

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1046 Session of  
2007

INTRODUCED BY ROEBUCK, COHEN, CURRY, GRUCELA, HARKINS, KIRKLAND,  
LEACH, SHIMKUS, BIANCUCCI, BLACKWELL, CALTAGIRONE, FABRIZIO,  
FRANKEL, GEORGE, JOSEPHS, MANN, MCGEEHAN, MYERS, PARKER,  
PRESTON, SOLOBAY, STURLA, THOMAS AND WALKO, APRIL 10, 2007

REFERRED TO COMMITTEE ON EDUCATION, APRIL 10, 2007

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 small district  
6 assistance; providing for basic education funding for the  
7 2006-2007 school year; and further providing for payments on  
8 account of limited English proficiency programs.

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

11 Section 1. Section 2502.13 of the act of March 10, 1949  
12 (P.L.30, No.14), known as the Public School Code of 1949, is  
13 amended by adding a subsection to read:

14 Section 2502.13. Small District Assistance.--\* \* \*

15 (m) For the school year 2006-2007, the Commonwealth shall  
16 pay to each school district which has an average daily  
17 membership of one thousand five-hundred (1,500) or less and a  
18 market value/income aid ratio of six thousand ten-thousandths  
19 (0.6000) or greater an amount equal to thirty dollars (\$30)  
20 multiplied by that district's average daily membership and by

1 that district's market value/income aid ratio.

2 Section 2. The act is amended by adding sections to read:

3 Section 2502.47. Basic Education Funding for 2006-2007

4 School Year.--For the 2006-2007 school year, the Commonwealth

5 shall pay to each school district a basic education funding

6 allocation which shall consist of the following:

7 (1) An amount equal to the basic education funding

8 allocation for the 2005-2006 school year under sections 2502.13,

9 2502.45 and 2504.4.

10 (2) If a school district has been declared a Commonwealth

11 partnership school district under Article XVII-B, an amount

12 equal to four million dollars (\$4,000,000).

13 (3) A base supplement calculated as follows:

14 (i) If the school district's market value/income aid ratio

15 is equal to or greater than seven thousand three hundred ninety-

16 one ten-thousandths (.7391):

17 (A) Multiply the school district's 2007-2008 market

18 value/income aid ratio by its 2006-2007 average daily

19 membership.

20 (B) Multiply the product from clause (A) by five million

21 nine hundred fifty thousand dollars (\$5,950,000).

22 (C) Divide the product from clause (B) by the sum of the

23 products of the 2007-2008 market value/income aid ratio

24 multiplied by the 2006-2007 average daily membership for all

25 qualifying school districts.

26 (ii) If the school district's 2007-2008 market value/income

27 aid ratio is equal to or greater than six thousand six hundred

28 fifteen ten-thousandths (.6615) and less than seven thousand

29 three hundred ninety-one ten-thousandths(.7391):

30 (A) Multiply the school district's 2007-2008 market value/

income aid ratio by its 2006-2007 average daily membership.

(B) Multiply the product from clause (A) by seventeen million five hundred twenty thousand dollars (\$17,520,000).

(C) Divide the product from clause (B) by the sum of the products of the 2007-2008 market value/income aid ratio multiplied by the 2006-2007 average daily membership for all qualifying school districts.

(iii) If the school district's 2007-2008 market value/income aid ratio is equal to or greater than five thousand eight hundred fifty-six ten-thousandths (.5856) and less than six thousand six hundred fifteen ten-thousandths (.6615):

(A) Multiply the school district's 2007-2008 market value/income aid ratio by its 2006-2007 average daily membership.

(B) Multiply the product from clause (A) by seven million eight hundred thousand dollars (\$7,800,000).

(C) Divide the product from clause (B) by the sum of the products of the 2007-2008 market value/income aid ratio multiplied by the 2006-2007 average daily membership for all qualifying school districts.

(iv) If the school district's 2007-2008 market value/income aid ratio is equal to or greater than four thousand one hundred ninety-five ten-thousandths (.4195) and less than five thousand eight hundred fifty-six ten-thousandths (.5856):

(A) Multiply the school district's 2007-2008 market value/income aid ratio by its 2006-2007 average daily membership.

(B) Multiply the product from clause (A) by eleven million four hundred thousand dollars (\$11,400,000).

(C) Divide the product from clause (B) by the sum of the products of the 2007-2008 market value/income aid ratio

1 multiplied by the 2006-2007 average daily membership for all  
2 qualifying school districts.

3 (v) If the school district's 2007-2008 market value/income  
4 aid ratio is less than four thousand one hundred ninety-five  
5 ten-thousandths (.4195):

6 (A) Multiply the school district's 2007-2008 market value/  
7 income aid ratio by its 2006-2007 average daily membership.

8 (B) Multiply the product from clause (A) by six million  
9 twenty-five thousand dollars (\$6,025,000).

10 (C) Divide the product from clause (B) by the sum of the  
11 products of the 2007-2008 market value/income aid ratio  
12 multiplied by the 2006-2007 average daily membership for all  
13 qualifying school districts.

14 (4) A poverty supplement calculated for qualifying school  
15 districts as follows:

16 (i) For a school district to qualify for the poverty  
17 supplement:

18 (A) forty percent (40%) or more of the students enrolled in  
19 the school district on October 31, 2006, must have been eligible  
20 for free or reduced price meals under the school lunch program  
21 and the school district's 2007-2008 market value/income aid  
22 ratio must be at least four thousand five hundred ten-  
23 thousandths (.4500); or

24 (B) equal to or greater than thirty percent (30%) and fewer  
25 than forty percent (40%) of the students enrolled in the school  
26 district on October 31, 2006, must have been eligible for free  
27 or reduced price meals under the school lunch program and the  
28 school district's 2007-2008 market value/income aid ratio must  
29 be at least six thousand five hundred ten-thousandths (.6500).

30 (ii) The poverty supplement shall be calculated for

1 qualifying school districts as follows:

2 (A) Multiply the school district's 2007-2008 market value/  
3 income aid ratio by its 2006-2007 average daily membership by  
4 the percent of students enrolled in the school district on  
5 October 31, 2006, who were eligible for free or reduced price  
6 meals under the school lunch program.

7 (B) Multiply the product from clause (A) by twenty-six  
8 million dollars (\$26,000,000).

9 (C) Divide the product from clause (B) by the sum of the  
10 products of the 2007-2008 market value/income aid ratio  
11 multiplied by the 2006-2007 average daily membership multiplied  
12 by the percent of students enrolled in the school district on  
13 October 31, 2006, who were eligible for free or reduced price  
14 meals under the school lunch program for all qualifying school  
15 districts.

16 (5) A foundation supplement calculated for qualifying  
17 districts as follows:

18 (i) To qualify for the foundation supplement, a school  
19 district's 2005-2006 adjusted current expenditures per average  
20 daily membership must be less than the foundation target and its  
21 2005-2006 equalized millage must be greater than or equal to  
22 18.0. For the purpose of this subsection, the "foundation  
23 target" shall be one of the following:

24 (A) The 2003-2004 median current expenditures per average  
25 daily membership increased by three and nine-tenths percent  
26 (3.9%) and further increased by three and four-tenths percent  
27 (3.4%).

28 (B) For a school district where at least fifty percent (50%)  
29 of students enrolled in the school district on October 31, 2006,  
30 were eligible for free or reduced price meals under the school

1 lunch program, the amount referenced under clause (A) increased  
2 by twenty percent (20%).

3 (ii) The foundation supplement shall be calculated for  
4 qualifying school districts as follows:

5 (A) Multiply the school district's 2007-2008 market  
6 value/income aid ratio by its 2006-2007 average daily  
7 membership.

8 (B) Multiply the product in clause (A) by the lesser of:

9 (I) five hundred dollars (\$500), or if its 2007-2008 market  
10 value/income aid ratio is equal to or greater than seven  
11 thousand ten-thousandths (.7000), eight hundred fifty dollars  
12 (\$850);

13 (II) the difference between the value of the foundation  
14 target and the school district's 2005-2006 adjusted current  
15 expenditures per average daily membership; or

16 (III) if the school district's 2005-2006 equalized millage  
17 is less than twenty-one and one-tenth (21.1), the product of the  
18 lesser of the amount in clause (B)(I) or (II) and the quotient  
19 of its 2005-2006 equalized millage divided by twenty-one and  
20 one-tenth (21.1).

21 (C) Multiply the product from clause (B) by forty million  
22 dollars (\$40,000,000).

23 (D) Divide the product from clause (C) by the sum of the  
24 products from clause (B).

25 (iii) If a qualifying school district's 2005-2006 equalized  
26 millage is equal to or greater than twenty-four and seven-tenths  
27 (24.7), it shall receive an additional payment calculated as  
28 follows:

29 (A) Multiply the product from subparagraph (ii)(B) by  
30 eighteen million dollars (\$18,000,000).

1 (B) Divide the product from clause (A) by the sum of the  
2 products from subparagraph (ii)(B) for qualifying school  
3 districts.

4 (6) A tax burden supplement calculated for qualifying school  
5 districts as follows:

6 (i) To qualify for the tax burden supplement, the percent  
7 change in a school district's market value from 2000 to 2005  
8 must be less than ten percent (10%).

9 (ii) The tax burden supplement shall be calculated for  
10 qualifying school districts as follows:

11 (A) Multiply the school district's 2007-2008 market  
12 value/income aid ratio by its 2006-2007 average daily  
13 membership.

14 (B) Multiply the product from clause (A) by three million  
15 dollars (\$3,000,000).

16 (C) Divide the product from clause (B) by the sum of the  
17 products of the 2007-2008 market value/income aid ratio  
18 multiplied by the 2006-2007 average daily membership for all  
19 qualifying school districts.

20 (7) A growth supplement calculated for qualifying school  
21 districts as follows:

22 (i) To qualify for the growth supplement, the school  
23 district's 2005-2006 average daily membership must be at least  
24 five percent (5%) greater than the school district's 2000-2001  
25 average daily membership, the school district's 2005 market  
26 value per 2005-2006 average daily membership must be less than  
27 or equal to nineteen and one-half percent (19.50%) greater than  
28 the school district's 2000 market value per 2000-2001 average  
29 daily membership and the school district's 2006-2007 average  
30 daily membership must be greater than the school district's

1 2005-2006 average daily membership.

2 (ii) The growth supplement shall be calculated for  
3 qualifying school districts as follows:

4 (A) Multiply the school district's 2007-2008 market value/  
5 income aid ratio by the difference between the school district's  
6 2005-2006 average daily membership and the school district's  
7 2006-2007 average daily membership.

8 (B) Multiply the product from clause (A) by two million five  
9 hundred thousand dollars (\$2,500,000).

10 (C) Divide the product from clause (B) by the sum of the  
11 products of the 2007-2008 market value/income aid ratio  
12 multiplied by the difference between the 2005-2006 average daily  
13 membership and the 2006-2007 average daily membership for all  
14 qualifying school districts.

15 (8) Each school district shall receive an inflation index  
16 supplement as necessary so that the sum of the amounts under  
17 section 2502.13, 2504.4 and paragraphs (3), (4), (5), (6) and  
18 (7) and this paragraph equal three and four-tenths percent  
19 (3.4%) multiplied by its 2007-2008 market value/income aid ratio  
20 of the amount in paragraph (1).

21 (9) Each school district shall receive additional funding as  
22 necessary so that the sum of the amounts under section 2502.13,  
23 2504.4 and paragraphs (3), (4), (5), (6), (7) and (8) and this  
24 paragraph shall equal at least two percent (2.0%) of the amount  
25 in paragraph (1).

26 Section 2502.48. 3 Basic Education Funding Oversight.--For  
27 the 2007-2008 school year and each school year thereafter, all  
28 of the following shall apply to any school district that  
29 receives a percentage increase in basic education funding from  
30 the prior school year greater than or equal to the lesser of two



hundred percent (200%) of the percentage increase in the  
appropriation for basic education or ten percent (10%).

(1) Within 30 days of enactment of a general appropriations  
bill that includes an appropriation for basic education, the  
school district shall provide the department with information on  
its intended use of the increase in basic education funding on a  
form prescribed by the department.

(2) Within 15 days of receipt of such information, the  
department may make nonbinding recommendations to the school  
district for alternative utilization of the basic education  
funds.

(3) At the first meeting of the board of school directors  
that immediately follows receipt of any recommendations provided  
by the department, the school district shall make the  
recommendations public and may adopt any changes in its approved  
budget to implement such recommendations as the board of school  
directors determines to be appropriate.

Section 3. Section 2504.4 of the act is amended by adding a  
subsection to read:

Section 2504.4. Payments on Account of Limited English  
Proficiency Programs.--\* \* \*

(a.3) To qualify for limited English proficiency payments  
under this section, a school district's 2007-2008 market  
value/income aid ratio must be equal to or greater than three  
thousand eight hundred ten-thousandths (.3800) and the number of  
enrolled students identified as limited English proficient in  
the 2005-2006 school year must be equal to or greater than three  
and one-half percent (3.5%) of the school district's 2005-2006  
average daily membership. The allocation under this section  
shall be paid in fiscal year 2007-2008 out of the appropriation

1 for basic education funding and calculated for qualifying school  
2 districts as follows:

3 (1) Multiply the number of enrolled students identified as  
4 limited English proficient in the 2005-2006 school year by two  
5 million seven hundred thousand dollars (\$2,700,000).

6 (2) Divide the product from paragraph (1) by the sum of  
7 enrolled students identified as limited English proficient for  
8 all qualifying school districts.

9 Section 4. This act shall take effect July 1, 2007, or  
10 immediately, whichever is later.