

AMENDMENTS TO SENATE BILL NO. 1216

Sponsor: SENATOR CORMAN

Printer's No. 2038

1 Amend Bill, page 1, line 6, by inserting after "REQUIREMENTS"
2 , for special provisions applicable to the Keystone Exams,
3 graduation requirements and alternative competency assessment
4 and for Special Education Funding Commission

5 Amend Bill, page 1, lines 12 through 14, by striking out
6 "AND, IN SCHOOL HEALTH SERVICES," in line 12 and all of lines 13
7 and 14 and inserting
8 in terms and courses of study, further providing for pandemic
9 of 2020; and, in educational tax credits, further providing
10 for limitations.

11 Amend Bill, page 2, line 12, by striking out "STATE OR LOCAL"

12 Amend Bill, page 2, by inserting between lines 16 and 17

13 Section 2. The act is amended by adding a section to read:

14 Section 121.1. Special Provisions Applicable to the Keystone
15 Exams, Graduation Requirements and Alternative Competency
16 Assessment.--For the 2019-2020 school year and any subsequent
17 school year in which the Federal Government has waived the
18 testing and accountability requirements of the Elementary and
19 Secondary Education Act of 1965 (Public Law 89-10, 20 U.S.C. §
20 6301 et seq.), as amended by the Every Student Succeeds Act
21 (Public Law 114-95, 129 Stat. 1802), any student who completed a
22 course in an academic content area associated with a Keystone
23 Exam shall not be required to take the Keystone Exam related to
24 that course and shall be deemed proficient for purposes of
25 sections 121 and 2604-B(b)(2)(v) and 22 Pa. Code § 4.24
26 (relating to high school graduation requirements), provided that
27 the student demonstrates successful completion of locally
28 established, grade-based requirements for the academic content
29 areas associated with each Keystone Exam.

30 Section 2.1. Section 122(k)(2) of the act, amended June 5,
31 2020 (P.L.223, No.30), is amended to read:

32 Section 122. Special Education Funding Commission.--* * *
33 (k) * * *

1 (2) The commission shall be reconstituted not later than
2 August 15, 2019, and shall issue the report to the recipients
3 listed in subsection (i)(5) not later than [September 30, 2020]
4 June 30, 2021. The commission shall limit the scope of the
5 review provided for under this subsection to only the provision
6 of special education payments to school districts by the
7 Commonwealth through the funding formula contained in section
8 2509.5.

9 * * *

10 Amend Bill, page 2, line 17, by striking out "2" and
11 inserting

12 3

13 Amend Bill, page 3, line 3, by striking out "3" and inserting

14 4

15 Amend Bill, page 4, by inserting between lines 20 and 21

16 (5) Extend an emergency permit issued under 22 Pa. Code §
17 49.31 (relating to criteria for eligibility) during the 2020-
18 2021 school year at the request of a school entity that employs
19 an emergency permit holder when an employee is unable to complete
20 the requirements associated with the permit because the program
21 credits or assessment could not be completed or scheduled. The
22 extended emergency permit shall expire one year from the date of
23 extension. This paragraph shall expire June 30, 2021.

24 Amend Bill, page 4, line 21, by striking out "(5)" and
25 inserting

26 (6)

27 Amend Bill, page 5, lines 14 through 24, by striking out "THE
28 FOLLOWING PROVISIONS RELATING TO TESTING OF STUDENTS" in line
29 14, all of lines 15 through 23 and "(2)" in line 24

30 Amend Bill, page 5, line 24, by striking out "SHALL" and
31 inserting

32 may

33 Amend Bill, page 6, line 1, by inserting after "YEAR."

34 This paragraph may not be construed to include the power of
35 the Secretary of Education to seek a waiver for future school
36 years without legislative approval.

37 Amend Bill, page 6, lines 2 through 30; page 7, lines 1

1 through 20; by striking out all of said lines on said pages

2 Amend Bill, page 7, lines 22 through 29, by striking out
3 "ALTHOUGH THE CURRENT PROVISIONS OF" in line 22, all of lines 23
4 through 28 and "(B)" in line 29

5 Amend Bill, page 8, line 9, by striking out "(C)" and
6 inserting

7 (b)

8 Amend Bill, page 8, lines 16 through 30; page 9, lines 1
9 through 20; by striking out all of said lines on said pages

10 Amend Bill, page 9, by inserting between lines 23 and 24

11 Section 5. Section 1501.8(a) of the act, added March 27,
12 2020 (P.L.62, No.13), is amended and the section is amended by
13 adding a subsection to read:

14 Section 1501.8. Pandemic of 2020.--(a) [This] Except as
15 provided in subsection (m.1), this section applies only to the
16 2019-2020 school year as a result of the global pandemic
17 declared by the World Health Organization on March 11, 2020.

18 * * *

19 (m.1) Notwithstanding subsection (a):

20 (1) The following apply to the 2020-2021 school year as a
21 result of the COVID-19 disaster emergency:

22 (i) Notwithstanding the provisions of this act, a school
23 entity shall receive a pupil transportation subsidy payment
24 equal to the greater of the amount calculated for reimbursement
25 or the amount allocated to the school entity for the prior
26 school year.

27 (ii) To receive a pupil transportation subsidy payment equal
28 to the amount allocated to the school entity for the prior
29 school year, a school entity that contracts for school bus
30 transportation services shall pay the school bus transportation
31 contractor for the school year in an amount that the school bus
32 transportation contractor would have received from the school
33 entity had school bus transportation services not been so
34 affected by the COVID-19 disaster emergency minus the amount of
35 any variable costs provided the school bus transportation
36 contractor certifies the variable costs to the school district.

37 (iii) The Department of Education shall develop and publish
38 guidelines on variable costs in consultation with the
39 Pennsylvania Association of School Business Officials, the
40 Pennsylvania School Boards Association and the Pennsylvania
41 School Bus Association within thirty (30) days of the effective
42 date of this paragraph.

1 (2) For the purposes of this subsection, the term "variable
2 costs" means the difference between costs for labor, fuel,
3 tolls, maintenance and other expenses as determined by the
4 department during normal operations of school bus transportation
5 and those same costs during the COVID-19 disaster emergency.

6 * * *

7 Section 6. Section 2006-B(d) of the act is amended and the
8 section is amended by adding a subsection to read:
9 Section 2006-B. Limitations.

10 * * *

11 (d) Use.--[A] Subject to subsection (d.1), a tax credit not
12 used by the applicant in the taxable year the contribution was
13 made or in the year designated by the shareholder, member or
14 partner to whom the credit was transferred under section 2005-
15 B(e) may not be carried forward or carried back and is not
16 refundable or transferable.

17 (d.1) Pandemic relief.--

18 (1) A tax credit awarded to a business firm during the
19 2020-2021 or 2021-2022 fiscal year that cannot be used by the
20 business firm during the fiscal year in which awarded may be
21 carried forward and used during the two taxable years
22 following the taxable year in which the tax credit was
23 awarded.

24 (2) Tax credits that are carried forward under this
25 subsection shall not diminish the total amount of tax credits
26 that may otherwise be awarded to a business firm under
27 section 2005-B or that may be awarded to all business firms
28 in the aggregate under subsection (a).

29 * * *

30 Amend Bill, page 9, line 24, by striking out "5" and
31 inserting