

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 218 Session of
2001

INTRODUCED BY RUBLEY, HENNESSEY, CAPPABIANCA, FLICK, HERMAN,
NAILOR, DeLUCA, BOYES, NICKOL, GEORGE, COLAFELLA, MANDERINO,
WILT, VANCE, E. Z. TAYLOR, BARD, MANN, GRUCELA, FRANKEL,
STEIL, TIGUE, McILHATTAN, R. MILLER, SCHRODER, HERSHEY, ROSS,
CURRY, FREEMAN, JOSEPHS, ZUG AND TRELLO, JANUARY 25, 2001

REFERRED TO COMMITTEE ON EDUCATION, JANUARY 25, 2001

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

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

10 * * *

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

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

16 * * *

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

30 (2.1) For non-special education students, a charter school

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

14 * * *

15 Section 3. Payments made pursuant to section 1725-A(a)(2.1)
16 of the act shall be applicable to the 2001-2002 school year and
17 each year thereafter.

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

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

21 (2) The amendment of section 1725-A of the act shall
22 take effect July 1, 2001, or immediately, whichever is later.

23 (3) Section 3 shall take effect July 1, 2001, or
24 immediately, whichever is later.

25 (4) This section shall take effect immediately.