

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 825 Session of 2015

INTRODUCED BY SONNEY, BAKER, MILLARD AND SCHLOSSBERG,
MARCH 24, 2015

REFERRED TO COMMITTEE ON EDUCATION, MARCH 24, 2015

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," in charter schools, further providing
6 for funding for charter schools.

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

9 Section 1. Section 1725-A heading and (a) of the act of
10 March 10, 1949 (P.L.30, No.14), known as the Public School Code
11 of 1949, amended or added June 19, 1997 (P.L.225, No.22) and
12 June 29, 2002 (P.L.524, No.88), are amended to read:

13 Section 1725-A. Funding for Charter [Schools] School
14 Entities.--(a) Funding for a charter school entity shall be
15 provided in the following manner:

16 (1) There shall be no tuition charge for a resident or
17 nonresident student attending a charter school.

18 (2) For non-special education students, the charter school
19 entity shall receive for each student enrolled the following,
20 which shall be paid by the district of residence of each

1 student:

2 (i) Through and including the 2014-2015 school year, no less
3 than the budgeted total expenditure per average daily membership
4 of the prior school year, as defined in section 2501(20), minus
5 the budgeted expenditures of the district of residence for
6 nonpublic school programs; adult education programs;
7 community/junior college programs; student transportation
8 services; for special education programs; facilities
9 acquisition, construction and improvement services; and other
10 financing uses, including debt service and fund transfers as
11 provided in the Manual of Accounting and Related Financial
12 Procedures for Pennsylvania School Systems established by the
13 department. [This amount shall be paid by the district of
14 residence of each student.]

15 (ii) Beginning in the 2015-2016 school year, the following:

16 (A) For a charter school or regional charter school, no less
17 than the budgeted total expenditure per average daily membership
18 of the prior school year, as defined in section 2501(20), minus
19 the budgeted expenditures of the district of residence for
20 nonpublic school programs; adult education programs;
21 community/junior college programs; student transportation
22 services; for special education programs; facilities
23 acquisition, construction and improvement services; and other
24 financing uses, including debt service and fund transfers as
25 provided in the Manual of Accounting and Related Financial
26 Procedures for Pennsylvania School Systems established by the
27 department. This amount shall be paid by the district of
28 residence of each student.

29 (B) For a cyber charter school, as follows:

30 (I) Where the student's district of residence does not

1 operate its own full-time cyber school program, no less than the
2 budgeted total expenditure per average daily membership of the
3 prior school year, as defined in section 2501(20), minus the
4 budgeted expenditures of the district of residence for nonpublic
5 school programs; adult education programs; community/junior
6 college programs; student transportation services; for special
7 education programs; facilities acquisition, construction and
8 improvement services; and other financing uses, including debt
9 service and fund transfers as provided in the Manual of
10 Accounting and Related Financial Procedures for Pennsylvania
11 School Systems established by the department.

12 (II) Where the student's district of residence operates its
13 own full-time cyber school program, an amount equal to the
14 district's total expenditure per student enrolled in the
15 district's full-time cyber school program. For purposes of this
16 clause, the total expenditure per student shall include all
17 instructional, noninstructional support, technological, food
18 service and facilities expenditures that are related, in whole
19 or in part, to supporting the district's full-time cyber school
20 program.

21 (3) For special education students, the charter school
22 entity shall receive for each student enrolled the same funding
23 as for each non-special education student as provided in clause
24 (2), plus an additional amount determined by dividing the
25 district of residence's total special education expenditure by
26 the product of multiplying the combined percentage of section
27 2509.5(k) times the district of residence's total average daily
28 membership for the prior school year. [This amount shall be paid
29 by the district of residence of each student.]

30 (4) A charter school entity may request the intermediate

1 unit in which the charter school entity is located to provide
2 services to assist the charter school entity to address the
3 specific needs of exceptional students. The intermediate unit
4 shall assist the charter school entity and bill the charter
5 school entity for the services. The intermediate unit may not
6 charge the charter school entity more for any service than it
7 charges the constituent districts of the intermediate unit.

8 (5) Payments shall be made to the charter school entity in
9 twelve (12) equal monthly payments, by the fifth day of each
10 month, within the operating school year. A student enrolled in a
11 charter school entity shall be included in the average daily
12 membership of the student's district of residence for the
13 purpose of providing basic education funding payments and
14 special education funding pursuant to Article XXV. If a school
15 district fails to make a payment to a charter school entity as
16 prescribed in this clause, the secretary shall deduct the
17 estimated amount, as documented by the charter school entity,
18 from any and all State payments made to the district after
19 receipt of documentation from the charter school entity.

20 (6) Within thirty (30) days after the secretary makes the
21 deduction described in clause (5), a school district may notify
22 the secretary that the deduction made from State payments to the
23 district under this subsection is inaccurate. The secretary
24 shall provide the school district with an opportunity to be
25 heard concerning whether the charter school entity documented
26 that its students were enrolled in the charter school entity,
27 the period of time during which each student was enrolled, the
28 school district of residence of each student and whether the
29 amounts deducted from the school district were accurate.

30 (7) As used in this subsection, the phrase "charter school

1 entity" shall mean a charter school, regional charter school or
2 cyber charter school.

3 * * *

4 Section 2. This act shall take effect in 60 days.