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THE GENERAL ASSEMBLY OF PENNSYLVANIA

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HOUSE BILL

No. 2705 Session of  
1998

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INTRODUCED BY L. I. COHEN, FICHTER, READSHAW, GODSHALL,  
LAUGHLIN, McILHATTAN, McNAUGHTON, STABACK, GIGLIOTTI, MELIO,  
HARHAI, SHANER, DALLY, BARD, YOUNGBLOOD, ROEBUCK, TRELLO,  
CURRY, EACHUS, STEELMAN AND SAINATO, JUNE 10, 1998

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REFERRED TO COMMITTEE ON EDUCATION, JUNE 10, 1998

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AN ACT

1 Amending the act of March 10, 1949 (P.L.30, No.14), entitled "An  
2 act relating to the public school system, including certain  
3 provisions applicable as well to private and parochial  
4 schools; amending, revising, consolidating and changing the  
5 laws relating thereto," further providing for the calculation  
6 of the Commonwealth reimbursement of special education costs.

7 The General Assembly acknowledges that all children have a  
8 right to be educated. Special education is a hallmark of  
9 education. Special education costs have been increasing at a  
10 rapid rate and consuming larger portions of school district's  
11 budgets. Commonwealth reimbursement should be based on the  
12 actual cost and number of students served in a district. The  
13 General Assembly is committed to paying those special education  
14 costs that are above and beyond the cost of providing education  
15 for a regular education student.

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

18 Section 1. Section 2509 of the act of March 10, 1949  
19 (P.L.30, No.14), known as the Public School Code of 1949, is

1 amended by adding a subsection to read:

2 Section 2509. Payments on Account of Courses for Exceptional  
3 Children.--\* \* \*

4 (g) For 1997-1998 the school year and each school year  
5 thereafter, every school district, regardless of classification,  
6 shall be paid by the Commonwealth an amount to be determined by  
7 multiplying the average daily membership in a course or courses  
8 for exceptional children, (1) at the elementary level, by an  
9 amount determined by subtracting the "instruction cost per  
10 elementary pupil," as defined in section 2561 of this act, from  
11 the "instruction cost per special class pupil," as hereinbefore  
12 defined, for the preceding school term, or from the instruction  
13 cost per special class elementary pupil as approved for  
14 reimbursement by the Department of Education in the budget for  
15 classes or schools for exceptional children for the school year  
16 in which the class is operated, whichever is the lesser, (2) at  
17 the secondary level, by an amount determined by subtracting the  
18 "instruction cost per high school pupil," as defined in section  
19 2561 of this act, from the "instruction cost per special class  
20 pupil," as hereinbefore defined, for the preceding school term,  
21 or from the instruction cost per special classes secondary pupil  
22 as approved for reimbursement by the Department of Education in  
23 the budget for classes or school for exceptional children for  
24 the school year in which the class is operated, whichever is the  
25 lesser.

26 Section 2. Section 2509.5(1), (m), (n) and (o) of the act  
27 are repealed.

28 Section 3. The General Assembly may make such supplemental  
29 appropriations as may be necessary to provide for payments to  
30 school districts.

1       Section 4.   This act shall take effect immediately.