

## AN ACT

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

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

9 Section 1. Section 1725-A(a) of the act of March 10, 1949  
10 (P.L.30, No.14), known as the Public School Code of 1949,  
11 amended June 29, 2002 (P.L.524, No.88), is amended to read:

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

14 (1) There shall be no tuition charge for a resident or  
15 nonresident student attending a charter school.

16 (2) For non-special education students, the charter school  
17 shall receive for each student enrolled no less than the  
18 budgeted total expenditure per average daily membership of the  
19 prior school year, as defined in section 2501(20), minus the  
20 budgeted expenditures of the district of residence for nonpublic

1 school programs; adult education programs; community/junior  
2 college programs; student transportation services; for special  
3 education programs; facilities acquisition, construction and  
4 improvement services; and other financing uses, including debt  
5 service and fund transfers as provided in the Manual of  
6 Accounting and Related Financial Procedures for Pennsylvania  
7 School Systems established by the department. This amount shall  
8 be paid by the district of residence of each student.

9 (3) For special education students, the charter school shall  
10 receive for each student enrolled the same funding as for each  
11 non-special education student as provided in clause (2), plus an  
12 additional amount determined by dividing the district of  
13 residence's total special education expenditure by the product  
14 of multiplying the combined percentage of section 2509.5(k)  
15 times the district of residence's total average daily membership  
16 for the prior school year. This amount shall be paid by the  
17 district of residence of each student.

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

26 (5) Payments shall be made to the charter school in twelve  
27 (12) equal monthly payments, by the fifth day of each month,  
28 within the operating school year. A student enrolled in a  
29 charter school shall be included in the average daily membership  
30 of the student's district of residence for the purpose of

1 providing basic education funding payments and special education  
2 funding pursuant to Article XXV. If a school district fails to  
3 make a payment to a charter school as prescribed in this clause,  
4 the secretary shall deduct the estimated amount, as documented  
5 by the charter school, from any and all State payments made to  
6 the district after receipt of documentation from the charter  
7 school.

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

18 (7) Except in the case of any student enrolled in a charter  
19 or cyber charter school on the effective date of this clause, a  
20 school district that offers a kindergarten program shall not be  
21 required to provide per pupil funding to a charter or cyber  
22 charter school for a student who does not meet the minimum  
23 requirement for the age of kindergarten established by the board  
24 of school directors in the student's school district of  
25 residence.

26 (8) Except in the case of any student enrolled in a charter  
27 or cyber charter school on the effective date of this clause, a  
28 school district that does not offer a kindergarten program shall  
29 not be required to provide per pupil funding to a charter or  
30 cyber charter school for a student who does not meet the minimum

1 requirement for the age of beginner established by the board of  
2 school directors in the student's school district of residence.

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