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THE GENERAL ASSEMBLY OF PENNSYLVANIA

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SENATE BILL

No. 856 Session of  
2023

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INTRODUCED BY BREWSTER, HAYWOOD, DILLON, HUGHES, KANE AND COSTA,  
JULY 6, 2023

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REFERRED TO EDUCATION, JULY 6, 2023

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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 preliminary provisions, providing  
6 for minimum wage for education support professionals and for  
7 supplemental reimbursements and special payments on account  
8 of minimum wage increases for education support  
9 professionals; in duties and powers of boards of school  
10 directors, further providing for majority vote required and  
11 recording; in professional employees, further providing for  
12 definitions and for duty to employ, repealing provisions  
13 relating to minimum salaries for teachers and providing for  
14 minimum salaries for professional staff members; and, in  
15 reimbursements by Commonwealth and between school districts,  
16 repealing provisions relating to special payments on account  
17 of minimum salary increases and providing for supplemental  
18 reimbursements and special payments on account of minimum  
19 salary increases for professional staff members.

20 The General Assembly of the Commonwealth of Pennsylvania  
21 hereby enacts as follows:

22 Section 1. The act of March 10, 1949 (P.L.30, No.14), known  
23 as the Public School Code of 1949, is amended by adding sections  
24 to read:

25 Section 130. Minimum Wage for Education Support

26 Professionals.--(a) Beginning in the 2023-2024 school year:

1 (1) An education support professional shall be paid a  
2 minimum hourly wage of not less than twenty dollars (\$20) per  
3 hour.

4 (2) For overtime hours, an education support professional  
5 shall be paid not less than one and one-half (1.5) times the  
6 minimum hourly wage.

7 (3) For an education support professional paid on a salaried  
8 basis, salary shall be compared to hours worked in two-week  
9 periods to ensure that the education support professional is  
10 paid not less than required under this section.

11 (b) This section shall not be construed to require the  
12 modification, renegotiation or reopening of an agreement or  
13 employment contract in effect on the effective date of this  
14 section. Subject to subsection (c), the salary schedule or any  
15 other terms of such agreement or employment contract are not  
16 superseded nor modified by this section.

17 (c) Notwithstanding subsection (b), beginning in the 2023-  
18 2024 school year and during the term of any agreement or  
19 employment contract in effect on the effective date of this  
20 section, through and including the 2027-2028 school year, a  
21 public school entity shall make a supplemental wage payment to  
22 each education support professional who is entitled to a wage  
23 that is lower than the minimum wage required under subsection  
24 (a). The supplemental wage payment shall be in an amount equal  
25 to the product of the number of hours worked by the education  
26 support professional during the school year multiplied by the  
27 difference between the minimum wage required under subsection  
28 (a) and the lower wage to which the education support  
29 professional is entitled under the terms of the agreement or  
30 employment contract in effect on the effective date of this

1 section, which shall not be lower than the wage that the  
2 education support professional received for the immediately  
3 preceding school year.

4 (d) A public school entity that makes a supplemental wage  
5 payment under subsection (c) in any school year from 2023-2024  
6 through 2027-2028, inclusive, shall be entitled to receive the  
7 supplemental reimbursement provided for under section 131.

8 (e) An employment contract, or an agreement negotiated by a  
9 public school entity and an employe organization under the  
10 Public Employe Relations Act after the effective date of this  
11 section, shall not provide for a wage lower than provided for  
12 under subsection (a). A provision in an agreement or employment  
13 contract in effect on the effective date of this section that  
14 provides for a wage in conflict with subsection (a) shall be  
15 discontinued in a new or renewed agreement or employment  
16 contract or during the period of status quo following an expired  
17 contract.

18 (f) A public school entity that, after the effective date of  
19 this section, enters into an agreement or employment contract  
20 meeting the requirements of subsection (e) for the 2023-2024  
21 school year, or that is operating under a period of status quo  
22 during the 2023-2024 school year following the expiration of an  
23 agreement, shall be entitled to receive the special payment  
24 provided for under section 131.

25 (g) As used in this section, the following words and phrases  
26 shall have the meanings given to them in this subsection unless  
27 the context clearly indicates otherwise:

28 "Agreement." A contract or agreement between a public  
29 employer and a public employe or employe organization under the  
30 Public Employe Relations Act.

1 "Education support professional." A person who is not a  
2 professional staff member as defined in section 1142.2(g).

3 "Employe organization." The term shall have the meaning  
4 given to the term in section 301(3) of the Public Employe  
5 Relations Act.

6 "Employment contract." A contract for services between a  
7 public school entity and one or more education support  
8 professionals who are not members of a bargaining unit  
9 represented by an employe organization.

10 "Minimum hourly wage." A rate of pay of twenty dollars (\$20)  
11 per hour.

12 "Public employe." The term shall have the meaning given to  
13 the term in section 301(2) of the Public Employe Relations Act.

14 "Public Employe Relations Act." The act of July 23, 1970  
15 (P.L.563, No.195), known as the "Public Employe Relations Act."

16 "Public employer." The term shall have the meaning given to  
17 the term in section 301(1) of the Public Employe Relations Act.

18 "Public school entity." A school district, intermediate unit  
19 or area career and technical school.

20 Section 131. Supplemental Reimbursements and Special  
21 Payments on Account of Minimum Wage Increases for Education  
22 Support Professionals.--(a) The following shall apply to a  
23 public school entity making supplemental wage payments as  
24 provided for under section 130(c):

25 (1) By dates determined by the department, the public school  
26 entity shall provide information specified by the department to  
27 calculate the total cost of the supplemental wage payments made  
28 in the 2023-2024 school year. Thereafter, a public school entity  
29 that seeks further supplemental reimbursement shall, by dates  
30 determined by the department, provide information specified by

1 the department to calculate the total cost of the supplemental  
2 wage payments made in the 2024-2025 school year through the  
3 2027-2028 school year.

4 (2) By October 15, 2023, the department shall provide the  
5 public school entity with a preliminary supplemental  
6 reimbursement for the total cost of the public school entity's  
7 supplemental wage payments made in the 2023-2024 school year,  
8 followed by a reconciliation of actual costs for the 2023-2024  
9 school year no later than December 31, 2024. The reconciled  
10 amount of the supplemental reimbursement for the 2023-2024  
11 school year shall be paid to the public school entity in each  
12 school year thereafter. Payment under this paragraph shall be in  
13 addition to any other amount payable to the public school  
14 entity.

15 (3) By October 15, 2024, the department shall provide the  
16 public school entity that submitted information under paragraph  
17 (1) related to supplemental wage payments made in the 2024-2025  
18 school year with a preliminary supplemental reimbursement for  
19 the total cost of the public school entity's supplemental wage  
20 payments made in the 2023-2024 school year, followed by a  
21 reconciliation of actual costs for the 2024-2025 school year no  
22 later than December 31, 2025. The net reconciled amount of the  
23 supplemental reimbursement for the 2024-2025 school year, if  
24 greater than the reconciled amount of the supplemental  
25 reimbursement paid under paragraph (2), shall be paid to the  
26 public school entity in each school year thereafter. Payment  
27 under this paragraph shall be in addition to any other amount  
28 payable to the public school entity.

29 (4) By October 15, 2025, the department shall provide the  
30 public school entity that submitted information under paragraph

1 (1) related to supplemental wage payments made in the 2025-2026  
2 school year with a preliminary supplemental reimbursement for  
3 the total cost of the public school entity's supplemental wage  
4 payments made in the 2025-2026 school year, followed by a  
5 reconciliation of actual costs for the 2025-2026 school year no  
6 later than December 31, 2026. The net, reconciled amount of the  
7 supplemental reimbursement for the 2025-2026 school year, if  
8 greater than the reconciled amount of the supplemental  
9 reimbursement paid under paragraphs (2) and (3), shall be paid  
10 to the public school entity in each school year thereafter.  
11 Payment under this subsection shall be in addition to any other  
12 amount payable to the public school entity.

13 (5) By October 15, 2026, the department shall provide the  
14 public school entity that submitted information under paragraph  
15 (1) related to supplemental wage payments made in the 2026-2027  
16 school year with a preliminary supplemental reimbursement for  
17 the total cost of the public school entity's supplemental wage  
18 payments made in the 2026-2027 school year, followed by a  
19 reconciliation of actual costs for the 2026-2027 school year no  
20 later than December 31, 2027. The net reconciled amount of the  
21 supplemental reimbursement for the 2026-2027 school year, if  
22 greater than the reconciled amount of the supplemental  
23 reimbursement paid under paragraphs (2), (3) and (4), shall be  
24 paid to the public school entity in each school year thereafter.  
25 Payment under this subsection shall be in addition to any other  
26 amount payable to the public school entity.

27 (6) By October 15, 2027, the department shall provide the  
28 public school entity that submitted information under paragraph  
29 (1) related to supplemental wage payments made in the 2027-2028  
30 school year with a preliminary supplemental reimbursement for

1 the total cost of the public school entity's supplemental wage  
2 payments made in the 2027-2028 school year, followed by a  
3 reconciliation of actual costs for the 2027-2028 school year no  
4 later than December 31, 2028. The net reconciled amount of the  
5 supplemental reimbursement for the 2027-2028 school year, if  
6 greater than the reconciled amount of the supplemental  
7 reimbursement paid under paragraphs (2), (3), (4) and (5), shall  
8 be paid to the public school entity in each school year  
9 thereafter. Payment under this subsection shall be in addition  
10 to any other amount payable to the public school entity.

11 (7) For a school district, the supplemental reimbursement  
12 received for the 2023-2024 school year under paragraph (2) and  
13 the net amount of the supplemental reimbursements the school  
14 district receives in each following year for the 2024-2025  
15 through 2027-2028 school years under paragraphs (3), (4), (5)  
16 and (6) shall be included in the school district's allocation  
17 amount under section 2502.53(b)(1).

18 (b) The following shall apply when a public school entity's  
19 education support professionals' wages for the 2023-2024 school  
20 year are governed by an expired agreement during a period of  
21 status quo or by an employment contract or agreement entered  
22 after the effective date of this section:

23 (1) By a date determined by the department, an eligible  
24 public school entity shall provide the department with the  
25 information the department specifies as necessary to calculate  
26 the total cost of the special payment to be made with respect to  
27 the 2023-2024 school year. By October 15, 2023, the department  
28 shall provide a preliminary special payment for the 2023-2024  
29 school year, followed by a final reconciliation of the actual  
30 cost of the special payment for the 2023-2024 school year no

1 later than December 31, 2024.

2 (2) With respect to any education support professional who:

3 (i) is employed in the 2023-2024 school year;

4 (ii) was employed in the 2022-2023 school year; and

5 (iii) was paid a wage in the 2022-2023 school year that was  
6 lower than the wage required under section 130(a);

7 the amount of the special payment under paragraph (1) shall be  
8 equal to the product of the number of hours worked in the 2023-  
9 2024 school year multiplied by the difference between the 2022-  
10 2023 wage and the minimum hourly wage required under section  
11 130(a). For an educational support professional who was newly  
12 employed in the 2023-2024 school year, the department shall pay  
13 the difference between the starting hourly wage in 2022-2023 and  
14 the minimum hourly wage under section 130(a), multiplied by the  
15 number of hours worked in the 2023-2024 school year.

16 (3) The department shall continue to pay to a public school  
17 entity the amount of any special payment received under  
18 paragraphs (1) and (2) in each subsequent school year following  
19 the initial payment. Payment under this subsection shall be in  
20 addition to any other amount payable to a public school entity.  
21 For a school district, the amount of the payment shall be  
22 included in the school district's allocation amount under  
23 section 2502.53(b)(1).

24 (c) Beginning in the 2023-2024 school year and each school  
25 year thereafter, the public employer's share of contributions to  
26 the Public School Employee's Retirement Fund and Social Security  
27 attributable to the wage increase implemented under section 130  
28 and this section shall be paid for the public school entity out  
29 of funds appropriated to the department for such purpose.

30 (d) The department shall issue guidelines necessary for the

1 implementation of this section. The guidelines shall include a  
2 process in which the department shall make preliminary payment  
3 to a public school entity under subsections (a) and (b) no later  
4 than October 15 of each school year from 2023-2024 through 2027-  
5 2028, followed by final reconciliation of such payments no later  
6 than December 31 of each year from 2024 through 2028.

7 (e) Notwithstanding subsections (a) and (b), if a public  
8 school entity enters into a contract for noninstructional  
9 services with a third party under section 528 after the  
10 effective date of section 130, the public school entity shall  
11 permanently forfeit an amount equal to the product of the sum of  
12 the supplemental reimbursement and special payment received by  
13 the public school entity under subsections (a) and (b),  
14 multiplied by the number of public school employe positions  
15 eliminated due to the public school entity's decision to enter  
16 into the contract with a third party under section 528. The  
17 amount forfeited shall be determined by the department. In the  
18 case of a school district, the amount forfeited shall be  
19 permanently removed from the school district's allocation amount  
20 under section 2502.53(b)(1).

21 (f) The words and phrases used in this section shall have  
22 the meanings given to them in section 130.

23 Section 2. Sections 508, 1101(1) and 1106 of the act are  
24 amended to read:

25 Section 508. Majority Vote Required; Recording.--(a) The  
26 affirmative vote of a majority of all the members of the board  
27 of school directors in every school district, duly recorded,  
28 showing how each member voted, shall be required in order to  
29 take action on the following subjects:--

30 Fixing length of school term.

1 Adopting textbooks.

2 Appointing or dismissing district superintendents, assistant  
3 district superintendents, associate superintendents, principals,  
4 and teachers.

5 Appointing tax collectors and other appointees.

6 Adopting the annual budget.

7 Levying and assessing taxes.

8 Purchasing, selling, or condemning land.

9 Locating new buildings or changing the locations of old ones.

10 Dismissing a teacher after a hearing.

11 Creating or increasing any indebtedness.

12 Adopting courses of study.

13 Establishing additional schools or departments.

14 Designating depositories for school funds.

15 Entering into contracts of any kind, including contracts for  
16 the purchase of fuel or any supplies, where the amount involved  
17 exceeds one hundred dollars (\$100).

18 Fixing salaries or compensation of officers, teachers, or  
19 other appointees of the board of school directors.

20 Entering into contracts with and making appropriations to the  
21 intermediate unit for the district's proportionate share of the  
22 cost of services provided or to be provided for by the  
23 intermediate unit.

24 (b) A board of school directors may not enter into a  
25 contract for services to be provided by an education support  
26 professional, as the term is defined in section 130(g), that  
27 provides for payment of a wage of less than required under  
28 section 130(a). A provision in a contract in effect on the  
29 effective date of this subsection that provides for a salary or  
30 fee in conflict with this subsection shall be discontinued in a

1 new or renewed contract. This subsection shall not be construed  
2 to require the modification, renegotiation or reopening of a  
3 contract in effect on the effective date of this subsection, and  
4 neither the salary schedule nor any other terms of such contract  
5 are superseded or modified by this subsection.

6 (c) Failure to comply with the provisions of this section  
7 shall render such acts of the board of school directors void and  
8 [unenforcible] unenforceable.

9 Section 1101. Definitions.--As used in this article,

10 (1) The term "professional employe" shall include those who  
11 are certificated, such as teachers, supervisors, supervising  
12 principals, principals, assistant principals, vice-principals,  
13 directors of career and technical education, dental hygienists,  
14 visiting teachers, home and school visitors, school counselors,  
15 child nutrition program specialists, school librarians, school  
16 secretaries the selection of whom is on the basis of merit as  
17 determined by eligibility lists [and], school nurses and  
18 individuals employed under section 1106(b).

19 \* \* \*

20 Section 1106. Duty to Employ.--(a) The board of school  
21 directors in every school district shall employ the necessary  
22 qualified professional employes, substitutes and temporary  
23 professional employes to keep the public schools open in their  
24 respective districts in compliance with the provisions of this  
25 act. Except for school districts of the first class and first  
26 class A which may require residency requirements for other than  
27 professional employes, substitutes and temporary professional  
28 employes, no other school district shall require an employe to  
29 reside within the school district as a condition for appointment  
30 or continued employment.

1     (b) The board of school directors may employ, in nonteaching  
2 capacities, the necessary qualified persons in positions that  
3 require a nationally recognized or State license or other  
4 credential but do not require certification under Article XII  
5 for public school employment.

6     Section 3. Section 1142.1 of the act is repealed:

7     [Section 1142.1. Minimum Salaries for Teachers.--(a)  
8 Notwithstanding the provisions of section 1142, the minimum  
9 salary paid to full-time teachers for the school term 1988-1989  
10 and each school term thereafter, shall be eighteen thousand five  
11 hundred dollars (\$18,500) as provided in this section.

12     (b) This section shall not require, and shall not be  
13 construed to require, the modification, renegotiation or  
14 reopening of any contract or agreement in effect on the  
15 effective date of this section between a public employer and a  
16 public employe or employe organization pursuant to the act of  
17 July 23, 1970 (P.L.563, No.195), known as the "Public Employe  
18 Relations Act," nor shall the salary or any other terms of any  
19 such contract or agreement be superseded or modified by this  
20 section: Provided, that the board of school directors of a  
21 school district may at any time during the term of such contract  
22 or agreement implement the minimum salary provisions of this  
23 section for the entire school term in the manner provided in  
24 section 1151. Whenever a board of school directors of a school  
25 district exercises the power granted by this subsection to  
26 implement the minimum salary provisions of this section, it  
27 shall implement them by making a supplemental salary payment to  
28 each full-time teacher who qualifies for such payment in an  
29 amount equal to the difference between eighteen thousand five  
30 hundred dollars (\$18,500) and the salary to which such teacher

1 is entitled under the terms of the applicable contract or  
2 agreement and shall be entitled to receive the special payment  
3 provided by section 2594.

4 (c) The board of school directors of a school district shall  
5 pay to full-time teachers a salary which equals at least  
6 eighteen thousand five hundred dollars (\$18,500) for the school  
7 term beginning after the expiration of the term of any contract  
8 or agreement in effect on the effective date of this section  
9 between a public employer and a public employe or employe  
10 organization pursuant to the "Public Employe Relations Act," and  
11 for each school term thereafter.

12 (d) For purposes of this section, the following terms shall  
13 have the following meanings:

14 "Board of school directors" shall mean board of school  
15 directors, intermediate unit board of directors and area career  
16 and technical board.

17 "School district" shall mean school district, intermediate  
18 unit and area career and technical school.

19 "Teacher" shall mean classroom teachers and all others  
20 included within the definition of "teacher" in section 1141,  
21 including speech correctionists and instructional department  
22 chairmen employed by a school district.]

23 Section 4. The act is amended by adding a section to read:

24 Section 1142.2. Minimum Salaries for Professional Staff  
25 Members.--(a) (1) Notwithstanding the provisions of section  
26 1142 or any other provision of law, the minimum salary paid to a  
27 professional staff member shall be as follows:

28 (i) For the 2023-2024 school year, fifty thousand dollars  
29 (\$50,000).

30 (ii) For the 2024-2025 school year, fifty-two thousand five

1 hundred dollars (\$52,500).

2 (iii) For the 2025-2026 school year, fifty-five thousand  
3 dollars (\$55,000).

4 (iv) For the 2026-2027 school year, fifty-seven thousand  
5 five hundred dollars (\$57,500).

6 (v) For the 2027-2028 school year and each school year  
7 thereafter, sixty thousand dollars (\$60,000).

8 (2) For a professional staff member who works part-time or  
9 for only a portion of a school year, the minimum salary paid  
10 under this subsection shall be prorated based upon the amount of  
11 time in the school year the professional staff member worked.

12 (b) This section shall not be construed to require the  
13 modification, renegotiation or reopening of an agreement or  
14 employment contract in effect on the effective date of this  
15 section. Subject to subsection (c), the salary schedule or any  
16 other terms of such agreement or employment contract are not  
17 superseded nor modified by this section.

18 (c) Notwithstanding subsection (b), during the term of an  
19 agreement or employment contract in effect on the effective date  
20 of this section, the public school entity shall make a  
21 supplemental salary payment to each professional staff member  
22 who is entitled to a salary that is lower than the minimum  
23 salary required under subsection (a). The supplemental salary  
24 payment shall be in an amount equal to the difference between  
25 the minimum salary required under subsection (a) and the lower  
26 salary to which the professional staff member is entitled under  
27 the terms of the agreement or employment contract in effect on  
28 the effective date of this section, which shall not be lower  
29 than the salary the professional staff member received for the  
30 immediately preceding school year.

1 (d) A public school entity that makes a supplemental salary  
2 payment under subsection (c) in any school year from 2023-2024  
3 through 2027-2028 shall be entitled to receive the special  
4 payment provided for under section 2594.1.

5 (e) An employment contract, or an agreement negotiated by a  
6 public school entity and an employe organization under the  
7 Public Employe Relations Act after the effective date of this  
8 section, shall not provide for a salary lower than provided for  
9 under subsection (a). A provision in an agreement or employment  
10 contract in effect on the effective date of this section that  
11 provides for a salary in conflict with subsection (a) shall be  
12 discontinued in a new or renewed agreement or employment  
13 contract or during the period of status quo following an expired  
14 contract.

15 (f) A public school entity that, after the effective date of  
16 this section, for any school year from 2023-2024 through 2027-  
17 2028, enters into an agreement or employment contract meeting  
18 the requirements of subsection (e), or operates under a period  
19 of status quo following the expiration of an agreement, shall be  
20 entitled to receive the special payment provided for under  
21 section 2594.1.

22 (g) For purposes of this section, the following terms shall  
23 have the following meanings:

24 "Agreement" shall mean a contract or agreement between a  
25 public employer and a public employe or employe organization  
26 pursuant to the Public Employe Relations Act.

27 "Employe organization" shall have the meaning given to the  
28 term in section 301(3) of the Public Employe Relations Act.

29 "Employment contract" shall mean a contract for services  
30 between a public school entity and one or more professional

1 staff members who are not members of a bargaining unit  
2 represented by an employe organization.

3 "Professional staff member" shall mean:

4 (1) a professional employe, as defined in section 1101;

5 (2) a temporary professional employe, as defined in section  
6 1101; or

7 (3) a substitute employe.

8 "Public employe" shall have the meaning given to the term in  
9 section 301(2) of the Public Employe Relations Act.

10 "Public Employe Relations Act" shall mean the act of July 23,  
11 1970 (P.L.563, No.195), known as the "Public Employe Relations  
12 Act."

13 "Public employer" shall have the meaning given to the term in  
14 section 301(1) of the Public Employe Relations Act.

15 "Public school entity" shall mean a school district,  
16 intermediate unit or area career and technical school.

17 "Substitute employe" shall mean an individual who serves as a  
18 substitute for a period exceeding twenty (20) days for an absent  
19 individual professional employe or temporary professional  
20 employe and who holds appropriate certification for the position  
21 as provided by section 1114, including a valid and active  
22 certification and an emergency permit or a long-term substitute  
23 permit. The term does not include an individual who holds a day-  
24 to-day substitute permit, unless the individual works for a  
25 substantial period of time in the current semester and either  
26 worked a substantial period of time in the previous semester or  
27 has an expectation of employment for a substantial period of  
28 time in the next semester.

29 Section 5. Section 2594 of the act is repealed:

30 [Section 2594. Special Payments on Account of Minimum Salary

1 Increases.--(a) For the school year 1988-1989 and each school  
2 year thereafter beginning before the expiration of the term of  
3 any contract or agreement effective on or before the effective  
4 date of this section between a public employer and a public  
5 employe or employe organization pursuant to the act of July 23,  
6 1970 (P.L.563, No.195), known as the "Public Employe Relations  
7 Act," each school district, intermediate unit and area career  
8 and technical school which elects to increase minimum salaries  
9 pursuant to section 1142.1 shall be paid in the manner provided  
10 in subsection (b), in addition to any other payments to which it  
11 is entitled, a special payment to cover the cost of implementing  
12 section 1142.1.

13 (b) For the school year 1988-1989, the amount paid to each  
14 school district, intermediate unit and area career and technical  
15 school shall be the difference between the salary paid to each  
16 full-time teacher at the beginning of the school term 1988-1989  
17 that is less than eighteen thousand five hundred dollars  
18 (\$18,500) and an amount equal to eighteen thousand five hundred  
19 dollars (\$18,500). For the school year 1989-1990 and each school  
20 year thereafter, the amount paid shall be the difference between  
21 the salary payable to each full-time teacher at the beginning of  
22 the school term under the terms of the contract or agreement in  
23 effect on the effective date of this section which is less than  
24 eighteen thousand five hundred dollars (\$18,500) and an amount  
25 equal to eighteen thousand five hundred dollars (\$18,500). The  
26 amount so calculated shall be paid to each qualifying school  
27 district, intermediate unit and area career and technical school  
28 by the Department of Education during each school year for which  
29 each school district, intermediate unit and area career and  
30 technical school qualifies out of the funds appropriated to the

1 department for this purpose.

2 (c) For each school year for which a school district,  
3 intermediate unit and area career and technical school qualifies  
4 for a special payment under subsection (a), the entire  
5 employer's share of contributions to the Public School Employee's  
6 Retirement Fund and Social Security attributable to the salary  
7 increase implemented pursuant to section 1142.1 shall be paid  
8 for each school district, intermediate unit and area career and  
9 technical school out of funds appropriated to the Department of  
10 Education for such purposes.]

11 Section 6. The act is amended by adding a section to read:

12 Section 2594.1. Supplemental Reimbursements and Special  
13 Payments on Account of Minimum Salary Increases for Professional  
14 Staff Members.--(a) The following shall apply to a public  
15 school entity making supplemental salary payments as provided  
16 for under section 1142.2(c):

17 (1) By dates to be determined by the department, the public  
18 school entity shall provide information specified by the  
19 department to calculate the total cost of the supplemental  
20 salary payments made in any school year from 2023-2024 through  
21 2028-2029.

22 (2) By October 15, 2023, the department shall provide the  
23 public school entity with a preliminary supplemental  
24 reimbursement for the total cost of the public school entity's  
25 supplemental salary payments made in the 2023-2024 school year,  
26 followed by a reconciliation of actual costs for the 2023-2024  
27 school year no later than December 31, 2024. The net reconciled  
28 amount of the supplemental reimbursement for the 2023-2024  
29 school year shall be paid to the public school entity in each  
30 school year thereafter. Payment under this paragraph shall be in

1 addition to any other amount payable to the public school  
2 entity.

3 (3) By October 15, 2024, the department shall provide the  
4 public school entity with a preliminary reimbursement for the  
5 total cost of the public school entity's supplemental salary  
6 payments made in the 2024-2025 school year, less the amount of  
7 supplemental reimbursement paid to the public school entity in  
8 the 2023-2024 school year, followed by a reconciliation of  
9 actual costs for the 2024-2025 school year no later than  
10 December 31, 2025. The net reconciled amount of the supplemental  
11 reimbursement for the 2024-2025 school year, if greater than the  
12 reconciled amount of the supplemental reimbursement paid under  
13 paragraph (2), shall be paid to the public school entity in each  
14 school year thereafter. Payment under this paragraph shall be in  
15 addition to any other amount payable to the public school  
16 entity.

17 (4) By October 15, 2025, the department shall provide the  
18 public school entity with a preliminary reimbursement for the  
19 total cost of the public school entity's supplemental salary  
20 payments made in the 2025-2026 school year, less the amount of  
21 supplemental reimbursements paid to the public school entity in  
22 the 2023-2024 and 2024-2025 school years, followed by a  
23 reconciliation of actual costs for the 2025-2026 school year no  
24 later than December 31, 2026. The net reconciled amount of the  
25 supplemental reimbursement for the 2025-2026 school year, if  
26 greater than the reconciled amount of the supplemental  
27 reimbursement paid under paragraphs (2) and (3), shall be paid  
28 to the public school entity in each school year thereafter.  
29 Payment under this paragraph shall be in addition to any other  
30 amount payable to the public school entity.

1     (5) By October 15, 2026, the department shall provide the  
2 public school entity with a preliminary reimbursement for the  
3 total cost of the public school entity's supplemental salary  
4 payments made in the 2026-2027 school year, less the amount of  
5 supplemental reimbursements paid to the public school entity in  
6 the 2023-2024, 2024-2025 and 2025-2026 school years, followed by  
7 a reconciliation of actual costs for the 2026-2027 school year  
8 no later than December 31, 2027. The net reconciled amount of  
9 the supplemental reimbursement for the 2026-2027 school year, if  
10 greater than the reconciled amount of the supplemental  
11 reimbursement paid under paragraphs (2), (3) and (4), shall be  
12 paid to the public school entity in each school year thereafter.  
13 Payment under this paragraph shall be in addition to any other  
14 amount payable to the public school entity.

15     (6) By October 15, 2027, the department shall provide the  
16 public school entity with a preliminary reimbursement for the  
17 total cost of the public school entity's supplemental salary  
18 payments made in the 2027-2028 school year, less the amount of  
19 supplemental reimbursements paid to the public school entity in  
20 the 2023-2024, 2024-2025, 2025-2026 and 2026-2027 school years,  
21 followed by a reconciliation of actual costs for the 2027-2028  
22 school year no later than December 31, 2028. The net reconciled  
23 amount of the supplemental reimbursement for the 2027-2028  
24 school year, if greater than the reconciled amount of the  
25 supplemental reimbursement paid under paragraphs (2), (3), (4)  
26 and (5), shall be paid to the public school entity in each  
27 school year thereafter. Payment under this paragraph shall be in  
28 addition to any other amount payable to a public school entity.

29     (7) For a school district, the supplemental reimbursement  
30 received for the 2023-2024 school year under paragraph (2) and

1 the net amount of the supplemental reimbursements the school  
2 district receives in each following year for the 2024-2025  
3 through 2027-2028 school years under paragraphs (3), (4), (5)  
4 and (6) shall be included in the school district's allocation  
5 amount under section 2502.53(b)(1).

6 (b) The following shall apply when a public school entity's  
7 professional staff members' salaries are governed by an expired  
8 agreement during a period of status quo or by an employment  
9 contract or agreement entered into after the effective date of  
10 section 1142.2 in any school year from 2023-2024 through 2027-  
11 2028:

12 (1) By dates determined by the department, the public school  
13 entity shall provide the department with the information that  
14 the department specifies as necessary to calculate the total  
15 special payments to be made with respect to each school year  
16 from 2023-2024 through 2027-2028. The department shall provide  
17 preliminary special payments no later than October 15 of each  
18 school year from 2023-2024 through 2027-2028, followed by final  
19 reconciliation of the payments no later than December 31 of each  
20 school year from 2024 through 2028.

21 (2) Where the public school entity's professional staff  
22 members' salaries for the 2023-2024 school year are governed by  
23 an expired agreement during a period of status quo or by a  
24 contract or agreement entered into after the effective date of  
25 this section, the department shall make special payments to the  
26 public school entity for the 2023-2024 school year as follows:

27 (i) With respect to a professional staff member who:  
28 (A) is employed in the 2023-2024 school year;  
29 (B) was employed in the 2022-2023 school year; and  
30 (C) was paid a salary of less than fifty thousand dollars

1 (\$50,000) in the 2022-2023 school year;  
2 the amount of the special payment shall be the difference  
3 between the 2022-2023 salary and fifty thousand dollars  
4 (\$50,000).

5 (ii) With respect to a professional staff member who was  
6 newly employed in the 2023-2024 school year by a public school  
7 entity that had a starting salary of less than fifty thousand  
8 dollars (\$50,000) in the 2022-2023 school year, the amount of  
9 the special payment shall be the difference between the 2022-  
10 2023 starting salary and fifty thousand dollars (\$50,000).

11 (3) Where the public school entity's professional staff  
12 members' salaries for the 2024-2025 school year are governed by  
13 an expired agreement during a period of status quo or by an  
14 employment contract or agreement entered after the effective  
15 date of this section, the department shall make special payments  
16 to the public school entity for the 2024-2025 school year as  
17 follows:

18 (i) With respect to a professional staff member who:  
19 (A) is employed in the 2024-2025 school year;  
20 (B) was employed in the 2023-2024 school year; and  
21 (C) was paid a salary of less than fifty-two thousand five  
22 hundred dollars (\$52,500) in the 2023-2024 school year;  
23 the amount of the special payment shall be the difference  
24 between the 2023-2024 salary and fifty-two thousand five hundred  
25 dollars (\$52,500).

26 (ii) With respect to a professional staff member who was  
27 newly employed in the 2024-2025 school year by a public school  
28 entity that had a starting salary of less than fifty-two  
29 thousand five hundred dollars (\$52,500) in the 2023-2024 school  
30 year, the department shall pay two thousand five hundred dollars

1 (\$2,500).

2 (4) Where the public school entity's professional staff  
3 members' salaries for the 2025-2026 school year are governed by  
4 an expired agreement during a period of status quo or by an  
5 employment contract or agreement entered into after the  
6 effective date of this section, the department shall make  
7 special payments to the public school entity for the 2025-2026  
8 school year as follows:

9 (i) With respect to a professional staff member who:

10 (A) is employed in the 2025-2026 school year;

11 (B) was employed in the 2024-2025 school year; and

12 (C) was paid a salary of less than fifty-five thousand  
13 dollars (\$55,000) in the 2024-2025 school year;

14 the amount of the special payment shall be the difference  
15 between the 2024-2025 salary and fifty-five thousand dollars  
16 (\$55,000).

17 (ii) With respect to a professional staff member who was  
18 newly employed in the 2025-2026 school year by a public school  
19 entity that had a starting salary of less than fifty-five  
20 thousand dollars (\$55,000) in the 2024-2025 school year, the  
21 department shall pay two thousand five hundred dollars (\$2,500).

22 (5) Where the public school entity's professional staff  
23 members' salaries for the 2026-2027 school year are governed by  
24 an expired agreement during a period of status quo or by an  
25 employment contract or agreement entered into after the  
26 effective date of this section, the department shall make  
27 special payments to the public school entity for the 2026-2027  
28 school year as follows:

29 (i) With respect to a professional staff member who:

30 (A) is employed in the 2026-2027 school year;

1 (B) was employed in the 2025-2026 school year; and  
2 (C) was paid a salary of less than fifty-seven thousand five  
3 hundred dollars (\$57,500) in the 2025-2026 school year;  
4 the amount of the special payment shall be the difference  
5 between the 2025-2026 salary and fifty-seven thousand five  
6 hundred dollars (\$57,500).

7 (ii) With respect to a professional staff member who was  
8 newly employed in the 2026-2027 school year by a public school  
9 entity that had a starting salary of less than fifty-seven  
10 thousand five hundred dollars (\$57,500) in the 2025-2026 school  
11 year, the department shall pay two thousand five hundred dollars  
12 (\$2,500).

13 (6) Where the public school entity's professional staff  
14 members' salaries for the 2027-2028 school year are governed by  
15 an expired agreement during a period of status quo or an  
16 employment contract or agreement entered into after the  
17 effective date of this section, the department shall make  
18 special payments to the public school entity for the 2027-2028  
19 school year as follows:

20 (i) With respect to a professional staff member who:  
21 (A) is employed in the 2027-2028 school year;  
22 (B) was employed in the 2026-2027 school year; and  
23 (C) was paid a salary of less than sixty thousand dollars  
24 (\$60,000) in the 2026-2027 school year;  
25 the amount of the special payment shall be the difference  
26 between the 2026-2027 salary and sixty thousand dollars  
27 (\$60,000).

28 (ii) With respect to a professional staff member who was  
29 newly employed in the 2027-2028 school year by a public school  
30 entity that had a starting salary of less than sixty thousand

1 dollars (\$60,000) in the 2026-2027 school year, the department  
2 shall pay two thousand five hundred dollars (\$2,500).

3 (7) Special payments under paragraphs (2), (3), (4), (5) and  
4 (6) shall be made with respect to a professional staff member  
5 who was employed in the prior school year on a part-time or  
6 partial-year basis and whose prorated prior year salary would  
7 qualify for the special payments if the professional staff  
8 member had been a full-time, full-year employe. The department  
9 shall prorate the amount of the special payment based on the  
10 amount of time the professional staff member worked during the  
11 prior school year.

12 (8) The department shall continue to pay to a public school  
13 entity the amount of special payments received under paragraphs  
14 (1), (2), (3), (4), (5), (6) and (7) in each subsequent school  
15 year following the payment. Payment under this subsection shall  
16 be cumulative and in addition to any other amount payable to a  
17 public school entity. For a school district, the total payment  
18 received under paragraphs (1), (2), (3), (4), (5), (6) and (7)  
19 shall be included in the school district's allocation amount  
20 under section 2502.53(b)(1) for the 2023-2024 school year and  
21 for each school year thereafter.

22 (c) Beginning in the 2023-2024 school year and each school  
23 year thereafter, the public employer's share of contributions to  
24 the Public School Employee's Retirement Fund and Social Security  
25 attributable to the salary increase implemented under section  
26 1142.2 shall be paid for each public school entity out of funds  
27 appropriated to the department for such purpose.

28 (d) The department shall issue guidelines necessary for the  
29 implementation of this section. The guidelines shall include a  
30 process under which the department shall make preliminary

1 payments to public school entities under subsections (a) and (b)  
2 no later than October 15 of each school year from 2023-2024  
3 through 2027-2028, followed by final reconciliation of such  
4 payments no later than December 31 of each of school year from  
5 2024 through 2028.

6 (e) For purposes of this section, the following terms shall  
7 have the following meanings:

8 "Department" shall mean the Department of Education of the  
9 Commonwealth.

10 "Professional staff member" shall have the meaning given the  
11 term in section 1142.2(g).

12 "Public employer" shall have the meaning given the term in  
13 section 1142.2(g).

14 "Public school entity" shall have the meaning given the term  
15 in section 1142.2(g).

16 Section 7. This act shall take effect immediately.