
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE RESOLUTION

No. 460 Session of
2007

INTRODUCED BY SIPTROTH, MACKERETH, D. O'BRIEN, DeWEESE, McCALL, SCAVELLO, BRENNAN, CALTAGIRONE, CAPPELLI, CURRY, CUTLER, DePASQUALE, EACHUS, GEORGE, GINGRICH, GOODMAN, GRUCELA, HARHAI, HARKINS, HERSHEY, HORNAMAN, KOTIK, LEVDANSKY, MANDERINO, McILVAINE SMITH, MICOZZIE, MYERS, NICKOL, PALLONE, PETRARCA, PETRONE, ROEBUCK, SAYLOR, SOLOBAY, SONNEY, STAIRS, STURLA, SURRA, WANSACZ AND WOJNAROSKI, OCTOBER 18, 2007

REFERRED TO COMMITTEE ON EDUCATION, OCTOBER 18, 2007

A CONCURRENT RESOLUTION

1 Establishing the Joint Legislative Commission on Public School
2 Finance and providing for the powers and duties of the
3 commission.

4 WHEREAS, Section 14 of Article III of the Constitution of
5 Pennsylvania clearly gives the General Assembly sole authority
6 to "...provide for the maintenance and support of a thorough and
7 efficient system of public education to serve the needs of the
8 Commonwealth"; and

9 WHEREAS, The General Assembly, as part of Act 114 of 2006,
10 amended the Public School Code of 1949 to direct the State Board
11 of Education to "...conduct or provide for a comprehensive
12 Statewide costing-out study to arrive at a determination of the
13 basic cost per pupil to provide an education that will permit a
14 student to meet the State's academic standards and assessments"
15 with a final report to be presented to the General Assembly one
16 year from the date the contract to conduct the study was signed;

1 and

2 WHEREAS, The Commonwealth of Pennsylvania spends in excess of
3 \$14 billion on education in grades kindergarten through 12.

4 According to the National Education Association, in 2004-2005
5 Pennsylvania ranked 14th in expenditures per student at \$9,638
6 per pupil, well above the national average of \$8,618; and

7 WHEREAS, The Individuals with Disabilities Education Act
8 places strict provisions for identification and services for
9 children with special needs. Federal funding for the Individuals
10 with Disabilities Education Act has historically been severely
11 underfunded; and

12 WHEREAS, The No Child Left Behind Act of 2001, which focuses
13 on accountability, requiring states to close any existing
14 achievement gaps and assure students are proficient in basic
15 core academic subjects, is underfunded by the Federal
16 Government; and

17 WHEREAS, The Commonwealth has established academic standards
18 and Statewide assessments in order to move Pennsylvania's
19 students toward defined proficiencies in core academic subjects;
20 and

21 WHEREAS, Over the past three decades, efforts have been made
22 throughout the nation to revise state systems for funding public
23 schools; and

24 WHEREAS, Both Federal and State courts have increasingly been
25 asked to review the constitutionality of educational funding
26 systems that rely on local property taxes; and

27 WHEREAS, Opposition to existing State funding systems has
28 centered on the argument that dependence on local property taxes
29 yields disparities in funding between school districts that
30 violate constitutional provisions regarding equal protection, as

1 well as State constitutional obligations with regard to
2 education; and

3 WHEREAS, Pennsylvania currently ranks 11th in the nation in
4 the number of individual school districts; and

5 WHEREAS, Concerns have been raised that this large number of
6 administrative units is not cost effective and the merging of
7 some districts or regionalization of services would be more
8 efficient both economically and educationally; therefore be it

9 RESOLVED (the Senate concurring), That the General Assembly
10 establish the Joint Legislative Commission on Public School
11 Finance as a means of analyzing the results of the State Board
12 of Education's costing-out study and making recommendations on
13 issues surrounding Pennsylvania's current system of funding
14 public education; and be it further

15 RESOLVED, That the commission have as its purpose identifying
16 what school districts need to do to improve the chances of
17 students, schools and the districts themselves meeting the
18 requirements of the State's accountability system; and be it
19 further

20 RESOLVED, That specific goals of the commission include
21 ensuring that State funds allocated for basic education funding
22 are distributed both adequately and equitably; that the
23 allocation of State funding addresses and is reflective of
24 unique characteristics among districts, including changes in
25 demography; that the allocation of State funding is linked with
26 measures of accountability; and that school districts remain
27 accountable for meeting State academic standards and attaining
28 student proficiency; and be it further

29 RESOLVED, That the commission consist of members appointed as
30 follows:

1 (1) A recognized expert in the field of public school
2 finance currently employed at a Commonwealth institution of
3 higher education to be chosen jointly by the President pro
4 tempore of the Senate and the Speaker of the House of
5 Representatives and who shall serve as the chairperson of the
6 commission.

7 (2) The chairman and minority chairman of the Education
8 Committee of the Senate and the chairman and minority
9 chairman of the Education Committee of the House of
10 Representatives or their designees who are members of the
11 respective committees.

12 (3) The chairman and minority chairman of the
13 Appropriations Committee of the Senate and the chairman and
14 minority chairman of the Appropriations Committee of the
15 House of Representatives or their designees who are members
16 of the respective committees.

17 (4) Four additional members of the General Assembly, one
18 of whom is to be appointed by each of the following: the
19 Majority Leader of the Senate, the Minority Leader of the
20 Senate, the Majority Leader of the House of Representatives
21 and the Minority Leader of the House of Representatives.

22 (5) The Secretary of Education or a designee who shall
23 be a deputy secretary within the Department of Education.

24 (6) The Secretary of the Budget or a designee who shall
25 be an employee of the Office of the Budget.

26 (7) The chairperson of the State Board of Education or a
27 designee who shall be a member of the State Board of
28 Education.

29 (8) Representatives of the State's basic education
30 community as follows:

1 (i) Four classroom teachers, two of whom shall be
2 appointed jointly by the Majority Leader of the Senate
3 and the Majority Leader of the House of Representatives
4 from a list provided by each of the established
5 recognized organizations representing the State's public
6 school employees.

7 (ii) A school business manager jointly appointed by
8 the Majority Leader of the Senate and the Majority Leader
9 of the House of Representatives from a list provided by
10 the Pennsylvania Association of School Business
11 Officials.

12 (iii) Three chief school administrators appointed
13 jointly by the Majority Leader of the Senate and the
14 Majority Leader of the House of Representatives from a
15 list provided by the Pennsylvania Association of School
16 Administrators, one from an urban school district, one
17 from a suburban school district and one from a rural
18 school district.

19 (iv) A vocational-technical school administrator
20 appointed jointly by the Majority Leader of the Senate
21 and the Majority Leader of the House of Representatives
22 from a list provided by the Pennsylvania Association of
23 Vocational Administrators.

24 (v) An intermediate unit director appointed jointly
25 by the Majority Leader of the Senate and the Majority
26 Leader of the House of Representatives from a list
27 provided by the Pennsylvania Association of Intermediate
28 Units.

29 (vi) Three elected school board directors appointed
30 jointly by the Majority Leader of the Senate and the

1 Majority Leader of the House of Representatives from a
2 list provided by the Pennsylvania School Boards
3 Association, one from an urban school district, one from
4 a suburban school district and one from a rural school
5 district.

6 (vii) A representative of Pennsylvania's charter
7 school community appointed jointly by the Majority Leader
8 of the Senate and the Majority Leader of the House of
9 Representatives from a list provided by the Pennsylvania
10 Coalition of Charter Schools.

11 (viii) Three parents of students enrolled in a
12 Pennsylvania public school appointed jointly by the
13 Majority Leader of the Senate and the Majority Leader of
14 the House of Representatives from a list provided by the
15 Pennsylvania Parent Teacher Association, one of whom
16 shall be the parent of a special needs student.

17 (ix) Four representatives of this Commonwealth's
18 business community, one of each whom shall be appointed
19 by the Majority Leader of the Senate, the Minority Leader
20 of the Senate, the Majority Leader of the House of
21 Representatives and the Minority Leader of the House of
22 Representatives.

23 (x) Four representatives from this Commonwealth's
24 education community appointed by the Governor, two of
25 whom shall be representatives of a Statewide education or
26 child advocacy organization and two of whom shall be
27 representatives of a teacher preparation institution of
28 higher education located in this Commonwealth.

29 To the extent possible, appointments shall reflect the various
30 geographic regions of this Commonwealth. Notification of

1 appointments to the commission shall be furnished to the
2 President pro tempore of the Senate and the Speaker of the House
3 of Representatives by the appointing body no later than 30 days
4 after adoption of this resolution by both chambers; and be it
5 further

6 RESOLVED, That the commission have the following powers and
7 duties:

8 (1) To review the findings and recommendations from the
9 Statewide costing-out study conducted by the State Board of
10 Education pursuant to section 2599.3 of the Public School
11 Code of 1949.

12 (2) To examine national trends in educational funding,
13 including foundation programs, percentage equalization and
14 guaranteed yield programs and their potential relevance for
15 Pennsylvania.

16 (3) To review methods that attempt to link adequate and
17 equitable funding to a system of accountability such as
18 value-added assessment systems.

19 (4) To examine Federal mandates, including the
20 Individuals with Disabilities Education Act and the No Child
21 Left Behind Act of 2001 and their impact on Pennsylvania's
22 public schools.

23 (5) To examine State regulations, standards and
24 guidelines that implement Federal and State laws and their
25 impact on Pennsylvania's public schools.

26 (6) To study demographic patterns within this
27 Commonwealth in order to determine the impact of both growth
28 and decline in student enrollments on school districts'
29 operations and costs, and the positive and negative aspects
30 of school consolidation as a means to affect cost

1 efficiencies.

2 (7) To examine the efficacy of consolidating existing
3 funding programs used to disperse State education funds and
4 to analyze the advantages and disadvantages of targeted
5 categorical funding.

6 (8) To review potential local cost control mechanisms
7 that may become necessary, should the commission's
8 recommendations lead to the State's assuming greater funding
9 responsibility.

10 (9) To examine opportunities for improved cooperation
11 and consolidation among districts to:

12 (i) improve the efficiency and effectiveness of
13 school districts' operations in order to achieve savings;
14 and

15 (ii) enhance student achievement;
16 and be it further

17 RESOLVED, That the commission develop, at a minimum, two
18 formulae for the adequate and equitable distribution of State
19 funds for the support of public schools in this Commonwealth and
20 other recommendations based upon its study; and be it further

21 RESOLVED, That the commission hold public hearings to receive
22 public comment and testimony on proposed funding formulae and
23 other recommendations of the commission; and be it further

24 RESOLVED, That the commission hold its first meeting no later
25 than 60 days following the appointment of members; and be it
26 further

27 RESOLVED, That the commission have the authority to adopt, by
28 majority vote of its membership, rules of operation and conduct;
29 and be it further

30 RESOLVED, That the commission hold meetings at the call of

1 the chairperson and may hold hearings, take testimony and make
2 its investigations at such places as it deems necessary in this
3 Commonwealth; and be it further

4 RESOLVED, That all meetings and public hearings of the
5 commission be considered public meetings for the purpose of 65
6 Pa.C.S. Ch. 7; and be it further

7 RESOLVED, That the commission members receive no compensation
8 for their services, but shall be reimbursed for all necessary
9 travel and other reasonable expenses incurred in connection with
10 the performance of their duties as members; and be it further

11 RESOLVED, That the commission be authorized to hire or
12 contract for such services as it deems necessary and that all
13 expenses approved by the President pro tempore of the Senate and
14 the Speaker of the House of Representatives and incurred or
15 authorized by the commission shall be paid equally from accounts
16 under the control of the Chief Clerk of the Senate and the Chief
17 Clerk of the House of Representatives; and be it further

18 RESOLVED, That the Senate and the House of Representatives
19 provide administrative support, office space and any other
20 assistance required by the commission to carry out its duties;
21 and be it further

22 RESOLVED, That, whenever possible, the commission utilize the
23 services and expertise of existing personnel and staff of the
24 General Assembly in the performance of its duties; and be it
25 further

26 RESOLVED, That the commission make a report of its findings
27 and recommendations to the Governor, the President pro tempore
28 of the Senate and the Speaker of the House of Representatives no
29 later than one year from the first meeting date of the
30 commission; and be it further

1 RESOLVED, That upon receipt of the final report of the
2 commission, the General Assembly promptly review and consider
3 the recommendations of the commission and develop legislation
4 based on the commission's recommendations for consideration as
5 it deems appropriate.