
THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 735 Session of
2019

INTRODUCED BY TOMLINSON, KILLION, DINNIMAN, BOSCOLA AND STEFANO,
JUNE 10, 2019

REFERRED TO EDUCATION, JUNE 10, 2019

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 charter schools, further providing
6 for funding for charter schools.

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

9 Section 1. Section 1725-A(a)(3) of the act of March 10, 1949
10 (P.L.30, No.14), known as the Public School Code of 1949, is
11 amended and the subsection is amended by adding clauses 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 * * *

15 (3) For the 1997-1998 school year through the 2019-2020
16 school year, for special education students, the charter school
17 shall receive for each student enrolled the same funding as for
18 each non-special education student as provided in clause (2),
19 plus an additional amount determined by dividing the district of
20 residence's total special education expenditure by the product

1 of multiplying the combined percentage of section 2509.5(k)
2 times the district of residence's total average daily membership
3 for the prior school year. This amount shall be paid by the
4 district of residence of each student.

5 (3.1) (i) For the 2020-2021 school year and each school
6 year thereafter, subject to the provisions in clause (3.2),
7 which provides for the transition to the new student-based
8 funding methodology established in this clause, for special
9 education students, the charter school shall receive for each
10 student enrolled an amount which shall be paid by the district
11 of residence of each student to be determined as follows:

12 (A) For each special education student enrolled in the
13 charter school for which the annual expenditure is reported
14 under section 1372 in Category 1, multiply the same funding as
15 for each non-special education student as provided in clause (2)
16 by one and fifty-one hundredths (1.51).

17 (B) For each special education student enrolled in the
18 charter school for which the annual expenditure is reported
19 under section 1372 in Category 2, multiply the same funding as
20 for each non-special education student as provided in clause (2)
21 by three and seventy-seven hundredths (3.77).

22 (C) For each special education student enrolled in the
23 charter school for which the annual expenditure is reported
24 under section 1372 in Categories 3A and 3B, multiply the same
25 funding as for each non-special education student as provided in
26 clause (2) by seven and forty-six hundredths (7.46).

27 (ii) Pursuant to guidelines developed by the department, to
28 be eligible to receive funding for special education students
29 under subclause (i) (B) and (C), the charter school must document
30 the cost of providing an education to the student and provide

1 the documentation to the department.

2 (iii) For each weight provided in subclause (i) (A), (B) and
3 (C) for each school district, the department shall annually make
4 the following adjustment:

5 (A) Divide the school district's total expenditure for
6 special education programs and services, excluding gifted
7 education by the number of special education students who reside
8 in the school district.

9 (B) Divide total expenditure for special education programs
10 and services excluding gifted education for all school districts
11 by the total number of special education students residing in
12 all school districts.

13 (C) Divide the quotient in unit (A) by the quotient in unit
14 (B).

15 (D) If the quotient in unit (C) is greater than one (1),
16 multiply the quotient by the weight to determine the school
17 district adjustment.

18 (E) In no case shall the adjustment made in subclause (i) (A)
19 and (B) result in a payment that exceeds the maximum amount
20 within the designated category's dollar range and in no case
21 shall the adjustment in subclause (i) (C) result in a payment
22 that exceeds the actual cost of providing an education to the
23 student as determined under subclause (ii).

24 (3.2) To transition to the new student-based funding
25 methodology for special education students under clause (3.1), a
26 charter school shall receive for each student enrolled an amount
27 to be paid by the district of residence and determined as
28 follows:

29 (i) For each special education student under clause (3.1) (i)
30 (A) in Category 1, the following shall apply:

1 (A) Determine the number of special education students under
2 clause (3.1) (i) (A) from the school district who were enrolled in
3 a charter school with individualized education plans as required
4 under the Individuals with Disabilities Education Act (Public
5 Law 91-230, 20 U.S.C. § 1400 et seq.) as of May 31, 2019.

6 (B) Divide the number determined in unit (A) by the total
7 number of students enrolled in a charter school from the school
8 district under clause (3.1) (i) (A) as of October 1.

9 (C) Multiply the lesser of the quotient in unit (B) or one
10 (1) by the amount for the same special education student
11 determined in clause (3) for the 2019-2020 school year.

12 (D) Subtract the lesser of the quotient in unit (B) or one
13 (1) from one (1) and multiply the difference by the amount for
14 the same special education student in clause (3.1) (i) (A).

15 (E) Add the amounts in units (C) and (D) to determine the
16 amount paid by the school district.

17 (ii) For each special education student under clause (3.1)
18 (i) (B) in Category 2, the following shall apply:

19 (A) Determine the number of special education students under
20 clause (3.1) (i) (B) from the school district who were enrolled in
21 a charter school with individualized education plans as of May
22 31, 2019.

23 (B) Divide the number determined in unit (A) by the total
24 number of students enrolled in a charter school from the school
25 district under clause (3.1) (i) (B) as of October 1.

26 (C) Multiply the lesser of the quotient in unit (B) or one
27 (1) by the amount for the same special education student
28 determined in clause (3) for the 2019-2020 school year.

29 (D) Subtract the lesser of the quotient in unit (B) or one
30 (1) from one (1) and multiply the difference by the amount for

1 the same special education student in clause (3.1)(i)(B).

2 (E) Add the amounts in units (C) and (D) to determine the
3 amount paid by the school district.

4 (iii) For each special education student under clause (3.1)
5 (i)(C) in Category 3, the following shall apply:

6 (A) Determine the number of special education students under
7 clause (3.1)(i)(C) from the school district who were enrolled in
8 a charter school with individualized education plans as of May
9 31, 2019.

10 (B) Divide the number determined in unit (A) by the total
11 number of students enrolled in a charter school from the school
12 district under clause (3.1)(i)(C) as of October 1.

13 (C) Multiply the lesser of the quotient in unit (B) or one
14 (1) by the amount for the same special education student
15 determined in clause (3) for the 2019-2020 school year.

16 (D) Subtract the lesser of the quotient in unit (B) or one
17 (1) from one (1) and multiply the difference by the amount for
18 the same special education student in clause (3.1)(i)(C).

19 (E) Add the amounts in units (C) and (D) to determine the
20 amount paid by the school district.

21 (iv) In no case shall a payment made under subclause (iii)
22 exceed the amount allowed for the same student under clause
23 (3.1).

24 (v) At such time that the amount determined under subclause
25 (i) for a student in Category 1 is greater than the amount
26 determined for a student under clause (3) for the 2019-2020
27 school year, payment made by the school district of residence
28 shall be based on the provisions under clause (3.1), and the
29 transition under this clause shall expire.

30 (vi) The department shall develop guidelines to collect the

1 enrollment data required under this clause and calculate
2 estimated payments until such time as actual enrollments are
3 determined.

4 * * *

5 Section 2. This act shall take effect June 30, 2019, or
6 immediately, whichever is later.