

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1768 Session of  
2021

INTRODUCED BY BOBACK, JAMES, HENNESSEY, HELM, BROOKS, CIRESI,  
MENTZER AND SCHLEGEL CULVER, AUGUST 9, 2021

REFERRED TO COMMITTEE ON EDUCATION, AUGUST 9, 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, providing for  
6 Charter School Funding Advisory Commission.

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 1704-A. Charter School Funding Advisory  
13 Commission.--(a) The Charter School Funding Advisory Commission  
14 is established.

15 (b) The commission shall examine all current laws,  
16 regulations and executive policy statements which determine  
17 funding for charter schools, regional charter schools and cyber  
18 charter schools in this Commonwealth.

19 (c) The commission shall consist of the following:

20 (1) The secretary or a designee.

1     (2) One member appointed by the President pro tempore of the  
2 Senate.

3     (3) One member appointed by the Minority Leader of the  
4 Senate.

5     (4) One member appointed by the Speaker of the House of  
6 Representatives.

7     (5) One member appointed by the Minority Leader of the House  
8 of Representatives.

9     (6) The chairperson and minority chairperson of the  
10 Appropriations Committee of the Senate and the chairperson and  
11 minority chairperson of the Appropriations Committee of the  
12 House of Representatives.

13     (7) The chairperson and minority chairperson of the  
14 Education Committee of the Senate and the chairperson and  
15 minority chairperson of the Education Committee of the House of  
16 Representatives.

17     (8) One member jointly appointed by the President pro  
18 tempore of the Senate and the Speaker of the House of  
19 Representatives.

20     (d) The commission shall hold an organizational meeting not  
21 later than sixty (60) days following the effective date of this  
22 section. All members shall be appointed within thirty (30) days  
23 of the effective date of this section. Any vacancy on the  
24 commission shall be filled by the original appointing authority.

25     (e) The commission shall elect two commission chairpersons,  
26 one from the Senate and one from the House of Representatives.

27     (f) The commission shall hold meetings at the call of the  
28 chairpersons. The commission shall hold six (6) or more public  
29 hearings on the matters to be considered by the commission. All  
30 meetings and public hearings of the commission shall be deemed

1 open meetings for the purpose of 65 Pa.C.S. Ch. 7 (relating to  
2 open meetings). A majority of the members of the commission  
3 shall constitute a quorum at any meeting.

4 (g) The commission members shall receive no compensation for  
5 services but shall be reimbursed for all necessary travel and  
6 other reasonable expenses incurred in connection with the  
7 performance of the members' duties.

8 (h) The commission shall have the following powers and  
9 duties:

10 (1) To meet with current charter school entity operators and  
11 personnel, school district personnel and other representatives  
12 of public education.

13 (2) To review charter school entity financing laws in  
14 operation throughout the United States.

15 (3) To assess the actual cost of educating a child in a  
16 charter school, a regional charter school, a cyber charter  
17 school and a school district or intermediate unit utilizing  
18 cyber classes.

19 (4) To evaluate and make recommendations on the following:

20 (i) The process by which charter schools, regional charter  
21 schools and cyber charter schools are funded.

22 (ii) Appropriate funding for charter school, regional  
23 charter school and cyber charter school operations.

24 (iii) Appropriate funding for charter school, regional  
25 charter school and cyber charter school facilities and  
26 management.

27 (iv) Appropriate funding for regular and special education  
28 transportation.

29 (v) Other funding issues raised in the course of public  
30 hearings.

1 (vi) The appropriateness of a school district deduction for  
2 programs and services to the extent that they are funded from  
3 the proceeds of competitive grants from private or public  
4 resources or from contributions or donations from private  
5 sources.

6 (vii) The appropriate manner of funding a charter school  
7 that primarily serves adjudicated youth.

8 (viii) Appropriate funding for athletic programs and extra-  
9 curricular activities offered to a student enrolled in a charter  
10 school, regional charter school or cyber charter school.

11 (ix) The appropriate manner of implementing the  
12 recommendations of the special education funding commission with  
13 respect to charter schools, regional charter schools and cyber  
14 charter schools.

15 (i) The General Assembly shall provide administrative  
16 support, meeting space and any other assistance required by the  
17 commission to carry out the commission's duties under this  
18 section. Whenever possible, the commission shall utilize the  
19 services and expertise of existing personnel and staff of State  
20 government.

21 (j) The commission shall, no later than eighteen (18) months  
22 from the effective date of this section, issue a report of the  
23 commission's findings and recommendations to the Governor, the  
24 President Pro Tempore of the Senate, the Majority Leader of the  
25 Senate, the Minority Leader of the Senate, the Speaker of the  
26 House of Representatives, the Majority Leader of the House of  
27 Representatives and the Minority Leader of the House of  
28 Representatives. The recommendations of the commission shall not  
29 take effect unless the recommendations are approved by an act of  
30 the General Assembly enacted after the effective date of this

1 section.

2 (k) As used in this section, the term "commission" means the  
3 Charter School Funding Advisory Commission.

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