

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1371 Session of 1999

INTRODUCED BY COLAFELLA, STAIRS, ROBINSON, ROEBUCK, STEELMAN, STURLA, KIRKLAND, WILLIAMS, GRUCELA, DeWEESE, M. COHEN, ARGALL, BARRAR, BATTISTO, BELFANTI, CALTAGIRONE, L. I. COHEN, COSTA, DALLY, DeLUCA, FREEMAN, GODSHALL, HALUSKA, HARHAI, JOSEPHS, LAUGHLIN, MANN, MARKOSEK, MAYERNIK, McCALL, MELIO, MICOZZIE, ORIE, PESCI, PISTELLA, RAMOS, ROONEY, SEMMEL, SHANER, TRAVAGLIO, TRELLO, TULLI, VAN HORNE, WALKO, WILT, WOJNAROSKI, YOUNGBLOOD AND THOMAS, APRIL 21, 1999

REFERRED TO COMMITTEE ON EDUCATION, APRIL 21, 1999

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 reimbursements
6 or payments by the Commonwealth to community colleges.

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

9 Section 1. Section 1913-A(b) of the act of March 10, 1949
10 (P.L.30, No.14), known as the Public School Code of 1949,
11 amended June 7, 1993 (P.L.49, No.16), June 25, 1997 (P.L.297,
12 No.30) and April 27, 1998 (P.L.270, No.46), is amended to read:

13 Section 1913-A. Financial Program; Reimbursement or
14 Payments.--* * *

15 (b) (1) For the 1993-1994 fiscal year and for each fiscal
16 year thereafter, the Commonwealth shall pay to a community
17 college on behalf of the sponsor on account of its operating

1 costs during the fiscal year from funds appropriated for that
2 purpose an amount equal to [the lesser of such college's
3 variable State share ceiling as determined in clause (1.3) or
4 such college's equivalent full-time student reimbursement as
5 determined in clause (1.4).] two-thirds of the total operating
6 costs as provided for in subsection (d).

7 (1.2) The Secretary of Education, in consultation with the
8 community colleges, shall promulgate standards for credit
9 courses and for noncredit courses that will be eligible for
10 Commonwealth reimbursement. The standards shall specifically
11 exclude from eligibility for reimbursement any course or program
12 in avocational or recreational pursuits. The standards shall be
13 promulgated by the beginning of the 1994-1995 fiscal year. Until
14 such standards are promulgated, no community college will be
15 reimbursed for any credit course which was offered by such
16 college as a noncredit course during the college's 1992-1993
17 fiscal year.

18 [(1.3) The variable State share ceiling of a community
19 college shall be determined as follows:

20 (i) Subtract the taxable income per person of the local
21 sponsor from the highest taxable income per person of any county
22 in the Commonwealth.

23 (ii) Divide the amount determined under subclause (i) by the
24 difference between the highest taxable income per person of any
25 county in the Commonwealth and the lowest taxable income per
26 person of any county in the Commonwealth.

27 (iii) Multiply the quotient determined under subclause (ii)
28 by one-sixth.

29 (iv) Add one-third to the product determined under paragraph
30 (iii).

1 (v) Multiply the sum determined under subclause (iv) by the
2 community college's operating costs in the year for which
3 reimbursement is being claimed.

4 (vi) The taxable income per person data used in the
5 preceding calculation shall be data certified to the Secretary
6 of Education by the Secretary of Revenue under section 2501(9.1)
7 for school district local sponsors or data otherwise published
8 by the Secretary of Revenue for a municipal local sponsor.

9 (1.4) The equivalent full-time student reimbursement of a
10 community college shall be the sum of credit course, noncredit
11 course and stipend reimbursements. These reimbursements shall be
12 calculated using a reimbursement factor of one thousand and
13 forty dollars (\$1,040) for the 1993-1994 fiscal year, of one
14 thousand eighty dollars (\$1,080) for the 1994-1995 fiscal year
15 and of one thousand one hundred eighty dollars (\$1,180) for the
16 1995-1996 fiscal year and one thousand and two hundred and ten
17 dollars (\$1,210) for the 1996-1997 fiscal year and one thousand
18 two hundred sixty dollars (\$1,260) for the 1997-1998 fiscal year
19 and for each year thereafter and shall be determined as follows:

20 (i) Credit course reimbursement shall be calculated by
21 multiplying the reimbursement factor by the number of equivalent
22 full-time students enrolled in credit courses as determined by
23 an audit to be made in a manner prescribed by the State Board of
24 Education.

25 (ii) Noncredit course reimbursement shall be calculated as
26 follows:

27 (A) eighty percent (80%) of the reimbursement factor
28 multiplied by the number of equivalent full-time students
29 enrolled in eligible noncredit courses for the 1993-1994 fiscal
30 year, as determined by the audit referred to in paragraph (i);

1 (B) seventy percent (70%) of the reimbursement factor
2 multiplied by the number of equivalent full-time students
3 enrolled in eligible noncredit courses for the 1994-1995 fiscal
4 year and for each year thereafter, as determined by the audit
5 referred to in paragraph (i); or

6 (C) one hundred percent (100%) of the reimbursement factor
7 multiplied by the number of equivalent full-time students
8 enrolled in eligible noncredit public safety courses that
9 provide training for volunteer firefighters and emergency
10 medical services for the 1995-1996 fiscal year and for each year
11 thereafter, as determined by the audit referred to in paragraph
12 (i).

13 (iii) Stipend reimbursement on account of a community
14 college's operating costs for all equivalent full-time students
15 enrolled in the following categories of two-year or less than
16 two-year occupational or technical programs, shall be the sum of
17 the following:

18 (A) One thousand one hundred dollars (\$1,100) per full-time
19 equivalent student enrolled in advanced technology programs. For
20 the fiscal year 1995-1996, 1996-1997 and 1997-1998, the
21 reimbursement rate shall be calculated at one thousand one
22 hundred seventy-five dollars (\$1,175) per full-time equivalent
23 student enrolled in advanced technology programs. For the fiscal
24 year 1998-1999 and each year thereafter, the reimbursement rate
25 shall be calculated at one thousand four hundred sixty dollars
26 (\$1,460) per full-time equivalent student enrolled in advanced
27 technology programs. Advanced technology programs are programs
28 using new or advanced technologies which hold promise for
29 creating new job opportunities, including such fields as
30 robotics, biotechnology, specialized materials and engineering

1 and engineering-related programs.

2 (B) One thousand dollars (\$1,000) per full-time equivalent
3 student enrolled in programs designated as Statewide programs.
4 For the fiscal year 1995-1996, 1996-1997 and 1997-1998, the
5 reimbursement rate shall be calculated at one thousand seventy-
6 five dollars (\$1,075) per full-time equivalent student enrolled
7 in programs designated as Statewide programs. For the fiscal
8 year 1998-1999 and each year thereafter, the reimbursement rate
9 shall be calculated at one thousand three hundred sixty dollars
10 (\$1,360) per full-time equivalent student enrolled in programs
11 designated as Statewide programs. A Statewide program is a
12 program which meets one or more of the following criteria:

13 (I) Program enrollment from out-of-sponsor area is twenty
14 per cent or more of the enrollment for the program.

15 (II) A consortial arrangement exists with another community
16 college to cooperatively operate a program or share regions in
17 order to avoid unnecessary program duplication.

18 (C) Five hundred dollars (\$500) per full-time equivalent
19 student enrolled in other occupational or technical programs.
20 For the fiscal year 1995-1996, 1996-1997 and 1997-1998, the
21 reimbursement rate shall be calculated at five hundred seventy-
22 five dollars (\$575) per full-time equivalent student enrolled in
23 other occupational or technical programs. For the fiscal year
24 1998-1999 and each year thereafter, the reimbursement rate shall
25 be calculated at eight hundred sixty dollars (\$860) per full-
26 time equivalent student enrolled in other occupational or
27 technical programs.]

28 (2) For the 1993-1994 fiscal year, each community college
29 shall be reimbursed under clause (1) in an amount which is at
30 least equal to a one percent (1%) increase over its 1992-1993

1 operating cost and stipend reimbursement. In no case shall a
2 community college's 1993-1994 reimbursement under clause (1) per
3 full-time equivalent student, insofar as said reimbursement does
4 not include a proportionate share attributable to stipend
5 reimbursement under clause (1.4)(iii), exceed its 1992-1993
6 operating cost reimbursement per full-time equivalent student by
7 more than ten percent (10%).

8 (2.1) For the 1994-1995 fiscal year, each community college
9 shall be reimbursed under clause (1) in an amount which is at
10 least equal to a one percent (1%) increase over its 1993-1994
11 reimbursement under clause (1). In no case shall a community
12 college's 1994-1995 reimbursement under clause (1) per full-time
13 equivalent student, insofar as said reimbursement does not
14 include the proportionate share attributable to stipend
15 reimbursement under clause (1.4)(iii), exceed its 1993-1994
16 reimbursement under clause (1) per full-time equivalent student,
17 insofar as said reimbursement does not include the proportionate
18 share attributable to stipend reimbursement under clause
19 (1.4)(iii) by more than ten percent (10%).

20 (2.2) For the 1995-1996 fiscal year, each community college
21 shall be reimbursed under clause (1) in an amount which is at
22 least equal to its 1994-1995 reimbursement under clause (1).

23 (3) The Secretary of Education annually shall establish
24 criteria to be used to determine eligibility of programs for
25 each of the above stipend categories, shall approve programs for
26 funding in the following fiscal year according to these criteria
27 and shall submit to chairmen of the committees of education in
28 the House of Representatives and Senate a report setting forth
29 the established criteria, any programs approved for funding
30 under these criteria and the recipient community colleges.

1 (4) Each community college shall maintain such accounting
2 and student attendance records on generally accepted principles
3 and standards as will lend themselves to satisfactory audit. The
4 Commonwealth shall pay to a community college on behalf of the
5 sponsor on account of its capital expenses an amount equal to
6 one-half of such college's annual capital expenses from funds
7 appropriated for that purpose to the extent that said capital
8 expenses have been approved as herein provided.

9 (5) For purposes of determining Commonwealth reimbursement
10 of operating costs, Federally funded expenditures for those
11 programs in which the Commonwealth participates in the cost
12 shall be deducted from total operating expenditures to determine
13 net reimbursable operating costs.

14 * * *

15 Section 2. This act shall take effect immediately.