

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 837 Session of
1995

INTRODUCED BY KREBS, STAIRS, SATHER, TULLI, ROBERTS, COWELL,
CARONE, HANNA, STEELMAN, CURRY, DALEY, FLEAGLE, SCHULER,
STURLA, STETLER, HORSEY, CIVERA, BARLEY AND BELFANTI,
FEBRUARY 14, 1995

SENATOR TILGHMAN, APPROPRIATIONS, IN SENATE, RE-REPORTED AS
AMENDED, JUNE 28, 1996

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 CERTAIN <—
6 CONTRACTS AND PAYMENTS; providing for a standard employment
7 application form for school districts for certain applicants
8 AND FOR GRANTS RELATING TO COMPUTERS IN EDUCATION; AND <—
9 FURTHER PROVIDING FOR SCHOOL SUBSIDIES, FOR ELIGIBLE LISTS OF
10 PERSONS QUALIFIED TO TEACH, FOR SPECIAL EDUCATION, FOR
11 REPORTS RELATED TO SPECIAL EDUCATION PAYMENTS AND FOR CERTAIN
12 COURT-ORDERED PAYMENTS.

13 The General Assembly of the Commonwealth of Pennsylvania
14 hereby enacts as follows:

15 ~~Section 1. The act of March 10, 1949 (P.L.30, No.14), known <—~~
16 ~~as the Public School Code of 1949, is amended by adding a~~
17 ~~section to read:~~

18 SECTION 1. SECTION 914.1-A(B) AND (E) OF THE ACT OF MARCH <—
19 10, 1949 (P.L.30, NO.14), KNOWN AS THE PUBLIC SCHOOL CODE OF
20 1949, AMENDED OR ADDED APRIL 6, 1980 (P.L.86, NO.30), JUNE 30,
21 1980 (P.L.279, NO.80) AND OCTOBER 20, 1988 (P.L.827, NO.110),

1 ARE AMENDED TO READ:

2 SECTION 914.1-A. CONTRACTS WITH PRIVATE RESIDENTIAL
3 REHABILITATIVE INSTITUTIONS.--* * *

4 (B) [THE ACTUAL COST, NOT TO EXCEED ONE AND ONE-QUARTER
5 TIMES THE TUITION CHARGES OF THE SCHOOL DISTRICT IN WHICH SUCH
6 PRIVATE RESIDENTIAL REHABILITATIVE INSTITUTION IS LOCATED, SHALL
7 BE BORNE AS FOLLOWS:

8 (1) THE FULL TUITION CHARGE OF THE SCHOOL DISTRICT IN WHICH
9 THE PRIVATE RESIDENTIAL REHABILITATIVE INSTITUTION IS LOCATED
10 SHALL BE PAID BY THE SCHOOL DISTRICT OF THE CHILD'S RESIDENCE.

11 (2) ANY ADDITIONAL CHARGES NOT TO EXCEED ONE-QUARTER OF THE
12 TUITION CHARGE UNDER CLAUSE (1) SHALL BE PAID BY THE
13 COMMONWEALTH. IN THE EVENT THAT THE FUNDS APPROPRIATED FOR
14 PAYMENTS BY THE COMMONWEALTH ARE INSUFFICIENT TO PROVIDE FOR
15 FULL PAYMENT OF ANY ADDITIONAL CHARGES, THE AMOUNT PER SCHOOL
16 SHALL BE PRORATED.] THE COST OF THE EDUCATIONAL SERVICES AS
17 PROVIDED IN SUBSECTION (C) SHALL BE DETERMINED UNDER SECTION
18 2561(6) OF THIS ACT. IF THE SCHOOL DISTRICT OF RESIDENCE OF THE
19 CHILD CANNOT BE DETERMINED, THE COSTS SHALL BE BORNE BY THE
20 DEPARTMENT OF EDUCATION. THE DEPARTMENT SHALL PROMULGATE AUDIT
21 STANDARDS WHICH SHALL BE USED BY THE CONTRACTING PARTIES IN
22 DETERMINING THE ACTUAL COSTS WHICH ARE SUBJECT TO REIMBURSEMENT
23 TO THE PRIVATE RESIDENTIAL REHABILITATIVE INSTITUTION. THE AUDIT
24 STANDARDS, PROMULGATED BY THE DEPARTMENT, SHALL SPECIFY AS
25 REASONABLE COSTS ASSOCIATED WITH THE OPERATION OF THE
26 EDUCATIONAL PROGRAM OFFERED. THE DEPARTMENT SHALL EFFECTUATE
27 NECESSARY PROCEDURES FOR THE TRANSFER OF FUNDS FROM THE SCHOOL
28 DISTRICT OF RESIDENCE TO THE SCHOOL DISTRICT OR INTERMEDIATE
29 UNIT IN WHICH THE PRIVATE RESIDENTIAL REHABILITATIVE INSTITUTION
30 IS LOCATED. IN EFFECTUATING THE TRANSFER OF FUNDS, THE

1 DEPARTMENT MAY DEDUCT THE APPROPRIATE AMOUNT FROM THE BASIC
2 INSTRUCTIONAL SUBSIDY OF ANY SCHOOL DISTRICT WHICH HAD RESIDENT
3 STUDENTS THAT WERE PROVIDED EDUCATIONAL SERVICES BY A PRIVATE
4 RESIDENTIAL REHABILITATIVE INSTITUTION.

5 * * *

6 [(E) IF A PRIVATE RESIDENTIAL REHABILITATIVE INSTITUTION
7 ENTERS INTO A CONTRACT CONTEMPLATED BY THIS SECTION FOR 1980-
8 1981 WITH ITS INTERMEDIATE UNIT, PAYMENTS TO SUCH INSTITUTION
9 MAY BE MADE FOR EDUCATIONAL EXPENSES FOR THE ENTIRE 1979-1980
10 FISCAL YEAR FROM THE APPROPRIATION MADE TO THE DEPARTMENT OF
11 PUBLIC WELFARE CONTAINED IN THE ACT OF JULY 4, 1979 (P.L.626,
12 NO.9A), KNOWN AS THE "GENERAL APPROPRIATION ACT OF 1979," UNDER
13 THE ITEM "FOR PAYMENT OF COSTS FOR BASIC EDUCATION PROGRAMS TO
14 BE CONDUCTED AT SELECTED APPROVED PRIVATE FACILITIES."
15 NOTWITHSTANDING ANY AUTOMATIC OR GENERAL LAPSING PROVISIONS OF
16 THE "GENERAL APPROPRIATION ACT OF 1979" TO THE CONTRARY, SUCH
17 LINE ITEM APPROPRIATION SHALL NOT LAPSE UNTIL JUNE 30, 1981. IF
18 SUCH APPROPRIATION IS NOT SUFFICIENT TO REIMBURSE THE ACTUAL
19 EXPENSES OF ALL ELIGIBLE INSTITUTIONS, TOTAL REIMBURSEMENT TO
20 EACH INSTITUTION SHALL BE PROPORTIONATELY REDUCED SO THAT THE
21 TOTAL AMOUNT OF THE REIMBURSEMENTS FALLS WITHIN THE LIMITS OF
22 THE APPROPRIATION.]

23 SECTION 2. SECTION 917.1-A OF THE ACT, AMENDED JULY 10, 1986
24 (P.L.1270, NO.117), IS AMENDED TO READ:

25 SECTION 917.1-A. COMMONWEALTH PAYMENTS.--(A) FOR THE SCHOOL
26 YEAR 1977-1978 THROUGH THE SCHOOL YEAR 1985-1986, THE
27 COMMONWEALTH SHALL PAY TO INTERMEDIATE UNITS AN AMOUNT EQUAL TO
28 THE PRODUCT OF THE STATEWIDE MEDIAN ACTUAL INSTRUCTION EXPENSE
29 PER WEIGHTED AVERAGE DAILY MEMBERSHIP (WADM) BY THE PRODUCT OF
30 FORTY-FIVE ONE-HUNDREDTHS OF ONE PERCENT (0.45%) AND THE AVERAGE

1 DAILY MEMBERSHIP OF ALL SCHOOL DISTRICTS IN THE COMMONWEALTH, AS
2 DETERMINED BY THE SECRETARY OF EDUCATION ACCORDING TO THE LATEST
3 AVAILABLE ACTUAL DATA. FOR THE SCHOOL YEAR 1986-1987 AND EACH
4 SCHOOL YEAR THEREAFTER, THE COMMONWEALTH SHALL PAY TO
5 INTERMEDIATE UNITS AN AMOUNT EQUAL TO THE PRODUCT OF THE
6 STATEWIDE MEDIAN ACTUAL INSTRUCTION EXPENSE PER WEIGHTED AVERAGE
7 DAILY MEMBERSHIP (WADM) BY THE PRODUCT OF FORTY ONE-HUNDREDTHS
8 OF ONE PERCENT (0.40%) AND THE AVERAGE DAILY MEMBERSHIP OF ALL
9 SCHOOL DISTRICTS IN THE COMMONWEALTH, AS DETERMINED BY THE
10 SECRETARY OF EDUCATION ACCORDING TO THE LATEST AVAILABLE DATA.

11 (B) FOR THE SCHOOL YEAR 1977-1978 AND EACH SCHOOL YEAR
12 THEREAFTER, EACH INTERMEDIATE UNIT SHALL BE PAID THE AMOUNT IT
13 RECEIVED FROM THE COMMONWEALTH FOR THE 1976-1977 SCHOOL YEAR.

14 (C) IN ADDITION TO THE AMOUNT PAID TO EACH INTERMEDIATE UNIT
15 UNDER SUBSECTION (B), EACH INTERMEDIATE UNIT SHALL BE PAID FOR
16 THE 1977-1978 SCHOOL YEAR THROUGH THE 1985-1986 SCHOOL YEAR AN
17 AMOUNT DETERMINED BY SUBTRACTING THE TOTAL PAYMENTS UNDER
18 SUBSECTION (B) FROM THE TOTAL ALLOCATION UNDER SUBSECTION (A)
19 DIVIDED BY THE AVERAGE DAILY MEMBERSHIP (ADM) OF ALL SCHOOL
20 DISTRICTS IN THE COMMONWEALTH MULTIPLIED BY THE AVERAGE DAILY
21 MEMBERSHIP (ADM) OF ALL COMPONENT SCHOOL DISTRICTS IN THE
22 INTERMEDIATE UNIT, AS DETERMINED BY THE SECRETARY OF EDUCATION
23 ACCORDING TO THE LATEST ACTUAL DATA AVAILABLE. IN ADDITION TO
24 THE AMOUNT PAID TO EACH INTERMEDIATE UNIT UNDER SUBSECTION (B),
25 EACH INTERMEDIATE UNIT SHALL BE PAID FOR THE 1986-1987 SCHOOL
26 YEAR [AND EACH YEAR THEREAFTER] THROUGH THE 1995-1996 SCHOOL
27 YEAR AN AMOUNT DETERMINED BY SUBTRACTING THE TOTAL PAYMENTS
28 UNDER SUBSECTION (B) FROM THE TOTAL ALLOCATION UNDER SUBSECTION
29 (A). ONE-HALF OF THAT AMOUNT SHALL BE DIVIDED BY TWENTY-NINE AND
30 THE AMOUNT DERIVED PAID TO EACH INTERMEDIATE UNIT. THE REMAINING

1 ONE-HALF SHALL BE DIVIDED BY THE AVERAGE DAILY MEMBERSHIP (ADM)
2 OF ALL SCHOOL DISTRICTS IN THE COMMONWEALTH AND MULTIPLIED BY
3 THE AVERAGE DAILY MEMBERSHIP (ADM) OF ALL COMPONENT SCHOOL
4 DISTRICTS IN THE INTERMEDIATE UNIT, AS DETERMINED BY THE
5 SECRETARY OF EDUCATION ACCORDING TO THE LATEST ACTUAL AVAILABLE
6 DATA, AND THE AMOUNT DERIVED PAID TO EACH INTERMEDIATE UNIT.

7 [(D) IN JANUARY OF EACH YEAR, THE SECRETARY OF EDUCATION
8 SHALL DETERMINE FOR EACH INTERMEDIATE UNIT THE AMOUNT TO BE
9 RECEIVED FOR THE SUCCEEDING FISCAL YEAR.

10 (E) ANY FUNDS EXPENDED BY INTERMEDIATE UNITS ON SPECIAL
11 EDUCATION INSTRUCTION SHALL BE ADDED TO THE SPECIAL EDUCATION
12 BASE ALLOCATION FOR PURPOSES OF CALCULATING THE BASE INCREASE
13 FOR SPECIAL EDUCATION PROGRAMS.]

14 (F) FOR THE 1996-1997 SCHOOL YEAR, EACH INTERMEDIATE UNIT
15 SHALL RECEIVE FIFTY PERCENT (50%) OF ITS AMOUNT RECEIVED UNDER
16 THIS SECTION FOR THE 1995-1996 SCHOOL YEAR.

17 SECTION 3. THE ACT IS AMENDED BY ADDING A SECTION TO READ:
18 Section 1204.1. Standard Employment Application.--(a) The
19 Secretary of Education, in consultation with organizations
20 representing school administrators, including personnel
21 administrators, teachers and school boards, shall develop a
22 standard employment application form for use by individuals
23 eligible for or in possession of instructional, vocational
24 instructional, intern or vocational intern teaching
25 certificates, in making application for employment with school
26 districts within this Commonwealth.

27 (b) School districts shall use these standard employment
28 application forms for applicants for teaching positions;
29 however, in no case shall the provisions of this section
30 preclude a school district from establishing and implementing

1 other application requirements.

2 (c) The form shall be made available to approved colleges
3 and universities of teacher education. The form may be
4 duplicated by these institutions and distributed to graduates of
5 the institution seeking employment in school districts of this
6 Commonwealth.

7 ~~Section 2. This act shall take effect as follows:~~ <—

8 ~~(1) The addition of section 1204.1(b) and (c) of the act~~
9 ~~shall take effect January 1, 1997.~~

10 ~~(2) The remainder of this act shall take effect~~
11 ~~immediately.~~

12 SECTION 4. THE ACT IS AMENDED BY ADDING AN ARTICLE TO READ: <—

13 ARTICLE XV-A.

14 PROJECT LINK TO LEARN.

15 SECTION 1501-A. LEGISLATIVE FINDINGS.--THE GENERAL ASSEMBLY
16 FINDS AS FOLLOWS:

17 (1) PENNSYLVANIA'S ABILITY TO COMPETE IN AN INCREASINGLY
18 GLOBAL ECONOMY DEPENDS UPON ITS STUDENTS BEING EQUIPPED WITH THE
19 SKILLS NEEDED FOR THE TWENTY-FIRST CENTURY WHICH INCLUDES
20 TECHNOLOGY SKILLS.

21 (2) TECHNOLOGIES SUCH AS COMPUTERS, EDUCATIONAL SOFTWARE,
22 SATELLITE DISHES AND ACCESS TO TELECOMMUNICATIONS NETWORKS HAVE
23 THE POTENTIAL TO SIGNIFICANTLY IMPROVE THE EDUCATION PROVIDED TO
24 STUDENTS IN THIS COMMONWEALTH AND TO ENHANCE THEIR ABILITY TO
25 PARTICIPATE IN THE INCREASINGLY TECHNOLOGICAL AND INFORMATION-
26 DRIVEN ECONOMY OF THE TWENTY-FIRST CENTURY.

27 (3) A WELL-TRAINED AND WELL-EDUCATED WORK FORCE IS ESSENTIAL
28 TO THE ECONOMIC WELL-BEING OF THIS COMMONWEALTH.

29 (4) MANY SCHOOLS DO NOT HAVE SUFFICIENT FINANCIAL RESOURCES
30 TO PROVIDE STUDENTS WITH ACCESS TO ADVANCED TECHNOLOGIES, AND

1 MANY SCHOOL DISTRICT TEACHERS AND STAFF DO NOT HAVE SUFFICIENT
2 TRAINING TO EFFECTIVELY UTILIZE TECHNOLOGY IN SCHOOLS.

3 (5) THERE IS A NEED FOR A WIDELY ACCESSIBLE STATEWIDE
4 TELECOMMUNICATIONS INFRASTRUCTURE IN ORDER TO ENABLE
5 PENNSYLVANIA SCHOOLS TO RECEIVE AND BENEFIT FROM EXISTING AND
6 EXPECTED EDUCATIONAL SERVICES AND APPLICATIONS.

7 SECTION 1502-A. DEFINITIONS.--AS USED IN THIS ARTICLE,
8 "COMMUNITY COLLEGE" SHALL MEAN A PUBLIC COLLEGE OR TECHNICAL
9 INSTITUTE WHICH IS ESTABLISHED AND OPERATED UNDER ARTICLE XIX-A
10 AND ALL BRANCH CAMPUSES OF A COMMUNITY COLLEGE OR TECHNICAL
11 INSTITUTE.

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

14 "INDEPENDENT INSTITUTION OF HIGHER EDUCATION" SHALL MEAN AN
15 INSTITUTION OF HIGHER EDUCATION WHICH IS OPERATED NOT-FOR-
16 PROFIT, LOCATED IN AND INCORPORATED OR CHARTERED BY THE
17 COMMONWEALTH, ENTITLED TO CONFER DEGREES AS SET FORTH IN SECTION
18 211 OF THE ACT OF MAY 5, 1933 (P.L.289, NO.105), KNOWN AS THE
19 "NONPROFIT CORPORATION LAW" OR UNDER 24 PA.C.S. CHAPTER 65
20 (RELATING TO PRIVATE COLLEGES, UNIVERSITIES AND SEMINARIES) AND
21 ENTITLED TO APPLY TO ITSELF THE DESIGNATION "COLLEGE" OR
22 "UNIVERSITY" AS PROVIDED FOR BY STANDARDS AND QUALIFICATIONS
23 PRESCRIBED UNDER 24 PA.C.S. CH. 65.

24 "THE PENNSYLVANIA EDUCATION NETWORK" OR "PEN" SHALL MEAN THE
25 STATEWIDE TELECOMMUNICATIONS NETWORK WHICH WILL BE DEVELOPED BY
26 BUILDING UPON AND INTEGRATING, WHERE APPROPRIATE, EXISTING
27 TELECOMMUNICATIONS INFRASTRUCTURES AND RESOURCES. EDUCATIONAL
28 INSTITUTIONS WILL BE ABLE TO CONNECT TO THIS NETWORK TO BE
29 LINKED TO OTHER TEACHERS, ADMINISTRATORS, STUDENTS, EXPERTS AND
30 OTHER INFORMATION RESOURCES.

1 "STATE-OWNED INSTITUTION" SHALL MEAN AN INSTITUTION WHICH IS
2 PART OF STATE SYSTEM OF HIGHER EDUCATION UNDER ARTICLE XX-A AND
3 ALL BRANCHES AND CAMPUSES OF A STATE-OWNED INSTITUTION.

4 "STATE-RELATED INSTITUTION" SHALL MEAN THE PENNSYLVANIA STATE
5 UNIVERSITY, INCLUDING THE PENNSYLVANIA COLLEGE OF TECHNOLOGY,
6 THE UNIVERSITY OF PITTSBURGH, TEMPLE UNIVERSITY AND LINCOLN
7 UNIVERSITY AND THEIR BRANCH CAMPUSES.

8 "TECHNOLOGY" SHALL MEAN ANY TECHNICAL OR SCIENTIFIC METHOD OF
9 SENDING, RECEIVING, STORING, PACKAGING OR ASSIMILATING AUDIO,
10 VIDEO, GRAPHICS, DATA OR ANY COMBINATION THEREOF BY MEANS OF
11 ELECTROMAGNETIC SIGNAL AND ANY EQUIPMENT, PROCESSES AND
12 FACILITIES USED FOR THAT PURPOSE.

13 SECTION 1503-A. BASIC EDUCATION GRANTS.--(A) GRANTS SHALL
14 BE ALLOCATED TO SCHOOL DISTRICTS BY THE DEPARTMENT FROM FUNDS
15 APPROPRIATED FOR THIS PURPOSE. A NONPUBLIC SCHOOL, AN AREA
16 VOCATIONAL-TECHNICAL SCHOOL, AN INTERMEDIATE UNIT OR LOCAL
17 LIBRARY MAY PARTICIPATE IN THE GRANT PROCESS THROUGH A
18 PARTNERSHIP WITH A SCHOOL DISTRICT.

19 (B) GRANTS SHALL BE USED TO:

20 (1) IMPROVE THE QUALITY AND QUANTITY OF TECHNOLOGY WITHIN
21 THE SCHOOL BY PURCHASING TECHNOLOGY AND SOFTWARE IN ACCORDANCE
22 WITH STANDARDS DEVELOPED BY THE DEPARTMENT AND THE OFFICE OF
23 ADMINISTRATION.

24 (2) EQUIP SCHOOLS WITH THE APPROPRIATE LOCAL AREA NETWORKING
25 (LAN) AND WIDE AREA NETWORK (WAN) TECHNOLOGIES SO THAT SCHOOLS
26 CAN CONNECT TO THE PENNSYLVANIA EDUCATION NETWORK.

27 (3) PROVIDE FOR THE TRAINING OF TEACHERS AND STAFF IN WAYS
28 TO EFFECTIVELY INTEGRATE THE TECHNOLOGY WITH THE CURRICULUM.

29 (C) (1) GRANTS SHALL BE ALLOCATED THROUGH A GRANT REVIEW
30 PROCESS ESTABLISHED BY THE SECRETARY OF EDUCATION.

1 (2) THE SECRETARY SHALL ESTABLISH MATCHING REQUIREMENTS FOR
2 GRANT RECIPIENTS WITH A MARKET VALUE/INCOME AID RATIO, AS
3 DEFINED IN SECTION 2501 OF THIS ACT, WHICH IS LESS THAN .4000.
4 GRANT RECIPIENTS WITH A MARKET VALUE/INCOME AID RATIO WHICH IS
5 EQUAL TO OR GREATER THAN .7000 SHALL BE ELIGIBLE FOR LARGER
6 GRANT AWARDS AS DETERMINED BY THE SECRETARY. A SCHOOL DISTRICT
7 OF THE FIRST CLASS SHALL BE ELIGIBLE FOR A GRANT AWARD WHICH
8 SHALL NOT EXCEED THREE MILLION DOLLARS (\$3,000,000) AND A SCHOOL
9 DISTRICT OF THE FIRST CLASS A SHALL BE ELIGIBLE FOR A GRANT
10 AWARD WHICH SHALL NOT EXCEED SIX HUNDRED THOUSAND DOLLARS
11 (\$600,000), UNLESS THE GRANT AWARDS ARE INCLUDED WITHIN A
12 PARTNERSHIP.

13 (3) THE APPLICATION FOR A GRANT SHALL BE MADE AT SUCH TIME
14 AND IN SUCH FORM AS THE SECRETARY OF EDUCATION MAY REQUIRE.

15 (4) PRIORITY WILL BE GIVEN TO THOSE APPLICATIONS WHICH
16 CONSIST OF PARTNERSHIPS.

17 SECTION 1504-A. HIGHER EDUCATION FUNDING.--(A) THE
18 DEPARTMENT AND THE OFFICE OF ADMINISTRATION SHALL ESTABLISH
19 MANAGEMENT TEAMS TO PROVIDE DIRECTION AND OVERSIGHT AND TO
20 DISTRIBUTE FUNDS APPROPRIATED FOR THE RESEARCHING, PLANNING AND
21 DEVELOPMENT OF THE PENNSYLVANIA EDUCATION NETWORK WHICH SHALL
22 INCLUDE, BUT NOT BE LIMITED TO, THE FOLLOWING FOCUS AREAS:

23 (1) DOCUMENTING PUBLIC AND PRIVATE TECHNOLOGY RESOURCES,
24 INCLUDING, BUT NOT LIMITED TO, EXISTING TELECOMMUNICATIONS
25 NETWORKS, VIDEO CONFERENCING CAPABILITIES AND DISTANCE EDUCATION
26 COURSES AND IDENTIFYING TECHNOLOGY TRANSFER OPPORTUNITIES THAT
27 CAN BE LEVERAGED FOR THE PENNSYLVANIA EDUCATION NETWORK.

28 (2) ESTABLISHING TECHNOLOGY TEST-BED SITES TO DEVELOP
29 EDUCATIONAL CONTENT AND EVALUATE COMPETING TECHNOLOGIES AND
30 METHODOLOGIES.

1 (3) DEVELOPING A SHARED STATEWIDE VISION AND STRATEGIC PLAN
2 FOR BUILDING THE PENNSYLVANIA EDUCATION NETWORK.

3 (B) THE MANAGEMENT TEAMS SHALL BE COMPRISED OF
4 REPRESENTATIVES FROM STATE-OWNED INSTITUTIONS, STATE-RELATED
5 INSTITUTIONS, COMMUNITY COLLEGES AND INDEPENDENT COLLEGES AND
6 UNIVERSITIES IN PENNSYLVANIA, INTERMEDIATE UNITS AND
7 REPRESENTATIVES FROM THE COMMONWEALTH.

8 (C) EACH TEAM SHALL BE RESPONSIBLE FOR DEFINING THE SCOPE OF
9 WORK, GOALS, OBJECTIVES, TASK ASSIGNMENTS AND BUDGET FOR ITS
10 RESPECTIVE FOCUS AREA.

11 (D) (1) FUNDS SHALL BE DISTRIBUTED THROUGH A REQUEST FOR
12 PROPOSAL PROCESS WHICH WILL BE SCORED BASED ON MERIT.

13 (2) ELIGIBLE APPLICANTS SHALL INCLUDE THE STATE SYSTEM OF
14 HIGHER EDUCATION, THE STATE-RELATED UNIVERSITIES, INCLUDING THE
15 PENNSYLVANIA COLLEGE OF TECHNOLOGY, COMMUNITY COLLEGES AND
16 INDEPENDENT COLLEGES AND UNIVERSITIES.

17 (3) PRIORITY SHALL BE GIVEN TO APPLICATIONS CONSISTING OF
18 PARTNERSHIPS.

19 (E) EACH TEAM MANAGER SHALL REPORT TO AND SHALL BE HELD
20 ACCOUNTABLE BY THE SECRETARY OF EDUCATION AND THE SECRETARY OF
21 ADMINISTRATION OR THEIR DESIGNEE, THE FORM AND MANNER TO BE
22 DETERMINED BY THE SECRETARY OF EDUCATION.

23 SECTION 5. SECTION 1913-A(B)(1.4) OF THE ACT, AMENDED JUNE
24 30, 1995 (P.L.220, NO.26), IS AMENDED TO READ:

25 SECTION 1913-A. FINANCIAL PROGRAM; REIMBURSEMENT OR
26 PAYMENTS.--* * *

27 (B) * * *

28 (1.4) THE EQUIVALENT FULL-TIME STUDENT REIMBURSEMENT OF A
29 COMMUNITY COLLEGE SHALL BE THE SUM OF CREDIT COURSE, NONCREDIT
30 COURSE AND STIPEND REIMBURSEMENTS. THESE REIMBURSEMENTS SHALL BE

1 CALCULATED USING A REIMBURSEMENT FACTOR OF ONE THOUSAND AND
2 FORTY DOLLARS (\$1,040) FOR THE 1993-1994 FISCAL YEAR, OF ONE
3 THOUSAND EIGHTY DOLLARS (\$1,080) FOR THE 1994-1995 FISCAL YEAR
4 AND OF ONE THOUSAND ONE HUNDRED EIGHTY DOLLARS (\$1,180) FOR THE
5 1995-1996 FISCAL YEAR AND ONE THOUSAND AND TWO HUNDRED AND TEN
6 DOLLARS (\$1,210) FOR THE 1996-1997 FISCAL YEAR AND FOR EACH YEAR
7 THEREAFTER AND SHALL BE DETERMINED AS FOLLOWS:

8 (I) CREDIT COURSE REIMBURSEMENT SHALL BE CALCULATED BY
9 MULTIPLYING THE REIMBURSEMENT FACTOR BY THE NUMBER OF EQUIVALENT
10 FULL-TIME STUDENTS ENROLLED IN CREDIT COURSES AS DETERMINED BY
11 AN AUDIT TO BE MADE IN A MANNER PRESCRIBED BY THE STATE BOARD OF
12 EDUCATION.

13 (II) NONCREDIT COURSE REIMBURSEMENT SHALL BE CALCULATED AS
14 FOLLOWS:

15 (A) EIGHTY PERCENT (80%) OF THE REIMBURSEMENT FACTOR
16 MULTIPLIED BY THE NUMBER OF EQUIVALENT FULL-TIME STUDENTS
17 ENROLLED IN ELIGIBLE NONCREDIT COURSES FOR THE 1993-1994 FISCAL
18 YEAR, AS DETERMINED BY THE AUDIT REFERRED TO IN PARAGRAPH (I);

19 (B) SEVENTY PERCENT (70%) OF THE REIMBURSEMENT FACTOR
20 MULTIPLIED BY THE NUMBER OF EQUIVALENT FULL-TIME STUDENTS
21 ENROLLED IN ELIGIBLE NONCREDIT COURSES FOR THE 1994-1995 FISCAL
22 YEAR AND FOR EACH YEAR THEREAFTER, AS DETERMINED BY THE AUDIT
23 REFERRED TO IN PARAGRAPH (I); OR

24 (C) ONE HUNDRED PERCENT (100%) OF THE REIMBURSEMENT FACTOR
25 MULTIPLIED BY THE NUMBER OF EQUIVALENT FULL-TIME STUDENTS
26 ENROLLED IN ELIGIBLE NONCREDIT PUBLIC SAFETY COURSES THAT
27 PROVIDE TRAINING FOR VOLUNTEER FIREFIGHTERS AND EMERGENCY
28 MEDICAL SERVICES FOR THE 1995-1996 FISCAL YEAR AND FOR EACH YEAR
29 THEREAFTER, AS DETERMINED BY THE AUDIT REFERRED TO IN PARAGRAPH
30 (I).

(III) STIPEND REIMBURSEMENT ON ACCOUNT OF A COMMUNITY COLLEGE'S OPERATING COSTS FOR ALL EQUIVALENT FULL-TIME STUDENTS ENROLLED IN THE FOLLOWING CATEGORIES OF TWO-YEAR OR LESS THAN TWO-YEAR OCCUPATIONAL OR TECHNICAL PROGRAMS, SHALL BE THE SUM OF THE FOLLOWING:

(A) ONE THOUSAND ONE HUNDRED DOLLARS (\$1,100) PER FULL-TIME EQUIVALENT STUDENT ENROLLED IN ADVANCED TECHNOLOGY PROGRAMS. FOR THE FISCAL YEAR 1995-1996 AND EACH YEAR THEREAFTER, THE REIMBURSEMENT RATE SHALL BE CALCULATED AT ONE THOUSAND ONE HUNDRED SEVENTY-FIVE DOLLARS (\$1,175) PER FULL-TIME EQUIVALENT STUDENT ENROLLED IN ADVANCED TECHNOLOGY PROGRAMS. ADVANCED TECHNOLOGY PROGRAMS ARE PROGRAMS USING NEW OR ADVANCED TECHNOLOGIES WHICH HOLD PROMISE FOR CREATING NEW JOB OPPORTUNITIES, INCLUDING SUCH FIELDS AS ROBOTICS, BIOTECHNOLOGY, SPECIALIZED MATERIALS AND ENGINEERING AND ENGINEERING-RELATED PROGRAMS.

(B) ONE THOUSAND DOLLARS (\$1,000) PER FULL-TIME EQUIVALENT STUDENT ENROLLED IN PROGRAMS DESIGNATED AS STATEWIDE PROGRAMS. FOR THE FISCAL YEAR 1995-1996 AND EACH YEAR THEREAFTER, THE REIMBURSEMENT RATE SHALL BE CALCULATED AT ONE THOUSAND SEVENTY-FIVE DOLLARS (\$1,075) PER FULL-TIME EQUIVALENT STUDENT ENROLLED IN PROGRAMS DESIGNATED AS STATEWIDE PROGRAMS. A STATEWIDE PROGRAM IS A PROGRAM WHICH MEETS ONE OR MORE OF THE FOLLOWING CRITERIA:

(I) PROGRAM ENROLLMENT FROM OUT-OF-SPONSOR AREA IS TWENTY PER CENT OR MORE OF THE ENROLLMENT FOR THE PROGRAM.

(II) A CONSORTIAL ARRANGEMENT EXISTS WITH ANOTHER COMMUNITY COLLEGE TO COOPERATIVELY OPERATE A PROGRAM OR SHARE REGIONS IN ORDER TO AVOID UNNECESSARY PROGRAM DUPLICATION.

(C) FIVE HUNDRED DOLLARS (\$500) PER FULL-TIME EQUIVALENT

1 STUDENT ENROLLED IN OTHER OCCUPATIONAL OR TECHNICAL PROGRAMS.
2 FOR THE FISCAL YEAR 1995-1996 AND EACH YEAR THEREAFTER, THE
3 REIMBURSEMENT RATE SHALL BE CALCULATED AT FIVE HUNDRED SEVENTY-
4 FIVE DOLLARS (\$575) PER FULL-TIME EQUIVALENT STUDENT ENROLLED IN
5 OTHER OCCUPATIONAL OR TECHNICAL PROGRAMS.

6 * * *

7 SECTION 6. SECTION 2110 OF THE ACT IS AMENDED TO READ:

8 SECTION 2110. ELIGIBLE LISTS OF PERSONS QUALIFIED TO TEACH;
9 APPOINTMENTS.--(A) ELIGIBLE LISTS, PROPERLY CLASSIFIED
10 CONTAINING THE NAMES OF PERSONS WHO HAVE RECEIVED CERTIFICATES
11 OF QUALIFICATIONS TO TEACH, AND ARRANGED AS NEARLY AS POSSIBLE
12 IN THE ORDER OF RANK OR STANDING, SHALL BE KEPT IN THE OFFICE OF
13 THE SUPERINTENDENT OF SCHOOLS, AND SHALL BE OPEN TO INSPECTION
14 BY MEMBERS OF THE BOARD OF PUBLIC EDUCATION, ASSOCIATE AND
15 DISTRICT SUPERINTENDENTS, AND PRINCIPALS.

16 (B) EXCEPT AS SUPERINTENDENT OF SCHOOLS, ASSOCIATE
17 SUPERINTENDENT, ASSISTANT DISTRICT SUPERINTENDENT, DIRECTOR OF A
18 SPECIAL BRANCH, OR AS A PRINCIPAL OF A HIGH SCHOOL, JUNIOR HIGH
19 SCHOOL, STATE TEACHERS' COLLEGE, OR VOCATIONAL SCHOOL, NO PERSON
20 SHALL BE APPOINTED, PROMOTED, OR TRANSFERRED TO ANY EDUCATIONAL
21 POSITION IN THE PUBLIC SCHOOL SYSTEM, IN SCHOOL DISTRICTS OF THE
22 FIRST CLASS, WHOSE NAME DOES NOT APPEAR AMONG THE THREE HIGHEST
23 NAMES UPON THE PROPER ELIGIBLE LIST[.], AND IN SCHOOL DISTRICTS
24 OF THE FIRST CLASS A, WHOSE NAME DOES NOT APPEAR AMONG THE TOP
25 FIVE NAMES UPON THE PROPER ELIGIBLE LIST, OR WITHIN THE TOP TEN
26 PER CENTUM (10%) OF THE NAMES UPON THE LIST, WHICHEVER IS
27 GREATER. NO PERSON HOLDING A POSITION AT THE TIME OF THE PASSAGE
28 OF THIS ACT SHALL BE DISPLACED BY THE ABOVE PROVISIONS.

29 SECTION 7. SECTION 2502.27 OF THE ACT, ADDED JUNE 7, 1993
30 (P.L.49, NO.16), IS AMENDED TO READ:

1 SECTION 2502.27. DISCRETIONARY FUNDS TO ASSIST SCHOOL
2 DISTRICTS EXPERIENCING EXTREME FINANCIAL DIFFICULTY.--(A) A SUM
3 OF ONE MILLION DOLLARS (\$1,000,000) FROM THE AMOUNT APPROPRIATED
4 IN THE ACT OF MAY 28, 1993 (P.L.589, NO.1A), KNOWN AS THE
5 GENERAL APPROPRIATION ACT OF 1993, FOR THE EQUITY SUPPLEMENT,
6 AND ANY REMAINDER IF THE SUM APPROPRIATED FOR THE 1993-1994
7 FISCAL YEAR FOR PAYMENTS IN SECTION 2502.20 EXCEEDS THE AMOUNTS
8 TO WHICH ALL QUALIFYING SCHOOL DISTRICTS ARE ENTITLED, SHALL BE
9 SET ASIDE AS DISCRETIONARY FUNDS TO ASSIST SCHOOL DISTRICTS THAT
10 HAVE BEEN DECLARED DISTRESSED PURSUANT TO SECTION 691 AND/OR
11 SCHOOL DISTRICTS IN NEED OF ADDITIONAL SUPPORT BECAUSE OF
12 EXTREME FINANCIAL DIFFICULTIES. THE SECRETARY OF EDUCATION SHALL
13 ESTABLISH GUIDELINES FOR SCHOOL DISTRICTS' APPLICATIONS FOR
14 THESE FUNDS, DEPARTMENT APPROVAL OF APPLICATIONS FOR FUNDS,
15 DEPARTMENT DISTRIBUTION OF FUNDS AND SCHOOL DISTRICTS'
16 EXPENDITURE OF THESE FUNDS. THE SECRETARY OF EDUCATION SHALL
17 REPORT TO THE GENERAL ASSEMBLY ON SUCH EXPENDITURES.

18 (B) FOR THE 1996-1997 FISCAL YEAR, THE SUM OF ONE MILLION
19 FOUR HUNDRED FIFTY THOUSAND DOLLARS (\$1,450,000) SHALL BE
20 ALLOCATED BY THE SECRETARY OF EDUCATION, TO SCHOOL DISTRICTS
21 WHICH PREVIOUSLY RECEIVED PAYMENTS UNDER SUBSECTION (A), AND
22 WHICH DO NOT RECEIVE FUNDING UNDER SECTION 2502.30 OF THIS ACT.
23 THE ALLOCATION SHALL BE MADE FROM UNDISTRIBUTED FUNDS NOT
24 EXPENDED, ENCUMBERED OR COMMITTED FROM APPROPRIATIONS FOR ANY
25 FISCAL YEAR FROM GRANTS AND SUBSIDIES MADE TO THE DEPARTMENT OF
26 EDUCATION. THE SCHOOL DISTRICTS SHALL RECEIVE AN AMOUNT EQUAL TO
27 THE AMOUNT PREVIOUSLY RECEIVED PURSUANT TO SUBSECTION (A).

28 (C) PAYMENTS MADE PURSUANT TO SUBSECTION (B) SHALL BE PAID
29 FROM A RESTRICTED RECEIPT ACCOUNT, WHICH IS HEREBY ESTABLISHED,
30 FOR SUCH PAYMENTS. FUNDS SHALL BE TRANSFERRED BY THE SECRETARY

1 OF THE BUDGET TO THE RESTRICTED ACCOUNT ONLY TO THE EXTENT
2 NECESSARY TO MAKE THE PAYMENTS AUTHORIZED BY THIS SECTION. THE
3 MONEY IN THE RESTRICTED ACCOUNT IS HEREBY APPROPRIATED FROM THE
4 ACCOUNT FOR PURPOSES OF THIS SECTION.

5 SECTION 8. SECTIONS 2502.29(B) AND 2502.30 OF THE ACT, ADDED
6 JUNE 30, 1995 (P.L.220, NO.26), ARE AMENDED TO READ:

7 SECTION 2502.29. BASIC EDUCATION FUNDING.--* * *

8 (B) (1) FOR 1994-1995 SCHOOL YEAR, EACH SCHOOL DISTRICT
9 SHALL RECEIVE THE AMOUNT CALCULATED PURSUANT TO CLAUSE (2) OR
10 (3), WHICHEVER IS GREATER.

11 (2) THE BASE AMOUNT OF THE DISTRICT DIVIDED BY THE AVERAGE
12 DAILY MEMBERSHIP OF THE DISTRICT DURING THE 1993-1994 SCHOOL
13 YEAR MULTIPLIED BY ONE HUNDRED THREE PER CENTUM (103%)
14 MULTIPLIED BY THE AVERAGE DAILY MEMBERSHIP OF THE DISTRICT
15 DURING THE 1994-1995 SCHOOL YEAR.

16 (3) THE BASE AMOUNT OF THE DISTRICT MULTIPLIED BY ONE
17 HUNDRED ONE PER CENTUM (101%) IF THE MARKET VALUE/INCOME AID
18 RATIO (MV/PIAR) IS LESS THAN FIVE THOUSAND TEN-THOUSANDTHS
19 (0.5000), THE BASE AMOUNT OF THE DISTRICT MULTIPLIED BY ONE
20 HUNDRED TWO PER CENTUM (102%) IF THE MARKET VALUE/INCOME AID
21 RATIO (MV/PIAR) IS GREATER THAN OR EQUAL TO FIVE THOUSAND TEN-
22 THOUSANDTHS (0.5000) AND LESS THAN SEVEN THOUSAND TEN-
23 THOUSANDTHS (0.7000), AND THE BASE AMOUNT OF THE DISTRICT
24 MULTIPLIED BY ONE HUNDRED FOUR PER CENTUM (104%) IF THE MARKET
25 VALUE/INCOME AID RATIO (MV/PIAR) IS GREATER THAN OR EQUAL TO
26 SEVEN THOUSAND TEN-THOUSANDTHS (0.7000).

27 SECTION 2502.30. TEMPORARY SPECIAL AID TO SCHOOL DISTRICTS
28 SUFFERING LOSS OF TAX REVENUE DUE TO REDUCTION IN ASSESSED
29 VALUATION OF TAXABLE PROPERTY.--(A) TEMPORARY SPECIAL AID SHALL
30 BE PAID IN FISCAL YEARS 1994-1995, 1995-1996, 1996-1997 AND

1 1997-1998 TO SCHOOL DISTRICTS EXPERIENCING A SEVERE REDUCTION IN
2 LOCAL REVENUE DUE TO A DECLINE IN THE ASSESSED VALUE OF TAXABLE
3 PROPERTIES. THE ALLOCATION TO THESE DISTRICTS SHALL BE
4 DETERMINED BY MULTIPLYING THE REDUCTION IN ASSESSED VALUE
5 BETWEEN 1985-1986 AND 1992-1993 BY THE 1992-1993 REAL ESTATE
6 MILLAGE RATE. THIS AID SHALL BE PAID FROM UNDISTRIBUTED FUNDS
7 NOT EXPENDED, ENCUMBERED OR COMMITTED FROM APPROPRIATIONS FOR
8 GRANTS AND SUBSIDIES MADE TO THE DEPARTMENT OF EDUCATION. NO
9 OTHER FUNDS SHALL BE USED FOR ASSISTANCE UNDER THIS SECTION.
10 THESE FUNDS SHALL BE SUFFICIENT TO PROVIDE TEMPORARY RELIEF TO
11 SEVEN SCHOOL DISTRICTS IN FISCAL YEAR 1995-1996 AT SEVENTY-FIVE
12 PER CENTUM (75%) OF THE FUNDS RECEIVED IN FISCAL YEAR 1994-1995,
13 IN FISCAL YEAR 1996-1997 AT FIFTY PER CENTUM (50%) OF THE FUNDS
14 RECEIVED IN FISCAL YEAR [1995-1996] 1994-1995 AND IN FISCAL YEAR
15 1997-1998 AT TWENTY-FIVE PER CENTUM (25%) OF THE FUNDS RECEIVED
16 IN FISCAL YEAR [1996-1997] 1994-1995. THIS SECTION SHALL EXPIRE
17 OCTOBER 1, 1998.

18 (B) PAYMENTS MADE PURSUANT TO SUBSECTION (A) SHALL BE PAID
19 FROM A RESTRICTED RECEIPT ACCOUNT, WHICH IS HEREBY ESTABLISHED,
20 FOR SUCH PAYMENTS. FUNDS SHALL BE TRANSFERRED BY THE SECRETARY
21 OF THE BUDGET TO THE RESTRICTED ACCOUNT ONLY TO THE EXTENT
22 NECESSARY TO MAKE THE PAYMENTS AUTHORIZED BY THIS SECTION. THE
23 MONEY IN THE RESTRICTED ACCOUNT IS HEREBY APPROPRIATED FROM THE
24 ACCOUNT FOR PURPOSES OF THIS SECTION.

25 SECTION 9. THE ACT IS AMENDED BY ADDING SECTIONS TO READ:

26 SECTION 2502.31. BASIC EDUCATION FUNDING.--FOR THE 1995-1996
27 SCHOOL YEAR, THE COMMONWEALTH SHALL PAY TO EACH SCHOOL DISTRICT
28 A BASIC EDUCATION FUNDING ALLOCATION WHICH SHALL EQUAL THE
29 AMOUNT THAT THE SCHOOL DISTRICT WAS ENTITLED TO RECEIVE, PRIOR
30 TO ANY ADJUSTMENTS MADE UNDER THE PROVISIONS OF THIS ACT, FOR

1 THE 1994-1995 SCHOOL YEAR PURSUANT TO SECTIONS 2502.13 AND
2 2502.29 BUT WHICH SHALL BE SUBJECT TO ALL ADJUSTMENT PROVISIONS
3 OF THIS ACT FOR THE 1995-1996 SCHOOL YEAR.

4 SECTION 2502.32. FOR COURT-ORDERED PAYMENTS TO WOODLAND
5 HILLS SCHOOL DISTRICT.--THE SECRETARY OF THE BUDGET SHALL
6 DETERMINE THE AMOUNT NECESSARY TO MAKE COURT-ORDERED PAYMENTS TO
7 THE WOODLAND HILLS SCHOOL DISTRICT. THE SECRETARY OF THE BUDGET
8 SHALL TRANSFER THE AMOUNT NECESSARY FROM ANY FUNDS NOT EXPENDED,
9 ENCUMBERED OR COMMITTED FROM APPROPRIATIONS FOR GRANTS AND
10 SUBSIDIES MADE TO THE DEPARTMENT OF EDUCATION IN ANY FISCAL YEAR
11 TO A RESTRICTED ACCOUNT WHICH IS HEREBY ESTABLISHED. THE MONEY
12 IN THE RESTRICTED ACCOUNT IS HEREBY APPROPRIATED FROM THE
13 ACCOUNT FOR THE PURPOSES OF THIS SECTION.

14 SECTION 10. SECTION 2509.1(B.1) OF THE ACT, AMENDED JUNE 30,
15 1995 (P.L.220, NO.26), IS AMENDED AND THE SECTION IS AMENDED BY
16 ADDING A SUBSECTION TO READ:

17 SECTION 2509.1. PAYMENTS TO INTERMEDIATE UNITS.--* * *
18 (B.1) FOR PROGRAMS OPERATED DURING THE 1992-1993 SCHOOL YEAR
19 [AND THE 1993-1994 SCHOOL YEAR,] AND EACH SCHOOL YEAR
20 THEREAFTER, THE COMMONWEALTH SHALL PAY INTERMEDIATE UNITS, BASED
21 ON THEIR COSTS OF OPERATING AND ADMINISTERING CLASSES OR SCHOOLS
22 FOR INSTITUTIONALIZED CHILDREN, AN AMOUNT TO BE DETERMINED BY
23 THE DEPARTMENT OF EDUCATION FOLLOWING REVIEW OF ANNUAL REPORTS
24 OF THE COSTS OF SUCH CLASSES OR SCHOOLS FOR THE IMMEDIATELY
25 PRECEDING YEAR. TO QUALIFY FOR SUCH PAYMENTS, EACH INTERMEDIATE
26 UNIT THAT OPERATES AND ADMINISTERS CLASSES OR SCHOOLS FOR
27 INSTITUTIONALIZED CHILDREN ANNUALLY SHALL SUBMIT TO THE
28 DEPARTMENT OF EDUCATION ON OR BEFORE THE FIRST DAY OF JULY A
29 REPORT OF THE COST OF OPERATING AND ADMINISTERING SUCH CLASSES
30 OR SCHOOLS. NOTWITHSTANDING THE FOREGOING, INTERMEDIATE UNITS

1 MAY SUBMIT THEIR ANNUAL REPORTS FOR THE 1991-1992 SCHOOL YEAR
2 UNTIL JUNE 30, 1993, ALTHOUGH THIS DATE MAY BE EXTENDED AS
3 DEEMED NECESSARY BY THE SECRETARY OF EDUCATION PROVIDED THAT FOR
4 PROGRAMS OPERATED DURING THE 1992-1993 SCHOOL YEAR AND THE 1993-
5 1994 SCHOOL YEAR THE AGGREGATE AMOUNTS PAID ON THIS ACCOUNT
6 SHALL NOT EXCEED TWENTY MILLION SIX HUNDRED THOUSAND DOLLARS
7 (\$20,600,000) PER YEAR.

8 * * *

9 (B.4) UP TO TWENTY MILLION DOLLARS (\$20,000,000) MAY BE
10 UTILIZED FOR PROGRAMS OPERATED DURING THE 1996-1997 SCHOOL YEAR
11 FOR INSTITUTIONALIZED CHILDREN BY INTERMEDIATE UNITS AS
12 ESTABLISHED IN SUBSECTION (B.1).

13 * * *

14 SECTION 11. SECTION 2509.5(F) AND (G) OF THE ACT, ADDED JUNE
15 7, 1993 (P.L.49, NO.16), ARE AMENDED AND THE SECTION IS AMENDED
16 BY ADDING A SUBSECTION TO READ:

17 SECTION 2509.5. SPECIAL EDUCATION PAYMENTS TO SCHOOL
18 DISTRICTS.--* * *

19 (F) THE SECRETARY OF EDUCATION SHALL DEVELOP A DEFINITION OF
20 SEVERELY CLASSIFIED EXCEPTIONAL STUDENTS BY [SEPTEMBER 20, 1993]
21 SEPTEMBER 20, 1996. THIS DEFINITION MAY INCLUDE THE PRIMARY
22 EXCEPTIONALITY, LEVEL OF INTERVENTION, TYPE OF SUPPORT AND
23 RELATED SERVICES REQUIREMENTS ELEMENTS CURRENTLY COLLECTED
24 THROUGH THE PENNDATA SYSTEM. THIS DEFINITION SHALL NOT INCLUDE
25 STUDENTS WHO ARE INSTITUTIONALIZED, IN APPROVED PRIVATE SCHOOL
26 PLACEMENTS, IN DETENTION HOME PROGRAMS, IN MENTALLY GIFTED
27 PROGRAMS OR IN EARLY INTERVENTION PROGRAMS OPERATED UNDER THE
28 PROVISIONS OF THE ACT OF DECEMBER 19, 1990 (P.L.1372, NO.212),
29 KNOWN AS THE "EARLY INTERVENTION SERVICES SYSTEM ACT." THIS
30 DEFINITION SHALL BE SUBMITTED TO THE MAJORITY CHAIRMAN AND THE

1 MINORITY CHAIRMAN OF THE APPROPRIATIONS COMMITTEE AND THE
2 EDUCATION COMMITTEE OF THE SENATE AND THE MAJORITY CHAIRMAN AND
3 THE MINORITY CHAIRMAN OF THE APPROPRIATIONS COMMITTEE AND THE
4 EDUCATION COMMITTEE OF THE HOUSE OF REPRESENTATIVES FOR REVIEW
5 AND COMMENT NO LATER THAN [SEPTEMBER 20, 1993] SEPTEMBER 20,
6 1996. NO SOONER THAN FIFTEEN (15) DAYS AND NOT LATER THAN THIRTY
7 (30) DAYS AFTER SUBMISSION OF THE PROPOSED DEFINITION TO THE
8 COMMITTEES, THE SECRETARY OF EDUCATION SHALL APPROVE A
9 DEFINITION OF SEVERELY CLASSIFIED EXCEPTIONAL STUDENTS.

10 (G) THE SECRETARY OF EDUCATION SHALL MODIFY THE PENNDATA
11 SYSTEM TO COLLECT FOR EACH SCHOOL DISTRICT AN AVERAGE DAILY
12 MEMBERSHIP COUNT OF THOSE EXCEPTIONAL STUDENTS CLASSIFIED AS
13 SEVERE. THE SECRETARY OF EDUCATION SHALL USE THE APPROVED
14 DEFINITION OF SEVERELY CLASSIFIED EXCEPTIONAL STUDENTS IN THE
15 DEVELOPMENT OF THE PENNDATA REPORT "REPRESENTATION OF STUDENTS
16 WITH SEVERE DISABILITIES IN SPECIAL EDUCATION." THE SECRETARY OF
17 EDUCATION SHALL PROVIDE THE [1993-1994] 1994-1995 PENNDATA
18 REPORT "REPRESENTATION OF STUDENTS WITH SEVERE DISABILITIES IN
19 SPECIAL EDUCATION" DETAILING THE AVERAGE DAILY MEMBERSHIP BY
20 CATEGORY OF EXCEPTIONALITY FOR EACH SCHOOL DISTRICT FOR THE
21 [1993-1994] 1994-1995 ACADEMIC YEAR TO THE MAJORITY CHAIRMAN AND
22 THE MINORITY CHAIRMAN OF THE APPROPRIATIONS COMMITTEE AND THE
23 EDUCATION COMMITTEE OF THE SENATE AND THE MAJORITY CHAIRMAN AND
24 THE MINORITY CHAIRMAN OF THE APPROPRIATIONS COMMITTEE AND THE
25 EDUCATION COMMITTEE OF THE HOUSE OF REPRESENTATIVES BY [FEBRUARY
26 1, 1994] FEBRUARY 1, 1997, AND SHALL ANNUALLY THEREAFTER PROVIDE
27 THE PENNDATA REPORT "REPRESENTATION OF STUDENTS WITH SEVERE
28 DISABILITIES IN SPECIAL EDUCATION" DETAILING THE AVERAGE DAILY
29 MEMBERSHIP BY CATEGORY OF EXCEPTIONALITY FOR EACH SCHOOL
30 DISTRICT FOR THE CURRENT SCHOOL YEAR TO THE COMMITTEES BY THE

FIRST DAY OF FEBRUARY OF EACH YEAR.

* * *

(K) DURING THE 1996-1997 SCHOOL YEAR, EACH SCHOOL DISTRICT SHALL BE PAID:

(1) AN AMOUNT TO BE DETERMINED BY MULTIPLYING FIFTEEN PERCENT (15%) OF ITS SCHOOL-AGE AVERAGE DAILY MEMBERSHIP BY ONE THOUSAND ONE HUNDRED FIFTEEN DOLLARS (\$1,115); AND

(2) AN AMOUNT TO BE DETERMINED BY MULTIPLYING ONE PERCENT (1%) OF ITS SCHOOL-AGE AVERAGE DAILY MEMBERSHIP BY THIRTEEN THOUSAND ONE HUNDRED TWENTY-FIVE DOLLARS (\$13,125).

NO DISTRICT SHALL, HOWEVER, RECEIVE LESS THAN THE AMOUNT RECEIVED DURING THE 1995-1996 SCHOOL YEAR UNDER SUBSECTION (I).

SECTION 12. THIS ACT SHALL TAKE EFFECT AS FOLLOWS:

(1) THE ADDITION OF SECTION 1204.1(B) AND (C) OF THE ACT SHALL TAKE EFFECT JANUARY 1, 1997.

(2) THE REMAINDER OF THIS ACT SHALL TAKE EFFECT JULY 1, 1996, OR IMMEDIATELY, WHICHEVER IS LATER.