
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1892 Session of
2021

INTRODUCED BY SONNEY, CIRESI, SCHLEGEL CULVER, MILLARD, PICKETT,
SCHLOSSBERG, SNYDER AND STAATS, SEPTEMBER 21, 2021

REFERRED TO COMMITTEE ON EDUCATION, SEPTEMBER 21, 2021

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 funding for charter schools.

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

9 Section 1. Section 1725-A(a)(5) of the act of March 10, 1949
10 (P.L.30, No.14), known as the Public School Code of 1949, is
11 amended to read:

12 Section 1725-A. Funding for Charter Schools.--(a) Funding
13 for a charter school shall be provided in the following manner:

14 * * *

15 (5) (i) Payments shall be made to the charter school in
16 [twelve (12) equal] monthly payments, by the fifth day of each
17 month, within the operating school year[.] using the per-student
18 amounts calculated under paragraphs (2) and (3). In order to be
19 eligible to receive a monthly payment for an enrolled student,
20 the charter school shall be required to submit proof of

1 enrollment and proof of residency to the school district.

2 (ii) A student enrolled in a charter school shall be
3 included in the average daily membership of the student's
4 district of residence for the purpose of providing basic
5 education funding payments and special education funding
6 pursuant to Article XXV.

7 (iii) If a school district fails to make a monthly payment
8 to a charter school as prescribed in this clause, the secretary
9 shall deduct and pay the estimated amount, as documented by the
10 charter school, from any and all State payments made to the
11 school district after receipt of documentation from the charter
12 school. A charter school may only seek deduction and payment by
13 the secretary under this clause for estimated amounts owed to
14 the charter school for students enrolled in the most current
15 school year and due as of the date the request is submitted to
16 the secretary. A charter school shall submit with its request a
17 copy of its charter agreement under section 1720-A(a).

18 (iv) No later than October 1 of each year, a charter school
19 shall submit to the school district of residence of each student
20 final documentation of payment to be made based on the average
21 daily membership for the students enrolled in the charter school
22 from the school district for the previous school year.

23 (v) If a school district fails to make payment to the
24 charter school, the secretary shall deduct and pay the amount as
25 documented by the charter school from any and all State payments
26 made to the district after receipt of documentation from the
27 charter school from the appropriations for the fiscal year in
28 which the final documentation of payment was submitted to the
29 school district of residence.

30 (vi) The secretary may not process a request under this

1 paragraph unless the student count reflected in any charter
2 school's request is consistent with terms of the charter
3 agreement signed under section 1720-A(a).

4 (vii) the secretary may not make a deduction under this
5 paragraph unless the charter school provides the secretary with
6 proof that:

7 (A) the school district was billed for payment by the
8 charter school at least thirty (30) days prior to the date for
9 payment under this paragraph; and

10 (B) the school district did not make a payment prior to or
11 on the date prescribed in this paragraph.

12 (viii) Prior to making a deduction from a State payment due
13 to the district, the secretary shall verify the accuracy of the
14 charter school request and documentation. The secretary may not
15 make a deduction if the department determines that the charter
16 school request is inaccurate or that the documentation is
17 incomplete.

18 (ix) The secretary shall notify the school district at least
19 ten (10) days prior to making any deductions from State payments
20 and shall provide the school district with the amount of the
21 deduction. Within thirty (30) days of notification from the
22 secretary, the school district may notify the secretary that it
23 believes that the estimated amount, as documented by the charter
24 school, is inaccurate. Within thirty (30) days of receiving
25 notification from the school district, the secretary shall:

26 (A) Provide the school district with a hearing concerning
27 whether the charter school documented that students were
28 enrolled in the charter school, the period of time during which
29 each student was enrolled in the charter school, the school
30 district of residence of each student enrolled in the charter

1 school and any other matters related to whether the amounts
2 deducted from or paid by the school district were accurate.

3 (B) Adjust any payments as necessary within thirty (30) days
4 of the hearing, including, but not limited to, restoring school
5 district State subsidies previously withheld for redirection,
6 directing that the charter school return money to the school
7 district or granting the school district a credit toward future
8 charter school payments.

9 * * *

10 Section 2. This act shall take effect immediately.