
 THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. **1615** Session of
2019

INTRODUCED BY TURZAI, JUNE 11, 2019

SENATOR BROWNE, APPROPRIATIONS, IN SENATE, RE-REPORTED AS
AMENDED, JUNE 26, 2019

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," in educational tax credits, further~~
 6 ~~providing for definitions.~~
 7 AMENDING THE ACT OF MARCH 10, 1949 (P.L.30, NO.14), ENTITLED "AN <--
 8 ACT RELATING TO THE PUBLIC SCHOOL SYSTEM, INCLUDING CERTAIN
 9 PROVISIONS APPLICABLE AS WELL TO PRIVATE AND PAROCHIAL
 10 SCHOOLS; AMENDING, REVISING, CONSOLIDATING AND CHANGING THE
 11 LAWS RELATING THERETO," IN PRELIMINARY PROVISIONS, FURTHER
 12 PROVIDING FOR SPECIAL EDUCATION FUNDING COMMISSION; IN SCHOOL
 13 DISTRICTS, PROVIDING FOR FULL ACADEMIC YEAR REQUIREMENTS; IN
 14 SCHOOL FINANCES, FURTHER PROVIDING FOR ANNUAL BUDGET,
 15 ADDITIONAL OR INCREASED APPROPRIATIONS AND TRANSFER OF FUNDS;
 16 IN GROUNDS AND BUILDINGS, FURTHER PROVIDING FOR LIMITATION ON
 17 NEW APPLICATIONS FOR DEPARTMENT OF EDUCATION APPROVAL OF
 18 PUBLIC SCHOOL BUILDING PROJECTS; IN DISTRICT SUPERINTENDENTS
 19 AND ASSISTANT DISTRICT SUPERINTENDENTS, FURTHER PROVIDING FOR
 20 ELIGIBILITY; IN PUPILS AND ATTENDANCE, FURTHER PROVIDING FOR
 21 DEFINITIONS AND FOR NONPROFIT SCHOOL FOOD PROGRAM; IN DRUG
 22 AND ALCOHOL RECOVERY HIGH SCHOOL PILOT PROGRAM, FURTHER
 23 PROVIDING FOR AUDIT REQUIRED; ESTABLISHING THE INNOVATION
 24 SCHOOLS PROGRAM; IN COMMUNITY COLLEGES, FURTHER PROVIDING FOR
 25 FINANCIAL PROGRAM AND REIMBURSEMENT OF PAYMENTS; IN
 26 EDUCATIONAL TAX CREDITS, FURTHER PROVIDING FOR DEFINITIONS,
 27 FOR QUALIFICATION AND APPLICATION BY ORGANIZATIONS, FOR
 28 APPLICATION BY BUSINESS FIRMS, FOR TAX CREDITS, FOR
 29 LIMITATIONS AND FOR OPPORTUNITY SCHOLARSHIPS; ADDING
 30 PROVISIONS RELATING TO POSTSECONDARY INSTITUTION SEXUAL
 31 HARASSMENT AND SEXUAL VIOLENCE POLICY AND ONLINE REPORTING
 32 SYSTEM; IN SCHOOL DISTRICTS OF THE FIRST CLASS, FURTHER
 33 PROVIDING FOR BOARD OF PUBLIC EDUCATION AND ADDITIONAL

1 DUTIES; IN READY-TO-SUCCEED SCHOLARSHIP, FURTHER PROVIDING
2 FOR AGENCY DUTIES RELATING TO ELIGIBILITY CRITERIA; IN
3 FUNDING FOR PUBLIC LIBRARIES, PROVIDING FOR STATE AID FOR
4 FISCAL YEAR 2019-2020; IN REIMBURSEMENTS BY COMMONWEALTH AND
5 BETWEEN SCHOOL DISTRICTS, FURTHER PROVIDING FOR PAYMENTS ON
6 ACCOUNT OF PUPILS ENROLLED IN VOCATIONAL CURRICULUMS, FOR
7 STUDENT-WEIGHTED BASIC EDUCATION FUNDING, FOR PAYMENTS TO
8 INTERMEDIATE UNITS, FOR ASSISTANCE TO SCHOOL DISTRICTS
9 DECLARED TO BE IN FINANCIAL RECOVERY STATUS OR IDENTIFIED FOR
10 FINANCIAL WATCH STATUS, FOR READY-TO-LEARN BLOCK GRANT AND
11 FOR PAYMENT OF REQUIRED CONTRIBUTION FOR PUBLIC SCHOOL
12 EMPLOYEES' SOCIAL SECURITY AND PROVIDING FOR ADVANCED
13 PLACEMENT AND INTERNATIONAL BACCALAUREATE EXAM FEES;
14 PROVIDING FOR FOSTERING INDEPENDENCE THROUGH EDUCATION; AND
15 PROVIDING FOR REFERENCES TO "AREA VOCATIONAL-TECHNICAL
16 SCHOOL" AND "VOCATIONAL CURRICULUMS" IN STATUTE OR
17 REGULATION.

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

20 ~~Section 1. The definition of "pass through entity" in~~ <--
21 ~~section 2002 B of the act of March 10, 1949 (P.L.30, No.14),~~
22 ~~known as the Public School Code of 1949, is amended and the~~
23 ~~section is amended by adding a definition to read:~~

24 ~~Section 2002 B. Definitions.~~

25 ~~The following words and phrases when used in this article~~
26 ~~shall have the meanings given to them in this section unless the~~
27 ~~context clearly indicates otherwise:~~

28 * * *

29 ~~"Pass through entity." A partnership as defined in section~~
30 ~~301(n.0) of the act of March 4, 1971 (P.L.6, No.2), known as the~~
31 ~~Tax Reform Code of 1971, a single member limited liability~~
32 ~~company treated as a disregarded entity for Federal income tax~~
33 ~~purposes or a Pennsylvania S corporation as defined in section~~
34 ~~301(n.1) of the Tax Reform Code of 1971. The term includes a~~
35 ~~pass through entity that owns an interest in a pass through~~
36 ~~entity. The term also includes a qualified Subchapter S trust.~~

37 * * *

38 ~~"Qualified Subchapter S trust." As defined in section~~

1 ~~1361(d)(3) of the Internal Revenue Code of 1986.~~

2 * * *

3 ~~Section 2. The amendment of section 2002 B of the act shall~~
4 ~~apply retroactively to January 1, 2015.~~

5 ~~Section 3. This act shall take effect immediately.~~

6 SECTION 1. SECTION 122(K) OF THE ACT OF MARCH 10, 1949 <--
7 (P.L.30, NO.14), KNOWN AS THE PUBLIC SCHOOL CODE OF 1949, IS
8 AMENDED TO READ:

9 SECTION 122. SPECIAL EDUCATION FUNDING COMMISSION.--* * *

10 (K) (1) EVERY FIVE (5) YEARS THE COMMISSION SHALL BE
11 RECONSTITUTED IN ACCORDANCE WITH SUBSECTION (C) AND SHALL MEET
12 AND HOLD PUBLIC HEARINGS TO REVIEW THE OPERATION OF THE SPECIAL
13 EDUCATION FUNDING PROVISIONS OF THIS SECTION, SHALL MAKE A
14 FURTHER REPORT AND SHALL ISSUE THE REPORT TO THE RECIPIENTS
15 LISTED IN SUBSECTION (I) (5). WHEN IN RECEIPT OF A FURTHER REPORT
16 RECOMMENDING CHANGES TO THE SPECIAL EDUCATION FUNDING FORMULA,
17 THE GENERAL ASSEMBLY SHALL CONSIDER AND TAKE ACTION TO ENACT THE
18 FORMULA INTO LAW IN ACCORDANCE WITH SUBSECTION (J).

19 (2) THE COMMISSION SHALL BE RECONSTITUTED NOT LATER THAN
20 AUGUST 15, 2019, AND SHALL ISSUE THE REPORT TO THE RECIPIENTS
21 LISTED IN SUBSECTION (I) (5) NOT LATER THAN NOVEMBER 30, 2019.
22 THE COMMISSION SHALL LIMIT THE SCOPE OF THE REVIEW PROVIDED FOR
23 UNDER THIS SUBSECTION TO ONLY THE PROVISION OF SPECIAL EDUCATION
24 PAYMENTS TO SCHOOL DISTRICTS BY THE COMMONWEALTH THROUGH THE
25 FUNDING FORMULA CONTAINED IN SECTION 2509.5.

26 * * *

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

28 SECTION 221.3. FULL ACADEMIC YEAR REQUIREMENT.--(A) IF A
29 STUDENT IS ENROLLED IN A SCHOOL ON OR BEFORE OCTOBER 1 AND IS
30 CONTINUOUSLY ENROLLED IN THE SCHOOL UNTIL THE LAST DAY OF THE

1 APPLICABLE PENNSYLVANIA SYSTEM OF SCHOOL ACCOUNTABILITY TESTING
2 WINDOW, AND THE STUDENT HAS BEEN ABSENT FOR AT LEAST TWENTY
3 PERCENT (20%) OF THE SCHOOL DAYS DURING THAT SAME TIME PERIOD,
4 THE STUDENT SHALL BE DEEMED AS NOT MEETING THE FULL ACADEMIC
5 YEAR REQUIREMENT FOR THE SCHOOL AND THE STUDENT'S SCORE MAY NOT
6 BE INCLUDED INTO THE SCHOOL ACCOUNTABILITY PERFORMANCE
7 CALCULATION.

8 (B) THIS SECTION SHALL ONLY BE EFFECTIVE IF IN COMPLIANCE
9 WITH FEDERAL LAW.

10 (C) AS USED IN THIS SECTION, THE TERM "FULL ACADEMIC YEAR"
11 SHALL MEAN THAT THE STUDENT IS ENROLLED IN THE SCHOOL ON OR
12 BEFORE OCTOBER 1 AND CONTINUOUSLY ENROLLED IN THE SCHOOL UNTIL
13 AND INCLUDING THE LAST DAY OF THE APPLICABLE TESTING WINDOW.

14 SECTION 3. SECTION 687(B) AND (H) OF THE ACT ARE AMENDED TO
15 READ:

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

18 (B) THE BOARD OF SCHOOL DIRECTORS, AFTER MAKING SUCH
19 REVISIONS AND CHANGES THEREIN AS APPEAR ADVISABLE, SHALL ADOPT
20 THE BUDGET AND THE NECESSARY APPROPRIATION MEASURES REQUIRED TO
21 PUT IT INTO EFFECT. THE TOTAL AMOUNT OF SUCH BUDGET SHALL NOT
22 EXCEED THE AMOUNT OF FUNDS, INCLUDING THE PROPOSED ANNUAL TAX
23 LEVY AND STATE APPROPRIATION, AVAILABLE FOR SCHOOL PURPOSES IN
24 THAT DISTRICT. WITHIN FIFTEEN (15) DAYS AFTER THE ADOPTION OF
25 THE BUDGET, THE BOARD OF SCHOOL DIRECTORS SHALL [FILE A COPY OF
26 THE SAME IN THE OFFICE OF THE DEPARTMENT OF PUBLIC INSTRUCTION.]
27 SUBMIT AN ELECTRONIC COPY OF THE BUDGET TO THE DEPARTMENT OF
28 EDUCATION FOR PUBLICATION ON THE DEPARTMENT OF EDUCATION'S
29 PUBLICLY ACCESSIBLE INTERNET WEBSITE NO LATER THAN THIRTY (30)
30 DAYS AFTER THE RECEIPT OF THE BUDGET.

1 * * *

2 (H) BEGINNING WITH THE ADJUSTED FINAL FISCAL YEAR 1991-1992
3 BUDGET, AND EACH FISCAL YEAR THEREAFTER, ON OR BEFORE SEPTEMBER
4 15, EACH SCHOOL DISTRICT SHALL FURNISH TO THE [EDUCATION
5 COMMITTEE OF THE SENATE AND THE EDUCATION COMMITTEE OF THE HOUSE
6 OF REPRESENTATIVES] DEPARTMENT OF EDUCATION AN ELECTRONIC COPY
7 OF THE SCHOOL DISTRICT'S FINAL ADOPTED ANNUAL BUDGET TO INCLUDE
8 THE AMOUNT OF DISTRICT REVENUES BEING HELD IN EXCESS OF ITS
9 TOTAL BUDGETED EXPENDITURES. SUCH DOCUMENTATION SHALL INCLUDE AN
10 EXPLANATION OF THE DISTRICT'S NEED TO MAINTAIN THE REVENUES IN
11 THIS FUND BALANCE. THE DEPARTMENT OF EDUCATION SHALL PUBLISH THE
12 INFORMATION RECEIVED UNDER THIS SECTION ON THE DEPARTMENT OF
13 EDUCATION'S PUBLICLY ACCESSIBLE INTERNET WEBSITE NO LATER THAN
14 THIRTY (30) DAYS AFTER THE RECEIPT OF THE INFORMATION.

15 * * *

16 SECTION 4. SECTION 732.1(A) OF THE ACT, AMENDED JUNE 22,
17 2018 (P.L.241, NO.39), IS AMENDED TO READ:

18 SECTION 732.1. LIMITATION ON NEW APPLICATIONS FOR DEPARTMENT
19 OF EDUCATION APPROVAL OF PUBLIC SCHOOL BUILDING PROJECTS.--(A)
20 FOR THE 2012-2013 FISCAL YEAR, 2013-2014 FISCAL YEAR, 2017-2018
21 FISCAL YEAR [AND], 2018-2019 FISCAL YEAR AND 2019-2020 FISCAL
22 YEAR, THE DEPARTMENT OF EDUCATION SHALL NOT ACCEPT OR APPROVE
23 NEW SCHOOL BUILDING CONSTRUCTION OR RECONSTRUCTION PROJECT
24 APPLICATIONS.

25 * * *

26 SECTION 5. SECTION 1003(A) INTRODUCTORY PARAGRAPH, (B.2) AND
27 (C) OF THE ACT ARE AMENDED AND THE SECTION IS AMENDED BY ADDING
28 A SUBSECTION TO READ:

29 SECTION 1003. ELIGIBILITY.--(A) EXCEPT AS OTHERWISE
30 PROVIDED IN SUBSECTIONS (A.1), (B) AND (B.1), NO PERSON SHALL

1 RECEIVE A LETTER OF ELIGIBILITY OR BE ELECTED OR APPOINTED AS A
2 DISTRICT SUPERINTENDENT OR ASSISTANT DISTRICT SUPERINTENDENT,
3 UNLESS--

4 * * *

5 (A.1) NOTWITHSTANDING THE REQUIREMENTS OF SUBSECTION (A), A
6 PERSON SHALL BE ELIGIBLE FOR ELECTION OR APPOINTMENT AS A
7 DISTRICT SUPERINTENDENT OR ASSISTANT DISTRICT SUPERINTENDENT IF
8 THE PERSON HAS SERVED AS A CHIEF RECOVERY OFFICER OR A FINANCIAL
9 ADMINISTRATOR, AS PROVIDED UNDER ARTICLE VI-A.

10 * * *

11 (B.2) THE DEPARTMENT SHALL, UPON REQUEST IN A FORM AND
12 MANNER AS PRESCRIBED BY THE DEPARTMENT AND MADE AVAILABLE ON THE
13 DEPARTMENT'S PUBLICLY ACCESSIBLE INTERNET WEBSITE, CONFIRM THAT
14 AN INDIVIDUAL SATISFIES THE REQUIREMENTS OF SUBSECTION (A.1),
15 (B) OR (B.1) AND THAT THE INDIVIDUAL IS ELIGIBLE FOR ELECTION OR
16 APPOINTMENT AS A DISTRICT SUPERINTENDENT OR ASSISTANT DISTRICT
17 SUPERINTENDENT. UPON A SCHOOL DISTRICT'S HIRING OF AN INDIVIDUAL
18 WHO SATISFIES THE REQUIREMENTS OF SUBSECTION (A.1), (B) OR
19 (B.1), THE DEPARTMENT SHALL ISSUE THE INDIVIDUAL A COMMISSION.

20 (C) NOTWITHSTANDING THE PROVISIONS OF SECTIONS 1205.1(F),
21 1205.2(N.1) AND 1205.5(H), A PERSON ELECTED OR APPOINTED AS A
22 DISTRICT SUPERINTENDENT OR ASSISTANT DISTRICT SUPERINTENDENT FOR
23 THE FIRST TIME IN THIS COMMONWEALTH UNDER SUBSECTION (A.1), (B)
24 OR (B.1) SHALL SUCCESSFULLY COMPLETE A LEADERSHIP DEVELOPMENT
25 PROGRAM THAT MEETS THE PENNSYLVANIA SCHOOL LEADERSHIP STANDARDS
26 UNDER SECTION 1217.

27 SECTION 6. THE DEFINITION OF "COMPULSORY SCHOOL AGE" IN
28 SECTION 1326 OF THE ACT IS AMENDED TO READ:

29 SECTION 1326. DEFINITIONS.--WHEN USED IN THIS ARTICLE, THE
30 FOLLOWING WORDS AND PHRASES SHALL HAVE THE FOLLOWING MEANINGS:

1 * * *

2 "COMPULSORY SCHOOL AGE" SHALL MEAN THE PERIOD OF A CHILD'S
3 LIFE FROM THE TIME THE CHILD'S PARENTS ELECT TO HAVE THE CHILD
4 ENTER SCHOOL AND WHICH SHALL BE NO LATER THAN [EIGHT (8)] SIX
5 (6) YEARS OF AGE UNTIL THE CHILD REACHES [SEVENTEEN (17)]
6 EIGHTEEN (18) YEARS OF AGE. THE TERM DOES NOT INCLUDE A CHILD
7 WHO HOLDS A CERTIFICATE OF GRADUATION FROM A REGULARLY
8 ACCREDITED, LICENSED, REGISTERED OR APPROVED HIGH SCHOOL.

9 * * *

10 SECTION 7. SECTIONS 1337(D) AND 1408-A OF THE ACT ARE
11 AMENDED TO READ:

12 SECTION 1337. NONPROFIT SCHOOL FOOD PROGRAM.--* * *

13 (D) BOARDS OF SCHOOL DIRECTORS.

14 (1) PURSUANT TO ANY POWER OF BOARDS OF SCHOOL DIRECTORS TO
15 OPERATE OR PROVIDE FOR THE OPERATION OF SCHOOL FOOD PROGRAMS IN
16 SCHOOLS UNDER THEIR JURISDICTION, BOARDS OF SCHOOL DIRECTORS MAY
17 USE THEREFORE FUNDS DISBURSED TO THEM UNDER THE PROVISIONS OF
18 THIS SECTION, GIFTS AND OTHER FUNDS, RECEIVED FROM SALE OF
19 SCHOOL FOOD UNDER SUCH PROGRAMS.

20 (2) [REGARDLESS] (I) PURSUANT TO SUBCLAUSE (II), REGARDLESS
21 OF WHETHER A STUDENT HAS MONEY TO PAY FOR A SCHOOL MEAL OR OWES
22 MONEY FOR SCHOOL MEALS, EACH BOARD OF SCHOOL DIRECTORS SHALL
23 ESTABLISH A REQUIREMENT FOR SCHOOLS UNDER ITS JURISDICTION TO
24 PROVIDE A SCHOOL FOOD PROGRAM MEAL TO A STUDENT WHO REQUESTS
25 ONE, UNLESS THE STUDENT'S PARENT OR GUARDIAN HAS SPECIFICALLY
26 PROVIDED WRITTEN DIRECTIVE TO THE SCHOOL TO WITHHOLD A SCHOOL
27 MEAL.

28 (II) IF A STUDENT IS NOT ELIGIBLE FOR PARTICIPATION IN THE
29 SCHOOL FOOD PROGRAM AND OWES GREATER THAN FIFTY DOLLARS (\$50) IN
30 A SCHOOL YEAR FOR SCHOOL MEALS, A SCHOOL MAY PROVIDE THE STUDENT

1 WITH ALTERNATIVE MEALS INSTEAD OF SCHOOL FOOD PROGRAM MEALS
2 UNTIL THE STUDENT'S UNPAID BALANCE FOR SCHOOL MEALS IS PAID OR A
3 PAYMENT PLAN HAS BEEN ESTABLISHED WITH THE SCHOOL TO REDUCE THE
4 UNPAID BALANCE.

5 (3) EACH BOARD OF SCHOOL DIRECTORS SHALL REQUIRE SCHOOLS
6 UNDER ITS JURISDICTION TO COMPLY WITH THE FOLLOWING WHEN A
7 STUDENT OWES MONEY FOR FIVE OR MORE SCHOOL MEALS:

8 (I) THE SCHOOL SHALL MAKE AT LEAST TWO ATTEMPTS TO REACH THE
9 STUDENT'S PARENT OR GUARDIAN AND HAVE THE PARENT OR GUARDIAN
10 APPLY FOR PARTICIPATION IN THE SCHOOL FOOD PROGRAM.

11 (II) THE SCHOOL MAY OFFER ASSISTANCE WITH APPLYING FOR
12 PARTICIPATION IN THE SCHOOL FOOD PROGRAM.

13 (4) EACH BOARD OF SCHOOL DIRECTORS SHALL:

14 (I) REQUIRE SCHOOLS UNDER ITS JURISDICTION TO DIRECT
15 COMMUNICATIONS REGARDING MONEY OWED BY A STUDENT FOR SCHOOL
16 MEALS TO THE STUDENT'S PARENT OR GUARDIAN AND NOT TO THE STUDENT
17 IF THE STUDENT IS ENROLLED IN GRADES KINDERGARTEN THROUGH EIGHT.
18 FOR A STUDENT ENROLLED IN GRADES NINE THROUGH TWELVE, THE BOARD
19 OF SCHOOL DIRECTORS MAY REQUIRE THE SCHOOLS TO DIRECT
20 COMMUNICATIONS REGARDING A LOW BALANCE OR MONEY OWED BY A
21 STUDENT FOR SCHOOL MEALS TO THE STUDENT IF THE COMMUNICATIONS
22 ARE MADE INDIVIDUALLY TO THE STUDENT BY APPROPRIATE SCHOOL
23 PERSONNEL AND ARE MADE DISCREETLY.

24 (II) PERMIT SCHOOLS UNDER ITS JURISDICTION TO CONTACT THE
25 STUDENT'S PARENT OR GUARDIAN BY MEANS OF A LETTER ADDRESSED TO
26 THE PARENT OR GUARDIAN THAT IS DELIVERED BY THE STUDENT.

27 (5) EACH BOARD OF SCHOOL DIRECTORS SHALL PROHIBIT SCHOOLS
28 UNDER ITS JURISDICTION FROM IMPLEMENTING THE FOLLOWING:

29 (I) PUBLICLY IDENTIFYING OR STIGMATIZING A STUDENT WHO
30 CANNOT PAY FOR A SCHOOL MEAL OR WHO OWES MONEY FOR SCHOOL MEALS.

1 IT SHALL NOT CONSTITUTE PUBLIC IDENTIFICATION OR STIGMATIZATION
2 OF A STUDENT FOR A SCHOOL TO RESTRICT PRIVILEGES AND ACTIVITIES
3 OF STUDENTS WHO OWE MONEY FOR SCHOOL MEALS IF THOSE SAME
4 RESTRICTIONS APPLY TO STUDENTS WHO OWE MONEY FOR OTHER SCHOOL-
5 RELATED PURPOSES. IT SHALL NOT CONSTITUTE PUBLIC IDENTIFICATION
6 OR STIGMATIZATION OF A STUDENT FOR A SCHOOL TO PROVIDE A STUDENT
7 WITH AN ALTERNATIVE MEAL PURSUANT TO SUBCLAUSE (D) (2) (II).

8 (II) REQUIRING A STUDENT WHO CANNOT PAY FOR A SCHOOL MEAL TO
9 PERFORM CHORES OR OTHER WORK TO PAY FOR THE SCHOOL MEAL. THIS
10 SUBCLAUSE SHALL NOT APPLY IF CHORES OR OTHER WORK ARE REQUIRED
11 OF ALL STUDENTS REGARDLESS OF THE STUDENT'S INABILITY TO PAY FOR
12 THE SCHOOL MEAL.

13 (III) REQUIRING A STUDENT TO DISCARD A SCHOOL MEAL AFTER IT
14 WAS SERVED TO THE STUDENT DUE TO THE STUDENT'S INABILITY TO PAY
15 FOR THE SCHOOL MEAL OR THE AMOUNT OF MONEY OWED BY THE STUDENT
16 FOR EARLIER SCHOOL MEALS.

17 * * *

18 SECTION 1408-A. AUDIT REQUIRED.

19 THE RECOVERY HIGH SCHOOL SHALL SUBMIT ANNUALLY TO THE
20 SECRETARY OF EDUCATION, THE SECRETARY OF DRUG AND ALCOHOL
21 PROGRAMS, THE CHAIRPERSON AND MINORITY CHAIRPERSON OF THE
22 EDUCATION COMMITTEE OF THE SENATE, THE CHAIRPERSON AND MINORITY
23 CHAIRPERSON OF THE EDUCATION COMMITTEE OF THE HOUSE OF
24 REPRESENTATIVES, THE CHAIRPERSON AND MINORITY CHAIRPERSON OF THE
25 PUBLIC HEALTH AND WELFARE COMMITTEE OF THE SENATE AND THE
26 CHAIRPERSON AND MINORITY CHAIRPERSON OF THE HEALTH COMMITTEE OF
27 THE HOUSE OF REPRESENTATIVES A COMPLETE CERTIFIED AUDIT OF THE
28 RECOVERY HIGH SCHOOL'S PARTICIPATION IN THE PROGRAM. THE AUDIT
29 SHALL BE CONDUCTED BY A QUALIFIED INDEPENDENT CERTIFIED PUBLIC
30 ACCOUNTANT UNDER GENERALLY ACCEPTED AUDIT STANDARDS OF THE

1 GOVERNMENTAL ACCOUNTING STANDARDS BOARD AND PAID FOR BY THE
2 DEPARTMENT.

3 SECTION 8. THE ACT IS AMENDED BY ADDING AN ARTICLE TO READ:

4 ARTICLE XIV-B

5 INNOVATION SCHOOLS PROGRAM

6 SECTION 1401-B. DEFINITIONS.

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

10 "AFFILIATED NETWORK OF SCHOOLS." A NETWORK OF SCHOOLS,
11 OVERSEEN BY A COMMON PROGRAM MANAGER OR MANAGEMENT TEAM,
12 INCLUDING AN EXISTING NONPROFIT ORGANIZATION WHICH IS QUALIFIED
13 FOR AN EXEMPTION UNDER SECTION 501(C)(3) OF THE INTERNAL REVENUE
14 CODE OF 1986 (PUBLIC LAW 99-514, 26 U.S.C. § 501(C)(3)) AND
15 WHOSE PRINCIPAL PURPOSE IS TO PROVIDE SERVICES TO SUPPORT THE
16 PROGRAM'S MISSION, STUDENTS AND THEIR FAMILIES AND THE
17 IMMEDIATELY SURROUNDING COMMUNITY.

18 "DEPARTMENT." THE DEPARTMENT OF EDUCATION OF THE
19 COMMONWEALTH.

20 "INNOVATION SCHOOL." A SCHOOL, OR AN AFFILIATED NETWORK OF
21 SCHOOLS, DESIGNATED AS AN INNOVATION SCHOOL UNDER SECTION 1402-
22 B(B).

23 "PEER GROUP." A GROUP OF PUBLIC SCHOOLS WITHIN THE
24 BOUNDARIES OF A SCHOOL DISTRICT WHOSE STUDENT ENROLLMENT IS A
25 SIMILAR COMPOSITION OF STUDENTS IN SPECIAL EDUCATION, ENGLISH-
26 LANGUAGE LEARNING AND ECONOMICALLY DISADVANTAGED STUDENTS.

27 "PROGRAM." THE INNOVATION SCHOOLS PROGRAM ESTABLISHED UNDER
28 SECTION 1402-B(A).

29 "PROGRAM MANAGER." AN INDIVIDUAL APPOINTED AND EMPLOYED BY
30 AN INNOVATION SCHOOL TO DEVELOP, IMPLEMENT AND CARRY OUT THE

1 PROVISIONS OF AN INNOVATION PLAN APPROVED BY THE DEPARTMENT.

2 "SCHOOL." A CHARTER SCHOOL, REGIONAL CHARTER SCHOOL OR A
3 SCHOOL OPERATED BY A SCHOOL DISTRICT.

4 SECTION 1402-B. ESTABLISHMENT OF INNOVATION SCHOOLS PROGRAM.

5 (A) PROGRAM ESTABLISHED.--THE INNOVATION SCHOOLS PROGRAM IS
6 ESTABLISHED TO STUDY AND EVALUATE INNOVATIVE APPROACHES TO
7 ECONOMICALLY DISADVANTAGED SCHOOLS, INCLUDING WORKFORCE
8 DEVELOPMENT PROGRAMS, MENTORING SERVICES, BEFORE-SCHOOL AND
9 AFTER-SCHOOL PROGRAMS, PREVENTION MEASURES AND SOCIAL WRAP-
10 AROUND SERVICES.

11 (B) DESIGNATION.--NOT LATER THAN AUGUST 1, 2019, THE
12 SECRETARY OF EDUCATION, IN COORDINATION WITH THE DEPARTMENT OF
13 HUMAN SERVICES AND THE DEPARTMENT OF LABOR AND INDUSTRY, SHALL:

14 (1) ACCEPT APPLICATIONS FROM SCHOOLS FOR DESIGNATION AS
15 AN INNOVATION SCHOOL.

16 (2) EVALUATE APPLICATIONS RECEIVED UNDER PARAGRAPH (1)
17 AND DESIGNATE NO MORE THAN TWO SCHOOLS THAT SATISFY, AS OF
18 JUNE 30, 2019, ALL OF THE FOLLOWING REQUIREMENTS TO SERVE AS
19 INNOVATION SCHOOLS:

20 (I) THE SCHOOL IS IN THE BOTTOM 5% OF ALL SCHOOLS IN
21 THIS COMMONWEALTH BASED ON THE PERCENT OF ENROLLMENT THAT
22 IS ECONOMICALLY DISADVANTAGED, AS REPORTED BY THE
23 DEPARTMENT.

24 (II) THE SCHOOL HAS DONE ONE OF THE FOLLOWING:

25 (A) PARTNERED WITH BEHAVIORAL HEALTH
26 SPECIALISTS.

27 (B) PROVIDED AN INTEGRATED SOCIAL SERVICE MODEL.

28 (III) A SCHOOL, OR AT LEAST ONE SCHOOL IN THE
29 AFFILIATED NETWORK OF SCHOOLS, IS LOCATED WITHIN A
30 PROMISE ZONE, AS DESIGNATED BY THE UNITED STATES

1 DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT.

2 (3) POST NOTICE OF THE DESIGNATION ON THE DEPARTMENT'S
3 PUBLICLY ACCESSIBLE INTERNET WEBSITE.

4 SECTION 1403-B. TERM OF DESIGNATION.

5 (A) DURATION OF DESIGNATION.--A DESIGNATION UNDER THIS
6 ARTICLE SHALL BE EFFECTIVE FOR AT LEAST FIVE YEARS.

7 (B) TERMINATION OF DESIGNATION.--THE DEPARTMENT MAY
8 TERMINATE A DESIGNATION UNDER THIS ARTICLE IF ANY OF THE
9 FOLLOWING APPLY:

10 (1) THE INNOVATION SCHOOL FAILS TO COMPLY WITH THE
11 REQUIREMENTS OF THIS ARTICLE.

12 (2) THE INNOVATION SCHOOL VIOLATES ANY PROVISION OF
13 FEDERAL OR STATE LAW FROM WHICH THE SCHOOL HAS NOT BEEN
14 EXEMPTED.

15 (3) THE CHIEF ADMINISTRATOR OR PRINCIPAL OPERATOR OF THE
16 INNOVATION SCHOOL IS CONVICTED OF:

17 (I) AN OFFENSE GRADED AS A FELONY;

18 (II) AN INFAMOUS CRIME;

19 (III) AN OFFENSE PERTAINING TO FRAUD;

20 (IV) THEFT OR MISMANAGEMENT OF PUBLIC FUNDS;

21 (V) ANY OFFENSE PERTAINING TO THE INDIVIDUAL'S
22 OFFICIAL CAPACITY; OR

23 (VI) ANY CRIME INVOLVING MORAL TURPITUDE.

24 SECTION 1404-B. ANNUAL PLAN AND WAIVER.

25 (A) SUBMISSION OF ANNUAL PLAN.--AN INNOVATION SCHOOL SHALL
26 ANNUALLY SUBMIT A PLAN FOR ACADEMIC AND SOCIAL PROGRAMS TO THE
27 DEPARTMENT, THE DEPARTMENT OF HUMAN SERVICES AND THE DEPARTMENT
28 OF LABOR AND INDUSTRY FOR COORDINATED REVIEW AND APPROVAL. THE
29 ANNUAL PLAN SHALL INCLUDE ANY REQUESTS TO WAIVE FEDERAL OR STATE
30 REQUIREMENTS UNDER SUBSECTION (C).

1 (B) APPROVAL OF ANNUAL PLAN.--THE DEPARTMENT, IN
2 COORDINATION WITH THE DEPARTMENT OF HUMAN SERVICES AND THE
3 DEPARTMENT OF LABOR AND INDUSTRY, SHALL APPROVE AN ANNUAL PLAN
4 UNDER SUBSECTION (A) IF THE PROPOSED ANNUAL PLAN WILL IMPROVE
5 THE DELIVERY OF EDUCATION FOR THE PROSPECTIVE STUDENT
6 POPULATION.

7 (C) WAIVER PROCEDURES.--THE FOLLOWING APPLY:

8 (1) UPON APPROVAL OF AN ANNUAL PLAN UNDER SUBSECTION
9 (B), THE DEPARTMENT, IN COORDINATION WITH THE DEPARTMENT OF
10 HUMAN SERVICES AND THE DEPARTMENT OF LABOR AND INDUSTRY,
11 SHALL DO ALL OF THE FOLLOWING AS MAY BE NECESSARY TO
12 IMPLEMENT THE ANNUAL PLAN:

13 (I) WAIVE STATE REGULATIONS.

14 (II) APPLY FOR A FEDERAL WAIVER.

15 (2) THE DEPARTMENT, THE DEPARTMENT OF HUMAN SERVICES AND
16 THE DEPARTMENT OF LABOR AND INDUSTRY, MAY WAIVE STATE
17 REGULATIONS OR APPLY FOR A FEDERAL WAIVER IN THE FOLLOWING
18 CATEGORIES:

19 (I) ACADEMIC TESTING OR TESTING PERIODS.

20 (II) ACADEMIC ASSISTANCE.

21 (III) COLLEGE AND CAREER PREPARATIONS.

22 (IV) BEFORE-SCHOOL AND AFTER-SCHOOL CARE OR
23 PROGRAMS.

24 (V) BEHAVIORAL HEALTH SERVICES.

25 (VI) SOCIAL SERVICES.

26 (VII) INTEGRATED STUDENT SUPPORT SERVICES.

27 (VIII) BEHAVIOR INTERVENTION.

28 (3) A WRITTEN REQUEST FOR THE WAIVER OF A STATE
29 REGULATION MAY BE GRANTED IF THERE IS NO JEOPARDY TO THE
30 HEALTH, SAFETY OR WELFARE OF STUDENTS. THE DEPARTMENT, THE

1 DEPARTMENT OF HUMAN SERVICES OR THE DEPARTMENT OF LABOR AND
2 INDUSTRY, AS APPROPRIATE, SHALL NOTIFY THE SCHOOL OF THE
3 APPROVAL OF A WAIVER WITHIN 10 DAYS OF THE WAIVER REQUEST.
4 THE NOTIFICATION TO THE SCHOOL SHALL INCLUDE APPROVAL FOR
5 IMPLEMENTATION OF THAT PART OF THE ANNUAL PLAN RELATED TO THE
6 APPROVED WAIVER.

7 (4) IF THE FEDERAL GOVERNMENT APPROVES THE APPLICATION
8 FOR A FEDERAL WAIVER UNDER PARAGRAPH (1), THE DEPARTMENT, THE
9 DEPARTMENT OF HUMAN SERVICES OR THE DEPARTMENT OF LABOR AND
10 INDUSTRY, AS APPROPRIATE, SHALL NOTIFY THE SCHOOL OF THE
11 APPROVAL WITHIN 10 DAYS OF ITS RECEIPT OF APPROVAL FROM THE
12 FEDERAL GOVERNMENT. THE NOTIFICATION TO THE SCHOOL SHALL
13 INCLUDE APPROVAL FOR IMPLEMENTATION OF THAT PART OF THE
14 ANNUAL PLAN RELATED TO THE APPROVED WAIVER.

15 (5) IF A REQUEST FOR A WAIVER OF A STATE REGULATION IS
16 DENIED, THE DEPARTMENT, THE DEPARTMENT OF HUMAN SERVICES AND
17 THE DEPARTMENT OF LABOR AND INDUSTRY MAY NOT AUTHORIZE THAT
18 PORTION OF THE ANNUAL PLAN RELATED TO THE DENIED STATE
19 WAIVER. THE DEPARTMENT, THE DEPARTMENT OF HUMAN SERVICES OR
20 THE DEPARTMENT OF LABOR AND INDUSTRY, AS APPROPRIATE, SHALL
21 NOTIFY THE SCHOOL OF THE DENIAL WITHIN 10 DAYS OF THE WAIVER
22 REQUEST. THE NOTIFICATION TO THE SCHOOL SHALL INCLUDE A
23 WRITTEN EXPLANATION OF THE BASIS FOR THE DENIAL.

24 (6) IF THE FEDERAL GOVERNMENT DENIES THE APPLICATION FOR
25 A FEDERAL WAIVER UNDER PARAGRAPH (1), THE DEPARTMENT, THE
26 DEPARTMENT OF HUMAN SERVICES AND THE DEPARTMENT OF LABOR AND
27 INDUSTRY MAY NOT AUTHORIZE THAT PORTION OF THE ANNUAL PLAN
28 RELATED TO THE DENIED FEDERAL WAIVER. THE DEPARTMENT, THE
29 DEPARTMENT OF HUMAN SERVICES OR THE DEPARTMENT OF LABOR AND
30 INDUSTRY, AS APPROPRIATE, SHALL NOTIFY THE SCHOOL OF THE

1 DENIAL WITHIN 10 DAYS OF ITS RECEIPT OF THE DENIAL FROM THE
2 FEDERAL GOVERNMENT. THE NOTIFICATION TO THE SCHOOL SHALL
3 INCLUDE A WRITTEN EXPLANATION OF THE BASIS FOR THE DENIAL.

4 (D) PLAN DENIALS.--IF AN ANNUAL PLAN OR AMENDMENTS TO THE
5 ANNUAL PLAN ARE DENIED, THE DEPARTMENT SHALL PROVIDE TO THE
6 SCHOOL A WRITTEN EXPLANATION OF THE BASIS FOR THE DEPARTMENT'S
7 ACTION.

8 (E) AMENDMENTS.--A SCHOOL MAY RESUBMIT AN AMENDED ANNUAL
9 PLAN, WAIVER REQUEST OR AMENDED PLAN FOR CREATING AN INNOVATION
10 SCHOOL NO LESS THAN 60 DAYS AFTER DENIAL.

11 (F) COORDINATION.--UPON APPROVAL OF AN ANNUAL PLAN UNDER
12 SUBSECTION (B), THE DEPARTMENT SHALL COORDINATE WITH THE
13 DEPARTMENT OF HUMAN SERVICES REGARDING LICENSURE OF THE
14 INNOVATION SCHOOL OR THE INDIVIDUALLY LICENSED HEALTH CARE
15 PRACTITIONERS, AS NECESSARY. THE DEPARTMENT OF HUMAN SERVICES
16 SHALL FACILITATE ENROLLMENT OF THE INNOVATION SCHOOL'S
17 DESIGNATED HEALTH CARE PRACTITIONERS AS PROVIDERS TO PARTICIPATE
18 IN THE MEDICAL ASSISTANCE PROGRAM TO PROVIDE MEDICALLY NECESSARY
19 SERVICES TO STUDENTS WHO ARE MEDICAL ASSISTANCE BENEFICIARIES.

20 SECTION 1405-B. CONDITIONS OF CONTINUED DESIGNATION.

21 IN ORDER TO MAINTAIN ITS DESIGNATION, AN INNOVATION SCHOOL
22 MUST:

23 (1) MEET OR EXCEED THE MEDIAN SCORES OF THE SCHOOLS IN
24 ITS PEER GROUP IN ENGLISH LANGUAGE ARTS, MATH AND SCIENCE IN
25 THREE OUT OF THE FIRST FOUR YEARS OF THE PROGRAM;

26 (2) HAVE AN AVERAGE DAILY MEMBERSHIP OF 89%; AND

27 (3) APPOINT A PROGRAM MANAGER TO OVERSEE THE
28 IMPLEMENTATION OF THE ANNUAL PLAN FOR THE INNOVATION SCHOOL
29 WITHIN 60 DAYS OF THE DESIGNATION UNDER SECTION 1402-B(B).

30 SECTION 1406-B. REPORTING.

1 (A) REPORT BY INNOVATION SCHOOL.--

2 (1) BY AUGUST 31, 2020, AND BY AUGUST 31 OF EACH YEAR
3 THEREAFTER, AN INNOVATION SCHOOL SHALL SUBMIT A WRITTEN
4 REPORT CONCERNING THE PROGRAM TO ALL OF THE FOLLOWING:

5 (I) THE SECRETARY OF EDUCATION.

6 (II) THE SECRETARY OF HUMAN SERVICES.

7 (III) THE SECRETARY OF LABOR AND INDUSTRY.

8 (IV) THE CHAIR AND MINORITY CHAIR OF THE EDUCATION
9 COMMITTEE OF THE SENATE.

10 (V) THE CHAIR AND MINORITY CHAIR OF THE EDUCATION
11 COMMITTEE OF THE HOUSE OF REPRESENTATIVES.

12 (VI) THE CHAIR AND MINORITY CHAIR OF THE HEALTH AND
13 HUMAN SERVICES COMMITTEE OF THE SENATE.

14 (VII) THE CHAIR AND MINORITY CHAIR OF THE HEALTH
15 COMMITTEE OF THE HOUSE OF REPRESENTATIVES.

16 (2) THE REPORT SHALL INCLUDE, BUT NOT BE LIMITED TO, ALL
17 OF THE FOLLOWING, SUBJECT TO THE REQUIREMENTS OF THE FAMILY
18 EDUCATIONAL RIGHTS AND PRIVACY ACT OF 1974 (PUBLIC LAW 90-
19 247, 20 U.S.C. § 1232G) AND TO THE EXTENT THE REPORTING DOES
20 NOT REVEAL IDENTIFYING INFORMATION CONCERNING ANY INDIVIDUAL
21 STUDENT:

22 (I) THE NUMBER OF STUDENTS WHO ENROLLED IN THE
23 INNOVATION SCHOOL UNDER THE PROGRAM FOR THE PRECEDING
24 REPORTING PERIOD.

25 (II) THE NUMBER AND PERCENTAGE OF STUDENTS ENROLLED
26 IN THE INNOVATION SCHOOL DURING THE PREVIOUS REPORTING
27 PERIOD TO WHOM EACH OF THE FOLLOWING APPLY, REPORTED
28 SEPARATELY BASED ON WHETHER OR NOT THE STUDENTS WERE
29 PARTICIPANTS IN THE PROGRAM:

30 (A) EARNED A HIGH SCHOOL DIPLOMA FROM THE

1 INNOVATION SCHOOL.

2 (B) WITHDREW FROM THE INNOVATION SCHOOL AND
3 REQUESTED TRANSFER OF EDUCATIONAL RECORDS TO ANOTHER
4 SCHOOL.

5 (C) WITHDREW FROM THE INNOVATION SCHOOL WITHOUT
6 REQUESTING TRANSFER OF EDUCATIONAL RECORDS TO ANOTHER
7 SCHOOL.

8 (D) MAINTAINED ENROLLMENT IN THE INNOVATION
9 SCHOOL IN GOOD STANDING.

10 (III) A NARRATIVE DESCRIPTION OF THE ACADEMIC
11 OUTCOMES FOR STUDENTS ENROLLED IN THE INNOVATION SCHOOL,
12 INCLUDING AGGREGATE ASSESSMENT RESULTS, REPORTED
13 SEPARATELY BASED ON WHETHER OR NOT THE STUDENTS WERE
14 PARTICIPANTS IN THE PROGRAM.

15 (IV) RECOMMENDATIONS FOR IMPROVEMENTS TO THE
16 PROGRAM.

17 (V) ANY INFORMATION REGARDING THE PROGRAM THAT THE
18 INNOVATION SCHOOL DETERMINES WOULD BE USEFUL TO THE
19 GENERAL ASSEMBLY, THE DEPARTMENT, THE DEPARTMENT OF HUMAN
20 SERVICES AND THE DEPARTMENT OF LABOR AND INDUSTRY IN
21 DETERMINING WHETHER CHANGES TO THE PROGRAM ARE NECESSARY
22 AND WHETHER THE PROGRAM SHOULD BE CONTINUED.

23 (B) REPORT BY DEPARTMENT, DEPARTMENT OF HUMAN SERVICES AND
24 DEPARTMENT OF LABOR AND INDUSTRY.--BY DECEMBER 31, 2021, THE
25 DEPARTMENT, THE DEPARTMENT OF HUMAN SERVICES AND THE DEPARTMENT
26 OF LABOR AND INDUSTRY SHALL SUBMIT JOINTLY A WRITTEN REPORT
27 ASSESSING THE OUTCOMES OF THE PROGRAM AND MAKING RECOMMENDATIONS
28 REGARDING THE POSSIBLE EXTENSION AND EXPANSION OF THE PROGRAM,
29 INCLUDING A PROPOSED TIMELINE FOR ANY POTENTIAL EXPANSION, TO
30 ALL OF THE FOLLOWING:

1 (1) THE CHAIR AND MINORITY CHAIR OF THE EDUCATION
2 COMMITTEE OF THE SENATE.

3 (2) THE CHAIR AND MINORITY CHAIR OF THE EDUCATION
4 COMMITTEE OF THE HOUSE OF REPRESENTATIVES.

5 (3) THE CHAIR AND MINORITY CHAIR OF THE HEALTH AND HUMAN
6 SERVICES COMMITTEE OF THE SENATE.

7 (4) THE CHAIR AND MINORITY CHAIR OF THE HEALTH COMMITTEE
8 OF THE HOUSE OF REPRESENTATIVES.

9 SECTION 9. SECTION 1913-A(B) (1.6) IS AMENDED BY ADDING A
10 SUBCLAUSE TO READ:

11 SECTION 1913-A. FINANCIAL PROGRAM; REIMBURSEMENT OF
12 PAYMENTS.--* * *

13 (B) * * *

14 (1.6) FOR THE 2006-2007 FISCAL YEAR AND EACH FISCAL YEAR
15 THEREAFTER, THE PAYMENT FOR A COMMUNITY COLLEGE SHALL CONSIST OF
16 THE FOLLOWING:

17 * * *

18 (XII) FOR THE 2019-2020 FISCAL YEAR, EACH COMMUNITY COLLEGE
19 SHALL RECEIVE AN AMOUNT EQUAL TO THE FOLLOWING:

20 (A) AN AMOUNT EQUAL TO THE REIMBURSEMENT FOR OPERATING COSTS
21 RECEIVED IN FISCAL YEAR 2018-2019 UNDER SUBCLAUSE (XI) (A) AND
22 (C).

23 (B) AN AMOUNT EQUAL TO THE ECONOMIC DEVELOPMENT STIPEND
24 RECEIVED IN FISCAL YEAR 2018-2019 UNDER SUBCLAUSE (XI) (B).

25 (C) FOR EACH COMMUNITY COLLEGE THAT RECEIVES FUNDING UNDER
26 UNITS (A) AND (B), AN ADDITIONAL AMOUNT FOR OPERATING COSTS
27 DETERMINED FOR EACH COMMUNITY COLLEGE, AS FOLLOWS:

28 (I) MULTIPLY THE AUDITED FULL-TIME EQUIVALENT ENROLLMENT AS
29 VERIFIED UNDER SUBSECTION (K.1) FOR THE MOST RECENT YEAR
30 AVAILABLE FOR THE COMMUNITY COLLEGE BY THE DIFFERENCE BETWEEN

1 THE APPROPRIATION FOR PAYMENT OF APPROVED OPERATING EXPENSES OF
2 COMMUNITY COLLEGES IN THE 2019-2020 FISCAL YEAR AND THE SUM OF
3 THE AMOUNTS IN UNITS (A) AND (B).

4 (II) DIVIDE THE PRODUCT IN SUBUNIT (I) BY THE SUM OF THE
5 AUDITED FULL-TIME EQUIVALENT ENROLLMENT AS VERIFIED UNDER
6 SUBSECTION (K.1) FOR THE MOST RECENT YEAR AVAILABLE FOR ALL
7 COMMUNITY COLLEGES.

8 * * *

9 SECTION 10. THE DEFINITIONS OF "MAXIMUM ANNUAL HOUSEHOLD
10 INCOME" AND "PASS-THROUGH ENTITY" IN SECTION 2002-B OF THE ACT,
11 AMENDED JUNE 22, 2018 (P.L.241, NO.39), ARE AMENDED AND THE
12 SECTION IS AMENDED BY ADDING DEFINITIONS TO READ:

13 SECTION 2002-B. DEFINITIONS.

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

17 * * *

18 "ECONOMICALLY DISADVANTAGED SCHOOL." ANY SCHOOL WITHIN THIS
19 COMMONWEALTH AT WHICH AT LEAST 75% OF THE STUDENTS ATTENDING THE
20 SCHOOL IN THE IMMEDIATELY PRECEDING SCHOOL YEAR RECEIVED A
21 SCHOLARSHIP PURSUANT TO THIS ARTICLE.

22 * * *

23 "MAXIMUM ANNUAL HOUSEHOLD INCOME."

24 (1) SUBJECT TO ADJUSTMENT UNDER PARAGRAPHS (2) AND (3),
25 THE AMOUNT OF [\$85,000] \$90,000, PLUS THE APPLICABLE INCOME
26 ALLOWANCE.

27 (2) WITH RESPECT TO AN ELIGIBLE STUDENT WITH A
28 DISABILITY, AS CALCULATED BY MULTIPLYING:

29 (I) THE APPLICABLE AMOUNT UNDER PARAGRAPH (1); BY

30 (II) THE APPLICABLE SUPPORT LEVEL FACTOR ACCORDING

1 TO THE FOLLOWING TABLE:

2	SUPPORT LEVEL	SUPPORT LEVEL FACTOR
3	1	1.50
4	2	2.993

5 (3) BEGINNING JULY 1, 2014, THE DEPARTMENT SHALL
6 ANNUALLY ADJUST THE INCOME AMOUNTS UNDER PARAGRAPHS (1) AND
7 (2) TO REFLECT ANY UPWARD CHANGES IN THE CONSUMER PRICE INDEX
8 FOR ALL URBAN CONSUMERS FOR THE PENNSYLVANIA, NEW JERSEY,
9 DELAWARE AND MARYLAND AREA IN THE PRECEDING 12 MONTHS AND
10 SHALL IMMEDIATELY SUBMIT THE ADJUSTED AMOUNTS TO THE
11 LEGISLATIVE REFERENCE BUREAU FOR PUBLICATION AS A NOTICE IN
12 THE PENNSYLVANIA BULLETIN.

13 * * *

14 "PASS-THROUGH ENTITY." A PARTNERSHIP AS DEFINED IN SECTION
15 301(N.0) OF THE ACT OF MARCH 4, 1971 (P.L.6, NO.2), KNOWN AS THE
16 TAX REFORM CODE OF 1971, A SINGLE-MEMBER LIMITED LIABILITY
17 COMPANY TREATED AS A DISREGARDED ENTITY FOR FEDERAL INCOME TAX
18 PURPOSES OR A PENNSYLVANIA S CORPORATION AS DEFINED IN SECTION
19 301(N.1) OF THE TAX REFORM CODE OF 1971. THE TERM INCLUDES A
20 PASS-THROUGH ENTITY THAT OWNS AN INTEREST IN A PASS-THROUGH
21 ENTITY. THE TERM ALSO INCLUDES A QUALIFIED SUBCHAPTER S TRUST.

22 * * *

23 "QUALIFIED SUBCHAPTER S TRUST." AS DEFINED IN SECTION
24 1361(D) (3) OF THE INTERNAL REVENUE CODE OF 1986.

25 * * *

26 SECTION 11. SECTION 2003-B(F) OF THE ACT IS AMENDED AND THE
27 SECTION IS AMENDED BY ADDING A SUBSECTION TO READ:
28 SECTION 2003-B. QUALIFICATION AND APPLICATION BY ORGANIZATIONS.

29 * * *

30 (D.3) OPPORTUNITY SCHOLARSHIP ORGANIZATION FOR ECONOMICALLY

1 DISADVANTAGED SCHOOLS.--

2 (1) IN ADDITION TO THE OTHER REQUIREMENTS OF THIS
3 ARTICLE, AN OPPORTUNITY SCHOLARSHIP ORGANIZATION THAT INTENDS
4 TO PROVIDE OPPORTUNITY SCHOLARSHIP AWARDS TO APPLICANTS OF
5 ECONOMICALLY DISADVANTAGED SCHOOLS MUST DEMONSTRATE A HISTORY
6 OF SERVING SCHOOLS THROUGHOUT THIS COMMONWEALTH AND THE
7 CAPACITY TO DISTRIBUTE OPPORTUNITY SCHOLARSHIPS STATEWIDE TO
8 APPLICANTS OF ECONOMICALLY DISADVANTAGED SCHOOLS.

9 (2) AN OPPORTUNITY SCHOLARSHIP ORGANIZATION MUST AGREE
10 TO DISTRIBUTE OPPORTUNITY SCHOLARSHIPS TO APPLICANTS OF
11 ECONOMICALLY DISADVANTAGED SCHOOLS NOT LATER THAN DECEMBER 1
12 OF THE APPLICABLE SCHOOL YEAR.

13 (3) NOTWITHSTANDING ANY OTHER PROVISION OF THIS ARTICLE
14 TO THE CONTRARY, THE DEPARTMENT MAY NOT FOR ANY SCHOOL YEAR
15 QUALIFY MORE THAN ONE OPPORTUNITY SCHOLARSHIP ORGANIZATION
16 FOR THE PROVISION OF OPPORTUNITY SCHOLARSHIPS TO APPLICANTS
17 OF ECONOMICALLY DISADVANTAGED SCHOOLS.

18 * * *

19 (F) PUBLICATION.--THE DEPARTMENT SHALL ANNUALLY PUBLISH A
20 LIST OF EACH SCHOLARSHIP ORGANIZATION, PRE-KINDERGARTEN
21 SCHOLARSHIP ORGANIZATION, EDUCATIONAL IMPROVEMENT ORGANIZATION
22 AND OPPORTUNITY SCHOLARSHIP ORGANIZATION QUALIFIED UNDER THIS
23 SECTION IN THE PENNSYLVANIA BULLETIN. THE LIST SHALL ALSO BE
24 POSTED AND UPDATED AS NECESSARY ON THE PUBLICLY ACCESSIBLE
25 INTERNET WEBSITE OF THE DEPARTMENT. THE LIST SHALL SEPARATELY
26 IDENTIFY THE OPPORTUNITY SCHOLARSHIP ORGANIZATION THAT QUALIFIES
27 UNDER SUBSECTION (D.3).

28 SECTION 12. SECTION 2004-B(A) OF THE ACT IS AMENDED TO READ:
29 SECTION 2004-B. APPLICATION BY BUSINESS FIRMS.

30 (A) SCHOLARSHIP ORGANIZATION, PRE-KINDERGARTEN SCHOLARSHIP

1 ORGANIZATION OR OPPORTUNITY SCHOLARSHIP ORGANIZATION.--

2 (1) A BUSINESS FIRM SHALL APPLY TO THE DEPARTMENT FOR A
3 TAX CREDIT FOR CONTRIBUTIONS TO A SCHOLARSHIP ORGANIZATION,
4 PRE-KINDERGARTEN SCHOLARSHIP ORGANIZATION OR OPPORTUNITY
5 SCHOLARSHIP ORGANIZATION UNDER SECTION 2005-B.

6 (2) A BUSINESS FIRM THAT INTENDS TO APPLY TO THE
7 DEPARTMENT FOR A TAX CREDIT FOR CONTRIBUTIONS TO THE
8 OPPORTUNITY SCHOLARSHIP ORGANIZATION THAT QUALIFIES UNDER
9 SECTION 2003-B(D.3) MUST SUBMIT AN APPLICATION SEPARATE FROM
10 AN APPLICATION FOR TAX CREDITS TO A SCHOLARSHIP ORGANIZATION,
11 PRE-KINDERGARTEN SCHOLARSHIP ORGANIZATION OR OTHER
12 OPPORTUNITY SCHOLARSHIP ORGANIZATION.

13 (3) A BUSINESS FIRM SHALL RECEIVE A TAX CREDIT UNDER
14 THIS ARTICLE IF THE SCHOLARSHIP ORGANIZATION, PRE-
15 KINDERGARTEN SCHOLARSHIP ORGANIZATION OR OPPORTUNITY
16 SCHOLARSHIP ORGANIZATION THAT RECEIVES THE CONTRIBUTION
17 APPEARS ON THE LIST ESTABLISHED UNDER SECTION 2003-B(F),
18 SUBJECT TO THE LIMITATIONS IN SECTIONS 2005-B AND 2006-B.

19 * * *

20 SECTION 13. SECTION 2005-B(G) OF THE ACT IS AMENDED BY
21 ADDING A PARAGRAPH TO READ:

22 SECTION 2005-B. TAX CREDITS.

23 * * *

24 (G) TIME OF APPLICATION FOR CREDITS.--

25 * * *

26 (3) APPLICATIONS FOR TAX CREDITS SUBMITTED ON JULY 1
27 UNDER PARAGRAPH (1) FOR A TWO-YEAR COMMITMENT BY A BUSINESS
28 FIRM THAT APPLIED FOR AND WAS DENIED CREDITS IN THE PRIOR
29 FISCAL YEAR AND THAT HAD BEEN APPROVED FOR TAX CREDITS IN A
30 PRIOR FISCAL YEAR, SHALL BE CONSIDERED PRIOR TO AN

1 APPLICATION FROM A BUSINESS FIRM THAT DOES NOT MEET THE
2 CRITERIA IN THIS PARAGRAPH. A BUSINESS FIRM SEEKING
3 PREFERENCE UNDER THIS PARAGRAPH SHALL INCLUDE PROOF OF PRIOR
4 APPROVAL TAX CREDITS IN ITS JULY 1 APPLICATION.

5 * * *

6 SECTION 14. SECTION 2006-B(A) OF THE ACT, AMENDED JUNE 22,
7 2018 (P.L.241, NO.39), IS AMENDED TO READ:

8 SECTION 2006-B. LIMITATIONS.

9 (A) AMOUNT.--

10 (1) THE TOTAL AGGREGATE AMOUNT OF ALL TAX CREDITS
11 APPROVED FOR CONTRIBUTIONS FROM BUSINESS FIRMS TO SCHOLARSHIP
12 ORGANIZATIONS, EDUCATIONAL IMPROVEMENT ORGANIZATIONS AND PRE-
13 KINDERGARTEN SCHOLARSHIP ORGANIZATIONS SHALL NOT EXCEED
14 ~~[\$160,000,000]~~ \$185,000,000 IN A FISCAL YEAR.

15 (I) NO LESS THAN ~~[\$110,000,000]~~ \$135,000,000 OF THE
16 TOTAL AGGREGATE AMOUNT SHALL BE USED TO PROVIDE TAX
17 CREDITS FOR CONTRIBUTIONS FROM BUSINESS FIRMS TO
18 SCHOLARSHIP ORGANIZATIONS.

19 (II) NO LESS THAN \$37,500,000 OF THE TOTAL AGGREGATE
20 AMOUNT SHALL BE USED TO PROVIDE TAX CREDITS FOR
21 CONTRIBUTIONS FROM BUSINESS FIRMS TO EDUCATIONAL
22 IMPROVEMENT ORGANIZATIONS.

23 (III) THE TOTAL AGGREGATE AMOUNT OF ALL TAX CREDITS
24 APPROVED FOR CONTRIBUTIONS FROM BUSINESS FIRMS TO PRE-
25 KINDERGARTEN SCHOLARSHIP ORGANIZATIONS SHALL NOT EXCEED
26 \$12,500,000 IN A FISCAL YEAR.

27 (2) THE TOTAL AGGREGATE AMOUNT OF ALL TAX CREDITS
28 APPROVED FOR CONTRIBUTIONS FROM BUSINESS FIRMS TO OPPORTUNITY
29 SCHOLARSHIP ORGANIZATIONS SHALL NOT EXCEED ~~[\$50,000,000]~~
30 \$55,000,000 IN A FISCAL YEAR~~[.]~~ AND NO LESS THAN \$5,000,000

1 OF THE TOTAL AGGREGATE AMOUNT SHALL BE USED TO PROVIDE TAX
2 CREDITS FOR CONTRIBUTIONS FROM BUSINESS FIRMS TO INCREASE THE
3 SCHOLARSHIP AMOUNT TO STUDENTS ATTENDING AN ECONOMICALLY
4 DISADVANTAGED SCHOOL BY UP TO \$1,000 MORE THAN THE AMOUNT
5 PROVIDED DURING THE IMMEDIATELY PRECEDING SCHOOL YEAR.

6 * * *

7 SECTION 15. SECTION 2009-B(E) OF THE ACT IS AMENDED AND THE
8 SECTION IS AMENDED BY ADDING A SUBSECTION TO READ:

9 SECTION 2009-B. OPPORTUNITY SCHOLARSHIPS.

10 * * *

11 (E) AMOUNT.--

12 (1) [THE] (I) EXCEPT AS OTHERWISE PROVIDED IN
13 SUBPARAGRAPH (II), THE MAXIMUM AMOUNT OF AN OPPORTUNITY
14 SCHOLARSHIP AWARDED TO AN APPLICANT WITHOUT A DISABILITY
15 SHALL BE \$8,500.

16 (II) FOR A STUDENT ATTENDING AN ECONOMICALLY
17 DISADVANTAGED SCHOOL, THE MAXIMUM AMOUNT OF AN
18 OPPORTUNITY SCHOLARSHIP AWARDED TO AN APPLICANT WITHOUT A
19 DISABILITY SHALL BE \$9,500.

20 (2) [THE] (I) EXCEPT AS OTHERWISE PROVIDED IN
21 SUBPARAGRAPH (II), THE MAXIMUM AMOUNT OF AN OPPORTUNITY
22 SCHOLARSHIP AWARDED TO AN APPLICANT WITH A DISABILITY
23 SHALL BE \$15,000.

24 (II) FOR A STUDENT ATTENDING AN ECONOMICALLY
25 DISADVANTAGED SCHOOL, THE MAXIMUM AMOUNT OF AN
26 OPPORTUNITY SCHOLARSHIP AWARDED TO AN APPLICANT WITH A
27 DISABILITY SHALL BE \$16,000.

28 (3) IN NO CASE SHALL THE COMBINED AMOUNT OF THE
29 OPPORTUNITY SCHOLARSHIP AWARDED TO A RECIPIENT AND ANY
30 ADDITIONAL FINANCIAL ASSISTANCE PROVIDED TO THE RECIPIENT

1 EXCEED THE TUITION RATE AND SCHOOL-RELATED FEES FOR THE
2 PARTICIPATING PUBLIC SCHOOL OR PARTICIPATING NONPUBLIC SCHOOL
3 THAT THE RECIPIENT WILL ATTEND.

4 (F) DESIGNATION, REPORTS AND NOTICES.--

5 (1) EACH SCHOOL THAT DESIRES TO BE DESIGNATED AS AN
6 ECONOMICALLY DISADVANTAGED SCHOOL FOR A SCHOOL YEAR SHALL
7 REPORT THE FOLLOWING INFORMATION TO THE DEPARTMENT BY THE
8 JANUARY 1 PRECEDING THE APPLICABLE SCHOOL YEAR:

9 (I) THE TOTAL NUMBER OF STUDENTS WHO ATTEND THE
10 SCHOOL AS OF THE DATE OF THE REPORT AND ARE THE
11 RECIPIENTS OF A SCHOLARSHIP UNDER THIS ARTICLE.

12 (II) THE TOTAL NUMBER OF STUDENTS ATTENDING THE
13 SCHOOL AS OF THE DATE OF THE REPORT.

14 (2) THE INFORMATION REQUIRED UNDER PARAGRAPH (1) SHALL
15 BE SUBMITTED ON A FORM PROVIDED BY THE DEPARTMENT. NO LATER
16 THAN THE OCTOBER 15 PRECEDING EACH SCHOOL YEAR, THE
17 DEPARTMENT SHALL ANNUALLY DISTRIBUTE OR MAKE AVAILABLE
18 ELECTRONICALLY TO EACH SCHOOL IN THIS COMMONWEALTH THE FORMS
19 ON WHICH THE REPORTS ARE REQUIRED TO BE MADE.

20 (3) NO LATER THAN MARCH 1 AFTER A SCHOOL HAS SUBMITTED
21 TO THE DEPARTMENT THE INFORMATION REQUIRED UNDER PARAGRAPH
22 (1), THE DEPARTMENT SHALL NOTIFY THE SCHOOL WHETHER THE
23 SCHOOL MEETS THE REQUIREMENTS OF, AND WILL BE DESIGNATED AS,
24 AN ECONOMICALLY DISADVANTAGED SCHOOL FOR THE APPLICABLE
25 SCHOOL YEAR.

26 (4) THE DEPARTMENT SHALL ANNUALLY TRANSMIT NOTICE OF A
27 LIST OF EACH SCHOOL DESIGNATED AS AN ECONOMICALLY
28 DISADVANTAGED SCHOOL UNDER THIS SECTION TO THE LEGISLATIVE
29 REFERENCE BUREAU FOR PUBLICATION IN THE PENNSYLVANIA
30 BULLETIN. THE LIST SHALL BE POSTED AND UPDATED AS NECESSARY

1 ON THE DEPARTMENT'S PUBLICLY ACCESSIBLE INTERNET WEBSITE.

2 (5) (I) EACH SCHOOL THAT HAS BEEN DESIGNATED BY THE
3 DEPARTMENT AS AN ECONOMICALLY DISADVANTAGED SCHOOL FOR AN
4 APPLICABLE SCHOOL YEAR SHALL NOTIFY THE DEPARTMENT BY NO
5 LATER THAN OCTOBER 15 OF THE APPLICABLE SCHOOL YEAR OF
6 THE FOLLOWING INFORMATION FOR EACH RECIPIENT OF A
7 SCHOLARSHIP REGISTERED TO ATTEND THE SCHOOL FOR THE
8 APPLICABLE SCHOOL YEAR:

9 (A) THE RECIPIENT'S NAME AND ADDRESS.

10 (B) THE GRADE OF THE RECIPIENT FOR THE SCHOOL
11 YEAR WITH RESPECT TO WHICH THE SCHOLARSHIP AND
12 TUITION GRANT SHALL BE RECEIVED.

13 (C) THE TYPE AND AMOUNT OF SCHOLARSHIP RECEIVED
14 BY THE RECIPIENT.

15 (D) THE NAMES AND ADDRESS OF THE RECIPIENT'S
16 PARENTS OR GUARDIANS.

17 (II) THE INFORMATION SUBMITTED IN THIS PARAGRAPH
18 SHALL BE PROVIDED TO THE OPPORTUNITY SCHOLARSHIP
19 ORGANIZATION FOR ECONOMICALLY DISADVANTAGED SCHOOLS.

20 (III) INFORMATION SUBMITTED BY A SCHOOL DESIGNATED
21 BY THE DEPARTMENT AS AN ECONOMICALLY DISADVANTAGED SCHOOL
22 SHALL REMAIN CONFIDENTIAL AND SHALL NOT BE SUBJECT TO THE
23 ACT OF FEBRUARY 14, 2008 (P.L.6, NO.3), KNOWN AS THE
24 RIGHT-TO-KNOW LAW. THE INFORMATION CAN BE USED FOR
25 ADMINISTRATION OF THE PROGRAM.

26 SECTION 16. THE ACT IS AMENDED BY ADDING ARTICLES TO READ:

27 ARTICLE XX-I

28 (RESERVED)

29 ARTICLE XX-J

30 POSTSECONDARY INSTITUTION SEXUAL HARASSMENT AND SEXUAL

1 VIOLENCE POLICY AND ONLINE REPORTING SYSTEM

2 SECTION 2001-J. DEFINITIONS.

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

6 "ONLINE REPORTING SYSTEM." A SYSTEM ESTABLISHED UNDER
7 SECTION 2003-J.

8 "POSTSECONDARY INSTITUTION." AN INSTITUTION LOCATED WITHIN
9 THIS COMMONWEALTH THAT IS AUTHORIZED TO GRANT AN ASSOCIATE OR
10 HIGHER ACADEMIC DEGREE.

11 SECTION 2002-J. POLICY FOR POSTSECONDARY INSTITUTION SEXUAL
12 HARASSMENT AND SEXUAL VIOLENCE.

13 (A) ADOPTION.--A POSTSECONDARY INSTITUTION SHALL ADOPT A
14 CLEAR, UNDERSTANDABLE WRITTEN POLICY ON SEXUAL HARASSMENT AND
15 SEXUAL VIOLENCE THAT INFORMS VICTIMS OF THEIR RIGHTS UNDER
16 FEDERAL AND STATE LAW, INCLUDING THE CRIME VICTIMS BILL OF
17 RIGHTS.

18 (B) REPORT.--THE SEXUAL HARASSMENT AND SEXUAL VIOLENCE
19 POLICY UNDER SUBSECTION (A) SHALL INCLUDE A PROVISION THAT A
20 WITNESS OR VICTIM OF AN INCIDENT OF SEXUAL HARASSMENT OR SEXUAL
21 VIOLENCE WHO REPORTS THE INCIDENT IN GOOD FAITH WILL NOT BE
22 SANCTIONED BY THE INSTITUTION FOR ADMITTING IN THE REPORT TO A
23 VIOLATION OF THE INSTITUTION'S STUDENT CONDUCT POLICY ON THE
24 PERSONAL USE OF DRUGS OR ALCOHOL.

25 (C) MODEL POLICY.--THE DEPARTMENT OF EDUCATION SHALL DEVELOP
26 A MODEL POLICY AND MAKE THE MODEL POLICY AVAILABLE TO
27 POSTSECONDARY INSTITUTIONS. A POSTSECONDARY INSTITUTION MAY
28 ADOPT THE MODEL POLICY AS THE POLICY OF THE INSTITUTION ON
29 SEXUAL HARASSMENT AND SEXUAL VIOLENCE.

30 SECTION 2003-J. ONLINE REPORTING SYSTEM.

1 (A) ESTABLISHMENT OF ONLINE REPORTING SYSTEM.--A
2 POSTSECONDARY INSTITUTION SHALL ESTABLISH AND MAINTAIN AN ONLINE
3 REPORTING SYSTEM TO RECEIVE COMPLAINTS OF SEXUAL HARASSMENT AND
4 SEXUAL VIOLENCE FROM STUDENTS AND EMPLOYEES. A REPORT SHALL BE
5 INVESTIGATED THROUGH THE PROCESS ESTABLISHED IN THE
6 POSTSECONDARY INSTITUTION'S SEXUAL HARASSMENT AND SEXUAL
7 VIOLENCE POLICY. A POSTSECONDARY INSTITUTION MAY NOT FAIL OR
8 REFUSE TO INVESTIGATE AN ANONYMOUS REPORT BECAUSE IT IS
9 ANONYMOUS.

10 (B) ANONYMOUS REPORTS.--THE ONLINE REPORTING SYSTEM SHALL
11 PERMIT ANONYMOUS REPORTS, WHICH SHALL BE INVESTIGATED IN
12 ACCORDANCE WITH SUBSECTION (A).

13 (C) REQUIRED INFORMATION.--A POSTSECONDARY INSTITUTION SHALL
14 PROVIDE STUDENTS AND EMPLOYEES MAKING REPORTS UNDER THIS SECTION
15 WITH THE FOLLOWING:

16 (1) INFORMATION REGARDING WHO WILL RECEIVE AND HAVE
17 ACCESS TO THE REPORTS FILED.

18 (2) HOW INFORMATION GATHERED THROUGH THE ONLINE
19 REPORTING SYSTEM WILL BE USED.

20 (3) CONTACT INFORMATION FOR ON-CAMPUS AND OFF-CAMPUS
21 ORGANIZATIONS SERVING VICTIMS OF SEXUAL HARASSMENT AND SEXUAL
22 VIOLENCE.

23 (D) STATEMENT.--THE ONLINE REPORTING SYSTEM SHALL
24 PROMINENTLY POST THE ONLINE SYSTEM'S POLICY REGARDING REPORTS
25 AND INVESTIGATIONS OF SEXUAL HARASSMENT AND SEXUAL VIOLENCE AND
26 SHALL ENCOURAGE INDIVIDUALS TO REVIEW THE POLICY FOR MORE
27 INFORMATION ABOUT PROCEDURES AND RESOURCES.

28 (E) ACCESS TO DATA.--A POSTSECONDARY INSTITUTION SHALL LIMIT
29 ACCESS TO THE DATA COLLECTED, CREATED OR MAINTAINED UNDER
30 SUBSECTION (A) TO ONLY THE DATA SUBJECT AND AS FOLLOWS:

1 (1) ONLY INDIVIDUALS WITH EXPLICIT AUTHORIZATION FROM A
2 POSTSECONDARY INSTITUTION MAY ENTER, UPDATE, ACCESS, SHARE OR
3 DISSEMINATE ELECTRONIC DATA RELATED TO AN INCIDENT OF SEXUAL
4 HARASSMENT OR SEXUAL VIOLENCE COLLECTED, CREATED OR
5 MAINTAINED UNDER THIS SECTION.

6 (2) THE ABILITY OF AN AUTHORIZED INDIVIDUAL TO ENTER,
7 UPDATE, ACCESS, SHARE OR DISSEMINATE DATA MUST BE LIMITED
8 THROUGH THE USE OF ROLE-BASED ACCESS THAT CORRESPONDS TO THE
9 OFFICIAL DUTIES OR TRAINING LEVEL OF THE INDIVIDUAL AND THE
10 INSTITUTIONAL AUTHORIZATION THAT GRANTS ACCESS FOR THAT
11 PURPOSE.

12 (3) ACTIONS IN WHICH THE DATA RELATED TO AN INCIDENT OF
13 SEXUAL HARASSMENT OR SEXUAL VIOLENCE ARE ENTERED, UPDATED,
14 ACCESSED, SHARED OR DISSEMINATED OUTSIDE THE POSTSECONDARY
15 INSTITUTION MUST BE RECORDED IN A DATA AUDIT TRAIL.

16 (4) AN INSTITUTION SHALL IMMEDIATELY AND PERMANENTLY
17 REVOKE THE AUTHORIZATION OF AN INDIVIDUAL DETERMINED TO HAVE
18 WILLFULLY ENTERED, UPDATED, ACCESSED, SHARED OR DISSEMINATED
19 DATA IN VIOLATION OF THIS SECTION.

20 (5) AN INSTITUTION OR INDIVIDUAL IMPLEMENTING, OPERATING
21 OR WORKING FOR THE PROGRAM MAY NOT BE COMPELLED TO PRODUCE A
22 RECORD EXCEPT PURSUANT TO A COURT ORDER.

23 SECTION 17. SECTIONS 2103(8) AND 2204-B(B) INTRODUCTORY
24 PARAGRAPH AND (3) OF THE ACT ARE AMENDED TO READ:

25 SECTION 2103. BOARD OF PUBLIC EDUCATION; ADDITIONAL
26 DUTIES.--THE DUTIES OF THE BOARD OF PUBLIC EDUCATION IN
27 DISTRICTS OF THE FIRST CLASS, IN ADDITION TO THE DUTIES
28 PRESCRIBED IN THIS ACT, SHALL BE--

29 * * *

30 (8) PROVIDED THAT, [NOTWITHSTANDING THE PROVISIONS OF

1 SECTION 1326,] THE GOVERNING AUTHORITY OF THE SCHOOL DISTRICT
2 [MAY] SHALL ESTABLISH THE COMPULSORY SCHOOL AGE AT NO EARLIER
3 THAN AGE SIX. THE PROVISIONS OF SECTION 1326 SHALL CONTINUE TO
4 APPLY TO ANY STUDENT ENROLLED IN A PROGRAM UNDER SECTION 1327.1
5 OR TO ANY STUDENT WHOSE PARENT OR GUARDIAN FILES A NOTICE WITH
6 THE SUPERINTENDENT OF THE SCHOOL DISTRICT OF THE INTENTION TO
7 ENROLL THE STUDENT IN A PROGRAM UNDER SECTION 1327.1.

8 SECTION 2204-B. AGENCY.

9 * * *

10 (B) [REQUIREMENTS] ELIGIBILITY CRITERIA.--THE ELIGIBILITY
11 CRITERIA DEVELOPED FOR THE RECEIPT OF A SCHOLARSHIP UNDER
12 SUBSECTION (A) SHALL, AT A MINIMUM, REQUIRE ALL OF THE
13 FOLLOWING:

14 * * *

15 (3) DEMONSTRATION OF [OUTSTANDING ACADEMIC ACHIEVEMENT.]
16 A GRADE POINT AVERAGE OF AT LEAST 3.25 ON A 4.0 SCALE.

17 * * *

18 SECTION 18. THE ACT IS AMENDED BY ADDING A SECTION TO READ:
19 SECTION 2323. STATE AID FOR FISCAL YEAR 2019-2020.

20 NOTWITHSTANDING ANY OTHER PROVISION OF LAW TO THE CONTRARY,
21 EACH LIBRARY SUBJECT TO 24 PA.C.S. CH. 93 (RELATING TO PUBLIC
22 LIBRARY CODE), SHALL BE ELIGIBLE FOR STATE AID FOR FISCAL YEAR
23 2019-2020, AS FOLLOWS:

24 (1) FUNDS APPROPRIATED FOR LIBRARIES SHALL BE
25 DISTRIBUTED TO EACH LIBRARY UNDER THE FOLLOWING FORMULA:

26 (I) DIVIDE THE AMOUNT OF FUNDING THAT THE LIBRARY
27 RECEIVED IN FISCAL YEAR 2018-2019 UNDER SECTION 2322 BY
28 THE TOTAL STATE-AID SUBSIDY FOR FISCAL YEAR 2018-2019.

29 (II) MULTIPLY THE QUOTIENT UNDER SUBPARAGRAPH (I) BY
30 THE TOTAL STATE-AID SUBSIDY FOR FISCAL YEAR 2019-2020.

1 (2) FOLLOWING DISTRIBUTION OF FUNDS APPROPRIATED FOR
2 STATE AID TO LIBRARIES UNDER PARAGRAPH (1), ANY REMAINING
3 FUNDS MAY BE DISTRIBUTED AT THE DISCRETION OF THE STATE
4 LIBRARIAN.

5 (3) IF FUNDS APPROPRIATED FOR STATE AID TO LIBRARIES IN
6 FISCAL YEAR 2019-2020 ARE LESS THAN FUNDS APPROPRIATED IN
7 FISCAL YEAR 2002-2003, THE STATE LIBRARIAN MAY WAIVE
8 STANDARDS AS PRESCRIBED IN 24 PA.C.S. CH. 93.

9 (4) EACH LIBRARY SYSTEM RECEIVING STATE AID UNDER THIS
10 SECTION MAY DISTRIBUTE THE LOCAL LIBRARY SHARE OF THAT AID IN
11 A MANNER AS DETERMINED BY THE BOARD OF DIRECTORS OF THE
12 LIBRARY SYSTEM.

13 (5) IN THE CASE OF A LIBRARY SYSTEM THAT CONTAINS A
14 LIBRARY OPERATING IN A CITY OF THE SECOND CLASS, CHANGES TO
15 THE DISTRIBUTION OF STATE AID TO THE LIBRARY SHALL BE MADE BY
16 MUTUAL AGREEMENT BETWEEN THE LIBRARY AND THE LIBRARY SYSTEM.

17 (6) IN THE EVENT OF A CHANGE IN DISTRICT LIBRARY CENTER
18 POPULATION PRIOR TO THE EFFECTIVE DATE OF THIS SECTION AS A
19 RESULT OF:

20 (I) A CITY, BOROUGH, TOWN, TOWNSHIP, SCHOOL DISTRICT
21 OR COUNTY MOVING FROM ONE LIBRARY CENTER TO ANOTHER; OR

22 (II) A TRANSFER OF DISTRICT LIBRARY CENTER STATUS TO
23 A COUNTY LIBRARY SYSTEM;

24 FUNDING OF DISTRICT LIBRARY CENTER AID SHALL BE PAID BASED ON
25 THE POPULATION OF THE NEWLY ESTABLISHED OR RECONFIGURED
26 DISTRICT LIBRARY CENTER.

27 (7) IN THE EVENT OF A CHANGE IN DIRECT SERVICE AREA FROM
28 ONE LIBRARY TO ANOTHER, THE STATE LIBRARIAN, UPON AGREEMENT
29 OF THE AFFECTED LIBRARIES, MAY REDISTRIBUTE THE LOCAL LIBRARY
30 SHARE OF AID TO THE LIBRARY CURRENTLY SERVICING THE AREA.

1 SECTION 19. SECTION 2502.8 HEADING OF THE ACT IS AMENDED AND
2 THE SECTION IS AMENDED BY ADDING A SUBSECTION TO READ:

3 SECTION 2502.8. PAYMENTS ON ACCOUNT OF PUPILS ENROLLED IN
4 [VOCATIONAL] CAREER AND TECHNICAL CURRICULUMS.--* * *

5 (F) FOR THE SCHOOL YEAR 2018-2019 AND EACH SCHOOL YEAR
6 THEREAFTER, PAYMENTS MADE UNDER THIS SECTION SHALL BE FUNDED
7 FROM THE APPROPRIATION FOR CAREER AND TECHNICAL EDUCATION AND
8 SHALL NOT BE PROPORTIONATELY REDUCED IN ACCORDANCE WITH SECTION
9 2502.6(B) OR ANY OTHER LAW.

10 SECTION 20. SECTION 2502.53(B) OF THE ACT IS AMENDED TO
11 READ:

12 SECTION 2502.53. STUDENT-WEIGHTED BASIC EDUCATION FUNDING.--
13 * * *

14 (B) FOR THE 2015-2016 SCHOOL YEAR AND EACH SCHOOL YEAR
15 THEREAFTER, THE COMMONWEALTH SHALL PAY TO EACH SCHOOL DISTRICT A
16 BASIC EDUCATION FUNDING ALLOCATION WHICH SHALL CONSIST OF THE
17 FOLLOWING:

18 (1) AN AMOUNT EQUAL TO THE SCHOOL DISTRICT'S BASIC EDUCATION
19 FUNDING ALLOCATION FOR THE 2013-2014 SCHOOL YEAR.

20 (2) A STUDENT-BASED ALLOCATION TO BE CALCULATED AS FOLLOWS:

21 (I) MULTIPLY THE SCHOOL DISTRICT'S STUDENT-WEIGHTED AVERAGE
22 DAILY MEMBERSHIP BY THE MEDIAN HOUSEHOLD INCOME INDEX AND LOCAL
23 EFFORT CAPACITY INDEX.

24 (II) MULTIPLY THE PRODUCT IN SUBPARAGRAPH (I) BY THE
25 DIFFERENCE BETWEEN THE AMOUNT APPROPRIATED FOR THE ALLOCATION OF
26 BASIC EDUCATION FUNDING TO SCHOOL DISTRICTS AND THE AMOUNT
27 APPROPRIATED FOR THE ALLOCATION IN PARAGRAPH (1).

28 (III) DIVIDE THE PRODUCT IN SUBPARAGRAPH (II) BY THE SUM OF
29 THE PRODUCTS IN SUBPARAGRAPH (I) FOR ALL SCHOOL DISTRICTS.

30 (IV) FOR THE 2018-2019 SCHOOL YEAR, THE DIFFERENCE

1 DETERMINED UNDER SUBPARAGRAPH (II) SHALL BE \$698,667,244.

2 * * *

3 SECTION 21. SECTIONS 2509.1(C.2) AND 2510.3(A)(2) OF THE
4 ACT, AMENDED JUNE 22, 2018 (P.L.241, NO.39), ARE AMENDED TO
5 READ:

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

7 (C.2) THE FOLLOWING APPLY:

8 (1) FOR THE 2016-2017, 2017-2018 [AND], 2018-2019 AND 2019-
9 2020 SCHOOL YEARS, FIVE AND FIVE-TENTHS PERCENT (5.5%) OF THE
10 STATE SPECIAL EDUCATION APPROPRIATION SHALL BE PAID TO
11 INTERMEDIATE UNITS ON 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 AND 2019-2020 FISCAL
25 YEARS, THE DEPARTMENT OF EDUCATION MAY UTILIZE UP TO [FIVE]
26 SEVEN MILLION DOLLARS [(\$5,000,000)] (\$7,000,000) OF
27 UNDISTRIBUTED FUNDS NOT EXPENDED, ENCUMBERED OR COMMITTED FROM
28 APPROPRIATIONS FOR GRANTS [AND], SUBSIDIES AND ASSESSMENTS MADE
29 TO THE DEPARTMENT OF EDUCATION TO ASSIST SCHOOL DISTRICTS
30 DECLARED TO BE IN FINANCIAL RECOVERY STATUS UNDER SECTION 621-A,

1 IDENTIFIED FOR FINANCIAL WATCH STATUS UNDER SECTION 611-A OR
2 IDENTIFIED FOR FINANCIAL WATCH STATUS UNDER SECTION 694-A;
3 EXCEPT THAT THE FUNDS MUST BE FIRST UTILIZED TO ACCOMPLISH THE
4 PROVISIONS CONTAINED IN SECTION 695-A. THE FUNDS SHALL BE
5 TRANSFERRED BY THE SECRETARY OF THE BUDGET TO A RESTRICTED
6 ACCOUNT AS NECESSARY TO MAKE PAYMENTS UNDER THIS SECTION AND,
7 WHEN TRANSFERRED, ARE HEREBY APPROPRIATED TO CARRY OUT THE
8 PROVISIONS OF THIS SECTION.

9 * * *

10 SECTION 22. SECTION 2599.6(D) OF THE ACT IS AMENDED AND THE
11 SECTION IS AMENDED BY ADDING A SUBSECTION TO READ:

12 SECTION 2599.6. READY-TO-LEARN BLOCK GRANT.--* * *

13 (A.1) FOR THE 2019-2020 SCHOOL YEAR AND EACH SCHOOL YEAR
14 THEREAFTER, EACH SCHOOL ENTITY SHALL RECEIVE A READY-TO-LEARN
15 BLOCK GRANT IN AN AMOUNT NOT LESS THAN THE AMOUNT RECEIVED BY
16 THE SCHOOL ENTITY FROM THE APPROPRIATION FOR THE READY-TO-LEARN
17 BLOCK GRANT DURING THE 2018-2019 FISCAL YEAR.

18 * * *

19 (D) [REVENUES] THE AMOUNT EQUAL TO THE REVENUES RECEIVED BY
20 A SCHOOL DISTRICT UNDER SUBSECTION (A) (2) SHALL NOT BE INCLUDED
21 IN THE SCHOOL DISTRICT'S BUDGETED TOTAL EXPENDITURE PER AVERAGE
22 DAILY MEMBERSHIP USED TO CALCULATE THE AMOUNT TO BE PAID TO A
23 CHARTER SCHOOL UNDER SECTION 1725-A(A) (2) AND (3).

24 * * *

25 SECTION 23. SECTION 2599.7 OF THE ACT IS AMENDED TO READ:

26 SECTION 2599.7. PAYMENT OF REQUIRED CONTRIBUTION FOR PUBLIC
27 SCHOOL EMPLOYES' SOCIAL SECURITY.--(A) NOTWITHSTANDING ANY
28 OTHER PROVISION OF LAW TO THE CONTRARY, BEGINNING IN THE 2016-
29 2017 FISCAL YEAR AND EACH FISCAL YEAR THEREAFTER, EACH EMPLOYER
30 SHALL SUBMIT A REPORT TO THE DEPARTMENT OF EDUCATION DOCUMENTING

1 ALL WAGES FOR WHICH PAYMENTS ARE CALCULATED UNDER 24 PA.C.S. §
2 8329 (RELATING TO PAYMENTS ON ACCOUNT OF SOCIAL SECURITY
3 DEDUCTIONS FROM APPROPRIATIONS) FOR EACH QUARTER BY THE
4 TWENTIETH DAY OF THE MONTH FOLLOWING THE END OF THE QUARTER. A
5 SCHOOL DISTRICT THAT DOES NOT SUBMIT ITS REPORT BY THIS DEADLINE
6 SHALL BE PAID EITHER OUT OF THE SUPPLEMENTAL APPROPRIATION
7 REQUESTED IN SUBSECTION (C) OR THE EXCESS CALCULATED IN
8 SUBSECTION (D). THE DEPARTMENT SHALL REVIEW THE REPORT AND, IF
9 THE DEPARTMENT AGREES WITH THE AMOUNT REPORTED, SHALL PROCESS
10 AND SUBMIT A PAYMENT REQUISITION TO THE STATE TREASURER FOR THE
11 AMOUNT IN ORDER TO MAKE A PAYMENT TO EACH EMPLOYER THAT
12 SUBMITTED A TIMELY REPORT ON THE LAST THURSDAY OF THE MONTH
13 FOLLOWING THE SUBMISSION OF THE REQUIRED QUARTERLY REPORTS. AN
14 EMPLOYER THAT SUBMITS AN UNTIMELY REPORT SHALL BE PAID FOR THE
15 AMOUNT DUE BY THE DEPARTMENT IN A TIMELY MANNER AFTER THE
16 REQUIRED DOCUMENTATION HAS BEEN SUBMITTED. THE DEPARTMENT SHALL
17 PROVIDE A DATA FILE FOR EACH REPORTING PERIOD DETAILING THE
18 WAGES REPORTED BY EACH EMPLOYER AND THE PAYMENTS MADE TO THE
19 EMPLOYER FROM THE APPROPRIATION AND PROVIDE AN ELECTRONIC COPY
20 TO THE CHAIRPERSON OF THE APPROPRIATIONS COMMITTEE OF THE SENATE
21 AND THE CHAIRPERSON OF THE APPROPRIATIONS COMMITTEE OF THE HOUSE
22 OF REPRESENTATIVES.

23 (B) FOR THE FISCAL YEAR BEGINNING JULY 1, 2019, PAYMENT OF
24 THE AMOUNTS CALCULATED UNDER 24 PA.C.S. § 8329 (RELATING TO
25 PAYMENTS ON ACCOUNT OF SOCIAL SECURITY DEDUCTIONS FROM
26 APPROPRIATIONS) FOR SCHOOL DISTRICTS SHALL BE MADE FROM THE
27 APPROPRIATION FOR BASIC EDUCATION FUNDING.

28 (C) FOR THE FISCAL YEAR BEGINNING JULY 1, 2019, IF
29 INSUFFICIENT FUNDS ARE AVAILABLE FOR PAYMENT OF THE AMOUNTS
30 CALCULATED UNDER 24 PA.C.S. § 8329 FOR SCHOOL DISTRICTS, THE

1 DEPARTMENT OF EDUCATION SHALL NOTIFY THE GOVERNOR, THE CHAIRMAN
2 AND MINORITY CHAIRMAN OF THE APPROPRIATIONS COMMITTEE OF THE
3 SENATE AND THE CHAIRMAN AND MINORITY CHAIRMAN OF THE
4 APPROPRIATIONS COMMITTEE OF THE HOUSE OF REPRESENTATIVES OF THE
5 AMOUNT OF THE INSUFFICIENCY. AN AMOUNT EQUAL TO THE
6 INSUFFICIENCY MAY ONLY BE PAID TO SCHOOL DISTRICTS FROM A
7 SUPPLEMENTAL APPROPRIATION IN THE GENERAL APPROPRIATIONS ACT FOR
8 THE SUBSEQUENT FISCAL YEAR.

9 (D) FOR THE FISCAL YEAR BEGINNING JULY 1, 2019, IF THE
10 AMOUNT CALCULATED FOR PAYMENTS TO SCHOOL DISTRICTS UNDER 24
11 PA.C.S. § 8329 EXCEEDS THE AMOUNT NECESSARY, THE DEPARTMENT OF
12 EDUCATION SHALL NOTIFY THE GOVERNOR, THE CHAIRMAN AND MINORITY
13 CHAIRMAN OF THE APPROPRIATIONS COMMITTEE OF THE SENATE AND THE
14 CHAIRMAN AND MINORITY CHAIRMAN OF THE APPROPRIATIONS COMMITTEE
15 OF THE HOUSE OF REPRESENTATIVES OF THE AMOUNT OF THE EXCESS. AN
16 AMOUNT EQUAL TO THE EXCESS SHALL BE DISTRIBUTED TO SCHOOL
17 DISTRICTS AS A SUPPLEMENTAL PAYMENT CALCULATED UNDER THE FORMULA
18 CONTAINED IN SECTION 2502.53.

19 (E) THE NOTICE REQUIRED UNDER SUBSECTION (C) OR (D) SHALL
20 OCCUR NOT LATER THAN THIRTY (30) DAYS PRIOR TO THE CLOSE OF THE
21 APPLICABLE FISCAL YEAR.

22 SECTION 24. THE ACT IS AMENDED BY ADDING A SECTION TO READ:
23 SECTION 2599.8. ADVANCED PLACEMENT AND INTERNATIONAL
24 BACCALAUREATE EXAM FEES.-- (A) COMMENCING WITH THE 2019-2020
25 SCHOOL YEAR, THE DEPARTMENT OF EDUCATION SHALL PROVIDE ADVANCED
26 PLACEMENT AND INTERNATIONAL BACCALAUREATE EXAM FEE ASSISTANCE TO
27 STUDENTS WITH FINANCIAL NEED.

28 (B) THE PER-EXAM COST CHARGED TO STUDENTS FOR AN EXAM SHALL
29 NOT EXCEED THE RATE PAID BY STUDENTS WITH FINANCIAL NEED FOR
30 ADVANCED PLACEMENT EXAMS DURING THE 2018-2019 SCHOOL YEAR.

1 (C) A SCHOOL ENTITY OFFERING THE EXAM SHALL NOT ACCEPT ANY
2 REBATES FROM THE COLLEGE BOARD OR THE INTERNATIONAL
3 BACCALAUREATE DIPLOMA PROGRAM FOR STUDENTS WITH FINANCIAL NEED
4 THAT RECEIVE ASSISTANCE UNDER THIS SECTION, AND THE REBATE SHALL
5 BE CREDITED TOWARD THE EXAM FEE.

6 (D) AS USED IN THIS SECTION, THE TERM "A STUDENT WITH
7 FINANCIAL NEED" SHALL MEAN A STUDENT WHOSE ANNUAL HOUSEHOLD
8 INCOME IS NO GREATER THAN ONE HUNDRED EIGHTY-FIVE PERCENT (185%)
9 OF THE FEDERAL POVERTY LEVEL OR WHO IS IN FOSTER CARE, HOMELESS,
10 A MIGRANT, LIVING IN A HOUSEHOLD THAT RECEIVES BENEFITS UNDER
11 THE SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAM OR TEMPORARY
12 ASSISTANCE FOR NEEDY FAMILIES PROGRAM.

13 SECTION 25. THE ACT IS AMENDED BY ADDING ARTICLES TO READ:

14 ARTICLE XXVI-J

15 (RESERVED)

16 ARTICLE XXVI-K

17 FOSTERING INDEPENDENCE THROUGH EDUCATION

18 SECTION 2601-K. DEFINITIONS.

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

22 "ADOPTION." ADOPTION OF AN INDIVIDUAL WHO HAS BEEN IN THE
23 CARE AND CUSTODY OF A COUNTY AGENCY AND IN SUBSTITUTE CARE.

24 "AGENCY." THE PENNSYLVANIA HIGHER EDUCATION ASSISTANCE
25 AGENCY.

26 "COUNTY AGENCY." THE TERM AS DEFINED UNDER 23 PA.C.S. § 6303
27 (RELATING TO DEFINITIONS).

28 "DEPARTMENT." THE DEPARTMENT OF EDUCATION OF THE
29 COMMONWEALTH.

30 "DEPENDENT CHILD." THE TERM AS DEFINED UNDER 42 PA.C.S. §

1 6302 (RELATING TO DEFINITIONS).

2 "FOSTERING INDEPENDENCE WAIVER." A WAIVER OF TUITION AND
3 MANDATORY FEES AT AN INSTITUTION OF HIGHER EDUCATION.

4 "INSTITUTION OF HIGHER EDUCATION." THE TERM INCLUDES ANY OF
5 THE FOLLOWING:

6 (1) A COMMUNITY COLLEGE OPERATING UNDER ARTICLE XIX-A.

7 (2) A UNIVERSITY WITHIN THE STATE SYSTEM OF HIGHER
8 EDUCATION.

9 (3) THE PENNSYLVANIA STATE UNIVERSITY, THE UNIVERSITY OF
10 PITTSBURGH, TEMPLE UNIVERSITY, LINCOLN UNIVERSITY OR ANY
11 OTHER INSTITUTION DESIGNATED AS STATE-RELATED BY THE
12 COMMONWEALTH.

13 (4) THE THADDEUS STEVENS COLLEGE OF TECHNOLOGY.

14 (5) A COLLEGE ESTABLISHED UNDER ARTICLE XIX-G.

15 (6) AN INSTITUTION OF HIGHER EDUCATION LOCATED IN AND
16 INCORPORATED OR CHARTERED BY THE COMMONWEALTH AND ENTITLED TO
17 CONFER DEGREES AS PROVIDED UNDER 24 PA.C.S. § 6505 (RELATING
18 TO POWER TO CONFER DEGREES) AND AS PROVIDED FOR BY THE
19 STANDARDS AND QUALIFICATIONS PRESCRIBED BY THE STATE BOARD OF
20 EDUCATION UNDER 24 PA.C.S. CH. 65 (RELATING TO PRIVATE
21 COLLEGES, UNIVERSITIES AND SEMINARIES).

22 (7) A PRIVATE SCHOOL LICENSED UNDER THE ACT OF DECEMBER
23 15, 1986 (P.L.1585, NO.174), KNOWN AS THE PRIVATE LICENSED
24 SCHOOLS ACT.

25 (8) A FOREIGN CORPORATION APPROVED TO OPERATE AN
26 EDUCATIONAL ENTERPRISE UNDER 22 PA. CODE CH. 36 (RELATING TO
27 FOREIGN CORPORATION STANDARDS).

28 "PERMANENT LEGAL CUSTODIAN." A PERSON TO WHOM LEGAL CUSTODY
29 OF A CHILD HAS BEEN GIVEN BY ORDER OF A COURT PURSUANT TO 42
30 PA.C.S. § 6351(A)(2.1) (RELATING TO DISPOSITION OF DEPENDENT

1 CHILD).

2 "POC." THE POINT OF CONTACT DESIGNATED IN SECTION 2604-K.

3 "PROGRAM." THE FOSTERING INDEPENDENCE WAIVER PROGRAM

4 ESTABLISHED IN SECTION 2602-K.

5 "SUBSTITUTE CARE." OUT-OF-HOME PLACEMENT IN A SETTING THAT

6 PROVIDES 24-HOUR CARE FOR A DEPENDENT CHILD AS DEFINED IN 42

7 PA.C.S. § 6302 MADE PURSUANT TO AN ORDER OF THE COURT.

8 SECTION 2602-K. FOSTERING INDEPENDENCE WAIVER PROGRAM.

9 (A) ESTABLISHMENT.--THERE IS ESTABLISHED A FOSTERING
10 INDEPENDENCE WAIVER PROGRAM FOR INDIVIDUALS WHO SATISFY THE
11 ELIGIBILITY REQUIREMENTS UNDER SUBSECTION (C).

12 (B) AWARD.--BEGINNING WITH THE SEMESTER STARTING IN THE FALL
13 OF 2020, EACH INSTITUTION OF HIGHER EDUCATION SHALL AWARD A
14 FOSTERING INDEPENDENCE WAIVER FOR UNDERGRADUATE COURSES AT THE
15 INSTITUTION FOR EACH INDIVIDUAL WHO IS ELIGIBLE UNDER SUBSECTION
16 (C). THE FOSTERING INDEPENDENCE WAIVER SHALL HAVE SUBTRACTED
17 FROM IT THE AMOUNT OF ANY FEDERAL GRANTS, STATE GRANTS OR OTHER
18 SCHOLARSHIPS OR GRANTS THE INDIVIDUAL RECEIVES. AN INDIVIDUAL
19 SHALL RECEIVE A FOSTERING INDEPENDENCE WAIVER UNDER THIS ARTICLE
20 FOR FIVE YEARS, WHETHER OR NOT CONSECUTIVE, OR UNTIL THE
21 INDIVIDUAL REACHES 26 YEARS OF AGE, WHICHEVER OCCURS FIRST,
22 PROVIDED THAT THE INDIVIDUAL REMAINS ELIGIBLE UNDER SUBSECTION
23 (C).

24 (C) ELIGIBILITY.--IN ORDER TO RECEIVE A FOSTERING
25 INDEPENDENCE WAIVER UNDER THIS SECTION, AN INDIVIDUAL MUST BE A
26 CURRENT RESIDENT OF THIS COMMONWEALTH AND ELIGIBLE FOR THE
27 PENNSYLVANIA CHAFEE EDUCATION AND TRAINING GRANT PROGRAM UNDER
28 THE FOSTER CARE INDEPENDENCE ACT OF 1999 (PUBLIC LAW 106-169,
29 113 STAT. 1882) AS ADMINISTERED BY THE DEPARTMENT OF HUMAN
30 SERVICES.

1 (D) ACCESSIBILITY.--THE DEPARTMENT SHALL WORK WITH THE
2 AGENCY AS WELL AS THE DEPARTMENT OF LABOR AND INDUSTRY AND THE
3 DEPARTMENT OF HUMAN SERVICES TO ENSURE THAT INDIVIDUALS ELIGIBLE
4 FOR THE PROGRAM UNDER SUBSECTION (C) APPLY FOR ALL AVAILABLE
5 FEDERAL AND STATE GRANTS.
6 SECTION 2603-K. OUTREACH.

7 (A) DUTIES OF DEPARTMENT.--THE DEPARTMENT, IN CONJUNCTION
8 WITH THE DEPARTMENT OF HUMAN SERVICES, SHALL DO ALL OF THE
9 FOLLOWING:

10 (1) BY JANUARY 1, 2020, AND JANUARY 1 EACH YEAR
11 THEREAFTER, PREPARE AND PROVIDE INFORMATION FOR DISSEMINATION
12 BY COUNTY AGENCIES, THE DEPARTMENT, THE DEPARTMENT OF HUMAN
13 SERVICES AND INSTITUTIONS OF HIGHER EDUCATION THAT:

14 (I) DESCRIBES THE AVAILABILITY OF THE PROGRAM
15 ESTABLISHED UNDER THIS ARTICLE.

16 (II) EXPLAINS HOW TO PARTICIPATE IN THE PROGRAM.

17 (III) INCLUDES INFORMATION ON ALL AVAILABLE FEDERAL
18 AND STATE GRANTS.

19 (2) ENSURE THAT ELIGIBLE INDIVIDUALS WHO MAY ALSO BE
20 ELIGIBLE FOR SERVICES AND PROGRAMS UNDER SECTION 1738-E OF
21 THE ACT OF APRIL 9, 1929 (P.L.343, NO.176), KNOWN AS THE
22 FISCAL CODE, ARE INFORMED OF THESE SERVICES AND PROGRAMS.

23 (B) DUTIES OF INSTITUTIONS OF HIGHER EDUCATION.--EACH
24 INSTITUTION OF HIGHER EDUCATION SHALL DO ALL OF THE FOLLOWING:

25 (1) THROUGH THE POC REQUIRED UNDER SECTION 2604-K,
26 PROVIDE TECHNICAL ASSISTANCE TO INDIVIDUALS WHO ARE ELIGIBLE
27 UNDER SECTION 2602-K(C) IN COMPLETING ADMISSIONS APPLICATIONS
28 AND FINANCIAL AID APPLICATIONS.

29 (2) DISSEMINATE THE INFORMATION PREPARED UNDER
30 SUBSECTION (A) (1) TO RECIPIENTS OF A PENNSYLVANIA CHAFEE

1 EDUCATION AND TRAINING GRANT UNDER THE FOSTER CARE
2 INDEPENDENCE ACT OF 1999 (PUBLIC LAW 106-169, 113 STAT. 1882)
3 WHO ARE INDIVIDUALS ELIGIBLE UNDER SECTION 2602-K(C) AND POST
4 THE INFORMATION PREPARED UNDER SUBSECTION (A) (1) ON THE
5 INSTITUTION'S PUBLICLY ACCESSIBLE INTERNET WEBSITE.

6 (3) TO IMPROVE RETENTION, REPORT TO THE DEPARTMENT BY
7 JUNE 30, 2021, AND JUNE 30 EACH YEAR THEREAFTER ALL OF THE
8 FOLLOWING:

9 (I) THE NUMBER OF STUDENTS RECEIVING A PENNSYLVANIA
10 CHAFEE EDUCATION AND TRAINING GRANT UNDER THE FOSTER CARE
11 INDEPENDENCE ACT OF 1999 (PUBLIC LAW 106-169, 113 STAT.
12 1882).

13 (II) THE NUMBER OF STUDENTS WHO APPLY FOR THE
14 PROGRAM.

15 (III) THE NUMBER OF STUDENTS PARTICIPATING IN THE
16 PROGRAM.

17 (IV) THE RETENTION RATES OF STUDENTS PARTICIPATING
18 IN THE PROGRAM.

19 (V) THE NUMBER OF STUDENTS WHO ARE PARTICIPATING IN
20 THE PROGRAM AND HAVE UNMET FINANCIAL NEED.

21 (VI) RECOMMENDATIONS ON HOW TO IMPROVE OUTREACH TO
22 STUDENTS WHO ARE OR ARE POTENTIALLY ELIGIBLE FOR THE
23 PROGRAM.

24 (VII) RECOMMENDATIONS ON WAYS IN WHICH TO IMPROVE
25 THE DELIVERY OF SERVICES TO STUDENTS WHO ARE ELIGIBLE
26 UNDER SECTION 2602-K(C).

27 (VIII) IMPEDIMENTS TO RETAINING STUDENTS WHO ARE
28 ELIGIBLE UNDER SECTION 2602-K(C).

29 (4) THE DEPARTMENT MAY NOT REQUIRE ANY OTHER INFORMATION
30 TO BE PROVIDED BY AN INSTITUTION OF HIGHER EDUCATION, EXCEPT

1 AS PROVIDED UNDER PARAGRAPH (3).

2 SECTION 2604-K. POINT OF CONTACT.

3 EACH INSTITUTION OF HIGHER EDUCATION SHALL DESIGNATE AN
4 APPROPRIATE STAFF PERSON OR PERSONS AS THE POINT OF CONTACT FOR
5 STUDENTS ELIGIBLE UNDER SECTION 2602-K(C) FOR THE PROGRAM. THE
6 POC MAY BE COMPRISED OF ONE OR MORE QUALIFIED STAFF MEMBERS TO
7 PROVIDE THE APPROPRIATE SUPPORT OR EXPERTISE REQUIRED FOR THE
8 DUTIES SPECIFIED IN THIS SECTION. THE POC SHALL HAVE OR ENSURE
9 THE DELEGATION OF THE FOLLOWING DUTIES:

10 (1) ASSISTING STUDENTS IN OBTAINING VERIFICATION OF
11 ELIGIBILITY FOR THE PROGRAM FROM THE COURTS, THE COUNTY
12 AGENCY OR THE DEPARTMENT OF HUMAN SERVICES.

13 (2) ASSISTING INDIVIDUALS WHO ARE ELIGIBLE UNDER SECTION
14 2602-K(C) IN ACCESSING AVAILABLE FEDERAL AND STATE FINANCIAL
15 AID RESOURCES AND IN IDENTIFYING FURTHER SCHOLARSHIP AND
16 GRANT OPPORTUNITIES, IN CONSULTATION WITH THE INSTITUTION'S
17 FINANCIAL AID DEPARTMENT.

18 (3) SERVING AS THE PRIMARY CONTACT FOR ALL INDIVIDUALS
19 APPLYING TO OR ATTENDING THE INSTITUTION WHO ARE ELIGIBLE
20 UNDER SECTION 2602-K(C).

21 (4) PROVIDING ALL INDIVIDUALS APPLYING TO OR ATTENDING
22 THE INSTITUTION WHO VOLUNTARILY DISCLOSE THAT THEY ARE
23 ELIGIBLE UNDER SECTION 2602-K(C) WITH INFORMATION AND
24 REFERRALS FOR ON-CAMPUS SUPPORT SERVICES AND RESOURCES,
25 INCLUDING ADMISSIONS, HOUSING, FINANCIAL AID, HEALTH, MENTAL
26 HEALTH, TUTORING, CAREER, ACADEMIC ADVISING AND OTHER
27 SERVICES.

28 (5) PROVIDING ALL INDIVIDUALS APPLYING TO OR ATTENDING
29 THE INSTITUTION WHO ARE ELIGIBLE UNDER SECTION 2602-K(C) WITH
30 INFORMATION AND REFERRALS AS AVAILABLE FOR OFF-CAMPUS SUPPORT

1 SERVICES, INCLUDING TRANSITIONAL HOUSING AND MEDICAL
2 INSURANCE AND SERVICES.

3 (6) POSTING POC CONTACT INFORMATION ON THE PUBLICLY
4 ACCESSIBLE INTERNET WEBSITE OF THE INSTITUTION OF HIGHER
5 EDUCATION.

6 SECTION 2605-K. REPORT.

7 IN ORDER TO DETERMINE AND MAXIMIZE THE EFFECTIVENESS OF THIS
8 ARTICLE, THE DEPARTMENT, IN CONJUNCTION WITH THE DEPARTMENT OF
9 HUMAN SERVICES, SHALL COLLECT INFORMATION PROVIDED FROM
10 INSTITUTIONS OF HIGHER EDUCATION UNDER SECTION 2603-K(B) (3) AND
11 PREPARE AN ANONYMIZED REPORT TO BE SUBMITTED BY AUGUST 31, 2021,
12 AND BY AUGUST 31 OF EACH YEAR THEREAFTER, TO THE CHAIR AND
13 MINORITY CHAIR OF THE EDUCATION COMMITTEE OF THE SENATE, THE
14 CHAIR AND MINORITY CHAIR OF THE EDUCATION COMMITTEE OF THE HOUSE
15 OF REPRESENTATIVES, THE CHAIR AND MINORITY CHAIR OF THE HEALTH
16 AND HUMAN SERVICES COMMITTEE OF THE SENATE AND THE CHAIR AND
17 MINORITY CHAIR OF THE CHILDREN AND YOUTH COMMITTEE OF THE HOUSE
18 OF REPRESENTATIVES THAT CONTAINS ALL OF THE FOLLOWING:

19 (1) THE NUMBER OF STUDENTS RECEIVING A PENNSYLVANIA
20 CHAFEE EDUCATION AND TRAINING GRANT UNDER THE FOSTER CARE
21 INDEPENDENCE ACT OF 1999 (PUBLIC LAW 106-169, 113 STAT.
22 1882).

23 (2) THE NUMBER OF STUDENTS WHO APPLY FOR THE PROGRAM.

24 (3) THE NUMBER OF STUDENTS PARTICIPATING IN THE PROGRAM.

25 (4) THE RETENTION RATES OF STUDENTS PARTICIPATING IN THE
26 PROGRAM.

27 (5) THE NUMBER OF STUDENTS WHO ARE PARTICIPATING IN THE
28 PROGRAM AND HAVE UNMET FINANCIAL NEEDS.

29 (6) RECOMMENDATIONS ON HOW TO IMPROVE OUTREACH TO
30 STUDENTS WHO ARE OR ARE POTENTIALLY ELIGIBLE FOR THE PROGRAM.

1 (7) RECOMMENDATIONS ON WAYS IN WHICH TO IMPROVE THE
2 DELIVERY OF SERVICES TO STUDENTS WHO ARE ELIGIBLE FOR THE
3 PROGRAM UNDER SECTION 2602-K(C) AND TO ADDRESS THE
4 IMPEDIMENTS IDENTIFIED UNDER PARAGRAPH (8).

5 (8) IMPEDIMENTS TO RETAINING STUDENTS WHO ARE ELIGIBLE
6 UNDER SECTION 2602-K(C).

7 SECTION 26. THE AMENDMENT OF THE DEFINITION OF "COMPULSORY
8 SCHOOL AGE" IN SECTION 1326 AND SECTION 2103(8) OF THE ACT SHALL
9 APPLY TO ACADEMIC YEARS COMMENCING AFTER THE EFFECTIVE DATE OF
10 THIS SECTION.

11 SECTION 27. A REFERENCE IN STATUTE OR REGULATION TO "AREA
12 VOCATIONAL-TECHNICAL SCHOOL" SHALL BE DEEMED A REFERENCE TO
13 "AREA CAREER AND TECHNICAL SCHOOL," AND A REFERENCE IN STATUTE
14 OR REGULATION TO "VOCATIONAL CURRICULUMS" SHALL BE DEEMED A
15 REFERENCE TO "CAREER AND TECHNICAL CURRICULUMS."

16 SECTION 28. THIS ACT SHALL TAKE EFFECT AS FOLLOWS:

17 (1) THE FOLLOWING PROVISIONS SHALL TAKE EFFECT JULY 1,
18 2019, OR IMMEDIATELY, WHICHEVER IS LATER:

19 (I) THIS SECTION.

20 (II) SECTION 27 OF THIS ACT.

21 (III) THE AMENDMENT OR ADDITION OF THE FOLLOWING:

22 (A) SECTION 122(K) OF THE ACT.

23 (B) SECTION 732.1 OF THE ACT.

24 (C) SECTION 1003 OF THE ACT.

25 (D) (RESERVED).

26 (E) (RESERVED).

27 (F) (RESERVED).

28 (G) SECTION 1408-A OF THE ACT.

29 (H) ARTICLE XIV-B OF THE ACT.

30 (I) SECTION 1913-A(B) (1.6) (XII) OF THE ACT.

- 1 (J) SECTION 2002-B OF THE ACT.
2 (K) SECTION 2003-B(D.3) AND (F) OF THE ACT.
3 (L) SECTION 2004-B(A) OF THE ACT.
4 (M) SECTION 2005-B(G) (3) OF THE ACT.
5 (N) SECTION 2006-B(A) OF THE ACT.
6 (O) SECTION 2009-B(E) AND (F) OF THE ACT.
7 (P) SECTION 2323 OF THE ACT.
8 (Q) SECTION 2502.8(F) OF THE ACT.
9 (R) SECTION 2502.53(B) OF THE ACT.
10 (S) SECTION 2509.1(C.2) (1) OF THE ACT.
11 (T) SECTION 2510.3 OF THE ACT.
12 (U) SECTION 2599.6 OF THE ACT.
13 (V) SECTION 2599.7 OF THE ACT.

14 (2) THE AMENDMENT OR ADDITION OF THE FOLLOWING SHALL
15 TAKE EFFECT IN 90 DAYS:

- 16 (I) SECTION 1326 OF THE ACT.
17 (II) SECTION 2103(8) OF THE ACT.

18 (3) THE AMENDMENT OF SECTION 2204-B(B) INTRODUCTORY
19 PARAGRAPH AND (3) OF THE ACT SHALL TAKE EFFECT JULY 1, 2020.

20 (4) THE ADDITION OF ARTICLE XX-J OF THE ACT SHALL TAKE
21 EFFECT IN 365 DAYS.

22 (5) THE REMAINDER OF THIS ACT SHALL TAKE EFFECT IN 60
23 DAYS.