
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1643 Session of
2017

INTRODUCED BY O'NEILL, D. COSTA, DAVIS, DIGIROLAMO, EMRICK,
MILLARD, D. MILLER, MURT, ROEBUCK, SCHLOSSBERG AND WHEELAND,
JUNE 30, 2017

REFERRED TO COMMITTEE ON EDUCATION, JUNE 30, 2017

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 2016-2017
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

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

6 (3.1) (i) For the 2017-2018 school year and each school
7 year thereafter, subject to the provisions in clause (3.2),
8 which provides for the transition to the new student-based
9 funding methodology established in this clause, for special
10 education students, the charter school shall receive for each
11 student enrolled an amount which shall be paid by the district
12 of residence of each student to be determined as follows:

13 (A) For each special education student enrolled in the
14 charter school for which the annual expenditure is less than
15 twenty-five thousand dollars (\$25,000), which shall be known as
16 Category 1, multiply the same funding as for each non-special
17 education student as provided in clause (2) by one and fifty-one
18 hundredths (1.51).

19 (B) For each special education student enrolled in the
20 charter school for which the annual expenditure is equal to or
21 greater than twenty-five thousand dollars (\$25,000) and less
22 than fifty thousand dollars (\$50,000), which shall be known as
23 Category 2, multiply the same funding as for each non-special
24 education student as provided in clause (2) by three and
25 seventy-seven hundredths (3.77).

26 (C) For each special education student enrolled in the
27 charter school for which the annual expenditure is equal to or
28 greater than fifty thousand dollars (\$50,000), which shall be
29 known as Category 3, multiply the same funding as for each non-
30 special education student as provided in clause (2) by seven and

1 forty-six hundredths (7.46).

2 (ii) Pursuant to guidelines developed by the department, to
3 be eligible to receive funding for special education students
4 under subclause (i) (B) and (C), the charter school must document
5 the cost of providing an education to the student and provide
6 the documentation to the department.

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

10 (A) Divide the school district's total expenditure for
11 special education programs and services, excluding gifted
12 education by the number of special education students who reside
13 in the school district.

14 (B) Divide total expenditure for special education programs
15 and services excluding gifted education for all school districts
16 by the total number of special education students residing in
17 all school districts.

18 (C) Divide the quotient in unit (A) by the quotient in unit
19 (B).

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

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

29 (iv) The department shall annually adjust the dollar ranges
30 in subclause (i) (A), (B) and (C) by the Consumer Price Index for

1 All Urban Consumers for the Pennsylvania, New Jersey, Delaware
2 and Maryland area.

3 (v) The annual expenditure amounts used to calculate funding
4 under subclause (i) (A), (B) and (C) shall be based on the
5 amounts used in making reports to the department under section
6 1372(8).

7 (3.2) To transition to the new student-based funding
8 methodology for special education students under clause (3.1), a
9 charter school shall receive for each student enrolled an amount
10 to be paid by the district of residence and determined as
11 follows:

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

14 (A) Determine the number of special education students under
15 clause (3.1) (i) (A) from the school district who were enrolled in
16 a charter school with individualized education plans as required
17 under the Individuals with Disabilities Education Act (Public
18 Law 91-230, 20 U.S.C. § 1400 et seq.) as of May 31, 2017.

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

22 (C) Multiply the lesser of the quotient in unit (B) or one
23 (1) by the amount for the same special education student
24 determined in clause (3) for the 2016-2017 school year.

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

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

30 (ii) For each special education student under clause (3.1)

1 (i) (B) in Category 2, the following shall apply:

2 (A) Determine the number of special education students under
3 clause (3.1) (i) (B) from the school district who were enrolled in
4 a charter school with individualized education plans as of May
5 31, 2017.

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) (B) 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 2016-2017 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) (B).

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

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

19 (A) Determine the number of special education students under
20 clause (3.1) (i) (C) from the school district who were enrolled in
21 a charter school with individualized education plans as of May
22 31, 2017.

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) (C) 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 2016-2017 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)(C).

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

4 (iv) In no case shall a payment made under subclause (iii)
5 exceed the amount allowed for the same student under clause
6 (3.1).

7 (v) At such time that the amount determined under subclause
8 (i) for a student in Category 1 is greater than the amount
9 determined for a student under clause (3) for the 2016-2017
10 school year, payment made by the school district of residence
11 shall be based on the provisions under clause (3.1), and the
12 transition under this clause shall expire.

13 (vi) The department shall develop guidelines to collect the
14 enrollment data required under this clause and calculate
15 estimated payments until such time as actual enrollments are
16 determined.

17 * * *

18 Section 2. This act shall take effect June 30, 2017, or
19 immediately, whichever is later.