to make a payment to the program
41 as prescribed in this paragraph, the Secretary of Education
42 shall deduct the estimated amount, as documented by the
43 program, from any and all State payments made to the district
44 after receipt of documentation from the program.

45 (6) Within 30 days after the Secretary of Education
46 makes the deduction described in paragraph (5), a school
47 district may notify the secretary that the deduction made
48 from State payments to the district under this subsection is
49 inaccurate. The Secretary of Education shall provide the
50 school district with an opportunity to be heard concerning
51 whether the program documented that its students were

1 enrolled in the program, the period of time during which each
2 student was enrolled, the district of residence of each
3 student and whether the amounts deducted from the district
4 were accurate.

5 (c) Definition.--As used in this section, the term
6 "district of residence" means the school district in this
7 Commonwealth in which the parents or guardians of a child
8 reside.

9 § 9808. Transferability of course credit.

10 All academic course credits earned by a program participant
11 shall be recognized by any school entity in which the
12 participant enrolls following completion of the program. The
13 department, in consultation with the Department of Education,
14 shall ensure that the program complies with all statutory and
15 regulatory provisions as necessary to facilitate the
16 transferability of course credit earned in the program to a
17 school entity.

18 § 9809. Advisory council.

19 (a) Establishment.--There is established an advisory council
20 for the program. The advisory council shall consist of the
21 following members and the Adjutant General, who shall serve as a
22 nonvoting, ex officio member. Members of the advisory council
23 shall be appointed as follows:

24 (1) Three members appointed by the Governor as follows:

25 (i) The Deputy Adjutant General, Army, or a
26 designee.

27 (ii) The Deputy Adjutant General, Air, or a
28 designee.

29 (iii) The Secretary of Education or a designee.

30 (2) Three members of the Senate appointed by the
31 President pro tempore of the Senate, in consultation with the
32 Majority Leader and Minority Leader of the Senate, with two
33 appointees from the majority party and one appointee from the
34 minority party.

35 (3) Three members of the House of Representatives
36 appointed by the Speaker of the House of Representatives, in
37 consultation with the Majority Leader and Minority Leader of
38 the House of Representatives, with two appointees from the
39 majority party and one appointee from the minority party.

40 (b) Terms.--Each member of the advisory council shall serve
41 for the duration of the term of the appointing authority,
42 provided that each member may be removed for cause by the
43 member's appointing authority.

44 (c) Chairperson.--The advisory council shall annually elect
45 a chairperson.

46 (d) Quorum.--Five members of the advisory council shall
47 constitute a quorum for the purpose of conducting the business
48 of the advisory council. The advisory council shall meet at
49 least quarterly and at other times at the call of the
50 chairperson.

51 (e) Compensation.--Members of the advisory council shall

1 receive no compensation for their services but shall receive
2 reimbursement for their necessary and proper expenses for
3 attendance at meetings.

4 (f) Program operation.--The advisory council shall advise
5 the Adjutant General and the department concerning the operation
6 of the program.

7 § 9810. Report.

8 (a) Annual report.--The department shall prepare annually a
9 written report concerning the program. The report shall include,
10 but not be limited to, all of the following:

11 (1) The number of individuals who applied to the program
12 in the previous fiscal year.

13 (2) The number of individuals who participated in the
14 program in the previous fiscal year.

15 (3) The number and percentage of program participants in
16 the previous fiscal year who achieved each of the following:

17 (i) Earned a high school diploma or its equivalent.

18 (ii) Enrolled in a course of study at an institution
19 of higher education.

20 (iii) Accepted a position of full-time, paid
21 employment.

22 (iv) Accepted a position of part-time, paid
23 employment.

24 (v) Entered the Armed Forces of the United States,
25 including a reserve component or the National Guard.

26 (4) The demographic makeup of the applicants to, and
27 participants in, the program, including, but not limited to,
28 the following:

29 (i) Race.

30 (ii) Age.

31 (iii) Gender.

32 (5) Any information the department provides to the
33 Secretary of Defense under 32 U.S.C. § 509(k) (relating to
34 National Guard Youth Challenge Program of opportunities for
35 civilian youth).

36 (b) Submission.--The report shall be submitted to the
37 following:

38 (1) The chairperson and minority chairperson of the
39 Education Committee of the Senate.

40 (2) The chairperson and minority chairperson of the
41 Veterans Affairs and Emergency Preparedness Committee of the
42 Senate.

43 (3) The chairperson and minority chairperson of the
44 Education Committee of the House of Representatives.

45 (4) The chairperson and minority chairperson of the
46 Veterans Affairs and Emergency Preparedness Committee of the
47 House of Representatives.

48 § 9811. Audit required.

49 The department shall submit annually to the chairperson and
50 minority chairperson of the Veterans Affairs and Emergency
51 Preparedness Committee of the Senate and the chairperson and

1 minority chairperson of the Veterans Affairs and Emergency
2 Preparedness Committee of the House of Representatives a
3 complete certified audit of the program. The audit shall be
4 conducted by a qualified independent certified public accountant
5 under generally accepted audit standards of the Governmental
6 Accounting Standards Board.