
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 947

Session of
1983

INTRODUCED BY ITKIN, FISCHER, GALLAGHER, PRESTON, IRVIS, COWELL,
PISTELLA, PETRONE, SEVENTY, DAWIDA AND O'DONNELL, MAY 3, 1983

AS AMENDED ON SECOND CONSIDERATION, IN SENATE, NOVEMBER 29,
1983

AN ACT

1 Amending the act of March 10, 1949 (P.L.30, No.14), entitled "An
2 act relating to the public school system, including certain
3 provisions applicable as well to private and parochial
4 schools; amending, revising, consolidating and changing the
5 laws relating thereto," further providing for the duties of
6 the school director district reapportionment commission and
7 clarification of the number of school director districts
8 within a first class A school district; ~~AND~~ FURTHER PROVIDING <—
9 FOR EXCEPTIONAL CHILDREN; PROVIDING FOR THE TRANSFER OF
10 CERTAIN FUNDS; DELETING THE TIME LIMITATION ON THE CONVEYANCE <—
11 OF PROPERTY TO HISTORICAL SOCIETIES; AND CONFORMING
12 PROVISIONS ON SCHOOL SUBSIDIES TO EXISTING LAW.

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

15 Section 1. Section 302.1(c)(4), (5), (6) and (8) of the act
16 of March 10, 1949 (P.L.30, No.14), known as the Public School
17 Code of 1949, added December 19, 1975 (P.L.511, No.150), are
18 amended to read:

19 Section 302.1. School Board in First Class A School
20 Districts; Apportionment of Seats, and Numbers, Terms, and
21 Methods for Election of School Directors in First Class A School

1 Districts.--* * *

2 (c) Apportionment.--

3 * * *

4 (4) [Each] No later than September in the second year
5 following the year in which [such] Federal census data is
6 officially [reported] gathered, a school director district
7 reapportionment commission shall be [constituted in like manner
8 and with like composition as the initial school director
9 district apportionment commission herein set forth.] appointed.
10 Said reapportionment commission shall consist of seven members,
11 three to be appointed by the mayor of the most populous
12 municipality in the school district, three by the city council
13 of such municipality and one by the mayor of any other
14 municipality of the school district with the approval of the
15 legislative body thereof. The duties of the reapportionment
16 commission shall be from the official data of the United States
17 Bureau of the Census, to define the lines that divide the
18 existing school director districts to make any new school
19 director districts as nearly equal in population as practicable,
20 and as compact and contiguous as possible, and to best provide
21 for racial balance on the board of school directors of said
22 school district. The number of school directors or school
23 director districts shall not be increased or decreased. In
24 addition, the reapportionment commission shall make every effort
25 to maintain neighborhood boundary lines of communities of like
26 interest whenever practicable. Such reapportionment commission
27 shall file its plan no later than [forty-five] ninety days after
28 either the commission has been [duly certified] appointed or the
29 specified population data for the first class A school district
30 as determined by the Federal decennial census are available,

1 whichever is later in time.

2 (5) The school district shall appropriate sufficient funds
3 for the compensation and expenses of members and staff appointed
4 by such apportionment and reapportionment commissions, and other
5 necessary expenses. The members of such commissions shall be
6 entitled to such compensation for their services as the school
7 district from time to time shall determine[, but no part thereof
8 shall be paid until a plan is filed].

9 (6) If an apportionment or reapportionment plan is not filed
10 by the commission within the time prescribed by this section,
11 the court of common pleas of the county in which the district is
12 located shall immediately proceed on its own motion to apportion
13 or reapportion the school director districts, in accordance with
14 the standards set forth in subsection (c)(4).

15 * * *

16 (8) The county board of elections shall place upon the
17 ballot to be submitted to the voters of each first class A
18 school district under the act of June 3, 1937 (P.L.1333,
19 No.320), known as the "Pennsylvania Election Code," the
20 following question:

21 Shall the apportionment plan submitted by
22 the school director district apportionment Yes
23 commission for the election of members of
24 the Board of Public Education of the school No
25 district of.....be approved?

26 Since the voters have accepted the apportionment plan, the
27 number of school director districts contained in the
28 apportionment plan shall be the permanent number of school
29 director districts in said school district, and said permanent
30 number of school director districts shall neither be increased

1 nor decreased by any future reapportionment commission nor by
2 the court of common pleas of the county in which the school
3 district is located. The ballot question shall not be considered
4 in the case of a reapportionment plan submitted by a
5 reapportionment commission or the court of common pleas.
6 [In the event the voters shall reject the apportionment plan,
7 the nomination of school directors under this section shall be
8 void and the present board shall continue, but a second
9 referendum, upon the petition of fifteen per cent of the
10 registered voters of the school district, may be held after two
11 years from the date of the first election.]

12 * * *

13 SECTION 2. SECTION 707(10) OF THE ACT, AMENDED OCTOBER 25, <—
14 1967 (P.L.486, NO.232), IS AMENDED TO READ:

15 SECTION 707. SALE OF UNUSED AND UNNECESSARY LANDS AND
16 BUILDINGS.--THE BOARD OF SCHOOL DIRECTORS OF ANY DISTRICT IS
17 HEREBY VESTED WITH THE NECESSARY POWER AND AUTHORITY TO SELL
18 UNUSED AND UNNECESSARY LANDS AND BUILDINGS, BY ANY OF THE
19 FOLLOWING METHODS AND SUBJECT TO THE FOLLOWING PROVISIONS:

20 * * *

21 (10) NOTWITHSTANDING THE FOREGOING PROVISIONS OF THIS
22 SECTION, ANY SCHOOL DISTRICT MAY[, AT ANY TIME PRIOR TO JULY 1,
23 1969,] CONVEY ANY UNUSED AND UNNECESSARY LANDS AND BUILDINGS
24 WHICH ARE OF HISTORICAL SIGNIFICANCE AND IMPORTANCE TO ANY
25 LEGALLY CONSTITUTED HISTORICAL SOCIETY FOR HISTORICAL PURPOSES
26 WITHOUT CONSIDERATION OR FOR SUCH CONSIDERATION AND ON SUCH
27 TERMS OR EXCHANGE OR OTHERWISE AS MAY BE AGREED UPON WITHOUT
28 COMPLYING WITH THE OTHER PROVISIONS OF THIS SECTION.

29 SECTION 3. SECTION 1376 OF THE ACT, AMENDED MAY 31, 1979
30 (P.L.33, NO.11), IS AMENDED TO READ:

1 SECTION 1376. COST OF TUITION AND MAINTENANCE OF CERTAIN
2 EXCEPTIONAL CHILDREN IN APPROVED INSTITUTIONS.--(A) WHEN ANY
3 CHILD BETWEEN THE AGES OF SIX (6) AND TWENTY-ONE (21) YEARS OF
4 AGE AND RESIDENT IN THIS COMMONWEALTH, WHO IS BLIND OR DEAF, OR
5 AFFLICTED WITH CEREBRAL PALSY AND/OR BRAIN DAMAGE AND/OR
6 MUSCULAR DYSTROPHY AND/OR MENTALLY RETARDED AND/OR SOCIALLY AND
7 EMOTIONALLY DISTURBED, IS ENROLLED, WITH THE APPROVAL OF THE
8 DEPARTMENT OF EDUCATION, AS A PUPIL IN [ANY OF THE SCHOOLS OR
9 INSTITUTIONS] AN APPROVED SCHOOL FOR THE BLIND OR DEAF, OR
10 CEREBRAL PALSIED AND/OR BRAIN DAMAGED AND/OR MUSCULAR
11 DYSTROPHIED AND/OR MENTALLY RETARDED, AND/OR SOCIALLY AND
12 EMOTIONALLY DISTURBED, [UNDER THE SUPERVISION OF, SUBJECT TO THE
13 REVIEW OF OR] APPROVED BY THE DEPARTMENT OF EDUCATION, IN
14 ACCORDANCE WITH STANDARDS AND REGULATIONS PROMULGATED BY THE
15 COUNCIL OF BASIC EDUCATION, THE SCHOOL DISTRICT IN WHICH SUCH
16 CHILD IS RESIDENT SHALL PAY TWENTY PER CENTUM (20%) OF THE
17 ACTUAL AUDITED COST OF TUITION AND MAINTENANCE OF SUCH CHILD IN
18 SUCH SCHOOL [OR INSTITUTION], AS DETERMINED BY THE DEPARTMENT OF
19 EDUCATION; AND THE COMMONWEALTH SHALL PAY, OUT OF FUNDS
20 APPROPRIATED TO THE DEPARTMENT FOR SPECIAL EDUCATION, EIGHTY PER
21 CENTUM (80%) OF THE COST OF THEIR TUITION AND MAINTENANCE, AS
22 DETERMINED BY THE DEPARTMENT. IF THE RESIDENCE OF SUCH CHILD IN
23 A PARTICULAR SCHOOL DISTRICT CANNOT BE DETERMINED, THE
24 COMMONWEALTH SHALL PAY, OUT OF MONEYS APPROPRIATED TO THE
25 DEPARTMENT FOR SPECIAL EDUCATION, THE WHOLE COST OF TUITION AND
26 MAINTENANCE OF SUCH CHILD. [IN NO EVENT SHALL THE TOTAL COST OF
27 TUITION AND MAINTENANCE FOR BLIND, DEAF, CEREBRAL PALSIED AND/OR
28 BRAIN DAMAGED AND/OR MUSCULAR DYSTROPHIED AND/OR SOCIALLY AND
29 EMOTIONALLY DISTURBED AND/OR MENTALLY RETARDED RESIDENTIAL
30 STUDENTS EXCEED NINE THOUSAND FIVE HUNDRED DOLLARS (\$9,500) FOR

1 THE SCHOOL YEAR 1979-1980 AND TEN THOUSAND FIVE HUNDRED DOLLARS
2 (\$10,500) FOR THE SCHOOL YEAR 1980-1981 AND EACH YEAR THEREAFTER
3 FOR TUITION OF BLIND, DEAF, CEREBRAL PALSIED AND/OR MUSCULAR
4 DYSTROPHIED DAY STUDENTS EXCEED FIVE THOUSAND SIX HUNDRED
5 DOLLARS (\$5,600) FOR THE SCHOOL YEAR 1979-1980 AND SIX THOUSAND
6 ONE HUNDRED DOLLARS (\$6,100) FOR THE SCHOOL YEAR 1980-1981 AND
7 EACH YEAR THEREAFTER AND FOR TUITION OF BRAIN DAMAGED AND/OR
8 SOCIALLY AND EMOTIONALLY DISTURBED AND/OR MENTALLY RETARDED DAY
9 STUDENTS EXCEED FOUR THOUSAND SIX HUNDRED DOLLARS (\$4,600) FOR
10 THE SCHOOL YEAR 1979-1980 AND FIVE THOUSAND ONE HUNDRED DOLLARS
11 (\$5,100) FOR THE SCHOOL YEAR 1980-1981 AND EACH YEAR
12 THEREAFTER.] THE DEPARTMENT OF EDUCATION SHALL BE PROVIDED WITH
13 SUCH FINANCIAL DATA FROM [PRIVATE] APPROVED SCHOOLS AS MAY BE
14 NECESSARY TO DETERMINE THE REASONABLENESS OF [CHARGES] COSTS FOR
15 TUITION AND ROOM AND BOARD [OF THE INSTITUTION MADE ON]
16 CONCERNING PENNSYLVANIA RESIDENT APPROVED REIMBURSED STUDENTS.
17 THE DEPARTMENT OF EDUCATION SHALL EVALUATE SUCH DATA AND SHALL
18 DISALLOW ANY [CHARGE] COST DEEMED UNREASONABLE. ANY [CHARGES]
19 COSTS DEEMED UNREASONABLE BY THE DEPARTMENT OF EDUCATION FOR
20 DISALLOWANCE SHALL BE CONSIDERED AN ADJUDICATION WITHIN THE
21 MEANING OF TITLE 2 OF THE PA.C.S. (RELATING TO ADMINISTRATIVE
22 LAW AND PROCEDURE) AND REGULATIONS PROMULGATED THEREUNDER.

23 (B) WHEN ANY PERSON LESS THAN SIX (6) OR MORE THAN TWENTY-
24 ONE (21) YEARS OF AGE AND RESIDENT IN THIS COMMONWEALTH, WHO IS
25 BLIND OR DEAF, OR AFFLICTED WITH CEREBRAL PALSY AND/OR BRAIN
26 DAMAGE AND/OR MUSCULAR DYSTROPHY, IS ENROLLED, WITH THE APPROVAL
27 OF THE DEPARTMENT OF EDUCATION, AS A PUPIL IN [ANY OF THE
28 SCHOOLS OR INSTITUTIONS] AN APPROVED SCHOOL FOR THE BLIND OR
29 DEAF, OR CEREBRAL PALSIED AND/OR BRAIN DAMAGED AND/OR MUSCULAR
30 DYSTROPHIED, [UNDER THE SUPERVISION OF OR] APPROVED BY THE

1 DEPARTMENT OF EDUCATION, THE COMMONWEALTH SHALL PAY TO SUCH
2 SCHOOL [OR INSTITUTION], OUT OF MONEYS APPROPRIATED TO THE
3 DEPARTMENT FOR SPECIAL EDUCATION, THE ACTUAL AUDITED COST OF
4 TUITION AND MAINTENANCE OF SUCH PERSON, AS DETERMINED BY THE
5 DEPARTMENT OF EDUCATION, SUBJECT TO REVIEW AND APPROVAL IN
6 ACCORDANCE WITH STANDARDS AND REGULATIONS PROMULGATED BY THE
7 COUNCIL OF BASIC EDUCATION, AND IN ADDITION, IN THE CASE OF ANY
8 CHILD LESS THAN SIX (6) YEARS OF AGE, WHO IS BLIND, THE COST, AS
9 DETERMINED BY THE DEPARTMENT OF EDUCATION OF INSTRUCTING THE
10 PARENT OF SUCH BLIND CHILD IN CARING FOR SUCH CHILD. [IN NO
11 EVENT SHALL THE TOTAL COST OF TUITION AND MAINTENANCE FOR
12 RESIDENTIAL STUDENTS EXCEED NINE THOUSAND FIVE HUNDRED DOLLARS
13 (\$9,500) FOR THE SCHOOL YEAR 1979-1980 AND TEN THOUSAND FIVE
14 HUNDRED DOLLARS (\$10,500) FOR THE SCHOOL YEAR 1980-1981 AND EACH
15 YEAR THEREAFTER FOR TUITION OF DEAF OR BLIND AND/OR CEREBRAL
16 PALSIED AND/OR MUSCULAR DYSTROPHIED DAY STUDENTS, EXCEED FIVE
17 THOUSAND SIX HUNDRED DOLLARS (\$5,600) FOR THE SCHOOL YEAR 1979-
18 1980 AND SIX THOUSAND ONE HUNDRED DOLLARS (\$6,100) FOR THE
19 SCHOOL YEAR 1980-1981 AND EACH YEAR THEREAFTER AND FOR TUITION
20 OF BRAIN DAMAGED DAY STUDENTS FOUR THOUSAND SIX HUNDRED DOLLARS
21 (\$4,600) FOR THE SCHOOL YEAR 1979-1980 AND FIVE THOUSAND ONE
22 HUNDRED DOLLARS (\$5,100) FOR THE SCHOOL YEAR 1980-1981 AND EACH
23 YEAR THEREAFTER.

24 (C) WHEN ANY CHILD BETWEEN THE AGES OF SIX (6) AND TWENTY-
25 ONE (21) YEARS OF AGE, RESIDENT IN THIS COMMONWEALTH, WHO IS
26 SOCIALLY AND EMOTIONALLY DISTURBED, IS ENROLLED WITH THE
27 APPROVAL OF THE DEPARTMENT OF EDUCATION AS A PUPIL IN ANY
28 APPROVED DAY SCHOOL UNDER SUPERVISION OF OR APPROVED BY THE
29 DEPARTMENT OF EDUCATION, THE SCHOOL DISTRICT IN WHICH SUCH CHILD
30 IS RESIDENT SHALL PAY TWENTY PERCENT (20%) OF THE COST OF

1 TUITION OF SUCH CHILD IN SUCH SCHOOL AS DETERMINED BY THE
2 DEPARTMENT OF EDUCATION, AND THE COMMONWEALTH SHALL PAY OUT OF
3 FUNDS APPROPRIATED TO THE DEPARTMENT FOR SPECIAL EDUCATION
4 EIGHTY PERCENT (80%) OF THE COST OF TUITION OF SUCH CHILD AS
5 DETERMINED BY THE DEPARTMENT: PROVIDED, HOWEVER, THAT IN NO
6 EVENT SHALL THE COST OF TUITION OF SUCH CHILD EXCEED FOUR
7 THOUSAND SIX HUNDRED DOLLARS (\$4,600) FOR THE SCHOOL YEAR 1979-
8 1980 AND FIVE THOUSAND ONE HUNDRED DOLLARS (\$5,100) FOR THE
9 SCHOOL YEAR 1980-1981 AND EACH YEAR THEREAFTER.]

10 (C) EACH APPROVED SCHOOL PRIOR TO THE START OF THE SCHOOL
11 YEAR SHALL SUBMIT TO THE DEPARTMENT SUCH INFORMATION AS THE
12 DEPARTMENT MAY REQUIRE IN ORDER TO ESTABLISH AN ESTIMATE OF
13 REIMBURSABLE COSTS. BASED UPON THIS INFORMATION, ANY OTHER DATA
14 DEEMED NECESSARY BY THE DEPARTMENT AND IN ACCORDANCE WITH
15 DEPARTMENT STANDARDS, THE DEPARTMENT SHALL DEVELOP FOR EACH
16 APPROVED SCHOOL AN ESTIMATE OF REIMBURSABLE COSTS. BASED UPON
17 SUCH ESTIMATE, THE DEPARTMENT SHALL PROVIDE EACH APPROVED SCHOOL
18 WITH QUARTERLY PAYMENTS IN ADVANCE OF DEPARTMENT AUDIT. THE
19 DEPARTMENT MAY WITHHOLD A PORTION OF SUCH PAYMENTS NOT EXCEEDING
20 FIVE PERCENT (5%) OF SUCH PAYMENT, PENDING FINAL AUDIT. IN NO
21 EVENT SHALL EITHER THE ADVANCE PAYMENTS OR FINAL REIMBURSEMENT
22 MADE BY THE DEPARTMENT FOLLOWING AUDIT EXCEED THE APPROPRIATION
23 AVAILABLE FOR APPROVED SCHOOLS.

24 (D) NO PRIVATE INSTITUTION RECEIVING PAYMENT IN ACCORDANCE
25 WITH THIS SECTION SHALL IMPOSE ANY CHARGE ON THE STUDENT AND/OR
26 PARENTS WHO ARE PENNSYLVANIA APPROVED REIMBURSABLE RESIDENTS FOR
27 A PROGRAM OF INDIVIDUALIZED INSTRUCTION AND MAINTENANCE
28 APPROPRIATE TO THE CHILD'S NEEDS; EXCEPT THAT CHARGES FOR
29 [PROGRAMS] SERVICES NOT PART OF [THE NORMAL SCHOOL YEAR] SUCH
30 PROGRAM MAY BE MADE IF AGREED TO BY THE PARENTS.

1 [(E) WHERE THE PRIVATE INSTITUTION PROVIDES A VOCATIONAL
2 EDUCATION PROGRAM TO THE STUDENTS ENROLLED THEREIN AS AN
3 ESTABLISHED AND INTEGRAL PART OF ITS ON-GOING APPROVED PROGRAM
4 AND WHERE THE DEPARTMENT DEEMS SUCH PROGRAM TO BE NECESSARY
5 BECAUSE OF THE UNAVAILABILITY OF AN APPROPRIATE PROGRAM FOR SUCH
6 STUDENTS, THE MAXIMUM RATE PAYABLE SHALL BE INCREASED BY THE
7 AUDITED COST OF THE PROGRAM PER APPROVED PENNSYLVANIA RESIDENT
8 ENROLLED IN THE PROGRAM.

9 (F) WHERE THE PRIVATE INSTITUTION PROVIDES SPECIAL EDUCATION
10 PROGRAMS FOR MULTIHANDICAPPED STUDENTS WHICH IS ADJUDGED
11 NECESSARY BY THE DEPARTMENT OF EDUCATION, THE MAXIMUM RATE
12 PAYABLE SHALL BE INCREASED BY SEVENTY-FIVE PERCENT (75%) FOR THE
13 SECOND SEVERE HANDICAP, EIGHTY-FIVE PERCENT (85%) FOR THE THIRD
14 SEVERE HANDICAP AND ONE HUNDRED PERCENT (100%) FOR MORE THAN
15 THREE SEVERE HANDICAPS.]

16 SECTION ~~2~~ 4. THE ACT IS AMENDED BY ADDING A SECTION TO READ: <—
17 SECTION 1377.1. TRANSFER OF FUNDS FOR TRANSFERAL PROGRAMS.--
18 WHEN, DURING THE COURSE OF A SCHOOL YEAR OR AFTER THE END OF A
19 SCHOOL YEAR, PROGRAMS FOR EXCEPTIONAL CHILDREN ARE CAUSED TO BE
20 TRANSFERRED FROM SCHOOLS OR INSTITUTIONS FOR THE BLIND OR DEAF,
21 OR CEREBRAL PALSID OR BRAIN DAMAGED OR MUSCULAR DYSTROPHIED OR
22 MENTALLY RETARDED, OR SOCIALLY AND EMOTIONALLY DISTURBED, AS
23 PROVIDED FOR IN SECTIONS 1376 AND 1376.1, TO SCHOOL DISTRICTS OR
24 INTERMEDIATE UNITS, AS PROVIDED FOR IN SECTIONS 2509 AND 2509.1,
25 AND WHEN SUCH TRANSFERS NECESSITATE THE TRANSFER OF FUNDS FROM
26 THE APPROPRIATION TO THE DEPARTMENT OF EDUCATION FOR SPECIAL
27 EDUCATION FOR APPROVED PRIVATE SCHOOLS TO THE APPROPRIATION TO
28 THE DEPARTMENT OF EDUCATION FOR PAYMENTS ON ACCOUNT OF SPECIAL
29 EDUCATION OF EXCEPTIONAL CHILDREN IN PUBLIC SCHOOLS, THE
30 SECRETARY OF EDUCATION SHALL BE EMPOWERED TO TRANSFER SUCH

1 FUNDS, UPON APPROVAL OF THE SECRETARY OF THE BUDGET AND WRITTEN
2 NOTIFICATION TO THE STATE TREASURER, AND THE CHAIRMEN OF THE
3 HOUSE AND SENATE APPROPRIATIONS AND EDUCATION COMMITTEES.

4 SECTION 3 5. SECTION 2501(9.2), (14), (15) AND (17.1) OF THE <—
5 ACT, (9.2) ADDED AUGUST 24, 1977 (P.L.199, NO.59), (14) ADDED
6 FEBRUARY 1, 1966 (1965 P.L.1642, NO.580), (15) AMENDED JUNE 30,
7 1980 (P.L.279, NO.80) AND (17.1) AMENDED JULY 13, 1979 (P.L.94,
8 NO.41), ARE AMENDED AND CLAUSES ARE ADDED TO READ:

9 SECTION 2501. DEFINITIONS.--FOR THE PURPOSES OF THIS ARTICLE
10 THE FOLLOWING TERMS SHALL HAVE THE FOLLOWING MEANINGS:

11 * * *

12 (9.2) "EQUALIZED MILLAGE." A SCHOOL DISTRICT'S TAX EFFORT TO
13 BE USED FOR [PURPOSES OF DETERMINING THE BASE EARNED FOR
14 REIMBURSEMENT AND USED FOR] REIMBURSEMENT UNDER SUBSECTIONS (D)
15 AND (E) OF SECTION 2502 AND SECTION 2502.11, SHALL BE THE AMOUNT
16 OF LOCAL SCHOOL TAXES COLLECTED DURING THE YEAR FOR WHICH
17 REIMBURSEMENT IS BEING COMPUTED, DIVIDED BY THE MOST RECENT REAL
18 PROPERTY VALUATION OF THE SCHOOL DISTRICT.

19 * * *

20 (14) "AID RATIO." [SHALL REPRESENT THE COMMONWEALTH'S SHARE
21 OF REIMBURSABLE COST AS DEFINED IN CLAUSE (12).] THE AID RATIO
22 SHALL BE DETERMINED IN THE FOLLOWING MANNER: (A) DIVIDE THE
23 MARKET VALUE PER WEIGHTED AVERAGE DAILY MEMBERSHIP OF THE
24 DISTRICT BY THE MARKET VALUE PER WEIGHTED AVERAGE DAILY
25 MEMBERSHIP OF THE STATE; (B) DETERMINE THE PRODUCT OF (A)
26 MULTIPLIED BY [DISTRICT'S SHARE OF TOTAL COST] 0.50; (C)
27 SUBTRACT THE RESULTANT PRODUCT IN (B) FROM ONE (1.0000) TO
28 DETERMINE THE AID RATIO.

29 DISTRICT MV/WADM

30 AID RATIO = 1.0000 - ----- X 0.50

STATE MV/WADM

* * *

(15) "MINIMUM SUBSIDY." FOR THE SCHOOL YEARS 1976-1977 AND 1977-1978, IN NO CASE SHALL A DISTRICT RECEIVE FOR EACH PUPIL IN WEIGHTED AVERAGE DAILY MEMBERSHIP, AN AMOUNT LESS THAN TEN PERCENT (10%) OF THE ACTUAL COST OF INSTRUCTION OR TEN PERCENT (10%) OF THE BASE EARNED FOR REIMBURSEMENT WHICHEVER IS THE LESSER AMOUNT. FOR THE 1978-1979 SCHOOL YEAR [AND EACH SCHOOL YEAR THEREAFTER] THROUGH THE 1980-1981 SCHOOL YEAR, NO SCHOOL DISTRICT SHALL RECEIVE FOR EACH PUPIL IN WEIGHTED AVERAGE DAILY MEMBERSHIP AN AMOUNT LESS THAN FIFTEEN PERCENT (15%) OF THE BASE EARNED FOR REIMBURSEMENT OR ACTUAL INSTRUCTIONAL EXPENSE PER WADM, WHICHEVER IS THE LESSER AMOUNT. FOR [1976-1977 EACH SCHOOL YEAR THEREAFTER] THE 1976-1977 SCHOOL YEAR THROUGH THE 1980-1981 SCHOOL YEAR, A DISTRICT WHOSE ACTUAL INSTRUCTION EXPENSE PER WEIGHTED AVERAGE DAILY MEMBERSHIP IS MORE THAN TWO HUNDRED DOLLARS (\$200) LESS THAN THE MEDIAN ACTUAL INSTRUCTION EXPENSE PER WEIGHTED AVERAGE DAILY MEMBERSHIP, AND WHOSE EQUALIZED MILLAGE IS WITHIN FIFTEEN PERCENT (15%) OF THE MEDIAN EQUALIZED MILLAGE, THE REIMBURSEMENT SHALL BE TWO HUNDRED DOLLARS (\$200) BELOW THE MEDIAN ACTUAL INSTRUCTION EXPENSE PER WEIGHTED AVERAGE DAILY MEMBERSHIP TIMES THE DISTRICT'S AID RATIO FOR EACH WEIGHTED AVERAGE DAILY MEMBERSHIP. FOR THE 1982-1983 SCHOOL YEAR AND EACH SCHOOL YEAR THEREAFTER, NO SCHOOL DISTRICT SHALL RECEIVE FOR EACH PUPIL IN WEIGHTED AVERAGE DAILY MEMBERSHIP AN AMOUNT LESS THAN FIFTEEN PERCENT (15%) OF THE FACTOR FOR EDUCATIONAL EXPENSE.

* * *

(17.1) "BASE EARNED FOR REIMBURSEMENT." [SHALL] FOR THE SCHOOL YEAR 1982-1983 AND EVERY SCHOOL YEAR THEREAFTER, FOR

1 PURPOSES OF CALCULATIONS UNDER SECTION 2502.8 OF THE ACT, BASE
2 EARNED FOR REIMBURSEMENT SHALL BE THE LESSER OF [(A)] THE ACTUAL
3 INSTRUCTION EXPENSE PER WEIGHTED AVERAGE DAILY MEMBERSHIP OF THE
4 DISTRICT, OR [(B)] THE AMOUNT EARNED AS FOLLOWS:

5 (I) SUBTRACT THE INDIVIDUAL SCHOOL DISTRICT'S EQUALIZED
6 MILLAGE FROM THE HIGHEST EQUALIZED MILLAGE IN THE STATE.

7 (II) DIVIDE THE AMOUNT DETERMINED IN SUBCLAUSE (I) BY THE
8 DIFFERENCE BETWEEN THE HIGHEST AND LOWEST EQUALIZED MILLAGE IN
9 THE STATE.

10 (III) MULTIPLY THE QUOTIENT DETERMINED IN SUBCLAUSE (II) BY
11 TWO HUNDRED DOLLARS (\$200) AND ROUND TO THE NEAREST WHOLE DOLLAR
12 AMOUNT.

13 (IV) SUBTRACT THE AMOUNT DETERMINED IN SUBCLAUSE (III) FROM
14 THE MEDIAN ACTUAL INSTRUCTION EXPENSE PER WEIGHTED AVERAGE DAILY
15 MEMBERSHIP IN THE YEAR FOR WHICH REIMBURSEMENT IS BEING
16 COMPUTED.

17 (18) "EQUALIZED SUBSIDY FOR BASIC EDUCATION." FOR THE SCHOOL
18 YEAR 1982-1983 AND EACH SCHOOL YEAR THEREAFTER, EACH SCHOOL
19 DISTRICT SHALL BE PAID BY THE COMMONWEALTH AN EQUALIZED SUBSIDY
20 FOR BASIC EDUCATION, WHICH SHALL CONSIST OF PAYMENTS ON ACCOUNT
21 OF INSTRUCTION, AS PROVIDED FOR IN SUBSECTIONS (D) AND (E) OF
22 SECTION 2502, AND AN ECONOMIC SUPPLEMENT, AS PROVIDED FOR IN
23 SECTION 2502.11.

24 (19) "FACTOR FOR EDUCATIONAL EXPENSE." FOR THE SCHOOL YEAR
25 1982-1983 AND EACH SCHOOL YEAR THEREAFTER, THE FACTOR FOR
26 EDUCATIONAL EXPENSE USED TO COMPUTE SCHOOL DISTRICT ENTITLEMENTS
27 TO PAYMENTS ON ACCOUNT OF INSTRUCTION, AS PROVIDED FOR IN
28 SUBSECTION (D) OF SECTION 2502, SHALL BE ONE THOUSAND SIX
29 HUNDRED FIFTY-SIX DOLLARS (\$1,656) UNLESS LATER CHANGED BY
30 STATUTE.

<—

1 SECTION 4 6. SECTION 2502(D) OF THE ACT, AMENDED AUGUST 24,
2 1977 (P.L.199, NO.59), IS AMENDED TO READ:

3 SECTION 2502. PAYMENTS ON ACCOUNT OF INSTRUCTION.--* * *

4 (D) FOR THE SCHOOL YEAR 1976 AND 1977 [AND EACH SCHOOL YEAR
5 THEREAFTER] THROUGH THE 1980-1981 SCHOOL YEAR, EACH SCHOOL
6 DISTRICT SHALL BE PAID BY THE COMMONWEALTH ON ACCOUNT OF
7 INSTRUCTION OF THE DISTRICT'S PUPILS AN AMOUNT TO BE DETERMINED
8 BY MULTIPLYING THE MARKET VALUE/INCOME AID RATIO TIMES THE
9 ACTUAL INSTRUCTION EXPENSE PER WEIGHTED AVERAGE DAILY MEMBERSHIP
10 OR BY THE BASE EARNED FOR REIMBURSEMENT, WHICHEVER IS LESS, AND
11 BY THE WEIGHTED AVERAGE DAILY MEMBERSHIP FOR THE DISTRICT. FOR
12 THE SCHOOL YEAR 1976-1977 ANY SCHOOL DISTRICT WHICH, AS A RESULT
13 OF THE IMPACT ON PAYMENTS UNDER SUBSECTIONS (D), (E) AND (F) AND
14 UNDER SECTION 2592 BY REASON OF THE MARKET VALUE/INCOME AID
15 RATIO OR THE APPLICATION OF EQUALIZED MILLAGE TO THE BASE EARNED
16 FOR REIMBURSEMENT, SHALL SUFFER A REDUCTION IN SUBSIDY
17 ENTITLEMENT, SHALL BE HELD HARMLESS FROM THIS IMPACT AND SHALL
18 RECEIVE AN AMOUNT WHICH IS NO LESS THAN THAT RECEIVED FOR 1976-
19 1977 UNDER SUCH SUBSECTIONS AND UNDER SECTION 2592. FOR THE
20 1982-1983 SCHOOL YEAR AND EACH SCHOOL YEAR THEREAFTER, EACH
21 SCHOOL DISTRICT SHALL BE PAID BY THE COMMONWEALTH ON ACCOUNT OF
22 INSTRUCTION OF THE DISTRICT'S PUPILS AN AMOUNT TO BE DETERMINED
23 BY MULTIPLYING THE DISTRICT'S MARKET VALUE/INCOME AID RATIO BY
24 THE FACTOR FOR EDUCATIONAL EXPENSE, ONE THOUSAND SIX HUNDRED
25 FIFTY-SIX DOLLARS (\$1,656), AND BY THE WEIGHTED AVERAGE DAILY
26 MEMBERSHIP OF THE DISTRICT.

27 * * *

<—

28 SECTION 5 7. SECTION 2502.5 OF THE ACT, AMENDED JUNE 26,
29 1974 (P.L.370, NO.125), IS AMENDED TO READ:

30 SECTION 2502.5. LIMITATION OF CERTAIN PAYMENTS.--(A)

1 NOTWITHSTANDING ANY OTHER PROVISION OF LAW, FOR THE SCHOOL YEAR
2 1970-1971 [AND EACH SCHOOL YEAR THEREAFTER] THROUGH THE SCHOOL
3 YEAR 1980-1981, NO SCHOOL DISTRICT SHALL BE PAID UNDER
4 SUBSECTIONS (D) AND (E) OF SECTION 2502 OR SECTION 2592,
5 WHICHEVER IS APPLICABLE, AND SUBSECTION (F) OF SECTION 2502, AND
6 SECTION 2502.3 AND SECTION 2502.4 OF THIS ACT AN AMOUNT IN
7 EXCESS OF ONE HUNDRED PERCENT (100%) OF THE TOTAL APPROVED
8 REIMBURSABLE INSTRUCTIONAL EXPENDITURES OF SUCH SCHOOL DISTRICT.
9 THE PROVISIONS OF THIS [SECTION] SUBSECTION SHALL NOT APPLY TO
10 ANY SCHOOL DISTRICT RECEIVING ANY PAYMENT UNDER SUBSECTION (G)
11 OF SECTION 2502 OF THIS ACT.

12 (B) NOTWITHSTANDING ANY OTHER PROVISIONS OF LAW, FOR THE
13 SCHOOL YEAR 1982-1983 AND EACH SCHOOL YEAR THEREAFTER, NO SCHOOL
14 DISTRICT SHALL BE PAID UNDER SUBSECTIONS (D) AND (E) OF SECTION
15 2502 AND SECTION 2502.11 AN AMOUNT IN EXCESS OF ONE HUNDRED
16 PERCENT (100%) OF THE TOTAL REIMBURSABLE INSTRUCTIONAL
17 EXPENDITURES OF THE SCHOOL DISTRICT. FOR THE 1982-1983 SCHOOL
18 YEAR, ALL SCHOOL DISTRICTS QUALIFYING FOR PAYMENTS UNDER
19 SUBSECTIONS (D) AND (E) OF SECTION 2502 AND SECTION 2502.11
20 SHALL BE LIMITED TO AN INCREASE PAYMENT ON ACCOUNT OF THOSE
21 SECTIONS WHICH SHALL NOT EXCEED NINE PERCENT (9%) OVER THE SUMS
22 RECEIVED ON ACCOUNT OF SECTION 2502.9 FOR THE 1981-1982 SCHOOL
23 YEAR, NOR SHALL ANY SCHOOL DISTRICT RECEIVE AN INCREASE OF LESS
24 THAN TWO PERCENT (2%) OF THE 1982-1983 SCHOOL YEAR PAYMENTS ON
25 ACCOUNT OF THE 1981-1982 SCHOOL YEAR.

26 SECTION ~~6~~ 8. SECTION 2502.6 OF THE ACT, AMENDED MAY 11, 1982 ←
27 (P.L.396, NO.115), IS AMENDED TO READ:

28 SECTION 2502.6. PROPORTIONATE REDUCTION OF PAYMENTS.--(A)
29 IF THE SUMS APPROPRIATED FOR THE 1978-1979 SCHOOL YEAR [AND EACH
30 SCHOOL YEAR THEREAFTER] THROUGH THE 1981-1982 SCHOOL YEAR ARE

1 NOT SUFFICIENT TO PAY IN FULL THE TOTAL AMOUNTS TO WHICH ALL
2 QUALIFIED SCHOOL DISTRICTS, INTERMEDIATE UNITS AND NONPUBLIC
3 SCHOOLS ARE ENTITLED TO RECEIVE UNDER THE PROVISIONS OF SECTIONS
4 917.1-A, 919.1-A, 922.1-A, 923-A(D), 2501, 2502, 2502.3, 2502.4,
5 AND 2502.8 FOR SUCH YEAR, THE ALLOCATIONS TO THE SCHOOL
6 DISTRICTS, INTERMEDIATE UNITS AND NONPUBLIC SCHOOLS SHALL BE
7 PROPORTIONATELY REDUCED TO THE EXTENT NECESSARY TO BRING THE
8 AGGREGATE OF THE SCHOOL DISTRICT, INTERMEDIATE UNIT AND
9 NONPUBLIC SCHOOL ALLOCATIONS WITHIN THE LIMITS OF THE AMOUNTS
10 APPROPRIATED. HOWEVER, NO SCHOOL DISTRICT'S GROSS ALLOCATION
11 UNDER THE PROVISIONS OF THE SECTIONS REFERRED TO HEREIN SHALL BE
12 LESS FOR THE 1978-1979, 1979-1980, 1980-1981 OR THE 1981-1982
13 SCHOOL YEAR THAN ITS GROSS ALLOCATION UNDER SUCH SECTIONS FOR
14 THE PREVIOUS SCHOOL YEAR.

15 (B) IF THE SUMS APPROPRIATED FOR THE 1982-1983 SCHOOL YEAR
16 AND EACH SCHOOL YEAR THEREAFTER ARE NOT SUFFICIENT TO PAY IN
17 FULL THE TOTAL AMOUNTS TO WHICH ALL QUALIFIED SCHOOL DISTRICTS,
18 INTERMEDIATE UNITS AND NONPUBLIC SCHOOLS ARE ENTITLED TO RECEIVE
19 UNDER THE PROVISIONS OF SECTIONS 917.1-A, 919.1-A, 922.1-A, 923-
20 A(D) AND 2502.8 FOR SUCH YEAR, THE ALLOCATIONS TO THE SCHOOL
21 DISTRICTS, INTERMEDIATE UNITS AND NONPUBLIC SCHOOLS SHALL BE
22 PROPORTIONATELY REDUCED TO THE EXTENT NECESSARY TO BRING THE
23 AGGREGATE OF THE SCHOOL DISTRICT, INTERMEDIATE UNIT AND
24 NONPUBLIC SCHOOL ALLOCATIONS WITHIN THE LIMITS OF THE AMOUNTS
25 APPROPRIATED.

26 SECTION 7 9. THE ACT IS AMENDED BY ADDING A SECTION TO READ: <—

27 SECTION 2502.11. ECONOMIC SUPPLEMENT.--(A) FOR THE SCHOOL
28 YEAR 1982-1983 AND EACH SCHOOL YEAR THEREAFTER, EACH QUALIFYING
29 SCHOOL DISTRICT SHALL BE PAID, IN ADDITION TO ANY OTHER PAYMENTS
30 TO WHICH IT IS ENTITLED, AN ECONOMIC SUPPLEMENT, BASED UPON

1 CHILDREN IN LOW-INCOME FAMILIES, LOCAL TAX EFFORT AND POPULATION
2 PER SQUARE MILE.

3 (B) FOR THE SCHOOL YEAR 1982-1983 AND EACH SCHOOL YEAR
4 THEREAFTER, EACH QUALIFYING SCHOOL DISTRICT SHALL BE PAID ON
5 ACCOUNT OF CHILDREN IN LOW-INCOME FAMILIES AN AMOUNT IN
6 ACCORDANCE WITH THE FOLLOWING TABLE:

7	<u>PERCENTAGE OF LOW-INCOME PUPILS</u>	<u>GRANT PER</u>
8	<u>IN AVERAGE DAILY MEMBERSHIP</u>	<u>LOW-INCOME PUPIL</u>
9	<u>10 - 19.9</u>	<u>\$100</u>
10	<u>20 - 39.9</u>	<u>\$300</u>
11	<u>40 OR OVER</u>	<u>\$500</u>

12 FOR THE 1982-1983 SCHOOL YEAR AND EACH SCHOOL YEAR THEREAFTER,
13 LOW-INCOME PUPILS ARE DEFINED FOR PURPOSES OF THIS SECTION AS
14 CHILDREN AGED FIVE (5) TO SEVENTEEN (17) YEARS, INCLUSIVE, IN
15 FAMILIES RECEIVING A GRANT IN EXCESS OF TWO THOUSAND DOLLARS
16 (\$2,000) FROM THE COMMONWEALTH ON ACCOUNT OF DEPENDENT CHILDREN
17 UNDER TITLE IV OF THE FEDERAL SOCIAL SECURITY ACT.

18 (C) FOR THE SCHOOL YEAR 1982-1983 AND EACH SCHOOL YEAR
19 THEREAFTER, ANY DISTRICT WHICH LEVIES AND COLLECTS LOCAL TAXES
20 FOR SCHOOL PURPOSES EQUAL TO OR ABOVE THE MEDIAN EQUALIZED
21 MILLAGE, AS DEFINED IN SECTION 2501(9.3), IN THE YEAR FOR WHICH
22 REIMBURSEMENT IS DETERMINED SHALL QUALIFY FOR AND RECEIVE A
23 PAYMENT BASED UPON LOCAL TAX EFFORT AND POPULATION PER SQUARE
24 MILE IN ACCORDANCE WITH THE FOLLOWING TABLE, EXCEPT FOR
25 QUALIFYING DISTRICTS WHICH INCLUDE A CENTRAL CITY OF A STANDARD
26 METROPOLITAN STATISTICAL AREA AND HAVE A DISTRICT POPULATION OF
27 LESS THAN FOUR THOUSAND (4,000) PERSONS PER SQUARE MILE, WHICH
28 DISTRICTS SHALL RECEIVE THREE PERCENT (3%) OF THEIR
29 INSTRUCTIONAL EXPENDITURES:

30 POPULATION PER SQUARE MILE PAYMENT AS PERCENT OF

	<u>OF THE QUALIFYING DISTRICT</u>	<u>INSTRUCTIONAL EXPENDITURE</u>
2	<u>5,950 AND OVER</u>	<u>5</u>
3	<u>4,000 - 5,949</u>	<u>3</u>
4	<u>LESS THAN 4,000</u>	<u>1</u>

5 NOTWITHSTANDING THE PROVISIONS OF THIS TABLE, QUALIFYING
6 DISTRICTS HAVING A GENERAL POPULATION OF FIVE THOUSAND NINE
7 HUNDRED FIFTY (5,950) OR MORE PERSONS PER SQUARE MILE AND AT
8 LEAST THIRTY-FIVE THOUSAND (35,000) WADMS SHALL BE PAID NINETEEN
9 PERCENT (19%) OF THEIR INSTRUCTIONAL EXPENDITURES.

10 SECTION ~~8~~ 10. SECTION 2517(D) OF THE ACT, AMENDED MAY 11, <—
11 1982 (P.L.396, NO.115), IS AMENDED TO READ:

12 SECTION 2517. PAYMENTS.--* * *

13 (D) SUBSECTION (C) OF THIS SECTION SHALL APPLY TO ALL
14 PAYMENTS TO WHICH A SCHOOL DISTRICT IS ENTITLED UNDER ANY
15 PROVISION OF SECTIONS 2502, 2502.3, 2502.4, 2502.8, 2502.9 AND
16 2592 FOR THE SCHOOL YEAR 1981-1982 AND TO PAYMENTS TO WHICH A
17 SCHOOL DISTRICT IS ENTITLED UNDER ANY PROVISION OF SECTIONS
18 2502, 2502.8 AND 2502.11 FOR THE SCHOOL YEAR 1982-1983 AND EACH
19 SCHOOL YEAR THEREAFTER.

20 SECTION ~~9~~ 11. PART II OF TITLE 24 OF THE PENNSYLVANIA <—
21 CONSOLIDATED STATUTES (RELATING TO BASIC EDUCATION) IS REPEALED.

22 SECTION ~~10~~ 12. SECTIONS ~~2, 3,~~ 4, 5, 6, 7 ~~AND,~~ 8, 9 AND 10 of <—
23 this act shall be retroactive to July 1, 1983.

24 Section ~~2~~ ~~11~~ 13. This act shall take effect immediately. <—