THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 700

Session of 2023

INTRODUCED BY BROOKS, DUSH, LAUGHLIN, BROWN, HUTCHINSON, MILLER, HAYWOOD, SCHWANK, MASTRIANO, MUTH AND PENNYCUICK,

JUNE 14, 2023

AS RE-REPORTED FROM COMMITTEE ON APPROPRIATIONS, HOUSE OF REPRESENTATIVES, AS AMENDED, JULY 11, 2024

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 certification of teachers, further providing for Career and Technical Instructional Certificate.

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 PRELIMINARY PROVISIONS, PROVIDING FOR ADVERTISING AND SPONSORSHIPS; IN INTERMEDIATE UNITS, FURTHER PROVIDING FOR SCHOOL SAFETY AND SECURITY ENHANCEMENTS; IN PROFESSIONAL EMPLOYEES, FURTHER PROVIDING FOR QUALIFICATIONS; IN CERTIFICATION OF TEACHERS, FURTHER PROVIDING FOR STATE CERTIFICATES, FOR CAREER AND TECHNICAL INSTRUCTION AND FOR BACCALAUREATE CERTIFICATION BASIC SKILLS ASSESSMENT; IN EDUCATOR PIPELINE SUPPORT GRANT PROGRAM, FURTHER PROVIDING FOR DEFINITIONS, FOR PROGRAM ESTABLISHMENT AND DUTIES OF AGENCY, FOR ELIGIBILITY AND FOR REPORT; IN SCHOOL SAFETY AND SECURITY, FURTHER PROVIDING FOR SCHOOL SAFETY AND SECURITY GRANT PROGRAM, FOR SCHOOL SAFETY AND SECURITY COORDINATOR, FOR TARGETED SCHOOL SAFETY GRANTS FOR NONPUBLIC SCHOOLS AND SCHOOL ENTITIES PROGRAM AND FOR SCHOOL SAFETY AND SECURITY TRAINING AND PROVIDING FOR SCHOOL SAFETY AND MENTAL HEALTH GRANTS FOR 2024-2025 SCHOOL YEAR; IN SCHOOL SECURITY, FURTHER PROVIDING FOR DUTIES OF COMMISSION, PROVIDING FOR SCHOOL SECURITY PERSONNEL AND ESTABLISHING SCHOOL SECURITY PERSONNEL FUND; IN SCHOOL SECURITY, FURTHER PROVIDING FOR DUTIES OF COMMISSION AND PROVIDING FOR SCHOOL SECURITY PERSONNEL AND FOR SCHOOL SECURITY PERSONNEL FUND; IN
SCHOOL HEALTH SERVICES, FURTHER PROVIDING FOR VISION SCREENING AND EXAMINATIONS; IN DRUG AND ALCOHOL RECOVERY HIGH SCHOOL PROGRAM, FURTHER PROVIDING FOR ESTABLISHMENT AND PAYMENT OF TUITION; IN ADMINISTRATIVE PARTNERSHIPS BETWEEN SCHOOL ENTITIES, FURTHER PROVIDING FOR LEGISLATIVE INTENT AND FOR DEFINITIONS, PROVIDING FOR INSTRUCTIONAL PROGRAMMING PARTNERSHIPS AUTHORIZED, FOR SCHOOL DISTRICT FEASIBILITY STUDY AND FOR CONSTRUCTION AND FURTHER PROVIDING FOR ESTABLISHMENT, FOR APPLICATION, FOR GRANT AWARDS, FOR TECHNICAL ASSISTANCE, FOR REPORTS BY SCHOOL ENTITIES AND FOR REPORTS BY DEPARTMENT; IN TALENT RECRUITMENT, FURTHER PROVIDING FOR TALENT RECRUITMENT ACCOUNT; IN CHARTER SCHOOLS, FURTHER PROVIDING FOR DEFINITIONS, FOR CHARTER SCHOOL REQUIREMENTS, FOR POWERS OF BOARD OF TRUSTEES, FOR FACILITIES AND FOR FUNDING FOR CHARTER SCHOOLS, PROVIDING FOR FUNDING FOR CYBER CHARTER SCHOOLS, FURTHER PROVIDING FOR ENROLLMENT AND NOTIFICATION AND PROVIDING FOR ENROLLEE WELLNESS CHECKS AND FOR APPLICABILITY OF OTHER PROVISIONS OF THIS ACT AND OF OTHER ACTS AND REGULATIONS; IN DISABILITY INCLUSIVE CURRICULUM, FURTHER PROVIDING FOR DEPARTMENT RESPONSIBILITIES; IN SCHOOLS-TO-WORK-PROGRAM, REPEALING PROVISIONS RELATING TO EXPIRATION; IN COMMUNITY COLLEGES, FURTHER PROVIDING FOR FINANCIAL PROGRAM AND REIMBURSEMENT OF PAYMENTS; IN EDUCATIONAL TAX CREDITS, FURTHER PROVIDING FOR DEFINITIONS, FOR QUALIFICATION AND APPLICATION BY ORGANIZATIONS, FOR TAX CREDITS AND FOR LIMITATIONS, REPEALING PROVISIONS RELATING TO OPPORTUNITY SCHOLARSHIPS AND PROVIDING FOR ECONOMICALLY DISADVANTAGED SCHOOL SCHOLARSHIPS; IN COURSE MATERIALS AT INSTITUTIONS OF HIGHER EDUCATION, REPEALING PROVISIONS RELATING TO COLLEGE TEXTBOOK POLICIES ADVISORY COMMITTEE; IN SEXUAL VIOLENCE, DATING VIOLENCE, DOMESTIC VIOLENCE AND STALKING EDUCATION, PREVENTION AND RESPONSE AT INSTITUTIONS OF HIGHER EDUCATION AND PRIVATE LICENSED SCHOOLS, FURTHER PROVIDING FOR MEMORANDUM OF UNDERSTANDING; IN MISCELLANEOUS PROVISIONS RELATING TO INSTITUTIONS OF HIGHER EDUCATION, REPEALING PROVISIONS RELATING TO PUBLIC HIGHER EDUCATION FUNDING COMMISSION; IN FUNDING FOR PUBLIC LIBRARIES, PROVIDING FOR STATE AID FOR FISCAL YEAR 2024-2025; IN REIMBURSEMENTS BY COMMONWEALTH AND BETWEEN SCHOOL DISTRICTS, FURTHER PROVIDING FOR PAYMENTS ON ACCOUNT OF PUPILS ENROLLED IN CAREER AND TECHNICAL CURRICULUMS AND FOR STUDENT-WEIGHTED BASIC EDUCATION FUNDING, PROVIDING FOR STUDENT-WEIGHTED BASIC EDUCATION FUNDING BEGINNING WITH 2023-2024 SCHOOL YEAR, FURTHER PROVIDING FOR STATE REIMBURSEMENT FOR HEALTH SERVICES, FOR PAYMENTS TO INTERMEDIATE UNITS, FOR ASSISTANCE TO SCHOOL DISTRICTS DECLARED TO BE IN FINANCIAL RECOVERY STATUS OR IDENTIFIED FOR FINANCIAL WATCH STATUS AND FOR COMMONWEALTH REIMBURSEMENTS FOR CHARTER SCHOOLS AND CYBER CHARTER SCHOOLS, REPEALING PROVISIONS RELATING TO ADMINISTRATIVE AND INSTRUCTIONAL CONSOLIDATION INCENTIVES AND FURTHER PROVIDING FOR READY-TO-LEARN BLOCK GRANT; IN STATE BOARD OF EDUCATION, FURTHER PROVIDING FOR POWERS AND DUTIES OF THE BOARD; IN CONSTRUCTION AND RENOVATION OF BUILDINGS BY SCHOOL ENTITIES, FURTHER PROVIDING FOR APPLICABILITY; IN SCHOOL ENVIRONMENTAL REPAIRS PROGRAM, FURTHER PROVIDING FOR SCHOOL ENVIRONMENTAL REPAIRS PROGRAM RESTRICTED ACCOUNT AND FOR SCHOOL ENVIRONMENTAL REPAIRS PROGRAM; AND MAKING EDITORIAL CHANGES.

The General Assembly of the Commonwealth of Pennsylvania

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hereby enacts as follows:

Section 1. Section 1204.2(b) 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 subsections to read:

Section 1204.2. Career and Technical Instructional Certificate. * * *

(b) [In addition to other requirements promulgated by the State Board of Education, the State Board of Education shall require an applicant to present evidence of at least four (4) years of wage-earning experience in the occupation to be taught in order for the Secretary of Education to grant the applicant a Career and Technical Intern Certificate under 22 Pa. Code § 49.151 (relating to eligibility and criteria).] In addition to other requirements promulgated by the State Board of Education, the Department of Education shall issue a Career and Technical Intern Certificate under 22 Pa. Code § 49.151 (relating to eligibility and criteria) to an individual seeking a position with the primary responsibility of teaching occupational skills in State-approved career and technical education programs in the public schools of this Commonwealth if the individual presents any of the following:

(1) Evidence of a minimum of eight thousand (8,000) hours, equivalent to four (4) years full time, of wage earning experience in the occupational area to be taught.

(2) Evidence of a minimum of four thousand (4,000) hours, equivalent to two (2) years full time, of wage earning experience in the occupational area to be taught plus a baccalaureate degree.

(3) Evidence of a minimum of eight thousand (8,000) hours,
equivalent to four (4) years full-time, of experience in the occupational area to be taught.

(4) Evidence of a minimum of eight thousand (8,000) hours, equivalent to four (4) years full-time, of experience teaching post-secondary courses at a regionally accredited institution of higher education in the occupational area to be taught.

* * *

(b.1) In addition to other requirements promulgated by the State Board of Education, the Department of Education shall issue a Career and Technical Instructional I Certificate under 22 Pa. Code § 49.142 (relating to Career and Technical Instructional I) to an individual seeking a position with the primary responsibility of teaching occupational skills in State-approved career and technical education programs in the public schools of this Commonwealth if the individual presents any of the following:

(1) Evidence of a minimum of eight thousand (8,000) hours, equivalent to four (4) years full-time, of wage-earning experience in the occupational area to be taught.

(2) Evidence of a minimum of four thousand (4,000) hours, equivalent to two (2) years full-time, of wage-earning experience in the occupational area to be taught plus a baccalaureate degree.

(3) Evidence of a minimum of eight thousand (8,000) hours, equivalent to four (4) years full time, as a volunteer firefighter or emergency medical technician in the occupational area to be taught.

(4) Evidence of a minimum of eight thousand (8,000) hours, equivalent to four (4) years full-time, of experience teaching
post-secondary courses at a regionally accredited institution of
higher education in the occupational area to be taught.

* * *

(f) As used in this section, the following words and phrases shall have the meanings given to them in this subsection unless the context clearly indicates otherwise:

"Emergency medical technician" shall mean an individual who is certified by the Department of Health as an emergency medical technician.

"Volunteer firefighter" shall mean as follows:

(1) A person who is a member of:

(i) a fire company organized and existing under the laws of this Commonwealth;

(ii) a fire police unit, rescue squad, ambulance corps or other like organization affiliated with one or more fire companies; or

(iii) a fire company or affiliated organization which participates in the fire service but does not look to that service as his or her primary means of livelihood.

(2) A person does not lose status as a volunteer firefighter solely because he or she may also be a paid firefighter, so long as the person is acting within the scope of his or her responsibilities as a member of a volunteer fire company at the pertinent time and not within the scope of his or her responsibilities as a paid firefighter.

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

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

SECTION TO READ:

SECTION 134. ADVERTISING AND SPONSORSHIPS.--(A) A PAID
MEDIA ADVERTISEMENT BY A PUBLIC SCHOOL ENTITY OR ON BEHALF OF A PUBLIC SCHOOL ENTITY THAT REFERS TO THE COST OF TUITION, TECHNOLOGY, TRANSPORTATION OR OTHER EXPENSES SHALL NOT ADVERTISE THOSE EXPENSES AS FREE, AND ANY REFERENCE TO TUITION, TECHNOLOGY, TRANSPORTATION OR OTHER EXPENSES MUST INDICATE THAT THE COST IS COVERED BY TAXPAYER DOLLARS.

(B) NO LATER THAN AUGUST 1, 2025, EACH PUBLIC SCHOOL ENTITY SHALL REPORT TO THE DEPARTMENT OF EDUCATION THE ENTITY'S TOTAL EXPENDITURES FOR PAID MEDIA ADVERTISEMENTS AND SPONSORSHIPS OF PUBLIC EVENTS FOR THE 2024-2025 SCHOOL YEAR. THE DEPARTMENT SHALL COMPILE THE RESULTS OF THE REPORTS AND MAKE THE RESULTS AVAILABLE ON THE DEPARTMENT OF EDUCATION'S PUBLICLY ACCESSIBLE INTERNET WEBSITE BY DECEMBER 1, 2025.

(C) AS USED IN THIS SECTION, THE FOLLOWING WORDS AND PHRASES SHALL HAVE THE MEANINGS GIVEN TO THEM IN THIS SUBSECTION UNLESS THE CONTEXT CLEARLY INDICATES OTHERWISE:

"PAID MEDIA ADVERTISEMENT." THE TERM INCLUDES A TELEVISION, RADIO, NEWSPAPER, MAGAZINE OR MOVIE THEATER ADVERTISEMENT, BILLBOARD, BUS POSTER OR INTERNET-BASED OR OTHER COMMERCIAL METHOD THAT MAY PROMOTE ENROLLMENT IN A PUBLIC SCHOOL ENTITY.

"PUBLIC EVENT." AN ACTIVITY, EVENT OR GATHERING THAT MEMBERS OF THE PUBLIC MAY ATTEND, HAS BEEN PUBLICLY ANNOUNCED OR PUBLICIZED IN ADVANCE AND FOR WHICH AN ADMISSION FEE OR COST MAY BE REQUIRED. THE TERM INCLUDES CONCERTS, PERFORMANCES, SPORTING EVENTS, FAIRS, FESTIVALS, PARADES, PERFORMANCES AND OTHER EXHIBITIONS. THE TERM SHALL NOT INCLUDE SCHOOL-SPONSORED ACTIVITIES AS DEFINED IN SECTION 1318.1(J).

"PUBLIC SCHOOL ENTITY." A PUBLIC SCHOOL DISTRICT, CHARTER SCHOOL ENTITY AS DEFINED IN SECTION 1703-A, INTERMEDIATE UNIT OR AREA CAREER AND TECHNICAL SCHOOL.
SECTION 2. SECTION 923.3-A(C) AND (D) OF THE ACT, AMENDED
DECEMBER 13, 2023 (P.L.187, NO.33), ARE AMENDED AND SUBSECTION
(B) IS AMENDED BY ADDING A DEFINITION TO READ:
SECTION 923.3-A. SCHOOL SAFETY AND SECURITY ENHANCEMENTS.-*
* *
(B) DEFINITIONS. AS USED IN THIS SECTION:
"COMMISSION" MEANS THE PENNSYLVANIA COMMISSION ON CRIME AND
DELINQUENCY.
* * *
(C) PROGRAM OF SCHOOL SAFETY AND SECURITY ENHANCEMENTS. A
PROGRAM OF SCHOOL SECURITY ENHANCEMENTS SHALL BE PROVIDED [BY AN
INTERMEDIATE UNIT IN WHICH A NONPUBLIC SCHOOL IS LOCATED,] FOR
NONPUBLIC SCHOOLS IN ACCORDANCE WITH STANDARDS DEVELOPED BY THE
SCHOOL SAFETY AND SECURITY COMMITTEE ESTABLISHED UNDER SECTION
1302-B IN CONSULTATION WITH THE DEPARTMENT OF EDUCATION AND
PURSUANT TO SECTION 1306.1-B. [THROUGH THE PROGRAM, AN
INTERMEDIATE UNIT SHALL MAKE APPLICATION FOR SCHOOL SAFETY AND
SECURITY ENHANCEMENTS UPON THE REQUEST OF A NONPUBLIC SCHOOL OR
COMBINATION OF NONPUBLIC SCHOOLS LOCATED WITHIN THE INTERMEDIATE
UNIT. SCHOOL SAFETY AND SECURITY ENHANCEMENTS FOR WHICH GRANTS
ARE RECEIVED SHALL BE PROVIDED FOR OR CONTRACTED FOR DIRECTLY BY
THE INTERMEDIATE UNIT OR LOANED BY THE INTERMEDIATE UNIT TO THE
NONPUBLIC SCHOOL.]
(D) LIMITATIONS. IN CARRYING OUT THE DUTIES OF THIS SECTION
AND THE SCHOOL SAFETY AND SECURITY GRANT PROGRAM, THE
[INTERMEDIATE UNIT] COMMISSION MAY NOT USE MORE THAN FIVE PER
CENTUM (5%) OF THE FUNDS IT RECEIVES UNDER THIS SECTION FOR
GRANT ADMINISTRATION. [IF ALL FUNDS ALLOCATED BY THE
INTERMEDIATE UNITS FOR ADMINISTRATION ARE NOT EXPENDED FOR
PURPOSES OF THIS SECTION, THE FUNDS MAY BE USED FOR OTHER
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SECTION 3. SECTIONS 1109(A) AND 1202 OF THE ACT ARE AMENDED TO READ:

SECTION 1109. QUALIFICATIONS.--(A) EVERY TEACHER EMPLOYED TO TEACH IN THE PUBLIC SCHOOLS OF THIS COMMONWEALTH MUST BE A PERSON OF GOOD MORAL CHARACTER, MUST BE AT LEAST EIGHTEEN YEARS OF AGE, AND MUST BE A CITIZEN OF THE UNITED STATES OR AUTHORIZED TO WORK IN THE UNITED STATES: PROVIDED, THAT CITIZENSHIP MAY BE WAIVED IN THE CASE OF EXCHANGE TEACHERS NOT PERMANENTLY EMPLOYED, AND TEACHERS EMPLOYED FOR THE PURPOSE OF TEACHING FOREIGN LANGUAGES, INCLUDING SPECIAL TEACHERS WHO SPEAK THE IDIOMATIC OR COLLOQUIAL LANGUAGE OF IMMIGRANTS RESIDING IN THE SCHOOL DISTRICT, AND EMPLOYED FOR THE PURPOSE OF EASING THE TRANSITION PERIOD OF SUCH IMMIGRANTS.

* * *

SECTION 1202. STATE CERTIFICATES.--STATE CERTIFICATES SHALL BE ISSUED AS HEREIN PROVIDED. EACH SUCH CERTIFICATE SHALL SET FORTH THE BRANCHES WHICH ITS HOLDER IS ENTITLED TO TEACH. NO TEACHER SHALL TEACH, IN ANY PUBLIC SCHOOL, ANY BRANCH WHICH HE HAS NOT BEEN PROPERLY CERTIFICATED TO TEACH.

A CERTIFICATE TO TEACH MAY BE GRANTED OR ISSUED TO ANY PERSON WHO IS A CITIZEN OF THE UNITED STATES, EXCEPT IN THE CASE OF AN EXCHANGE TEACHER NOT PERMANENTLY EMPLOYED, A TEACHER EMPLOYED FOR THE PURPOSE OF TEACHING FOREIGN LANGUAGES OR A PERSON AUTHORIZED TO WORK IN THE UNITED STATES.

IN THE CASE OF A RESIDENT FOREIGN NATIONAL HOLDING AN IMMIGRANT VISA WHO HAS DECLARED, IN WRITING, TO THE DEPARTMENT OF EDUCATION THE INTENTION OF BECOMING A CITIZEN OF THE UNITED STATES, SUCH PERSON SHALL BE ELIGIBLE FOR...
A PROVISIONAL COLLEGE CERTIFICATE.

SECTION 4. SECTION 1204.2(B) OF THE ACT IS AMENDED AND THE
SECTION IS AMENDED BY ADDING SUBSECTIONS TO READ:

SECTION 1204.2. CAREER AND TECHNICAL INSTRUCTIONAL

CERTIFICATE.--* * *

(B) [IN ADDITION TO OTHER REQUIREMENTS PROMULGATED BY THE
STATE BOARD OF EDUCATION, THE STATE BOARD OF EDUCATION SHALL
REQUIRE AN APPLICANT TO PRESENT EVIDENCE OF AT LEAST FOUR (4)
YEARS OF WAGE-EARNING EXPERIENCE IN THE OCCUPATION TO BE TAUGHT
IN ORDER FOR THE SECRETARY OF EDUCATION TO GRANT THE APPLICANT A
CAREER AND TECHNICAL INTERN CERTIFICATE UNDER 22 PA. CODE §
49.151 (RELATING TO ELIGIBILITY AND CRITERIA).] IN ADDITION TO
OTHER REQUIREMENTS PROMULGATED BY THE STATE BOARD OF EDUCATION,
THE DEPARTMENT OF EDUCATION SHALL ISSUE A CAREER AND TECHNICAL
INTERN CERTIFICATE UNDER 22 PA. CODE § 49.151 (RELATING TO
ELIGIBILITY AND CRITERIA) TO AN INDIVIDUAL SEEKING A POSITION
WITH THE PRIMARY RESPONSIBILITY OF TEACHING OCCUPATIONAL SKILLS
IN STATE-APPROVED CAREER AND TECHNICAL EDUCATION PROGRAMS IN THE
PUBLIC SCHOOLS OF THIS COMMONWEALTH IF THE INDIVIDUAL PRESENTS
ANY OF THE FOLLOWING:

(1) EVIDENCE OF A MINIMUM OF EIGHT THOUSAND (8,000) HOURS,
EQUIVALENT TO FOUR (4) YEARS FULL-TIME, OF WAGE-EARNING
EXPERIENCE IN THE OCCUPATIONAL AREA TO BE TAUGHT.

(2) EVIDENCE OF A MINIMUM OF FOUR THOUSAND (4,000) HOURS,
EQUIVALENT TO TWO (2) YEARS FULL-TIME, OF WAGE-EARNING
EXPERIENCE IN THE OCCUPATIONAL AREA TO BE TAUGHT PLUS A
BACCALAUREATE DEGREE.

(3) EVIDENCE OF A MINIMUM OF EIGHT THOUSAND (8,000) HOURS,
EQUIVALENT TO FOUR (4) YEARS FULL-TIME, OF EXPERIENCE AS A
VOLUNTEER FIREFIGHTER OR EMERGENCY MEDICAL TECHNICIAN IN THE
OCCUPATIONAL AREA TO BE TAUGHT.

(4) EVIDENCE OF A MINIMUM OF EIGHT THOUSAND (8,000) HOURS, EQUIVALENT TO FOUR (4) YEARS FULL-TIME, OF EXPERIENCE TEACHING POST-SECONDARY COURSES AT A REGIONALLY ACCREDITED INSTITUTION OF HIGHER EDUCATION IN THE OCCUPATIONAL AREA TO BE TAUGHT.

(B.1) IN ADDITION TO OTHER REQUIREMENTS PROMULGATED BY THE STATE BOARD OF EDUCATION, THE DEPARTMENT OF EDUCATION SHALL ISSUE A CAREER AND TECHNICAL INSTRUCTIONAL I CERTIFICATE UNDER 22 PA. CODE § 49.142 (RELATING TO CAREER AND TECHNICAL INSTRUCTIONAL I) TO AN INDIVIDUAL SEEKING A POSITION WITH THE PRIMARY RESPONSIBILITY OF TEACHING OCCUPATIONAL SKILLS IN STATE-APPROVED CAREER AND TECHNICAL EDUCATION PROGRAMS IN THE PUBLIC SCHOOLS OF THIS COMMONWEALTH IF THE INDIVIDUAL PRESENTS ANY OF THE FOLLOWING:

(1) EVIDENCE OF A MINIMUM OF EIGHT THOUSAND (8,000) HOURS, EQUIVALENT TO FOUR (4) YEARS FULL-TIME, OF WAGE-EARNING EXPERIENCE IN THE OCCUPATIONAL AREA TO BE TAUGHT.

(2) EVIDENCE OF A MINIMUM OF FOUR THOUSAND (4,000) HOURS, EQUIVALENT TO TWO (2) YEARS FULL-TIME, OF WAGE-EARNING EXPERIENCE IN THE OCCUPATIONAL AREA TO BE TAUGHT PLUS A BACCALAUREATE DEGREE.

(3) EVIDENCE OF A MINIMUM OF EIGHT THOUSAND (8,000) HOURS, EQUIVALENT TO FOUR (4) YEARS FULL-TIME, AS A VOLUNTEER FIREFIGHTER OR EMERGENCY MEDICAL TECHNICIAN IN THE OCCUPATIONAL AREA TO BE TAUGHT.

(4) EVIDENCE OF A MINIMUM OF EIGHT THOUSAND (8,000) HOURS, EQUIVALENT TO FOUR (4) YEARS FULL-TIME, OF EXPERIENCE TEACHING POST-SECONDARY COURSES AT A REGIONALLY ACCREDITED INSTITUTION OF HIGHER EDUCATION IN THE OCCUPATIONAL AREA TO BE TAUGHT.

* * *
(F) AS USED IN THIS SECTION, THE FOLLOWING WORDS AND PHRASES SHALL HAVE THE MEANINGS GIVEN TO THEM IN THIS SUBSECTION UNLESS THE CONTEXT CLEARLY INDICATES OTHERWISE:

"EMERGENCY MEDICAL TECHNICIAN" SHALL MEAN AN INDIVIDUAL WHO IS CERTIFIED BY THE DEPARTMENT OF HEALTH AS AN EMERGENCY MEDICAL TECHNICIAN.

"VOLUNTEER FIREFIGHTER" SHALL MEAN AS FOLLOWS:

(1) A PERSON WHO IS A MEMBER OF:

(I) A FIRE COMPANY ORGANIZED AND EXISTING UNDER THE LAWS OF THIS COMMONWEALTH;

(II) A FIRE POLICE UNIT, RESCUE SQUAD, AMBULANCE CORPS OR OTHER LIKE ORGANIZATION AFFILIATED WITH ONE OR MORE FIRE COMPANIES; OR

(III) A FIRE COMPANY OR AFFILIATED ORGANIZATION WHICH PARTICIPATES IN THE FIRE SERVICE BUT DOES NOT LOOK TO THAT SERVICE AS THE PERSON'S PRIMARY MEANS OF LIVELIHOOD.


SECTION 5. SECTION 1207.3 OF THE ACT IS AMENDED BY ADDING A SUBSECTION TO READ:

SECTION 1207.3. BACCALAUREATE CERTIFICATION BASIC SKILLS ASSESSMENT.--* * *

(D) THIS SECTION SHALL EXPIRE JUNE 30, 2025.

SECTION 6. ARTICLE XII-B HEADING OF THE ACT, ADDED DECEMBER 13, 2023 (P.L.187, NO.33), IS AMENDED TO READ:

ARTICLE XII-B

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[EDUCATOR PIPELINE] STUDENT TEACHER SUPPORT GRANT PROGRAM

SECTION 7. THE DEFINITIONS OF "APPROVED EDUCATOR PREPARATION PROGRAM" AND "PROGRAM" IN SECTION 1202-B OF THE ACT, ADDED DECEMBER 13, 2023 (P.L.187, NO.33), ARE AMENDED TO READ:

SECTION 1202-B. DEFINITIONS.

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

* * *

"APPROVED EDUCATOR PREPARATION PROGRAM." [A SEQUENCE OF COURSES AND EXPERIENCES OFFERED BY AN INSTITUTION OF HIGHER EDUCATION THAT IS REVIEWED AND APPROVED BY THE DEPARTMENT.] A PROGRAM APPROVED BY THE DEPARTMENT TO PREPARE PROFESSIONAL PERSONNEL FOR EMPLOYMENT IN A SCHOOL ENTITY IN ACCORDANCE WITH 22 PA. CODE CH. 49 (RELATING TO CERTIFICATION OF PROFESSIONAL PERSONNEL).

* * *

"PROGRAM." THE [EDUCATOR PIPELINE] STUDENT TEACHER SUPPORT GRANT PROGRAM ESTABLISHED UNDER SECTION 1203-B.

* * *

SECTION 8. SECTIONS 1203-B(A) AND (I), 1204-B(A)(6) AND 1205-B(A)(6) OF THE ACT, ADDED DECEMBER 13, 2023 (P.L.187, NO.33), ARE AMENDED TO READ:

SECTION 1203-B. PROGRAM ESTABLISHMENT AND DUTIES OF AGENCY.

(A) ESTABLISHMENT.--THE [EDUCATOR PIPELINE] STUDENT TEACHER SUPPORT GRANT PROGRAM IS ESTABLISHED WITHIN THE AGENCY.

* * *

(I) PAYMENT.--THE AGENCY SHALL ESTABLISH A METHOD FOR PAYING GRANT AWARDS UNDER THE PROGRAM TO A SCHOOL ENTITY OR NONPUBLIC SCHOOL. THE SCHOOL ENTITY OR NONPUBLIC SCHOOL SHALL USE ALL OF 20230SB0700PN1816 - 12 -
THE MONEY RECEIVED UNDER THE PROGRAM FOR PAYMENT TO STUDENT TEACHERS AND COOPERATING TEACHERS AS REQUIRED BY THIS SECTION AND THE AGENCY. THE AGENCY, IN THE AGENCY’S DISCRETION, MAY ESTABLISH AN ALTERNATIVE METHOD FOR PAYING GRANT AWARDS UNDER THIS SECTION.

* * *

SECTION 1204-B. ELIGIBILITY.

(A) ELIGIBILITY.--FOR AN INDIVIDUAL TO BE ELIGIBLE FOR A GRANT AS A STUDENT TEACHER UNDER THE PROGRAM, THE INDIVIDUAL SHALL MEET ALL OF THE FOLLOWING:

* * *

(6) AGREE TO WORK AS A TEACHER AT A SCHOOL ENTITY OR NONPUBLIC SCHOOL OR PRE-KINDERGARTEN PROGRAM IN THIS COMMONWEALTH FOR A PERIOD OF NO LESS THAN THREE YEARS, UNLESS THE AGENCY DETERMINES THAT THERE ARE EXTENUATING CIRCUMSTANCES.

* * *

SECTION 1205-B. REPORT.

(A) GENERAL RULE.--THE AGENCY SHALL PREPARE AND SUBMIT TO THE GOVERNOR, THE SECRETARY OF EDUCATION AND THE GENERAL ASSEMBLY NO LATER THAN DECEMBER 31, 2024, AND EACH DECEMBER 31 THEREAFTER, TO THE EXTENT THAT FUNDS ARE AVAILABLE, A REPORT DETAILING THE OPERATION OF THE PROGRAM. THE REPORT SHALL, AT A MINIMUM, INCLUDE:

* * *

(6) A LIST OF SCHOOL ENTITIES, NONPUBLIC SCHOOLS OR PRE-KINDERGARTEN PROGRAMS WHERE GRANTEES ARE EMPLOYED FOLLOWING CERTIFICATION.

* * *

SECTION 9. SECTION 1306-B(J)(18) OF THE ACT IS AMENDED AND
SUBSECTIONS (H) AND (J) ARE AMENDED BY ADDING PARAGRAPHS TO READ:

SECTION 1306-B. SCHOOL SAFETY AND SECURITY GRANT PROGRAM.

*(*)

(H) SCHOOL SAFETY AND SECURITY FUND.--

*(*)

(13) NOTWITHSTANDING ANY OTHER PROVISION OF LAW, DURING THE 2024-2025 FISCAL YEAR, MONEY IN THE FUND SHALL BE USED AS FOLLOWS:

(I) ONE HUNDRED MILLION DOLLARS SHALL BE USED FOR SCHOOL SAFETY AND MENTAL HEALTH GRANTS UNDER SECTION 1314.1-B.

(II) TWENTY MILLION SEVEN HUNDRED THOUSAND DOLLARS SHALL BE USED FOR TARGETED SCHOOL SAFETY GRANTS UNDER SECTION 1306.1-B.

*(*)

(J) SPECIFIC PURPOSES.--THE COMMITTEE SHALL PROVIDE GRANTS TO SCHOOL ENTITIES FOR PROGRAMS THAT ADDRESS SCHOOL MENTAL HEALTH AND SAFETY AND SECURITY, INCLUDING:

*(*)

(18) COSTS ASSOCIATED WITH THE TRAINING AND COMPENSATION OF SCHOOL [RESOURCE OFFICERS AND SCHOOL POLICE OFFICERS] SECURITY PERSONNEL.

*(*)

(31) PURCHASE OF CELL PHONE LOCKABLE BAGS. A SCHOOL ENTITY THAT APPLIES FOR FUNDING UNDER THIS PARAGRAPH MUST ADOPT A POLICY RELATING TO PROHIBITING THE USE OF CELL PHONES DURING THE SCHOOL DAY.

*(*)

SECTION 10. SECTION 1306.1-B(J), (K)(3) AND (L)(3) OF THE
ACT, ADDED DECEMBER 13, 2023 (P.L.187, NO.33), ARE AMENDED TO READ:

SECTION 1306.1-B. TARGETED SCHOOL SAFETY GRANTS FOR NONPUBLIC SCHOOLS AND SCHOOL ENTITIES PROGRAM.

* * *

(J) USES.--TARGETED GRANTS TO SCHOOL ENTITIES AND [INTERMEDIATE UNITS ON BEHALF OF] NONPUBLIC SCHOOLS SHALL BE USED TO FUND PROGRAMS THAT ADDRESS SCHOOL VIOLENCE AND SCHOOL MENTAL HEALTH. ELIGIBLE USES OF THE FUNDS SHALL INCLUDE ANY USE UNDER SECTION 1306-B(J) AND TO FUND PROGRAMS THAT ADDRESS SCHOOL VIOLENCE BY ESTABLISHING OR ENHANCING SCHOOL SECURITY, INCLUDING COSTS ASSOCIATED WITH THE TRAINING AND COMPENSATION OF SCHOOL SECURITY PERSONNEL.

(K) OTHER GRANT RECIPIENTS.--

* * *

(3) A NONPUBLIC SCHOOL MAY APPLY TO THE COMMITTEE FOR GRANT FUNDING UNDER PARAGRAPH (1) TO BE USED FOR THE COSTS ASSOCIATED WITH OBTAINING THE SERVICES OF SCHOOL SECURITY PERSONNEL FROM A LIST OF APPROVED VENDORS CERTIFIED BY THE COMMITTEE. [A GRANT AWARD FOR THIS PURPOSE SHALL BE AWARDED AND PAID DIRECTLY TO THE APPROVED VENDOR WITH WHICH THE NONPUBLIC SCHOOL CONTRACTS FOR SERVICES. A NONPUBLIC SCHOOL MAY NOT APPLY FOR GRANT FUNDING UNDER THIS SUBSECTION FOR ANY PURPOSE OTHER THAN OBTAINING THE SERVICES OF SCHOOL SECURITY PERSONNEL UNDER THIS PARAGRAPH.]

(L) OTHER DUTIES.--THE COMMITTEE SHALL HAVE THE FOLLOWING DUTIES AS TO TARGETED GRANTS:

* * *

(3) FOR FISCAL YEAR 2023-2024 AND EACH FISCAL YEAR THEREAFTER, THE COMBINED AMOUNT OF GRANTS AWARDED TO 20230SB0700PN1816
INTERMEDIATE UNITS ON BEHALF OF NONPUBLIC SCHOOLS UNDER SUBSECTION (J) AND GRANTS AWARDED FOR COSTS ASSOCIATED WITH A NONPUBLIC SCHOOL OBTAINING THE SERVICES OF SCHOOL SECURITY PERSONNEL UNDER SUBSECTION (K) SHALL BE NO LESS THAN $14,551,000.

* * *

SECTION 10.1. SECTION 1309-B(C) OF THE ACT IS AMENDED BY ADDING A PARAGRAPH TO READ:

SECTION 1309-B. SCHOOL SAFETY AND SECURITY COORDINATOR.

* * *

(C) SPECIFIC DUTIES.--THE SCHOOL SAFETY AND SECURITY COORDINATOR SHALL:

* * *

(5.1) NO LATER THAN JUNE 30, 2025, AND EACH JUNE 30 THEREAFTER, MAKE A REPORT TO THE SCHOOL ENTITY'S BOARD OF DIRECTORS ON THE SCHOOL ENTITY'S CURRENT SCHOOL SECURITY PERSONNEL. THE FOLLOWING APPLY:

(I) EACH REPORT SHALL BE PRESENTED TO THE SCHOOL ENTITY'S BOARD OF DIRECTORS AT AN EXECUTIVE SESSION OF THE SCHOOL ENTITY'S BOARD OF DIRECTORS.

(II) EACH REPORT SHALL BE SUBMITTED TO THE COMMITTEE AND SHALL NOT BE SUBJECT TO THE RIGHT-TO-KNOW LAW.

(III) EACH REPORT SHALL INCLUDE:

(A) THE NUMBER OF SCHOOL SECURITY PERSONNEL, AS DEFINED IN SECTION 1301-C, BROKEN OUT BY TYPE.

(B) THE NUMBER OF EACH SCHOOL SECURITY PERSONNEL, AS DEFINED IN SECTION 1301-C, THAT IS ARMED, BROKEN OUT BY TYPE.

(C) THE SCHOOL BUILDING AT WHICH EACH SCHOOL SECURITY PERSONNEL, AS DEFINED IN SECTION 1301-C, IS
ASSIGNED, BROKEN OUT BY TYPE.

(D) THE TRAINING, INCLUDING TYPE OF TRAINING AND DATES COMPLETED, BY EACH SCHOOL SECURITY PERSONNEL, AS DEFINED IN SECTION 1301-C, BROKEN OUT BY TYPE.

(E) A LISTING OF OTHER INDIVIDUALS UTILIZED FOR SCHOOL- SAFETY- RELATED DUTIES.

* * *

SECTION 11. SECTION 1310-B OF THE ACT IS AMENDED BY ADDING A SUBSECTION TO READ:

SECTION 1310-B. SCHOOL SAFETY AND SECURITY TRAINING.

* * *

(A.1) CYBER CHARTER SCHOOL WAIVER OR ALTERNATE TRAINING OPPORTUNITY.--

(1) A CYBER CHARTER SCHOOL MAY WAIVE OR PROVIDE AN ALTERNATIVE TRAINING OPPORTUNITY TO ADDRESS THE IN-PERSON TRAINING REQUIRED UNDER SUBSECTION (A)(1.1)(I) FOR ANY CYBER CHARTER SCHOOL EMPLOYEE WHO IS NOT PHYSICALLY LOCATED IN THIS COMMONWEALTH AND EXCLUSIVELY PROVIDES INSTRUCTION REMOTELY.

(2) A CYBER CHARTER SCHOOL PROVIDING A WAIVER OR ALTERNATIVE TRAINING OPPORTUNITY TO THE EMPLOYEE UNDER THIS SUBSECTION SHALL PROVIDE AN ATTESTATION THAT THE EMPLOYEE MEETS THE REQUIREMENTS OF THIS SECTION AND THE CYBER CHARTER SCHOOL SHALL REPORT THE WAIVER OR ALTERNATIVE TRAINING OPPORTUNITY TO THE COMMITTEE ANNUALLY THROUGH THE SCHOOL SAFETY AND SECURITY COORDINATOR REPORT.

* * *

SECTION 12. THE ACT IS AMENDED BY ADDING A SECTION TO READ:

SECTION 1314.1-B. SCHOOL SAFETY AND MENTAL HEALTH GRANTS FOR 2024-2025 SCHOOL YEAR.

(A) FUNDING.--FOR THE 2024-2025 SCHOOL YEAR, THE MONEY UNDER 20230SB0700PN1816
SECTION 1306-B(H)(13)(I) SHALL BE USED BY THE COMMITTEE TO AWARD SCHOOL SAFETY AND MENTAL HEALTH GRANTS TO SCHOOL ENTITIES.

(B) PURPOSE OF GRANTS.--

(1) A SCHOOL ENTITY SHALL BE ELIGIBLE FOR SCHOOL SAFETY AND MENTAL HEALTH GRANTS TO MEET THE LEVEL 1 BASELINE CRITERIA FOR PHYSICAL SECURITY OR BEHAVIORAL HEALTH AND SCHOOL CLIMATE CRITERIA ESTABLISHED BY THE COMMITTEE.

(2) IF A SCHOOL ENTITY HAS MET THE LEVEL 1 BASELINE CRITERIA FOR PHYSICAL SECURITY, THE SCHOOL ENTITY SHALL BE ELIGIBLE TO EXPEND FUNDING FOR ACTIVITIES OUTLINED IN SECTION 1306-B(J)(1), (2), (3), (4), (5), (7), (8), (9), (11), (12), (13), (14), (16), (18), (22) AND (23).

(3) IF A SCHOOL ENTITY HAS MET THE LEVEL 1 BASELINE CRITERIA FOR BEHAVIORAL HEALTH AND SCHOOL CLIMATE, THE SCHOOL ENTITY SHALL BE ELIGIBLE TO EXPEND FUNDING FOR ACTIVITIES OUTLINED IN SECTION 1306-B(J)(6), (10), (15), (17), (19), (20), (21), (23), (24), (25), (26), (27), (28), (29), (30) AND (31).

(C) AMOUNT OF GRANTS.--THE COMMITTEE SHALL AWARD SCHOOL SAFETY AND MENTAL HEALTH GRANTS TO EACH SCHOOL ENTITY THAT SUBMITS AN APPLICATION IN THE FOLLOWING AMOUNTS:

(1) A SCHOOL DISTRICT SHALL RECEIVE $100,000 PLUS AN AMOUNT DETERMINED IN PARAGRAPH (3).

(2) AN INTERMEDIATE UNIT, AREA CAREER AND TECHNICAL SCHOOL, CHARTER SCHOOL, REGIONAL CHARTER SCHOOL AND CYBER CHARTER SCHOOL SHALL RECEIVE $70,000.

(3) AN AMOUNT DETERMINED AS FOLLOWS:

(I) MULTIPLY THE 2022-2023 ADJUSTED AVERAGE DAILY MEMBERSHIP FOR EACH SCHOOL DISTRICT BY THE DIFFERENCE BETWEEN THE AMOUNT ALLOCATED IN SUBSECTION (A) AND THE
SUM OF THE AMOUNTS DISTRIBUTED UNDER PARAGRAPHS (1) AND (2).

(II) DIVIDE THE PRODUCT FROM SUBPARAGRAPH (I) BY THE 2022-2023 ADJUSTED AVERAGE DAILY MEMBERSHIP FOR ALL SCHOOL DISTRICTS.

(D) AVAILABILITY OF APPLICATIONS.--THE COMMITTEE SHALL MAKE AN APPLICATION FOR GRANTS UNDER THIS SECTION AVAILABLE TO SCHOOL ENTITIES NO LATER THAN 45 DAYS AFTER THE EFFECTIVE DATE OF THIS SUBSECTION. THE APPLICATION REQUIREMENTS SHALL BE LIMITED TO THE SCHOOL ENTITY'S CONTACT INFORMATION, THE SPECIFIC PURPOSE OF THE GRANT BASED UPON THE CATEGORIES SPECIFIED IN SUBSECTION (B) WITH BOXES ON THE APPLICATION FOR THE APPLICANT TO INDICATE THE SCHOOL ENTITY'S ANTICIPATED USE AND CERTIFICATION BY THE APPLICANT THAT THE MONEY WILL BE USED FOR THE STATED PURPOSE.

(E) EFFECT OF REVENUE RECEIVED.--GRANT MONEY RECEIVED UNDER THIS SECTION MAY NOT BE INCLUDED WHEN CALCULATING THE AMOUNT TO BE PAID UNDER SECTION 1725-A.

(F) AUDIT AND MONITORING.--THE COMMITTEE SHALL RANDOMLY AUDIT AND MONITOR GRANT RECIPIENTS TO ENSURE THE APPROPRIATE USE OF GRANT MONEY AND COMPLIANCE WITH PROVISIONS OF THE GRANT PROGRAM.

(G) DEFINITIONS.--AS USED IN THIS SECTION, THE TERM "SCHOOL ENTITY" MEANS A SCHOOL DISTRICT, AREA CAREER AND TECHNICAL SCHOOL, INTERMEDIATE UNIT, CHARTER SCHOOL, REGIONAL CHARTER SCHOOL AND CYBER CHARTER SCHOOL.

SECTION 12.1. SECTION 1315-C OF THE ACT IS AMENDED BY ADDING A PARAGRAPH TO READ:

SECTION 1315-C. DUTIES OF COMMISSION.

THE COMMISSION SHALL HAVE THE FOLLOWING DUTIES UNDER THIS ARTICLE:
(5) Establish criteria for granting school entities waivers for the requirements in Section 1316-C(a). The criteria shall include the following:

(I) Documentation that the school entity does not have a municipal police department or law enforcement agency that is able to provide a school resource officer.

(II) Documentation that the school entity has been unable to hire or contract with a school police officer.

(III) Documentation that the school entity has been unable to hire or contract with a school security guard.

(IV) Documentation that the school entity has been unable to hire or contract with a police officer from an accredited police force.

Section 12.2. The act is amended by adding sections to read:

Section 1316-C. School security personnel.

(A) School day.—Notwithstanding any other provision of law, beginning with the 2024-2025 school year, a school entity shall have at least one full-time school security personnel who has completed the training under Section 1305-C, 1313-C(a.1) or 1314-C on duty during the school day unless the school entity has been granted a waiver under subsection (F).

(B) Extracurricular activities.—A governing body of a school entity may decide to have a school security personnel on duty in a school building or on school premises during extracurricular activities that occur outside of the school day.

(C) Certification.—A school entity must certify to the committee that the school entity has hired or contracted with a school security personnel that satisfies the requirements of this article, unless the school entity has been granted a waiver.
UNDER SUBSECTION (F).

(D) POWERS AND DUTIES.--IN ADDITION TO THE POWERS GRANTED TO
A SCHOOL SECURITY PERSONNEL UNDER ARTICLE XIII-C, THE SCHOOL
ENTITY MAY ASSIGN OTHER DUTIES.

(E) FUNDING.--A SCHOOL ENTITY MAY USE FUNDING UNDER SECTION
1306-B(J)(18) OR 1316.1-C TO MEET THE REQUIREMENTS OF THIS
SECTION.

(F) WAIVER.--A SCHOOL ENTITY MAY APPLY FOR A WAIVER TO THE
COMMITTEE. THE COMMITTEE SHALL WAIVE THE REQUIREMENTS IN THE
CASE OF A SCHOOL ENTITY THAT PROVIDES AN ATTESTATION THAT IT
ACTED IN GOOD FAITH AND MEETS AT LEAST ONE OF THE CRITERIA
ESTABLISHED UNDER SECTION 1315-C(5). A WAIVER SHALL EXPIRE ONE
YEAR AFTER ITS APPROVAL BY THE COMMITTEE.

(G) DEFINITIONS.--AS USED IN THIS SECTION, THE FOLLOWING
WORDS AND PHRASES SHALL HAVE THE MEANINGS GIVEN TO THEM IN THIS
SUBSECTION UNLESS THE CONTEXT CLEARLY INDICATES OTHERWISE:

"SCHOOL BUILDING." A BUILDING OWNED BY OR UNDER THE CONTROL
OF A SCHOOL ENTITY WHERE CLASSES ARE TAUGHT OR EXTRACURRICULAR
ACTIVITIES ARE CONDUCTED ON A REGULAR BASIS.

"SCHOOL DAY." THE HOURS BETWEEN THE MORNING OPENING OF A
SCHOOL BUILDING AND THE AFTERNOON DISMISSAL OF STUDENTS ON A DAY
WHICH CLASSES ARE IN SESSION.

"SCHOOL ENTITY." A SCHOOL DISTRICT.

SECTION 1316.1-C. SCHOOL SECURITY PERSONNEL RESTRICTED ACCOUNT.

(A) SCHOOL SECURITY PERSONNEL RESTRICTED ACCOUNT.--THE
SCHOOL SECURITY PERSONNEL RESTRICTED ACCOUNT IS ESTABLISHED IN
THE SCHOOL SAFETY AND SECURITY FUND FOR THE PURPOSE OF MAKING
REIMBURSEMENTS TO SCHOOL DISTRICTS FOR THE COSTS ASSOCIATED WITH
SCHOOL SECURITY.

(B) COMMITTEE DUTIES.--SUBJECT TO THE AVAILABILITY OF FUNDS,
BEGINNING JULY 1, 2025, AND EACH JULY 1 THEREAFTER, THE
COMMITTEE SHALL ESTABLISH A PROCESS FOR A SCHOOL ENTITY TO APPLY
TO BE REIMBURSED FOR COSTS ASSOCIATED WITH THE EMPLOYMENT OF ONE
SCHOOL SECURITY PERSONNEL WHO HAS COMPLETED THE TRAINING UNDER
SECTION 1305-C, 1313-C(A.1) OR 1314-C(C). THE REIMBURSEMENT TO
THE SCHOOL DISTRICT SHALL NOT EXCEED $50,000.

(C) REPORTING.--THE COMMITTEE SHALL POST ON THE COMMITTEE'S
PUBLICLY ACCESSIBLE INTERNET WEBSITE A LIST OF THE SCHOOL
DISTRICTS WHO RECEIVED REIMBURSEMENT UNDER THIS SECTION.

SECTION 13. SECTION 1403.1(A), (B)(1) AND (E) OF THE ACT ARE
AMENDED TO READ:

SECTION 1403.1. VISION SCREENING AND EXAMINATIONS.--(A) (1)
PRIOR TO ADMISSION TO SCHOOL FOR THE FIRST TIME, A PARENT OR
LEGAL GUARDIAN SHALL PRESENT TO THE SCHOOL ENTITY OR NONPUBLIC
SCHOOL CERTIFICATION FROM A PRIMARY CARE PROVIDER OR VISION
SCREENER THAT THE CHILD HAS PASSED OR FAILED A VISION SCREENING
PERFORMED BY A PRIMARY CARE PROVIDER OR A VISION SCREENING
CONDUCTED BY SCREENERS WITH SPECIFIC TRAINING IN VISION
SCREENING TECHNIQUES AND PROTOCOLS APPROVED BY THE DEPARTMENT OF
HEALTH OR HAS COMPLETED A COMPREHENSIVE EYE EXAM CONDUCTED BY AN
OPHTHALMOLOGIST OR OPTOMETRIST WITHIN THE PREVIOUS TWELVE
MONTHS.

(2) THE DEPARTMENT OF HEALTH SHALL
PROMULGATE REGULATIONS TO ESTABLISH VISION SCREENING STANDARDS
BASED ON INSTRUMENT-BASED VISION SCREENING TECHNOLOGIES OR
VISUAL ACUITY TESTING, TAKING INTO CONSIDERATION NATIONAL
GUIDELINES FROM THE AMERICAN ACADEMY OF PEDIATRICS AND AMERICAN
ASSOCIATION FOR PEDIATRIC OPHTHALMOLOGY AND STRABISMUS.

(3) TO FACILITATE THE PROMPT IMPLEMENTATION OF THIS SECTION,
THE DEPARTMENT OF HEALTH MAY PROMULGATE TEMPORARY REGULATIONS.
THE FOLLOWING APPLY:

(I) If the Department of Health promulgates temporary regulations under this paragraph, the Department of Health shall transmit notice of the promulgation of the temporary regulations to the Legislative Reference Bureau for publication in the next available issue of the Pennsylvania Bulletin no later than six months after the effective date of this subparagraph.

(II) The temporary regulations shall expire no later than two years following the publication of the notice in accordance with subparagraph (I).

(III) Upon publication of the notice in accordance with subparagraph (I), the Department of Health shall post the temporary regulations on its publicly accessible internet website.

(IV) The temporary regulations shall not be subject to any of the following:

(A) Section 612 of the Act of April 9, 1929 (P.L.177, No.175), known as "the Administrative Code of 1929."

(B) Sections 201, 202, 203, 204 and 205 of the Act of July 31, 1968 (P.L.769, No.240), referred to as the Commonwealth Documents Law.

(C) Sections 204(B) and 301(10) of the Act of October 15, 1980 (P.L.950, No.164), known as the "Commonwealth Attorneys Act."


(V) The authority of the Department of Health to promulgate temporary regulations under this paragraph shall expire six months after the effective date of this subparagraph. Regulations adopted after this period shall be promulgated as
PROVIDED BY LAW.

(B) (1) EVERY SCHOOL YEAR AT A SCHOOL ENTITY OR NONPUBLIC
SCHOOL, UNTIL A CHILD COMPLETES THE FIFTH GRADE AND AT LEAST
EVERY TWO YEARS THEREAFTER UNTIL THE CHILD GRADUATES FROM THE
TWELFTH GRADE, THE CHILD SHALL HAVE A VISION SCREENING PERFORMED
BY SCHOOL HEALTH PERSONNEL OR SCREENERS WITH SPECIFIC TRAINING
IN VISION SCREENING TECHNIQUES AND PROTOCOLS APPROVED BY THE
[ADVISORY HEALTH BOARD] DEPARTMENT OF HEALTH. THE RESULTS OF THE
VISION SCREENING SHALL BE SUPPLIED TO THE PARENT OR LEGAL
GUARDIAN OF THE CHILD.

* * *

(E) THIS SECTION SHALL APPLY TO SCHOOL YEARS BEGINNING AFTER
THE REGULATIONS ARE PROMULGATED BY THE [ADVISORY HEALTH BOARD]
DEPARTMENT OF HEALTH UNDER SUBSECTION (A)(2).

* * *

SECTION 14. SECTION 1405-A OF THE ACT IS AMENDED BY ADDING A
SUBSECTION TO READ:

SECTION 1405-A. ESTABLISHMENT AND PAYMENT OF TUITION.

* * *

(C.1) TIME PERIOD FOR PAYMENT AND EFFECT OF FAILURE TO
PAY.--

(1) FOR A SCHOOL DISTRICT THAT DOES NOT PROVIDE A
STUDENT ENROLLED IN THE RECOVERY HIGH SCHOOL WITH SPECIAL
EDUCATION SERVICES REQUIRED UNDER THE STUDENT'S IEP UNDER
SUBSECTION (C)(1), PAYMENTS SHALL BE MADE TO THE RECOVERY
HIGH SCHOOL FOR ANY AND ALL COSTS INCURRED ON BEHALF OF THE
STUDENT WITHIN 30 DAYS OF THE PRESENTATION OF A BILL TO THE
SCHOOL DISTRICT.

(2) IF THE BILL REMAINS UNPAID BY THE SCHOOL DISTRICT
AFTER 30 DAYS, THE RECOVERY HIGH SCHOOL MAY PRESENT THE BILL
TO THE SECRETARY OF EDUCATION FOR PAYMENT.

(3) PAYMENTS DUE FROM THE SCHOOL DISTRICT THAT ARE
PRESENTED TO THE SECRETARY OF EDUCATION UNDER PARAGRAPH (2)
SHALL BE MADE BY THE SECRETARY OF EDUCATION WITHIN 30 DAYS OF
RECEIPT OF THE BILL, AND THE SECRETARY OF EDUCATION SHALL
DEDUCT THE AMOUNT PAID ON THE BILL FROM STATE PAYMENTS DUE TO
THE SCHOOL DISTRICT.

* * *
SECTION 15. (RESERVED).
SECTION 16. ARTICLE XV-H HEADING, SECTIONS 1501-H AND 1502-H
AND SUBARTICLE B HEADING OF ARTICLE XV-H OF THE ACT ARE AMENDED
TO READ:

ARTICLE XV-H

ADMINISTRATIVE AND INSTRUCTIONAL PROGRAMMING PARTNERSHIPS
BETWEEN SCHOOL ENTITIES AND FEASIBILITY STUDIES

SECTION 1501-H. LEGISLATIVE INTENT.
IT IS THE INTENT OF THE GENERAL ASSEMBLY TO HELP SCHOOL
ENTITIES SAVE MONEY AND OPERATE MORE EFFICIENTLY BY ENCOURAGING
THE FOLLOWING:

(1) PARTNERSHIPS OF [ROUTINE] ADMINISTRATIVE FUNCTIONS
BETWEEN SCHOOL ENTITIES[, IT IS ALSO THE INTENT OF THE
GENERAL ASSEMBLY TO PROVIDE FOR ADDITIONAL]\;

(2) OPPORTUNITIES BETWEEN SCHOOL ENTITIES TO
COOPERATIVELY DEVELOP JOINT OR SHARED EDUCATIONAL PROGRAMS
FOR STUDENTS AND EDUCATORS[.]; AND

(3) EXPLORATION OF SCHOOL DISTRICT CONSOLIDATIONS OR
MERGERS THROUGH FEASIBILITY STUDIES.

SECTION 1502-H. DEFINITIONS.
THE FOLLOWING WORDS AND PHRASES WHEN USED IN THIS ARTICLE
SHALL HAVE THE MEANINGS GIVEN TO THEM IN THIS SECTION UNLESS THE
CONTEXT CLEARLY INDICATES OTHERWISE:

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

"GRANT PROGRAM." THE ADMINISTRATIVE, INSTRUCTIONAL
PROGRAMMING PARTNERSHIP AND FEASIBILITY STUDIES GRANT [PILOT]
PROGRAM ESTABLISHED UNDER THIS ARTICLE.

"SCHOOL ENTITY." A SCHOOL DISTRICT, AN AREA CAREER AND
TECHNICAL SCHOOL OR AN INTERMEDIATE UNIT.

"SECRETARY." THE SECRETARY OF EDUCATION OF THE COMMONWEALTH.

SUBARTICLE B

ADMINISTRATIVE, INSTRUCTIONAL PROGRAMMING AND FEASIBILITY
PROVISIONS

SECTION 17. THE ACT IS AMENDED BY ADDING SECTIONS TO READ:

SECTION 1512-H. INSTRUCTIONAL PROGRAMMING PARTNERSHIPS

AUTHORIZED.

(A) GENERAL RULE.--TWO OR MORE SCHOOL ENTITIES MAY ENTER
INTO AN AGREEMENT TO SHARE THE FOLLOWING BETWEEN THE SCHOOL
ENTITIES:

(1) INSTRUCTIONAL PROGRAMMING, INCLUDING SERVICES OF
PROFESSIONAL EMPLOYEES IF THE PROGRAMMING IS:

(I) NOT OFFERED IN ONE OF THE SCHOOL ENTITIES; OR

(II) NO LONGER AVAILABLE FOR IN-PERSON INSTRUCTION.

(2) STUDENT SERVICES DESIGNED TO SUPPORT THE
INSTRUCTIONAL PROGRAM AND TO HELP STUDENTS ATTAIN THEIR
EDUCATIONAL AND CAREER GOALS, INCLUDING SERVICES OF
PROFESSIONAL EMPLOYEES, IF THE SERVICES ARE:

(I) NOT OFFERED IN ONE OF THE SCHOOL ENTITIES; OR

(II) NO LONGER AVAILABLE IN PERSON.

(B) CONSENT REQUIRED FOR PROFESSIONAL EMPLOYEE ASSIGNMENT.--
A PROFESSIONAL EMPLOYEE MAY NOT BE ASSIGNED TO PROVIDE SERVICES
UNDER A SHARED SERVICE AGREEMENT WITHOUT THE PROFESSIONAL
EMPLOYEE’S CONSENT.

SECTION 1513-H. SCHOOL DISTRICT FEASIBILITY STUDY.

(A) CONSOLIDATION.--TWO OR MORE SCHOOL DISTRICTS MAY JOINTLY
EXPLORE COMBINING OR MERGING TO FORM A SINGLE SCHOOL DISTRICT
THROUGH A FEASIBILITY STUDY UNDER THIS ARTICLE.

(B) COMBINING OR MERGING SCHOOLS.--A SCHOOL DISTRICT MAY
EXPLORE COMBINING OR MERGING TWO OR MORE SCHOOLS WITHIN THE
SCHOOL DISTRICT THROUGH A FEASIBILITY STUDY UNDER THIS ARTICLE.

SECTION 1514-H. CONSTRUCTION.

NOTHING CONTAINED IN THIS SUBARTICLE SHALL SUPERSEDE OR
PREEMPT THE RIGHTS, REMEDIES AND PROCEDURES AFFORDED TO SCHOOL
EMPLOYEES OR LABOR ORGANIZATIONS UNDER FEDERAL OR STATE LAW,
INCLUDING THE ACT OF JULY 23, 1970 (P.L.563, NO.195), KNOWN AS
THE PUBLIC EMPLOYEE RELATIONS ACT, OR ANY PROVISION OF A
COLLECTIVE BARGAINING AGREEMENT NEGOTIATED BETWEEN A SCHOOL
EMPLOYER AND AN EXCLUSIVE REPRESENTATIVE OF THE EMPLOYEES IN
ACCORDANCE WITH THE PUBLIC EMPLOYEE RELATIONS ACT.

SECTION 18. SUBARTICLE C HEADING OF ARTICLE XV-H AND
THE ACT ARE AMENDED TO READ:

SUBARTICLE C

ADMINISTRATIVE, INSTRUCTIONAL PROGRAMMING PARTNERSHIP AND
FEASIBILITY STUDIES GRANT [PILOT] PROGRAM

SECTION 1521-H. ESTABLISHMENT.

THE ADMINISTRATIVE, INSTRUCTIONAL PROGRAMMING PARTNERSHIP AND
FEASIBILITY STUDIES GRANT [PILOT] PROGRAM IS ESTABLISHED IN THE
DEPARTMENT TO PROVIDE FINANCIAL ASSISTANCE TO FACILITATE THE
SHARING OF ADMINISTRATIVE FUNCTIONS AND INSTRUCTIONAL
PROGRAMMING BETWEEN SCHOOL ENTITIES, TO EXPLORE THE FEASIBILITY
OF CONSOLIDATION OR MERGER TO FORM A SINGLE SCHOOL DISTRICT AND
TO EXPLORE THE FEASIBILITY OF CONSOLIDATION OR MERGER OF TWO OR
MORE SCHOOLS WITHIN A SCHOOL DISTRICT AND TO EXPLORE THE
FEASIBILITY OF CONSOLIDATION OR MERGER OF TWO OR MORE SCHOOLS
WITHIN A SCHOOL DISTRICT AS AUTHORIZED UNDER SUBARTICLE B.
SECTION 1522-H. APPLICATION.

(A) PROCEDURE.--THE DEPARTMENT SHALL DEVELOP A PROCEDURE FOR
AWARDING GRANTS UNDER THE PROGRAM. TWO OR MORE SCHOOL ENTITIES
MAY APPLY FOR A GRANT UNDER [THE PROGRAM] SUBSECTION (B) OR A
SCHOOL DISTRICT OR SCHOOL DISTRICTS MAY APPLY FOR A GRANT UNDER
SUBSECTION (C) AS PRESCRIBED BY THE DEPARTMENT. [THE]

(B) ADMINISTRATIVE OR INSTRUCTIONAL PROGRAMMING.--AN
APPLICATION RELATED TO ADMINISTRATIVE OR INSTRUCTIONAL
PROGRAMMING AT A MINIMUM [SHALL CONTAIN] MUST INCLUDE THE
FOLLOWING:

(1) A DETAILED DESCRIPTION OF THE ADMINISTRATIVE
FUNCTIONS OR INSTRUCTIONAL PROGRAMMING THE SCHOOL ENTITIES
INTEND TO SHARE UNDER SUBARTICLE B.

(2) THE AMOUNT OF GRANT FUNDING BEING REQUESTED.

(3) AN ESTIMATE OF THE COST SAVINGS OR OTHER
EFFICIENCIES THAT THE PARTNERSHIP WILL ACHIEVE.

(4) ANY ADDITIONAL BENEFITS TO STUDENTS AND EDUCATORS.

(5) ADOPTION OF A RESOLUTION BY THE GOVERNING BODIES OF
THE SCHOOL ENTITIES APPROVING THE PARTNERSHIP DESCRIBED IN
PARAGRAPH (1).

(C) FEASIBILITY STUDIES.--AN APPLICATION RELATED TO A
FEASIBILITY STUDY AT A MINIMUM MUST INCLUDE THE FOLLOWING:

(1) A NARRATIVE DESCRIBING THE FEASIBILITY STUDY,
INCLUDING:

(i) THE PLANNED STUDY'S PARTICIPANTS.
(II) THE BASIS FOR UNDERTAKING THE STUDY, INCLUDING
VIABILITY AND COMMITMENT BY THE SCHOOL DISTRICTS TO THE
PARTNERSHIP.

(III) A DESCRIPTION OF THE OBJECTIVES OF THE STUDY
AND AREAS OF FOCUS, INCLUDING NEEDS AND GOALS RELATED TO
EQUITABLE STUDENT OPPORTUNITIES, IMPROVING STUDENT
ACHIEVEMENT, ESTABLISHING GREATER ECONOMIES OF SCALE,
LOCAL COMMUNITY INTERESTS AND CONCERNS AND ENHANCING
STUDENTS' LEARNING ENVIRONMENT.

(IV) INITIAL INDICATORS OR PROJECTIONS RELATED TO
IMPROVED EFFICIENCY OR ANY COST SAVINGS.

(V) PROJECTIONS OF ANY FRONT-END COSTS OF A MERGER
FOR THE SCHOOL DISTRICTS IN THE PARTNERSHIP, INCLUDING
TECHNICAL ASSISTANCE, REAL AND PERSONAL PROPERTY,
INDEBTEDNESS AND RENTAL OBLIGATIONS OF THE PARTICIPANT
SCHOOL DISTRICTS.

(VI) EXPENDITURES RELATING TO STAFFING, CURRICULUM
ALIGNMENT, RESOLVING DIFFERENCES BETWEEN CONTRACTS,
TRANSPORTATION SERVICES AND NEW ADMINISTRATIVE EXPENSES.

(VII) A DESCRIPTION OF ANY IDENTIFIED BARRIERS OR
IMPEDEMENTS TO A MERGER OR CONSOLIDATION OF THE SCHOOL
DISTRICTS IN A PARTNERSHIP.

(2) THE ESTIMATE OF THE TOTAL COST OF THE STUDY.

(3) THE AMOUNT OF GRANT FUNDING REQUESTED.

SECTION 1523-H. GRANT AWARDS.

(A) GENERAL RULE.--[THE] BEGINNING WITH THE 2024-2025 FISCAL
YEAR, AND EACH YEAR THEREAFTER, AND TO THE EXTENT FUNDING IS
MADE AVAILABLE FOR THE PROGRAM, THE SECRETARY SHALL [MAKE NO
MORE THAN FOUR GRANT AWARDS EACH FISCAL YEAR IN AN AMOUNT NOT TO
EXCEED $250,000 PER GRANT AWARD.] AWARD GRANTS TO SCHOOL

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ENTITIES.

(A.1) NOTICE.--THE DEPARTMENT SHALL PROVIDE INFORMATION REGARDING THE AVAILABILITY OF GRANT FUNDING ON THE DEPARTMENT'S PUBLICLY ACCESSIBLE INTERNET WEBSITE AND TRANSMIT NOTICE OF THE PROGRAM TO ALL SCHOOL ENTITIES.

(A.2) EFFECT OF REVENUE RECEIVED.--GRANT MONEY RECEIVED UNDER THIS SECTION MAY NOT BE INCLUDED WHEN CALCULATING THE AMOUNT TO BE PAID UNDER SECTION 1725-A.

(B) GRANT PRIORITIZATION.--

(1) THE SECRETARY SHALL GIVE PRIORITY TO AN APPLICATION FOR GRANT FUNDING UNDER THIS SUBARTICLE TO THOSE SCHOOL DISTRICTS WHO HAVE APPLIED AND DEMONSTRATED AN EXISTING PARTNERSHIP CONSISTENT WITH THIS ARTICLE.

(2) THE SECRETARY SHALL ALLOCATE AT LEAST 25% OF THE FUNDS APPROPRIATED FOR THE PROGRAM TO APPLICANTS REQUESTING GRANT FUNDING FOR FEASIBILITY STUDIES. IF THE AMOUNT OF GRANT FUNDING REQUESTED FOR FEASIBILITY STUDIES IS LESS THAN 25% OF THE FUNDS APPROPRIATED FOR THE PROGRAM, THE DIFFERENCE SHALL BE ALLOCATED TO APPLICATIONS FOR ADMINISTRATIVE AND INSTRUCTIONAL PARTNERSHIPS.

(C) CONSTRUCTION.--NOTHING IN THIS SECTION SHALL BE CONSTRUED TO PROHIBIT THE SECRETARY FROM MAKING A GRANT AWARD TO THE SAME APPLICANTS IN SUBSEQUENT YEARS, PROVIDED, HOWEVER, THAT NO SCHOOL ENTITY MAY BE ELIGIBLE TO RECEIVE MORE THAN THREE GRANT AWARDS.

SECTION 1525-H. TECHNICAL ASSISTANCE.

THE DEPARTMENT SHALL PROVIDE TECHNICAL ASSISTANCE TO SCHOOL ENTITIES APPLYING TO SHARE ADMINISTRATIVE AND INSTRUCTIONAL FUNCTIONS UNDER THIS ARTICLE.

SECTION 1526-H. REPORTS BY SCHOOL ENTITIES.
(A) REPORTS REGARDING SHARED SERVICES.--A SCHOOL ENTITY AWARDED A GRANT FOR SHARED SERVICES UNDER THIS SUBARTICLE SHALL MAKE A PRELIMINARY REPORT TO THE DEPARTMENT DETAILING THE PROGRESS MADE TOWARD ACHIEVING THE SHARED SERVICES OUTLINED IN ITS GRANT APPLICATION NO LATER THAN 180 DAYS FOLLOWING A] THE GRANT AWARD AND MAKE A FINAL REPORT NO LATER THAN 60 DAYS AFTER THE COMPLETION OF THE ADMINISTRATIVE OR INSTRUCTIONAL PARTNERSHIP OUTLINED IN THE GRANT APPLICATION. THE REPORTS REQUIRED UNDER THIS SECTION SHALL INCLUDE, AT A MINIMUM, THE FOLLOWING:

(1) ACTUAL COST SAVINGS, EITHER DIRECTLY OR THROUGH AVOIDED COSTS, ACHIEVED BY THE SHARING OF SERVICES AUTHORIZED UNDER THIS ARTICLE.

(2) A DESCRIPTION OF HOW OPERATIONAL EFFICIENCIES WERE IMPROVED AS A RESULT OF THE SHARING OF SERVICES AUTHORIZED UNDER THIS ARTICLE.

(3) INFORMATION RELATING TO ANY IMPEDIMENTS THE DISTRICTS EXPERIENCED IN SUCCESSFULLY IMPLEMENTING THE SHARING OF SERVICES UNDER THIS ARTICLE.

(4) INFORMATION RELATING TO ANY ENHANCEMENTS OR ADDITIONS TO EDUCATIONAL PROGRAMMING OR IMPROVEMENTS IN STUDENT ACHIEVEMENT AS A RESULT OF THE SHARING OF SERVICES AUTHORIZED UNDER THIS ARTICLE.

(5) ANY OTHER INFORMATION A SCHOOL ENTITY MAY DEEM NECESSARY.

(B) SCHOOL DISTRICT REPORTS REGARDING FEASIBILITY STUDIES.--A SCHOOL DISTRICT AWARDED A GRANT FOR A FEASIBILITY STUDY UNDER this subarticle shall make a preliminary report to the department detailing the progress of the feasibility study project no later than 180 days following the grant award and...
MAKE A FINAL REPORT NO LATER THAN 60 DAYS AFTER THE COMPLETION
OF THE FEASIBILITY STUDY OUTLINED IN THE GRANT APPLICATION. THE
REPORTS REQUIRED UNDER THIS SUBSECTION SHALL INCLUDE, AT A
MINIMUM, FINDINGS AND RECOMMENDATIONS RELATED TO THE
CONSOLIDATION OR MERGER OF THE PARTICIPATING SCHOOL DISTRICTS.

SECTION 1527-H. REPORTS BY DEPARTMENT.

THE DEPARTMENT SHALL COMPILE THE REPORTS IT RECEIVES UNDER
SECTION 1526-H AND TRANSMIT THEM TO THE CHAIRPERSON AND MINORITY
CHAIRPERSON OF THE APPROPRIATIONS COMMITTEE OF THE SENATE, THE
CHAIRPERSON AND MINORITY CHAIRPERSON OF THE EDUCATION COMMITTEE
OF THE SENATE, THE CHAIRPERSON AND MINORITY CHAIRPERSON OF THE
APPROPRIATIONS COMMITTEE OF THE HOUSE OF REPRESENTATIVES AND THE
CHAIRPERSON AND MINORITY CHAIRPERSON OF THE EDUCATION COMMITTEE
OF THE HOUSE OF REPRESENTATIVES ANNUALLY BEGINNING NO LATER THAN
JUNE 30, 2017.

SECTION 19. SECTION 1505-K(B) OF THE ACT IS AMENDED TO READ:

SECTION 1505-K. TALENT RECRUITMENT ACCOUNT.

* * *

(B) USE OF FUNDS.—MONEY IN THE ACCOUNT IS APPROPRIATED TO
THE DEPARTMENT ON A CONTINUING BASIS TO PROVIDE GRANTS IN
ACCORDANCE WITH SECTION 1506-K OR TO SUPPORT EVIDENCE-BASED
INITIATIVES DESIGNED TO INCREASE PARTICIPATION IN THE EDUCATOR
WORKFORCE. THE APPROPRIATION SHALL NOT LAPSE AT THE END OF ANY
FISCAL YEAR.

* * *

SECTION 20. THE INTRODUCTORY PARAGRAPH AND THE DEFINITIONS
OF "APPEAL BOARD" AND "CHIEF EXECUTIVE OFFICER" IN SECTION 1703-
A OF THE ACT ARE AMENDED AND THE SECTION IS AMENDED BY ADDING
DEFINITIONS TO READ:

SECTION 1703-A. DEFINITIONS.—[AS USED IN THIS ARTICLE,] THE
FOLLOWING WORDS AND PHRASES WHEN USED IN THIS ARTICLE SHALL HAVE
THE MEANINGS GIVEN TO THEM IN THIS SECTION UNLESS THE CONTEXT
CLEARLY INDICATES OTHERWISE:

"ADMINISTRATOR" SHALL INCLUDE THE CHIEF ADMINISTRATOR OF A
CHARTER SCHOOL ENTITY AND ALL OTHER EMPLOYEES OF A CHARTER SCHOOL
ENTITY WHO BY VIRTUE OF THEIR POSITIONS EXERCISE MANAGEMENT OR
OPERATIONAL OVERSIGHT RESPONSIBILITIES.

* * *

"APPEAL BOARD" SHALL MEAN THE STATE CHARTER SCHOOL APPEAL
BOARD ESTABLISHED [BY THIS ARTICLE] UNDER SECTION 1721-A.

* * *

"CHARTER SCHOOL ENTITY" SHALL MEAN A CHARTER SCHOOL, REGIONAL
CHARTER SCHOOL, CYBER CHARTER SCHOOL OR MULTIPLE CHARTER SCHOOL
ORGANIZATION.

"CHARTER SCHOOL FOUNDATION" SHALL MEAN A NONPROFIT
ORGANIZATION QUALIFIED AS FEDERALLY TAX EXEMPT UNDER 26 U.S.C. §
501(C)(3) (RELATING TO EXEMPTION FROM TAX ON CORPORATIONS,
CERTAIN TRUSTS, ETC.), THAT PROVIDES FUNDING OR RESOURCES OR
OTHERWISE SERVES TO SUPPORT A CHARTER SCHOOL ENTITY.

"CHIEF [EXECUTIVE OFFICER] ADMINISTRATOR" SHALL MEAN AN
INDIVIDUAL APPOINTED BY THE BOARD OF TRUSTEES TO OVERSEE AND
MANAGE THE OPERATION OF [THE] A CHARTER SCHOOL ENTITY, BUT WHO
SHALL NOT BE DEEMED A PROFESSIONAL STAFF MEMBER UNDER THIS
ARTICLE.

"COMPENSATION" SHALL INCLUDE MONEY OR OTHER REMUNERATION
RECEIVED FROM A CHARTER SCHOOL ENTITY.

* * *

"EDUCATIONAL MANAGEMENT SERVICE PROVIDER" SHALL MEAN A
NONPROFIT OR FOR-PROFIT CHARTER MANAGEMENT ORGANIZATION,
EDUCATION MANAGEMENT ORGANIZATION, SCHOOL DESIGN PROVIDER,
BUSINESS MANAGER OR ANY OTHER ENTITY OR INDIVIDUAL THAT ENTERS
INTO A CONTRACT OR AGREEMENT WITH A CHARTER SCHOOL ENTITY TO
PROVIDE INSTRUCTIONAL, CURRICULAR OR EDUCATIONAL DESIGN,
ADMINISTRATIVE OR BUSINESS SERVICES, COMPREHENSIVE MANAGEMENT OR
PERSONNEL FUNCTIONS OR TO IMPLEMENT THE CHARTER. THE TERM SHALL
NOT INCLUDE A CHARTER SCHOOL FOUNDATION.

"FAMILY MEMBER" SHALL MEAN A PARENT, STEPPARENT, CHILD,
STEPCHILD, SPOUSE, DOMESTIC PARTNER, BROTHER, SISTER,
STEPBROTHER OR STEPSISTER.

* * *

"MULTIPLE CHARTER SCHOOL ORGANIZATION" SHALL MEAN A PUBLIC,
NONPROFIT CORPORATION UNDER THE OVERSIGHT OF A SINGLE BOARD OF
TRUSTEES AND A CHIEF ADMINISTRATOR THAT OPERATES TWO (2) OR MORE
CHARTER SCHOOLS UNDER SECTION 1729.1-A.

"NONRELATED" SHALL MEAN AN INDIVIDUAL WHO IS NOT A FAMILY
MEMBER.

* * *

SECTION 21. SECTIONS 1715-A AND 1716-A OF THE ACT ARE
AMENDED TO READ:

SECTION 1715-A. CHARTER SCHOOL REQUIREMENTS.--(A) CHARTER
SCHOOLS SHALL BE REQUIRED TO COMPLY WITH THE FOLLOWING
PROVISIONS:

(1) EXCEPT AS OTHERWISE PROVIDED IN THIS ARTICLE, A CHARTER
SCHOOL IS EXEMPT FROM STATUTORY REQUIREMENTS ESTABLISHED IN THIS
ACT, FROM REGULATIONS OF THE STATE BOARD AND THE STANDARDS OF
THE SECRETARY NOT SPECIFICALLY APPLICABLE TO CHARTER SCHOOLS.
CHARTER SCHOOLS ARE NOT EXEMPT FROM STATUTES APPLICABLE TO
PUBLIC SCHOOLS OTHER THAN THIS ACT.

(2) A CHARTER SCHOOL SHALL BE ACCOUNTABLE TO THE PARENTS,
THE PUBLIC AND THE COMMONWEALTH, WITH THE DELINEATION OF THAT
ACCOUNTABILITY REFLECTED IN THE CHARTER. STRATEGIES FOR MEANINGFUL PARENT AND COMMUNITY INVOLVEMENT SHALL BE DEVELOPED AND IMPLEMENTED BY EACH SCHOOL.

(3) A CHARTER SCHOOL SHALL NOT UNLAWFULLY DISCRIMINATE IN ADMISSIONS, HIRING OR OPERATION.

(4) A CHARTER SCHOOL SHALL BE NONSECTARIAN IN ALL OPERATIONS.

(5) A CHARTER SCHOOL SHALL NOT PROVIDE ANY RELIGIOUS INSTRUCTION, NOR SHALL IT DISPLAY RELIGIOUS OBJECTS AND SYMBOLS ON THE PREMISES OF THE CHARTER SCHOOL.

(6) A CHARTER SCHOOL SHALL NOT ADVOCATE UNLAWFUL BEHAVIOR.

(7) A CHARTER SCHOOL SHALL ONLY BE SUBJECT TO THE LAWS AND REGULATIONS AS PROVIDED FOR IN SECTION 1732-A, OR AS OTHERWISE PROVIDED FOR IN THIS ARTICLE.

(8) A CHARTER SCHOOL SHALL PARTICIPATE IN THE PENNSYLVANIA STATE ASSESSMENT SYSTEM AS PROVIDED FOR IN 22 PA. CODE CH. 5 (RELATING TO CURRICULUM), OR SUBSEQUENT REGULATIONS PROMULGATED TO REPLACE 22 PA. CODE CH. 5, IN THE MANNER IN WHICH THE SCHOOL DISTRICT IN WHICH THE CHARTER SCHOOL IS LOCATED IS SCHEDULED TO PARTICIPATE.

(9) A CHARTER SCHOOL SHALL PROVIDE A MINIMUM OF ONE HUNDRED EIGHTY (180) DAYS OF INSTRUCTION OR NINE HUNDRED (900) HOURS PER YEAR OF INSTRUCTION AT THE ELEMENTARY LEVEL, OR NINE HUNDRED NINETY (990) HOURS PER YEAR OF INSTRUCTION AT THE SECONDARY LEVEL. NOTHING IN THIS CLAUSE SHALL PRECLUDE THE USE OF COMPUTER AND SATELLITE LINKAGES FOR DELIVERING INSTRUCTION TO STUDENTS.

(10) BOARDS OF TRUSTEES AND CONTRACTORS OF CHARTER SCHOOLS SHALL BE SUBJECT TO THE FOLLOWING STATUTORY REQUIREMENTS GOVERNING CONSTRUCTION PROJECTS AND CONSTRUCTION-RELATED WORK:

(I) THE FOLLOWING PROVISIONS OF THIS ACT:

20230SB0700PN1816 - 35 -
(A) SECTIONS 751 AND 751.1.

(B) SECTIONS 756 AND 757 INSO FAR AS THEY ARE CONSISTENT WITH
THE ACT OF DECEMBER 20, 1967 (P.L.869, NO.385), KNOWN AS THE
"PUBLIC WORKS CONTRACTORS' BOND LAW OF 1967."

(II) SECTION 1 OF THE ACT OF MAY 1, 1913 (P.L.155, NO.104),
ENTITLED "AN ACT REGULATING THE LETTING OF CERTAIN CONTRACTS FOR
THE ERECTION, CONSTRUCTION, AND ALTERATION OF PUBLIC BUILDINGS."

(III) THE ACT OF AUGUST 11, 1961 (P.L.987, NO.442), KNOWN AS
THE "PENNSYLVANIA PREVAILING WAGE ACT."

(IV) THE "PUBLIC WORKS CONTRACTORS' BOND LAW OF 1967."

(V) THE ACT OF MARCH 3, 1978 (P.L.6, NO.3), KNOWN AS THE
"STEEL PRODUCTS PROCUREMENT ACT."

(11) TRUSTEES OF A CHARTER SCHOOL [SHALL BE PUBLIC

OFFICIALS.] ENTITY ARE PUBLIC OFFICIALS FOR THE PURPOSES OF 65
PA.C.S. CH. 11 (RELATING TO ETHICS STANDARDS AND FINANCIAL
DISCLOSURE) AND SHALL FILE A STATEMENT OF FINANCIAL INTERESTS
FOR THE PRECEDING CALENDAR YEAR WITH THE STATE ETHICS COMMISSION
AND EITHER THE LOCAL BOARD OF SCHOOL DIRECTORS IN THE CASE OF A
CHARTER SCHOOL OR REGIONAL CHARTER SCHOOL, OR THE DEPARTMENT IN
THE CASE OF A CYBER CHARTER SCHOOL, NOT LATER THAN MAY 1 OF EACH
YEAR THAT MEMBERS HOLD THE POSITION AND OF THE YEAR AFTER A
MEMBER LEAVES THE POSITION. ALL MEMBERS OF THE BOARD OF TRUSTEES
OF A CHARTER SCHOOL ENTITY MUST BE RESIDENTS OF THIS
COMMONWEALTH AND SHALL TAKE THE OATH OF OFFICE AS REQUIRED UNDER
SECTION 321 BEFORE ENTERING UPON THE DUTIES OF THEIR OFFICE.

(12) A PERSON WHO SERVES AS AN ADMINISTRATOR FOR A CHARTER
SCHOOL SHALL NOT RECEIVE COMPENSATION FROM ANOTHER CHARTER
SCHOOL OR FROM A COMPANY THAT PROVIDES MANAGEMENT OR OTHER
SERVICES TO ANOTHER CHARTER SCHOOL. THE TERM "ADMINISTRATOR"
SHALL INCLUDE THE CHIEF EXECUTIVE OFFICER OF A CHARTER SCHOOL
AND ALL OTHER EMPLOYEES OF A CHARTER SCHOOL WHO BY VIRTUE OF
THEIR POSITIONS EXERCISE MANAGEMENT OR OPERATIONAL OVERSIGHT
RESPONSIBILITIES. A PERSON WHO SERVES AS AN ADMINISTRATOR FOR A
CHARTER SCHOOL SHALL BE A PUBLIC OFFICIAL UNDER 65 PA.C.S. CH.
11 (RELATING TO ETHICS STANDARDS AND FINANCIAL DISCLOSURE). A
VIOLATION OF THIS CLAUSE SHALL CONSTITUTE A VIOLATION OF 65
PA.C.S. § 1103(A) (RELATING TO RESTRICTED ACTIVITIES), AND THE
VIOLATOR SHALL BE SUBJECT TO THE PENALTIES IMPOSED UNDER THE
JURISDICTION OF THE STATE ETHICS COMMISSION.

(B) AN INDIVIDUAL WHO SERVES AS AN ADMINISTRATOR FOR A
CHARTER SCHOOL ENTITY IS A PUBLIC EMPLOYEE FOR THE PURPOSES OF 65
PA.C.S. CH. 11 AND SHALL FILE A STATEMENT OF FINANCIAL INTERESTS
FOR THE PRECEDING CALENDAR YEAR WITH THE BOARD OF TRUSTEES NOT
LATER THAN MAY 1 OF EACH YEAR THAT THE INDIVIDUAL HOLDS THE
POSITION AND OF THE YEAR AFTER THE INDIVIDUAL NO LONGER HOLDS
THE POSITION.

(C) (1) NO INDIVIDUAL WHO SERVES AS AN ADMINISTRATOR FOR A
CHARTER SCHOOL ENTITY MAY RECEIVE COMPENSATION FROM ANOTHER
CHARTER SCHOOL ENTITY OR AN EDUCATIONAL MANAGEMENT SERVICE
PROVIDER, UNLESS:

(I) THE ADMINISTRATOR HAS SUBMITTED A SWORN STATEMENT TO THE
BOARD OF TRUSTEES OF THE CHARTER SCHOOL ENTITY AND THE SWORN
STATEMENT DETAILS THE WORK FOR THE OTHER ENTITY AND INCLUDES THE
PROJECTED NUMBER OF HOURS, RATE OF COMPENSATION AND PROJECTED
DURATION.

(II) THE BOARD OF TRUSTEES OF THE CHARTER SCHOOL ENTITY
REVIEWS THE SWORN STATEMENT UNDER SUBPARAGRAPH (I) AND AGREES BY
RESOLUTION TO GRANT PERMISSION TO THE ADMINISTRATOR.

(2) A COPY OF THE SWORN STATEMENT UNDER PARAGRAPH (1)(I) AND
THE RESOLUTION BY THE BOARD OF TRUSTEES GRANTING THE PERMISSION
UNDER PARAGRAPH (1)(II) SHALL BE PROVIDED TO, AND KEPT ON FILE WITH, THE CHARTER SCHOOL ENTITY AND THE LOCAL BOARD OF SCHOOL DIRECTORS OR, IN THE CASE OF A CYBER CHARTER SCHOOL, THE DEPARTMENT.

(3) AN ADMINISTRATOR OF A CHARTER SCHOOL ENTITY AND A FAMILY MEMBER OF THE ADMINISTRATOR MAY NOT SERVE AS A VOTING MEMBER OF THE BOARD OF TRUSTEES OF THE CHARTER SCHOOL ENTITY THAT EMPLOYS THE ADMINISTRATOR.

(4) (I) AN ADMINISTRATOR OF A CHARTER SCHOOL ENTITY MAY NOT PARTICIPATE IN THE SELECTION, AWARD OR ADMINISTRATION OF A CONTRACT IF THE ADMINISTRATOR HAS A CONFLICT OF INTEREST AS THAT TERM IS DEFINED IN 65 PA.C.S. § 1102 (RELATING TO DEFINITIONS).

(II) AN ADMINISTRATOR WHO KNOWINGLY VIOLATES THIS PARAGRAPH COMMITS A VIOLATION OF 65 PA.C.S. § 1103(A) (RELATING TO RESTRICTED ACTIVITIES) AND SHALL BE SUBJECT TO THE PENALTIES IMPOSED UNDER THE JURISDICTION OF THE STATE ETHICS COMMISSION.

(III) A CONTRACT MADE IN VIOLATION OF THIS PARAGRAPH SHALL BE VOIDABLE BY THE BOARD OF TRUSTEES OF THE CHARTER SCHOOL ENTITY.

(5) AN ADMINISTRATOR SHALL BE IMMEDIATELY DISMISSED UPON CONVICTION FOR AN OFFENSE GRADED AS A FELONY, AN INFAMOUS CRIME, AN OFFENSE PERTAINING TO FRAUD, THEFT OR MISMANAGEMENT OF PUBLIC FUNDS OR ANY CRIME INVOLVING MORAL TURPITUDE.

(D) AS USED IN THIS SECTION, THE TERM "CHARTER SCHOOL ENTITY" MEANS A CHARTER SCHOOL, REGIONAL CHARTER SCHOOL OR CYBER CHARTER SCHOOL.

SECTION 1716-A. POWERS OF BOARD OF TRUSTEES.--(A) THE BOARD OF TRUSTEES OF A CHARTER SCHOOL ENTITY MAY DECIDE MATTERS RELATED TO THE OPERATION OF THE SCHOOL, INCLUDING, BUT NOT LIMITED TO, BUDGETING, CURRICULUM AND...
OPERATING PROCEDURES, SUBJECT TO THE SCHOOL'S CHARTER. THE BOARD MAY EMPLOY, DISCHARGE AND CONTRACT WITH NECESSARY PROFESSIONAL AND NONPROFESSIONAL EMPLOYEES SUBJECT TO THE SCHOOL'S CHARTER AND THE PROVISIONS OF THIS ARTICLE.

(B) NO MEMBER OF A LOCAL BOARD OF SCHOOL DIRECTORS OF A SCHOOL ENTITY MAY NOT SERVE ON THE BOARD OF TRUSTEES OF A CHARTER SCHOOL ENTITY THAT IS LOCATED IN THE MEMBER'S DISTRICT.

(B.1) FOR A CHARTER SCHOOL OR REGIONAL CHARTER SCHOOL CHARTERED AFTER THE EFFECTIVE DATE OF THIS SUBSECTION, AN INDIVIDUAL MAY NOT SERVE AS A VOTING MEMBER OF THE BOARD OF TRUSTEES OF THE CHARTER SCHOOL OR REGIONAL CHARTER SCHOOL IF THE INDIVIDUAL OR A FAMILY MEMBER RECEIVES COMPENSATION FROM OR IS EMPLOYED BY OR IS A MEMBER OF THE LOCAL BOARD OF SCHOOL DIRECTORS WHO PARTICIPATED IN THE INITIAL REVIEW, APPROVAL, OVERSIGHT, EVALUATION OR RENEWAL PROCESS OF THE CHARTER SCHOOL OR REGIONAL CHARTER SCHOOL CHARTERED BY THE BOARD.

(B.2) (1) A MEMBER OF THE BOARD OF TRUSTEES OF A CHARTER SCHOOL ENTITY MAY NOT PARTICIPATE IN THE SELECTION, AWARD OR ADMINISTRATION OF A CONTRACT IF THE MEMBER HAS A CONFLICT OF INTEREST AS THAT TERM IS DEFINED IN 65 PA.C.S. § 1102 (RELATING TO DEFINITIONS).

(2) A MEMBER OF THE BOARD OF TRUSTEES OF A CHARTER SCHOOL ENTITY WHO, IN THE DISCHARGE OF THE PERSON'S OFFICIAL DUTIES, WOULD BE REQUIRED TO VOTE ON A MATTER RESULTING IN A CONFLICT OF INTEREST MUST ABSTAIN FROM VOTING AND FOLLOW THE PROCEDURES REQUIRED UNDER 65 PA.C.S. § 1103(J) (RELATING TO RESTRICTED ACTIVITIES).

(3) A MEMBER OF THE BOARD OF TRUSTEES OF A CHARTER SCHOOL ENTITY WHO KNOWINGLY VIOLATES THIS SUBSECTION commits a
VIOLATION OF 65 PA.C.S. § 1103(A) AND SHALL BE SUBJECT TO THE
PENALTIES IMPOSED UNDER THE JURISDICTION OF THE STATE ETHICS
COMMISSION.

(4) A CONTRACT MADE IN VIOLATION OF THIS SUBSECTION SHALL BE
VOIDABLE BY A COURT OF COMPETENT JURISDICTION IF THE SUIT IS
COMMENCED WITHIN NINETY (90) DAYS OF THE DISCOVERY OF THE
VIOLATION.

(5) NO MEMBER OF THE BOARD OF TRUSTEES OF A CHARTER SCHOOL
ENTITY SHALL BE COMPENSATED FOR DUTIES ON THE BOARD OF TRUSTEES.

(B.3) A MEMBER OF THE BOARD OF TRUSTEES OF A CHARTER SCHOOL
ENTITY SHALL BE AUTOMATICALLY DISQUALIFIED AND IMMEDIATELY
REMOVED FROM THE BOARD OF TRUSTEES UPON CONVICTION FOR AN
OFFENSE GRADED AS A FELONY, AN INFAMOUS CRIME, AN OFFENSE
PERTAINING TO FRAUD, THEFT OR MISMANAGEMENT OF PUBLIC FUNDS, ANY
OFFENSE PERTAINING TO THE MEMBER'S OFFICIAL CAPACITY AS A MEMBER
OF THE BOARD OF TRUSTEES OR ANY CRIME INVOLVING MORAL TURPITUDE.

(C) THE BOARD OF TRUSTEES SHALL COMPLY WITH THE ACT OF JULY
3, 1986 (P.L.388, NO.84), KNOWN AS THE "SUNSHINE ACT."

(D) THE FOLLOWING SHALL APPLY:

(1) (I) THE BOARD OF TRUSTEES OF A CHARTER SCHOOL ENTITY
SHALL CONSIST OF A MINIMUM OF FIVE (5) NONRELATED VOTING
MEMBERS.

(II) IF A CHARTER SCHOOL ENTITY HAS FEWER THAN FIVE (5)
NONRELATED VOTING MEMBERS SERVING ON ITS BOARD OF TRUSTEES ON
THE EFFECTIVE DATE OF THIS PARAGRAPH THE CHARTER SCHOOL ENTITY
SHALL, WITHIN ONE HUNDRED EIGHTY (180) DAYS, APPOINT ADDITIONAL
MEMBERS TO THE BOARD OF TRUSTEES TO MEET THE MINIMUM
REQUIREMENTS OF THIS SECTION.

(2) WITHIN ONE (1) YEAR OF THE EFFECTIVE DATE OF THIS
PARAGRAPH, AT LEAST ONE MEMBER OF THE BOARD OF TRUSTEES OF A
CHARTER SCHOOL ENTITY SHALL BE A PARENT OF A CHILD CURRENTLY ATTENDING THE CHARTER SCHOOL ENTITY. THE BOARD OF TRUSTEES MEMBER PROVIDED FOR UNDER THIS PARAGRAPH SHALL BE ELIGIBLE TO SERVE ONLY SO LONG AS THE CHILD ATTENDS THE CHARTER SCHOOL ENTITY. THIS PARAGRAPH SHALL NOT APPLY TO A CHARTER SCHOOL THAT PRIMARILY SERVES ADJUDICATED YOUTH.

(E) THE FOLLOWING SHALL APPLY:

(1) A MAJORITY OF THE VOTING MEMBERS OF THE BOARD OF TRUSTEES SHALL CONSTITUTE A QUORUM. IF LESS THAN A MAJORITY IS PRESENT AT ANY MEETING, NO BUSINESS MAY BE TRANSACTED AT THE MEETING.

(2) THE AFFIRMATIVE VOTE OF A MAJORITY OF ALL THE VOTING MEMBERS OF THE BOARD OF TRUSTEES, DULY RECORDED, SHALL BE REQUIRED IN ORDER TO TAKE OFFICIAL ACTION ON THE SUBJECTS ENUMERATED UNDER SUBSECTION (A).

(F) A CHARTER SCHOOL ENTITY SHALL FORM AN INDEPENDENT AUDIT COMMITTEE OF ITS BOARD OF TRUSTEES MEMBERS WHICH SHALL REVIEW AT THE CLOSE OF EACH FISCAL YEAR A COMPLETE CERTIFIED AUDIT OF THE OPERATIONS OF THE CHARTER SCHOOL ENTITY. THE AUDIT SHALL BE CONDUCTED BY A QUALIFIED INDEPENDENT CERTIFIED PUBLIC ACCOUNTANT. THE AUDIT SHALL BE CONDUCTED UNDER GENERALLY ACCEPTED AUDIT STANDARDS OF THE GOVERNMENTAL ACCOUNTING STANDARDS BOARD AND SHALL INCLUDE THE FOLLOWING:

(1) AN ENROLLMENT TEST TO VERIFY THE ACCURACY OF STUDENT ENROLLMENT AND REPORTING TO THE COMMONWEALTH.

(2) FULL REVIEW OF EXPENSE REIMBURSEMENTS FOR BOARD OF TRUSTEES MEMBERS AND ADMINISTRATORS, INCLUDING SAMPLING OF ALL REIMBURSEMENTS.

(3) REVIEW OF INTERNAL CONTROLS, INCLUDING REVIEW OF RECEIPTS AND DISBURSEMENTS.
(4) REVIEW OF ANNUAL FEDERAL AND STATE TAX FILINGS,
INCLUDING THE INTERNAL REVENUE SERVICE FORM 990, RETURN OF
ORGANIZATION EXEMPT FROM INCOME TAX AND ALL RELATED SCHEDULES
AND APPENDICES FOR THE CHARTER SCHOOL ENTITY AND CHARTER SCHOOL
FOUNDATION, IF APPLICABLE.

(5) REVIEW OF THE FINANCIAL STATEMENTS OF ANY CHARTER SCHOOL
FOUNDATION.

(6) REVIEW OF THE SELECTION AND ACCEPTANCE PROCESS OF ALL
CONTRACTS PUBLICLY BID PURSUANT TO SECTION 751.

(7) REVIEW OF ALL BOARD POLICIES AND PROCEDURES WITH REGARD
TO INTERNAL CONTROLS, CODE OF ETHICS, CONFLICTS OF INTEREST,
WHISTLE-BLOWER PROTECTIONS, COMPLAINTS FROM PARENTS OR THE
PUBLIC, COMPLIANCE WITH 65 PA.C.S. CH. 7 (REALTING TO OPEN
MEETINGS), FINANCES, BUDGETING, AUDITS, PUBLIC BIDDING AND
BONDING.

(G) THE CERTIFIED AUDIT UNDER SUBSECTION (F) AND THE ANNUAL
BUDGET UNDER SUBSECTION (I) ARE PUBLIC DOCUMENTS AND SHALL BE
MADE AVAILABLE ON THE CHARTER SCHOOL ENTITY'S PUBLICLY
ACCESSIBLE INTERNET WEBSITE, IF AVAILABLE, AND, IN THE CASE OF A
CHARTER SCHOOL OR REGIONAL CHARTER SCHOOL, ON THE SCHOOL
DISTRICT'S PUBLICLY ACCESSIBLE INTERNET WEBSITE.

(H) A CHARTER SCHOOL ENTITY MAY BE SUBJECT TO AN ANNUAL
AUDIT BY THE AUDITOR GENERAL, IN ADDITION TO ANY OTHER AUDITS
REQUIRED BY FEDERAL LAW OR THIS ACT.

(I) A CHARTER SCHOOL ENTITY SHALL ANNUALLY PROVIDE THE
DEPARTMENT AND, IN THE CASE OF A CHARTER SCHOOL OR REGIONAL
CHARTER SCHOOL, SHALL ANNUALLY PROVIDE THE SCHOOL DISTRICT WITH
A COPY OF THE ANNUAL BUDGET FOR THE OPERATION OF THE CHARTER
SCHOOL ENTITY THAT IDENTIFIES THE FOLLOWING:

(1) THE SOURCE OF FUNDING FOR ALL EXPENDITURES.
WHERE FUNDING IS PROVIDED BY A CHARTER SCHOOL FOUNDATION, THE AMOUNT OF FUNDS AND A DESCRIPTION OF THE USE OF THE FUNDS.

THE SALARIES OF ALL ADMINISTRATORS OF THE CHARTER SCHOOL ENTITY.

ALL EXPENDITURES TO AN EDUCATIONAL MANAGEMENT SERVICE PROVIDER.

THE FOLLOWING SHALL APPLY:

(1) NOTWITHSTANDING ANY OTHER PROVISION OF LAW, A CHARTER SCHOOL ENTITY AND ANY AFFILIATED CHARTER SCHOOL FOUNDATION SHALL MAKE COPIES OF ITS ANNUAL FEDERAL AND STATE TAX FILINGS AVAILABLE UPON REQUEST AND ON THE CHARTER SCHOOL ENTITY'S OR CHARTR SCHOOL FOUNDATION'S PUBLICLY ACCESSIBLE INTERNET WEBSITE, IF AVAILABLE, INCLUDING THE INTERNAL REVENUE SERVICE FORM 990, RETURN OF ORGANIZATION EXEMPT FROM INCOME TAX AND ALL RELATED SCHEDULES AND APPENDICES.

(2) THE CHARTER SCHOOL FOUNDATION SHALL ALSO MAKE COPIES OF ITS ANNUAL BUDGET AVAILABLE UPON REQUEST AND ON THE CHARTER SCHOOL FOUNDATION'S OR THE CHARTER SCHOOL ENTITY'S PUBLICLY ACCESSIBLE INTERNET WEBSITE WITHIN THIRTY (30) DAYS OF THE CLOSE OF THE CHARTER SCHOOL FOUNDATION'S FISCAL YEAR.

(3) THE ANNUAL BUDGET SHALL INCLUDE THE SALARIES OF ALL EMPLOYEES OF THE CHARTER SCHOOL FOUNDATION.

(K) AS USED IN THIS SECTION, THE TERM "CHARTER SCHOOL ENTITY" MEANS A CHARTER SCHOOL, REGIONAL CHARTER SCHOOL OR CYBER CHARTER SCHOOL.

SECTION 22. SECTION 1722-A OF THE ACT IS AMENDED BY ADDING A SUBSECTION TO READ:

SECTION 1722-A. FACILITIES.---* * *---

(F) A SCHOOL DISTRICT, INTERMEDIATE UNIT, COMMUNITY COLLEGE.
AND INSTITUTION UNDER ARTICLE XX-A SHALL PROVIDE A CYBER CHARTER SCHOOL WITH REASONABLE ACCESS TO FACILITIES FOR THE ADMINISTRATION OF STANDARDIZED TESTING AS FOLLOWS:

(1) A CYBER CHARTER SCHOOL SHALL PROVIDE A SCHOOL DISTRICT, INTERMEDIATE UNIT, COMMUNITY COLLEGE OR INSTITUTION WITH AT LEAST SIXTY (60) DAYS' NOTICE OF THE NEED FOR FACILITIES TO BE USED FOR THE ADMINISTRATION OF STANDARDIZED TESTS.

(2) WITHIN THIRTY (30) DAYS OF THE CYBER CHARTER SCHOOL'S REQUEST, THE SCHOOL DISTRICT, INTERMEDIATE UNIT, COMMUNITY COLLEGE OR INSTITUTION SHALL NOTIFY THE CYBER CHARTER SCHOOL OF THE LOCATION OF THE FACILITIES THAT WILL BE PROVIDED. THE FACILITIES MUST BE A QUIET, SEPARATE LOCATION IN WHICH CYBER CHARTER SCHOOL STUDENTS WILL NOT BE COMMINGLED WITH STUDENTS OF THE SCHOOL DISTRICT, INTERMEDIATE UNIT, COMMUNITY COLLEGE OR INSTITUTION.

(3) A SCHOOL DISTRICT, INTERMEDIATE UNIT, COMMUNITY COLLEGE OR INSTITUTION MAY NOT BE REQUIRED TO MAKE FACILITIES AVAILABLE TO A CYBER CHARTER SCHOOL ON DATES AND AT TIMES THAT MAY CAUSE UNDUE INTERFERENCE WITH THE EDUCATIONAL PROGRAMS OF THE SCHOOL DISTRICT, INTERMEDIATE UNIT, COMMUNITY COLLEGE OR INSTITUTION.

(4) A FACILITIES RENTAL FEE CHARGED TO THE CYBER CHARTER SCHOOL AND THE PAYMENT OF THE FEE SHALL BE IN COMPLIANCE WITH THE FACILITY RENTAL POLICY OF THE SCHOOL DISTRICT, INTERMEDIATE UNIT, COMMUNITY COLLEGE OR INSTITUTION THAT APPLIES GENERALLY TO ALL ORGANIZATIONS AND COMMUNITY GROUPS GIVEN ACCESS TO FACILITIES OF THE SCHOOL DISTRICT, INTERMEDIATE UNIT, COMMUNITY COLLEGE OR INSTITUTION UNDER A RENTAL AGREEMENT.

SECTION 23. SECTION 1725-A(A) OF THE ACT IS AMENDED BY ADDING A PARAGRAPH TO READ:

SECTION 1725-A. FUNDING FOR CHARTER SCHOOLS.--(A) FUNDING
FOR A CHARTER SCHOOL SHALL BE PROVIDED IN THE FOLLOWING MANNER:

* * *

(7) BEGINNING NOVEMBER 1, 2024, AND EACH YEAR THEREAFTER,
EACH SCHOOL DISTRICT SHALL REPORT THE PER-STUDENT AMOUNT TO BE
PAID AND THE COMPONENT FINANCIAL DATA USED TO CALCULATE THE PER-
STUDENT AMOUNT TO BE PAID IN CLAUSES (2) AND (3) AND SECTION
1725.1-A FOR THE CURRENT SCHOOL YEAR IN A MANNER AND FORM
PRESCRIBED BY THE DEPARTMENT. ANY SUBSEQUENT REVISION TO THE
INFORMATION REPORTED UNDER THIS CLAUSE SHALL BE REPORTED TO THE
DEPARTMENT WITHIN FIFTEEN (15) DAYS OF THE REVISION. THE
DEPARTMENT SHALL POST THE INFORMATION RECEIVED UNDER THIS CLAUSE
WITHIN THIRTY (30) DAYS OF RECEIPT IN AN ELECTRONIC FORMAT ON
THE DEPARTMENT'S PUBLICLY ACCESSIBLE INTERNET WEBSITE.

* * *

SECTION 24. THE ACT IS AMENDED BY ADDING A SECTION TO READ:
SECTION 1725.1-A. FUNDING FOR CYBER CHARTER SCHOOLS.--(A)
THERE SHALL BE NO TUITION CHARGE FOR A RESIDENT OR NONRESIDENT
STUDENT ATTENDING A CYBER CHARTER SCHOOL.

(B) NOTWITHSTANDING SECTION 1725-A(A)(3), PER-STUDENT
FUNDING AMOUNTS FOR SPECIAL EDUCATION STUDENTS ATTENDING A CYBER
CHARTER SCHOOL SHALL BE CALCULATED IN ACCORDANCE WITH THIS
SECTION AND SHALL BE PAID BY THE SCHOOL DISTRICT OF RESIDENCE OF
EACH STUDENT.

(C) EFFECTIVE JANUARY 1, 2025, AND THE ENTIRETY OF EACH
SCHOOL YEAR THEREAFTER, FOR SPECIAL EDUCATION STUDENTS, A CYBER
CHARTER SCHOOL SHALL RECEIVE FOR EACH STUDENT ENROLLED THE
LESSER OF:

(1) THE AMOUNT CALCULATED UNDER SECTION 1725-A(A)(3); OR
(2) THE SAME FUNDING AS FOR EACH NON-SPECIAL EDUCATION
STUDENT AS PROVIDED IN SECTION 1725-A(A)(2), PLUS AN ADDITIONAL
AMOUNT DETERMINED BY DIVIDING THE DISTRICT OF RESIDENCE'S TOTAL SPECIAL EDUCATION EXPENDITURE BY THE SCHOOL DISTRICT OF RESIDENCE'S TOTAL SPECIAL EDUCATION AVERAGE DAILY MEMBERSHIP FOR THE PRIOR SCHOOL YEAR.

(D) FOR THE 2024-2025 SCHOOL YEAR, THE MONTHLY PAYMENTS FOR JULY THROUGH DECEMBER FOR SPECIAL EDUCATION STUDENTS SHALL BE BASED UPON THE RATE CALCULATED UNDER SECTION 1725-A(A)(3) AND THE MONTHLY PAYMENTS FOR JANUARY THROUGH JUNE FOR SPECIAL EDUCATION STUDENTS SHALL BE BASED UPON THE RATE CALCULATED IN SUBSECTION (C).

SECTION 25. SECTION 1748-A(A)(1) AND (C) OF THE ACT ARE AmENDED TO READ:

SECTION 1748-A. ENROLLMENT AND NOTIFICATION.

(A) NOTICE TO SCHOOL DISTRICT.--


* * *

(C) WITHDRAWAL.--THE CYBER CHARTER SCHOOL AND THE PARENT OR GUARDIAN OF A STUDENT ENROLLED IN A CYBER CHARTER SCHOOL SHALL PROVIDE WRITTEN NOTIFICATION TO THE STUDENT'S SCHOOL DISTRICT OF RESIDENCE WITHIN [15] 10 DAYS FOLLOWING THE WITHDRAWAL OF A STUDENT FROM THE CYBER CHARTER SCHOOL.

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

SECTION 1748.1-A. ENROLLEE WELLNESS CHECKS.

(A) REQUIREMENTS.--A CYBER CHARTER SCHOOL SHALL, AT LEAST ONCE DURING ANY WEEK CONSISTING OF AT LEAST THREE FULL OR PARTIAL DAYS OF ACADEMIC INSTRUCTION, ENSURE THAT EACH ENROLLED
STUDENT IS ABLE TO BE VISIBLY SEEN AND COMMUNICATED WITH IN REAL
TIME BY A TEACHER, ADMINISTRATOR OR OTHER REPRESENTATIVE OF THE
CYBER CHARTER SCHOOL, EITHER IN PERSON OR VIA ELECTRONIC MEANS,
IN ORDER TO ENSURE THE WELL-BEING OF THE STUDENT AND VERIFY
PARTICIPATION IN THE EDUCATIONAL PROGRAM. THE REQUIREMENT UNDER
THIS SUBSECTION MAY BE SATISFIED BY STUDENTS TURNING ON A WEBCAM
DURING SYNCHRONOUS ONLINE INSTRUCTION.

(B) REPORT.--IF ANY INDICATION OF ABUSE, NEGLECT OR HARM TO
A CHILD IS OBSERVED, THE CYBER CHARTER SCHOOL ADMINISTRATOR,
EMPLOYEE OR REPRESENTATIVE SHALL REPORT THE CONCERNS IN
ACCORDANCE WITH 23 PA.C.S. CH. 63 (RELATING TO CHILD PROTECTIVE
SERVICES).

SECTION 27. SECTIONS 1749-A AND 1704-D(A) OF THE ACT ARE
AMENDED TO READ:

SECTION 1749-A. APPLICABILITY OF OTHER PROVISIONS OF THIS ACT
AND OF OTHER ACTS AND REGULATIONS.

(A) GENERAL REQUIREMENTS.--CYBER CHARTER SCHOOLS SHALL BE
SUBJECT TO THE FOLLOWING:

(1) SECTIONS 108, 110, 111, 321, 325, 326, 327, 431,
436, 443, 510, 518, 527, 708, 752, 753, 755, 771, 776, 777,
808, 809, 810, 1109, 1111, 1112(A), 1205.1, 1205.2, 1301,
1302, 1310, 1317.2, 1318, 1326, 1327, 1327.2, 1329, 1330,
1332, 1333, 1333.1, 1333.2, 1333.3, 1341, 1342, 1343, 1344,
1345, 1372(8), 1303-A, 1518, 1521, 1523, 1531, 1547, 1702-A,
1722-A, 1723-A(A) AND (B), 1724-A, 1725-A, 1727-A, 1729-A,
1730-A, 1731-A(A)(1) AND (B) AND 2014-A AND ARTICLES XI, XII-
A, XIII-A AND XIV.

(2) THE ACT OF JULY 17, 1961 (P.L.776, NO.341), KNOWN AS
THE PENNSYLVANIA FAIR EDUCATIONAL OPPORTUNITIES ACT.
THE ACT OF JULY 19, 1965 (P.L.215, NO.116), ENTITLED "AN ACT PROVIDING FOR THE USE OF EYE PROTECTIVE DEVICES BY PERSONS ENGAGED IN HAZARDOUS ACTIVITIES OR EXPOSED TO KNOWN DANGERS IN SCHOOLS, COLLEGES AND UNIVERSITIES."

SECTION 4 OF THE ACT OF JANUARY 25, 1966 (1965 P.L.1546, NO.541), ENTITLED "AN ACT PROVIDING SCHOLARSHIPS AND PROVIDING FUNDS TO SECURE FEDERAL FUNDS FOR QUALIFIED STUDENTS OF THE COMMONWEALTH OF PENNSYLVANIA WHO NEED FINANCIAL ASSISTANCE TO ATTEND POSTSECONDARY INSTITUTIONS OF HIGHER LEARNING, MAKING AN APPROPRIATION, AND PROVIDING FOR THE ADMINISTRATION OF THIS ACT."

THE ACT OF JULY 12, 1972 (P.L.765, NO.181) ENTITLED "AN ACT RELATING TO DRUGS AND ALCOHOL AND THEIR ABUSE, PROVIDING FOR PROJECTS AND PROGRAMS AND GRANTS TO EDUCATIONAL AGENCIES, OTHER PUBLIC OR PRIVATE AGENCIES, INSTITUTIONS OR ORGANIZATIONS."

THE ACT OF DECEMBER 15, 1986 (P.L.1595, NO.175), KNOWN AS THE ANTIHAZING LAW. 18 PA.C.S. CH. 28 (RELATING TO ANTIHAZING) AND 42 PA.C.S. § 5803(A)(3.1) (RELATING TO ASSET FORFEITURE.

(B) REGULATIONS.—CYBER CHARTER SCHOOLS SHALL BE SUBJECT TO THE FOLLOWING PROVISIONS OF 22 PA. CODE (RELATING TO EDUCATION):

(1) CHAPTER 4 (RELATING TO ACADEMIC STANDARDS AND ASSESSMENT).

(2) CHAPTER 11 (RELATING TO PUPIL ATTENDANCE).

(3) CHAPTER 12 (RELATING TO STUDENTS).

(3.1) CHAPTER 16 (RELATING TO SPECIAL EDUCATION FOR GIFTED STUDENTS).

(3.2) CHAPTER 19 (RELATING TO EDUCATOR EFFECTIVENESS RATING TOOL).
SECTION 32.3 (RELATING TO ASSURANCES).

SECTION 121.3 (RELATING TO DISCRIMINATION PROHIBITED).

SECTION 235.4 (RELATING TO PRACTICES).

SECTION 235.8 (RELATING TO CIVIL RIGHTS).

(7.1) SECTION 339.31 (RELATING TO PLAN).

(7.2) SECTION 339.32 (RELATING TO SERVICES).

SECTION 339.31 (RELATING TO PLAN).

SECTION 339.32 (RELATING TO SERVICES).

SECTION 235.4 (RELATING TO PRACTICES).

SECTION 235.8 (RELATING TO CIVIL RIGHTS).

SECTION 235.4 (RELATING TO PRACTICES).

SECTION 235.8 (RELATING TO CIVIL RIGHTS).

SECTION 339.31 (RELATING TO PLAN).

SECTION 339.32 (RELATING TO SERVICES).

CHAPTER 711 (RELATING TO CHARTER SCHOOL SERVICES AND PROGRAMS FOR CHILDREN WITH DISABILITIES).

[(C) EXISTING CHARTER SCHOOLS.--

(1) THE CHARTER OF A CHARTER SCHOOL APPROVED UNDER SECTION 1717-A OR 1718-A WHICH PROVIDES INSTRUCTION THROUGH THE INTERNET OR OTHER ELECTRONIC MEANS SHALL REMAIN IN EFFECT FOR THE DURATION OF THE CHARTER AND SHALL BE SUBJECT TO THE PROVISIONS OF SUBDIVISION (B).

(2) IN ADDITION TO SUBSECTIONS (A) AND (B), THE FOLLOWING PROVISIONS OF THIS SUBDIVISION SHALL APPLY TO A CHARTER SCHOOL APPROVED UNDER SECTION 1717-A OR 1718-A WHICH PROVIDES INSTRUCTION THROUGH THE INTERNET OR OTHER ELECTRONIC MEANS:

(I) SECTION 1743-A(C), (D), (E), (H) AND (I).

(II) SECTION 1744-A.

(III) SECTION 1748-A.]

SECTION 1704-D. DEPARTMENT RESPONSIBILITIES.

(A) FUNDING.--[THE DEPARTMENT MAY USE FEDERAL, STATE AND OTHER MONEY TO THE EXTENT THAT IT IS MADE AVAILABLE FOR THE PROGRAM.] TO AWARD GRANTS UNDER THE PILOT PROGRAM, THE DEPARTMENT MAY USE FEDERAL, STATE AND OTHER MONEY TO THE EXTENT THE MONEY IS MADE AVAILABLE FOR THE PROGRAM INCLUDING UP TO $300,000 ANNUALLY OF UNDISTRIBUTED FUNDS NOT EXPENDED,
ENCUMBERED OR COMMITTED FROM APPROPRIATIONS OR RESTRICTED ACCOUNTS FOR GRANTS AND SUBSIDIES MADE TO THE DEPARTMENT TO AWARD GRANTS. THE FUNDS SHALL BE TRANSFERRED BY THE SECRETARY OF THE BUDGET TO A RESTRICTED ACCOUNT AS NECESSARY TO AWARD GRANTS AND, WHEN TRANSFERRED, ARE APPROPRIATED TO CARRY OUT THE PROVISIONS OF THIS ARTICLE.

* * *

SECTION 28. SECTION 1806-A OF THE ACT IS REPEALED:

[SECTION 1806-A. EXPIRATION.

THIS ARTICLE SHALL EXPIRE JUNE 30, 2024, OR FIVE YEARS AFTER THE EFFECTIVE DATE OF THIS ARTICLE, WHICHEVER IS LATER.]

SECTION 29. SECTION 1913-A(B)(1.6) OF THE ACT IS AMENDED BY ADDING SUBCLAUSES TO READ:

SECTION 1913-A. FINANCIAL PROGRAM; REIMBURSEMENT OF PAYMENTS.--

(B) * * *

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

* * *

(XIX) FOR THE 2024-2025 FISCAL YEAR, EACH COMMUNITY COLLEGE SHALL RECEIVE AN AMOUNT EQUAL TO THE FOLLOWING:

(A) AN AMOUNT EQUAL TO THE REIMBURSEMENT FOR OPERATING COSTS RECEIVED IN FISCAL YEAR 2023-2024 UNDER SUBCLAUSE (XVIII)(A) AND (C).

(B) AN AMOUNT EQUAL TO THE ECONOMIC DEVELOPMENT STIPEND RECEIVED IN FISCAL YEAR 2023-2024 UNDER SUBCLAUSE (XVIII)(B).

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

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(I) Multiply the audited full-time equivalent enrollment as verified under subsection (K.1) for the most recent year available for the community college by $15,398,000.

(II) Divide the product in subunit (I) by the sum of the audited full-time equivalent enrollment as verified under subsection (K.1) for the most recent year available for all community colleges that receive funding under units (A) and (B).

(XX) For fiscal year 2024-2025, a community college approved by the state board of education during the 2020 calendar year shall receive an amount equal to the difference between the amount appropriated for the allocation of community college funding and the sum of the amounts determined for community colleges under subclause (XIX).

* * *

Section 30. The definition of "Economically Disadvantaged School" in section 2002-b of the act is amended to read:

Section 2002-b. Definitions.

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

* * *

"Economically Disadvantaged School." Any school within this commonwealth at which at least 51% of the students attending the school in the immediately preceding school year received a scholarship [of at least $1,000] pursuant to this article[.] in the following amounts:

(1) For a pre-kindergarten, kindergarten or elementary school, at least $500; and

(2) For a secondary school, at least $1,000.

* * *
SECTION 31. SECTION 2003-B(D.3)(2) AND (4) OF THE ACT ARE AMENDED AND THE SUBSECTION IS AMENDED BY ADDING A PARAGRAPH TO READ:

SECTION 2003-B. QUALIFICATION AND APPLICATION BY ORGANIZATIONS.

* * *

(D.3) SCHOLARSHIP ORGANIZATION FOR ECONOMICALLY DISADVANTAGED SCHOOLS.--

* * *

(2) A SCHOLARSHIP ORGANIZATION MUST AGREE TO DISTRIBUTE SCHOLARSHIPS TO APPLICANTS OF ECONOMICALLY DISADVANTAGED SCHOOLS NOT LATER THAN [FEBRUARY 1] DECEMBER 15 OF THE APPLICABLE SCHOOL YEAR.

* * *

(4) A SCHOLARSHIP ORGANIZATION FOR ECONOMICALLY DISADVANTAGED SCHOOLS SHALL ANNUALLY REPORT THE FOLLOWING INFORMATION TO THE DEPARTMENT BY [NOVEMBER 1] JANUARY 15 OF EACH YEAR:

(I) SCHOLARSHIP AWARDS BY FAMILY HOUSEHOLD INCOME.

(II) THE SCHOOL DISTRICT WHERE THE SCHOLARSHIP RECIPIENT CURRENTLY RESIDES.

(III) THE SCHOOL THAT THE STUDENT ATTENDED IN THE YEAR PRIOR TO THE SCHOLARSHIP AWARD.

(IV) THE TOTAL NUMBER, AMOUNT AND AVERAGE SCHOLARSHIP AWARDED.

(4.1) A SCHOLARSHIP ORGANIZATION FOR ECONOMICALLY DISADVANTAGED SCHOOLS SHALL CONTRIBUTE AT LEAST 99% OF ITS ANNUAL RECEIPTS FOR ECONOMICALLY DISADVANTAGED SCHOOLS FOR SCHOLARSHIPS.

* * *

SECTION 32. SECTION 2005-B(A), (B) AND (D) OF THE ACT ARE
AMENDED TO READ:

SECTION 2005-B. TAX CREDITS.

(A) SCHOLARSHIP OR EDUCATIONAL IMPROVEMENT ORGANIZATIONS.--

IN ACCORDANCE WITH SECTION 2006-B, THE DEPARTMENT OF REVENUE

SHALL GRANT A TAX CREDIT AGAINST ANY APPLICABLE TAX TO A

BUSINESS FIRM PROVIDING PROOF OF A CONTRIBUTION TO A SCHOLARSHIP

ORGANIZATION OR EDUCATIONAL IMPROVEMENT ORGANIZATION IN THE

TAXABLE YEAR IN WHICH THE CONTRIBUTION IS MADE IN ACCORDANCE

WITH THE FOLLOWING:

(1) THE TAX CREDIT SHALL NOT EXCEED 75% OR, IN THE CASE

OF A CONTRIBUTION TO THE SCHOLARSHIP ORGANIZATION FOR

ECONOMICALLY DISADVANTAGED SCHOOLS, 85% OF THE TOTAL AMOUNT

CONTRIBUTED DURING THE TAXABLE YEAR BY THE BUSINESS FIRM.

(2) FOR FISCAL YEAR 2014-2015, [AND EACH FISCAL YEAR

THEREAFTER,] THE TAX CREDIT SHALL NOT EXCEED $750,000

ANNUALLY PER BUSINESS FIRM FOR CONTRIBUTIONS MADE TO

SCHOLARSHIP ORGANIZATIONS OR EDUCATIONAL IMPROVEMENT

ORGANIZATIONS EXCEPT AS PROVIDED UNDER SUBSECTION (I).

(3) FOR FISCAL YEAR 2024-2025 AND EACH FISCAL YEAR

THEREAFTER, THE $750,000 ANNUAL TAX CREDIT LIMITATION IN

SUBSECTION (A)(2) SHALL NOT APPLY FOR CONTRIBUTIONS MADE BY A

BUSINESS FIRM TO THE SCHOLARSHIP ORGANIZATION FOR

ECONOMICALLY DISADVANCED SCHOOLS.

* * *

(B) ADDITIONAL AMOUNT.--[IN] NOTWITHSTANDING SUBSECTIONS (A)

(1) AND (A.1)(1), IN ACCORDANCE WITH SECTION 2006-B, THE

DEPARTMENT OF REVENUE SHALL GRANT A TAX CREDIT OF UP TO 90% OR,

IN THE CASE OF A CONTRIBUTION TO THE SCHOLARSHIP ORGANIZATION

FOR ECONOMICALLY DISADVANTAGED SCHOOLS, 99% OF THE TOTAL AMOUNT

CONTRIBUTED DURING THE TAXABLE YEAR IF THE BUSINESS FIRM
PROVIDES A WRITTEN COMMITMENT TO PROVIDE THE SCHOLARSHIP ORGANIZATION, EDUCATIONAL IMPROVEMENT ORGANIZATION OR OPPORTUNITY SCHOLARSHIP ORGANIZATION WITH THE SAME AMOUNT OF CONTRIBUTION FOR TWO CONSECUTIVE TAX YEARS. THE BUSINESS FIRM MUST PROVIDE THE WRITTEN COMMITMENT UNDER THIS SUBSECTION TO THE DEPARTMENT AT THE TIME OF APPLICATION.

* * *

(D) COMBINATION OF TAX CREDITS.--IN ACCORDANCE WITH SECTION 2006-B, A BUSINESS FIRM MAY RECEIVE TAX CREDITS FROM THE DEPARTMENT OF REVENUE IN ANY TAX YEAR FOR ANY COMBINATION OF CONTRIBUTIONS UNDER SUBSECTION (A), (A.1), (B) OR (C). EXCEPT AS PROVIDED IN SUBSECTION (I), IN NO CASE MAY A BUSINESS FIRM RECEIVE TAX CREDITS IN ANY TAX YEAR IN EXCESS OF THE FOLLOWING:

(1) $750,000 FOR COMBINED CONTRIBUTIONS TO SCHOLARSHIP ORGANIZATIONS, OTHER THAN THE SCHOLARSHIP ORGANIZATION FOR ECONOMICALLY DISADVANTAGED SCHOOLS, AND EDUCATIONAL IMPROVEMENT ORGANIZATIONS UNDER SUBSECTIONS (A) AND (B).

(2) $750,000 FOR CONTRIBUTIONS TO OPPORTUNITY SCHOLARSHIP ORGANIZATIONS UNDER SUBSECTIONS (A.1) AND (B).

(3) $200,000 FOR CONTRIBUTIONS TO PRE-KINDERGARTEN SCHOLARSHIP ORGANIZATIONS UNDER SUBSECTION (C).

* * *

SECTION 33. SECTION 2006-B(A) OF THE ACT, AMENDED DECEMBER 13, 2023 (P.L.187, NO.33), IS AMENDED TO READ:

SECTION 2006-B. LIMITATIONS.

(A) AMOUNT.--

(1) THE TOTAL AGGREGATE AMOUNT OF ALL TAX CREDITS APPROVED FOR CONTRIBUTIONS FROM BUSINESS FIRMS TO SCHOLARSHIP ORGANIZATIONS, EDUCATIONAL IMPROVEMENT ORGANIZATIONS AND PRE-KINDERGARTEN SCHOLARSHIP ORGANIZATIONS SHALL NOT EXCEED
[$470,000,000] $540,000,000 in a fiscal year. The following shall apply:

(I) No less than [$325,000,000] $375,000,000 of the total aggregate amount shall be used to provide tax credits for contributions from business firms to scholarship organizations.

(II) No less than [$54,500,000] $74,500,000 of the total aggregate amount shall be used to provide tax credits for contributions from business firms to educational improvement organizations.

(III) The total aggregate amount of all tax credits approved for contributions from business firms to pre-kindergarten scholarship organizations shall not exceed $30,500,000 in a fiscal year.

(IV) No less than $60,000,000 of the total aggregate amount shall be used to provide tax credits for contributions from business firms to increase the scholarship or pre-kindergarten scholarship by up to $2,000 or, in the case of a scholarship for a student attending a secondary school, by up to $4,000, for a student attending an economically disadvantaged school, to the extent that the total amount of scholarships, pre-kindergarten scholarships and opportunity scholarships will not exceed the lesser of $8,500 or the school's tuition.

(2) The total aggregate amount of all tax credits approved for contributions from business firms to opportunity scholarship organizations shall not exceed [$85,000,000] $90,000,000 in a fiscal year.

* * *
SECTION 34. SECTION 2009-B(F) OF THE ACT IS REPEALED:

SECTION 2009-B. OPPORTUNITY SCHOLARSHIPS.

* * *

[(F) DESIGNATION, REPORTS AND NOTICES.--]

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

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

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

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

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

(4) THE DEPARTMENT SHALL ANNually TRANSMIT NOTICE OF A LIST OF EACH SCHOOL DESIGNATED AS AN ECONOMICALLY DISADVANTAGED SCHOOL UNDER THIS SECTION TO THE LEGISLATIVE REFERENCE BUREAU FOR PUBLICATION IN THE PENNSYLVANIA BULLETIN. THE LIST SHALL BE POSTED AND UPDATED AS NECESSARY.
ON THE DEPARTMENT'S PUBLICLY ACCESSIBLE INTERNET WEBSITE.

(5) (I) EACH SCHOOL THAT HAS BEEN DESIGNATED BY THE
DEPARTMENT AS AN ECONOMICALLY DISADVANTAGED SCHOOL FOR AN
APPLICABLE SCHOOL YEAR SHALL NOTIFY THE DEPARTMENT BY NO
LATER THAN NOVEMBER 30 OF THE APPLICABLE SCHOOL YEAR OF
THE FOLLOWING INFORMATION FOR EACH RECIPIENT OF A
SCHOLARSHIP REGISTERED TO ATTEND THE SCHOOL FOR THE
APPLICABLE SCHOOL YEAR:

(A) THE RECIPIENT'S NAME AND ADDRESS.

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

(C) THE TYPE AND AMOUNT OF SCHOLARSHIPS UNDER
THIS ARTICLE ENTITLED TO EDUCATIONAL TAX CREDITS THAT
WERE RECEIVED BY THE RECIPIENT.

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

(E) THE AMOUNT OF TUITION CHARGED.

(II) THE INFORMATION SUBMITTED IN THIS PARAGRAPH
SHALL BE PROVIDED TO THE SCHOLARSHIP ORGANIZATION FOR
ECONOMICALLY DISADVANTAGED SCHOOLS WHO SHALL DISTRIBUTE
THE MONEY IN ACCORDANCE WITH SECTION 2003-B(D.3).

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

SECTION 35. THE ACT IS AMENDED BY ADDING A SECTION TO READ:

SECTION 2009.1-B. ECONOMICALLY DISADVANTAGED SCHOOL
SCHOLARSHIPS.

(A) REPORTS.--

(1) EACH SCHOOL THAT DESIRES TO BE DESIGNATED AS AN ECONOMICALLY DISADVANTAGED SCHOOL FOR A SCHOOL YEAR MUST REPORT THE FOLLOWING INFORMATION TO THE SCHOLARSHIP ORGANIZATION FOR ECONOMICALLY DISADVANTAGED SCHOOLS BY THE JANUARY 1 PRECEDING THE APPLICABLE SCHOOL YEAR:

(I) THE TOTAL NUMBER OF STUDENTS WHO ATTEND THE SCHOOL AS OF THE DATE OF THE REPORT AND ARE THE RECIPIENTS OF A SCHOLARSHIP UNDER THIS ARTICLE IN AN AMOUNT, EXCLUSIVE OF ANY AMOUNT RECEIVED UNDER SECTION 2006-B(A)(1)(IV), FOR A PRE-KINDERGARTEN, KINDERGARTEN OR ELEMENTARY SCHOOL OF AT LEAST $500 AND FOR A SECONDARY SCHOOL OF AT LEAST $1,000.

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

(2) THE INFORMATION REQUIRED UNDER PARAGRAPH (1) SHALL BE SUBMITTED ON A FORM PROVIDED BY THE SCHOLARSHIP ORGANIZATION FOR ECONOMICALLY DISADVANTAGED SCHOOLS. NO LATER THAN THE OCTOBER 15 PRECEDING EACH SCHOOL YEAR, THE SCHOLARSHIP ORGANIZATION FOR ECONOMICALLY DISADVANTAGED SCHOOLS SHALL ANNUALLY DISTRIBUTE OR MAKE AVAILABLE ELECTRONICALLY TO EACH SCHOOL IN THIS COMMONWEALTH THE FORMS ON WHICH THE REPORTS ARE REQUIRED TO BE MADE.

(3) THE SCHOLARSHIP ORGANIZATION FOR ECONOMICALLY DISADVANTAGED SCHOOLS SHALL SUBMIT THE SCHOOL'S INFORMATION TO THE DEPARTMENT BY THE FEBRUARY 1 PRECEDING THE SCHOOL YEAR.

(B) NOTICE OF DESIGNATION.--

(1) NO LATER THAN MARCH 1 AFTER THE SCHOLARSHIP
ORGANIZATION FOR ECONOMICALLY DISADVANTAGED SCHOOLS HAS
SUBMITTED THE INFORMATION RECEIVED UNDER SUBSECTION (A)(1) TO
THE DEPARTMENT, THE DEPARTMENT SHALL NOTIFY THE SCHOOL AND
THE SCHOLARSHIP ORGANIZATION FOR ECONOMICALLY DISADVANTAGED
SCHOOLS WHETHER THE SCHOOL MEETS THE REQUIREMENTS OF, AND
WILL BE DESIGNATED AS, AN ECONOMICALLY DISADVANTAGED SCHOOL
FOR THE APPLICABLE SCHOOL YEAR.

(2) THE DEPARTMENT SHALL ANNUALLY TRANSMIT NOTICE OF A
LIST OF EACH SCHOOL DESIGNATED AS AN ECONOMICALLY
DISADVANTAGED SCHOOL UNDER THIS SECTION TO THE LEGISLATIVE
REFERENCE BUREAU FOR PUBLICATION IN THE NEXT AVAILABLE ISSUE
OF THE PENNSYLVANIA BULLETIN. THE LIST SHALL BE POSTED AND
UPDATED AS NECESSARY ON THE DEPARTMENT'S PUBLICLY ACCESSIBLE
INTERNET WEBSITE.

(C) ADMINISTRATION.--

(1) EACH SCHOOL THAT HAS BEEN DESIGNATED BY THE
DEPARTMENT AS AN ECONOMICALLY DISADVANTAGED SCHOOL FOR AN
APPLICABLE SCHOOL YEAR SHALL NOTIFY THE SCHOLARSHIP
ORGANIZATION FOR ECONOMICALLY DISADVANTAGED SCHOOLS NO LATER
THAN NOVEMBER 15 OF THE APPLICABLE SCHOOL YEAR OF THE
FOLLOWING INFORMATION FOR EACH RECIPIENT OF A SCHOLARSHIP
REGISTERED TO ATTEND THE SCHOOL FOR THE APPLICABLE SCHOOL
YEAR:

(I) THE RECIPIENT'S NAME AND ADDRESS.

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

(III) THE TYPE AND AMOUNT OF SCHOLARSHIPS UNDER THIS
ARTICLE ENTITLED TO EDUCATIONAL TAX CREDITS THAT WERE
RECEIVED BY THE RECIPIENT, EXCLUSIVE OF ANY AMOUNT

(IV) THE NAMES AND ADDRESSES OF THE RECIPIENT'S PARENTS OR GUARDIANS.

(V) THE AMOUNT OF TUITION CHARGED.

(2) THE SCHOLARSHIP ORGANIZATION FOR ECONOMICALLY DISADVANTAGED SCHOOLS SHALL DISTRIBUTE THE MONEY ON A PRO RATA BASIS AMONG ALL STUDENTS IN ACCORDANCE WITH SECTION 2003-B(D.3).

(3) INFORMATION SUBMITTED UNDER THIS SECTION BY A SCHOOL DESIGNATED AS AN ECONOMICALLY DISADVANTAGED SCHOOL SHALL REMAIN CONFIDENTIAL AND SHALL NOT BE ACCESSIBLE FOR INSPECTIONS AND DUPLICATION IN ACCORDANCE WITH THE ACT OF FEBRUARY 14, 2008 (P.L.6, NO.3), KNOWN AS THE RIGHT-TO-KNOW LAW. THE INFORMATION MAY BE USED FOR ADMINISTRATION OF THE PROGRAM.

(D) REFERENCES.--A SCHOLARSHIP AWARD UNDER THIS ARTICLE PAID TO AN ECONOMICALLY DISADVANTAGED SCHOOL MAY BE REFERRED TO AS A SCHOLARSHIP SUPPLEMENT.

SECTION 36. SECTION 2009-F OF THE ACT IS REPEALED:

[SECTION 2009-F. COLLEGE TEXTBOOK POLICIES ADVISORY COMMITTEE.

(A) ESTABLISHMENT.--A STANDING COMMITTEE OF THE STATE BOARD OF EDUCATION TO BE KNOWN AS THE COLLEGE TEXTBOOK POLICIES ADVISORY COMMITTEE IS ESTABLISHED. THE DEPARTMENT OF EDUCATION SHALL PROVIDE STAFF SUPPORT FOR THE ADVISORY COMMITTEE.

(B) MEMBERSHIP.--THE ADVISORY COMMITTEE SHALL BE COMPRISED OF:

(1) THE DEPUTY SECRETARY FOR HIGHER EDUCATION OF THE DEPARTMENT OF EDUCATION OR A DESIGNEE.

(2) THE CHAIRMAN OF THE STATE BOARD OF EDUCATION HIGHER EDUCATION COUNCIL OR A DESIGNEE.
(3) One faculty member representing the state system of higher education as recommended by the chancellor of the state system of higher education.

(4) One faculty member representing each of the state-related institutions as recommended by the chancellors of the state-related institutions.

(5) One faculty member representing community colleges as recommended by the commission for community colleges.

(6) One faculty member representing private and independent colleges and universities as recommended by the association of independent colleges and universities of Pennsylvania.

(7) The chairman and minority chairman of the education committee of the senate and the chairman and minority chairman of the house of representatives or their designees.

(8) Nine members appointed by the chairman of the state board of education as follows:

   (I) Three members representing college bookstores with one representing campus bookstores, one representing off-campus bookstores and one representing online bookstores that focus primarily on the sale of college textbooks.

   (II) Two members representing textbook publishers.

   (III) Four student members representing college students, of whom one must attend a state system of higher education institution, one must attend a state-related institution, one must attend a community college and one must attend an independent or private college or university within this commonwealth. The student members shall be appointed, respectively, by the
CHAIRMAN FROM A LIST OF STUDENTS RECOMMENDED BY THE
CHANCELLOR OF THE STATE SYSTEM OF HIGHER EDUCATION, THE
CHANCELLORS OF THE STATE-RELATED INSTITUTIONS, THE
COMMISSION FOR COMMUNITY COLLEGES OR THE ASSOCIATION OF
INDEPENDENT COLLEGES AND UNIVERSITIES OF PENNSYLVANIA.

(9) ONE MEMBER POSSESSING A BACKGROUND IN INFORMATION
TECHNOLOGY-ELECTRONIC MEDIA APPOINTED BY THE CHAIRMAN OF THE
STATE BOARD OF EDUCATION.

(C) RECOMMENDATIONS.--THE ADVISORY COMMITTEE SHALL EXAMINE
NATIONAL AND INTERNATIONAL EFFORTS RELATING TO COLLEGE TEXTBOOK
AFFORDABILITY AND ACCESSIBILITY AND MAKE RECOMMENDATIONS THAT:

(1) ENSURE THAT STUDENTS HAVE ACCESS TO AFFORDABLE
COURSE MATERIALS BY DECREASING COSTS TO STUDENTS AND
ENHANCING TRANSPARENCY AND DISCLOSURE WITH RESPECT TO THE
SELECTION, PURCHASE, SALE AND USE OF COURSE MATERIALS.

(2) IDENTIFY WAYS TO DECREASE THE COST OF COLLEGE
TEXTBOOKS AND SUPPLEMENTAL MATERIALS FOR STUDENTS WHILE
SUPPORTING THE ACADEMIC FREEDOM OF FACULTY MEMBERS TO SELECT
HIGH QUALITY COURSE MATERIALS FOR STUDENTS.

(3) ENCOURAGE COLLEGE TEXTBOOK PUBLISHERS AND
DISTRIBUTORS TO WORK WITH FACULTY TO PROMOTE UNDERSTANDING OF
THE COST TO STUDENTS OF PURCHASING FACULTY-SELECTED COLLEGE
TEXTBOOKS, INCLUDING THE DISCLOSURE OF PRICES AND BUNDLING
PRACTICES.

(4) ENCOURAGE INNOVATION IN THE DEVELOPMENT AND USE OF
COURSE MATERIALS, INCLUDING OPEN-SOURCE COLLEGE TEXTBOOKS AND
OTHER OPEN-SOURCE EDUCATIONAL RESOURCES, THAT CAN HELP
STUDENTS RECEIVE THE FULL VALUE OF THEIR EDUCATIONAL
INVESTMENT WITHOUT EXCESSIVE COST.

(5) ENSURE THAT FACULTY MEMBERS ARE INFORMED OF ACCURATE
AND RELEVANT PRICING INFORMATION FOR COURSE MATERIALS AND
THAT STUDENTS ARE PROTECTED AS A CONSUMER GROUP.

(6) MAKE RECOMMENDATIONS TO THE GENERAL ASSEMBLY AND THE
STATE BOARD OF EDUCATION TO STRENGTHEN EXISTING STATE LAWS
AND REGULATIONS AND TO PROPOSE ANY ADDITIONAL AND NECESSARY
STATE LAWS AND REGULATIONS.

(D) FIRST MEETING.--THE ADVISORY COMMITTEE SHALL HOLD ITS
FIRST MEETING WITHIN 60 DAYS OF THE EFFECTIVE DATE OF THIS
SECTION. THE ADVISORY COMMITTEE SHALL MEET AT LEAST ONCE
QUARTERLY. MEMBERS OF THE ADVISORY COMMITTEE SHALL SERVE WITHOUT
COMPENSATION. THE DEPUTY SECRETARY FOR HIGHER EDUCATION OF THE
DEPARTMENT OF EDUCATION SHALL SERVE AS COMMITTEE CHAIR.

(E) REPORT.--NO LATER THAN 18 MONTHS AFTER THE EFFECTIVE
DATE OF THIS SECTION, THE ADVISORY COMMITTEE SHALL MAKE A REPORT
TO THE STATE BOARD OF EDUCATION THAT OUTLINES ITS FINDINGS AND
RECOMMENDATIONS. THE REPORT SHALL ALSO BE DELIVERED TO THE
GOVERNOR'S OFFICE, MEMBERS OF THE EDUCATION COMMITTEE OF THE
SENATE AND MEMBERS OF THE EDUCATION COMMITTEE OF THE HOUSE OF
REPRESENTATIVES. THE REPORT SHALL BE UPDATED EVERY THREE YEARS
AND MAY ALSO BE POSTED ON THE DEPARTMENT OF EDUCATION'S INTERNET
WEBSITE.]

SECTION 37. SECTION 2007-G(A) INTRODUCTORY PARAGRAPH OF THE
ACT IS AMENDED TO READ:

SECTION 2007-G. MEMORANDUM OF UNDERSTANDING.

(A) GENERAL RULE.--AN INSTITUTION OF HIGHER EDUCATION,
INCLUDING ANY BRANCH CAMPUS OF AN INSTITUTION OF HIGHER
EDUCATION, AND A PRIVATE LICENSED SCHOOL SHALL ENTER INTO OR
UPDATE AT THE NEXT RENEWAL AND MAINTAIN A MEMORANDUM OF
UNDERSTANDING WITH AT LEAST ONE LOCAL RAPE CRISIS CENTER AND ONE
DOMESTIC VIOLENCE PROGRAM TO:

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SECTION 38.  SECTION 2001-I OF THE ACT IS REPEALED:

[SECTION 2001-I.  PUBLIC HIGHER EDUCATION FUNDING COMMISSION.

(A) ESTABLISHMENT.--THE PUBLIC HIGHER EDUCATION FUNDING
COMMISSION IS ESTABLISHED.

(B) DUTIES.--THE COMMISSION SHALL REVIEW AND MAKE
RECOMMENDATIONS RELATED TO HIGHER EDUCATION FUNDING,
AFFORDABILITY AND EFFECTIVENESS AND ADMINISTRATION AND
OPERATIONS AS PROVIDED IN THIS SECTION.

(C) MEMBERSHIP.--

(1) THE COMMISSION SHALL CONSIST OF THE FOLLOWING
MEMBERS:

(I) THE CHAIR AND MINORITY CHAIR OF THE
APPROPRIATIONS COMMITTEE OF THE SENATE AND THE CHAIR AND
MINORITY CHAIR OF THE EDUCATION COMMITTEE OF THE SENATE.

(II) THE CHAIR AND MINORITY CHAIR OF THE
APPROPRIATIONS COMMITTEE OF THE HOUSE OF REPRESENTATIVES
AND THE CHAIR AND MINORITY CHAIR OF THE EDUCATION
COMMITTEE OF THE HOUSE OF REPRESENTATIVES.

(III) TWO LEGISLATORS FROM EACH OF THE FOUR
LEGISLATIVE CAUCUSES, TO BE APPOINTED BY THE PRESIDENT
PRO TEMPORE OF THE SENATE AND THE SPEAKER OF THE HOUSE OF
REPRESENTATIVES IN CONSULTATION WITH THE MAJORITY LEADER
AND MINORITY LEADER OF THE SENATE AND THE MAJORITY LEADER
AND MINORITY LEADER OF THE HOUSE OF REPRESENTATIVES.

(IV) THE SECRETARY OF EDUCATION.

(V) THE DEPUTY SECRETARY FOR POSTSECONDARY AND
HIGHER EDUCATION.

(VI) AN INDIVIDUAL FROM THE ADMINISTRATION APPOINTED
BY THE GOVERNOR.
(2) THE COMMISSION SHALL APPOINT A MEMBER TO SERVE AS CHAIR OF THE COMMISSION.

(D) MEETINGS.---

(1) THE COMMISSION SHALL HOLD ITS FIRST MEETING WITHIN 45 DAYS OF THE EFFECTIVE DATE OF THIS SECTION, REGARDLESS OF WHETHER ALL LEGISLATIVE CAUCUSES HAVE APPROVED MEMBERS TO THE COMMISSION.

(2) THE COMMISSION SHALL HOLD MEETINGS AT THE CALL OF THE CHAIR.

(3) NOTWITHSTANDING PARAGRAPHS (1) AND (2), THE COMMISSION MAY NOT CONVENE A MEETING UNTIL JANUARY 23, 2023.

(E) PAYMENTS TO MEMBERS.--THE MEMBERS MAY NOT RECEIVE COMPENSATION FOR THEIR SERVICES BUT SHALL BE REIMBURSED FOR ALL NECESSARY TRAVEL AND OTHER REASONABLE EXPENSES INCURRED IN CONNECTION WITH THE PERFORMANCE OF THEIR DUTIES AS MEMBERS OF THE COMMISSION.

(F) ADMINISTRATIVE SUPPORT.--THE GENERAL ASSEMBLY SHALL PROVIDE ADMINISTRATIVE SUPPORT, MEETING SPACE AND ANY OTHER ASSISTANCE REQUIRED BY THE COMMISSION TO CARRY OUT ITS DUTIES UNDER THIS SECTION IN COOPERATION WITH THE DEPARTMENT. THE DEPARTMENT SHALL PROVIDE THE COMMISSION WITH DATA, RESEARCH AND OTHER INFORMATION UPON REQUEST BY THE COMMISSION.

(G) COOPERATION FROM PUBLIC INSTITUTIONS OF HIGHER EDUCATION AND AGENCY.--THE PUBLIC INSTITUTIONS OF HIGHER EDUCATION AND THE AGENCY SHALL PROVIDE MEETING SPACE AND ANY OTHER ASSISTANCE REQUIRED BY THE COMMISSION TO CARRY OUT ITS DUTIES UNDER THIS SECTION. THE PUBLIC INSTITUTIONS OF HIGHER EDUCATION AND THE AGENCY SHALL PROVIDE THE COMMISSION WITH DATA, RESEARCH AND OTHER INFORMATION UPON REQUEST OF THE CHAIRMAN.

(H) HIGHER EDUCATION FUNDING FORMULA.--THE COMMISSION SHALL
DEVELOP A HIGHER EDUCATION FUNDING FORMULA AND IDENTIFY FACTORS THAT MAY BE USED TO DETERMINE THE DISTRIBUTION OF FUNDING AMONG THE PUBLIC INSTITUTIONS OF HIGHER EDUCATION. THE FACTORS IDENTIFIED UNDER THIS SUBSECTION MAY INCLUDE ALL OF THE FOLLOWING:

(1) GOALS FOR HIGHER EDUCATION.
(2) GOALS FOR HIGHER EDUCATION COMPLETION AND ATTAINMENT.
(3) THIS COMMONWEALTH'S HIGHER EDUCATION NEEDS.
(4) THE AFFORDABILITY OF HIGHER EDUCATION FOR RESIDENTS OF THIS COMMONWEALTH.
(5) RESIDENT AND NONRESIDENT UNDERGRADUATE AND GRADUATE ENROLLMENTS.
(6) GRADUATION RATES.
(7) RETENTION RATES.
(8) TIME TO DEGREE, INCLUDING ASSOCIATE'S DEGREES AND BACHELOR'S DEGREES.
(9) COST PER DEGREE, INCLUDING TUITION AND FEES.
(10) OPERATIONAL COST PER FULL-TIME STUDENT.
(11) STUDENT DEBT, INCLUDING DEBT OF GRADUATES AND NONCOMPLETERS.
(12) STUDENT FINANCIAL AID, INCLUDING PROGRAMS ADMINISTERED BY THE AGENCY ON BEHALF OF THE COMMONWEALTH.
(13) JOB PLACEMENT AFTER GRADUATION.
(14) ENTRY LEVEL WAGES.
(15) DEGREES GRANTED IN OCCUPATIONS THAT WILL ALIGN WITH THE COMMONWEALTH'S LONG-TERM ECONOMIC NEEDS.
(16) UTILIZATION OF EXISTING EDUCATIONAL PROGRAMS AND FACILITIES.
(17) TRANSFER AND ARTICULATION OF CREDITS BETWEEN PUBLIC
INSTITUTIONS OF HIGHER EDUCATION.

(18) INSTITUTIONAL MISSION, INCLUDING METRICS THAT REFLECT DIFFERENCES IN THE MISSIONS BETWEEN INSTITUTIONS AND THE DIFFERENCES BETWEEN TWO-YEAR AND FOUR-YEAR INSTITUTIONS.

(19) THE APPROPRIATE LEVEL OF RECURRING STATE SUPPORT TO MAINTAIN OPERATIONS.

(20) THE APPROPRIATE LEVEL OF FORMULA-DRIVEN FUNDING TO INCENTIVIZE SUCCESS.

(21) THE ACCESS, ENROLLMENT AND OUTCOMES OF UNDERREPRESENTED POPULATIONS, INCLUDING, BUT NOT LIMITED TO, LOW-INCOME STUDENTS, FIRST-GENERATION STUDENTS, RURAL STUDENTS, ADULT STUDENTS, VETERANS AND STUDENTS OF COLOR.

(22) COMPARISONS OF THE FACTORS CONTAINED IN THIS SECTION WITH THOSE FACTORS FOR PRIVATE INSTITUTIONS OF HIGHER EDUCATION THAT ARE LOCATED INSIDE AND OUTSIDE THIS COMMONWEALTH, WHEN AVAILABLE.

(23) OTHER FACTORS RELATED TO HIGHER EDUCATION AND THE DISTRIBUTION OF HIGHER EDUCATION FUNDING THAT THE COMMISSION DEEMS APPROPRIATE.

(I) ADDITIONAL POWERS AND DUTIES.--THE COMMISSION SHALL HAVE ALL OF THE FOLLOWING POWERS AND DUTIES:

(1) REVIEW AND MAKE FINDINGS AND RECOMMENDATIONS RELATED TO HIGHER EDUCATION FUNDING IN THIS COMMONWEALTH.

(2) CONSULT WITH AND UTILIZE EXPERTS TO ASSIST THE COMMISSION IN CARRYING OUT THE DUTIES UNDER THIS SUBSECTION.

(3) RECEIVE INPUT FROM INTERESTED PARTIES, INCLUDING, BUT NOT LIMITED TO, PUBLIC INSTITUTIONS OF HIGHER EDUCATION.

(4) HOLD PUBLIC HEARINGS IN DIFFERENT REGIONS OF THIS COMMONWEALTH.

(5) REVIEW AND CONSIDER HIGHER EDUCATION FUNDING
FORMULAS AND FACTORS UTILIZED THROUGHOUT THE UNITED STATES.

(6) IN IDENTIFYING THE HIGHER EDUCATION FUNDING FACTORS UNDER SUBSECTION (H) AND IN COMPLETING THE REPORT REQUIRED UNDER THIS SUBSECTION, CONSIDER THE IMPACT THESE FACTORS MAY HAVE ON THE DISTRIBUTION OF HIGHER EDUCATION FUNDING AMONG THE PUBLIC INSTITUTIONS OF HIGHER EDUCATION.

(7) REVIEW THE ADMINISTRATION AND OPERATION OF STATE AND REGIONAL HIGHER EDUCATION PROGRAMS AND SERVICES, INCLUDING THE PUBLIC INSTITUTIONS OF HIGHER EDUCATION AND THE AGENCY TO DETERMINE IF COST SAVINGS FOR THE COMMONWEALTH AND ITS STUDENTS MAY BE ACHIEVED AND MAKE RECOMMENDATIONS TO IMPLEMENT SAVINGS AND EFFICIENCIES.

(8) REVIEW THE ADMINISTRATION AND OPERATIONS OF STATE AND REGIONAL HIGHER EDUCATION PROGRAMS AND SERVICES, INCLUDING THE PUBLIC INSTITUTIONS OF HIGHER EDUCATION AND THE AGENCY, AND MAKE RECOMMENDATIONS REGARDING ADMINISTRATION AND OPERATIONS.

(9) PRIOR TO RECOMMENDING A HIGHER EDUCATION FUNDING FORMULA UNDER THIS SECTION, CONSIDER THE POTENTIAL CONSEQUENCES OF A HIGHER EDUCATION FUNDING FORMULA THAT DOES NOT ALLOCATE TO EACH PUBLIC INSTITUTION OF HIGHER EDUCATION AT LEAST THE SAME LEVEL OR PROPORTION OF STATE FUNDING AS THE INSTITUTION RECEIVED IN THE PRIOR FISCAL YEAR.

(10) PRIOR TO RECOMMENDING A HIGHER EDUCATION FUNDING FORMULA UNDER THIS SECTION, CONSIDER NATIONALLY ACCEPTED ACCOUNTING AND BUDGETING STANDARDS.

(11) DEVELOP A PROPOSED HIGHER EDUCATION FUNDING FORMULA AND FACTORS PURSUANT TO SUBSECTION (H).

(12) DRAFT PROPOSED LEGISLATION BASED ON THE COMMISSION'S FINDINGS.
(13) ISSUE A REPORT OF THE COMMISSION'S FINDINGS AND
RECOMMENDATIONS TO THE GOVERNOR, THE PRESIDENT PRO TEMPORE OF
MAJORITY LEADER AND MINORITY LEADER OF THE SENATE, THE
MAJORITY LEADER AND MINORITY LEADER OF THE HOUSE OF
REPRESENTATIVES, THE SECRETARY OF EDUCATION, THE STATE BOARD
OF EDUCATION, THE APPROPRIATIONS COMMITTEE OF THE SENATE, THE
APPROPRIATIONS COMMITTEE OF THE HOUSE OF REPRESENTATIVES, THE
EDUCATION COMMITTEE OF THE SENATE AND THE EDUCATION COMMITTEE
OF THE HOUSE OF REPRESENTATIVES NOT LATER THAN OCTOBER 31,
2024.

(J) EFFECTIVE DATE OF HIGHER EDUCATION FUNDING FORMULA.--THE
HIGHER EDUCATION FUNDING FORMULA DEVELOPED BY THE COMMISSION
SHALL NOT GO INTO EFFECT UNLESS THE FORMULA IS APPROVED BY AN
ACT OF THE GENERAL ASSEMBLY ENACTED AFTER THE EFFECTIVE DATE OF
THIS SECTION.

(K) CONTINUATION OF COMMISSION.--EVERY FIVE YEARS THE
COMMISSION SHALL BE RECONSTITUTED IN ACCORDANCE WITH SUBSECTION
(C) AND SHALL MEET AND HOLD PUBLIC HEARINGS TO REVIEW THE
OPERATION OF THE HIGHER EDUCATION FUNDING PROVISIONS OF THIS
SECTION AND SHALL MAKE A FURTHER REPORT AND ISSUE THE REPORT TO
THE RECIPIENTS LISTED IN SUBSECTION (I)(13).

(L) LEVEL OF STATE FUNDING THROUGH APPROPRIATIONS.--THE
GENERAL ASSEMBLY SHALL, THROUGH THE ANNUAL APPROPRIATIONS
PROCESS, DETERMINE THE LEVEL OF STATE FUNDING FOR PUBLIC
INSTITUTIONS OF HIGHER EDUCATION.

(M) DEFINITIONS.--AS USED IN THIS SECTION, THE FOLLOWING
WORDS AND PHRASES SHALL HAVE THE MEANINGS GIVEN TO THEM IN THIS
SUBSECTION UNLESS THE CONTEXT CLEARLY INDICATES OTHERWISE:
"AGENCY." THE PENNSYLVANIA HIGHER EDUCATION ASSISTANCE
AGENCY.

"COMMISSION." THE PUBLIC HIGHER EDUCATION FUNDING COMMISSION
ESTABLISHED UNDER THIS SECTION.

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

"PUBLIC INSTITUTION OF HIGHER EDUCATION." ANY OF THE
FOLLOWING:

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

(2) A RURAL REGIONAL COLLEGE ESTABLISHED UNDER ARTICLE
XIX-G.

(3) A UNIVERSITY WITHIN THE STATE SYSTEM OF HIGHER
EDUCATION UNDER ARTICLE XX-A.

(4) A STATE-RELATED INSTITUTION AS DEFINED IN SECTION
2001-C.

(5) THE THADDEUS STEVENS COLLEGE OF TECHNOLOGY.

(6) THE PENNSYLVANIA COLLEGE OF TECHNOLOGY.

SECTION 39. THE ACT IS AMENDED BY ADDING A SECTION TO READ:

SECTION 2328. STATE AID FOR FISCAL YEAR 2024-2025.

NOTWITHSTANDING ANY OTHER PROVISION OF LAW TO THE CONTRARY,
EACH LIBRARY SUBJECT TO 24 PA.C.S. CH. 93 (RELATING TO PUBLIC
LIBRARY CODE) SHALL BE ELIGIBLE FOR STATE AID FOR FISCAL YEAR
2024-2025 AS FOLLOWS:

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

(I) DIVIDE THE SUM OF THE AMOUNT OF FUNDING THE
LIBRARY RECEIVED IN FISCAL YEAR 2023-2024 UNDER SECTION
2327 BY THE TOTAL STATE-AID SUBSIDY FOR FISCAL YEAR 2023-
2024.

(II) MULTIPLY THE QUOTIENT UNDER SUBPARAGRAPH (I) BY
THE TOTAL STATE-AID SUBSIDY FOR FISCAL YEAR 2024-2025.
(2) Following distribution of funds appropriated for state aid to libraries under paragraphs (1), any remaining funds may be distributed at the discretion of the state librarian.

(3) If funds appropriated for state aid to libraries in fiscal year 2024-2025 are less than funds appropriated in fiscal year 2002-2003, the state librarian may waive standards as prescribed in 24 Pa.C.S. ch. 93 (relating to public library code).

(4) Each library system receiving state aid under this subsection may distribute the local library share of that aid in a manner as determined by the board of directors of the library system.

(5) In the case of a library system that contains a library operating in a city of the second class, changes to the distribution of state aid to the library shall be made by mutual agreement between the library and the library system.

(6) In the event of a change in district library center population prior to the effective date of this section as a result of:

(I) a city, borough, town, township, school district or county moving from one library center to another; or

(II) a transfer of district library center status to a county library system; funding of district library center aid shall be paid based on the population of the newly established or reconfigured district library center.

(7) In the event of a change in direct service area from one library to another, the state librarian, upon agreement of the affected libraries, may redistribute the local library
SHARE OF AID TO THE LIBRARY CURRENTLY SERVICING THE AREA.

SECTION 40. SECTION 2502.8(B)(1) OF THE ACT IS AMENDED AND THE SECTION IS AMENDED BY ADDING A SUBSECTION TO READ:

SECTION 2502.8. PAYMENTS ON ACCOUNT OF PUPILS ENROLLED IN CAREER AND TECHNICAL CURRICULUMS.--** * *

(B) * * *

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

(I) FOR THE 2021-2022 SCHOOL YEAR, DETERMINE THE INCREASE IN THE WEIGHTED AVERAGE DAILY MEMBERSHIP BY MULTIPLYING THE NUMBER OF STUDENTS IN AVERAGE DAILY MEMBERSHIP IN CAREER AND TECHNICAL CURRICULUMS IN AREA CAREER AND TECHNICAL SCHOOLS BY TWO THOUSAND TWO HUNDRED SEVENTY-SIX TEN THOUSANDTHS (.2276) AND THE NUMBER OF STUDENTS IN AVERAGE DAILY MEMBERSHIP IN SCHOOL DISTRICT AND CHARTER SCHOOL CAREER AND TECHNICAL CURRICULUMS BY ONE THOUSAND EIGHT HUNDRED FORTY-FOUR TEN THOUSANDTHS (.1844).

(II) FOR THE 2022-2023 SCHOOL YEAR [AND EACH FISCAL YEAR THEREAFTER], DETERMINE THE INCREASE IN THE WEIGHTED AVERAGE DAILY MEMBERSHIP BY MULTIPLYING THE NUMBER OF STUDENTS IN AVERAGE DAILY MEMBERSHIP IN CAREER AND TECHNICAL CURRICULUMS IN AREA CAREER AND TECHNICAL SCHOOLS BY TWO THOUSAND SIX HUNDRED SIXTY-EIGHT TEN THOUSANDTHS (.2668) AND THE NUMBER OF STUDENTS IN AVERAGE DAILY MEMBERSHIP IN SCHOOL DISTRICT AND CHARTER SCHOOL CAREER AND TECHNICAL CURRICULUMS BY TWO THOUSAND ONE HUNDRED SEVENTY-EIGHT TEN THOUSANDTHS (.2178).
(III) FOR THE 2023-2024 SCHOOL YEAR AND EACH FISCAL YEAR THEREAFTER, DETERMINE THE INCREASE IN THE WEIGHTED AVERAGE DAILY MEMBERSHIP BY MULTIPLYING THE NUMBER OF STUDENTS IN AVERAGE DAILY MEMBERSHIP IN CAREER AND TECHNICAL CURRICULUMS IN AREA CAREER AND TECHNICAL SCHOOLS BY TWO THOUSAND NINE HUNDRED NINETY TEN THOUSANDTHS (.2990) AND THE NUMBER OF STUDENTS IN AVERAGE DAILY MEMBERSHIP IN CAREER AND TECHNICAL CURRICULUMS IN SCHOOL DISTRICTS AND CHARTER SCHOOLS BY TWO THOUSAND FOUR HUNDRED FORTY-ONE TEN THOUSANDTHS (.2441).

* * *

(G) THE DATA USED FOR THE CALCULATIONS UNDER THIS SECTION SHALL BE BASED ON THE MOST RECENT YEARS FOR WHICH DATA IS AVAILABLE AS DETERMINED BY THE DEPARTMENT OF EDUCATION AND BE FIXED AS OF THE FIRST DAY OF JUNE PRECEDING THE SCHOOL YEAR IN WHICH THE ALLOCATION OCCURS. DATA FIXED ON THE FIRST DAY OF JUNE SHALL BE REVISED BY THE DEPARTMENT OF EDUCATION IF IT IS SUBSEQUENTLY FOUND TO BE INCORRECT.

SECTION 41. SECTION 2502.53(A) AND (B) INTRODUCTORY PARAGRAPH OF THE ACT ARE AMENDED TO READ:


(B) FOR THE 2015-2016 SCHOOL YEAR [AND EACH SCHOOL YEAR THEREAFTER] THROUGH THE 2022-2023 SCHOOL YEAR, EXCEPT THE 2019-2020 SCHOOL YEAR WHICH SHALL BE GOVERNED BY SUBSECTION (B.1), THE COMMONWEALTH SHALL PAY TO EACH SCHOOL DISTRICT A BASIC EDUCATION FUNDING ALLOCATION WHICH SHALL CONSIST OF THE FOLLOWING:
SECTION 42. THE ACT IS AMENDED BY ADDING A SECTION TO READ:
SECTION 2502.56. STUDENT-WEIGHTED BASIC EDUCATION FUNDING
BEGINNING WITH 2023-2024 SCHOOL YEAR.--(A) THE GENERAL ASSEMBLY
FINDS AND DECLARES THAT THE STUDENT-WEIGHTED BASIC EDUCATION
FUNDING FORMULA IS THE RESULT OF THE WORK OF THE BASIC EDUCATION
FUNDING COMMISSION RECONSTITUTED UNDER SECTION 123(K).
(B) FOR THE 2023-2024 SCHOOL YEAR AND EACH SCHOOL YEAR
THEREAFTER, THE COMMONWEALTH SHALL PAY TO EACH SCHOOL DISTRICT A
BASIC EDUCATION FUNDING ALLOCATION WHICH SHALL CONSIST OF THE
FOLLOWING:
(1) AN AMOUNT EQUAL TO THE SCHOOL DISTRICT'S BASIC EDUCATION
FUNDING ALLOCATION FOR THE 2022-2023 SCHOOL YEAR.
(2) A STUDENT-BASED ALLOCATION TO BE CALCULATED AS FOLLOWS:
(I) MULTIPLY THE SCHOOL DISTRICT'S STUDENT-WEIGHTED AVERAGE
DAILY MEMBERSHIP BY THE MEDIAN HOUSEHOLD INCOME INDEX AND LOCAL
EFFORT CAPACITY INDEX.
(II) MULTIPLY THE PRODUCT IN SUBPARAGRAPH (I) BY THE
DIFFERENCE BETWEEN THE AMOUNT APPROPRIATED FOR THE ALLOCATION OF
BASIC EDUCATION FUNDING TO SCHOOL DISTRICTS AND THE SUM OF THE
AMOUNTS APPROPRIATED FOR THE ALLOCATION IN PARAGRAPH (1) AND
SUBSECTION (C).
(III) DIVIDE THE PRODUCT IN SUBPARAGRAPH (II) BY THE SUM OF
THE PRODUCTS IN SUBPARAGRAPH (I) FOR ALL SCHOOL DISTRICTS.
(C) THE COMMONWEALTH SHALL PAY A HOLD HARMLESS RELIEF
SUPPLEMENT AS FOLLOWS:
(1) FOR THE MOST RECENT FISCAL YEAR, FOR EACH SCHOOL
DISTRICT, MULTIPLY THE PRODUCT DETERMINED IN SUBSECTION (B)(2)
(I) BY THE AMOUNT APPROPRIATED FOR THE ALLOCATION OF BASIC
EDUCATION FUNDING TO SCHOOL DISTRICTS UNDER SUBSECTION (B).
(2) Divide the product in paragraph (1) by the sum of the products in subsection (B)(2)(I).

(3) Subtract the amount allocated to the school district under subsection (B) from the quotient in paragraph (2).

(4) Determine the greater of zero dollars ($0) or the difference calculated under paragraph (3).

(5) Multiply the amount determined in paragraph (4) by zero dollars ($0) except as follows:

(I) For the 2023-2024 school year, multiply the amount determined in paragraph (4) by sixty million dollars ($60,000,000).

(II) (Reserved).

(6) Divide the product in paragraph (5) by the sum of the amounts determined in paragraph (4).

(7) Payments made under this subsection shall be deemed to be part of the school district's allocation amount under subsection (B)(1) for the immediately succeeding school year and each school year thereafter.

(D) For the purpose of this section:

(1) Student-weighted average daily membership for a school district shall be the sum of the following:

(I) The average of the school district's three most recent years' average daily membership.

(II) The acute poverty average daily membership calculated as follows:

(A) Multiply the school district's acute poverty percentage by its average daily membership.

(B) Multiply the product in clause (A) by six-tenths (0.6).

(III) The poverty average daily membership calculated as follows:
(A) Multiply the school district's poverty percentage by its average daily membership.

(B) Multiply the product in clause (A) by three-tenths (0.3).

(IV) The concentrated poverty average daily membership for a qualifying school district with concentrated poverty to be calculated as follows:

(A) Multiply the school district's acute poverty percentage by its average daily membership.

(B) Multiply the product in clause (A) by three-tenths (0.3).

(V) The number of the school district's limited English-proficient students multiplied by six-tenths (0.6).

(VI) The average daily membership for the school district's students enrolled in charter schools and cyber charter schools multiplied by two-tenths (0.2).

(VII) The sparsity/size adjustment for qualifying school districts with a sparsity/size ratio greater than the sparsity/size ratio that represents the seventieth percentile sparsity/size ratio for all school districts calculated as follows:

(A) Divide the school district's sparsity/size ratio by the sparsity/size ratio that represents the seventieth percentile for all school districts.

(B) Subtract one (1) from the quotient in clause (A).

(C) Multiply the sum of subparagraphs (I), (II), (III), (IV), (V) and (VI) by the amount in clause (B).

(D) Multiply the product in clause (C) by seven-tenths (0.7).

(2) Local effort index for a school district shall be

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CALCULATED AS FOLLOWS:

(I) DETERMINE THE SCHOOL DISTRICT'S LOCAL EFFORT FACTOR
CALCULATED AS FOLLOWS:

(A) MULTIPLY THE SCHOOL DISTRICT'S MEDIAN HOUSEHOLD INCOME
BY ITS NUMBER OF HOUSEHOLDS.

(B) DIVIDE THE SCHOOL DISTRICT'S LOCAL TAX-RELATED REVENUE
BY THE PRODUCT IN CLAUSE (A).

(C) MULTIPLY THE QUOTIENT IN CLAUSE (B) BY ONE THOUSAND
(1,000).

(D) DIVIDE THE PRODUCT IN CLAUSE (C) BY THE STATEWIDE MEDIAN
OF CLAUSE (C).

(II) DETERMINE THE SCHOOL DISTRICT'S EXCESS SPENDING FACTOR,
TO BE CALCULATED AS FOLLOWS:

(A) DIVIDE THE SCHOOL DISTRICT'S CURRENT EXPENDITURES BY THE
SUM OF ITS AVERAGE DAILY MEMBERSHIP AND THE AMOUNTS IN PARAGRAPH
(1)(II), (III), (IV), (V), (VI) AND (VII).

(B) DIVIDE THE QUOTIENT IN CLAUSE (A) BY THE STATEWIDE
MEDIAN OF CLAUSE (A).

(C) DIVIDE ONE (1) BY THE QUOTIENT IN CLAUSE (B).

(III) MULTIPLY THE SCHOOL DISTRICT'S LOCAL EFFORT FACTOR BY
THE LESSER OF ONE (1) OR THE SCHOOL DISTRICT'S EXCESS SPENDING
FACTOR.

(3) LOCAL CAPACITY INDEX FOR A QUALIFYING SCHOOL DISTRICT
SHALL BE CALCULATED AS FOLLOWS:

(I) DIVIDE THE SCHOOL DISTRICT'S LOCAL TAX-RELATED REVENUE
BY THE SUM OF ITS MARKET VALUE AND PERSONAL INCOME VALUATION.

(II) MULTIPLY THE SUM OF THE SCHOOL DISTRICT'S MARKET VALUE
AND PERSONAL INCOME VALUATION BY THE STATEWIDE MEDIAN OF
SUBPARAGRAPH (I).

(III) DETERMINE THE SCHOOL DISTRICT'S LOCAL CAPACITY PER
STUDENT BY DIVIDING THE PRODUCT IN SUBPARAGRAPH (II) BY THE SUM
OF ITS AVERAGE DAILY MEMBERSHIP AND THE AMOUNTS IN PARAGRAPH (I)
(II), (III), (IV), (V), (VI) AND (VII).

(IV) IF THE SCHOOL DISTRICT'S LOCAL CAPACITY PER STUDENT IS
LESS THAN THE STATEWIDE MEDIAN OF SUBPARAGRAPH (III):
(A) DIVIDE THE SCHOOL DISTRICT'S LOCAL CAPACITY PER STUDENT
BY THE STATEWIDE MEDIAN.
(B) SUBTRACT THE QUOTIENT IN CLAUSE (A) FROM ONE (1).

(4) LOCAL EFFORT CAPACITY INDEX FOR A SCHOOL DISTRICT SHALL
EQUAL THE SUM OF ITS LOCAL EFFORT INDEX AND LOCAL CAPACITY
INDEX.

(5) THE DATA USED TO CALCULATE THE FACTORS AND INDEXES IN
THIS SECTION SHALL BE BASED ON THE MOST RECENT YEARS FOR WHICH
DATA IS AVAILABLE AS DETERMINED BY THE DEPARTMENT OF EDUCATION
AND BE FIXED AS OF THE FIRST DAY OF JUNE PRECEDING THE SCHOOL
YEAR IN WHICH THE ALLOCATION OCCURS. DATA FIXED ON THE FIRST DAY
OF JUNE SHALL BE REVISED BY THE DEPARTMENT OF EDUCATION IF IT IS
SUBSEQUENTLY FOUND TO BE INCORRECT.

(E) FOR PURPOSES OF THIS SECTION:
(1) "ACUTE POVERTY PERCENTAGE" SHALL MEAN THE NUMBER OF
CHILDREN SIX (6) TO SEVENTEEN (17) YEARS OF AGE LIVING IN A
HOUSEHOLD WHERE THE RATIO OF INCOME TO POVERTY IS LESS THAN ONE
HUNDRED PERCENT (100%) OF THE FEDERAL POVERTY GUIDELINES DIVIDED
BY THE TOTAL NUMBER OF CHILDREN SIX (6) TO SEVENTEEN (17) YEARS
OF AGE AS DETERMINED BY THE AVERAGE OF THE THREE MOST RECENT
FIVE-YEAR ESTIMATES OF THE UNITED STATES CENSUS BUREAU'S
AMERICAN COMMUNITY SURVEY.
(2) "CURRENT EXPENDITURES" SHALL MEAN THE GENERAL FUND
EXPENDITURES IN FUNCTIONAL CLASSIFICATIONS OF INSTRUCTION,
SUPPORT SERVICES AND OPERATION OF NONINSTRUCTIONAL SERVICES.
BEGINNING WITH THE 2016-2017 SCHOOL YEAR, "CURRENT EXPENDITURES"
SHALL MEAN THE GENERAL FUND EXPENDITURES IN FUNCTIONAL
CLASSIFICATIONS OF INSTRUCTION, SUPPORT SERVICES AND OPERATION
OF NONINSTRUCTIONAL SERVICES, MINUS GENERAL FUND REVENUES FOR
TUITION FROM PATRONS.

(3) "HOUSEHOLDS" SHALL MEAN THE NUMBER OF HOUSEHOLDS IN EACH
SCHOOL DISTRICT AS DETERMINED BY THE AVERAGE OF THE THREE MOST
RECENT FIVE-YEAR ESTIMATES OF THE UNITED STATES CENSUS BUREAU'S
AMERICAN COMMUNITY SURVEY.

(4) "MEDIAN HOUSEHOLD INCOME" SHALL MEAN THE MEDIAN
HOUSEHOLD INCOME FOR SCHOOL DISTRICTS AND THE STATE AS
DETERMINED BY THE AVERAGE OF THE THREE MOST RECENT FIVE-YEAR
ESTIMATES OF THE UNITED STATES CENSUS BUREAU'S AMERICAN
COMMUNITY SURVEY.

(5) "MEDIAN HOUSEHOLD INCOME INDEX" SHALL MEAN A NUMBER
CALCULATED AS FOLLOWS:
(I) DIVIDE A SCHOOL DISTRICT'S MEDIAN HOUSEHOLD INCOME BY
THE STATE MEDIAN HOUSEHOLD INCOME.
(II) DIVIDE ONE (1) BY THE QUOTIENT IN SUBPARAGRAPH (I).

(6) "POVERTY PERCENTAGE" SHALL MEAN THE NUMBER OF CHILDREN
SIX (6) TO SEVENTEEN (17) YEARS OF AGE LIVING IN A HOUSEHOLD
WHERE THE RATIO OF INCOME TO POVERTY IS BETWEEN ONE HUNDRED
PERCENT (100%) AND ONE HUNDRED EIGHTY-FOUR PERCENT (184%) OF THE
FEDERAL POVERTY GUIDELINES DIVIDED BY THE TOTAL NUMBER OF
CHILDREN SIX (6) TO SEVENTEEN (17) YEARS OF AGE AS DETERMINED BY
THE AVERAGE OF THE THREE MOST RECENT FIVE-YEAR ESTIMATES OF THE
UNITED STATES CENSUS BUREAU'S AMERICAN COMMUNITY SURVEY.

(7) "QUALIFYING SCHOOL DISTRICT WITH CONCENTRATED POVERTY"
SHALL MEAN A SCHOOL DISTRICT WHERE IN ANY OF THE THREE MOST
RECENT FIVE-YEAR ESTIMATES OF THE UNITED STATES CENSUS BUREAU'S
AMERICAN COMMUNITY SURVEY THE NUMBER OF CHILDREN SIX (6) TO
SEVENTEEN (17) YEARS OF AGE LIVING IN A HOUSEHOLD WHERE THE
RATIO OF INCOME TO POVERTY IS LESS THAN ONE HUNDRED PERCENT
(100%) OF THE FEDERAL POVERTY GUIDELINES DIVIDED BY THE TOTAL
NUMBER OF CHILDREN SIX (6) TO SEVENTEEN (17) YEARS OF AGE IS
EQUAL TO OR GREATER THAN THIRTY PERCENT (30%).

(8) "SIZE RATIO" SHALL MEAN A NUMBER CALCULATED AS FOLLOWS:
(I) DIVIDE THE AVERAGE OF A SCHOOL DISTRICT'S THREE (3) MOST
RECENT YEARS' AVERAGE DAILY MEMBERSHIP BY THE STATEWIDE AVERAGE
OF THE THREE (3) MOST RECENT YEARS' AVERAGE DAILY MEMBERSHIP FOR
ALL SCHOOL DISTRICTS.

(II) MULTIPLY THE AMOUNT IN SUBPARAGRAPH (I) BY FIVE-TENTHS
(0.5).

(III) SUBTRACT THE AMOUNT IN SUBPARAGRAPH (II) FROM ONE (1).

(9) "SPARSITY RATIO" SHALL MEAN A NUMBER CALCULATED AS
FOLLOWS:
(I) DIVIDE THE AVERAGE OF A SCHOOL DISTRICT'S THREE (3) MOST
RECENT YEARS' AVERAGE DAILY MEMBERSHIP BY ITS TOTAL SQUARE MILES
AS REPORTED IN THE LATEST DECENNIAL CENSUS AS REPORTED BY THE
UNITED STATES CENSUS BUREAU.

(II) DIVIDE THE STATE TOTAL AVERAGE DAILY MEMBERSHIP BY THE
STATE TOTAL SQUARE MILES.

(III) DIVIDE THE QUOTIENT IN SUBPARAGRAPH (I) BY THE
QUOTIENT IN SUBPARAGRAPH (II).

(IV) MULTIPLY THE QUOTIENT IN SUBPARAGRAPH (III) BY FIVE-
TENTHS (0.5).

(V) SUBTRACT THE PRODUCT IN SUBPARAGRAPH (IV) FROM ONE (1).

(10) "SPARSITY/SIZE RATIO" SHALL MEAN A NUMBER CALCULATED BY
ADDING THE FOLLOWING AMOUNTS:
(I) THE SPARSITY RATIO MULTIPLIED BY FOUR-TENTHS (0.4).
(II) THE SIZE RATIO MULTIPLIED BY SIX-TENTHS (0.6).

SECTION 43. SECTION 2505.1 OF THE ACT IS AMENDED BY ADDING A
SUBSECTION TO READ:

SECTION 2505.1. STATE REIMBURSEMENT FOR HEALTH SERVICES.--*
*

(B.2) (1) FROM MONEY APPROPRIATED FOR SCHOOL HEALTH
SERVICES, THE DEPARTMENT OF HEALTH, IN CONSULTATION WITH THE
DEPARTMENT OF EDUCATION, MAY USE UP TO $3,000,000 TO AWARD
GRANTS FOR FEMININE HYGIENE PRODUCTS TO SCHOOL ENTITIES TO BE
PROVIDED TO STUDENTS AT NO EXPENSE. GRANTS SHALL BE AWARDED IN
AN AMOUNT THAT IS PROPORTIONAL TO THE NUMBER OF STUDENTS
ENROLLED IN A SCHOOL ENTITY.

(2) FOR PURPOSES OF THIS SUBSECTION, THE TERM "SCHOOL
ENTITY" SHALL MEAN A SCHOOL DISTRICT, CHARTER SCHOOL, REGIONAL
CHARTER SCHOOL, INTERMEDIATE UNIT OR AREA CAREER AND TECHNICAL
SCHOOL.

SECTION 44. SECTION 2509.1(C.2)(1) OF THE ACT, AMENDED
DECEMBER 13, 2023 (P.L.187, NO.33), IS AMENDED TO READ:

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

(C.2) THE FOLLOWING APPLY:

EACH SCHOOL YEAR THEREAFTER, FIVE AND FIVE-TENTHS PERCENT (5.5%)
OF THE STATE SPECIAL EDUCATION APPROPRIATION SHALL BE PAID TO
INTERMEDIATE UNITS ON ACCOUNT OF SPECIAL EDUCATION SERVICES.

* * *

SECTION 45. SECTION 2510.3(A)(2) OF THE ACT, AMENDED
DECEMBER 13, 2023 (P.L.187, NO.33), AND DECEMBER 13, 2023
(P.L.311, NO.35), IS AMENDED TO READ:

SECTION 2510.3. ASSISTANCE TO SCHOOL DISTRICTS DECLARED TO
BE IN FINANCIAL RECOVERY STATUS OR IDENTIFIED FOR FINANCIAL
WATCH STATUS.--(A) THE FOLLOWING APPLY:

* * *

2021-2022, 2022-2023 [AND], 2023-2024 AND 2024-2025 FISCAL
YEARS, THE DEPARTMENT OF EDUCATION MAY UTILIZE UP TO SEVEN
MILLION DOLLARS ($7,000,000) OF UNDISTRIBUTED FUNDS NOT
EXPENDED, ENCUMBERED OR COMMITTED FROM APPROPRIATIONS FOR
GRANTS, SUBSIDIES AND ASSESSMENTS MADE TO THE DEPARTMENT OF
EDUCATION TO ASSIST SCHOOL DISTRICTS DECLARED TO BE IN FINANCIAL
RECOVERY STATUS UNDER SECTION 621-A, IDENTIFIED FOR FINANCIAL
WATCH STATUS UNDER SECTION 611-A OR 694-A OR SUBJECT TO
OVERSIGHT DURING THE TRANSITION PERIOD UNDER SECTION 625-A. THE
FUNDS SHALL BE TRANSFERRED BY THE SECRETARY OF THE BUDGET TO A
RESTRICTED ACCOUNT AS NECESSARY TO MAKE PAYMENTS UNDER THIS
SECTION AND, WHEN TRANSFERRED, ARE HEREBY APPROPRIATED TO CARRY
OUT THE PROVISIONS OF THIS SECTION.

* * *

SECTION 46. SECTION 2591.1(C.1)(3) OF THE ACT IS AMENDED AND
THE SECTION IS AMENDED BY ADDING A SUBSECTION TO READ:

SECTION 2591.1. COMMONWEALTH REIMBURSEMENTS FOR CHARTER
SCHOOLS AND CYBER CHARTER SCHOOLS.--* * *

(C.1) * * *

(3) FOR THE 2007-2008 SCHOOL YEAR [AND EACH SCHOOL YEAR
THEREAFTER] THROUGH THE 2010-2011 SCHOOL YEAR, THE PAYMENT
REQUIRED UNDER THIS SUBSECTION SHALL BE EQUAL TO FORTY-ONE AND
NINETY-SIX HUNDREDTHS PER CENTUM (41.96%) OF THE AMOUNT REQUIRED
UNDER SECTION 1725-A(A), WHERE THE SCHOOL DISTRICT HAS:

(I) 2007-2008 AVERAGE DAILY MEMBERSHIP OF RESIDENT STUDENTS
ENROLLED IN A CHARTER SCHOOL, A CHARTER SCHOOL APPROVED UNDER
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SECTION 1717-A OR 1718-A WHICH PROVIDES INSTRUCTION THROUGH THE
INTERNET OR OTHER ELECTRONIC MEANS OR A CYBER CHARTER SCHOOL AS
DEFINED UNDER ARTICLE XVII-A EQUAL TO OR GREATER THAN TWELVE PER
CENTUM (12%) OF THE SCHOOL DISTRICT'S 2007-2008 AVERAGE DAILY
MEMBERSHIP;

(II) A 2008-2009 MARKET VALUE/INCOME AID RATIO OF EQUAL TO
OR GREATER THAN SIX THOUSAND TEN THOUSANDTHS (.6000); AND

(III) MADE PAYMENTS EQUAL TO OR GREATER THAN ONE MILLION
DOLLARS ($1,000,000) AS REQUIRED UNDER SECTION 1725-A(A).

* * *

(E) FOR THE 2023-2024 SCHOOL YEAR AND EACH SCHOOL YEAR
THEREAFTER, USING THE MOST RECENTLY AVAILABLE DATA AS OF THE
FIRST DAY OF JUNE PRECEDING THE SCHOOL YEAR IN WHICH THE
ALLOCATION OCCURS, THE COMMONWEALTH SHALL PAY TO EACH SCHOOL
DISTRICT WITH RESIDENT STUDENTS ENROLLED IN A CYBER CHARTER
SCHOOL, AS DEFINED UNDER ARTICLE XVII-A, AN AMOUNT EQUAL TO THE
FOLLOWING:

(1) MULTIPY THE TUITION PAID TO CYBER CHARTER SCHOOLS AS
REPORTED BY THE SCHOOL DISTRICT ON IT'S MOST RECENTLY DUE ANNUAL
FINANCIAL REPORT'S TUITION SCHEDULE BY THE AMOUNT APPROPRIATED
FOR CYBER CHARTER TRANSITION.

(2) DIVIDE THE PRODUCT IN PARAGRAPH (1) BY THE SUM OF THE
TUITION PAID BY ALL SCHOOL DISTRICTS TO CYBER CHARTER SCHOOLS AS
REPORTED IN THE MOST RECENTLY DUE ANNUAL FINANCIAL REPORT'S
TUITION SCHEDULE.

SECTION 47. SECTION 2599 OF THE ACT IS REPEALED:

[SECTION 2599. ADMINISTRATIVE/INSTRUCTIONAL CONSOLIDATION
INCENTIVES.--(A) THE PURPOSE OF THIS SECTION IS TO ESTABLISH A
PROGRAM OF INCENTIVES TO SCHOOL ENTITIES TO ENCOURAGE GREATER
EFFICIENCY IN THE MANAGEMENT OF SCHOOLS AND THE CONSOLIDATION OF
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ADMINISTRATIVE AND INSTRUCTIONAL PROGRAMMING.

(B) ANY SCHOOL DISTRICT, AREA CAREER AND TECHNICAL SCHOOL, INTERMEDIATE UNIT OR JOINT SCHOOL IS ELIGIBLE TO PARTICIPATE IN THE CONSOLIDATION INCENTIVES PROGRAM AND SHALL BE CONSIDERED A SCHOOL ENTITY FOR THE PURPOSES OF THIS SECTION.

(C) FUNDING WILL BE PROVIDED ONLY TO PROGRAMS WHICH HAVE THE PARTICIPATION OF TWO OR MORE SCHOOL ENTITIES. FUNDING WILL BE PROVIDED FOR PROGRAMS WHICH ARE INITIATED AFTER JULY 1, 1998.

(D) (1) FUNDING WILL BE PROVIDED THROUGH A COMPETITIVE REQUEST FOR PROPOSAL PROCESS. PROPOSALS WILL BE EVALUATED BY A TEAM OF DEPARTMENT OF EDUCATION AND NONDEPARTMENT PERSONNEL. THE EVALUATIONS WILL BE COMPLETED AND FUNDS AWARDED IN THE SECOND SEMESTER OF THE SCHOOL YEAR FOLLOWING THE SUBMISSION OF A PROPOSAL.

(2) FUNDS MAY BE AWARDED FOR TWO YEARS. SCHOOL ENTITIES MAY BE AWARDED UP TO FIFTY PERCENT (50%) OF THE SAVINGS THE FIRST YEAR. THE AWARD IN THE SECOND YEAR MAY BE UP TO ONE-HALF OF THE AMOUNT OF THE FIRST YEAR'S AWARD.

(3) THE DEPARTMENT OF EDUCATION WILL ESTABLISH GENERAL CRITERIA FOR QUALIFYING FOR THESE FUNDS:

(I) FOR RATING PURPOSES, SAVINGS WILL BE CALCULATED AS A PERCENTAGE OF THE APPLICABLE PART OF THE BUDGETS OF THE ENTITIES INVOLVED IN THE CONSOLIDATION;

(II) THE DEPARTMENT OF EDUCATION WILL ESTABLISH MULTIPLE CATEGORIES TO ALLOW FOR AWARDS BASED ON THE SIZE AND VARIETY OF PROPOSALS;

(III) AWARDS FOR CONSOLIDATION OF ADMINISTRATIVE SERVICES MUST RESULT IN THE REDUCTION OF THE OVERALL ADMINISTRATIVE COMPLEMENTS OF THE PARTICIPATING ENTITIES;

(IV) AWARDS FOR CONSOLIDATION OF INSTRUCTIONAL STAFF MUST
RESULT IN THE REDUCTION OF THE OVERALL STAFFING COMPLEMENT OF
THE PARTICIPATING ENTITIES OR THE PARTICIPATING SCHOOL ENTITIES
NOT HIRING ADDITIONAL PERSONNEL.

(4) ALL DATA SUBMISSIONS FROM THE SCHOOL ENTITIES SHALL BE
SUBJECT TO AUDIT, AND ANY INCENTIVE PAYMENTS SUBSEQUENTLY
DETERMINED TO BE EXCESSIVE DUE TO INAPPROPRIATE DATA WILL BE
DEDUCTED FROM SUBSEQUENT BASIC EDUCATION FUNDING PAYMENTS.

(5) INCENTIVE FUNDS SHALL BE PAID TO SCHOOL ENTITIES FOR USE
IN CONSOLIDATED PROGRAMS.

(6) NOTHING CONTAINED IN THIS SECTION SHALL BE CONSTRUED TO
SUPERSEDE OR PREEMPT ANY PROVISIONS OF A COLLECTIVE BARGAINING
AGREEMENT NEGOTIATED BY A SCHOOL DISTRICT, INTERMEDIATE UNIT OR
AREA CAREER AND TECHNICAL SCHOOL AND THE EMPLOYEE ORGANIZATION
THAT IS IN EFFECT ON THE EFFECTIVE DATE OF THIS SECTION.]

SECTION 48. SECTION 2599.6(B), (C), (D) AND (E) OF THE ACT
ARE AMENDED AND THE SECTION IS AMENDED BY ADDING SUBSECTIONS TO
READ:

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

(A.5) FOR THE 2024-2025 SCHOOL YEAR AND EACH SCHOOL YEAR
THEREAFTER, EACH SCHOOL ENTITY SHALL RECEIVE A READY-TO-LEARN
BLOCK GRANT FOUNDATION AMOUNT NOT LESS THAN THE AMOUNT ALLOCATED
OR AWARDED TO THE SCHOOL ENTITY FROM THE APPROPRIATION FOR THE
READY-TO-LEARN BLOCK GRANT DURING THE IMMEDIATELY PRECEDING
SCHOOL YEAR.

(A.6) THE COMMONWEALTH SHALL PAY AN ADEQUACY SUPPLEMENT FROM
THE READY-TO-LEARN BLOCK GRANT APPROPRIATION AS FOLLOWS:

(1) FOR THE 2024-2025 SCHOOL YEAR:

(I) MULTIPLY THE AMOUNT DETERMINED IN SUBSECTION (F)(1) BY
$493,798,000.

(II) DIVIDE THE PRODUCT IN SUBPARAGRAPH (I) BY THE SUM OF

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THE AMOUNTS DETERMINED IN SUBSECTION (F)(1).

(2) (RESERVED).

(A.7) THE COMMONWEALTH SHALL PAY A TAX EQUITY SUPPLEMENT FROM THE READY-TO-LEARN BLOCK GRANT APPROPRIATION AS FOLLOWS:

(1) FOR THE 2024-2025 SCHOOL YEAR:
   (I) MULTIPLY THE AMOUNT DETERMINED IN SUBSECTION (G)(1) BY $32,202,000.
   (II) DIVIDE THE PRODUCT IN SUBPARAGRAPH (I) BY THE SUM OF THE AMOUNTS DETERMINED IN (G)(1).

(2) (RESERVED).

(A.8) NO SCHOOL DISTRICT THAT RECEIVES FUNDING UNDER SUBSECTIONS (A.6) OR (A.7) SHALL SEEK A REFERENDUM EXCEPTION UNDER SECTION 333 OF THE ACT OF JUNE 27, 2006 (1ST SP.SESSION., P.L.1873, NO.1), KNOWN AS THE TAXPAYER RELIEF ACT, FOR THE 2025-2026 SCHOOL YEAR.

(B) [FUNDING] (1) EXCEPT AS PROVIDED IN SUBSECTION (G)(3), FUNDING RECEIVED BY A SCHOOL ENTITY UNDER [THIS SECTION] SUBSECTIONS (A.5) AND (A.6) SHALL BE USED [IN ACCORDANCE WITH THE PROVISIONS CONTAINED IN SECTIONS 2599.2 AND 1722-J(21)(V) OF THE FISCAL CODE AND MAY BE USED FOR INTEGRATED STUDENT SUPPORTS.] TO ESTABLISH, MAINTAIN OR EXPAND ANY OF THE FOLLOWING PROGRAMS OR ACTIVITIES:

(I) PROGRAMS OR ACTIVITIES THAT FOCUS ON HIGH-QUALITY ACADEMICS, INCLUDING ANY OF THE FOLLOWING:
   (A) A QUALITY PRE-KINDERGARTEN PROGRAM ALIGNED WITH THE CURRENT ACADEMIC STANDARDS CONTAINED IN 22 PA. CODE CH. 4 (RELATING TO ACADEMIC STANDARDS AND ASSESSMENT).
   (B) A QUALITY FULL-DAY KINDERGARTEN PROGRAM ALIGNED WITH THE CURRENT ACADEMIC STANDARDS CONTAINED IN 22 PA. CODE CH. 4.
   (C) A CLASS SIZE REDUCTION PROGRAM. THE CLASS SIZE REDUCTION
PROGRAM SHALL APPOINT AND ASSIGN A MINIMUM OF ONE TEACHER FOR EVERY SEVENTEEN (17) STUDENTS OR TWO TEACHERS FOR EVERY THIRTY-FIVE (35) STUDENTS ENROLLED IN A KINDERGARTEN, FIRST, SECOND OR THIRD GRADE CLASSROOM. ALL TEACHERS APPOINTED AND ASSIGNED TO TEACH KINDERGARTEN, FIRST, SECOND OR THIRD GRADE SHALL BE CERTIFIED IN ACCORDANCE WITH 22 PA. CODE CH. 49 (RELATING TO CERTIFICATION OF PROFESSIONAL PERSONNEL) OR ITS SUCCESSORS. THE DEPARTMENT SHALL ESTABLISH GUIDELINES TO ASSURE THAT NO SCHOOL DISTRICT SATISFIES THE REQUIREMENTS OF THIS CLAUSE BY MAKING A REDUCTION IN, AND SUBSEQUENT INCREASE TO, CURRENT TEACHER COMPLEMENT. FOR PURPOSES OF THIS CLAUSE, THE PHRASE "ONE TEACHER FOR EVERY SEVENTEEN (17) STUDENTS OR TWO TEACHERS FOR EVERY THIRTY-FIVE (35) STUDENTS ENROLLED IN A KINDERGARTEN, FIRST, SECOND OR THIRD GRADE CLASSROOM" SHALL REFER TO THE NUMBER OF TEACHERS CONDUCTING A CLASS AT ANY ONE TIME IN A CLASSROOM CONTAINING THE APPLICABLE NUMBER OF STUDENTS.

(D) PROGRAMS THAT IMPROVE THE ACADEMIC PERFORMANCE OF STUDENTS.

(E) PROGRAMS TO ASSIST IN THE BUILDING OF STRONG SCIENCE, TECHNOLOGY, ENGINEERING AND MATH AND APPLIED-KNOWLEDGE SKILLS.

(F) PROGRAMS FOR HIGH-QUALITY CONTINUING PROFESSIONAL EDUCATION THAT MAY INCLUDE ANY OF THE FOLLOWING: TRAINING IN MATHEMATICS, SCIENCE AND STRUCTURED LITERACY CURRICULUM AND INSTRUCTIONAL STRATEGIES AND RESOURCES; TRAINING IN SCHOOL-WIDE IMPROVEMENT PLANNING; ANALYSIS OF STUDENT ACHIEVEMENT DATA, INCLUDING STUDENT WORK AND THE IMPLICATIONS FOR CLASSROOM PRACTICE; OBSERVING AND STUDYING EXEMPLARY SCHOOL AND CLASSROOM PRACTICES; IMPLEMENTING SCHOOL-WIDE PROGRAMS AND CLASSROOM MANAGEMENT STRATEGIES DESIGNED TO IMPROVE STUDENT CONDUCT; USING TECHNOLOGY TO BOOST STUDENT ACHIEVEMENT; CONDUCTING TRANSITION
PLANNING AND CURRICULUM ALIGNMENT ACROSS SCHOOLS AND GRADE LEVELS; OR IMPLEMENTING SECONDARY STRATEGIES TO INCREASE STUDENT ENGAGEMENT AND PERSONALIZE LEARNING.

(G) EVIDENCE-BASED READING INSTRUCTION CONSISTENT WITH STRUCTURED LITERACY, INCLUDING ASSOCIATED PROFESSIONAL DEVELOPMENT, UNIVERSAL READING SCREENERS AND CURRICULUM DEVELOPMENT AND IMPLEMENTATION.

(H) MATH AND LITERACY PROGRAMS, INCLUDING COACHES, SPECIALISTS OR OTHER EDUCATION SUPPORT PROFESSIONALS, WITHIN SCHOOLS TO IMPROVE MATH AND READING INSTRUCTION.

(I) FINANCIAL INCENTIVES TO ENCOURAGE PROFESSIONAL STAFF MEMBERS TO WORK IN SCHOOLS THAT ATTRACT FEW TEACHERS OR HAVE A HIGH RATE OF OPEN TEACHING POSITIONS, TO AID IN THE RECRUITMENT OF CERTIFICATED TEACHERS TO WORK IN THOSE SCHOOLS IN A SCHOOL DISTRICT OR TO INCREASE PARTICIPATION IN EDUCATION-RELATED JOBS, INCLUDING OUTREACH EFFORTS TO COMMUNITIES THAT HAVE LOW PARTICIPATION IN THE EDUCATOR WORKFORCE.

(J) MATERIALS OR EXTENDED SERVICE HOURS FOR SCHOOL LIBRARIES OR HIRING CERTIFIED SCHOOL LIBRARIANS.

(K) WORK-BASED OR EXPERIENTIAL LEARNING AND CAREER READINESS PROGRAMS, INCLUDING PRE-APPRENTICESHIPS, INTERNSHIPS, POSTSECONDARY CREDITS, INDUSTRY-RECOGNIZED CREDENTIALS, OTHER PATHWAYS TO GRADUATION AND COLLEGE AND CAREER PATHWAYS.

(L) PROGRAMS FOR INSTRUCTION ON WORLD LANGUAGES, EITHER IN IMMERSION CLASSROOMS OR AS SEPARATE PERIODS OF INSTRUCTION.

(M) PROGRAMS TO STRENGTHEN HIGH SCHOOL CURRICULA BY CREATING RIGOROUS COLLEGE AND CAREER PREPARATORY PROGRAMS; INCREASING ACADEMIC ACHIEVEMENT; OFFERING ADDITIONAL ADVANCED PLACEMENT COURSES, INCLUDING ADVANCED PLACEMENT AND INTERNATIONAL BACCALAUREATE DUAL CREDIT COURSES; PROVIDING SCHOOL-BASED
(N) Career and technical education programs aligned to industry credentials and occupations that earn a family-sustaining wage, including programs that lead to careers in education.

(II) Programs or activities that foster supportive learning environments, including any of the following:

(A) Student services infrastructure as identified in 22 Pa. Code Ch. 12 (relating to students and student services), including adequate staffing and programs facilitated by certified student services professionals.

(B) Programs or activities that promote the availability, coordination, integration and utilization of physical and mental health services, associated resources and ancillary resources to meet the needs of children and families in addressing issues that may serve to limit student academic achievement, including school attendance and engagement.

(C) Programs or activities that serve students experiencing educational instability in accordance with Section 1331.1.

(D) Programs or activities that provide targeted support for English learners, including language instruction programs, curriculum resources, translation and interpretation services and any other activities to support English learners.

(E) Programs or activities that increase inclusion for students with disabilities to be educated alongside their nondisabled peers in accordance with 20 U.S.C. Ch. 33 (relating to education of individuals with disabilities), 29 U.S.C. § 794 (relating to nondiscrimination under federal grants and programs) and 22 Pa. Code Chs. 14 (relating to special education services and programs) and 15 (relating to protected handicapped...
STUDENTS).

(F) TUTORING PROGRAMS FOR STUDENTS IDENTIFIED WITH LOW ACADEMIC PERFORMANCE IN MATH OR READING AT THE END OF EACH MARKING PERIOD. THE TUTORING PROGRAM SHALL INCLUDE SMALL GROUP SIZES AND TUTORING SERVICES SHALL BE PROVIDED BY A CERTIFIED TEACHER OR A PARAPROFESSIONAL.

(G) REMEDIATION AND AFTER-SCHOOL PROGRAMS, INCLUDING PROJECT-BASED AFTER-SCHOOL PROGRAMS OFFERING HOMEWORK ASSISTANCE AND ACADEMIC SUPPORTS FROM CERTIFIED TEACHERS IN READING, MATH, SCIENCE AND OTHER SUBJECT AREAS TO STUDENTS IN KINDERGARTEN THROUGH GRADE TWELVE, AND TRANSITION AND SKILL DEVELOPMENT ASSISTANCE FOR PRE-KINDERGARTEN AND KINDERGARTEN STUDENTS.

(III) PROGRAMS OR ACTIVITIES THAT ESTABLISH AND PROMOTE DATA-INFORMED DECISION MAKING AND EVIDENCE-BASED PRACTICES TO IMPROVE EDUCATIONAL OUTCOMES FOR STUDENTS.

(IV) PROGRAMS OR ACTIVITIES THAT DESIGN A SYSTEM OF MULTITIERED SUPPORTS, INCLUDING ANY OF THE FOLLOWING:

(A) DEVELOPING A MULTITIERED SYSTEM OF SUPPORTS TO IDENTIFY AND ASSIST STUDENTS WITH ACADEMIC OR BEHAVIORAL NEEDS.

(B) NOTWITHSTANDING THE PROVISIONS OF ARTICLE XV-C, PROVIDING TUTORING ASSISTANCE DURING THE NORMAL SCHOOL DAY AND HOURS OF THE SCHOOL DISTRICT, IF THE TUTORING IS IN ADDITION TO AND DOES NOT INTERFERE WITH A STUDENT'S REGULARLY SCHEDULED CLASSROOM INSTRUCTION TIMES AND DOES NOT SUPPLANT SERVICES REQUIRED IN A STUDENT'S INDIVIDUALIZED EDUCATION PROGRAM.

(C) AFTER-SCHOOL AND REMEDIATION PROGRAMS.

(D) SUMMER LEARNING PROGRAMS.

(E) CREDIT RECOVERY PROGRAMS.

(2) (RESERVED).

(C) [TO] (1) THROUGH THE 2023-2024 FISCAL YEAR, TO BE 20230SB0700PN1816
ELIGIBLE TO RECEIVE FUNDING UNDER THIS SECTION, EACH SCHOOL ENTITY SHALL SUBMIT A PLAN FOR APPROVAL TO THE DEPARTMENT OUTLINING HOW THE FUNDING WILL BE USED.

(2) WITHIN 30 DAYS OF NOTICE OF FUNDING ON A FORM DEVELOPED BY THE DEPARTMENT, A SCHOOL DISTRICT SHALL INDICATE HOW IT INTENDS TO USE FUNDING ON PROGRAMS OR ACTIVITIES TO IMPROVE STUDENT ACADEMIC PROGRESS.

(3) BEGINNING IN THE 2024-2025 FISCAL YEAR, WITHIN 60 DAYS AFTER THE CONCLUSION OF A SCHOOL YEAR IN WHICH A SCHOOL DISTRICT RECEIVED MONEY UNDER SUBSECTION (A.5) OR (A.6), THE SCHOOL DISTRICT SHALL SUBMIT TO THE DEPARTMENT OF EDUCATION IN A FORM AND MANNER DETERMINED BY THE DEPARTMENT OF EDUCATION A REPORT SUMMARIZING HOW THE MONEY RECEIVED UNDER SUBSECTION (A.5) OR (A.6) WAS USED IN ACCORDANCE WITH THE ALLOWABLE USES UNDER SUBSECTION (B). THE INFORMATION IN THE REPORT SHALL AT A MINIMUM:

(I) INDICATE THE AMOUNT OF FUNDS EXPENDED ON PROGRAMS OR ACTIVITIES TO IMPROVE STUDENT ACADEMIC PROGRESS PROGRAMS OR ACTIVITIES.

(II) IDENTIFY WHETHER THE FUNDS WERE USED TO ESTABLISH, MAINTAIN OR EXPAND THE PROGRAMS OR ACTIVITIES TO IMPROVE STUDENT ACADEMIC PROGRESS.

(III) DESCRIBE HOW THE PROGRAMS OR ACTIVITIES FOR WHICH THE FUNDS WERE USED IMPROVED STUDENT ACADEMIC PROGRESS.

(3) THE DEPARTMENT OF EDUCATION SHALL PUBLISH THE REPORTS SUBMITTED UNDER PARAGRAPH (2) ON THE DEPARTMENT OF EDUCATION'S PUBLICLY ACCESSIBLE INTERNET WEBSITE.

(D) (1) THE AMOUNT EQUAL TO THE REVENUES RECEIVED BY A SCHOOL DISTRICT UNDER [SUBSECTION (A)(2)] SUBSECTIONS (A)(2) AND (A.7), INCLUDING PAYMENTS MADE UNDER SUBSECTION (A.7) THAT HAVE
BEEN DEEMED TO BE PART OF THE SCHOOL DISTRICT'S READY-TO-LEARN
BLOCK GRANT FOUNDATION AMOUNT UNDER SUBSECTION (A.5), SHALL NOT
BE INCLUDED IN THE SCHOOL DISTRICT'S BUDGETED TOTAL EXPENDITURE
PER AVERAGE DAILY MEMBERSHIP USED TO CALCULATE THE AMOUNT TO BE
PAID TO A CHARTER SCHOOL UNDER SECTION 1725-A(A)(2) AND (3).

(2) NOTWITHSTANDING SUBSECTION (B), A SCHOOL DISTRICT MAY
SPEND THE MONEY RECEIVED UNDER SUBSECTIONS (A.5) AND (A.6) ON
INCREASED CHARTER SCHOOL TUITION COSTS.

(E) [FOR THE PURPOSES OF THIS SECTION, A "SCHOOL ENTITY"
SHALL BE A SCHOOL DISTRICT, CHARTER SCHOOL, CYBER CHARTER SCHOOL
OR REGIONAL CHARTER SCHOOL.] (1) THE DATA USED TO CALCULATE THE
FACTORS UNDER SUBSECTIONS (F) AND (G) SHALL BE BASED ON THE MOST
RECENT DATA THAT WAS AVAILABLE AS OF JUNE 1, 2023, ALLOWING FOR
CORRECTIONS AND REVISIONS AS DETERMINED BY THE DEPARTMENT.

(2) STUDENT-WEIGHTED AVERAGE DAILY MEMBERSHIP FOR A SCHOOL
DISTRICT SHALL BE THE SUM OF THE FOLLOWING:

(I) THE STUDENT-WEIGHTED AVERAGE DAILY MEMBERSHIP CALCULATED
FOR THE 2022-2023 SCHOOL YEAR UNDER SECTION 2502.53(C)(1).

(II) THE WEIGHTED SPECIAL EDUCATION STUDENT HEADCOUNT
CALCULATED AS THE SUM OF THE FOLLOWING:

(A) THE MOST RECENT THREE-YEAR AVERAGE OF THE NUMBER OF
SPECIAL EDUCATION STUDENTS WHO RESIDE IN THE SCHOOL DISTRICT FOR
WHICH THE ANNUAL EXPENDITURE IS IN CATEGORY 1 IN ACCORDANCE WITH
SECTION 2509.5 MULTIPLIED BY SIXTY-FOUR HUNDREDTHS (0.64).

(B) THE MOST RECENT THREE-YEAR AVERAGE OF THE NUMBER OF
SPECIAL EDUCATION STUDENTS WHO RESIDE IN THE SCHOOL DISTRICT FOR
WHICH THE ANNUAL EXPENDITURE IS IN CATEGORY 2 IN ACCORDANCE WITH
SECTION 2509.5 MULTIPLIED BY FOUR AND THREE HUNDREDTHS (4.03).

(C) THE MOST RECENT THREE-YEAR AVERAGE OF THE NUMBER OF
SPECIAL EDUCATION STUDENTS WHO RESIDE IN THE SCHOOL DISTRICT FOR

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WHICH THE ANNUAL EXPENDITURE IS IN CATEGORY 3 IN ACCORDANCE WITH SECTION 2509.5 MULTIPLIED BY NINE AND THIRTY-SEVEN HUNDREDTHS (9.37).

(3) AS USED IN THIS SECTION, THE FOLLOWING WORDS AND PHRASES SHALL HAVE THE MEANINGS GIVEN TO THEM IN THIS PARAGRAPH:
"CURRENT EXPENDITURES" SHALL HAVE THE SAME MEANING AS IN SECTION 2502.53.
"LOCAL EFFORT RATE" SHALL MEAN A SCHOOL DISTRICT'S LOCAL TAX-RELATED REVENUE DIVIDED BY THE SUM OF ITS MARKET VALUE AND PERSONAL INCOME VALUATION.
"LOCAL TAX-RELATED REVENUE" SHALL HAVE THE SAME MEANING AS IN SECTION 2502.53.

(F) THE PROVISIONS IN THIS SUBSECTION RELATE TO THE ADEQUACY SUPPLEMENT. THE FOLLOWING SHALL APPLY:

(1) THE DEPARTMENT SHALL CALCULATE AN ADEQUACY GAP FOR EACH SCHOOL DISTRICT AS FOLLOWS:

(I) FOR EACH SCHOOL DISTRICT, MULTIPLY $14,120 BY THE SCHOOL DISTRICT'S STUDENT-WEIGHTED AVERAGE DAILY MEMBERSHIP CALCULATED UNDER SUBSECTION (E)(2).

(II) SUBTRACT THE SCHOOL DISTRICT'S CURRENT EXPENDITURES FROM THE AMOUNT CALCULATED FOR THE SCHOOL DISTRICT UNDER SUBPARAGRAPH (I).

(III) DETERMINE THE GREATER OF $0 OR THE DIFFERENCE CALCULATED UNDER SUBPARAGRAPH (II).

(IV) SUBTRACT THE ADEQUACY ADJUSTMENT UNDER PARAGRAPH (3) FROM THE AMOUNT DETERMINED IN SUBPARAGRAPH (III).

(V) ADD THE POVERTY ADJUSTMENT UNDER PARAGRAPH (4) TO THE DIFFERENCE IN SUBPARAGRAPH (IV).

(2) THE DEPARTMENT SHALL DETERMINE THE FOLLOWING:

(I) THE LOCAL EFFORT RATE THAT REPRESENTS THE THIRTY-THIRD LOCAL EFFORT RATE FOR THE SCHOOL DISTRICT.
PERCENTILE LOCAL EFFORT RATE FOR ALL SCHOOL DISTRICTS.

(II) THE LOCAL EFFORT RATE THAT REPRESENTS THE SIXTY-SIXTH

PERCENTILE LOCAL EFFORT RATE FOR ALL SCHOOL DISTRICTS.

(3) THE DEPARTMENT SHALL CALCULATE AN ADEQUACY ADJUSTMENT
FOR THE PURPOSE UNDER PARAGRAPH (1)(IV) FOR EACH SCHOOL DISTRICT
AS FOLLOWS:

(I) FOR A SCHOOL DISTRICT THAT MEETS ALL OF THE FOLLOWING
CRITERIA, SUBPARAGRAPH (II) SHALL APPLY:

(A) HAS AN AMOUNT GREATER THAN $0 UNDER PARAGRAPH (1)(II).

(B) HAS A LOCAL EFFORT RATE LESS THAN THE AMOUNT DETERMINED
UNDER PARAGRAPH (2)(I).

(C) HAS A TEN-YEAR PERCENTAGE CHANGE IN AVERAGE DAILY
MEMBERSHIP LESS THAN 10%.

(II) THE ADEQUACY ADJUSTMENT SHALL BE CALCULATED AS FOLLOWS:

(A) MULTIPLY THE AMOUNT DETERMINED IN PARAGRAPH (2)(I) BY
THE SUM OF THE SCHOOL DISTRICT'S MARKET VALUE AND PERSONAL
INCOME.

(B) SUBTRACT THE SCHOOL DISTRICT'S LOCAL TAX-RELATED REVENUE
FROM THE SCHOOL DISTRICT'S PRODUCT IN CLAUSE (A).

(III) FOR A SCHOOL DISTRICT THAT MEETS ALL OF THE FOLLOWING
CRITERIA, SUBPARAGRAPH (IV) SHALL APPLY:

(A) HAS AN AMOUNT GREATER THAN $0 UNDER PARAGRAPH (1)(II).

(B) HAS A LOCAL EFFORT RATE LESS THAN THE AMOUNT DETERMINED
UNDER PARAGRAPH (2)(II).

(C) HAS A TEN-YEAR PERCENTAGE CHANGE IN AVERAGE DAILY
MEMBERSHIP GREATER THAN OR EQUAL TO 10%.

(D) HAS A LOCAL CAPACITY PER STUDETN UNDER SECTION
2502.53(C)(3)(III) ABOVE THE STATEWIDE MEDIAN OF ALL SCHOOL
DISTRICTS UNDER SECTION 2502.53(C)(3)(III).

(IV) THE ADEQUACY ADJUSTMENT SHALL BE CALCULATED AS FOLLOWS:
(A) Multiply the amount determined in Paragraph (2)(II) by the sum of the school district's market value and personal income.

(B) Subtract the school district's local tax-related revenue from the school district's product in clause (A).

(V) For all other school districts that do not meet the criteria in Subparagraph (I) or (III), the adequacy adjustment shall be 0.

(4) The poverty adjustment for the purpose under Paragraph (1)(V) shall be as follows:

(I) $14,400,000 for a school district located in a county of the Second Class A with a 2021-2022 adjusted average daily membership greater than 7,035 and less than 7,040 and a 2021-2022 current expenditure of less than $140,000,000.

(II) $2,000,000 for a school district located in a county of the Third Class with a 2021-2022 adjusted average daily membership greater than 1,615 and less than 1,620 and a 2021-2022 current expenditure of less than $30,000,000.

(III) $4,800,000 for a school district located in a county of the Third Class with a 2021-2022 adjusted average daily membership greater than 2,352 and less than 2,357 and a 2021-2022 current expenditure of less than $40,000,000.

(IV) $2,400,000 for a school district located in a county of the Second Class A with a 2021-2022 adjusted average daily membership greater than 3,390 and less than 3,395 and a 2021-2022 current expenditure of less than $70,000,000.

(V) $4,000,000 for a school district located in a county of the Second Class with a 2021-2022 adjusted average daily membership greater than 4,445 and less than 4,450 and a 2021-2022 current expenditure of less than $100,000,000.
(VI) $10,000,000 FOR A SCHOOL DISTRICT LOCATED IN A COUNTY OF THE SECOND CLASS A WITH A 2021-2022 ADJUSTED AVERAGE DAILY MEMBERSHIP GREATER THAN 4,695 AND LESS THAN 4,700 AND A 2021-2022 CURRENT EXPENDITURE OF LESS THAN $100,000,000.

(VII) $17,600,000 FOR A SCHOOL DISTRICT LOCATED IN A COUNTY OF THE SECOND CLASS A WITH A 2021-2022 ADJUSTED AVERAGE DAILY MEMBERSHIP GREATER THAN 8,410 AND LESS THAN 8,415 AND A 2021-2022 CURRENT EXPENDITURE OF LESS THAN $160,000,000.

(VIII) $9,600,000 FOR A SCHOOL DISTRICT LOCATED IN A COUNTY OF THE SECOND CLASS A WITH A 2021-2022 ADJUSTED AVERAGE DAILY MEMBERSHIP GREATER THAN 5,590 AND LESS THAN 5,595 AND A 2021-2022 CURRENT EXPENDITURE OF LESS THAN $110,000,000.

(IX) $19,200,000 FOR A SCHOOL DISTRICT LOCATED IN A COUNTY OF THE THIRD CLASS WITH A 2021-2022 ADJUSTED AVERAGE DAILY MEMBERSHIP GREATER THAN 8,495 AND LESS THAN 8,500 AND A 2021-2022 CURRENT EXPENDITURE OF LESS THAN $125,000,000.

(X) $20,000,000 FOR A SCHOOL DISTRICT LOCATED IN A COUNTY OF THE THIRD CLASS WITH A 2021-2022 ADJUSTED AVERAGE DAILY MEMBERSHIP GREATER THAN 10,120 AND LESS THAN 10,125 AND A 2021-2022 CURRENT EXPENDITURE OF LESS THAN $160,000,000.

(XI) $24,000,000 FOR A SCHOOL DISTRICT LOCATED IN A COUNTY OF THE SECOND CLASS A WITH A 2021-2022 ADJUSTED AVERAGE DAILY MEMBERSHIP GREATER THAN 10,180 AND LESS THAN 10,185 AND A 2021-2022 CURRENT EXPENDITURE OF LESS THAN $230,000,000.

(G) THE PROVISIONS IN THIS SUBSECTION RELATE TO THE TAX EQUITY SUPPLEMENT. THE FOLLOWING SHALL APPLY:

(1) THE DEPARTMENT SHALL CALCULATE A TAX EQUITY GAP FOR EACH SCHOOL DISTRICT AS FOLLOWS:

(I) THE DEPARTMENT SHALL DETERMINE THE LOCAL EFFORT RATE THAT REPRESENTS THE NINETIETH PERCENTILE LOCAL EFFORT RATE FOR 20230SB0700PN1816
ALL SCHOOL DISTRICTS.

(II) MULTIPLY THE AMOUNT DETERMINED IN SUBPARAGRAPH (I) BY
THE SUM OF THE SCHOOL DISTRICT'S MARKET VALUE AND PERSONAL
INCOME.

(III) SUBTRACT THE SCHOOL DISTRICT'S PRODUCT IN SUBPARAGRAPH
(II) FROM THE SCHOOL DISTRICT'S LOCAL TAX-RELATED REVENUE.

(IV) DETERMINE THE GREATER OF $0 OR THE DIFFERENCE
CALCULATED IN SUBPARAGRAPH (III) FOR EACH SCHOOL DISTRICT.

(V) MULTIPLY THE AMOUNT DETERMINED UNDER SUBPARAGRAPH (IV)
BY A LOCAL CAPACITY PER STUDENT FACTOR CALCULATED AS FOLLOWS FOR
EACH SCHOOL DISTRICT:

(A) DIVIDE THE SCHOOL DISTRICT'S LOCAL CAPACITY PER STUDENT
DETERMINED UNDER SECTION 2502.53(C)(3)(III) BY THE STATEWIDE
MEDIAN OF ALL SCHOOL DISTRICTS UNDER SECTION 2502.53(C)(3)(III).

(B) SUBTRACT ONE FROM THE QUOTIENT CALCULATED UNDER CLAUSE
(A).

(C) SUBTRACT THE DIFFERENCE CALCULATED UNDER CLAUSE (B) FROM
ONE.

(D) DETERMINE THE LESSER OF ONE OR THE DIFFERENCE CALCULATED
UNDER CLAUSE (C).

(2) (RESERVED).

(3) FOR MONEY AVAILABLE TO A SCHOOL DISTRICT UNDER
SUBSECTION (A.7), INCLUDING PAYMENTS MADE UNDER SUBSECTION (A.7)
THAT HAVE BEEN DEEMED TO BE PART OF THE SCHOOL DISTRICT'S READY-
TO-LEARN BLOCK GRANT FOUNDATION AMOUNT UNDER SUBSECTION (A.5),
THE FOLLOWING SHALL APPLY:

(I) WITHIN 30 DAYS OF THE EFFECTIVE DATE OF A STATE LAW
PROVIDING FOR THE APPROPRIATION FOR THE READY-TO-LEARN BLOCK
GRANT, THE DEPARTMENT SHALL NOTIFY EACH SCHOOL DISTRICT OF THE
AMOUNT OF MONEY AVAILABLE TO BE RECEIVED BY THE SCHOOL DISTRICT,
THE ALLOWABLE USES OF THE MONEY AND THE PROCESS BY WHICH A
SCHOOL DISTRICT MAY APPLY TO THE DEPARTMENT AND RECEIVE THE
MONEY.

(II) TO BE ELIGIBLE TO RECEIVE AVAILABLE MONEY, THE LOCAL
BOARD OF SCHOOL DIRECTORS MUST ADOPT A RESOLUTION IN CONJUNCTION
WITH ACTIONS TAKEN IN ACCORDANCE WITH THE ADOPTION AND
SUBMISSION REQUIREMENTS UNDER SECTION 311(A) AND (D) OF THE ACT
OF JUNE 27, 2006 (1ST SP.SESS., P.L.1873, NO.1), KNOWN AS THE
TAXPAYER RELIEF ACT, RELATED TO THE ADOPTION OF PRELIMINARY
BUDGETS THAT DECLARES THE SCHOOL DISTRICT'S INTENT TO RECEIVE
AND USE THE AVAILABLE MONEY FOR A PURPOSE SPECIFIED UNDER
SUBPARAGRAPH (III) DURING THE SUBSEQUENT FISCAL YEAR FOR WHICH
THE MONEY HAS BEEN APPROPRIATED BY THE GENERAL ASSEMBLY.

(III) A LOCAL BOARD OF SCHOOL DIRECTORS THAT ADOPTS A
RESOLUTION UNDER SUBPARAGRAPH (II) SHALL USE ANY MONEY RECEIVED
FOR ANY OF THE FOLLOWING PURPOSES:

(A) MITIGATING OR PREVENTING AN INCREASE IN THE MILLAGE RATE
OF REAL ESTATE PROPERTY TAXES LEVIED BY THE SCHOOL DISTRICT.

(B) SUPPLEMENTING THE AMOUNT CALCULATED BY THE SCHOOL
DISTRICT FOR THE HOMESTEAD AND FARMSTEAD EXCLUSION UNDER SECTION
342 OF THE TAXPAYER RELIEF ACT.

(C) ESTABLISHING, MAINTAINING OR EXPANDING A PROGRAM
PROVIDED BY THE SCHOOL DISTRICT THAT SUPPLEMENTS THE REBATES
PROVIDED UNDER CHAPTER 13 OF THE TAXPAYER RELIEF ACT.

(D) MITIGATING OR REPLACING THE LOSS OF REVENUE RECEIVED BY
THE SCHOOL DISTRICT RESULTING FROM A DECISION OF A COURT OF THIS
COMMONWEALTH WITHIN THE PREVIOUS FIVE YEARS RELATING TO AN
ASSESSMENT APPEAL UNDER ARTICLE V OF THE ACT OF MAY 22, 1933
(P.L.853, NO.155), KNOWN AS THE GENERAL COUNTY ASSESSMENT LAW.

(E) REDUCING DEBT.
(4) THE DEPARTMENT SHALL POST ON ITS PUBLICLY ACCESSIBLE INTERNET WEBSITE INFORMATION REGARDING THE ACTIONS TAKEN BY EACH LOCAL BOARD OF SCHOOL DIRECTORS UNDER PARAGRAPH (3)(II) AND USE OF THE MONEY AVAILABLE UNDER SUBSECTION (A.7), INCLUDING PAYMENTS MADE UNDER SUBSECTION (A.7) THAT HAVE BEEN DEEMED TO BE PART OF THE SCHOOL DISTRICT'S BASE READY-TO-LEARN BLOCK GRANT AMOUNT UNDER SUBSECTION (A.5), BY EACH LOCAL BOARD OF SCHOOL DIRECTORS AS SPECIFIED UNDER PARAGRAPH (3)(III).

(H) AS USED IN THIS SECTION, THE FOLLOWING WORDS AND PHRASES SHALL HAVE THE MEANINGS GIVEN TO THEM IN THIS SUBSECTION:

"DEPARTMENT" SHALL MEAN THE DEPARTMENT OF EDUCATION OF THE COMMONWEALTH.

"SCHOOL ENTITY" SHALL MEAN A SCHOOL DISTRICT, CHARTER SCHOOL, REGIONAL CHARTER SCHOOL OR CYBER CHARTER SCHOOL.

SECTION 49. SECTION 2603-B(C) OF THE ACT IS AMENDED TO READ:

SECTION 2603-B. POWERS AND DUTIES OF THE BOARD.--* * *

(C) THE BOARD SHALL DEVELOP AN ANNUAL OPERATING BUDGET, INCLUDING PROJECTED OPERATING EXPENSES OF THE PROFESSIONAL STANDARDS AND PRACTICES COMMISSION. IT SHALL INCLUDE SALARIES FOR STAFF, OFFICE MATERIALS AND EQUIPMENT, AND ALL EXPENSES FOR THE OPERATION OF THE BOARD AND COMMISSION. THIS BUDGET SHALL BE PRESENTED TO THE SECRETARY OF EDUCATION. UPON ADOPTION OF THE GENERAL APPROPRIATIONS ACT, THE DEPARTMENT SHALL NOTIFY THE BOARD OF THE AMOUNT OF ITS ALLOCATION.

* * *

SECTION 50. SECTIONS 2608-J, 2602-L AND 2603-L OF THE ACT, AMENDED OR ADDED DECEMBER 13, 2023 (P.L.187, NO.33), ARE AMENDED TO READ:

SECTION 2608-J. APPLICABILITY.

THIS ARTICLE SHALL APPLY TO PROJECTS FOR WHICH APPROVAL AND
REIMBURSEMENT IS SOUGHT AND TO THE MAINTENANCE PROJECT GRANT PROGRAM BEGINNING JULY 1, [2024] 2025.

SECTION 2602-L. SCHOOL ENVIRONMENTAL REPAIRS PROGRAM RESTRICTED ACCOUNT.

THE SCHOOL ENVIRONMENTAL REPAIRS PROGRAM RESTRICTED ACCOUNT IS ESTABLISHED AS A RESTRICTED ACCOUNT IN THE GENERAL FUND. THE FOLLOWING SHALL APPLY:

(1) MONEY IN THE ACCOUNT IS APPROPRIATED TO THE DEPARTMENT ON A CONTINUING BASIS TO PROVIDE PROGRAM [GRANTS] FUNDING UNDER THIS ARTICLE [DURING FISCAL YEARS 2023-2024 AND 2024-2025].

(2) THE STATE TREASURER MAY ACCEPT APPROPRIATIONS, TRANSFERS, GIFTS, DONATIONS, LEGACIES OR ANY OTHER REVENUES, INCLUDING ALLOWABLE FEDERAL FUNDS, FOR DEPOSIT INTO THE ACCOUNT.

(3) ANY INTEREST THAT ACCRUES IN THE ACCOUNT SHALL REMAIN IN THE ACCOUNT.

SECTION 2603-L. SCHOOL ENVIRONMENTAL REPAIRS PROGRAM.

(A) SCHOOL ENVIRONMENTAL REPAIRS PROGRAM.--THE SCHOOL ENVIRONMENTAL REPAIRS PROGRAM IS ESTABLISHED IN THE DEPARTMENT TO PROVIDE [GRANTS] FUNDING TO SCHOOL ENTITIES FOR THE ABATEMENT OR REMEDIATION OF ENVIRONMENTAL HAZARDS IN A SCHOOL BUILDING OR BUILDINGS.

(B) [APPLICATION] APPROVAL PROCESS.--THE DEPARTMENT SHALL DEVELOP A PROCESS FOR SCHOOL ENTITIES TO APPLY FOR PROGRAM [GRANTS] FUNDING.

(C) ELIGIBLE PROJECTS.--PROJECTS THAT ABATE, REPLACE OR REMEDIATE ENVIRONMENTAL HAZARDS, INCLUDING, BUT NOT LIMITED TO, THE ABATEMENT OR REMEDIATION OF LEAD IN WATER SOURCES, ASBESTOS AND MOLD INSIDE THE SCHOOL BUILDINGS OF ELIGIBLE SCHOOL ENTITIES 20230SB0700PN1816
AND REPLACEMENT OF MATERIALS, ARE ELIGIBLE TO RECEIVE [A PROGRAM
GRANT] PROGRAM FUNDS.

(D) FORM OF APPLICATION.--[A] TO BE ELIGIBLE TO RECEIVE
FUNDING UNDER THIS SECTION, A SCHOOL ENTITY MUST [APPLY FOR A
PROGRAM GRANT ON A FORM PRESCRIBED BY THE] SUBMIT A PLAN FOR
APPROVAL TO THE DEPARTMENT. THE FORM SHALL INCLUDE THE FOLLOWING
INFORMATION:

(1) DESCRIPTION OF THE ABATEMENT OR REMEDIATION PROJECT.

(2) INFORMATION RELATED TO THE RISK OF EXPOSURE TO
ENVIRONMENTAL HAZARDS.

(3) ESTIMATED COST OF THE PROJECT.

(4) SOURCE AND AMOUNT OF LOCAL MATCHING FUNDS.

(5) DOCUMENTATION TO SUPPORT THE ENVIRONMENTAL HAZARDS
TO BE REMEDIED, THE ESTIMATED COST AND THE SOURCE OF LOCAL
MATCHING FUNDS.

(6) TIMELINE TO COMPLETE THE WORK.

(7) OTHER INFORMATION REQUIRED BY THE DEPARTMENT.

(E) [GRANT PRIORITIZATION] PRIORITIZATION.--THE DEPARTMENT
SHALL PRIORITIZE ELIGIBLE PROJECTS THAT ABATE OR REMEDIATE
ENVIRONMENTAL HAZARDS THAT PRESENT THE GREATEST RISK OF EXPOSURE
USING THE FOLLOWING INFORMATION:

(1) ELEVATED LEAD LEVELS IN DRINKING WATER.

[(2) THE PERCENTAGE OF THE POPULATION IN THE COUNTY
WHERE THE PROJECT IS LOCATED WITH A CONFIRMED BLOOD LEAD
LEVEL OVER 5 MG/DL AS DETERMINED BY THE DEPARTMENT IN
CONSULTATION WITH THE DEPARTMENT OF HEALTH.]

(3) CONTENTS OF THE APPLICATION.

(4) ANY OTHER RISK FACTOR DETERMINED BY THE DEPARTMENT.

(F) FUNDING AND LOCAL MATCH [FOR PROGRAM GRANTS].--

(1) THE DEPARTMENT MAY AWARD [A PROGRAM GRANT] PROGRAM
FUNDING TO AN ELIGIBLE SCHOOL ENTITY IN AN AMOUNT UP TO 50% OF THE COST OF THE ELIGIBLE PROJECT. THE DEPARTMENT SHALL NOT ISSUE AN AWARD [A PROGRAM GRANT] IN EXCESS OF $10,000,000.

(2) A SCHOOL ENTITY MUST HAVE A LOCAL MATCH OF AT LEAST 50% OF THE TOTAL COST OF ALL PROJECTS LISTED IN ITS APPLICATION. THE LOCAL MATCH MAY COME FROM ANY NON-STATE SOURCE FUNDING, INCLUDING FEDERAL OR LOCAL MONEY AND DONATIONS. THE SCHOOL ENTITY MUST DOCUMENT ITS LOCAL MATCH AS PART OF ITS APPLICATION.

(3) AN ELIGIBLE SCHOOL ENTITY MAY NOT USE PROGRAM [GRANT] FUNDING MONEY FOR RECURRING UPKEEP ON PHYSICAL FACILITIES, INCLUDING CLEANING, MINOR REPAIR OF FIXTURES OR STRUCTURES, PAINTING UNRELATED TO THE ABATEMENT OR REMEDIATION OF LEAD PAINT OR THE REGULAR SERVICING OF HEATING, AIR CONDITIONING OR OTHER EQUIPMENT.

(G) GUIDELINES.--THE DEPARTMENT SHALL ISSUE GUIDELINES FOR THE PROGRAM [AT LEAST 60 DAYS] BEFORE THE BEGINNING OF THE APPLICATION PERIOD. THE GUIDELINES SHALL INCLUDE:

(1) THE APPLICATION PROCESS, INCLUDING DEADLINES.
(2) THE APPLICATION FORM DEVELOPED BY THE DEPARTMENT.
(3) INFORMATION ON ELIGIBLE PROJECTS.
(4) AN EXPLANATION OF THE PRIORITIZATION FACTORS.

(H) MONITORING.--THE DEPARTMENT, OR ITS DESIGNEE, SHALL RANDOMLY AUDIT AND MONITOR PROGRAM [GRANT] FUNDING RECIPIENTS TO ENSURE THE APPROPRIATE USE OF PROGRAM [GRANT] FUNDS AND COMPLIANCE WITH PROVISIONS OF THE PROGRAM.

(I) EFFECT OF [GRANT] MONEY RECEIVED.--PROGRAM [GRANT] MONEY RECEIVED BY A SCHOOL DISTRICT UNDER THIS SECTION MAY NOT BE INCLUDED WHEN CALCULATING THE AMOUNT TO BE PAID TO A CHARTER SCHOOL UNDER SECTION 1725-A.
(J) WHOLE OR PARTIAL AWARDS.--THE DEPARTMENT, IN ITS DISCRETION, MAY AWARD IN WHOLE OR IN PART A REQUEST MADE BY A SCHOOL ENTITY IN ITS [GRANT] FUNDING APPLICATION BASED UPON THE MERIT OF A SPECIFIC ITEM REQUESTED.

(K) REPORT.--THE DEPARTMENT SHALL PUBLISH PROGRAM [GRANT] AWARD INFORMATION, INCLUDING AWARD AMOUNTS AND A DESCRIPTION OF THE FUNDED PROJECT, ON ITS PUBLICLY ACCESSIBLE INTERNET WEBSITE AT THE CONCLUSION OF EACH FUNDING ROUND.

SECTION 51. THIS ACT SHALL TAKE EFFECT AS FOLLOWS:

(1) THE AMENDMENT OF SECTION 2007-G OF THE ACT SHALL TAKE EFFECT IN 60 DAYS.

(2) THIS SECTION SHALL TAKE EFFECT IMMEDIATELY.

(3) THE REMAINDER OF THIS ACT SHALL TAKE EFFECT IMMEDIATELY.