

AN ACT

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

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

9 Section 1. Section 1725-A heading and (a) of the act of  
 10 March 10, 1949 (P.L.30, No.14), known as the Public School Code  
 11 of 1949, amended or added June 19, 1997 (P.L.225, No.22) and  
 12 June 29, 2002 (P.L.524, No.88), are amended to read:

13 Section 1725-A. Funding for Charter [Schools] School  
 14 Entities.--(a) Funding for a charter school entity shall be  
 15 provided in the following manner:

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

18 (2) For non-special education students, the charter school  
 19 entity shall receive for each student enrolled the following,

1 which shall be paid by the district of residence of each  
2 student:

3 (i) Through and including the 2014-2015 school year, no less  
4 than the budgeted total expenditure per average daily membership  
5 of the prior school year, as defined in section 2501(20), minus  
6 the budgeted expenditures of the district of residence for  
7 nonpublic school programs; adult education programs;  
8 community/junior college programs; student transportation  
9 services; for special education programs; facilities  
10 acquisition, construction and improvement services; and other  
11 financing uses, including debt service and fund transfers as  
12 provided in the Manual of Accounting and Related Financial  
13 Procedures for Pennsylvania School Systems established by the  
14 department. [This amount shall be paid by the district of  
15 residence of each student.]

16 (ii) Beginning in the 2015-2016 school year, the following:

17 (A) For a charter school or regional charter school, no less  
18 than the budgeted total expenditure per average daily membership  
19 of the prior school year, as defined in section 2501(20), minus  
20 the budgeted expenditures of the district of residence for  
21 nonpublic school programs; adult education programs;  
22 community/junior college programs; student transportation  
23 services; for special education programs; facilities  
24 acquisition, construction and improvement services; and other  
25 financing uses, including debt service and fund transfers as  
26 provided in the Manual of Accounting and Related Financial  
27 Procedures for Pennsylvania School Systems established by the  
28 department. This amount shall be paid by the district of  
29 residence of each student.

30 (B) For a cyber charter school, as follows:

1       (I) Where the student's district of residence does not  
2 operate its own full-time cyber school program, no less than the  
3 budgeted total expenditure per average daily membership of the  
4 prior school year, as defined in section 2501(20), minus the  
5 budgeted expenditures of the district of residence for nonpublic  
6 school programs; adult education programs; community/junior  
7 college programs; student transportation services; for special  
8 education programs; facilities acquisition, construction and  
9 improvement services; and other financing uses, including debt  
10 service and fund transfers as provided in the Manual of  
11 Accounting and Related Financial Procedures for Pennsylvania  
12 School Systems established by the department.

13       (II) Where the student's district of residence operates its  
14 own full-time cyber school program, an amount equal to the  
15 district's total expenditure per student enrolled in the  
16 district's full-time cyber school program. For purposes of this  
17 clause, the total expenditure per student shall include all  
18 instructional, noninstructional support, technological, food  
19 service and facilities expenditures that are related, in whole  
20 or in part, to supporting the district's full-time cyber school  
21 program.

22       (3) For special education students, the charter school  
23 entity shall receive for each student enrolled the same funding  
24 as for each non-special education student as provided in clause  
25 (2), plus an additional amount determined by dividing the  
26 district of residence's total special education expenditure by  
27 the product of multiplying the combined percentage of section  
28 2509.5(k) times the district of residence's total average daily  
29 membership for the prior school year. [This amount shall be paid  
30 by the district of residence of each student.]

1 (4) A charter school entity may request the intermediate  
2 unit in which the charter school entity is located to provide  
3 services to assist the charter school entity to address the  
4 specific needs of exceptional students. The intermediate unit  
5 shall assist the charter school entity and bill the charter  
6 school entity for the services. The intermediate unit may not  
7 charge the charter school entity more for any service than it  
8 charges the constituent districts of the intermediate unit.

9 (5) Payments shall be made to the charter school entity in  
10 twelve (12) equal monthly payments, by the fifth day of each  
11 month, within the operating school year. A student enrolled in a  
12 charter school entity shall be included in the average daily  
13 membership of the student's district of residence for the  
14 purpose of providing basic education funding payments and  
15 special education funding pursuant to Article XXV. If a school  
16 district fails to make a payment to a charter school entity as  
17 prescribed in this clause, the secretary shall deduct the  
18 estimated amount, as documented by the charter school entity,  
19 from any and all State payments made to the district after  
20 receipt of documentation from the charter school entity.

21 (6) Within thirty (30) days after the secretary makes the  
22 deduction described in clause (5), a school district may notify  
23 the secretary that the deduction made from State payments to the  
24 district under this subsection is inaccurate. The secretary  
25 shall provide the school district with an opportunity to be  
26 heard concerning whether the charter school entity documented  
27 that its students were enrolled in the charter school entity,  
28 the period of time during which each student was enrolled, the  
29 school district of residence of each student and whether the  
30 amounts deducted from the school district were accurate.

1        (7) As used in this subsection, the phrase "charter school  
2 entity" shall mean a charter school, regional charter school or  
3 cyber charter school.

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