

---

 THE GENERAL ASSEMBLY OF PENNSYLVANIA
 

---

# HOUSE BILL

No. 1141 Session of  
2013

---

INTRODUCED BY SAYLOR, AUMENT, BAKER, BARRAR, BOBACK, R. BROWN, CALTAGIRONE, CLYMER, SCHLEGEL CULVER, DAVIS, DeLUCA, GODSHALL, GRELL, GROVE, C. HARRIS, HEFFLEY, KAUFFMAN, KNOWLES, MALONEY, MENTZER, MILLARD, O'NEILL, PASHINSKI, PICKETT, ROCK, SCAVELLO, SWANGER, TALLMAN, WATSON, ROSS, R. MILLER, GINGRICH, EVERETT, QUINN, MOUL, DENLINGER AND FARRY, APRIL 9, 2013

---

SENATOR CORMAN, APPROPRIATIONS, IN SENATE, RE-REPORTED AS AMENDED, JUNE 30, 2013

---

## 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," providing for reopening of the school~~  
 6 ~~district annual budget.~~

7 AMENDING THE ACT OF MARCH 10, 1949 (P.L.30, NO.14), ENTITLED "AN <--  
 8 ACT RELATING TO THE PUBLIC SCHOOL SYSTEM, INCLUDING CERTAIN  
 9 PROVISIONS APPLICABLE AS WELL TO PRIVATE AND PAROCHIAL  
 10 SCHOOLS; AMENDING, REVISING, CONSOLIDATING AND CHANGING THE  
 11 LAWS RELATING THERETO," IN PRELIMINARY PROVISIONS, FURTHER  
 12 PROVIDING FOR THE SPECIAL EDUCATION FUNDING COMMISSION; IN  
 13 SCHOOL FINANCES, PROVIDING FOR REOPENING OF SCHOOL DISTRICT  
 14 ANNUAL BUDGET AND FURTHER PROVIDING FOR ANNUAL BUDGET,  
 15 ADDITIONAL OR INCREASED APPROPRIATIONS AND TRANSFER OF FUNDS;  
 16 IN GROUNDS AND BUILDINGS, FURTHER PROVIDING FOR LIMITATION ON  
 17 NEW APPLICATIONS FOR DEPARTMENT OF EDUCATION APPROVAL OF  
 18 PUBLIC SCHOOL BUILDING PROJECTS; IN CERTIFICATION OF  
 19 TEACHERS, FURTHER PROVIDING FOR DISQUALIFICATION AND  
 20 PROVIDING FOR PROFESSIONAL EDUCATOR DISCIPLINE FEE; IN  
 21 COMMUNITY COLLEGES, FURTHER PROVIDING FOR FINANCIAL PROGRAM  
 22 AND REIMBURSEMENT OF PAYMENTS; IN COMMUNITY EDUCATION  
 23 COUNCILS, FURTHER PROVIDING FOR STATE FUNDING; IN SCHOOL  
 24 DISTRICTS OF THE FIRST CLASS, PROVIDING FOR BUDGET REPORTS;  
 25 AND IN REIMBURSEMENTS BY COMMONWEALTH AND BETWEEN SCHOOL  
 26 DISTRICTS, PROVIDING FOR BASIC EDUCATION FUNDING FOR 2012-  
 27 2013 SCHOOL YEAR AND FOR PAYMENT ON ACCOUNT OF EQUIPMENT

1 PURCHASED FOR AREA VOCATIONAL-TECHNICAL SCHOOLS AND SCHOOL  
2 DISTRICTS, FURTHER PROVIDING FOR PAYMENTS TO INTERMEDIATE  
3 UNITS AND FOR SPECIAL EDUCATION PAYMENTS TO SCHOOL DISTRICTS;  
4 PROVIDING FOR ASSISTANCE TO SCHOOL DISTRICTS IN FINANCIAL  
5 RECOVERY OR FINANCIAL WATCH STATUS; FURTHER PROVIDING FOR  
6 PENNSYLVANIA ACCOUNTABILITY GRANTS; AND PROVIDING FOR  
7 DISTANCE EDUCATION PROGRAM.

8 THE GENERAL ASSEMBLY FINDS AND DECLARES AS FOLLOWS:

9 (1) IT IS THE PURPOSE OF THIS ACT TO PROVIDE FISCAL  
10 SUPPORT FOR THE EDUCATIONAL SYSTEM IN THE COMMONWEALTH.

11 (2) PENNSYLVANIA CURRENTLY HAS OVER 3,100 PUBLIC SCHOOLS  
12 ORGANIZED INTO 500 SCHOOL DISTRICTS, AND THOSE SCHOOLS  
13 EDUCATE APPROXIMATELY 1.7 MILLION STUDENTS EVERY YEAR.

14 (3) ARTICLE III, SECTION 24, OF THE CONSTITUTION OF  
15 PENNSYLVANIA REQUIRES THE GENERAL ASSEMBLY TO ADOPT ALL  
16 APPROPRIATIONS FOR THE OPERATION OF GOVERNMENT IN THE  
17 COMMONWEALTH. THE SUPREME COURT HAS REPEATEDLY AFFIRMED THAT,  
18 "IT IS FUNDAMENTAL WITHIN PENNSYLVANIA'S TRIPARTITE SYSTEM  
19 THAT THE GENERAL ASSEMBLY ENACTS THE LEGISLATION ESTABLISHING  
20 THOSE PROGRAMS WHICH THE STATE PROVIDES FOR ITS CITIZENS AND  
21 APPROPRIATES THE FUNDS NECESSARY FOR THEIR OPERATION."

22 (4) ARTICLE III, SECTION 11, OF THE CONSTITUTION OF  
23 PENNSYLVANIA REQUIRES THE ADOPTION OF A GENERAL APPROPRIATION  
24 BILL THAT EMBRACES "NOTHING BUT APPROPRIATIONS." WHILE ACTUAL  
25 APPROPRIATIONS CAN BE CONTAINED IN A GENERAL APPROPRIATION  
26 ACT, THE ACHIEVEMENT AND IMPLEMENTATION OF A COMPREHENSIVE  
27 BUDGET INVOLVES MUCH MORE THAN APPROPRIATIONS. ULTIMATELY,  
28 THE BUDGET HAS TO BE BALANCED UNDER ARTICLE VIII, SECTION 13,  
29 OF THE CONSTITUTION OF PENNSYLVANIA. THIS MAY NECESSITATE  
30 CHANGES TO SOURCES OF FUNDING AND ENACTMENT OF STATUTES TO  
31 ACHIEVE FULL COMPLIANCE WITH THESE CONSTITUTIONAL PROVISIONS.

32 (5) THEREFORE, IT IS THE INTENT OF THE GENERAL ASSEMBLY  
33 THROUGH THIS ACT TO PROVIDE IMPLEMENTATION OF THE 2013-2014

1 COMMONWEALTH BUDGET AS IT AFFECTS THE OPERATIONS OF AND  
2 FUNDING FOR OUR EDUCATIONAL SYSTEM AND PROMOTES THE HEALTH,  
3 SAFETY AND WELFARE OF OUR CHILDREN.

4 (6) THIS ACT WILL:

5 (I) PROVIDE A COMMUNITY COLLEGE FUNDING FORMULA.

6 (II) PROVIDE BASIC EDUCATION FUNDING FOR THE 2012-  
7 2013 SCHOOL YEAR.

8 (III) PROVIDE FOR SPECIAL EDUCATION PAYMENTS.

9 (IV) PROVIDE FUNDS FOR IMPLEMENTING THE ACT OF  
10 DECEMBER 12, 1973 (P.L.397, NO.141), KNOWN AS THE  
11 PROFESSIONAL EDUCATOR DISCIPLINE ACT.

12 (V) PROVIDE FOR PAYMENT ON ACCOUNT OF EQUIPMENT  
13 PURCHASED FOR AREA VOCATIONAL-TECHNICAL SCHOOLS AND  
14 TECHNICAL INSTITUTES.

15 (VI) REMOVE THE HEALTH ASSESSMENT REQUIREMENT FOR A  
16 TEACHER'S CERTIFICATION TO AVOID DUPLICATE COSTS.

17 (VII) PROVIDE FOR FUNDING TO COMMUNITY EDUCATION  
18 COUNCILS.

19 (VIII) PROVIDE FUNDING FOR FINANCIAL AID IN DISTANCE  
20 EDUCATION THROUGH THE PENNSYLVANIA HIGHER EDUCATION  
21 ASSISTANCE AGENCY.

22 The General Assembly of the Commonwealth of Pennsylvania  
23 hereby enacts as follows:

24 ~~Section 1. The act of March 10, 1949 (P.L.30, No.14), known <--~~  
25 ~~as the Public School Code of 1949, is amended by adding a~~  
26 ~~section to read:~~

27 ~~Section 618. Reopening of the School District Annual~~  
28 ~~Budget. Notwithstanding any other provision of law, a board of~~  
29 ~~school directors of a school district may reopen its annual~~  
30 ~~budget for a period of 30 days after the annual State general~~

1 ~~appropriation act is enacted, to reflect Federal and State~~  
2 ~~allocations for the current fiscal year provided by the annual~~  
3 ~~State general appropriation act.~~

4 ~~Section 2. This act shall take effect immediately.~~

5 SECTION 1. SECTION 122(I) (5) OF THE ACT OF MARCH 10, 1949 <--  
6 (P.L.30, NO.14), KNOWN AS THE PUBLIC SCHOOL CODE OF 1949, ADDED  
7 APRIL 25, 2013 (P.L.12, NO.3), IS AMENDED TO READ:

8 SECTION 122. SPECIAL EDUCATION FUNDING COMMISSION.--\* \* \*

9 (I) THE COMMISSION SHALL HAVE ALL OF THE FOLLOWING POWERS  
10 AND DUTIES:

11 \* \* \*

12 (5) ISSUE A REPORT OF ITS FINDINGS AND RECOMMENDATIONS TO  
13 THE GOVERNOR, THE PRESIDENT PRO TEMPORE OF THE SENATE, THE  
14 MAJORITY LEADER AND MINORITY LEADER OF THE SENATE, THE EDUCATION  
15 COMMITTEE OF THE SENATE, THE SPEAKER OF THE HOUSE OF  
16 REPRESENTATIVES, THE MAJORITY LEADER AND MINORITY LEADER OF THE  
17 HOUSE OF REPRESENTATIVES, THE EDUCATION COMMITTEE OF THE HOUSE  
18 OF REPRESENTATIVES, THE SECRETARY OF EDUCATION AND THE STATE  
19 BOARD OF EDUCATION NOT LATER THAN [SEPTEMBER] NOVEMBER 30, 2013.

20 \* \* \*

21 SECTION 2. THE ACT IS AMENDED BY ADDING A SECTION TO READ:

22 SECTION 616.1. REOPENING OF SCHOOL DISTRICT ANNUAL BUDGET.--  
23 NOTWITHSTANDING ANY OTHER PROVISION OF LAW, A BOARD OF SCHOOL  
24 DIRECTORS OF A SCHOOL DISTRICT MAY REOPEN ITS ANNUAL BUDGET FOR  
25 A PERIOD OF THIRTY (30) DAYS AFTER THE ANNUAL GENERAL  
26 APPROPRIATION ACT IS ENACTED TO REFLECT FEDERAL AND STATE  
27 ALLOCATIONS FOR THE CURRENT FISCAL YEAR PROVIDED BY THE ANNUAL  
28 GENERAL APPROPRIATION ACT.

29 SECTION 3. SECTION 687(H) OF THE ACT, ADDED AUGUST 5, 1991  
30 (P.L.219, NO.25), IS AMENDED TO READ:

1 SECTION 687. ANNUAL BUDGET; ADDITIONAL OR INCREASED  
2 APPROPRIATIONS; TRANSFER OF FUNDS.--\* \* \*

3 (H) BEGINNING WITH THE ADJUSTED FINAL FISCAL YEAR 1991-1992  
4 BUDGET, AND EACH FISCAL YEAR THEREAFTER, ON OR BEFORE SEPTEMBER  
5 15, EACH SCHOOL DISTRICT SHALL FURNISH TO THE EDUCATION  
6 COMMITTEE OF THE SENATE AND THE EDUCATION COMMITTEE OF THE HOUSE  
7 OF REPRESENTATIVES [A] AN ELECTRONIC COPY OF THE SCHOOL  
8 DISTRICT'S FINAL ADOPTED ANNUAL BUDGET TO INCLUDE THE AMOUNT OF  
9 DISTRICT REVENUES BEING HELD IN EXCESS OF ITS TOTAL BUDGETED  
10 EXPENDITURES. SUCH DOCUMENTATION SHALL INCLUDE AN EXPLANATION OF  
11 THE DISTRICT'S NEED TO MAINTAIN THE REVENUES IN THIS FUND  
12 BALANCE.

13 \* \* \*

14 SECTION 4. SECTION 732.1 OF THE ACT, ADDED JUNE 30, 2012  
15 (P.L.684, NO.82), IS AMENDED TO READ:

16 SECTION 732.1. LIMITATION ON NEW APPLICATIONS FOR DEPARTMENT  
17 OF EDUCATION APPROVAL OF PUBLIC SCHOOL BUILDING PROJECTS.--(A)  
18 FOR THE 2012-2013 FISCAL YEAR AND THE 2013-2014 FISCAL YEAR, THE  
19 DEPARTMENT OF EDUCATION SHALL NOT ACCEPT OR APPROVE NEW SCHOOL  
20 BUILDING CONSTRUCTION OR RECONSTRUCTION PROJECT APPLICATIONS.  
21 COMPLETED SCHOOL BUILDING CONSTRUCTION OR RECONSTRUCTION PROJECT  
22 APPLICATIONS RECEIVED BY THE DEPARTMENT OF EDUCATION BY OCTOBER  
23 1, 2012, ARE NOT SUBJECT TO THIS PROVISION.

24 (B) THE DEPARTMENT OF EDUCATION SHALL, IN CONSULTATION WITH  
25 SCHOOL DISTRICT OFFICIALS AND THE GENERAL ASSEMBLY, CONDUCT A  
26 REVIEW OF THE DEPARTMENT OF EDUCATION'S CURRENT PROCESS THROUGH  
27 WHICH PUBLIC SCHOOL BUILDING PROJECTS ARE REVIEWED AND APPROVED  
28 FOR COMMONWEALTH REIMBURSEMENT. THE REVIEW SHALL INCORPORATE AN  
29 ANALYSIS OF IMPACTING LOCAL FACTORS, INCLUDING, BUT NOT LIMITED  
30 TO, TAX EFFORT AND BUILDING REQUIREMENTS, AND SHALL MAKE

1 RECOMMENDATIONS TO THE CHAIR AND MINORITY CHAIR OF THE  
2 APPROPRIATIONS COMMITTEE OF THE SENATE, THE CHAIR AND MINORITY  
3 CHAIR OF THE EDUCATION COMMITTEE OF THE SENATE, THE CHAIR AND  
4 MINORITY CHAIR OF THE APPROPRIATIONS COMMITTEE OF THE HOUSE OF  
5 REPRESENTATIVES AND THE CHAIR AND MINORITY CHAIR OF THE  
6 EDUCATION COMMITTEE OF THE HOUSE OF REPRESENTATIVES BY MAY 1,  
7 2013. THE DEPARTMENT OF EDUCATION SHALL ALSO CONDUCT A STATEWIDE  
8 ANALYSIS OF SCHOOL FACILITIES AND FUTURE CAPITAL NEEDS AND SHALL  
9 SUBMIT A PRELIMINARY REPORT ON THAT ANALYSIS BY MAY 1, 2014.

10 SECTION 5. SECTION 1209 OF THE ACT, AMENDED NOVEMBER 23,  
11 2010 (P.L.1350, NO.123), IS AMENDED TO READ:

12 SECTION 1209. DISQUALIFICATIONS.--NO TEACHER'S CERTIFICATE  
13 SHALL BE GRANTED TO ANY PERSON WHO:

14 [(1) HAS NOT SUBMITTED, UPON A BLANK FURNISHED BY THE  
15 SECRETARY OF EDUCATION, A CERTIFICATE FROM A PHYSICIAN,  
16 CERTIFIED REGISTERED NURSE PRACTITIONER OR PHYSICIAN ASSISTANT  
17 LICENSED OR CERTIFIED IN THIS COMMONWEALTH, OR IN ANY OTHER  
18 STATE OR THE DISTRICT OF COLUMBIA, SETTING FORTH THAT THE  
19 APPLICANT IS NOT DISQUALIFIED BY REASON OF A MENTAL OR PHYSICAL  
20 DISABILITY OR A COMMUNICABLE DISEASE FROM THE SUCCESSFUL  
21 PERFORMANCE OF THE ESSENTIAL FUNCTIONS OF A TEACHER WITH OR  
22 WITHOUT A REASONABLE ACCOMMODATION.]

23 (2) DOES NOT HAVE A GOOD MORAL CHARACTER.

24 (3) ENGAGES IN THE ILLEGAL USE OF CONTROLLED SUBSTANCES OR  
25 ALCOHOLIC BEVERAGES. AN APPLICANT FOR CERTIFICATION MAY OVERCOME  
26 THE DISQUALIFICATION UNDER THIS PARAGRAPH AND RECEIVE A TEACHING  
27 CERTIFICATE IF THE APPLICANT IS REVIEWED BY THE DEPARTMENT OF  
28 EDUCATION PURSUANT TO THE REQUIREMENT OF PARAGRAPH (2) AND  
29 DETERMINED TO BE OF GOOD MORAL CHARACTER.

30 SECTION 6. THE ACT IS AMENDED BY ADDING A SECTION TO READ:

1 SECTION 1216.1. PROFESSIONAL EDUCATOR DISCIPLINE FEE.-- (A)  
2 IN ADDITION TO ANY APPLICATION FEE ESTABLISHED BY THE DEPARTMENT  
3 OF EDUCATION, AN APPLICANT FOR CERTIFICATION FROM THE DEPARTMENT  
4 SHALL PAY A PROFESSIONAL EDUCATOR DISCIPLINE FEE OF TWENTY-FIVE  
5 DOLLARS (\$25).

6 (B) THE FOLLOWING SHALL APPLY:

7 (1) THERE IS CREATED IN THE GENERAL FUND A RESTRICTED  
8 RECEIPTS ACCOUNT TO BE KNOWN AS THE PROFESSIONAL EDUCATOR  
9 DISCIPLINE ACCOUNT.

10 (2) THE PROFESSIONAL EDUCATOR DISCIPLINE ACCOUNT SHALL BE  
11 FUNDED BY MONEY RECEIVED UNDER THIS SECTION, AND ANY INTEREST  
12 DERIVED FROM FUNDS IN THE PROFESSIONAL EDUCATOR DISCIPLINE  
13 ACCOUNT.

14 (3) THE FUNDS IN THE PROFESSIONAL EDUCATOR DISCIPLINE  
15 ACCOUNT SHALL BE APPROPRIATED TO THE DEPARTMENT FOR  
16 ADMINISTRATION, ENFORCEMENT AND ADJUDICATION BY THE DEPARTMENT  
17 AND THE PROFESSIONAL STANDARDS AND PRACTICES COMMISSION UNDER  
18 THE ACT OF DECEMBER 12, 1973 (P.L.397, NO.141), KNOWN AS THE  
19 "PROFESSIONAL EDUCATOR DISCIPLINE ACT."

20 (C) NOTWITHSTANDING ANY OTHER PROVISION OF LAW, THE  
21 DEPARTMENT MAY INCREASE THE FEE ESTABLISHED UNDER SUBSECTION (A)  
22 IF THE DEPARTMENT DETERMINES THAT THE COST OF ENFORCEMENT  
23 EXCEEDS THE REVENUE GENERATED BY THE FEE AND BY ALL OTHER FEES,  
24 FINES AND CIVIL PENALTIES PROVIDED FOR UNDER THE "PROFESSIONAL  
25 EDUCATOR DISCIPLINE ACT."

26 SECTION 7. SECTION 1913-A(B)(1.6)(V) OF THE ACT, AMENDED  
27 JUNE 30, 2012 (P.L.684, NO.82), IS AMENDED AND THE CLAUSE IS  
28 AMENDED BY ADDING A SUBCLAUSE TO READ:

29 SECTION 1913-A. FINANCIAL PROGRAM; REIMBURSEMENT OF  
30 PAYMENTS.--\* \* \*

1 (B) \* \* \*

2 (1.6) FOR THE 2006-2007 FISCAL YEAR AND EACH FISCAL YEAR  
3 THEREAFTER, THE PAYMENT FOR A COMMUNITY COLLEGE SHALL CONSIST OF  
4 THE FOLLOWING:

5 \* \* \*

6 (V) SUBCLAUSES (I), (II), (III) AND (IV) SHALL NOT APPLY TO  
7 THE 2011-2012 [AND], 2012-2013 AND 2013-2014 FISCAL YEARS.

8 \* \* \*

9 (VIII) FOR THE 2013-2014 FISCAL YEAR, EACH COMMUNITY COLLEGE  
10 SHALL RECEIVE AN AMOUNT EQUAL TO THE SUM OF THE FOLLOWING:

11 (A) A REIMBURSEMENT FOR OPERATING COSTS DETERMINED BY:

12 (I) DIVIDING THE AMOUNT OF THE FUNDING THAT THE COMMUNITY  
13 COLLEGE RECEIVED IN FISCAL YEAR 2012-2013 UNDER SUBCLAUSE

14 (VII) (A) BY THE TOTAL AMOUNT OF FUNDING PROVIDED TO COMMUNITY  
15 COLLEGES IN FISCAL YEAR 2012-2013 UNDER SUBCLAUSE (VII) (A); AND

16 (II) MULTIPLYING THE QUOTIENT UNDER SUBPARAGRAPH (I) BY  
17 ONE HUNDRED SIXTY-EIGHT MILLION ONE HUNDRED SIXTY-SEVEN THOUSAND  
18 DOLLARS (\$168,167,000).

19 (B) AN ECONOMIC DEVELOPMENT STIPEND DETERMINED BY:

20 (I) DIVIDING THE AMOUNT OF FUNDING THAT THE COMMUNITY  
21 COLLEGE RECEIVED IN FISCAL YEAR 2012-2013 UNDER SUBCLAUSE (VII)

22 (B) BY THE TOTAL AMOUNT OF FUNDING PROVIDED TO ALL COMMUNITY  
23 COLLEGES IN FISCAL YEAR 2012-2013 UNDER SUBCLAUSE (VII) (B); AND

24 (II) MULTIPLYING THE QUOTIENT UNDER SUBPARAGRAPH (I) BY  
25 FORTY-FOUR MILLION DOLLARS (\$44,000,000).

26 \* \* \*

27 SECTION 8. SECTION 1905-D OF THE ACT IS AMENDED BY ADDING A  
28 SUBSECTION TO READ:

29 SECTION 1905-D. STATE FUNDING.--\* \* \*

30 (E) NOTWITHSTANDING THE PROVISIONS OF SUBSECTION (D), FOR

1 THE 2013-2014 FISCAL YEAR, FUNDS APPROPRIATED TO COMMUNITY  
2 EDUCATION COUNCILS SHALL BE DISTRIBUTED AS FOLLOWS:

3 (1) EACH COMMUNITY EDUCATION COUNCIL WHICH RECEIVED FUNDING  
4 IN FISCAL YEAR 2012-2013 SHALL RECEIVE AN AMOUNT EQUAL TO THE  
5 AMOUNT IT RECEIVED IN THAT FISCAL YEAR AND A PRO RATA SHARE OF  
6 \$227,000.

7 (2) (RESERVED).

8 SECTION 9. SECTION 2133(D) OF THE ACT, ADDED FEBRUARY 4,  
9 1982 (P.L.1, NO.1), IS AMENDED TO READ:

10 SECTION 2133. BUDGET REPORTS.--\* \* \*

11 (D) DISTRICTS OF THE FIRST CLASS SHALL SEND ELECTRONICALLY  
12 REPORTS CONTAINING THE QUARTERLY BUDGETS TO THE CHAIRMEN AND  
13 MINORITY CHAIRMEN OF THE EDUCATION COMMITTEES OF THE HOUSE OF  
14 REPRESENTATIVES AND THE SENATE, THE PHILADELPHIA CITY COUNCIL  
15 PRESIDENT, AND THE MAYOR OF PHILADELPHIA THIRTY (30) DAYS AFTER  
16 THE CLOSE OF EACH QUARTER.

17 SECTION 10. THE ACT IS AMENDED BY ADDING SECTIONS TO READ:

18 SECTION 2502.52. BASIC EDUCATION FUNDING FOR 2012-2013  
19 SCHOOL YEAR.--(A) FOR THE 2012-2013 SCHOOL YEAR, THE  
20 COMMONWEALTH SHALL PAY TO EACH SCHOOL DISTRICT A BASIC EDUCATION  
21 FUNDING ALLOCATION WHICH SHALL CONSIST OF THE FOLLOWING:

22 (1) AN AMOUNT EQUAL TO THE BASIC EDUCATION FUNDING  
23 ALLOCATION FOR THE 2011-2012 SCHOOL YEAR PURSUANT TO SECTION  
24 2502.51.

25 (2) A STUDENT-FOCUSED FUNDING SUPPLEMENT COMPRISED OF THE  
26 FOLLOWING:

27 (I) THE SCHOOL DISTRICT'S AVERAGE DAILY MEMBERSHIP FOR THE  
28 2012-2013 SCHOOL YEAR MULTIPLIED BY ONE HUNDRED EIGHT DOLLARS  
29 (\$108).

30 (II) THE PRODUCT UNDER PARAGRAPH (I) MULTIPLIED BY THE

1 SCHOOL DISTRICT'S MARKET VALUE/INCOME AID RATIO FOR THE 2013-  
2 2014 SCHOOL YEAR.

3 (3) AN ENGLISH LANGUAGE LEARNER HIGH INCIDENCE SUPPLEMENT  
4 CALCULATED FOR QUALIFYING SCHOOL DISTRICTS AS FOLLOWS:

5 (I) TO QUALIFY FOR THE ENGLISH LANGUAGE LEARNER HIGH  
6 INCIDENCE SUPPLEMENT, A SCHOOL DISTRICT'S 2012-2013 MARKET  
7 VALUE/INCOME AID RATIO MUST BE GREATER THAN SEVEN THOUSAND TEN-  
8 THOUSANDTHS (0.7000) AND ITS ENGLISH LANGUAGE LEARNER  
9 CONCENTRATION MUST BE GREATER THAN TEN AND EIGHT TENTHS PERCENT  
10 (10.8%).

11 (II) THE ENGLISH LANGUAGE LEARNER HIGH INCIDENCE SUPPLEMENT  
12 SHALL BE CALCULATED FOR QUALIFYING SCHOOL DISTRICTS AS FOLLOWS:

13 (A) (I) FOR QUALIFYING SCHOOL DISTRICTS WITH A 2011-2012  
14 AVERAGE DAILY MEMBERSHIP GREATER THAN EIGHTEEN THOUSAND FIVE  
15 HUNDRED (18,500), MULTIPLY THE QUALIFYING SCHOOL DISTRICT'S  
16 2011-2012 AVERAGE DAILY MEMBERSHIP BY EIGHT MILLION DOLLARS  
17 (\$8,000,000).

18 (II) DIVIDE THE PRODUCT FROM SUBCLAUSE (I) BY THE SUM OF THE  
19 2011-2012 AVERAGE DAILY MEMBERSHIP FOR ALL QUALIFYING SCHOOL  
20 DISTRICTS WITH A 2011-2012 AVERAGE DAILY MEMBERSHIP GREATER THAN  
21 EIGHTEEN THOUSAND FIVE HUNDRED (18,500).

22 (B) (I) FOR QUALIFYING SCHOOL DISTRICTS WITH A 2011-2012  
23 AVERAGE DAILY MEMBERSHIP LESS THAN EIGHTEEN THOUSAND (18,000),  
24 MULTIPLY THE QUALIFYING SCHOOL DISTRICT'S 2011-2012 AVERAGE  
25 DAILY MEMBERSHIP BY FIVE MILLION ONE HUNDRED FIFTY THOUSAND  
26 DOLLARS (\$5,150,000).

27 (II) DIVIDE THE PRODUCT FROM SUBCLAUSE (I) BY THE SUM OF THE  
28 2011-2012 AVERAGE DAILY MEMBERSHIP FOR ALL QUALIFYING SCHOOL  
29 DISTRICTS WITH A 2011-2012 AVERAGE DAILY MEMBERSHIP LESS THAN  
30 EIGHTEEN THOUSAND (18,000).

1 (C) (I) FOR A QUALIFYING SCHOOL DISTRICT WITH A 2011-2012  
2 AVERAGE DAILY MEMBERSHIP GREATER THAN EIGHTEEN THOUSAND (18,000)  
3 AND LESS THAN EIGHTEEN THOUSAND FIVE HUNDRED (18,500), MULTIPLY  
4 THE QUALIFYING SCHOOL DISTRICT'S 2011-2012 AVERAGE DAILY  
5 MEMBERSHIP BY ONE MILLION FIVE HUNDRED THOUSAND DOLLARS  
6 (\$1,500,000).

7 (II) DIVIDE THE PRODUCT FROM SUBCLAUSE (I) BY THE SUM OF THE  
8 2011-2012 AVERAGE DAILY MEMBERSHIP FOR ALL QUALIFYING SCHOOL  
9 DISTRICTS WITH A 2011-2012 AVERAGE DAILY MEMBERSHIP GREATER THAN  
10 EIGHTEEN THOUSAND (18,000) AND LESS THAN EIGHTEEN THOUSAND FIVE  
11 HUNDRED (18,500).

12 (4) A CHARTER AND CYBER CHARTER SCHOOL EXTRAORDINARY  
13 ENROLLMENT SUPPLEMENT CALCULATED FOR QUALIFYING SCHOOL DISTRICTS  
14 AS FOLLOWS:

15 (I) TO QUALIFY FOR THE CHARTER AND CYBER CHARTER SCHOOL  
16 EXTRAORDINARY ENROLLMENT SUPPLEMENT, A SCHOOL DISTRICT'S 2012-  
17 2013 MARKET VALUE/INCOME AID RATIO MUST BE GREATER THAN EIGHT  
18 THOUSAND TEN-THOUSANDTHS (0.8000), ITS CHARTER AND CYBER CHARTER  
19 SCHOOL CONCENTRATION MUST BE GREATER THAN TWENTY PERCENT (20%)  
20 AND ITS MARKET VALUE/INCOME AID RATIO MUST HAVE INCREASED FROM  
21 THE 1991-1992 SCHOOL YEAR TO THE 2012-2013 SCHOOL YEAR BY MORE  
22 THAN TEN PERCENT (10%).

23 (II) THE CHARTER AND CYBER CHARTER SCHOOL EXTRAORDINARY  
24 ENROLLMENT SUPPLEMENT SHALL BE CALCULATED FOR QUALIFYING SCHOOL  
25 DISTRICTS AS FOLLOWS:

26 (A) (I) FOR A QUALIFYING SCHOOL DISTRICT WITH A 2011-2012  
27 AVERAGE DAILY MEMBERSHIP LESS THAN ONE THOUSAND (1,000),  
28 MULTIPLY THE QUALIFYING SCHOOL DISTRICT'S 2011-2012 AVERAGE  
29 DAILY MEMBERSHIP BY TWO HUNDRED FIFTY THOUSAND DOLLARS  
30 (\$250,000).

1 (II) DIVIDE THE PRODUCT FROM SUBCLAUSE (I) BY THE SUM OF THE  
2 2011-2012 AVERAGE DAILY MEMBERSHIP FOR ALL QUALIFYING SCHOOL  
3 DISTRICTS WITH 2011-2012 AVERAGE DAILY MEMBERSHIP LESS THAN ONE  
4 THOUSAND (1,000).

5 (B) (I) FOR A QUALIFYING SCHOOL DISTRICT WITH A 2011-2012  
6 AVERAGE DAILY MEMBERSHIP GREATER THAN ONE THOUSAND (1,000),  
7 MULTIPLY THE QUALIFYING SCHOOL DISTRICT'S 2011-2012 AVERAGE  
8 DAILY MEMBERSHIP BY THREE MILLION SEVEN HUNDRED FIFTY THOUSAND  
9 DOLLARS (\$3,750,000).

10 (II) DIVIDE THE PRODUCT OF SUBCLAUSE (I) BY THE SUM OF THE  
11 2011-2012 AVERAGE DAILY MEMBERSHIP FOR ALL QUALIFYING SCHOOL  
12 DISTRICTS WITH AN 2011-2012 AVERAGE DAILY MEMBERSHIP GREATER  
13 THAN ONE THOUSAND (1,000).

14 (5) AN INCREASING AID RATIO SUPPLEMENT CALCULATED FOR  
15 QUALIFYING SCHOOL DISTRICTS AS FOLLOWS:

16 (I) TO QUALIFY FOR THE INCREASING AID RATIO SUPPLEMENT, A  
17 SCHOOL DISTRICT'S 2012-2013 MARKET VALUE/INCOME AID RATIO MUST  
18 BE GREATER THAN SIX THOUSAND TEN-THOUSANDTHS (0.6000), ITS 2011-  
19 2012 AVERAGE DAILY MEMBERSHIP MUST BE GREATER THAN ELEVEN  
20 THOUSAND (11,000), ITS NUMBER OF STUDENTS ELIGIBLE FOR FREE OR  
21 REDUCED-PRICE MEALS UNDER THE NATIONAL SCHOOL LUNCH PROGRAM  
22 DURING THE 2012-2013 SCHOOL YEAR MUST BE GREATER THAN SIX  
23 THOUSAND (6,000) AND ITS MARKET VALUE/INCOME AID RATIO MUST HAVE  
24 INCREASED FROM THE 1991-1992 SCHOOL YEAR TO THE 2012-2013 SCHOOL  
25 YEAR BY MORE THAN SEVENTY PERCENT (70%).

26 (II) THE INCREASING AID RATIO SUPPLEMENT SHALL BE CALCULATED  
27 FOR QUALIFYING SCHOOL DISTRICTS AS FOLLOWS:

28 (A) MULTIPLY THE QUALIFYING SCHOOL DISTRICT'S 2011-2012  
29 AVERAGE DAILY MEMBERSHIP BY TWO MILLION FIVE HUNDRED THOUSAND  
30 DOLLARS (\$2,500,000).

1 (B) DIVIDE THE PRODUCT FROM CLAUSE (A) BY THE SUM OF THE  
2 2011-2012 AVERAGE DAILY MEMBERSHIP FOR ALL QUALIFYING SCHOOL  
3 DISTRICTS.

4 (6) A SMALL SCHOOL DISTRICT SUPPLEMENT CALCULATED FOR  
5 QUALIFYING SCHOOL DISTRICTS AS FOLLOWS:

6 (I) TO QUALIFY FOR A SMALL SCHOOL DISTRICT SUPPLEMENT, A  
7 SCHOOL DISTRICT'S 2012-2013 MARKET VALUE/INCOME AID RATIO MUST  
8 BE LESS FIVE THOUSAND TEN-THOUSANDTHS (0.5000), ITS 2011-2012  
9 AVERAGE DAILY MEMBERSHIP MUST BE LESS THAN ONE THOUSAND SIX  
10 HUNDRED (1,600), ITS 2011-2012 EQUALIZED MILLAGE RATE MUST BE  
11 GREATER THAN SIXTEEN (16) AND ITS CHARTER AND CYBER CHARTER  
12 SCHOOL CONCENTRATION MUST BE GREATER THAN FIVE PERCENT (5%).

13 (II) THE SMALL SCHOOL DISTRICT SUPPLEMENT SHALL BE  
14 CALCULATED FOR QUALIFYING SCHOOL DISTRICTS AS FOLLOWS:

15 (A) MULTIPLY THE QUALIFYING SCHOOL DISTRICT'S 2011-2012  
16 AVERAGE DAILY MEMBERSHIP BY FIVE HUNDRED THOUSAND DOLLARS  
17 (\$500,000).

18 (B) DIVIDE THE PRODUCT FROM CLAUSE (A) BY THE SUM OF THE  
19 2011-2012 AVERAGE DAILY MEMBERSHIP FOR ALL QUALIFYING SCHOOL  
20 DISTRICTS.

21 (7) A SMALL RURAL SCHOOL DISTRICT SUPPLEMENT CALCULATED FOR  
22 QUALIFYING SCHOOL DISTRICTS AS FOLLOWS:

23 (I) TO QUALIFY FOR THE SMALL RURAL SCHOOL DISTRICT  
24 SUPPLEMENT, A SCHOOL DISTRICT'S 2012-2013 MARKET VALUE/INCOME  
25 AID RATIO MUST BE GREATER THAN FIVE THOUSAND TEN-THOUSANDTHS  
26 (0.5000) AND ITS 2011-2012 AVERAGE DAILY MEMBERSHIP MUST BE LESS  
27 THAN TWO HUNDRED (200).

28 (II) THE SMALL RURAL SCHOOL DISTRICT SUPPLEMENT SHALL BE  
29 CALCULATED FOR QUALIFYING SCHOOL DISTRICTS AS FOLLOWS:

30 (A) MULTIPLY THE QUALIFYING SCHOOL DISTRICT'S 2011-2012

1 AVERAGE DAILY MEMBERSHIP BY TWO HUNDRED FIFTY THOUSAND DOLLARS  
2 (\$250,000).

3 (B) DIVIDE THE PRODUCT FROM CLAUSE (A) BY THE SUM OF THE  
4 2011-2012 AVERAGE DAILY MEMBERSHIP FOR ALL QUALIFYING SCHOOL  
5 DISTRICTS.

6 (8) A RURAL SCHOOL DISTRICT SUPPLEMENT CALCULATED FOR  
7 QUALIFYING SCHOOL DISTRICTS AS FOLLOWS:

8 (I) TO QUALIFY FOR THE RURAL SCHOOL DISTRICT SUPPLEMENT, A  
9 SCHOOL DISTRICT'S 2012-2013 MARKET VALUE/INCOME AID RATIO MUST  
10 BE GREATER THAN SIXTY-SEVEN HUNDRED TEN-THOUSANDTHS (0.6700) AND  
11 LESS THAN SEVEN THOUSAND TEN-THOUSANDTHS (0.7000), ITS 2011-2012  
12 AVERAGE DAILY MEMBERSHIP MUST BE GREATER THAN ONE THOUSAND EIGHT  
13 HUNDRED (1,800) AND LESS THAN TWO THOUSAND (2,000) AND ITS 2011-  
14 2012 EQUALIZED MILLAGE RATE MUST BE GREATER THAN NINETEEN (19)  
15 AND LESS THAN TWENTY ONE (21).

16 (II) THE RURAL SCHOOL DISTRICT SUPPLEMENT SHALL BE  
17 CALCULATED FOR QUALIFYING SCHOOL DISTRICTS AS FOLLOWS:

18 (A) MULTIPLY THE QUALIFYING SCHOOL DISTRICT'S 2011-2012  
19 AVERAGE DAILY MEMBERSHIP BY FIVE HUNDRED THOUSAND DOLLARS  
20 (\$500,000).

21 (B) DIVIDE THE PRODUCT FROM CLAUSE (A) BY THE SUM OF THE  
22 2011-2012 AVERAGE DAILY MEMBERSHIP FOR ALL QUALIFYING SCHOOL  
23 DISTRICTS.

24 (9) A SECOND CLASS SCHOOL DISTRICT SUPPLEMENT CALCULATED FOR  
25 QUALIFYING SCHOOL DISTRICTS AS FOLLOWS:

26 (I) TO QUALIFY FOR THE SECOND CLASS SCHOOL DISTRICT  
27 SUPPLEMENT, A SCHOOL DISTRICT MUST HAVE BEEN CLASSIFIED AS A  
28 SECOND CLASS SCHOOL DISTRICT DURING THE 2000 CENSUS, IT MUST  
29 HAVE RECEIVED STATE REIMBURSEMENTS PURSUANT TO SECTION 2591.1  
30 FOR THE 2009-2010 SCHOOL YEAR IN AN AMOUNT GREATER THAN THREE

1 MILLION FIVE HUNDRED THOUSAND DOLLARS (\$3,500,000) AND IT MUST  
2 HAVE A 2011-2012 AVERAGE DAILY MEMBERSHIP GREATER THAN EIGHT  
3 THOUSAND (8,000).

4 (II) THE SECOND CLASS SCHOOL DISTRICT SUPPLEMENT SHALL BE  
5 CALCULATED FOR QUALIFYING SCHOOL DISTRICTS AS FOLLOWS:

6 (A) MULTIPLY THE QUALIFYING SCHOOL DISTRICT'S 2011-2012  
7 AVERAGE DAILY MEMBERSHIP BY FIVE HUNDRED THOUSAND DOLLARS  
8 (\$500,000).

9 (B) DIVIDE THE PRODUCT FROM CLAUSE (A) BY THE SUM OF THE  
10 2011-2012 AVERAGE DAILY MEMBERSHIP FOR ALL QUALIFYING SCHOOL  
11 DISTRICTS.

12 (10) A PERSONAL INCOME SUPPLEMENT CALCULATED FOR QUALIFYING  
13 SCHOOL DISTRICTS AS FOLLOWS:

14 (I) TO QUALIFY FOR THE PERSONAL INCOME SUPPLEMENT, A SCHOOL  
15 DISTRICT'S 2012-2013 MARKET VALUE/INCOME AID RATIO MUST BE  
16 GREATER THAN FIFTY-TWO HUNDRED TEN-THOUSANDTHS (0.5200) AND LESS  
17 THAN SIXTY-FIVE HUNDRED TEN-THOUSANDTHS (0.6500), ITS 2011-2012  
18 AVERAGE DAILY MEMBERSHIP MUST BE GREATER THAN FIVE THOUSAND TWO  
19 HUNDRED (5,200), ITS 2011-2012 EQUALIZED MILLAGE RATE MUST BE  
20 GREATER THAN TWENTY-TWO (22) AND LESS THAN TWENTY-SIX (26), ITS  
21 ADJUSTED PERSONAL INCOME VALUATION FOR THE 2010 TAX YEAR MUST BE  
22 GREATER THAN SIX HUNDRED MILLION DOLLARS (\$600,000,000) AND LESS  
23 THAN NINE HUNDRED MILLION DOLLARS (\$900,000,000) AND ITS NUMBER  
24 OF STUDENTS ELIGIBLE FOR FREE OR REDUCED-PRICE MEALS UNDER THE  
25 NATIONAL SCHOOL LUNCH PROGRAM DURING THE 2012-2013 SCHOOL YEAR  
26 MUST BE GREATER THAN TWO THOUSAND (2,000).

27 (II) THE PERSONAL INCOME SUPPLEMENT SHALL BE CALCULATED FOR  
28 QUALIFYING SCHOOL DISTRICTS AS FOLLOWS:

29 (A) FOR EACH SCHOOL DISTRICT WITH AN ADJUSTED PERSONAL  
30 INCOME VALUATION FOR THE 2010 TAX YEAR GREATER THAN EIGHT

1 HUNDRED MILLION DOLLARS (\$800,000,000), THE PERSONAL INCOME  
2 SUPPLEMENT SHALL BE TWO MILLION DOLLARS (\$2,000,000).

3 (B) FOR EACH SCHOOL DISTRICT WITH AN ADJUSTED PERSONAL  
4 INCOME VALUATION FOR THE 2010 TAX YEAR LESS THAN EIGHT HUNDRED  
5 MILLION DOLLARS (\$800,000,000), THE PERSONAL INCOME SUPPLEMENT  
6 SHALL BE ONE MILLION FIVE HUNDRED THOUSAND DOLLARS (\$1,500,000).

7 (11) A SECOND CLASS A COUNTY SCHOOL DISTRICT SUPPLEMENT  
8 CALCULATED FOR QUALIFYING SCHOOL DISTRICTS AS FOLLOWS:

9 (I) TO QUALIFY FOR THE SECOND CLASS A COUNTY SCHOOL DISTRICT  
10 SUPPLEMENT, A SCHOOL DISTRICT MUST BE LOCATED IN A COUNTY OF THE  
11 SECOND CLASS A AS DETERMINED BY THE 2010 CENSUS, ITS 2012-2013  
12 MARKET VALUE/INCOME AID RATIO MUST BE GREATER THAN SIXTY-EIGHT  
13 HUNDRED TEN-THOUSANDTHS (0.6800), ITS 2011-2012 AVERAGE DAILY  
14 MEMBERSHIP MUST BE GREATER THAN FOUR THOUSAND (4,000) AND ITS  
15 2011-2012 EQUALIZED MILLAGE RATE MUST BE GREATER THAN TWENTY  
16 SEVEN (27).

17 (II) THE SECOND CLASS A COUNTY SCHOOL DISTRICT SUPPLEMENT  
18 SHALL BE CALCULATED FOR QUALIFYING SCHOOL DISTRICTS AS FOLLOWS:

19 (A) MULTIPLY THE QUALIFYING SCHOOL DISTRICT'S 2011-2012  
20 AVERAGE DAILY MEMBERSHIP BY ONE MILLION DOLLARS (\$1,000,000).

21 (B) DIVIDE THE PRODUCT FROM CLAUSE (A) BY THE SUM OF THE  
22 2011-2012 AVERAGE DAILY MEMBERSHIP OF ALL QUALIFYING SCHOOL  
23 DISTRICTS.

24 (12) A THIRD CLASS COUNTY SCHOOL DISTRICT SUPPLEMENT  
25 CALCULATED FOR QUALIFYING SCHOOL DISTRICTS AS FOLLOWS:

26 (I) TO QUALIFY FOR THE THIRD CLASS COUNTY SCHOOL DISTRICT  
27 SUPPLEMENT, A SCHOOL DISTRICT MUST BE LOCATED IN A COUNTY OF THE  
28 THIRD CLASS AS DETERMINED BY THE 2010 CENSUS, ITS 2012-2013  
29 MARKET VALUE/INCOME AID RATIO MUST BE GREATER THAN SIX THOUSAND  
30 TEN-THOUSANDTHS (0.6000) AND LESS THAN SIXTY-NINE HUNDRED TEN-

1 THOUSANDTHS (0.6900) AND ITS 2011-2012 AVERAGE DAILY MEMBERSHIP  
2 MUST BE GREATER THAN TEN THOUSAND (10,000) AND LESS THAN  
3 THIRTEEN THOUSAND (13,000).

4 (II) THE THIRD CLASS COUNTY SCHOOL DISTRICT SUPPLEMENT SHALL  
5 BE CALCULATED FOR QUALIFYING SCHOOL DISTRICTS AS FOLLOWS:

6 (A) MULTIPLY THE QUALIFYING SCHOOL DISTRICT'S 2011-2012  
7 AVERAGE DAILY MEMBERSHIP BY ONE MILLION DOLLARS (\$1,000,000).

8 (B) DIVIDE THE PRODUCT FROM CLAUSE (A) BY THE SUM OF THE  
9 2011-2012 AVERAGE DAILY MEMBERSHIP OF ALL QUALIFYING SCHOOL  
10 DISTRICTS.

11 (13) A THIRD CLASS COUNTY SMALL SCHOOL DISTRICT SUPPLEMENT  
12 CALCULATED FOR QUALIFYING SCHOOL DISTRICTS AS FOLLOWS:

13 (I) TO QUALIFY FOR THE THIRD CLASS COUNTY SMALL SCHOOL  
14 DISTRICT SUPPLEMENT, A SCHOOL DISTRICT MUST BE LOCATED IN A  
15 COUNTY OF THE THIRD CLASS AS DETERMINED BY THE 2010 CENSUS, ITS  
16 2012-2013 MARKET VALUE/INCOME AID RATIO MUST BE GREATER THAN  
17 SEVENTY-SIX HUNDRED TEN-THOUSANDTHS (0.7600), ITS 2011-2012  
18 AVERAGE DAILY MEMBERSHIP MUST BE LESS THAN TWO THOUSAND (2,000)  
19 AND ITS NUMBER OF STUDENTS ELIGIBLE FOR FREE OR REDUCED-PRICE  
20 MEALS UNDER THE NATIONAL SCHOOL LUNCH PROGRAM DURING THE 2012-  
21 2013 SCHOOL YEAR MUST BE LESS THAN EIGHT HUNDRED (800).

22 (II) THE THIRD CLASS COUNTY SMALL SCHOOL DISTRICT SUPPLEMENT  
23 SHALL BE CALCULATED FOR QUALIFYING SCHOOL DISTRICTS AS FOLLOWS:

24 (A) MULTIPLY THE QUALIFYING SCHOOL DISTRICT'S 2011-2012  
25 AVERAGE DAILY MEMBERSHIP BY ONE MILLION DOLLARS (\$1,000,000).

26 (B) DIVIDE THE PRODUCT FROM CLAUSE (A) BY THE SUM OF THE  
27 2011-2012 AVERAGE DAILY MEMBERSHIP OF ALL QUALIFYING SCHOOL  
28 DISTRICTS.

29 (14) A GROWTH SUPPLEMENT CALCULATED FOR QUALIFYING SCHOOL  
30 DISTRICTS AS FOLLOWS:

1 (I) TO QUALIFY FOR THE GROWTH SUPPLEMENT, A SCHOOL  
2 DISTRICT'S 2012-2013 MARKET VALUE/INCOME AID RATIO MUST BE  
3 GREATER THAN FIFTY-ONE HUNDRED TEN-THOUSANDTHS (0.5100) AND LESS  
4 THAN SIXTY-TWO HUNDRED TEN-THOUSANDTHS (0.6200), ITS 2011-2012  
5 AVERAGE DAILY MEMBERSHIP MUST BE GREATER THAN THREE THOUSAND TWO  
6 HUNDRED (3,200) AND LESS THAN FOUR THOUSAND (4,000), ITS  
7 EQUALIZED MILLAGE RATE MUST BE GREATER THAN TWENTY-ONE (21) AND  
8 LESS THAN TWENTY-THREE (23) AND ITS NUMBER OF STUDENTS ELIGIBLE  
9 FOR FREE OR REDUCED PRICE LUNCH UNDER THE NATIONAL SCHOOL LUNCH  
10 PROGRAM DURING THE 2012-2013 SCHOOL YEAR MUST BE GREATER THAN  
11 ONE THOUSAND TWO HUNDRED (1,200) AND LESS THAN ONE THOUSAND  
12 SEVEN HUNDRED (1,700).

13 (II) THE GROWTH SUPPLEMENT SHALL BE CALCULATED FOR  
14 QUALIFYING SCHOOL DISTRICTS AS FOLLOWS:

15 (A) FOR EACH SCHOOL DISTRICT WITH A 2012-2013 MARKET  
16 VALUE/INCOME AID RATIO LESS THAN FIFTY-THREE HUNDRED TEN-  
17 THOUSANDTHS (0.5300), THE GROWTH SUPPLEMENT SHALL BE ONE HUNDRED  
18 SIXTY THOUSAND DOLLARS (\$160,000).

19 (B) FOR EACH SCHOOL DISTRICT WITH A 2012-2013 MARKET  
20 VALUE/INCOME AID RATIO GREATER THAN FIFTY-THREE HUNDRED TEN-  
21 THOUSANDTHS (0.5300) AND LESS THAN SIX THOUSAND TEN-THOUSANDTHS  
22 (0.6000), THE GROWTH SUPPLEMENT SHALL BE FIVE HUNDRED THOUSAND  
23 DOLLARS (\$500,000).

24 (C) FOR EACH SCHOOL DISTRICT WITH A 2012-2013 MARKET  
25 VALUE/INCOME AID RATIO GREATER THAN SIX THOUSAND TEN-THOUSANDTHS  
26 (0.6000), THE GROWTH SUPPLEMENT SHALL BE TWO HUNDRED THOUSAND  
27 DOLLARS (\$200,000).

28 (B) THE DATA USED TO CALCULATE THE PROVISIONS CONTAINED IN  
29 SUBSECTION (A) (3), (4), (5), (6), (7), (8), (9), (10), (11),  
30 (12), (13) AND (14) SHALL BE BASED ON INFORMATION AVAILABLE TO

1 THE DEPARTMENT OF EDUCATION AS OF JUNE 30, 2013.

2 (C) ANY UNDISTRIBUTED FUNDS SHALL BE DEPOSITED IN THE  
3 FINANCIAL RECOVERY SCHOOL DISTRICT TRANSITIONAL LOAN ACCOUNT.

4 (D) FOR THE PURPOSES OF THIS SECTION:

5 (1) THE ENGLISH LANGUAGE LEARNER CONCENTRATION SHALL BE  
6 DETERMINED BY DIVIDING THE SCHOOL DISTRICT'S NUMBER OF ENROLLED  
7 STUDENTS IDENTIFIED AS LIMITED ENGLISH PROFICIENT DURING THE  
8 2011-2012 SCHOOL YEAR BY ITS 2011-2012 AVERAGE DAILY MEMBERSHIP.

9 (2) THE CHARTER AND CYBER CHARTER SCHOOL CONCENTRATION SHALL  
10 BE DETERMINED BY DIVIDING THE SCHOOL DISTRICT'S 2011-2012  
11 AVERAGE DAILY MEMBERSHIP ENROLLED IN CHARTER AND CYBER CHARTER  
12 SCHOOLS BY ITS 2011-2012 AVERAGE DAILY MEMBERSHIP.

13 SECTION 2508.5. PAYMENT ON ACCOUNT OF EQUIPMENT PURCHASED  
14 FOR AREA VOCATIONAL-TECHNICAL SCHOOLS AND SCHOOL DISTRICTS.-- (A)  
15 FOR THE 2013-2014 SCHOOL YEAR, EACH AREA VOCATIONAL-TECHNICAL  
16 SCHOOL AND SCHOOL DISTRICT WITH AN APPROVED VOCATIONAL PROGRAM  
17 THAT APPLIES TO, AND IS APPROVED BY, THE DEPARTMENT OF EDUCATION  
18 UNDER SUBSECTION (B) FOR FUNDING FOR THE PURCHASE OF EQUIPMENT  
19 THAT MEETS INDUSTRY STANDARDS FOR THE PURPOSE OF TRAINING TO  
20 STUDENTS SHALL RECEIVE A GRANT IN AN AMOUNT EQUAL TO THE SUM OF  
21 THE FOLLOWING:

22 (1) AN EQUAL SHARE OF ONE MILLION FIVE HUNDRED THOUSAND  
23 DOLLARS (\$1,500,000), DETERMINED BY DIVIDING ONE MILLION FIVE  
24 HUNDRED THOUSAND DOLLARS (\$1,500,000) BY THE TOTAL NUMBER OF  
25 AREA VOCATIONAL-TECHNICAL SCHOOLS AND SCHOOL DISTRICTS THAT HAVE  
26 BEEN APPROVED FOR FUNDING BY THE DEPARTMENT OF EDUCATION UNDER  
27 SUBSECTION (B).

28 (2) A PER STUDENT AMOUNT CALCULATED AS FOLLOWS:

29 (I) MULTIPLY THE 2012-2013 AVERAGE DAILY MEMBERSHIP IN  
30 APPROVED VOCATIONAL EDUCATION PROGRAMS FOR EACH AREA VOCATIONAL-

1 TECHNICAL SCHOOL OR SCHOOL DISTRICT THAT HAS BEEN APPROVED FOR  
2 FUNDING BY THE DEPARTMENT OF EDUCATION UNDER SUBSECTION (B) BY  
3 ONE MILLION FIVE HUNDRED THOUSAND DOLLARS (\$1,500,000).

4 (II) DIVIDE THE PRODUCT FROM SUBCLAUSE (I) BY THE SUM OF THE  
5 2012-2013 AVERAGE DAILY MEMBERSHIP IN APPROVED VOCATIONAL  
6 EDUCATION PROGRAMS FOR ALL AREA VOCATIONAL-TECHNICAL SCHOOLS AND  
7 SCHOOL DISTRICTS THAT HAVE BEEN APPROVED FOR FUNDING BY THE  
8 DEPARTMENT OF EDUCATION UNDER SUBSECTION (B).

9 (B) (1) WITHIN THIRTY (30) DAYS OF THE EFFECTIVE DATE OF  
10 THIS SUBSECTION, THE DEPARTMENT OF EDUCATION SHALL ESTABLISH  
11 GUIDELINES UNDER WHICH AREA VOCATIONAL-TECHNICAL SCHOOLS AND  
12 SCHOOL DISTRICTS WITH APPROVED VOCATIONAL PROGRAMS MAY APPLY TO  
13 THE DEPARTMENT FOR FUNDING FOR THE PURCHASE OF EQUIPMENT, WHICH  
14 SHALL INCLUDE A FUNDING APPLICATION AND AN APPLICATION DEADLINE.

15 (2) THE FUNDING APPLICATION ESTABLISHED BY THE DEPARTMENT OF  
16 EDUCATION PURSUANT TO CLAUSE (1) SHALL REQUIRE ONLY THE  
17 FOLLOWING INFORMATION WHICH MAY BE COLLECTED ELECTRONICALLY:

18 (I) NAME, ADDRESS, E-MAIL ADDRESS AND TELEPHONE NUMBER OF  
19 THE AREA VOCATIONAL-TECHNICAL SCHOOL OR SCHOOL DISTRICT.

20 (II) NAME, E-MAIL ADDRESS AND TELEPHONE NUMBER OF AN EMPLOYEE  
21 OF THE AREA VOCATIONAL-TECHNICAL SCHOOL OR SCHOOL DISTRICT WHO  
22 WILL BE AVAILABLE TO ANSWER QUESTIONS REGARDING THE FUNDING  
23 APPLICATION.

24 (III) DESCRIPTION OF THE EQUIPMENT FOR WHICH THE REQUESTED  
25 FUNDING WILL BE USED.

26 (3) IN APPROVING FUNDING APPLICATIONS UNDER THIS SECTION,  
27 THE DEPARTMENT OF EDUCATION SHALL REQUEST AND CONSIDER NO  
28 INFORMATION OTHER THAN THE INFORMATION PROVIDED IN THE FUNDING  
29 APPLICATION ESTABLISHED UNDER CLAUSE (2). EACH AREA VOCATIONAL-  
30 TECHNICAL SCHOOL OR SCHOOL DISTRICT WITH AN APPROVED VOCATIONAL

1 PROGRAM THAT SUBMITS A COMPLETED FUNDING APPLICATION UNDER THIS  
2 SUBSECTION SHALL RECEIVE FUNDING IN THE AMOUNT DETERMINED UNDER  
3 SUBSECTION (A).

4 SECTION 11. SECTIONS 2509.1(C.1) AND 2509.5(AAA) OF THE ACT,  
5 AMENDED JUNE 30, 2012 (P.L.684, NO.82), ARE AMENDED TO READ:

6 SECTION 2509.1. PAYMENTS TO INTERMEDIATE UNITS.--\* \* \*

7 (C.1) FOR THE 2011-2012 [AND 2012-2013] THROUGH THE 2013-  
8 2014 SCHOOL YEARS, FIVE AND ONE-HALF PERCENT (5.5%) OF THE STATE  
9 SPECIAL EDUCATION APPROPRIATION SHALL BE PAID TO INTERMEDIATE  
10 UNITS ON ACCOUNT OF SPECIAL EDUCATION SERVICES. OF THIS FIVE AND  
11 ONE-HALF PERCENT (5.5%), THIRTY-FIVE PERCENT (35%) SHALL BE  
12 DISTRIBUTED EQUALLY AMONG ALL INTERMEDIATE UNITS. THE REMAINING  
13 SIXTY-FIVE PERCENT (65%) SHALL BE DISTRIBUTED TO EACH  
14 INTERMEDIATE UNIT IN PROPORTION TO THE NUMBER OF AVERAGE DAILY  
15 MEMBERSHIP OF THE COMPONENT SCHOOL DISTRICTS OF EACH  
16 INTERMEDIATE UNIT AS COMPARED TO THE STATEWIDE TOTAL AVERAGE  
17 DAILY MEMBERSHIP.

18 \* \* \*

19 SECTION 2509.5. SPECIAL EDUCATION PAYMENTS TO SCHOOL  
20 DISTRICTS.--\* \* \*

21 (AAA) DURING THE 2009-2010 THROUGH THE [2012-2013] 2013-2014  
22 SCHOOL YEARS, EACH SCHOOL DISTRICT SHALL BE PAID THE AMOUNT IT  
23 RECEIVED DURING THE 2008-2009 SCHOOL YEAR UNDER SUBSECTION (ZZ).  
24 IF INSUFFICIENT FUNDS ARE APPROPRIATED, THE PAYMENTS SHALL BE  
25 MADE ON A PRO RATA BASIS.

26 SECTION 12. THE ACT IS AMENDED BY ADDING A SECTION TO READ:

27 SECTION 2510.3. ASSISTANCE TO SCHOOL DISTRICTS DECLARED TO  
28 BE IN FINANCIAL RECOVERY STATUS OR IDENTIFIED FOR FINANCIAL  
29 WATCH STATUS.--(A) FOR THE 2013-2014 FISCAL YEAR, THE  
30 DEPARTMENT OF EDUCATION MAY UTILIZE UP TO \$4,500,000 OF

1 UNDISTRIBUTED FUNDS NOT EXPENDED, ENCUMBERED OR COMMITTED FROM  
2 APPROPRIATIONS FOR GRANTS AND SUBSIDIES MADE TO THE DEPARTMENT  
3 OF EDUCATION TO ASSIST SCHOOL DISTRICTS DECLARED TO BE IN  
4 FINANCIAL RECOVERY STATUS UNDER SECTION 621-A OR IDENTIFIED FOR  
5 FINANCIAL WATCH STATUS UNDER SECTION 611-A. THE FUNDS SHALL BE  
6 TRANSFERRED BY THE SECRETARY OF THE BUDGET TO A RESTRICTED  
7 ACCOUNT AS NECESSARY TO MAKE PAYMENTS UNDER THIS SECTION AND,  
8 WHEN TRANSFERRED, ARE HEREBY APPROPRIATED TO CARRY OUT THE  
9 PROVISIONS OF THIS SECTION.

10 (B) FOR THE 2013-2014 FISCAL YEAR, THE AMOUNT OF \$7,500,000  
11 OF UNDISTRIBUTED FUNDS NOT EXPENDED, UNENCUMBERED OR COMMITTED  
12 FROM APPROPRIATIONS FOR GRANTS AND SUBSIDIES MADE TO THE  
13 DEPARTMENT OF EDUCATION SHALL BE TRANSFERRED TO THE FINANCIAL  
14 RECOVERY SCHOOL DISTRICT TRANSITIONAL LOAN ACCOUNT TO MAKE LOANS  
15 AS PROVIDED UNDER SECTION 681-A.

16 SECTION 13. SECTION 2599.2(E) (7) OF THE ACT, AMENDED JUNE  
17 30, 2012 (P.L.684, NO.82), IS AMENDED TO READ:

18 SECTION 2599.2. PENNSYLVANIA ACCOUNTABILITY GRANTS.--\* \* \*

19 (E) \* \* \*

20 (7) FOR THE 2008-2009 [AND], 2012-2013 AND 2013-2014 FISCAL  
21 YEARS, IF INSUFFICIENT FUNDS ARE APPROPRIATED TO MAKE  
22 COMMONWEALTH PAYMENTS PURSUANT TO THIS SECTION, SUCH PAYMENTS  
23 SHALL BE MADE ON A PRO RATA BASIS.

24 \* \* \*

25 SECTION 14. THE ACT IS AMENDED BY ADDING A SECTION TO READ:

26 SECTION 2599.5. DISTANCE EDUCATION PROGRAM.--(A) THE  
27 DISTANCE EDUCATION PROGRAM IS ESTABLISHED IN THE AGENCY TO  
28 APPROVE DISTANCE EDUCATION PROGRAMS AND TO PROVIDE GRANTS TO  
29 STUDENTS WHO ENROLL IN APPROVED DISTANCE EDUCATION PROGRAMS.

30 (B) THE AGENCY SHALL ADMINISTER AND ESTABLISH GUIDELINES FOR

1 THE DISTANCE EDUCATION PROGRAM. THE AGENCY MAY COLLECT STUDENT  
2 AND SCHOOL DATA TO ASSESS THE PERFORMANCE OF THE DISTANCE  
3 EDUCATION PROGRAM, PROVIDED THAT SUCH COLLECTION COMPLIES WITH  
4 THE RIGHTS AND RESPONSIBILITIES CERTIFICATION DOCUMENT OF THE  
5 PENNSYLVANIA STATE GRANT PROGRAM AS ADMINISTERED BY THE AGENCY.

6 (C) AN INSTITUTION OF HIGHER EDUCATION MAY SUBMIT AN  
7 APPLICATION TO THE AGENCY FOR APPROVAL TO PARTICIPATE IN THE  
8 DISTANCE EDUCATION PROGRAM. THE APPLICATION MUST BE SUBMITTED IN  
9 SUCH FORM AND MANNER AS PRESCRIBED BY THE AGENCY.

10 (D) THE AGENCY SHALL REVIEW REQUESTS SUBMITTED UNDER  
11 SUBSECTION (C) AND, IF THE INSTITUTION MEETS THE CRITERIA  
12 SPECIFIED IN THE DEFINITION OF "INSTITUTION OF HIGHER EDUCATION"  
13 AND "APPROVED DISTANCE EDUCATION PROGRAM," SHALL APPROVE THE  
14 REQUEST. THE AGENCY SHALL APPROVE REQUESTS RELATED TO ALL  
15 ACADEMIC MAJORS THAT ARE ELIGIBLE UNDER THE STATE GRANT PROGRAM.

16 (E) THE AGENCY MAY AWARD, FROM FUNDS APPROPRIATED, ALLOCATED  
17 OR OTHERWISE MADE AVAILABLE TO IT, GRANTS TO STUDENTS WHO ARE  
18 ENROLLED IN APPROVED DISTANCE EDUCATION PROGRAMS AT  
19 PARTICIPATING INSTITUTIONS OF HIGHER EDUCATION. THE AGENCY SHALL  
20 ESTABLISH A POLICY TO ENSURE THAT AWARDS ARE MADE IN A  
21 CONSISTENT MANNER THROUGHOUT THE AWARD YEAR.

22 (F) A STUDENT ENROLLED IN AN APPROVED DISTANCE EDUCATION  
23 PROGRAM SHALL SUBMIT AN APPLICATION FOR A STATE GRANT FROM THE  
24 AGENCY. THE APPLICATION MUST BE SUBMITTED IN SUCH FORM AND IN A  
25 MANNER AS PRESCRIBED BY THE AGENCY.

26 (G) THE AGENCY SHALL REVIEW AN APPLICATION SUBMITTED UNDER  
27 SUBSECTION (F) AND, BASED ON AVAILABLE RESOURCES, IF THE AGENCY  
28 CONCLUDES THAT THE APPLICANT HAS FINANCIAL NEED, MAY AWARD A  
29 STATE GRANT TO THE APPLICANT TO COVER THE COST OF FULL-TIME OR  
30 AT LEAST HALF-TIME STUDY IN THE APPROVED DISTANCE EDUCATION

1 PROGRAM AT AN INSTITUTION OF HIGHER EDUCATION APPROVED FOR  
2 PARTICIPATION IN THE DISTANCE EDUCATION PROGRAM.

3 (H) A GRANT AWARDED TO A STUDENT UNDER SUBSECTION (G) MAY  
4 NOT EXCEED PER AWARD YEAR THE AMOUNT THE STUDENT WOULD RECEIVE  
5 UNDER THE STATE GRANT PROGRAM FOR THE SAME AWARD YEAR.

6 (I) THIS SECTION SHALL APPLY TO ACADEMIC YEARS 2013-2014  
7 THROUGH 2017-2018.

8 (J) THIS SECTION SHALL EXPIRE JUNE 30, 2018.

9 (K) THE FOLLOWING WORDS AND PHRASES SHALL HAVE THE MEANING  
10 GIVEN TO THEM IN THIS SECTION UNLESS THE CONTEXT CLEARLY  
11 INDICATES OTHERWISE:

12 "AGENCY." THE PENNSYLVANIA HIGHER EDUCATION ASSISTANCE  
13 AGENCY.

14 "APPROVED DISTANCE EDUCATION PROGRAM." A PROGRAM OF STUDY  
15 OFFERED BY AN INSTITUTION OF HIGHER EDUCATION THAT IS APPROVED  
16 BY THE AGENCY AND MEETS THE FOLLOWING CRITERIA:

17 (I) THE PROGRAM IS AT LEAST TWO ACADEMIC YEARS IN LENGTH.

18 (II) COMPLETION OF THE PROGRAM LEADS TO THE ATTAINMENT OF A  
19 RECOGNIZED ACADEMIC CREDENTIAL.

20 (III) THE PROGRAM OF STUDY SHALL ALLOW AN ELIGIBLE STUDENT  
21 TO TAKE MORE THAN FIFTY PERCENT (50%) OF CREDITS OR CLOCK HOURS  
22 THROUGH DISTANCE EDUCATION FOR EACH PAYMENT PERIOD IN WHICH THE  
23 ELIGIBLE STUDENT IS ENROLLED.

24 (IV) THE PROGRAM MUST BE PURSUED BY STUDENTS ON A FULL-TIME  
25 BASIS OR AT LEAST A HALF-TIME BASIS.

26 "DISTANCE EDUCATION PROGRAM." THE DISTANCE EDUCATION PROGRAM  
27 ESTABLISHED BY THIS SECTION.

28 "ELIGIBLE STUDENT." A STUDENT WHO IS OTHERWISE ELIGIBLE FOR  
29 THE STATE GRANT PROGRAM, NOTWITHSTANDING THE DISTANCE EDUCATION  
30 REQUIREMENTS OF THE STATE GRANT PROGRAM.

1 "INSTITUTION OF HIGHER EDUCATION." A POSTSECONDARY  
2 INSTITUTION THAT PARTICIPATED IN THE STATE GRANT PROGRAM AS OF  
3 JUNE 30, 2012, AND IS DOMICILED AND HEADQUARTERED WITH ITS  
4 PRINCIPAL PHYSICAL LOCATION IN THIS COMMONWEALTH.

5 "PHYSICAL LOCATION." A LOCATION WITH QUALIFIED ON-SITE  
6 ADMINISTRATIVE STAFF RESPONSIBLE FOR THE OVERALL ADMINISTRATIVE  
7 OPERATION OF ALL EDUCATIONAL ACTIVITIES, INCLUDING, BUT NOT  
8 LIMITED TO, INSTRUCTIONAL OVERSIGHT, COUNSELING, ADVISING,  
9 LIBRARY SERVICES AND MAINTENANCE OF ACADEMIC RECORDS.

10 "STATE GRANT." A GRANT OR SCHOLARSHIP AWARDED UNDER THE ACT  
11 OF JANUARY 25, 1966 (1965 P.L.1546, NO.541), REFERRED TO AS THE  
12 HIGHER EDUCATION SCHOLARSHIP LAW.

13 SECTION 15. THIS ACT SHALL TAKE EFFECT AS FOLLOWS:

14 (1) THE ADDITION OF SECTION 1216.1 OF THE ACT SHALL TAKE  
15 EFFECT IN 60 DAYS.

16 (2) THE REMAINDER OF THIS ACT SHALL TAKE EFFECT JULY 1,  
17 2013, OR IMMEDIATELY, WHICHEVER IS LATER.