
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1232 Session of
2015

INTRODUCED BY D. COSTA, DeLUCA, THOMAS, MULLERY, O'BRIEN,
D. MILLER AND RAVENSTAHL, MAY 18, 2015

REFERRED TO COMMITTEE ON EDUCATION, MAY 18, 2015

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 to read:

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

14 (1) There shall be no tuition charge for a resident or
15 nonresident student attending a charter school.

16 (2) For non-special education students, the charter school
17 shall receive for each student enrolled no less than the
18 budgeted total expenditure per average daily membership of the
19 prior school year, as defined in section 2501(20), minus the
20 budgeted expenditures of the district of residence for nonpublic

1 school programs; adult education programs; community/junior
2 college programs; student transportation services; for special
3 education programs; facilities acquisition, construction and
4 improvement services; the amount paid to charter and cyber
5 charter schools for resident students attending such schools;
6 the full employer's share of retirement contributions paid to
7 the Public School Employees' Retirement System; for programs and
8 services, to the extent they are funded from Federal funds; for
9 programs and services, to the extent they are funded from the
10 proceeds of competitive grants from private or public sources or
11 from contributions or donations from private sources; and other
12 financing uses, including debt service and fund transfers as
13 provided in the Manual of Accounting and Related Financial
14 Procedures for Pennsylvania School Systems established by the
15 department. This amount shall be paid by the district of
16 residence of each student.

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

26 (4) A charter school may request the intermediate unit in
27 which the charter school is located to provide services to
28 assist the charter school to address the specific needs of
29 exceptional students. The intermediate unit shall assist the
30 charter school and bill the charter school for the services. The

1 intermediate unit may not charge the charter school more for any
2 service than it charges the constituent districts of the
3 intermediate unit.

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

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

26 * * *

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