

AMENDMENTS TO HOUSE BILL NO. 530

Sponsor: REPRESENTATIVE ROEBUCK

Printer's No. 569

1 Amend Bill, page 1, line 9, by striking out "and" where it
2 occurs the first time

3 Amend Bill, page 1, line 10, by striking out the period after
4 "provisions" and inserting
5 ; and, in reimbursements by Commonwealth and between school
6 districts, further providing for approved reimbursable annual
7 rental for leases of buildings or portions of buildings for
8 charter school use.

9 Amend Bill, page 5, lines 7 through 14, by striking out all
10 of said lines and inserting

11 "Educational management service provider" shall mean:

12 (1) The following:

13 (i) A for-profit or nonprofit education management
14 organization.

15 (ii) A school design provider.

16 (iii) An administrator or executive of an organization under
17 subparagraph (i), including the organization's chief executive
18 officer, business manager or an entity with which a board of
19 trustees of a charter school entity contracts to provide
20 educational design, business services, comprehensive management
21 or personnel functions or to implement a charter.

22 (2) The term shall not include a charter school foundation.

23 "Founder" shall mean an individual or entity that has
24 established a charter school under section 1717-A, including one
25 or more teachers who will teach at the proposed charter school,
26 a parent or guardian of a student who will attend the charter
27 school and a nonsectarian corporation not-for-profit.

28 Amend Bill, page 13, line 14, by striking out the bracket
29 before "(12)"

30 Amend Bill, page 13, line 14, by inserting a bracket before
31 "A"

Amend Bill, page 13, line 27, by inserting after

"Commission.]"

A founder, a person who serves as an administrator or executive of an educational management service provider or an administrator for a charter school may not receive payment for an approved reimbursable annual rental for a lease of a building or a portion of a building for charter school use under section 2574.3.

(13) A charter school record produced, obtained or maintained by an educational management service provider for a charter school under a contract or agreement with a charter school must be readily available to an auditor and investigator and shall be subject to disclosure under the act of February 14, 2008 (P.L.6, No.3), known as the Right-to-Know Law.

Amend Bill, page 15, line 11, by striking out "1716-A(c)" and inserting

1716-A

Amend Bill, page 15, lines 12 and 13, by striking out "and the section is amended by adding subsections"

Amend Bill, page 15, line 14, by striking out all of said line and inserting

Section 1716-A. Powers of Board of Trustees.--(a) The board of trustees of a charter school shall have the authority to decide matters related to the operation of the school, including, but not limited to, budgeting, curriculum and operating procedures, subject to the school's charter. The board shall have the authority to employ, discharge and contract with necessary professional and nonprofessional employees subject to the school's charter and the provisions of this article.

(b) No member of a local board of school directors of a school entity shall serve on the board of trustees of a charter school that is located in the member's district.

Amend Bill, page 17, by inserting between lines 22 and 23

(f) A person who serves as a board of trustees member of a charter school may not receive payment for an approved reimbursable annual rental for a lease of a building or a portion of a building for charter school use under section 2574.3.

Amend Bill, page 30, line 22, by inserting after

"Facilities.--(a) "

1 (1)

2 Amend Bill, page 30, by inserting between lines 26 and 27

3 (2) A charter school may not be located in a building owned
4 by the charter school or a related nonprofit organization,
5 charter school foundation or educational management service
6 provider, including the educational management service
7 provider's administrators or executives or family members of the
8 educational management service provider's administrators or
9 executives.

10 Amend Bill, page 76, by inserting between lines 7 and 8

11 Section 22. Section 2574.3 of the act, added June 22, 2001
12 (P.L.530, No.35), is amended to read:

13 Section 2574.3. Approved Reimbursable Annual Rental for
14 Leases of Buildings or Portions of Buildings for Charter School
15 Use.--(a) For leases of buildings or portions of buildings for
16 charter school use which have been approved by the Secretary of
17 Education on or after July 1, 2001, the Department of Education
18 shall calculate an approved reimbursable annual rental charge.
19 Approved reimbursable annual rental for such approved leases of
20 buildings or portions of buildings for charter school use shall
21 be the lesser of (i) the annual rental payable under the
22 provisions of the approved lease agreement, or (ii) the product
23 of the enrollment, as determined by the Department of Education,
24 times one hundred sixty dollars (\$160) for elementary schools,
25 two hundred twenty dollars (\$220) for secondary schools or two
26 hundred seventy dollars (\$270) for area vocational-technical
27 schools. The Commonwealth shall pay annually for the school year
28 2001-2002 and each school year thereafter to each charter school
29 which leases with the approval of the Department of Education
30 buildings or portions of buildings for charter school use under
31 these provisions an amount determined by multiplying the aid
32 ratio of the charter school by the approved reimbursable annual
33 rental.

34 (b) Nothing in this section shall require a charter school
35 that has been converted from an existing public school under
36 Article XVII-A to make rental payments to a school district.

37 (c) A charter school shall provide all of the following
38 documentation in the charter school's application for funding
39 under this section:

40 (1) A copy of the signed lease agreement for the leased
41 building.

42 (2) A copy of the deed for the leased building.

43 (3) The names of the board of trustees and administrators of
44 the charter school.

45 (4) If applicable, the names of the administrators or
46 executives of the educational management service provider.

47 (5) If the owner of the leased building is a nonprofit
48 organization or a charter school foundation, the names of the

1 board members of the nonprofit organization or a charter school
2 foundation.

3 (d) Charter schools may not apply for and the department may
4 not authorize a charter lease reimbursement if the reimbursement
5 is for a lease payment to any of the following:

6 (1) An administrator of the charter school or a member of
7 his immediate family or a business with which he or his
8 immediate family is associated.

9 (2) A trustee of the board of trustees of the charter school
10 or a member of his immediate family or a business with which he
11 or his immediate family is associated.

12 (3) A founder or a member of his immediate family or a
13 business with which he or his immediate family is associated.

14 (4) An administrator or executive of the educational
15 management service provider or a member of his immediate family
16 or a business with which he or his immediate family is
17 associated.

18 (5) Another entity that has a financial interest, as defined
19 in 65 Pa.C.S. § 1102 (relating to definitions), with the charter
20 school entity, except for the lease agreement.

21 (e) The department shall seek reimbursement from a charter
22 school for each inappropriate lease reimbursement within 60 days
23 of the inappropriate lease reimbursement.

24 Amend Bill, page 76, line 8, by striking out "22" and
25 inserting

26 23

27 Amend Bill, page 76, line 10, by striking out "23" and
28 inserting

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