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THE GENERAL ASSEMBLY OF PENNSYLVANIA

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HOUSE BILL

No. 402      Session of  
1995

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INTRODUCED BY STAIRS, WAUGH, GORDNER, MICOZZIE, HERMAN,  
VAN HORNE, FLEAGLE, GRUPPO, E. Z. TAYLOR, WOZNIAK, RAYMOND,  
BUNT, STURLA, RUBLEY, COWELL, COLAFELLA, CIVERA, MARKOSEK,  
DeLUCA, BOSCOLA, ARGALL, TRICH, FAJT, BAKER, GEIST, MILLER,  
SATHER, MERRY, HENNESSEY, STEIL, STERN, HANNA, STEELMAN,  
SEMMELE AND SAYLOR, JANUARY 31, 1995

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REFERRED TO COMMITTEE ON EDUCATION, JANUARY 31, 1995

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AN ACT

1 Establishing a program to encourage school entities to provide  
2 certain cooperative services; providing additional powers and  
3 duties of the Department of Education; and making an  
4 appropriation.

5 The General Assembly of the Commonwealth of Pennsylvania  
6 hereby enacts as follows:

7 Section 1. Short title.

8 This act shall be known and may be cited as the School  
9 Incentive Funding Act.

10 Section 2. Definitions.

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

14 "Department." The Department of Education of the  
15 Commonwealth.

16 "Disruptive student program." Any program which removes  
17 disruptive students from regular school programs in order to

1 provide those students with an educational program designed to  
2 modify disruptive behavior and return the students to a regular  
3 school program.

4 "School entity." A school district, intermediate unit, area  
5 vocational-technical school and a joint operating board of a  
6 school.

7 "Secretary." The Secretary of Education of the Commonwealth.  
8 Section 3. Establishment of program.

9 There is hereby established a program to provide short-term  
10 incentive grants to encourage school entities to provide  
11 cooperative services for education programs. This program shall  
12 provide incentive funding for cooperative services that generate  
13 savings for school entities.

14 Section 4. Procedure.

15 (a) Application form.--The department shall develop an  
16 application form for funding within 60 days of the effective  
17 date of this act.

18 (b) Submission.--Applications shall be submitted by a  
19 consortium of school entities or by an intermediate unit on  
20 behalf of more than one of its constituent districts.  
21 Applications under this program shall be submitted to the  
22 department for approval or disapproval by April 1 of the year  
23 preceding the year for which funding is requested.

24 (c) Approval.--The department shall have 90 days to approve  
25 or disapprove the application. The department's approval or  
26 disapproval shall include a review of the estimated costs and  
27 savings of the program, with priority for approval for  
28 applications which maximize cost savings for school entities.  
29 The department is authorized to negotiate the costs of the  
30 program with the school entities prior to approving the

1 application. Failure to approve or disapprove an application  
2 within this time period shall be deemed to constitute approval  
3 of the application.

4 (d) Exclusions.--Applications shall not be approved for  
5 programs providing instruction in special education and  
6 vocational education, for services for students attending  
7 nonpublic schools, other than transportation to nonpublic  
8 schools as provided under section 1361 of the act of March 10,  
9 1949 (P.L.30, No.14), known as the Public School Code of 1949,  
10 or for programs for disruptive students.

#### 11 Section 5. Funding.

12 (a) Calculation.--School entities shall be reimbursed the  
13 amount of the incentive grants in September of the fiscal year  
14 following the cooperative program. Reimbursement shall be paid  
15 in the following manner:

16 (1) For the first year of the program, the participating  
17 school entities shall receive 10% of the program costs of the  
18 participating entities.

19 (2) For the second year of the program, the  
20 participating school entities shall receive 5% of the program  
21 costs of the participating entities.

22 (3) For the third year of the program, the participating  
23 school entities shall receive 2.5% of the costs of the  
24 participating entities.

25 (b) Division of reimbursement.--The participating entities  
26 shall determine the division of the reimbursement among the  
27 entities in the application submitted to the department.  
28 However, a school entity which drops out of a cooperative  
29 program shall no longer receive incentive funding. Funding shall  
30 not be used by school entities for planning purposes.

1 Section 6. Report.

2 The secretary shall file a report with the chairman and the  
3 minority chairman of the Education Committee of the Senate and  
4 the chairman and minority chairman of the Education Committee of  
5 the House of Representatives by October 1 of the year in which  
6 the cooperative services are provided.

7 Section 7. Appropriation.

8 The sum of \$10,000,000, or as much thereof as may be  
9 necessary, is hereby appropriated to the Department of Education  
10 for the purposes of this act for the 1996-1997 fiscal year.

11 Section 8. Effective date.

12 This act shall take effect July 1, 1996.