

AMENDMENTS TO HOUSE BILL NO. 1615

Sponsor: SENATOR BROWNE

Printer's No. 2084

1 Amend Bill, page 1, lines 1 through 6, by striking out all of
2 said lines and inserting

3 Amending the act of March 10, 1949 (P.L.30, No.14), entitled "An
4 act relating to the public school system, including certain
5 provisions applicable as well to private and parochial
6 schools; amending, revising, consolidating and changing the
7 laws relating thereto," in preliminary provisions, further
8 providing for Special Education Funding Commission; in school
9 districts, providing for full academic year requirements; in
10 school finances, further providing for annual budget,
11 additional or increased appropriations and transfer of funds;
12 in grounds and buildings, further providing for limitation on
13 new applications for Department of Education approval of
14 public school building projects; in district superintendents
15 and assistant district superintendents, further providing for
16 eligibility; in pupils and attendance, further providing for
17 definitions and for nonprofit school food program; in Drug
18 and Alcohol Recovery High School Pilot Program, further
19 providing for audit required; establishing the Innovation
20 Schools Program; in community colleges, further providing for
21 financial program and reimbursement of payments; in
22 educational tax credits, further providing for definitions,
23 for qualification and application by organizations, for
24 application by business firms, for tax credits, for
25 limitations and for opportunity scholarships; adding
26 provisions relating to postsecondary institution sexual
27 harassment and sexual violence policy and online reporting
28 system; in school districts of the first class, further
29 providing for board of public education and additional
30 duties; in ready-to-succeed scholarship, further providing
31 for agency duties relating to eligibility criteria; in
32 funding for public libraries, providing for State aid for
33 fiscal year 2019-2020; in reimbursements by Commonwealth and
34 between school districts, further providing for payments on
35 account of pupils enrolled in vocational curriculums, for
36 student-weighted basic education funding, for payments to
37 intermediate units, for assistance to school districts
38 declared to be in financial recovery status or identified for

1 financial watch status, for Ready-to-Learn Block Grant and
2 for payment of required contribution for public school
3 employees' social security and providing for advanced
4 placement and International Baccalaureate exam fees;
5 providing for fostering independence through education; and
6 providing for references to "area vocational-technical
7 school" and "vocational curriculums" in statute or
8 regulation.

9 Amend Bill, page 1, lines 9 through 20; page 2, lines 1
10 through 12; by striking out all of said lines on said pages and
11 inserting

12 Section 1. Section 122(k) of the act of March 10, 1949
13 (P.L.30, No.14), known as the Public School Code of 1949, is
14 amended to read:

15 Section 122. Special Education Funding Commission.--* * *

16 (k) (1) Every five (5) years the commission shall be
17 reconstituted in accordance with subsection (c) and shall meet
18 and hold public hearings to review the operation of the special
19 education funding provisions of this section, shall make a
20 further report and shall issue the report to the recipients
21 listed in subsection (i)(5). When in receipt of a further report
22 recommending changes to the special education funding formula,
23 the General Assembly shall consider and take action to enact the
24 formula into law in accordance with subsection (j).

25 (2) The commission shall be reconstituted not later than
26 August 15, 2019, and shall issue the report to the recipients
27 listed in subsection (i)(5) not later than November 30, 2019.
28 The commission shall limit the scope of the review provided for
29 under this subsection to only the provision of special education
30 payments to school districts by the Commonwealth through the
31 funding formula contained in section 2509.5.

32 * * *

33 Section 2. The act is amended by adding a section to read:

34 Section 221.3. Full Academic Year Requirement.--(a) If a
35 student is enrolled in a school on or before October 1 and is
36 continuously enrolled in the school until the last day of the
37 applicable Pennsylvania System of School Accountability testing
38 window, and the student has been absent for at least twenty
39 percent (20%) of the school days during that same time period,
40 the student shall be deemed as not meeting the full academic
41 year requirement for the school and the student's score may not
42 be included into the school accountability performance
43 calculation.

44 (b) This section shall only be effective if in compliance
45 with Federal law.

46 (c) As used in this section, the term "full academic year"
47 shall mean that the student is enrolled in the school on or
48 before October 1 and continuously enrolled in the school until

1 and including the last day of the applicable testing window.

2 Section 3. Section 687(b) and (h) of the act are amended to
3 read:

4 Section 687. Annual Budget; Additional or Increased
5 Appropriations; Transfer of Funds.--* * *

6 (b) The board of school directors, after making such
7 revisions and changes therein as appear advisable, shall adopt
8 the budget and the necessary appropriation measures required to
9 put it into effect. The total amount of such budget shall not
10 exceed the amount of funds, including the proposed annual tax
11 levy and State appropriation, available for school purposes in
12 that district. Within fifteen (15) days after the adoption of
13 the budget, the board of school directors shall [file a copy of
14 the same in the office of the Department of Public Instruction.]
15 submit an electronic copy of the budget to the Department of
16 Education for publication on the Department of Education's
17 publicly accessible Internet website no later than thirty (30)
18 days after the receipt of the budget.

19 * * *

20 (h) Beginning with the adjusted final fiscal year 1991-1992
21 budget, and each fiscal year thereafter, on or before September
22 15, each school district shall furnish to the [Education
23 Committee of the Senate and the Education Committee of the House
24 of Representatives] Department of Education an electronic copy
25 of the school district's final adopted annual budget to include
26 the amount of district revenues being held in excess of its
27 total budgeted expenditures. Such documentation shall include an
28 explanation of the district's need to maintain the revenues in
29 this fund balance. The Department of Education shall publish the
30 information received under this section on the Department of
31 Education's publicly accessible Internet website no later than
32 thirty (30) days after the receipt of the information.

33 * * *

34 Section 4. Section 732.1(a) of the act, amended June 22,
35 2018 (P.L.241, No.39), is amended to read:

36 Section 732.1. Limitation on New Applications for Department
37 of Education Approval of Public School Building Projects.--(a)
38 For the 2012-2013 fiscal year, 2013-2014 fiscal year, 2017-2018
39 fiscal year [and], 2018-2019 fiscal year and 2019-2020 fiscal
40 year, the Department of Education shall not accept or approve
41 new school building construction or reconstruction project
42 applications.

43 * * *

44 Section 5. Section 1003(a) introductory paragraph, (b.2) and
45 (c) of the act are amended and the section is amended by adding
46 a subsection to read:

47 Section 1003. Eligibility.--(a) Except as otherwise
48 provided in subsections (a.1), (b) and (b.1), no person shall
49 receive a letter of eligibility or be elected or appointed as a
50 district superintendent or assistant district superintendent,
51 unless--

1 * * *

2 (a.1) Notwithstanding the requirements of subsection (a), a
3 person shall be eligible for election or appointment as a
4 district superintendent or assistant district superintendent if
5 the person has served as a chief recovery officer or a financial
6 administrator, as provided under Article VI-A.

7 * * *

8 (b.2) The department shall, upon request in a form and
9 manner as prescribed by the department and made available on the
10 department's publicly accessible Internet website, confirm that
11 an individual satisfies the requirements of subsection (a.1),
12 (b) or (b.1) and that the individual is eligible for election or
13 appointment as a district superintendent or assistant district
14 superintendent. Upon a school district's hiring of an individual
15 who satisfies the requirements of subsection (a.1), (b) or
16 (b.1), the department shall issue the individual a commission.

17 (c) Notwithstanding the provisions of sections 1205.1(f),
18 1205.2(n.1) and 1205.5(h), a person elected or appointed as a
19 district superintendent or assistant district superintendent for
20 the first time in this Commonwealth under subsection (a.1), (b)
21 or (b.1) shall successfully complete a leadership development
22 program that meets the Pennsylvania school leadership standards
23 under section 1217.

24 Section 6. The definition of "compulsory school age" in
25 section 1326 of the act is amended to read:

26 Section 1326. Definitions.--When used in this article, the
27 following words and phrases shall have the following meanings:

28 * * *

29 "Compulsory school age" shall mean the period of a child's
30 life from the time the child's parents elect to have the child
31 enter school and which shall be no later than ~~[eight (8)]~~ six
32 (6) years of age until the child reaches ~~[seventeen (17)]~~
33 eighteen (18) years of age. The term does not include a child
34 who holds a certificate of graduation from a regularly
35 accredited, licensed, registered or approved high school.

36 * * *

37 Section 7. Sections 1337(d) and 1408-A of the act are
38 amended to read:

39 Section 1337. Nonprofit School Food Program.--* * *

40 (d) Boards of School Directors.

41 (1) Pursuant to any power of boards of school directors to
42 operate or provide for the operation of school food programs in
43 schools under their jurisdiction, boards of school directors may
44 use therefore funds disbursed to them under the provisions of
45 this section, gifts and other funds, received from sale of
46 school food under such programs.

47 (2) ~~[Regardless]~~ (i) Pursuant to subclause (ii), regardless
48 of whether a student has money to pay for a school meal or owes
49 money for school meals, each board of school directors shall
50 establish a requirement for schools under its jurisdiction to
51 provide a school food program meal to a student who requests

one, unless the student's parent or guardian has specifically provided written directive to the school to withhold a school meal.

(ii) If a student is not eligible for participation in the school food program and owes greater than fifty dollars (\$50) in a school year for school meals, a school may provide the student with alternative meals instead of school food program meals until the student's unpaid balance for school meals is paid or a payment plan has been established with the school to reduce the unpaid balance.

(3) Each board of school directors shall require schools under its jurisdiction to comply with the following when a student owes money for five or more school meals:

(i) The school shall make at least two attempts to reach the student's parent or guardian and have the parent or guardian apply for participation in the school food program.

(ii) The school may offer assistance with applying for participation in the school food program.

(4) Each board of school directors shall:

(i) Require schools under its jurisdiction to direct communications regarding money owed by a student for school meals to the student's parent or guardian and not to the student if the student is enrolled in grades kindergarten through eight. For a student enrolled in grades nine through twelve, the board of school directors may require the schools to direct communications regarding a low balance or money owed by a student for school meals to the student if the communications are made individually to the student by appropriate school personnel and are made discreetly.

(ii) Permit schools under its jurisdiction to contact the student's parent or guardian by means of a letter addressed to the parent or guardian that is delivered by the student.

(5) Each board of school directors shall prohibit schools under its jurisdiction from implementing the following:

(i) Publicly identifying or stigmatizing a student who cannot pay for a school meal or who owes money for school meals. It shall not constitute public identification or stigmatization of a student for a school to restrict privileges and activities of students who owe money for school meals if those same restrictions apply to students who owe money for other school-related purposes. It shall not constitute public identification or stigmatization of a student for a school to provide a student with an alternative meal pursuant to subclause (d)(2)(ii).

(ii) Requiring a student who cannot pay for a school meal to perform chores or other work to pay for the school meal. This subclause shall not apply if chores or other work are required of all students regardless of the student's inability to pay for the school meal.

(iii) Requiring a student to discard a school meal after it was served to the student due to the student's inability to pay for the school meal or the amount of money owed by the student

1 for earlier school meals.

2 * * *

3 Section 1408-A. Audit required.

4 The recovery high school shall submit annually to the
5 Secretary of Education, the Secretary of Drug and Alcohol
6 Programs, the chairperson and minority chairperson of the
7 Education Committee of the Senate, the chairperson and minority
8 chairperson of the Education Committee of the House of
9 Representatives, the chairperson and minority chairperson of the
10 Public Health and Welfare Committee of the Senate and the
11 chairperson and minority chairperson of the Health Committee of
12 the House of Representatives a complete certified audit of the
13 recovery high school's participation in the program. The audit
14 shall be conducted by a qualified independent certified public
15 accountant under generally accepted audit standards of the
16 Governmental Accounting Standards Board and paid for by the
17 department.

18 Section 8. The act is amended by adding an article to read:

19 ARTICLE XIV-B

20 INNOVATION SCHOOLS PROGRAM

21 Section 1401-B. Definitions.

22 The following words and phrases when used in this article
23 shall have the meanings given to them in this section unless the
24 context clearly indicates otherwise:

25 "Affiliated network of schools." A network of schools,
26 overseen by a common program manager or management team,
27 including an existing nonprofit organization which is qualified
28 for an exemption under section 501(c)(3) of the Internal Revenue
29 Code of 1986 (Public Law 99-514, 26 U.S.C. § 501(c)(3)) and
30 whose principal purpose is to provide services to support the
31 program's mission, students and their families and the
32 immediately surrounding community.

33 "Department." The Department of Education of the
34 Commonwealth.

35 "Innovation school." A school, or an affiliated network of
36 schools, designated as an innovation school under section 1402-
37 B(b).

38 "Peer group." A group of public schools within the
39 boundaries of a school district whose student enrollment is a
40 similar composition of students in special education, English-
41 language learning and economically disadvantaged students.

42 "Program." The Innovation Schools Program established under
43 section 1402-B(a).

44 "Program manager." An individual appointed and employed by
45 an innovation school to develop, implement and carry out the
46 provisions of an innovation plan approved by the department.

47 "School." A charter school, regional charter school or a
48 school operated by a school district.

49 Section 1402-B. Establishment of Innovation Schools Program.

50 (a) Program established.--The Innovation Schools Program is
51 established to study and evaluate innovative approaches to

economically disadvantaged schools, including workforce development programs, mentoring services, before-school and after-school programs, prevention measures and social wrap-around services.

(b) Designation.--Not later than August 1, 2019, the Secretary of Education, in coordination with the Department of Human Services and the Department of Labor and Industry, shall:

(1) Accept applications from schools for designation as an innovation school.

(2) Evaluate applications received under paragraph (1) and designate no more than two schools that satisfy, as of June 30, 2019, all of the following requirements to serve as innovation schools:

(i) The school is in the bottom 5% of all schools in this Commonwealth based on the percent of enrollment that is economically disadvantaged, as reported by the department.

(ii) The school has done one of the following:

(A) Partnered with behavioral health specialists.

(B) Provided an integrated social service model.

(iii) A school, or at least one school in the affiliated network of schools, is located within a Promise Zone, as designated by the United States Department of Housing and Urban Development.

(3) Post notice of the designation on the department's publicly accessible Internet website.
Section 1403-B. Term of designation.

(a) Duration of designation.--A designation under this article shall be effective for at least five years.

(b) Termination of designation.--The department may terminate a designation under this article if any of the following apply:

(1) The innovation school fails to comply with the requirements of this article.

(2) The innovation school violates any provision of Federal or State law from which the school has not been exempted.

(3) The chief administrator or principal operator of the innovation school is convicted of:

(i) an offense graded as a felony;

(ii) an infamous crime;

(iii) an offense pertaining to fraud;

(iv) theft or mismanagement of public funds;

(v) any offense pertaining to the individual's official capacity; or

(vi) any crime involving moral turpitude.

Section 1404-B. Annual plan and waiver.

(a) Submission of annual plan.--An innovation school shall annually submit a plan for academic and social programs to the department, the Department of Human Services and the Department

1 of Labor and Industry for coordinated review and approval. The
2 annual plan shall include any requests to waive Federal or State
3 requirements under subsection (c).

4 (b) Approval of annual plan.--The department, in
5 coordination with the Department of Human Services and the
6 Department of Labor and Industry, shall approve an annual plan
7 under subsection (a) if the proposed annual plan will improve
8 the delivery of education for the prospective student
9 population.

10 (c) Waiver procedures.--The following apply:

11 (1) Upon approval of an annual plan under subsection
12 (b), the department, in coordination with the Department of
13 Human Services and the Department of Labor and Industry,
14 shall do all of the following as may be necessary to
15 implement the annual plan:

16 (i) Waive State regulations.

17 (ii) Apply for a Federal waiver.

18 (2) The department, the Department of Human Services and
19 the Department of Labor and Industry, may waive State
20 regulations or apply for a Federal waiver in the following
21 categories:

22 (i) Academic Testing or testing periods.

23 (ii) Academic assistance.

24 (iii) College and career preparations.

25 (iv) Before-school and after-school care or
26 programs.

27 (v) Behavioral health services.

28 (vi) Social services.

29 (vii) Integrated student support services.

30 (viii) Behavior intervention.

31 (3) A written request for the waiver of a State
32 regulation may be granted if there is no jeopardy to the
33 health, safety or welfare of students. The department, the
34 Department of Human Services or the Department of Labor and
35 Industry, as appropriate, shall notify the school of the
36 approval of a waiver within 10 days of the waiver request.
37 The notification to the school shall include approval for
38 implementation of that part of the annual plan related to the
39 approved waiver.

40 (4) If the Federal Government approves the application
41 for a Federal waiver under paragraph (1), the department, the
42 Department of Human Services or the Department of Labor and
43 Industry, as appropriate, shall notify the school of the
44 approval within 10 days of its receipt of approval from the
45 Federal Government. The notification to the school shall
46 include approval for implementation of that part of the
47 annual plan related to the approved waiver.

48 (5) If a request for a waiver of a State regulation is
49 denied, the department, the Department of Human Services and
50 the Department of Labor and Industry may not authorize that
51 portion of the annual plan related to the denied State

1 waiver. The department, the Department of Human Services or
2 the Department of Labor and Industry, as appropriate, shall
3 notify the school of the denial within 10 days of the waiver
4 request. The notification to the school shall include a
5 written explanation of the basis for the denial.

6 (6) If the Federal Government denies the application for
7 a Federal waiver under paragraph (1), the department, the
8 Department of Human Services and the Department of Labor and
9 Industry may not authorize that portion of the annual plan
10 related to the denied Federal waiver. The department, the
11 Department of Human Services or the Department of Labor and
12 Industry, as appropriate, shall notify the school of the
13 denial within 10 days of its receipt of the denial from the
14 Federal Government. The notification to the school shall
15 include a written explanation of the basis for the denial.

16 (d) Plan denials.--If an annual plan or amendments to the
17 annual plan are denied, the department shall provide to the
18 school a written explanation of the basis for the department's
19 action.

20 (e) Amendments.--A school may resubmit an amended annual
21 plan, waiver request or amended plan for creating an innovation
22 school no less than 60 days after denial.

23 (f) Coordination.--Upon approval of an annual plan under
24 subsection (b), the department shall coordinate with the
25 Department of Human Services regarding licensure of the
26 innovation school or the individually licensed health care
27 practitioners, as necessary. The Department of Human Services
28 shall facilitate enrollment of the innovation school's
29 designated health care practitioners as providers to participate
30 in the medical assistance program to provide medically necessary
31 services to students who are medical assistance beneficiaries.
32 Section 1405-B. Conditions of continued designation.

33 In order to maintain its designation, an innovation school
34 must:

35 (1) meet or exceed the median scores of the schools in
36 its peer group in English language arts, math and science in
37 three out of the first four years of the program;

38 (2) have an average daily membership of 89%; and

39 (3) appoint a program manager to oversee the
40 implementation of the annual plan for the innovation school
41 within 60 days of the designation under section 1402-B(b).

42 Section 1406-B. Reporting.

43 (a) Report by innovation school.--

44 (1) By August 31, 2020, and by August 31 of each year
45 thereafter, an innovation school shall submit a written
46 report concerning the program to all of the following:

47 (i) The Secretary of Education.

48 (ii) The Secretary of Human Services.

49 (iii) The Secretary of Labor and Industry.

50 (iv) The chair and minority chair of the Education
51 Committee of the Senate.

1 (v) The chair and minority chair of the Education
2 Committee of the House of Representatives.

3 (vi) The chair and minority chair of the Health and
4 Human Services Committee of the Senate.

5 (vii) The chair and minority chair of the Health
6 Committee of the House of Representatives.

7 (2) The report shall include, but not be limited to, all
8 of the following, subject to the requirements of the Family
9 Educational Rights and Privacy Act of 1974 (Public Law 90-
10 247, 20 U.S.C. § 1232g) and to the extent the reporting does
11 not reveal identifying information concerning any individual
12 student:

13 (i) The number of students who enrolled in the
14 innovation school under the program for the preceding
15 reporting period.

16 (ii) The number and percentage of students enrolled
17 in the innovation school during the previous reporting
18 period to whom each of the following apply, reported
19 separately based on whether or not the students were
20 participants in the program:

21 (A) Earned a high school diploma from the
22 innovation school.

23 (B) Withdrew from the innovation school and
24 requested transfer of educational records to another
25 school.

26 (C) Withdrew from the innovation school without
27 requesting transfer of educational records to another
28 school.

29 (D) Maintained enrollment in the innovation
30 school in good standing.

31 (iii) A narrative description of the academic
32 outcomes for students enrolled in the innovation school,
33 including aggregate assessment results, reported
34 separately based on whether or not the students were
35 participants in the program.

36 (iv) Recommendations for improvements to the
37 program.

38 (v) Any information regarding the program that the
39 innovation school determines would be useful to the
40 General Assembly, the department, the Department of Human
41 Services and the Department of Labor and Industry in
42 determining whether changes to the program are necessary
43 and whether the program should be continued.

44 (b) Report by department, Department of Human Services and
45 Department of Labor and Industry.--By December 31, 2021, the
46 department, the Department of Human Services and the Department
47 of Labor and Industry shall submit jointly a written report
48 assessing the outcomes of the program and making recommendations
49 regarding the possible extension and expansion of the program,
50 including a proposed timeline for any potential expansion, to
51 all of the following:

1 (1) The chair and minority chair of the Education
2 Committee of the Senate.

3 (2) The chair and minority chair of the Education
4 Committee of the House of Representatives.

5 (3) The chair and minority chair of the Health and Human
6 Services Committee of the Senate.

7 (4) The chair and minority chair of the Health Committee
8 of the House of Representatives.

9 Section 9. Section 1913-A(b) (1.6) is amended by adding a
10 subclause to read:

11 Section 1913-A. Financial Program; Reimbursement of
12 Payments.--* * *

13 (b) * * *

14 (1.6) For the 2006-2007 fiscal year and each fiscal year
15 thereafter, the payment for a community college shall consist of
16 the following:

17 * * *

18 (xii) For the 2019-2020 fiscal year, each community college
19 shall receive an amount equal to the following:

20 (A) An amount equal to the reimbursement for operating costs
21 received in fiscal year 2018-2019 under subclause (xi) (A) and
22 (C).

23 (B) An amount equal to the economic development stipend
24 received in fiscal year 2018-2019 under subclause (xi) (B).

25 (C) For each community college that receives funding under
26 units (A) and (B), an additional amount for operating costs
27 determined for each community college, as follows:

28 (I) Multiply the audited full-time equivalent enrollment as
29 verified under subsection (k.1) for the most recent year
30 available for the community college by the difference between
31 the appropriation for payment of approved operating expenses of
32 community colleges in the 2019-2020 fiscal year and the sum of
33 the amounts in units (A) and (B).

34 (II) Divide the product in subunit (I) by the sum of the
35 audited full-time equivalent enrollment as verified under
36 subsection (k.1) for the most recent year available for all
37 community colleges.

38 * * *

39 Section 10. The definitions of "maximum annual household
40 income" and "pass-through entity" in section 2002-B of the act,
41 amended June 22, 2018 (P.L.241, No.39), are amended and the
42 section is amended by adding definitions to read:

43 Section 2002-B. Definitions.

44 The following words and phrases when used in this article
45 shall have the meanings given to them in this section unless the
46 context clearly indicates otherwise:

47 * * *

48 "Economically disadvantaged school." Any school within this
49 Commonwealth at which at least 75% of the students attending the
50 school in the immediately preceding school year received a
51 scholarship pursuant to this article.

1 * * *

2 "Maximum annual household income."

3 (1) Subject to adjustment under paragraphs (2) and (3),
4 the amount of [\$85,000] \$90,000, plus the applicable income
5 allowance.

6 (2) With respect to an eligible student with a
7 disability, as calculated by multiplying:

- 8 (i) the applicable amount under paragraph (1); by
9 (ii) the applicable support level factor according

10 to the following table:

Support Level	Support Level Factor
1	1.50
2	2.993

14 (3) Beginning July 1, 2014, the department shall
15 annually adjust the income amounts under paragraphs (1) and
16 (2) to reflect any upward changes in the Consumer Price Index
17 for All Urban Consumers for the Pennsylvania, New Jersey,
18 Delaware and Maryland area in the preceding 12 months and
19 shall immediately submit the adjusted amounts to the
20 Legislative Reference Bureau for publication as a notice in
21 the Pennsylvania Bulletin.

22 * * *

23 "Pass-through entity." A partnership as defined in section
24 301(n.0) of the act of March 4, 1971 (P.L.6, No.2), known as the
25 Tax Reform Code of 1971, a single-member limited liability
26 company treated as a disregarded entity for Federal income tax
27 purposes or a Pennsylvania S corporation as defined in section
28 301(n.1) of the Tax Reform Code of 1971. The term includes a
29 pass-through entity that owns an interest in a pass-through
30 entity. The term also includes a qualified Subchapter S trust.

31 * * *

32 "Qualified Subchapter S trust." As defined in section
33 1361(d)(3) of the Internal Revenue Code of 1986.

34 * * *

35 Section 11. Section 2003-B(f) of the act is amended and the
36 section is amended by adding a subsection to read:
37 Section 2003-B. Qualification and application by organizations.

38 * * *

39 (d.3) Opportunity scholarship organization for economically
40 disadvantaged schools.--

41 (1) In addition to the other requirements of this
42 article, an opportunity scholarship organization that intends
43 to provide opportunity scholarship awards to applicants of
44 economically disadvantaged schools must demonstrate a history
45 of serving schools throughout this Commonwealth and the
46 capacity to distribute opportunity scholarships Statewide to
47 applicants of economically disadvantaged schools.

48 (2) An opportunity scholarship organization must agree
49 to distribute opportunity scholarships to applicants of
50 economically disadvantaged schools not later than December 1

1 of the applicable school year.

2 (3) Notwithstanding any other provision of this article
3 to the contrary, the department may not for any school year
4 qualify more than one opportunity scholarship organization
5 for the provision of opportunity scholarships to applicants
6 of economically disadvantaged schools.

7 * * *

8 (f) Publication.--The department shall annually publish a
9 list of each scholarship organization, pre-kindergarten
10 scholarship organization, educational improvement organization
11 and opportunity scholarship organization qualified under this
12 section in the Pennsylvania Bulletin. The list shall also be
13 posted and updated as necessary on the publicly accessible
14 Internet website of the department. The list shall separately
15 identify the opportunity scholarship organization that qualifies
16 under subsection (d.3).

17 Section 12. Section 2004-B(a) of the act is amended to read:
18 Section 2004-B. Application by business firms.

19 (a) Scholarship organization, pre-kindergarten scholarship
20 organization or opportunity scholarship organization.--

21 (1) A business firm shall apply to the department for a
22 tax credit for contributions to a scholarship organization,
23 pre-kindergarten scholarship organization or opportunity
24 scholarship organization under section 2005-B.

25 (2) A business firm that intends to apply to the
26 department for a tax credit for contributions to the
27 opportunity scholarship organization that qualifies under
28 section 2003-B(d.3) must submit an application separate from
29 an application for tax credits to a scholarship organization,
30 pre-kindergarten scholarship organization or other
31 opportunity scholarship organization.

32 (3) A business firm shall receive a tax credit under
33 this article if the scholarship organization, pre-
34 kindergarten scholarship organization or opportunity
35 scholarship organization that receives the contribution
36 appears on the list established under section 2003-B(f),
37 subject to the limitations in sections 2005-B and 2006-B.

38 * * *

39 Section 13. Section 2005-B(g) of the act is amended by
40 adding a paragraph to read:
41 Section 2005-B. Tax credits.

42 * * *

43 (g) Time of application for credits.--

44 * * *

45 (3) Applications for tax credits submitted on July 1
46 under paragraph (1) for a two-year commitment by a business
47 firm that applied for and was denied credits in the prior
48 fiscal year and that had been approved for tax credits in a
49 prior fiscal year, shall be considered prior to an
50 application from a business firm that does not meet the
51 criteria in this paragraph. A business firm seeking

1 preference under this paragraph shall include proof of prior
2 approval tax credits in its July 1 application.

3 * * *

4 Section 14. Section 2006-B(a) of the act, amended June 22,
5 2018 (P.L.241, No.39), is amended to read:
6 Section 2006-B. Limitations.

7 (a) Amount.--

8 (1) The total aggregate amount of all tax credits
9 approved for contributions from business firms to scholarship
10 organizations, educational improvement organizations and pre-
11 kindergarten scholarship organizations shall not exceed
12 [\$160,000,000] \$185,000,000 in a fiscal year.

13 (i) No less than [\$110,000,000] \$135,000,000 of the
14 total aggregate amount shall be used to provide tax
15 credits for contributions from business firms to
16 scholarship organizations.

17 (ii) No less than \$37,500,000 of the total aggregate
18 amount shall be used to provide tax credits for
19 contributions from business firms to educational
20 improvement organizations.

21 (iii) The total aggregate amount of all tax credits
22 approved for contributions from business firms to pre-
23 kindergarten scholarship organizations shall not exceed
24 \$12,500,000 in a fiscal year.

25 (2) The total aggregate amount of all tax credits
26 approved for contributions from business firms to opportunity
27 scholarship organizations shall not exceed [\$50,000,000]
28 \$55,000,000 in a fiscal year[.] and no less than \$5,000,000
29 of the total aggregate amount shall be used to provide tax
30 credits for contributions from business firms to increase the
31 scholarship amount to students attending an economically
32 disadvantaged school by up to \$1,000 more than the amount
33 provided during the immediately preceding school year.

34 * * *

35 Section 15. Section 2009-B(e) of the act is amended and the
36 section is amended by adding a subsection to read:
37 Section 2009-B. Opportunity scholarships.

38 * * *

39 (e) Amount.--

40 (1) [The] (i) Except as otherwise provided in
41 subparagraph (ii), the maximum amount of an opportunity
42 scholarship awarded to an applicant without a disability
43 shall be \$8,500.

44 (ii) For a student attending an economically
45 disadvantaged school, the maximum amount of an
46 opportunity scholarship awarded to an applicant without a
47 disability shall be \$9,500.

48 (2) [The] (i) Except as otherwise provided in
49 subparagraph (ii), the maximum amount of an opportunity
50 scholarship awarded to an applicant with a disability
51 shall be \$15,000.

1 (ii) For a student attending an economically
2 disadvantaged school, the maximum amount of an
3 opportunity scholarship awarded to an applicant with a
4 disability shall be \$16,000.

5 (3) In no case shall the combined amount of the
6 opportunity scholarship awarded to a recipient and any
7 additional financial assistance provided to the recipient
8 exceed the tuition rate and school-related fees for the
9 participating public school or participating nonpublic school
10 that the recipient will attend.

11 (f) Designation, reports and notices.--

12 (1) Each school that desires to be designated as an
13 economically disadvantaged school for a school year shall
14 report the following information to the department by the
15 January 1 preceding the applicable school year:

16 (i) The total number of students who attend the
17 school as of the date of the report and are the
18 recipients of a scholarship under this article.

19 (ii) The total number of students attending the
20 school as of the date of the report.

21 (2) The information required under paragraph (1) shall
22 be submitted on a form provided by the department. No later
23 than the October 15 preceding each school year, the
24 department shall annually distribute or make available
25 electronically to each school in this Commonwealth the forms
26 on which the reports are required to be made.

27 (3) No later than March 1 after a school has submitted
28 to the department the information required under paragraph
29 (1), the department shall notify the school whether the
30 school meets the requirements of, and will be designated as,
31 an economically disadvantaged school for the applicable
32 school year.

33 (4) The department shall annually transmit notice of a
34 list of each school designated as an economically
35 disadvantaged school under this section to the Legislative
36 Reference Bureau for publication in the Pennsylvania
37 Bulletin. The list shall be posted and updated as necessary
38 on the department's publicly accessible Internet website.

39 (5) (i) Each school that has been designated by the
40 department as an economically disadvantaged school for an
41 applicable school year shall notify the department by no
42 later than October 15 of the applicable school year of
43 the following information for each recipient of a
44 scholarship registered to attend the school for the
45 applicable school year:

46 (A) The recipient's name and address.

47 (B) The grade of the recipient for the school
48 year with respect to which the scholarship and
49 tuition grant shall be received.

50 (C) The type and amount of scholarship received
51 by the recipient.

1 (D) The names and address of the recipient's
2 parents or guardians.

3 (ii) The information submitted in this paragraph
4 shall be provided to the opportunity scholarship
5 organization for economically disadvantaged schools.

6 (iii) Information submitted by a school designated
7 by the department as an economically disadvantaged school
8 shall remain confidential and shall not be subject to the
9 act of February 14, 2008 (P.L.6, No.3), known as the
10 Right-to-Know Law. The information can be used for
11 administration of the program.

12 Section 16. The act is amended by adding articles to read:

13 ARTICLE XX-I

14 (RESERVED)

15 ARTICLE XX-J

16 POSTSECONDARY INSTITUTION SEXUAL HARASSMENT AND SEXUAL
17 VIOLENCE POLICY AND ONLINE REPORTING SYSTEM

18 Section 2001-J. Definitions.

19 The following words and phrases when used in this article
20 shall have the meanings given to them in this section unless the
21 context clearly indicates otherwise:

22 "Online reporting system." A system established under
23 section 2003-J.

24 "Postsecondary institution." An institution located within
25 this Commonwealth that is authorized to grant an associate or
26 higher academic degree.

27 Section 2002-J. Policy for postsecondary institution sexual
28 harassment and sexual violence.

29 (a) Adoption.--A postsecondary institution shall adopt a
30 clear, understandable written policy on sexual harassment and
31 sexual violence that informs victims of their rights under
32 Federal and State law, including the crime victims bill of
33 rights.

34 (b) Report.--The sexual harassment and sexual violence
35 policy under subsection (a) shall include a provision that a
36 witness or victim of an incident of sexual harassment or sexual
37 violence who reports the incident in good faith will not be
38 sanctioned by the institution for admitting in the report to a
39 violation of the institution's student conduct policy on the
40 personal use of drugs or alcohol.

41 (c) Model policy.--The Department of Education shall develop
42 a model policy and make the model policy available to
43 postsecondary institutions. A postsecondary institution may
44 adopt the model policy as the policy of the institution on
45 sexual harassment and sexual violence.

46 Section 2003-J. Online reporting system.

47 (a) Establishment of online reporting system.--A
48 postsecondary institution shall establish and maintain an online
49 reporting system to receive complaints of sexual harassment and
50 sexual violence from students and employees. A report shall be
51 investigated through the process established in the

1 postsecondary institution's sexual harassment and sexual
2 violence policy. A postsecondary institution may not fail or
3 refuse to investigate an anonymous report because it is
4 anonymous.

5 (b) Anonymous reports.--The online reporting system shall
6 permit anonymous reports, which shall be investigated in
7 accordance with subsection (a).

8 (c) Required information.--A postsecondary institution shall
9 provide students and employees making reports under this section
10 with the following:

11 (1) Information regarding who will receive and have
12 access to the reports filed.

13 (2) How information gathered through the online
14 reporting system will be used.

15 (3) Contact information for on-campus and off-campus
16 organizations serving victims of sexual harassment and sexual
17 violence.

18 (d) Statement.--The online reporting system shall
19 prominently post the online system's policy regarding reports
20 and investigations of sexual harassment and sexual violence and
21 shall encourage individuals to review the policy for more
22 information about procedures and resources.

23 (e) Access to data.--A postsecondary institution shall limit
24 access to the data collected, created or maintained under
25 subsection (a) to only the data subject and as follows:

26 (1) Only individuals with explicit authorization from a
27 postsecondary institution may enter, update, access, share or
28 disseminate electronic data related to an incident of sexual
29 harassment or sexual violence collected, created or
30 maintained under this section.

31 (2) The ability of an authorized individual to enter,
32 update, access, share or disseminate data must be limited
33 through the use of role-based access that corresponds to the
34 official duties or training level of the individual and the
35 institutional authorization that grants access for that
36 purpose.

37 (3) Actions in which the data related to an incident of
38 sexual harassment or sexual violence are entered, updated,
39 accessed, shared or disseminated outside the postsecondary
40 institution must be recorded in a data audit trail.

41 (4) An institution shall immediately and permanently
42 revoke the authorization of an individual determined to have
43 willfully entered, updated, accessed, shared or disseminated
44 data in violation of this section.

45 (5) An institution or individual implementing, operating
46 or working for the program may not be compelled to produce a
47 record except pursuant to a court order.

48 Section 17. Sections 2103(8) and 2204-B(b) introductory
49 paragraph and (3) of the act are amended to read:

50 Section 2103. Board of Public Education; Additional
51 Duties.--The duties of the board of public education in

1 districts of the first class, in addition to the duties
2 prescribed in this act, shall be--

3 * * *

4 (8) Provided that, [notwithstanding the provisions of
5 section 1326,] the governing authority of the school district
6 [may] shall establish the compulsory school age at no earlier
7 than age six. The provisions of section 1326 shall continue to
8 apply to any student enrolled in a program under section 1327.1
9 or to any student whose parent or guardian files a notice with
10 the superintendent of the school district of the intention to
11 enroll the student in a program under section 1327.1.

12 Section 2204-B. Agency.

13 * * *

14 (b) [Requirements] Eligibility criteria.--The eligibility
15 criteria developed for the receipt of a scholarship under
16 subsection (a) shall, at a minimum, require all of the
17 following:

18 * * *

19 (3) Demonstration of [outstanding academic achievement.]
20 a grade point average of at least 3.25 on a 4.0 scale.

21 * * *

22 Section 18. The act is amended by adding a section to read:
23 Section 2323. State Aid for Fiscal Year 2019-2020.

24 Notwithstanding any other provision of law to the contrary,
25 each library subject to 24 Pa.C.S. Ch. 93 (relating to public
26 library code), shall be eligible for State aid for fiscal year
27 2019-2020, as follows:

28 (1) Funds appropriated for libraries shall be
29 distributed to each library under the following formula:

30 (i) Divide the amount of funding that the library
31 received in fiscal year 2018-2019 under section 2322 by
32 the total State-aid subsidy for fiscal year 2018-2019.

33 (ii) Multiply the quotient under subparagraph (i) by
34 the total State-aid subsidy for fiscal year 2019-2020.

35 (2) Following distribution of funds appropriated for
36 State aid to libraries under paragraph (1), any remaining
37 funds may be distributed at the discretion of the State
38 Librarian.

39 (3) If funds appropriated for State aid to libraries in
40 fiscal year 2019-2020 are less than funds appropriated in
41 fiscal year 2002-2003, the State Librarian may waive
42 standards as prescribed in 24 Pa.C.S. Ch. 93.

43 (4) Each library system receiving State aid under this
44 section may distribute the local library share of that aid in
45 a manner as determined by the board of directors of the
46 library system.

47 (5) In the case of a library system that contains a
48 library operating in a city of the second class, changes to
49 the distribution of State aid to the library shall be made by
50 mutual agreement between the library and the library system.

51 (6) In the event of a change in district library center

population prior to the effective date of this section as a result of:

(i) a city, borough, town, township, school district or county moving from one library center to another; or
(ii) a transfer of district library center status to a county library system;

funding of district library center aid shall be paid based on the population of the newly established or reconfigured district library center.

(7) In the event of a change in direct service area from one library to another, the State Librarian, upon agreement of the affected libraries, may redistribute the local library share of aid to the library currently servicing the area.

Section 19. Section 2502.8 heading of the act is amended and the section is amended by adding a subsection to read:

Section 2502.8. Payments on Account of Pupils Enrolled in [Vocational] Career and Technical Curriculums.--* * *

(f) For the school year 2018-2019 and each school year thereafter, payments made under this section shall be funded from the appropriation for career and technical education and shall not be proportionately reduced in accordance with section 2502.6(b) or any other law.

Section 20. Section 2502.53(b) of the act is amended to read:

Section 2502.53. Student-Weighted Basic Education Funding.--* * *

(b) For the 2015-2016 school year and each school year thereafter, the Commonwealth shall pay to each school district a basic education funding allocation which shall consist of the following:

(1) An amount equal to the school district's basic education funding allocation for the 2013-2014 school year.

(2) A student-based allocation to be calculated as follows:

(i) Multiply the school district's student-weighted average daily membership by the median household income index and local effort capacity index.

(ii) Multiply the product in subparagraph (i) by the difference between the amount appropriated for the allocation of basic education funding to school districts and the amount appropriated for the allocation in paragraph (1).

(iii) Divide the product in subparagraph (ii) by the sum of the products in subparagraph (i) for all school districts.

(iv) For the 2018-2019 school year, the difference determined under subparagraph (ii) shall be \$698,667,244.

* * *

Section 21. Sections 2509.1(c.2) and 2510.3(a)(2) of the act, amended June 22, 2018 (P.L.241, No.39), are amended to read:

Section 2509.1. Payments to Intermediate Units.--* * *

(c.2) The following apply:

(1) For the 2016-2017, 2017-2018 [and], 2018-2019 and 2019-

1 2020 school years, five and five-tenths percent (5.5%) of the
2 State special education appropriation shall be paid to
3 intermediate units on account of special education services.

4 (2) Thirty-five percent (35%) of the amount under paragraph
5 (1) shall be distributed equally among all intermediate units.

6 (3) Sixty-five percent (65%) of the amount under paragraph
7 (1) shall be distributed to each intermediate unit in proportion
8 to the number of average daily membership of the component
9 school districts of each intermediate unit as compared to the
10 Statewide total average daily membership.

11 * * *

12 Section 2510.3. Assistance to School Districts Declared to
13 be in Financial Recovery Status or Identified for Financial
14 Watch Status.--(a) The following apply:

15 * * *

16 (2) For the 2017-2018 [and], 2018-2019 and 2019-2020 fiscal
17 years, the Department of Education may utilize up to [five]
18 seven million dollars [(\$5,000,000)] (\$7,000,000) of
19 undistributed funds not expended, encumbered or committed from
20 appropriations for grants [and], subsidies and assessments made
21 to the Department of Education to assist school districts
22 declared to be in financial recovery status under section 621-A,
23 identified for financial watch status under section 611-A or
24 identified for financial watch status under section 694-A;
25 except that the funds must be first utilized to accomplish the
26 provisions contained in section 695-A. The funds shall be
27 transferred by the Secretary of the Budget to a restricted
28 account as necessary to make payments under this section and,
29 when transferred, are hereby appropriated to carry out the
30 provisions of this section.

31 * * *

32 Section 22. Section 2599.6(d) of the act is amended and the
33 section is amended by adding a subsection to read:

34 Section 2599.6. Ready-to-Learn Block Grant.--* * *

35 (a.1) For the 2019-2020 school year and each school year
36 thereafter, each school entity shall receive a Ready-to-Learn
37 Block Grant in an amount not less than the amount received by
38 the school entity from the appropriation for the Ready-to-Learn
39 Block Grant during the 2018-2019 fiscal year.

40 * * *

41 (d) [Revenues] The amount equal to the revenues received by
42 a school district under subsection (a) (2) shall not be included
43 in the school district's budgeted total expenditure per average
44 daily membership used to calculate the amount to be paid to a
45 charter school under section 1725-A(a) (2) and (3).

46 * * *

47 Section 23. Section 2599.7 of the act is amended to read:

48 Section 2599.7. Payment of Required Contribution for Public
49 School Employees' Social Security.--(a) Notwithstanding any
50 other provision of law to the contrary, beginning in the 2016-
51 2017 fiscal year and each fiscal year thereafter, each employer

1 shall submit a report to the Department of Education documenting
2 all wages for which payments are calculated under 24 Pa.C.S. §
3 8329 (relating to payments on account of social security
4 deductions from appropriations) for each quarter by the
5 twentieth day of the month following the end of the quarter. A
6 school district that does not submit its report by this deadline
7 shall be paid either out of the supplemental appropriation
8 requested in subsection (c) or the excess calculated in
9 subsection (d). The department shall review the report and, if
10 the department agrees with the amount reported, shall process
11 and submit a payment requisition to the State Treasurer for the
12 amount in order to make a payment to each employer that
13 submitted a timely report on the last Thursday of the month
14 following the submission of the required quarterly reports. An
15 employer that submits an untimely report shall be paid for the
16 amount due by the department in a timely manner after the
17 required documentation has been submitted. The department shall
18 provide a data file for each reporting period detailing the
19 wages reported by each employer and the payments made to the
20 employer from the appropriation and provide an electronic copy
21 to the chairperson of the Appropriations Committee of the Senate
22 and the chairperson of the Appropriations Committee of the House
23 of Representatives.

24 (b) For the fiscal year beginning July 1, 2019, payment of
25 the amounts calculated under 24 Pa.C.S. § 8329 (relating to
26 payments on account of social security deductions from
27 appropriations) for school districts shall be made from the
28 appropriation for basic education funding.

29 (c) For the fiscal year beginning July 1, 2019, if
30 insufficient funds are available for payment of the amounts
31 calculated under 24 Pa.C.S. § 8329 for school districts, the
32 Department of Education shall notify the Governor, the Chairman
33 and Minority Chairman of the Appropriations Committee of the
34 Senate and the Chairman and Minority Chairman of the
35 Appropriations Committee of the House of Representatives of the
36 amount of the insufficiency. An amount equal to the
37 insufficiency may only be paid to school districts from a
38 supplemental appropriation in the general appropriations act for
39 the subsequent fiscal year.

40 (d) For the fiscal year beginning July 1, 2019, if the
41 amount calculated for payments to school districts under 24
42 Pa.C.S. § 8329 exceeds the amount necessary, the Department of
43 Education shall notify the Governor, the Chairman and Minority
44 Chairman of the Appropriations Committee of the Senate and the
45 Chairman and Minority Chairman of the Appropriations Committee
46 of the House of Representatives of the amount of the excess. An
47 amount equal to the excess shall be distributed to school
48 districts as a supplemental payment calculated under the formula
49 contained in section 2502.53.

50 (e) The notice required under subsection (c) or (d) shall
51 occur not later than thirty (30) days prior to the close of the

1 applicable fiscal year.

2 Section 24. The act is amended by adding a section to read:

3 Section 2599.8. Advanced Placement and International
4 Baccalaureate Exam Fees.--(a) Commencing with the 2019-2020
5 school year, the Department of Education shall provide advanced
6 placement and International Baccalaureate exam fee assistance to
7 students with financial need.

8 (b) The per-exam cost charged to students for an exam shall
9 not exceed the rate paid by students with financial need for
10 Advanced Placement exams during the 2018-2019 school year.

11 (c) A school entity offering the exam shall not accept any
12 rebates from the College Board or the International
13 Baccalaureate Diploma Program for students with financial need
14 that receive assistance under this section, and the rebate shall
15 be credited toward the exam fee.

16 (d) As used in this section, the term "a student with
17 financial need" shall mean a student whose annual household
18 income is no greater than one hundred eighty-five percent (185%)
19 of the Federal poverty level or who is in foster care, homeless,
20 a migrant, living in a household that receives benefits under
21 the Supplemental Nutrition Assistance Program or Temporary
22 Assistance for Needy Families program.

23 Section 25. The act is amended by adding articles to read:

24 ARTICLE XXVI-J

25 (RESERVED)

26 ARTICLE XXVI-K

27 FOSTERING INDEPENDENCE THROUGH EDUCATION

28 Section 2601-K. Definitions.

29 The following words and phrases when used in this article
30 shall have the meanings given to them in this section unless the
31 context clearly indicates otherwise:

32 "Adoption." Adoption of an individual who has been in the
33 care and custody of a county agency and in substitute care.

34 "Agency." The Pennsylvania Higher Education Assistance
35 Agency.

36 "County agency." The term as defined under 23 Pa.C.S. § 6303
37 (relating to definitions).

38 "Department." The Department of Education of the
39 Commonwealth.

40 "Dependent child." The term as defined under 42 Pa.C.S. §
41 6302 (relating to definitions).

42 "Fostering independence waiver." A waiver of tuition and
43 mandatory fees at an institution of higher education.

44 "Institution of higher education." The term includes any of
45 the following:

46 (1) A community college operating under Article XIX-A.

47 (2) A university within the State System of Higher
48 Education.

49 (3) The Pennsylvania State University, the University of
50 Pittsburgh, Temple University, Lincoln University or any
51 other institution designated as State-related by the

1 Commonwealth.

2 (4) The Thaddeus Stevens College of Technology.

3 (5) A college established under Article XIX-G.

4 (6) An institution of higher education located in and
5 incorporated or chartered by the Commonwealth and entitled to
6 confer degrees as provided under 24 Pa.C.S. § 6505 (relating
7 to power to confer degrees) and as provided for by the
8 standards and qualifications prescribed by the State Board of
9 Education under 24 Pa.C.S. Ch. 65 (relating to private
10 colleges, universities and seminaries).

11 (7) A private school licensed under the act of December
12 15, 1986 (P.L.1585, No.174), known as the Private Licensed
13 Schools Act.

14 (8) A foreign corporation approved to operate an
15 educational enterprise under 22 Pa. Code Ch. 36 (relating to
16 foreign corporation standards).

17 "Permanent legal custodian." A person to whom legal custody
18 of a child has been given by order of a court pursuant to 42
19 Pa.C.S. § 6351(a)(2.1) (relating to disposition of dependent
20 child).

21 "POC." The point of contact designated in section 2604-K.

22 "Program." The fostering independence waiver program
23 established in section 2602-K.

24 "Substitute care." Out-of-home placement in a setting that
25 provides 24-hour care for a dependent child as defined in 42
26 Pa.C.S. § 6302 made pursuant to an order of the court.
27 Section 2602-K. Fostering independence waiver program.

28 (a) Establishment.--There is established a fostering
29 independence waiver program for individuals who satisfy the
30 eligibility requirements under subsection (c).

31 (b) Award.--Beginning with the semester starting in the fall
32 of 2020, each institution of higher education shall award a
33 fostering independence waiver for undergraduate courses at the
34 institution for each individual who is eligible under subsection
35 (c). The fostering independence waiver shall have subtracted
36 from it the amount of any Federal grants, State grants or other
37 scholarships or grants the individual receives. An individual
38 shall receive a fostering independence waiver under this article
39 for five years, whether or not consecutive, or until the
40 individual reaches 26 years of age, whichever occurs first,
41 provided that the individual remains eligible under subsection
42 (c).

43 (c) Eligibility.--In order to receive a fostering
44 independence waiver under this section, an individual must be a
45 current resident of this Commonwealth and eligible for the
46 Pennsylvania Chafee Education and Training Grant Program under
47 the Foster Care Independence Act of 1999 (Public Law 106-169,
48 113 Stat. 1882) as administered by the Department of Human
49 Services.

50 (d) Accessibility.--The department shall work with the
51 agency as well as the Department of Labor and Industry and the

Department of Human Services to ensure that individuals eligible for the program under subsection (c) apply for all available Federal and State grants.

Section 2603-K. Outreach.

(a) Duties of department.--The department, in conjunction with the Department of Human Services, shall do all of the following:

(1) By January 1, 2020, and January 1 each year thereafter, prepare and provide information for dissemination by county agencies, the department, the Department of Human Services and institutions of higher education that:

(i) Describes the availability of the program established under this article.

(ii) Explains how to participate in the program.

(iii) Includes information on all available Federal and State grants.

(2) Ensure that eligible individuals who may also be eligible for services and programs under section 1738-E of the act of April 9, 1929 (P.L.343, No.176), known as The Fiscal Code, are informed of these services and programs.

(b) Duties of institutions of higher education.--Each institution of higher education shall do all of the following:

(1) Through the POC required under section 2604-K, provide technical assistance to individuals who are eligible under section 2602-K(c) in completing admissions applications and financial aid applications.

(2) Disseminate the information prepared under subsection (a)(1) to recipients of a Pennsylvania Chafee Education and Training Grant under the Foster Care Independence Act of 1999 (Public Law 106-169, 113 Stat. 1882) who are individuals eligible under section 2602-K(c) and post the information prepared under subsection (a)(1) on the institution's publicly accessible Internet website.

(3) To improve retention, report to the department by June 30, 2021, and June 30 each year thereafter all of the following:

(i) The number of students receiving a Pennsylvania Chafee Education and Training Grant under the Foster Care Independence Act of 1999 (Public Law 106-169, 113 Stat. 1882).

(ii) The number of students who apply for the program.

(iii) The number of students participating in the program.

(iv) The retention rates of students participating in the program.

(v) The number of students who are participating in the program and have unmet financial need.

(vi) Recommendations on how to improve outreach to students who are or are potentially eligible for the program.

1 (vii) Recommendations on ways in which to improve
2 the delivery of services to students who are eligible
3 under section 2602-K(c).

4 (viii) Impediments to retaining students who are
5 eligible under section 2602-K(c).

6 (4) The department may not require any other information
7 to be provided by an institution of higher education, except
8 as provided under paragraph (3).

9 Section 2604-K. Point of contact.

10 Each institution of higher education shall designate an
11 appropriate staff person or persons as the point of contact for
12 students eligible under section 2602-K(c) for the program. The
13 POC may be comprised of one or more qualified staff members to
14 provide the appropriate support or expertise required for the
15 duties specified in this section. The POC shall have or ensure
16 the delegation of the following duties:

17 (1) Assisting students in obtaining verification of
18 eligibility for the program from the courts, the county
19 agency or the Department of Human Services.

20 (2) Assisting individuals who are eligible under section
21 2602-K(c) in accessing available Federal and State financial
22 aid resources and in identifying further scholarship and
23 grant opportunities, in consultation with the institution's
24 financial aid department.

25 (3) Serving as the primary contact for all individuals
26 applying to or attending the institution who are eligible
27 under section 2602-K(c).

28 (4) Providing all individuals applying to or attending
29 the institution who voluntarily disclose that they are
30 eligible under section 2602-K(c) with information and
31 referrals for on-campus support services and resources,
32 including admissions, housing, financial aid, health, mental
33 health, tutoring, career, academic advising and other
34 services.

35 (5) Providing all individuals applying to or attending
36 the institution who are eligible under section 2602-K(c) with
37 information and referrals as available for off-campus support
38 services, including transitional housing and medical
39 insurance and services.

40 (6) Posting POC contact information on the publicly
41 accessible Internet website of the institution of higher
42 education.

43 Section 2605-K. Report.

44 In order to determine and maximize the effectiveness of this
45 article, the department, in conjunction with the Department of
46 Human Services, shall collect information provided from
47 institutions of higher education under section 2603-K(b)(3) and
48 prepare an anonymized report to be submitted by August 31, 2021,
49 and by August 31 of each year thereafter, to the chair and
50 minority chair of the Education Committee of the Senate, the
51 chair and minority chair of the Education Committee of the House

1 of Representatives, the chair and minority chair of the Health
2 and Human Services Committee of the Senate and the chair and
3 minority chair of the Children and Youth Committee of the House
4 of Representatives that contains all of the following:

5 (1) The number of students receiving a Pennsylvania
6 Chafee Education and Training Grant under the Foster Care
7 Independence Act of 1999 (Public Law 106-169, 113 Stat.
8 1882).

9 (2) The number of students who apply for the program.

10 (3) The number of students participating in the program.

11 (4) The retention rates of students participating in the
12 program.

13 (5) The number of students who are participating in the
14 program and have unmet financial needs.

15 (6) Recommendations on how to improve outreach to
16 students who are or are potentially eligible for the program.

17 (7) Recommendations on ways in which to improve the
18 delivery of services to students who are eligible for the
19 program under section 2602-K(c) and to address the
20 impediments identified under paragraph (8).

21 (8) Impediments to retaining students who are eligible
22 under section 2602-K(c).

23 Section 26. The amendment of the definition of "compulsory
24 school age" in section 1326 and section 2103(8) of the act shall
25 apply to academic years commencing after the effective date of
26 this section.

27 Section 27. A reference in statute or regulation to "area
28 vocational-technical school" shall be deemed a reference to
29 "area career and technical school," and a reference in statute
30 or regulation to "vocational curriculums" shall be deemed a
31 reference to "career and technical curriculums."

32 Section 28. This act shall take effect as follows:

33 (1) The following provisions shall take effect July 1,
34 2019, or immediately, whichever is later:

35 (i) This section.

36 (ii) Section 27 of this act.

37 (iii) The amendment or addition of the following:

38 (A) Section 122(k) of the act.

39 (B) Section 732.1 of the act.

40 (C) Section 1003 of the act.

41 (D) (Reserved).

42 (E) (Reserved).

43 (F) (Reserved).

44 (G) Section 1408-A of the act.

45 (H) Article XIV-B of the act.

46 (I) Section 1913-A(b)(1.6)(xii) of the act.

47 (J) Section 2002-B of the act.

48 (K) Section 2003-B(d.3) and (f) of the act.

49 (L) Section 2004-B(a) of the act.

50 (M) Section 2005-B(g)(3) of the act.

51 (N) Section 2006-B(a) of the act.

1 (O) Section 2009-B(e) and (f) of the act.
2 (P) Section 2323 of the act.
3 (Q) Section 2502.8(f) of the act.
4 (R) Section 2502.53(b) of the act.
5 (S) Section 2509.1(c.2)(1) of the act.
6 (T) Section 2510.3 of the act.
7 (U) Section 2599.6 of the act.
8 (V) Section 2599.7 of the act.
9 (2) The amendment or addition of the following shall
10 take effect in 90 days:
11 (i) Section 1326 of the act.
12 (ii) Section 2103(8) of the act.
13 (3) The amendment of section 2204-B(b) introductory
14 paragraph and (3) of the act shall take effect July 1, 2020.
15 (4) The addition of Article XX-J of the act shall take
16 effect in 365 days.
17 (5) The remainder of this act shall take effect in 60
18 days.