

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 2617 Session of  
2000

INTRODUCED BY RUBLEY, BOYES, E. Z. TAYLOR, SCHRODER, HERSHEY,  
FLICK, HENNESSEY, VANCE, FRANKEL, CAPPABIANCA, MANN, GEORGE,  
HERMAN, CURRY, MAHER, COSTA, RAMOS AND BARD, JUNE 8, 2000

REFERRED TO COMMITTEE ON EDUCATION, JUNE 8, 2000

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," further providing for establishment  
6 of charter schools and for funding for charter schools.

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

9 Section 1. Section 1717-A(i)(6) of the act of March 10, 1949  
10 (P.L.30, No.14), known as the Public School Code of 1949, added  
11 June 19, 1997 (P.L.225, No.22), is amended to read:

12 Section 1717-A. Establishment of Charter School.--\* \* \*

13 (i) \* \* \*

14 (6) In any appeal, the decision made by the local board of  
15 directors shall be reviewed by the appeal board on the record as  
16 certified by the local board of directors. The appeal board  
17 shall give due consideration to the findings of the local board  
18 of directors and specifically articulate its reasons for  
19 agreeing or disagreeing with those findings in its written

1 decision. The appeal board shall also be required to consider  
2 the fiscal impact on the school entity and its taxpayers  
3 resulting from the establishment of the charter school. The  
4 appeal board shall have the discretion to allow the local board  
5 of directors and the charter school applicant to supplement the  
6 record if the supplemental information was previously  
7 unavailable. Such supplemental information shall include a  
8 statement of fiscal impact from the school entity.

9 \* \* \*

10 Section 2. Section 1725-A(a)(2) of the act, added June 19,  
11 1997 (P.L.225, No.22), is amended and the subsection is amended  
12 by adding a clause to read:

13 Section 1725-A. Funding for Charter Schools.--(a) Funding  
14 for a charter school shall be provided in the following manner:

15 \* \* \*

16 [(2) For non-special education students, the charter school  
17 shall receive for each student enrolled no less than the  
18 budgeted total expenditure per average daily membership of the  
19 prior school year, as defined in section 2501(20), minus the  
20 budgeted expenditures of the district of residence for nonpublic  
21 school programs; adult education programs; community/junior  
22 college programs; student transportation services; for special  
23 education programs; facilities acquisition, construction and  
24 improvement services; and other financing uses, including debt  
25 service and fund transfers as provided in the Manual of  
26 Accounting and Related Financial Procedures for Pennsylvania  
27 School Systems established by the department. This amount shall  
28 be paid by the district of residence of each student.]

29 (2.1) For non-special education students, a charter school  
30 shall receive an elementary tuition charge calculated pursuant

1 to section 2561 for each student enrolled in grades one through  
2 six; and a high school tuition charge, also as calculated  
3 pursuant to section 2561, for each student enrolled in grades  
4 seven through twelve in the charter school. In the case of a  
5 student enrolled in a kindergarten program in a charter school,  
6 the charter school shall receive one-half the elementary tuition  
7 charge calculated pursuant to section 2561 if the kindergarten  
8 program operated by the student's school district of residence  
9 is a half-day program; or the full elementary tuition charge if  
10 the district of residence operates a full-day kindergarten  
11 program.

12 \* \* \*

13 Section 3. Payments made pursuant to section 1725-A(a)(2.1)  
14 of the act shall be applicable to the 2000-2001 school year and  
15 each year thereafter.

16 Section 4. This act shall take effect as follows:

17 (1) The amendment of section 1717-A of the act shall take  
18 effect immediately.

19 (2) The amendment of section 1725-A of the act shall take  
20 effect July 1, 2000, or immediately, whichever is later.

21 (3) Section 3 shall take effect July 1, 2000, or  
22 immediately, whichever is later.

23 (4) This section shall take effect immediately.