

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 842 Session of
2007

INTRODUCED BY GRUCELA, CALTAGIRONE, SURRA, COHEN, GEORGE,
CREIGHTON, FREEMAN, DALLY, GODSHALL, HESS, KIRKLAND, KULA,
McILHATTAN, M. O'BRIEN, O'NEILL, PETRONE, PYLE, RAPP,
REICHLEY, SCAVELLO, McILVAINE SMITH, CAPPELLI, EACHUS,
M. KELLER, RUBLEY, MUNDY, JOSEPHS, YOUNGBLOOD, PETRARCA,
WANSACZ, KOTIK, FABRIZIO, BOYD, JAMES, KING, COSTA,
TANGRETTI, THOMAS, BEYER, KENNEY, GIBBONS, SIPTROTH AND
PALLONE, MARCH 19, 2007

AS AMENDED ON THIRD CONSIDERATION, IN SENATE, JUNE 29, 2007

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 TRANSFERRED <—
6 PROGRAMS AND CLASSES AND FOR program of continuing
7 professional development EDUCATION AND FOR EDUCATIONAL <—
8 ASSISTANCE PROGRAM; PROVIDING FOR DISTRESSED SCHOOL DISTRICTS <—
9 AND STUDENT ATTENDANCE IN OTHER DISTRICTS; IN CHARTER SCHOOL
10 PROVISIONS, FURTHER PROVIDING FOR ENROLLMENT; IN EDUCATION
11 EMPOWERMENT PROVISIONS, FURTHER PROVIDING FOR BOARD OF SCHOOL
12 DIRECTORS; PROVIDING FOR SUPERINTENDENT POWER TO RECOMMEND
13 DISMISSAL OF CERTAIN MANAGEMENT EMPLOYEES; AND FOR PUBLIC
14 LIBRARY FUNDING; FURTHER PROVIDING FOR SMALL DISTRICT
15 ASSISTANCE; PROVIDING FOR BASIC EDUCATION FUNDING FOR 2006-
16 2007 SCHOOL YEAR; AND FURTHER PROVIDING FOR PAYMENTS ON <—
17 ACCOUNT OF LIMITED ENGLISH PROFICIENCY PROGRAMS, FOR PAYMENTS
18 TO INTERMEDIATE UNITS, FOR SPECIAL EDUCATION PAYMENTS TO
19 SCHOOL DISTRICTS AND FOR PENNSYLVANIA ACCOUNTABILITY GRANTS.

20 The General Assembly of the Commonwealth of Pennsylvania
21 hereby enacts as follows:

22 ~~Section 1. Section 1205.2 of the act of March 10, 1949 <—~~
23 ~~(P.L.30, No.14), known as the Public School Code of 1949, is~~

1 ~~amended by adding a subsection to read:~~

2 ~~Section 1205.2. Program of Continuing Professional~~
3 ~~Education. * * *~~

4 ~~(i.1) The following shall apply:~~

5 ~~(1) Notwithstanding the provisions of this section, the~~
6 ~~department may only inactivate a certificate between June 30 and~~
7 ~~July 31, inclusive, and may only do so due to an educator's~~
8 ~~failure to comply with the requirements of this act, if a notice~~
9 ~~of inactive certification is issued and at least thirty one (31)~~
10 ~~days have passed from the date of the notice required by~~
11 ~~subsection (h)(4).~~

12 ~~(2) If an educator appeals the department's determination~~
13 ~~that the educator's certification is inactive under subsection~~
14 ~~(i), the effective date of the secretary's determination shall~~
15 ~~be as follows:~~

16 ~~(i) June 30, in cases where the certificate is determined to~~
17 ~~be inactive on or prior to June 30; or~~

18 ~~(ii) in cases where the certificate is determined to be~~
19 ~~inactive between June 30 and July 31, on the date of the~~
20 ~~determination.~~

21 ~~* * *~~

22 ~~SECTION 1. SECTION 1205.2(H) AND (I) OF THE ACT OF MARCH 10, <—~~
23 ~~1949 (P.L.30, NO.14), KNOWN AS THE PUBLIC SCHOOL CODE OF 1949,~~
24 ~~AMENDED OR ADDED NOVEMBER 23, 1999 (P.L.529, NO.48) AND JULY 13,~~
25 ~~2005 (P.L.226, NO.46), ARE AMENDED TO READ:~~

26 ~~SECTION 1. SECTION 1113(C) OF THE ACT OF MARCH 10, 1949 <—~~
27 ~~(P.L.30, NO.14), KNOWN AS THE PUBLIC SCHOOL CODE OF 1949,~~
28 ~~AMENDED AUGUST 5, 1991 (P.L.219, NO.25), IS AMENDED AND THE~~
29 ~~SECTION IS AMENDED BY ADDING A SUBSECTION TO READ:~~

30 ~~SECTION 1113. TRANSFERRED PROGRAMS AND CLASSES.--* * *~~

1 (B.2) (1) THE FOLLOWING SHALL APPLY TO PROFESSIONAL AND
2 TEMPORARY PROFESSIONAL EMPLOYES OF A DISTRESSED SCHOOL DISTRICT
3 IN WHICH PUPILS HAVE BEEN REASSIGNED TO ANOTHER SCHOOL DISTRICT
4 PURSUANT TO SECTION 1607.1:

5 (I) THE DISTRESSED SCHOOL DISTRICT SHALL CREATE A POOL
6 COMPRISED OF THE PROFESSIONAL AND TEMPORARY PROFESSIONAL
7 EMPLOYES WHO HAVE RECEIVED FORMAL NOTICE OF SUSPENSION FROM THE
8 DISTRESSED SCHOOL DISTRICT AS A RESULT OF THE CURTAILMENT OF THE
9 HIGH SCHOOL PROGRAM.

10 (II) EMPLOYES IN THE POOL CREATED UNDER SUBPARAGRAPH (I)
11 SHALL BE OFFERED EMPLOYMENT BY A SCHOOL DISTRICT DESIGNATED
12 UNDER SECTION 1607.1(A)(1) WHENEVER A DESIGNATED SCHOOL DISTRICT
13 HAS A VACANCY FOR A POSITION THAT AN EMPLOYEE IN THE POOL IS
14 CERTIFIED TO FILL. NO NEW EMPLOYEE SHALL BE HIRED BY ANY
15 DESIGNATED SCHOOL DISTRICT UNTIL THE POSITION HAS BEEN OFFERED,
16 IN ORDER OF SENIORITY, TO ALL PROPERLY CERTIFIED MEMBERS OF THE
17 POOL.

18 (2) THE RIGHTS OF A SUSPENDED EMPLOYEE OF THE DISTRESSED
19 SCHOOL DISTRICT SHALL NOT SUPERSEDE THE RIGHTS THAT AN EMPLOYEE
20 OF A SCHOOL DISTRICT DESIGNATED UNDER SECTION 1607.1(A)(1),
21 INCLUDING A SUSPENDED OR DEMOTED EMPLOYEE, HAS UNDER THIS ACT OR
22 THE COLLECTIVE BARGAINING AGREEMENT OF THE DESIGNATED SCHOOL
23 DISTRICT.

24 (3) EMPLOYES HIRED FROM THE POOL AS PROVIDED UNDER THIS
25 SUBSECTION SHALL BE CREDITED BY A SCHOOL DISTRICT DESIGNATED
26 UNDER SECTION 1607.1(A)(1) FOR ALL SICK LEAVE ACCUMULATED IN THE
27 DISTRESSED SCHOOL DISTRICT AND SHALL BE CREDITED FOR YEARS OF
28 SERVICE IN THE DISTRESSED SCHOOL DISTRICT FOR PURPOSES OF SALARY
29 SCHEDULE PLACEMENT. TEMPORARY PROFESSIONAL AND PROFESSIONAL
30 EMPLOYES SHALL FURTHER BE CREDITED FOR THEIR YEARS OF SERVICE IN

1 THE DISTRESSED SCHOOL DISTRICT FOR PURPOSES OF SABBATICAL LEAVE
2 ELIGIBILITY, SUSPENSION AND REALIGNMENT RIGHTS AND ELIGIBILITY
3 FOR ANY RETIREMENT INCENTIVES OR SEVERANCE PAYMENTS IN A
4 DESIGNATED SCHOOL DISTRICT.

5 (C) NOTHING CONTAINED IN [THIS SECTION] SUBSECTIONS (A) AND
6 (B.1) SHALL BE CONSTRUED TO SUPERSEDE OR PREEMPT ANY PROVISION
7 OF A COLLECTIVE BARGAINING AGREEMENT IN EFFECT ON FEBRUARY 4,
8 1982, AND NEGOTIATED BY A SCHOOL ENTITY AND AN EXCLUSIVE
9 REPRESENTATIVE OF THE EMPLOYEES IN ACCORDANCE WITH THE ACT OF
10 JULY 23, 1970 (P.L.563, NO.195), KNOWN AS THE "PUBLIC EMPLOYE
11 RELATIONS ACT."

12 * * *

13 SECTION 2. SECTION 1205.2(H) AND (I) OF THE ACT, AMENDED OR
14 ADDED NOVEMBER 23, 1999 (P.L.529, NO.48) AND JULY 13, 2005
15 (P.L.226, NO.46), ARE AMENDED TO READ:

16 SECTION 1205.2. PROGRAM OF CONTINUING PROFESSIONAL
17 EDUCATION.--* * *

18 (H) THE DEPARTMENT SHALL PROVIDE THE FOLLOWING INFORMATION
19 TO PROFESSIONAL EDUCATORS AND SCHOOL ENTITIES:

20 (1) NOTICE OF THE NUMBER OF CREDITS OR HOURS NEEDED FOR A
21 PROFESSIONAL EDUCATOR TO COMPLY WITH THIS SECTION, AS OF THE
22 DATE ON WHICH SUCH NOTICE IS GIVEN. SUCH NOTICE SHALL BE
23 PROVIDED NO LATER TWELVE (12) MONTHS PRIOR TO THE END OF A
24 PROFESSIONAL EDUCATOR'S FIVE-YEAR COMPLIANCE PERIOD. FOR
25 PROFESSIONAL EDUCATORS WHO HAVE NOT COMPLETED SUFFICIENT CREDITS
26 OR HOURS TO COMPLY WITH THIS SECTION, SUCH NOTICE SHALL BE
27 PROVIDED IN WRITING AND MAILED TO THE MOST RECENT ADDRESS ON
28 RECORD WITH THE DEPARTMENT. FOR PROFESSIONAL EDUCATORS WHO HAVE
29 COMPLETED SUFFICIENT CREDITS OR HOURS TO COMPLY WITH THIS
30 SECTION, SUCH NOTICE SHALL BE PROVIDED BY ELECTRONIC MEANS,

1 WHICH SHALL INCLUDE A NOTATION ON THE ELECTRONIC SYSTEM
2 MAINTAINED BY THE DEPARTMENT PURSUANT TO SUBSECTION (G)
3 AFFIRMING THAT THE PROFESSIONAL EDUCATOR HAS COMPLETED
4 SUFFICIENT CREDITS OR HOURS TO COMPLY WITH THIS SECTION.

5 (2) REASONABLE ACCESS TO REPORTS AND RECORDS RELATING TO A
6 PROFESSIONAL EDUCATOR'S CONTINUING PROFESSIONAL EDUCATION.

7 (3) NOTICE OF INACTIVE CERTIFICATION REQUESTED BY A
8 PROFESSIONAL EDUCATOR.

9 (4) NOTICE OF INACTIVE CERTIFICATION DUE TO FAILURE OF THE
10 PROFESSIONAL EDUCATOR TO MEET THE REQUIREMENTS OF THIS SECTION,
11 WHETHER OR NOT THE INDIVIDUAL IS EMPLOYED BY A SCHOOL ENTITY.
12 THE NOTICE SHALL BE PROVIDED NO LATER THAN THIRTY-ONE (31) DAYS
13 PRIOR TO THE DATE ON WHICH A PROFESSIONAL EDUCATOR'S CERTIFICATE
14 IS PLACED IN INACTIVE STATUS, PROVIDED, THAT THE DEPARTMENT MAY
15 ONLY PLACE A PROFESSIONAL EDUCATOR'S CERTIFICATE IN INACTIVE
16 STATUS BETWEEN JUNE 30 AND JULY 31.

17 (5) NOTICE OF REINSTATEMENT.

18 * * *

19 (I) THE SECRETARY OF EDUCATION SHALL PROVIDE AN EDUCATOR
20 WITH THE OPPORTUNITY TO APPEAL ANY DETERMINATION THAT THE
21 EDUCATOR'S CERTIFICATION IS INACTIVE PURSUANT TO 2 PA.C.S. CHS.
22 5 (RELATING TO PRACTICE AND PROCEDURE) AND 7 (RELATING TO
23 JUDICIAL REVIEW). IF THE SECRETARY DETERMINES THAT AN EDUCATOR'S
24 CERTIFICATE IS INACTIVE UNDER THIS SUBSECTION, THE EFFECTIVE
25 DATE OF THE DETERMINATION SHALL BE BETWEEN JUNE 30 AND JULY 31.

26 * * *

27 SECTION ~~2~~ 3. SECTION 1512-C(G) OF THE ACT, AMENDED JULY 11, <—
28 2006 (P.L.1092, NO.114), IS AMENDED TO READ:
29 SECTION 1512-C. EDUCATIONAL ASSISTANCE PROGRAM.

30 * * *

1 (G) EDUCATIONAL ASSISTANCE FUNDING.--

2 (1) DURING THE 2003-2004, 2004-2005, 2005-2006 [AND],
3 2006-2007 AND 2007-2008 SCHOOL YEARS, THE DEPARTMENT SHALL
4 PROVIDE EACH ELIGIBLE SCHOOL ENTITY WITH EDUCATIONAL
5 ASSISTANCE FUNDING CALCULATED BY:

6 (I) DIVIDING THE NUMBER OF PENNSYLVANIA SYSTEM OF
7 SCHOOL ASSESSMENT TESTS ADMINISTERED IN THE ELIGIBLE
8 SCHOOL ENTITY ON WHICH STUDENTS SCORED BELOW PROFICIENT
9 IN READING OR MATHEMATICS BY THE TOTAL NUMBER OF
10 PENNSYLVANIA SYSTEM OF SCHOOL ASSESSMENT TESTS
11 ADMINISTERED IN THE ELIGIBLE SCHOOL ENTITY IN READING AND
12 MATHEMATICS DURING THE 2002-2003 SCHOOL YEAR.

13 (II) MULTIPLYING THE QUOTIENT FROM SUBPARAGRAPH (I)
14 BY THE AVERAGE DAILY MEMBERSHIP OF THE ELIGIBLE SCHOOL
15 ENTITY DURING THE 2002-2003 SCHOOL YEAR.

16 (III) MULTIPLYING THE PRODUCT FROM SUBPARAGRAPH (II)
17 BY THE DOLLAR VALUE OF FUNDS APPROPRIATED TO THE
18 DEPARTMENT OF EDUCATION FOR THE EDUCATIONAL ASSISTANCE
19 PROGRAM IN THE 2004-2005 FISCAL YEAR.

20 (IV) DIVIDING THE PRODUCT FROM SUBPARAGRAPH (III) BY
21 THE SUM OF THE PRODUCTS OF SUBPARAGRAPH (II) FOR ALL
22 ELIGIBLE SCHOOL ENTITIES THAT QUALIFY FOR GRANT FUNDS
23 UNDER THIS PARAGRAPH.

24 (1.1) DURING THE 2005-2006 [AND], 2006-2007 AND 2007-
25 2008 SCHOOL YEARS, THE DEPARTMENT SHALL PROVIDE EACH SCHOOL
26 ENTITY WITH AT LEAST ONE SCHOOL THAT HAS FAILED TO ACHIEVE
27 ITS 2005 MATHEMATICS PROFICIENCY TARGET OR ITS 2005 READING
28 PROFICIENCY TARGET WITH EDUCATIONAL ASSISTANCE FUNDING FOR
29 THE SUPPORT OF TUTORING SERVICES TO ELIGIBLE STUDENTS
30 ENROLLED IN SEVENTH THROUGH TWELFTH GRADES. SUCH FUNDING

1 SHALL BE CALCULATED AS FOLLOWS:

2 (I) DIVIDING THE NUMBER OF PENNSYLVANIA SYSTEM OF
3 SCHOOL ASSESSMENT TESTS ADMINISTERED IN THE ELIGIBLE
4 SCHOOL ENTITY TO ELEVENTH GRADE STUDENTS ON WHICH SUCH
5 STUDENTS SCORED BELOW THE 2005 READING OR MATHEMATICS
6 PROFICIENCY TARGET BY THE TOTAL NUMBER OF PENNSYLVANIA
7 SYSTEM OF SCHOOL ASSESSMENT TESTS ADMINISTERED IN THE
8 ELIGIBLE SCHOOL ENTITY TO ELEVENTH GRADE STUDENTS IN
9 READING AND MATHEMATICS DURING THE 2003-2004 SCHOOL YEAR.

10 (II) MULTIPLYING THE QUOTIENT FROM SUBPARAGRAPH (I)
11 BY THE AVERAGE DAILY MEMBERSHIP OF THE ELIGIBLE SCHOOL
12 ENTITY DURING THE 2004-2005 SCHOOL YEAR.

13 (III) MULTIPLYING THE PRODUCT FROM SUBPARAGRAPH (II)
14 BY THE DIFFERENCE BETWEEN THE DOLLAR VALUE OF FUNDS
15 APPROPRIATED TO THE DEPARTMENT FOR THE EDUCATIONAL
16 ASSISTANCE PROGRAM IN THE 2004-2005 FISCAL YEAR AND THE
17 DOLLAR VALUE OF FUNDS APPROPRIATED TO THE DEPARTMENT FOR
18 THE EDUCATIONAL ASSISTANCE PROGRAM IN THE [2006-2007]
19 2007-2008 FISCAL YEAR.

20 (IV) DIVIDING THE PRODUCT FROM SUBPARAGRAPH (III) BY
21 THE SUM OF THE PRODUCTS OF SUBPARAGRAPH (II) FOR ALL
22 ELIGIBLE SCHOOL ENTITIES THAT QUALIFY FOR GRANT FUNDS
23 UNDER THIS PARAGRAPH.

24 (2) THE AMOUNT OF EDUCATIONAL ASSISTANCE FUNDING
25 PROVIDED UNDER THIS ARTICLE SHALL BE LIMITED TO FUNDS
26 APPROPRIATED FOR THIS PURPOSE.

27 * * *

28 SECTION 4. THE ACT IS AMENDED BY ADDING A SECTION TO READ: <—

29 SECTION 1607.1. DISTRESSED SCHOOL DISTRICTS AND STUDENT
30 ATTENDANCE IN OTHER DISTRICTS.--(A) IF A THIRD CLASS SCHOOL

1 DISTRICT IN WHICH A PUBLIC HIGH SCHOOL IS NOT MAINTAINED
2 OPERATES AND, FOR AT LEAST FIVE CONSECUTIVE YEARS, HAS OPERATED
3 UNDER A SPECIAL BOARD OF CONTROL UNDER SECTION 692, HAS BEEN
4 PLACED ON THE EDUCATION EMPOWERMENT LIST UNDER SECTION 1703-B,
5 HAS, WITH THE APPROVAL OF THE SECRETARY, CURTAILED ITS
6 EDUCATIONAL PROGRAM BY ELIMINATING ITS HIGH SCHOOL, AND HAS NOT
7 ASSIGNED ITS HIGH SCHOOL PUPILS TO ANOTHER SCHOOL DISTRICT OR
8 SCHOOL DISTRICTS AND PROVIDED ADEQUATE TRANSPORTATION IN A
9 MANNER PURSUANT TO SECTION 1607, THE SECRETARY SHALL HAVE THE
10 FOLLOWING AUTHORITY:

11 (1) TO DESIGNATE TWO OR MORE SCHOOL DISTRICTS THAT SHALL
12 ACCEPT ON A TUITION BASIS THE HIGH SCHOOL STUDENTS OF A
13 DISTRESSED SCHOOL DISTRICT, SO LONG AS A DESIGNATED SCHOOL
14 DISTRICT'S BORDER IS NO MORE THAN THREE MILES FROM THE BORDER OF
15 THE DISTRESSED SCHOOL DISTRICT. SUCH DESIGNATION SHALL OCCUR NO
16 LATER THAN FIFTEEN (15) DAYS AFTER THE EFFECTIVE DATE OF THIS
17 SECTION.

18 (2) TO ESTABLISH A PROCESS THAT A DISTRESSED SCHOOL DISTRICT
19 SHALL USE TO REASSIGN ITS HIGH SCHOOL STUDENTS TO THE SCHOOL
20 DISTRICTS DESIGNATED UNDER PARAGRAPH (1).

21 (3) TO ESTABLISH THE PER-PUPIL TUITION RATE THAT A SCHOOL
22 DISTRICT DESIGNATED UNDER PARAGRAPH (1) SHALL RECEIVE FOR EACH
23 STUDENT IN A REGULAR OR SPECIAL EDUCATION PROGRAM. FOR THE 2007-
24 2008 SCHOOL YEAR, THE TUITION RATE SHALL BE THE 2006-2007 HIGH
25 SCHOOL TUITION CHARGE, OF EACH OF THE SCHOOL DISTRICTS
26 DESIGNATED UNDER PARAGRAPH (1), AS SET FORTH UNDER SECTION (3).
27 FOR THE 2008-2009 SCHOOL YEAR AND EACH SCHOOL YEAR THEREAFTER,
28 THE TUITION RATE ESTABLISHED UNDER THIS PARAGRAPH MAY NOT EXCEED
29 THE TUITION RATE ESTABLISHED FOR THE 2007-2008 SCHOOL YEAR
30 MULTIPLIED BY THE GREATER OF EITHER TWO PER CENTUM (2%) OR THE

1 PERCENTAGE INCREASE IN TOTAL BUDGETED REVENUES AVAILABLE TO A
2 DISTRESSED SCHOOL DISTRICT.

3 (B) A SCHOOL DISTRICT DESIGNATED UNDER SUBSECTION (A)(1)
4 SHALL PROVIDE TRANSPORTATION TO THE STUDENTS REASSIGNED TO ITS
5 HIGH SCHOOL AND SHALL BE ELIGIBLE FOR TRANSPORTATION
6 REIMBURSEMENT IN A MANNER CONSISTENT WITH SECTION 2541.

7 (C) THE SECRETARY SHALL PUBLISH THE FOLLOWING ON THE
8 DEPARTMENT OF EDUCATION'S INTERNET WEBSITE NO LATER THAN AUGUST
9 1, 2007, AND AUGUST 1 OF EACH YEAR THEREAFTER AND IN THE
10 PENNSYLVANIA BULLETIN NO LATER THAN SEPTEMBER 30, 2007, AND
11 SEPTEMBER 30 OF EACH YEAR THEREAFTER:

12 (1) THE NAMES OF THE SCHOOL DISTRICTS DESIGNATED UNDER
13 SUBSECTION (A)(1);

14 (2) THE PROCESS ESTABLISHED UNDER SUBSECTION (A)(2); AND

15 (3) THE TUITION RATE ESTABLISHED UNDER SUBSECTION (A)(3).

16 (D) NOTWITHSTANDING ANY OTHER PROVISION OF LAW, REGULATION,
17 GUIDELINE, DIRECTIVE, DECISION OR AGREEMENT TO THE CONTRARY, ANY
18 SCHOOL DISTRICT THAT IS DESIGNATED BY THE SECRETARY UNDER
19 SUBSECTION (A)(1) MAY NOT BE REQUIRED TO INCLUDE THE STUDENTS IN
20 ITS PUBLIC SCHOOL ENROLLMENT REPORT FOR THE PURPOSES OF
21 DETERMINING AN INTERSCHOLASTIC SPORTS CLASSIFICATION BY A
22 PRIVATE ENTITY THAT IS ORGANIZED UNDER THE LAWS OF THIS
23 COMMONWEALTH TO ADMINISTER INTERSCHOLASTIC ATHLETICS.

24 (E) A STUDENT ASSIGNED TO A SCHOOL DISTRICT DESIGNATED
25 PURSUANT TO SUBSECTION (A)(1) SHALL BE INCLUDED IN THE AVERAGE
26 DAILY MEMBERSHIP OF THE STUDENT'S SCHOOL DISTRICT OF RESIDENCE
27 FOR THE PURPOSE OF PROVIDING BASIC EDUCATION FUNDING ALLOCATIONS
28 AND SPECIAL EDUCATION FUNDING PAYMENTS PURSUANT TO ARTICLE XXV.

29 (F) NO LATER THAN FEBRUARY 1, 2008, AND FEBRUARY 1 OF EACH
30 YEAR THEREAFTER, THE LEGISLATIVE BUDGET AND FINANCE COMMITTEE

1 SHALL SUBMIT A REPORT TO THE CHAIRMAN AND MINORITY CHAIRMAN OF
2 THE APPROPRIATIONS AND EDUCATION COMMITTEES OF THE SENATE AND TO
3 THE CHAIRMAN AND MINORITY CHAIRMAN OF THE APPROPRIATIONS AND
4 EDUCATION COMMITTEES OF THE HOUSE OF REPRESENTATIVES SUMMARIZING
5 THE FINANCIAL AND ACADEMIC STATUS OF A DISTRESSED SCHOOL
6 DISTRICT UNDER THIS SECTION AND INCLUDING AN AUDIT OF ITS
7 ACCOUNTS FOR THE IMMEDIATELY PRECEDING SCHOOL YEAR.

8 (G) (1) NO LATER THAN OCTOBER 1, 2007, THE SECRETARY SHALL
9 ESTABLISH AN EDUCATION ADVISORY COMMITTEE WHICH SHALL PROVIDE
10 SEMI-ANNUAL REPORTS TO THE SECRETARY. SUCH REPORTS TO THE
11 SECRETARY MAY INCLUDE, BUT ARE NOT LIMITED TO:

12 (I) AN EVALUATION OF THE TRANSITION OF STUDENTS THAT HAVE
13 BEEN ASSIGNED TO A SCHOOL DISTRICT DESIGNATED UNDER SUBSECTION
14 (A)(1).

15 (II) RECOMMENDATIONS FOR CHANGES TO THE PROCESS ESTABLISHED
16 UNDER SUBSECTION (A)(2).

17 (III) RECOMMENDATIONS FOR IMPROVING EDUCATION OPPORTUNITIES
18 FOR STUDENTS OF A DISTRESSED SCHOOL DISTRICT UNDER THIS SECTION.

19 (2) THE SECRETARY SHALL PROVIDE THE EDUCATION ADVISORY
20 COMMITTEE A WRITTEN RESPONSE TO THE SEMI-ANNUAL REPORT REQUIRED
21 UNDER THIS PARAGRAPH.

22 (3) THE EDUCATION ADVISORY COMMITTEE SHALL CONSIST OF
23 MEMBERS SELECTED BY THE SECRETARY OF EDUCATION, INCLUDING:

24 (I) A REPRESENTATIVE OF EACH DESIGNATED SCHOOL DISTRICT
25 RECOMMENDED BY THE BOARD OF SCHOOL DIRECTORS OF THE DESIGNATED
26 SCHOOL DISTRICT.

27 (II) A MEMBER OF THE BOARD OF CONTROL OF THE DISTRESSED
28 SCHOOL DISTRICT.

29 (III) AN ADMINISTRATOR FROM EACH DESIGNATED SCHOOL DISTRICT
30 AND FROM THE DISTRESSED SCHOOL DISTRICT.

1 (IV) A TEACHER FROM EACH DESIGNATED SCHOOL DISTRICT AND FROM
2 THE DISTRESSED SCHOOL DISTRICT.

3 (V) AN ELECTED OFFICIAL REPRESENTING VOTERS IN EACH
4 DESIGNATED SCHOOL DISTRICT AND THE DISTRESSED SCHOOL DISTRICT.

5 (VI) THREE RESIDENTS OF EACH OF THE DESIGNATED SCHOOL
6 DISTRICTS.

7 (VII) THREE RESIDENTS OF THE DISTRESSED SCHOOL DISTRICT.

8 (VIII) AN EMPLOYEE OF THE DEPARTMENT OF EDUCATION, WHO SHALL
9 NOT BE A CURRENT MEMBER OF THE BOARD OF CONTROL.

10 (IX) A REPRESENTATIVE OF THE INTERMEDIATE UNIT IN WHICH THE
11 DESIGNATED SCHOOL DISTRICT AND DISTRESSED SCHOOL DISTRICT ARE
12 LOCATED.

13 SECTION 5. SECTION 1723-A OF THE ACT IS AMENDED BY ADDING A
14 SUBSECTION TO READ:

15 SECTION 1723-A. ENROLLMENT.--* * *

16 (D) (1) ENROLLMENT OF STUDENTS IN A CHARTER SCHOOL OR CYBER
17 CHARTER SCHOOL SHALL NOT BE SUBJECT TO A CAP OR OTHERWISE
18 LIMITED BY ANY PAST OR FUTURE ACTION OF A BOARD OF SCHOOL
19 DIRECTORS, A BOARD OF CONTROL ESTABLISHED UNDER ARTICLE XVII-B,
20 A SPECIAL BOARD OF CONTROL ESTABLISHED UNDER SECTION 692 OR ANY
21 OTHER GOVERNING AUTHORITY, UNLESS AGREED TO BY THE CHARTER
22 SCHOOL OR CYBER CHARTER SCHOOL AS PART OF A WRITTEN CHARTER
23 PURSUANT TO SECTION 1720-A.

24 (2) THE PROVISIONS OF THIS SUBSECTION SHALL APPLY TO A
25 CHARTER SCHOOL OR CYBER CHARTER SCHOOL REGARDLESS OF WHETHER THE
26 CHARTER WAS APPROVED PRIOR TO OR IS APPROVED SUBSEQUENT TO THE
27 EFFECTIVE DATE OF THIS SUBSECTION.

28 SECTION 6. SECTION 1704-B(C)(1) OF THE ACT, ADDED JULY 11,
29 2006 (P.L.1092, NO.114), IS AMENDED TO READ:

30 SECTION 1704-B. BOARD OF SCHOOL DIRECTORS.--* * *

1 (C) (1) IN ADDITION TO ALL CURRENT RIGHTS, POWERS,
2 PRIVILEGES, PREROGATIVES AND DUTIES, A BOARD OF SCHOOL DIRECTORS
3 OF A SCHOOL DISTRICT THAT HAS BEEN PLACED ON THE EMPOWERMENT
4 LIST DUE TO THE DESIGNATION BY THE SECRETARY AS A COMMONWEALTH
5 PARTNERSHIP SCHOOL DISTRICT SHALL HAVE [THE POWER TO CANCEL OR
6 RENEGOTIATE ANY CONTRACT, OTHER THAN COLLECTIVE BARGAINING
7 AGREEMENTS, FOR THE PURPOSE OF MAKING NECESSARY ECONOMIES IN THE
8 OPERATION OF THE SCHOOLS WITHIN THE SCHOOL DISTRICT; ELIMINATE
9 NONPROFESSIONAL POSITIONS FOR SERVICES NONESSENTIAL FOR THE
10 OPERATION OF THE SCHOOL DISTRICT; OR ENTER INTO AGREEMENTS WITH
11 INDIVIDUALS, FOR-PROFIT OR NONPROFIT ORGANIZATIONS FOR THE
12 OPERATION OF SCHOOL BUILDINGS OR GROUPS OF SCHOOL BUILDINGS OR
13 FOR THE PROVISION OF EDUCATIONAL OR OTHER TYPES OF SERVICES TO
14 OR FOR THE SCHOOL DISTRICT.] THOSE POWERS OF THE BOARD OF SCHOOL
15 DIRECTORS ENUMERATED IN SUBSECTION (A).

16 * * *

17 SECTION 7. THE ACT IS AMENDED BY ADDING A SECTION TO READ:

18 SECTION 1704.1-B. SUPERINTENDENT POWER TO RECOMMEND
19 DISMISSAL.--(A) THE SUPERINTENDENT OF A SCHOOL DISTRICT SHALL
20 HAVE THE AUTHORITY TO RECOMMEND TO THE BOARD OF SCHOOL DIRECTORS
21 DISMISSAL OF A MANAGEMENT EMPLOYE FOR UNSATISFACTORY PERFORMANCE
22 OR WILFUL MISCONDUCT.

23 (B) THE BOARD OF SCHOOL DIRECTORS SHALL CONSIDER A
24 RECOMMENDATION OF THE SUPERINTENDENT FOR DISMISSAL OF A
25 MANAGEMENT EMPLOYE. A RECOMMENDATION FOR DISMISSAL OF A
26 MANAGEMENT EMPLOYE SHALL BE SUBJECT TO SECTION 508.

27 (C) CONSIDERATION OF A RECOMMENDATION FOR THE DISMISSAL OF A
28 MANAGEMENT EMPLOYE UNDER THIS SECTION SHALL COMPLY WITH SECTION
29 514 AND 2 PA.C.S. CH. 5 SUBCH. B (RELATING TO PRACTICE AND
30 PROCEDURE OF LOCAL AGENCIES).

1 PARAGRAPH, \$250,000 SHALL BE DIVIDED BY THE TOTAL NUMBER OF
2 ALL LOCAL LIBRARIES, BRANCH LIBRARIES AND BOOKMOBILES.

3 (C) DISCRETIONARY DISBURSEMENT OF UNALLOCATED FUNDS.--AFTER
4 DISTRIBUTION OF STATE AID TO LIBRARIES UNDER THIS SECTION, ANY
5 REMAINING UNALLOCATED FUNDS MAY BE DISTRIBUTED AT THE DISCRETION
6 OF THE STATE LIBRARIAN.

7 SECTION 5 10. SECTION 2502.13 OF THE ACT IS AMENDED BY <—
8 ADDING A SUBSECTION TO READ:

9 SECTION 2502.13. SMALL DISTRICT ASSISTANCE.--* * *

10 (M) FOR THE SCHOOL YEAR 2006-2007, THE COMMONWEALTH SHALL
11 PAY TO EACH SCHOOL DISTRICT WHICH HAS AN AVERAGE DAILY
12 MEMBERSHIP OF ONE THOUSAND FIVE-HUNDRED (1,500) OR LESS AND A
13 MARKET VALUE/INCOME AID RATIO OF FIVE THOUSAND TEN-THOUSANDTHS
14 (0.5000) OR GREATER AN AMOUNT EQUAL TO SIXTY DOLLARS (\$60)
15 MULTIPLIED BY THAT DISTRICT'S AVERAGE DAILY MEMBERSHIP AND BY
16 THAT DISTRICT'S MARKET VALUE/INCOME AID RATIO.

17 SECTION 6 11. THE ACT IS AMENDED BY ADDING A SECTION TO <—
18 READ:

19 SECTION 2502.47. BASIC EDUCATION FUNDING FOR 2006-2007
20 SCHOOL YEAR.--FOR THE 2006-2007 SCHOOL YEAR, THE COMMONWEALTH
21 SHALL PAY TO EACH SCHOOL DISTRICT A BASIC EDUCATION FUNDING
22 ALLOCATION WHICH SHALL CONSIST OF THE FOLLOWING:

23 (1) AN AMOUNT EQUAL TO THE BASIC EDUCATION FUNDING
24 ALLOCATION FOR THE 2005-2006 SCHOOL YEAR UNDER SECTIONS 2502.13,
25 2502.45 AND 2504.4.

26 (2) IF A SCHOOL DISTRICT HAS BEEN DECLARED A COMMONWEALTH
27 PARTNERSHIP SCHOOL DISTRICT UNDER ARTICLE XVII-B, AN AMOUNT
28 EQUAL TO FOUR MILLION DOLLARS (\$4,000,000).

29 (3) A BASE SUPPLEMENT CALCULATED AS FOLLOWS:

30 (I) IF THE SCHOOL DISTRICT'S MARKET VALUE/INCOME AID RATIO

1 IS EQUAL TO OR GREATER THAN SEVEN THOUSAND THREE HUNDRED NINETY-
2 ONE TEN-THOUSANDTHS (.7391):

3 (A) MULTIPLY THE SCHOOL DISTRICT'S 2007-2008 MARKET
4 VALUE/INCOME AID RATIO BY ITS 2006-2007 AVERAGE DAILY
5 MEMBERSHIP.

6 (B) MULTIPLY THE PRODUCT FROM CLAUSE (A) BY FIVE MILLION
7 NINE HUNDRED FIFTY THOUSAND DOLLARS (\$5,950,000).

8 (C) DIVIDE THE PRODUCT FROM CLAUSE (B) BY THE SUM OF THE
9 PRODUCTS OF THE 2007-2008 MARKET VALUE/INCOME AID RATIO
10 MULTIPLIED BY THE 2006-2007 AVERAGE DAILY MEMBERSHIP FOR ALL
11 QUALIFYING SCHOOL DISTRICTS.

12 (II) IF THE SCHOOL DISTRICT'S 2007-2008 MARKET VALUE/INCOME
13 AID RATIO IS EQUAL TO OR GREATER THAN SIX THOUSAND SIX HUNDRED
14 FIFTEEN TEN-THOUSANDTHS (.6615) AND LESS THAN SEVEN THOUSAND
15 THREE HUNDRED NINETY-ONE TEN-THOUSANDTHS (.7391):

16 (A) MULTIPLY THE SCHOOL DISTRICT'S 2007-2008 MARKET VALUE/
17 INCOME AID RATIO BY ITS 2006-2007 AVERAGE DAILY MEMBERSHIP.

18 (B) MULTIPLY THE PRODUCT FROM CLAUSE (A) BY SEVENTEEN
19 MILLION FIVE HUNDRED TWENTY THOUSAND DOLLARS (\$17,520,000).

20 (C) DIVIDE THE PRODUCT FROM CLAUSE (B) BY THE SUM OF THE
21 PRODUCTS OF THE 2007-2008 MARKET VALUE/INCOME AID RATIO
22 MULTIPLIED BY THE 2006-2007 AVERAGE DAILY MEMBERSHIP FOR ALL
23 QUALIFYING SCHOOL DISTRICTS.

24 (III) IF THE SCHOOL DISTRICT'S 2007-2008 MARKET VALUE/
25 INCOME AID RATIO IS EQUAL TO OR GREATER THAN FIVE THOUSAND EIGHT
26 HUNDRED FIFTY-SIX TEN-THOUSANDTHS (.5856) AND LESS THAN SIX
27 THOUSAND SIX HUNDRED FIFTEEN TEN-THOUSANDTHS (.6615):

28 (A) MULTIPLY THE SCHOOL DISTRICT'S 2007-2008 MARKET
29 VALUE/INCOME AID RATIO BY ITS 2006-2007 AVERAGE DAILY
30 MEMBERSHIP.

1 (B) MULTIPLY THE PRODUCT FROM CLAUSE (A) BY SEVEN MILLION
2 EIGHT HUNDRED THOUSAND DOLLARS (\$7,800,000).

3 (C) DIVIDE THE PRODUCT FROM CLAUSE (B) BY THE SUM OF THE
4 PRODUCTS OF THE 2007-2008 MARKET VALUE/INCOME AID RATIO
5 MULTIPLIED BY THE 2006-2007 AVERAGE DAILY MEMBERSHIP FOR ALL
6 QUALIFYING SCHOOL DISTRICTS.

7 (IV) IF THE SCHOOL DISTRICT'S 2007-2008 MARKET VALUE/INCOME
8 AID RATIO IS EQUAL TO OR GREATER THAN FOUR THOUSAND ONE HUNDRED
9 NINETY-FIVE TEN-THOUSANDTHS (.4195) AND LESS THAN FIVE THOUSAND
10 EIGHT HUNDRED FIFTY-SIX TEN-THOUSANDTHS (.5856):

11 (A) MULTIPLY THE SCHOOL DISTRICT'S 2007-2008 MARKET VALUE/
12 INCOME AID RATIO BY ITS 2006-2007 AVERAGE DAILY MEMBERSHIP.

13 (B) MULTIPLY THE PRODUCT FROM CLAUSE (A) BY ELEVEN MILLION
14 FOUR HUNDRED THOUSAND DOLLARS (\$11,400,000).

15 (C) DIVIDE THE PRODUCT FROM CLAUSE (B) BY THE SUM OF THE
16 PRODUCTS OF THE 2007-2008 MARKET VALUE/INCOME AID RATIO
17 MULTIPLIED BY THE 2006-2007 AVERAGE DAILY MEMBERSHIP FOR ALL
18 QUALIFYING SCHOOL DISTRICTS.

19 (V) IF THE SCHOOL DISTRICT'S 2007-2008 MARKET VALUE/INCOME
20 AID RATIO IS LESS THAN FOUR THOUSAND ONE HUNDRED NINETY-FIVE
21 TEN-THOUSANDTHS (.4195):

22 (A) MULTIPLY THE SCHOOL DISTRICT'S 2007-2008 MARKET VALUE/
23 INCOME AID RATIO BY ITS 2006-2007 AVERAGE DAILY MEMBERSHIP.

24 (B) MULTIPLY THE PRODUCT FROM CLAUSE (A) BY SIX MILLION
25 TWENTY-FIVE THOUSAND DOLLARS (\$6,025,000).

26 (C) DIVIDE THE PRODUCT FROM CLAUSE (B) BY THE SUM OF THE
27 PRODUCTS OF THE 2007-2008 MARKET VALUE/INCOME AID RATIO
28 MULTIPLIED BY THE 2006-2007 AVERAGE DAILY MEMBERSHIP FOR ALL
29 QUALIFYING SCHOOL DISTRICTS.

30 (4) A POVERTY SUPPLEMENT CALCULATED FOR QUALIFYING SCHOOL

1 DISTRICTS AS FOLLOWS:

2 (I) FOR A SCHOOL DISTRICT TO QUALIFY FOR THE POVERTY
3 SUPPLEMENT:

4 (A) FORTY PERCENT (40%) OR MORE OF THE STUDENTS ENROLLED IN
5 THE SCHOOL DISTRICT ON OCTOBER 31, 2006, MUST HAVE BEEN ELIGIBLE
6 FOR FREE OR REDUCED PRICE MEALS UNDER THE SCHOOL LUNCH PROGRAM
7 AND THE SCHOOL DISTRICT'S 2007-2008 MARKET VALUE/INCOME AID
8 RATIO MUST BE AT LEAST FOUR THOUSAND FIVE HUNDRED TEN-
9 THOUSANDTHS (.4500); OR

10 (B) EQUAL TO OR GREATER THAN THIRTY PERCENT (30%) AND FEWER
11 THAN FORTY PERCENT (40%) OF THE STUDENTS ENROLLED IN THE SCHOOL
12 DISTRICT ON OCTOBER 31, 2006, MUST HAVE BEEN ELIGIBLE FOR FREE
13 OR REDUCED PRICE MEALS UNDER THE SCHOOL LUNCH PROGRAM AND THE
14 SCHOOL DISTRICT'S 2007-2008 MARKET VALUE/INCOME AID RATIO MUST
15 BE AT LEAST SIX THOUSAND FIVE HUNDRED TEN-THOUSANDTHS (.6500).

16 (II) THE POVERTY SUPPLEMENT SHALL BE CALCULATED FOR
17 QUALIFYING SCHOOL DISTRICTS AS FOLLOWS:

18 (A) MULTIPLY THE SCHOOL DISTRICT'S 2007-2008 MARKET VALUE/
19 INCOME AID RATIO BY ITS 2006-2007 AVERAGE DAILY MEMBERSHIP BY
20 THE PERCENT OF STUDENTS ENROLLED IN THE SCHOOL DISTRICT ON
21 OCTOBER 31, 2006, WHO WERE ELIGIBLE FOR FREE OR REDUCED PRICE
22 MEALS UNDER THE SCHOOL LUNCH PROGRAM.

23 (B) MULTIPLY THE PRODUCT FROM CLAUSE (A) BY TWENTY-SIX
24 MILLION DOLLARS (\$26,000,000).

25 (C) DIVIDE THE PRODUCT FROM CLAUSE (B) BY THE SUM OF THE
26 PRODUCTS OF THE 2007-2008 MARKET VALUE/INCOME AID RATIO
27 MULTIPLIED BY THE 2006-2007 AVERAGE DAILY MEMBERSHIP MULTIPLIED
28 BY THE PERCENT OF STUDENTS ENROLLED IN THE SCHOOL DISTRICT ON
29 OCTOBER 31, 2006, WHO WERE ELIGIBLE FOR FREE OR REDUCED PRICE
30 MEALS UNDER THE SCHOOL LUNCH PROGRAM FOR ALL QUALIFYING SCHOOL

1 DISTRICTS.

2 (5) A FOUNDATION SUPPLEMENT CALCULATED FOR QUALIFYING
3 DISTRICTS AS FOLLOWS:

4 (I) TO QUALIFY FOR THE FOUNDATION SUPPLEMENT, A SCHOOL
5 DISTRICT'S 2005-2006 ADJUSTED CURRENT EXPENDITURES PER AVERAGE
6 DAILY MEMBERSHIP MUST BE LESS THAN THE FOUNDATION TARGET AND ITS
7 2005-2006 EQUALIZED MILLAGE MUST BE GREATER THAN OR EQUAL TO
8 18.0. FOR THE PURPOSE OF THIS SUBSECTION, THE "FOUNDATION
9 TARGET" SHALL BE ONE OF THE FOLLOWING:

10 (A) THE 2003-2004 MEDIAN CURRENT EXPENDITURES PER AVERAGE
11 DAILY MEMBERSHIP INCREASED BY THREE AND NINE-TENTHS PERCENT
12 (3.9%) AND FURTHER INCREASED BY THREE AND FOUR-TENTHS PERCENT
13 (3.4%).

14 (B) FOR A SCHOOL DISTRICT WHERE AT LEAST FIFTY PERCENT (50%)
15 OF STUDENTS ENROLLED IN THE SCHOOL DISTRICT ON OCTOBER 31, 2006,
16 WERE ELIGIBLE FOR FREE OR REDUCED PRICE MEALS UNDER THE SCHOOL
17 LUNCH PROGRAM, THE AMOUNT REFERENCED UNDER CLAUSE (A) INCREASED
18 BY TWENTY PERCENT (20%).

19 (II) THE FOUNDATION SUPPLEMENT SHALL BE CALCULATED FOR
20 QUALIFYING SCHOOL DISTRICTS AS FOLLOWS:

21 (A) MULTIPLY THE SCHOOL DISTRICT'S 2007-2008 MARKET
22 VALUE/INCOME AID RATIO BY ITS 2006-2007 AVERAGE DAILY
23 MEMBERSHIP.

24 (B) MULTIPLY THE PRODUCT IN CLAUSE (A) BY THE LESSER OF:

25 (I) FIVE HUNDRED DOLLARS (\$500), OR IF ITS 2007-2008 MARKET
26 VALUE/INCOME AID RATIO IS EQUAL TO OR GREATER THAN SEVEN
27 THOUSAND TEN-THOUSANDTHS (.7000), EIGHT HUNDRED FIFTY DOLLARS
28 (\$850);

29 (II) THE DIFFERENCE BETWEEN THE VALUE OF THE FOUNDATION
30 TARGET AND THE SCHOOL DISTRICT'S 2005-2006 ADJUSTED CURRENT

1 EXPENDITURES PER AVERAGE DAILY MEMBERSHIP; OR
2 (III) IF THE SCHOOL DISTRICT'S 2005-2006 EQUALIZED MILLAGE
3 IS LESS THAN TWENTY-ONE AND ONE-TENTH (21.1), THE PRODUCT OF THE
4 LESSER OF THE AMOUNT IN CLAUSE (B)(I) OR (II) AND THE QUOTIENT
5 OF ITS 2005-2006 EQUALIZED MILLAGE DIVIDED BY TWENTY-ONE AND
6 ONE-TENTH (21.1).

7 (C) MULTIPLY THE PRODUCT FROM CLAUSE (B) BY FORTY MILLION
8 DOLLARS (\$40,000,000).

9 (D) DIVIDE THE PRODUCT FROM CLAUSE (C) BY THE SUM OF THE
10 PRODUCTS FROM CLAUSE (B).

11 (III) IF A QUALIFYING SCHOOL DISTRICT'S 2005-2006 EQUALIZED
12 MILLAGE IS EQUAL TO OR GREATER THAN TWENTY-FOUR AND SEVEN-TENTHS
13 (24.7), IT SHALL RECEIVE AN ADDITIONAL PAYMENT CALCULATED AS
14 FOLLOWS:

15 (A) MULTIPLY THE PRODUCT FROM SUBPARAGRAPH (II)(B) BY
16 EIGHTEEN MILLION DOLLARS (\$18,000,000).

17 (B) DIVIDE THE PRODUCT FROM CLAUSE (A) BY THE SUM OF THE
18 PRODUCTS FROM SUBPARAGRAPH (II)(B) FOR QUALIFYING SCHOOL
19 DISTRICTS.

20 (6) A TAX EFFORT SUPPLEMENT CALCULATED FOR QUALIFYING SCHOOL
21 DISTRICTS AS FOLLOWS:

22 (I) TO QUALIFY FOR THIS PORTION OF THE TAX EFFORT
23 SUPPLEMENT, THE PERCENT CHANGE IN A SCHOOL DISTRICT'S MARKET
24 VALUE FROM 2000 TO 2005 MUST BE LESS THAN TEN PERCENT (10%).

25 (II) THIS PORTION OF THE TAX EFFORT SUPPLEMENT SHALL BE
26 CALCULATED FOR QUALIFYING SCHOOL DISTRICTS AS FOLLOWS:

27 (A) MULTIPLY THE SCHOOL DISTRICT'S 2007-2008 MARKET
28 VALUE/INCOME AID RATIO BY ITS 2006-2007 AVERAGE DAILY
29 MEMBERSHIP.

30 (B) MULTIPLY THE PRODUCT FROM CLAUSE (A) BY THREE MILLION

1 DOLLARS (\$3,000,000).

2 (C) DIVIDE THE PRODUCT FROM CLAUSE (B) BY THE SUM OF THE
3 PRODUCTS OF THE 2007-2008 MARKET VALUE/INCOME AID RATIO
4 MULTIPLIED BY THE 2006-2007 AVERAGE DAILY MEMBERSHIP FOR ALL
5 QUALIFYING SCHOOL DISTRICTS.

6 (III) TO QUALIFY FOR THIS PORTION OF THE TAX EFFORT
7 SUPPLEMENT, A SCHOOL DISTRICT'S 2005-2006 EQUALIZED MILLAGE MUST
8 BE EQUAL TO OR GREATER THAN TWENTY-ONE AND ONE-TENTH (21.1)
9 EQUALIZED MILLS.

10 (IV) THIS PORTION OF THE TAX EFFORT SUPPLEMENT SHALL BE
11 CALCULATED FOR QUALIFYING SCHOOL DISTRICTS AS FOLLOWS:

12 (A) MULTIPLY THE SCHOOL DISTRICT'S 2006-2007 AVERAGE DAILY
13 MEMBERSHIP BY FIVE MILLION DOLLARS (\$5,000,000).

14 (B) DIVIDE THE PRODUCT FROM CLAUSE (A) BY THE SUM OF THE
15 2006-2007 AVERAGE DAILY MEMBERSHIP FOR ALL QUALIFYING SCHOOL
16 DISTRICTS.

17 (7) A GROWTH SUPPLEMENT CALCULATED FOR QUALIFYING SCHOOL
18 DISTRICTS AS FOLLOWS:

19 (I) TO QUALIFY FOR THIS PORTION OF THE GROWTH SUPPLEMENT,
20 THE SCHOOL DISTRICT'S 2005-2006 AVERAGE DAILY MEMBERSHIP MUST BE
21 AT LEAST FIVE PERCENT (5%) GREATER THAN THE SCHOOL DISTRICT'S
22 2000-2001 AVERAGE DAILY MEMBERSHIP, THE SCHOOL DISTRICT'S 2005
23 MARKET VALUE PER 2005-2006 AVERAGE DAILY MEMBERSHIP MUST BE LESS
24 THAN OR EQUAL TO NINETEEN AND ONE-HALF PERCENT (19.50%) GREATER
25 THAN THE SCHOOL DISTRICT'S 2000 MARKET VALUE PER 2000-2001
26 AVERAGE DAILY MEMBERSHIP AND THE SCHOOL DISTRICT'S 2006-2007
27 AVERAGE DAILY MEMBERSHIP MUST BE GREATER THAN THE SCHOOL
28 DISTRICT'S 2005-2006 AVERAGE DAILY MEMBERSHIP. THIS PORTION OF
29 THE GROWTH SUPPLEMENT SHALL BE CALCULATED FOR QUALIFYING SCHOOL
30 DISTRICTS AS FOLLOWS:

1 (A) MULTIPLY THE SCHOOL DISTRICT'S 2007-2008 MARKET VALUE/
2 INCOME AID RATIO BY THE DIFFERENCE BETWEEN THE SCHOOL DISTRICT'S
3 2005-2006 AVERAGE DAILY MEMBERSHIP AND THE SCHOOL DISTRICT'S
4 2006-2007 AVERAGE DAILY MEMBERSHIP.

5 (B) MULTIPLY THE PRODUCT FROM CLAUSE (A) BY TWO MILLION FIVE
6 HUNDRED THOUSAND DOLLARS (\$2,500,000).

7 (C) DIVIDE THE PRODUCT FROM CLAUSE (B) BY THE SUM OF THE
8 PRODUCTS OF THE 2007-2008 MARKET VALUE/INCOME AID RATIO
9 MULTIPLIED BY THE DIFFERENCE BETWEEN THE 2005-2006 AVERAGE DAILY
10 MEMBERSHIP AND THE 2006-2007 AVERAGE DAILY MEMBERSHIP FOR ALL
11 QUALIFYING SCHOOL DISTRICTS.

12 (II) TO QUALIFY FOR THIS PORTION OF THE GROWTH SUPPLEMENT, A
13 SCHOOL DISTRICT'S 2006-2007 AVERAGE DAILY MEMBERSHIP MUST BE
14 GREATER THAN ITS 2005-2006 AVERAGE DAILY MEMBERSHIP. THIS
15 PORTION OF THE GROWTH SUPPLEMENT SHALL BE CALCULATED FOR
16 QUALIFYING SCHOOL DISTRICTS AS FOLLOWS:

17 (A) SUBTRACT THE SCHOOL DISTRICT'S 2005-2006 AVERAGE DAILY
18 MEMBERSHIP FROM ITS 2006-2007 AVERAGE DAILY MEMBERSHIP.

19 (B) MULTIPLY THE DIFFERENCE FROM CLAUSE (A) BY FIVE MILLION
20 DOLLARS (\$5,000,000).

21 (C) DIVIDE THE PRODUCT FROM CLAUSE (B) BY THE SUM OF THE
22 DIFFERENCES FROM CLAUSE (A) FOR ALL QUALIFYING SCHOOL DISTRICTS.

23 (8) EACH SCHOOL DISTRICT SHALL RECEIVE AN INFLATION INDEX
24 SUPPLEMENT AS NECESSARY SO THAT THE SUM OF THE AMOUNTS UNDER
25 SECTION 2502.13, 2504.4 AND PARAGRAPHS (3), (4), (5), (6) AND
26 (7) AND THIS PARAGRAPH EQUAL THREE AND FOUR-TENTHS PERCENT
27 (3.4%) MULTIPLIED BY ITS 2007-2008 MARKET VALUE/INCOME AID RATIO
28 OF THE AMOUNT IN PARAGRAPH (1).

29 (9) EACH SCHOOL DISTRICT SHALL RECEIVE ADDITIONAL FUNDING AS
30 NECESSARY SO THAT THE SUM OF THE AMOUNTS UNDER SECTION 2502.13,

1 2504.4 AND PARAGRAPHS (3), (4), (5), (6), (7) AND (8) AND THIS
2 PARAGRAPH SHALL EQUAL AT LEAST TWO AND ONE-QUARTER PERCENT
3 (2.25%) OF THE AMOUNT IN PARAGRAPH (1).

4 SECTION 7 12. SECTIONS 2504.4, 2509.1 AND 2509.5 OF THE ACT <—
5 ARE AMENDED BY ADDING SUBSECTIONS TO READ:

6 SECTION 2504.4. PAYMENTS ON ACCOUNT OF LIMITED ENGLISH
7 PROFICIENCY PROGRAMS.--* * *

8 (A.3) TO QUALIFY FOR LIMITED ENGLISH PROFICIENCY PAYMENTS
9 UNDER THIS SECTION, A SCHOOL DISTRICT'S 2007-2008 MARKET
10 VALUE/INCOME AID RATIO MUST BE EQUAL TO OR GREATER THAN THREE
11 THOUSAND EIGHT HUNDRED TEN-THOUSANDTHS (.3800) AND THE NUMBER OF
12 ENROLLED STUDENTS IDENTIFIED AS LIMITED ENGLISH PROFICIENT IN
13 THE 2005-2006 SCHOOL YEAR MUST BE EQUAL TO OR GREATER THAN THREE
14 AND ONE-HALF PERCENT (3.5%) OF THE SCHOOL DISTRICT'S 2005-2006
15 AVERAGE DAILY MEMBERSHIP. THE ALLOCATION UNDER THIS SECTION
16 SHALL BE PAID IN FISCAL YEAR 2007-2008 OUT OF THE APPROPRIATION
17 FOR BASIC EDUCATION FUNDING AND CALCULATED FOR QUALIFYING SCHOOL
18 DISTRICTS AS FOLLOWS:

19 (1) MULTIPLY THE NUMBER OF ENROLLED STUDENTS IDENTIFIED AS
20 LIMITED ENGLISH PROFICIENT IN THE 2005-2006 SCHOOL YEAR BY TWO
21 MILLION SEVEN HUNDRED THOUSAND DOLLARS (\$2,700,000).

22 (2) DIVIDE THE PRODUCT FROM PARAGRAPH (1) BY THE SUM OF
23 ENROLLED STUDENTS IDENTIFIED AS LIMITED ENGLISH PROFICIENT FOR
24 ALL QUALIFYING SCHOOL DISTRICTS.

25 SECTION 2509.1. PAYMENTS TO INTERMEDIATE UNITS.--* * *

26 (B.15) UP TO ELEVEN MILLION TWO HUNDRED THOUSAND DOLLARS
27 (\$11,200,000) MAY BE UTILIZED FOR PROGRAMS ADMINISTERED AND
28 OPERATED BY INTERMEDIATE UNITS DURING THE 2007-2008 SCHOOL YEAR
29 FOR INSTITUTIONALIZED CHILDREN AS ESTABLISHED IN SUBSECTION
30 (B.1).

1 * * *

2 SECTION 2509.5. SPECIAL EDUCATION PAYMENTS TO SCHOOL
3 DISTRICTS.--* * *

4 (VV) DURING THE 2007-2008 SCHOOL YEAR, EACH SCHOOL DISTRICT
5 SHALL BE PAID THE AMOUNT IT RECEIVED DURING THE 2006-2007 SCHOOL
6 YEAR UNDER SUBSECTIONS (RR), (SS), (TT) AND (UU).

7 (WW) DURING THE 2007-2008 SCHOOL YEAR, TWENTY-SEVEN MILLION
8 SIX HUNDRED ~~AND EIGHTY ONE THOUSAND SIX HUNDRED AND TWENTY~~ <—
9 ~~DOLLARS (\$27,681,620) EIGHTY-TWO THOUSAND ONE HUNDRED AND~~ <—
10 NINETY-THREE DOLLARS (\$27,682,193) OF THE FUNDS APPROPRIATED TO
11 THE DEPARTMENT OF EDUCATION FOR SPECIAL EDUCATION SHALL BE USED
12 TO PROVIDE SUPPLEMENTAL FUNDING FOR SPECIAL EDUCATION TO ALL
13 SCHOOL DISTRICTS. EACH SCHOOL DISTRICT SHALL RECEIVE A FUNDING
14 SUPPLEMENT CALCULATED AS FOLLOWS:

15 (1) MULTIPLY EACH SCHOOL DISTRICT'S 2007-2008 MARKET
16 VALUE/INCOME AID RATIO BY SIXTEEN PERCENT (16%) OF ITS 2006-2007
17 AVERAGE DAILY MEMBERSHIP;

18 (2) MULTIPLY THE PRODUCT FROM PARAGRAPH (1) BY TWENTY-SEVEN
19 MILLION DOLLARS (\$27,000,000); AND

20 (3) DIVIDE THE RESULTANT PRODUCT FROM PARAGRAPH (2) BY THE
21 SUM OF THE PRODUCTS OF THE 2007-2008 MARKET VALUE/INCOME AID
22 RATIO MULTIPLIED BY SIXTEEN PERCENT (16%) OF THE 2006-2007
23 AVERAGE DAILY MEMBERSHIP FOR ALL SCHOOL DISTRICTS.

24 (XX) EACH SCHOOL DISTRICT SHALL RECEIVE AN INFLATION INDEX
25 SUPPLEMENT AS NECESSARY SO THAT THE AMOUNTS UNDER SUBSECTION
26 (WW) AND THIS SUBSECTION EQUAL THREE AND FOUR-TENTHS PERCENT
27 (3.4%) MULTIPLIED BY EACH SCHOOL DISTRICT'S 2007-2008 MARKET
28 VALUE/INCOME AID RATIO OF THE AMOUNT IN SUBSECTION (VV).

29 (YY) EACH SCHOOL DISTRICT FOR WHICH THE SUM OF THE
30 SUPPLEMENTS UNDER SUBSECTIONS (WW) AND (XX) PROVIDES AN AMOUNT

1 LESS THAN TWO PERCENT (2%) OF THE AMOUNT PROVIDED UNDER
2 SUBSECTION (VV) SHALL RECEIVE ADDITIONAL FUNDING AS NECESSARY SO
3 THAT THE SUM OF THE AMOUNTS PROVIDED UNDER SUBSECTIONS (WW),
4 (XX) AND THIS SUBSECTION EQUALS TWO PERCENT (2%) OF THE AMOUNT
5 PROVIDED UNDER SUBSECTION (VV).

6 SECTION & 13. SECTION 2599.2(B) AND (C) OF THE ACT, AMENDED ←
7 JULY 13, 2005 (P.L.226, NO.46) AND JULY 11, 2006 (P.L.1092,
8 NO.114), ARE AMENDED AND THE SECTION IS AMENDED BY ADDING A
9 SUBSECTION TO READ:

10 SECTION 2599.2. PENNSYLVANIA ACCOUNTABILITY GRANTS.--* * *

11 (B) THE GRANT SHALL BE USED BY A SCHOOL DISTRICT TO ATTAIN
12 OR MAINTAIN ACADEMIC PERFORMANCE TARGETS. FUNDS OBTAINED UNDER
13 THIS SECTION MAY BE USED FOR ANY OF THE FOLLOWING:

14 (1) ESTABLISHING, MAINTAINING OR EXPANDING A QUALITY PRE-
15 KINDERGARTEN PROGRAM ALIGNED WITH THE CURRENT ACADEMIC STANDARDS
16 CONTAINED IN 22 PA. CODE CH. 4 (RELATING TO ACADEMIC STANDARDS
17 AND ASSESSMENT).

18 (2) ESTABLISHING, MAINTAINING OR EXPANDING A QUALITY FULL-
19 DAY KINDERGARTEN PROGRAM ALIGNED WITH THE CURRENT ACADEMIC
20 STANDARDS CONTAINED IN 22 PA. CODE CH. 4. SUCH PROGRAMS SHALL BE
21 KEPT OPEN FOR FIVE HOURS EACH DAY FOR THE FULL SCHOOL TERM AS
22 PROVIDED IN SECTION 1501. THE BOARD OF SCHOOL DIRECTORS OF A
23 SCHOOL DISTRICT MAY OFFER A FULL-DAY KINDERGARTEN PROGRAM TO
24 CHILDREN WHO ARE BETWEEN FOUR AND SIX YEARS OLD.

25 (3) ESTABLISHING, MAINTAINING OR EXPANDING A CLASS SIZE
26 REDUCTION PROGRAM. SUCH CLASS SIZE REDUCTION PROGRAM SHALL
27 APPOINT AND ASSIGN A MINIMUM OF ONE TEACHER FOR EVERY 17
28 STUDENTS OR TWO TEACHERS FOR EVERY 35 STUDENTS ENROLLED IN A
29 KINDERGARTEN, FIRST, SECOND OR THIRD GRADE CLASSROOM. ALL
30 TEACHERS APPOINTED AND ASSIGNED TO TEACH KINDERGARTEN, FIRST,

1 SECOND OR THIRD GRADE SHALL BE CERTIFIED IN ACCORDANCE WITH 22
2 PA. CODE CH. 49 (RELATING TO CERTIFICATION OF PROFESSIONAL
3 PERSONNEL) OR ITS SUCCESSORS. THE DEPARTMENT SHALL ESTABLISH
4 GUIDELINES TO ASSURE THAT NO SCHOOL DISTRICT SATISFIES THE
5 REQUIREMENTS OF THIS PARAGRAPH BY MAKING A REDUCTION IN, AND
6 SUBSEQUENT INCREASE TO, CURRENT TEACHER COMPLEMENT. FOR PURPOSES
7 OF THIS PARAGRAPH, THE PHRASE "ONE TEACHER FOR EVERY 17 STUDENTS
8 OR TWO TEACHERS FOR EVERY 35 STUDENTS ENROLLED IN A
9 KINDERGARTEN, FIRST, SECOND OR THIRD GRADE CLASSROOM" SHALL
10 REFER TO THE NUMBER OF TEACHERS CONDUCTING A CLASS AT ANY ONE
11 TIME IN A CLASSROOM CONTAINING THE APPLICABLE NUMBER OF
12 STUDENTS.

13 (4) ESTABLISHING, EXPANDING OR MAINTAINING PROGRAMS THAT
14 PROMOTE THE AVAILABILITY, COORDINATION, INTEGRATION AND
15 UTILIZATION OF SOCIAL AND HEALTH SERVICES, ASSOCIATED RESOURCES
16 AND ANCILLARY RESOURCES TO MEET THE NEEDS OF CHILDREN AND
17 FAMILIES IN ADDRESSING ISSUES THAT MAY SERVE TO LIMIT STUDENT
18 ACADEMIC ACHIEVEMENT.

19 (5) NOTWITHSTANDING THE PROVISIONS OF ARTICLE XV-C,
20 PROVIDING TUTORING ASSISTANCE DURING THE NORMAL SCHOOL DAY AND
21 HOURS OF THE SCHOOL DISTRICT, PROVIDED THAT THE TUTORING IS IN
22 ADDITION TO AND DOES NOT INTERFERE WITH A STUDENT'S REGULARLY
23 SCHEDULED CLASSROOM INSTRUCTION TIMES AND DOES NOT SUPPLANT
24 SERVICES REQUIRED IN A STUDENT'S INDIVIDUALIZED EDUCATION
25 PROGRAM.

26 (6) IMPROVING THE ACADEMIC PERFORMANCE OF SUBGROUPS
27 IDENTIFIED UNDER SECTION 1111(B) OF THE NO CHILD LEFT BEHIND ACT
28 OF 2001.

29 (7) ESTABLISHING, EXPANDING OR MAINTAINING PROGRAMS TO
30 ASSIST IN THE BUILDING OF STRONG SCIENCE AND APPLIED-KNOWLEDGE

1 SKILLS.

2 (8) PROVIDING ADDITIONAL PROGRAMS FOR CONTINUING
3 PROFESSIONAL EDUCATION THAT MAY INCLUDE ANY OF THE FOLLOWING:
4 TRAINING IN MATHEMATICS, SCIENCE AND LITERACY-SPECIFIC
5 CURRICULUM AND INSTRUCTIONAL STRATEGIES; TRAINING IN SCHOOL-WIDE
6 IMPROVEMENT PLANNING; ANALYSIS OF STUDENT ACHIEVEMENT DATA,
7 INCLUDING STUDENT WORK AND THE IMPLICATIONS FOR CLASSROOM
8 PRACTICE; OBSERVING AND STUDYING EXEMPLARY SCHOOL AND CLASSROOM
9 PRACTICES; IMPLEMENTING SCHOOL-WIDE PROGRAMS AND CLASSROOM
10 MANAGEMENT STRATEGIES DESIGNED TO IMPROVE STUDENT CONDUCT; USING
11 TECHNOLOGY TO BOOST STUDENT ACHIEVEMENT; CONDUCTING TRANSITION
12 PLANNING AND CURRICULUM ALIGNMENT ACROSS SCHOOLS AND GRADE
13 LEVELS; OR IMPLEMENTING SECONDARY STRATEGIES TO INCREASE STUDENT
14 ENGAGEMENT AND PERSONALIZE LEARNING.

15 (9) ESTABLISHING, EXPANDING OR MAINTAINING MATH AND LITERACY
16 COACHING PROGRAMS WITHIN SCHOOLS TO IMPROVE MATH AND READING
17 INSTRUCTION.

18 (10) PROVIDING FINANCIAL INCENTIVES TO HIGHLY QUALIFIED,
19 TENURED TEACHERS TO WORK IN THE MOST ACADEMICALLY CHALLENGED
20 SCHOOLS IN A SCHOOL DISTRICT OR PROVIDING FINANCIAL INCENTIVES
21 TO AID IN THE RECRUITMENT OF CERTIFICATED TEACHERS IN
22 MATHEMATICS, SCIENCE, LANGUAGE ARTS OR ENGLISH AS A SECOND
23 LANGUAGE TO WORK IN THE MOST ACADEMICALLY CHALLENGED SCHOOLS IN
24 A SCHOOL DISTRICT.

25 (11) PROVIDING SUCH OTHER PROGRAMS OR ACTIVITIES THAT THE
26 BOARD OF SCHOOL DIRECTORS OF A SCHOOL DISTRICT DETERMINES ARE
27 ESSENTIAL TO ACHIEVING OR MAINTAINING ACADEMIC PERFORMANCE
28 TARGETS THROUGH THE YEAR 2014.

29 (12) ESTABLISHING, EXPANDING OR MAINTAINING PROGRAMS FOR
30 INSTRUCTION ON WORLD LANGUAGES IN THE ELEMENTARY GRADES, EITHER

1 IN IMMERSION CLASSROOMS OR AS SEPARATE PERIODS OF INSTRUCTION.

2 (13) ESTABLISHING, EXPANDING OR MAINTAINING PROGRAMS TO
3 STRENGTHEN HIGH SCHOOL CURRICULA BY CREATING RIGOROUS COLLEGE
4 AND CAREER PREPARATORY PROGRAMS, INCREASING ACADEMIC
5 ACHIEVEMENT, OFFERING ADDITIONAL ADVANCED PLACEMENT COURSES,
6 PROVIDING SCHOOL-BASED COUNSELING, AND PROVIDING PROFESSIONAL
7 DEVELOPMENT.

8 (14) ESTABLISHING, EXPANDING OR MAINTAINING PROGRAMS TO
9 PROVIDE INTENSIVE TEACHER TRAINING, PROFESSIONAL DEVELOPMENT
10 OPPORTUNITIES AND TEACHING RESOURCES TO ELEMENTARY LEVEL SCIENCE
11 TEACHERS.

12 * * *

13 (C) (1) NO LATER THAN APRIL 10, 2004, AND APRIL 10, 2005,
14 THE DEPARTMENT SHALL NOTIFY EACH SCHOOL DISTRICT OF THE GRANT
15 AMOUNT IT WILL RECEIVE UNDER SUBSECTION (D). NO LATER THAN APRIL
16 10, 2006, THE DEPARTMENT SHALL NOTIFY EACH SCHOOL DISTRICT OF
17 THE GRANT AMOUNT IT WILL RECEIVE UNDER SUBSECTION (D.1). NO
18 LATER THAN APRIL 10, 2007, AND APRIL 10 OF EACH SCHOOL YEAR
19 THEREAFTER, THE DEPARTMENT SHALL NOTIFY EACH SCHOOL DISTRICT OF
20 THE GRANT AMOUNT IT WILL RECEIVE UNDER SUBSECTION (D.2).

21 (1.1) FOR THE 2007-2008 SCHOOL YEAR, THE DEPARTMENT SHALL
22 NOTIFY EACH SCHOOL DISTRICT OF THE PROGRAMS AND ACTIVITIES
23 AUTHORIZED UNDER SUBSECTION (B)(12), (13) AND (14) WITHIN
24 FIFTEEN (15) DAYS OF THE EFFECTIVE DATE OF THIS PARAGRAPH.

25 (2) WITHIN THIRTY (30) DAYS OF RECEIPT OF THE NOTIFICATION
26 UNDER PARAGRAPH (1), THE SCHOOL DISTRICT SHALL SUBMIT TO THE
27 DEPARTMENT AN ACCOUNTABILITY GRANT PLAN. THE PLAN SHALL INCLUDE:

28 (I) REFERENCE TO THE PROGRAMS OR ACTIVITIES UNDER SUBSECTION
29 (B) FOR WHICH THE GRANT FUNDS WILL BE USED.

30 (II) IDENTIFICATION OF WHETHER THE GRANT FUNDS WILL BE USED

1 TO ESTABLISH, MAINTAIN OR EXPAND THE PROGRAMS OR ACTIVITIES
2 REFERENCED UNDER SUBPARAGRAPH (I).

3 (III) A BRIEF DESCRIPTION OF THE PROGRAMS OR ACTIVITIES FOR
4 WHICH THE GRANT FUNDS WILL BE USED.

5 (2.1) FOR THE 2007-2008 SCHOOL YEAR, A SCHOOL DISTRICT THAT
6 PROPOSES TO USE THE GRANT FUNDS FOR A PROGRAM OR ACTIVITY UNDER
7 SUBSECTION (B)(12), (13) OR (14) MAY SUBMIT AN AMENDED
8 ACCOUNTABILITY GRANT PLAN TO THE DEPARTMENT WITHIN THIRTY (30)
9 DAYS OF THE EFFECTIVE DATE OF THIS PARAGRAPH. THE AMENDED PLAN
10 SHALL INCLUDE THE INFORMATION REQUIRED UNDER PARAGRAPH (2).

11 (3) (I) WHERE THE ACCOUNTABILITY GRANT PLAN SUBMITTED UNDER
12 PARAGRAPH (2) PROPOSES TO USE THE GRANT FUNDS FOR A PROGRAM OR
13 ACTIVITY UNDER SUBSECTION (B)(11), THE DEPARTMENT SHALL HAVE
14 FIFTEEN (15) DAYS FROM THE RECEIPT OF THE PLAN TO DISAPPROVE THE
15 USE AND NOTIFY THE SCHOOL DISTRICT OF THE REASON FOR THE
16 DISAPPROVAL. WITHIN THIRTY (30) DAYS OF THE RECEIPT OF NOTICE OF
17 DISAPPROVAL, THE SCHOOL DISTRICT SHALL SUBMIT A REVISED
18 ACCOUNTABILITY GRANT PLAN UNDER PARAGRAPH (2).

19 (II) WHERE THE ACCOUNTABILITY GRANT PLAN SUBMITTED UNDER
20 PARAGRAPH (2) PROPOSES TO USE THE GRANT FUNDS FOR A PROGRAM OR
21 ACTIVITY UNDER SUBSECTION (B)(11) AND THE SCHOOL DISTRICT FAILS
22 TO RECEIVE NOTIFICATION FROM THE SECRETARY WITHIN FIFTEEN (15)
23 DAYS OF RECEIPT THAT ITS REQUEST HAS BEEN DISAPPROVED, THE
24 SCHOOL DISTRICT MAY PROCEED TO IMPLEMENT THE PROPOSED PROGRAMS
25 OR ACTIVITIES.

26 (4) WHERE THE ACCOUNTABILITY GRANT PLAN SUBMITTED UNDER
27 PARAGRAPH (2) OR WHERE THE AMENDED ACCOUNTABILITY GRANT PLAN
28 SUBMITTED UNDER PARAGRAPH (2.1) PROPOSES TO USE THE GRANT FUNDS
29 FOR A PROGRAM OR ACTIVITY UNDER SUBSECTION (B)(1), (2), (3),
30 (4), (5), (6), (7), (8), (9) [OR], (10), (12), (13) OR (14), THE

1 DEPARTMENT MAY, WITHIN THIRTY (30) DAYS FROM THE RECEIPT OF THE
2 PLAN, MAKE NONBINDING RECOMMENDATIONS FOR ALTERNATIVE
3 UTILIZATION OF THE GRANT FUNDS.

4 (5) NO LATER THAN FEBRUARY 1, 2005, AND FEBRUARY 1 OF EACH
5 YEAR THEREAFTER, THE DEPARTMENT SHALL SUBMIT A REPORT TO THE
6 MAJORITY AND MINORITY CHAIRS OF THE APPROPRIATIONS AND EDUCATION
7 COMMITTEES OF THE SENATE AND TO THE MAJORITY AND MINORITY CHAIRS
8 OF THE APPROPRIATIONS AND EDUCATION COMMITTEES OF THE HOUSE OF
9 REPRESENTATIVES SUMMARIZING THE OPERATION OF THE PROGRAM FOR
10 THAT FISCAL YEAR. THE REPORT SHALL INCLUDE:

11 (I) A DESCRIPTION OF THE OPERATION OF THE PROGRAM.

12 (II) A SUMMARY OF THE TOTAL AMOUNT OF GRANT FUNDS PAID TO
13 SCHOOL DISTRICTS.

14 (III) A SUMMARY OF THE USES OF GRANT FUNDS TO SCHOOL
15 DISTRICTS.

16 (IV) AN IDENTIFICATION OF THE NUMBER OF SCHOOL DISTRICTS
17 THAT USED GRANT FUNDS FOR EACH OF THE PROGRAMS OR ACTIVITIES
18 UNDER SUBSECTION (B).

19 (V) A LISTING OF EACH SCHOOL DISTRICT AND THE PROGRAM OR
20 ACTIVITY UNDER SUBSECTION (B) FOR WHICH THE GRANT FUNDS WERE
21 USED.

22 (VI) AN IDENTIFICATION OF THE NUMBER OF SCHOOL DISTRICTS
23 THAT USED GRANT FUNDS TO ESTABLISH, MAINTAIN OR EXPAND THE
24 PROGRAM OR ACTIVITY FOR WHICH THE GRANT FUNDS WERE USED.

25 (VII) A LISTING OF EACH SCHOOL DISTRICT AND WHETHER THE
26 GRANT FUNDS WERE USED TO ESTABLISH, MAINTAIN OR EXPAND THE
27 PROGRAM OR ACTIVITY FOR WHICH THE GRANT FUNDS WERE USED.

28 * * *

29 (D.2) (1) DURING THE 2007-2008 SCHOOL YEAR AND EACH SCHOOL
30 YEAR THEREAFTER, THE DEPARTMENT SHALL PAY TO EACH SCHOOL

1 DISTRICT A PENNSYLVANIA ACCOUNTABILITY GRANT EQUAL TO THE AMOUNT
2 DETERMINED IN SUBSECTIONS (D) AND (D.1) PLUS THE SUM OF THE
3 AMOUNTS CALCULATED UNDER PARAGRAPHS (2) AND (3).

4 (2) EACH SCHOOL DISTRICT SHALL RECEIVE AN AMOUNT BASED ON
5 THE PERCENTAGE OF ITS STUDENTS SCORING BELOW PROFICIENT ON THE
6 PSSA TESTS ADMINISTERED IN GRADES FIVE, EIGHT AND ELEVEN,
7 CALCULATED AS FOLLOWS:

8 (I) DIVIDE THE NUMBER OF PSSA TESTS ADMINISTERED IN THE
9 SCHOOL DISTRICT ON WHICH STUDENTS SCORED BELOW PROFICIENT IN
10 READING OR MATHEMATICS DURING THE 2005-2006 SCHOOL YEAR BY THE
11 TOTAL NUMBER OF PSSA TESTS SCORED IN READING AND MATHEMATICS IN
12 THE SCHOOL DISTRICT DURING THE 2005-2006 SCHOOL YEAR.

13 (II) MULTIPLY THE QUOTIENT FROM SUBPARAGRAPH (I) BY THE
14 AVERAGE DAILY MEMBERSHIP OF THE SCHOOL DISTRICT FOR THE 2005-
15 2006 SCHOOL YEAR.

16 (III) MULTIPLY THE PRODUCT FROM SUBPARAGRAPH (II) BY THE
17 MARKET VALUE/INCOME AID RATIO OF THE SCHOOL DISTRICT FOR THE
18 2006-2007 SCHOOL YEAR.

19 (IV) MULTIPLY THE PRODUCT FROM SUBPARAGRAPH (III) BY
20 EIGHTEEN MILLION SEVEN HUNDRED FIFTY THOUSAND DOLLARS
21 (\$18,750,000).

22 (V) DIVIDE THE PRODUCT FROM SUBPARAGRAPH (IV) BY THE SUM OF
23 THE PRODUCTS OF SUBPARAGRAPH (III) FOR ALL SCHOOL DISTRICTS.

24 (3) EACH SCHOOL DISTRICT SHALL RECEIVE AN AMOUNT BASED ON
25 THE PERCENTAGE OF ITS STUDENTS SCORING AT OR ABOVE PROFICIENT ON
26 THE PSSA TESTS ADMINISTERED IN GRADES FIVE, EIGHT, AND ELEVEN,
27 CALCULATED AS FOLLOWS:

28 (I) DIVIDE THE NUMBER OF PSSA TESTS ADMINISTERED IN THE
29 SCHOOL DISTRICT ON WHICH STUDENTS SCORED AT OR ABOVE PROFICIENT
30 IN READING OR MATHEMATICS DURING THE 2005-2006 SCHOOL YEAR BY

1 THE TOTAL NUMBER OF PSSA TESTS SCORED IN READING AND MATHEMATICS
2 IN THE SCHOOL DISTRICT DURING THE 2005-2006 SCHOOL YEAR.

3 (II) MULTIPLY THE QUOTIENT FROM SUBPARAGRAPH (I) BY THE
4 AVERAGE DAILY MEMBERSHIP OF THE SCHOOL DISTRICT FOR THE 2005-
5 2006 SCHOOL YEAR.

6 (III) MULTIPLY THE PRODUCT FROM SUBPARAGRAPH (II) BY THE
7 MARKET VALUE/INCOME AID RATIO OF THE SCHOOL DISTRICT FOR THE
8 2006-2007 SCHOOL YEAR.

9 (IV) MULTIPLY THE PRODUCT FROM SUBPARAGRAPH (III) BY SIX
10 MILLION TWO HUNDRED FIFTY THOUSAND DOLLARS (\$6,250,000).

11 (V) DIVIDE THE PRODUCT FROM SUBPARAGRAPH (IV) BY THE SUM OF
12 THE PRODUCTS OF SUBPARAGRAPH (III) FOR ALL SCHOOL DISTRICTS.

13 (4) GRANTS AWARDED UNDER THIS SUBSECTION SHALL BE PAID TO
14 SCHOOL DISTRICTS ON THE LAST THURSDAY OF JULY.

15 ~~Section 2-9. This act shall take effect in 60 days~~ <—
16 ~~IMMEDIATELY.~~ <—

17 SECTION 14. THIS ACT SHALL TAKE EFFECT IMMEDIATELY. <—