

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1076 Session of 2023

INTRODUCED BY YOUNG, MADDEN, PROBST, PARKER, KINSEY, HILL-EVANS, CIRESI, SANCHEZ, CONKLIN, OTTEN, GUENST, CEPHAS AND KHAN, MAY 2, 2023

REFERRED TO COMMITTEE ON EDUCATION, MAY 2, 2023

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

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

9 (1) Financial assets, including cash and accounts receivable
10 and an inventory of property, equipment and other items of
11 material value.

12 (2) Liabilities, including accounts payable, unpaid staff
13 compensation, audit findings or other 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 shall be
19 dissolved according to its bylaws. Upon closure of the
20 foundation, assets of the foundation shall be distributed
21 according to the foundation's bylaws. If the bylaws of the
22 foundation don't provide for distribution of assets or if assets
23 remain, the remaining assets shall be distributed on a
24 proportional basis to school districts with students enrolled in
25 the school for the last full or partial school year of the
26 school.

27 (c) (1) The school entity shall send notice of its closure
28 of a school to parents or guardians of students, the authorizing
29 entity and the department. Notice must be received by the
30 department within fifteen (15) calendar days of any official

1 action taken by the authorizing entity. Notification of each of
2 the required parties shall include at least the following:

3 (i) The effective date of the closure.

4 (ii) The name and contact information for the person
5 handling inquiries regarding the closure.

6 (iii) The students' school districts of residence.

7 (iv) How parents or guardians may obtain copies of student
8 records, including specific information on completed courses and
9 credits that meet graduation requirements.

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

18 (3) The school entity shall publish notice of its closure of
19 a school in a newspaper of general circulation in each school
20 district that may be responsible for providing education
21 services to the former students of the closing school and on the
22 school entity's publicly accessible Internet website.

23 (d) The school entity or authorizing entity shall announce
24 the closure of a school to school districts that may be
25 responsible for providing education services to the former
26 students of the closing school. The districts shall assist in
27 facilitating student transfers.

28 (e) School closures shall occur at the end of an academic
29 year if it is feasible to maintain a legally compliant program
30 until the end of the academic year. If a conversion charter

1 school is reverting to non-charter status, notification of the
2 reversion shall be made to each party required under this
3 section.

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