

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1284 Session of  
2001

INTRODUCED BY COLAFELLA, STAIRS, M. COHEN, BELARDI, ROEBUCK,  
CURRY, GRUCELA, STEELMAN, STURLA, C. WILLIAMS, KREBS,  
McILHATTAN, BARRAR, BEBKO-JONES, BELFANTI, BISHOP, BOYES,  
CALTAGIRONE, L. I. COHEN, COSTA, DALEY, DeLUCA, FRANKEL,  
FREEMAN, GODSHALL, HALUSKA, HARHAI, HORSEY, JOSEPHS, KENNEY,  
LAUGHLIN, MANN, MARKOSEK, McCALL, MELIO, MICHLOVIC, ORIE,  
PETRARCA, PIPPY, PISTELLA, READSHAW, ROONEY, SAINATO,  
SCRIMENTI, SEMMEL, SHANER, SOLOBAY, STABACK, TANGRETTI,  
E. Z. TAYLOR, THOMAS, TRAVAGLIO, TRELLO, TULLI, WALKO, WILT,  
WOJNAROSKI, YOUNGBLOOD AND YUDICHAK, APRIL 4, 2001

REFERRED TO COMMITTEE ON EDUCATION, APRIL 4, 2001

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 reimbursements  
6 or payments by the Commonwealth to community colleges.

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

9 Section 1. Section 1913-A(b) of the act of March 10, 1949  
10 (P.L.30, No.14), known as the Public School Code of 1949,  
11 amended June 7, 1993 (P.L.49, No.16), June 25, 1997 (P.L.297,  
12 No.30), April 27, 1998 (P.L.270, No.46) and May 10, 2000  
13 (P.L.44, No.16), is amended to read:

14 Section 1913-A. Financial Program; Reimbursement or  
15 Payments.--\* \* \*

16 (b) (1) For the 1993-1994 fiscal year and for each fiscal

1 year thereafter, the Commonwealth shall pay to a community  
2 college on behalf of the sponsor on account of its operating  
3 costs during the fiscal year from funds appropriated for that  
4 purpose an amount equal to [the lesser of such college's  
5 variable State share ceiling as determined in clause (1.3) or  
6 such college's equivalent full-time student reimbursement as  
7 determined in clause (1.4).] two-thirds of the total operating  
8 costs as provided for in subsection (d).

9 (1.2) The Secretary of Education, in consultation with the  
10 community colleges, shall promulgate standards for credit  
11 courses and for noncredit courses that will be eligible for  
12 Commonwealth reimbursement. The standards shall specifically  
13 exclude from eligibility for reimbursement any course or program  
14 in avocational or recreational pursuits. The standards shall be  
15 promulgated by the beginning of the 1994-1995 fiscal year. Until  
16 such standards are promulgated, no community college will be  
17 reimbursed for any credit course which was offered by such  
18 college as a noncredit course during the college's 1992-1993  
19 fiscal year.

20 [(1.3) The variable State share ceiling of a community  
21 college shall be determined as follows:

22 (i) Subtract the taxable income per person of the local  
23 sponsor from the highest taxable income per person of any county  
24 in the Commonwealth.

25 (ii) Divide the amount determined under subclause (i) by the  
26 difference between the highest taxable income per person of any  
27 county in the Commonwealth and the lowest taxable income per  
28 person of any county in the Commonwealth.

29 (iii) Multiply the quotient determined under subclause (ii)  
30 by one-sixth.

1 (iv) Add one-third to the product determined under paragraph  
2 (iii).

3 (v) Multiply the sum determined under subclause (iv) by the  
4 community college's operating costs in the year for which  
5 reimbursement is being claimed.

6 (vi) The taxable income per person data used in the  
7 preceding calculation shall be data certified to the Secretary  
8 of Education by the Secretary of Revenue under section 2501(9.1)  
9 for school district local sponsors or data otherwise published  
10 by the Secretary of Revenue for a municipal local sponsor.

11 (1.4) The equivalent full-time student reimbursement of a  
12 community college shall be the sum of credit course, noncredit  
13 course and stipend reimbursements. These reimbursements shall be  
14 calculated using a reimbursement factor of one thousand and  
15 forty dollars (\$1,040) for the 1993-1994 fiscal year, of one  
16 thousand eighty dollars (\$1,080) for the 1994-1995 fiscal year  
17 and of one thousand one hundred eighty dollars (\$1,180) for the  
18 1995-1996 fiscal year and one thousand and two hundred and ten  
19 dollars (\$1,210) for the 1996-1997 fiscal year and one thousand  
20 two hundred sixty dollars (\$1,260) for the 1997-1998 fiscal year  
21 and the 1998-1999 fiscal year and one thousand three hundred  
22 dollars (\$1,300) for the 1999-2000 fiscal year and one thousand  
23 four hundred dollars (\$1,400) for the 2000-2001 fiscal year and  
24 for each year thereafter and shall be determined as follows:

25 (i) Credit course reimbursement shall be calculated by  
26 multiplying the reimbursement factor by the number of equivalent  
27 full-time students enrolled in credit courses as determined by  
28 an audit to be made in a manner prescribed by the State Board of  
29 Education.

30 (ii) Noncredit course reimbursement shall be calculated as

1 follows:

2 (A) eighty percent (80%) of the reimbursement factor  
3 multiplied by the number of equivalent full-time students  
4 enrolled in eligible noncredit courses for the 1993-1994 fiscal  
5 year, as determined by the audit referred to in paragraph (i);

6 (B) seventy percent (70%) of the reimbursement factor  
7 multiplied by the number of equivalent full-time students  
8 enrolled in eligible noncredit courses for the 1994-1995 fiscal  
9 year and for each year thereafter, as determined by the audit  
10 referred to in paragraph (i); or

11 (C) one hundred percent (100%) of the reimbursement factor  
12 multiplied by the number of equivalent full-time students  
13 enrolled in eligible noncredit public safety courses that  
14 provide training for volunteer firefighters and emergency  
15 medical services for the 1995-1996 fiscal year and for each year  
16 thereafter, as determined by the audit referred to in paragraph  
17 (i).

18 (iii) Stipend reimbursement on account of a community  
19 college's operating costs for all equivalent full-time students  
20 enrolled in the following categories of two-year or less than  
21 two-year occupational or technical programs, shall be the sum of  
22 the following:

23 (A) One thousand one hundred dollars (\$1,100) per full-time  
24 equivalent student enrolled in advanced technology programs. For  
25 the fiscal year 1995-1996, 1996-1997 and 1997-1998, the  
26 reimbursement rate shall be calculated at one thousand one  
27 hundred seventy-five dollars (\$1,175) per full-time equivalent  
28 student enrolled in advanced technology programs. For the fiscal  
29 year 1998-1999 and each year thereafter, the reimbursement rate  
30 shall be calculated at one thousand four hundred sixty dollars

1 (\$1,460) per full-time equivalent student enrolled in advanced  
2 technology programs. Advanced technology programs are programs  
3 using new or advanced technologies which hold promise for  
4 creating new job opportunities, including such fields as  
5 robotics, biotechnology, specialized materials and engineering  
6 and engineering-related programs.

7 (B) One thousand dollars (\$1,000) per full-time equivalent  
8 student enrolled in programs designated as Statewide programs.  
9 For the fiscal year 1995-1996, 1996-1997 and 1997-1998, the  
10 reimbursement rate shall be calculated at one thousand seventy-  
11 five dollars (\$1,075) per full-time equivalent student enrolled  
12 in programs designated as Statewide programs. For the fiscal  
13 year 1998-1999 and each year thereafter, the reimbursement rate  
14 shall be calculated at one thousand three hundred sixty dollars  
15 (\$1,360) per full-time equivalent student enrolled in programs  
16 designated as Statewide programs. A Statewide program is a  
17 program which meets one or more of the following criteria:

18 (I) Program enrollment from out-of-sponsor area is twenty  
19 per cent or more of the enrollment for the program.

20 (II) A consortial arrangement exists with another community  
21 college to cooperatively operate a program or share regions in  
22 order to avoid unnecessary program duplication.

23 (C) Five hundred dollars (\$500) per full-time equivalent  
24 student enrolled in other occupational or technical programs.  
25 For the fiscal year 1995-1996, 1996-1997 and 1997-1998, the  
26 reimbursement rate shall be calculated at five hundred seventy-  
27 five dollars (\$575) per full-time equivalent student enrolled in  
28 other occupational or technical programs. For the fiscal year  
29 1998-1999 and each year thereafter, the reimbursement rate shall  
30 be calculated at eight hundred sixty dollars (\$860) per full-

1 time equivalent student enrolled in other occupational or  
2 technical programs.]

3 (2) For the 1993-1994 fiscal year, each community college  
4 shall be reimbursed under clause (1) in an amount which is at  
5 least equal to a one percent (1%) increase over its 1992-1993  
6 operating cost and stipend reimbursement. In no case shall a  
7 community college's 1993-1994 reimbursement under clause (1) per  
8 full-time equivalent student, insofar as said reimbursement does  
9 not include a proportionate share attributable to stipend  
10 reimbursement under clause (1.4)(iii), exceed its 1992-1993  
11 operating cost reimbursement per full-time equivalent student by  
12 more than ten percent (10%).

13 (2.1) For the 1994-1995 fiscal year, each community college  
14 shall be reimbursed under clause (1) in an amount which is at  
15 least equal to a one percent (1%) increase over its 1993-1994  
16 reimbursement under clause (1). In no case shall a community  
17 college's 1994-1995 reimbursement under clause (1) per full-time  
18 equivalent student, insofar as said reimbursement does not  
19 include the proportionate share attributable to stipend  
20 reimbursement under clause (1.4)(iii), exceed its 1993-1994  
21 reimbursement under clause (1) per full-time equivalent student,  
22 insofar as said reimbursement does not include the proportionate  
23 share attributable to stipend reimbursement under clause  
24 (1.4)(iii) by more than ten percent (10%).

25 (2.2) For the 1995-1996 fiscal year, each community college  
26 shall be reimbursed under clause (1) in an amount which is at  
27 least equal to its 1994-1995 reimbursement under clause (1).

28 (3) The Secretary of Education annually shall establish  
29 criteria to be used to determine eligibility of programs for  
30 each of the above stipend categories, shall approve programs for

1 funding in the following fiscal year according to these criteria  
2 and shall submit to chairmen of the committees of education in  
3 the House of Representatives and Senate a report setting forth  
4 the established criteria, any programs approved for funding  
5 under these criteria and the recipient community colleges.

6 (4) Each community college shall maintain such accounting  
7 and student attendance records on generally accepted principles  
8 and standards as will lend themselves to satisfactory audit. The  
9 Commonwealth shall pay to a community college on behalf of the  
10 sponsor on account of its capital expenses an amount equal to  
11 one-half of such college's annual capital expenses from funds  
12 appropriated for that purpose to the extent that said capital  
13 expenses have been approved as herein provided.

14 (5) For purposes of determining Commonwealth reimbursement  
15 of operating costs, Federally funded expenditures for those  
16 programs in which the Commonwealth participates in the cost  
17 shall be deducted from total operating expenditures to determine  
18 net reimbursable operating costs.

19 \* \* \*

20 Section 2. This act shall take effect immediately.