

## THE GENERAL ASSEMBLY OF PENNSYLVANIA

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**HOUSE BILL****No. 843** Session of  
2015

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INTRODUCED BY EMRICK, CUTLER, GROVE, DIAMOND, EVERETT, HELM,  
FEE, MURT AND WATSON, MARCH 24, 2015

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REFERRED TO COMMITTEE ON EDUCATION, MARCH 24, 2015

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## 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 enrollment.

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

9 Section 1. Section 1723-A heading, (a) and (b) of the act of  
10 March 10, 1949 (P.L.30, No.14), known as the Public School Code  
11 of 1949, amended June 26, 1999 (P.L.394, No.36), are amended to  
12 read:

13 Section 1723-A. Application for Admission and Enrollment.--

14 (a) (1) All resident children in this Commonwealth qualify for  
15 admission to a charter school within the provisions of  
16 subsection (b). If more students apply to the charter school  
17 than the number of attendance slots available in the school,  
18 then students must be selected on a random basis from a pool of  
19 [qualified applicants meeting the established eligibility  
20 criteria and submitting an application] resident children who

1 have submitted an application in accordance with subsection (a)  
2 (3) and (4) by the deadline established by the charter school,  
3 except that the charter school may give preference in enrollment  
4 to a child of a parent who has actively participated in the  
5 development of the charter school and to siblings of students  
6 presently enrolled in the charter school. First preference shall  
7 be given to students who reside in the district or districts.

8 (2) Resident children not selected from the initial pool  
9 shall be placed on a waiting list in random order. Resident  
10 children who apply after a waiting list has been created shall  
11 be placed on the waiting list in the order in which their  
12 applications are received. The charter school shall enroll  
13 additional resident children from the waiting list when space  
14 becomes available.

15 (3) Applications for admission to a charter school shall be  
16 made on a form developed by the department. The application form  
17 developed by the department shall be made available at the  
18 charter school and posted on the charter school's publicly  
19 accessible Internet website, if the charter school has a  
20 publicly accessible Internet website.

21 (4) Applications for admission to a charter school or  
22 entrance into a pool for random selection shall not require or  
23 include a request for any other information beyond the contents  
24 of the application form developed by the department unless  
25 delineated in the school's charter, permitted under subsection  
26 (b) (2) or (2.1) and approved by the local board of school  
27 directors, in the case of a charter school or regional charter  
28 school, or by the department, in the case of a cyber charter  
29 school.

30 (5) Nothing in this section shall prohibit a charter school

1 from requesting the submission of additional records and  
2 information that public schools are entitled to receive after a  
3 student acceptance for admission to a charter school.

4 (b) (1) [A] Except as provided in paragraph (2) or (2.1), a  
5 charter school shall not discriminate in its admission policies  
6 or practices on the basis of intellectual ability[, except as  
7 provided in paragraph (2),] or athletic ability, measures of  
8 achievement or aptitude, status as a person with a disability,  
9 proficiency in the English language or any other basis that  
10 would be illegal if used by a school district.

11 (2) A charter school may limit admission to a particular  
12 grade level[, ] or a targeted population group composed of at-  
13 risk students[, or areas of concentration of the school such as  
14 mathematics, science or the arts. A charter school may establish  
15 reasonable criteria to evaluate prospective students which shall  
16 be outlined in the school's charter].

17 (2.1) Only a charter school for students in grades nine  
18 through twelve with a concentrated, specialized or accelerated  
19 program of study in science, technology, engineering and  
20 mathematics (STEM) or the performing arts, as set forth in the  
21 school's charter, may establish reasonable criteria to evaluate  
22 prospective students for admission purposes. The admission  
23 criteria may include a test, project or audition or a review of  
24 the prospective student's prior school grades, and shall be made  
25 available at the charter school and posted on the charter  
26 school's publicly accessible Internet website. Every child who  
27 meets the admission criteria shall be eligible for admission and  
28 included in a pool for random selection if a pool is required  
29 under subsection (a)(1).

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