

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 335 Session of 2013

INTRODUCED BY SCHWANK, FERLO, FONTANA, SOLOBAY, ARGALL, BOSCOLA, BREWSTER, YUDICHAK, WOZNIAK, STACK, COSTA, LEACH AND TARTAGLIONE, JANUARY 30, 2013

REFERRED TO EDUCATION, JANUARY 30, 2013

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 funding for
 6 charter schools.

7 The General Assembly of the Commonwealth of Pennsylvania
 8 hereby enacts as follows:

9 Section 1. Section 1725-A(a) of the act of March 10, 1949
 10 (P.L.30, No.14), known as the Public School Code of 1949,
 11 amended June 29, 2002 (P.L.524, No.88), is amended and the
 12 section is amended by adding a subsection to read:

13 Section 1725-A. Funding for Charter Schools.--(a) Funding
 14 for a charter school shall be provided in the following manner:

15 (1) [There] Except as provided for in subsection (a.1),
 16 there shall be no tuition charge for a resident or nonresident
 17 student attending a charter school.

18 (2) For non-special education students, the charter school
 19 shall receive for each student enrolled no less than the

1 budgeted total expenditure per average daily membership of the
2 prior school year, as defined in section 2501(20), minus the
3 budgeted expenditures of the district of residence for nonpublic
4 school programs; adult education programs; community/junior
5 college programs; student transportation services; for special
6 education programs; facilities acquisition, construction and
7 improvement services; and other financing uses, including debt
8 service and fund transfers as provided in the Manual of
9 Accounting and Related Financial Procedures for Pennsylvania
10 School Systems established by the department. [This] Except as
11 provided in subsection (a.1), this amount shall be paid by the
12 district of residence of each student.

13 (3) For special education students, the charter school shall
14 receive for each student enrolled the same funding as for each
15 non-special education student as provided in clause (2), plus an
16 additional amount determined by dividing the district of
17 residence's total special education expenditure by the product
18 of multiplying the combined percentage of section 2509.5(k)
19 times the district of residence's total average daily membership
20 for the prior school year. [This] Except as provided in
21 subsection (a.1), this amount shall be paid by the district of
22 residence of each student.

23 (4) A charter school may request the intermediate unit in
24 which the charter school is located to provide services to
25 assist the charter school to address the specific needs of
26 exceptional students. The intermediate unit shall assist the
27 charter school and bill the charter school for the services. The
28 intermediate unit may not charge the charter school more for any
29 service than it charges the constituent districts of the
30 intermediate unit.

1 (5) Payments shall be made to the charter school in twelve
2 (12) equal monthly payments, by the fifth day of each month,
3 within the operating school year. A student enrolled in a
4 charter school shall be included in the average daily membership
5 of the student's district of residence for the purpose of
6 providing basic education funding payments and special education
7 funding pursuant to Article XXV. If a school district fails to
8 make a payment to a charter school as prescribed in this clause,
9 the secretary shall deduct the estimated amount, as documented
10 by the charter school, from any and all State payments made to
11 the district after receipt of documentation from the charter
12 school.

13 (6) Within thirty (30) days after the secretary makes the
14 deduction described in clause (5), a school district may notify
15 the secretary that the deduction made from State payments to the
16 district under this subsection is inaccurate. The secretary
17 shall provide the school district with an opportunity to be
18 heard concerning whether the charter school documented that its
19 students were enrolled in the charter school, the period of time
20 during which each student was enrolled, the school district of
21 residence of each student and whether the amounts deducted from
22 the school district were accurate.

23 (a.1) If a public school district offers a cyber-based
24 program equal in scope and content to an existing publicly
25 chartered cyber charter school and a student in that district
26 attends a cyber charter school instead of the district's cyber-
27 based program, the school district shall not be required to
28 provide funding to pay for a student's attendance at a cyber
29 charter school.

30 * * *

1 Section 2. This act shall take effect in 60 days.