

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 2250 Session of 2012

INTRODUCED BY PAYTON, CREIGHTON, DONATUCCI, KILLION, KRIEGER,  
SWANGER, TAYLOR AND YOUNGBLOOD, MARCH 13, 2012

REFERRED TO COMMITTEE ON EDUCATION, MARCH 13, 2012

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," in charter schools, further providing  
6 for annual reports and assessments; and providing for  
7 multiple charter school organization.

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

10 Section 1. Section 1728-A(a) of the act of March 10, 1949  
11 (P.L.30, No.14), known as the Public School Code of 1949, added  
12 June 19, 1997 (P.L.225, No.22), is amended and the section is  
13 amended by adding a subsection to read:

14 Section 1728-A. Annual Reports and Assessments.--(a) [The]  
15 Notwithstanding the provisions of subsection (d), the local  
16 board of school directors shall annually assess whether each  
17 charter school is meeting the goals of its charter and shall  
18 conduct a comprehensive review prior to granting a five (5) year  
19 renewal of the charter. The local board of school directors  
20 shall have ongoing access to the records and facilities of the

1 charter school to ensure that the charter school is in  
2 compliance with its charter and this act and that requirements  
3 for testing, civil rights and student health and safety are  
4 being met.

5 \* \* \*

6 (d) (1) The department shall annually assess whether each  
7 multiple charter school organization is meeting the goals of its  
8 charter and shall conduct a comprehensive review prior to  
9 granting a five (5) year renewal of the multiple charter school  
10 organization's charter. The department shall request any records  
11 and information necessary to ensure the multiple charter school  
12 organization is in compliance with its charter and this article.

13 (2) Each multiple charter school organization shall submit  
14 an annual report to the department no later than August 1 of  
15 each year in a form prescribed by the secretary.

16 Section 2. The act is amended by adding a section to read:

17 Section 1733-A. Multiple Charter School Organization.--(a)  
18 (1) Two or more charter schools may merge or consolidate under  
19 15 Pa.C.S. Pt. II Subpt. C (relating to nonprofit corporations)  
20 into a multiple charter school organization.

21 (2) The multiple charter school organization shall be  
22 granted a single charter to operate two or more individual  
23 charter schools under the oversight of a single board of  
24 trustees and a chief executive officer who shall oversee and  
25 manage the operation of the individual charter schools under its  
26 organization.

27 (3) The multiple charter school organization shall be  
28 considered a charter school and shall be subject to all of the  
29 requirements of this article unless otherwise provided for under  
30 this section.

1     (4) Nothing in this section shall be construed to affect or  
2 change the terms or conditions of any individual charter  
3 previously granted that is consolidated under this section.

4     (b) The department shall develop and issue a standard  
5 application form for multiple charter school organization  
6 applicants which shall contain the following information:

7         (1) The identification of the multiple charter school  
8 organization.

9         (2) The names of the charter schools seeking merger or  
10 consolidation under subsection (a).

11         (3) An organization chart that clearly presents the proposed  
12 governance structure of the multiple charter school  
13 organization, including lines of authority and reporting between  
14 the board of trustees, chief executive officer, administrators,  
15 staff and any educational management service provider that will  
16 play a role in providing management services to the charter  
17 schools under its jurisdiction.

18         (4) A clear description of the roles and responsibilities  
19 for the board of trustees, chief executive officer,  
20 administrators and any other entities, including a charter  
21 school foundation, shown in the organization chart.

22         (5) A clear description and method for the appointment or  
23 election of members of the board of trustees.

24         (6) Standards for board performance, including compliance  
25 with all applicable laws, regulations and terms of the charter.

26         (7) Enrollment procedures for each individual charter school  
27 included in its charter.

28         (8) Any other information as deemed necessary by the  
29 department.

30     (c) (1) The board of trustees of each charter school shall

1 jointly submit their application for consolidation into a  
2 multiple charter school organization to the department for  
3 review.

4 (2) Upon receipt of the multiple charter school organization  
5 application and all necessary documentation as required under  
6 subsection (b), the secretary shall, within 30 days, approve or  
7 deny the application.

8 (3) Written notice of the secretary's action shall be sent  
9 to the applicants and the appeal board. If the application is  
10 denied, the reasons for the denial shall be included in the  
11 written notice.

12 (4) (i) At the option of the multiple charter school  
13 organization applicants, the decision of the secretary may be  
14 appealed to the appeal board.

15 (ii) The appeal board shall, within 30 days, approve or deny  
16 the appeal. If the appeal board has affirmed the decision of the  
17 secretary, notice shall be provided to both parties.

18 (iii) A decision of the appeal board to reverse the decision  
19 of the secretary shall serve as a requirement for the secretary  
20 to grant the application and sign the multiple charter school  
21 organization charter.

22 (iv) A decision of the appeal board shall be subject to  
23 appellate review by the Commonwealth Court.

24 (5) The multiple charter school organization's charter term  
25 shall remain in effect until the time of expiration pursuant to  
26 section 1720-A, at which time the department shall conduct a  
27 comprehensive review prior to granting a charter renewal  
28 pursuant to section 1728-A.

29 (d) A multiple charter school organization may:

30 (1) Participate in the assessment systems in the same manner

1 in which a school district participates, and its individual  
2 charter schools shall participate in such assessment systems in  
3 the same manner as individual schools in school districts. All  
4 data gathered for purposes of evaluation shall be gathered in a  
5 like manner.

6 (2) Add charter schools to its organization through the  
7 application process included under this section.

8 (3) Allow students enrolled in an individual charter school  
9 to matriculate to another individual charter school under its  
10 oversight so as to complete a course of instruction in an  
11 educational institution from kindergarten through grade 12.

12 (e) Annual reports.--The annual report required under  
13 section 1728-A shall be provided by the board of trustees and  
14 chief executive officer of the multiple charter school  
15 organization and shall include all information required to  
16 provide a basis for evaluation for renewal of each individual  
17 charter school under the organization's oversight.

18 (f) (1) A multiple charter school organization shall be  
19 regarded as the holder of the charter of each individual charter  
20 school under its oversight and each such previously or  
21 subsequently awarded charter shall be subject to nonrenewal or  
22 revocation in accordance with this article.

23 (2) The nonrenewal or revocation shall not affect the status  
24 of a charter awarded for any other individual charter school  
25 under its oversight.

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