

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1407 Session of  
2007

INTRODUCED BY PALLONE, BENNINGHOFF, CALTAGIRONE, CARROLL, CURRY,  
EVERETT, FABRIZIO, FAIRCHILD, GRUCELA, HORNAMAN, JOSEPHS,  
M. KELLER, KORTZ, KOTIK, KULA, McILVAINE SMITH, MURT,  
O'NEILL, PETRONE, READSHAW, SABATINA, K. SMITH, SOLOBAY,  
SURRA, SWANGER AND J. WHITE, JUNE 5, 2007

REFERRED TO COMMITTEE ON EDUCATION, JUNE 5, 2007

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 cyber charter  
6 school requirements and prohibitions and for cyber charter  
7 school enrollment and notification.

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

10 Section 1. Section 1743-A of the act of March 10, 1949  
11 (P.L.30, No.14), known as the Public School Code of 1949, is  
12 amended by adding a subsection to read:

13 Section 1743-A. Cyber charter school requirements and  
14 prohibitions.

15 \* \* \*

16 (a.1) Truancy.--In order to enroll a student, the school  
17 district in which the student is a resident must certify to the  
18 cyber charter school that the student is in compliance with  
19 section 1327.

1       \* \* \*

2       Section 2. Section 1748-A(a) of the act, added June 29, 2002  
3 (P.L.524, No.88), is amended to read:

4 Section 1748-A. Enrollment and notification.

5       (a) Notice to school district.--

6           (1) Within 15 days of the enrollment of a student to a  
7 cyber charter school, the parent or guardian and the cyber  
8 charter school shall notify the student's school district of  
9 residence of the enrollment through the use of the  
10 notification form under subsection (b).

11          (2) If a school district which has received notice under  
12 paragraph (1) determines that a student is not a resident of  
13 the school district, the following apply:

14           (i) Within seven days of receipt of the notice under  
15 paragraph (1), the school district shall notify the cyber  
16 charter school and the department that the student is not  
17 a resident of the school district. Notification of  
18 nonresidence shall include the basis for the  
19 determination.

20           (ii) Within seven days of notification under  
21 subparagraph (i), the cyber charter school shall review  
22 the notification of nonresidence, respond to the school  
23 district and provide a copy of the response to the  
24 department. If the cyber charter school agrees that a  
25 student is not a resident of the school district, it  
26 shall determine the proper district of residence of the  
27 student before requesting funds from another school  
28 district.

29           (iii) Within seven days of receipt of the response  
30 under subparagraph (ii), the school district shall notify

1 the cyber charter school that it agrees with the cyber  
2 charter school's determination or does not agree with the  
3 cyber charter school's determination.

4 (iv) A school district that has notified the cyber  
5 charter school that it does not agree with the cyber  
6 charter school's determination under subparagraph (iii)  
7 shall appeal to the department for a final determination.

8 (v) All decisions of the department regarding the  
9 school district of residence of a student shall be  
10 subject to review by the Commonwealth Court.

11 (vi) A school district shall continue to make  
12 payments to a cyber charter school under section 1725-A  
13 during the time in which the school district of residence  
14 of a student is in dispute.

15 (vii) If a final determination is made that a  
16 student is not a resident of an appealing school  
17 district, the cyber charter school shall return all funds  
18 provided on behalf of that student to the school district  
19 within 30 days.

20 (3) When a school district has received notice under  
21 paragraph (1), the school district shall certify to the cyber  
22 charter school whether the student is in compliance with  
23 section 1327.

24 \* \* \*

25 Section 3. This act shall take effect in 60 days.