

## No. 224

## AN ACT

## HB 1920

Amending the act of June 19, 1968 (Act No. 109), entitled "An act to promote the welfare of the people of the Commonwealth of Pennsylvania; to promote the secular education of children of the Commonwealth of Pennsylvania attending nonpublic schools; creating a Nonpublic Elementary and Secondary Education Fund to finance the purchase of secular educational services from nonpublic schools located within the Commonwealth of Pennsylvania for the benefit of residents of the Commonwealth of Pennsylvania; authorizing the Superintendent of Public Instruction to enter into contracts to carry out the intent and purposes of this act, and to establish such rules and regulations as are necessary; providing for the payment of administrative costs incident to the operation of the act; providing procedures for reimbursement in payment for the rendering of secular educational service; and designating a portion of revenues of the State Harness Racing Fund and of the State Horse Racing Fund as the sources of funds," placing a limitation on reimbursements.

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

Section 1. Section 7, act of June 19, 1968 (Act No. 109), known as the "Nonpublic Elementary and Secondary Education Act," is amended to read:

Section 7. Reimbursement Procedures.—(a) Requests for reimbursement in payment for the purchase of secular educational service hereunder shall be made on such forms and under such conditions as the **[Superintendent of Public Instruction] Secretary of Education** shall prescribe. Any nonpublic school seeking such reimbursement shall maintain such accounting procedures, including maintenance of separate funds and accounts, pertaining to the cost of secular educational service, as to establish that it actually expended in support of such service an amount of money equal to the amount of money sought in reimbursement. Such accounts shall be subject to audit by the Auditor General. Reimbursement payments shall be made by the **[Superintendent of Public Instruction] Secretary of Education** in four equal installments payable on the first day of September, December, March and June of the school term following the school term in which the secular educational service was rendered.

(b) Reimbursements for any fiscal year for the purchase of secular educational service hereunder shall not exceed the total amount of the moneys which were actually paid into the Nonpublic Elementary and Secondary Education Fund in that fiscal year.

*(b.1) Reimbursement to a nonpublic school for any fiscal year for the purchase of secular educational service hereunder shall be limited to an amount determined by multiplying the number of Pennsylvania resident pupils enrolled in such school on the first day of February of the school year for which services are being purchased by a sum equal*

*to twenty-five per cent of the State average actual instruction expense per weighted average daily membership for the school year immediately preceding the school year for which services are being purchased as calculated by the Secretary of Education pursuant to Article XXV, section 2501, subsections (11.1) and (12) of the Public School Code of 1949.*

(c) In the event that, in any fiscal year, the total amount of moneys which were actually paid into the Nonpublic Elementary and Secondary Education Fund shall be insufficient to pay the total amount of validated requests [hereunder] *as limited under the provisions of subsection (b.1) of this section* in reimbursement for that year, reimbursements shall be made in that proportion which the total amount of such requests bears to the total amount of moneys in the Nonpublic Elementary and Secondary Education Fund.

(d) The Budget Secretary shall, by July fifteenth of each year, certify to the [Superintendent of Public Instruction,] *Secretary of Education*, the total amount of money in the Nonpublic Elementary and Secondary Education Fund.

APPROVED—The 31st day of July, A. D. 1970.

RAYMOND P. SHAFER

The foregoing is a true and correct copy of Act of the General Assembly No. 224.

A handwritten signature in cursive script, appearing to read "Robert R. Kelly".

*Secretary of the Commonwealth.*