

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 113 Session of
2003

INTRODUCED BY HALUSKA, ARGALL, BARD, BEBKO-JONES, BELARDI,
BELFANTI, BROWNE, BUNT, CAUSER, CAWLEY, CORRIGAN, COY,
CRAHALLA, CREIGHTON, DALEY, DeLUCA, DeWEESE, EACHUS,
D. EVANS, FAIRCHILD, FLEAGLE, FREEMAN, GEIST, GEORGE,
GRUCELA, HARHAI, HENNESSEY, HORSEY, HUTCHINSON, KIRKLAND,
KOTIK, LAUGHLIN, LEACH, LEDERER, MACKERETH, MANN, MARKOSEK,
McGEEHAN, McILHATTAN, MELIO, S. MILLER, NAILOR, PALLONE,
PETRONE, PICKETT, PISTELLA, PRESTON, READSHAW, RUFFING,
SAINATO, SATHER, SAYLOR, SCRIMENTI, SEMMEL, SOLOBAY, STABACK,
STERN, TANGRETTI, E. Z. TAYLOR, THOMAS, TIGUE, WANSACZ,
WASHINGTON, WOJNAROSKI, YOUNGBLOOD, SURRA, HARPER, REICHLEY
AND HABAY, FEBRUARY 6, 2003

SENATOR THOMPSON, APPROPRIATIONS, IN SENATE, RE-REPORTED AS
AMENDED, JUNE 17, 2003

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 firefighter and~~ <—
6 ~~emergency service training as creditable high school courses.~~
7 REQUIRING SCHOOL DISTRICTS TO REOPEN THEIR 2003-2004 BUDGETS; <—
8 IMPOSING LIMITATIONS ON CERTAIN UNRESERVED FUND BALANCES;
9 FURTHER PROVIDING FOR AUXILIARY SERVICE AND FOR COST OF
10 TUITION AND MAINTENANCE OF CERTAIN EXCEPTIONAL CHILDREN IN
11 APPROVED PRIVATE SCHOOLS; PROVIDING FOR FIREFIGHTER AND
12 EMERGENCY SERVICE TRAINING; FURTHER PROVIDING FOR EDUCATION
13 SUPPORT SERVICES PROGRAM, FOR EDUCATION EMPOWERMENT
14 DISTRICTS, FOR MANDATE WAIVER PROGRAM AND FOR SCHOOL
15 IMPROVEMENT GRANTS; FURTHER DEFINING "EDUCATIONAL IMPROVEMENT
16 ORGANIZATION" AND "SCHOLARSHIP ORGANIZATION"; FURTHER
17 PROVIDING FOR PAYMENTS ON ACCOUNT OF PUPILS ENROLLED IN
18 VOCATIONAL CURRICULUMS AND FOR SMALL DISTRICT ASSISTANCE;
19 PROVIDING FOR BASIC EDUCATION FUNDING FOR 2002-2003 SCHOOL
20 YEAR; FURTHER PROVIDING FOR PAYMENTS TO INTERMEDIATE UNITS,
21 FOR SPECIAL EDUCATION PAYMENTS TO SCHOOL DISTRICTS AND FOR
22 COMMONWEALTH REIMBURSEMENTS FOR CHARTER SCHOOLS AND CYBER

1 CHARTER SCHOOLS; AND MAKING APPROPRIATIONS, REPEALS AND AN
2 EDITORIAL CHANGE.

3 The General Assembly of the Commonwealth of Pennsylvania
4 hereby enacts as follows:

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

8 ~~Section 1550. Firefighter and Emergency Service Training.~~ <—

9 ~~(a) Firefighter and emergency service training may be added to~~ <—
10 ~~high school curricula (A) BEGINNING WITH THE 2003-2004 SCHOOL~~ <—
11 ~~YEAR AND EACH SCHOOL YEAR THEREAFTER, A SCHOOL DISTRICT MAY~~
12 ~~OFFER FIREFIGHTER AND EMERGENCY SERVICE TRAINING as credit~~
13 ~~earning courses.~~

14 ~~(b) The SUCH courses may be made available only to students~~ <—
15 ~~sixteen (16) years of age or older and may include:~~

16 ~~(1) Training as a firefighter I from the National Board of~~
17 ~~Professional Qualifications.~~

18 ~~(2) Training as an emergency medical technician by the~~
19 ~~Department of Health under the act of July 3, 1985 (P.L.164,~~
20 ~~No.45), known as the "Emergency Medical Services Act."~~

21 ~~(c) Any person who provides training under this section and~~
22 ~~who has direct contact with students receiving training shall be~~
23 ~~subject to the provisions of section 111.~~

24 ~~(d) If the school district adds A SCHOOL DISTRICT THAT~~ <—
25 ~~OFFERS firefighter and emergency service training as credit~~
26 ~~earning courses, the school district shall provide~~ <—
27 ~~transportation and supervision for TO AND SUPERVISION DURING ANY~~ <—
28 ~~firefighter and emergency service training PROGRAM that takes~~ <—
29 ~~place off school grounds. Supervision of training shall be~~
30 ~~conducted as a cooperative education program in accordance with~~

~~the provisions of 22 Pa. Code § 11.28 (relating to out of school programs) or any regulation promulgated subsequently to replace that section. ITS SUCCESSORS.~~

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

SECTION 1. SECTION 687 OF THE ACT OF MARCH 10, 1949 (P.L.30, NO.14), KNOWN AS THE PUBLIC SCHOOL CODE OF 1949, IS AMENDED BY ADDING A SUBSECTION TO READ:

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

(J) (1) NOTWITHSTANDING ANY OTHER PROVISIONS OF THIS ACT, THE BOARD OF SCHOOL DIRECTORS OF EACH SCHOOL DISTRICT IS REQUIRED TO AND SHALL REOPEN ITS 2003-2004 BUDGET DURING THE MONTH OF JULY 2003 TO REFLECT ANY INCREASED STATE ALLOCATIONS UNDER SECTIONS 2502.13 AND 2502.41 FOR FISCAL YEAR 2003-2004 PROVIDED BY THE GENERAL ASSEMBLY THROUGH THIS ACT AND TO COMPLY WITH SECTION 688.

(2) IN THOSE SCHOOL DISTRICTS WHICH LEVY TAXES AND WHERE THE INCREASED STATE ALLOCATIONS EXCEED THE STATE REVENUE FIGURES UTILIZED BY THE SCHOOL DISTRICT AT THE TIME OF ADOPTION OF ITS ORIGINAL FISCAL YEAR 2003-2004 BUDGET, THE BOARD OF SCHOOL DIRECTORS SHALL FIRST USE THE INCREASE IN STATE ALLOCATIONS TO DO ANY OF THE FOLLOWING:

(I) OFFSET THE INCREASE IN THE EMPLOYER CONTRIBUTION RATE ON BEHALF OF ACTIVE MEMBERS OF THE PUBLIC SCHOOL EMPLOYEES' RETIREMENT SYSTEM AS CALCULATED UNDER 24 PA.C.S. § 8328 (RELATING TO ACTUARIAL COST METHOD). SUCH AMOUNT SHALL SUPPLANT ANY OTHER SCHOOL DISTRICT REVENUES ALLOCATED FOR THIS PURPOSE;

(II) ABATE ANY LOCAL TAXES WHICH WERE LEVIED AT THE TIME OF ORIGINAL BUDGET ADOPTION. SUCH TAX ABATEMENTS SHALL OCCUR WITHIN SIXTY (60) DAYS OF THE REOPENING OF THE SCHOOL DISTRICT'S BUDGET

1 AND MAY TAKE THE FORM OF TAX REDUCTIONS, REBATES OR CREDITS;

2 (III) REDUCE OR RETIRE ANY OUTSTANDING INDEBTEDNESS OF THE
3 SCHOOL DISTRICT; OR

4 (IV) RESTORE FUNDING TO ANY EDUCATIONAL PROGRAMS WHICH WERE
5 REDUCED OR ELIMINATED FOR THE 2003-2004 SCHOOL YEAR.

6 (3) UNDER NO CIRCUMSTANCES SHALL ANY INCREASED STATE
7 ALLOCATIONS BE USED TO INCREASE A SCHOOL DISTRICT'S RESERVED OR
8 UNRESERVED FUND BALANCES.

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

10 SECTION 688. LIMITATIONS ON CERTAIN UNRESERVED FUND
11 BALANCES.--(A) FOR THE 2003-2004 SCHOOL YEAR AND EACH SCHOOL
12 YEAR THEREAFTER, NO SCHOOL DISTRICT SHALL APPROVE AN INCREASE IN
13 REAL PROPERTY TAXES UNLESS IT HAS ADOPTED A BUDGET OR A REOPENED
14 BUDGET PURSUANT TO SECTION 687 THAT INCLUDES AN ESTIMATED,
15 ENDING UNRESERVED UNDESIGNATED FUND BALANCE IN ACCORDANCE WITH
16 THE LIMITATIONS SET FORTH AS FOLLOWS:

<u>SCHOOL DISTRICT</u>	<u>ESTIMATED, ENDING UNRESERVED UNDESIGNATED</u>
<u>TOTAL BUDGETED</u>	<u>FUND BALANCE AS PERCENTAGE OF</u>
<u>EXPENDITURES</u>	<u>TOTAL BUDGETED EXPENDITURES</u>
<u>LESS THAN OR EQUAL TO \$11,999,999</u>	<u>12%</u>
<u>BETWEEN \$12,000,000 AND \$12,999,999</u>	<u>11.5%</u>
<u>BETWEEN \$13,000,000 AND \$13,999,999</u>	<u>11%</u>
<u>BETWEEN \$14,000,000 AND \$14,999,999</u>	<u>10.5%</u>
<u>BETWEEN \$15,000,000 AND \$15,999,999</u>	<u>10%</u>
<u>BETWEEN \$16,000,000 AND \$16,999,999</u>	<u>9.5%</u>
<u>BETWEEN \$17,000,000 AND \$17,999,999</u>	<u>9%</u>
<u>BETWEEN \$18,000,000 AND \$18,999,999</u>	<u>8.5%</u>
<u>GREATER THAN OR EQUAL TO \$19,000,000</u>	<u>8%</u>

29 (B) BY AUGUST 15, 2003, AND EACH YEAR THEREAFTER, EACH
30 SCHOOL DISTRICT THAT APPROVES AN INCREASE IN REAL PROPERTY TAXES

1 SHALL PROVIDE THE DEPARTMENT OF EDUCATION WITH INFORMATION
2 CERTIFYING COMPLIANCE WITH THIS SECTION. SUCH INFORMATION SHALL
3 BE PROVIDED IN A FORM AND MANNER PRESCRIBED BY THE DEPARTMENT OF
4 EDUCATION AND SHALL INCLUDE INFORMATION ON THE SCHOOL DISTRICT'S
5 ESTIMATED, ENDING UNRESERVED UNDESIGNATED FUND BALANCE EXPRESSED
6 AS A DOLLAR AMOUNT AND AS A PERCENTAGE OF THE SCHOOL DISTRICT'S
7 TOTAL BUDGETED EXPENDITURES FOR THAT SCHOOL YEAR.

8 (C) AS USED IN THIS SECTION, "ESTIMATED, ENDING UNRESERVED
9 UNDESIGNATED FUND BALANCE" SHALL MEAN THAT PORTION OF THE FUND
10 BALANCE, WHICH IS APPROPRIABLE FOR EXPENDITURE OR NOT LEGALLY OR
11 OTHERWISE SEGREGATED FOR A SPECIFIC OR TENTATIVE FUTURE USE,
12 PROJECTED FOR THE CLOSE OF THE SCHOOL YEAR FOR WHICH A SCHOOL
13 DISTRICT'S BUDGET WAS ADOPTED AND HELD IN THE GENERAL FUND
14 ACCOUNTS OF THE SCHOOL DISTRICT.

15 SECTION 3. SECTION 922.1-A OF THE ACT, AMENDED OR ADDED
16 AUGUST 1, 1975 (P.L.180, NO.89), APRIL 24, 1977 (P.L.199,
17 NO.59), OCTOBER 10, 1980 (P.L.924, NO.159) AND MAY 10, 2000
18 (P.L.44, NO.16), IS REENACTED TO READ:

19 SECTION 922.1-A. AUXILIARY SERVICES.--(A) LEGISLATIVE
20 FINDING; DECLARATION OF POLICY. THE WELFARE OF THE COMMONWEALTH
21 REQUIRES THAT THE PRESENT AND FUTURE GENERATION OF SCHOOL AGE
22 CHILDREN BE ASSURED AMPLE OPPORTUNITY TO DEVELOP TO THE FULLEST,
23 THEIR INTELLECTUAL CAPACITIES. IT IS THE INTENT OF THE GENERAL
24 ASSEMBLY BY THIS ENACTMENT TO ENSURE THAT THE INTERMEDIATE UNITS
25 IN THE COMMONWEALTH SHALL FURNISH ON AN EQUAL BASIS AUXILIARY
26 SERVICES TO ALL PUPILS IN THE COMMONWEALTH IN BOTH PUBLIC AND
27 NONPROFIT NONPUBLIC SCHOOLS.

28 (B) DEFINITIONS. THE FOLLOWING TERMS, WHENEVER USED OR
29 REFERRED TO IN THIS SECTION, SHALL HAVE THE FOLLOWING MEANINGS,
30 EXCEPT IN THOSE CIRCUMSTANCES WHERE THE CONTEXT CLEARLY

1 INDICATES OTHERWISE:

2 "AUXILIARY SERVICES" MEANS GUIDANCE, COUNSELING AND TESTING
3 SERVICES; PSYCHOLOGICAL SERVICES; VISUAL SERVICES AS DEFINED IN
4 SECTION 923.2-A; SERVICES FOR EXCEPTIONAL CHILDREN; REMEDIAL
5 SERVICES; SPEECH AND HEARING SERVICES; SERVICES FOR THE
6 IMPROVEMENT OF THE EDUCATIONALLY DISADVANTAGED (SUCH AS, BUT NOT
7 LIMITED TO, THE TEACHING OF ENGLISH AS A SECOND LANGUAGE), AND
8 SUCH OTHER SECULAR, NEUTRAL, NONIDEOLOGICAL SERVICES AS ARE OF
9 BENEFIT TO ALL SCHOOL CHILDREN AND ARE PRESENTLY OR HEREAFTER
10 PROVIDED FOR PUBLIC SCHOOL CHILDREN OF THE COMMONWEALTH.

11 "NONPUBLIC SCHOOL" MEANS NONPROFIT SCHOOL, OTHER THAN A
12 PUBLIC SCHOOL WITHIN THE COMMONWEALTH OF PENNSYLVANIA, WHEREIN A
13 RESIDENT OF THE COMMONWEALTH MAY LEGALLY FULFILL THE COMPULSORY
14 SCHOOL ATTENDANCE REQUIREMENTS OF THIS ACT AND WHICH MEET THE
15 REQUIREMENTS OF TITLE VI OF THE CIVIL RIGHTS ACT OF 1964
16 (PUB.L.88-352; 42 U.S.C. SECTION 2000 ET SEQ).

17 (C) PROGRAM OF AUXILIARY SERVICES. STUDENTS ATTENDING
18 NONPUBLIC SCHOOLS SHALL BE FURNISHED A PROGRAM OF AUXILIARY
19 SERVICES WHICH ARE PROVIDED TO PUBLIC SCHOOL STUDENTS IN THE
20 SCHOOL DISTRICT IN WHICH THEIR NONPUBLIC SCHOOL IS LOCATED. THE
21 PROGRAM OF AUXILIARY SERVICES SHALL BE PROVIDED BY THE
22 INTERMEDIATE UNIT IN WHICH THE NONPUBLIC SCHOOL IS LOCATED, IN
23 ACCORDANCE WITH STANDARDS OF THE SECRETARY OF EDUCATION. BEFORE
24 AN INTERMEDIATE UNIT MAKES ANY DECISION THAT AFFECTS THE
25 OPPORTUNITIES FOR CHILDREN ATTENDING NONPUBLIC SCHOOLS TO
26 PARTICIPATE IN THE AUXILIARY SERVICES PROVIDED UNDER THIS
27 SECTION, THE INTERMEDIATE UNIT SHALL CONSULT WITH SUCH NONPUBLIC
28 SCHOOLS TO DETERMINE AT A MINIMUM: WHICH GENERAL CATEGORIES OF
29 CHILDREN SHALL RECEIVE SERVICES; WHAT SERVICES SHALL BE
30 PROVIDED; HOW AND WHERE THE SERVICES SHALL BE PROVIDED; AND HOW

1 THE SERVICES SHALL BE EVALUATED. SUCH SERVICES SHALL BE PROVIDED
2 DIRECTLY TO THE NONPUBLIC SCHOOL STUDENTS BY THE INTERMEDIATE
3 UNIT IN THE SCHOOLS WHICH THE STUDENTS ATTEND, IN MOBILE
4 INSTRUCTIONAL UNITS LOCATED ON THE GROUNDS OF SUCH SCHOOLS OR IN
5 ANY ALTERNATIVE SETTING MUTUALLY AGREED UPON BY THE SCHOOL AND
6 THE INTERMEDIATE UNIT, TO THE EXTENT PERMITTED BY THE
7 CONSTITUTION OF THE UNITED STATES AND THE CONSTITUTION OF THE
8 COMMONWEALTH OF PENNSYLVANIA.

9 SUCH AUXILIARY SERVICES SHALL BE PROVIDED DIRECTLY BY THE
10 INTERMEDIATE UNITS AND NO AUXILIARY SERVICES PRESENTLY PROVIDED
11 TO PUBLIC SCHOOL STUDENTS BY THE INTERMEDIATE UNITS AND/OR
12 SCHOOL DISTRICTS BY MEANS OF STATE OR LOCAL REVENUES, DURING THE
13 SCHOOL YEAR 1974-1975, SHALL BE ELIMINATED. NO SCHOOL DISTRICTS
14 SHALL BE REQUIRED, PURSUANT TO ANY SECTION OF THIS ACT, TO OFFER
15 AUXILIARY SERVICES PROVIDED BY ANY OTHER SCHOOL DISTRICTS WITHIN
16 SUCH INTERMEDIATE UNITS.

17 (D) ALLOCATIONS. IN JULY OF 1977 AND ANNUALLY THEREAFTER IN
18 JULY, THE SECRETARY OF EDUCATION SHALL ALLOCATE TO EACH
19 INTERMEDIATE UNIT AN AMOUNT EQUAL TO THE NUMBER OF NONPUBLIC
20 SCHOOL STUDENTS AS OF OCTOBER 1 OF THE PRECEDING SCHOOL YEAR WHO
21 ARE ENROLLED IN NONPUBLIC SCHOOLS WITHIN THE INTERMEDIATE UNIT
22 TIMES SEVENTY-TWO DOLLARS (\$72). THE SECRETARY OF EDUCATION
23 SHALL INCREASE THIS FIGURE ON A PROPORTIONATE BASIS WHENEVER
24 THERE IS AN INCREASE IN THE MEDIAN ACTUAL INSTRUCTION EXPENSE
25 PER WADM AS DEFINED IN CLAUSE (12.1) OF SECTION 2501 OF THIS
26 ACT. THE COMMONWEALTH SHALL PAY TO EACH INTERMEDIATE UNIT
27 FIFTEEN PER CENTUM (15%) OF ITS ALLOCATION ON AUGUST 1, SEVENTY-
28 FIVE PER CENTUM (75%) ON OCTOBER 1, AND THE REMAINING TEN PER
29 CENTUM (10%) ON THE FIRST DAY OF FEBRUARY.

30 (E) LIMITATIONS. THE INTERMEDIATE UNIT SHALL NOT USE MORE

1 THAN SIX PER CENTUM (6%) OF THE FUNDS IT RECEIVES FOR
2 ADMINISTRATION OR EIGHTEEN PER CENTUM (18%) FOR RENTAL OF
3 FACILITIES. THE DEPARTMENT OF EDUCATION SHALL NOT USE MORE THAN
4 ONE PER CENTUM (1%) OF THE FUNDS IT ALLOCATES UNDER THIS SECTION
5 FOR ADMINISTRATIVE EXPENSES. IF ALL FUNDS ALLOCATED BY THE
6 INTERMEDIATE UNITS TO ADMINISTRATION, OR RENTAL FACILITIES ARE
7 NOT EXPENDED FOR THOSE PURPOSES, SUCH FUNDS MAY BE USED FOR THE
8 PROGRAM COSTS.

9 (F) INTEREST. THERE SHALL BE NO ADJUSTMENT IN THE ALLOCATION
10 AS PROVIDED IN SUBSECTION (D) BECAUSE OF INTEREST EARNED ON THE
11 ALLOCATIONS BY THE INTERMEDIATE UNITS. INTEREST SO EARNED SHALL
12 BE USED FOR THE PURPOSE OF THIS SECTION BUT SHALL NOT BE SUBJECT
13 TO THE LIMITATIONS OF SUBSECTION (E).

14 (G) PRELIMINARY BUDGET. ANNUALLY, EACH INTERMEDIATE UNIT
15 SHALL SUBMIT TO THE SECRETARY A PRELIMINARY BUDGET ON OR BEFORE
16 JANUARY 31 AND A FINAL BUDGET ON OR BEFORE JUNE 15, FOR THE
17 SUCCEEDING YEAR; AND SHALL FILE A FINAL FINANCIAL REPORT ON OR
18 BEFORE OCTOBER 31 FOR THE PRECEDING YEAR.

19 SECTION 4. SECTION 1376 OF THE ACT, AMENDED JUNE 7, 1993
20 (P.L.49, NO.16), JUNE 30, 1995 (P.L.220, NO.26) AND JUNE 22,
21 2001 (P.L.530, NO.35), IS AMENDED TO READ:

22 SECTION 1376. COST OF TUITION AND MAINTENANCE OF CERTAIN
23 EXCEPTIONAL CHILDREN IN APPROVED INSTITUTIONS.--(A) WHEN ANY
24 CHILD BETWEEN SCHOOL ENTRY AGE AND TWENTY-ONE (21) YEARS OF AGE
25 AND RESIDENT IN THIS COMMONWEALTH, WHO IS BLIND OR DEAF, OR HAS
26 CEREBRAL PALSY AND/OR NEUROLOGICAL IMPAIRMENT AND/OR MUSCULAR
27 DYSTROPHY AND/OR IS MENTALLY RETARDED AND/OR HAS A SERIOUS
28 EMOTIONAL DISTURBANCE AND/OR HAS AUTISM/PERVASIVE DEVELOPMENTAL
29 DISORDER AND IS ENROLLED, WITH THE APPROVAL OF THE DEPARTMENT OF
30 EDUCATION, AS A PUPIL IN AN APPROVED PRIVATE SCHOOL APPROVED BY

1 THE DEPARTMENT OF EDUCATION, IN ACCORDANCE WITH STANDARDS AND
2 REGULATIONS PROMULGATED BY THE STATE BOARD OF EDUCATION, THE
3 SCHOOL DISTRICT IN WHICH SUCH CHILD IS RESIDENT OR, FOR STUDENTS
4 PLACED BY A CHARTER SCHOOL, THE CHARTER SCHOOL IN WHICH THE
5 STUDENT WAS ENROLLED SHALL PAY THE GREATER OF EITHER TWENTY PER
6 CENTUM (20%) OF THE ACTUAL AUDITED COST OF TUITION AND
7 MAINTENANCE OF SUCH CHILD IN SUCH SCHOOL, AS DETERMINED BY THE
8 DEPARTMENT OF EDUCATION, OR ITS "TUITION CHARGE PER ELEMENTARY
9 PUPIL" OR ITS "TUITION CHARGE PER HIGH SCHOOL PUPIL," AS
10 CALCULATED PURSUANT TO SECTION 2561, AND THE COMMONWEALTH SHALL
11 PAY, OUT OF FUNDS APPROPRIATED TO THE DEPARTMENT FOR SPECIAL
12 EDUCATION, THE BALANCE DUE FOR THE COSTS OF SUCH CHILD'S TUITION
13 AND MAINTENANCE, AS DETERMINED BY THE DEPARTMENT. FOR THE SCHOOL
14 YEARS 1989-1990, 1990-1991 AND 1991-1992, THE SCHOOL DISTRICT
15 PAYMENT SHALL BE NO GREATER THAN FORTY PERCENT (40%) OF THE
16 ACTUAL AUDITED COSTS OF TUITION AND MAINTENANCE OF SUCH CHILD IN
17 SUCH SCHOOL. FOR THE 1992-1993 SCHOOL YEAR AND EACH SCHOOL YEAR
18 THEREAFTER, THE SCHOOL DISTRICT OR CHARTER SCHOOL PAYMENT SHALL
19 BE THE GREATER OF FORTY PERCENT (40%) OF THE ACTUAL AUDITED
20 COSTS OF TUITION AND MAINTENANCE OF SUCH CHILD IN SUCH SCHOOL,
21 AS DETERMINED BY THE DEPARTMENT OF EDUCATION, OR ITS "TUITION
22 CHARGE PER ELEMENTARY PUPIL" OR ITS "TUITION CHARGE PER HIGH
23 SCHOOL PUPIL," AS CALCULATED PURSUANT TO SECTION 2561, AND THE
24 COMMONWEALTH SHALL PAY, OUT OF FUNDS APPROPRIATED TO THE
25 DEPARTMENT FOR APPROVED PRIVATE SCHOOLS, THE BALANCE DUE FOR THE
26 COSTS OF SUCH CHILD'S TUITION AND MAINTENANCE, AS DETERMINED BY
27 THE DEPARTMENT. THE DEPARTMENT WILL CREDIT THE DISTRICT OF
28 RESIDENCE WITH AVERAGE DAILY MEMBERSHIP FOR SUCH CHILD
29 CONSISTENT WITH THE RULES OF PROCEDURE DEVELOPED IN ACCORDANCE
30 WITH SECTION 2501. IF THE RESIDENCE OF SUCH CHILD IN A

1 PARTICULAR SCHOOL DISTRICT CANNOT BE DETERMINED, THE
2 COMMONWEALTH SHALL PAY, OUT OF MONEYS APPROPRIATED TO THE
3 DEPARTMENT FOR SPECIAL EDUCATION, THE WHOLE COST OF TUITION AND
4 MAINTENANCE OF SUCH CHILD. [THE DEPARTMENT OF EDUCATION SHALL BE
5 PROVIDED WITH SUCH FINANCIAL DATA FROM APPROVED PRIVATE SCHOOLS
6 AS MAY BE NECESSARY TO DETERMINE THE REASONABLENESS OF COSTS FOR
7 TUITION AND ROOM AND BOARD CONCERNING PENNSYLVANIA RESIDENT
8 APPROVED REIMBURSED STUDENTS. THE DEPARTMENT OF EDUCATION SHALL
9 EVALUATE SUCH DATA AND SHALL DISALLOW ANY COST DEEMED
10 UNREASONABLE. ANY COSTS DEEMED UNREASONABLE BY THE DEPARTMENT OF
11 EDUCATION FOR DISALLOWANCE SHALL BE CONSIDERED AN ADJUDICATION
12 WITHIN THE MEANING OF TITLE 2 OF THE PA.C.S. (RELATING TO
13 ADMINISTRATIVE LAW AND PROCEDURE) AND REGULATIONS PROMULGATED
14 THEREUNDER.]

15 (B) WHEN ANY PERSON LESS THAN SCHOOL ENTRY AGE OR MORE THAN
16 TWENTY-ONE (21) YEARS OF AGE AND RESIDENT IN THIS COMMONWEALTH,
17 WHO IS BLIND OR DEAF, OR HAS CEREBRAL PALSY AND/OR HAS
18 NEUROLOGICAL IMPAIRMENT AND/OR HAS MUSCULAR DYSTROPHY, OR HAS
19 AUTISM/PERVASIVE DEVELOPMENTAL DELAY, AND IS ENROLLED, WITH THE
20 APPROVAL OF THE DEPARTMENT OF EDUCATION, AS A PUPIL IN AN
21 APPROVED PRIVATE SCHOOL APPROVED BY THE DEPARTMENT OF EDUCATION,
22 THE COMMONWEALTH SHALL PAY TO SUCH SCHOOL, OUT OF MONEYS
23 APPROPRIATED TO THE DEPARTMENT FOR SPECIAL EDUCATION, THE ACTUAL
24 AUDITED COST OF TUITION AND MAINTENANCE OF SUCH PERSON, AS
25 DETERMINED BY THE DEPARTMENT OF EDUCATION, SUBJECT TO REVIEW AND
26 APPROVAL IN ACCORDANCE WITH STANDARDS AND REGULATIONS
27 PROMULGATED BY THE STATE BOARD OF EDUCATION IN ACCORDANCE WITH
28 SUBSECTION (B.1), AND IN ADDITION, IN THE CASE OF ANY CHILD LESS
29 THAN SCHOOL ENTRY AGE, WHO IS BLIND, THE COST, AS DETERMINED BY
30 THE DEPARTMENT OF EDUCATION OF INSTRUCTING THE PARENT OF SUCH

1 BLIND CHILD IN CARING FOR SUCH CHILD.

2 (B.1) FOR THE 2004-2005 SCHOOL YEAR AND EACH SCHOOL YEAR
3 THEREAFTER, AN APPROVED PRIVATE SCHOOL SHALL SUBMIT TO THE
4 DEPARTMENT OF EDUCATION ITS BUDGETED COSTS FOR THE UPCOMING
5 SCHOOL YEAR. BASED UPON THIS INFORMATION AND THE PRIOR YEAR'S
6 SETTLED AUDIT, THE DEPARTMENT OF EDUCATION SHALL DEVELOP AN
7 INTERIM REIMBURSEMENT RATE FOR THE APPROVED PRIVATE SCHOOL. THE
8 DEPARTMENT OF EDUCATION SHALL PROVIDE THE APPROVED PRIVATE
9 SCHOOL WITH MONTHLY PAYMENTS IN ADVANCE OF THE FINAL COST
10 SETTLEMENT AS PROVIDED FOR IN SUBSECTION (C.2). THE DEPARTMENT
11 OF EDUCATION SHALL ADOPT FINAL REIMBURSEMENT RATES BASED ON THE
12 FINAL COST SETTLEMENT. THE DEPARTMENT OF EDUCATION MAY WITHHOLD
13 A PORTION OF SUCH PAYMENTS NOT EXCEEDING FIVE PERCENT (5%) OF
14 SUCH PAYMENT, PENDING FINAL COST SETTLEMENT. IN NO EVENT SHALL
15 EITHER THE PAYMENTS MADE IN ADVANCE OF THE FINAL COST SETTLEMENT
16 OR FINAL REIMBURSEMENTS BASED ON THE FINAL COST SETTLEMENT MADE
17 BY THE DEPARTMENT OF EDUCATION EXCEED THE APPROPRIATION
18 AVAILABLE FOR APPROVED PRIVATE SCHOOLS.

19 [(C) EACH APPROVED PRIVATE SCHOOL, PRIOR TO THE START OF THE
20 SCHOOL YEAR, SHALL SUBMIT TO THE DEPARTMENT SUCH INFORMATION AS
21 THE DEPARTMENT MAY REQUIRE IN ORDER TO ESTABLISH AN ESTIMATE OF
22 REIMBURSABLE COSTS. BASED UPON THIS INFORMATION, ANY OTHER DATA
23 DEEMED NECESSARY BY THE DEPARTMENT AND IN ACCORDANCE WITH
24 DEPARTMENT STANDARDS, THE DEPARTMENT SHALL DEVELOP FOR EACH
25 APPROVED PRIVATE SCHOOL AN ESTIMATE OF REIMBURSABLE COSTS. BASED
26 UPON SUCH ESTIMATE, THE DEPARTMENT SHALL PROVIDE EACH APPROVED
27 PRIVATE SCHOOL WITH MONTHLY PAYMENTS IN ADVANCE OF DEPARTMENT
28 AUDIT. THE DEPARTMENT MAY WITHHOLD A PORTION OF SUCH PAYMENTS
29 NOT EXCEEDING FIVE PERCENT (5%) OF SUCH PAYMENT, PENDING FINAL
30 AUDIT. IN NO EVENT SHALL EITHER THE ADVANCE PAYMENTS OR FINAL

1 REIMBURSEMENT MADE BY THE DEPARTMENT FOLLOWING AUDIT EXCEED THE
2 APPROPRIATION AVAILABLE FOR APPROVED PRIVATE SCHOOLS.]

3 (C.1) ANY FUNDS REMAINING FROM THE APPROPRIATION LINE ITEMS
4 "FOR SPECIAL EDUCATION - APPROVED PRIVATE SCHOOLS" OR FOR
5 PENNSYLVANIA CHARTER SCHOOLS FOR THE DEAF AND BLIND FROM THE
6 GENERAL APPROPRIATIONS ACTS FOR FISCAL YEARS 1978-1979 AND EACH
7 FISCAL YEAR THEREAFTER SHALL BE TRANSFERRED BY THE STATE
8 TREASURER INTO A RESTRICTED ACCOUNT (CONTINUING APPROPRIATION)
9 FOR AUDIT RESOLUTION WHICH IS HEREBY ESTABLISHED. THE DEPARTMENT
10 OF EDUCATION SHALL ALSO DEPOSIT INTO THIS RESTRICTED ACCOUNT ANY
11 FUNDS RETURNED TO OR RECOVERED BY THE DEPARTMENT FROM APPROVED
12 PRIVATE SCHOOLS OR CHARTERED SCHOOLS FOR OVERPAYMENTS DURING
13 FISCAL YEARS 1978-1979 AND EACH FISCAL YEAR THEREAFTER. THE
14 FUNDS IN THE RESTRICTED ACCOUNT ARE HEREBY APPROPRIATED UPON
15 APPROVAL OF THE GOVERNOR TO THE DEPARTMENT OF EDUCATION FOR
16 PAYMENTS TO APPROVED PRIVATE SCHOOLS FOR AUDIT RESOLUTIONS FOR
17 FISCAL YEARS 1978-1979 AND EACH FISCAL YEAR THEREAFTER. FUNDS IN
18 THIS RESTRICTED ACCOUNT SHALL NOT BE SUBJECT TO THE LIMITATIONS
19 IN SUBSECTION [(C)] (B.1) WHICH PROHIBIT ADVANCE PAYMENTS AND
20 FINAL REIMBURSEMENT FROM EXCEEDING THE APPROPRIATION AVAILABLE
21 FOR APPROVED PRIVATE SCHOOLS. DURING THE 1995-1996 FISCAL YEAR
22 AND DURING EACH FISCAL YEAR THEREAFTER, THE DEPARTMENT OF
23 EDUCATION SHALL REVIEW THE ACTIVITY IN THE RESTRICTED ACCOUNT
24 AND MAY RECOMMEND THAT THE GOVERNOR AUTHORIZE THE LAPSING INTO
25 THE GENERAL FUND OF ANY FUNDS THAT ARE ESTIMATED NOT TO BE
26 NEEDED FOR AUDIT RESOLUTION.

27 (C.2) THE DEPARTMENT OF EDUCATION SHALL ESTABLISH PROCEDURES
28 AND AUDIT STANDARDS TO GOVERN THE SCOPE OF REPORTABLE COSTS, THE
29 METHODS USED TO EXAMINE COSTS AND DETERMINE ALLOWABILITY AND
30 TIMELINESS OF COST REPORTING. FOR THE 2004-2005 SCHOOL YEAR AND

1 EACH SCHOOL YEAR THEREAFTER, COST REPORTS SHALL BE PREPARED BY
2 AN APPROVED PRIVATE SCHOOL AND AUDITED BY THE APPROVED PRIVATE
3 SCHOOL'S INDEPENDENT PUBLIC ACCOUNTANT. SUCH COST REPORTS SHALL
4 BE PREPARED IN ACCORDANCE WITH ESTABLISHED PROCEDURES AND AUDIT
5 STANDARDS AND DELIVERED TO THE DEPARTMENT OF EDUCATION WITHIN
6 SIX (6) MONTHS AFTER THE CONCLUSION OF THE SCHOOL YEAR. THE
7 DEPARTMENT OF EDUCATION SHALL HAVE SIX (6) MONTHS TO PROCESS
8 THESE COST REPORTS AND SETTLE ANY OUTSTANDING PAYMENTS DUE TO OR
9 FROM THE APPROVED PRIVATE SCHOOL. NOTHING IN THIS SUBSECTION
10 SHALL BE CONSTRUED TO PRECLUDE THE DEPARTMENT OF EDUCATION FROM
11 CONDUCTING ITS OWN AUDITS ON A PERIODIC BASIS. WHERE THE
12 DEPARTMENT OF EDUCATION CONDUCTS SUCH AUDITS, THE AUDITS MUST BE
13 COMPLETED WITHIN ONE (1) YEAR OF THE COST REPORT DEADLINE AND
14 MAY NOT DELAY THE ALLOWABLE PERIOD FOR SETTLEMENT OF ANY
15 PAYMENTS DUE TO OR FROM THE APPROVED PRIVATE SCHOOL. AUDITS OF
16 COST REPORTS SUBMITTED FOR SCHOOL YEARS PRIOR TO THE 2004-2005
17 SCHOOL YEAR SHALL BE COMPLETED IN A MANNER CONSISTENT WITH PRIOR
18 AUDIT PRACTICES.

19 (D) NO PRIVATE INSTITUTION RECEIVING PAYMENT IN ACCORDANCE
20 WITH THIS SECTION SHALL IMPOSE ANY CHARGE ON THE STUDENT AND/OR
21 PARENTS WHO ARE PENNSYLVANIA APPROVED REIMBURSABLE RESIDENTS FOR
22 A PROGRAM OF INDIVIDUALIZED INSTRUCTION AND MAINTENANCE
23 APPROPRIATE TO THE CHILD'S NEEDS; EXCEPT THAT CHARGES FOR
24 SERVICES NOT PART OF SUCH PROGRAM MAY BE MADE IF AGREED TO BY
25 THE PARENTS.

26 [(E) (1) THE EDUCATION COMMITTEES OF THE SENATE AND HOUSE
27 OF REPRESENTATIVES ARE DIRECTED TO JOINTLY EXAMINE THE ISSUES OF
28 THE FUNDING OF APPROVED PRIVATE SCHOOLS AND SPECIAL EDUCATION
29 STUDENTS' ACCESS TO APPROVED PRIVATE SCHOOLS AS PART OF THE FULL
30 CONTINUUM OF SPECIAL EDUCATION PLACEMENTS. THE COMMITTEES'

1 EXAMINATION SHOULD ADDRESS, AT A MINIMUM, THE FOLLOWING ISSUES:

2 (I) THE FUNDING METHODOLOGY WHICH SUPPORTS THE SCHOOL
3 DISTRICT'S RESPONSIBILITY FOR INDIVIDUALIZED, APPROPRIATE
4 EDUCATIONAL SERVICES TO SPECIAL EDUCATION STUDENTS THROUGH
5 ACCESS TO THE MOST COMPREHENSIVE CONTINUUM OF EDUCATIONAL
6 OPTIONS AND SETTINGS.

7 (II) THE ROLE OF THE APPROVED PRIVATE SCHOOL IN THE MANDATED
8 CONTINUUM OF SPECIAL EDUCATION SERVICES AVAILABLE TO STUDENTS IN
9 PENNSYLVANIA.

10 (III) THE RELATIVE ROLES OF THE DEPARTMENT OF EDUCATION AND
11 SCHOOL DISTRICTS TO ENSURE FREE APPROPRIATE PUBLIC EDUCATION
12 (FAPE) THROUGH ADEQUATE FUNDING AND APPROPRIATE DISTRIBUTION OF
13 COMPREHENSIVE SERVICES.

14 (IV) THE PROVISIONS OF THE INDIVIDUALS WITH DISABILITIES
15 EDUCATION ACT (IDEA) (P.L.101-476), THE CORDERO COURT ORDERS,
16 THIS ACT AND 22 PA. CODE CHS. 14 AND 342 AS THEY RELATE TO THE
17 PROVISION OF PROGRAMS AND SERVICES TO SPECIAL EDUCATION STUDENTS
18 SHOULD BE CAREFULLY REVIEWED AS THEY PERTAIN TO APPROVED PRIVATE
19 SCHOOLS, CONTINUUM OF PLACEMENT OPTIONS, FUNDING, FAPE AND OTHER
20 PERTINENT ISSUES.

21 (2) THE COMMITTEES SHALL REPORT BACK TO THE GENERAL ASSEMBLY
22 BY NOVEMBER 15, 1993, WITH LEGISLATIVE AND/OR ADMINISTRATIVE
23 RECOMMENDATIONS. THE COMMITTEES MAY HOLD SUCH MEETINGS AND
24 HEARINGS AS THEY DEEM APPROPRIATE TO ACCOMPLISH THE PROVISIONS
25 OF THIS SUBSECTION.]

26 SECTION 5. THE ACT IS AMENDED BY ADDING A SECTION TO READ:

27 SECTION 1550. FIREFIGHTER AND EMERGENCY SERVICE TRAINING.--

28 (A) BEGINNING WITH THE 2003-2004 SCHOOL YEAR AND EACH SCHOOL

29 YEAR THEREAFTER, A SCHOOL DISTRICT MAY OFFER FIREFIGHTER AND

30 EMERGENCY SERVICE TRAINING AS CREDIT-EARNING COURSES TO STUDENTS

OF THE AGE OF SIXTEEN (16) YEARS OR OLDER. SUCH COURSES MAY
INCLUDE:

(1) TRAINING AS A FIREFIGHTER I FROM THE NATIONAL BOARD ON
FIRE SERVICE PROFESSIONAL QUALIFICATIONS.

(2) TRAINING AS AN EMERGENCY MEDICAL TECHNICIAN BY THE
DEPARTMENT OF HEALTH UNDER THE ACT OF JULY 3, 1985 (P.L.164,
NO.45), KNOWN AS THE "EMERGENCY MEDICAL SERVICES ACT."

(B) A SCHOOL DISTRICT THAT OFFERS FIREFIGHTER AND EMERGENCY
SERVICE TRAINING AS CREDIT-EARNING COURSES SHALL PROVIDE
TRANSPORTATION TO AND SUPERVISION DURING ANY FIREFIGHTER AND
EMERGENCY SERVICE TRAINING PROGRAM THAT TAKES PLACE OFF SCHOOL
GROUNDS. SUPERVISION OF TRAINING SHALL BE CONDUCTED AS A
COOPERATIVE EDUCATION PROGRAM IN ACCORDANCE WITH THE PROVISIONS
OF 22 PA. CODE § 11.28 (RELATING TO OUT-OF-SCHOOL PROGRAMS).

SECTION 6. SECTION 1501-C OF THE ACT, AMENDED JUNE 29, 2002
(P.L.524, NO.88), IS REENACTED TO READ:

SECTION 1501-C. DEFINITIONS.

THE FOLLOWING WORDS AND PHRASES WHEN USED IN THIS ARTICLE
SHALL HAVE THE MEANINGS GIVEN TO THEM IN THIS SECTION UNLESS THE
CONTEXT CLEARLY INDICATES OTHERWISE:

"DEPARTMENT." THE DEPARTMENT OF EDUCATION OF THE
COMMONWEALTH.

"ELIGIBLE STUDENT." A RESIDENT OF THIS COMMONWEALTH WHO IS
ENROLLED IN THIRD, FOURTH, FIFTH OR SIXTH GRADE IN A SCHOOL
ENTITY AND IS DEEMED ELIGIBLE PURSUANT TO SECTION 1502-C(B).

"ELIGIBILITY TEST." THE PENNSYLVANIA SYSTEM OF SCHOOL
ASSESSMENT OR A COMMERCIALLY PREPARED, STANDARDIZED ACHIEVEMENT
TEST APPROVED BY THE DEPARTMENT OF EDUCATION. A LIST OF APPROVED
TESTS UNDER THIS ARTICLE SHALL BE PUBLISHED ANNUALLY IN THE
PENNSYLVANIA BULLETIN.

1 "GRANT." A GRANT AWARDED TO A GRANT RECIPIENT UNDER THIS
2 ARTICLE.

3 "GRANT RECIPIENT." A RESIDENT OF THIS COMMONWEALTH WHO IS A
4 PARENT, GUARDIAN OR PERSON IN PARENTAL RELATION TO AN ELIGIBLE
5 STUDENT.

6 "PROGRAM." THE EDUCATION SUPPORT SERVICES PROGRAM
7 ESTABLISHED IN SECTION 1502-C.

8 "PROVIDER." A SCHOOL ENTITY, AN INSTITUTION OF HIGHER
9 EDUCATION, A NONPROFIT OR FOR-PROFIT ORGANIZATION OR A CERTIFIED
10 TEACHER EMPLOYED BY A SCHOOL ENTITY, THAT IS APPROVED BY THE
11 DEPARTMENT OF EDUCATION TO PROVIDE EDUCATION SUPPORT SERVICES.

12 "SCHOOL ENTITY." ANY OF THE FOLLOWING LOCATED IN THIS
13 COMMONWEALTH: A SCHOOL DISTRICT, INTERMEDIATE UNIT, JOINT SCHOOL
14 DISTRICT, AREA VOCATIONAL-TECHNICAL SCHOOL, CHARTER SCHOOL,
15 INDEPENDENT SCHOOL, LICENSED PRIVATE ACADEMIC SCHOOL, ACCREDITED
16 SCHOOL, A SCHOOL REGISTERED UNDER SECTION 1327(B), THE SCOTLAND
17 SCHOOL FOR VETERANS' CHILDREN OR THE SCRANTON SCHOOL FOR THE
18 DEAF.

19 SECTION 7. SECTIONS 1502-C, 1503-C AND 1504-C, OF THE ACT,
20 ADDED MAY 17, 2001 (P.L.4, NO.4), ARE REENACTED TO READ:
21 SECTION 1502-C. ESTABLISHMENT OF PROGRAM.

22 (A) ESTABLISHMENT.--THE EDUCATION SUPPORT SERVICES PROGRAM
23 IS ESTABLISHED WITHIN THE DEPARTMENT TO PROVIDE INDIVIDUAL OR
24 SMALL GROUP INSTRUCTION IN READING AND MATHEMATICS TO STRENGTHEN
25 THE SKILLS THAT AN ELIGIBLE STUDENT NEEDS TO ACHIEVE THE
26 STANDARDS IN 22 PA. CODE CH. 4 (RELATING TO ACADEMIC STANDARDS
27 AND ASSESSMENT), WHICH SHALL BE PROVIDED AT A TIME OTHER THAN
28 THE REGULARLY SCHEDULED SCHOOL HOURS.

29 (B) ELIGIBILITY.--THE DEPARTMENT SHALL UTILIZE THE
30 PENNSYLVANIA SYSTEM OF SCHOOL ASSESSMENT TEST OR OTHER TEST

1 RESULTS TO IDENTIFY ELIGIBLE STUDENTS UNDER THIS ARTICLE. SCORES
2 USED TO DETERMINE ELIGIBLE STUDENTS IN EACH GRADE SHALL BE
3 PUBLISHED ANNUALLY IN THE PENNSYLVANIA BULLETIN.

4 (C) APPROVAL.--A PROVIDER MUST BE APPROVED BY THE DEPARTMENT
5 IN ORDER TO PROVIDE EDUCATION SUPPORT SERVICES UNDER THIS
6 ARTICLE.

7 SECTION 1503-C. APPLICATION AND APPROVAL.

8 (A) APPLICATION.--A PROSPECTIVE GRANT RECIPIENT SHALL APPLY
9 ANNUALLY TO THE DEPARTMENT FOR A GRANT TO PURCHASE EDUCATION
10 SUPPORT SERVICES FOR AN ELIGIBLE STUDENT FROM AN APPROVED
11 PROVIDER IN A TIME AND MANNER PRESCRIBED BY THE DEPARTMENT.

12 (B) REQUIRED INFORMATION.--AN APPLICATION SUBMITTED UNDER
13 THIS SECTION SHALL INCLUDE VERIFICATION OF THE ELIGIBILITY TEST
14 RESULTS AND SUCH OTHER INFORMATION AS THE DEPARTMENT MAY
15 REQUIRE.

16 SECTION 1504-C. POWERS AND DUTIES OF THE DEPARTMENT.

17 THE DEPARTMENT SHALL:

18 (1) ESTABLISH CRITERIA TO ANNUALLY IDENTIFY ELIGIBLE
19 STUDENTS IN GRADES THREE, FOUR, FIVE AND SIX TO PARTICIPATE
20 IN THE PROGRAM UNDER SECTION 1502-C.

21 (2) APPROVE PROVIDERS OF EDUCATION SUPPORT SERVICES.

22 (3) ADOPT STANDARDS, PROCEDURES AND GUIDELINES TO BE
23 USED TO APPROVE PROVIDERS OF EDUCATION SUPPORT SERVICES UNDER
24 THIS ARTICLE.

25 (4) AWARD GRANTS TO A GRANT RECIPIENT IN AN AMOUNT NOT
26 TO EXCEED \$500 PER FISCAL YEAR FOR EACH ELIGIBLE STUDENT.

27 (5) ESTABLISH MINIMUM QUALIFICATIONS FOR INDIVIDUALS
28 UTILIZED BY PROVIDERS OF EDUCATION SUPPORT SERVICES.

29 (6) ESTABLISH PERIODS DURING WHICH APPLICATIONS WILL BE
30 REVIEWED TO ACCOMMODATE THE DATES WHEN RESULTS OF APPROVED

1 ELIGIBILITY TESTS BECOME AVAILABLE.

2 SECTION 8. SECTION 1505-C OF THE ACT, AMENDED JUNE 29, 2002
3 (P.L.524, NO.88), IS REENACTED TO READ:

4 SECTION 1505-C. PROVIDERS.

5 A PROSPECTIVE PROVIDER SHALL SUBMIT AN APPLICATION TO THE
6 DEPARTMENT FOR APPROVAL TO PROVIDE EDUCATION SUPPORT SERVICES
7 UNDER THIS ARTICLE. THE APPLICATION SHALL INCLUDE A DESCRIPTION
8 OF THE SERVICES TO BE PROVIDED, THE COST OF THE SERVICES, THE
9 QUALIFICATION OF ALL INDIVIDUALS PROVIDING THOSE SERVICES,
10 INCLUDING EVIDENCE OF COMPLIANCE WITH SECTION 111 AND WITH 23
11 PA.C.S. § 6355 (RELATING TO REQUIREMENT), AND SUCH OTHER
12 INFORMATION AS MAY BE REQUIRED BY THE DEPARTMENT.

13 SECTION 9. SECTIONS 1506-C, 1507-C, 1508-C, 1509-C, 1510-C
14 AND 1511-C OF THE ACT, ADDED MAY 17, 2001 (P.L.4, NO.4), ARE
15 REENACTED TO READ:

16 SECTION 1506-C. NOTIFICATION OF PROGRAM.

17 A SCHOOL ENTITY IN THIS COMMONWEALTH WITH STUDENTS ENROLLED
18 IN THIRD, FOURTH, FIFTH OR SIXTH GRADE SHALL NOTIFY PARENTS OF
19 THE AVAILABILITY OF EDUCATION SUPPORT SERVICES AT SUCH TIME AS
20 THE PARENTS RECEIVE THE RESULTS OF ANY ELIGIBILITY TEST.

21 SECTION 1507-C. PAYMENT OF GRANTS.

22 (A) CERTIFICATES.--A CERTIFICATE FOR EDUCATION SUPPORT
23 SERVICES UNDER THIS ARTICLE SHALL BE ISSUED BY THE DEPARTMENT IN
24 AN AMOUNT AUTHORIZING UP TO \$500 FOR EACH ELIGIBLE STUDENT
25 IDENTIFIED ON THE CERTIFICATE. THE CERTIFICATE SHALL BE ISSUED
26 TO THE GRANT RECIPIENT AND SHALL BE VALID ONLY FOR THE FISCAL
27 YEAR IN WHICH IT IS ISSUED. AFTER RECEIVING THE CERTIFICATE FROM
28 A GRANT RECIPIENT, THE PROVIDER SHALL INCLUDE THE FOLLOWING
29 INFORMATION ON THE CERTIFICATE: NAME OF ELIGIBLE STUDENT SERVED,
30 TYPE OF INSTRUCTION, DATE AND LENGTH OF INSTRUCTION AND COST OF

1 INSTRUCTION PROVIDED TO THE ELIGIBLE STUDENT. WHEN THE AMOUNT OF
2 THE CERTIFICATE HAS BEEN UTILIZED OR WHEN THE ELIGIBLE STUDENT
3 IS NO LONGER RECEIVING EDUCATION SUPPORT SERVICES FROM THE
4 PROVIDER, THE PROVIDER SHALL RETURN THE COMPLETED CERTIFICATE TO
5 THE GRANT RECIPIENT FOR SUBMISSION TO THE DEPARTMENT FOR
6 PAYMENT. THE DEPARTMENT SHALL MAKE PAYMENT DIRECTLY TO THE GRANT
7 RECIPIENT FOR THE AMOUNT DUE. GRANT RECIPIENTS MUST SEND ALL
8 OUTSTANDING CERTIFICATES TO THE DEPARTMENT FOR PAYMENT NO LATER
9 THAN 90 DAYS AFTER RECEIVING THE COMPLETED CERTIFICATE FROM THE
10 PROVIDER.

11 (B) PENALTY FOR GRANT RECIPIENTS.--A GRANT RECIPIENT WHO
12 KNOWINGLY DEFRAUDS THE COMMONWEALTH BY RECEIVING REIMBURSEMENT
13 FOR EDUCATION SUPPORT SERVICES NOT RENDERED TO THE ELIGIBLE
14 STUDENT AND GRANT RECIPIENT IDENTIFIED ON THE CERTIFICATE
15 COMMITS A MISDEMEANOR OF THE THIRD DEGREE AND SHALL, UPON
16 CONVICTION, BE SENTENCED TO PAY A FINE OF NOT MORE THAN \$1,000
17 PER VIOLATION AND SHALL BE DISQUALIFIED FROM ELIGIBILITY FOR AN
18 ADDITIONAL GRANT FOR A PERIOD OF NOT LESS THAN FIVE YEARS.

19 (C) PENALTY FOR PROVIDERS.--A PROVIDER THAT KNOWINGLY
20 VIOLATES SECTION 1509-C OR KNOWINGLY DEFRAUDS THE COMMONWEALTH
21 BY RECEIVING REIMBURSEMENT FOR EDUCATION SUPPORT SERVICES NOT
22 RENDERED TO THE ELIGIBLE STUDENT AND GRANT RECIPIENT IDENTIFIED
23 ON THE CERTIFICATE COMMITS A MISDEMEANOR OF THE THIRD DEGREE AND
24 SHALL, UPON CONVICTION, BE SENTENCED TO PAY A FINE OF NOT MORE
25 THAN \$1,000 PER VIOLATION AND SHALL BE BARRED FROM PARTICIPATION
26 IN THE PROGRAM FOR NOT LESS THAN FIVE YEARS.

27 SECTION 1508-C. LIMITATIONS.

28 (A) AMOUNT.--THE AMOUNT OF GRANTS PROVIDED UNDER THIS
29 ARTICLE IN A FISCAL YEAR SHALL BE LIMITED TO THE FUNDS
30 APPROPRIATED FOR THAT PURPOSE. NO MORE THAN 10% OF THE TOTAL

1 FUNDS APPROPRIATED FOR THIS PROGRAM IN ANY FISCAL YEAR SHALL BE
2 AWARDED TO GRANT RECIPIENTS WITHIN A SPECIFIC SCHOOL DISTRICT
3 EXCEPT THAT, IF THE DEPARTMENT DETERMINES THAT ALL SCHOOL
4 ENTITIES IN THE COMMONWEALTH HAVE HAD AN OPPORTUNITY TO
5 PARTICIPATE IN THE PROGRAM AND THAT FUNDS REMAIN AVAILABLE, IT
6 MAY WAIVE THE 10% LIMITATION UNDER THIS SUBSECTION.

7 (B) AVAILABILITY OF FUNDS.--IN THE EVENT THAT THE FUNDS
8 APPROPRIATED IN ANY FISCAL YEAR ARE INSUFFICIENT TO PROVIDE
9 GRANTS TO ALL GRANT RECIPIENTS, GRANTS SHALL BE AWARDED ON A
10 FIRST-COME, FIRST-SERVED BASIS. THE DEPARTMENT SHALL HOLD A
11 PORTION OF THE FUNDS IN RESERVE TO ENSURE THAT MONEY IS
12 AVAILABLE FOR EACH APPLICATION PERIOD ESTABLISHED UNDER SECTION
13 1504-C(6).

14 SECTION 1509-C. CONFIDENTIALITY.

15 NOTHING IN THIS ARTICLE SHALL AUTHORIZE THE DEPARTMENT, A
16 SCHOOL ENTITY OR A PROVIDER TO RELEASE OR OTHERWISE UTILIZE
17 STUDENT IDENTIFIABLE INFORMATION OR INDIVIDUAL STUDENT TEST
18 SCORES FOR PURPOSES OTHER THAN THE ADMINISTRATION OF THIS
19 ARTICLE.

20 SECTION 1510-C. NONTAXABLE INCOME.

21 A GRANT RECEIVED BY A GRANT RECIPIENT SHALL NOT BE CONSIDERED
22 TO BE TAXABLE INCOME FOR THE PURPOSES OF ARTICLE III OF THE ACT
23 OF MARCH 4, 1971 (P.L.6, NO.2), KNOWN AS THE TAX REFORM CODE OF
24 1971.

25 SECTION 1511-C. APPLICABILITY.

26 SERVICES PROVIDED UNDER THIS ARTICLE DO NOT CONSTITUTE
27 TUTORING OR INSTRUCTION UNDER THE ACT OF JANUARY 28, 1988
28 (P.L.24, NO.11), KNOWN AS THE PRIVATE ACADEMIC SCHOOLS ACT.

29 SECTION 10. SECTION 1705-B(H)(4) OF THE ACT, AMENDED JUNE
30 29, 2002 (P.L.524, NO.88) AND DECEMBER 9, 2002 (P.L.1472,

1 NO.187), IS AMENDED TO READ:

2 SECTION 1705-B. EDUCATION EMPOWERMENT DISTRICTS.--* * *

3 (H) * * *

4 (4) THE DEPARTMENT MAY UTILIZE UP TO \$2,000,000 OF
5 UNDISTRIBUTED FUNDS NOT EXPENDED, ENCUMBERED OR COMMITTED FROM
6 APPROPRIATIONS FOR GRANTS AND SUBSIDIES MADE TO THE DEPARTMENT
7 TO ASSIST SCHOOL DISTRICTS CERTIFIED AS AN EDUCATION EMPOWERMENT
8 DISTRICT UNDER PARAGRAPH (3). THERE IS HEREBY ESTABLISHED A
9 RESTRICTED ACCOUNT FROM WHICH PAYMENTS UNDER THIS PARAGRAPH
10 SHALL BE PAID. FUNDS SHALL BE TRANSFERRED BY THE SECRETARY OF
11 THE BUDGET TO THE RESTRICTED ACCOUNT TO THE EXTENT NECESSARY TO
12 MAKE PAYMENTS UNDER THIS PARAGRAPH. FUNDS IN THE RESTRICTED
13 ACCOUNT ARE HEREBY APPROPRIATED TO CARRY OUT THE PURPOSES OF
14 THIS PARAGRAPH. THE SUBSIDY PAYMENT FROM THIS ACCOUNT SHALL BE
15 UTILIZED TO SUPPLEMENT THE OPERATIONAL BUDGET OF THE ELIGIBLE
16 SCHOOL DISTRICTS. THIS PARAGRAPH SHALL APPLY TO FISCAL YEARS
17 2000-2001, 2001-2002 [AND], 2002-2003 AND 2003-2004 AND SHALL
18 EXPIRE JUNE 30, [2003] 2004.

19 SECTION 11. SECTION 1709-B OF THE ACT, ADDED MAY 10, 2000
20 (P.L.44, NO.16), IS REENACTED TO READ:

21 SECTION 1709-B. SCHOOL IMPROVEMENT GRANTS.--(A) THE
22 DEPARTMENT SHALL ESTABLISH A PROGRAM OF ANNUAL SCHOOL
23 IMPROVEMENT GRANTS FOR SCHOOL DISTRICTS ON THE EDUCATION
24 EMPOWERMENT LIST OR CERTIFIED AS AN EDUCATION EMPOWERMENT
25 DISTRICT TO ASSIST IN THE IMPLEMENTATION OF THEIR SCHOOL
26 DISTRICT IMPROVEMENT PLANS.

27 (B) GRANTS SHALL BE LIMITED TO THE AMOUNT APPROPRIATED FOR
28 THAT PURPOSE.

29 (C) GRANTS SHALL BE PROVIDED ANNUALLY TO THE SCHOOL DISTRICT
30 FOR USE AS DIRECTED BY THE SCHOOL DISTRICT EMPOWERMENT TEAM OR

1 THE BOARD OF CONTROL IN IMPLEMENTING THE SCHOOL DISTRICT
2 IMPROVEMENT PLAN DEVELOPED PURSUANT TO SECTIONS 1703-B AND 1706-
3 B AS FOLLOWS:

4 (1) TO PURCHASE INSTRUCTIONAL MATERIALS, INCLUDING
5 TEXTBOOKS, TECHNOLOGY AND RELATED EDUCATIONAL MATERIALS AND
6 SUPPLIES.

7 (2) TO REDUCE CLASS SIZE IN KINDERGARTEN THROUGH GRADE
8 THREE.

9 (3) TO ESTABLISH AFTER-SCHOOL, SUMMER AND WEEKEND PROGRAMS.

10 (4) TO ESTABLISH OR EXPAND FULL-DAY KINDERGARTEN PROGRAM.

11 (5) TO FUND CURRICULUM DEVELOPMENT.

12 (6) TO FUND ENHANCED STAFF PROFESSIONAL DEVELOPMENT.

13 (7) TO FUND ANY OTHER PROGRAM CONTAINED IN THE SCHOOL
14 DISTRICT IMPROVEMENT PLAN.

15 (D) SUBJECT TO THE REQUIREMENTS OF THIS SECTION, EACH
16 QUALIFYING SCHOOL DISTRICT SHALL RECEIVE A BASE ANNUAL GRANT OF
17 FOUR HUNDRED FIFTY THOUSAND DOLLARS (\$450,000) AND AN ADDITIONAL
18 GRANT OF UP TO SEVENTY-FIVE DOLLARS (\$75) PER AVERAGE DAILY
19 MEMBERSHIP FOR THE PRIOR SCHOOL YEAR OF THE SCHOOL DISTRICT. THE
20 SCHOOL DISTRICT OR THE BOARD OF CONTROL SHALL GIVE PRIORITY IN
21 ALLOCATING THE GRANT FUNDING RECEIVED UNDER THIS SECTION TO THE
22 INDIVIDUAL SCHOOLS IDENTIFIED PURSUANT TO SECTIONS 1703-B(B) AND
23 1706-B(B).

24 (E) THE DEPARTMENT SHALL SET FORTH THE SPECIFIC ALLOWABLE
25 USES FOR GRANT FUNDS AND PLACE CONDITIONS, AS NECESSARY, ON THE
26 USE OF GRANT FUNDS. THE DEPARTMENT SHALL ESTABLISH
27 ACCOUNTABILITY PROCEDURES AND AUDITING GUIDELINES TO ENSURE THAT
28 GRANT FUNDS ARE UTILIZED IN ACCORDANCE WITH THE ALLOWABLE USES
29 AND CONDITIONS.

30 (F) A SCHOOL DISTRICT RECEIVING A GRANT UNDER THIS SECTION

1 SHALL BE REQUIRED TO MAINTAIN SEPARATE ACCOUNTS IN THAT SCHOOL
2 DISTRICT'S BUDGET TO FACILITATE MONITORING THE USE OF THESE
3 GRANT FUNDS. IN NO CASE SHALL A SCHOOL DISTRICT USE MORE THAN
4 FIVE PER CENTUM OF THE GRANT FUNDS FOR ADMINISTRATIVE COSTS.

5 (G) THE DEPARTMENT SHALL REDUCE THE AMOUNT OF A STATE
6 SUBSIDY PAYMENT TO A SCHOOL DISTRICT BY THE AMOUNT OF ANY GRANT
7 FUNDS PROVIDED UNDER THIS SECTION IF THE SCHOOL DISTRICT DOES
8 NOT USE THE GRANT FUNDS IN ACCORDANCE WITH THE ALLOWABLE USES
9 AND CONDITIONS SET FORTH BY THE DEPARTMENT.

10 SECTION 12. SECTION 1714-B(G) OF THE ACT, ADDED MAY 10, 2000
11 (P.L.44, NO.16), IS AMENDED TO READ:

12 SECTION 1714-B. MANDATE WAIVER PROGRAM.--* * *

13 (G) THE FOLLOWING PROVISIONS OF THIS ACT SHALL NOT BE
14 SUBJECT TO WAIVER PURSUANT TO THIS SECTION: SECTIONS 108, 110,
15 111, 321, 322, 323, 324, 325, 326, 327, 431, 436, 437, 440.1,
16 443, 510, 513, 518, 527, 687, 688, 701.1, 708, 736, 737, 738,
17 739, 740, 741, 752, 753, 755, 771, 776, 777, 808, 809, 810,
18 1303(A), 1310, 1317, 1317.1, 1317.2, 1318, 1327, 1327.1, 1330,
19 1332, 1361, 1366, 1501, 1502, 1513, 1517, 1518, 1521, 1523, 1546
20 AND 1547; PROVISIONS PROHIBITING DISCRIMINATION; ARTICLES VI,
21 XI, XI-A, XII, XIII-A, XIV AND XVII-A AND THIS ARTICLE.

22 * * *

23 SECTION 13. THE DEFINITION OF "EDUCATIONAL IMPROVEMENT
24 ORGANIZATION" AND "SCHOLARSHIP ORGANIZATION" IN SECTION 2002-B
25 OF THE ACT, ADDED MAY 17, 2001 (P.L.4, NO.4), ARE AMENDED TO
26 READ:

27 SECTION 2002-B. DEFINITIONS.

28 THE FOLLOWING WORDS AND PHRASES WHEN USED IN THIS ARTICLE
29 SHALL HAVE THE MEANINGS GIVEN TO THEM IN THIS SECTION UNLESS THE
30 CONTEXT CLEARLY INDICATES OTHERWISE:

1 * * *

2 "EDUCATIONAL IMPROVEMENT ORGANIZATION." A NONPROFIT ENTITY
3 WHICH:

4 (1) IS EXEMPT FROM FEDERAL TAXATION UNDER SECTION
5 501(C)(3) OF THE INTERNAL REVENUE CODE OF 1986 (PUBLIC LAW
6 99-514, 26 U.S.C. § 1 ET SEQ.); AND

7 (2) CONTRIBUTES AT LEAST 80% OF ITS ANNUAL RECEIPTS AS
8 GRANTS TO A PUBLIC SCHOOL FOR INNOVATIVE EDUCATIONAL
9 PROGRAMS.

10 FOR PURPOSES OF THIS DEFINITION, A NONPROFIT ENTITY
11 "CONTRIBUTES" ITS ANNUAL CASH RECEIPTS WHEN IT EXPENDS OR
12 OTHERWISE IRREVOCABLY ENCUMBERS THOSE FUNDS FOR EXPENDITURE
13 DURING THE THEN CURRENT FISCAL YEAR OF THE NONPROFIT ENTITY OR
14 DURING THE NEXT SUCCEEDING FISCAL YEAR OF THE NONPROFIT ENTITY.

15 * * *

16 "SCHOLARSHIP ORGANIZATION." A NONPROFIT ENTITY WHICH:

17 (1) IS EXEMPT FROM FEDERAL TAXATION UNDER SECTION
18 501(C)(3) OF THE INTERNAL REVENUE CODE OF 1986 (PUBLIC LAW
19 99-514, 26 U.S.C. § 1 ET SEQ.); AND

20 (2) CONTRIBUTES AT LEAST 80% OF ITS ANNUAL CASH RECEIPTS
21 TO A SCHOLARSHIP PROGRAM.

22 FOR PURPOSES OF THIS DEFINITION, A NONPROFIT ENTITY
23 "CONTRIBUTES" ITS ANNUAL CASH RECEIPTS TO A SCHOLARSHIP PROGRAM
24 WHEN IT EXPENDS OR OTHERWISE IRREVOCABLY ENCUMBERS THOSE FUNDS
25 FOR DISTRIBUTION DURING THE THEN CURRENT FISCAL YEAR OF THE
26 NONPROFIT ENTITY OR DURING THE NEXT SUCCEEDING FISCAL YEAR OF
27 THE NONPROFIT ENTITY.

28 * * *

29 SECTION 14. SECTION 2502.8 OF THE ACT, AMENDED JUNE 22, 2001
30 (P.L.530, NO. 35), IS REENACTED TO READ:

SECTION 2502.8. PAYMENTS ON ACCOUNT OF PUPILS ENROLLED IN VOCATIONAL CURRICULUMS.--(A) FOR THE PURPOSE OF REIMBURSEMENT IN ACCORDANCE WITH THIS SECTION, VOCATIONAL CURRICULUMS ARE AGRICULTURE EDUCATION, DISTRIBUTIVE EDUCATION, HEALTH OCCUPATIONS EDUCATION, HOME ECONOMICS EDUCATION (GAINFUL), BUSINESS EDUCATION, TECHNICAL EDUCATION, TRADE AND INDUSTRIAL EDUCATION, OR ANY OTHER OCCUPATIONAL ORIENTED PROGRAM APPROVED BY THE SECRETARY OF EDUCATION.

(B) FOR THE 1981-1982 SCHOOL YEAR THROUGH THE 1984-1985 SCHOOL YEAR, EACH SCHOOL DISTRICT SO ENTITLED SHALL BE PAID, IN ADDITION TO ANY OTHER SUBSIDY TO WHICH IT IS ENTITLED, AN AMOUNT ON ACCOUNT OF RESIDENT PUPILS ENROLLED IN VOCATIONAL CURRICULUMS; FOR THE 1985-1986 SCHOOL YEAR THROUGH THE 1999-2000 SCHOOL YEAR, EACH SCHOOL DISTRICT AND AREA VOCATIONAL-TECHNICAL SCHOOL SHALL BE PAID AN AMOUNT ON ACCOUNT OF STUDENTS ENROLLED IN VOCATIONAL CURRICULUMS; FOR THE 2000-2001 SCHOOL YEAR AND EACH SCHOOL YEAR THEREAFTER, EACH SCHOOL DISTRICT, AREA VOCATIONAL-TECHNICAL SCHOOL AND CHARTER SCHOOL SHALL BE PAID AN AMOUNT ON ACCOUNT OF STUDENTS ENROLLED IN VOCATIONAL CURRICULUMS, DETERMINED AS FOLLOWS:

(1) DETERMINE THE INCREASE IN THE WEIGHTED AVERAGE DAILY MEMBERSHIP BY MULTIPLYING THE NUMBER OF STUDENTS IN AVERAGE DAILY MEMBERSHIP IN VOCATIONAL CURRICULUMS IN AREA VOCATIONAL-TECHNICAL SCHOOLS BY TWENTY-ONE HUNDREDTHS (.21) AND THE NUMBER OF STUDENTS IN AVERAGE DAILY MEMBERSHIP IN SCHOOL DISTRICT AND CHARTER SCHOOL VOCATIONAL CURRICULUMS BY SEVENTEEN HUNDREDTHS (.17).

(2) MULTIPLY THE LESSER OF THE DISTRICT'S ACTUAL INSTRUCTION EXPENSE PER WEIGHTED AVERAGE DAILY MEMBERSHIP OR THE BASE EARNED FOR REIMBURSEMENT BY THE MARKET VALUE/INCOME AID RATIO OR BY

1 THREE HUNDRED SEVENTY-FIVE THOUSANDTHS (.375), WHICHEVER IS
2 GREATER.

3 (3) MULTIPLY THE INCREASE IN WEIGHTED AVERAGE DAILY
4 MEMBERSHIP DETERMINED IN CLAUSE (1) BY THE RESULT OF CLAUSE (2).

5 (4) FOR THE 1985-1986 THROUGH 1999-2000 SCHOOL YEARS, THE
6 COMMONWEALTH SHALL PAY THE AMOUNT REQUIRED BY THIS SECTION TO
7 THE SCHOOL DISTRICT OR AREA VOCATIONAL-TECHNICAL SCHOOL WHICH
8 PROVIDES THE PROGRAM UPON WHICH REIMBURSEMENT IS BASED.

9 (5) FOR THE 2000-2001 SCHOOL YEAR AND EACH SCHOOL YEAR
10 THEREAFTER, THE COMMONWEALTH SHALL PAY THE AMOUNT REQUIRED UNDER
11 THIS SECTION TO THE SCHOOL DISTRICT, AREA VOCATIONAL-TECHNICAL
12 SCHOOL OR CHARTER SCHOOL WHICH PROVIDES THE PROGRAMS UPON WHICH
13 REIMBURSEMENT IS BASED.

14 (C) FOR THE SCHOOL YEAR 1998-1999, ANY ADDITIONAL FUNDING
15 PROVIDED BY THE COMMONWEALTH OVER THE AMOUNT PROVIDED FOR THE
16 SCHOOL YEAR 1997-1998 WILL BE DISTRIBUTED TO AREA VOCATIONAL-
17 TECHNICAL SCHOOLS AND TO SCHOOL DISTRICTS WITH EIGHT (8) OR MORE
18 VOCATIONAL PROGRAMS BASED ON SUBSECTION (B).

19 (D) FOR THE SCHOOL YEAR 1999-2000, ANY ADDITIONAL FUNDING
20 PROVIDED BY THE COMMONWEALTH OVER THE AMOUNT PROVIDED FOR THE
21 SCHOOL YEAR 1998-1999 WILL BE DISTRIBUTED TO AREA VOCATIONAL-
22 TECHNICAL SCHOOLS, TO SCHOOL DISTRICTS WITH EIGHT (8) OR MORE
23 VOCATIONAL PROGRAMS AND TO SCHOOL DISTRICTS OFFERING A
24 VOCATIONAL AGRICULTURAL EDUCATION PROGRAM, BASED ON SUBSECTION
25 (B).

26 (E) FOR THE SCHOOL YEAR 2000-2001 AND EACH SCHOOL YEAR
27 THEREAFTER, ANY ADDITIONAL FUNDING PROVIDED BY THE COMMONWEALTH
28 OVER THE AMOUNT PROVIDED FOR THE SCHOOL YEAR 1998-1999 WILL BE
29 DISTRIBUTED TO AREA VOCATIONAL-TECHNICAL SCHOOLS, TO SCHOOL
30 DISTRICTS AND CHARTER SCHOOLS WITH EIGHT (8) OR MORE VOCATIONAL

1 PROGRAMS AND TO SCHOOL DISTRICTS AND CHARTER SCHOOLS OFFERING A
2 VOCATIONAL AGRICULTURAL EDUCATION PROGRAM BASED ON SUBSECTION
3 (B).

4 SECTION 15. SECTION 2502.13 OF THE ACT, AMENDED JUNE 29,
5 2002 (P.L.524, NO.88), IS AMENDED TO READ:

6 SECTION 2502.13. SMALL DISTRICT ASSISTANCE.--FOR THE 1984-
7 1985 AND 1985-1986 SCHOOL YEARS, THE COMMONWEALTH SHALL PAY TO
8 EACH SCHOOL DISTRICT WHICH HAS AN AVERAGE DAILY MEMBERSHIP OF
9 ONE THOUSAND FIVE HUNDRED (1,500) OR LESS AND HAS A MARKET
10 VALUE/INCOME AID RATIO OF FIVE THOUSAND TEN-THOUSANDTHS (0.5000)
11 OR GREATER, AN AMOUNT EQUAL TO FIFTY DOLLARS (\$50) MULTIPLIED BY
12 THAT DISTRICT'S AVERAGE DAILY MEMBERSHIP. FOR THE 1985-1986
13 SCHOOL YEAR, NO SCHOOL DISTRICT SHALL RECEIVE LESS ON ACCOUNT OF
14 THIS SECTION THAN IT DID FOR THE 1984-1985 SCHOOL YEAR. FOR THE
15 SCHOOL YEAR 1986-1987, THE COMMONWEALTH SHALL PAY TO EACH SCHOOL
16 DISTRICT WHICH HAS AN AVERAGE DAILY MEMBERSHIP OF ONE THOUSAND
17 FIVE HUNDRED (1,500) OR LESS AND HAS A MARKET VALUE/INCOME AID
18 RATIO OF FIVE THOUSAND TEN-THOUSANDTHS (0.5000) OR GREATER, OR
19 RECEIVED PAYMENTS UNDER THIS SECTION FOR THE 1985-1986 SCHOOL
20 YEAR, AN AMOUNT EQUAL TO SEVENTY-FIVE DOLLARS (\$75) MULTIPLIED
21 BY THAT DISTRICT'S AVERAGE DAILY MEMBERSHIP. FOR THE SCHOOL YEAR
22 1987-1988, THE COMMONWEALTH SHALL PAY TO EACH SCHOOL DISTRICT
23 WHICH HAS AN AVERAGE DAILY MEMBERSHIP OF ONE THOUSAND FIVE
24 HUNDRED (1,500) OR LESS AND A MARKET VALUE/INCOME AID RATIO OF
25 FIVE THOUSAND TEN-THOUSANDTHS (0.5000) OR GREATER, OR RECEIVED
26 PAYMENTS UNDER THIS SECTION FOR THE 1986-1987 SCHOOL YEAR, AN
27 AMOUNT EQUAL TO EIGHTY-FIVE DOLLARS (\$85) MULTIPLIED BY THAT
28 DISTRICT'S AVERAGE DAILY MEMBERSHIP. FOR THE SCHOOL YEAR 1988-
29 1989, THE COMMONWEALTH SHALL PAY TO EACH SCHOOL DISTRICT WHICH
30 HAS AN AVERAGE DAILY MEMBERSHIP OF ONE THOUSAND FIVE HUNDRED

1 (1,500) OR LESS AND A MARKET VALUE/INCOME AID RATIO OF FIVE
2 THOUSAND TEN THOUSANDTHS (0.5000) OR GREATER, OR RECEIVED
3 PAYMENTS UNDER THIS SECTION FOR THE 1987-1988 OR 1988-1989
4 SCHOOL YEAR, AN AMOUNT EQUAL TO ONE HUNDRED FIVE DOLLARS (\$105).
5 FOR THE SCHOOL YEAR 1989-1990, THE COMMONWEALTH SHALL PAY TO
6 EACH SCHOOL DISTRICT WHICH HAS AN AVERAGE DAILY MEMBERSHIP OF
7 ONE THOUSAND FIVE HUNDRED (1,500) OR LESS AND A MARKET
8 VALUE/INCOME AID RATIO OF FIVE THOUSAND TEN-THOUSANDTHS (0.5000)
9 OR GREATER, OR RECEIVED PAYMENTS UNDER THIS SECTION FOR THE
10 1987-1988 SCHOOL YEAR, AN AMOUNT EQUAL TO ONE HUNDRED FIFTEEN
11 DOLLARS (\$115) MULTIPLIED BY THE DISTRICT'S AVERAGE DAILY
12 MEMBERSHIP AS PROVIDED FOR IN SECTION 212 OF THE ACT OF JULY 1,
13 1990 (P.L.1591, NO.7A), KNOWN AS THE "GENERAL APPROPRIATION ACT
14 OF 1990." FOR THE SCHOOL YEAR 1990-1991, THE COMMONWEALTH SHALL
15 PAY TO EACH SCHOOL DISTRICT WHICH HAS AN AVERAGE DAILY
16 MEMBERSHIP OF ONE THOUSAND FIVE HUNDRED (1,500) OR LESS AND A
17 MARKET VALUE/INCOME AID RATIO OF FIVE THOUSAND TEN-THOUSANDTHS
18 (0.5000) OR GREATER, OR RECEIVED PAYMENTS UNDER THIS SECTION FOR
19 THE PRIOR SCHOOL YEAR, AN AMOUNT EQUAL TO ONE HUNDRED SEVENTY
20 DOLLARS (\$170) MULTIPLIED BY THAT DISTRICT'S AVERAGE DAILY
21 MEMBERSHIP. FOR THE SCHOOL YEAR 1990-1991, EACH SCHOOL DISTRICT
22 WITH A POPULATION PER SQUARE MILE OF LESS THAN NINETY (90),
23 WHICH OTHERWISE MEETS THE AVERAGE DAILY MEMBERSHIP AND MARKET
24 VALUE/INCOME AID RATIO REQUIREMENTS OF THIS SECTION, OR RECEIVED
25 PAYMENTS UNDER THIS SECTION FOR THE PRIOR SCHOOL YEAR, SHALL
26 INSTEAD RECEIVE AN AMOUNT EQUAL TO ONE HUNDRED NINETY DOLLARS
27 (\$190) MULTIPLIED BY THAT DISTRICT'S AVERAGE DAILY MEMBERSHIP.
28 FOR THE 1987-1988 SCHOOL YEAR THROUGH THE 1990-1991 SCHOOL YEAR,
29 NO SCHOOL DISTRICT SHALL RECEIVE LESS ON ACCOUNT OF THIS SECTION
30 THAN IT DID FOR THE PRIOR SCHOOL YEAR. FOR THE SCHOOL YEAR 1994-

1 1995, THE COMMONWEALTH SHALL PAY TO EACH SCHOOL DISTRICT WHICH
2 HAS AN AVERAGE DAILY MEMBERSHIP OF ONE THOUSAND FIVE HUNDRED
3 (1,500) OR LESS AND A MARKET VALUE/INCOME AID RATIO OF FIVE
4 THOUSAND TEN-THOUSANDTHS (0.5000) OR GREATER, AN AMOUNT EQUAL TO
5 NINETY FIVE DOLLARS (\$95) MULTIPLIED BY THAT DISTRICT'S AVERAGE
6 DAILY MEMBERSHIP. FOR EACH OF THE SCHOOL YEARS 1997-1998 THROUGH
7 1999-2000, THE COMMONWEALTH SHALL PAY TO EACH SCHOOL DISTRICT
8 WHICH HAS AN AVERAGE DAILY MEMBERSHIP OF ONE THOUSAND FIVE
9 HUNDRED (1,500) OR LESS AND A MARKET VALUE/INCOME AID RATIO OF
10 FIVE THOUSAND TEN-THOUSANDTHS (0.5000) OR GREATER AN AMOUNT
11 EQUAL TO SEVENTY-FIVE DOLLARS (\$75) MULTIPLIED BY THAT
12 DISTRICT'S AVERAGE DAILY MEMBERSHIP. FOR THE SCHOOL YEARS 2000-
13 2001 [AND], 2001-2002 AND 2002-2003, THE COMMONWEALTH SHALL PAY
14 TO EACH SCHOOL DISTRICT WHICH HAS AN AVERAGE DAILY MEMBERSHIP OF
15 ONE THOUSAND FIVE HUNDRED (1,500) OR LESS AN AMOUNT EQUAL TO
16 SEVENTY-FIVE DOLLARS (\$75) MULTIPLIED BY THAT DISTRICT'S AVERAGE
17 DAILY MEMBERSHIP.

18 SECTION 16. THE ACT IS AMENDED BY ADDING A SECTION TO READ:

19 SECTION 2502.41. BASIC EDUCATION FUNDING FOR 2002-2003
20 SCHOOL YEAR.--FOR THE 2002-2003 SCHOOL YEAR, THE COMMONWEALTH
21 SHALL PAY TO EACH SCHOOL DISTRICT A BASIC EDUCATION FUNDING
22 ALLOCATION WHICH SHALL CONSIST OF THE FOLLOWING:

23 (1) AN AMOUNT EQUAL TO THE BASIC EDUCATION FUNDING
24 ALLOCATION FOR THE 2001-2002 SCHOOL YEAR PURSUANT TO SECTIONS
25 2502.13 AND 2502.40.

26 (2) A BASE SUPPLEMENT CALCULATED AS FOLLOWS:

27 (I) MULTIPLY THE SCHOOL DISTRICT'S 2003-2004 MARKET
28 VALUE/INCOME AID RATIO BY ITS 2002-2003 AVERAGE DAILY
29 MEMBERSHIP.

30 (II) MULTIPLY THE PRODUCT FROM SUBPARAGRAPH (I) BY FIFTY

1 MILLION DOLLARS (\$50,000,000).

2 (III) DIVIDE THE PRODUCT FROM SUBPARAGRAPH (II) BY THE SUM
3 OF THE PRODUCTS OF THE 2003-2004 MARKET VALUE/INCOME AID RATIO
4 MULTIPLIED BY THE 2002-2003 AVERAGE DAILY MEMBERSHIP FOR ALL
5 SCHOOL DISTRICTS.

6 (3) A POVERTY SUPPLEMENT CALCULATED FOR QUALIFYING SCHOOL
7 DISTRICTS AS FOLLOWS:

8 (I) TO QUALIFY FOR THE POVERTY SUPPLEMENT, A SCHOOL
9 DISTRICT'S 2003-2004 MARKET VALUE/INCOME AID RATIO SHALL BE
10 EQUAL TO OR GREATER THAN 0.6500 AND ITS PERSONAL INCOME
11 VALUATION WHEN DIVIDED BY ITS 2002-2003 AVERAGE DAILY MEMBERSHIP
12 SHALL BE EQUAL TO OR LESS THAN ONE HUNDRED THREE THOUSAND FIVE
13 HUNDRED SEVENTY-ONE DOLLARS (\$103,571).

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

16 (A) MULTIPLY THE SCHOOL DISTRICT'S 2002-2003 AVERAGE DAILY
17 MEMBERSHIP BY THIRTY MILLION DOLLARS (\$30,000,000).

18 (B) DIVIDE THE PRODUCT FROM CLAUSE (A) BY THE SUM OF THE
19 2002-2003 AVERAGE DAILY MEMBERSHIP FOR ALL QUALIFYING SCHOOL
20 DISTRICTS.

21 (4) A TAX EFFORT SUPPLEMENT CALCULATED FOR QUALIFYING SCHOOL
22 DISTRICTS AS FOLLOWS:

23 (I) TO QUALIFY FOR THE TAX EFFORT SUPPLEMENT, A SCHOOL
24 DISTRICT'S 2001 EQUALIZED MILLAGE MUST BE EQUAL TO OR GREATER
25 THAN 20.6 EQUALIZED MILLS.

26 (II) THE TAX EFFORT SUPPLEMENT SHALL BE CALCULATED FOR
27 QUALIFYING SCHOOL DISTRICTS AS FOLLOWS:

28 (A) MULTIPLY THE SCHOOL DISTRICT'S 2002-2003 AVERAGE DAILY
29 MEMBERSHIP BY FIFTEEN MILLION DOLLARS (\$15,000,000).

30 (B) DIVIDE THE PRODUCT FROM CLAUSE (A) BY THE SUM OF THE

2002-2003 AVERAGE DAILY MEMBERSHIP FOR ALL QUALIFYING SCHOOL DISTRICTS.

(5) A GROWTH SUPPLEMENT CALCULATED FOR QUALIFYING SCHOOL DISTRICTS AS FOLLOWS:

(I) TO QUALIFY FOR THE GROWTH SUPPLEMENT, A SCHOOL DISTRICT'S 2002-2003 AVERAGE DAILY MEMBERSHIP MUST BE GREATER THAN ITS 2001-2002 AVERAGE DAILY MEMBERSHIP.

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

(A) SUBTRACT THE SCHOOL DISTRICT'S 2001-2002 AVERAGE DAILY MEMBERSHIP FROM ITS 2002-2003 AVERAGE DAILY MEMBERSHIP.

(B) MULTIPLY THE DIFFERENCE FROM CLAUSE (A) BY FIVE MILLION DOLLARS (\$5,000,000).

(C) DIVIDE THE PRODUCT FROM CLAUSE (B) BY THE SUM OF THE DIFFERENCES FROM CLAUSE (A) FOR ALL QUALIFYING SCHOOL DISTRICTS.

(6) EACH SCHOOL DISTRICT SHALL RECEIVE ADDITIONAL FUNDING AS NECESSARY SO THAT THE SUM OF THE AMOUNTS UNDER SECTION 2502.13 AND UNDER PARAGRAPHS (2), (3), (4), (5) AND THIS PARAGRAPH WILL EQUAL AT LEAST TWO PERCENT (2%) OF THE AMOUNT IN PARAGRAPH (1).

SECTION 17. SECTIONS 2509.1 AND 2509.5 OF THE ACT ARE AMENDED BY ADDING SUBSECTIONS TO READ:

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

(B.11) UP TO NINE MILLION FIVE HUNDRED THOUSAND DOLLARS (\$9,500,000) MAY BE UTILIZED FOR PROGRAMS ADMINISTERED AND OPERATED BY INTERMEDIATE UNITS DURING THE 2003-2004 SCHOOL YEAR FOR INSTITUTIONALIZED CHILDREN AS ESTABLISHED IN SUBSECTION (B.1).

* * *

SECTION 2509.5. SPECIAL EDUCATION PAYMENTS TO SCHOOL DISTRICTS.--* * *

1 (LL) DURING THE 2003-2004 SCHOOL YEAR, EACH SCHOOL DISTRICT
2 SHALL BE PAID THE AMOUNT IT RECEIVED DURING THE 2002-2003 SCHOOL
3 YEAR UNDER SUBSECTION (KK).

4 (MM) DURING THE 2003-2004 SCHOOL YEAR, THIRTY-SIX MILLION
5 ONE HUNDRED FORTY-NINE THOUSAND FIVE HUNDRED EIGHTY-SEVEN
6 DOLLARS (\$36,149,587) OF THE FUNDS APPROPRIATED TO THE
7 DEPARTMENT OF EDUCATION FOR SPECIAL EDUCATION SHALL BE USED TO
8 PROVIDE SUPPLEMENTAL FUNDING FOR SPECIAL EDUCATION TO ALL SCHOOL
9 DISTRICTS. THE SUPPLEMENTAL FUNDING SHALL BE CALCULATED AS
10 FOLLOWS:

11 (1) MULTIPLY EACH SCHOOL DISTRICT'S 2003-2004 MARKET
12 VALUE/INCOME AID RATIO BY SIXTEEN PER CENTUM (16%) OF ITS 2002-
13 2003 AVERAGE DAILY MEMBERSHIP;

14 (2) MULTIPLY THE PRODUCT FROM PARAGRAPH (1) BY THIRTY-SIX
15 MILLION ONE HUNDRED FORTY-NINE THOUSAND FIVE HUNDRED EIGHTY-
16 SEVEN DOLLARS (\$36,149,587); AND

17 (3) DIVIDE THE RESULTANT PRODUCT FROM PARAGRAPH (2) BY THE
18 SUM OF THE PRODUCTS OF THE 2003-2004 MARKET VALUE/INCOME AID
19 RATIO MULTIPLIED BY SIXTEEN PER CENTUM (16%) OF THE 2002-2003
20 AVERAGE DAILY MEMBERSHIP FOR ALL SCHOOL DISTRICTS.

21 SECTION 18. SECTION 2591.1 OF THE ACT, ADDED JUNE 29, 2002
22 (P.L.524, NO.88), IS AMENDED TO READ:

23 SECTION 2591.1. COMMONWEALTH REIMBURSEMENTS FOR CHARTER
24 SCHOOLS AND CYBER CHARTER SCHOOLS.--(A) FOR THE 2001-2002
25 SCHOOL YEAR, THE COMMONWEALTH SHALL PAY TO EACH SCHOOL DISTRICT
26 WITH RESIDENT STUDENTS ENROLLED IN A CHARTER SCHOOL, A CHARTER
27 SCHOOL APPROVED UNDER SECTION 1717-A OR 1718-A WHICH PROVIDES
28 INSTRUCTION THROUGH THE INTERNET OR OTHER ELECTRONIC MEANS OR A
29 CYBER CHARTER SCHOOL AS DEFINED PURSUANT TO ARTICLE XVII-A AN
30 AMOUNT EQUAL TO THIRTY PERCENT (30%) OF THE TOTAL FUNDING

REQUIRED UNDER SECTION 1725-A(A). IF INSUFFICIENT FUNDS ARE APPROPRIATED TO MAKE COMMONWEALTH REIMBURSEMENTS UNDER THIS SECTION, THE REIMBURSEMENTS SHALL BE MADE ON A PRO RATA BASIS.

(B) FOR THE 2002-2003 SCHOOL YEAR, THE COMMONWEALTH SHALL PAY TO EACH SCHOOL DISTRICT THAT RECEIVED FUNDING UNDER SUBSECTION (A) FOR THE 2001-2002 SCHOOL YEAR AND THAT HAD RESIDENT STUDENTS ENROLLED IN A CHARTER SCHOOL, A CHARTER SCHOOL APPROVED UNDER SECTION 1717-A OR 1718-A WHICH PROVIDES INSTRUCTION THROUGH THE INTERNET OR OTHER ELECTRONIC MEANS OR A CYBER CHARTER SCHOOL AS DEFINED UNDER ARTICLE XVII-A DURING THE 2002-2003 SCHOOL YEAR AN AMOUNT EQUAL TO THE LESSER OF:

(1) THE PAYMENT RECEIVED FOR THE 2001-2002 SCHOOL YEAR PURSUANT TO SUBSECTION (A); OR

(2) THIRTY PERCENT (30%) OF THE TOTAL FUNDING REQUIRED UNDER SECTION 1725-A(A).

(C) FOR THE 2002-2003 SCHOOL YEAR, THE COMMONWEALTH SHALL PAY TO EACH SCHOOL DISTRICT THAT DID NOT RECEIVE FUNDING UNDER SUBSECTION (A) FOR THE 2001-2002 SCHOOL YEAR AND THAT HAD RESIDENT STUDENTS ENROLLED IN A CHARTER SCHOOL, A CHARTER SCHOOL APPROVED UNDER SECTION 1717-A OR 1718-A WHICH PROVIDES INSTRUCTION THROUGH THE INTERNET OR OTHER ELECTRONIC MEANS OR A CYBER CHARTER SCHOOL AS DEFINED UNDER ARTICLE XVII-A DURING THE 2002-2003 SCHOOL YEAR AN AMOUNT EQUAL TO THIRTY PERCENT (30%) OF THE TOTAL FUNDING REQUIRED UNDER SECTION 1725-A(A).

SECTION 19. THE FOLLOWING AMOUNTS ARE HEREBY APPROPRIATED FROM THE GENERAL FUND TO THE DEPARTMENT OF EDUCATION FOR THE FISCAL PERIOD JULY 1, 2003, TO JUNE 30, 2004, AS FOLLOWS:

(1) THE SUM OF \$25,000,000 IS HEREBY APPROPRIATED FOR PAYMENTS TO ANY SCHOOL DISTRICT OF THE FIRST CLASS WHICH HAS BEEN DECLARED DISTRESSED PURSUANT TO SECTION 691(C) OF THE

1 ACT OF MARCH 10, 1949 (P.L.30, NO.14), KNOWN AS THE PUBLIC
2 SCHOOL CODE OF 1949, PROVIDED THAT SUCH SCHOOL DISTRICT
3 SUBMITS A QUARTERLY ITEMIZATION OF ALL FEDERAL, STATE AND
4 LOCAL FUNDS DISTRIBUTED TO EACH SCHOOL IN THE SCHOOL
5 DISTRICT, INCLUDING SCHOOLS GOVERNED BY AGREEMENTS CURRENTLY
6 IN EFFECT PURSUANT TO SECTION 696(I)(2) OF THE PUBLIC SCHOOL
7 CODE OF 1949 AND SCHOOLS DESIGNATED AS PARTNERSHIP SCHOOLS
8 UNDER THE SCHOOL REFORM COMMISSION RESOLUTION NUMBER 10 OF
9 APRIL 17, 2002, TO THE DEPARTMENT OF EDUCATION AND TO THE
10 CHAIRMAN AND MINORITY CHAIRMAN OF THE EDUCATION COMMITTEE OF
11 THE SENATE AND TO THE CHAIRMAN AND MINORITY CHAIRMAN OF THE
12 EDUCATION COMMITTEE OF THE HOUSE OF REPRESENTATIVES. IF THE
13 DEPARTMENT OF EDUCATION DETERMINES THAT THE REPORT IS NOT
14 BEING SUBMITTED IN ACCORDANCE WITH THE REQUIREMENTS OF THIS
15 PARAGRAPH, THE DEPARTMENT OF EDUCATION SHALL WITHHOLD FROM
16 ANY AND ALL PAYMENTS TO WHICH THAT SCHOOL DISTRICT OF THE
17 FIRST CLASS MAY BE ENTITLED UNDER THE ACT AN AMOUNT EQUAL TO
18 THE FUNDS RECEIVED FROM THIS APPROPRIATION.

19 (2) THE SUM OF \$56,762,000 IS HEREBY APPROPRIATED FOR
20 PAYMENTS ON ACCOUNT OF VOCATIONAL EDUCATION AS PROVIDED FOR
21 UNDER SECTION 2502.8 OF THE PUBLIC SCHOOL CODE OF 1949,
22 PROVIDED THAT ANY AMOUNTS EXPENDED BY THE DEPARTMENT OF
23 EDUCATION PURSUANT TO THE FORMER STATE APPROPRIATION IN THE
24 AMOUNT OF \$55,378,000 FOR VOCATIONAL EDUCATION UNDER SECTION
25 212 OF THE ACT OF MARCH 20, 2003 (P.L. , NO.1A), KNOWN AS
26 THE GENERAL APPROPRIATION ACT OF 2003, SHALL BE DEDUCTED FROM
27 THE SUM APPROPRIATED IN THIS PARAGRAPH.

28 (3) THE SUM OF \$896,177,000 IS HEREBY APPROPRIATED FOR
29 PAYMENTS ON ACCOUNT OF SPECIAL EDUCATION OF EXCEPTIONAL
30 CHILDREN, PROVIDED THAT THIS AMOUNT INCLUDES \$563,000 FOR

1 COMMUNITY SUPPORT SERVICES WHICH IS NOT TO BE INCLUDED IN THE
2 BASE CALCULATIONS OF THE SPECIAL EDUCATION PROGRAM
3 COMPONENTS, AND PROVIDED FURTHER THAT THIS AMOUNT INCLUDES
4 \$500,000 FOR PAYMENTS TO PENNSYLVANIA CHARTER SCHOOLS FOR THE
5 DEAF AND BLIND, AND PROVIDED FURTHER THAT THIS AMOUNT
6 INCLUDES \$500,000 FOR SPECIAL EDUCATION-APPROVED PRIVATE
7 SCHOOLS, AND PROVIDED FURTHER THAT ANY AMOUNTS EXPENDED BY
8 THE DEPARTMENT OF EDUCATION PURSUANT TO THE FORMER STATE
9 APPROPRIATION IN THE AMOUNT OF \$874,319,000 FOR PAYMENTS ON
10 ACCOUNT OF SPECIAL EDUCATION OF EXCEPTIONAL CHILDREN UNDER
11 SECTION 212 OF THE GENERAL APPROPRIATION ACT OF 2003 SHALL BE
12 DEDUCTED FROM THE SUM APPROPRIATED IN THIS PARAGRAPH.

13 (4) THE SUM OF \$4,202,018,057 IS HEREBY APPROPRIATED FOR
14 BASIC EDUCATION FUNDING TO SCHOOL DISTRICTS, PROVIDED THAT
15 THE SECRETARY OF EDUCATION, WITH THE APPROVAL OF THE
16 GOVERNOR, MAY MAKE PAYMENTS FROM THIS APPROPRIATION IN
17 ADVANCE OF THE DUE DATE PRESCRIBED BY LAW TO SCHOOL DISTRICTS
18 WHICH ARE FINANCIALLY HANDICAPPED WHENEVER THE SECRETARY OF
19 EDUCATION SHALL DEEM IT NECESSARY TO MAKE SUCH ADVANCE
20 PAYMENTS TO ENABLE THE SCHOOL DISTRICTS TO KEEP THEIR SCHOOLS
21 OPEN.

22 (5) THE SUM OF \$25,380,000 IS HEREBY APPROPRIATED FOR
23 SCHOOL IMPROVEMENT GRANTS AS PROVIDED FOR UNDER SECTION 1709-
24 B OF THE PUBLIC SCHOOL CODE OF 1949.

25 (6) THE SUM OF \$15,000,000 IS HEREBY APPROPRIATED FOR
26 EDUCATION SUPPORT SERVICES AS PROVIDED FOR UNDER ARTICLE XV-C
27 OF THE PUBLIC SCHOOL CODE OF 1949.

28 (7) THE SUM OF \$73,991,328 IS HEREBY APPROPRIATED FOR
29 SERVICES TO NONPUBLIC SCHOOLS AS PROVIDED UNDER SECTION 972.1
30 OF THE PUBLIC SCHOOL CODE OF 1949, PROVIDED THAT ANY AMOUNTS

1 EXPENDED BY THE DEPARTMENT OF EDUCATION PURSUANT TO THE
2 FORMER STATE APPROPRIATION IN THE AMOUNT OF \$71,976,000 FOR
3 SERVICES TO NONPUBLIC SCHOOLS UNDER SECTION 212 OF THE
4 GENERAL APPROPRIATION ACT OF 2003, SHALL BE DEDUCTED FROM THE
5 SUM APPROPRIATED IN THIS PARAGRAPH.

6 SECTION 20. THE FOLLOWING ACTS AND PARTS OF ACTS ARE
7 REPEALED TO THE EXTENT SPECIFIED:

8 SECTION 2509.8 OF THE ACT OF MARCH 10, 1949 (P.L.30, NO.14),
9 KNOWN AS THE PUBLIC SCHOOL CODE OF 1949.

10 AS MUCH AS RELATES TO THE STATE APPROPRIATIONS IN THE AMOUNT
11 OF \$55,378,000 FOR VOCATIONAL EDUCATION AND IN THE AMOUNT OF
12 \$874,319,000 FOR PAYMENTS ON ACCOUNT OF SPECIAL EDUCATION OF
13 EXCEPTIONAL CHILDREN, AND IN THE AMOUNT OF \$71,976,000 FOR
14 SERVICES TO NONPUBLIC SCHOOLS IN SECTION 212 OF THE ACT OF MARCH
15 20, 2003 (P.L. , NO.1A), KNOWN AS THE GENERAL APPROPRIATION
16 ACT OF 2003.

17 SECTION 21. THIS ACT SHALL TAKE EFFECT JULY 1, 2003, OR
18 IMMEDIATELY, WHICHEVER IS LATER.