
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1306 Session of
2011

INTRODUCED BY TALLMAN, COX, GROVE, CLYMER, FLECK, GILLEN,
M. K. KELLER, KRIEGER, MILLER, MILNE, MUSTIO, O'NEILL,
PICKETT, RAPP, REESE, ROAE, ROCK, SIMMONS AND VULAKOVICH,
APRIL 7, 2011

REFERRED TO COMMITTEE ON EDUCATION, APRIL 7, 2011

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," in reimbursements by Commonwealth and
6 between school districts, further providing for basic
7 education funding for student achievement; and repealing
8 provisions relating to accountability to Commonwealth
9 taxpayers.

10 The General Assembly of the Commonwealth of Pennsylvania
11 hereby enacts as follows:

12 Section 1. Section 2502.48(c)(2) of the act of March 10,
13 1949 (P.L.30, No.14), known as the Public School Code of 1949,
14 added July 9, 2008 (P.L.846, No.61), is amended to read:

15 Section 2502.48. Basic Education Funding for Student
16 Achievement.--* * *

17 (c) * * *

18 [(2) In furtherance of the General Assembly's long-standing
19 commitment to providing adequate funding that will ensure
20 equitable State and local investments in public education and in

1 order to enable students to attain applicable Federal and State
2 academic standards, it is the goal of this Commonwealth to
3 review and meet State funding targets by fiscal year 2013-2014.]

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5 Section 2. Section 2502.49 of the act, added July 9, 2008
6 (P.L.846, No.61), is repealed:

7 [Section 2502.49. Accountability to Commonwealth
8 Taxpayers.--(a) In any school district where the amount of
9 basic education funding allocated pursuant to section 2502.48
10 exceeds the amount of basic education funding allocated to the
11 school district in the prior fiscal year by more than the index,
12 the board of school directors shall use one hundred percent
13 (100%) of the portion of the increase that exceeds the index as
14 follows:

15 (1) At least eighty percent (80%) of such funds shall be
16 used to offer any of the following for the first time or to
17 expand any of the following:

18 (i) Programs that increase the amount of student
19 instructional time, which may include tutoring, an extension of
20 the school day or school calendar or intensive support for
21 students who have limited English proficiency.

22 (ii) Implementation of new curricula or course offerings
23 that increase the number of students who graduate from high
24 school prepared for college and high-skill careers.

25 (iii) Training of professional employes in the delivery of a
26 curriculum that increases the number of students who graduate
27 from high school prepared for college and high-skill careers, in
28 strategies for addressing the learning needs of students at risk
29 of academic failure or needing remediation or in strategies to
30 ensure that students stay in school until graduation and

1 successfully transition to postsecondary education or the work
2 force.

3 (iv) Reduction of class size.

4 (v) Prekindergarten or full-day kindergarten.

5 (vi) Incentives for the most effective highly qualified
6 teachers and principals to work in a school identified for
7 improvement or corrective action.

8 (vii) School library services, which may include the
9 employment of school librarians or additional school library
10 staff or the purchase of printed or electronic materials or
11 other resources for the school library collection.

12 (2) No more than ten percent (10%) of such funds may be used
13 to maintain existing programs that meet the criteria of
14 paragraph (1) or for one-time costs necessary to the delivery of
15 instruction that shall include books, materials or other
16 supplies.

17 (3) No more than ten percent (10%) of such funds may be used
18 for other programs or activities that are essential to achieving
19 or maintaining academic performance targets and that are based
20 on sound research or for one-time costs necessary to the
21 delivery of instruction that shall include books, materials or
22 other supplies.

23 (b) The following shall apply:

24 (1) A school district subject to this section shall submit a
25 plan to the Department of Education no later than August 1,
26 2008, and no later than April 15 of each year thereafter,
27 detailing its intended use of funds subject to this section in
28 the subsequent fiscal year. If a general appropriation bill that
29 includes basic education funding for the applicable fiscal year
30 has not been enacted prior to the deadline, a school district

1 shall base its plan on the amount of basic education funding
2 proposed in an executive budget and posted on the department's
3 Internet website.

4 (2) The department shall review all plans and may provide
5 recommendations to school districts within forty-five (45) days
6 of receipt of the plan.

7 (3) Within ninety (90) days of receipt of a plan submitted
8 by a school district identified for warning, improvement or
9 corrective action or a school district with one or more schools
10 identified for improvement or corrective action, the department
11 shall approve or disapprove the plan. The department shall
12 provide a written explanation to the board of school directors
13 of any school district whose plan is disapproved.

14 (4) A school district whose plan has been disapproved shall
15 amend and resubmit its plan as necessary until approved by the
16 department.

17 (c) The department shall approve any school district
18 achievement plan that:

19 (1) meets the requirements of this section;

20 (2) addresses the academic challenges identified in the
21 school district's most recent student achievement results, with
22 specific focus on individual schools, grade levels and
23 populations of students that demonstrate inadequate levels of
24 student achievement; and

25 (3) in the determination of the department, describes
26 programs and strategies that are most likely to improve student
27 achievement in the school district.

28 (d) For any school district where approval of a plan is
29 required pursuant to subsection (b), and notwithstanding any
30 other provision of law to the contrary, the department shall

1 withhold the portion of the increase in basic education funding
2 which exceeds the index until such a time as a plan is approved.

3 (e) The Department of Education shall:

4 (1) Provide technical assistance to any school district upon
5 request for the development of a plan pursuant to this section.

6 (2) Determine the form and manner in which school districts
7 shall submit a plan pursuant to this section.

8 (3) Review all plans submitted to the department and approve
9 or disapprove plans as required pursuant to this section.

10 (f) Nothing in this section shall supersede or preempt any
11 provisions of a collective bargaining agreement between a school
12 entity and an employe organization in effect on the effective
13 date of this section.]

14 Section 3. This act shall take effect immediately.