

AMENDMENTS TO HOUSE BILL NO. 1448

Sponsor: REPRESENTATIVE TURZAI

Printer's No. 2921

1 Amend Bill, page 1, lines 5 and 6, by striking out "providing
2 for higher education" in line 5 and all of line 6 and inserting
3 in preliminary provisions, further providing for Keystone
4 Exams; in organization meetings and officers of boards of
5 school directors, providing for executive sessions; in duties
6 and powers of boards of school directors, providing for
7 third-party services; in grounds and buildings, further
8 providing for limitation on new applications for Department
9 of Education approval of public school building projects and
10 providing for lead testing; in books, furniture and supplies,
11 further providing for time and manner of adopting and
12 furnishing textbooks and supplementary books; in professional
13 employees, further providing for persons to be suspended; in
14 certification of teachers, further providing for provisional
15 vocational education certificate; in pupils and attendance,
16 further providing for definitions, providing for attendance
17 policy at nonpublic schools and further providing for excuses
18 from attending school, for penalties for violating compulsory
19 school attendance requirements and for nonprofit school food
20 program; in Drug and Alcohol Recovery High School Pilot
21 Program, further providing for term of program and for
22 reporting; in terms and courses of study, further providing
23 for fire and emergency evacuation drills; in community
24 colleges, further providing for financial program and
25 reimbursement of payments; in educational tax credits,
26 further providing for definitions, for qualification and
27 application by organizations, for application by business
28 firms, for tax credits and for limitations; providing for
29 higher education accountability and transparency; in funding
30 for public libraries, providing for State aid for fiscal year
31 2018-2019; and, in reimbursements by Commonwealth and between
32 school districts, further providing for payments to
33 intermediate units, for assistance to school districts
34 declared to be in financial recovery status or identified for
35 financial watch status and for Ready-to-Learn Block Grant.

36 Amend Bill, page 1, lines 9 through 11, by striking out all

of said lines and inserting

Section 1. Section 121(b)(1) of the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, amended November 6, 2017 (P.L.1142, No.55), is amended to read:

Section 121. Keystone Exams.--* * *

(b) The following shall apply:

(1) Notwithstanding section 2604-B(b)(2)(v), 22 Pa. Code § 4.24 (relating to high school graduation requirements), 4.51 (relating to State assessment system) or 4.51c (relating to project-based assessment) or any statute or regulation to the contrary, the use of the Keystone Exams as a graduation requirement or as a benchmark for the need for participation in a project-based assessment shall be delayed until the [2019-2020] 2020-2021 school year.

* * *

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

Section 425. Executive Sessions.--(a) Notwithstanding 65 Pa.C.S. § 708(a) (relating to executive sessions), a school entity may hold an executive session to plan, review or discuss matters related to school safety, the disclosure of which, if conducted in public, would:

(1) be reasonably likely to impair the effectiveness of such measures; or

(2) create a reasonable likelihood of jeopardizing the safety or security of an individual or a school, including a building, public utility, resource, infrastructure, facility or information storage system.

(b) The executive session may be held during an open meeting or at the conclusion of an open meeting or may be announced for a future time. The reason for holding the executive session must be announced at the open meeting occurring immediately prior or subsequent to the executive session. If the executive session is not announced for a specific time in the future, members of the agency shall be notified twenty-four (24) hours in advance of the time of the convening of the meeting specifying the date, time, location and purpose of the executive session.

(c) Official action on discussions held pursuant to subsection (a) shall be taken at an open meeting. Nothing in this section shall be construed to require that any meeting be closed to the public, nor shall any executive session be used as a subterfuge to defeat the purposes of 65 Pa.C.S. § 704 (relating to open meetings).

(d) As used in this section, the following words and phrases shall have the meanings given to them in this subsection:

"Executive session" shall have the meaning given to the term under 65 Pa.C.S. § 703 (relating to definitions).

"School entity" shall mean a school district, intermediate unit, joint school, area vocational-technical school, charter school, regional charter school or cyber charter school.

1 Section 528. Third-Party Services.--(a) In addition to the
2 requirements of any other law or regulation, a school employer
3 shall not enter into a contract with a third party for non-
4 instructional services unless the following conditions are met:

5 (1) The school employer shall solicit applications from
6 third parties.

7 (2) The school employer's solicitation shall require each
8 third party to provide in the application:

9 (i) A minimum three-year cost projection to the school
10 employer, using generally accepted accounting principles.

11 (ii) Information concerning any violation of Federal or
12 State law or regulation by the third party, composite
13 information about the criminal and disciplinary records of
14 current employes of the third party who may perform the non-
15 instructional services and information concerning any traffic
16 violation or chargeable accident that occurred during the course
17 of employment by an individual employe of the third party.

18 (iii) Any additional information that the school employer
19 deems appropriate.

20 (3) The school employer shall conduct a minimum of one
21 public hearing prior to a regularly scheduled board meeting to
22 present to the public the selected proposal of a third party to
23 perform the non-instructional services and to receive public
24 comment. The school employer shall provide notice to the public
25 of the date, time and location of the first public hearing:

26 (i) on or before the initial date that bids to provide the
27 non-instructional services are solicited; or

28 (ii) a minimum of thirty (30) days prior to the public board
29 meeting, whichever provides a greater period of notice.

30 (b) For a school employe whose employment is terminated due
31 to a third party entering into a contract with the school
32 employer for non-instructional services and who seeks employment
33 from the third party during the effective date of the contract,
34 the following shall apply:

35 (1) The third party shall give consideration to the school
36 employe, which shall include an interview, when hiring any new
37 employe for the same or a substantially similar position which
38 the school employe held with the school employer.

39 (2) If requested by the third party, the school employer
40 shall provide to the third party information regarding the
41 performance and employment duties of the school employe.

42 (c) Nothing in this section shall be construed to:

43 (1) Supersede 7 CFR Pt. 210 (relating to National School
44 Lunch Program) where applicable.

45 (2) Supersede or preempt the rights, remedies and procedures
46 afforded to school employes or labor organizations under Federal
47 or State law, including the act of July 23, 1970 (P.L.563,
48 No.195), known as the "Public Employe Relations Act," or any
49 provision of a collective bargaining agreement negotiated
50 between a school employer and an exclusive representative of the
51 employes in accordance with that act.

1 (d) As used in this section, the following words and phrases
2 shall have the meanings given to them in this subsection unless
3 the context clearly indicates otherwise:

4 "Non-instructional services" shall mean services provided by
5 a school employee whose terms and conditions of employment are
6 governed by a collective bargaining agreement negotiated between
7 the school employer and the exclusive representative of the
8 employee and excluding services provided by a professional
9 employee, a substitute or a temporary professional employee as
10 those terms are defined under section 1101.

11 "School employer" shall mean a board of school directors, an
12 intermediate unit board of directors or an area vocational-
13 technical board of directors.

14 "Third party" shall mean a for-profit service provider,
15 including a business or corporation, that contracts with a
16 school employer to provide non-instructional services. The term
17 shall not include an individual.

18 Section 3. Section 732.1(a) of the act, amended November 6,
19 2017 (P.L.1142, No.55), is amended to read:

20 Section 732.1. Limitation on New Applications for Department
21 of Education Approval of Public School Building Projects.--(a)
22 For the 2012-2013 fiscal year, 2013-2014 fiscal year [and],
23 2017-2018 fiscal year and 2018-2019 fiscal year, the Department
24 of Education shall not accept or approve new school building
25 construction or reconstruction project applications.

26 * * *

27 Section 3.1. The act is amended by adding a section to read:

28 Section 742. Lead Testing.--(a) Beginning in the 2018-2019
29 school year, and every school year thereafter, school facilities
30 where children attend school may be tested for lead levels in
31 the drinking water and any school facility whose testing shows
32 lead levels in excess of the maximum contaminant level goal or
33 milligrams per liter as set by the United States Environmental
34 Protection Agency's National Primary Drinking Water Regulations
35 shall immediately implement a plan to ensure no child or adult
36 is exposed to lead contamination drinking water and that
37 alternative sources of drinking water are made available.

38 (b) If a school entity does not test lead levels under
39 paragraph (a) the school entity shall, at a public meeting,
40 discuss lead issues in the school facilities.

41 (c) If a test of lead levels under subsection (a) is
42 elevated the level shall be reported to the Department of
43 Education and posted on the department's publicly accessible
44 Internet website.

45 Section 4. Section 803 of the act is amended to read:

46 Section 803. Time and Manner of Adopting and Furnishing
47 Textbooks and Supplementary Books.--All school textbooks, in
48 school districts of the second, third and fourth class, shall be
49 adopted by the board of school directors at any regular meeting
50 [between the first day of April and the first day of August
51 following]. Such books, so adopted, shall be provided for the

1 use of the schools at the beginning of the school terms next
2 following. If in said school districts there shall be a district
3 superintendent, such district superintendent shall report in
4 which subjects new textbooks are needed, and after consultation
5 with the teachers under his supervision, what textbooks should
6 be adopted or changed. No adoption or change of textbooks shall
7 be made without his recommendation, except by a two-thirds vote
8 of the board. Books, supplementary to textbooks regularly
9 adopted, may be adopted and purchased for use in the schools at
10 any time. Such supplementary books shall be adopted in the same
11 manner as textbooks are herein required to be adopted.

12 Section 5. Section 1125.1 of the act is amended by adding a
13 subsection to read:

14 Section 1125.1. Persons to be Suspended.--* * *

15 (c.1) A school entity shall realign its professional staff
16 so as to ensure that more senior employes are provided with the
17 opportunity to fill any positions within the school entity for
18 which they are certificated and which are being filled by less
19 senior employes, subject to the order specified in subsection
20 (a).

21 * * *

22 Section 6. Section 1204.2 of the act is amended to read:

23 Section 1204.2. [Provisional] Vocational [Education]
24 Instructional Certificate.--(a) The Secretary of Education may
25 grant a [provisional vocational education] certificate under
26 this section to every person who presents to the Department of
27 Education satisfactory evidence of good moral character and who
28 has completed such work in vocational education as may be
29 required by the standards of the State Board of Education[,
30 which certificate shall entitle the individual to teach for
31 eight annual school terms].

32 (b) In addition to other requirements promulgated by the
33 State Board of Education, the State Board of Education shall
34 require an applicant to present evidence of at least four (4)
35 years of wage-earning experience in the occupation to be taught
36 in order for the Secretary of Education to grant the applicant a
37 Vocational Intern Certificate under 22 Pa. Code § 49.151
38 (relating to eligibility and criteria).

39 (c) Notwithstanding any other requirement promulgated by the
40 State Board of Education, the State Board of Education shall not
41 require an applicant to have completed more than eighteen (18)
42 credit hours in an approved program of vocational teacher
43 education in order for the Secretary of Education to grant the
44 applicant a Vocational Instructional I Certificate under 22 Pa.
45 Code § 49.142 (relating to Vocational Instructional I), which
46 certificate shall entitle the individual to teach for eight (8)
47 annual school terms.

48 (d) Notwithstanding any other requirement promulgated by the
49 State Board of Education, the State Board of Education shall not
50 require an applicant to have completed more than sixty (60)
51 total credit hours in an approved program of vocational teacher

education in order for the Secretary of Education to grant the applicant a Vocational Instructional II Certificate under 22 Pa. Code § 49.143 (relating to Vocational Instructional II). Credit hours in an approved program of vocational teacher education completed by the applicant toward the fulfillment of the requirements for a Vocational Instructional I Certificate shall be counted toward the total credit hours required for a Vocational Instructional II Certificate.

(e) The Department of Education shall form a professional advisory committee for the purposes of reviewing vocational instructional certification program guidelines every five (5) years to ensure that the requirements for program design and delivery pertain to the professional responsibilities of a vocational educator. The professional advisory committee shall, at a minimum, include representatives whose primary responsibility is teaching occupational skills in State-approved vocational education programs.

Section 7. The definition of "educational entity" in section 1326 of the act is amended to read:

Section 1326. Definitions.--When used in this article, the following words and phrases shall have the following meanings:

* * *

"Educational entity" shall mean a public school district, [nonpublic school] charter school, regional charter school, cyber charter school or area vocational-technical school.

* * *

Section 8. The act is amended by adding a section to read:

Section 1327.3. Attendance Policy at Nonpublic Schools.--(a) Each nonpublic school shall establish an attendance policy designed to accurately determine when a child who is enrolled in a nonpublic school has an unexcused absence, which may differ from the policy of the school district in which the child resides. The policy shall, at a minimum, conform to the provisions of this act relating to compulsory attendance but may contain additional criteria for determining when a student is determined to be deemed truant or habitually truant. The policy shall also contain actions prescribed by the nonpublic school in response to a determination of truant or habitually truant which may include expulsion.

(b) At such time that the child is deemed habitually truant as defined in section 1326, the venue for the filing of a citation or referral under section 1333.1 shall be based upon the residence of the child and executed by the school district of residence. A nonpublic school may participate in a proceeding under sections 1333.1, 1333.2 and 1333.3 in person, by phone conferencing, by video conferencing or by any other electronic means.

(c) The following sections shall apply to nonpublic schools:

(1) Section 1326.

(2) Section 1327.

(3) This section.

1 (4) Section 1329.

2 (5) Section 1330.

3 (6) Section 1332.

4 (7) Section 1333.

5 (8) Section 1333.1.

6 (9) Section 1333.2.

7 (10) Section 1333.3.

8 Section 9. Section 1329 of the act is amended by adding a
9 subsection to read:

10 Section 1329. Excuses from Attending School.--* * *

11 (a.2) (1) A school district may excuse a student from
12 school attendance to participate in a musical performance in
13 conjunction with a national veterans' organization or
14 incorporated unit for an event or funeral. The national
15 veterans' organization or incorporated unit must provide the
16 student with a signed excuse, which shall include the date,
17 location and time of the event or funeral. The student shall
18 furnish the signed excuse to the school district prior to being
19 excused from school.

20 (2) As used in this subsection, the following words and
21 phrases shall have the meanings given to them in this paragraph:

22 "Incorporated unit." An incorporated post, branch, camp,
23 detachment, lodge or other subordinate unit of a national
24 veterans' organization.

25 "National veterans' organization." A veterans' organization
26 having a national charter.

27 * * *

28 Section 10. Section 1333.3(d) (2) of the act is amended to
29 read:

30 Section 1333.3. Penalties for Violating Compulsory School
31 Attendance Requirements.--* * *

32 (d) No citation may be filed against a child or a person in
33 parental relation with the child who resides in the same
34 household as the child for a subsequent violation of compulsory
35 school attendance if any of the following circumstances apply:

36 * * *

37 (2) A referral for services has been made to the county
38 children and youth agency under this subdivision [and], the
39 agency has not closed the case and the educational entity has
40 not consulted with the county children and youth agency prior to
41 filing the petition.

42 * * *

43 Section 11. Sections 1337(d) (4) and (5), 1406-A and 1407-
44 A(b) and 1517(a.1) introductory paragraph and (1) of the act,
45 amended November 6, 2017 (P.L.1142, No.55), are amended to read:

46 Section 1337. Nonprofit School Food Program.--* * *

47 (d) Boards of School Directors.

48 * * *

49 (4) Each board of school directors shall:

50 (i) Require schools under its jurisdiction to direct
51 communications regarding money owed by a student for school

1 meals to the student's parent or guardian and not to the
2 student[.] if the student is enrolled in kindergarten through
3 grade eight. For a student enrolled in grade nine through grade
4 twelve, the board of school directors may require the schools to
5 direct communications regarding a low balance or money owed by a
6 student for school meals to the student if the communications
7 are made individually to the student by appropriate school
8 personnel and are made discreetly.

9 (ii) Permit schools under its jurisdiction to contact the
10 student's parent or guardian by means of a letter addressed to
11 the parent or guardian that is delivered by the student.

12 (5) Each board of school directors shall prohibit schools
13 under its jurisdiction from implementing the following:

14 (i) Publicly identifying or stigmatizing a student who
15 cannot pay for a school meal or who owes money for school meals.
16 It shall not constitute public identification or stigmatization
17 of a student for a school to restrict privileges and activities
18 of students who owe money for school meals if those same
19 restrictions apply to students who owe money for other school-
20 related purposes.

21 (ii) Requiring a student who cannot pay for a school meal to
22 perform chores or other work to pay for the school meal. This
23 subclause shall not apply if chores or other work are required
24 of all students regardless of the student's inability to pay for
25 the school meal.

26 (iii) Requiring a student to discard a school meal after it
27 was served to the student due to the student's inability to pay
28 for the school meal or the amount of money owed by the student
29 for earlier school meals.

30 * * *

31 Section 1406-A. Term of Drug and Alcohol Recovery High School
32 Pilot Program.

33 (a) Enrollment of new students.--Unless the program is
34 permanently established by action of the General Assembly, the
35 recovery high school shall not enroll new students under the
36 program after June 30, [2021] 2022.

37 (b) Continued enrollment.--If the program is not permanently
38 established by action of the General Assembly on or before June
39 30, [2021] 2022, a student enrolled in the recovery high school
40 under the program as of June 30, [2021] 2022, may remain
41 enrolled in the recovery high school under the program until the
42 earlier of the following:

43 (1) The student's graduation from the recovery high
44 school.

45 (2) The student's withdrawal from the recovery high
46 school.

47 (3) The student's completion of four years of enrollment
48 in the recovery high school under the program.

49 Section 1407-A. Reporting.

50 * * *

51 (b) Report by Department of Education and Department of Drug

1 and Alcohol Programs.--By December 31, [2020] 2021, the
2 Department of Education and the Department of Drug and Alcohol
3 Programs, jointly, shall submit to the chairperson and minority
4 chairperson of the Education Committee of the Senate, the
5 chairperson and minority chairperson of the Education Committee
6 of the House of Representatives, the chairperson and minority
7 chairperson of the Public Health and Welfare Committee of the
8 Senate and the chairperson and minority chairperson of the
9 Health Committee of the House of Representatives a written
10 report assessing the success of the program and making
11 recommendations regarding the possible extension and expansion
12 of the program, including a proposed timeline for any potential
13 expansion.

14 Section 1517. Fire and Emergency Evacuation Drills.--* * *

15 (a.1) Within ninety (90) days of the commencement of the
16 school year after the effective date of this subsection and
17 within ninety (90) days of the commencement of each school year
18 thereafter, each school entity [may] shall conduct one school
19 security drill per school year in each school building in place
20 of a fire drill required under subsection (a). After ninety (90)
21 days from the commencement of each school year, each school
22 entity may conduct two school security drills per school year in
23 each school building in place of two fire drills required under
24 subsection (a). All of the following shall apply:

25 (1) The school security drill [may] shall be conducted while
26 the school entity is in session and students are present under
27 policies adopted by the chief school administrator.

28 * * *

29 Section 12. Section 1913-A(b) (1.6) of the act is amended by
30 adding a subclause to read:

31 Section 1913-A. Financial Program; Reimbursement of
32 Payments.--* * *

33 (b) * * *

34 (1.6) For the 2006-2007 fiscal year and each fiscal year
35 thereafter, the payment for a community college shall consist of
36 the following:

37 * * *

38 (xi) For the 2018-2019 fiscal year, each community college
39 shall receive an amount equal to the following:

40 (A) An amount equal to the reimbursement for operating costs
41 received in fiscal year 2017-2018 under subclause (x) (A).

42 (B) An amount equal to the economic development stipend
43 received in fiscal year 2017-2018 under subclause (x) (B).

44 (C) For each community college that receives funding under
45 units (A) and (B), an additional amount for operating costs
46 determined for each community college as follows:

47 (I) Multiply the audited full-time equivalent enrollment as
48 verified under subsection (k.1) for the most recent year
49 available for the community college by the difference between
50 the appropriation for payment of approved operating expenses of
51 community colleges in the 2018-2019 fiscal year and the sum of

1 the amounts in units (A) and (B).

2 (II) Divide the product in subunit (I) by the sum of the
3 audited full-time equivalent enrollment as verified under
4 subsection (k.1) for the most recent year available for all
5 community colleges.

6 * * *

7 Section 13. The definition of "maximum annual household
8 income," in section 2002-B of the act is amended to read:
9 Section 2002-B. Definitions.

10 The following words and phrases when used in this article
11 shall have the meanings given to them in this section unless the
12 context clearly indicates otherwise:

13 * * *

14 "Maximum annual household income."

15 (1) Subject to adjustment under paragraphs (2) and (3),
16 the amount of [\$75,000] \$85,000, plus the applicable income
17 allowance.

18 (2) With respect to an eligible student with a
19 disability, as calculated by multiplying:

20 (i) the applicable amount under paragraph (1); by

21 (ii) the applicable support level factor according

22 to the following table:

Support Level	Support Level Factor
1	1.50
2	2.993

26 (3) Beginning July 1, 2014, the department shall
27 annually adjust the income amounts under paragraphs (1) and
28 (2) to reflect any upward changes in the Consumer Price Index
29 for All Urban Consumers for the Pennsylvania, New Jersey,
30 Delaware and Maryland area in the preceding 12 months and
31 shall immediately submit the adjusted amounts to the
32 Legislative Reference Bureau for publication as a notice in
33 the Pennsylvania Bulletin.

34 * * *

35 Section 14. Section 2003-B(c) introductory paragraph and
36 (2), (d), (d.1)(2) introductory paragraph and (3) and (e) of the
37 act are amended and the section is amended by adding a
38 subsection to read:

39 Section 2003-B. Qualification and application by organizations.

40 * * *

41 (c) Scholarship organizations and pre-kindergarten
42 scholarship organizations.--A scholarship organization or pre-
43 kindergarten scholarship organization must certify to the
44 department that the organization is eligible to participate in
45 the educational improvement tax credit program established under
46 this article and must agree to annually report the following
47 information to the department by [September] November 1 of each
48 year:

49 * * *

50 (2) The information required under paragraph (1) shall

1 be submitted on a form provided by the department. No later
2 than [May] September 1 of each year, the department shall
3 annually distribute such sample forms, together with the
4 forms on which the reports are required to be made, to each
5 listed scholarship organization and pre-kindergarten
6 scholarship organization.

7 * * *

8 (d) Educational improvement organization.--

9 (1) An application submitted by an educational
10 improvement organization must describe its proposed
11 innovative educational program or programs in a form
12 prescribed by the department. The department shall consult
13 with the Department of Education as necessary. The department
14 shall review and approve or disapprove the application. In
15 order to be eligible to participate in the educational
16 improvement tax credit program established under this
17 article, an educational improvement organization must agree
18 to annually report the following information to the
19 department by [September] November 1 of each year:

20 (i) The name of the innovative educational program
21 or programs and the total amount of the grant or grants
22 made to those programs during the immediately preceding
23 school year.

24 (ii) A description of how each grant was utilized
25 during the immediately preceding school year and a
26 description of any demonstrated or expected innovative
27 educational improvements.

28 (iii) The names of the public schools and school
29 districts where innovative educational programs that
30 received grants during the immediately preceding school
31 year were implemented.

32 (iv) Where the educational improvement organization
33 collects information on a county-by-county basis, the
34 total number and the total amount of grants made during
35 the immediately preceding school year for programs at
36 public schools in each county in which the educational
37 improvement organization made grants.

38 (v) The organization's Federal Form 990 or other
39 Federal form indicating the tax status of the
40 organization for Federal tax purposes, if any, and a copy
41 of a compilation, review or audit of the organization's
42 financial statements conducted by a certified public
43 accounting firm.

44 (2) The information required under paragraph (1) shall
45 be submitted on a form provided by the department. No later
46 than [May] September 1 of each year, the department shall
47 annually distribute such sample forms, together with the
48 forms on which the reports are required to be made, to each
49 listed educational improvement organization.

50 (3) The department may not require any other information
51 to be provided by educational improvement organizations,

1 except as expressly authorized in this article.

2 (d.1) Opportunity scholarship organizations.--

3 * * *

4 (2) An opportunity scholarship organization must agree
5 to report the following information on a form provided by the
6 department by [September] November 1 of each year:

7 * * *

8 (3) No later than [May] September 1 of each year, the
9 department shall annually distribute such sample forms,
10 together with the forms on which the reports are required to
11 be made, to each listed opportunity scholarship organization.

12 * * *

13 (d.2) Verification of income.--Each scholarship
14 organization, pre-kindergarten scholarship organization and
15 opportunity scholarship organization shall provide for an
16 application and review process for scholarship applicants that
17 includes a means of verification of household income, which may
18 include submission of the household members' most recently
19 available Federal or State tax returns, if required to be filed
20 by the household members.

21 (e) Notification.--The department shall notify the
22 scholarship organization, pre-kindergarten scholarship
23 organization, educational improvement organization or
24 opportunity scholarship organization that the organization meets
25 the requirements of and is qualified under this article [for
26 that fiscal year] no later than 60 days after the organization
27 has submitted the information required under this section.

28 * * *

29 Section 15. Sections 2004-B(d) and 2005-B(g) and (g.1) of
30 the act are amended to read:

31 Section 2004-B. Application by business firms.

32 * * *

33 (d) Contributions.--A contribution by a business firm to a
34 scholarship organization, pre-kindergarten scholarship
35 organization, opportunity scholarship organization or
36 educational improvement organization shall be made no later than
37 60 days following the approval of an application under
38 subsection (a) or (b). In the event a business firm does not
39 make a minimum of 50% of the full amount of the approved
40 contribution and has not notified the department of the amount
41 of unused contributions within 14 days of approval, the business
42 firm's application may not be approved in the immediately
43 succeeding fiscal year for more than 150% of the actual amount
44 contributed in the previous fiscal year.

45 * * *

46 Section 2005-B. Tax credits.

47 * * *

48 (g) Time of application for credits.--

49 (1) Except as provided in paragraph (2), the department
50 may accept applications for tax credits available during a
51 fiscal year no earlier than July 1 of each fiscal year.

(2) The application of any business firm for tax credits available during a fiscal year as part of the second year of a two-year commitment or as a renewal of a two-year commitment which was fulfilled in the previous fiscal year may be accepted no earlier than May 15 preceding the fiscal year. In order to be eligible for the early application date under this paragraph, the contributions included in the second year of a two-year commitment or renewal of a two-year commitment must be made to the same type of organization.

(g.1) Approval of tax credits.--Unless otherwise requested by the business firm and agreed to by both the business firm and the department, and unless all authorized credits have already been awarded:

(1) For fiscal year 2016-2017, and each fiscal year thereafter, the department shall give written notice of its approval to each business firm that submitted a completed application under subsection (g) by August 15, or 30 days following receipt of the completed application, whichever is later.

(2) For fiscal year 2016-2017, and each fiscal year thereafter, the department shall give written notice of its approval to each business firm that submitted a completed application under subsection (j)(2) within 30 days following receipt of the completed application.

(3) Should the department fail, for a period of at least 10 days, to timely transmit any of the written notices required by this subsection, the affected business may bring an action for injunction or other appropriate relief in Commonwealth Court.

* * *

Section 15.1. Section 2006-B(a) of the act, amended November 6, 2017 (P.L.1142, No.55), is amended to read:

Section 2006-B. Limitations.

(a) Amount.--

(1) The total aggregate amount of all tax credits approved for contributions from business firms to scholarship organizations, educational improvement organizations and pre-kindergarten scholarship organizations shall not exceed [\$135,000,000] \$160,000,000 in a fiscal year.

(i) No less than [\$85,000,000] \$110,000,000 of the total aggregate amount shall be used to provide tax credits for contributions from business firms to scholarship organizations.

(ii) No less than \$37,500,000 of the total aggregate amount shall be used to provide tax credits for contributions from business firms to educational improvement organizations.

(iii) The total aggregate amount of all tax credits approved for contributions from business firms to pre-kindergarten scholarship organizations shall not exceed \$12,500,000 in a fiscal year.

(2) The total aggregate amount of all tax credits approved for contributions from business firms to opportunity scholarship organizations shall not exceed \$50,000,000 in a fiscal year.

* * *

Section 16. The act is amended by adding an article to read:

Amend Bill, page 7, line 7, by striking out all of said line and inserting

Section 17. The act is amended by adding a section to read:
Section 2322. State aid for fiscal year 2018-2019.

Notwithstanding any other provision of law to the contrary, each library subject to 24 Pa.C.S. Ch. 93 (relating to public library code), shall be eligible for State aid for fiscal year 2018-2019, as follows:

(1) Funds appropriated for libraries shall be distributed to each library under the following formula:

(i) Divide the amount of funding that the library received in fiscal year 2017-2018 under section 2321 by the total State-aid subsidy for fiscal year 2017-2018.

(ii) Multiply the quotient under subparagraph (i) by the total State-aid subsidy for fiscal year 2018-2019.

(2) Following distribution of funds appropriated for State aid to libraries under paragraph (1), any remaining funds may be distributed at the discretion of the State Librarian.

(3) If funds appropriated for State aid to libraries in fiscal year 2018-2019 are less than funds appropriated in fiscal year 2002-2003, the State Librarian may waive standards as prescribed in 24 Pa.C.S. Ch. 93.

(4) Each library system receiving State aid under this section may distribute the local library share of that aid in a manner as determined by the board of directors of the library system.

(5) In the case of a library system that contains a library operating in a city of the second class, changes to the distribution of State aid to the library shall be made by mutual agreement between the library and the library system.

(6) In the event of a change in district library center population prior to the effective date of this section as a result of:

(i) a city, borough, town, township, school district or county moving from one library center to another; or

(ii) a transfer of district library center status to a county library system;
funding of district library center aid shall be paid based on the population of the newly established or reconfigured district library center.

(7) In the event of a change in direct service area from one library to another, the State Librarian, upon agreement

1 of the affected libraries, may redistribute the local library
2 share of aid to the library currently servicing the area.

3 Section 18. Sections 2509.1(c.2), 2510.3(a)(2) and 2599.6(a)
4 of the act, amended November 6, 2017 (P.L.1142, No.55), are
5 amended to read:

6 Section 2509.1. Payments to Intermediate Units.--* * *

7 (c.2) The following apply:

8 (1) For the 2016-2017 [and], 2017-2018 and 2018-2019 school
9 years, five and five-tenths percent (5.5%) of the State special
10 education appropriation shall be paid to intermediate units on
11 account of special education services.

12 (2) Thirty-five percent (35%) of the amount under paragraph
13 (1) shall be distributed equally among all intermediate units.

14 (3) Sixty-five percent (65%) of the amount under paragraph
15 (1) shall be distributed to each intermediate unit in proportion
16 to the number of average daily membership of the component
17 school districts of each intermediate unit as compared to the
18 Statewide total average daily membership.

19 * * *

20 Section 2510.3. Assistance to School Districts Declared to
21 be in Financial Recovery Status or Identified for Financial
22 Watch Status.--(a) The following apply:

23 * * *

24 (2) For the 2017-2018 and 2018-2019 fiscal [year] years, the
25 Department of Education may utilize up to five million dollars
26 (\$5,000,000) of undistributed funds not expended, encumbered or
27 committed from appropriations for grants and subsidies made to
28 the Department of Education to assist school districts declared
29 to be in financial recovery status under section 621-A,
30 identified for financial watch status under section 611-A or
31 identified for financial watch status under section 694-A;
32 except that the funds must be first utilized to accomplish the
33 provisions contained in section 695-A. The funds shall be
34 transferred by the Secretary of the Budget to a restricted
35 account as necessary to make payments under this section and,
36 when transferred, are hereby appropriated to carry out the
37 provisions of this section.

38 * * *

39 Section 2599.6. Ready-to-Learn Block Grant.--(a) For the
40 2016-2017 [and], 2017-2018 and 2018-2019 school years, each
41 school entity shall receive a Ready-to-Learn Block Grant [as
42 follows] in an amount not less than the sum of:

43 (1) An amount equal to the amount the school entity received
44 during the 2013-2014 school year under section 2599.2.

45 (2) An amount equal to the amount the school entity received
46 during the 2014-2015 school year under section 1722-J(21)(ii) of
47 the act of April 9, 1929 (P.L.343, No.176), known as The Fiscal
48 Code.

49 (3) An amount equal to the amount the school entity received
50 during the 2015-2016 school year under section 1722-L(21)(i)(C)
51 of The Fiscal Code.

1 * * *

2 Section 19. This act shall take effect July 1, 2018, or
3 immediately, whichever is later.