AN ACT

Amending the act of March 10, 1949 (P.L.30, No.14), entitled "An act relating to the public school system, including certain provisions applicable as well to private and parochial schools; amending, revising, consolidating and changing the laws relating thereto," in charter schools, further providing for funding for charter schools.

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

Section 1. Section 1725-A(a) of the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, is amended and the section is amended by adding a subsection to read:

Section 1725-A. Funding for Charter Schools.—(a) Funding for a charter school shall be provided in the following manner:

(1) [There] Except as provided for in subsection (a.1), there shall be no tuition charge for a resident or nonresident student attending a charter school.

(2) For non-special education students, the charter school shall receive for each student enrolled no less than the budgeted total expenditure per average daily membership of the
prior school year, as defined in section 2501(20), minus the
budgeted expenditures of the district of residence for nonpublic
school programs; adult education programs; community/junior
college programs; student transportation services; for special
education programs; facilities acquisition, construction and
improvement services; and other financing uses, including debt
service and fund transfers as provided in the Manual of
Accounting and Related Financial Procedures for Pennsylvania
School Systems established by the department. [This] Except as
provided in subsection (a.1), this amount shall be paid by the
district of residence of each student.

(3) For special education students, the charter school shall
receive for each student enrolled the same funding as for each
non-special education student as provided in clause (2), plus an
additional amount determined by dividing the district of
residence's total special education expenditure by the product
of multiplying the combined percentage of section 2509.5(k)
times the district of residence's total average daily membership
for the prior school year. [This] Except as provided in
subsection (a.1), this amount shall be paid by the district of
residence of each student.

(4) A charter school may request the intermediate unit in
which the charter school is located to provide services to
assist the charter school to address the specific needs of
exceptional students. The intermediate unit shall assist the
charter school and bill the charter school for the services. The
intermediate unit may not charge the charter school more for any
service than it charges the constituent districts of the
intermediate unit.

(5) Payments shall be made to the charter school in twelve
equal monthly payments, by the fifth day of each month, within the operating school year. A student enrolled in a charter school shall be included in the average daily membership of the student's district of residence for the purpose of providing basic education funding payments and special education funding pursuant to Article XXV. If a school district fails to make a payment to a charter school as prescribed in this clause, the secretary shall deduct the estimated amount, as documented by the charter school, from any and all State payments made to the district after receipt of documentation from the charter school. No later than October 1 of each year, a charter school shall submit to the school district of residence of each student final documentation of payment to be made based on the average daily membership for the students enrolled in the charter school from the school district for the previous school year. If a school district fails to make payment to the charter school, the secretary shall deduct and pay the amount as documented by the charter school from any and all State payments made to the district after receipt of documentation from the charter school from the appropriations for the fiscal year in which the final documentation of payment was submitted to the school district of residence.

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

   (a.1) If a public school district offers a cyber-based
program equal in scope and content to an existing publicly
chartered cyber charter school and a student in that district
attends a cyber charter school instead of the district's cyber-
based program, the school district shall not be required to
provide funding to pay for the student's attendance at a cyber
charter school.

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