

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 67 Session of 2009

INTRODUCED BY PICCOLA, VANCE, ORIE AND O'PAKE, JANUARY 29, 2009

REFERRED TO EDUCATION, JANUARY 29, 2009

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 cost of tuition  
6 and maintenance of certain exceptional children in approved  
7 institutions.

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

10 Section 1. Section 1376 (a.2) of the act of March 10, 1949  
11 (P.L.30, No.14), known as the Public School Code of 1949,  
12 amended July 4, 2004 (P.L.536, No.70), is amended and the  
13 section is amended by adding a subsection to read:

14 Section 1376. Cost of Tuition and Maintenance of Certain  
15 Exceptional Children in Approved Institutions.--\* \* \*

16 (a.2) [For] Except as provided in subsection (a.3), for the  
17 2005-2006 school year and each school year thereafter, the  
18 Department of Education shall determine the payment amount for  
19 each approved private school for all students enrolled in an  
20 approved private school for the prior school year as follows:

21 (1) (i) Multiply the payment determined for the immediate

preceding school year by one hundred and twenty-five percent (125%) of the percentage increase in the appropriation for special education for the fiscal year prior to the fiscal year in which payments under this subsection are made.

(ii) Add the product from subparagraph (i) to the payment determined for the immediate preceding school year.

(2) No later than May 10, 2005, and no later than May 10 of each year thereafter, the Department of Education shall notify each school district of residence or charter school of a child enrolled in an approved private school of its payment amount under subsection (a).

(3) The Department of Education shall pay each approved private school the total amount calculated pursuant to this subsection divided into twelve (12) monthly payments. The Department of Education shall withhold the school district or charter school payment amount calculated under subsection (a) from the amount of any and all State payments made to the school district or charter school. In no event shall the sum of the Commonwealth's share of payments to approved private schools under this subsection exceed the appropriation for approved private schools.

(a.3) For the 2009-2010 school year with respect to an approved private school referenced in subsection (a.1)(3), the Department of Education shall determine the payment amount under subsection (a.2) by multiplying the school's approved tuition rate determined pursuant to subsection (c.5) for the 2007-2008 school year by the enrollment capacity for the school approved by the Department of Education in August 2003. For the 2010-2011 school year and each school year thereafter, payments shall be calculated in accordance with subsection (a.2)(1).

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2       Section 2.   This act shall take effect immediately.

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