

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 1323 Session of  
2014

INTRODUCED BY BROWNE, FOLMER, ERICKSON, SMUCKER, SCHWANK, BAKER,  
ARGALL, FONTANA, VULAKOVICH, RAFFERTY, DINNIMAN, GREENLEAF,  
WASHINGTON, TEPLITZ AND YUDICHAK, APRIL 2, 2014

REFERRED TO EDUCATION, APRIL 2, 2014

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," providing for basic education funding  
6 commission.

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

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

12 Section 123. Basic Education Funding Commission.--(a) There  
13 is hereby established a Basic Education Funding Commission.

14 (b) The commission shall review and make recommendations  
15 related to basic education funding as provided in this section.

16 (c) (1) The commission shall consist of the following  
17 members:

18 (i) The chair and minority chair of the Education Committee  
19 of the Senate and the chair and minority chair of the Education

1 Committee of the House of Representatives or their designees.

2 (ii) Two (2) legislators from each of the four (4)  
3 legislative caucuses, to be appointed by the President pro  
4 tempore of the Senate and the Speaker of the House of  
5 Representatives, in consultation with the Majority Leader and  
6 Minority Leader of the Senate and the Majority Leader and  
7 Minority Leader of the House of Representatives.

8 (iii) The Secretary of Education or a designee.

9 (iv) The Deputy Secretary for Elementary and Secondary  
10 Education or a designee.

11 (v) An individual appointed by the Governor from within the  
12 Governor's Administration.

13 (2) The commission shall appoint a member to serve as chair  
14 of the commission.

15 (d) The commission shall hold its first meeting within  
16 forty-five (45) days of the effective date of this section,  
17 regardless of whether the Governor or all legislative caucuses  
18 have actually approved members to the commission.

19 (e) The commission shall hold meetings at the call of the  
20 chair.

21 (f) The members may not receive compensation for their  
22 services, but shall be reimbursed for all necessary travel and  
23 other reasonable expenses incurred in connection with the  
24 performance of their duties as members of the commission.

25 (g) The General Assembly shall provide administrative  
26 support, meeting space and any other assistance required by the  
27 commission to carry out its duties under this section in  
28 cooperation with the department. The department shall provide  
29 the commission with data, research and other information upon  
30 request by the commission.

1 (h) The commission shall develop a basic education funding  
2 formula and identify factors that may be used to determine the  
3 distribution of basic education funding among the school  
4 districts in this Commonwealth. The factors identified under  
5 this subsection may include all of the following:

6 (1) The market value/personal income aid ratio averaged for  
7 each of the three (3) most recent years for each school  
8 district.

9 (2) The equalized millage rate averaged for each of the  
10 three (3) most recent years for each school district.

11 (3) Geographic price differences identified for each school  
12 district.

13 (4) Whether a school district has experienced exceptionally  
14 high enrollment growth.

15 (5) Whether a school district has an exceptionally high  
16 level of local support.

17 (6) Whether a school district has a high level of its  
18 students in poverty as identified as eligible for free or  
19 reduced price meals under the National School Lunch Program.

20 (7) Whether a school district has students identified as  
21 limited English proficient.

22 (8) Whether the district has a scarce or dense population in  
23 relation to the district size.

24 (9) Other factors related to the distribution of basic  
25 education funding.

26 (i) The commission shall have all of the following powers  
27 and duties:

28 (1) Review and make findings and recommendations related to  
29 basic education funding in this Commonwealth.

30 (2) Consult with and utilize experts to assist the

1 commission in carrying out the duties under this subsection.

2 (3) Receive input from interested parties, including, but  
3 not limited to, school districts and charter and cyber charter  
4 school operators.

5 (4) Hold public hearings in different regions of this  
6 Commonwealth.

7 (5) Review and consider basic education funding formulas and  
8 factors utilized throughout the United States.

9 (6) In identifying the basic education funding factors under  
10 subsection (h) and in completing the report required under this  
11 subsection, consider the impact these factors may have on the  
12 distribution of basic education funding among the school  
13 districts.

14 (7) Review the administration of State and regional basic  
15 education programs and services to determine if cost savings may  
16 be achieved and make recommendations to implement the savings.

17 (8) Prior to recommending a basic education funding formula  
18 under this section, consider the potential consequences of a  
19 basic education funding formula that does not allocate to each  
20 school district at least the same level or proportion of State  
21 basic education funding as the school district received in the  
22 prior school year.

23 (9) Prior to recommending a basic education funding formula  
24 under this section, consider nationally accepted accounting and  
25 budgeting standards.

26 (10) Develop a proposed basic education funding formula and  
27 factors pursuant to subsection (h).

28 (11) Draft proposed regulations and proposed legislation  
29 based on the commission's findings.

30 (12) Issue a report of the commission's findings and

1 recommendations to the Governor, the President pro tempore of  
2 the Senate, the Majority Leader and Minority Leader of the  
3 Senate, the Education Committee of the Senate, the Speaker of  
4 the House of Representatives, the Majority Leader and Minority  
5 Leader of the House of Representatives, the Education Committee  
6 of the House of Representatives, the Secretary of Education and  
7 the State Board of Education not later than one year after the  
8 effective date of this section.

9 (j) The basic education formula developed by the commission  
10 shall not go into effect unless the formula is approved by an  
11 act of the General Assembly enacted after the effective date of  
12 this section.

13 (k) Every five (5) years the commission shall be  
14 reconstituted in accordance with subsection (c) and shall meet  
15 and hold public hearings to review the operation of the basic  
16 education funding provisions of this section, shall make a  
17 further report and shall issue the report to the recipients  
18 listed in subsection (i) (11).

19 (l) The General Assembly shall, through the annual  
20 appropriations process, determine the level of State funding for  
21 basic education.

22 (m) As used in this section, the following words and phrases  
23 shall have the meanings given to them in this subsection unless  
24 the context clearly indicates otherwise:

25 "Commission." The Basic Education Funding Commission  
26 established under this section.

27 "Department." The Department of Education of the  
28 Commonwealth.

29 Section 2. This act shall take effect immediately.