

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 PALSID 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 PALSID 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 PALSID 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 PALSID 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

\* \* \*

(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

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

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

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

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

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

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

(19) "FACTOR FOR EDUCATIONAL EXPENSE." FOR THE SCHOOL YEAR  
1982-1983 AND EACH SCHOOL YEAR THEREAFTER, THE FACTOR FOR  
EDUCATIONAL EXPENSE USED TO COMPUTE SCHOOL DISTRICT ENTITLEMENTS  
TO PAYMENTS ON ACCOUNT OF INSTRUCTION, AS PROVIDED FOR IN  
SUBSECTION (D) OF SECTION 2502, SHALL BE ONE THOUSAND SIX  
HUNDRED FIFTY-SIX DOLLARS (\$1,656) UNLESS LATER CHANGED BY  
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	<u>POPULATION PER SQUARE MILE</u>	<u>PAYMENT AS PERCENT OF</u>
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1	<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. <—