

## AMENDMENTS TO HOUSE BILL NO. 97

Sponsor: SENATOR EICHELBERGER

Printer's No. 1503

1 Amend Bill, page 1, line 14, by inserting after "provisions"  
2 and establishing the Charter School Funding Advisory Commission

3 Amend Bill, page 2, line 2, by striking out "SHALL NOT  
4 ADVERTISE THOSE EXPENSES"

5 Amend Bill, page 2, line 2, by striking out "AND" and  
6 inserting  
7 or

8 Amend Bill, page 2, line 3, by striking out "STIPULATE" and  
9 inserting

10 state clearly and audibly, where applicable,

11 Amend Bill, page 2, line 16, by striking out "CERTIFIED"

12 Amend Bill, page 2, line 23, by striking out "CERTIFIED"

13 Amend Bill, page 8, lines 17 through 30; pages 9 through 12,  
14 lines 1 through 30; page 13, lines 1 through 7; by striking out  
15 all of said lines on said pages and inserting

16 Section 1704-A. Charter School Funding Advisory  
17 Commission.--(a) The Charter School Funding Advisory Commission  
18 is established.

19 (b) The commission shall examine all current laws,  
20 regulations and executive policy statements which determine  
21 funding for charter schools, regional charter schools and cyber  
22 charter schools in this Commonwealth.

23 (c) The commission shall consist of the following:

24 (1) The secretary or a designee.

25 (2) One member appointed by the President pro tempore of the  
26 Senate.

27 (3) One member appointed by the Minority Leader of the  
28 Senate.

1     (4) One member appointed by the Speaker of the House of  
2 Representatives.

3     (5) One member appointed by the Minority Leader of the House  
4 of Representatives.

5     (6) The chairperson and minority chairperson of the  
6 Appropriations Committee of the Senate and the chairperson and  
7 minority chairperson of the Appropriations Committee of the  
8 House of Representatives.

9     (7) The chairperson and minority chairperson of the  
10 Education Committee of the Senate and the chairperson and  
11 minority chairperson of the Education Committee of the House of  
12 Representatives.

13     (8) One member jointly appointed by the President pro  
14 tempore of the Senate and the Speaker of the House of  
15 Representatives.

16     (d) The commission shall hold its organizational meeting not  
17 later than sixty (60) days following the effective date of this  
18 section. All members shall be appointed within thirty (30) days  
19 of the effective date of this section. Any vacancy on the  
20 commission shall be filled by the original appointing authority.

21     (e) The commission shall elect two commission chairpersons,  
22 one from the Senate and one from the House of Representatives.

23     (f) The commission shall hold meetings at the call of the  
24 chairpersons. The commission shall hold six (6) or more public  
25 hearings on the matters to be considered by the commission. All  
26 meetings and public hearings of the commission shall be deemed  
27 public meetings for the purpose of 65 Pa.C.S. Ch. 7 (relating to  
28 open meetings). Seven (7) members of the commission shall  
29 constitute a quorum at any meeting.

30     (g) The commission members shall receive no compensation for  
31 their services but shall be reimbursed for all necessary travel  
32 and other reasonable expenses incurred in connection with the  
33 performance of their duties as members.

34     (h) The commission shall have the following powers and  
35 duties:

36     (1) To meet with current charter school entity operators and  
37 personnel, school district personnel and other representatives  
38 of public education.

39     (2) To review charter school entity financing laws in  
40 operation throughout the United States.

41     (3) To assess the actual cost of educating a child in a  
42 charter school, a regional charter school, a cyber charter  
43 school and a school district or intermediate unit utilizing  
44 cyber classes.

45     (4) To evaluate and make recommendations on the following:

46     (i) The process by which charter schools, regional charter  
47 schools and cyber charter schools are funded.

48     (ii) Appropriate funding for charter school, regional  
49 charter school and cyber charter school operations.

50     (iii) Appropriate funding for charter school, regional  
51 charter school and cyber charter school facilities and

1 management.

2 (iv) Appropriate funding for regular and special education  
3 transportation.

4 (v) Other funding issues raised in the course of public  
5 hearings.

6 (vi) The appropriateness of a school district deduction for  
7 programs and services to the extent that they are funded from  
8 the proceeds of competitive grants from private or public  
9 resources or from contributions or donations from private  
10 sources.

11 (vii) The appropriate manner of funding a charter school  
12 that primarily serves adjudicated youth.

13 (viii) Appropriate funding for athletic programs and extra-  
14 curricular activities offered to a student enrolled in a charter  
15 school, regional charter school or cyber charter school.

16 (ix) The appropriate manner of implementing the  
17 recommendations of the Special Education Funding Commission with  
18 respect to charter schools, regional charter schools and cyber  
19 charter schools.

20 (i) The General Assembly shall provide administrative  
21 support, meeting space and any other assistance required by the  
22 commission to carry out its duties under this section. Whenever  
23 possible, the commission shall utilize the services and  
24 expertise of existing personnel and staff of State government.

25 (j) The commission shall, no later than eighteen (18) months  
26 from the effective date of this section, issue a report of its  
27 findings and recommendations to the Governor, the President pro  
28 tempore of the Senate, the Majority Leader of the Senate, the  
29 Minority Leader of the Senate, the Speaker of the House of  
30 Representatives, the Majority Leader of the House of  
31 Representatives and the Minority Leader of the House of  
32 Representatives. The recommendations of the commission shall not  
33 take effect unless the recommendations are approved by an act of  
34 the General Assembly enacted after the effective date of this  
35 section.

36 (k) As used in this section, the term "commission" means the  
37 Charter School Funding Advisory Commission.

38 Amend Bill, page 19, line 14, by striking out "making of the  
39 contract" and inserting

40 discovery of the violation

41 Amend Bill, page 20, lines 24 through 30; page 21, lines 1  
42 through 6; by striking out "(a) The board of trustees of a  
43 charter school entity" in line 24, all of lines 25 through 30 on  
44 page 20, all of lines 1 through 5 and "(b) (1)" in line 6 on  
45 page 21 and inserting

1     (a)

2     Amend Bill, page 21, line 9, by striking out "(i)" and  
3     inserting

4     (1)

5     Amend Bill, page 21, line 11, by striking out "(ii)" and  
6     inserting

7     (2)

8     Amend Bill, page 21, line 18, by striking out "(2)" and  
9     inserting

10    (b)

11    Amend Bill, page 21, line 20, by striking out "held in  
12 escrow" and inserting

13    due

14    Amend Bill, page 21, line 26, by striking out "from the  
15 escrow account"

16    Amend Bill, page 21, line 26, by inserting after "account."

17    In no event shall the department withhold funds from the  
18 incorporating school district.

19    Amend Bill, page 25, line 27, by inserting after "contract"  
20    , if the educational management service provider has been  
21 engaged by the charter school entity,

22    Amend Bill, page 31, by inserting after line 30

23    (b) (1) A charter school or regional charter school shall  
24 submit a renewal application as provided under section 1719-A  
25 with the local board of school directors by December 1 of the  
26 final year of the charter.

27    (2) Within ninety (90) days of its receipt of the renewal  
28 application, the local board of school directors shall vote to  
29 renew or to not renew the charter.

30    (3) Failure by the local board of school directors to act on  
31 the renewal application within the time period under clause (2)  
32 shall permit the charter school or regional charter school to  
33 file its renewal application with the appeal board. In such  
34 case, the appeal board shall review the application and make a  
35 decision to grant or deny a renewal based on the criteria  
36 established in section 1729-A.

37    (4) A decision by the appeal board under this subsection to

1 renew a charter shall serve as a requirement for the local board  
2 of school directors of a school district or school districts, as  
3 appropriate, to sign the renewal of the charter school or  
4 regional charter school as provided for in subsection (a)(2). If  
5 the local board of school directors fails to sign the renewal  
6 within ten (10) days of notice, the charter shall be deemed to  
7 be approved and shall be signed by the chairman of the appeal  
8 board.

9 Amend Bill, page 34, line 13, by inserting after "by"

10 a school entity which is

11 Amend Bill, page 35, line 22, by inserting after "location"

12 within the district that authorized its charter

13 Amend Bill, page 40, line 6, by striking out the bracket  
14 before the comma after "students"

15 Amend Bill, page 40, lines 6 and 7, by striking out "]:

16 (i) Subject to subclause (ii), a"

17 Amend Bill, page 40, line 18, by striking out the bracket  
18 before "This"

19 Amend Bill, page 40, lines 18 and 19, by striking out "] The  
20 amount under this subclause"

21 Amend Bill, page 40, lines 21 through 30; page 41, lines 1  
22 through 9; by striking out all of said lines on said pages

23 Amend Bill, page 42, line 1, by striking out the bracket  
24 before "This"

25 Amend Bill, page 42, line 1, by striking out "] The"

26 Amend Bill, page 42, lines 1 and 2, by striking out "under  
27 this clause"

28 Amend Bill, page 42, lines 4 through 21, by striking out all  
29 of said lines

30 Amend Bill, page 43, lines 20 and 21, by striking out "a copy

1 of the student's standard enrollment form submitted to the  
2 charter school entity" and inserting  
3 proof of enrollment and residency

4 Amend Bill, page 44, line 12, by inserting after "residence."

5 The secretary shall not make a deduction unless the charter  
6 school entity provides the secretary with proof that the school  
7 district was billed for payment by the charter school entity and  
8 that the school district did not make a payment as prescribed by  
9 this clause. The secretary shall notify the school district  
10 prior to making a deduction for payments to the charter school  
11 entity and shall provide the school district with the amount of  
12 the deduction.

13 Amend Bill, page 48, lines 20 through 24, by striking out "No  
14 personally identifiable" in line 20 and all of lines 21 through  
15 24

16 Amend Bill, page 62, line 12, by inserting after  
17 "effectiveness."

18 The performance matrix shall be designed to provide parents  
19 and educators accurate comparisons of performance by and between  
20 traditional public school entities and charter school entities.