

AMENDMENTS TO HOUSE BILL NO. 178

Sponsor: REPRESENTATIVE TURZAI

Printer's No. 2257

1 Amend Bill, page 2, line 9, by inserting after "EXCELLENCE;"
2 in charter schools, providing for multiple charter school
3 organizations;

4 Amend Bill, page 2, line 13, by inserting after
5 "ESTABLISHMENT;"

6 in educational tax credits, further providing for limitations;

7 Amend Bill, page 6, line 6, by striking out "A NEW STATE" and
8 inserting

9 State

10 Amend Bill, page 6, line 6, by inserting after "PLAN"
11 submissions

12 Amend Bill, page 6, line 11, by striking out "THE"

13 Amend Bill, page 6, line 11, by inserting after "PLAN"
14 submissions

15 Amend Bill, page 6, line 15, by striking out "PLAN'S" and
16 inserting

17 State plan submission's

18 Amend Bill, page 6, line 18, by striking out "AND" and
19 inserting

20 or

21 Amend Bill, page 7, line 6, by striking out "SUBMIT AN
22 INITIAL" and inserting

23 make a

24 Amend Bill, page 7, line 6, by inserting after "PLAN"

1 submission

2 Amend Bill, page 7, line 11, by inserting after "PLAN"

3 submission

4 Amend Bill, page 7, line 11, by striking out "INITIAL"

5 Amend Bill, page 7, line 12, by inserting after "PLAN"

6 submission

7 Amend Bill, page 7, lines 15 through 22, by striking out all
8 of lines 15 through 21 and "(4) THE INITIAL" in line 22 and
9 inserting

10 (3) Any

11 Amend Bill, page 7, lines 22 and 23, by striking out "AND ANY
12 FUTURE SUBMISSIONS"

13 Amend Bill, page 7, line 26, by striking out "(5)" and
14 inserting

15 (4)

16 Amend Bill, page 16, line 8, by striking out "SCHOOL"

17 Amend Bill, page 16, line 8, by inserting after "OF" where it
18 occurs the second time

19 school

20 Amend Bill, page 16, line 13, by inserting after "SECRETARY,
21 "

22 provided that the school district has demonstrated the
23 ability to maintain a structurally balanced budget,

24 Amend Bill, page 33, line 5, by striking out "AUGUST 7," and
25 inserting

26 November 1,

27 Amend Bill, page 43, line 9, by striking out "HEALTH,

28 [OFFICE] DEPARTMENT" and inserting

29 Health[, Office] and the Department

30 Amend Bill, page 43, line 9, by inserting after "PROGRAMS,"

1 jointly,

2 Amend Bill, page 51, line 22, by striking out "A SECTION" and
3 inserting

4 sections

5 Amend Bill, page 57, by inserting between lines 6 and 7

6 Section 1729.2-A. Multiple Charter School Organizations.--

7 (a) Establishment shall be as follows:

8 (1) Subject to the requirements of this section and 15
9 Pa.C.S. Pt. II Subpt. C (relating to nonprofit corporations),
10 two (2) or more charter schools may consolidate into a multiple
11 charter school organization if both of the following apply:

12 (i) The department approves the consolidation as proposed in
13 the application form submitted to the department pursuant to
14 subsection (c). If the department does not approve or disapprove
15 the proposed consolidation within forty-five (45) days after
16 receipt of the application, the department will be deemed to
17 have approved the consolidation.

18 (ii) Each school district that granted the initial charter
19 of any charter school included in the proposed consolidation
20 approves, by a majority vote of the local board of school
21 directors, a resolution approving the consolidation as proposed
22 in the application submitted to the local board of school
23 directors pursuant to subsection (c). If a local board of school
24 directors does not adopt a resolution under this clause
25 approving or rejecting the proposed consolidation within forty-
26 five (45) days after receipt of the application, the school
27 district will be deemed to have approved the consolidation.

28 (2) The multiple charter school organization shall be:

29 (i) granted legal authority to operate two (2) or more
30 individual charter schools under the oversight of a single board
31 of trustees and a chief administrator who shall oversee and
32 manage the operation of the individual charter schools under its
33 organization; and

34 (ii) subject to all of the requirements of this article
35 unless otherwise provided for under this section.

36 (3) Nothing under this section shall be construed to affect
37 or change the terms or conditions of any individual charter
38 previously granted that is consolidated under this section,
39 including, but not limited to, any obligation of a school
40 district to provide transportation for students enrolled in an
41 individual charter school within a multiple charter school
42 organization.

43 (b) (1) A charter school that, within either of the most
44 recent two (2) school years, has failed to meet any of the
45 following shall not be eligible to consolidate with another
46 charter school:

47 (i) Requirements for student performance set forth in 22 Pa.

1 Code Ch. 4 (relating to academic standards and assessment).

2 (ii) Accepted standards of fiscal management or audit
3 requirements.

4 (iii) A school performance profile score that is among the
5 top twenty-fifth percentile of Pennsylvania charter schools as
6 measured by the school performance profile for the most recent
7 year for which a school performance profile score is available.

8 (2) A charter school that has failed to meet any of the
9 requirements of paragraph (1) may consolidate if the
10 consolidation includes a charter school demonstrating that it
11 has satisfied such requirements for the most recent two (2)
12 school years.

13 (c) Within ninety (90) days of the effective date of this
14 section, the department shall develop and issue a standard
15 application form that multiple charter school organization
16 applicants must submit to the department and to the local board
17 of school directors of each school district that granted the
18 initial charter of any charter school included in the proposed
19 consolidation. The application form shall contain the following
20 information:

21 (1) The name of the multiple charter school organization.

22 (2) The names of the charter schools seeking consolidation
23 under this section.

24 (3) A copy of the approved charter of each charter school
25 seeking to consolidate under this section.

26 (4) An organizational chart clearly presenting the proposed
27 governance structure of the multiple charter school
28 organization, including lines of authority and reporting between
29 the board of trustees, chief administrator, administrators,
30 staff and any educational management service provider that will
31 play a role in providing management services to the charter
32 schools under its jurisdiction.

33 (5) A clear description of the roles and responsibilities
34 for the board of trustees, chief administrator, administrators
35 and any other entities, including a charter school foundation,
36 shown in the organizational chart.

37 (6) A clear description of the method for the appointment or
38 election of members of the board of trustees.

39 (7) Standards for board of trustees performance, including
40 compliance with all applicable laws, regulations and terms of
41 the charter.

42 (8) Enrollment procedures for each individual charter school
43 included in its charter.

44 (9) Any other information as deemed necessary by the
45 department.

46 (d) A multiple charter school organization may:

47 (1) Participate in the assessment system in the same manner
48 in which a school district participates, with its individual
49 charter schools participating in the assessment system in the
50 same manner as individual schools within school districts. All
51 data gathered for purposes of evaluation shall be gathered in

1 the same manner in which data is gathered in the case of school
2 districts and individual schools within school districts.
3 Nothing in this paragraph shall alter the manner in which
4 charter school performance on assessments is measured as
5 required under the Every Student Succeeds Act (Public Law 114-
6 95, 129 Stat. 1802), or its successor Federal statute.

7 (2) Add existing charter schools to its organization by
8 obtaining the approval of the department and of the local board
9 of school directors that granted the initial charter of each
10 charter school proposed to be added under subsection (a)(1).

11 (3) Allow students enrolled in an individual charter school
12 to matriculate to another individual charter school under its
13 oversight so as to complete a course of instruction in an
14 educational institution from kindergarten through grade twelve
15 or otherwise in the best interests of the student.

16 (e) A multiple charter school organization shall be regarded
17 as the holder of the charter of each individual charter school
18 under its oversight and each previously or subsequently awarded
19 charter shall be subject to nonrenewal or revocation by the
20 local board of school directors that granted the initial charter
21 in accordance with this act. The nonrenewal or revocation of the
22 charter of an individual charter school under the oversight of a
23 multiple charter school organization shall not affect the status
24 of a charter awarded for any other individual charter school
25 under the oversight of the multiple charter school organization.

26 (f) Appeals shall be as follows:

27 (1) The appeal board shall have the exclusive review of an
28 appeal by an applicant for consolidation, with respect to the
29 rejection of a proposed consolidation by either the department
30 or a school district.

31 (2) In considering an appeal under this section, the appeal
32 board shall:

33 (i) Review the decision made by either the department or the
34 school district on the record as certified by the entity that
35 made the decision being appealed, provided that the appeal board
36 may allow the department, a school district or the applicant for
37 consolidation to supplement the record if the supplemental
38 information was previously unavailable.

39 (ii) Meet to officially review the certified record no later
40 than thirty (30) days after the date of filing the appeal.

41 (iii) Issue a written decision affirming or denying the
42 appeal no later than sixty (60) days following its review of the
43 certified record.

44 (iv) Make its decision based on whether the proposed
45 consolidation satisfies the requirements of subsections (b) and
46 (c).

47 (3) The secretary shall recuse himself from all appeals of
48 decisions by the department and shall not participate in a
49 hearing, deliberation or vote on any appeal of a decision made
50 by the department.

51 (4) All decisions of the appeal board shall be subject to

1 appellate review by the Commonwealth Court. In the event of an
2 appeal of a decision by the appeal board to the Commonwealth
3 Court, the decision of the appeal board shall be stayed only
4 upon order of the appeal board, the Commonwealth Court or the
5 Pennsylvania Supreme Court.

6 (g) For purposes of this section, the term "charter school"
7 shall include a regional charter school.

8 Amend Bill, page 60, line 23, by striking out "SECTION" where
9 it occurs the second time and inserting

10 Sections

11 Amend Bill, page 60, line 23, by inserting after "1906-G(A)

12 (1)"

13 and 2006-B(a)

14 Amend Bill, page 60, line 24, by striking out "IS" and

15 inserting

16 are

17 Amend Bill, page 61, by inserting between lines 10 and 11

18 Section 2006-B. Limitations.

19 (a) Amount.--

20 (1) The total aggregate amount of all tax credits
21 approved for contributions from business firms to scholarship
22 organizations, educational improvement organizations and pre-
23 kindergarten scholarship organizations shall not exceed
24 [\$125,000,000] \$135,000,000 in a fiscal year.

25 (i) No less than [\$75,000,000] \$85,000,000 of the
26 total aggregate amount shall be used to provide tax
27 credits for contributions from business firms to
28 scholarship organizations.

29 (ii) No less than \$37,500,000 of the total aggregate
30 amount shall be used to provide tax credits for
31 contributions from business firms to educational
32 improvement organizations.

33 (iii) The total aggregate amount of all tax credits
34 approved for contributions from business firms to pre-
35 kindergarten scholarship organizations shall not exceed
36 \$12,500,000 in a fiscal year.

37 (2) The total aggregate amount of all tax credits
38 approved for contributions from business firms to opportunity
39 scholarship organizations shall not exceed \$50,000,000 in a
40 fiscal year.

41 * * *

42 Amend Bill, page 72, line 8, by striking out "(RESERVED)."

1 and inserting

2 The amendment of section 2006-B(a) of the act.