

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1204 Session of  
2017

INTRODUCED BY DONATUCCI, HILL-EVANS, ROEBUCK, V. BROWN, STURLA  
AND McCARTER, APRIL 17, 2017

REFERRED TO COMMITTEE ON EDUCATION, APRIL 17, 2017

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 pupils and attendance, providing  
6 for school building closure requirements.

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

9 Section 1. The act of March 10, 1949 (P.L.30, No.14), known  
10 as the Public School Code of 1949, is amended by adding a  
11 section to read:

12 Section 1311.1. School Building Closure Requirements.--(a)  
13 A school entity may close a school voluntarily, through  
14 nonrenewal or through revocation as provided under section 1729-  
15 A. Notice of a school entity's closure of a school for any  
16 reason must be provided by the authorizing entity to the  
17 Department of Education. After receiving notification of  
18 closure, the department shall notify the school entity and the  
19 authorizing entity if it is aware of any liabilities the school  
20 entity owes the Commonwealth or any other entity. Liabilities

1 may include overpayment of tuition, unpaid revolving fund loans  
2 or grants or other liabilities. The department may ask the  
3 Auditor General or city controller of a city of the first class  
4 to conduct an audit of the school entity if it has reason to  
5 believe that the school entity received State funding for which  
6 it was not eligible. The notice of the school entity shall  
7 include an accounting of the following:

8 (1) All financial assets, including, but not limited to,  
9 cash and accounts receivable and an inventory of property,  
10 equipment and other items of material value.

11 (2) All liabilities, including, but not limited to, accounts  
12 payable, unpaid staff compensation, audit findings or other  
13 investigations.

14 (3) An assessment of the disposition of any restricted funds  
15 received by or due to the school entity.

16 (b) If the school entity is supported by a nonprofit  
17 foundation and the foundation does not have any other functions  
18 than operation of the school entity, the foundation should be  
19 dissolved according to its bylaws. The foundation's bylaws  
20 should address how assets are to be distributed at the closure  
21 of the foundation. All remaining assets of the foundation shall  
22 be distributed on a proportional basis to school districts with  
23 students enrolled in the school for the last full or partial  
24 school year of the school.

25 (c) (1) The school entity shall send notice of its closure  
26 of a school to parents or guardians of students, the authorizing  
27 entity and the department. Notice must be received by the  
28 department within fifteen (15) calendar days of any official  
29 action taken by the authorizing entity. Notification of all the  
30 required parties shall include at least the following:

- 1     (i) The effective date of the closure.  
2     (ii) The name and contact information for the person  
3 handling inquiries regarding the closure.  
4     (iii) The students' school districts of residence.  
5     (iv) How parents or guardians may obtain copies of student  
6 records, including specific information on completed courses and  
7 credits that meet graduation requirements.

8     (2) The notification to the department shall also include a  
9 description of the circumstances of the closure and the location  
10 of student and personnel records. Notification to parents,  
11 guardians and students shall also include information on how to  
12 transfer the student to an appropriate school and a certified  
13 packet of student information that may include grade reports,  
14 discipline records, immunization records and any other  
15 appropriate information.

16     (d) The school entity or authorizing entity shall announce  
17 the closure of a school to school districts that may be  
18 responsible for providing education services to the former  
19 students of the closing school. These districts can then assist  
20 in facilitating student transfers.

21     (e) School closures shall occur at the end of an academic  
22 year if it is feasible to maintain a legally compliant program  
23 until then. If a conversion charter school is reverting to  
24 noncharter status, notification of this change shall be made to  
25 all parties required under this section.

26     Section 2. This act shall take effect in 60 days.